



## ***Police communication***

**TOPIC :** Military Style Semi-Automatics firearms classification.  
**DATE :** 2 July 2009  
**FROM :** Superintendent Tony McLeod, National Manager: Operations  
Inspector Joe Green, Licensing and Vetting Service Centre Manager  
**TO :** District Commanders, Area Commanders, Arms Officers  
Firearms dealers, Firearms user organisations.

### **Introduction**

Under the Arms Act 1983, if a semi-automatic rifle has, among other features a 'military pattern free-standing pistol grip' it is a 'military style semi-automatic firearm' (MSSA). NZ Police has reviewed the interpretation of the phrase 'military pattern free-standing pistol grip' and is working towards implementation of the correct interpretation as it applies to these firearms. This affects the current practice and will particularly impact on a number of firearms owners and dealers. NZ Police has prepared this document and an outreach information campaign to communicate how the firearms licence holder community and Police can work together to ensure a successful transition.

NZ Police recognises this is a departure from the previous interpretation held over the past 16 years but also recognise that there has been considerable evolution in the manufacture of military style firearms for civilian sporting purposes; particularly, the practice of manufacturers of military pattern firearms releasing models in a 'civilian' configuration aimed at circumventing firearm restrictions.

### **Communication**

The interpretation of the law was communicated to all Customs Officers, District Arms officers and major firearm dealers on 8th June 2009. On 22 June the Police Executive agreed to the attached Policy on applying the interpretation. During the next months firearms licence holders will be informed on how to comply with the interpretation. There will be advertising in national newspapers and magazines, information sheets that can be handed out by District Arms officers and information put on the Police website.

### **Transition**

Firearms licence holders now in possession of MSSAs without an 'E' endorsement will be permitted and encouraged to comply with legislation during the transition period without being subject to prosecution.

Superintendent Tony McLeod  
National Manager: Operations  
New Zealand Police

Police Policy Statement - Interpretation of 'military pattern free-standing pistol grip' in regards to MSSA firearms.

### **Introduction**

Under the Arms Act 1983, if a semi-automatic rifle has, among other features a 'military pattern free-standing pistol grip' it is a 'military style semi-automatic firearm' (MSSA).

Police have reviewed the interpretation of the phrase 'military style free-standing pistol grip' and are working towards implementation of the correct interpretation as it applies to these firearms. This affects the current practice and will particularly impact on a number of firearms owners and dealers.

### **Defining 'military pattern free-standing pistol grip'**

A semi-automatic rifle that has a grip which has either the appearance *or* function of a military pattern free-standing pistol grip is classified as an MSSA. A semi-automatic rifle with any of the following features is considered to have a 'military pattern free-standing pistol grip' and is therefore a MSSA:

- an obvious pistol grip below the trigger guard that allows a full hand pistol grip irrespective that the pistol grip may be connected to the stock - this includes the HK USC .45, SL8-4 and Dragunov style stock
- any addition that connects the pistol grip to the stock or butt in an attempt to make it no longer free standing (such as adding a metal or plastic rod).
- a second grip forward of the trigger.

### **MSSA firearms**

For firearms that have previously been accepted as 'A' category, but are now classified as MSSAs, the changes are as follows.

To possess an MSSA, a licence holder must have an endorsement on their firearms licence ('E' endorsement). To grant the endorsement, Police must be satisfied the

licence holder is a fit and proper person to hold an 'E' endorsement and has appropriate security measures in place.

To take possession of, make or assemble an MSSA within New Zealand an endorsement and a permit to procure issued by Police is required.

To sell or supply an MSSA within New Zealand the seller or supplier must be certain that the person it is sold or supplied to has a permit to procure. The permit to procure confirms the person holds an E endorsement for that MSSA.

To import an MSSA (or part), an applicant must obtain a permit to import from Police for the MSSA (or part). The applicant must hold an E endorsement on their firearms licence and provide 'special reasons' for the import. They may be required to surrender an MSSA (or part) under the 1 for 1 policy.

### **Current owners of MSSA firearms previously classified as 'A' category**

Police are planning an extensive outreach information programme explaining these changes. Current owners of firearms that have previously been classified as 'A' category, will need to do one of the following now:

- **If no 'E' endorsement is held, apply to Police for an 'E' endorsement on their firearms licence**

Police will have to be satisfied the applicant meets the 'fit and proper' requirements to have an MSSA as well as having appropriate security measures in place for the MSSAs, and, the applicant confirms lawful possession using the permit to procure process. A permit to procure will be required to possess each MSSA. Police will waive the fee for the endorsement for those who take this option by 31 March 2010.

- **If 'E' endorsement already held, apply to Police for permit to procure**  
Licence holders will need to confirm lawful possession using the permit to procure process. Police will record the MSSA against the person's endorsement.

- **Sell or dispose of the MSSA**

The owner of the MSSA can sell or dispose of the firearm to a person who has a firearms licence with an 'E' endorsement and a permit to procure.

- **Surrender the MSSA to Police**

These MSSAs can be handed in to the Police. People who choose this option will not be prosecuted if they don't have an 'E' endorsement on their licence. There is no 'buy back' scheme in place.

- **Convert the MSSA so that it is in 'sporting configuration'**

A conversion of a MSSA to 'sporting configuration' must ensure that the firearm does not have a military pattern free-standing pistol grip.

### **Timeframe**

This Policy will come into effect on 10 August 2009.

### **Enforcement Action**

For offending that involves possession of the MSSA without an endorsement arising solely out of this policy, and does not include other offences with the MSSA, Police will take an educative approach rather than a prosecutorial approach until 31 March 2010. After that date anyone found by Police to be in possession of one of these firearms without an 'E' endorsement and permit to procure may be prosecuted. Firearms owners may surrender firearms to an Arms Officer.

### **Information for license holders**

The following information will be released for the public and firearms user community via outreach advertising and editorial content in national newspapers and magazines and also as an information sheet to be provided to firearms clubs, arms officers and vetting officers for distribution to the public.

*If you have a semi-automatic firearm with any of the following features it is considered to have a 'military pattern free-standing pistol grip' and is therefore a MSSA:*

- *an obvious pistol grip below the trigger guard that allows a full hand pistol grip irrespective that the pistol grip may be connected to the stock - this includes the HK USC .45, SL8-4 and Dragunov style stock.*
- *any addition that connects the pistol grip to the stock or butt in an attempt to make it no longer free standing (such as adding a metal or plastic rod).*
- *a second grip forward of the trigger.*

*License holders who as a result of the change now possess an MSSA must:*

- *If no 'E' endorsement is held, apply to Police for an 'E' endorsement on their firearms licence. Police will waive the fee for the endorsement for those who take this option by 31 March 2010.*
- *If 'E' endorsement already held, confirms lawful possession using the permit to procure process.*

- *If you do not wish to hold an E endorsement you must:*
- **Sell or dispose of the MSSA**  
*To a person who has a firearms licence with an 'E' endorsement and a permit to procure.  
Alternatively the MSSA can be sold to a firearms dealer.*
- **Surrender the MSSA to Police**  
*MSSAs can be handed in to the Police. There is no 'buy back' scheme in place.*
- **Convert the MSSA so that it is in 'sporting configuration'**  
*A conversion of a MSSA to 'sporting configuration' must ensure that the firearm does not have a military pattern free-standing pistol grip.*