New Zealand's Voluntary Declaration under Paragraph 2 of United Nations General Assembly Resolution 58/42, “National legislation on transfer of arms, military equipment and dual-use goods and technology”

By operative paragraph 2 of that resolution, the General Assembly:

“Encourages Member States to provide, on a voluntary basis, information to the Secretary-General on their national legislation, regulations and procedures on the transfer of arms, military equipment and dual-use goods and technology, as well as the changes therein, and requests the Secretary-General to make this information accessible for Member States”.

New Zealand controls on the export (transfer out of New Zealand for whatever reason) of arms, military equipment and dual-use goods and technology are implemented through the Customs Export Prohibition Order 2002, promulgated under the Customs and Excise Act 1996. That order requires the consent of the Secretary of Foreign Affairs and Trade for the export of items identified in the New Zealand Strategic Goods List (NZSGL), which is publicly available on www.mfat.govt.nz.

The arms, military equipment and dual-use goods and technology controlled under the NZSGL are mainly derived from the control lists of the export control regimes to which New Zealand belongs: the Wassenaar Arrangement on Export Controls for Conventional Arms and Dual Use Goods and Technologies, the Missile Technology Control Regime, the Nuclear Suppliers Group and the Australia Group (chemical and biological controls). The NZSGL is updated regularly to reflect changes in these export control regimes.

Export applications for strategic goods are assessed in accordance with our basic criteria (contained within the NZSGL) by the Ministry of Foreign Affairs and Trade (MFAT) in consultation with other relevant government departments. An end-user certificate may be required to help ensure that the exports will not be diverted. MFAT may also consult with other governments in certain cases.

New Zealand implements the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on their Destruction (CWC) through the Chemical Weapons (Prohibition) Act 1996. Under this Act the consent of the Secretary of Foreign Affairs and Trade is required for the import or export of any toxic chemical or precursor listed in Schedules 1, 2 and 3 of the Annex on Chemicals under the CWC. Under this Act, in determining whether or not to give consent, the Secretary shall be guided by the restrictions on transfer set out in Parts VI to VIII of the Verification Annex of the CWC. Section 11 of the Act links the Act to the Customs and Excise Act 1996. The NZSGL also lists chemicals controlled under the CWC.
The Hazardous Substances and New Organisms Act 1996 requires that the importer of hazardous chemicals obtains approval from the Environmental Risk Management Authority to import chemicals that are considered hazardous.

The Hazardous Substances (Tracking) Regulations 2001 contain provisions controlling the importation of explosives (which include ammunition and grenades). At present, the provisions in the regulations expressly exclude "safety" ammunition.

It is an offence to import firearms or parts of firearms into New Zealand without a permit issued by New Zealand Police.

30 April 2004