

SUID-AFRIKAANSE POLISIEDIENS



SOUTH AFRICAN POLICE SERVICE

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**DIVISIONAL COMMISSIONER
VISIBLE POLICING
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All Provincial Commissioners
SOUTH AFRICAN POLICE SERVICE

PROCESS FOR THE ALTERATION AND CUSTOM BUILDING OF FIREARMS BY LICENCED GUNSMITHS IN TERMS OF THE FIREARMS CONTROL ACT, 2000 (ACT NO. 60 OF 2000)

1. The purpose of this directive is to provide guidelines with regards to applications to alter firearms, replace barrels as well as notifications to custom build firearms by licenced gunsmiths. It is issued on a "***without prejudice basis***"
2. The following procedures must be complied with when dealing with a request to alter a firearm:
 - 2.1 A firearm licence holder (requester) who wishes to apply for the alteration of his/her licenced firearm must submit a duly completed SAPS 531 form (Request to alter firearm by a gunsmith) to the relevant Designated Firearms Officer.
 - 2.2 The SAPS 531 form must be completed by the requester, who must ensure that the nominated licenced gunsmith who will perform the alteration on the firearm also complete section "F" and "G" of the SAPS 531 form.
 - 2.3 The following supporting documentation must be attached to the SAPS 531 form:
 - 2.3.1 A written motivation containing detailed information about the intended alterations and where such alterations necessitate the change of the original calibre, specific substantive reasons indicating the necessity to change the calibre must also be included within the motivation;
 - 2.3.2 a written gunsmith report confirming the necessity to alter the firearm;
 - 2.3.3 a certified copy of the identity document or passport of the requester; and

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- 2.3.4 a certified copy of the firearm licence of the firearm the requester intends to alter.
- 2.4 The relevant Designated Firearms Officer must complete section "A","B" and "K" of the SAPS 531 form.
- 2.5 The SAPS 531 form as well as all the supporting documentation must be forwarded to the Central Firearms Register via e-mail: FirearmAlterations@saps.gov.za for necessary processing and consideration. A notification of refusal containing detailed refusal reasons or a notification of approval which will contain the conditions under which the approval was granted will be issued at the Central Firearms Register.
- 2.6 After the alteration of the firearm by the licenced gunsmith and in the case where the alteration of the firearm result in any change of information pertaining to the specific firearm (*e.g. alteration of calibre and/ or alteration of a barrel length, serial number and/or make*) the applicant must submit a duly completed SAPS 521(g) form (Notification of incorrect information) to the relevant Designated Firearms Officer for processing.
- 2.7 Where the change of information results in the amendment of the original information on the firearm licence the applicant is deemed to have applied for the re-issue of his/her licence in terms of Regulation 108 of the Firearms Control Regulations 2004 and therefore the prescribed payment in applicable.
- 2.8 The SAPS 521(g) form, supporting documentation and proof of payment must be forwarded via the e-mail address as per paragraph 2.5 supra. The lawful owner of the firearm may only take possession of the altered firearm from the licenced gunsmith after receipt of the re-issued licence to possess the firearm.
3. The following procedures must be followed when dealing with a notification where a licenced gunsmith wishes to custom build a firearm:
- 3.1 A licenced gunsmith must, before conclusion of the building of a custom firearm, notify the Registrar in writing thereof, on his/her business letter head, which must be forwarded via e-mail the e-mail address as per paragraph 2.5 supra to the Central Firearms Register. The written notification must contain the following particulars:
- 3.1.1 Full details of all the parts which will be utilized during the custom building of the firearm (type, make, serial number and calibre); and
- 3.1.2 Full particulars (names, surname, identity number and physical address) of the customer for which the firearm is custom build.
- 3.2 The Registrar (Central Firearms Register) will issue an acknowledgement of receipt to the licenced gunsmith which may contain specific information relating to the custom building of the firearm and depending on the circumstances may also require further information and/or documentation from the gunsmith.

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- 3.3 The customer who ordered the custom built firearm must apply in the prescribed manner for a licence to possess the custom built firearm and may only take possession of the firearm after receipt of the firearm licence.
 - 3.3.1 A licensed gunsmith must submit an affidavit properly commissioned by a Commissioner of Oaths to the effect that the firearm was test-fired at an accredited shooting range, tunnel or purpose built bullet trap subject to local council requirements as contemplated in Regulation 51 of the Firearms Control Regulations, 2004. This affidavit must be forwarded via the e-mail address as per paragraph 2.5 *supra* within 14 days after the test-firing.
4. In light of the Pretoria High Court Interim Order issued on 11th of July 2019 to the effect that barrel replacement may be considered in terms of section 59 of the Firearms Control Act, 2000 (Act No 60 of 2000), the following procedure is forthwith determined.
 - 4.1 A firearm licence holder (requester) who wishes to apply for the barrel replacement of his/her licenced firearm must submit a duly completed SAPS 531 form (Request to alter firearm by a gunsmith) to the relevant Designated Firearms Officer.
 - 4.2 The following supporting documentation must be attached to the SAPS 531 form:
 - 4.2.1 A written motivation containing detailed information about the intended barrel replacement;
 - 4.2.2 a written gunsmith report confirming the necessity to replace the existing barrel;
 - 4.2.3 a certified copy of the identity document or passport of the requester;
 - 4.2.4 a certified copy of the firearm licence of the firearm to which a new barrel is to be fitted;
 - 4.2.5 a certified copy of the firearm (new barrel) licence to be fitted; and
 - 4.2.6 an affidavit by the requester properly commissioned by a Commissioner of Oaths to the effect that the manner of disposal of a replaced "old" barrel will be executed in a lawful manner as contemplated in Regulation 94 of the Firearms Control Regulations, 2004.
 - 4.3 The relevant Designated Firearms Officer must complete section "A", "B" and "K" of the SAPS 531 form.
 - 4.4 The SAPS 531 form as well as all the supporting documentation must be forwarded to the Central Firearms Register via e-mail the e-mail address as per paragraph 2.5 *supra*.
 - 4.5 After the replacement of the barrel of the firearm by the gunsmith with a **valid gunsmith licence**, the applicant must submit a duly completed SAPS 521(g) form (Notification of incorrect information) to the relevant Designated Firearms Officer for processing.

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- 4.6 Where the change of information results in the amendment of the original information on the firearm licence the applicant is deemed to have applied for the re-issue of his/her licence in terms of Regulation 108 of the Firearms Control Regulations 2004 and therefore the prescribed payment is applicable. The new **reprinted licence** shall bear the validity period of the newest licence.
- 4.7 The SAPS 521(g) form, supporting documentation and proof of payment must be forwarded via the e-mail address as per paragraph 2.5 *supra*. The lawful owner of the firearm may only take possession of the "altered firearm" from the licenced gunsmith after receipt of the re-issued licence to possess the firearm.
 - 4.7.1 an affidavit by a licensed gunsmith properly commissioned by a Commissioner of Oaths to the effect that the firearm was test-fired at an accredited shooting range, tunnel or purpose built bullet trap subject to local council requirements as contemplated in Regulation 51 of the Firearms Control Regulations, 2004. This affidavit must be forwarded via the e-mail address as per paragraph 2.5 *supra* within 14 days after the test-firing.
5. It must be noted that in terms of his/her licence to conduct gunsmith work, a gunsmith may not keep custom built firearms in stock (stockpile custom built firearms) for re-sale purposes.
6. The contents of this directive must be disseminated to all relevant Designated Firearms Officers within your respective provinces for compliance.
7. All previously issued directives on the subject matter are forthwith rescinded.



**LIEUTENANT GENERAL
ACTING DIVISIONAL COMMISSIONER: VISIBLE POLICING
SJ JEPHTA (SOEG)**

Date: 2019 -09- 13