

FIREARM OWNERSHIP SIMPLIFIED

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This article is intended to serve as a guide only - finer details can be ironed out upon consultation.

The Firearms Control Act of 2000 replaced the Arms and Ammunition Act of 1969, although there is a court judgement which upholds the validity of licenses issued for firearms before the FCA of 2000 (old green card licenses or ID book licenses).

"Old" licenses are therefore upheld as valid (unless you have specifically applied for a new license for the same gun under the FCA 2000). Please note that there is opinion out there, that even though a person with the old green licence card has proceeded to receive a white card, that as the court order said all green /old licence cards are valid, these licences are therefore still valid as well.

Acquiring a new licence for a firearm under the FCA 2000 requires a set procedure (which is not as onerous as many would believe).

The first are "Competency" requirements which include completing both open book and closed book exams and practical training which deal with:

- The legal aspect of firearm ownership
- The relevant theoretical and practical working knowledge of the type of firearm applied for (independently) - handgun, shotgun, manually operated rifle, self-loading rifle and hand machine carbine.

Once successfully completing the above selection of competency tests (*Legal is compulsory) + at least one for the type of firearm desired, one may proceed with the competency application.

Please note that merely completing the exams and doing the practical does not entitle you to your competency – you must still submit an application with an SAPS 517 form to your local police station, with supporting references, and **do** disclose any prior criminal convictions as well as any pending cases. Please note that even minor petty crimes must be disclosed in the competency application, otherwise your competency application will be refused.

Note: the author recommends completing the full range of firearm competencies for later convenience when buying other firearms unless you ONLY want one handgun for self defence henceforth.

It should be noted though, that one may purchase the chosen firearm at any stage in the process - either at the outset or only once completing competency - you just may not be in possession of it until licensed.

This first stage of competency including the legal test and at least one chosen firearm type is issued and known as "Competency to possess a firearm".

Note: the initial two firearm types that may be applied for under Section 13 of the Act are a handgun or a shotgun (it would not be reasonable to apply for a hunting rifle or semi-auto rifle for self-defence).

"Competency to possess a firearm" - Once successfully applied for at your local SAPS Designated Firearms Officer (DFO), you will be notified when it arrives and collect and sign for it. Note: since February 2016, the competency application must be submitted first and can no longer be submitted together with the licence application at the same time, unless one is renewing a licence, and that the licence application can only be submitted after receipt of the competency.

The Act makes provision for firearm owners under the following headings:

- Self Defence (Sect 13)
- Restricted Firearm for self-defence (Sect 14)
- Occasional Sports shooter (Sect 15)
- Occasional Hunter (Sect 15)
- Dedicated Sports shooter (Sect 16)
- Dedicated Hunter (Sect 16)
- Private Collector of Firearms (Sect 17)
- Possession of Ammunition in Private Collection (Sect 18)
- Possession of Firearms and Ammunition in Public Collection (Sect 19)
- Business (Sect 20)
- Temporary Authorisation (Sect 21)

It is up to YOU to decide how involved you wish to become in shooting - either "occasional" or "dedicated" and there are numerous clubs and sport shooting bodies that can advise and assist with your desired further accreditation.

*For reference though it suffices to say that an Occasional status individual may only own up to a maximum of four firearms, but none of which may be semi-auto (excluding semi-auto handgun).

- Collectors, Dealers, special permits, etc. are provided for but are not referred to in detail in this article -

NB - All licenses issued under FCA 2000 have limited periods of validity and will need to be renewed per application for renewal at least 90 days prior to expiry.

Back to the process of licensing -

Once you have attained your "Competency to Possess a firearm" you may then submit the SAP 271 (application form) from your dealer along with a concise list of documents and photographs and a well-worded and full motivation as to why you wish to license said firearm (Cost per application R140). Here it pays to support your statements made in your motivation with material like newspaper articles and any other crime stats related to your area.

This is submitted to at first your local police station, then via your local SAPS DFO to the Provincial office, and then up the line to the CFR (Central Firearm Registry) where at various levels, your suitability is assessed.

It is here that it is either approved or rejected (such approval or rejection is supplied in writing and a rejection may be appealed via a specific independent legal process)

If successful, your license is then handed to you by your DFO and you may then return to your dealer, licence in hand, to receive your firearm.

All aspects of carrying, storing or using your firearm will have been covered in your competency training, but despite that, extra care, due responsibility and common sense must prevail as a firearm owner.

There are many highly reputable dealers and clubs in and around Cape Town but for Hout Bay dwellers purposes I list the following for convenience:

- City Guns (Hout Street)
- Suburban Guns (Main road Plumstead).
- False Bay Firearm Training Academy (Glencairn quarry).
- False Bay Sports Shooting Club (Glencairn Quarry)
- (online only) National Hunting and Sports shooting Association.

It is recommended that you join at least one local club in order to get properly and safely acquainted with firearms and to lend credibility to your license application(s).

Remember that firearms are not only self-defence items, but provide for a fascinating array of competitive disciplines in a multitude of classes ranging from air rifles (not classified as firearms) to Wild West revolvers, clay shooting with shotguns, DMG (defensive multi gun), precision long distance rifle, combat rifle and many others. National colours are attainable in most disciplines.

Please feel free to contact the author who possesses competency to trade in firearms and or ammunition for individual consultation at City Guns (kindly make an appointment with me on 083 463 7113).

CITY GUNS provides a comprehensive in-house service from gun sales to the complete range of competencies, classrooms, license and motivation assistance and has an indoor range on which to shoot a very comprehensive array of firearms.

For firearm related legal issues, please contact Damian Enslin of Michael Matthews and Associates in Westlake Business Park.

Do not be put off by what at first sight appears to be a lengthy, time consuming process. In practicality it is ten times easier and quicker once the process is under way with our guidance.

Kind regards

Anthony.