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## GOVERNMENT NOTICE

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### DEPARTMENT OF POLICE

No. 1071

10 November 2009

#### **ESTABLISHMENT BY THE MINISTER OF POLICE OF GUIDELINES FOR COMPENSATION UNDER SECTION 137(5) OF THE FIREARMS CONTROL ACT, 2000 (ACT NO. 60 OF 2000)**

1. I, Emmanuel Nkosinathi Mthethwa, Minister of Police, hereby, with the approval of the Minister of Finance, establishes under section 137(5) of the Firearms Control Act, 2000 (Act No. 60 of 2000), the following guidelines for compensation of persons whose firearms have been surrendered or forfeited, other than those referred to in sections 134, 135 and 136 of the Act.
2. These guidelines are not applicable to firearms which have been voluntary surrendered for destruction to the South African Police Service in the period between 1 July 2004 and 30 June 2009-
  - (a) by the lawful owners of such firearms, in accordance with Regulation 94 of the Firearms Control Regulations, 2004; and
  - (b) by virtue of a choice made by the person involved to have the firearm destroyed and not to sell, donate or otherwise dispose of the firearm involved.
3. These guidelines shall apply to firearms referred to in section 149(3) of the Firearms Control Act, 2000. Notwithstanding paragraph 2 above, I hereby determine that if the Registrar decides that a particular firearm needs to be kept by the South African Police Service for forensic- and other training, research or heritage reasons; and will therefore not be destroyed, that the owner whose firearm was voluntarily surrendered for destruction must be compensated in accordance with these guidelines. In such a case the Registrar must notify the person concerned of the intention not to destroy the firearm and provide the person with the prescribed application form for