

Submission to the Select Committee on the Arms Legislation Bill:

Shooting Clubs & Ranges

Shooting Clubs

1. COLFO strongly objects to a certification regime for shooting clubs. Membership of volunteer shooting clubs should be encouraged as they provide a safe training space for new firearm licence holders, a community facility that provides wellbeing beyond the objectives of the club, a means of gathering information about concerning behaviour that is passed on to Police, and a way of building trust in the community.
2. COLFO is not aware of any pertinent problem this requirement is supposed to address. The RIA states that a regulatory framework is necessary to allow for facilities for now prohibited firearms to be used on ranges.¹ COLFO can find nothing in the current legislation to support this assertion that it is currently not possible to use a prohibited firearm on a range.² Nor does it see anything in the proposed framework pertinent to any risks likely to accompany the use of specially permitted semi-automatics on shooting ranges. We are not aware of any problems with use of now prohibited semi-automatics that would warrant this level of regulation. A system that that creates a regulatory burden on volunteers is an overblown solution to a government-created imaginary problem.
3. The RIA also states that clubs are often centres for ‘extremist views’ but provide no evidence of this occurring in New Zealand or how the regulation they suggest would address it. In fact, as previously mentioned, Police would be able to give hundreds of examples of shooting club members self-reporting concerns they have about people who are using their clubs or facilities.
4. If the Bill imposes the certification regime, a number of clubs have already indicated that they will close as they do not have the volunteers, capability or funding to comply. The current members or potential members of these clubs will continue to own and use firearms, but they will do so without the current operational support structures in place.
5. The true extent of the regulatory burden is mostly unknown. Earlier drafts of this Bill indicated that incorporation of clubs would be required. Whilst this has been explicitly removed from this version, it is still possible for regulation to impose this. Indications are that this is what the

¹ NZ Police, Regulatory Impact Analysis: Arms Legislation Bill, page 39.

² In fact, the application for a prohibited firearms endorsement requests the name of the range where you will test and train with your prohibited firearm.

government intends.³ The RIA indicates that the officials intend to impose a strict regime but with no detail provided, and no consultation with the shooting community.⁴

6. It is also clear that the government intends to impose costs on shooting clubs to be part of this regime, despite them or the community receiving no benefit from doing so.
7. The explanatory note for the Bill indicates that certification of clubs is required so that Police can ensure that they are safely managing shooting activities. Given the health and safety legislation in place, Police and Worksafe already have the ability to ensure that activities are being carried out safely. These provisions do nothing to add further safety, but add further burden on volunteers.
8. If further regulation is argued to be needed due to harm, how does the risk and injury in shooting clubs compare to other sporting clubs like rugby, climbing, horse eventing or mountain biking?
9. Section 38T of the Bill gives Police the right to enter and inspect clubs and ranges to ensure compliance with the new regimes. Given that clubs are often not fixed places, many people's homes will be subject to this provision. Giving Police the right to enter homes to inspect paperwork (that will have little or no relationship to harm) is grossly disproportionate to any conceivable harm that the government is arguing it is trying to resolve.

Shooting ranges

10. The Bill imposes undefined obligations on people operating shooting ranges. Currently, the community self-regulates shooting ranges safely, in members' interests. As with clubs, ranges provide a valuable space to learn safe firearms handling and to raise the alarm about people who may be behaving in a concerning manner.
11. The definition of a 'shooting range' is provided in the Bill as –

38A Interpretation -

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*

³ **42 Section 29 amended (Application for endorsements in respect of pistol or restricted weapon)**

(1) Repeal section 29(1).

(2) In section 29(2), replace “at an Arms Office to a member of the Police for an endorsement” with “to a member of the Police for an endorsement on their firearms licence”.

(3) Replace section 29(2)(a) with:

(a) a member of an **incorporated** pistol shooting club that holds a certificate of approval issued under **section**

⁴ NZ Police, Regulatory Impact Analysis: Arms Legislation Bill (August 2019), page 39.

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

12. This means that current permanent ranges will be captured, but temporary ranges that people use for ad hoc competition or training will not.
13. The self-regulation regime, currently in place for permanent ranges, adheres to health and safety legislation, and provides an understood level of regulation for the intended use of the range. It is based on the NZ Police Range Manual (2005), in which experienced community based range certifiers provide the certification and oversight of ranges. Templates begin with the basics provided in the Manual. Organisations have developed more complex templates and manuals for their disciplines. The Pistol NZ Range Manual 2016 is extensive by comparison. The National Rifle Association of NZ has had their range template manual internationally peer reviewed and accepted. The Commonwealth Games range in India was set according to the NZ template. TSNZ and NZDA also have their own range certifiers trained to certify the templates that relate specifically to the range type.
14. Presumably whatever regulation the Police have in mind with their new power will impose on ranges a much higher standard (say that of the NZDF) than is required to ensure safety. The higher standards required for Defence or Police ranges are in place because of the use of non-civilian firearms. Imposing that level of regulation on most ranges would be completely unnecessary. Any restrictions beyond the current good structure should be done in consultation with the community, not imposed by the Minister.
15. An increased regulatory burden and cost on shooting ranges will cause many to limit their hours. Some will close. People will continue to use firearms in a range-like environment but will do so outside of the regime – for instance on rural properties or on riverbeds. These environments are considerably more difficult to control. The possibility of the general public being somewhere in the vicinity of a live range is considerably higher, than a signposted and controlled boundary of an existing shooting range (which has fulfilled the safety requirements as per The Police Range Manual (2005)).
16. The licensed firearms community understands the level of risk at a shooting range which is why they so stringently adhere to their rules. Nothing in this Bill will enhance the safety on a range. Take for example the recent incident at a Police shooting range where a police officer accidentally discharged his firearm while returning it to its holster.⁵ This Bill would not prevent an accident like that happening again. But it will increase the likelihood that such an incidences occur away from the safety and control facilities of a range.
17. There is also nothing in this Bill to determine how and when prohibited firearms may be used on ranges. It is even more important for users of this type of firearm to be able to learn how

⁵ Police officer shoots himself in buttock when putting Glock pistol in holster on training course, NZ Herald, 24 September 2019.



to handle them in a safe environment before they are used elsewhere. They have frequently done so up to now, on recognised ranges.

18. As with other parts of this Bill, the likelihood of both range closures, and the spread of unauthorised range activity will impact more on rural communities.