



## FIREARM POLICY

**Version control** : *Review Addendum: Policy is aligned to the Firearm Control Act 60/2000 and still meets the requirement of the Act.*

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**Responsible Manager** : Director for Transport Regulation

**Recommended** :

Mr. H Van Coller

Acting Director

15.09.2021

Date

Approved by Head of Department:

Mr. M P Dichaba

27.09.2021

Date



**DEPARTMENT OF TRANSPORT, SAFETY AND LIAISON  
ISEBE LEZOTHUTO, EZOKHUSELEKO NONXULUMANO  
LEFAPHA LA DIPALANGWA, PABALESEGO LE BOGOKAGANYI  
DEPARTEMENT VAN VERVOER, VEILIGHEID EN SKAKELING**

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Letlha:  
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Reference: **S4**  
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**Director: Transport Regulations  
Department of Transport, Safety and Liaison  
Ocean Echo Building  
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**Attention: Mr. LEL Wolfe**

**RE: ACTING HEAD OF DEPARTMENT**

DEPARTMENT OF TRANSPORT,  
SAFETY & LIAISON

22 SEP 2021

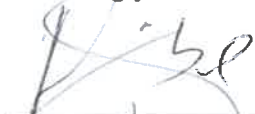
TRANSPORT REGULATIONS  
OFFICE SUPPORT

The HOD, MP Dichaba will be on annual leave from the 23<sup>rd</sup> – 30<sup>th</sup> September 2021. You are therefore appointed as the Acting Head of the Department for the aforementioned period.

Please take note that all aspects relating to this function should be guided and carried out within the parameters of the Public Finance Management Act and the Public Service Act and Regulations.

It will be appreciated that when the Head of Department resumes his duty in office, you must provide a full handover report.

**Thanking you in advance.**

  
\_\_\_\_\_  
**MP Dichaba  
Head of Department**

**Accepted / ~~Not Accepted~~**

  
\_\_\_\_\_  
**Mr. LEL Wolfe**

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## **1. Policy Aim**

The aim of this policy is to establish guidelines, procedures and policy in order to issue, possess, carry, transport, store and use of official firearms in the DEPARTMENT OF TRANSPORT, SAFETY AND LIAISON.

## **2. Legislative framework**

Act 60 of 2000 article 95 (a)(vi), stipulates that any government institution accredited by the Registrar (The National Commissioner - SAPS) is considered to be an Official Institution. This means that when the act refers to the Head of the Official Institution, it refers to the Head of the Department.

**Conditions applicable to Official Institution. (Act 60/2000 Section 97)**

**Possession and use of firearms by the Department. (Act 60/2000 Section 98.1)**

**Delegation to issue the permit. (Act 60/2000 Section 98.2)**

**Permit Contents. (Act 60/2000 Section 98.3)**

**Permit Conditions (Act 60/2000 Section 98.4)**

**Permit Conditions (Act 60/2000 Section 98.5)**

**Permit Conditions (Act 60/2000 Section 98.6)**

**Permit Conditions (Act 60/2000 Section 98.7)**

**Permit Conditions (Act 60/2000 Section 98.8)**

**Reporting of loss or theft of any firearm. (Act 60/2000 Section 98.9a)**

**Disposal of or destruction of a firearm. (Act 60/2000 Section 98.10)**

**Register to be kept by the Department. (Act 60/2000 Section 99)**

**Marking of firearms. (Act 60/2000 Section 99(3))**

**Register to be kept by the Department. (Act 60/2000 Section 101)**

### **3. Policy scope**

The need has arisen for this Department to establish guidelines, procedures and policy for the possession and use of official firearms by specifically the Traffic employees of the Department.

This Department controls a substantial number of firearms and therefore it has become necessary to have a proper policy in place to protect the head of the Department who has the responsibility to ensure that proper control is exercised over the firearms and that the prescripts of the act are complied with.

Firearms in the Department are mainly utilized for law enforcement purposes and personal protection during Law Enforcement activities.

### **4. Policy statement**

This policy applies specifically to Traffic employees in the Department of Transport, Safety and Liaison in Northern Cape.

### **5. Departmental Procedures:**

#### **5.1 Acquisition of Ammunition**

Ammunition may be bought at any registered dealer that sells the relevant ammunition, by the standard procurement measures. The licence number that has to be provided is the one allocated to the province as a whole, namely S 00008. As soon as possible the new ammunition must be placed on the ammunitions register of the office.

#### **5.2 Storage of firearms.**

Firearms and Ammunition not in use, must at all times be stored and transported in the prescribed manner. All Departmental firearms are to be stored in a **SABS approved gun safe or build walk-in safe or a safekeeping device in accordance with the prescripts of SABS standard 953-1 and 953-2.**

#### **5.3 Use of firearms**

An employee of the Department may only use a Departmental firearm and ammunition for legal purposes and in accordance to the requirements of all relevant legislation.

#### **5.4 Safety Condition of firearms**

A firearm may only be issued to another person if it is in good working condition and free of any defect that may render it an inherent source of danger to any person.

### **6. Testing of competence to use firearms:**

#### **6.1 Training to use firearms**

Where an officer of the Department has to use a firearm and do not have the proper or sufficient training (Proficiency Certificate from and SACETA accredited institution/personal

trainer) and proof of the SAPS Competency Certificate for the specific type of firearm, the Head of Office or the officer's supervisor must ensure that the officer gets the correct training at an accredited training facility or person. This has to form part of the officer's in service training.

Once an officer has completed the training and has proven his/her proficiency in the use of the specific firearm and he or she can apply for a permit and permit card to possess and use a Departmental firearm (AMMUNITION REGISTER)

### **6.2 Practical shooting exercises**

In order to enhance firearms safety each employee that has been issued with a firearm, will be exposed to at least two practical shooting exercises per year, for that specific type of firearm or calibre.

### **6.3 Certificate of competency:**

In order for a Proficiency Certificate to be issued by the training provider, the applicant must successfully complete the prescribed Practical Training, Theoretical Test and the Legal Test. The Certificate of Competency can only be issued once proof has been submitted to such effect.

## **7. Application to possess and use a firearm**

Firearms may only be issued to personnel who are in possession of a Competency Certificate for the use that specific type of firearm (Handgun, Rifle or Shotguns) An application to be in possession and use an official firearm must be completed and forwarded to the Head of the Department, or the delegated person (Firearms Control Officer), for consideration. The procedures are as follows:

- a) Memorandum and recommendation by the employee's Direct Supervisor, stating the intended use of the firearm, must accompany the firearm permit application.
- b) The application must be submitted via the normal channels.
- c) A certified copy of a Competency Certificate.
- d) Certified copy of Identity document.
- e) Two passport photos in colour and not older than 3 months.
- f) Completed firearm permit **(PERMIT TO POSSESS A FIREARM - APPENDIX 2)**
- g) Completed firearm permit card **(PERMIT CARD - APPENDIX 3)**
- h) Proof of an approved Safe / Walk-in Safe.

## **8. Roles and Responsibilities**

### **8.1 Acquisition of new firearms**

- a) A detailed memorandum to such effect must be submitted via the normal channels.
- b) The responsible supervisor must, first approve all new firearms that have to be acquired.
- c) Once approval has been granted by the Head of the Department or the delegated person, the normal procurement procedure can be followed.

- d) As soon as the firearm has been acquired it must be placed on the office firearm register.
- e) All relevant information on the firearm must be forwarded to the relevant officer at Head Office so that the Departmental firearm register can be updated.
- f) The responsible officer at Head Office must inform the Registrar and supply all relevant information.

### **9. Transport, Possession and Carrying of firearms.**

Firearms must be carried in the prescribed manner:

- a) Departmental firearms when removed from storage must be completely covered and the person carrying the firearm must be able to exercise effective control over such firearm.
- b) Handguns must be in a holster or similar holder designated, manufactured or adapted for the carrying of the handgun and attached to his or her person.
- c) Other firearms must be in a holder manufactured or adapted for the carrying of the firearm.

### **10. Record & Maintenance of firearms**

- a) A Record Card per Firearm VA 20 (Z526) also has to be opened for each firearm, to have a record of to whom the firearm was issued to and how it was disposed off. **(FIREARM RECORD CARD – APPENDIX 7)**
- b) Regular inspections by the head of the particular office must take place. Each inspection must be shown on the Firearm Inspection Record VA 20B (Z528) to be opened for each firearm at an office. **(FIREARM INSPECTION RECORD - APPENDIX 6)**

All firearms are to be maintained on a regular basis and kept in good working condition

### **11. Issue and Control of firearms**

The relevant head of the office must take responsibility for the control over any Departmental firearms in the specific office. The permit, a copy of the permit card and the competency certificate must be filed on the officer's personnel file at Head Office as well as at the officer's office for reference purposes.

### **12. Register of firearms**

The Head of the Office where the firearms are stored must ensure that the office maintains the prescribed register for all Departmental firearms. This register must be inspected on a quarterly basis by the responsible supervisor. **(FIREARM REGISTER - APPENDIX 4)**

### **13. Register of ammunition**

A Complete register of all ammunition bought and issued for each calibre of firearm must be kept this register must be inspected on a quarterly basis by the responsible supervisor. Not more than 300 rounds of ammunition per calibre may be in store at any given time  
**(AMMUNITION REGISTER - APPENDIX 5)**

### **14. Reporting of loss or theft of any firearm**

The Head of the Office must report the loss or theft of any firearm immediately to the Head of the Department and to the nearest police station.

- c) A full written report on the circumstances under which the loss or theft took place and the full details of the police station to which the loss or theft was reported with the reference number supplied by the police.
- d) For the purposes of this the "nearest police station" means the police station nearest to the place where the loss or theft occurred.

### **12. Review and Distribution**

- a. The senior manager for Transport Regulations is responsible for this policy and for ensuring that it is reviewed and updated.
- b. This Policy will be reviewed after 12 months but before 18 months of the last publication date. If necessary an updated version will be issued, if not a formal cover letter will be issued to supplement the cover of this Policy (identifying a revised publication date).
- c. The senior manager for Policy & Planning will distribute updated versions to:
  - Member of the Executive Council
  - Head of Department
  - All senior managers who will in turn distribute to their staff as appropriate.



**ADDENDUM A:**

Act 60 of 2000 article 95 (a)(vi), stipulates that any government institution accredited by the Registrar (The National Commissioner - SAPS) is considered to be an Official Institution. This means that when the act refers to the Head of the Official Institution, it refers to the Head of the Department.

**4.2 Conditions applicable to Official Institution. (Act 60/2000 Section 97)**

The Department is subject to such conditions in respect of the acquisition, use, safekeeping and disposal of firearms as may be prescribed, and to such conditions as may be imposed by the Registrar.

**4.3 Possession and use of firearms by the Department. (Act 60/2000 Section 98.1)**

An employee of the Department may not possess a firearm under the control of the Department without a permit issued in terms of this section of the act.

**4.4 Delegation to issue the permit. (Act 60/2000 Section 98.2)**

Only the head of the Department, or someone delegated in writing by him or her, may issue a permit to possess a firearm, to an employee of the Department in order to make use such firearm under its control.

**4.5 Permit Contents. (Act 60/2000 Section 98.3)**

A permit issued in terms of section 98, must contain such information as may be prescribed by the Registrar.

**4.6 Permit Conditions (Act 60/2000 Section 98.4)**

The Head of the Department may impose conditions on the possession and use of the firearms and ammunition under its control and may issue instructions to employees of the Department prescribing conditions relating to the acquisition, storage, transport, possession, use and disposal of such firearms and ammunition.

**4.7 Permit Conditions (Act 60/2000 Section 98.5)**

Unless the permit referred to, indicates otherwise, the employee must-

- a) When on duty, carry any handgun under his or her control on his or her person in a prescribed holster;
- b) At the end of each period of his or her duty, return the firearm in question to the place of storage designated for this purpose by the Department; and
- c) When travelling with a firearm, carry the firearm on his or her person or in a secure place under his or her direct control.

#### **4.8 Permit Conditions (Act 60/2000 Section 98.6)**

The head of the Department may only authorise, with the written consent from the Registrar, an employee to:

- a) Have the firearm in his or her possession after his or her working hours
- b) Carry the firearm on his or her person outside the premises of his or her workplace;  
or
- c) Store the firearm at his or her place of residence.

#### **4.9 Permit Conditions (Act 60/2000 Section 98.7)**

The holder of a permit must carry that permit on his or her person when he or she is in possession of a Departmental firearm.

#### **4.10 Permit Conditions (Act 60/2000 Section 98.8)**

The head of the Department may only issue a permit to an employee if the employee:

- a) Is found to be a fit and proper person to possess a firearm; and
- b) Has successfully completed the prescribed training and
- c) Has successfully completed the prescribed test for the safe use of a firearm.

#### **4.11 Reporting of loss or theft of any firearm. (Act 60/2000 Section 98.9a)**

The Head of the Department must report the loss or theft of any firearm immediately to the Registrar and to the nearest police station. For the purposes of this the "nearest police station" means the police station nearest to the place where the loss or theft occurred.

#### **4.12 Disposal of or destruction of a firearm. (Act 60/2000 Section 98.10)**

The Department may only dispose of or destroy a firearm under its control in the prescribed manner. The procedures for the disposal of surplus or redundant firearms are as follows:

- a) A letter of approval for disposal from the Departmental provisioning head is needed before the firearm may be disposed of.
- b) The firearm is then taken to the nearest police station where a SAP 300 is completed where the firearm is signed over to the police.
- c) Copies of the approval letter and the SAP 300 must be sent to the person responsible for the Departmental firearm register so that the firearm can be removed from the Departmental register.
- d) The Record card for the Firearm must also be brought up to date with the relevant information.
- e) The person responsible for the Departmental register must inform the Registrar of the disposal of the firearm.

#### **4.13 Register to be kept by the Department. (Act 60/2000 Section 99)**

The Department must keep a Register in the prescribed form. The Register must contain such particulars as may be prescribed, including-

- a) The particulars of every firearm under Departmental control;
- b) The particulars of every employee who, is allowed to be in possession of a firearm, and the particulars of each such firearm;
- c) The conditions specified in every permit issued;

- d) Particulars regarding the disposal, transfer, loss, theft or destruction of firearms contemplated in paragraph (a); and
- e) If a firearm is a lost or stolen, particular regarding the report of the loss or theft to the South African Police Services.

**4.14 Marking of firearms. (Act 60/2000 Section 99(3))**

All firearms under the control of the Department must bear such identification marks as may be prescribed by the Department.

**4.15 Register to be kept by the Department. (Act 60/2000 Section 101)**

The Head of the Department must-

- a) Establish and maintain a workstation at a place which complies with such requirements as may be prescribed; and
- b) Provide the Registrar with access to the workstation and to the Register.

**ADDENDUM B**

**COMPETENCY CERTIFICATE IN THE USE OF A FIREARM**

It is hereby certified that

\_\_\_\_\_

ID no:

\_\_\_\_\_

Rank:

\_\_\_\_\_

In the service of the Provincial Administration of the Northern Cape, Department of Transport, Safety and Liaison, has received proper theoretical and practical training in the handling, use, and maintenance of a firearm and was found to be capable to use a firearm as required Section 98(8)(a)(b) of Act no. 60 of 2000. Firearms:

<b>MAKE</b>	<b>TYPE</b>	<b>CALIBRE</b>

Date: \_\_\_\_\_

\_\_\_\_\_  
(Signature of training officer)

Accepted:

1. \_\_\_\_\_  
(Head of office)

Date: \_\_\_\_\_

2. \_\_\_\_\_  
(Certificate holder)

Date: \_\_\_\_\_

**ADDENDUM C**

Department of Transport, Safety and Liaison

**PERMIT TO BE IN POSSESSION OF AND USE OF A OFFICIAL FIRE ARM:**

It is hereby certified that -----  
-----  
ID no: -----  
-----  
Rank: -----PERSAL NO-----  
-----

In the service of the Provincial Administration of the Northern Cape, Department of Transport, Safety and Liaison, may in terms of Section 98(1)(a) of Act 60 of 2000, be in possession of and make use of the following firearm during performing official duties.

MAKE	TYPE	CALIBRE	SERIAL NO	FROM	UNTILL

It is hereby declared that the abovementioned officer is found to be a fit and proper person to use this firearm, in terms of Section 98(8)(a) & (b) of Act no. 60 of 2000.

This permit subject to the adherence of the following conditions by the employee:

- When on duty, carry any handgun under his/her control on his/her person in a prescribed holster
- Be in his/her possession after working hours
- Carry the firearm on his/her person outside his/her workplace
- Store the firearm at his/her place of residence in a safe/strong room as conforms to the prescripts of SABS Standards 953-1/953-2
- At the end of each period of his/her duty, return the firearm in question to the place of storage designated for this purpose by the Official Intuition
- When travelling with a firearm, carry the firearm on his/her person or in a secure place under his/her direct control
- The holder of the permit must carry that permit on his/her person when he/she is in possession of an official firearm.
- The permit is only valid for the period that the permit holder is in the service of the Department and expires immediately after the officer ends his/her service and is not transferable.

**ADDENDUM D**

1.----- Date stamp-----  
 (Head of Department)

2.----- Date stamp-----  
 (Permit holder)

**PERMIT CARD TO BE ISSUED TO OFFICERS**

<b>ID NO</b>		<b>PERMIT TO POSSESS FIREARM</b>			
<b>FULL NAME</b>		This is to certify that the official described herein and whose particulars appear on the reverse hereof has been issued with a firearm:			
	<b>PHOTO</b>				
		<b>MAKE</b>	<b>TYPE</b>	<b>CALIBRE</b>	<b>SERIAL</b>
		In terms of Chapter 6 and Chapter 11 of the <b>FIREARM CONTROL ACT 60 OF 2000</b>			
		<b>HEAD OF DEPARTMENT</b> Department of Transport, Safety and Liaison			

**FIREARM REGISTER – VUURWAREREGISTER**

OFFICE/KANTOOR----- DATE/DATUM-----

Firearm Issued to	Persal No	Firearm Made	Firearm Calibre	Firearm number	Conditions Specified	Theft or loss reference	Date issued	Date returned

**AMMUNITION REGISTER – AMMUNISIE REGISTER**

**OFFICE/KANTOOR**----- **DATE/DATUM**-----

Date Datum	RECEIPT - ONTVANGS			Date	ISSUES - UITREIKING			Remarks on used cartridges
	Total received	Balance	Signature of Officer		Amount Issued	Amount received back	Balance	





**REKORDKAART: VUURWAPEN - RECORD CARD: FIRE ARM**

Tipe /Type.....  
 Loop/Barrel no.....

Fabrikaat / Make.....  
 Romp / Body no.....

Kaliber / Calibre.....

**Deel / Part 1**

DIENSBAARHEID – SERVICE ABILITY		
Datum / Date	Opmerking / Remarkds	Handtekening van wapensmid/ Signature of armourer

**Deel/ Part 2**

TOEWYSING – ALLOCATION				
Tipe / Type.....		Fabrikaat / Make.....		
No.....				

**Deel / Part 3**

BESKIKKING – DISPOSA	
Datum Date.....	
Voucher Number.....	