**2. Report of the Portfolio Committee on Police on the Firearms Control Amendment Bill [B40-2018], dated 21 November 2018.**

The Portfolio Committee on Police, having considered the subject of the Firearms Control Amendment Bill [B40-2018] (National Assembly- Section 75), referred to it and classified by the Joint Tagging Mechanism as section 75 Bill, report as follows:

1. The Bill was introduced and referred to the Portfolio Committee on Police for consideration and report on 25 October 2018 (see ATC, dated 25 October 2018).

2. In compliance with the NA Rules applicable to the introduction and consideration of Private Members’ Bills, the Committee provided reasonable notice to Dr PJ Groenewald, the Member who introduced the Bill, to brief the Committee on the content of the Bill on 6 November 2018.

3. During the deliberations, the Committee considered the merits of the Bill and concluded that:

a. What the Bill proposes is already provided for in the draft of the Firearms Control Amendment Bill, which is a Bill being developed by the Civilian Secretariat for Police Service (CSPS).

b. This Bill was presented by the Department to the Minister of Police and is currently going through the Cabinet process.

4. The Committee strongly urges the South African Police Service (SAPS) Management to make use of Section 21 and Section 28(2) and (3), as currently contained in the Firearm’s Control Act (60 of 2000), to address the existing lacuna in the interim, until an Amendment Bill is brought by the CSPS and passed by Parliament.

5. The Committee, having considered the desirability of the subject matter of the Bill in terms of the NA Rules, reports that the Bill is not desirable.

6**. Views of the Minority**

The Freedom Front Plus indicated that the reason for the introduction of the Firearms Control Amendment Bill was in response to the Constitutional Court judgement of the Minister of Safety and Security v South African Hunters and Game Conservation Association *[2018] ZACC 14*. It was introduced to plug the lacuna as the Court did not provide for any method by which the failure to apply for renewal of a licence at least 90 days before the expiry of that licence, which requirement is administrative in nature, can be remedied.

The Freedom Front Plus acknowledged that the control of ﬁrearms is integral to enhance the safety and security of all in South Africa and to balance this interest, the Bill provides for clear measures to apply for renewal and should a person fail to apply within these periods, a method to surrender or dispose of the ﬁrearm, is available.

It is for this reason that the Freedom Front Plus supported the desirability of the Bill.

Report to be considered.