



**MINISTRY OF POLICE
REPUBLIC OF SOUTH AFRICA**

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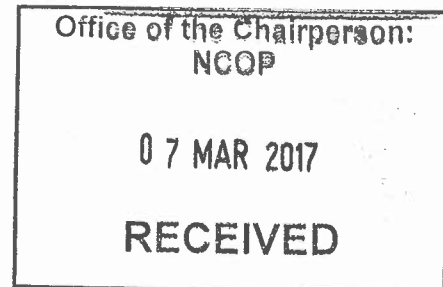
The Honorable Ms TR Modise

Chairperson: National Council of Provinces

Parliament of the Republic of South Africa

CAPE TOWN

8000



Dear Ms Modise

**DECLARATION OF AMNESTY IN TERMS OF SECTION 139 OF THE FIREARMS CONTROL
ACT NO. 60 OF 2000**

In terms of section 139 of the Firearms Control Act, the Minister of Police may, by notice in the *Gazette* declare an amnesty if the amnesty may result in the reduction of the number of illegally possessed firearms in South Africa; and it is in the public interest to do so.

It will be in the interest of the public at large to reduce the circulation of the illegally possessed firearms and ammunition. I therefore plan to declare an amnesty for a period of six months, effective from 01 April 2017 until 30 September 2017.

The Cabinet was informed of the plan to declare an amnesty and it has approved the plan.

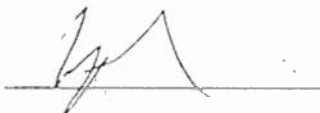
Section 139(2) of the Firearms Control Act provides that an amnesty—

- (a) will only be valid if it is approved by Parliament;
- (b) must specify the period during which persons may apply for amnesty;
and
- (c) must specify the conditions under which amnesty may be granted.

I attach hereto a copy of the draft amnesty notice which will be published in the *Gazette* once approved by Parliament. You are kindly requested to refer the consideration of the draft notice to the relevant committee of Parliament. The said committee will be fully briefed as to the necessity and details of the amnesty.

Your cooperation in directing this matter to the appropriate committee of the National Assembly will be appreciated.

With kind regards.



NPT NHLEKO (MP)
MINISTER OF POLICE

Date: 06 March 2017

DRAFT NOTICE FOR CONSIDERATION BY PARLIAMENT

Government Notice

Date:

DECLARATION OF AN AMNESTY IN TERMS OF SECTION 139 OF THE FIREARMS CONTROL ACT, 2000 (ACT NO. 60 OF 2000)

MINISTRY OF POLICE

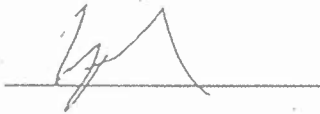
By virtue of the powers vested in me by section 139(1) of the Firearms Control Act, 2000 (Act No. 60 of 2000), I, Nkosinathi Phiwayinkosi Thamsanqa Nhleko, Minister of Police, hereby declare an amnesty as defined in section 138 of the said Act.

Under section 139(2)(b) of the Firearms Control Act, 2000, I determine the period during which persons may apply for amnesty to commence on 1 April 2017 until 30 September 2017. Under section 139(2)(c) of the Firearms Control Act, 2000, I determine the conditions under which amnesty be granted, to be as follows:

- (a) a written application for amnesty by an applicant must be handed in at a police station and the application must state the full names, identity number and residential address of the applicant, as well as the type, calibre, make, model and all marked serial numbers or other identification marks on the firearm or particulars of the ammunition;
- (b) the firearm or ammunition concerned must be surrendered by the applicant to a member of the South African Police Service on duty at any police station and such a member must issue a receipt in respect of such firearm or ammunition to the applicant; and
- (c) the applicant for amnesty must, when surrendering the firearm or ammunition, notify the relevant Designated Firearms Officer in writing if he or she intends to apply for a licence to possess the firearm or ammunition, as contemplated in section 139(4) of the Firearms Control Act, 2000 and lodge the application within 14 days from the date on which the firearm or ammunition was

surrendered (the relevant Designated Firearms Officer has the meaning assigned to it in the Firearms Control Regulations, 2004)).

I further determine that the South African Police Service must act in accordance with the provisions of Regulation 93(4)(a) of the Firearms Control Regulations, 2004, if an application contemplated in paragraph (c) is not duly lodged or not lodged within the specified period and test all firearms surrendered in terms of this amnesty ballistically.

A handwritten signature in black ink, appearing to be 'NPT', is written above a horizontal line.

**NPT NHLEKO, MP
MINISTER FOR POLICE**