

Arms (Shooting Clubs, Shooting Ranges, and Other Matters) Amendment Bill

Government Bill

As reported from the Justice Committee

Commentary

Recommendation

The Justice Committee has examined the Arms (Shooting Clubs, Shooting Ranges, and Other Matters) Amendment Bill and recommends by majority that it be passed. We recommend all amendments by majority.

Introduction

The bill seeks to improve compliance with the Arms Act 1983, and thereby support public safety, by simplifying the regulatory requirements for non-pistol shooting clubs and ranges. To do this, the bill would amend the Act to create different levels of regulation between pistol and non-pistol shooting clubs and ranges. This distinction would ease the current regulatory and reporting requirements on non-pistol shooting clubs and ranges while recognising the importance of maintaining stricter controls around the use of pistols, as they can be more easily concealed.

Clause 5 would replace Part 6 of the Act (by replacing sections 38A to 38X with new sections 38A to 38XM) to specify the sections that apply to pistol shooting clubs, non-pistol shooting clubs, pistol shooting ranges, and non-pistol shooting ranges. It would also replace the current approval and certification system for non-pistol shooting clubs and ranges with a new enrolment system.

Legislative scrutiny

As part of our consideration of the bill, we have examined its consistency with principles of legislative quality. We have no issues regarding the legislation's design to bring to the attention of the House.

Proposed amendments

This commentary covers the main amendments we recommend to the bill as introduced. We do not discuss minor or technical amendments.

Certificate of approval for pistol shooting clubs

As introduced, proposed section 38D would allow an application to be made for a certificate of approval for a pistol shooting club by:

- an authorised person if the pistol shooting club is a body corporate
- an authorised club representative if the pistol shooting club is not a body corporate.

However, we note that proposed section 38C would require a pistol shooting club to be an incorporated society. Given this requirement, we recommend amending proposed section 38D(1) to remove the second option above and make clear that only a person authorised by the pistol shooting club could apply for a certificate of approval on the club's behalf.

Notification of a temporary non-pistol shooting range

Proposed section 38XD would require a non-pistol shooting club that is organising a shooting activity at a temporary non-pistol shooting range to notify the Police Commissioner of that activity. This means that only non-pistol shooting clubs could operate a temporary non-pistol shooting range. It would exclude individuals who are likely to have relevant experience in running safe shooting ranges from organising events at temporary non-pistol shooting ranges.

We recommend replacing proposed section 38XD(1) with a provision specifying that the persons who could operate a temporary non-pistol shooting range are:

- a shooting club
- a member of a shooting club
- an operator of a certified pistol shooting range
- an operator of an enrolled non-pistol shooting range.

Enrolment requirements for non-pistol clubs and ranges

The bill would replace approval requirements for non-pistol clubs and ranges with a system of enrolment. The bill would not require non-pistol shooting ranges to have range standing orders, but we understand that this requirement would be included in regulations. To afford certainty, we recommend inserting, in proposed section 38XE(2), a requirement that a non-pistol shooting range include in its application for enrolment a declaration that it has range standing orders. These range standing orders must be approved by the association the range is affiliated with or the Police.

Resource consent and range enrolment are both needed for a non-pistol shooting range to legally operate. However, the bill as introduced does not mention the need for a non-pistol shooting range to confirm that it has obtained the necessary resource

consents when applying for enrolment. We see a risk that this silence could give rise to the misconception that a non-pistol shooting range did not need a resource consent to operate, provided it was enrolled.

We therefore recommend inserting a new provision in proposed section 38XE(2) requiring that a non-pistol shooting range include a declaration in its enrolment application that all necessary territorial authority and regional council consents to operate the range have been obtained.

Pending applications to be treated as applications for enrolment

Clause 10 of the bill would add a new Part 4 to Schedule 1 of the Act, which contains transitional, savings, and related provisions. This new Part would provide that non-pistol shooting clubs that are approved, and non-pistol shooting ranges that are certified, before the commencement date of the bill are to be treated as enrolled once the bill comes into force. Some submitters raised concerns that this transitional provision would not cover applications for approval or certification that may still be pending at the commencement date.

We understand that a number of applications for approval and certification are pending. We note that pending applications for approval and certification contain all the information required for applications for enrolment proposed in the bill. Therefore, we think that requiring clubs and ranges with pending applications to reapply for enrolment would involve unnecessary duplication.

We recommend inserting further provisions in proposed Part 4 of Schedule 1 by inserting clauses 25 and 26. This would enable applications for approval and applications for certification that have been made but not yet determined before the commencement date to be treated on and after that date as applications for enrolment and certification.

Consultation requirements apply to regulations

Clause 12 of the bill would replace section 74(3) and (4) of the Act. This section concerns the regulation-making powers. The Regulations Review Committee suggested clarifying whether regulations made under section 74(1)(pa) would be subject to the consultation requirement in section 74(4). We agree, and recommend inserting new section 74(3)(b). This would ensure that the responsible Minister may only recommend that regulations be made under section 74 of the Act if satisfied that the Secretary for Justice has complied with the consultation requirements in section 74(4).

Duration of shooting events for temporary non-pistol shooting ranges

Proposed section 38A sets out definitions for proposed new Part 6. One definition is for “temporary non-pistol shooting range”. As introduced, it states that a temporary range could be set up for no more than 2 events in any calendar year that include shooting activities. However, it is unclear how long an event may last. Therefore, we propose defining “shooting event” as an event that lasts for no more than 4 days.

Temporary suspension of a shooting club's operations for non-compliance with improvement notice

Proposed section 38XL would allow the Police to temporarily suspend the operations of a shooting club, by notice in writing, if they are satisfied that the shooting club has failed to comply with an improvement notice. However, we note that it was only intended that this power be exercised in relation to a pistol shooting club. We recommend amending proposed section 38XL to make this clear.

New Zealand Labour Party differing view

The Labour Party does not support the bill's intent to turn back the clock to a version of firearms law that was in place at the time of the 2019 terrorist attack in Christchurch. In 2019 there was only self-regulation or no regulation of shooting clubs and shooting ranges. The current Part 6 of the Arms Act (shooting clubs and ranges) took effect in 2022 after Parliament passed the Arms Legislation Act in 2020. Part 6 has not been in place long enough to make an evidence-based assessment of its impact.

We support the submission made by the Police Association on behalf of approximately 98 percent of sworn Police officers. It highlighted that there has been no evidence provided to Ministers or to the Justice Committee of problems with Part 6 of the Act, or that any club or range has closed because of the new Act or associated Regulations. The Association described this bill as putting "politics over safety" and we agree with that assessment.

The Government's advisers could not justify the proposals either, pointing instead to anecdotes, assumptions, and the Minister's "lived experience". The Ministry of Justice's Regulatory Impact Statement noted "the current legislative requirements have been in place for approximately a year, so there is little evidence of any positive and negative impacts of the requirements. ...[and] due to the anecdotal nature of what we have been told, it is difficult to assess the scale and significance of the issues experienced by clubs and ranges and the associated risk of closure. The proposals under consideration are therefore based on an assumption that the risk is of a scale that warrants regulatory change."

The Labour Party stands by the principles of the current Arms Act, which are that possession and use of firearms is a privilege, not a right, and that everyone who uses firearms must act in the interests of personal and public safety.

Safety risks

We have grave reservations about the impact of this bill on the safety of frontline police, small business owners, and rural landowners, such as farmers and forestry companies.

These groups are frequently confronted by offenders with firearms sourced from the black market through diversion from licensed firearms owners. These firearms are then used during aggravated robberies and illegal hunting. Police have also warned the Police Minister of gang members practising their shooting skills on unregulated shooting ranges.

The public safety risks of unregulated clubs and ranges were highlighted by the Royal Commission of Inquiry into the terrorist attack in Christchurch, currently still subject to a Coroners Inquiry. The Royal Commission found the terrorist was able to practise rapid-firing techniques on an unregulated rifle range. This bill would allow unscrupulous landowners to let criminals or extremists use their facilities. For example, in late 2024 media reports of a Police inquiry into offending by the Comancheros gang indicated members practised military-style live firing on farmland in Northland, effectively an uncertified shooting range.

This bill attempts to give the impression of regulatory oversight, but in fact undermines the ability of Police to monitor and enforce safety. There are no compliance tools of any substance; for example, there are no penalty provisions for refusing access to inspect ranges. The public and law-abiding users of shooting ranges will have no confidence that the range is operating safely or correctly.

Weakened Police powers

The proposed “enrolment” system appears to return to a system pre-2019. It will be largely voluntary to follow safety practices set by the shooting governing body, with no oversight by Police and no ability for Police to enforce the rules unless breaches are drawn to their attention by a third party. The proposals will effectively limit Police inspections of clubs and ranges to once every five years, at the first application for enrolment or certification and then at the five-yearly application for renewal. The reduced ability for the Police to carry out inspections undermines the ability to enforce safety.

This bill increases the opportunity for unsupervised shooting at ranges by people without licences. It creates multiple loopholes for gang members and extremists like the Christchurch terrorist to exploit and to practice their shooting skills without Police oversight. It increases the opportunities for supply of ammunition to criminals who unlawfully hold firearms. Ammunition is a form of currency in the criminal underworld. It also creates a dangerous precedent for many landowners who will find “pop-up” shooting ranges over their back fence. There is no ability for the Police to enforce safety measures or even inspect the facilities, if there are only two events per calendar year. This is a “Wild West” approach to firearms regulation.

The Police are effectively locked out of doing inspections of either pistol ranges or non-pistol ranges for five years. They will never know if safety standards are being met during that time, or if unsupervised, unlicensed shooters are being allowed on the range, because they will not be able to visit and inspect. Pistol ranges and rifle ranges do not have a track record of self-reporting problems to the Police. Further, in June 2024, Parliament’s Petitions Committee questioned the ability of operators of shooting clubs and ranges to monitor or screen for criminals and extremists who use the facilities, and noted Police and security agencies needed oversight of club internal processes.

Lack of national standards for rifle and shotgun ranges

This bill undermines public confidence in consistency of safety standards at shooting clubs and ranges because it removes the current adherence to national standards for non-pistol (rifle and shotgun) ranges. This is at odds with pistol ranges that must use the guidance issued by the Commissioner of Police. Non-pistol ranges will be able to set their own standards, and the Police will have to inspect them against the operator's own rules, not against any law or regulation set by Parliament. They should, at the bare minimum, be required to adhere to the ballistic safety guidelines in the Police Shooting Range Manual.

Rifles and shotguns still present a serious safety risk, despite suggestions in the bill that pistols are the more serious safety concern. The Police have publicly stated that 70 percent of firearms seized from criminals are the so-called "A-Cat" or "non-prohibited" firearms, such as ordinary hunting rifles and shotguns. The Firearms Safety Code provides insight to the lethal risks from rifles and shotguns commonly used on non-pistol ranges. Their long-range firing capacity is in marked contrast to a pistol. A bullet fired from a common deer hunting rifle, a .308, can travel 4km. A .22 rifle, common for shooting possums and rabbits, can fire rounds that travel 2.5km.

Other matters outside the scope of the bill

This section is quite simply a power grab by the Associate Minister of Justice from the Minister of Police. It has nothing to do with reforms to shooting clubs or ranges. It should wait for the wider review of the Firearms Registry and the whole Arms Act.

Labour Party recommendations

1. Require all non-pistol ranges to use the guidance (Shooting Range Manual) issued by the Commissioner of Police.
2. Enable Police to inspect any shooting range (both pistol and non-pistol), with a minimum seven-day notice period, to inspect compliance with the Police Shooting Range Manual requirements.
3. Defer the changes under the "other matters" section till the Arms Act rewrite exercise is complete, as the proposals have no relevance to shooting clubs and ranges and this bill is not the appropriate vehicle to make that change.
4. Extend the implementation date of the bill to a minimum of six months after Royal Assent, and potentially longer, to wait until the current Arms Act rewrite is complete so that oversight of shooting clubs and ranges is considered within the broader context of the wider firearms regulatory system.

Deferral of the bill would also enable Parliament to ensure it meets the principles of the Regulatory Standards Bill to be passed later this year, which are that "No law should be passed without showing what problem is being solved, whether the benefits outweigh the costs, and who pays the costs and gets the benefits."

Green Party of Aotearoa New Zealand differing view

The Green Party opposes this bill. We acknowledge that shooting clubs are important for their safety education roles for some licensed firearm owners, but do not accept that amending Part 6 of the Arms Act 1983 will meet any legitimate need of licensed firearm owners or provide greater safety and reassurance to the general public.

Reducing the regulation and inspection requirements for shooting clubs and ranges presents a risk to society. The purpose of the Arms Act is to promote and impose controls for the safe possession and use of firearms and other weapons. This bill will roll back safety measures and reduce community safety.

Reducing Police oversight, such as limiting inspections to every five years, and removing the Police Commissioner's ability to cancel clubs' approval based on failure to comply with improvement notices, poses significant risks to the safe operation of non-pistol shooting clubs. As the New Zealand Police Association stated in their submission opposing this bill, "there is no documented evidence of a need for the proposed changes" in this bill. We were perplexed as to why this proposed bill is in the name of Minister Nicole McKee, rather than Police Minister Mark Mitchell, who would traditionally be in charge of a bill of this nature.

We question why this bill has been proposed in the first place. This bill appears to be based on anecdotes and a small lobby group rather than actual evidence or need. This bill is a "solution" without a problem, and we do not support it.

Te Pāti Māori differing view

Te Pāti Māori opposes this bill. This proposed legislation undermines public safety and disregards the lessons of our recent history. By prioritising the interests of firearms lobbyists over the safety and well-being of our whānau, this bill risks exacerbating systemic inequities and neglects the Crown's obligations under Te Tiriti o Wai-tangi.

Tikanga Māori and public safety

This bill represents a significant step backwards for Aotearoa's firearm safety regulations. The Royal Commission of Inquiry into the Christchurch terrorist attack made it clear that robust oversight of shooting ranges and clubs is essential to prevent firearms from being misused by criminals and extremists. Weakening these regulations creates dangerous loopholes for individuals seeking to harm our communities.

From a tikanga Māori perspective:

- **Mana Mokopuna:** Loosening firearm regulations endangers our mokopuna by increasing access to dangerous weapons. Our role is to ensure the safety and well-being of future generations, and this bill fails to uphold that responsibility.
- **Mana Ōrite:** The lack of consultation with Māori communities is a failure of partnership under Te Tiriti. This bill disproportionately impacts Māori by ignoring our voices and perpetuating inequities in public safety.

- Mana Motuhake: Māori communities deserve policies that empower and protect them, not legislation designed to serve a small, privileged interest group.

The argument that this bill is necessary to reduce burdens on firearm owners is not supported by evidence. You do not need these types of guns for kai. These weapons, including those capable of rapid firing, have no place in Aotearoa and were tools of white supremacist violence in the Christchurch terrorist attack. The gunman was able to train with these firearms at an unregulated shooting range, honing techniques for mass killing. This bill risks re-creating the very conditions that allowed that devastating attack to occur.

The threat of white supremacist terrorism

The Christchurch terrorist attack on 15 March 2019 was the deadliest act of white supremacist violence in Aotearoa's history, killing 51 innocent people and injuring dozens more. It was not an isolated event. Globally, white supremacist terrorism has surged, with coordinated attacks targeting marginalised communities, particularly those who are Muslim, Jewish, or people of colour.

The Royal Commission of Inquiry into the Christchurch attack revealed that the gunman's ability to practice rapid-firing techniques on an unregulated shooting range was a critical factor in his preparation. The shooter exploited weak oversight of firearm clubs and ranges to prepare for his act of terror. Any effort to deregulate shooting clubs and ranges is a direct threat to public safety and a step backwards in the fight against domestic terrorism.

White supremacist violence is not an abstract threat—it is a lived reality for many communities in Aotearoa. This bill, by removing critical safety regulations, creates opportunities for extremists to access firearms and practise their techniques without oversight. Such deregulation undermines the safety of all communities and dishonours the memories of the victims of the Christchurch attack.

Te Tiriti o Waitangi and justice

This bill fails to uphold Te Tiriti o Waitangi, particularly the Crown's obligation for active protection of Māori communities. By removing safety measures and regulations that protect whānau from the harms of firearms, the bill breaches the Crown's duty to safeguard Māori.

The lack of meaningful consultation further demonstrates a failure to honour Te Tiriti's partnering with Māori. Māori communities, who are disproportionately affected by gun violence, were not adequately engaged in shaping this legislation. Instead, this bill reflects the priorities of a small firearms lobby, ignoring the lived realities of tangata whenua.

From a justice perspective, the deregulation of firearms will worsen systemic injustices. Deregulated shooting ranges and clubs could increase access to firearms in communities already facing heightened levels of violence and systemic inequities. History shows that Māori communities are often over-policed yet under-protected. By weakening firearm regulations, this bill increases the risk of firearms being misused in

already vulnerable communities, while exposing Māori to heightened police scrutiny. This perpetuates the cycles of racial bias and criminalisation that have long affected Māori.

A justice-focused approach would strengthen firearm regulations, ensuring that Māori communities are actively protected from harm. This would include community-led initiatives that prioritise restorative justice and public safety, rather than policies that amplify inequities.

Key concerns

1. Erosion of public safety: By rolling back safety measures established after the Christchurch terrorist attack, this bill opens the door to criminals and extremists exploiting unregulated shooting ranges.
2. White supremacist terrorism: The bill ignores the risks posed by deregulation, which creates opportunities for extremists to access firearms and practise deadly techniques.
3. Disproportionate impact on Māori: Weakening firearm regulations disproportionately affects Māori, increasing both the risk of harm and the likelihood of racial profiling by police.
4. Conflict of interest: The fact that this bill is led by a former gun lobbyist raises serious concerns about whose interests are being prioritised.

Te Pāti Māori recommendations

Te Pāti Māori calls for:

- Maintaining and strengthening the existing regulatory framework under the Arms Act 1983. All shooting clubs and ranges must be subject to regular inspections and compliance with national safety standards.
- Policies informed by robust data and meaningful consultation with Māori, ensuring they align with tikanga and Te Tiriti o Waitangi principles.
- Rejecting legislative proposals that prioritise lobbyist interests over public safety and equity.

Closing statement

This bill is a step in the wrong direction, undermining the progress made to ensure firearm safety in Aotearoa. Guns capable of rapid firing are tools of terror, not tools for kai, and their deregulation compromises the safety of all people. Te Pāti Māori stands resolutely against this legislation, calling on Parliament to reject this dangerous rollback of protections and honour the victims of the Christchurch terrorist attack by upholding public safety and equity for all.

Appendix

Committee process

The Arms (Shooting Clubs, Shooting Ranges, and Other Matters) Amendment Bill was referred to the committee on 26 September 2024. The House instructed us to report the bill back no later than 5 February 2025.

We called for submissions on the bill with a closing date of 29 October 2024. We received and considered submissions from 558 interested groups and individuals. We heard oral evidence from 39 submitters.

Advice on the bill was provided by the Ministry of Justice and the New Zealand Police. The Office of the Clerk provided advice on the bill's legislative quality. The Parliamentary Counsel Office assisted with legal drafting. The Regulations Review Committee reported to us on the powers contained in clause 12.

Committee membership

James Meager (Chairperson)

Hon Ginny Andersen

Jamie Arbuckle

Carl Bates (from 29 January 2025)

Cameron Brewer (until 29 January 2025)

Tākuta Ferris

Paulo Garcia (until 29 January 2025)

Dr Tracey McLellan

Rima Nakhle

Tamatha Paul (until 29 January 2025)

Tom Rutherford (from 29 January 2025)

Todd Stephenson

Hon Dr Duncan Webb

Dr Lawrence Xu-Nan (from 29 January 2025)

Related resources

The documents we received as advice and evidence are available on the Parliament website.

**Arms (Shooting Clubs, Shooting Ranges, and Other
Matters) Amendment Bill**

Key to symbols used in reprinted bill

As reported from a select committee

text inserted by a majority

~~text deleted by a majority~~

Hon Nicole McKee

Arms (Shooting Clubs, Shooting Ranges, and Other Matters) Amendment Bill

Government Bill

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**Schedule
New Part 4 of Schedule 1 inserted**

The Parliament of New Zealand enacts as follows:

- 1

Title

This Act is the Arms (Shooting Clubs, Shooting Ranges, and Other Matters) Amendment Act **2024**.
- 2

Commencement

This Act comes into force 3 months after Royal assent.
- 3

Principal Act

This Act amends the Arms Act 1983.

Part 1

Shooting clubs and shooting ranges

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- 4

Section 2 amended (Interpretation)

(1)

In section 2(1), replace the definition of **shooting club** with:

shooting club means a pistol shooting club or non-pistol shooting club

(2)

In section 2(1), insert in their appropriate alphabetical order:

non-pistol shooting club has the meaning given in **section 38A**

non-pistol shooting range has the meaning given in **section 38A**

pistol shooting club has the meaning given in **section 38A**

pistol shooting range has the meaning given in **section 38A**

range operator has the meaning given in **section 38A**

shooting range means a pistol shooting range or a non-pistol shooting range
- 5

Part 6 replaced

Replace Part 6 with:

Part 6

Shooting clubs and shooting ranges

- 38A

Interpretation

In this Part,—

application for approval means an application made under **section 38D** to have a pistol shooting club approved

application for certification means an application made under **section 38S** to have a pistol shooting range certified

non-pistol shooting club means a shooting club that is not a pistol shooting club

non-pistol shooting range means a shooting range ~~that is not a pistol shooting range~~ at which pistols cannot be used

pistol shooting club means a shooting club that facilitates participation in shooting activities that include the use of pistols

pistol shooting range means a shooting range at which pistols can be used 5

range operator means the person who is operating, or proposing to operate, a shooting range

range standing orders, in relation to a shooting range, means a document that—

(a) describes the design of the shooting range; and 10

(b) sets out the operational detail, and conditions of use, of the shooting range

shooting activities—

(a) means activities that are carried out using a firearm or an airgun for the purpose of shooting at inanimate targets (whether fixed or moving); but 15

(b) excludes—

(i) paintball shooting; and

(ii) airsoft shooting

shooting club means a voluntary association of people who—

(a) act in accordance with a set of written rules; and 20

(b) participate in, or intend to participate in, shooting activities on a regular basis

shooting event, in relation to a temporary non-pistol shooting range, means an event that—

(a) includes shooting activities; and 25

(b) lasts for not more than 4 days, with the first day being the day the event commences for participants (who are not event organisers or staff)

shooting range—

(a) means a facility (whether indoor or outdoor), or a designated area of land, used by a shooting club or members of the public for the primary purpose of carrying out shooting activities; and 30

(b) includes any defence area (as that term is defined in section 2(1) of the Defence Act 1990) used by a shooting club

temporary non-pistol shooting range means a non-pistol shooting range that is set up temporarily for no more than 2 shooting events in any calendar year 35
~~that include shooting activities.~~

*Pistol shooting clubs***38B Pistol shooting club must have certificate of approval**

- (1) A pistol shooting club must hold a certificate of approval issued by the Commissioner.
- (2) A person commits an offence and is liable on conviction to a fine not exceeding \$10,000 if the person, without reasonable excuse, establishes or operates a pistol shooting club without the club holding a certificate of approval.

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38C Pistol shooting club must be incorporated society

A pistol shooting club may not hold a certificate of approval under **section 38G** unless the club is registered as an incorporated society under—

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- (a) the Incorporated Societies Act 1908; or
- (b) the Incorporated Societies Act 2022.

38D ~~Application to have pistol shooting club approved for certificate of approval in respect of pistol shooting club~~

- (1) ~~An application for a certificate of approval must be made,—~~
- (a) ~~if the pistol shooting club is a body corporate, by a person who is authorised to make the application; or~~
- (b) ~~if the pistol shooting club is not a body corporate, by the club's representative who is authorised by the club to make the application.~~

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- (1) An application for a certificate of approval in respect of a pistol shooting club may be made only by a person who is authorised by the pistol shooting club to make the application on its behalf.

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- (2) An application for approval must be made to the Commissioner in the manner prescribed by regulations made under this Act, and must—
- (a) be in a form approved by the Commissioner; and
- (b) be supported by any information and documents that are prescribed; and
- (c) be accompanied by the prescribed application fee (if any).

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38E Commissioner may make inquiries and request further information

On receipt of an application for approval, the Commissioner—

- (a) may make whatever inquiries the Commissioner considers necessary to determine whether the application should be granted; and
- (b) may request the applicant to provide any further information or documents that the Commissioner considers necessary to determine whether the application should be granted.

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38F Decision on application for certificate of approval

The Commissioner may grant an application for approval if the Commissioner is satisfied that the pistol shooting club—

- (a) will be using a certified pistol shooting range for its shooting activities; and 5
- (b) has rules relating to the safe operation of firearms and promotes the safe possession and use of firearms; and
- (c) is appropriately administered; and
- (d) is able to safely manage its shooting activities; and
- (e) has proper storage for any firearm or ammunition held at any of the club's premises or at a certified pistol shooting range used by the club. 10

38G Issue of certificate of approval

- (1) If the Commissioner grants an application for approval, the Commissioner must issue to the pistol shooting club a certificate of approval.
- (2) A certificate of approval may be granted subject to any conditions that the Commissioner considers appropriate. 15

38H Duration of certificate of approval

A certificate of approval granted to a pistol shooting club continues until—

- (a) surrendered by the pistol shooting club; or
- (b) cancelled by the Commissioner. 20

38I Cancellation of certificate of approval

- (1) The Commissioner must cancel a pistol shooting club's certificate of approval if the Commissioner is satisfied that—
 - (a) the pistol shooting club is not using a certified pistol shooting range for its shooting activities; or 25
 - (b) the pistol shooting club is no longer carrying on its operations; or
 - (c) the pistol shooting club no longer meets the requirements in **section 38C or 38F**; or
 - (d) the pistol shooting club has failed to comply with an improvement notice issued under **section 38XK**. 30
- (2) The Commissioner may cancel a shooting club's certificate of approval if the Commissioner is satisfied that—
 - (a) the shooting club has failed to comply with any conditions to which its certificate of approval is subject; or
 - (b) the shooting club has failed to report any serious firearms-related safety incident; or 35

- (c) any activity of the shooting club has raised any reasonable concern about the safety of its members or the public.

38J Annual reports

- (1) A pistol shooting club must, not later than 2 months after the close of each financial year, provide to the Commissioner an annual report on its operations for that year. 5
- (2) An annual report must include the particulars prescribed in regulations made under this Act.
- (3) In this section, **financial year** means a period of 12 months commencing on 1 July in each year and ending on 30 June in the following year. 10

Non-pistol shooting clubs

38K Non-pistol shooting ~~clubs~~ club must be enrolled

- (1) A non-pistol shooting club must be enrolled.
- (2) A person commits an offence and is liable on conviction to a fine not exceeding \$10,000 if the person, without reasonable excuse, establishes or operates a non-pistol shooting club without the club being enrolled. 15

38L Non-pistol shooting club ~~selling firearms or ammunition~~ must be incorporated society in certain circumstances

- (1) If firearms are sold to persons on behalf of a non-pistol shooting club, the club may not be enrolled under **section 380** unless it is registered as an incorporated society under— 20
 - (a) the Incorporated Societies Act 1908; or
 - (b) the Incorporated Societies Act 2022.
- (2) If ammunition is sold to persons on behalf of a non-pistol shooting club, the club may not be enrolled under **section 380** unless it is registered as an incorporated society under— 25
 - (a) the Incorporated Societies Act 1908; or
 - (b) the Incorporated Societies Act 2022.
- (3) However, **subsection (2)** does not apply if ammunition is sold to persons on behalf of the non-pistol shooting club for use on the day of sale at a club shooting activity and the ammunition is— 30
 - (a) used by the persons at the club shooting activity; or
 - (b) stored on the premises of the club after the club shooting activity.

38M	<u>Application to have non-pistol shooting club enrolled for enrolment in respect of non-pistol shooting club</u>	
(1)	An application for enrolment <u>in respect of a non-pistol shooting club</u> must be made,—	
(a)	if the non-pistol shooting club is a body corporate, by a person who is authorised to make the application; or	5
(b)	if the non-pistol shooting club is not a body corporate, by the club's representative who is authorised by the club to make the application.	
(2)	An application for enrolment must be made to the Commissioner in the manner prescribed by regulations made under this Act, and must—	10
(a)	be in a form approved by the Commissioner; and	
(b)	be supported by any information and documents that are prescribed; and	
(c)	be accompanied by the prescribed application fee (if any).	
38N	Commissioner may make inquiries and request further information	
	On receipt of an application for enrolment from a non-pistol shooting club, the Commissioner may, for the purpose of determining whether the information provided is complete and correct,—	15
(a)	make whatever inquiries the Commissioner considers necessary; and	
(b)	request the applicant to provide any further information or documents.	
38O	Confirmation of enrolment	20
	If the Commissioner is satisfied that an application is made in accordance with section 38M and that the information provided is complete and correct, the Commissioner must—	
(a)	place the name and details of the non-pistol shooting club on the roll of non-pistol shooting clubs; and	25
(b)	notify the non-pistol shooting club that it is enrolled and of the date of its enrolment.	
38P	Commissioner to keep roll of non-pistol shooting clubs	
	The Commissioner must establish and maintain a roll of non-pistol shooting clubs.	30
38Q	Cancellation of enrolment	
	The Commissioner must cancel a non-pistol shooting club's enrolment if—	
(a)	the non-pistol shooting club requests the cancellation of its enrolment; or	
(b)	the Commissioner is satisfied that the club is no longer carrying on its operations.	35

Pistol shooting ranges

38R Pistol shooting ranges must be certified

- (1) A person may not operate a pistol shooting range unless the shooting range is a certified pistol shooting range.
- (2) A person commits an offence and is liable on conviction to a fine not exceeding \$10,000 if the person, without reasonable excuse, contravenes **subsection (1)**.

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38S ~~Application to have pistol shooting range certified~~ Application for certification of pistol shooting range

- (1) An application for certification of a pistol shooting range may be made,—
 - (a) if the person who is proposing to operate the range is an individual, by that individual; or
 - (b) if the person who is proposing to operate the range is a body corporate, by a person who is authorised to make the application; or
 - (c) if the person who is proposing to operate the range is not an individual or a body corporate, by the person's representative who is authorised by the person to make the application.
- (2) An application for certification must be made to the Commissioner in the manner prescribed by regulations made under this Act, and must—
 - (a) be in a form approved by the Commissioner; and
 - (b) be supported by any information and documents that are prescribed; and
 - (c) be accompanied by the prescribed application fee (if any).

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38T Commissioner may make inquiries and request further information

On receipt of an application for certification, the Commissioner may—

- (a) make whatever inquiries the Commissioner considers necessary to determine whether the application should be granted; and
- (b) request the applicant to provide any further information or documents that the Commissioner considers necessary to determine whether the application should be granted.

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38U Decision on application to have pistol shooting range certified

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The Commissioner may grant an application for certification if the Commissioner is satisfied that—

- (a) the pistol shooting range meets all required safety standards published by the Commissioner; and
- (b) all necessary territorial authority and regional council consents to operate the pistol shooting range have been obtained.

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38V Grant of certification

If the Commissioner grants an application for certification in respect of a pistol shooting range, the Commissioner must issue a certificate to the applicant.

38W Certification granted subject to condition

- (1) A certificate granted under **section 38V** is subject to the condition that, at all times while the certified pistol shooting range is in use, an officer is on duty who—
 - (a) holds a firearms licence; and
 - (b) is appropriately trained in pistol shooting range safety management.
- (2) Certification granted under **section 38V** may be made subject to any other conditions that the Commissioner considers appropriate, which may include conditions relating to—
 - (a) maintenance of the shooting range;
 - (b) public access to the shooting range;
 - (c) restrictions on the types of firearms and ammunition that may be used at the shooting range;
 - (d) competitions that may be conducted at the shooting range.
- (3) ~~A~~ The operator of a certified pistol shooting range must request the Commissioner to review ~~its range~~ the certification of the range if it is intended that the operation of the range will depart from the conditions imposed by or under this section.

38X Duration of certification

A certificate issued in respect of a pistol shooting range remains in force for 5 years after the date on which it is issued unless the certificate is sooner surrendered or cancelled.

38XA Cancellation of certification

The Commissioner may cancel certification in respect of a pistol shooting range if the Commissioner is satisfied that—

- (a) the shooting range is no longer being operated as a pistol shooting range; or
- (b) the shooting range is not being operated with proper regard to individual or public safety; or
- (c) ~~the range operator of the shooting range~~ is not complying with any conditions imposed under **section 38W**; or
- (d) having regard to the matters specified in **section 38U**, it is no longer appropriate that the shooting range be certified; or

- (e) the range operator of a shooting range has failed to comply with an improvement notice issued under **section 38XK**.

38XB Renewal of certification

- (1) A certificate granted under **section 38V** may be renewed on 1 or more occasions. 5
- (2) **Sections 38S to 38XA** apply to an application for renewal of certification as if the application were an application for certification, unless **subsection (4)** applies.
- (3) A renewed certificate is to be treated for all purposes as a new certification granted under **section 38V**. 10
- (4) If the circumstances of the shooting range have not changed significantly for 5 years, the applicant may initiate the renewal of the certification by using a form approved by the Commissioner instead of applying under **section 38S**.

Non-pistol shooting ranges

38XC Non-pistol shooting ranges that are not temporary non-pistol shooting ranges must be enrolled 15

- (1) A person may not operate a non-pistol shooting range (that is not a temporary non-pistol shooting range) unless the shooting range is enrolled.
- (2) A person commits an offence and is liable on conviction to a fine not exceeding \$10,000 if the person, without reasonable excuse, contravenes **subsection (1)**. 20

38XD Temporary non-pistol shooting ranges must be notified to Commissioner

- ~~(1) A non-pistol shooting club that is organising a shooting activity at a temporary non-pistol shooting range must notify the Commissioner of that activity.~~
- (1) The following persons may operate a temporary non-pistol shooting range: 25
 - (a) a shooting club:
 - (b) a member of a shooting club:
 - (c) an operator of—
 - (i) a pistol shooting range that is certified under **section 38V**; or
 - (ii) a non-pistol shooting range that is enrolled under **section 38XG**. 30
- (1A) The operator of a temporary non-pistol shooting range must notify the Commissioner of the temporary non-pistol shooting range.
- (2) A person commits an offence and is liable on conviction to a fine not exceeding \$10,000 if the person, without reasonable excuse, contravenes **subsection (1A)**. 35

38XE Application to have non-pistol shooting range enrolled for enrolment of non-pistol shooting range

- (1) An application for the enrolment of a non-pistol shooting range must be made,—
 - (a) if the person who is proposing to operate the range is an individual, by that individual; or
 - (b) if the person who is proposing to operate the range is a body corporate, by a person who is authorised to make the application; or
 - (c) if the person who is proposing to operate the range is not an individual or a body corporate, by the person's representative who is authorised by the person to make the application.
- (2) An application for enrolment must be made to the Commissioner in the manner prescribed by regulations made under this Act, and must—
 - (a) be in a form approved by the Commissioner; and
 - (aa) include a declaration declaring that—
 - (i) the non-pistol shooting range has range standing orders that have been approved by the association the range is affiliated with or the Police; and
 - (ii) all necessary territorial authority and regional council consents to operate the non-pistol shooting range have been obtained; and
 - (b) be supported by any information and documents that are prescribed; and
 - (c) be accompanied by the prescribed application fee (if any).

38XF Commissioner may make inquiries and request further information

On receipt of an application from an applicant for the enrolment of a non-pistol shooting range ~~for enrolment~~, the Commissioner may, for the purpose of determining whether the information is complete and correct,—

- (a) make whatever inquiries the Commissioner considers necessary; and
- (b) request the applicant to provide any further information or documents.

38XFA Decision on application to have non-pistol shooting range enrolled

The Commissioner must grant an application for the enrolment of a non-pistol shooting range if the Commissioner is satisfied that—

- (a) the application is made in accordance with **section 38XE**; and
- (b) all information provided in the application, and any information provided in response to a request under **section 38XF(b)**, is complete and correct.

38XG Confirmation of enrolment

If the Commissioner ~~is satisfied that grants~~ an application ~~is made in accordance with section 38XE~~ and that the information provided is complete and ~~correct,~~ for the enrolment of a non-pistol shooting range, the Commissioner must—

- (a) place the name and details of the non-pistol shooting range on the roll of non-pistol shooting ranges; and
- (b) notify the applicant that the non-pistol shooting range ~~that it~~ is enrolled and of the date of ~~its~~ the enrolment.

38XH Commissioner to keep roll of non-pistol shooting ranges

The Commissioner must establish and maintain a roll of non-pistol shooting ranges.

38XI Cancellation of enrolment

The Commissioner ~~must~~ may cancel a non-pistol shooting range's enrolment if—

- (a) the range operator requests the cancellation of ~~its~~ the enrolment of the range; or
- (b) the Commissioner is satisfied that the range is no longer being operated as a non-pistol shooting range; or
- (c) the range is not being operated with proper regard to individual or public safety; or
- (d) the range operator ~~of the range~~ has failed to comply with an improvement notice issued under **section 38XK**.

Compliance

38XJ Inspections of shooting clubs and shooting ranges

- (1) For the purpose of ensuring that a shooting club or shooting range is operated in accordance with this Act, a person who is a member of the Police and authorised in writing by the Commissioner may—

- (a) enter and inspect—
 - (i) any shooting range (including any shooting club that is part of the range); and
 - (ii) any place where the shooting club stores firearms or ammunition:
- ~~(b) inspect, print, copy, or remove any hard copy documents that the person believes on reasonable grounds to be those of the shooting club or shooting range.~~
- (b) inspect, print, or copy documents that the person believes on reasonable grounds to be those of the shooting club or shooting range;

- (c) remove any hard copy documents that the person believes on reasonable grounds to be those of the shooting club or shooting range.
- (2) Unless there is a change of circumstances that may affect its safety, an inspection under **subsection (1)** may only be undertaken,—
- (a) in respect of a pistol shooting range, when the ~~range is applying~~ Commissioner is considering an application for— 5
- (i) certification; or
- (ii) renewal of its certification:
- (b) in respect of a non-pistol shooting range, when ~~the range is applying for enrolment and subsequently at 5 yearly intervals.~~ the Commissioner is considering an application for enrolment, and then at intervals of not less than 5 years. 10
- (3) A member of the Police must give at least 7 days' notice of their intention to enter and inspect a venue of a shooting club or shooting range.
- (4) The provisions of Part 4 of the Search and Surveillance Act 2012 (apart from subpart 3) apply. 15

38XK Improvement notices

- (1) This section applies if a member of the Police reasonably believes that—
- (a) a pistol shooting club is failing, is likely to fail, or has failed to comply with any conditions to which its certificate of approval is subject; or 20
- (b) a pistol shooting range is failing, is likely to fail, or has failed to comply with the condition to which its certification is subject; or
- (c) a shooting club or shooting range is contravening, is likely to contravene, or has contravened a provision of this Act or regulations made under this Act. 25
- (2) If this section applies, the member of the Police may issue an improvement notice to the shooting club or the range operator ~~of the shooting range~~ requiring the shooting club or ~~shooting range~~ range operator, within a reasonable period of time specified in the notice, to—
- (a) remedy the non-compliance or contravention; or 30
- (b) prevent a likely non-compliance or contravention from occurring.

38XL Temporary suspension of pistol shooting club's operations for non-compliance with improvement notice

- (1) A member of the Police may, by notice in writing to a pistol shooting club, temporarily suspend the operations of the shooting club if the member is satisfied that the shooting club has failed to comply with an improvement notice issued under **section 38XK**. 35
- (2) A notice of temporary suspension must state—

- (a) the ground on which the notice is given; and
 - (b) the date on which the suspension begins; and
 - (c) that the suspension is to enable the Police to consider cancelling the pistol shooting club's certificate of approval; and
 - (d) that the suspension lasts until notice of the decision as to whether to cancel the certificate of approval is given to the pistol shooting club, but, if the notice is not given within 90 days after the suspension takes effect, the suspension ends with the close of that 90-day period. 5
- (3) ~~In the case of a notice of temporary suspension issued to a pistol shooting club, the notice must also state —~~ 10
- (a) ~~that the suspension is to enable the Police to consider cancelling the pistol shooting club's certificate of approval; and~~
 - (b) ~~that the suspension lasts until notice of the decision as to whether to cancel the certificate of approval is given to the pistol shooting club, but, if the notice is not given within 90 days after the suspension takes effect, the suspension ends with the close of that 90-day period.~~ 15

38XM Temporary suspension of shooting range's operations for non-compliance with improvement notice

- (1) A member of the Police may, by notice in writing to the range operator ~~of a shooting range~~, temporarily suspend the operations of the shooting range if the member is satisfied that the shooting range has failed to comply with an improvement notice issued under **section 38XK**. 20
- (2) A notice of temporary suspension must state—
 - (a) the ground on which the notice is given; and
 - (b) the date on which the suspension begins. 25
- (3) In the case of a notice of temporary suspension issued to a pistol shooting range, the notice must also state—
 - (a) that the suspension is to enable the Police to consider cancelling the shooting range's certification on that ground; and
 - (b) that the suspension lasts until notice of the decision as to whether to cancel the certification is given to the range operator ~~of the shooting range~~, but, if the notice is not given within 90 days after the suspension takes effect, the suspension ends with the close of that 90-day period. 30

6 Section 62B amended (Right of appeal to District Court)

- (1) Replace section 62B(1)(a)(ix) and (x) with: 35
 - (ix) a certificate of approval for a pistol shooting club under **section 38G**;
 - (x) certification of a shooting range under **section 38V**;

- (xi) enrolment of a non-pistol shooting club under **section 38O**:
 - (xii) enrolment of a non-pistol shooting range under **section 38XG**:
- (2) Replace section 62B(1)(b)(viii) and (ix) with:
 - (viii) a certificate of approval for a pistol shooting club:
 - (ix) certification of a shooting range: 5
 - (x) enrolment of a non-pistol shooting club:
 - (xi) enrolment of a non-pistol shooting range:
- 7 Section 74 amended (Regulations)**
- (1) In regulation 74(1)(gb), before “shooting clubs”, insert “pistol”.
- (2) Replace section 74(1)(gc) and (gd) with: 10
 - (gc) prescribing the information and documents required to support an application under **section 38D** for approval of a pistol shooting club:
 - (gd) prescribing the information and documents required to support an application under **section 38M** for enrolment of a non-pistol shooting club:
 - (ge) prescribing the information and documents required to support an application under **section 38S** for certification of a pistol shooting range, including the types of firearms and ammunition for which the range is certified: 15
 - (gf) prescribing the information and documents required to support an application under **section 38XE** for enrolment of a non-pistol shooting range, including the types of firearms and ammunition for which the range is enrolled: 20
- 8 Section 80 amended (Activities that may be subject to cost recovery)**
- Replace section 80(2)(viii) with:
 - (viii) processing any application for approval of a pistol shooting club or certification of a pistol shooting range: 25
 - (viiia) processing any application for enrolment of a non-pistol shooting club or non-pistol shooting range:
- 9 Section 87 amended (Guidance~~notes~~ notices)**
- Replace section 87(1)(d) with: 30
 - (d) the approval of any pistol shooting club or certification of any pistol shooting range:
 - (da) the enrolment of any non-pistol shooting club or non-pistol shooting range:
- 10 Schedule 1 amended** 35
- In Schedule 1,—

- (a) insert the Part set out in the **Schedule** of this Act as the last Part; and
- (b) make all necessary consequential amendments.

Part 2

Other matters

- 11 Section 2 amended (Interpretation)** 5
- In section 2(1), insert in its appropriate alphabetical order:
- responsible Minister** means the Minister of the Crown who, under the authority of any warrant or with the authority of the Prime Minister, is responsible for the administration of this Act
- Regulation-making powers* 10
- 12 Section 74 amended (Regulations)**
- (1) Replace section 74(3) and (4) with:
- (3) Regulations under subsection (1)(pa) may be made only on the recommendation of the responsible Minister after being satisfied that the Secretary for Justice has— 15
- (a) consulted the Privacy Commissioner about the proposed regulations; and
 - (b) complied with the consultation requirements in **subsection (4)**.
- (4) ~~Subject to **subsection (3)**, regulations~~ Regulations may be made under this section only on the recommendation of the responsible Minister after being satisfied that the Secretary for Justice has— 20
- (a) consulted the Police; and
 - (b) done everything reasonable to consult other persons or organisations (or representatives of those organisations) that appear to the Secretary for Justice to be affected or likely to be affected by the regulations, unless the responsible Minister is satisfied that in the circumstances it was not practicable to consult to that extent or to carry out any consultation. 25
- (2) In section 74(5), replace “Minister” with “responsible Minister”.
- 13 Section 74A amended (Order in Council relating to definitions of prohibited firearm and prohibited magazine, and declaring prohibited ammunition)** 30
- In section 74A(1), replace “Minister of Police” with “responsible Minister after being satisfied that the Secretary for Justice has consulted with the New Zealand Police”.

- 14 Section 74D amended (Regulations providing for transitional matters relating to Arms Legislation Act 2020)**

In section 74D(1), replace “Minister of Police” with “responsible Minister”.

Cost recovery
- 15 Section 80 amended (Activities that may be subject to cost recovery)** 5

In section 80(1), replace “Minister of Police” with “responsible Minister”.
- 16 Section 81 amended (Criteria for cost recovery)**

 - (1) In section 81, replace “Minister of Police” with “responsible Minister”.
 - (2) In section 81, replace “the Minister” with “the responsible Minister”.
- 17 Section 82 amended (Consultation)** 10

Replace section 82(1) with:

(1) The responsible Minister may recommend that regulations be made under section 86 only if the responsible Minister is satisfied that the Secretary for Justice has done everything reasonable to consult the persons or organisations (or representatives of those organisations) that appear to the Secretary for Justice to be affected or likely to be affected by the fee or charge.

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- 18 Section 86 amended (Regulations relating to cost recovery)**

In section 86(1), replace “Minister of Police” with “responsible Minister”.

Arms Advisory Group
- 19 Section 88 amended (Arms Advisory Group)** 20

 - (1) In section 88(1), replace “Minister of Police” with “responsible Minister”.
 - (2) In section 88(2), replace “Minister” with “responsible Minister”.
- 20 Section 89 amended (Operations of advisory group)**

 - (1) In section 89(3), replace “Minister of Police” with “responsible Minister”.
 - (2) In section 89(4), replace “Commissioner” with “Secretary for Justice”. 25
- 21 Section 90 amended (Provisions relating to appointment of members of advisory group)**

In section 90(2) and (4), replace “Minister of Police” with “responsible Minister”.
- 22 Section 91 amended (Removal of members of advisory group)** 30

In section 91(1), replace “Minister of Police” with “responsible Minister”.

Review of operation of Act

23 Section 96 amended (Review of this Act)

In section 96(1), replace “Minister of Police” with “responsible Minister”.

Schedule
New Part 4 of Schedule 1 inserted

s 10

Part 4
Provisions relating to Arms (Shooting Clubs, Shooting Ranges, and
Other Matters) Amendment Act 2024

22 Interpretation

In this Part,—

amendment Act means the Arms (Shooting Clubs, Shooting Ranges, and
Other Matters) Amendment Act **2024**

commencement date means the date on which this Part comes into force.

22A Pistol shooting clubs approved before commencement date

(1) A pistol shooting club that, immediately before the commencement date, held a
certificate of approval issued under section 38G (as it read immediately before
its replacement by **section 5** of the amendment Act) is to be treated on and
after the commencement date as holding a certificate of approval issued under
section 38G.

(2) A pistol shooting club that under **subclause (1)** is to be treated on and after
the commencement date as holding a certificate of approval issued under **sec-
tion 38G**—

(a) continues to be subject to any improvement notice issued to the club
under section 38V (as it read immediately before its replacement by
section 5 of the amendment Act) as if the improvement notice had
been issued under **section 38XK**; and

(b) continues to be subject to any notice of temporary suspension issued to
the club under section 38W (as it read immediately before its replace-
ment by **section 5** of the amendment Act) as if the notice of suspension
had been issued under **section 38XL**.

23 Non-pistol shooting clubs approved before commencement date

(1) A non-pistol shooting club that, immediately before the commencement date,
~~had held~~ a certificate of approval issued ~~by the Commissioner~~ under section
38G (as it read immediately before its replacement by **section 5** of the amend-
ment Act) is to be treated on and after the commencement date as enrolled
under **section 38O**.

(2) A non-pistol shooting club that under **subclause (1)** is to be treated on and
after the commencement date as enrolled ~~on and after the commencement
date~~—

	(a)	continues to be subject to any improvement notice issued to the club under section 38V (as it read immediately before its replacement by section 5 of the amendment Act) as if the improvement notice had been issued under section 38XK ; and	
	(b)	continues to be subject to any notice of temporary suspension issued to the club under section 38W (as it read immediately before its replacement by section 5 of the amendment Act) as if the notice of suspension had been issued under section 38XL.	5
23A		Pistol shooting ranges certified before commencement date	
	(1)	<u>A pistol shooting range that, immediately before the commencement date, held a certificate issued under section 38P (as it read immediately before its replacement by section 5 of the amendment Act) is to be treated on and after the commencement date as holding a certificate issued under section 38V.</u>	10
	(2)	<u>A pistol shooting range that under subclause (1) is to be treated on and after the commencement date as holding a certificate issued under section 38V continues to be subject to any improvement notice issued to the range under section 38V (as it read immediately before its replacement by section 5 of the amendment Act).</u>	15
24		Non-pistol shooting ranges certified before commencement date	
	(1)	A non-pistol shooting range that, immediately before the commencement date, was certified by the Commissioner under section 38P (as it read immediately before its replacement by section 5 of the amendment Act) is to be treated on and after the commencement date as enrolled under section 38XG .	20
	(2)	A non-pistol shooting range that under subclause (1) is to be treated <u>on and after the commencement date</u> as enrolled on and after the commencement date	25
	(a)	may be inspected under section 38XJ , and, for that purpose, section 38XJ(2)(b) must be read as providing for an inspection to be undertaken 5 years after the range was certified by the Commissioner under section 38P (as it read immediately before its replacement by section 5 of the amendment Act) and for subsequent inspections to be undertaken at 5-yearly intervals after that inspection; and, —	30
	(i)	<u>if the range has not been inspected since it was certified by the Commissioner, within 5 years after the date of its certification, and then at subsequent intervals of not less than 5 years;</u>	35
	(ii)	<u>if the range has been inspected since it was certified by the Commissioner, not less than 5 years after the date of that inspection, and then at subsequent intervals of not less than 5 years; and</u>	
	(b)	continues to be subject to any improvement notice issued to the range under section 38V (as it read immediately before its replacement by	40

	section 5 of the amendment Act) as if the improvement notice had been issued under section 38XK ; and	
	(c) continues to be subject to any notice of temporary suspension issued to the range under section 38X (as it read immediately before its replacement by section 5 of the amendment Act) as if the notice of suspension had been issued under section 38XM .	5
25	<u>Non-pistol shooting ranges treated as certified before commencement date</u>	
(1)	<u>This clause applies to a non-pistol shooting range that—</u>	
	(a) <u>before 23 June 2023 had, in reliance on clause 13(3) of this schedule, made an application for certification under section 38M (as it read immediately before its replacement by section 5 of the amendment Act); and</u>	10
	(b) <u>immediately before the commencement date, was treated under clause 13(4) of this schedule as if it had been issued with a certificate under section 38P (as it read immediately before its replacement by section 5 of the amendment Act).</u>	15
(2)	<u>The non-pistol shooting range is to be treated as enrolled under section 38XG for the period—</u>	
	(a) <u>commencing on the commencement date; and</u>	
	(b) <u>ending when the application made by the non-pistol shooting range under clause 13(3) of this schedule is decided.</u>	20
26	<u>Applications pending on commencement date</u>	
(1)	<u>An application by a pistol shooting club for a certificate of approval made but not determined before the commencement date must be treated on and after that date as an application made under section 38D.</u>	25
(2)	<u>An application by a non-pistol shooting club for a certificate of approval made but not determined before the commencement date must be treated on and after that date as an application for enrolment under section 38M.</u>	
(3)	<u>An application by a pistol shooting range for certification made but not determined before the commencement date must be treated on and after that date as an application for certification under section 38S.</u>	30
(4)	<u>An application by a non-pistol shooting range for certification made but not determined before the commencement date must be treated on and after that date as an application for enrolment under section 38XE.</u>	

Legislative history

23 September 2024
26 September 2024

Introduction (Bill 85–1)
First reading and referral to Justice Committee

**Arms (Shooting Clubs, Shooting Ranges, and Other
Matters) Amendment Bill**

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