



Private Bag  
Privaatsak X 94, Pretoria, 0001

Fax No  
Faks No: 012 421 8223

Your reference/U verwysing:

THE NATIONAL COMMISSIONER  
DIE NASIONALE KOMMISSARIS

My reference/My verwysing: 27/5/21

PRETORIA

Enquiries/Navrae Lieutenant General Jephtha

0001

Tel: 012 393 9077/ 9075

All Provincial Commissioners  
**SOUTH AFRICAN POLICE SERVICE**

**GAUTENG HIGH COURT, PRETORIA INTERIM ORDER: GUNOWNERS OF SOUTH AFRICA VS NATIONAL COMMISSIONER AND MINISTER OF POLICE**

1. On 2018-07-27 the Gauteng High Court, Pretoria interdicted the SAPS from accepting, collecting and /or demanding the handing over of firearms of which the licences have expired pending finalisation of the main relief, set out below:
  - 1.1 extending the periods for renewal on good cause shown;
  - 1.2 withdrawal of the 2016-02-03 circular;
  - 1.3 restoring IT systems to accept late renewal applications and applications for which licences have expired; and
  - 1.4 any applicant that lodged an application for renewal and provided good cause is deemed to be unlawful possession until his/her application has been decided upon.
2. Kindly note that the main relief set out in paragraphs 1.1-1.4 above must still be decided upon by a Court.
3. Provincial Commissioners must suspend all directives issued in their respective provinces in relation to the handing over of firearms for which licences have expired.
4. Furthermore the interdict is only applicable to firearms where the licences have expired and thus members are not prohibited from seizing or taking into custody firearms for other purposes provided for in law.
5. It must be emphasised that if people still surrender their firearms voluntarily, it can be accepted, but they must be made aware that they must state in writing that they surrender the firearm voluntarily.

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6. An appeal will be lodged and further directives and/or instructions to follow in due course. Only directives and/or instructions issued by this office must be adhered to.
7. Persons who already handed over their firearm as a result of the Constitutional Court ruling of the 2018-06-07 must be handed back their firearms if they so demand.
8. The contents of this directive must be brought to the attention of all members for compliance.



**GENERAL  
NATIONAL COMMISSIONER: SOUTH AFRICAN POLICE SERVICE  
KJ BITOLE (SOEG)**

Date: 2018 -07- 3 0