

If someone you know has a gun and they are misusing it, or are a danger to themselves and others, you can ask the police to remove the gun.

Here are some examples of when a gun owner is being irresponsible:



If he **threatens** you or someone else with a gun



If he threatens to **hurt or kill himself** with the gun



If he is or has been **violent**



If he has been **convicted** of a violent or sexual offence



If he has a final **protection order** issued against him under the DVA



If he does not carry or **store the gun safely** as required by the law

## DO YOU KNOW

# SOMEONE WHO SHOULD NOT HAVE A GUN?

### ESTABLISH THE CORRECT INFORMATION



**01** Before you speak to the police **make sure that you have the correct information** about the irresponsible use of the gun. The information must be specific and accurate.

### SAPS TO INVESTIGATE



**03** **SAPS is required to investigate.** The FCA allows the police to immediately remove a gun in incidents of domestic violence. The gun will be stored in the SAPS 13 store at the police station.

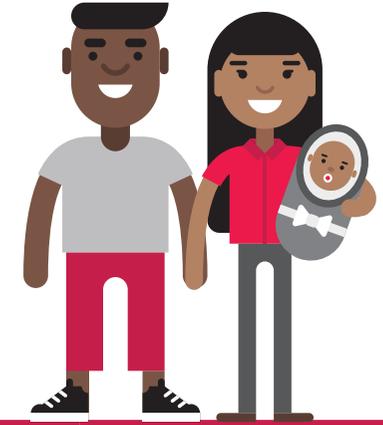
If the gun is illegal it will be removed and the owner will be charged with illegal possession of a firearm.

If it is a legal gun, the police should investigate the complaint.

### GUN OWNER DECLARED UNFIT



**05** If the officer finds the complaint is a true account, he can declare the gun owner **“unfit to possess a firearm”**. This means the gun owner must hand in all his guns and firearm licences and he is not allowed to apply for a gun licence for five years.



### SPEAK TO THE POLICE



**02** Go to your nearest police station and **speak to the Designated Firearms Officer (DFO)**, and report the irresponsible use of the gun. You must make a written statement describing how the gun is being misused. If there is no DFO report the matter to the police officer on duty.

### GUN OWNER CALLED TO APPEAR



**04** The gun owner is called to appear at a **section 102 hearing**. This is to decide if the gun owner is fit to own his firearm. The hearing takes place at the police station and is presided over by a senior police officer. The police may call witnesses to testify. The gun owner is also given an opportunity to explain his side of the story.

**ANY THREAT WITH A GUN IS ILLEGAL WHATEVER THE REASON**