

15 December 2005

MEDIA STATEMENT BY THE MINISTER FOR SAFETY AND SECURITY ON THE FIREARMS CONTROL ACT, 2000

The Minister for Safety and Security, Charles Nqakula, today announced the extension for the application of renewal of firearms licences for people born between 1st January and 31st March.

Explaining the reasons for the extension the Minister said, "I have received representations for the extension of the said date, and I believe that there are numerous persons who still wish to renew their licences but would not be able to do so before 31 December 2005.

"I have accordingly signed today, a Notice for publication in the Gazette, in terms of which the date is extended with three months until 31 March 2006," Nqakula said.

Discussions were held by the South African Police Service and the National Prosecuting Authority on the validity of licences issued under the Arms and Ammunition Act, 1969, and especially in cases where a person would fail to apply for the renewal of a licence. There is consensus that the position in this regard is as follows:

Any licence which was issued in terms of the Arms and Ammunition Act, 1969, and which was valid immediately before the date of the commencement of the Firearms Control Act, 2000, remains valid for a period of five years from the date on which the Firearms Control Act, 2000, came into operation (1 July 2004), unless such licence is terminated, cancelled or surrendered in terms of the Firearms Control Act, 2000.

The holder of a licence to possess a firearm in terms of the Arms and Ammunition Act, 1969, must, before 1 July 2009, in a lawful manner dispose of any firearms in his or her possession in excess of the number that he or she may lawfully possess in terms of the Firearms Control Act, 2000.

Any person who was obliged to apply for his or her licence by a date determined by the minister, and who fails to so apply, and applies after such date for renewal, might be liable for prosecution for such failure, depending on the circumstances of such failure. Such prosecution will however, be restricted to the failure to renew the licence within the stipulated period, and not for the illegal possession of a firearm. A person who does not apply for renewal of a licence within the period determined, because he or she wants to legally dispose of the firearm in question, may be legally in possession of such firearms until 30 June 2009. After that date a person who has not applied for renewal of the licence and has not disposed of the firearm may be prosecuted for the illegal possession of a firearm.

Licence holders who wish to terminate or cancel their licences by for example selling the firearm or surrendering it to the South African Police Service, may do so until 1 July 2009.

The other time-frames determined for renewal of licences issued under the Arms and Ammunition Act, 1969, still apply.

Persons born between	Period determined for renewal
1 April and 30 June	1 January 2006 until 31 December 2006
1 July and 30 September	1 January 2007 until 31 December 2007
1 October and 31 December	1 January 2008 until 31 December 2008

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