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08 SEPTEMBER 2020

Enq: MR. N GOVENDER
Email: NeGovender@justice.gov.za

My Ref: 1587/16/Z61
Your Ref: UNKNOWN

FOR ATTENTION: CARL ARNOLD PRESIDENT OF THE BOARD

BY EMAIL: carl@avrlaw.co.za

FOR ATTENTION: FRED CAMPHOR CHIEF EXECUTIVE OFFICER

BY EMAIL: fredc@sahunt.co.za

SOUTH AFRICAN HUNTERS & GAME CONSERVATION ASSOCIATION v MINISTER OF SAFETY & SECURITY: CASE NO.: 33657 /2009

We act on behalf of the Minister of Police.

We write in connection with the interim order issued by Prinsloo J on 29 June 2009 as well as the outstanding main application in this matter.

It is now more than 11 years since the interim order was granted. You have taken no steps to pursue the main application, and it is evident that you have no intention of doing so. In the circumstances we must assume that your organisation has abandoned this relief. Where main relief has been abandoned, there can be no legitimate basis for keeping the interim order in place.

The holders of "green" licence holders who did not renew their licenses in terms of the Firearms Control Act have had more than ample opportunity to do so without attracting any criminal liability, through three amnesties over the last 10 years (the latest of which is still in operation). They have no right to a firearm licence which does not have to be renewed in accordance with the requirements of the Act.

Judgments of the Constitutional Court (in your second application against the Minister) and the Supreme Court of Appeal (in the Gun Owners of South Africa case) have now brought considerable clarity to firearms control in South Africa. The Minister wishes to bring finality to the outstanding issues of the interim order and main application. It is necessary that all firearm owners be brought within the ambit of the current legal dispensation, in order to promote public safety and the effective combatting of crime.

We accordingly propose that you consent to the discharge of the interim order and formally withdraw the main application. If this longstanding matter is settled on this basis, the Minister will seek no costs against the SAHGCA. The matter can be settled on the basis that each party pays its own costs.

Would you please advise us by no later than 17 September 2020 whether you agree that the matter may be resolved in the manner which we have proposed. If you decline this proposal or do not respond to it, we will file papers for the discharge of the interim order, and the permanent stay or dismissal of the main application.

In the latter event, our client will seek a punitive costs order on the attorney and own client scale.

We trust that this matter can now be settled without further litigation and look forward to hearing from you no later than 17 September 2020.

You trust that you will find the above to be in order.

Yours Faithfully

N GOVENDER
FOR STATE ATTORNEY PRETORIA