

## CONTACT DETAILS

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# FIREARM ADMINISTRATION PROCESS

# FIDUCIARY SERVICES

## PPS/EXECUTOR'S DUTIES

### Estate clerk

Contacts the Central Firearms Control Registry (CFCR) and they confirm registration of a firearm/s in the name of the deceased.

### Estate officer

Receives new estate file and is advised if there are firearms in the estate. The estate officer then provides the firearm clerks with a firearm sub-folder to serve as a duplicate firearm file for their estate file. The subfolder for the firearm clerks contains the usual supporting documents, contact details for the heirs as well as any additional information regarding the firearms.

### Firearm clerks

Receive the file and confirm that all the necessary documents and information are on file. They then make contact with the heirs to confirm the following information:

- The whereabouts of the firearm/s, i.e. the physical address where the firearm is being kept for safekeeping and the details of the person holding the firearm/s
- That the firearm/s is/are stored correctly in terms of Regulation 86
- That the heirs have knowledge of the whereabouts of all the firearms mentioned by the CFCR and that they are in safekeeping
- The final instruction for the firearm/s

## TRANSFER OF FIREARMS

### Heir

If the heir is compliant with Regulation 86 and wants to transfer the firearm into their name we provide them with an affidavit referring to Regulation 86. This will need to be signed and commissioned by the SAPS. Once the letter of executorship is received the heir is provided with the SAPS 539 certificate which allows them to store the firearm for a period dictated by the SAPS. The heir provides us with the signed, stamped and dated copy for our file. We also provide the heir with a SAPS 271 form. The heir needs to complete the competency course and submit the application form together with the competency certificate for our records. The documents get handed to the SAPS for onward transmission to the CFCR for administration. A payment of R140 to license each firearm needs to be made and a copy of the receipt forwarded for our records.

### THIS IS OUR PROOF OF THEIR APPLICATION.

We are then able to close our file. We then proceed to follow up with the CFCR regarding the application progress each month.

## OTHER DEALER

If the heir is non-compliant in terms of Regulation 86 we advise them that if they want ownership of the firearm it needs to be stored with a dealer until they are licensed to carry the firearm. Some heirs elect to make use of their dealers because of convenience and/or costs. We then provide the dealer with a SAPS 534 form to allow them to take transfer of the firearm into their dealer-stock. Once we receive proof on the dealer's letterhead reflecting the dealer's code and confirming that they are holding the firearms we await a copy of the completed and signed SAPS 534 and SAPS 350(a) forms. We will follow up with the CFCR on a monthly basis until confirmation is obtained confirming transfer of ownership. It then becomes the responsibility of the dealer to liaise with the heir and make sure that the transfer forms are received.







## LEGALLY ARMED

If the heir is non-compliant and they elect to make use of our service provider the instruction together with a SAPS 534 form is forwarded to our service provider. It is their responsibility to provide us with the completed and signed SAPS 534 form and SAPS 350(a). When the CFCR confirms that there are no longer firearms in the name of the deceased we proceed to close our file. It is then the dealer's responsibility to attend to the license application with the heir.

We do not allow third parties to store firearms. The firearm needs to be stored with a dealer until their licence has been issued to ensure that the firearm is dealer-stocked and no longer reflects in the name of the deceased, thus allowing us to finalise our file.

## DESTRUCTION OF FIREARMS

### Legally Armed

If the heir advises us that they want the firearms destroyed, we can facilitate this process through Legally Armed or they can do this themselves through the SAPS. We provide Legally Armed with the SAPS 534 form so that they can dealer-stock the firearms and enclose the destruction documents together with the instruction to proceed. The heir then provides us with copies of the signed, completed and stamped forms received back from the SAPS as proof of destruction and we then follow up with the CFCR to confirm that there are no firearms registered in the name of the deceased. Upon a clean 10.2.3 certificate we can close our file.

### Heirs

When we are advised by the heirs to have the firearms destroyed we proceed to prevent any further risk, especially if the firearms are not stored correctly in terms of Regulation 86. We contact their nearest SAPS branch and request that they collect and destroy the firearm(s). There are no costs involved. We follow up with the CFCR to confirm that the firearms have been removed from the name of the deceased. Upon confirmation and a clean 10.2.3 certificate, we can close our file.

## DEACTIVATION OF FIREARMS

When the heirs advise us that they want the firearms deactivated they can either make use of Legally Armed or their own dealer. The process is as follows:

### Other dealer

The dealer arranges for collection of the firearm. We provide the dealer with instructions and documents confirming the firearm has been taken to the SAPS. They send it for IBIS tests (ballistic testing) and after a few months firearms are returned to the SAPS and the dealer is contacted. The dealer collects the completed documents pertaining to the firearm and then attends to the deactivation documents. These are lodged with the provincial office. It takes several months for the firearm to be transferred out of the name of the deceased.

### Legally Armed

RAM collects the firearm and takes it to the dealer. We provide the dealer with an instruction to dealer-stock the firearm, together with supporting documents and a SAPS 534 certificate. Once confirmation has been received that the firearm has been dealer-stocked, and is no longer in the name of the deceased, we can close our file. The dealer liaises with the heir and arranges for the deactivation of the firearm.

The deactivation of a firearm in itself takes a few days to finalise, as well as to have the firearm removed from the name of the deceased. The IBIS testing etc can take up to 2 years to complete.

### Lost/stolen firearms

When we are advised by the heir that they do not know the whereabouts of the firearm/s we obtain as much information as we can about the firearm/s and establish the last known address of the deceased. We act as the firearm clerk, complete an affidavit and then physically go to the SAPS and report the firearm/s as lost/stolen. A docket is opened and forwarded to the police station closest to the deceased's last known residence. The detectives then investigate the matter and if they cannot find the firearm they will have the matter circulated on their database.

We obtain proof in the form of 10.2.3 and 8.1.2.4 certificates and we can close our file.



