

- (c) the date and time of such provision;
 - (d) the date and time of return of the firearm;
 - (e) the signature of the person to whom the firearm was provided at the handing over of the firearm and on its return, serving as confirmation of the receipt and return of the firearm;
 - (f) a copy of the written authorisation contemplated in regulation 121123(1)(c); and
 - (g) in the case of a security service provider or person contemplated in regulation 11113(2), the registration number allocated by the Private Security Industry Regulatory Authority to the security officer to whom the firearm was provided.
- (3) In the case of a security service provider or a person contemplated in regulation 11113(2), a register complying with subregulation (1)(a) to (d) must be maintained and it must contain the following particulars regarding a firearm that was issued to and discharged by a security officer-
- (a) the full names, identity number and registration number allocated by the Private Security Industry Regulatory Authority of the security officer discharging the firearm;
 - (b) particulars of the firearm as contained in subregulation (2)(a) ;
 - (c) the date, time, place and circumstances pertaining to the discharge of the firearm;
 - (d) information of any damage, injury or death caused by the discharge of the firearm; and
 - (e) the date, time, police station and reference number allocated by the police station to the reporting of the incident to that police station.
- [(3A)](4)** A security service provider or person accredited as contemplated in regulation 11113(2) must keep a register regarding the performance of its functions contemplated in regulation 121123(2)(s)(vii), (viii) and (ix), containing at least the following particulars:

- (a) the time, date and venue of the assessment session, the practical training session and the briefing session;
- (b) the names of the persons and institutions presenting the sessions contemplated in paragraph (a), and their contact particulars;
- (c) the full names, identity numbers and signatures of the security officers attending the sessions contemplated in paragraph (a); and
- (d) a summary of the results, outcomes or findings, as the case may be, of the assessment session, the practical session and the briefing session.

[(4)](5) The registers referred to in subregulation (1), (2), (3) and **[(3A)](4)** must be maintained-

- (a) at the registered physical address of the business concerned; and
- (b) by the person who exercises control over the firearms at the place where the firearms are stored.

[(5)](6) Subject to the provisions of section 146 of the Act and regulation **[102]104(1)**, the registers contemplated in this regulation must be kept for a period of 10 years from the date of the last entry therein on the business premises specified on the licence.

[23]25 Application for a temporary authorisation to possess a firearm

- (1) An applicant who applies for a temporary authorisation to possess a firearm as contemplated in section 21 of the Act must, in addition to the information required by regulation **[13]15**, submit-
 - (a) a written motivation in support of the application, with specific reference to the steps which are intended in connection with the safe custody of the firearms and ammunition pertaining thereto;
 - (b) a written declaration that the applicant has facilities available for the safe custody of the firearms and ammunition that complies with the SABS Standards as required by these Regulations and the location of the safe custody facilities; and

- (c) a certified copy of any licence, permit or authorisation pertaining to the firearm, if applicable.
- (2)
- (a) Subject to the provisions of subparagraphs (b) and (c) an application for a temporary authorisation must be lodged at least seven days before the intended date on which the possession of the firearm will take place.
 - (b) In the case of a non-citizen applying for a temporary authorisation, the application must be lodged at least three months before the date on which the possession of the firearm by the applicant will take place.
 - (c) The Registrar may, on good cause shown, exempt an applicant from complying with the period stipulated in subparagraphs (a) and (b).
- (3) A non-citizen who applies for a temporary authorisation to possess a firearm as contemplated in section 21 of the Act must, in addition to the relevant information required by regulation 13115, submit-
- (a) a certified copy of an official identity document of the applicant or a certified copy of a valid temporary residence permit as the case may be, or that section of a valid passport issued to the applicant on which his or her identity particulars and the official issuing particulars of the passport are reflected;
 - (b) an official certificate from the country of citizenship of the applicant confirming that the applicant has no criminal record: Provided that the country issues such certificate;
 - (c) two written testimonials by South African citizens confirming that the applicant is a fit and proper person to possess a firearm;
 - (d) a full written motivation undersigned by the applicant in support of the application; and
 - (e) a full set of fingerprints of the applicant certified by a duly constituted official authority.

124126 Conditions applicable to a temporary authorisation to possess a firearm

- (1) The holder of a temporary authorisation to possess a firearm issued in terms of section 21 of the Act must keep the temporary authorisation wherever the firearm is located and must at the request of a police official produce the temporary authorisation and the firearm to a police official for inspection.
- (2) The temporary authorisation will only be valid for the firearm and period and specific use specified in the temporary authorisation.
- (3) The holder of the temporary authorisation may not possess more than 200 cartridges per calibre of firearm stipulated in the temporary authorisation unless, for the purpose of sports-shooting, the Registrar has on good cause shown, specified a larger quantity in the temporary authorisation.
- (4) The Registrar may require that a person to whom a temporary authorisation will be issued, must provide documentary proof of having successfully undergone the prescribed training and testing contemplated in section 9 (q) and (r) of the Act prior to the issuing of the temporary authorisation or in the case of a hunter or sports person who is a non-citizen, an affidavit stating his or her training and experience in the handling of firearms.
- (5) The Registrar may determine and specify in the temporary authorisation a specific place where the firearm may be used.

[25]27 Records in respect of temporary authorisations to possess a firearm

The Office of the Central Firearms Register must with regard to a temporary authorisation to possess a firearm keep a record of the-

- (a) name of the police station where the application was submitted;
- (b) details of the person who completed the application;
- (c) reason if the application was refused;
- (d) details of the applicant and the firearms concerned;
- (e) details of the premises and the safe storage facilities where the firearms or ammunition, or both will be kept in safe custody; and

- (f) period of validity of the temporary authorisation.

[26]28 Annual report to be submitted to the Minister

The Registrar must submit an annual report to the Minister regarding the temporary authorisation to possess firearms containing the-

- (a) total number of temporary authorisations issued under section 21 of the Act;
- (b) total number of firearms per type and calibre in respect of which authorisations have been issued;
- (c) names of the police stations where the applications were submitted;
- (d) an outline of reasons for refusals; and
- (e) an outline of the periods of validity of the temporary authorisations.

[27]29 Conditions in respect of use of firearm possessed in terms of section 21 of the Act

A firearm in respect of which an authorisation in terms of section 21 of the Act has been issued may only be used-

- (a) where it is safe to be used and only for a lawful purpose; and
- (b) in accordance with the stated purpose of use as reflected in the application that was submitted in respect of the permit and which must be endorsed on the permit.

[28]30 Identification marks on firearms

- (1) Any permanently imported firearm which does not have a manufacturer's serial number or which has a manufacturer's serial number that duplicates with a similar make, model, type and calibre firearm that appears on the Central Firearms Register, must for the purpose of its licensing in the Republic of South Africa, have the additional identification mark determined by the Registrar under section 23(4) of the Act, stamped on the barrel and the frame, or the barrel and the receiver of the firearm in accordance with the provisions of this regulation, subject to the provisions of section 23(3) of the Act. An

identification mark can be engraved, stencilled or etched on the barrel and the frame or the barrel and the receiver of the firearm on the circumstances determined by the Registrar and with prior approval from the Registrar.

- (2) An identification number contemplated in section 23(2) of the Act must be stamped, engraved, stencilled or etched to a depth of at least 0.2mm.
- (3) A firearm that is temporarily imported or in-transit through the Republic of South Africa or a collectable firearm which has been approved for collection by an accredited collectors association in terms of section 17(1)(a) of the Act which does not have a manufacturer's serial number stamped on the barrel, frame or the receiver of the firearm or which has a manufacturer's serial number stamped on the barrel or the receiver of the firearm that duplicates with a similar make, model, type and calibre firearm that appears on the Central Firearms Register, must be allocated with a unique firearm identification number by the Registrar and such number must be affixed to the firearm in the form of a tag securely affixed to the firearm and that number must remain on the firearm for the period that the firearm remains in the Republic of South Africa.

[29]31 The central firearms database

- (1) The Registrar must establish and maintain a central firearms database, which must contain information regarding-
 - (a) all applications for a competency certificate, licence, authorisation and permit to possess a firearm made in terms of the Act, and renewals and copies of such competency certificate, further competency certificate, licence, authorisation, permits and renewals;
 - (b) the refusal, termination or cancellation of a competency certificate, licence, authorisation or permit to possess a firearm and renewals and a copy of such competency certificate, further competency certificate, licence, authorisation and permit;
 - (c) a declaration of unfitness to possess a firearm contemplated in Chapter 12 of the Act;
 - (d) the details indicated on a competency certificate, licence, authorisation, permit and a renewal or copy thereof, that was issued; and

- (e) the transfer of a firearm which was effected in terms of the Act.

CHAPTER 5
LICENCES ISSUED TO PARTICULAR CATEGORIES OF PERSONS
PART 1
GENERAL PROVISIONS

[30]32 Additional particulars to be provided with an application for a dealer, manufacturer and gunsmith's licence

A person who applies for a dealer, manufacturer or gunsmith's licence contemplated in Chapter 7 the Act must, in addition to the relevant information required by regulation [13]15, submit-

- (a) a description of the premises on which the applicant intends to carry on business as a dealer, manufacturer or gunsmith which specifies its location and the surrounding buildings and businesses;
- (b) a plan of the premises, drawn to scale, on which the following are clearly indicated-
- (i) the dimensions of every room; and
 - (ii) the arrangement of the internal structure, together with all doors, windows, counters, safes, strongrooms and manner of internal and external connections;
- (c) documentary proof to the satisfaction of the Registrar that the building, or section thereof that will be used for the purpose of the business, will be constructed with baked clay or cement bricks, concrete floors, aggregate for concrete that complies with requirements of SABS specification 1083, aggregate for mortar and plaster that complies with requirements of SABS specification 1090, and a roof constructed to the satisfaction of the Registrar;
- (d) documentary proof to the satisfaction of the Registrar that the premises are furnished with a burglar alarm which complies with the following requirements-
- (i) passive infrared (PIR) movement sensors with a lens for solid curtain coverage installed in such a manner that coverage is provided from the floor to the ceiling of the building;

- (ii) every movement sensor shall be equipped with a tamper-proof device;
 - (iii) if the alarm is activated, it must only be possible to reset it with a key or a code adjustment;
 - (iv) independent functioning in case of a power failure for a period of at least 10 hours;
 - (v) the control unit must be installed within the safeguarded area or be equipped with a tamper-proof device;
 - (vi) an automatic telephone or radio contact unit which effects contact to the applicant or any other responsible person on activation of the alarm system which must be installed within the safeguarded area or be equipped with a tamper-proof device; and
 - (vii) a siren with a sound frequency level of at least 93 decibels with a flashing light which must be installed within the safeguarded area or be equipped with a tamper-proof device;
- (e) documentary proof to the satisfaction of the Registrar that the building is equipped with burglar proofing, installed and complying with the following-
- (i) the burglar proofing must be affixed to the fixed structure of the building and the security gates fitted with locks; and
 - (ii) burglar proofing of the windows and security gates of doors which shall consist of horizontal steel reinforcing of not less than 50mm x 10mm, spaced not more than 500mm apart and vertical round steel bars of a diameter of not less than 16mm fixed to the horizontal steel reinforcing by means of inserting the vertical round steel bars through the horizontal steel reinforcing not more than 100mm apart;
- (f) documentary proof to the satisfaction of the Registrar that the building, or section thereof that will be used for the purpose of the business, is equipped with an adequate number of safes or strongrooms that comply with the applicable provision of Regulation 186188;

- (g) documentary proof to the satisfaction of the Registrar, provided by an accountant, auditor or attorney with knowledge of the particular facts, of-
- (i) the full names, surname, identity number and address of every natural person who will have any direct or indirect financial or other business interest in the business together with particulars of the nature and extent of any such interest and, in the case of a juristic person, also the name and identity number of any person who is in control thereof or is responsible for the management thereof;
 - (ii) if the applicant is a juristic person, full particulars of the juristic person including supporting documents confirming its legal status;
 - (iii) documentary proof of ownership of the property or, if the applicant is not the registered owner of the property on which the premises are situated, the particulars of the registered owner and the written consent of the registered owner for the applicant to conduct the business on the premises together with the terms and conditions applicable to the use of the premises; and
- (h) documentary proof to the satisfaction of the Registrar that the applicant complies with all local by-laws which may be applicable to the conducting of the business.

PART 2 DEALERS

[31]33 Conditions in respect of a dealer's licence

The Registrar may impose the following conditions in respect of a dealer's licence-

- (a) a dealer intending to transfer a prohibited firearm or device referred to in section 4 of the Act, must lodge with the Registrar an application that complies with regulation [13]15, insofar as is applicable, accompanied by a relevant permit issued by the National Conventional Arms Control Committee established under the National Conventional Arms Control Act, 2002 (Act 41 of 2002);

- (b) a dealer may transfer a prohibited firearm and device referred to in section 4 of the Act only after acquiring a written conformation from the Registrar that a holder of a licence as provided for in sections 17, 18(5), 19 and 20(1) (b) had been issued with a licence to possess that prohibited firearm;
- (c) during any period when the licensed premises are closed for business purposes all muzzle loading firearms, firearms and ammunition which are on the premises must be locked in a strongroom or safe for safe custody of firearms which has been defined in the relevant licence;
- (d) during any period when the premises specified in the licence is open for purposes to trade in muzzle loading firearms, firearms or ammunition, muzzle loading firearms, firearms and ammunition may only be displayed if the muzzle loading firearms and firearms are-
 - (i) unloaded; and
 - (ii) in the case of handguns, locked in a display counter or display cabinet that prevents the unauthorised access to the handguns displayed therein;
 - (iii) in the case of firearms, excluding handguns and firearms displayed as prescribed in subparagraph (ii)-
 - (aa) rendered inoperable by means of a secure locking device; or
 - (bb) securely attached with a metal attachment to a non-portable structure in such a manner that it cannot readily be removed; and
 - (iv) not displayed with ammunition that can be discharged from it;
- (e) during any period when the licensed premises are open for business or any other purpose, muzzle loading firearms, firearms and ammunition which are not displayed must be kept in a strongroom or safe for safe custody of firearms which has been defined in the relevant licence;
- (f) a dealer may not record the details of a firearm on the applicable part of an application for a licence to possess that firearm unless the dealer is physically in possession of the firearm when recording such details;

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- (g) a dealer may not record the details of a firearm on the applicable part of an application for a licence to possess that firearm coincident in another application for a licence to possess that firearm;
 - (h) only natural persons whose particulars are recorded in the prescribed register as contemplated in regulation [37]39(4), may trade in muzzle loading firearms, firearms or ammunition on behalf of the dealer;
 - (i) the persons whose particulars appear on the licence or in the prescribed register as contemplated in subregulation [37]39(4) must ensure that-
 - (i) during business hours proper control is, at all times, exercised over all the muzzle loading firearms, firearms and ammunition;
 - (ii) the prescribed registers are properly maintained; and
 - (iii) every reasonable precaution is taken against the loss or theft of the muzzle loading firearms, firearms and ammunition;
 - (j) the muzzle loading firearms, firearms and ammunition that are possessed on the authority of a dealer's licence may only be transported by a person whose particulars appears on the licence or in the register prescribed in regulation [37]39(4) or by the holder of a firearm transporter's permit and such transport must comply with the requirements of regulation [68]70(1)(a) to (c);
 - (k) the dealer must verify that the particulars of a muzzle loading firearms, firearm and ammunition recorded on a form and register dealt with by the dealer, are correct;
 - (l) firearms and ammunition may only be test-fired or fired for demonstration purposes at an accredited shooting range by a person holding a competency certificate;
 - (m) the dealer and all persons employed by the dealer must be conversant with the provisions of the Act, the regulations issued in terms of the Act and any amendments thereto;
 - (n) a dealer may not at any time display or exhibit any muzzle loading firearms, firearm and ammunition in any showcase or show-window which directly goes out on or overlooks any public street, road, thoroughway or public place whereto the general public has access, or

permit it to be so displayed or exhibited or cause it to be so displayed or exhibited;

- (o) the dealers' licence may not be transferred; and
- (p) a dealer's licence does not authorise the collection of firearms or ammunition as a private or public collection.

[32]34 Information on a dealer's licence

A dealer's licence must, in addition to the requirements of sections 7(2) and 34 of the Act, contain the-

- (a) business name of the dealer;
- (b) in the case where the holder of the dealer's licence is a natural person, the initials, surname and identity number of the holder of the dealer's licence or in the case of a juristic person the name and legally prescribed registration number thereof, where applicable;
- (c) number, date of issue and type of competency certificate issued to the holder of the dealer's licence and in the case of a juristic person the name, surname, identity number and number, date of issue and type of competency certificate of the responsible person, where applicable;
- (d) date of issue of the licence;
- (e) date of expiry of the licence;
- (f) registration number and reference code allocated by the Registrar; and
- (g) details of the approved safe or strongroom as contemplated in regulation [86]88(2).

[33]35 Application for temporary authorisation to trade in firearms and ammunition on premises other than those specified in dealer's licence

- (1) A dealer applying for a temporary authorisation as contemplated in section 36 of the Act must, in addition to the requirements of regulation [13]15, submit-

- (a) a written motivation in support of the application, with specific reference to the steps which are contemplated in connection with the safe custody of the firearms and ammunition;
 - (b) a written declaration that the dealer has facilities available for the safe custody of the firearms and ammunition that comply with SABS Standard 953-1 or 953-2, or both;
 - (c) a certified copy of the dealer's licence; and
 - (d) a list containing the full names, identity numbers, the date of issue and number of the competency certificate of every person who will trade on behalf of the dealer at the premises.
- (2) The application must be lodged at least 30 days before the date on which the trading will commence at the other premises.

[34]36 Conditions applicable to temporary authorisations to trade in firearms and ammunition on premises other than those specified in dealer's licence

The Registrar may impose the following conditions in respect of a temporary authorisation issued under section 36 of the Act:

- (a) The dealer to whom a temporary authorisation has been issued must, for the duration of the trade in firearms and ammunition, keep the temporary authorisation at the premises specified in the temporary authorisation and the dealer must, at the request of a police official, produce the temporary authorisation to such police official for inspection;
- (b) during any period when the premises specified in the temporary authorisation is closed for purpose to trade in firearms and ammunition, all firearms and ammunition which are on the premises, must be locked in the strongroom or safe for safe custody of firearms and ammunition which has been specified on the temporary authorisation;
- (c) during any period when the premises specified in the temporary authorisation is open for purposes to trade in firearms and ammunition, firearms and ammunition may only be displayed if the firearms are-
 - (i) unloaded; and

- (ii) in the case of handguns, locked in a display counter or display cabinet that prevents the unauthorised access to the handguns displayed therein;
- (iii) in the case of firearms, excluding handguns and firearms displayed as prescribed in subparagraph (ii)-
 - (aa) rendered inoperable by means of a secure locking device; or
 - (bb) securely attached with a metal attachment to a non-portable structure in such a manner that it cannot readily be removed; and
- (iv) not displayed with ammunition that can be discharged from it;
- (d) during any period when the premises specified in the temporary authorisation is open for purpose to trade in firearms and ammunition-
 - (i) ammunition may only be displayed if the ammunition are securely locked in a display counter or display cabinet; and
 - (ii) firearms or ammunition or both which are not displayed must be locked in a strongroom or safe for safe custody of firearms and ammunition which has been specified in the temporary authorisation;
- (e) only persons specified in the temporary authorisation and who has in his or her possession a relevant competency certificate, may trade at the specified premises on behalf of the dealer;
- (f) must during the period of trade at the premises specified in the temporary authorisation, keep a record in respect of every firearm and all ammunition in possession of the dealer on the premises wherein the following particulars must be recorded-
 - (i) the stock number allocated in accordance with regulation 137139(1)(a) that must be clearly affixed by means of a temporary marking on the firearm;
 - (ii) the make, type, calibre of the firearm, as well as, every manufacturer's serial number or additional identification mark contemplated in section 23(4) of the Act that is reflected on the firearm;

- (iii) the calibre, make and quantity of all ammunition;
 - (iv) the date of sale of any firearm or ammunition, or both;
 - (v) the full name, physical address and identity number or registration number, as the case may be, of the person to whom a firearm or ammunition, or both has been sold;
 - (vi) the date of issue and number of the licence, permit or authorisation contemplated in section 90(d) of the Act, in terms whereof the person to whom the ammunition has been sold, may possess the ammunition;
 - (vii) the calibre, make and quantity of ammunition sold; and
 - (viii) the signature of the person to whom the ammunition has been sold that must be affixed to the recorded particulars;
- (g) no firearm may be delivered to a person to whom it was sold at the premises specified in the temporary authorisation until the register prescribed in regulation [37]39(1) have been duly completed by the dealer; and
- (h) the record prescribed in paragraph (f) , must at the expiry of the period for which the temporary permit was issued, be incorporated and cross-referenced with the register prescribed in regulation [37]39.

[35]37 Record of prescribed information regarding temporary authorisations in respect of dealers

The Office of the Central Firearms Register must keep a record of the following information regarding temporary authorisations issued under section 36 of the Act:

- (a) the name of the police station where the application was submitted;
- (b) details of the person who completed the application;
- (c) reason if the application was refused;
- (d) details of the applicant;

- (e) details of the premises and the safe storage facilities where the firearms or ammunition, or both will be kept in safe custody; and
- (f) period of validity of the temporary authorisation.

[36]38 Application by a dealer for the change of premises

- (1) A dealer who applies for the removal of the business from the premises specified in the licence to a different premises must, in addition to the relevant information required by regulation [13]15 and in regulation [30]32, submit such further information and documents as may be required by the Registrar.
- (2) When an inspection of the new premises by a police official or a Designated Firearms Officer reveals that the safeguarding facilities at the new premises do not in all respects comply with those specified for the applicable licence, the holder of the licence must be notified thereof in writing by the relevant Designated Firearms Officer and be afforded a period of 60 days within which to correct the listed deficiencies: Provided that the Registrar is satisfied that the nature of the deficiencies would not create an unacceptable risk for the safe custody of firearms or ammunition.
- (3)
 - (a) On approval of an application to change premises as contemplated in subregulation (1), the dealer must immediately on taking occupation of the new premises, notify the relevant Designated Firearms Officer responsible for the area in which the applicant's new business will be situated.
 - (b) A notification contemplated in subparagraph (a) must be on the applicable form and be accompanied by such information and documents as may be required by the Registrar.

[37]39 Registers in respect of a dealer

- (1) A dealer must keep a register as contemplated by section 39(3) of the Act comprising of a set of books or computer printouts known as 'the Firearms Stock Register' in respect of every muzzle loading firearm or firearm received in stock from whatever source, wherein must be recorded-
 - (a) on the debit-side-

-
- (i) a stock number that must be clearly affixed by means of a temporary marking on the muzzle loading firearm or firearm;
 - (ii) the make, type, calibre of the muzzle loading firearm or firearm, as well as, every manufacturer's serial number or additional identification mark contemplated in section 23(4) of the Act that is reflected on the muzzle loading firearm or firearm;
 - (iii) the date of receipt of the muzzle loading firearm or firearm;
 - (iv) the full names, surname, identity number or registration number, as the case may be, and physical address of the person from whom the muzzle loading firearm or firearm was acquired; and
 - (v) in the case of a firearm, the number and date of issue of the existing licence, authorisation or permit, as the case may be, and in the case of a private transfer and a muzzle loading firearm, the signature of the person from whom the firearm was acquired;
- (b) on the credit-side against the stock number referred to in subregulation (1)(a)(i)-
- (i) the date of sale of the muzzle loading firearm or firearm;
 - (ii) the full names, surname, identity number or registration number, as the case may be, and physical address of the person to whom the muzzle loading firearm or firearm was sold;
 - (iii) the number and date of issue of the licence, authorisation or permit in terms whereof the firearm may be possessed by the person contemplated in subparagraph (ii); and
 - (iv) the signature of the person to whom the muzzle loading firearm or firearm was sold or transferred to [who is responsible for the transfer of the firearm] that must be affixed to the recorded particulars.

- (2) A dealer must keep a register comprising of a set of books or computer printouts known as 'the Ammunition Stock Register' in respect of all ammunition received wherein must be recorded-
- (a) on the debit-side-
 - (i) the calibre, make, type and quantity of all ammunition received; and
 - (ii) the date of receipt; and
 - (iii) the number and date of issue of the existing licence, authorisation or permit, as the case may be, of the person from whom the ammunition was acquired;
 - (b) on the credit-side-
 - (i) the date of sale of the ammunition;
 - (ii) the full names, surname, identity number or registration number, as the case may be, and physical address of the person to whom the ammunition was sold;
 - (iii) the number and date of issue of the licence, permit or authorisation contemplated in section 90(d) of the Act, in terms whereof the person to whom the ammunition has been sold, may possess the ammunition;
 - (iv) the calibre, make and quantity of all ammunition sold; and
 - (v) the signature of the person to whom the ammunition has been sold or transferred that must be affixed to the recorded particulars.
- (3) (a) A dealer must keep a register comprising of a set of books or computer printouts known as 'the Firearms Safe Custody Register' regarding all muzzle loading firearms or firearms that the dealer receives and holds on behalf of a holder of a licence, authorisation or permit for the purpose of the safe custody or transfer of the muzzle loading firearms or firearms.
- (b) The Firearms Safe Custody Register must contain-

-
- (i) the date of receipt of the muzzle loading firearm or firearm;
 - (ii) the full names, surname, identity number or registration number, as the case may be, and physical address of the person from whom the muzzle loading firearm or firearm was acquired;
 - (iii) the make, type, calibre of the firearm, as well as, every manufacturer's serial number or additional identification mark contemplated in section 23(4) of the Act that is reflected on the muzzle loading firearm or firearm;
 - (iv) the number and date of issue of the existing licence, authorisation or permit, as the case may be, and signature of the person from whom the firearm was acquired;
 - (v) the date of return, transfer or disposal of the muzzle loading firearm or firearm; and
 - (vi) the signature of the person to whom the muzzle loading firearm or firearm was returned, transferred or disposed to.
- (4) A dealer must keep a register wherein the full names, surname, identity number and physical address and number of the applicable competency certificates in respect of natural persons who are involved in trading on behalf of the dealer, are recorded.
- (5) (a) The registers comprising of a set of books that are kept in terms of this regulation, may not be taken into use or be used, unless every page of such register is numbered in sequence and the relevant Designated Firearms Officer, has signed every such page and appended an official date stamp reflecting the particulars of the office to which the relevant Designated Firearms Officer is attached, with every such signature.
- (b) A dealer must, within seven days after the end of a month hand the register comprising of computer printouts that are kept in terms of this regulation, of which every page must be numbered in sequence, to the relevant Designated Firearms Officer who must sign every page and appended an official date stamp reflecting the particulars of the office to which the relevant Designated Firearms Officer is attached, with every such signature.

- (c) Signatures as contemplated in subregulations (1)(b)(iv), (2)(b)(v) and (3)(b)(vi) must be affixed to a computer printout contemplated in subregulation (c).
- (6) An entry recorded in a register referred to in this regulation must be printed or written in ink, and any amendment thereof must be effected by means of interlineation or crossing out in ink and not by way of erasure, and any such amendment must be initialled by the person effecting the amendment.
- (7) No person may remove or cause to be removed any page from any register contemplated in this regulation and if any page is removed from such register, it will be deemed, in the absence of evidence to the contrary which raises reasonable doubt, to have been removed by or on the authority of the person who is in terms of any provision of this Act obliged to keep such register.
- (8) A dealer must, if directed thereto at any time by the Registrar by written notice, submit a return providing such particulars regarding ammunition, which has been acquired or procured, or which has been transferred or disposed of, as the Registrar may in the notice determine.
- (9) All particulars that must be entered in a register referred to in this regulation, must be recorded by a person **[endorsed on the dealers licence]** whose particulars are recorded in the register contemplated in regulation 39(4) on receipt, transfer or disposal, as the case may be, of the firearm or ammunition concerned.
- (10) Subject to the provisions of section 146 and regulation ~~102~~104(1) a register prescribed in this regulation and regulation ~~34~~36(f), must be kept for a period of 10 years from the date of the last entry therein on the business premises specified on the dealer's licence.

38 40 Manner in which a workstation must be established, maintained and linked to the central dealers' database

- (1) The workstation of a dealer contemplated in section 39(6) of the Act, must link to the central dealers' database by way of software and an electronic network connectivity that is compatible with the infrastructure and standards of the South African Police Service.
- (2) A dealer must establish an online electronic connectivity which links the registers prescribed in regulation ~~37~~39 to the central dealer's database

and which must provide for a daily electronic online transfer of data regarding business related to muzzle loading firearms or firearms and ammunition for the previous business day as recorded in the prescribed registers.

- (3) If any circumstance occur which prevents a dealer to submit returns online by means of the electronic network connectivity, the Registrar must be informed immediately in order to establish alternative means to submit the daily returns.

[39]41 Weekly returns

- (1) A dealer who is exempted from the duties referred to in section 39(6) of the Act must, within seven days after the end of every week, submit to the Office of the Central Firearms Register a return on the form determined by the Registrar, or a computer printout which reflects the information of the prescribed form, regarding all muzzle loading firearms and firearms [and ammunition]-
 - (a) acquired during the relevant week; and
 - (b) transferred during the relevant week.
- (2) A dealer must submit such weekly returns whether or not any muzzle loading firearms or firearms [or ammunition] have been acquired or transferred.

[40]42 Establishment of centralised dealer's database

- (1) The Registrar must establish and maintain a central dealer's database which is linked and can interface with the electronic network connectivity of workstations of dealers as contemplated in regulation [38]40.
- (2) The central dealer's database must contain-
 - (a) the information and supporting documents submitted by an applicant on the prescribed form under regulation [13]15 regarding a competency certificate, dealer's licence, authorisation, renewal or copy thereof, as well as, the relevant information in respect of the suspension or termination thereof;

- (b) the information on a competency certificate, licence, authorisation, permit and a renewal or copy thereof, that were issued or refused as a result of an application; and
- (c) the details and information submitted by a dealer in respect of the acquisition, transfer and disposal of a muzzle loading firearm, firearm or ammunition effected under the Act.

PART 3 MANUFACTURERS

[41]43 Conditions in respect of a manufacturer's licence

The Registrar may impose the following conditions in respect of a manufacturer's licence-

- (a) the licence may not be transferred;
- (b) the section of the business premises specified in the licence in which the muzzle loading firearms, firearms and ammunition are manufactured or stored must, during working hours, be under the immediate control of the holder of the manufacturer's licence or, if authorised thereto by the Registrar in writing, a person nominated by the holder of the manufacturer' licence to supervise the final assembly of the firearms;
- (c) the holder of the manufacturer's licence may only acquire and keep in stock the calibre ammunition necessary for the testing of a firearm manufactured under the licence;
- (d) all manufactured muzzle loading firearms, firearms and main firearm components must be stored in a prescribed safe or strongroom as specified in the licence during all hours other than working hours;
- (e) during any period when the licensed premises are closed for business purposes all ammunition and any other explosive component of the ammunition which are on the premises, must be locked in a strongroom or safe which has been approved in terms of the Explosives Act, 1956 (Act 26 of 1956) and specified on the licence;
- (f) on every firearm manufactured under the provisions of the Act, a manufacturer's serial number must be stamped on it;
- (g) a manufacturer's serial number must, on request of the manufacturer, be allocated by the Registrar;

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- (h) the manufacturer's serial number must be stamped on the firearm in accordance with the provisions of section 23(2) of the Act read with regulation [28]30(2) before the manufacturing has been completed;
 - (i) the manufacturer must stamp the inscription 'made in South Africa' and the manufacturer's trade name on the barrel, frame or receiver of the firearm;
 - (j) testing of a firearm must only be done at a shooting range or tunnel approved by the Registrar by a person who holds a competency certificate;
 - (k) the licence shall only authorise the manufacturing of firearms or calibre of ammunition, or both that is specified thereon;
 - (l) before commencing the manufacturing of firearms or calibre of ammunition that is not specified on the manufacturer's licence, the holder of manufacture's licence must apply to the Registrar for a licence to manufacture such firearm or calibre of ammunition;
 - (m) the Registrar may, after receipt of an application for the licence, but prior to the issuing thereof, authorise the manufacturer to produce a specified number of prototypes of the firearm to allow the manufacturer to obtain the necessary proofing of the firearm as contemplated in regulation [106]108;
 - (n) the Registrar may only licence a manufacturer to manufacture a firearm or ammunition referred to in section 4(1)(a) to (d) of the Act, if the manufacturer has beforehand obtained the necessary permit in terms of section 14 of the National Conventional Arms Control Act, 2002 (Act 41 of 2002), as well as, a proofing certificate contemplated in regulation [106]108 and a South African Police Service ballistics evaluation report;
 - (o) in the case of commercial loading of ammunition, other than contemplated in section 93(1) of the Act, the packaging in which the ammunition is sold by the manufacturer must clearly indicate that the ammunition is reloaded ammunition and the packaging must further have the loading manufacturer's details printed thereon;
 - (p) ammunition manufactured under a manufacturer's licence, excluding ammunition contemplated in subparagraph (o) , must be individually

identified by a unique head stamp or marking approved by the Registrar that identifies the manufacturer;

- (q) the muzzle loading firearms, firearms and ammunition that are possessed on the authority of a manufacturer's licence must be transported on behalf of the holder of the manufacturer's licence only by a person whose name appears on the licence or in the register contemplated in regulation I47I49(5) or by the holder of a firearm transporter's permit and such transportation must comply with the requirements of regulation I68I70(1)(a) to (c);
- (r) any main firearm component that is rejected by the manufacturer due to its unacceptability for use, must immediately after its rejection be destroyed by the manufacturer by making it totally inoperative;
- (s) a manufacturer may supply a barrel that is unchambered, partially chambered or pre-chambered for a specific calibre to the holder of a dealer's licence;
- (t) a manufacturer's licence does not authorise the collection of firearms or ammunition as a private or public collection; and
- (u) a manufacturer may not employ a person who has been declared unfit to possess a firearm under Chapter 12 of the Act in a position who has access to a completed manufactured firearm or ammunition.

I42I44 Information on a manufacturer's licence

A manufacturer's licence must, in addition to the requirements of section 48 of the Act, contain the-

- (a) business name of the manufacturer;
- (b) initials and surname of the holder of the manufacturer's licence in the case where the holder of the manufacturer's licence is a natural person, or in the case of a juristic person the name and legally prescribed registration number of the juristic person, where applicable;
- (c) the number, date of issue and type of competency certificate issued to the holder of the manufacturer's licence and in the case of a juristic person the name, surname, identity number and number, date of issue and type of competency certificate of the responsible person;

- (d) the date of issue of the licence;
- (e) the date of expiry of the licence;
- (f) the registration number and reference code allocated by the Registrar;
- (g) the details of the approved safe or strongroom as contemplated in regulation [86]88(3), as well as, any explosives magazines; and
- (h) the particulars of the firearm and calibre of ammunition that may be manufactured under the licence.

[43]45 Applications in respect of temporary authorisation to display firearms and ammunition on premises other than those specified in manufacturer's licence

- (1) A manufacturer applying for a temporary authorisation as contemplated in section 50 of the Act must, in addition to the requirements of regulation [13]15, submit-
 - (a) a written motivation in support of the application, with specific reference to the steps which are contemplated in connection with the safe custody of the firearms and ammunition;
 - (b) a written declaration that the applicant has facilities available for the safe custody of the firearms and ammunition that comply with SABS Standard 953-1 or 953-2, or both;
 - (c) a list containing the full names, identity numbers, the date of issue and number of the competency certificate of every person who will participate in displaying the arms or ammunition, at the premises;
 - (d) a certified copy of the manufacturer's licence; and
- (2) The application must be lodged at least 30 days before the date on which the display of the firearms and ammunition will commence at the other premises.

[44]46 Conditions applicable to temporary authorisation to display firearms and ammunition on premises other than those specified in a manufacturer's licence

The Registrar may impose the following conditions in respect of a temporary authorisation issued under section 50 of the Act:

- (a) The manufacturer to whom a temporary authorisation has been issued must, for the duration of the display of the firearms or ammunition, or both keep the temporary authorisation at the premises specified in the temporary authorisation and the manufacturer must, at the request of a police official, produce the temporary authorisation to such police official for inspection;
- (b) during any period when the premises specified in the temporary authorisation is closed for displaying purposes, all muzzle loading firearms, firearms or ammunition, or both which are on the premises, must be locked in the strongroom or safe for safe custody of firearms which has been specified on the temporary authorisation;
- (c) during any period when the premises specified in the temporary authorisation is open for purposes to display muzzle loading firearms or firearms, the muzzle loading firearms and firearms may only be displayed if the muzzle loading firearms and firearms are-
 - (i) unloaded; and
 - (ii) in the case of handguns, locked in a display counter or display cabinet that prevents the unauthorised access to the handguns displayed therein;
 - (iii) in the case of firearms, excluding handguns and firearms displayed as prescribed in subparagraph (ii)-
 - (aa) rendered inoperable by means of a secure locking device; or
 - (bb) securely attached with a metal attachment to a non-portable structure in such a manner that it cannot readily be removed; and
 - (iv) not displayed with ammunition that can be discharged from it;
- (d) during any period when the premises specified in the temporary authorisation is open for displaying purposes-
 - (i) ammunition may only be displayed if the ammunition are securely locked in a display counter or display cabinet;

- (ii) firearms or ammunition, or both which are not displayed must be locked in a strongroom or safe for safe custody of firearms which has been specified in the temporary authorisation;
- (e) only persons specified in the temporary authorisation and who has in his or her possession a relevant competency certificate, may participate in the displaying of the firearms or ammunition, or both;
- (f) the manufacturer must, at the premises specified in the temporary authorisation and during the period of validity of the temporary authorisation, keep a record in respect of every firearm and all ammunition in possession of the manufacturer on the premises wherein the following particulars must be recorded-
 - (i) the stock number allocated in accordance with regulation 147149(1)(a) that must be clearly affixed by means of a temporary marking on the firearm;
 - (ii) the make, type, calibre of the firearm, as well as, every manufacturer's serial number or additional identification mark contemplated in section 23(4) of the Act that is reflected on the firearm;
 - (iii) the calibre, make and quantity of all ammunition.
- (g) the record prescribed in paragraph (f) , must at the expiry of the period for which the temporary permit was issued, be incorporated and cross-referenced with the register prescribed in regulation 147149.

145147 Record of prescribed information regarding temporary authorisations in respect of a manufacturer's licence

The Office of the Central Firearms Register must keep a record of the following information regarding temporary authorisations issued under section 50 of the Act:

- (a) the name of the police station where the application was submitted;
- (b) details of the person who completed the application;
- (c) reason if the application was refused;

- (d) details of the applicant;
- (e) details of the premises and the safe storage facilities where the firearms or ammunition, or both will be kept in safe custody; and
- (f) period of validity of the temporary authorisation.

[46]48 Application by a manufacturer for the change of premises

- (1) A manufacturer who applies for the removal of the business from the premises specified in the licence to a different premises must, in addition to the relevant information required by regulation [13]15 and in regulation [30]32, submit such further information and documents as may be required by the Registrar.
- (2) When an inspection of the new premises by a police official or a Designated Firearms Officer reveals that the safeguarding facilities at the new premises do not in all respects comply with those specified for the applicable licence, the holder of the licence must be notified thereof in writing by the relevant Designated Firearms Officer and be afforded a period of 60 days within which to correct the listed deficiencies: Provided that the Registrar is satisfied that the nature of the deficiencies would not create an unacceptable risk for the safe custody of firearms or ammunition.
- (3)
 - (a) On approval of an application to change premises as contemplated in subregulation (1), the manufacturer must immediately on taking occupation of the new premises, notify the relevant Designated Firearms Officer for the area in which the applicant's new business will be situated.
 - (b) A notification contemplated in subparagraph (a) must be on the applicable form and be accompanied by such information and documents as may be required by the Registrar.

[47]49 Registers in respect of a manufacturer

- (1) A manufacturer must keep a register as contemplated in section 53(3) of the Act in the format of an electronic database known as 'the Firearms Stock Register', in respect of every muzzle loading firearm and firearm manufactured wherein the following particulars must be recorded-

-
- (a) on the debit-side against a stock number the date of manufacture, make, calibre, model and in the case of a firearm, the manufacturer's serial number; and
- (b) on the credit-side against the stock number referred to in subparagraph (a) the date of sale of the muzzle loading firearm or firearm and-
- (i) the name and address and dealer's licence number of the dealer to whom the muzzle loading firearm or firearm is sold; or
 - (ii) the particulars of the State department to whom the firearm was sold; or
 - (iii) the name and address of the person to whom the muzzle loading firearm or firearm was exported in the case of a firearm, together with the particulars of the export permit issued under the Act or the National Conventional Arms Control Act, 2002 (Act 41 of 2002), as the case may be.
- (2) Every manufacturer must keep an electronic database known as the 'Ammunition Stock Register', in respect of all ammunition wherein the following particulars must be recorded-
- (a) on the debit-side-
 - (i) the calibre, make, type and quantity of all ammunition manufactured, purchased or acquired;
 - (ii) the lot number and the date of manufacture or receipt; and
 - (iii) in the case of the ammunition being purchased or acquired-
 - (aa) the person from whom it was purchased or acquired; and
 - (bb) the reason for the purchase or acquiring.
 - (b) on the credit side-
 - (i) the lot number and the date of sale or use by the manufacturer of the ammunition;

- (ii) the calibre, make, type and quantity of ammunition sold or used by the manufacturer;
 - (iii) the name, address and dealer's licence number of the dealer to whom the ammunition is sold; or
 - (iv) the particulars of the State department to whom the ammunition was sold; or
 - (v) the name and address of the person to whom the ammunition was exported to together with the particulars of the export permit issued under the Act or the National Conventional Arms Control Act, 2002 (Act 41 of 2002), as the case may be; and
 - (vi) the date of collection and the signature of the dealer or relevant State official to whom the ammunition was delivered.
- (3) A manufacturer must keep updated stock sheets of all its manufactured muzzle loading firearms, firearms and main firearm components.
- (4) All particulars that must be entered in a register referred to in this regulation, must be recorded immediately by a designated person [endorsed on the manufacturer's licence] whose particulars are recorded in the register contemplated in subregulation (5) on the manufacture, receipt, transfer or use, as the case may be, of the muzzle loading firearm, firearm or ammunition concerned.
- (5) A manufacturer must keep a register wherein the full names, surname, identity number, as well as, the date of issue, type and number of the applicable competency certificate in respect of natural persons who engages in the manufacturing process, are recorded.
- (6) Every manufacturer must immediately upon completion of the manufacturing, as well as, the transfer of a firearm or ammunition, or both, submit by means of an electronic connectivity in the outline determined by the Registrar, the information regarding all firearms and ammunition manufactured or transferred.

- (7) Every ammunition manufacturer must on or before the seventh day of every successive month submit a monthly return to the Registrar in the form determined by the Registrar, of all ammunition-
 - (a) manufactured during that specific month; and
 - (b) disposed of during such specific month.
- (8) The returns referred to in subregulations (6) and (7) must be submitted, whether or not any ammunition were manufactured or disposed of during such specific month.
- (9) Subject to the provisions of section 146 and regulation ~~1021104~~(1) a register prescribed in this regulation must be kept for a period of 10 years from the date of the last entry therein on the business premises specified on the licence.

148150 Manner in which a workstation must be established, maintained and linked to the central manufacturers' database

- (1) The workstation of a manufacturer contemplated in section 53(6) of the Act, must link to the central manufacturers' database by way of software and an electronic network connectivity that is compatible with the infrastructure and standards of the South African Police Service.
- (2) A manufacturer must establish an online electronic connectivity which links the registers prescribed in regulation ~~147149~~ to the central manufacturer's database and which must provide for a daily electronic online transfer of data regarding muzzle loading firearm, firearms and ammunition manufactured or transferred during the previous business day as recorded in the prescribed registers.
- (3) If any circumstance occur which prevents a manufacturer to submit returns online by means of the electronic network connectivity, the Registrar must be informed immediately in order to establish alternative means to submit the daily returns.

149151 Establishment of a centralised manufacturers' database

- (1) The Registrar must establish and maintain a central manufacturers' database which is linked and can interface with the electronic network connectivity of workstations of manufacturers as contemplated in regulation 148150.

- (2) The central manufacturers' database must contain-
- (a) the information and supporting documents submitted by an applicant on the prescribed form under regulation [13]15 regarding a competency certificate, manufacturer's licence, authorisation, permit, renewal or copy thereof, as well as, the relevant information in respect of the suspension or termination thereof;
 - (b) the information on a competency certificate, licence, authorisation, permit and a renewal or copy thereof, that were issued or refused as a result of the application; and
 - (c) the details and information submitted by a manufacturer in respect of the manufacture, use or transfer of a muzzle loading firearm, firearm and ammunition effected under the Act.

PART 4 GUNSMITHS

[50]52 Other work that may be performed by gunsmith

- (a) The holder of a gunsmith's licence may, repair, customise, custom build, adapt, modify, assemble, deactivate or, subject to regulation 59(3) and 69 store a muzzle loading firearm and firearm.
- (b) the Registrar may issue a temporary authorisation to possess a firearm as contemplated in section 21 of the Act to a gunstock maker on condition that the gunstock maker shall not conduct any other work outside the scope of a gunstock maker which work shall not include work contemplated in subregulation (a) on any metal part of a firearm.

[51]53 Conditions in respect of the issue of gunsmith's licence

The Registrar may impose the following conditions in respect of a gunsmith's licence:

- (a) The licence entitles the gunsmith to acquire a muzzle loading firearm and firearm and keep in stock any part of a firearm, including a main firearm component, for the purpose of performing his or her work;

- (b) the licence entitles the gunsmith to acquire and keep in stock ammunition reasonably necessary to test firearms on which he or she performs work within the normal scope of the business of a gunsmith;
- (c) a gunsmith who is employed by another person for the purpose of performing the work of a gunsmith, must within 30 days of such employment or of any change in the continued employment of such gunsmith with the person, notify the Registrar in writing of such employment or change;
- (d) if a person has in his or her employment a gunsmith for the purpose of performing the work of a gunsmith, the gunsmith is jointly and severally responsible to ensure that proper control is at all times exercised over all the muzzle loading firearm, firearms, ammunition and stock contemplated in subparagraphs (a) and (b) , that the prescribed registers are properly maintained and that every reasonable precaution is taken against the loss or theft of the muzzle loading firearms, firearms, ammunition and stock;
- (e) muzzle loading firearms, firearms and ammunition that are in the possession of a gunsmith on the authority of a gunsmith's licence, must be transported only by the gunsmith whose name appears on the licence or by an apprentice gunsmith whose particulars are recorded in the register contemplated in regulation 59(8) or by a holder of a firearm transporter's permit and such transportation must comply with the requirements of regulation 168170(1)(a) to (c);
- (f) a gunsmith may not alter or remove the serial number or any other identifying mark of a firearm without the prior written authorisation of the Registrar;
- (g) firearms and ammunition may only be test-fired by a gunsmith at an accredited shooting range, tunnel or purpose built bullet trap subject to local council requirements;
- (h) a gunsmith who performs work on a firearm as contemplated in section 59(a) and (b) of the Act or who custom builds a firearm must, before the conclusion of the work, notify the Registrar in writing of-
 - (i) the particulars of the firearm, including the type, name, calibre and manufacturer's serial number or additional identification number contemplated in section 23(4) of the Act, when applicable;

- (ii) the number and date of the issue of the licence in respect of the firearm;
 - (iii) the full names, surname, identity number or registration number, as the case may be, and physical address of the holder of the licence to possess the firearm; and
 - (iv) the particulars of the work performed on the firearm;
- (i) the Registrar may require proofing in accordance with regulation [106]108 in connection with a firearm contemplated in subparagraph (h) ;
 - (j) during any period when the licensed premises are closed for business purposes all muzzle loading firearms, firearms and ammunition, which are on the premises, must be locked in a strongroom or safe for safe custody of firearms which has been specified on the licence;
 - (k) during any period when the licensed premises are open for business or any other purpose, muzzle loading firearms, firearms and ammunition which are not displayed must be locked in a strongroom or safe for safe custody of firearms which has been defined in the relevant licence;
 - (l) a gunsmith may display muzzle loading firearms and firearms on which he or she has performed work in accordance with the provisions of [this] section 59(a) and (b) and regulation[,] 52 in order to promote his or her craftsmanship;
 - (m) during any period when the licensed premises are open for business purposes muzzle loading firearms, firearms and ammunition may only be displayed if the muzzle loading firearms and firearms are-
 - (i) unloaded; and
 - (ii) in the case of handguns, locked in a display counter or display cabinet that prevents the unauthorised access to the handguns displayed therein;
 - (iii) in the case of firearms, excluding handguns and firearms displayed as prescribed in subparagraph (ii)-
 - (aa) rendered inoperable by means of a secure locking device; or

- (bb) securely attached with a metal attachment to a non-portable structure in such a manner that it cannot readily be removed; and
- (cc) not displayed with ammunition that can be discharged from it;
- (n) a gunsmith may not at any time display or exhibit any muzzle loading firearm, firearm or ammunition in any showcase or show-window which directly goes out on or overlooks any public street, road, thoroughway or public place whereto the general public has access, or permit it to be so displayed or exhibited or cause it to be so displayed or exhibited;
- (o) a gunsmith may only deactivate a firearm with the prior written consent of the Registrar;
- (p) a gunsmith's licence does not authorise the collection of firearms or ammunition as a private or public collection;
- (q) when a firearm is custom built by a gunsmith, the name of the gunsmith as approved by the Registrar, as well as, the additional identification mark contemplated in section 23(4) of the Act, if applicable, must be stamped on the firearm;
- (r) a gunsmith may only employ a person as an apprentice to the gunsmith if such person is registered for such an apprenticeship with the Department of Labour; and
- (s) a gunsmith who has an apprentice must exercise personal control and supervision over such apprentice who performs any work on a firearm. I; andI
- [(t) the Registrar may issue a temporary authorisation to possess a firearm as contemplated in section 21 of the Act to a gunstock maker on condition that the gunstock maker shall not conduct any other work outside the scope of a gunstock maker which work shall not include work contemplated in regulation 50 on any metal part of a firearm.]**

52154 Information on gunsmith's licence

A gunsmith's licence must, in addition to the requirements of section 62 of the Act, contain the-

- (a) business name of the gunsmith;
- (b) full names, surname and identity number of the gunsmith;
- (c) number, date of issue and type of the competency certificate issued to the holder of the gunsmith's licence;
- (d) date of issue of the licence;
- (e) date of expiry of the licence;
- (f) registration number and reference code allocated by the Registrar; and
- (g) details of the approved safe or strongroom as contemplated in regulation 186188(2).

153155 Applications for temporary authorisation to conduct business as gunsmith on premises other than those specified in gunsmith's licence

- (1) A gunsmith applying for a temporary authorisation as contemplated in section 64 of the Act must, in addition to the requirements of regulation 13115, submit-
 - (a) a written motivation in support of the application, with specific reference to the steps which are contemplated in connection with the safe custody of the muzzle loading firearms, firearms and ammunition;
 - (b) a written declaration that the gunsmith has facilities available for the safe custody of the muzzle loading firearms, firearms and ammunition that comply with SABS specifications;
 - (c) a certified copy of the applicant's licence; and
 - (d) a list containing the full names, surnames, identity numbers, the date of issue and number of the competency certificate of every person who will conduct business as a gunsmith on behalf of the holder of the gunsmith's licence at the premises.
- (2) An application for the display of muzzle loading firearm or firearms must be lodged at least 30 days before the intended date on which conducting of such display will commence.

[54]56 Conditions applicable to temporary authorisations to conduct business as gunsmith on premises other than those specified in gunsmith's licence

The Registrar may impose the following conditions in respect of an application for a temporary authorisation issued under section 64 of the Act:

- (a) The gunsmith to whom a temporary authorisation has been issued must, for the duration of conducting the business as a gunsmith, keep the temporary authorisation at the premises specified in the temporary authorisation and the gunsmith must, at the request of a police official, produce the temporary authorisation to such police official for inspection;
- (b) during any period when the premises specified in the temporary authorisation is closed for purpose of conducting business as a gunsmith, all muzzle loading firearm, firearms and ammunition which are on the premises, must be locked in the strongroom or safe for safe custody of firearms which has been specified on the temporary authorisation;
- (c) during any period when the premises specified in the temporary authorisation is open for purpose of conducting business as a gunsmith, muzzle loading firearms, firearms and ammunition may only be displayed if the muzzle loading firearms and firearms are-
 - (i) unloaded; and
 - (ii) in the case of handguns, locked in a display counter or display cabinet that prevents the unauthorised access to the handguns displayed therein; or
 - (iii) in the case of firearms, excluding handguns and firearms displayed as prescribed in subparagraph (ii)-
 - (aa) rendered inoperable by means of a secure locking device; or
 - (bb) securely attached with a metal attachment to a non-portable structure in such a manner that it cannot readily be removed; and

- (cc) not displayed with ammunition that can be discharged from it;
- (d) during any period when the premises specified in the temporary authorisation is open to conduct business as a gunsmith, muzzle loading firearm and firearms which are not displayed or on which work is being performed, must be locked in a strongroom or safe for safe custody of firearms which has been specified in the temporary authorisation;
- (e) only persons specified in the temporary authorisation and who has in his or her possession a relevant competency certificate, may conduct business as a gunsmith on the premises;
- (f) the gunsmith must, at the premises specified in the temporary authorisation and during the period of validity of the temporary authorisation, keep a record in respect of every muzzle loading firearm, firearm and all ammunition in possession of the gunsmith on the premises wherein the following particulars must be recorded-
 - (i) the stock number allocated in accordance with regulation [57]59(1)(a) that must be clearly affixed by means of a temporary marking on the firearm;
 - (ii) the make, type, calibre of the firearm, as well as, in the case of firearms, every manufacturer's serial number or additional identification mark contemplated in section 23(4) of the Act that is reflected on the firearm; and
 - (iii) the calibre, make and quantity of all ammunition.
- (g) the record prescribed in paragraph (f), must at the expiry of the period for which the temporary permit was issued, be incorporated and cross-referenced with the register prescribed in regulation [57]59.

[55]57 Record of prescribed information regarding temporary authorisations in respect of gunsmiths

The Office of the Central Firearms Register must keep a record of the following information regarding temporary authorisations issued under section 64 of the Act:

- (a) the name of the police station where the application was submitted;

- (b) details of the person who completed the application;
- (c) reason if the application was refused;
- (d) details of the applicant;
- (e) details of the premises and the safe storage facilities where the firearms or ammunition, or both will be kept in safe custody; and
- (f) period of validity of the temporary authorisation.

[56]58 Application for change of premises

- (1) A gunsmith who applies for the removal of the business from the premises specified in the licence to a different premises must, in addition to the relevant information required by regulation [13]15 and in regulation [30]32, submit such further information and documents as may be required by the Registrar.
- (2) When an inspection of the new premises by a police official or a Designated Firearms Officer reveals that the safeguarding facilities at the new premises do not in all respects comply with those specified for the applicable licence, the holder of the licence must be notified thereof in writing by the relevant Designated Firearms Officer and be afforded a period of 60 days within which to correct the listed deficiencies: Provided that the Registrar is satisfied that the nature of the deficiencies would not create an unacceptable risk for the safe custody of firearms or ammunition.
- (3)
 - (a) On approval of an application to change a premises as contemplated in subregulation (1), the gunsmith must immediately on taking occupation of the new premises, notify the relevant Designated Firearms Officer responsible for the area in which the applicant's new business will be situated.
 - (b) A notification contemplated in subparagraph (a) must be on the applicable form and be accompanied by such information and documents as may be required by the Registrar.

[57]59 Registers in respect of gunsmith

- (1) A gunsmith must keep a register as contemplated by section 67(2) of the Act comprising of a set of books or computer printouts known as 'the

Firearms Repair Register', wherein the following particulars must be recorded-

- (a) in respect of every muzzle loading firearm and firearm received for repair from whatever source-
 - (i) a stock number that must be clearly affixed by means of a temporary marking on the firearm;
 - (ii) the make, type, calibre, of the muzzle loading firearm or firearm, as well as, in the case of firearms, every manufacturer's serial number or additional identification mark contemplated in section 23(4) of the Act that is reflected on the firearm;
 - (iii) the date of receipt of the firearm;
 - (iv) the full names, surname, identity number or registration number, as the case may be, and physical address of the person from whom the firearm was acquired;
 - (v) the number and date of issue of the existing licence, authorisation or permit, as the case may be, of the person from whom the firearm was acquired;
 - (vi) nature of repair done on the firearm or any other work as contemplated in section 59 of the Act and regulation [50]52; and
 - (vii) the date of collection and signature of the holder of the licence, permit or authorisation issued in respect of the firearm;
- (b) in respect of a main firearm components, received in stock from whatever source-
 - (i) the date of receipt of the main firearm components;
 - (ii) the purpose of such receipt;
 - (iii) the full names, surname, identity number or registration number, as the case may be, and physical address of the

- person from whom the main firearm components were acquired;
- (iv) the transfer or disposal of the main firearm components including the full names, surname, identity number or registration number, as the case may be, and physical address of the person to whom it was supplied; and
 - (v) the signature of the person who received it.
- (2) A gunsmith must keep a register comprising of a set of books or computer printouts known as 'the Ammunition Stock Register' in respect of all ammunition received wherein the following particulars must be recorded-
- (a) on the debit-side-
 - (i) the calibre, make, type and quantity of all ammunition purchased or acquired;
 - (ii) the date of receipt; and
 - (iii) the number and date of issue of the existing licence, authorisation or permit, as the case may be, of the person from whom the ammunition was purchased or acquired;
 - (b) on the credit-side-
 - (i) the calibre, make, type and quantity of all ammunition used;
 - (ii) the date and reason of disposal of the ammunition and the signature of the gunsmith confirming the entries as correct.
- (3) (a) A gunsmith must keep a register comprising of a set of books or computer printouts known as 'the Firearms Safe Custody Register' regarding all muzzle loading firearms or firearms that the gunsmith receives and holds on behalf of a holder of a licence, authorisation or permit for the purpose of the safe custody or transfer of the muzzle loading firearms or firearms.
- (b) The Firearms Safe Custody Register must contain-
 - (i) the date of receipt of the muzzle loading firearm or firearm;

- (ii) the full names, surname, identity number or registration number, as the case may be, and physical address of the person from whom the muzzle loading firearm or firearm was acquired;
- (iii) the make, type, calibre of the firearm, as well as, every manufacturer's serial number or additional identification mark contemplated in section 23(4) of the Act that is reflected on the muzzle loading firearm or firearm;
- (iv) the number and date of issue of the existing licence, authorisation or permit, as the case may be, and signature of the person from whom the firearm was acquired;
- (v) the date of return, transfer or disposal of the muzzle loading firearm or firearm; and
- (vi) the signature of the person to whom the muzzle loading firearm or firearm was returned, transferred or disposed to.

[(3)](4) Subject to the provisions of section 146 and regulation **[102]104(1)** a register prescribed in this regulation must be kept for a period of 10 years from the date of the last entry therein on the business premises specified on the licence.

- [(4)](5)** (a) The registers comprising of a set of books that are kept in terms of this regulation, may not be taken into use or be used, unless every page of such register is numbered in sequence and the relevant Designated Firearms Officer, has signed every such page and appended an official date stamp reflecting the particulars of the office to which the relevant Designated Firearms Officer is attached, with every such signature.
- (b) A gunsmith must, within seven days after the end of a month hand the register comprising of computer printouts that are kept in terms of this regulation, of which every page must be numbered in sequence, to the relevant Designated Firearms Officer who must sign every page and appended an official date stamp reflecting the particulars of the office to which the relevant Designated Firearms Officer is attached, with every such signature.

[(5)](6) An entry recorded in a register referred to in this regulation must be printed or written in ink, and any amendment thereof must be effected by means of interlineation or crossing out in ink and not by way of erasure, and any such amendment must be initialled by the person, effecting it.

[(6)](7) No person may remove or cause to be removed any page from any register contemplated in this regulation and if any page is removed from such register, it will be deemed, in the absence of evidence to the contrary which raises reasonable doubt, to have been removed by or on the authority of the person who is in terms of any provision of this Act obliged to keep such register.

[(7)](8) A gunsmith must keep an updated register wherein the full names, surname, identity number and physical address and number of the applicable competency certificate in respect of all apprentice gunsmiths as contemplated in regulation **[51]53(r)**, as well as, the date of issue, type and number of the applicable competency certificates in respect of natural persons who engages in gunsmith activities under the control of the gunsmith, are recorded.

[(8)](9) All particulars that must be entered in a register referred to in this regulation, must be recorded immediately on the receipt, transfer, use or disposal, as the case may be, of the firearm, main firearm component or ammunition concerned.

[58]60 Manner in which workstation must be established, maintained and linked to central gunsmiths' database

- (1) The workstation of a gunsmith contemplated in section 67(5) of the Act, must link to the central gunsmith's database by way of software and an electronic network connectivity that can interface with the infrastructure and standards of the South African Police Service.
- (2) A gunsmith must, establish an online electronic connectivity which links the registers prescribed in regulation **[57]59** to the central gunsmith's database and which must provide for a daily electronic online transfer of data regarding firearms and ammunition for the previous business day, as recorded in the prescribed register.

- (3) If any circumstance occur which prevents a gunsmith to submit returns on line by means of the electronic network connectivity, the Registrar must be informed immediately in order to establish alternative means to submit the daily returns.

[59]61 Weekly returns

- (1) A gunsmith who is exempted from the duties referred to in section 67(5) of the Act must, within seven days after the end of every week, submit to the Office of the Central Firearms Register a return on the form determined by the Registrar, or a computer printout which must reflect the information of the prescribed form, of all firearms and main firearm components-
- (a) acquired during the relevant week; and
 - (b) transferred during the relevant week.
- (2) A gunsmith must submit such weekly returns whether or not any firearms or main firearm components have been acquired or transferred.

[60]62 Establishment of centralised gunsmiths' database

- (1) The Registrar must establish and maintain a central gunsmiths' database which is linked and can interface with the electronic network connectivity of workstations of gunsmiths as contemplated in regulation [58]60.
- (2) The central gunsmith's database must contain-
- (a) the information and additional documents submitted by an applicant in a prescribed application form in terms of regulation [13]15 regarding a competency certificate, gunsmith's licence, authorisation, permit, renewal or copy thereof, as well as, the relevant information in respect of the suspension or termination thereof;
 - (b) the information on a competency certificate, licence, authorisation, permit and a renewal or copy thereof, that was issued or refused as a result of the application; and
 - (c) the details and information submitted in respect of a firearm on which a gunsmith performed work in terms of the Act.

CHAPTER 6
IMPORT, EXPORT AND CARRIAGE IN-TRANSIT OF FIREARMS, MUZZLE LOADING
FIREARMS AND AMMUNITION

[61]63 Application regarding in-transit permit

- (1) A person who applies for an in-transit permit contemplated in Chapter 8 of the Act must, if requested thereto by the Registrar, in addition to the requirements of regulation [13]15, submit-
- (a) proof of authority to export the muzzle loading firearm, firearm and ammunition from the country of origin: Provided that a customs clearance document or any other officially issued document which serves as authority to remove the muzzle loading firearm or firearm from that country must be regarded as sufficient compliance;
 - (b) proof of authority to import the muzzle loading firearm, firearm and ammunition into the country of final destination if that country issues such authority before the arrival of muzzle loading firearm or firearms in the country;
 - (c) particulars of the intended transport route and mode of transport and the proposed port of entry and exit and likely date of the entry and exit;
 - (d) a certified copy of the licence, permit, authorisation or any proof acceptable to the Registrar, confirming the lawful possession of the firearm and ammunition by the person requiring the carrying of the firearm and ammunition in transit through the Republic of South Africa;
 - (e) a computer printout or a typed list of the muzzle loading firearm, firearms and ammunition indicating the quantity, model and caliber, type of action and in the case of a firearm, the manufacturer's serial number, of the firearm and quantity, type and calibre of ammunition;
 - (f) in the case of a firearm and ammunition, an end user certificate as contemplated in section 17 of the National Conventional Arms Control Act, 2002 (Act 41 of 2002) when the firearm or ammunition is intended for resale in the country of final destination; and

- (g) a consignment note of the muzzle loading firearms, firearms and ammunition to be carried in transit through South Africa.

162164 Conditions in respect of application for import or export permit

In addition to the provisions of regulation [13]15 the following conditions apply in respect of an application for an import or export permit, as the case may be-

(1) Permanent import and export permit

An application for the permanent import or permanent export of a muzzle loading firearm, firearm or ammunition must, subject to the provisions of these Regulations, be submitted by the applicant, or the relevant Designated Firearms Officer who received the application, to the Registrar for consideration.

(2) Temporary import and export permit in respect of a dealer, manufacturer or gunsmith

An application by the holder of a dealer, manufacturer or gunsmith's licence for the temporary import or temporary export of a muzzle loading firearm, firearm or ammunition, must, subject to the provisions of these Regulations, be submitted by the applicant, or the relevant Designated Firearms Officer who received such application, to the Registrar for consideration.

(3) Port of entry

Subject to the provisions of subregulation (4), muzzle loading firearm, firearms and ammunition may only be imported into the Republic of South Africa at a port of entry designated as such in terms of the Immigration Act, 2002 (Act 13 of 2002) where the Registrar or a police official delegated by the Registrar, directs in writing.

(4) Non-resident: Temporary import and export permit of a firearm not licensed in terms of the Act

- (a) An application by a person who is a non-resident and not the holder of a permanent resident permit for a temporary import permit and the subsequent export permit or multiple import and export permit in respect of any muzzle loading firearm and any firearm or ammunition not licensed under the Act, may be

submitted either to the Head: Central Firearms Register directly or to the Designated Firearms Officer at the place designated as a port of entry in terms of the Immigration Act, 2002 (Act 13 of 2002) where the applicant will enter into the Republic of South Africa.

- (b) An application submitted directly to the Head: Central Firearms Register in terms of subparagraph (a) must be lodged at least 21 days prior to the arrival of the applicant in the Republic of South Africa and the applicant must supply an address outside the borders of the Republic of South Africa whereto the permit will be posted.
 - (c) The permit in respect of an application submitted to the Designated Firearms Officer on the arrival of the applicant at the port of entry contemplated in subparagraph (a), may be issued by the Designated Firearms Officer who receive the application only if the Designated Firearms Officer concerned is delegated thereto.
- (5) Temporary export permit of a muzzle loading firearm and a firearm or ammunition licensed under Chapter 6 of the Act
- (a) An application for a temporary export permit and the subsequent import permit in respect of a muzzle loading firearm [and] or a firearm licensed for the purpose of self-defence, hunting, sports-shooting, a private or public collection or a business purpose under the Act, may be submitted, in the case of a a muzzle loading firearm [be submitted] by the holder of a relevant competency certificate and in the case of a firearm, [be submitted] by the holder of the licence to any Designated Firearms Officer or police official delegated by the Registrar.
 - (b) The permit may be issued by the Designated Firearms Officer or police official who received the application and who has the necessary delegation to consider the application.
- (6) Multiple import-export permit
- (a) The Registrar, Designated Firearms Officer or a police official who has been delegated thereto, may issue an import permit and export permit in respect of a specific muzzle loading firearm or firearm and also ammunition applicable to the firearm, which permit will allow the repeated import and export of the muzzle loading firearm or firearm and ammunition over a fixed period of

time which permit will be known as a 'multiple import-export permit'.

- (b) The conditions set in subregulation (7) relating to a temporary import permit, will apply to a multiple import-export permit.

(7) Conditions under which a temporary import permit may be issued

A temporary import permit may only be issued-

- (a) to a foreign visitor for the purpose of hunting;
- (b) to a foreign visitor to display the muzzle loading firearm, firearm and ammunition at a trade show or collectors' show, or to display muzzle loading firearms, firearms or ammunition at a sport or hunting trade show;
- (c) to a foreign visitor to participate in a competitive sports shooting event organised by a recognised business, hunting, sports-shooting or collectors' organization association;
- (d) to an official of a foreign government or a distinguished foreign visitor so designated by the South African Department of Foreign Affairs;
- (e) to a foreign law enforcement officer entering the Republic of South Africa on an officially approved policing assignment; or
- (f) to a person who, for other legitimate reasons, has received the prior approval from the Registrar and where the applicant can demonstrate-
- (i) the lawful possession of the muzzle loading firearm or firearm;
- (ii) knowledge of the safe handling and use of the muzzle loading firearm or firearm in question through possession of a licence for the firearm or through past experience;
- (iii) knowledge of the South African laws relating to muzzle loading firearms and firearms, including the principles relating to the use, safe storage and handling of muzzle loading firearms and firearms and where applicable their public display;

- (iv) a need to possess the muzzle loading firearm or firearm;
 - (v) that the applicant cannot reasonably satisfy that need by means other than the possession of a muzzle loading firearm or firearm; and
 - (vi) that he or she is at least 21 years old: Provided that the Registrar may, within his or her sole discretion and on good cause shown, exempt an applicant from this requirement;
- (g) if the applicant provides supporting documents issued by any one of the following persons or institutions, confirming that, to the best of their knowledge and belief, the applicant will be using the muzzle loading firearm or firearm for the purpose set out in the application:
- (i) the professional hunter or the hunting outfitter licensed to conduct business in hunting as contemplated in the Act, who will provide the hunting to the foreign visitor;
 - (ii) the accredited hunting association, or sports-shooting organisation, collectors association or recognised business that is hosting the event or sports-shooting competition that the applicant will participate in;
 - (iii) a person or organisation hosting a public event or historical re-enactment or display that requires the foreign visitor's participation and use of the specific muzzle loading firearm or firearm.
- (h) subject to-
- (i) the requirements of the Act in respect of the carrying, storage, safe custody, transport and display of muzzle loading firearms or such firearm or ammunition;
 - (ii) the use of the muzzle loading firearm or firearm only for the purpose set out in the permit;
 - (iii) that no person who holds a temporary import permit is allowed to transfer the muzzle loading firearm or firearm to

- another person in South Africa without prior written permission having been obtained from the Registrar;
- (iv) whenever the holder of the temporary import permit leaves the Republic of South Africa the muzzle loading firearm or firearm in respect of which the permit is issued must accompany the holder of the permit;
 - (v) when the Registrar grants permission as contemplated in subparagraph (iii), a temporary authorisation in terms of section 21 of the Act must be issued to the person who acquired the muzzle loading firearm or firearm to enable such person to apply for an applicable competency certificate when necessary or a licence, permit or authorisation to possess the firearm in terms of the Act as the case may be; and
 - (vi) if a competency certificate, licence, permit or authorisation is not issued by the Registrar in respect of a muzzle loading firearm or firearm, as the case may be, contemplated in subparagraph (v), the person who acquired the muzzle loading firearm or firearm must dispose of the muzzle loading firearm or firearm through a dealer or in such manner as the Registrar may determine which may also include the export of the muzzle loading firearm or firearm; and
 - (vii) to the possession of no more than the quantity of cartridges determined by the Registrar and specified on the permit, for each firearm in respect of which the temporary import permit applies;
- (i) a temporary import permit, export permit and multiple import-export permit shall not be issued for a period exceeding 6 months at a time, unless the Registrar decides otherwise on good cause shown; and
 - (j) the Registrar may on good cause shown, issue a temporary import or export permit in respect of more than one muzzle loading firearm or firearm per calibre to a person who will be using the muzzle loading firearms or firearms for a purpose contemplated in subparagraphs (a), (b) and (c) .