

- (a) business name of the gunsmith;
- (b) full names, surname and identity number of the gunsmith;
- (c) number, date of issue and type of the competency certificate issued to the holder of the gunsmith's licence;
- (d) date of issue of the licence;
- (e) date of expiry of the licence;
- (f) registration number and reference code allocated by the Registrar; and
- (g) details of the approved safe or strongroom as contemplated in regulation [86]88(2).

[53]55 Applications for temporary authorisation to conduct business as gunsmith on premises other than those specified in gunsmith's licence

- (1) A gunsmith applying for a temporary authorisation as contemplated in section 64 of the Act must, in addition to the requirements of regulation [13]15, submit-
 - (a) a written motivation in support of the application, with specific reference to the steps which are contemplated in connection with the safe custody of the muzzle loading firearms, firearms and ammunition;
 - (b) a written declaration that the gunsmith has facilities available for the safe custody of the muzzle loading firearms, firearms and ammunition that comply with SABS specifications;
 - (c) a certified copy of the applicant's licence; and
 - (d) a list containing the full names, surnames, identity numbers, the date of issue and number of the competency certificate of every person who will conduct business as a gunsmith on behalf of the holder of the gunsmith's licence at the premises.
- (2) An application for the display of muzzle loading firearm or firearms must be lodged at least 30 days before the intended date on which conducting of such display will commence.

[54]56 Conditions applicable to temporary authorisations to conduct business as gunsmith on premises other than those specified in gunsmith's licence

The Registrar may impose the following conditions in respect of an application for a temporary authorisation issued under section 64 of the Act:

- (a) The gunsmith to whom a temporary authorisation has been issued must, for the duration of conducting the business as a gunsmith, keep the temporary authorisation at the premises specified in the temporary authorisation and the gunsmith must, at the request of a police official, produce the temporary authorisation to such police official for inspection;
- (b) during any period when the premises specified in the temporary authorisation is closed for purpose of conducting business as a gunsmith, all muzzle loading firearm, firearms and ammunition which are on the premises, must be locked in the strongroom or safe for safe custody of firearms which has been specified on the temporary authorisation;
- (c) during any period when the premises specified in the temporary authorisation is open for purpose of conducting business as a gunsmith, muzzle loading firearms, firearms and ammunition may only be displayed if the muzzle loading firearms and firearms are-
 - (i) unloaded; and
 - (ii) in the case of handguns, locked in a display counter or display cabinet that prevents the unauthorised access to the handguns displayed therein; or
 - (iii) in the case of firearms, excluding handguns and firearms displayed as prescribed in subparagraph (ii)-
 - (aa) rendered inoperable by means of a secure locking device; or
 - (bb) securely attached with a metal attachment to a non-portable structure in such a manner that it cannot readily be removed; and

- (cc) not displayed with ammunition that can be discharged from it;
- (d) during any period when the premises specified in the temporary authorisation is open to conduct business as a gunsmith, muzzle loading firearm and firearms which are not displayed or on which work is being performed, must be locked in a strongroom or safe for safe custody of firearms which has been specified in the temporary authorisation;
- (e) only persons specified in the temporary authorisation and who has in his or her possession a relevant competency certificate, may conduct business as a gunsmith on the premises;
- (f) the gunsmith must, at the premises specified in the temporary authorisation and during the period of validity of the temporary authorisation, keep a record in respect of every muzzle loading firearm, firearm and all ammunition in possession of the gunsmith on the premises wherein the following particulars must be recorded-
 - (i) the stock number allocated in accordance with regulation 157159(1)(a) that must be clearly affixed by means of a temporary marking on the firearm;
 - (ii) the make, type, calibre of the firearm, as well as, in the case of firearms, every manufacturer's serial number or additional identification mark contemplated in section 23(4) of the Act that is reflected on the firearm; and
 - (iii) the calibre, make and quantity of all ammunition.
- (g) the record prescribed in paragraph (f), must at the expiry of the period for which the temporary permit was issued, be incorporated and cross-referenced with the register prescribed in regulation 157159.

155157 Record of prescribed information regarding temporary authorisations in respect of gunsmiths

The Office of the Central Firearms Register must keep a record of the following information regarding temporary authorisations issued under section 64 of the Act:

- (a) the name of the police station where the application was submitted;

- (b) details of the person who completed the application;
- (c) reason if the application was refused;
- (d) details of the applicant;
- (e) details of the premises and the safe storage facilities where the firearms or ammunition, or both will be kept in safe custody; and
- (f) period of validity of the temporary authorisation.

[56]58 Application for change of premises

- (1) A gunsmith who applies for the removal of the business from the premises specified in the licence to a different premises must, in addition to the relevant information required by regulation [13]15 and in regulation [30]32, submit such further information and documents as may be required by the Registrar.
- (2) When an inspection of the new premises by a police official or a Designated Firearms Officer reveals that the safeguarding facilities at the new premises do not in all respects comply with those specified for the applicable licence, the holder of the licence must be notified thereof in writing by the relevant Designated Firearms Officer and be afforded a period of 60 days within which to correct the listed deficiencies: Provided that the Registrar is satisfied that the nature of the deficiencies would not create an unacceptable risk for the safe custody of firearms or ammunition.
- (3) (a) On approval of an application to change a premises as contemplated in subregulation (1), the gunsmith must immediately on taking occupation of the new premises, notify the relevant Designated Firearms Officer responsible for the area in which the applicant's new business will be situated.

(b) A notification contemplated in subparagraph (a) must be on the applicable form and be accompanied by such information and documents as may be required by the Registrar.

[57]59 Registers in respect of gunsmith

- (1) A gunsmith must keep a register as contemplated by section 67(2) of the Act comprising of a set of books or computer printouts known as 'the

Firearms Repair Register', wherein the following particulars must be recorded-

- (a) in respect of every muzzle loading firearm and firearm received for repair from whatever source-
 - (i) a stock number that must be clearly affixed by means of a temporary marking on the firearm;
 - (ii) the make, type, calibre, of the muzzle loading firearm or firearm, as well as, in the case of firearms, every manufacturer's serial number or additional identification mark contemplated in section 23(4) of the Act that is reflected on the firearm;
 - (iii) the date of receipt of the firearm;
 - (iv) the full names, surname, identity number or registration number, as the case may be, and physical address of the person from whom the firearm was acquired;
 - (v) the number and date of issue of the existing licence, authorisation or permit, as the case may be, of the person from whom the firearm was acquired;
 - (vi) nature of repair done on the firearm or any other work as contemplated in section 59 of the Act and regulation 150152; and
 - (vii) the date of collection and signature of the holder of the licence, permit or authorisation issued in respect of the firearm;
 - (b) in respect of a main firearm components, received in stock from whatever source-
 - (i) the date of receipt of the main firearm components;
 - (ii) the purpose of such receipt;
 - (iii) the full names, surname, identity number or registration number, as the case may be, and physical address of the
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- person from whom the main firearm components were acquired;
- (iv) the transfer or disposal of the main firearm components including the full names, surname, identity number or registration number, as the case may be, and physical address of the person to whom it was supplied; and
 - (v) the signature of the person who received it.
- (2) A gunsmith must keep a register comprising of a set of books or computer printouts known as 'the Ammunition Stock Register' in respect of all ammunition received wherein the following particulars must be recorded-
- (a) on the debit-side-
 - (i) the calibre, make, type and quantity of all ammunition purchased or acquired;
 - (ii) the date of receipt; and
 - (iii) the number and date of issue of the existing licence, authorisation or permit, as the case may be, of the person from whom the ammunition was purchased or acquired;
 - (b) on the credit-side-
 - (i) the calibre, make, type and quantity of all ammunition used;
 - (ii) the date and reason of disposal of the ammunition and the signature of the gunsmith confirming the entries as correct.
- (3) (a) A gunsmith must keep a register comprising of a set of books or computer printouts known as 'the Firearms Safe Custody Register' regarding all muzzle loading firearms or firearms that the gunsmith receives and holds on behalf of a holder of a licence, authorisation or permit for the purpose of the safe custody or transfer of the muzzle loading firearms or firearms.
- (b) The Firearms Safe Custody Register must contain-
- (i) the date of receipt of the muzzle loading firearm or firearm;

- (ii) the full names, surname, identity number or registration number, as the case may be, and physical address of the person from whom the muzzle loading firearm or firearm was acquired;
- (iii) the make, type, calibre of the firearm, as well as, every manufacturer's serial number or additional identification mark contemplated in section 23(4) of the Act that is reflected on the muzzle loading firearm or firearm;
- (iv) the number and date of issue of the existing licence, authorisation or permit, as the case may be, and signature of the person from whom the firearm was acquired;
- (v) the date of return, transfer or disposal of the muzzle loading firearm or firearm; and
- (vi) the signature of the person to whom the muzzle loading firearm or firearm was returned, transferred or disposed to.

[(3)](4) Subject to the provisions of section 146 and regulation [102]104(1) a register prescribed in this regulation must be kept for a period of 10 years from the date of the last entry therein on the business premises specified on the licence.

- [(4)](5) (a) The registers comprising of a set of books that are kept in terms of this regulation, may not be taken into use or be used, unless every page of such register is numbered in sequence and the relevant Designated Firearms Officer, has signed every such page and appended an official date stamp reflecting the particulars of the office to which the relevant Designated Firearms Officer is attached, with every such signature.
- (b) A gunsmith must, within seven days after the end of a month hand the register comprising of computer printouts that are kept in terms of this regulation, of which every page must be numbered in sequence, to the relevant Designated Firearms Officer who must sign every page and appended an official date stamp reflecting the particulars of the office to which the relevant Designated Firearms Officer is attached, with every such signature.

- ~~[(5)]~~(6) An entry recorded in a register referred to in this regulation must be printed or written in ink, and any amendment thereof must be effected by means of interlineation or crossing out in ink and not by way of erasure, and any such amendment must be initialled by the person, effecting it.
- ~~[(6)]~~(7) No person may remove or cause to be removed any page from any register contemplated in this regulation and if any page is removed from such register, it will be deemed, in the absence of evidence to the contrary which raises reasonable doubt, to have been removed by or on the authority of the person who is in terms of any provision of this Act obliged to keep such register.
- ~~[(7)]~~(8) A gunsmith must keep an updated register wherein the full names, surname, identity number and physical address and number of the applicable competency certificate in respect of all apprentice gunsmiths as contemplated in regulation ~~[51]~~53(r), as well as, the date of issue, type and number of the applicable competency certificates in respect of natural persons who engages in gunsmith activities under the control of the gunsmith, are recorded.
- ~~[(8)]~~(9) All particulars that must be entered in a register referred to in this regulation, must be recorded immediately on the receipt, transfer, use or disposal, as the case may be, of the firearm, main firearm component or ammunition concerned.

~~[58]~~60 Manner in which workstation must be established, maintained and linked to central gunsmiths' database

- (1) The workstation of a gunsmith contemplated in section 67(5) of the Act, must link to the central gunsmith's database by way of software and an electronic network connectivity that can interface with the infrastructure and standards of the South African Police Service.
- (2) A gunsmith must, establish an online electronic connectivity which links the registers prescribed in regulation ~~[57]~~59 to the central gunsmith's database and which must provide for a daily electronic online transfer of data regarding firearms and ammunition for the previous business day, as recorded in the prescribed register.

- (3) If any circumstance occur which prevents a gunsmith to submit returns on line by means of the electronic network connectivity, the Registrar must be informed immediately in order to establish alternative means to submit the daily returns.

[59]61 Weekly returns

- (1) A gunsmith who is exempted from the duties referred to in section 67(5) of the Act must, within seven days after the end of every week, submit to the Office of the Central Firearms Register a return on the form determined by the Registrar, or a computer printout which must reflect the information of the prescribed form, of all firearms and main firearm components-
 - (a) acquired during the relevant week; and
 - (b) transferred during the relevant week.
- (2) A gunsmith must submit such weekly returns whether or not any firearms or main firearm components have been acquired or transferred.

[60]62 Establishment of centralised gunsmiths' database

- (1) The Registrar must establish and maintain a central gunsmiths' database which is linked and can interface with the electronic network connectivity of workstations of gunsmiths as contemplated in regulation [58]60.
- (2) The central gunsmith's database must contain-
 - (a) the information and additional documents submitted by an applicant in a prescribed application form in terms of regulation [13]15 regarding a competency certificate, gunsmith's licence, authorisation, permit, renewal or copy thereof, as well as, the relevant information in respect of the suspension or termination thereof;
 - (b) the information on a competency certificate, licence, authorisation, permit and a renewal or copy thereof, that was issued or refused as a result of the application; and
 - (c) the details and information submitted in respect of a firearm on which a gunsmith performed work in terms of the Act.

CHAPTER 6
IMPORT, EXPORT AND CARRIAGE IN-TRANSIT OF FIREARMS, MUZZLE LOADING
FIREARMS AND AMMUNITION

161163 Application regarding in-transit permit

- (1) A person who applies for an in-transit permit contemplated in Chapter 8 of the Act must, if requested thereto by the Registrar, in addition to the requirements of regulation [13]15, submit-
- (a) proof of authority to export the muzzle loading firearm, firearm and ammunition from the country of origin: Provided that a customs clearance document or any other officially issued document which serves as authority to remove the muzzle loading firearm or firearm from that country must be regarded as sufficient compliance;
 - (b) proof of authority to import the muzzle loading firearm, firearm and ammunition into the country of final destination if that country issues such authority before the arrival of muzzle loading firearm or firearms in the country;
 - (c) particulars of the intended transport route and mode of transport and the proposed port of entry and exit and likely date of the entry and exit;
 - (d) a certified copy of the licence, permit, authorisation or any proof acceptable to the Registrar, confirming the lawful possession of the firearm and ammunition by the person requiring the carrying of the firearm and ammunition in transit through the Republic of South Africa;
 - (e) a computer printout or a typed list of the muzzle loading firearm, firearms and ammunition indicating the quantity, model and caliber, type of action and in the case of a firearm, the manufacturer's serial number, of the firearm and quantity, type and calibre of ammunition;
 - (f) in the case of a firearm and ammunition, an end user certificate as contemplated in section 17 of the National Conventional Arms Control Act, 2002 (Act 41 of 2002) when the firearm or ammunition is intended for resale in the country of final destination; and

- (g) a consignment note of the muzzle loading firearms, firearms and ammunition to be carried in transit through South Africa.

[62]64 Conditions in respect of application for import or export permit

In addition to the provisions of regulation [13]15 the following conditions apply in respect of an application for an import or export permit, as the case may be-

(1) Permanent import and export permit

An application for the permanent import or permanent export of a muzzle loading firearm, firearm or ammunition must, subject to the provisions of these Regulations, be submitted by the applicant, or the relevant Designated Firearms Officer who received the application, to the Registrar for consideration.

(2) Temporary import and export permit in respect of a dealer, manufacturer or gunsmith

An application by the holder of a dealer, manufacturer or gunsmith's licence for the temporary import or temporary export of a muzzle loading firearm, firearm or ammunition, must, subject to the provisions of these Regulations, be submitted by the applicant, or the relevant Designated Firearms Officer who received such application, to the Registrar for consideration.

(3) Port of entry

Subject to the provisions of subregulation (4), muzzle loading firearm, firearms and ammunition may only be imported into the Republic of South Africa at a port of entry designated as such in terms of the Immigration Act, 2002 (Act 13 of 2002) where the Registrar or a police official delegated by the Registrar, directs in writing.

(4) Non-resident: Temporary import and export permit of a firearm not licensed in terms of the Act

- (a) An application by a person who is a non-resident and not the holder of a permanent resident permit for a temporary import permit and the subsequent export permit or multiple import and export permit in respect of any muzzle loading firearm and any firearm or ammunition not licensed under the Act, may be

submitted either to the Head: Central Firearms Register directly or to the Designated Firearms Officer at the place designated as a port of entry in terms of the Immigration Act, 2002 (Act 13 of 2002) where the applicant will enter into the Republic of South Africa.

- (b) An application submitted directly to the Head: Central Firearms Register in terms of subparagraph (a) must be lodged at least 21 days prior to the arrival of the applicant in the Republic of South Africa and the applicant must supply an address outside the borders of the Republic of South Africa whereto the permit will be posted.
 - (c) The permit in respect of an application submitted to the Designated Firearms Officer on the arrival of the applicant at the port of entry contemplated in subparagraph (a), may be issued by the Designated Firearms Officer who receive the application only if the Designated Firearms Officer concerned is delegated thereto.
- (5) Temporary export permit of a muzzle loading firearm and a firearm or ammunition licensed under Chapter 6 of the Act
- (a) An application for a temporary export permit and the subsequent import permit in respect of a muzzle loading firearm [and] or a firearm licensed for the purpose of self-defence, hunting, sports-shooting, a private or public collection or a business purpose under the Act, may be submitted, in the case of a muzzle loading firearm [be submitted] by the holder of a relevant competency certificate and in the case of a firearm, [be submitted] by the holder of the licence to any Designated Firearms Officer or police official delegated by the Registrar.
 - (b) The permit may be issued by the Designated Firearms Officer or police official who received the application and who has the necessary delegation to consider the application.
- (6) Multiple import-export permit
- (a) The Registrar, Designated Firearms Officer or a police official who has been delegated thereto, may issue an import permit and export permit in respect of a specific muzzle loading firearm or firearm and also ammunition applicable to the firearm, which permit will allow the repeated import and export of the muzzle loading firearm or firearm and ammunition over a fixed period of

time which permit will be known as a 'multiple import-export permit'.

- (b) The conditions set in subregulation (7) relating to a temporary import permit, will apply to a multiple import-export permit.

(7) Conditions under which a temporary import permit may be issued

A temporary import permit may only be issued-

- (a) to a foreign visitor for the purpose of hunting;
- (b) to a foreign visitor to display the muzzle loading firearm, firearm and ammunition at a trade show or collectors' show, or to display muzzle loading firearms, firearms or ammunition at a sport or hunting trade show;
- (c) to a foreign visitor to participate in a competitive sports shooting event organised by a recognised business, hunting, sports-shooting or collectors' organization association;
- (d) to an official of a foreign government or a distinguished foreign visitor so designated by the South African Department of Foreign Affairs;
- (e) to a foreign law enforcement officer entering the Republic of South Africa on an officially approved policing assignment; or
- (f) to a person who, for other legitimate reasons, has received the prior approval from the Registrar and where the applicant can demonstrate-
 - (i) the lawful possession of the muzzle loading firearm or firearm;
 - (ii) knowledge of the safe handling and use of the muzzle loading firearm or firearm in question through possession of a licence for the firearm or through past experience;
 - (iii) knowledge of the South African laws relating to muzzle loading firearms and firearms, including the principles relating to the use, safe storage and handling of muzzle loading firearms and firearms and where applicable their public display;

- (iv) a need to possess the muzzle loading firearm or firearm;
 - (v) that the applicant cannot reasonably satisfy that need by means other than the possession of a muzzle loading firearm or firearm; and
 - (vi) that he or she is at least 21 years old: Provided that the Registrar may, within his or her sole discretion and on good cause shown, exempt an applicant from this requirement;
- (g) if the applicant provides supporting documents issued by any one of the following persons or institutions, confirming that, to the best of their knowledge and belief, the applicant will be using the muzzle loading firearm or firearm for the purpose set out in the application:
- (i) the professional hunter or the hunting outfitter licensed to conduct business in hunting as contemplated in the Act, who will provide the hunting to the foreign visitor;
 - (ii) the accredited hunting association, or sports-shooting organisation, collectors association or recognised business that is hosting the event or sports-shooting competition that the applicant will participate in;
 - (iii) a person or organisation hosting a public event or historical re-enactment or display that requires the foreign visitor's participation and use of the specific muzzle loading firearm or firearm.
- (h) subject to-
- (i) the requirements of the Act in respect of the carrying, storage, safe custody, transport and display of muzzle loading firearms or such firearm or ammunition;
 - (ii) the use of the muzzle loading firearm or firearm only for the purpose set out in the permit;
 - (iii) that no person who holds a temporary import permit is allowed to transfer the muzzle loading firearm or firearm to

another person in South Africa without prior written permission having been obtained from the Registrar;

- (iv) whenever the holder of the temporary import permit leaves the Republic of South Africa the muzzle loading firearm or firearm in respect of which the permit is issued must accompany the holder of the permit;
 - (v) when the Registrar grants permission as contemplated in subparagraph (iii), a temporary authorisation in terms of section 21 of the Act must be issued to the person who acquired the muzzle loading firearm or firearm to enable such person to apply for an applicable competency certificate when necessary or a licence, permit or authorisation to possess the firearm in terms of the Act as the case may be; and
 - (vi) if a competency certificate, licence, permit or authorisation is not issued by the Registrar in respect of a muzzle loading firearm or firearm, as the case may be, contemplated in subparagraph (v), the person who acquired the muzzle loading firearm or firearm must dispose of the muzzle loading firearm or firearm through a dealer or in such manner as the Registrar may determine which may also include the export of the muzzle loading firearm or firearm; and
 - (vii) to the possession of no more than the quantity of cartridges determined by the Registrar and specified on the permit, for each firearm in respect of which the temporary import permit applies;
- (i) a temporary import permit, export permit and multiple import-export permit shall not be issued for a period exceeding 6 months at a time, unless the Registrar decides otherwise on good cause shown; and
 - (j) the Registrar may on good cause shown, issue a temporary import or export permit in respect of more than one muzzle loading firearm or firearm per calibre to a person who will be using the muzzle loading firearms or firearms for a purpose contemplated in subparagraphs (a), (b) and (c) .

(8) Conditions under which a permanent import permit may be issued to a dealer, manufacturer and gunsmith

A dealer, manufacturer or gunsmith who permanently imports a muzzle loading firearm, firearm or ammunition-

- (a) must lodge the necessary application at least 21 days before the shipment of the muzzle loading firearm, firearm or ammunition to the Republic of South Africa or on good cause shown, such shorter period as the Registrar, within his or her discretion regard as expedient;
- (b) may not arrange for the shipment of the muzzle loading firearm, firearm or ammunition prior to the issuing of the import permit;
- (c) must immediately on the arrival of the muzzle loading firearms, firearms or ammunition in the Republic of South Africa, notify the Head: Central Firearms Register and the Designated Firearms Officer appointed for the port of entry where the shipment has arrived, in writing of the arrival and provide the particulars of the container and place where it can be inspected;
- (d) must ensure that the muzzle loading firearms, firearms or ammunition is stored in terms of the prescripts of these Regulations;
- (e) may not open the container holding the consignment of the muzzle loading firearms, firearms or ammunition unless the Designated Firearms Officer or a police official nominated by the Designated Firearms Officer is present;
- (f) must within 72 hours of the arrival of the muzzle loading firearms, firearms or ammunition in the Republic of South Africa-
 - (i) arrange with the Designated Firearms Officer or a police official nominated by the Designated Firearms Officer, to physically inspect the muzzle loading firearms, firearms or ammunition; and
 - (ii) on finalisation of the physical inspection certify in writing that the imported muzzle loading firearms, firearms or ammunition corresponding with the import permit, arrived in Republic of South Africa.

(9) Conditions that may be imposed on an export permit issued to the holder of a dealer, gunsmith or manufacturer's licence

The following specific conditions will apply to an export permit issued to the holder of a dealer, gunsmith or manufacturer's licence:

- (a) An export permit will be issued in at least threefold where after the exporter must accept the original, first and second copy of the export permit;
- (b) within 90 days after the export date stated on the export permit, the exporter must return to The Head: Central Firearms Register, the first copy of the export permit which must bear the signature and an official date and name stamp of the End User or other document accepted by the Registrar, which copy will then serve as a delivery verification certificate;
- (c) the second copy of the export permit must indicate the date of export of the muzzle loading firearm, firearm or ammunition which date must be duly certified by the Republic of South Africa's Customs Authorities and the export permit must thereafter be returned by the exporter to The Head: Central Firearms Register within 10 days after that export date;
- (d) on failure by the exporter to comply with subparagraphs (b) or (c), all pending and future exports by the exporter in which the exporter takes part, will be suspended until the conditions in subparagraph (b) and (c) have been complied with;
- (e) muzzle loading firearms and firearms that are exported from the Republic of South Africa for the purpose of exhibitions, evaluations and demonstrations must be returned to the Republic of South Africa within six months after the date of export reflected on the export permit, unless the Registrar has indicated otherwise on the export permit on application by the applicant;
- (f) the import of the muzzle loading firearms and firearms contemplated in subparagraph (e) must again be subjected to an import permit issued by the Registrar;
- (g) a separate export permit is required for each individual export of muzzle loading firearms, firearms and ammunition and no partial exportation may be allowed with one permit;

- (h) the export permit is not transferable;
- (i) the muzzle loading firearms, firearms or ammunition listed in the export permit must be exported by the dealer, gunsmith or manufacturer except if indicated otherwise by the Registrar on the permit;
- (j) all correspondence pertaining to the export permit, must be directed to The Head: Central Firearms Register and the export permit number must be quoted;
- (k)
 - (i) a specific period of validity must be assigned to the export permit by the Registrar which period of validity may be extended or shortened by the Registrar depending on whether the stated reasons for the export of the muzzle loading firearms, firearms or ammunition has materially changed;
 - (ii) applications for extensions of the period of validity must be submitted in writing to The Head: Central Firearms Register before the expiry date elapses, otherwise a new application will be required;
- (l) if an export transaction is cancelled, or immediately after the period of validity of the export permit has expired before the muzzle loading firearms, firearms or ammunition are exported, the holder of the export permit must immediately return the original and copies of the export permit that were issued, together with a written statement stating the reasons for non-compliance to The Head: Central Firearms Register;
- (m) an exporter must retain the original export permit, the relevant Bill of Lading or Airway Bill, packing list/s and exporter invoice pertaining to the muzzle loading firearms, firearms or ammunition stated on the export permit, for a period of 36 months and produce the documents for inspection whenever required to do so by The Head: Central Firearms Register or a Designated Firearms Officer; and
- (n) an export permit issued in terms of this regulation may only be issued by the Registrar or a police official delegated by the Registrar in writing.

(10) Conditions in respect of the possession and use of a muzzle loading firearm, firearm or ammunition relevant to an import permit

A muzzle loading firearm, firearm and ammunition that is imported into the Republic of South Africa, may only be used where it is safe to use the muzzle loading firearm, firearm and for a lawful purpose, stated on the application submitted in respect of the import of the muzzle loading firearm, firearm or ammunition and in accordance with the provisions of the Act.

[63]65 Conditions in respect of in-transit permits

The Registrar may impose the following conditions in respect of a person who applies to carry a muzzle loading firearm, firearm or ammunition in transit through the Republic of South Africa:

- (1) A person who will for commercial purposes, carry in transit through the Republic of South Africa muzzle loading firearms, firearms or ammunition-
 - (a) must lodge the application for an in-transit permit at the Office of the Central Firearms Register before making arrangements for the transport of the muzzle loading firearm, firearm or ammunition through the Republic of South Africa;
 - (b) may not arrange for the forwarding of the muzzle loading firearm, firearm or ammunition to the Republic of South Africa prior to the issuing of the in-transit permit;
 - (c) must on the arrival of the muzzle loading firearm, firearm or ammunition in the Republic of South Africa, in writing notify the Office of the Central Firearms Register and the Designated Firearms Officer appointed for the area where the shipment has arrived, by way of facsimile of the arrival and provide the particulars of the container and place where it can be inspected;
 - (d) must ensure that the muzzle loading firearm, firearm and ammunition is stored in terms of the prescripts of regulation [67]69

in a bonded warehouse contemplated in the Customs And Excise Act, 1964 (Act 91 of 1964);

- (e) may not open the container holding the consignment of muzzle loading firearms, firearms and ammunition unless the Designated Firearms Officer or a police official nominated by the Designated Firearms Officer, is present;
- (2) a person who will carry in transit through the Republic of South Africa muzzle loading firearms, firearms or ammunition for personal use, may apply for an in-transit permit either to the Office of the Central Firearms Register directly or to the Designated Firearms Officer at the place designated as a port of entry in terms of the Immigration Act, 2002 (Act 13 of 2002) where the applicant will enter the Republic of South Africa;
- (3) an in-transit permit may only be issued if the applicant can provide sufficient documentary proof that the muzzle loading firearms, firearms or ammunition may lawfully be imported into the country of next destination;
- (4) the Registrar may, for security reasons, require that the holder of an in-transit permit make use of a firearm transporter to transport the muzzle loading firearms, firearms and ammunition through the Republic of South Africa;
- (5) the Registrar may, for security reasons, determine the port of entry and exit, the route to be followed through the Republic of South Africa, the method of conveyance or transport and safety measures that must be met;
- (6) where the holder of an in-transit permit need to store the muzzle loading firearms, firearms or ammunition for any period of time in the Republic of South Africa, such storage must conform to the requirements for storage of muzzle loading firearms, firearms and ammunition as provided for in regulation **[67]69**;
- (7) the muzzle loading firearms, firearms or ammunition must at all times, except when stored as determined in regulation **[63]65(1)(d)**, be under the direct supervision of the holder of the in-transit permit or persons whose particulars are indicated on the permit by the Registrar; and

- (8) muzzle loading firearms, firearms or ammunition which are possessed under an in-transit permit may not, for whatever reason, be used in the Republic of South Africa.

[64]66 Information in respect of import, export and in-transit permits

An import, export and in-transit permit must contain the information as indicated on the applicable form prescribed in Annexure 'A'.

[65]67 Establishment of central importers' and exporters' database

- (1) The Registrar must establish and maintain a central importers' and exporters' database which is linked and can interface with the electronic network connectivity of the workstation of the holder of an import or export permit as determined by the Registrar under section 78(3) of the Act.
- (2) The central importers' and exporters' database must contain-
- (a) the information and supporting documents submitted by an applicant on the prescribed form under regulation [13]15 regarding a permit, renewal or copy thereof, as well as, the relevant information in respect of the suspension or termination thereof; and
 - (b) the information on an importers' and exporters' permit and a renewal or copy thereof, that were issued or refused as a result of the application.

[66]68 Extension, renewal and replacement of import, export or in-transit permit

An application for an extension, renewal and replacement of an import, export and in-transit permit must be submitted in writing to The Head: Central Firearms Register at least seven days before the expiry date lapses, otherwise a new application will be required.

**CHAPTER 7
STORAGE, TRANSPORT AND CARRYING OF FIREARMS AND AMMUNITION
PART 1
STORAGE**

[67]69 Storage of firearms and ammunition

- (1) Where a person provides storage facilities for firearms or ammunition to another persons, such storage facilities must conform to the applicable requirements for a safe or strongroom as set in the SABS Standard 953-1 or 953-2.
- (2) Storage may only be provided to a person who may lawfully possess the firearm or ammunition.
- (3) A holder of a dealer or gunsmith's licence may provide storage for firearms and ammunition in the safe or strongroom specified on the dealer's or gunsmith's licence.
- (4) During the storage of a firearm, it must be-
 - (a) unloaded; and
 - (b) not readily accessible to unauthorised use.; and
 - (c) **securely attached with a secure locking device to a non-portable structure in such a manner that it can not readily be removed.**

PART 2

FIREARM TRANSPORTER'S PERMIT

[68]70 Packaging of muzzle loading firearms, firearms and ammunition during transportation

- (1) During transportation of muzzle loading firearms, firearms and ammunition by a holder of a firearm transporter's permit-
 - (a) muzzle loading firearms and firearms must be packed separately from ammunition, and all ammunition must be removed from firearms in a safe manner, before transportation;
 - (b) muzzle loading firearms, firearms and ammunition must be transported in an appropriately locked metal container, and must be packed to ensure maximum safety and minimum exposure; and

- (c) direct continues supervision and control of muzzle loading firearms, firearms and ammunition being transported is required.
- (2) These provisions do not derogate from any other provision in a law prescribing standards for the transportation of muzzle loading firearms, firearms and ammunition.

[69]71 Application in respect of a firearm transporter's permit

- (1) A person who applies for a firearm transporter's permit must, in addition to the requirements of regulation [13]15, submit-
 - (a) proof that a proper functioning two way communication system between the vehicle transporting the muzzle loading firearms, firearms or ammunition and the applicant is in operation;
 - (b) a detailed description of the safety measures fitted to the vehicle that will be used; and
 - (c) a detailed description of security precautions that will be in place during the transportation.

[70]72 Conditions in respect of firearm transporter's permit

The Registrar may impose the following conditions on the holder of a firearm transporter's permit:

- (a) A firearm transporter may only lawfully possess and transport muzzle loading firearms, firearms and ammunition, if such firearm transporter has obtained the prior written consent of the holder of a certificate licence, permit or authorisation in respect of the muzzle loading firearms, firearms and ammunition to be transported;
- (b)
 - (i) a firearm transporter making use of road transport must provide to the person in charge of every transportation, a typed list of names of personnel employed by the transporter who will be directly involved in the transportation of the muzzle loading firearms, firearms and ammunition;
 - (ii) the list must contain the full names and identity numbers of the employees concerned; and

- (iii) the list must be attached to a certified copy of the firearm transporter's permit and this documentation must during the transportation be in possession of the person directly in charge of the transportation;
- (c) a certified copy of the firearm transporter's permit and the list of names contemplated in subregulation (b)(ii), will, as long as it is in the possession of the person exercising direct continuous control as contemplated in regulation [68170(1)(c), serve as authority to the personnel of a transporter who are named in the list to receive, transport, store and deliver the specified consignment of muzzle loading firearms, firearms or ammunition during the permit period;
- (d) the arrangements for the receipt, carriage and delivery of the muzzle loading firearms, firearms and ammunition, the safe and efficient transportation thereof, the mode of transport by which the transportation is to take place including the type and construction of the vehicle to be used, as well as, the containers, minimum personnel to be involved, and minimum communication facilities available to the transporter must, within the sole discretion of the Registrar, be adequate to ensure the safe and secure transport and storage of the firearms and ammunition;
- (e) a firearm transporter who transports muzzle loading firearms, firearms or ammunition must during the time of such transport be in possession of-
 - (i) a consignment-note on which the following particulars appear:
 - (aa) the full name, surname, identity number or registration number as the case may be, and physical address of the transporter;
 - (bb) the name and address of the consignor and the holder of the certificate licence, permit or authorisation in respect of the muzzle loading firearms, firearms and ammunition;
 - (cc) the quantity, type of action, manufacturer's serial number, model, make and calibre of the firearm and quantity, make and calibre of ammunition; and

- (dd) the physical address where the muzzle loading firearms, firearms and ammunition were collected and the physical address of its final destination;
 - (ii) the permit authorising the transportation of such muzzle loading firearms, firearms and ammunition;
 - (iii) any other document which may under this regulation or any other law be required;
- (f) a firearm transporter must with due regard to the provisions of section 146 of the Act and regulation [102]104(1) keep the documents referred to in subregulation (i) for a period of five years after the transportation at his or her place of business and produce it, on request to any police official for inspection;
- (g) where a firearm transporter is obliged to store the muzzle loading firearms, firearms or ammunition for any period of time after receipt and before delivery, such storage must comply with the requirements for safe custody and storage determined by the Registrar which may not detract from the provisions of regulation [86]88;
- (h) while a consignment of muzzle loading firearms, firearms or ammunition is en route it must at all times be under the direct supervision of the firearm transporter or his or her personnel and the transportation must comply with the requirements for the transportation of firearms and ammunition set in terms of subregulation (d) ;
- (i) the firearm transporter must obtain from the consignee a written confirmation of the taking of possession of the consignment of muzzle loading firearms, firearms and ammunition and the confirmation must contain the following information-
 - (i) the name and surname of recipient;
 - (ii) the recipient's address;
 - (iii) the date and time of delivery;
 - (iv) the description of muzzle loading firearms, firearms and ammunition received; and

- (v) the signature of the recipient which serves as confirmation of the correctness of the information provided in subparagraphs (i) to (iv).
- (j) a copy of the written confirmation contemplated in subparagraph (i) must be delivered by the firearm transporter to the police official who issued the in-transit permit;
- (k) a firearms transporter's permit is not transferable;
- (l) the firearm transporter must immediately notify the Registrar in writing in the event of non-delivery, loss or theft of any of the muzzle loading firearms, firearms or ammunition reflected in the consignment note; and
- (m) in the event of any change to the particulars reflected in the permit, a new application must be lodged in accordance with these Regulations.

[71]73 Duplicate transporter's permit

- (1) The Registrar may, on good cause shown on application by the holder of a transporter's permit issue a duplicate of a transporter's permit that was issued to that holder.
- (2) Only a duplicate transport permit issued in accordance with this regulation will be valid.

[72]74 Cancellation of transporter's permit

In the event of a transporter requiring the cancellation of a transport permit, the transporter must provide the Registrar with the original transport permit together with a sworn statement stating the reasons for cancellation.

[73]75 Record of prescribed information in respect of firearm transporter's permits

The Office of the Firearms Register must keep a record of the following information in respect of firearm transporter's permits issued under section 86 of the Act-

- (a) name of the police station where the application was submitted;
- (b) details of the person who completed the application;

- (c) reason if the application was refused;
- (d) details of the applicant;
- (e) details of the premises where the business as firearm transporter is conducted;
- (f) details of the safe storage facilities where muzzle loading firearms, firearms and ammunition will be kept;
- (g) details of duplicate permits that were issued; and
- (h) period of validity of the transporters permit.

CHAPTER 8 CONTROL OF AMMUNITION AND FIREARM PARTS

[74]76 Application for authorisation to possess more than 2400 primers and to possess more than 200 cartridges

The holder of a licence to possess a firearm, other than a dedicated hunter or dedicated sports person, who wishes to possess an excess of 2400 primers or, for a firearm of which he or she holds a licence in excess of 200 cartridges, must apply to the Registrar for the authorisation contemplated in sections 91(2) (a) and 93(2) (a) of the Act on the applicable form prescribed in Annexure 'A' which must be handed to the relevant Designated Firearms Official.

[75]77 Register of firearm parts

- (1) The holder of a dealer's licence, manufacturer's licence and gunsmith's licence and/or import, export, in-transit permit or transporter's permit must keep a register contemplated in section 94(3) of the Act in respect of firearm parts as defined in section 94(1) of the Act which must contain:
 - (a) date of receipt of the firearm parts;
 - (b) purpose of such receipt and the source of the receipt;
 - (c) a description of the firearms parts;
 - (d) quantity received; and

- (e) particulars of the firearm parts including the full names, identity number and residential or business address of the person to whom it was transferred as well as the licence number pertaining to the firearm on which the possession of the firearm parts in terms of section 94(2) of the Act is founded.
- (2) Subject to the provisions of section 146 and regulation ~~102~~104(1) a register prescribed in this regulation must be kept for a period of 10 years from the date of the last entry therein on the business premises specified on the licence, permit or authorisation.

CHAPTER 9 OFFICIAL INSTITUTIONS

[76]78 Conditions in respect of acquisition, use, safe custody and disposal of firearms by accredited Official Institution

- (1) Firearms must be stored by an Official Institution in a safe or a strongroom that conforms to the applicable prescripts of SABS Standard 953-1 and 953-2.
- (2) An Official Institution as contemplated in section 95(a)(vi) may only dispose of firearms acquired under this Act in the following manner-
 - (a) transferring in accordance with the provisions of the Act;
 - (b) destruction as provided for under section 149 of the Act; or
 - (c) displaying in a museum that is accredited in terms of these Regulations and which is under the control of the Official Institution: Provided that the provisions of sections 19(2), (3), (5) and (6) of the Act and regulation ~~19~~21 and ~~20~~22 shall apply in respect of the acquisition, use and safe custody of firearms and ammunition displayed in such accredited museum.
- (3) An Official Institution accredited in terms of section 95(a)(vi) of the Act must submit the duly completed relevant application form prescribed in Annexure 'A' together with any required supporting documents when acquiring additional firearms.

- (4) The application form must be completed in black ink by the responsible person appointed by the Head of an Official Institution.

[77]79 Information that the permit issued under section 98 of the Act must contain

- (1) The permit issued under Chapter 11 of the Act must contain-
- (a) the name of the Official Institution;
 - (b) initials and surname of the permit holder;
 - (c) official personnel number of the permit holder;
 - (d) full particulars of the firearm issued to the permit holder and must include:
 - (i) the make of the firearm;
 - (ii) type of the firearm;
 - (iii) calibre of the firearm; and
 - (iv) manufacturer's serial number or additional identification mark contemplated in section 23(4) of the Act that is reflected on the firearm;
 - (e) the date of issue of the permit and the date of expiry of the permit;
 - (f) information whether the employee has been authorised to-
 - (i) have the firearm in his or her possession after working hours;
 - (ii) carry the firearm on his or her person outside his or her workplace in compliance with the requirements of section 84 of the Act; and
 - (iii) store the firearm at his or her place of residence in a safe or strongroom that conforms to the prescripts of SABS Standards 953-1 or 953-2; and

- (g) the signature of the authorising official.

[78]80 Carrying of handgun by employee of Official Institution in holster

A holster contemplated in section 98(5)(a) of the Act must conform to the following requirements when the employee of the Official Institution is on duty and performs official duties:

- (a) In uniform, the firearm must be carried in a holster that is worn by or attached to his or her person and the make must be such that a safety-clip to lock in the firearm must be provided and such a holster may be exposed;
- (b) in mufti, the firearm must be carried in a holster that is worn by or attached to his or her person and the make must be such that a safety-clip to lock in the firearm must be provided and such a holster must be concealed.

[79]81 Prescribed training and test in respect of employee of Official Institution

- (1) The training and testing of an employee for the safe use of firearms as contemplated in section 98(8)(b) of the Act, must comply with the provisions of the South African Qualifications Authority Act, 1995 (Act 58 of 1995) read with the Skills Development Act, 1998 (Act 97 of 1998).
- (2) (a) The Head of an Official Institution must apply the provisions of section 9(2)(d) to (p) of the Act in respect of an employee who will be required to handle firearms as part of his or her work and to whom the Official Institution will issue a firearm and firearm permit to ensure the competency of the employee of the Official Institution to possess and use a firearm under the control of the Official Institution.
- (b) In order to sustain the competency of an employee of an Official Institution to whom a firearm was issued the head of the Official Institution must-
- (i) ensure that he or she undergo at least two [one] practical training session at least every 12 months or within a shorter period as may be reasonably necessary in the circumstances,

in the proper and safe handling and use of the relevant firearm and ammunition; and

- (ii) undergo psychological debriefing within 48 hours after experiencing any violent incident, discharging their firearm or witnessing a shooting.

[80]82 Provision of firearm training by Official Institutions

- (1) An Official Institution that provide firearms to its employees, must ensure that its employees receive the necessary practical and theoretical training to ensure that the employees are competent to possess and use the firearms.
- (2) All practical training or testing which will involve the actual firing of a firearm shall be conducted at a shooting range that complies with the applicable compulsory specification set in terms of the Standards Act, 1993 (Act 29 of 1993) and which has been accredited under this Act.
- (3) An Official Institution must ensure that the prescribed training is only provided by a person registered in terms of the South African Qualifications Authority Act, 1995 (Act 58 of 1995) read with the Skills Development Act, 1998 (Act 97 of 1998) and who is accredited with [POSLEC SETA] SASS as a service provider to provide training in the safe use and handling of firearms.

[81]83 Registers to be kept by Official Institution

- (1) The head of an Official Institution must keep a register as contemplated in section 99(1) of the Act in the format of an electronic database known as 'the Firearms Stock Register', in respect of every firearm contemplated in section 99(2) of the Act, as well as, all ammunition pertaining to such firearms which it has under its control.
- (2) The Firearms Stock Register must be accessible at the place where the firearms and ammunition are stored and controlled.

[82]84 Particulars that register must contain

-
- (1) A register contemplated in section 99 of the Act must, in addition to the particulars prescribed in section 99(2) of the Act contain-
- (a) the make, type, calibre of the firearm, as well as, every manufacturer's serial number or additional identification mark contemplated in section 99(3) of the Act that is reflected on the firearm under control of the Official Institution;
 - (b) the full particulars and address of the institution from whom the firearm was acquired or to whom and how it was disposed of;
 - (c) calibre, make, type, quantity, date of receipt and handing out of ammunition under its control; and
 - (d) concerning the employee who, in terms of Chapter 11 of the Act is allowed to be in possession of the firearm, a detailed record of the-
 - (i) make, type, calibre of the firearm, as well as, every manufacturer's serial number or additional identification mark contemplated in section 99(3) of the Act that is reflected on the firearm that was handed to the employee concerned;
 - (ii) calibre, make, type and quantity of ammunition that was handed to the employee concerned;
 - (iii) full names, surname, identity number and physical address of the employee to whom the firearm and ammunition was provided;
 - (iv) date and time of issuing of the firearm and ammunition;
 - (v) reference number of the permit contemplated in section 98 of the Act that was issued to the employee; and
 - (vi) date and time of the return of the firearm.
- (2) (a) The head of an Official Institution must keep a printed record at the place where the firearm and ammunition is stored and controlled whereon, at the handing over of and return of the firearm and ammunition, the employee must append his or her signature as proof of receipt and return of the firearm and ammunition.
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- (b) The permit contemplated in section 98 of the Act must on the return of the firearm and ammunition be affixed to the record contemplated in subparagraph (a).
- (3) The head of an Official Institution, must keep a register prescribed in this regulation for a period of 10 years from the date of the last entry therein.

[83]85 Identification marks in respect of firearms under control of Official Institution

The Registrar may allocate a unique identification mark to an Official Institution which must be stamped, engraved, stencilled or etched on the metal part of the firearm and which must not form part of the manufacturer's serial number or additional identification mark contemplated in section 23 of the Act.

[84]86 Establishment of central Official Institution firearms database

- (1) The Registrar must maintain a central Official Institution firearms database which is linked and can interface with the electronic network connectivity of the workstations of Official Institutions as contemplated in regulation [85]87.
- (2) The central Official Institution firearms database must contain the-
 - (a) particulars prescribed in regulation [82]84(1); and
 - (b) full names, surname, identity number and physical address of every employee who was issued with a permit contemplated in section 98 of the Act.

[85]87 Establishment and maintenance of Official Institution's workstation

- (1) The workstation of an Official Institution contemplated in section 101 of the Act, must be linked to the central Official Institution firearms database by way of software and an electronic network connectivity that can interface with the infrastructure and standards of the South African Police Service.
- (2) An Official Institution must establish a 24 hour on line electronic connectivity which links the registers prescribed in regulation [82]84 to the central Official Institution firearms database.

- (3) If any circumstance occur which prevents an Official Institution to provide online access by means of the electronic network connectivity as contemplated in section 101(b) of the Act, the Registrar must be informed immediately in order to establish alternative means to gain such access.

CHAPTER 10 SAFE CUSTODY OF FIREARMS AND AMMUNITION

186188 Safes and safe custody

- (1) When a muzzle loading firearm or firearm is not under the direct personal and physical control of a holder of a certificate, licence, authorisation or permit to possess the muzzle loading firearm or firearm, the muzzle loading firearm or firearm and its ammunition must be stored in a safe or strongroom that conforms to the prescripts of SABS Standard 953-1 and 953- 2, unless otherwise specifically provided in these Regulations.
- (2) Subject to regulation 136138(2) a dealer and gunsmith must store muzzle loading firearms, firearms and ammunition in a safe or strongroom that conforms to the prescriptions of SABS Standard 953-1 and 953-2, at the place of business specified on the applicable licence, authorisation and permit, as the case may be.
- (3) A manufacturer must store muzzle loading firearms, firearms and ammunition in a safe or strongroom that conforms to the prescripts of SABS Standard 953-1 and 953- 2, or an explosives magazine licensed in terms of the Explosives Act, 1956 (Act 26 of 1956) at the place of business specified on the applicable licence, authorisation and permit, as the case may be.
- (4) (a) A person who holds a competency certificate to possess muzzle loading firearms or a licence to possess a firearm may store a muzzle loading firearms or firearm in respect of which he or she does not hold a licence, if-
- (i) he or she is in possession of a written authorisation prescribed in Annexure A [permission] given by the person

who holds a competency certificate, licence, permit or authorisation to possess that muzzle loading firearm or firearm and which permission is endorsed by a relevant Designated Firearms Officer; and

- (ii) the muzzle loading firearm or firearm is stored in a prescribed safe at the place mentioned in the permission contemplated in subparagraph (i).
 - (b) Only the person who holds a competency certificate, licence, permit or authorisation to possess the muzzle loading firearm or firearm may transport that muzzle loading firearm or firearm to and from the place where that muzzle loading firearm or firearm is to be stored in terms of paragraph (a).
 - (c) The permissions contemplated in paragraph (a), must specify the period for which the person concerned may store the muzzle loading firearm or firearm, the reason for the storage and it must contain sufficient particulars to identify the competency certificate, licence, permit or authorisation and also the muzzle loading firearm or firearm in question, as well as, the name, identity number and physical address of the holder of the competency certificate or licence and the person to whom the authority is granted.
 - (d) A permit contemplated in subparagraph (a) may be cancelled at any time by a relevant Designated Firearms Officer on good cause.
 - (e) A muzzle loading firearm or firearm stored in terms of this regulation may not be used by the person who provides the storage or any other person while it is stored in terms of this regulation.
 - (f) Only the holder of the competency certificate or licence **(applying)** applicable to the muzzle loading firearm or firearm may remove the muzzle loading firearm or firearm from the safe or strongroom where it is stored.
- (5) In the case of any premises where firearm control is exercised by the occupier of the premises, the holder of a licence, authority or permit issued in terms of the Act, may hand a muzzle loading firearm, firearm and ammunition that is in the possession of the said holder when entering the premises, to a person designated thereto by the said

occupier, who must hold an authorisation issued in terms of section 21 of the Act, to store the firearm and ammunition on behalf of the holder of the competency certificate, licence, authority or permit for such period as is necessary under the circumstances in a safe or strongroom that complies with the standards set out in SABS Standard 953-1 or 953-2 or a prescribed lock-away safe that can only be opened by the designated person and the holder of the competency certificate or licence jointly and which is installed on the premises.

- (6) Where a temporary authorisation has been issued-
- (a) to possess a firearm in terms of section 21 of the Act;
 - (b) to trade in muzzle loading firearms, firearms or ammunition on premises other than those specified in the applicable dealer's licence in terms of section 36 of the Act;
 - (c) to display muzzle loading firearms, firearms or ammunition at other premises than those specified on the applicable manufacturer's licence in terms of section 50 of the Act; or
 - (d) to conduct business as a gunsmith on premises other than those specified in the applicable gunsmith's licence in terms of section 64 of the Act,

the Registrar may in the absence of specific prescripts in terms of these Regulations impose such reasonable conditions as are necessary under the circumstances concerning the safe custody of the muzzle loading firearms, firearms and ammunition.

- (7) Where an import, export or in-transit permit has been issued in terms of section 74 of the Act, or a firearm transporters permit has been issued in terms of section 86 of the Act, the Registrar may impose such reasonable precautions as are necessary under the circumstances concerning the safe custody of the muzzle loading firearms, firearms and ammunition.
- (8) An existing safe, strongroom, device, apparatus or instrument for the safe custody of firearms, which complies with the regulations under the previous Act, will be deemed to comply with the standards set out in SABS Standard 953-1 and 953-2 for all purposes of this Act, if the Registrar issues a certificate to this effect.

- (9) The Registrar may issue a certificate contemplated in subregulation (8) in respect of any safe, strongroom, device, apparatus or instrument in existence at the inception of these Regulations that does not technically correspond to the specifications set in the Standards referred to in subregulation (8), but that would, in the opinion of the Registrar, effectively and substantively serve the same purpose: Provided that the specification accepted by the Registrar must not be less than as was prescribed in terms of the previous Act at the time of the latest issuing of a licence or other applicable authorisation to possess a firearm for which the safe, strongroom, device, apparatus or instrument was approved.
- (10) Any muzzle loading firearms, firearm or ammunition that is imported into the Republic of South Africa and that needs to be stored in compliance with the Customs and Excise Act, 1964 (Act 91 of 1964) must at all times be stored in compliance with the requirements for safe custody and storage of firearms and ammunition as provided in these Regulations.
- (11) (a) Muzzle loading firearms and firearms other than those in respect of which a licence for self-defence in terms of section 13 of the Act has been issued, must be stored unloaded in accordance with these Regulations.
- (b) Any person who may lawfully possess a muzzle loading firearm, firearm or ammunition shall store these in a prescribed safe or strongroom, to which he or she shall have at all time exclusive access or his or her presence and co-operation shall be a necessary prerequisite for access to the relevant muzzle loading firearm, firearm and ammunition unless-
- (i) the storage is undertaken by the holder of a dealer's of gunsmith's licence in which case the dealer or the dealer's personnel with valid competency certificates, or the gunsmith may have access to the safe or strongroom; or
- (ii) the muzzle loading firearm or firearm is temporarily stored in a safe or strongroom that conforms to the prescripts of SABS Standard 953-1 and 953-2 or a lock-away safe, device, apparatus or instrument for the safe custody of a muzzle loading firearm or firearm that conforms to the prescripts of subregulation (12), that is under the control of a holder of a competency certificate, licence, authorisation or permit

issued in terms of this Act, the person storing the muzzle loading firearm or firearm must in writing notify the Designated Firearm Officer in whose area the firearm is temporarily stored.

- (12) A lock-away safe, apparatus, device and instrument for safe custody of a muzzle loading firearm, firearm or ammunition, must to the satisfaction of the Registrar comply with the following requirements-
- (a) be manufactured from steel of at least 2mm thick;
 - (b) be capable of enclosing or covering the muzzle loading firearm or firearm concerned wholly;
 - (c) have an effective integral locking mechanism;
 - (d) have a hinge mechanism for the cover or lid thereof which shall ensure that when the locking pin thereof is removed, the cover or lid shall not be capable of being opened or removed;
 - (e) have a facility with the aid or use of which the lock-away safe, apparatus, device or instrument may be securely affixed to another structure such as a wall or a floor, or the body of a vehicle; and
 - (f) in the case of a lock-away safe used as contemplated in subregulation (5) if such safe can only be locked or opened with two or more keys that have to be used jointly.
- (13) Before a prohibited or restricted firearm which is licensed in terms of section 17(1A) of the Act is stored by the licensed private collector in terms of section 17(3) of the Act, it must undergo a reversible non-damaging procedure complying with one of the following requirements in order to ensure that no cartridge can be loaded into or discharged from that firearm-
- (a) removal of the bolt carrier or bolt and storage of the bolt carrier or bolt in a separate locked part of a safe contemplated in subregulation (1); or
 - (b) removal of the firing pin and insertion of a suitable chamber block to prevent the immediate loading of a cartridge; or

- (c) fitting of a steel trigger lock and insertion of a suitable chamber block to prevent the immediate loading of a cartridge; or
- (d) fitting of a suitable lockable chamber and barrel block comprising a length of steel cable or rod not less than 4 millimetre in diameter, which is passed through the barrel and which is welded or crimped to a brass chamber block on one end and a steel bush on the muzzle end which can be locked by a suitable locking device; or
- (e) any mechanism which serves the same purpose as paragraph (d) and which is approved by the Registrar, or
- (f) a secure locking device which additionally ensures that no cartridge can be loaded into or discharged from that firearm.

CHAPTER 11
ORGANISATIONAL STRUCTURES
PART 1
THE CENTRAL FIREARMS REGISTER

187189 Information that the central database must contain

The central database must, as contemplated by section 125(2) (a) of the Act contain the information that was submitted to the Registrar in a prescribed form, as well as, the information in respect of-

- (a) additional documents provided with an application form for the purpose of accreditation, the issuing of a competency certificate, licence, authorisation, permit, renewal or duplicate thereof;
- (b) a competency certificate, licence, authorisation, permit and a renewal or duplicate thereof, that was issued or refused as a result of an application;
- (c) the termination or cancellation of a competency certificate, licence, authorisation or permit;
- (d) a declaration of unfitness contemplated in Chapter 12 of the Act;
- (e) a disposal of a firearm effected in terms of the Act; and
- (f) regarding the loss, recovery, theft or destruction of firearms-
 - (i) date when the loss, recovery, theft or destruction occurred;

- (ii) circumstances under which the loss, recovery, theft or destruction occurred;
- (iii) full names, surname, identity number and physical address of the person who reported the loss, recovery, theft or destruction of the firearms;
- (iv) particulars of the licence, authorisation or permit pertaining to the firearm or ammunition;
- (v) particulars of the holder as reflected on the licence, authorisation or permit pertaining to the firearm or ammunition;
- (vi) reference number of the police investigation case docket or enquiry file; and
- (vii) police station where the loss, recovery, theft or destruction was reported.

188190 Other documentation and information that central database must contain

The Central database must, in addition to information required by regulation 187189 contain information concerning-

- (a) declarations of unfitness to possess a muzzle loading firearm or firearm in terms of section 102 of the Act;
- (b) the becoming of unfitness to possess a muzzle loading firearm or firearm in terms of section 103 of the Act;
- (c) users of the central database; and
- (d) accreditations.

**PART 2
ADMINISTRATIVE JUSTICE AND APPEALS**

189191 Administrative justice

Any police official taking an administrative decision in terms of the Act which may detrimentally affect the rights of a person, must-

- (a) immediately when the decision is made, record in writing the reasons for the decision;
- (b) append his or her signature, together with the date, to the reasons; and
- (c) without delay notify the person concerned in writing of the decision stating the reasons referred to in paragraph (a) and the date and place where the decision was taken.

[90]92 Appeal board

- (1) The conditions of office, remuneration and allowance of the members of the Appeal Board referred to in section 129(1) of the Act shall be as prescribed in terms of the Public Service Act, 1994 (Proclamation 103 of 1994) as at the date of promulgation of these Regulations for persons with qualifications and experience corresponding to those of the members of the Appeal Board.
- (2) A person may only act as a member of the Appeal Board if he or she has practiced in his or her specific field of knowledge for five years.
- (3) Subject to the provisions of section 129(2) of the Act, a member of the Appeal Board will be appointed for a period of five years.
- (4) A member of the Appeal Board may be re-appointed.
- (5) The seat of the Appeal Board shall be in Pretoria, but the Board may sit in any other locality for the purpose of hearing an appeal where oral submissions have been allowed.
- (6) The Minister shall nominate a member of the Appeal Board as Chairperson of the Appeal Board.
- (7) The Chairperson shall determine the times when the Appeal Board shall meet and the procedure to be followed at meetings.
- (8)
 - (a) For the purposes of a meeting of the Appeal Board the Chairperson and two members shall form a quorum.
 - (b) The decision of the majority of the members present at a meeting of the Appeal Board shall constitute a decision of the Appeal Board: Provided that in the event of an equality of votes on any matter,