

INHERIT

FIREARMS IN ESTATES (INHERITANCE)

You In the case of the death of the holder of a firearm licence, the nominated executor in the will may under authority of a permit issued in terms of section 21 of the FCA, hold the firearms of the deceased in safe keeping.

Provided that an heir of a deceased estate is already a holder of a firearm licence, s/he may apply for authorisation or a permit to be issued under the FCA to take safe custody of the firearm and ammunition in question, on condition that the executor does not have the required storage facilities or the executor issues a letter of consent to the heir for the safe custody of the firearm (a copy of the letter of consent must be filed with the DFO for the area where the heir resides) (download form SAPS 539 [here](#)).

A person who inherits a firearm must apply for an appropriate licence if s/he wishes to keep the firearm. If s/he does not wish to acquire the firearm, or fails to obtain the appropriate licence, the CFR may deactivated or dispose of the firearm(s).

The Registrar may issue a temporary authorization to allow a person who inherits a firearm a reasonable time to dispose of it, or to apply for a licence for such a firearm.

In the case of the seizure of an estate the appointed administrator must compile an inventory of all the firearms and ammunition of the holder of a licence within 14 days and notify the CFR of such.

The administrator may only apply to the Master of the High Court to finalise the estate after notification has been received from the CFR that all firearms involved have been transferred in terms of the FCA, or have been deactivated or destroyed.

The administrator may not hand over a firearm sold on behalf of the estate to a person unless that person is in possession of a licence to possess that specific firearm.

It is strongly advised that you rather get the professional assistance of a lawyer conversant with the FCA to assist in this process

(NHTSA can set you in communication with such people - members may call the office in this regard)