

Dear Member,

SAGA Trustees, John Welch and Damian Enslin, attended the Parliamentary session of the Portfolio Committee on Police (PCoP) on 14<sup>th</sup> June 2018. The recent Constitutional Court decision handed down on the 7<sup>th</sup> June 2018 and the Firearm Amnesty were discussed.

With respect to the Firearm Amnesty, it appears that this is not on the near horizon and according to the National Commissioner, General Sithole, the two processes are completely separate i.e. the process in dealing with the Constitutional Court decision about expired firearm licences will be dealt with separately to the Firearm Amnesty process, if and when the Firearm Amnesty proceeds.

The National Commissioner, was at pains to emphasise the fact that SAPS would not be treating anyone with expired licences as a criminal and all they wanted was everyone's co-operation.

There were various questions put to the National Commissioner and SAPS by the Members of the PCoP and some of the Members enquired with the National Commissioner about the possibility of issuing Section 21 permits to persons who are in possession of firearms with expired firearm licences. However the National Commissioner and General Masemola (the Head of Visible Policing) were not prepared to give a finite answer as to whether Section 21 permits would be issued.

What they did ask for, was for the co-operation of all parties when the Directive, which is apparently due today, is released.

The National Commissioner as well as General Masemola advised that they will be engaging with stakeholders throughout the process and will assess the process in 3 months and 6 months respectively.

Once more, SAPS emphasised that they do not want to arrest people for being in possession of a firearm with an expired licence and that there will be a process going forward.

Further questions were put to the National Commissioner and General Masemola by the Members of the PCoP about whether SAPS had the capacity and administrative means to deal with the influx of upwards of 400 000 persons surrendering firearms, and whether these firearms would be secured. This was not really adequately addressed by SAPS.

The National Commissioner confirmed that the old / green licence cards issued in terms of the Arms and Ammunitions Act 2 of 1969 are still valid.

The National Commissioner also confirmed, that although a Firearm Amnesty had been pronounced by the Minister, this however excluded the Judgment of the Constitutional Court on expired firearm licences.

Our members may recall that one of the aspects of the Firearm Amnesty was the inclusion of those with expired firearm licences and now it appears that this will no longer be the case.

We should know the content of the Directive today and will keep everyone updated with respect to this very important situation.