



SAGA FACT SHEET EDUCATION SERIES

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ASSAULT WEAPONS: FACT versus FICTION – Understanding the Difference Between Military and Civilian Firearms

Overview

The phrase “*assault rifle*” is one of the most misused and politically manipulated terms in modern firearm debate. It carries no legal definition in South African law and does not appear anywhere in the Firearms Control Act 60 of 2000 (FCA).

The correct technical description refers to a select-fire or fully automatic military rifle, capable of firing multiple rounds with a single trigger pull. By contrast, civilian semi-automatic rifles are mechanically distinct and may only be owned by licensed individuals with dedicated status, under strict FCA controls.

 **Note:** *The Firearms Control Act (FCA 60 of 2000) makes no mention of “assault rifles”. The term exists only in political rhetoric – not in South African law.*

Technical Definition

Correct Definition: An assault rifle is a select-fire fully automatic firearm designed for sustained fire in combat (automatic or bursts) – capable of firing more than one round/cartridge per single trigger pull.

Historical Context

The term originates from the German Sturmgewehr 44 (StG-44) developed during World War II – literally “storm rifle” or “assault rifle” – combining selective-fire capability with an intermediate-power cartridge.

Examples of true military assault rifles include:

- StG-44 (Germany, 1944)
- AK-47 / AKM (Soviet Union, 1947)
- FN-FAL / R4–R5 (Belgium/South Africa)
- M16 / M4 (United States)

All of these are select-fire military firearms and **not available for civilian licensing**.

Civilian Semi-Automatic Firearms Are Not Assault Weapons

Civilian self-loading rifles such as the AR-15, LM-5, Norinco Type 56, or Ruger Mini-14 are semi-automatic only. They fire one round per trigger pull, just like handguns, bolt action rifles or shotguns. In South Africa, these are only licensable to Dedicated Status hunters or sport shooters under Section 16 of the FCA. They cannot deliver automatic or burst fire and it is illegal to modify them to do so.

<u>Function</u>	<u>Military Assault Rifle</u>	<u>Civilian Rifle/Collectors</u>
Trigger Pull	Fires continuously until released	Fires one round per pull
Fire Selector	Semi / Burst / Full-Auto	Semi-Auto only S20
Legal Status (RSA)	Prohibited under S4 FCA	Licensable under S15 & S16 FCA

Legal Framework – Firearms Control Act (FCA 60 of 2000)

Section 4 – Prohibited Firearms

“No person may possess a fully automatic firearm, unless authorised by the Registrar.”

Under the FCA, fully automatic firearms (continuous fire with one trigger pull) are prohibited. Authorisation is **not available to ordinary civilians** and is **limited only** to:

- SANDF and SAPS operational use; and
- Accredited collectors, under narrow, explicit written authorisation by the Registrar (CFR).

 **Note:** Possession or conversion to automatic fire without authorisation constitutes a serious criminal offence, punishable by imprisonment and forfeiture under Section 94.

Sections 13 – 16 Licensed Civilian Use

- **Section 13:** Self-defence – handguns or pump-action shotguns.
- **Section 15:** Occasional hunting or sport – Manual rifles (bolt, pump, lever, falling block, break neck), semi-automatic handguns and Manual-action shotguns (pump, break-action, lever).
- **Section 16:** Dedicated hunting or sport shooting – semi-automatic rifles and shotguns only for holders of dedicated status through accredited associations.

<u>Section</u>	<u>Purpose</u>	<u>Semi-Auto Handgun</u>	<u>Semi-Auto Rifle</u>	<u>Semi-Auto Shotgun</u>	<u>Bolt/Lever/Pump Rifles & Shotguns</u>
S13	Self-defence	✓ Allowed	✗ Not Allowed	✗ Not Allowed	✓ Manual Shotguns – Special conditions
S15	Occasional hunting/sport	✓ Allowed	✗ Not Allowed	✗ Not Allowed	✓ Allowed
S16	Dedicated hunting/sport	✓ Allowed	✓ Allowed	✓ Allowed	✓ Allowed

 **Note:** Semi-automatic (“self-loading”) firearms are **not “assault rifles”** under any legal or technical definition – they are lawful when properly licensed and accredited.

Section 17 – Collectors

Accredited collectors may possess firearms of historical or technical interest. Full-automatic firearms are **only** permitted if:

- the association is accredited for such category, **and**
- the **Registrar grants specific written authorisation**.

 **Note:** Even then, they may not be fired or used except under strictly controlled, CFR-approved conditions.

Section 20 – Business Purposes

Allows accredited businesses (cash-in-transit, anti-poaching, training providers, corporate business, film industry) to possess firearms for operational purposes. These include semi-automatic firearms and then **ONLY** under strict legislative oversight. Applicants must be accredited under Section 8 and fully compliant with storage and inspection requirements.

Section 94 – Penalties

Unlawful possession of prohibited or unlicensed firearms carries severe penalties, including imprisonment and forfeiture. Penalties are escalated for **prohibited automatic firearms**.

Legal Note:

*In South Africa, **assault rifles** (automatic/select-fire) are **prohibited** to civilians.*

*Semi-automatic/self-loading rifles are **not assault rifles** under any definition and may be lawfully licensed to dedicated hunters and sport shooters under Section 16 of the FCA.*

Historic Misuse of the Term

The political misuse of “assault *weapon*” began in the United States circa 1980s, led by anti-gun activist Josh Sugarmann of the Violence Policy Center (VPC, USA equivalent of GFSA). Sugarmann noted that the public often confuses semi-automatic and fully automatic firearms due to similar appearance – a confusion intentionally exploited for political impact.

This culminated in the 1994 U.S. Federal Assault Weapons Ban, which defined “*assault weapons*” by cosmetic features (folding stocks, bayonet lugs, flash suppressors) rather than function. The law expired in 2004, and subsequent studies – including a U.S. Department of Justice Evaluation (2004) – **found no measurable effect on crime reduction**.

Correct Terminology for Responsible Use

To promote factual, non-political discussion, SAGA recommends using accurate terminology:

<u>Incorrect Term</u>	<u>Replace With</u>
“Assault Rifle”	“Select-Fire Military Rifle” or “Full-Automatic Military Rifle”
“Semi-Auto Rifle”	“Self-Loading Rifle (SLR)” or “Modern Sporting Rifle (MSR)”

 **Note:** International sport-shooting federations and technical experts internationally recognise these terms.

Conclusion

Words shape policy – and misuse shapes misunderstanding. The term “*assault rifle*” is a **political construct**, not a technical classification.

In South Africa, fully automatic weapons are already **prohibited**, restricted to the State and in rare cases to authorised collectors. Law-abiding citizens may own semi-automatic/self-loading rifles **only under strict licensing** for sport, hunting (favours bolt action rifles) and conservation/anti-poaching.

Conflating these distinct categories only stigmatizes lawful owners and distracts from the real problem – **the criminal misuse of illegal firearms**.

Protecting our rights by ensuring fact prevails over fiction!

Issued as part of the SAGA Educational Series to guide firearm owners on compliance and responsible firearm ownership.

Acknowledgements

- Drafted by SMS Lyle, approved by the SAGA Board
- SA Gunowners' Association internal technical briefings (2024).
- *Firearms Control Act 60 of 2000 (as amended) & Firearms Control Regulations, 2004*
 - Firearms Control Act 60 of 2000 – Sections 4, 13 – 16, 94.
- *Sturmgewehr 44* historical classification – German Wehrmacht Ordnance Office, 1944.
- ¹ Sugarmann, J. (1988). “*Assault Weapons and Accessories in America*.” Violence Policy Center.
- ² U.S. Department of Justice (2004). “*Evaluation of the Federal Assault Weapons Ban*.” National Institute of Justice.
- Koper, C.S. et al. (2004). *An Updated Assessment of the Federal Assault Weapons Ban*. U.S. Department of Justice, NIJ.
- SA Police Service – Central Firearms Registry: Classification of Prohibited vs. Licensable Firearms (2023 CFR Guidelines).



SAGA: The SA Gunowners' Association

Web: www.saga.org.za **Facebook:** GunLobbySAGA

Telephone 031-562-9951 **Cell** 066-003-9226

Email: saga@saga.org.za

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