



SAPS Central Firearms Registry Accreditation as a Hunting Association: no. 1300050

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Newsletter

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SPECIAL FIREARM LICENSING EDITION

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QUOTED FROM THE SAPS FIREARMS WEBSITE: http://www.saps.gov.za/crime_prevention/firearms.htm

APPLICATIONS FOR RENEWAL OF FIREARM LICENCES, PERMITS OR AUTHORISATIONS: RENEWAL PERIOD 1 JANUARY 2005 TO 31 MARCH 2006

It has come to the attention of the SAPS that several licence holders born between 1 January and 31 March and who must apply before 31 March 2006 are arriving at Firearm Registration centres /police stations to apply for the renewal of their firearm licences, permits and authorizations without the necessary prescribed training certificates, photos, identification documentation etc.

In the event of an applicant for a renewal of a firearm licence/s not having all the required training certificates, photos, identification documentation, etc. with him / her or the application form is not completed as prescribed, **the application must still be accepted by the SAPS and an acknowledgment of receipt (SAPS 523) must be completed in duplicate with the following conditions** (NSA emphasis):

- an endorsement must be made thereon by the Designated Firearms Officer of all outstanding documentation, photos, etc.
- the endorsement must indicate a date when the outstanding documentation, photos, etc. must be submitted by the applicant to the Designated Firearms Officer.
- the date of compliance for the outstanding documentation, photos, etc. may not exceed 30 days.

It has been agreed with SASSETA that training providers can continue with the issuing of training certificates for Unit Standard 117705 (Demonstrate the knowledge of the Firearms Control Act, 2000 (Act No. 60 of 2000)) until 30 April 2006.

This measure is only applicable to persons who were born between 1 January to 31 March and who must apply for renewal of firearm licence before or on 31 March 2006. #

None of the above applicants may be turned away due to the fact that they do not possess the required documentation or a training certificate issued by a training provider/ SASSETA

No official instructions have as yet been received from the SAPS (CFR) re what will happen with the recognition of the Unit Standard 117705 after 30 April 2006 – relevant to applicants who have to apply by 31 March 2007

The long and the short of the above is that members with birthdays between 1 January and 31 March must please submit their applications even at this late stage should they have defaulted for whatever reason.

FIREARMS CONTROL AMENDMENT BILL, 2006

As was communicated during February 2006, the Amendments to the FCA (60 of 2000) which were contained in Government Gazette no 28545, dated 24 February 2006, was published so that relevant public bodies could comment on the proposed amendments (see NSA comments at: <http://www.natshoot.co.za/amendFireControlAct.php>). As from 1 April 2006, SAPS co-ordinated all comments from all relevant bodies who made inputs re the proposed amendments and composed an amendment Bill. On 18 May 2006 Cabinet gave their approval that the process to promulgate the **Firearms Control Amendment Bill, 2006** could be initiated by the Parliamentary committee.

Although the stipulations contained in the Bill will still be circulated for public comment (first briefing on the Bill by the Department of Safety and Security to take place on 31 May 2006), the amendments to the FCA (60 / 2000) contained in the Bill deviate quite substantially from the proposed amendments as were published in February 2006. The most important of the proposed amendments relevant to our members and which are contained in the Bill (2006) are the following:

1. Muzzle loaders:

- 1.1 The definition in the Act for Antique firearms has been replaced by a definition for muzzle loaders
- 1.2 Muzzle loaders are to be defined as: **“muzzle loading firearm” means a barrelled portable weapon that can fire only a single shot per barrel and which requires after every shot fired the individual reloading through the crown of the barrel with separate components consisting of a measured black powder charge, wad and pure lead ball to enable it to function as a projectile and further primed with a flintlock or percussion cap”;**
- 1.3 Muzzle loaders are not designated as firearms, but owners will have to acquire a competency certificate to possess such a “firearm” – not a licence. The procedure attached to how one will acquire such will probably be described in the Amended Regulations which will have to follow the amendments to the FCA 2000.
- 1.4 Competency certificates for muzzle loaders will have to be renewed every 10 years after initial date of issue (90 days before relapse of competence certificate).
- 1.5 Only licences gun dealers will be permitted to sell muzzle loaders.
- 1.6 All Sections of the Act which might have bearing on any aspect of muzzle loaders have been put up for amendment to include muzzle loaders.

Comments (what this means):

- a) Members in possession of a muzzle loader(s) will have to apply for competency (procedures probably to be described in to be amended Regulations – wait before you do anything – we shall inform members of the correct procedures once the amendments have been approved).
- b) That the definition for muzzle loaders excludes all percussion cap revolvers which are loaded from the front into the chamber of the revolving parts with the percussion cap then being placed on the firing nipple from the back. Black Powder revolvers thus become ordinary firearms and must be licensed as such. (we shall inform members soonest of the correct procedures once the amendments have been approved)

2. Renewal of licences (competency certificates and licences)

- 2.1 The Bill (2006) stipulates that a competency certificate for hunting firearms, sport-shooting firearms and self-defence firearms will be valid for as long as the licence of that specific firearm remains valid after renewal (or after receipt of licence for a new firearm) for the same period as the licence remains valid for that specific firearm.
- 2.2 That application for a competency certificate will have to be accompanied by an application for renewal of the licence for the specific firearm the competency certificate has bearing on.
- 2.3 A person once declared competent does not have to complete proficiency training again to acquire a renewal of competency (however the Registrar can decide on evidence that the applicant must again complete complete proficiency training – a highly unlikely happening).

Comments (what this means):

- a) Although the proposed amendments of February 2006 indicated a process of applying for a competency certificate and then only having to go through a process of auditing for renewals of licences, the Bill (2006) suggests that the process will actually continue as is currently the case as contained in the principle Act.
- b) Actually competency certificates and firearm licences are now directly coupled whereas the request was to declare the holder competent and then to only issue licences for firearms as the individual is proven to be responsible (but alas !!).
- c) What has changed is the lengthening of the period of 5 years for re-application for competency being extended to every 10 years after date of issue for hunting and for sport-shooting firearms (both occasional status or dedicated status).
- d) Competency certificates for self-defence handguns will be valid for 5 years after issue (extended from 2 years) – one would thus have to re-apply for competency and for the specific handgun's licence every 5 years
- e) Application for renewal of competency is a sworn statement that one's circumstances have not changed
- f) The renewals of licences will probably be described in the to be amended Regulations.

3. Occasional hunter / sport-shooter

- 3.1 Occasional hunter means any person who, from time to time, participates in hunting activities
- 3.2 Occasional sports person means any person who, from time to time, participates in sports-shooting

Comments (what this means):

- a) Occasional hunters and sport-shooters can belong to accredited associations, but don't have to (to qualify for a NSA occasional sport-shooter or hunter certificate one still has to belong to the NSA to participate in the NSA postal competitions).

4. Silencers / report mufflers

- 4.1 Possession of silencers and report mufflers will have to be authorised by the Registrar (SAPS Central Firearms Registry). Application by filling out a prescribed application form (procedures and incidences when approval will be granted will probably be mentioned in the to be amended Regulations – probably to be included in the application form for a licence for a firearm [for renewals and for new licence applications]).

5. Fingerprints

- 5.1 No longer compulsory for fingerprints to be taken when applications are handed in, but only as the Registrar might require (exact procedure will probably be described in the to be amended Regulations).

6. Semi-auto shotguns

- 6.1 Persons declared competent may apply for licensing of semi-auto shotguns once the amendments have been approved.

7. Use of firearm under supervision

- 7.1 Section 22 (proposed amendment):
 "...any person who is **at least 21 years** of age and the holder of a licence to possess a firearm or a competency certificate in respect of a muzzle loading firearm issued in terms of this Act may allow any other person to use that firearm or muzzle loading firearm while under his or her **immediate supervision, where it is safe to use the firearm** or muzzle loading firearm and for a lawful purpose." (NSA emphasis).

8. Person declared unfit to possess a firearm

8.1 Addition to Section 103

- (7) When a person becomes or is declared unfit to possess a firearm or muzzle loading firearm in terms of this section, the court dealing with the case must determine the duration of unfitness, which duration must depend on the seriousness of the conduct which gave rise to the unfitness and which may not be less than ten years calculated from the date of conviction."

9. Proposed amendment to Section 109

- 9.1 The proposed amendment to Section 109 which gave SAPS or any person authorised by SAPS to enter a private premises in instances regarding firearms has not been included in the final amendment proposals.

10. Insertion of Section 119A

- 10.1 This amendment stipulates that if proof cannot be given that a safe key was handed to the additional licence holder of a firearm, that omission can be taken as proof of misconduct having being perpetrated if investigation should have to be conducted

This means that one has to give written approval for the additional licence holder to have access to the safe where the specific firearm is kept – ***do that in any case !!***

11. General (non inclusion of pertinent issues for firearm owners)

- 11.1 The request that the number of cartridges to be held by a licensed firearm owner be increased from 200 to a more realistic figure went unheeded (especially negative in case of shotshells and .22 rimfire ammunition).
- 11.2 Request that time period be declared for SAPS to complete applications went unheeded.
- 11.3 Request that Unit Standard for dedicated hunter should be taken from under SASSETA auspices went unheeded, and we are still in SASSETA's zero capacity grasp as we are in their zero capacity grasp re certificates for proficiency training.
- 11.4 Request that provisional licences be issued so that the proposed customer can give a gunsmith the task of building expensive firearms with confidence, and with the knowledge that the gunsmith will receive the money for such a firearm, went unheeded.

COMPLETE PROPOSED BILL ON WEBSITE

Special issue on proposed DEAT Hunting Regulations to follow

Keep Safe

Herman Els

Executive Chairman: NSA