

**GOVERNMENT NOTICE**

**DEPARTMENT OF POLICE**

**2009**

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

By virtue of the powers vested in me by section 139(1) of the Firearms Control Act, 2000 (Act No. 60 of 2000), I, Emmanuel Nkosinathi Mthethwa, 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 11 January 2010 until 11 April 2010. Under section 139(2)(c) of the Firearms Control Act, 2000, I determine the conditions under which amnesty is granted, to be as follows:

- (a) Illegally possessed firearms can be handed to a member of the South African Police Service on duty at any police station. [No details of the person who hands in the firearm will be taken down, if the person wishes to utilise the anonymous process for amnesty.]
- (b) If any person who is illegally in possession of a firearm and who surrenders the firearm in terms of this amnesty, wishes to apply for the licensing of that firearm as contemplated in section 139(4) of the Act, the following procedure must be followed-
  - (i) a written application for amnesty by the 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, caliber, make, model and all marked serial numbers or other identification marks on the firearm or particulars of the ammunition;
  - (ii) 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;

- (iii) 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, and particulars of the nearest Designated Firearms Officer may be obtained from any police station); and
  
- (iv) 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 subparagraph (iii) is not duly lodged or not lodged within the specified period.

Proper audit processes must be put in place to ensure the auditing of the records of all firearms, surrendered anonymously in terms of this amnesty.

Persons who wish to voluntarily surrender a licensed firearm may not surrender it through this amnesty process, but must follow the procedures provided for in regulation 94 of the Firearms Control Regulations, 2004.

**EN MTHETHWA, MP**

**Minister of Police**

**Presentation**  
**to the**  
**SELECT COMMITTEE ON POLICE**



**Firearms Amnesty Declaration**

**Date: 4 November 2009**

SECRETARIAT OF POLICE



police

Department:  
Police  
REPUBLIC OF SOUTH AFRICA

# Background

- The reduction of the number of firearms in circulation is an important part of the Department's strategy to combat violent crime.
- The last amnesty in 2005 was an unqualified success.
- With the conclusion of the implementation of the Firearms Control Act, 2000, it is an opportune time to declare another amnesty to further reduce the number of firearms in the country.



police

Department:  
Police  
REPUBLIC OF SOUTH AFRICA

## Successes Achieved During the Previous Amnesty

- **17 665** illegal firearms seized and confiscated by police during operations.
- **33 723** illegal firearms handed in under the amnesty
- **46 631** licensed firearms voluntarily surrendered
- **98 631** firearms removed from circulation:



police

Department:  
Police  
REPUBLIC OF SOUTH AFRICA



# Approach to the Reduction of Firearms

- Advocate the voluntary surrender for destruction of licensed firearms through the process prescribed in the Firearms Control Regulations.
- Simultaneous police operations to search for and seize illegal firearms.
- Surrender of illegal firearms under the amnesty
- Allow for people who missed the cut off date for licensing to license their weapons (under certain circumstances)



police

Department:  
Police  
REPUBLIC OF SOUTH AFRICA

# Provisions of the Amnesty

- The amnesty provides for an anonymous procedure, whereby, (subject to control and audit measures) a firearm may be surrendered anonymously.
- A person may apply for a license in respect of a firearm surrendered under an amnesty.
- The surrender of licensed firearms must be performed in terms of the Firearms Control Regulations, through a formal process, in order to have the licenses cancelled.
- As with previous amnesties and voluntary surrender of firearms, no compensation will be paid for the surrender of a firearm, whether legal or illegal.



police

Department:  
Police  
REPUBLIC OF SOUTH AFRICA

# Focus of the Amnesty

- Individuals who have knowledge of whereabouts of firearms and ammunition.
- Individuals who inherited firearms and did not apply for a license.
- Individuals who sold or disposed of licensed firearm in a legal manner, but is still in possession of firearms parts or ammunition
- Manufacturers, gunsmiths and firearms dealers with surplus, obsolete and redundant firearms, ammunition and firearms parts.
- Storage facilities where firearms and ammunition are stored
- Individuals who store firearms or firearms parts without legal authorisation to do so.
- Private security companies with obsolete, redundant or surplus firearms.



police

Department:  
Police  
REPUBLIC OF SOUTH AFRICA



f the Amnesty

**January 2010 to 11 April 2010**



police

Department:  
Police  
REPUBLIC OF SOUTH AFRICA