

Neighbourhood Support New Zealand



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Neighbourhood Support Fact Sheet

Misuse of (BB) airguns

The misuse of airguns, particularly BB guns that have the appearance of real firearms, is an ongoing issue for police. Police dealing with young people in particular in possession of airguns will question the young person to ascertain where they obtained the airgun.

Sometimes referred to as 'soft air' guns because they fire plastic pellets, BB guns are not toys. A spring-loaded ram compresses air that expels the pellet, making BB guns airguns by law covered by the provisions of the Arms Act 1983.

Possession and use

If under the age of 18 years and not the holder of a firearms licence the possession of an airgun is unlawful unless under the immediate supervision of a person over the age of 18 years or a person who holds a firearms licence (section 21).

Airguns may not be carried with criminal intent (section 55), and may only be carried for lawful and sufficient purpose (section 45). They may not be presented at another person, irrespective of whether they are loaded or not (section 52). They may not be used carelessly (section 53), nor may they be discharged in or near a dwelling house or public place so as to damage property or endanger, annoy or frighten any person (section 48).

A person who has had their firearms licence revoked (section 49A) may not possess an airgun.

Airguns may only be sold by a dealer licensed under the Arms Act 1983. It is an offence to sell or supply an airgun to a person under the age of 18 years and is not the holder of a firearms licence (section 43).

Seizure of airguns

Police have powers to require the surrender of the airgun (section 41). If police have seized an airgun due to it being misused, the person has demonstrated they are not fit and proper to be in possession of that airgun. In this circumstance the airgun will not be returned either to the young person or to their parent or guardian (who may have unlawfully supplied it in the first instance, and is thereby also not fit and proper to possess it). The airgun will ultimately be restored to the owner (section 65) or destroyed by police.

Pamphlet on airguns

A pamphlet explaining the law relating to airguns, titled "Beginning with Airguns" is available from Police Arms Officers and arms dealers. Further information on airguns is available on the [Police](#) internet site. [New Zealand legislation](#) can be located at this address under Statutes.