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GENERAL EXPLANATORY NOTE:

[ ] Words in bold type in square brackets indicate omissions from existing enactments.

_____ Words underlined with a solid line indicate insertions in existing enactments.

(English text signed by the President.)
(Assented to 17 August 2007.)

ACT

To amend the Firearms Control Act, 2000, so as to amend, delete and insert certain definitions; to provide for the control of muzzle loading firearms; to provide for the control of a certain device; to provide for the Registrar to determine the sufficiency of the set of fingerprints an applicant must from time to time provide; to provide for a written notification in respect of the substitution of a responsible person; to provide for a procedure to cancel an accreditation; to provide for the renewal of a competency certificate; to delete the restriction on magazine capacity of a semi-automatic shotgun for use by a dedicated hunter or sports person; to provide for a licence to possess a firearm for professional hunting; to provide that prohibited and restricted firearms may only be collected if made inoperable; to provide for the cancellation of a temporary permit to possess a firearm; to extend the validity period of licences and permits; to subject the export of firearms and ammunition to the relevant provisions of the National Conventional Arms Control Act, 2002; to provide for non-automatic disqualification to possess a firearm in the event of the payment of an admission of guilt fine; to provide for the holding of an inquiry contemplated in section 102 in the absence of the person concerned under certain circumstances; to amend the procedure for the cancellation of certain licences, permits, authorisations and competency certificates; to provide for the establishment of an informal consultative forum, and to provide for compliance with the provisions of the National Heritage Resources Act, 1999, in instances where firearms are to be destroyed; and to provide for matters connected therewith.

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

Amendment of section 1 of Act 60 of 2000, as amended by section 1 of Act 43 of 2003

1. Section 1 of the Firearms Control Act, 2000 (hereinafter referred to as the principal Act), is hereby amended— 5

(a) by the substitution for the definition of "ammunition" of the following definition:

" **'ammunition'** means a primer or **[complete]** cartridge;";

(b) by the deletion of the definition of "antique firearm";

(c) by the insertion after the definition of **"Appeal Board"** of the following definition:

" **'calibre'**, for the purposes of sections 18(2)*(b)* and 19(3), means a cartridge as described by dimensions and make, mark, model or type;";

(d) by the substitution for the definition of "cartridge" of the following definition:

" **'cartridge'** means a complete object consisting of a cartridge case, primer (whether rimfire or otherwise), propellant and a bullet or shot, as the case may be;";

(e) by the insertion after the definition of **"Designated Firearms Officer"** of the following definition:

" **'dispossession'**, for the purposes of section 118, means selling, supplying or in any other manner giving possession in contravention of section 120(10)*(a)*;";

(f) by the substitution in the definition of "firearm" for the words following upon paragraph *(e)* of the following words:

"but does not include a muzzle loading firearm or any device contemplated in section 5;";

(g) by the insertion after the definition of "firearm" of the following definition:

" **'fit and proper person'** means a person who complies with the requirements of section 9(2) and any regulations relevant to the competency of a person to possess a firearm in terms of this act;";

(h) by the substitution for the definition of "juristic person" of the following definition:

" **'juristic person'** includes a trust **[a partnership and any other association of persons]**;";

(i) by the insertion after the definition of Minister" of the following definition:

" **'muzzle loading firearm'** means—

(a) a barreled device that can fire only a single shot, per barrel, and requires after each shot fired the individual reloading through the muzzle end of the barrel with separate components consisting of a—

(i) measured charge of black powder or equivalent propellant;
(ii) wad; and
(iii) lead bullet, sabot or shot functioning as a projectile,

and ignited with a flint, match, wheel or percussion cap;";

(j) by the substitution for the definition of "occasional hunter" of the following definition:

" '**occasional hunter'** means any person who, from time to time, participates in hunting activities **[but who is not a member of an accredited hunting association]**;";

(k) by the substitution for the definition of "occasional sports person" of the following definition:

" **'occasional sports person'** means any person who, from time to time, participates in sports-shooting **[but who is not a member of an accredited sports-shooting organisation]**;"; and

(l) by the insertion, after the definition of "private collector" of the following definition:

" **'professional hunter'** means any person who supervises, escorts, offers to, or agrees to supervise or escort a client, for reward in connection with the hunting of a wild or exotic animal and who is authorised to do so in terms of any applicable provincial law;";

(m) by the insertion after the definition of "restricted firearm" of the following definition:

" **'Secretary for Safety and Security'** means the Secretary for Safety and Security appointed under section 2(2) of the South African Police Service Act, 1995 (Act No. 68 of 1995);".

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Substitution of section 3 of Act 60 of 2000

2. The following section is hereby substituted for section 3 of the principal Act:

"**General prohibition in respect of firearms and muzzle loading firearms**

3. (1) No person may possess a firearm unless he or she holds for that firearm—

(a) a licence, permit or authorisation issued in terms of this Act **[for that firearm]**; or

(b) a licence, permit, authorisation or registration certificate contemplated in item 1, 2, 3, 4, 4A or 5 of Schedule 1.

(2) No person may possess a muzzle loading firearm unless he or she has been issued with the relevant competency certificate.".

Amendment of section 4 of Act 60 of 2000, as amended by section 2 of Act 43 of 2003

3. Section 4 of the principal Act is hereby amended by the substitution in subsection (1) for paragraph *(e)* of the following paragraph:

"*(e)* any imitation of any device contemplated in paragraph **[***(a),***]** *(b), (c)* excluding the frame, body or barrel of a fully automatic firearm, or *(d)*;".

Amendment of section 5 of Act 60 of 2000

4. Section 5 of the principal Act is hereby amended by the substitution in subsection (1) for paragraph *(e)* of the following paragraph:

"*(e)* **[an antique]** a muzzle loading firearm;".

Amendment of section 6 of Act 60 of 2000

5. Section 6 of the principal Act is hereby amended by the substitution in subsection (1) for paragraph *(a)* of the following paragraph:

"*(a)* on receipt of an application completed in the prescribed form, including **[a full set of]** such fingerprints of the applicant as the Registrar may require; and".

Amendment of section 7 of Act 60 of 2000

6. Section 7 of the principal Act is hereby amended—

(a) by the substitution for subsection (4) of the following subsection:

"(4) If it becomes necessary to replace a responsible person for any reason, the juristic person must in writing—

(a) nominate a new responsible person who must be in possession of the relevant competency certificate; and

(b) notify the Registrar of the nomination within seven days from the date of the nomination."; and

(b) by the addition of the following subsection:

"(5) For the purposes of this Act, a juristic person includes a trust, as long as the trust deed—

(a) clearly provides for the possession of firearms, ammunition or muzzle loading firearms by the trust;

(b) stipulates clearly the intended purpose of the possession of firearms, ammunition or muzzle loading firearms by the trust; and

(c) indicates that the possession of the firearms, ammunition or muzzle loading firearms by the trust may only endure as long as the possession is necessary to achieve the stated intended purpose.".

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Amendment of section 8 of Act 60 of 2000

7. Section 8 of the principal Act is hereby amended—

(a) by the substitution for subsection (3) of the following subsection:

"(3) *(a)* The Registrar may, by notice in writing, cancel an accreditation issued in terms of this Act if—

(i) there is no longer compliance with any criterion for accreditation;

(ii) the holder of the accreditation no longer qualifies to hold the accreditation in terms of this Act; or

(iii) the holder of the accreditation has contravened or failed to comply with any provision of this Act or any condition specified in the accreditation.

(b) A notice contemplated in subparagraph *(a)* may only be issued if the Registrar has—

(i) given the holder of the accreditation notice in writing of the grounds on which the cancellation is to be considered;

(ii) informed the holder concerned in writing that he or she may submit written representations, within 30 days, as to why the accreditation should not be cancelled; and

(iii) duly considered any representations received and all the facts pertaining to the matter."; and

(b) by the addition of the following subsections:

"(4) *(a)* If a notice contemplated in subsection (3) is issued in the case of an accreditation in respect of an association or organisation contemplated in section 16, 17, 18 or 19—

(i) such notice must be published in the *Gazette*; and

(ii) the registered members of that association or organisation must, within six months from the date of publication, join another relevant accredited association or organisation.

(b) If a notice contemplated in subsection (3) is issued in the case of a licence issued in terms of section 20(2)*(b)* to *(f)*, the former holder of the accreditation must dispose of the firearm in question through a dealer or in such manner as the Registrar may determine.

(c) The disposal must take place within 60 days of the receipt of the notice or determination.

(5) If the firearm is not disposed of within 60 days—

(a) it must be forfeited to the State; and

(b) the former holder of the accreditation must surrender it immediately at such place and in such manner as the Registrar may determine.

(6) Any period contemplated in this section may be extended by the Registrar on good cause shown.".

Amendment of section 9 of Act 60 of 2000, as amended by section 3 of Act 43 of 2003

8. Section 9 of the principal Act is hereby amended by the substitution for subsection (1) of the following subsection:

"(1) An application for a competency certificate to possess a firearm, to possess a muzzle loading firearm, to possess a firearm as a private collector in such specific category as may be prescribed, to trade in firearms, to manufacture firearms or to carry on business as a gunsmith must be delivered to the Designated Firearms Officer responsible for the area in which the applicant ordinarily resides or in which the applicant's business is or will be situated, as the case may be.".

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Amendment of section 10 of Act 60 of 2000

9. Section 10 of the principal Act is hereby amended—

(a) by the insertion in subsection (1)*(a)* after subparagraph (i) of the following subparagraphs:

"(iA) possess a muzzle loading firearm;

(iB) possess a firearm as a private collector in such specific category as may be prescribed;"

(b) by the substitution for subsection (2) of the following subsection:

"(2) A competency certificate **[lapses after five years from its date of issue]** contemplated in subsection (1)*(a)*(i), (ii), (iii) and (iv), remains valid for the same period of validity as the period determined in this Act in respect of the licence to which the competency certificate relates, unless the competency certificate is terminated or renewed in accordance with the provisions of this Act."; and

(c) by the addition of the following subsection:

"(3) A competency certificate relating to a muzzle loading firearm lapses after ten years from its date of issue, unless the competency certificate is terminated or renewed in accordance with the provisions of this Act.".

Insertion of section 10A in Act 60 of 2000

10. The following section is hereby inserted in the principal Act after section 10:

"**Renewal of competency certificate**

10A. (1) Any holder of a competency certificate contemplated in subsection (2) and section 9(1) and who wishes to renew the competency certificate must apply in the prescribed form to the Registrar for its renewal together with an application for the renewal of the licence to which the competency certificate relates.

(2) Any holder of a competency certificate relating to a muzzle loading firearm who wishes to renew the competency certificate must apply at least 90 days before the date of expiry of the competency certificate in the prescribed form to the Registrar for its renewal.

(3) The application for renewal of a competency certificate must be—

(a) accompanied by a declaration under oath or solemn statement made by the applicant in the prescribed form confirming that the applicant still conforms to the requirements of section 9(2); and

(b) delivered by the applicant to the Designated Firearms Officer responsible for the area in which the applicant ordinarily resides or in which the applicant's business is situated, as the case may be.

(4) No application for the renewal of a competency certificate may be granted unless the applicant satisfies the Registrar that he or she still complies with the requirements for the issuing of a competency certificate in terms of this Act.

(5) The Registrar may grant or refuse the renewal of a competency certificate on the strength of the information and declaration provided by the applicant, but nothing in this section prevents the Registrar from exercising his or her powers in terms of section 124(3)*(a)*, prior to granting or refusing the application.

(6) If an application for the renewal of a competency certificate has been lodged within the period provided for in subsection (2), the competency certificate remains valid until the application is decided.

(7) For the purposes of the renewal of a competency certificate an applicant does not have to comply again with the provisions of section 9(2)*(q)* and *(r)*, unless the Registrar in a specific case, on good grounds being present, requires otherwise.".

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Amendment of section 16 of Act 60 of 2000, as amended by section 4 of Act 43 of 2003

11. Section 16 of the principal Act is hereby amended by the deletion in subsection (1) of paragraph *(c)*.

Insertion of section 16A in Act 60 of 2000

12. The following section is hereby inserted in the principal Act, after section 16:

"**Licence to possess firearm for professional hunting**

16A. (1) A firearm in respect of which a licence may be issued in terms of this section is any—

(a) handgun which is not fully automatic;

(b) rifle or shotgun which is not fully automatic; or

(c) barrel, frame or receiver of a handgun, rifle or shotgun contemplated in paragraph *(a)* or *(b)*.

(2) The Registrar may issue a licence in terms of this section to any natural person who is a professional hunter if the application is accompanied by a sworn statement or solemn declaration from the chairperson of an accredited professional hunting association, or someone delegated in writing by him or her, stating that the applicant is a professional hunter and registered member of that association.

(3) A firearm in respect of which a licence has been issued in terms of this section may be used by the professional hunter for his or her private use and professional hunting purposes where it is safe to use the firearm and for a lawful purpose.

(4) Every accredited professional hunting association must—

(a) keep a register which contains such information as may be prescribed; and

(b) submit an annual report to the Registrar which contains such information as may be prescribed.".

Substitution of section 17 of Act 60 of 2000

13. The following section is hereby substituted for section 17 of the principal Act:

"**Licence to possess firearm in private collection**

17. (1) *(a)* A firearm **[or muzzle loading firearm]** which may be possessed in a private collection is any firearm approved for collection by an accredited collector's association, based upon such historical, technological, scientific, educational, cultural, commemorative, investment, rarity, thematic or artistic value determined by the association.

(b) **[Despite section 4, such prohibited firearm as may be prescribed may be licensed under this section]** Where a firearm is approved for collection as a heritage item as defined in the National Heritage Resources Act, 1999 (Act No. 25 of 1999), such approval is subject to confirmation by the South African Heritage Resources Agency or any of its appointed agents.

(1A) Despite section 4, such prohibited or restricted firearm as may be prescribed may be licensed under this section.

(2) The Registrar may issue a licence in terms of this section to a private collector if the application is accompanied by a sworn statement or solemn declaration from the chairperson of an accredited collectors association, or someone delegated in writing by him or her, stating that the applicant is a registered member of that association and qualifies to collect the firearm, prohibited firearm or restricted firearm.

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(3) The holder of a licence issued in terms of this section—
(a) must store the firearm at the place specified in the licence; and
(b) may only display the firearm in accordance with such safety measures as may be prescribed.

(3A) Before a prohibited or restricted firearm is stored in terms of subsection (3)*(a)*, it must undergo such reversible non-damaging procedure as may be prescribed in order to ensure that no cartridge can be loaded into or discharged from that firearm.

(4) A firearm in respect of which a licence has been issued in terms of this section may be used where it is safe to use the firearm and for a lawful purpose.".

Amendment of section 18 of Act 60 of 2000

14. Section 18 of the principal Act is hereby amended by the substitution for subsection (5) of the following subsection:

(5) Despite section 4, the holder of a permit issued in terms of this section may possess projectiles, rifle grenades and cartridges manufactured to be discharged by prohibited firearms if the propellant, high explosive and primer of the projectiles, rifle grenades and cartridges have been removed or deactivated.

Amendment of section 19 of Act 60 of 2000

15. Section 19 of the principal Act is hereby amended—

(a) by the substitution for subsection (1) of the following subsection:

(1) The Registrar may issue a licence to possess a firearm in a public collection, a permit to possess ammunition in a public collection, or both such permit and licence, to a public collector or an accredited museum.

(b) by the substitution in subsection (2) for paragraphs *(a)* and *(b)* of the following paragraphs respectively:

"*(a)* such prohibited and restricted firearm as may be prescribed may be licensed under this section; and

(b) the holder of a permit issued in terms of this section may possess projectiles, rifle grenades and cartridges manufactured to be discharged by prohibited firearms if the propellant, high explosive and primer of the projectiles, rifle grenades and cartridges have been removed or deactivated.";

(c) by the substitution for subsection (4) of the following subsection:

"(4) A firearm, prohibited firearm and restricted firearm in respect of which a licence has been issued in terms of this section and ammunition in respect of which a permit has been issued in terms of this section, may only be displayed—

(a) in an accredited museum or by an accredited public collector; and

(b) in accordance with such safety measures as may be prescribed."; and

(d) by the insertion after subsection (4) of the following subsection:

"(4A) Before a prohibited or restricted firearm is displayed in terms of subsection (4), it must undergo such reversible non-damaging procedure as may be prescribed in order to ensure that no cartridge can be loaded into or discharged from that firearm.".

Amendment of section 21 of Act 60 of 2000

16. Section 21 of the principal Act is hereby amended by the substitution for subsection (2) of the following subsection:

"(2) *(a)* The Registrar may, subject to paragraph *(b)*, at any time by written notice withdraw an authorisation if any condition contemplated in subsection (1)*(b)* is not complied with.

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(b) A withdrawal notice contemplated in paragraph *(a)* may only be issued if the Registrar has—

(i) given the holder of the authorisation notice in writing of the grounds on which the withdrawal is to be considered;

(ii) informed the holder concerned in writing that he or she may submit written representations within 30 days as to why the authorisation should not be cancelled; and

(iii) duly considered any representations received and all the facts pertaining to the matter.".

Substitution of section 22 of Act 60 of 2000

17. The following section is hereby substituted for section 22 of the principal Act:

"**Holder of licence may allow another person to use firearm**

22. Despite anything to the contrary in this Act but subject to section 120(5), any person who is at least 21 years of age and the holder of a licence to possess a firearm or a competency certificate in respect of a muzzle loading firearm issued in terms of this Act may allow any other person to use that firearm or muzzle loading firearm while under his or her immediate supervision where it is safe to use the firearm or muzzle loading firearm and for a lawful purpose.".

Substitution of section 27 of Act 60 of 2000

18. The following section is hereby substituted for section 27 of the principal Act:

"**Period of validity of licence or permit**

27. A licence or permit mentioned in Column 2 of the Table below remains valid for the period mentioned in Column 3 of that Table.

TABLE

PERIOD OF VALIDITY OF LICENCE OR PERMIT

Section number	Type of licence or permit	Period of validity
13	Licence to possess firearm for self-defence	Five years
14	Licence to possess restricted firearm for self-defence	Two years
15	Licence to possess firearm for occasional hunting and sports-shooting	[Ten] 10 years
16	Licence to possess firearm for dedicated hunting and dedicated sports-shooting	[Ten] 10 years
16A	Licence to possess a firearm for professional hunting	10 years
17	Licence to possess firearm in private collection	[Ten] 10 years
18	Permit to possess ammunition in private collection	[Ten] 10 years
19	Licence to possess firearm, and permit to possess ammunition, in public collection	[Ten] 10 years
20	Licence to possess firearm for business purposes: Business as game rancher and in hunting	[Five]10 years
20	Licence to possess firearm for business purposes: Business other than as game rancher and in hunting	[Two] Five years

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Substitution of section 31 of Act 60 of 2000

19. The following section is hereby substituted for section 31 of the principal Act:

"**Prohibition of unlicensed trading in firearms, muzzle loading firearms or ammunition**

31. (1) No person may trade in any firearm, muzzle loading firearm or ammunition without a dealer's licence.

(2) Subject to subsection (3), a person who is not a dealer may dispose of a firearm, muzzle loading firearm or ammunition only through a dealer or as otherwise provided for in this Act.

(3) A person who wishes to sell or donate a firearm, or a muzzle loading firearm, or ammunition in a collection, to a willing buyer or donee, as the case may be, may do so without the intervention of a dealer, **[but]** subject to the provisions relating to possession thereof in the Act, and such conditions as **[the Designated Firearms Officer]** may **[determine]** be prescribed.".

Amendment of section 42 of Act 60 of 2000

20. Section 42 of the principal Act is hereby amended by the substitution in subsection (1) for paragraph *(a)* of the following paragraph:

"*(a)* upon the expiry of **[one year]** five years from the date on which it was issued;".

Substitution of section 45 of Act 60 of 2000

21. The following section is hereby substituted for section 45 of the principal Act:

"**Prohibition of unlicensed manufacture of firearms, muzzle loading firearms and ammunition**

45. (1) No person may manufacture any firearm, muzzle loading firearm or ammunition without a manufacturer's licence.

(2) A manufacturer may only sell firearms, muzzle loading firearms and ammunition to a dealer or to the State, and may export firearms, muzzle loading firearms and ammunition subject to section 73(1).".

Amendment of section 56 of Act 60 of 2000

22. Section 56 of the principal Act is hereby amended by the substitution in subsection (1) for paragraph *(a)* of the following paragraph:

"*(a)* upon the expiry of **[one year]** five years from the date on which it was issued;".

Amendment of section 70 of Act 60 of 2000

23. Section 70 of the principal Act is hereby amended by the substitution in subsection (1) for paragraph *(a)* of the following paragraph:

"*(a)* upon the expiry of **[one year]** five years from the date on which it was issued;".

Substitution of section 73 of Act 60 of 2000

24. The following section is hereby substituted for section 73 of the principal Act:

"**Prohibition of import, export or carriage in-transit of firearms, muzzle loading firearms and ammunition without permit**

73. (1) No person may import into or export from South Africa any firearms, muzzle loading firearms or ammunition without an import or export permit issued in terms of this Act.

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(2) No person may carry in transit through South Africa any firearms, muzzle loading firearms or ammunition without an in-transit permit issued in terms of this Act.".

Amendment of section 88 of Act 60 of 2000

25. Section 88 the principal Act is hereby amended by the addition of the following subsection:

"(3) A notice contemplated in subsection (1) may only be issued if the Registrar has—

(a) given the holder of the permit notice in writing of the grounds on which the withdrawal is to be considered;

(b) informed the holder concerned in writing that he or she may submit written representations within 30 days as to why the permit should not be cancelled; and

(c) duly considered any representations received and all the facts pertaining to the matter.".

Amendment of section 91 of Act 60 of 2000

26. Section 91 of the principal Act is hereby amended by the substitution for paragraph *(a)* of subsection (2) of the following paragraph:

"*(a)* a dedicated hunter, **[or]** dedicated sports person or a professional hunter who holds a licence issued in terms of this Act or any other holder of a licence issued in terms of this Act authorised by the Registrar to possess more than 200 cartridges for a firearm in respect of which he or she holds a licence on good cause shown; or".

Amendment of section 93 of Act 60 of 2000

27. Section 93 of the principal Act is hereby amended by the substitution for paragraph *(b)* of subsection (2) of the following paragraph:

"*(b)* The limitation in paragraph *(a)* does not apply to a dedicated hunter, **[or]** dedicated sports person or professional hunter who holds a licence issued in terms of this Act or any other holder of a licence issued in terms of this Act authorised by the Registrar to possess more than 2 400 primers for a firearm in respect of which he or she holds a licence on good cause shown.".

Amendment of section 94 of Act 60 of 2000

28. Section 94 of the principal Act is hereby amended by the substitution for subsection (1) of the following subsection:

"(1) For the purposes of this section, 'firearm part' means a slide, bolt or breech-block of a firearm, or a device designed to be attached to the barrel of a firearm in order to muffle or moderate the report of that firearm.".

Amendment of section 96 of Act 60 of 2000

29. Section 96 of the principal Act is hereby amended by the substitution for subsection (2) of the following subsection:

"(2) An application for the export of firearms and ammunition made in terms of this Act must be submitted by the Registrar to the National Conventional Arms Control Committee in accordance with section 4(3) of the National Conventional Arms Control Act, 2002 (Act No. 41 of 2002).".

Amendment of section 102 of Act 60 of 2000

30. Section 102 of the principal Act is hereby amended—

(a) by the substitution for the heading of the following heading:

"**Declaration by Registrar of person as unfit to possess firearm or muzzle loading firearm**";

(b) by the substitution in subsection (1) for the words preceding paragraph *(a)* of the following words:

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"The Registrar may declare a person unfit to possess a firearm or muzzle loading firearm if, on the grounds of information contained in a statement under oath or affirmation including a statement made by any person called as a witness, it appears that—";

(c) by the substitution in subsection (1) for paragraphs *(b)* and *(c)* of the following paragraphs, respectively:

"*(b)* that person has expressed the intention to kill or injure himself or herself or any other person by means of a firearm, muzzle loading firearm or any other dangerous weapon;

(c) because of that person's mental condition, inclination to violence or dependence on any substance which has an intoxicating or narcotic effect, the possession of a firearm or muzzle loading firearm by that person is not in the interests of that person or of any other person;"; and

(d) by the deletion in subsection (1) of the word "or" at the end of paragraph *(d)*, the insertion of the word "or" at the end of paragraph *(e)* of that subsection and the addition to that subsection of the following paragraph:

"*(f)* that person has paid an admission of guilt fine contemplated in section 103(6) in respect of an offence contemplated in section 103(1) or 103(2)*(a)*.";

(e) by the substitution in subsection (2) for paragraph *(a)* of the following paragraph:

"*(a)* by notice in writing delivered by hand to the person, has called upon the person to appear before the Registrar at a time and place determined therein in order to advance reasons as to why that person should not be declared unfit to possess a firearm or muzzle loading firearm;";

(f) by the substitution in subsection (2) for paragraph *(c)* of the following paragraph:

"*(c)* has duly considered the matter having regard to—

(i) any reasons, submissions and evidence advanced under oath or affirmation by or on behalf of that person; or

(ii) any other information contained in a statement under oath or affirmation or evidence at his or her disposal;";

(g) by the substitution in subsection (2) for paragraph *(e)* of the following paragraph:

"*(e)* does not rely solely on the same facts relating to a conviction in respect of which a court has made a determination in terms of section 103(1) or (2) that the person is not unfit to possess a firearm or muzzle loading firearm."; and

(h) by the insertion after subsection (2) of the following subsection:

"(2A) Upon proof that the notice contemplated in subsection (2)*(a)* was duly delivered or tendered to the person to whom it was addressed, the Registrar may proceed with an inquiry at the time specified in that notice, whether or not the person concerned complies with the notice.".

Amendment of section 103 of Act 60 of 2000

31. Section 103 of the principal Act is hereby amended—

(a) by the substitution for the heading of the following heading:

"**Declaration by court of person to be unfit to possess firearm or muzzle loading firearm**";

(b) by the substitution in subsection (1) for the words preceding paragraph *(a)* of the following words:

"Unless the court determines otherwise, a person becomes unfit to possess a firearm or muzzle loading firearm if convicted of—";

(c) by the substitution in subsection (1) for paragraphs *(a)* and *(b)* of the following paragraphs, respectively:

"*(a)* the unlawful possession of a firearm or ammunition or muzzle loading firearm;

(b) any crime or offence involving the unlawful use or handling of a firearm or muzzle loading firearm, whether the firearm or muzzle

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loading firearm was used or handled by that person or by another participant in that offence;";

(d) by the substitution in subsection (1) for paragraphs *(e)* and *(f)* of the following paragraphs, respectively:

"*(e)* an offence involving the handling of a firearm or muzzle loading firearm while under the influence of any substance which has an intoxicating or narcotic effect;

(f) any other crime or offence in the commission of which a firearm or muzzle loading firearm was used, whether the firearm or muzzle loading firearm was used or handled by that person or by another participant in the offence;"; and

(e) by the addition of the following subsections:

"(6) This section does not apply in respect of the payment of an admission of guilt fine in terms of section 57 of the Criminal Procedure Act, 1977 (Act No. 51 of 1977).

(7) When a person becomes or is declared unfit to possess a firearm or muzzle loading firearm in terms of this section, the court dealing with the case must determine the duration of unfitness, which duration must depend on the seriousness of the conduct which gave rise to the unfitness and which may not be less than 10 years calculated from the date of conviction.".

Amendment of section 104 of Act 60 of 2000, as amended by section 11 of Act 43 of 2003

32. Section 104 of the principal Act is hereby amended—

(a) by the substitution in subsection (2) for the words preceding paragraph *(a)* of the following words:

"A person who becomes or is declared unfit to possess a firearm or muzzle loading firearm in terms of section 102 or 103 must within 24 hours surrender to the nearest police station—";

(b) by the substitution in subsection (2) for paragraph *(b)* of the following paragraph:

"*(b)* all firearms or muzzle loading firearms in his or her possession;";

(c) by the substitution for subsection (3) of the following subsection:

"(3) *(a)* A person who has surrendered his or her firearm or muzzle loading firearm as contemplated in subsection (2) must dispose of the firearm and ammunition or muzzle loading firearm through a dealer or in such manner as the Registrar may determine—

(i) if an appeal is lodged and that appeal is unsuccessful, within 60 days of the finalisation of the appeal; or

(ii) if no appeal is lodged, within 60 days of the receipt of a written notice from the Registrar informing the person of his or her unfitness to possess a firearm or muzzle loading firearm.

(b) If the firearm and ammunition or muzzle loading firearm are not disposed of within 60 days, they must be forfeited to the State and destroyed or disposed of as prescribed.

(c) The period of 60 days referred to in this subsection may be extended by the Registrar on good cause shown.

(d) For the purposes of **[subsection (3)*(a)*]** paragraph *(a)*, the Registrar must release the firearm and ammunition or muzzle loading firearm in question to a dealer identified by the relevant person, for disposal by that dealer on behalf of the person."; and

(d) by the substitution for subsections (5) and (6) of the following subsections, respectively:

"(5) If the decision leading to the status of unfitness to possess a firearm or muzzle loading firearm of any person is set aside, any seized or surrendered firearm, ammunition, muzzle loading firearm, licence, permit or authorisation belonging to any such person, must be returned.

(6) Subject to sections 9(3)*(b)* and 103(7) and after a period of five years calculated from the date of the decision leading to the status of unfitness to possess a firearm or muzzle loading firearm, the person who has become or been declared unfit to possess a firearm or muzzle loading

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firearm may apply for a new competency certificate, licence, authorisation or permit in accordance with the provisions of this Act.".

Amendment of section 110 of Act 60 of 2000

33. Section 110 of the principal Act is hereby amended by the substitution for subsections (1) and (2) of the following subsections, respectively:

"(1) Chapter 2 of the Criminal Procedure Act, 1977 (Act No. 51 of 1977), applies with the necessary changes to the entry of premises, search for and seizure of any firearm, muzzle loading firearm, imitation firearm, airgun, device or ammunition referred to in this Act.

(2) In the application of Chapter 2 of the Criminal Procedure Act, 1977 (Act No. 51 of 1977), as contemplated in subsection (1), section 20 of the said Act must be construed as if the following paragraph had been added to it:

'*(d)* which is a firearm, muzzle loading firearm or ammunition as defined in section 1 of the Firearms Control Act, 2000, and is on reasonable grounds believed to be in the possession or under the control of a person, who by reason of any physical or mental condition, is incapable of having proper control of any firearm, muzzle loading firearm or ammunition or who by such reason presents a danger of harm to himself or herself or to any other person.' ".

Amendment of section 111 of Act 60 of 2000

34. Section 111 of the principal Act is hereby amended by the substitution in subsection (1) for the words preceding paragraph *(a)* of the following words:

"Despite anything to the contrary in this Chapter, any police official or person authorised as such by the National Commissioner or any provincial commissioner of the South African Police Service, may, in the course of official policing operations contemplated in section 13 (6), (7) or (8) of the South African Police Service Act, 1995 (Act No. 68 of 1995), search any person, premises, container, vehicle, vessel or aircraft and seize any firearm, muzzle loading firearm, imitation firearm, airgun, device or ammunition—".

Amendment of section 113 of Act 60 of 2000

35. Section 113 of the principal Act is hereby amended by the substitution for subsection (4) of the following subsection:

"(4) A police official may do such tests, or cause such tests to be done, as may be necessary to determine whether a person suspected of having handled or discharged a firearm or muzzle loading firearm has indeed handled or discharged a firearm or muzzle loading firearm.".

Substitution of section 114 of Act 60 of 2000

36. The following section is hereby substituted for section 114 of the principal Act:

"**Ballistic testing**

114. (1) Any police official may seize, test-fire and examine such number of firearms or muzzle loading firearms as are necessary or such ammunition as is necessary, if—

(a) there are reasonable grounds to suspect that one or more of the firearms or muzzle loading firearms or the ammunition has been used in the commission of an offence which is punishable in terms of this Act with imprisonment for a period of five years or longer; and

(b) there are reasonable grounds to believe that one or more of the firearms or muzzle loading firearms or the ammunition or the results of the test-firing and examination, will be of value in the investigation by excluding or including—

(i) one or more of those firearms or muzzle loading firearms or the ammunition as having been used in the commission of the offence; or

(ii) one or more persons as possible perpetrators of the offence.

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(2) The person who has control over a firearm, muzzle loading firearm or ammunition seized in terms of this section must immediately return it or otherwise dispose of it in terms of this Act when it is clear that it will not be of value as evidence.".

Amendment of section 117 of Act 60 of 2000, as amended by section 14 of Act 43 of 2003

37. Section 117 of the principal Act is hereby amended—

(a) by the substitution in subsection (2) for the words preceding paragraph *(a)* of the following words:

"Whenever a person is charged in terms of this Act with an offence of which the possession of a firearm, muzzle loading firearm or ammunition is an element, and the State can show that despite the taking of reasonable steps it was not able with reasonable certainty to link the possession of the firearm, muzzle loading firearm or ammunition to any other person, the following circumstances will, in the absence of evidence to the contrary which raises reasonable doubt, be sufficient evidence of possession by that person of the firearm, muzzle loading firearm or ammunition where it is proved that the firearm or ammunition or muzzle loading firearm was found—";

(b) by the substitution in subsection (2)*(c)* for subparagraphs (iii) and (iv) of the following subparagraphs, respectively:

"(iii) present in the immediate vicinity of the place on the premises where the firearm, muzzle loading firearm or ammunition was found and the circumstances indicate that the firearm, muzzle loading firearm or ammunition should have been visible to that person; or

(iv) in control of a locker, cupboard or other container within which the firearm, muzzle loading firearm or ammunition was found;";

(c) by the substitution in subsection (2)*(d)* for subparagraphs (iv) and (v) of the following subparagraphs, respectively:

"(iv) the consignor of any goods in or among which the firearm, muzzle loading firearm or ammunition was found;

(v) the only person who had access to the firearm, muzzle loading firearm or ammunition;";

(d) by the substitution in subsection (2)*(g)* for subparagraph (ii) of the following subparagraph:

"(ii) where the circumstances indicate that the firearm, muzzle loading firearm or ammunition should have been visible to no one besides the person;";

(e) by the substitution in subsection (2) for paragraphs *(h)* and *(i)* of the following paragraphs, respectively:

"*(h)* on any vessel other than a vessel which was used to convey passengers for gain, and the person was, at the time—

(i) in charge of that vessel or that part of the vessel in which the firearm, muzzle loading firearm or ammunition was found;

(ii) ordinarily employed in the immediate vicinity of the place on the vessel where the firearm, muzzle loading firearm or ammunition was found; or

(iii) over the age of 16 years and present in that part of the vessel; or

(i) in the cargo of a vessel and the person was, at the time—

(i) in control of the cargo of the vessel; or

(ii) the consignor of any goods in or among which the firearm, muzzle loading firearm or ammunition was found."; and

(f) by the substitution in subsection (3) for paragraph *(b)* of the following paragraph:

"*(b)* a firearm or muzzle loading firearm was discharged from that vehicle while the person was driving or was a passenger in the vehicle; and".

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Amendment of section 118 of Act 60 of 2000

38. Section 118 of the principal Act is hereby amended by the substitution for subsection (1) of the following subsection:

"(1) Whenever a person is charged with an offence in terms of this Act of failing to report the loss, theft or destruction of a firearm, or the dispossession of a firearm, and it is proved that such person was, at the time, the licensed or authorised possessor of the firearm alleged to have been lost, stolen, destroyed or dispossessed of, proof that the person has failed to produce such firearm within seven days of the request by a police official to do so, will, in the absence of evidence to the contrary which raises reasonable doubt, be sufficient evidence that the firearm has been lost, stolen, destroyed or dispossessed of.".

Amendment of section 120 of Act 60 of 2000, as amended by section 15 of Act 43 of 2003

39. Section 120 of the principal Act is hereby amended—

(a) by the substitution in subsection (2) for paragraph *(a)* of the following paragraph:

"*(a)* Any person who is aware of the existence of a firearm, muzzle loading firearm or ammunition that is not in the lawful possession of any person and fails to report the location of the firearm, muzzle loading firearm or ammunition to a police official without delay, is guilty of an offence.";

(b) by the substitution for subsections (3) and (4) of the following subsections, respectively:

"(3) It is an offence to—

(a) cause bodily injury to any person or cause damage to property of any person by negligently using a firearm, **[an antique firearm]** a muzzle loading firearm or an airgun;

(b) discharge or otherwise handle a firearm, **[an antique firearm]** a muzzle loading firearm or an airgun in a manner likely to injure or endanger the safety or property of any person or with reckless disregard for the safety or property of any person; or

(c) have control of a loaded firearm, **[an antique firearm]** a muzzle loading firearm or an airgun in circumstances where it creates a risk to the safety or property of any person and not to take reasonable precautions to avoid the danger.

(4) It is an offence to handle a firearm, **[an antique firearm]** a muzzle loading firearm or an airgun while under the influence of a substance which has an intoxicating or a narcotic effect.";

(c) by the substitution in subsection (5) for the words preceding paragraph *(a)* of the following words:

"A person is guilty of an offence if he or she gives control of a firearm, **[an antique firearm]** a muzzle loading firearm or an airgun to a person whom he or she knows, or ought reasonably to have known—";

(d) by the substitution in subsections (6) and (7) of the following subsections, respectively:

"(6) It is an offence to point—

(a) any firearm, **[an antique firearm]** a muzzle loading firearm or an airgun, whether or not it is loaded or capable of being discharged, at any other person, without good reason to do so; or

(b) anything which is likely to lead a person to believe that it is a firearm, **[an antique firearm]** a muzzle loading firearm or an airgun at any other person, without good reason to do so.

(7) It is an offence to discharge a firearm, **[an antique firearm]** a muzzle loading firearm or an airgun in a built-up area or any public place, without good reason to do so.";

(e) by the substitution in subsection (9) for paragraph *(e)* of the following paragraph:

"*(e)* use a competency certificate, licence, permit or authorisation issued in the name of another person to procure possession of a firearm, muzzle loading firearm or ammunition;"; and

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(f) by the substitution in subsection (10) for paragraphs *(a)* and *(b)* of the following paragraphs, respectively:

"*(a)* sell, supply or in any other manner give possession of a firearm, muzzle loading firearm or ammunition to a person who is not allowed in terms of this Act to possess that firearm, muzzle loading firearm or ammunition; or

(b) be in possession of any firearm, imitation firearm, muzzle loading firearm or ammunition, with intent to commit an offence or to use the firearm **[or]**, an imitation firearm or muzzle loading firearm to resist arrest or prevent the arrest of another person.".

Substitution of section 132 of Act 60 of 2000

40. The following section is hereby substituted for section 132 of the principal Act:

"**Establishment of Ministerial [Committees] Consultative Forum**

132. [(1)] The Minister may establish such **[committees]** consultative forums as may be appropriate to assist him or her **[, or any other person appointed in terms of this Act,]** in respect of any matter dealt with in this Act.

[(2) The composition and functions of the committees may be determined by the Minister.

(3) The conditions of office, remuneration, allowances and other benefits of members of the committees may be prescribed by the Minister with the approval of the Minister of Finance.]".

Amendment of section 133 of Act 60 of 2000

41. Section 133 of the principal Act is hereby amended by the addition of the following subsection:

"(5) For the purposes of subsection (3), the Appeal Board shall where required by a party to an appeal or within its own discretion issue a notice calling upon any person to give evidence or produce any article, book, accounts or record before the Appeal Board, and such notice must have the force of a subpoena in a court of law.".

Substitution of section 135 of Act 60 of 2000

42. The following section is hereby substituted for section 135 of the principal Act:

"**Circumstances where no compensation is payable in respect of firearms, muzzle loading firearms and ammunition seized by State**

135. (1) No compensation is payable to a person from whom a firearm, muzzle loading firearm or ammunition was seized by the State if—

(a) no licence, permit or authorisation had been issued for such firearm or ammunition to that person and in the case of a muzzle loading firearm, no competency certificate had been issued to that person in terms of this Act; or

(b) the firearm, muzzle loading firearm or ammunition was for any other reason unlawfully in the possession of that person.

(2) The lawful owner of a firearm or muzzle loading firearm or ammunition lost or stolen as a result of his or her negligence is not entitled to claim compensation if such firearm, muzzle loading firearm or ammunition is subsequently seized by the State from another person.".

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Substitution of section 136 of Act 60 of 2000

43. The following section is hereby substituted for section 136 of the principal Act:

"**No compensation payable where firearms, muzzle loading firearms or ammunition are destroyed by State**

136. (1) The Registrar may in respect of any firearm, muzzle loading firearm or ammunition seized by, surrendered to or forfeited to the State, issue a notice in the *Gazette* stating that it is the intention of the State to destroy that firearm, muzzle loading firearm or ammunition.

(2) Any person who has a valid claim to the relevant firearm, muzzle loading firearm or ammunition may, within 21 days after the publication of the notice in the *Gazette*, make representations to the Registrar as to why the firearm, muzzle loading firearm or ammunition should not be destroyed.

(3) If the Registrar is satisfied, after consideration of any representations contemplated in subsection (2), that a valid claim to the relevant firearm, muzzle loading firearm or ammunition has not been proved, the firearm, muzzle loading firearm or ammunition may be destroyed and no compensation will be payable to anyone in respect thereof.".

Amendment of section 137 of Act 60 of 2000

44. Section 137 of the principal Act is hereby amended by the substitution for subsection (1) of the following subsection:

"(1) A person whose firearm or muzzle loading firearm has been surrendered or forfeited to the State in circumstances other than those referred to in sections 134, 135 and 136 may apply to the Registrar for compensation in respect of that firearm or muzzle loading firearm in the prescribed form.".

Amendment of section 140 of Act 60 of 2000, as amended by section 17 of Act 43 of 2003

45. Section 140 of the principal Act is hereby amended by the substitution for subsections (2) and (3) of the following subsections, respectively:

"(2) Unless authorised to do so in terms of a notice issued under subsection (1), no person may—

(a) allow any firearm, muzzle loading firearm or ammunition to be in a firearm-free zone;

(b) carry any firearm, muzzle loading firearm or ammunition in a firearm-free zone; or

(c) store any firearm, muzzle loading firearm or ammunition in a firearm-free zone.

(3) A police official may, without warrant—

(a) search any building or premises in a firearm-free zone if he or she has a suspicion on reasonable grounds that a firearm, muzzle loading firearm or ammunition may be present in the firearm-free zone in contravention of a notice issued in terms of subsection (1);

(b) search any person present in a firearm-free zone; and

(c) seize any firearm, muzzle loading firearm or ammunition present in the firearm-free zone or on the person in contravention of a notice issued in terms of subsection (1).".

Amendment of section 145 of Act 60 of 2000

46. Section 145 of the principal Act is hereby amended—

(a) by the substitution in subsection (1) for paragraphs *(b)* and *(c)* of the following paragraphs, respectively:

"*(b)* the surrendering of firearms, muzzle loading firearm and ammunition to the South African Police Service;

(c) the production of any firearm or muzzle loading firearm to which any application relates for the purpose of identification, and the discharging of ammunition for identification purposes;"; and

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(b) by the substitution in subsection (1) for paragraph *(e)* of the following paragraph:

"*(e)* the fees or remuneration which may be charged by dealers in respect of any firearm, muzzle loading firearm or other device, required to be disposed of through a dealer in terms of this Act;".

Substitution of section 146 of Act 60 of 2000

47. The following section is hereby substituted for section 146 of the principal Act:

"**Disposal of firearms, muzzle loading firearms and ammunition in case of ceasing to carry on business**

146. If a person who holds a licence issued in terms of section 20 or who holds a licence, permit or authorisation contemplated in Chapter 7 or 8, ceases to carry on business for any reason, **[the]** any firearms, muzzle loading firearms and ammunition in possession of that person must be kept in safe custody by the person and at the place designated by the Registrar, until they are disposed of as prescribed.".

Amendment of section 147 of Act 60 of 2000

48. Section 147 of the principal Act is hereby amended by the substitution for subsection (2) of the following subsection:

"(2) The executor of the estate of a deceased person who comes into possession of a firearm licensed to the deceased or muzzle loading firearm that belonged to the deceased must store the firearm or muzzle loading firearm as prescribed.".

Amendment of section 148 of Act 60 of 2000

49. Section 148 of the principal Act is hereby amended by the substitution for subsection (1) of the following subsection:

"(1) A person who inherits a firearm or muzzle loading firearm must—

(a) if he or she wishes to keep the firearm, apply for an appropriate licence, permit or authorisation in terms of this Act; **[or]**

(b) if he or she wishes to keep the muzzle loading firearm, obtain the necessary competency certificate in order to possess the muzzle loading firearm; or

(c) if he or she does not wish to acquire the firearm or muzzle loading firearm, or fails to obtain the appropriate licence, permit or authorisation or competency certificate, have the firearm or muzzle loading firearm deactivated or dispose of it in terms of this Act.".

Substitution of section 149 of Act 60 of 2000

50. The following section is hereby substituted for section 149 of the principal Act:

"**Compulsory destruction of firearms [by State], muzzle loading firearms and ammunition**

149. (1) A firearm or muzzle loading firearm may only be destroyed as prescribed.

(2) Any firearm, muzzle loading firearm or ammunition forfeited to the State in terms of this Act—

(a) must be destroyed by the State within six months of the date of the forfeiture or after all possible appeals have been concluded or the last date on which any appeal could have been noted has passed without an appeal having been noted, whichever occurs last; and

(b) remains the property of the owner thereof until its destruction.

(3) *(a)* Despite subsection (2), the State may retain any firearm, muzzle loading firearm or ammunition forfeited to the State, which the Registrar deems to be of special value.

(b) Any firearm, muzzle loading firearm or ammunition retained by the Registrar in terms of paragraph *(a)* becomes the property of the State when

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the Registrar informs the former owner of the firearm, muzzle loading firearm or ammunition of that fact.

(c) Subject to Chapter 19, the former owner of any firearm, muzzle loading firearm or ammunition which becomes the property of the State in terms of paragraph *(b)* may apply for compensation in terms of this Act.

(4) *(a)* Subject to subsection (1) no person, including the State, may destroy a firearm or muzzle loading firearm without the prior written permission of the Registrar.

(b) The Registrar must only consent to the destruction of a firearm, muzzle loading firearm or ammunition with due regard to and in compliance with the provisions of the National Heritage Resources Act, 1999 (Act No. 25 of 1999), and any condition which may be imposed by the South African Heritage Resources Agency or their nominated agents.".

Amendment of section 150 of Act 60 of 2000

51. Section 150 of the principal Act is hereby amended—

(a) by the substitution for the heading of the following heading:

"**Deactivation of firearms or muzzle loading firearms**";

(b) by the substitution for subsection (2) of the following subsection:

"(2) A firearm or muzzle loading firearm may only be deactivated by a gunsmith in the prescribed manner."; and

(c) by the substitution in subsection (3) for the words preceding paragraph *(a)* of the following words:

"If a firearm or muzzle loading firearm is deactivated by a gunsmith—".

Amendment of Schedule 1 to Act 60 of 2000, as amended by section 20 of Act 43 of 2003

52. Schedule 1 to the principal Act is hereby amended by the insertion after Item 1 of the following Item:

"**Muzzle loading firearms**

1A. (1) A person who possesses a muzzle loading firearm must apply within one year from the date of commencement of section 52 of the Firearms Control Amendment Act, 2006, for the relevant competency certificate to possess a muzzle loading firearm in terms of this Act.

(2) No prosecution may be instituted during the period referred to in subitem (1) against any person found in possession of a muzzle loading firearm without having been issued with a relevant competency certificate.

(3) The period referred to in subsection (1) may be extended by the Minister for such period as the Minister may determine by notice in the *Gazette*.

(4) If the application for a competency certificate has been lodged within the period provided for in subitem (1), or the extended period referred to in subitem (3), the possession of the muzzle loading firearm remains lawful until the application for a competency certificate is decided.".

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Substitution of Schedule 4 to Act 60 of 2000, as amended by section 22 of Act 43 of 2003

53. The following Schedule is hereby substituted for Schedule 4 to the principal Act:

"**Schedule 4**

PENALTIES

(Section 121)

Section	Maximum period of imprisonment
3	15 years
4	25 years
7(4)	Two years
8(4)	10 years
8(5)	10 years
12(3)	Two years
13(4)	Two years
14(5)	Five years
15(4)	Two years
16(3)	Two years
16(4)	Two years
17(3)*(a)*	Two years
17(3)*(b)*	Three years
17(4)	Two years
18(2)*(b)*	Five years
18(3)	Five years
18(4)*(a)*	Two years
18(4)*(b)*	Three years
19(3)	Five years
19(4)*(a)*	Two years
19(4)*(b)*	Three years
19(4)*(c)*	Three years
19(5)	Five years
19(6)	Five years
20(4)	Five years
20(5)*(a)*	Five years
20(5)*(b)*	25 years
20(6)*(a)*	Five years
20(6)*(b)*	Five years
20(7)	Two years
21(4)	Two years
21(5)	Five years
23(5)	10 years
23(6)	Five years
25(1)	Two years
26(1)	Two years
28(4)	10 years
28(5)	10 years
29(1)	Two years
29(2)	Two years
31(1)	25 years
31(2)	25 years
31(3)	15 years

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Section	Maximum period of imprisonment
32(2)	Four years
36(6)	Two years
38	Two years
39(1)	Four years
39(2)	Four years
39(3)	Five years
39(4)	Two years
39(5)	Three years
39(6)	Three years
39(8)	Three years
39(9)	15 years
41(4)	25 years
42(4)	25 years
42(5)	25 years
44(1)	Two years
44(2)	Two years
45(1)	25 years
45(2)	25 years
50(6)	Two years
52	Two years
53(1)	Four years
53(2)	Five years
53(3)	Three years
53(4)	Two years
53(5)	Two years
53(6)	Three years
53(7)	15 years
55(4)	25 years
56(4)	25 years
56(5)	25 years
58(1)	Two years
58(2)	Two years
59	15 years
64(6)	Two years
66	Two years
67(1)	Two years
67(2)	Five years
67(3)	Two years
67(4)	Three years
67(5)	Three years
67(7)	Three years
67(8)	15 years
69(4)	25 years
70(4)	25 years
72(1)	Two years
72(2)	Two years
73(1)	15 years
73(2)	15 years
78(1)	Two years
78(2)	Three years
78(3)	Three years
78(4)	15 years

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Section	Maximum period of imprisonment
80(4)	25 years
82(1)	Two years
82(2)	Two years
83	15 years
84	Two years
85(1)	25 years
87(1)	Two years
87(2)	Two years
87(3)	Two years
88[(2)](3)	25 years
90	15 years
91(1)	10 years
93(2)	10 years
93(3)	10 years
94(2)	Five years
94(3)	Two years
98(1)	Two years
98(5)	Two years
98(7)	Two years
104(2)	15 years
106(1)	Two years
107(1)	10 years
107(2)	One year
108(1)	One year
120(2)	15 years
120(3)	Five years
120(4)	Three years
120(5)	Three years
120(6)	10 years
120(7)	Five years
120(8)	Five years
120(9)	Five years
120(10)*(a)*	10 years
120(10)*(b)*	25 years
120(11)	10 years
120(12)	Five years
133(5)	Five years
140(2)*(a)*	Five years
140(2)*(b)*	10 years
140(2)*(c)*	25 years
146	15 years
147(1)	Five years
147(2)	Five years
148	25 years
149(1)	10 years
149(3)	10 years
150(2)	Five years
150(3)*(a)*	Two years
150(3)*(b)*	Two years
150(3)*(c)*	Two years".

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Short title and commencement

54. This Act is called the Firearms Control Amendment Act, 2006, and comes into operation on a date determined by the President by Proclamation in the *Gazette*.

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