

GUIDELINES ON APPLICATION AND CONSIDERATION OF A LICENCE TO POSSESS A FIREARM FOR HUNTING PURPOSES

1. PURPOSE

The purpose of this document is to provide basic guidelines for applicants who apply to possess a firearm for hunting purposes in terms of section 15 (Occasional Hunting) and section 16 (Dedicated Hunting) of the Firearms Control Act, 2000 as amended (Act No 60 of 2000) (hereinafter "the Act").

2. INTRODUCTION

- 2.1 The Act and the Firearms Control Regulations, 2004 provide for different categories of licences to be issued to legally possess firearms in South Africa.
- 2.2 The different categories specify the specific purpose for which a person can possess a firearm as well as the limitation on the number of firearms that a person may legally possess in South Africa.
- 2.3 All applications for a licence to possess a firearm is subject to the provision that the applicant must be in possession of a competency certificate issued in terms of the Act. An applicant may however simultaneously apply for a competency certificate and a firearm licence.

3. APPLICABLE LEGISLATION

- 3.1 As from 1 July 2004 a natural person may apply to possess a firearm for hunting purposes in terms of section 15 (Occasional Hunting) and section 16 (Dedicated Hunting) of the Act.

Section 15 of the Act reads as follows:

- "(1) A firearm in respect of which a licence may be issued in terms of this section is any –
- (a) handgun which is not fully automatic;
 - (b) rifle or shotgun which is not fully or semi-automatic; or
 - (c) barrel, frame or receiver of a handgun, rifle or shotgun contemplated in paragraph (a) or (b)
- and which is not a restricted firearm."

- 3.2 An applicant may only possess four firearms which is inclusive of a firearm for self-defence (section 13) and an additional licence for a firearm (section 12).
- 3.3 A person may not hold more than one licence in respect of a handgun contemplated in section 15(1)(a) of the Act.
- 3.4 A firearm in respect of which a licence has been issued in terms of section 15 of the Act may be used where it is safe to use the firearm and for a lawful purpose.

Section 16 of the Act reads as follows:

- "(1) A firearm in respect of which a licence may be issued in terms of this section is any –
- (a) handgun which is not fully automatic;
 - (b) rifle or shotgun which is not fully automatic;
 - (c) any semi-automatic shotgun manufactured to fire no more than five shots in succession without having to be reloaded; or
 - (d) barrel, frame or receiver of a handgun, rifle or shotgun contemplated in paragraph (a) or (b)"

- 3.5 A firearm in respect of which a licence has been issued in terms of section 16 of the Act may be used where it is safe to use the firearm and for a lawful purpose".

- 3.6 Regulation 13 of the Firearms Control Regulations, 2004 regulate the general provisions regarding the requirements applicable when a person apply for a licence to possess a firearm for hunting purposes in terms of the Act.

4. BASIC REQUIREMENTS TO APPLY FOR A FIREARM LICENCE

The following basic requirements apply when a person wishes to apply for a firearm licence for hunting:

- 4.1 The applicant must personally complete the relevant sections of the SAPS 271 (Application for a licence to possess a firearm) form in black ink. If the applicant cannot complete the application form, she/he must approach the Designated Firearms Officer responsible for the area in which the applicant ordinarily resides who will assist the applicant to complete the application form. The completed application form together with the under mentioned supporting documents must be hand delivered by the applicant to the Designated Firearms Officer responsible for the area in which the applicant ordinarily resides.
- 4.2 Two recent (not older than 3 months) colour photographs (passport size) which must-
- show a full unobscured front view of the applicant's head, face and shoulders and have a neutral background; and
- be to the dimensions of 32 mm (width) x 40 mm (height).
- 4.3 A certified copy of the page in the applicant's official identity document or passport on which the applicant's photo and particulars are reflected. (Applicant must show his /her original identity document or passport to the Designated Firearms Officer)
- 4.4 A certified copy of her/his competency certificate if available. (Applicant must show her/his original competency certificate to the Designated Firearms Officer)
- 4.5 A certified copy of the applicant's permanent residence permit in the case of a non SA Citizen. (Applicant must show her/his original permanent residence permit passport to the Designated Firearms Officer)
- 4.6 An amount of R140.00 in cash or bank guaranteed cheque . Documentary proof (certified copy of Z263) of the payment of the prescribed fee to the financial officer at the police station, must be attached to the application.

5. DEFINITIONS

- ¹**Mentor** An accredited hunting association or a Professional Hunter or a Dedicated Hunter who indicated willingness to mentor a novice hunter.
- ²**Purpose** The nature of the hunting that is intended (and will include the type of game and terrain).
- ³**Suitability** Description of how the attributes of the firearm suits the intended hunting purpose.
- ⁴**Endorsement** A solemn declaration, issued by an accredited hunting association, which will be sufficient proof that:
(a) the Applicant is a proven hunter; and / or
(b) confirming the firearm's suitability for the purpose.
- ⁵**Proven Hunter** A person who has experience and knowledge of hunting and who is possibly a member of an accredited hunters association and who has shown the ability to hunt, safely and lawfully.

6. MOTIVATION

A comprehensive motivation, substantiated by documentation, must accompany the application and should include the following:

6.1 A novice hunter, applying for a licence for occasional hunting purposes.

- (a) A letter from a mentor¹ or proof of membership of an accredited hunting association.

- (b) Purpose² for the firearm.
- (c) Suitability³ of the particular firearm.

6.2 An Occasional hunter without endorsement⁴ from an accredited hunting association.

- (a) Indication of being a proven hunter⁵.
- (b) Purpose² for the firearm.
- (c) Suitability³ of the particular firearm.

6.3 An Occasional hunter with endorsement⁴ from an accredited hunting association.

- (a) Endorsement⁴ in respect of being a proven hunter⁵.
- (b) Endorsement⁴ in respect of the purpose² and suitability³ of the firearm.

6.4 A Dedicated hunter without endorsement⁴ from an accredited hunting association.

- (a) Certified copy of the valid Dedicated Hunter declaration from an accredited hunting association.
- (b) Purpose² for the firearm.
- (c) Suitability³ of the particular firearm.

6.5 A Dedicated hunter with endorsement⁴ from an accredited hunting association.

- (a) Certified copy of the valid Dedicated Hunter declaration from an accredited hunting association.
- (b) Endorsement⁴ in respect of the purpose² and suitability³ of the firearm.

6.6 A Professional hunter with endorsement⁴ from a recognised professional hunting association.

- (a) Endorsement⁴ in respect of being a proven hunter⁵.
- (b) Endorsement⁴ in respect of the purpose² and suitability³ of the firearm.

7. RESPONSIBILITIES OF THE DESIGNATED FIREARMS OFFICER

- 7.1 The relevant Designated Firearms Officer will be responsible to *inter alia* process the application which will include the obtaining of a set of fingerprints of the applicant, inspection of safe storage facilities, verification of the content of the application form as well as the supporting documentation and the issuing of an acknowledgement of receipt (SAPS 523) to the applicant.
- 7.2 An acknowledgement of receipt (SAPS 523) will only be issued if the application is duly completed and accompanied by all the required information and documentation and after the identity of the applicant on the required set of her or his fingerprints has been verified by the relevant Designated Firearms Officer.
- 7.3 The relevant Designated Firearms Officer will verify the existing licences that the applicant holds against the information contained in the central database.
- 7.4 Should an application, after it was accepted, be deemed to contain elements perceived to be vague or unclear; or should the application lack information necessary to be properly considered, the Designated Firearms Officer will inform the applicant such and facilitate the necessary correction to be made.

8. CANCELLATION OF AN APPLICATION FOR A LICENCE TO POSSESS A FIREARM FOR HUNTING

- 8.1 If an application is being processed and the applicant wishes to cancel the application, the applicant must complete and duly sign a SAPS 522(Cancellation of application for a licence, permit, certificate or authorization) form and hand it to the relevant Designated Firearms Officer.
- 8.2 No payment is required when an application is cancelled.

9. ACCEPTANCE

Accepted by the Hunter's Forum
(Representing the Registrar of Firearms and all the and all the accredited hunters associations in South Africa)

On behalf of:

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Registrar of Firearms

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SA Hunters Association

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CHASA

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SA Wingshooters

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PHASA

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NSA

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ECGMA

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Lowveld Hunters Association

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KZN Hunters Association