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DIVISION: VISIBLE POLICING

COMPONENT: FIREARMS, LIQUOR AND SECOND-HAND GOODS CONTROL

HEAD OFFICE

PRETORIA

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2010-01-06

TO WHOM IT MAY CONCERN

GUIDELINES: PROCEDURE TO APPLY FOR A FIREARM LICENCE FOR A FIREARM WHICH LICENCE HAS NOT BEEN RENEWED IN TERMS OF SCHEDULE 1 (TRANSITIONAL PROVISIONS) OF THE FIREARMS CONTROL ACT, 2000 (ACT NO. 60 OF 2000)

1. INTRODUCTION

1.1 The Minister of Police has by means of a publication in the Government Gazette, declared an Amnesty for a period of 90 (ninety) days commencing from 11 January 2010 and ending on 11 April 2010.

1.2 The declared Amnesty allows any person who is in unlawful possession of firearms, ammunition and/or firearm parts the opportunity to surrender such firearms, ammunition and/or firearm parts to the South African Police Service without fear of being prosecuted for the unlawful possession of the firearms, ammunition and/or firearm parts in contravention of the Act.

1.3 In light of the declared Amnesty, and the closure of the transitional period of the renewal of firearm licences, the Minister of Police has publicly announced that firearm owners with licences, permits or authorisations issued in terms of the Arms and Ammunition Act, 1969 (Act No. 75 of 1969) who had not applied to renew such firearm licences, permits or authorisations in terms of the Transitional Provisions of the Act, may apply for the licencing of such firearms in terms of the Act during the Amnesty period (ie between 11 January 2010 and 11 April 2010).

2. Such persons must comply with all the provisions of the Act applicable to new firearm licence applications. The Act provide for different categories of firearm possession for which a person may possess a firearm as well as the limitation on the number of firearms that a person may legally possess in South Africa.

3. All applications for a firearm licence to possess a firearm is subject to the provision that the applicant must be in possession of a valid competency certificate issued in terms of the Act.

4. A firearm applied for in terms of paragraph 1.3 supra is regarded as a firearm with a licence, permit or authorisation issued in terms of the provisions of the repealed Arms and Ammunition Act, 1969 (Act No. 75 of 1969).

5. The above applicants will not be required to hand in their firearms at the police station concerned. The firearm licences issued in terms of the repealed Arms and Ammunition Act, 1969 are valid and legal due to an interim order issued by the North Gauteng High Court, Pretoria which effectively allow these firearm owners to possess their firearms legally.

6. The applicants must comply with the following requirements in addition to the requirements of regulation 14 of the Firearms Control Regulations, 2004:

6.1 Provide a certified copy of her/his competency certificate (if already issued). (Applicant must show her/his original competency certificate to the Designated Firearms Officer).

6.2 Where the applicant do not possess a competency certificate, she/he must apply for a competency certificate in accordance with the provisions of the Act. Such applicant must undergo the prescribed training and practical test regarding the safe and efficient handling of a firearm as well as the prescribed test on the knowledge of the Act.

6.3 A comprehensive motivation (preferably in the form of a statement under oath or affirmation).

6.4 A certified copy of the legal firearm licence, permit or authorisation applicable to the specific firearm. The applicant must show the original firearm licence, permit or authorisation to the relevant Designated Firearms Officer when lodging the application.

7. RESPONSIBILITIES OF THE DESIGNATED FIREARMS OFFICER

7.1 The relevant Designated Firearms Officer must:

7.1.1 Verify the content of the application form (SAPS 271) as well as the supporting documentation.

7.1.2 Issue an acknowledgement of receipt (SAPS 523) if the application is duly completed and accompanied by all the required information and documentation and after the

identity of the applicant has been verified.

7.1.3 Clearly mark the first page of the SAPS 271 form and on the top right corner with the words: “NEW LICENCE: DID NOT RENEW". The endorsement must be made in red ink and acknowledged with a full signature of the Designated Firearms Officer.

7.1.4 Capture the application (SAPS 271) on the Enhanced Firearms Register System.

7.1.5 Forward the respective application and supporting documents to the provincial office concerned for further processing and finalization.

8. The respective provincial office will be responsible to further process the applications and forward same in the prescribed manner to the Central Firearms Register for finalization.

9. The licencing process applicable in this circular is strictly limited to the period 11 January 2010 to 11 April 2010. No applications under the mentioned circumstances will be received after this period.

10. The above must be construed as general requirements when processing firearm licence applications of persons who did not renew in order to obtain a firearm licence.

GUIDELINES COMPILED AND ISSUED BY THE SOUTH AFRICAN POLICE SERVICE