

**ARMS AND AMMUNITION AMENDMENT ACT**

**No. 704 10 May 1995**

**NO. 7 OF 1995: ARMS AND AMMUNITION AMENDMENT ACT, 1995.**

It is hereby notified that the President has assented to the following Act, which is hereby published for general information:

**GENERAL EXPLANATORY NOTE:**

Words in *italics* indicate insertions in existing enactments.

**ACT**

To amend the Arms and Ammunition Act, 1969, in order to regulate anew the granting of indemnity in respect of the unlawful possession of arms, ammunition and armament which are surrendered to the State; and to provide for incidental matters.

(Afrikaans text signed by the President.) (Assented to 3 May 1995.)

**BE IT ENACTED** by the Parliament of the Republic of South Africa, as follows:-

**Repeal of section 4 of Act 75 of 1969, as substituted by section 5 of Act 60 of 1988**

1. Section 4 of the Arms and Ammunition Act, 1969, is hereby repealed.

**Insertion of section 45A in Act 75 of 1969**

2. The following section is hereby inserted after section 45 of the Arms and Ammunition Act, 1969:

"Special provisions relating to the surrender of arms, ammunition and armament in unlawful possession to the State

*45A. (1) The Minister may from time to time by notice in the Gazette determine a period during which any person who is in possession of any arm, ammunition or armament in contravention of the provisions of this Act, may surrender that arm, ammunition or armament at a place and to a person or the holder of an office mentioned in that notice.*

*(2) No person-*

*(a) who has surrendered any arm, ammunition or armament in terms of a notice referred to in subsection (1), shall be prosecuted for a contravention of a provision of this Act for having been in possession of such arm, ammunition or armament prior to such surrender, without having held a licence or permit for such possession or, in respect of ammunition, without having been in lawful possession of an arm capable of firing such ammunition;*

*(b) shall, after the surrender of any armament, be prosecuted for a contravention of a provision of this Act for not having reported to a policeman that he or she had knowledge of the unlawful possession of such armament by any other person or the presence of such armament in or on any premises.*

*(3) If a person who has surrendered any such arm in terms of a notice referred to in subsection (1), having made application, obtains a licence under this Act to possess such arm, that arm and any ammunition surrendered with it shall on production of such licence be returned to that person.*

*(4) The Commissioner shall, in such manner as the Minister may direct, dispose of any arm, ammunition or armament surrendered in terms of any such notice, except an arm in respect of which a licence has not been finally refused and any ammunition surrendered with that arm."*

### **Short title and commencement**

3. This Act shall be called the Arms and Ammunition Amendment Act, 1995, and shall be deemed to have come into operation on 1 December 1994.