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SOUTH AFRICA



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No. 16645

PROCLAMATION

*by the
President*

of the Republic of South Africa

No. R. 81, 1995

THE ARMS, AMMUNITION AND ARMAMENT
LAWS TRANSITIONAL REGULATION ACT, 1995
(ACT No. 8 OF 1995)

COMMENCEMENT

In terms of section 6 of the Arms, Ammunition and Armament Laws Transitional Regulation Act, 1995 (Act No. 8 of 1995), I hereby determine **1 September 1995**, as the date on which the said Act shall come into operation.

Given under my Hand and the Seal of the Republic of South Africa at Cape Town this Eighteenth day of August, One thousand Nine hundred and Ninety-five.

N. R. MANDELA,
President.

By Order of the President-in-Cabinet:

F. S. MUFAMADI,
Minister of the Cabinet.

93930—A

PROKLAMASIE

*van die
President*

van die Republiek van Suid-Afrika

No. R. 81, 1995

OORGANGSREËLINGSWET OP WETTE RAKENDE
WAPENS, AMMUNISIE EN WAPENTUIG, 1995
(WET No. 8 VAN 1995)

INWERKINGTREDING

Kragtens artikel 6 van die Oorgangsreëlingswet op Wette rakende Wapens, Ammunisie en Wapentuig, 1995 (Wet No. 8 van 1995), bepaal ek hierby **1 September 1995**, as die datum waarop die genoemde Wet in werking tree.

Gegee onder my Hand en die Seël van die Republiek van Suid-Afrika te Kaapstad, op hede die Agtiende dag van Augustus Eenduisend Negehoenderd Vyf-en-negentig.

N. R. MANDELA,
President.

Op las van die President-in-Kabinet:

F. S. MUFAMADI,
Minister van die Kabinet.

16645—1

GOVERNMENT NOTICE**MINISTRY OF SAFETY
AND SECURITY****No. R. 1360****1 September 1995**

REGULATIONS UNDER THE ARMS, AMMUNITION
AND ARMAMENT LAWS TRANSITIONAL REGULA-
TION ACT, 1995 (ACT No. 8 OF 1995)

The Deputy Minister of Safety and Security, acting on behalf of and on assignment by the Minister of Safety and Security, has under section 5 of the Arms, Ammunition and Armament Laws Transitional Regulation Act, 1995 (Act No. 8 of 1995), made the regulations in the Schedule.

SCHEDULE**Definitions**

1. In these regulations "the Act" shall mean the Arms, Ammunition and Armament Laws Transitional Regulation Act, 1995 (Act No. 8 of 1995), any word or expression to which a meaning has been assigned in the Act, shall have the meaning so assigned to it and, unless the context indicates otherwise—

(i) "licence" means a licence to possess an arm, issued by a commissioner of police of the former Transkei, Bophuthatswana, Venda or Ciskei, under a provision of an Act mentioned in the schedule to the Act; (i)

(ii) "licence holder" means a person who is the holder of a licence. (ii)

Furnishing of particulars and substitution of licence

2. (1) (a) A licence holder shall within a period of 12 months after the coming into operation of these regulations furnish the particulars, relating to the possession of an arm concerned, in the form set out by Annexure A to these regulations, to a police official on duty at a police station, and shall attach the following documentation thereto—

- (i) a set of fingerprints of the licence holder;
- (ii) a copy of the first page of the identity document of the licence holder; and
- (iii) a copy of his licence.

(b) A police official may, notwithstanding the provisions of paragraph (a), direct a person alleging that he is a licence holder, or whom the police official suspects or knows to be a licence holder, in the form and manner as may have been determined by the Commissioner, to comply with the provisions of that paragraph within a period of four weeks after the date of the direction, and submit to him a written acknowledgement of receipt as determined by the Commissioner in respect of the direction, for his signature.

(2) The police official on duty referred to in subregulation (1) shall—

(a) after receipt of the relevant particulars and documentation, make a note thereon in register SAP86, and enter an appropriate reference number on the form set out in Annexure A;

GOEWERMENTSKENNISGEWING**MINISTERIE VAN VEILIGHEID
EN SEKURITEIT****No. R. 1360****1 September 1995**

REGULASIES KRAGTENS DIE OORGANGSREËL-
INGSWET OP WETTE RAKENDE WAPENS,
AMMUNISIE EN WAPENTUIG, 1995 (Wet No. 8 VAN
1995)

Die Adjunkminister van Veiligheid en Sekuriteit, handelende namens en in opdrag van die Minister van Veiligheid en Sekuriteit, het kragtens artikel 5 van die Oorgangsreëlingswet op Wette rakende Wapens, Ammunisie en Wapentuig, 1995 (Wet No. 8 van 1995), die regulasies in die Bylae uitgevaardig.

BYLAE**Woordomskrywing**

1. In hierdie regulasies beteken "die Wet" die Oorgangsreëlingswet op Wette rakende Wapens, Ammunisie en Wapentuig, 1995 (Wet No. 8 van 1995), het 'n woord of uitdrukking waaraan 'n betekenis in die Wet geheg word, die betekenis aldus daaraan geheg en, tensy uit die samehang anders blyk, beteken—

(i) "lisensie" 'n lisensie om 'n wapen te besit, uitgereik deur 'n kommissaris van polisie van die voormalige Transkei, Bophuthatswana, Venda of Ciskei, kragtens 'n bepaling van 'n Wet vermeld in die Bylae by die Wet; (i)

(ii) "lisensiehouer" 'n persoon wat 'n houer is van 'n lisensie. (ii)

Verstreking van besonderhede en vervanging van lisensie

2. (1) (a) 'n Lisensiehouer moet binne 'n tydperk van 12 maande na die inwerkingtreding van hierdie regulasies die besonderhede, met betrekking tot die besit van die betrokke wapen, op die vorm by Aanhangsel A by hierdie regulasies uiteengesit, aan 'n polisiebeampte aan diens by 'n polisieestasie verstrek, en daarby die volgende dokumentasie aanheg—

- (i) 'n stel vingerafdrukke van die lisensiehouer;
- (ii) 'n afskrif van die eerste bladsy van die lisensiehouer se identiteitsdokument; en
- (iii) 'n afskrif van sy lisensie.

(b) 'n Polisiebeampte kan, ondanks die bepalings van paragraaf (a), 'n persoon wat beweer dat hy 'n lisensiehouer is of wat die polisiebeampte vermoed of weet 'n lisensiehouer te wees, op die vorm en wyse soos deur die Kommissaris bepaal, gelas om aan die bepalings van daardie paragraaf te voldoen binne 'n tydperk van vier weke na die datum van die lasgewing, en aan die persoon 'n deur die Kommissaris bepaalde skriftelike ontvangserkenning ten opsigte van die lasgewing voorlê, wat die persoon moet onderteken.

(2) Die polisiebeampte aan diens bedoel in subregulasie (1) moet—

(a) na ontvangs van die betrokke besonderhede en dokumentasie, 'n aantekening in register SAP86 daarvoor maak, en 'n toepaslike verwysingsnommer op die vorm in Aanhangsel A uiteengesit, aanbring;

(b) verify all the relevant particulars and documentation and if he is convinced that correct particulars have been furnished of the person and arm concerned, sign and date the declaration set out in paragraph D of Annexure A; and

(c) thereafter deal with the documents in accordance with applicable directions of the Commissioner for the purposes of the issue to the licence holder of a substituted licence referred to in section 3 of the principal Act.

Application of provisions of principal Act in respect of substituted licence

3. Subject to section 2 (2) of the Act, the provisions of sections 3 (2), (3) and 7, of the principal Act shall in particular apply *mutatis mutandis* in respect of the issue of a said substituted licence: Provided that any such licence shall be issued free of charge.

Issue of substituted licence

4. No substituted licence shall be handed over unless the prospective holder thereof has surrendered his existing licence for cancellation at the police station concerned.

Penalties

5. Any person—

(a) shall on conviction of an offence contemplated in section 4 (2) of the Act, be liable to punishment with a fine or a period of imprisonment not exceeding 12 months, or with both such fine and such imprisonment;

(b) (i) to whom no direction contemplated in regulation 2 (1) (b) has been issued and who has contravened a provision of regulation 2 (1) (a); or

(ii) who has failed or refused to comply with a direction contemplated in regulation 2 (1) (b), or to sign the acknowledgement of receipt referred to in that regulation,

shall be guilty of an offence and shall be liable on conviction to the penalties mentioned in paragraph (a).

(b) al die betrokke besonderhede en dokumentasie nagaan en indien hy oortuig is dat korrekte besonderhede verstrekkend is van die betrokke persoon en wapen, die verklaring uiteengesit in paragraaf D van Aanhangsel A onderteken en dateer; en

(c) daarna die stukke hanteer ooreenkomstig toepaslike voorskrifte van die Kommissaris vir die doeleindes van die uitreiking aan die lisensiehouer van 'n vervangende lisensie bedoel in artikel 3 van die Hoofwet.

Toepassing van bepalinge van Hoofwet ten opsigte van vervangende lisensie

3. Behoudens artikel 2 (2) van die Wet, is die bepalinge van artikels 3 (2), (3) en 7, van die Hoofwet in die besonder *mutatis mutandis* van toepassing ten opsigte van die uitreiking van bedoelde vervangende lisensie: Met dien verstande dat so 'n lisensie kosteloos uitgereik word.

Uitreiking van vervangende lisensie

4. Geen vervangende lisensie word oorhandig nie, tensy die voornemende houer daarvan sy bestaande lisensie vir kansellering by die betrokke polisie-stasie ingehandig het.

Strawwe

5. 'n Persoon—

(a) is by skuldigbevinding aan 'n misdryf beoog in artikel 4 (2) van die Wet, strafbaar met 'n boete of gevangenisstraf vir 'n tydperk van hoogstens 12 maande, of met sowel daardie boete as daardie gevangenisstraf;

(b) (i) aan wie daar nie 'n lasgewing beoog in regulasie 2 (1) (b) uitgereik is nie en wat 'n bepaling van regulasie 2 (1) (a) oortree; of

(ii) wat versuim of weier om aan 'n lasgewing beoog in regulasie 2 (1) (b) te voldoen, of om die ontvangserkenning in daardie regulasie beoog, te onderteken,

is skuldig aan 'n misdryf en by skuldigbevinding strafbaar met die strawwe in paragraaf (a) vermeld.

ANNEXURE A

Ref. No.

NAME OF POLICE STATION

FURNISHING OF INFORMATION IN TERMS OF REGULATIONS UNDER THE ARMS, AMMUNITION AND ARMAMENT LAWS TRANSITIONAL REGULATION ACT, 1995 (ACT No. 8 OF 1995)**A. PARTICULARS OF LICENCE HOLDER:**

SURNAME

NAMES

IDENTITY NUMBER

FULL RESIDENTIAL ADDRESS

.....

.....

TELEPHONE: Code..... Number

NEAREST POLICE STATION.....

B. PARTICULARS OF ARM:

Description

.....

Calibre.....

Serial Number

C. DOCUMENTATION TO ACCOMPANY THIS FORM:

1. Fingerprints.
2. Copy of first page of Identity document.
3. Copy of licence.

D. STATEMENT OF POLICE OFFICIAL RECEIVING DOCUMENTATION:

I, (name), (rank),
..... (number), hereby declare that I have verified all particulars of the
licence holder and the arm, and that they correspond with the particulars furnished by the licence
holder (name).

.....
Signature

AANHANGSEL A

Verw. No.

NAAM VAN POLISIESTASIE

VERSTREKKING VAN INLIGTING INGEVOLGE REGULASIES KRAGTENS DIE OORGANGSREËLINGSWET OP WETTE RAKENDE WAPENS, AMMUNISIE EN WAPENTUIG, 1995 (WET No. 8 VAN 1995)**A. BESONDERHEDE VAN LISENSIEHOUER:**

VAN

NAME

IDENTITEITSNOMMER

VOLLEDIGE WOONADRES

.....

.....

TELEFOON: Kode Nommer

NAASTE POLISIESTASIE

B. BESONDERHEDE VAN WAPEN:

Beskrywing

.....

Kaliber

Reeksnommer

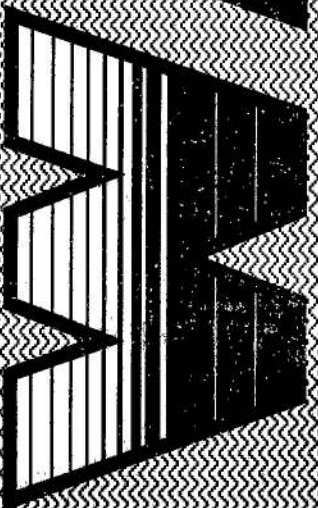
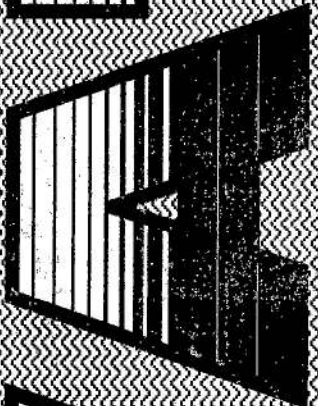
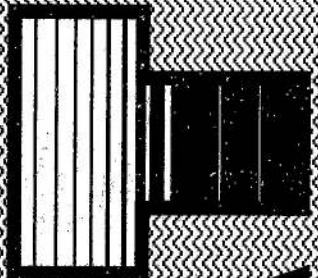
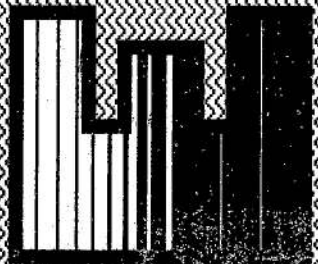
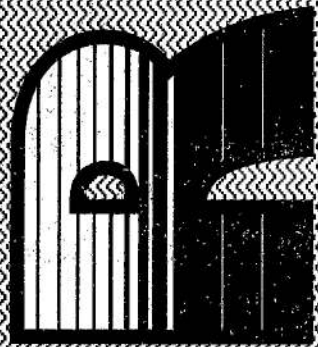
C. DOKUMENTASIE WAT HIERDIE VORM MOET VERGESEL:

1. Vingerafdrukke.
2. Afskrif van eerste bladsy van Identiteitsdokument.
3. Afskrif van lisensie.

D. VERKLARING VAN POLISIEBEAMPTTE WAT DOKUMENTASIE ONTVANG:

Ek, (naam), (rang),
..... (nommer), verklaar hierby dat ek die besonderhede van die
lisensiehouer en die wapen nagegaan het, en dat dit ooreenstem met die besonderhede verstrek deur die
lisensiehouer (naam).

.....
Handtekening



DON'T

WASTE

IT!



W

E

R

S

A



WERK



SPAARSAAM



DAARMEE !



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