

8 May 2026

IR-01-26-12498

S.I

fyi-request-34442-76558035@requests.fyi.org.nz

Tēnā koe S.I,

Thank you for your Official Information Act 1982 (OIA) request dated 9 April 2026. I have answered your question below:

If a person is unlawfully in possession of ammunition, it appears there are 2 options to charge that individual in the Arms Act.

22B - Restriction on possession of ammunition

(1) A person must not have in their possession any ammunition (other than projectiles for airguns) unless the person—

(a) is the holder of a firearms licence; or

(b) is not the holder of a firearms licence, but is under the immediate supervision of a person who is the holder of a firearms licence; or

(c) is an employee of an ammunition seller who is performing their duties at their place of work under the supervision of a person who is the holder of a firearms licence.

(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).

or

45 - Carrying or possessing firearms, etc, except for lawful, proper, and sufficient purpose

(1) Every person commits an offence and is liable on conviction to imprisonment for a term not exceeding 4 years or to a fine not exceeding \$5,000 or to both who, except for some lawful, proper, and sufficient purpose, —

(a) carries; or

(b) is in possession of—

any firearm, airgun, pistol, prohibited magazine, restricted weapon, or explosive.

I am requesting all documentation, training manuals, guidance, legal advice or directions that explain each offence and the difference between them, and information that is relevant to directing which offence the suspect is charged with by the charging officer or police prosecutors.

Although sections 22B and 45 of the Arms Act 1983 (the Act) both relate to unlawful possession, they address different forms of offending. Section 22B specifically concerns ammunition and provides that a person must not possess ammunition unless they are the holder of a firearms licence; are under the immediate supervision of a firearms licence holder; or are an employee of an ammunition seller performing their duties under the



supervision of a firearms licence holder. In contrast, section 45 creates an offence to carry or possess a firearm, airgun, pistol, prohibited magazine, restricted weapon, or explosive without a lawful, proper, and sufficient purpose.

Police constables may consider and lay charges under either section independently, or both, depending on the circumstances. However, where the offending relates solely to ammunition, section 22B is the most relevant provision.

Please find attached documents “s22B and s45 documents”.

We do not hold any guidance or training manuals specific to charging decisions under section 22B or section 45 of the Act. Therefore, this part of your request is refused pursuant to section 18(g) of the OIA, as the information requested is not held.

The Royal New Zealand Police College (RNZPC) provides general firearms training as part of Initial Training and relevant ongoing training for frontline staff. This training is focused on ensuring officers have a sound understanding of safe firearms handling, operational safety, and lawful use, aligned with Police policy, approved tactical frameworks, and role specific requirements.

Recruits complete training on the Act. This covers definitions, common offences such as unlawfully carrying/possession, unlawful carrying an imitation firearm or presenting a firearm and identification of live and operational ammunition. Firearms licenses, ages and categories and powers under the Act (section 66B power to demand particulars) and Search and Surveillance Act 2012 (section 18) are also included. Scenario training involves the location and possession of ammunition.

RNZPC is committed to supporting Police capability through nationally consistent training where it is within their remit, and to working with operational and policy owners where clarification or guidance is required outside the training environment.

Legal advice regarding section 22B and section 45 of the Act is withheld in full pursuant to section 9(2)(h) of the OIA, as the withholding of the information is necessary to maintain legal professional privilege.

The Act is administered by the Ministry of Justice. Te Tari Pūreke – Firearms Safety Authority is responsible for regulatory oversight of the firearms regime, while New Zealand Police are responsible for enforcing the Act, including investigating offences and making charging decisions.

Police considers the interests requiring protection by withholding the information are not outweighed by any public interest in release of the information.

You have the right to ask the Ombudsman to review this decision if you are not satisfied with the response to your request. Information about how to make a complaint is available at: www.ombudsman.parliament.nz.

For your information, Police has developed a process for proactive release of information, so the anonymised response to your request may be publicly released on the New Zealand Police website.

Nāku noa, nā



Mike McIlraith
**Director - Communities and Corporate
Firearms Safety Authority**