



Target Shooting New Zealand Inc

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Club Approval Advice to our TSNZ Associations and Clubs

Summary

There are two major legislation changes in 2022 and 2023 that we must be aware of and need to comply with them. These are:

- Arms Act 1983 together with the Arms Regulations 1992 and Arms Amendment Regulations 2022
- Incorporated Societies Act 2022

The immediate Arms Act items to address before 24 June 2023 include:

- Club Approval by the Police Commissioner
- Range Certification by the Police Commissioner

Links

Firearms Safety Authority - Clubs & ranges web page:

<https://www.firearmssafetyauthority.govt.nz/manage-and-apply/clubs-ranges>

Arms Act 1983

<https://www.legislation.govt.nz/act/public/1983/0044/latest/DLM72622.html>

Arms Amendment Regulations 2022

<https://www.legislation.govt.nz/regulation/public/2022/0291/latest/whole.html>

NZ Police Shooting Range Manual

<https://www.firearmssafetyauthority.govt.nz/sites/default/files/2022-12/NZ-Police-Shooting-Range-Manual-V2-1-15Dec22-R.pdf>

Apply for Club Approval

<https://www.firearmssafetyauthority.govt.nz/manage-and-apply/clubs-ranges/apply-club-approval>

Shooting Club Guide

<https://www.firearmssafetyauthority.govt.nz/sites/default/files/2022-12/Shooting-Club-Guide-2.pdf>

Incorporated Societies Register

<https://is-register.companiesoffice.govt.nz/>

Club Approval from NZ Police

Overview

By 24 June 2023, all Clubs that existed on 24 June 2022, with active members, will need to have applied to the NZ Police for Club Approval. Once the valid application for Approval is submitted in time, the Club can continue to operate.

What is a Club - the Arms Act definition

shooting club means a voluntary association of people who—

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

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

Based on the above definition, TSNZ Inc., all Associations and all Clubs all meet the definition of a **shooting club**. However, after recent discussions with the Police Clubs and Ranges team, we can clarify and simplify the requirements we need to meet.

Firstly, only one level needs to apply. So, the national body (TSNZ Inc.) doesn't need to apply if its affiliated associations/clubs are applying at their level. This would also apply to both the North Island and South Island Smallbore Rifle Associations, together with the NZ Universities Council and Otago Provincial Associations.

Secondly, if an Association applies to be the **shooting club** then all the members of that **shooting club** will be the total of all the members of the branches (the current TSNZ Clubs forming that TSNZ Association).

Thirdly, an Association can be the **shooting club** as a compilation of several branches.

Fourth, the branch (a TSNZ Club) would not need to get approval as its members exist as members of the association (now the **shooting club**).

What does that mean to us?

The main issue to consider is whether our existing Clubs sell or supply ammunition and/or rifles (to members, visitors, new members, etc.). If they do, then the Club must be registered as an Incorporated Society. (Arms Act - Section 38C: inserted, on 24 June 2022, by [section 63](#) of the Arms Legislation Act 2020 (2020 No 23)).

Most of our Associations include Clubs that do not have sufficient members to incorporate (currently minimum of 15), e.g., Mackenzie SR Association with Cave MR Club (4 members), Fairlie MR Club (8 members) and Sherwood Downs MR Club with 4 members. None of these Clubs could incorporate but the Association could. Very small Associations like Geraldine and Waimate may have to look to amalgamate with an adjacent Association.

For any Club that does not sell or supply ammunition and/or rifles, then it does not need to be Incorporated, **but would still need to be approved**.

Only five Associations are made up of Clubs that all have more than 10 members in each, so these Clubs could incorporate themselves. The remaining Associations have a mix of club sizes with least one Club with less than 10 members.

To allow these clubs to remain viable and be able to support new shooters by being able to supply a Club rifle and/or sell ammunition to any visitor or new member, it is proposed that the Association is incorporated and applies for approval as a **shooting club** with the clubs functioning as branches of the Association. Each branch would then record all supply and sales, with the Association to holding the records required.

If the Association becomes the **shooting club** and incorporates, the branches (its TSNZ Clubs) could continue to supply rifles and ammunition to members, visitors, etc. and the branches would not need to incorporate or apply for Approval, saving the \$140 application fee plus an annual compliance fee of \$40. This also would save many individual Clubs from needing to incorporate.

Each branch would still be responsible for maintaining all the necessary sales and supply records that are required by every **shooting club**. (See the Police Shooting Club Guide for details.)

One key problem if the Association becomes the **shooting club**, is that it provides several challenges, firstly the extent of the required compilation of information and the subsequent reporting requirements.

Secondly, if there is an incident at a branch member level that the Police need investigate, then the Association, as the **shooting club**, will be affected, if it is necessary to revoke the **shooting club's** approval to operate. This would impact all the Association's clubs.

Ideally, all Associations and Clubs should adopt a common approach. All Associations with active members would need to be incorporated and apply for approval to become the **shooting club**, with all the Association clubs being classed as branches (We would still call them Clubs, ourselves). Our Executive Officer will assist any Associations needing assistance to incorporate.

These issues need to be discussed at an Association level with their Clubs, **urgently**, as any Associations that are not incorporated, need to become incorporated **and** apply for Club Approval prior to 23rd June 2023. There are 10 Associations that do not appear to be currently registered as an Incorporated Society plus two associations that have been dissolved.

Incorporated Societies Act 2022

The Incorporated Societies Act 2022 (the new Act) was passed on 5 April 2022 but your society doesn't need to do anything just yet. There is a transition period of several years that gives you time to become familiar with, and prepare for, the new regime. Until your society reregisters under the new Act, sometime from October 2023, it continues to operate under the Incorporated Societies Act 1908 (the existing Act).

For any Club or Association that incorporates before October 2023, must do so under the existing Act. This means a minimum of 15 members are required to become an Incorporated Society.

From October 2023 existing clubs and associations will be able to apply for reregistration but between now and then, in order for it to function as intended, the Act must first be supplemented by revamped regulations.

Those regulations will determine details of the new regime, such as how clubs and associations will apply for reregistration, and what penalties could be imposed for breaches of the new Act. Initial consultation with clubs and associations has been completed and around April the draft regulations should be available for further feedback.

So, while reregistering will be possible from October onwards clubs will have until April 2026 to rewrite their rules to meet the more complex dictates of the Incorporated Societies Act 2022 and apply for reregistration.

For comparisons between 1908 Act and 2022 Act, see <https://is-register.companiesoffice.govt.nz/law-changes-for-societies/key-changes/>

Shooting Range Certification

Overview

By 24 June 2023, all ranges that existed on 24 June 2022, will need to have applied to the NZ Police for Shooting Range Certification. Once the valid application for Certification is submitted in time, the range can continue to operate.

Each range must be inspected by an approved Shooting Range Inspector and their report must be included with the application.

Failure to submit a valid application on time will mean the range will not be allowed to continue to operate.



Steve O'Donnell
TSNZ Hon. President