

FIREARMS

*update**SAPS initiatives to streamline applications...***CONDUCTING OF
BACKGROUND
EVALUATION:****Applications for
competency certificates
(renewal of firearm
licences)**

The Firearms Control Regulations, 2004 provide for specific responsibilities to be exercised by the Registrar. Amongst these responsibilities, there is an obligation on the South African Police Service to conduct background interviews with persons who may be associated with the applicant.

The SAPS is aware that a high volume of competency certificate applications of persons who also applied for the renewal of firearm licences are at Firearm Registration Centres and police stations, which have not been attended to due to the non-finalisation of the background interviews. In order to effectively administrate the prompt and efficient handling and finali-

sation of competency certificate applications, certain processes and procedures have been revisited to ensure a smoother work flow of the applications.

The following process may be adopted and implemented in order to streamline the background evaluation process of applicants who applied for the renewal of their firearm licences.

A minimum of two (2) interviews may be conducted during the background evaluation. Both the interviews may be conducted by telephone or one interview in person and the other one by telephone.

At least one interview must be conducted with the applicant's spouse/partner. In the case where the applicant do not have a spouse/partner, such interview must be with a family member.

The other interview must be conducted with anyone other than the spouse/partner of the applicant.

The above process is only applicable to competency certificate applications that have been submitted by applicants

who have also applied for the renewal of their firearm licences in terms of the transitional provisions of the Firearms Control legislation.

It is of paramount importance that the above requirements be immediately implemented in order to fast track the application process and to avoid unnecessary delays.

You are urgently required to disseminate this information to all Designated Firearm Officers within your respective provinces for immediate implementation.

**CONDUCTING OF SAFE
INSPECTIONS****Applications for the
renewal of firearm licences
in terms of the firearms
control act, 2000 (act no.
60 of 2000)**

Regulation 86 of the Firearms Control Regulations, 2004 stipulates that when a firearm is not under the direct personal and physical control of a holder of a licence, permit or authorisation to possess the firearm, the firearm and its ammunition must be stored in a safe or strongroom that conforms to the prescripts of SABS Standards 953-1 and 953-2, unless otherwise specifically provided in the Firearms Control Regulations, 2004.

It is imperative and necessary in terms of regulation 86 (11) (a) that where storage of a firearm, other than a firearm licensed in terms of section 13 of the Firearms Control Act, 2000 (Act No. 60 of 2000) for self defence is to be exercised, the firearm must be stored unloaded.

It is therefore a prerequisite that before the South African Police Service can issue a firearm licence, permit or authorisation to a person to possess a firearm, such person must prove that she/he do have the necessary safe storage facility in terms of regulation 86 of the Fire-

arms Control Regulation, 2004. In order to enhance service delivery and ensure a smooth administration of applications for the renewal of firearm licences of individuals, it has been decided that the Designated Firearms Officer can accept a sworn affidavit/solemn declaration from an applicant stating the he/she is in possession of a prescribed safe as per paragraph 1 supra instead of the Designated Firearms Officer visiting the premises of the applicant to inspect the safe storage facilities.

In the case where an applicant is in possession of a safe or strongroom for the safe custody of the firearms which complies with the regulations under the previous Arms and Ammunition Act, 1969 (Act No. 75 of 1969), such safe or strongroom is deemed to comply with the standards set out in SABS Standard 953-1 and 953-2 respectively.

It is required of the applicant to complete the sworn declaration/solemn affirmation (Annexure "A") in which she/he acknowledge the contents of regulation 86 (1) and 86 (8) of the Firearm Control Regulations, 2004. The applicant must further provide photographic proof in color of the affixed safe and the location thereof. The signed sworn declaration/solemn affirmation together with the photographed safe/strongroom must be submitted together with the application as an integral part of the supporting documents that must accompany the respective applications.

The responsibility is still with the relevant Designated Firearms Officer to inspect the safes where a person (applicant) refuse to sign the attached solemn declaration/sworn affidavit or failed to provide photographic proof to verify such safe storage facility or any other safe storage facilities.

This directive is to be implemented with effect from 11 August 2009.

Safes and safe custody

Regulation 86 (1), 86(6), and 86(12) in terms of the FCA Regulations 2004

86. (1) When a firearm is not under the direct personal and physical control of a holder of a licence, authorisation or permit to possess the firearm, the firearm and its ammunition must be stored in a safe or strongroom that conforms to the prescripts of SABS Standard 953-1 and 953-2, unless otherwise specifically provided in these regulations.

(6) Where a temporary authorisation has been issued-

- (a) to possess a firearm in terms of section 21 of the Act;
- (b) to trade in firearms or ammunition on premises other than those specified in the applicable dealer's licence in terms of section 36 of the Act;
- (c) to display firearms or ammunition at other premises than those specified on the applicable manufacturer's licence in terms of section 50 of the Act; or
- (d) to conduct business as a gunsmith on premises other than those specified in the applicable gunsmith's licence in terms of section 64 of the Act, the Registrar may in the absence of specific prescripts in terms of these regulations impose such reasonable conditions as are necessary under the circumstances concerning the safe custody of the firearms and ammunition.

(12) A lock-away safe, apparatus, device and instrument for safe custody of a firearm or ammunition, must to the satisfaction of the Registrar comply with the following requirements -

- (a) be manufactured from steel of at least 2 mm thick;
- (b) be capable of enclosing or covering the firearm concerned wholly;
- (c) have an effective integral locking mechanism;
- (d) have a hinge mechanism for the cover or lid thereof which shall ensure that when the locking pin thereof is removed, the cover or lid shall not be capable of being opened or removed;
- (e) have a facility with the aid or use of which the lock-away safe, apparatus, device or instrument may be securely affixed to another structure such as a wall or a floor, or the body of a vehicle; and
- (f) in the case of a lock-away safe used as contemplated in subregulation (5) if such safe can only be locked or opened with two or more keys that have to be used jointly.

We suggest that members who have submitted applications for renewals and for new firearm licences and who have not had their safes inspected, should use this prescribed procedure to try and speed up the process as this is a way of getting by the wait for safe inspections for licence applications.

– Ed.

IMPORTANT INFO



HOW TO CLAIM FOR SURRENDERED FIREARMS

Obtain the Claim for Compensation Form (SAPS e520(d)) from the SAPS or their website or from our website (www.wingshooters.co.za) and complete it. You should attach a clear description of the firearm, its condition and relevant photographs. Also obtain a valuation certificate from an accredited firearm dealer. Submit a covering letter along the following lines (information provided by SA Hunters):

"I herewith surrender my firearm(s) and claim compensation according to the provisions of the Firearms Control Act, 2000.

I attach the completed SAPS e520(d) form which lists the firearms and their value. Please ensure that each firearm is kept in safe custody until my claim for compensation is finalised. Under no circumstances is it to be destroyed or used for any other purpose.

Your signature."

Ensure that the letter contains full details of your physical address, phone numbers and e-mail.

Take the firearms and the documentation to the police station with the copies. Get the copies stamped by the officer as a receipt and attach these to a form SAPS 523 (Acknowledgement of Receipt of Firearms Documentation) completed, stamped and signed by the Police officer (also available on our website).

Members will be kept informed on the latest developments in respect of the Firearms Control Act and the relevant legal actions. Through the SAPS-Hunters Forum, SA Wingshooters will also discuss these and other relevant issues and possible solutions with the Registrar of Firearms on 23 September.

Watch this space!