



MINISTRY: SAFETY AND SECURITY
REPUBLIC OF SOUTH AFRICA

PRESS RELEASE

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The draft Firearms Control Amendment Bill was published for public comment in the Government Gazette on 24 February 2006. (Pretoria, Vol No. 488: *Gazette* No. 28545 dated 24 February 2006, Notice No. 314 of 2006,)

This came about as a result of consultative meetings between the Minister for Safety and Security, Mr. Charles Nqakula, and various stakeholders on the implementation of the Firearms Control Act, 2000.

At a meeting held in January 2006, Minister Nqakula indicated that he would introduce the Bill in Parliament, by no later than May 2006.

It is of vital importance to take note that the draft Bill contains mere proposals which are published in order for the wider public to submit comments, on or before 31 March 2006. The draft Bill does not affect the existing legal position and therefore it is essential that all legal firearm owners must still comply with the existing provisions of the Firearms Control Act, 2000. The Bill should not be viewed as placing a moratorium on the renewal of firearms licenses issued under the repealed Act. Firearms owners who wish to renew their licenses, permits and authorizations issued under the repealed Act, must strictly comply with the periods determined by the Minister for such renewal. Holders of such licenses, permits and authorizations issued under the repealed Act, and who were born during 1 January and 31 March, must still apply for renewal of their licences, permits or authorizations not later than 31 March 2006.

The following main proposals are made in the Bill:

- The periodic renewal of firearms licences will be substituted by the periodic (five-yearly) obtaining of a competency certificate and the auditing of the firearms belonging to a legal firearms owner. Instead of applying for individual firearms, it will only be necessary to apply for a competency certificate every five years.
- The limitation of the number of firearms, which may be possessed under the new Act in respect of defined categories, will only apply to new applications in terms of the present Act. The restriction in numbers will therefore not be applicable to firearms, which were licensed under the repealed Act, and of which the licenses are renewed. Owners of firearms which

were licensed under the repealed Act will be able to relicense such firearms after obtaining a competency certificate, within the scheduled time-frames.

- It is proposed that “replica’s” of muzzleloaders must be removed from the definition of “antique firearms” and in that in future such “replicas” must also be licensed.
- The definitions of “occasional hunter/sportspersons are amended in order that such persons may also belong to accredited organizations.
- The Bill will enable prosecutors to determine admission of guilt fines in respect of minor offences without it resulting in the offender being automatically declared unfit to possess a firearm. The Registrar may, however, independently still conduct an enquiry to determine whether a person who paid Admission of Guilt still remains fit to possess a firearm.
- All collected firearms must be made inoperable. Furthermore, private collectors are in terms of the Bill obliged to place the moving parts of semi-automatic and prohibited (automatic firearms) in safekeeping at a place which is separate of the firearm concerned and which is acceptable to the Registrar of Firearms. The number of cartridges, which may be collected, is also reduced.
- An amendment to the effect that “**a shotgun manufactured to fire no more than five shots in succession without having to be reloaded**”, can be licensed to a dedicated hunter or dedicated sports person, as the present limitation is inhibiting South African Sports persons to compete internationally.
- Provision is made to control the brokering of firearms.

The draft Firearms Control Amendment Bill is available on the SAPS website www.saps.org.za. Comments on the Bill can be submitted on or before 31 March 2006, to the following address:

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