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GENERAL NOTICES • ALGEMENE KENNISGEWINGS

Department of Trade, Industry and Competition**NOTICE 3199 OF 2025****INTERNATIONAL TRADE ADMINISTRATION COMMISSION OF
SOUTH AFRICA****NOTICE OF PROPOSED BAN AND DRAFT TRADE POLICY DIRECTIVE
ON THE IMPORTATION OF BLANK GUNS****1. BACKGROUND**

- 1.1 The rise in crime in South Africa has been a significant concern for both citizens and law enforcement. Among the various weapons used in criminal activities, specifically in the commission of contact crimes, are blank guns, which are designed to fire blanks or non-lethal rounds.
- 1.2 Blank guns, while originally intended for legitimate uses such as training by the South African Police Service (“**SAPS**”) and the South African National Defence Force (“**SANDF**”), signalling in sports events and as props in movies, have increasingly been misused by criminals. In particular, there has been a reported increase in the usage of imitation guns and blank guns in the commission of crime in the Western Cape,
- 1.3 There may be several reasons for the use of blank guns in criminal activities:
- Realistic appearance: They closely resemble real firearms, making them effective tools for intimidation during crimes such as robberies or hijackings;
 - Ease of acquisition: they are more easily accessible than traditional firearms; and
 - Modification potential: Some blank guns can be illegally modified to fire live ammunition, turning them into actual lethal weapons.
- 1.4 What makes policing of blank guns difficult is the fact that they are not currently fully regulated in terms of the Firearms Control Act, 2000 (Act No. 60 of 2000) (“**FCA**”), especially the possession of these devices.
- 1.5 Consequently, in recognition of the danger that blank guns pose to public safety, the SAPS has taken steps to regulate them more strictly.

- 1.6 Among the measures currently being considered by the SAPS are amendments to the FCA through the Firearms Control Amendment Bill. This approach is necessary because, historically, blank guns were not regulated under the FCA, meaning they could be bought and carried without a license.
- 1.7 The proposed amendments to the FCA include measures that would place blank guns in a category similar to conventional firearms in terms of legal oversight as well as measures direct at the importation of blank guns. However, the amendment process is ongoing and will require time to finalise all the while that blank guns are being used to commit crimes.
- 1.8 In light of the urgency of the matter, the SAPS approached the International Trade Administration Commission of South Africa (“**the Commission**”) with a request for the immediate imposition of controls on the importation of blanks guns, such as imposing specific conditions on the issuing of permits for the importation of blank guns or an outright ban on the importation of blank guns.
- 1.9 In terms of the International Trade Administration Act, 2002 (Act No. 71 of 2002) (“**the Act**”), it is the Minister of Trade, Industry and Competition (“**the Minister**”) who has the authority to ban or otherwise regulate the importation of goods into South Africa.
- 1.10 Specifically, section 6 of the Act provides that –
- (1) *The Minister may, by notice in the Gazette, prescribe that no goods of a specific class or kind, or no goods other than goods of a specified class or kind, may be –*
- (a) *imported in the Republic;*
- (b) *imported into the Republic, except under authority of and in accordance with the conditions stated in a permit issued by the Commission.*
- 1.11 Based on these provisions, and in terms of section 5 of the Act, the Minister may issue a trade policy directive to the Commission directing the Commission, in terms of section 6(1)(b) of the Act, to regulate the importation of blank guns by imposing specific conditions in import permits issued by the Commission.

2. OBJECTIVE OF THE BAN AND DRAFT POLICY DIRECTIVE

- 2.1 The regulation of blank guns in South Africa, either through import permits or the imposition of an outright ban, serves a multifaceted objective centred on

public safety, crime prevention, and effective law enforcement. Given the use of blank guns in contact crimes, regulating their importation is a logical step toward reducing their availability to criminals. It also aligns with the broader firearm control strategies of the SAPS aimed at reducing gun violence in South Africa,

- 2.2 At the core of any import control measure lies the objective of limiting the proliferation of weapons that can be easily repurposed or misused. While blank guns are technically non-lethal, some models can be modified to fire live ammunition or projectiles, thus posing a real threat to public safety. In the hands of criminals, these modified or even unmodified blank guns undermine public trust and challenge the capacity of law enforcement to respond appropriately, as officers must treat all firearm threats as potentially lethal. By controlling or banning the entry of blank guns into South Africa, the government can reduce their role in contact crimes.
- 2.3 However, legitimate uses of blank guns should also be considered. These guns are used for police and military training. Film production companies and private security firms also rely on blank guns for professional purposes. Therefore, an outright ban might materially and negatively impact these sectors. This raises the issues whether a permit system would be a more balanced regulatory approach as it would allow authorities to scrutinize importers and related end-users, ensuring blank guns are only accessible to those with valid and verified needs.
- 2.4 Ultimately, whatever control measure may be put in place, the objective is not merely about restricting a type of weapon, but ultimately about promoting a safer, more secure public space for South African citizens by reducing gun-related violence.

3. **BAN ON, OR CONTROL OF, THE IMPORTATION OF BLANK GUNS**

- 3.1 In term of section 6(1)(a), the Minister may, by notice in the Government Gazette, prescribe that no good of a specified class or kind be imported into South Africa.

- 3.2 Given the gravity of the matter, as discussed about, the Minister is considering, subject to comments from the public, banning the importation of blank guns into South Africa.
- 3.3 Alternatively, the Minister may exercise his authority under section 6(1)(b) to direct the Commission to regulate the importation of blank guns through a permit system. In this case, the Minister may issue a trade policy directive to the Commission, as provided for in paragraphs 3.3.1 – 3.3.4.9, below.
- 3.3.1 In terms of section 5 of the Act, the Minister is empowered to issue trade policy directives to the Commission. In terms of section 7(2)(a)(ii), the Commission is subject to trade policy directives issued by the Minister in terms of section 5.
- 3.3.2 In terms of section 6 of the Act –
- (1) *The Minister may, by notice in the Gazette, prescribe that no goods of a specific class or kind, or no goods other than goods of a specified class or kind, may be -*
- (b) *imported into the Republic, except under authority of and in accordance with the conditions stated in a permit issued by the Commission.*
- 3.3.3 This Directive outlines the minimum regulatory requirements that must be met by individuals or entities seeking import permits for the importation of blank guns into South Africa.
- 3.3.4 The Minister directs the Commission to exercise its powers in terms of section 6(1)(d) of the Act in accordance with the following considerations:
- 3.3.4.1 General requirement
- The importation of all blank guns into South Africa is to be regulated through a permit system;
- 3.3.4.2 Importer identity verification
- An applicant, whether an individual or legal entity, seeking to import blank guns must undergo an identity verification. This may include submission of certified personal identification documents for individuals, and

corporate registration, tax identification, and principal officer information for companies.

3.3.4.3 Import purpose declaration

The applicant must clearly declare the intended purpose of the importation. Acceptable purposes include only the following: training exercises by the SAPS, the SANDF or private security firms or film production. The Commission may consider other purposes, but only if these pose no risk to public safety. Supporting documentation, such as contracts or project outlines, as stipulated by the Commission must be submitted as evidence.

3.3.4.4 No blank gun may be imported for sale or transfer to an end user unless that end user is a party identified in the preceding paragraph.

3.3.4.5 Purchaser registration and screening

The Commission may require importers to maintain a database of verified purchasers, including name, address, contact details, identification documents, and proof of lawful purpose.

3.3.4.6 Permit application and approval process

All importers must apply for and obtain a Blank Gun Import Permit from the Commission prior to shipment. The application must include an inventory of items to be imported, the country of origin, the shipping route, and storage location upon arrival. Permits will be granted only upon satisfaction of all identity, security, and purpose requirements.

3.3.4.7 Restrictions on modifiable models

3.3.4.8 Any blank guns capable of being easily converted into lethal firearms shall be prohibited from importation. Technical assessments may be required to certify that imported models do not pose a risk of conversion or modification.

3.3.4.9 Inspection and compliance audit

The Commission shall retain the right to conduct random inspections and compliance audits of importers, including reviewing records, examining storage facilities and seizing contraband items found to be in violation of this Directive.

4. NOTICE

- 4.1 In light of the above considerations, the Minister is hereby directing the Commission to publish a notice seeking public comments on a potential ban on the importation of blank guns or, alternatively, the exercising of control over the importation of blank guns through a permit system imposed by the Commission in line with the above draft trade policy directive.
- 4.2 This Notice is issued for public comment before the Minister decides whether to ban the importation of blank guns or to issue a trade policy directive.
- 4.3 Interested parties are invited to submit comments. Given the urgency of this matter, comments must be submitted within a period of two (2) weeks from the date of publication of this notice. Comments should be directed to –

The Minister of Trade, Industry and Competition, for the attention of
Donovan Mitchell- DMitchell@itac.org.za

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