

Are you a Gun Owner?

HOW TO AVOID ARREST!!



No, that is not just an 'alarmist' or sensation-seeking headline. All law-abiding gun owners must be told that, **after midnight on 30 June 2009**, all firearm licences, permits or other authorizations (including storage permits) issued under the 'old' Arms & Ammunition Act (No 75 of 1969) **will be invalid.**

From 1 July 2009 therefore, anyone in possession of a firearm without 'new' papers opens himself to being charged with various offences under the 'new' Firearms Control Act, No 60 of 2000. Indeed, the SAPS have gone so far as to threaten disciplinary action should their members fail to (very!?) strictly implement the provisions of the Act.

ACT NOW TO PROTECT YOURSELF, YOUR RIGHTS AND YOUR PROPERTY

As this brief notice is not fully comprehensive, if you **could be affected** in any way by what is scheduled to happen on and after 30 June, check our website <www.saga.org.za> for updates and further details.

DO NOT sit back and wait for a knocking on your door.

If you have 'new' licences for all your firearms; or if you have satisfactory documentary proof that you applied (before 1 April 2009) to renew your old licences; you should not be in any trouble. (Despite official regulations to the contrary, the SAPS must accept a 'revenue receipt' and/or form SAPS 523 as satisfactory proof.)

But, **beware.** If, before 30 June 2009, you sold, donated, or otherwise lawfully disposed of a firearm for which you had only an 'old' licence, you are not in the clear unless the new owner obtains his/her licence (which he must have applied for before 30 June 2009) **and takes possession** by midnight on 30 June when your old licence, and the dealer's storage permit, if any, 'expire'.

If a seller is waiting in limbo, while the buyer's licence application is under consideration, he has two basic options: 1) Have the local police station take the firearm into its SAPS I3 store for safe-keeping; or 2) Apply for a Section 21 Temporary Authorization to keep possession until the decision is made. (Use form SAPS 518 available on SAGA's website.) If the buyer is granted the licence, either directly or after a successful Appeal, all is well, ownership changes hands.

If the buyer is **not granted** the licence, even after appeal, all is **very definitely not well.** The firearm is forfeited to the State to be destroyed – whether its value is R250 or R250 000 or it is a priceless family heirloom. In short, the SAPS succeed in 'reducing the proliferation of firearms', and dress up this unlawful expropriation of your property as "failure to obtain a licence" or some such rationalization and will report it as a "voluntary surrender" in official statistics.

(If you do have to 'surrender' a firearm to the SAPS, insist on applying for compensation at the same time – form SAP 520(d) is available on our website. Your police station does not have the power to refuse to accept your application for compensation. A 'compensation' case is scheduled for hearing in the Cape High Court in August.)

You will not be given the option of finding a 'suitable' new buyer or family member worthy of the inheritance. You may however have the firearm officially deactivated (by a registered gunsmith only, and at your cost) or 'surrender' it to a trustworthy dealer instead of to the SAPS. If a firearm has special value – plain monetary, heritage, scarcity, collectible, etc, we suggest you take this route, perhaps after consulting your nearest collectors' association. (See our website.)

Although the new Firearms Control Act (No 60 of 2000), the relevant Regulations, and the SA Police Service's various directives issued in terms thereof, are horrendously complex, are subject to arbitrary and unfair interpretation and implementation, lead to injustice, and have provisions that SAGA regards as unconstitutional, like it or not, it is 'the law' and we suggest you strive to obey it while we endeavour to have it changed for the better.

Do your best to avoid becoming one of those against whom police dockets will be opened and/or whose valuable firearms will be forfeited to the State.

This IMPORTANT NOTICE is issued in the public interest by the SA Gunowners' Association

(A non party-political, non-profit association of concerned citizens)

PO Box 35203, Northway, 4065 • Fax 086-553-9615

Website: www.saga.org.za • Email: saga@saga.org.za

Membership enquiries welcome

