

REPUBLIC
OF
SOUTH AFRICA



REPUBLIEK
VAN
SUID-AFRIKA

Government Gazette Staatskoerant

Vol. 376

PRETORIA, 1 OCTOBER 1996
OKTOBER

No. 17490

GOVERNMENT NOTICE GOEWERMENTSKENNISGEWING

MINISTRY FOR SAFETY AND SECURITY MINISTERIE VIR VEILIGHEID EN SEKURITEIT

No. 1633

1 October 1996

DANGEROUS WEAPONS ACT, 1968

PROHIBITION OF THE POSSESSION OF DANGEROUS WEAPONS

I, Fholisani Sydney Mufamadi, Minister for Safety and Security, acting under section 2 (2) of the Dangerous Weapons Act, 1968 (Act No. 71 of 1968), hereby prohibit any person, subject to the provisions of paragraph 3 of the Schedule, from being in possession at any time at any gathering at or in any public place of any object belonging to a class, type, kind or category of object specified in paragraph 2 of the Schedule and which is in my opinion a dangerous weapon as referred to in section 1 of the said Act.

F. S. MUFAMADI

Minister for Safety and Security

SCHEDULE**Definitions**

1. In this Notice and this Schedule, unless the context otherwise indicates-

"dangerous weapon" means any object referred to in paragraph 2;

"gathering" means a gathering as defined in section 1 of the Dangerous Weapons Act, 1968 (Act No. 71 of 1968);

"member" means any member of the South African Police Service defined in section 1 of the South African Police Service Act, 1995 (Act No. 68 of 1995);

"Minister" means the Minister for Safety and Security;

"National Commissioner" means the National Commissioner referred to in section 6(1) and also any Provincial Commissioner of a province referred to in section 6(2) of the South African Police Service Act, 1995 (Act No. 68 of 1995);

"public place" means any place to which the public has a right of access in terms of any law or the common law; and

"security force" means -

- (a) the South African Police Service referred to in section 1 of the South African Police Service Act, 1995 (Act No. 68 of 1995); or
- (b) the National Defence Force referred to in section 224 of the Constitution.

Dangerous Weapons

2. For the purposes of the prohibition the following objects are dangerous weapons:

spear;
assegai;
knobkierrie;
panga;
sword or sabre;
dagger;
any knife with a blade longer than 10 centimetres;
battle axe;
axe;
a lead, iron or other metal loaded stick;
a handle with wire, chain or other heavy substance attached to it;
sharp-pointed stick or metal object;
club or baton;
petrol bomb;
mortar;
rocket launcher;
machine gun;
grenade;
bomb;
explosive;
incendiary device; and
ammunition intended to be fired from any machine gun.

Conditions, restrictions, directions and exemptions

3. (1) The prohibition of the possession of dangerous weapons shall not apply to-

- (a) a member of a security force in the exercise of any power or the performance of any duty in his capacity as a member of such a security force;
- (b) a person who is an employee and that possesses such dangerous weapon for the purposes of the performance of his functions as such an employee : Provided that such person is also in possession of written proof signed and issued by his employer, wherein the following is stated:
 - (i) The full name and address of the person to whom the written proof has been issued;
 - (ii) the full name, business address and telephone number of the employer;
 - (iii) the full name, address, capacity and telephone number of the person who issued the written proof; and
 - (iv) the nature of the task of the employee, together with an exposition of the working and travel times, and an exposition of the relevant object or objects and the reasons why it is necessary for the performance of the duties of the employee that he should be in possession of the object or objects;
- (c) a person to whom the National Commissioner has given written permission, or, in a case where application is made therefor by a representative of a class, group or category of persons to which the person belongs, to which representative the National Commissioner has given written permission for any person so represented, to be in possession of a dangerous weapon specified in paragraph 2 of the Schedule at a spe-

cified time or during a specified period, in or on the specified place, for a specified purpose.

- (2) A member of a security force may, for the purpose of this prohibition, request a person to display the written proof as referred to in subparagraph (1)(b), and the written permission as referred to in subparagraph (1)(c).

Coming into operation

4. The provisions contained in this Notice and this Schedule shall come into operation after the expiry of a period of three days after the date of promulgation of this Notice in the *Gazette*.

No. 1633

1 Oktober 1996

WET OP GEVAARLIKE WAPENS, 1968

VERBOD OP DIE BESIT VAN GEVAARLIKE WAPENS

Ek, Fholisani Sydney Mufamadi, Minister vir Veiligheid en Sekuriteit, handelende kragtens artikel 2 (2) van die Wet op Gevaarlike Wapens, 1968 (Wet No. 71 van 1968), verbied hierby enige persoon, behoudens die bepalings van paragraaf 3 van die Bylae, om te eniger tyd by enige byeenkoms by of in enige openbare plek in besit te wees van enige voorwerp wat tot 'n klas, tipe, soort of kategorie behoort wat in paragraaf 2 van die Bylae vermeld word en wat na my oordeel 'n gevaarlike wapen, soos bedoel in artikel 1 van genoemde Wet, is.

F. S. MUFAMADI

Minister vir Veiligheid en Sekuriteit

BYLAE

Woordomskrywings

1. In hierdie Kennisgewing en hierdie Bylae, tensy uit die samehang anders blyk, beteken -

"gevaarlike wapen" enige voorwerp in paragraaf 2 bedoel;

"byeenkoms" 'n byeenkoms soos omskryf in artikel 1 van die Wet op Gevaarlike Wapens, 1968 (Wet No. 71 van 1968);

"lid" enige lid van die Suid-Afrikaanse Polisiediens soos omskryf in artikel 1 van die Wet op die Suid-Afrikaanse Polisiediens, 1995 (Wet No. 68 van 1995);

"Minister" die Minister vir Veiligheid en Sekuriteit;

"Nasionale Kommissaris" Die Nasionale Kommissaris in artikel 6(1) en ook enige Provinsiale Kommissaris van 'n provinsie in artikel 6(2) van die Wet op die Suid-Afrikaanse Polisiediens, 1995 (Wet No. 68 van 1995), bedoel;

"openbare plek" enige plek waartoe die publiek 'n reg van toegang ingevolge enige wet of die gemenereg het; en

"veiligheidsmag"

(a) die Suid-Afrikaanse Polisiediens bedoel in artikel 1 van die Suid-Afrikaanse Polisiediens Wet, 1995 (Wet No. 68 van 1995); of

(b) die Nasionale Weermag bedoel in artikel 224 van die Grondwet.

Gevaarlike wapens

2. Vir die doeleindes van die verbod is die volgende voorwerpe gevaarlike wapens :

spies;

assegai;

knopkierie;

panga;

swaard of sabel;

dolk;

'n mes met 'n lem langer as 10 sentimeter;

strydbyl;

byl;

met lood-, yster- of ander metaalbeswaarde stok;

'n steel met draad, kettings of ander swaar materiaal daaraan geheg;

skerppuntige stok of metaal voorwerp;

knuppel;

petrolbom;
mortier;
vuurpylrigter;
masjiengeweer;
granaat;
bom;
ploftoestel;
ontbrandingstoestel; en
ammunisie wat bestem is om uit 'n masjiengeweer afgeskiet te word.

Voorwaardes, beperkings, voorskrifte en vrystellings

3. (1) Die verbod op die besit van gevaarlike wapens is nie van toepassing nie op -
- (a) 'n persoon wat 'n lid is van 'n veiligheidsmag by die uitoefening van enige bevoegdheid of die uitvoering van enige plig in sy hoedanigheid as 'n lid van so 'n veiligheidsmag;
- (b) 'n persoon wat 'n werknemer is en wat sodanige gevaarlike wapen in sy besit het vir die doeleindes van die verrigting van sy werksaamhede as so 'n werknemer : Met dien verstande dat sodanige persoon ook in besit van 'n skriftelike bewys onderteken en uitgereik deur sy werkgewer moet wees, waarin die volgende vermeld word :
- (i) Volle naam en adres van die persoon aan wie die skriftelike bewys uitgereik is;
- (ii) volle name, besigheidsadres en telefoonnommer van sy werkgewer;
- (iii) volle naam, adres, hoedanigheid en telefoonnommer van die persoon wat die skriftelike bewys uitgereik het; en

- (iv) die aard van die werknemer se werksaamhede tesame met 'n uiteensetting van werk- en reistye en 'n opgawe van redes waarom dit vir die doeleindes van die verrigting van die werknemer se dienspligte nodig is dat hy in besit van die voorwerp of voorwerpe moet wees;
- (c) 'n persoon aan wie die Nasionale Kommissaris skriftelike toestemming verleen het, of, in 'n geval waar aansoek daarom gedoen word deur 'n verteenwoordiger van 'n klas, groep of kategorie persone waartoe so 'n persoon behoort, aan welke verteenwoordiger die Nasionale Kommissaris skriftelike toestemming vir enige aldus verteenwoordigde persoon verleen het om op 'n vermelde tyd of gedurende 'n vermelde tydperk in of by die vermelde plek, in besit te mag wees van 'n gevaarlike wapen in paragraaf 2 van die Bylae vermeld, vir 'n vermelde doel.
- (2) 'n Lid van 'n veiligheidsmag kan by die toepassing van hierdie verbod, 'n persoon versoek om die skriftelike bewys bedoel in subparagraaf 1(b) te toon, en die skriftelike toestemming bedoel in subparagraaf 1(c).

Inwerkingtreding

4. Die bepalings vervat in hierdie Bylae en hierdie Kennisgewing tree in werking na die verstryking van 'n tydperk van drie dae na die datum van afkondiging van hierdie Kennisgewing in die *Staatskoerant*.

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