

**IN THE HIGH COURT OF SOUTH AFRICA
(GAUTENG DIVISION, PRETORIA)**

CASE NO:

In the matter between:

**MARKSMAN ARMS AND FIREARM TRAINING CC
REGISTRATION NO: 2004/025046/23**

Applicant

AND

**THE NATIONAL COMMISSIONER OF THE
SOUTH AFRICAN POLICE SERVICES
(IN HIS CAPACITY AS REGISTRAR OF FIREARMS)**

1ST Respondent

**BRIGADIER PN SKHAKHANE
(IN HER CAPACITY AS SECTION HEAD, CENTRAL
FIREARMS REGISTRY)**

2ND Respondent

**CAPTAIN WESSEL J CROUKAMP
CENTRAL FIREARMS REGISTRY**

3RD Respondent

COLONEL SEWELA MANGADI

4TH Respondent

THE MINISTER OF POLICE

5TH Respondent

THE FIREARMS APPEAL BOARD

6TH Respondent

ANSWERING AFFIDAVIT

I, the undersigned,

**COLONEL SIWELA MAVIS MANGADI
IDENTITY NUMBER: REDACTED**

Do hereby state under oath as follows:

1.

I am an adult female person occupying the rank of a colonel and employed as such at the Central Firearms Register, Section: Arms Control, permits and authorization, I am acting in my official capacity and by virtue of my position I am competent to depose to this affidavit on behalf of all the RESPONDENTS and I am stationed at Veritas Building, Volkstem Avenue, Pretoria, Gauteng.

2.

The contents of this affidavit fall within my personal knowledge, unless stated otherwise, and are both true and correct.

3.

Where I proffer submissions of legal nature, I do so on the strength of the advice obtained from my legal representatives, which advise I accept to be correct.

4.

I confirm that I am opposed to the grant of the relief applied for in this matter. The application is misplaced both on facts and on points of law so much that this Court should dismiss same with punitive costs against the Applicant.

5.

I have read the Applicant's Founding Affidavit and the annexures thereto and respond to them as set out below. In so responding, I deal first with preliminary issues and to demonstrate that the application is not urgent and meritless. I thereafter respond ad seriatim. Where any allegation or contention contained in the Applicant's Founding Affidavit is not expressly dealt with and admitted, the same is taken as having been expressly denied.

6.

Before I deal with the merits of this case, I wish to set out the background of the matter in order to shed light to the Court.

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AD BACKGROUND

- 6.1 The Applicant is a Close Corporation which is registered in terms of the provisions of section 2(2) of the Close Corporation Act, Act 69 of 1984. The Applicant exists as a juristic person until it is deregistered or dissolved.
- 6.2 The Applicant alleges that members interest was sold to one Mr. Hendrik Petrus Van Zyl who was authorized in terms of the resolution passed on the 08th of December 2025 which is marked annexure "FA1" and form part of the proceedings.
- 6.3 The Applicant alleges that in order to give effect to the necessary changes, he caused a notification to be submitted to the Registrar of Firearms through the Designated Firearms Officer ("the DFO"), at a local police station situated in wonderboompoort, Pretoria, Gauteng notifying the Registrar that the Applicant appointed a new responsible person in terms of the provisions of section 7 of the Firearms Controls Act, Act 60 of 2000 ("the Act").
- 6.4 The Applicant alleges that the Respondents, as the officials delegated by the Registrar to manage the affairs of the Central Firearms Registry and who exercise control over the application of, inter alia, the provisions of the Firearms Control Act, refuses to give effect to the notification.
- 6.5 The Respondent in answer to paragraph 4.4 of the Applicant's founding affidavit relied on section 7(4) read with Section 38(1) of the Firearms Controls Act as a ground of refusing to give effect to the notification.
- 6.6 The Applicant goes on and on to indicate the reasons why the name change should be effected in order to effect him as the responsible person. The change of responsible person cannot be effected without an appointment letter signed by the directors of the company on Central Firearms Registry records. See annexure "SM1" and "SM2".
- 6.7 The Applicant also states that this application is urgent based on the grounds listed in paragraphs 38 to 56 of his founding affidavit.
- 6.8 In dispelling the assertions made by the Applicant as regards urgency, the Respondents states as follows:

SM

6.8.1 Before the Court makes a finding on the merits of an urgent application, the Court must first consider whether the application is indeed so urgent that it must be dealt with on the urgent Court roll. This will enable the Applicant to set the matter down again, on proper notice and compliance-**SARS V HAWKER AIR SERVICES(Pty) Ltd [2006] ZASCA 51; 2006 (4) SA 292(SCA)**.

Likewise, where the facts indicate that urgency is self-created, an applicant will not be entertained and the application will be struck from the roll-

6.8.2 It is trite that the correct and crucial test to be applied in urgent applications and confirmed that it is true test is whether or not an applicant will be afforded substantial redress in due course. **(See the matter of East Rock Trading 7 (Pty) Ltd and Another v Eagle Valley Granite (Pty) and Others (11/33767) [2011] ZAGPJHC 196 (23 September 2011)**. This in a nutshell means, if the matter were to follow its normal course as laid down in the rules, Applicant will be afforded substantial redress. If he cannot be afforded substantial redress at the hearing in due course, then the matter qualifies to be enrolled and heard as an urgent application. It means that if there is some delay in instituting the proceedings, an Applicant has to explain the reasons for the delay and why despite the delay he claims he cannot be afforded substantial redress at a hearing in due course.

6.8.3 Upon perusal of the Applicant's application, the Applicant on his own version submit that he was informed on the 28th of November 2025 the issues have been resolved as set out in the email and that he then approached Captain Croukamp as of 1 December 2025 for an indication of what was happening with the notification of change of the responsible person and he was not taken into confidence.

6.8.4 He was informed also on the 2nd of December 2025 that six applications for permanent import permits have been approved. After this information, one would have expected the Applicant to launch the urgent application for hearing the following week as per the Courts Practice Manual and directions but same was not done. This is an indication that this matter is not urgent and that the urgency is self-created.

SM

7.

THE APPLICANT FAILED TO MEET THE REQUIREMENTS OF URGENCY:

I have been made to understand that a party seeking urgent relief must set forth explicitly the circumstances which he/she avers render the matter urgent. In addition, the party seeking urgent relief must further demonstrate that it will not be afforded substantial redress at the hearing in due course. In casu, the Applicant did not even bother and/or has not provided an iota of facts that render the matter urgent. Of importance he has failed to demonstrate why he will not be afforded substantial redress in due course.

8.

As such this application did not meet the requirements for final relief since there is no clear right for the final relief, furthermore, the Applicant failed to demonstrate that they cannot be afforded an opportunity in due course for the relief sought and lastly the harm they will suffer will be irreparable.

What the Applicant says in his papers is just a lip-service without any facts that this matter should be dealt with on urgent basis without dealing with all the above requirements. It is therefore my submission that this application stands to be dismissed alternatively, struck from the roll for lack of urgency.

9.

The Applicant in his arguments also equate this case with the case that was decided by Judge Kubushi in the Pretoria's Arms matter, an assertion that the Respondent's refute.

10.

Applicant also states that there is currently no functional appeal board after there had not been new appointments of the members. He based his assertion on the excerpts drawn from annexure "FA3".

11.

In response to the Applicant's assertions, the Respondents dealt with the issue raised in paragraph 16 of the founding affidavit in details.

SM

12.

I have read the affidavit deposed to by the Applicant and I wish to answer as follows to the allegations trans versed in the Applicant's founding affidavit

AD FOUNDING AFFIDAVIT

AD PARAGRAPH 1 THEREOF:

Save to admit the names of the Applicant, the rest of the allegations are denied and the Applicant is put to the proof thereof.

13.

AD PARAGRAPH 2 THEREOF:

I note the resolution annexed authorizing the Applicant to act on behalf of the close corporation. Accordingly, the Applicant was supposed to annex the resolution by the members nominating him as the responsible person. Again I also refer to "SM2" above and will make further arguments with regard to same.

14.

AD PARAGRAPH 3 THEREOF:

The allegations in this paragraph are noted.

15.

AD PARAGRAPH 4 THEREOF:

I note the allegations contained in this paragraph.

16.

AD PARAGRAPH 5 THEREOF:

The name of the Applicant is noted and the fact that it is a Close Corporation with the quoted registration number and that it is registered in terms of the laws of the Republic of South Africa.

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17.

AD PARAGRAPH 6 THEREOF:

A copy of annexure "FA2" is noted, however it does not correspond with the initial CK2 provided by the Applicant on the records at Central Firearms Register. See attached as "Annexure SM1".

18.

AD PARAGRAPH 7 THEREOF:

It is noted that there are changes that took place in the annexure and that the change has been effected from one Isaac David Nel to Hendrik Petrus Van Zyl, which change took place on the 26th of June 2025. Furthermore, I can see that the Applicant confuses the notification of change of names in respect of CIPC with the application in terms of the Firearms Controls Act, 2000, Act 60 of 2000.

19.

AD PARAGRAPHS 8,9,10 AND 11 THEREOF:

I admit the allegations in these paragraphs.

20.

AD PARAGRAPH 12 THEREOF:

Save to admit that the officials are party to the decision dated the 3rd of December 2025, it is vehemently denied that the Applicant is entitled to costs order de bonis as the officials refused on the basis of non-compliance with section 7(4) of the Firearms Controls Act, Act 60 of 2000 ("the Act").

21.

AD PARAGRAPHS 13 AND 14 THEREOF:

The allegations in this paragraphs are admitted.

22.

AD PARAGRAPH 15 THEREOF:

The allegations in this paragraph are noted.

SM

23.

AD PARAGRAPH 16 THEREOF:

The allegations in this paragraph are not entirely truthful, the previous board term ended on the 30th of April 2025 and a new board has already been appointed in June 2025 and it lies with the treasury to finalise the issues of remunerations and outstanding issues. Once that has been done, it will be all systems go. It is therefore misplaced to argue that there is no realistic prospect that any appeal will be adjudicated upon in the near future.

24.

AD PARAGRAPH 17 THEREOF:

It is admitted that the Applicant is a close corporation which is registered in terms of section 2(2) of the close corporation Act, Act 69 of 1984 and that it continues to exist as a juristic person.

25.

AD PARAGRAPH 18 THEREOF:

I confirm what section 2(4) of the close corporation entails and I have nothing further to add to it.

26.

AD PARAGRAPH 19 THEREOF:

I note a copy of the document annexed and further admit that the applicant caused a notification to be submitted to the registrar of firearms through DFO at the local Police Station at Wonderboompoort, Pretoria, Gauteng which notified the registrar that the Applicant appointed a responsible person in terms of the provisions of Section 7 of the Firearms Controls Act. However, the notification was not supposed to be done by Mr. Van Zyl but by the directors of the company as recorded on the CK2 annexed "SM1" that was submitted to the Registrar on its records, recorded as Izak David Nel. This is the one reason why we are saying the Applicant is confusing the CIPC with the Firearms Controls Act.

SM

27.

AD PARAGRAPH 20 THEREOF:

It is correct that we have refused to give effect to the notification. The reason for the refusal is that the Registrar has no records of Mr. Hendrick Petrus Van Zyl appointed as responsible person by means of appointment letter signed by the directors of the company as recorded on CK2 annexed "SM1" who is authorized to apply for the change to be effected in terms of section 7 of the firearm controls Act 60 Of 2000. Accordingly, Mr. Van Zyl cannot be nominated as a responsible person and also effect changes to the nomination himself. Section 7(4) of the Firearms Control is very clear on this point and it states as follows:

- "(4) *If it becomes necessary to replace a responsible person for any reason, the juristic person must in writing-*
- (a) nominate a new responsible person who must be in possession of the relevant competent certificate; and*
 - (b) notify the Register of the nomination within seven days from the date of the nomination;*

28.

So from the reading of the above excerpts, it is abundantly clear that we could not give effect to the changes as Mr. Hendrick Van zyl did not comply with the provisions of the Act and therefore is not qualified to make an application before us for whatsoever reason.

29.

AD PARAGRAPH 21 THEREOF:

The allegations in this paragraph are noted, however, before we could even rush into what the result of failure to process the changes entails, Mr. Hendrick Van Zyl could have first thought of the consequences of failure to comply with the Act ("the Firearms Controls Act"). He is not a special person and must be treated like others, the Act makes it a must for the Applicant to make an application in writing for the nomination of the responsible person. It does not state that the responsible person himself must

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do a nomination like it was done in this case. Furthermore, the system as is still recognizing Mr. Nel as the responsible person and not otherwise.

30.

AD PARAGRAPH 22 THEREOF:

The allegations in this paragraph are denied, we do not have proof that the deposits were paid, nevertheless, even if we were to accept that the deposits was paid, which is still denied, what is at issue here is the fact that the person who brought the application before us was not authorized to do so, the payment of the deposits and the nitty grit ties of importing firearms and ammunition is a secondary issue. Otherwise people who were entitled to make applications were just going to jump the queue and make deposits without following proper channels.

31.

AD PARAGRAPH 23 THEREOF:

The allegations in this paragraph is noted, I however repeat that the Applicant first have to comply with the procedural requirements of the Act before even speaking about the importations and the payments of deposits and the likes.

32.

AD PARAGRAPH 24 THEREOF:

It is noted that the imports permits were submitted to the Registrar through the local office as already mentioned and the provisions of regulation 62 as regards to the application for import permits is also admitted. It must be noted that the permanent import permit applications in question were lodged by the responsible person on records of the Registrar therefore had no effect on this application.

33.

AD PARAGRAPH 25 THEREOF:

It is correct that the Applicant was informed that the applications have been approved on the 02nd of December 2025.

SM

34.

AD PARAGRAPH 26 THEREOF:

The allegations in this paragraph are noted, however, I assert that this is one of the reasons for the declining of the application, the other reasons follow in a correspondence dated 03 December 2025 which was written by myself and directed to Mr. HP Van ZYL. It must be noted that the permanent import permit applications were lodged by the responsible person, Ms. Andrie Nel who is on records of the Registrar since her appointment by Mr. Nel, the only active member on records of the Registrar, see appointment letter, annexed as "SM2".

35.

AD PARAGRAPH 27 THEREOF:

I acknowledge that the Applicant received a response in the form of an email following the letter written by the Applicant. Save to state that the email is informative and respond to the issues raised by the Applicant, the issues that the Applicant is raising with regard to other issues. Further arguments will be made at the hearing of this matter.

36.

AD PARAGRAPH 28 THEREOF:

I note the email that I wrote which is self-explanatory and I stand by same.

37.

AD PARAGRAPH 29 THEREOF:

The email states abundantly clear that the applications and change of the responsible person are finalized and goes further to state what is required in terms of Regulations 31(0). Furthermore, our system is linked to the cell phone numbers of the relevant Applicants, Ms. A Nel is the one on our system and therefore we expect that She should have received the sms communication the decision also, the Applicant is not on our system and it is not surprising that he did not receive certain communications which was done through the system.

SM

38.

AD PARAGRAPH 30 THEREOF:

A copy of the annexure is acknowledged as attached

39.

AD PARAGRAPH 31 THEREOF:

.The allegations in this paragraph are noted.

40.

AD PARAGRAPH 32, 32.1-32.2 THEREOF:

32.1 I admit that I wrote an email regarding the notification of change of responsible person but I do not recall writing in that email that this is a legal nonsense, I however stand to be corrected if such email exists as it is not part and parcel of the annexures.

32.2 I note the allegations in this paragraph.

41.

AD PARAGRAPH 33 THEREOF:

Save to admit what Judge Kubushi has stated and the fact that a Close Corporation is a legal entity, the issues before court are not the same, in this matter we are dealing with an Applicant who cannot be assisted because he does not have an authority to apply, the issues in the matter which was dealt with by Judge Kubushi related to the change of responsible person, Before that could be done, the Applicant needed to comply with certain requirements as referred to in section 7 subsection 4 of the Act.

42.

AD PARAGRAPH 34 THEREOF:

I note the provision of regulation 91(4) regulating appeals together with regulation 89(c) and what need to be included therein. I do not understand what issue the Applicant is making out of this as he was aware all along that he was not authorized to bring the application for a change of a responsible person before us and he could have simply corrected the situation in order not to delay the application unnecessary.

SM

43.

AD PARAGRAPH 35 THEREOF:

Regulation 31(0) is not misplaced, not in this case, I agree that the Applicant is the same legal entity, and that no transfer took place but this is not the issue the Applicant is worried about, the issue before court is that the Applicant was not authorized to bring the application for a change of responsible person, the only person authorized is the legal entity which need to do so in writing and not Mr. HP Van Zyl. The Act is very clear in this regard and further legal arguments will be made regarding this issue. Equating the facts of this matter with that of Pretoria Arms is misplaced.

44.

AD PARAGRAPH 36 THEREOF:

It is vehemently denied that it is as a result of the conduct of the second, third and Fourth respondents that the Applicant had to approach the Court for an urgent relief and it is submitted that the Applicant brought this application as a result of the ignorance of the law which he cannot make it an excuse.

45.

AD PARAGRAPH 37,37.1-37.5 THEREOF:

Save to note that the Applicant seeks the relief as mentioned in the subsequent paragraphs, such relief is opposed on the grounds as already mentioned and I state that the Applicant is not entitled to the relief sought.

46.

AD URGENCY

AD PARAGRAPH 38 THEREOF:

The allegations in this paragraph are admitted.

47.

AD PARAGRAPH 39 THEREOF:

I have no knowledge of the allegations in this paragraph, therefore I cannot admit or deny same and put the Applicant to the proof thereof.

SM

48.

AD PARAGRAPHS 40 THEREOF:

I admit the allegations in this paragraph and submit that if the Applicant was so serious about the urgency of this matter, he could have initiated the urgent application following this information.

49.

AD PARAGRAPH 41 THEREOF:

I do not disagree with the Applicant changing its responsible person in order to do digital transfer, I assert that the Applicant must follow proper procedures in order for that to happen.

50.

AD PARAGRAPH 42 THEREOF:

I agree that the Applicant cannot do certain things as mentioned in this paragraph because he is barred and prevented from digitally effecting such transfers because he is not a responsible person. It is however submitted that the Applicant should have thought of the consequences of his actions when he refused to comply with the requirements of section 7(4) of the Firearms Controls Act, Act 60 of 2000 ("the Act").

51.

AD PARAGRAPH 43 THEREOF:

The allegations in this paragraph are denied, reference is made to paragraph 19 of this paragraph and i pray that same be incorporated as if specifically pleaded.

52.

AD PARAGRAPH 44 THEREOF:

The allegations in this paragraph are denied, there is no reason why the Applicant cannot wait for the period provided for in the Act, furthermore, before we could even rush to appeals, the Registrar has no records of the dealer closing down. Mr. Nel was supposed to inform CFR that he was closing business. There are no grounds whatsoever that would have led the Respondents to close doors for the Applicant as

SM

he is even not known on the Respondents system. Furthermore, Mr. Nel was supposed to have sent a form to say he ceased to do business and the Applicant was supposed to submit an application to the Respondents to state that is now conducting a business as dealer. The letter of appointment as a responsible person was supposed to be done by the members of the Applicant nominating him as a responsible person.

53.

AD PARAGRAPH 45 THEREOF:

The allegations herein are denied, there is nothing annexed in the form of proof of rental to support the Applicant's allegations.

54.

AD PARAGRAPH 46 THEREOF:

The allegations herein are denied, again there is nothing annexed to support the assertion by the Applicant.

55.

AD PARAGRAPH 47 THEREOF:

I note that the Applicant's source of funds to pay liabilities is his monthly income and that the Applicant cannot afford to make payment of such expenses indefinitely, if it cannot trade. The Registrar has not received any notice to cease to conduct business from Mr. Nel therefore has no knowledge that he is no longer in business. However, the cause of this impasse is the Applicant himself who has failed to comply with the requirements of section 7(4) of the firearms controls Act and therefore cannot blame the Respondents for this.

56.

AD PARAGRAPH 48 THEREOF:

The allegation in this paragraph is denied and the Applicant is put to the proof thereof. I assert that the Court can only come to the Applicant's assistance only if the Applicant has shown that he has complied with the minimal requirements as required by the Act and the fact that all internal remedies have been exhausted.

SM

57.

AD PARAGRAPH 49 THEREOF:

I have no knowledge of the allegations in this paragraph, I therefore cannot admit or deny same and put the Applicant to the proof thereof.

58.

AD PARAGRAPH 50 THEREOF:

The allegations in this paragraph are denied, I assert that the Applicant is not forced by anyone to review the decision. His advice become misplaced as his advisers also could have advised him of the simple requirements of section 7(4) of the Firearms Controls Act ("the Act"). His advisers just picked and chose what to advise him knowing very well that the Applicant had to comply with the minimal requirements when making an application to change a responsible person.

59.

AD PARAGRAPH 51 THEREOF:

The allegations in this paragraph are denied, it is submitted not all the Respondents can be painted with the same brush. I for example have responded timeously to this application and there is no reason why the Applicant can say that this matter was delayed by the Respondents.

60.

AD PARAGRAPH 52 THEREOF:

The allegations herein are denied; this matter is not extremely urgent. If the matter was extremely urgent, it would have been set down on the first week of the Applicant's becoming aware of the decision to reject his application. Instead the Applicant decided to drag the matter to mid-January knowing very well that he want an urgent assistance from the Court.

SM

61.

AD PARAGRAPH 53 THEREOF:

The allegations in this paragraph are denied, the Applicant has not followed internal remedies available to him in terms of the Act. What makes matters worse is the fact that the Applicant was informed in time that he is not authorized to apply for the change of the responsible person. What he could simply have done was to go to the person who was authorized and let him apply for a change. This could have even have prevented everyone to even skip Christmas and deal with this matter in a rush.

62.

AD PARAGRAPH 54 THEREOF:

It is vehemently denied that the Applicant had no other option but to bring this application. There are lots of options available to the Applicant, he the Applicant just decided to jump the gun and thought that the Court would be at his mercy.

63.

AD PARAGRAPH 55 THEREOF:

The allegations in this paragraph is denied, the advice given to the Applicant with regard to the operations of the Respondents office is misplaced and cannot be relied on. The Respondents have put a system in place which caters for any kind of urgent application that can be brought at any time of the year irrespective of whether it is December or not so the advise to the Applicant cannot work as an excuse to have brought this matter earlier than now.

64.

AD PARAGRAPH 56 THEREOF:

It is denied that the Applicant has made out case for the relief sought in the Notice of Motion and therefore I pray for the dismissal of the Applicant's case with costs.

SM

65.

AD PARAGRAPH 57 THEREOF:

The advice given to the Applicant with regard to the notification of change of the required person was to be the correct advice if only the person who had done the nomination was Marksman Arms and not Mr. Petrus Hendrick Van Zyl. Mr. Van Zyl was supposed to be authorized by Marksman which is not the case here. I want to believe that the person who did the nomination the Pretoria Arms case was authorized to do so unlike in this case.

66.

AD PARAGRAPH 58 THEREOF:

The annexure of Pretoria Arms case is noted but I will argue that the case has no bearing in this case as the issues are not the same. Each case must be decided on its own merits.

67.

AD PARAGRAPH 59 THEREOF:

It is denied that the Applicant could not apply for permits or transfer of firearms onto its code of body due to the conduct of Captain Croukamp, the Applicant was informed in a letter written by myself as far as the 03rd of December in paragraph one of that letter that the application/notification is refused because the person requesting the abovementioned notification is not authorized to apply/notify on behalf of the entity.

68.

AD PARAGRAPH 60 THEREOF:

I note what is contained in paragraph 22 of the judgement by Judge Kubushi but still maintain that that is not an issue before this Court.

69.

AD PARAGRAPH 61 THEREOF:

The allegations in this paragraph are denied, I have already indicated why I said the issue before this Court is not the same as the issue/s before Judge Kubushi.

SM

70.

AD PARAGRAPH 62 THEREOF:

The allegations with regard to what madam Justice Kubushi has said is noted.

71.

AD PARAGRAPH 63 THEREOF:

I note what the facts and the circumstances of this matter are.

72.

AD PARAGRAPH 64 THEREOF:

We note that the Applicant has a license to trade at the building mentioned, however, I assert that the dealer license is under A. Nel and not vice versa. Furthermore, to compound matters, the Applicant even incorrectly signed on page 2 of 3 of addendum C as the reporting person whereas he knew he was not the reporting person.

73.

AD PARAGRAPH 65 THEREOF:

The copy of the license is not disputed as annexed.

74.

AD PARAGRAPH 66 THEREOF:

The allegations in this paragraph are noted, even the system recognize A Nel as the responsible person who was appointed by the member of the Applicant on records of the Registrar.

75.

AD PARAGRAPH 67 THEREOF:

It is admitted that the Applicant submitted a SAPS 521(e) on the 28th of July 2025 which was stamped but I assert that the Applicant was informed by the letter written by myself that he was not authorized to apply/ notify the registrar.

SM

76.

AD PARAGRAPHS 68 THEREOF:

What was done by Mr. Van Zyl was supposed to have been done by the Applicant on the signature of Mr. Nel authorizing Mr. Van Zyl in terms of section 7(4) of the Firearms Controls Act ("the Act") and not him.

77.

AD PARAGRAPH 69 THEREOF:

I admit that there were issues because My Van Zyl refused to comply with the requirements of the Act.

78.

AD PARAGRAPH 70 THEREOF:

It is not denied that the Applicant makes a bread and butter from importation, wholesale and ammunition, it is however submitted that for that to continue happening, Applicant must comply with the minimal requirements in order to run his business smoothly.

79.

AD PARAGRAPH 71 THEREOF:

It is not disputed that Mr. Van Zyl and his investor may have approached the Central Firearm Registry but what is at issue is whether Mr. Van Zyl was the relevant person to make that change of the responsible person or not.

80.

AD PARAGRAPH 72 THEREOF:

The allegations in this paragraph are noted.

81.

AD PARAGRAPH 73 THEREOF:

The fact that Mr. Van Zyl did not know that the application was denied simply shows that he was not linked to the system of the firearms Registry Office, it may be that Ms.

SM

Nel who was the previous responsible person received an sms that shows that the application had been denied for whatsoever reason.

82.

AD PARAGRAPH 74 THEREOF:

I have no knowledge of the discussions between Mr. Van Zyl and Captain Croukamp and therefore I cannot admit or deny what Mr. Van Zyl is asserting.

83.

AD PARAGRAPH 75 THEREOF:

I refuse to admit that this matter is similar to Pretoria Arms matter.

84.

AD PARAGRAPHS 76 THEREOF:

I note what would be argued by the Applicant in this regard and I also have my own argument which will be made with regard to this issue.

85.

AD PARAGRAPH 77 THEREOF:

I refute the allegations in this paragraph and refer to paragraph 19 supra.

86.

AD PARAGRAPH 78 THEREOF:

The allegations in this paragraph are denied, Mr. Van Zyl is not authorized by anyone to cause a notification to be installed as a responsible person, the Act requires the Applicant, Mr. Nel on records of the Registrar to authorize Mr. Van Zyl to do so and not vice versa.

87.

AD PARAGRAPH 79 THEREOF:

The correct procedure was not followed by Mr. Van Zyl and it could not be that he would be made a responsible person if he failed to comply with minimal requirements of the Act.

SM

88.

AD PARAGRAPH 80 THEREOF:

The allegations in annexure "FA11" which is annexed to the documents are noted, however, it is submitted that those allegations have been attended to in terms of the response directed to the Applicant.

89.

AD PARAGRAPH 81 THEREOF:

The allegations in this paragraph are noted.

90.

AD PARAGRAPH 82 THEREOF:

The Applicant knows the reason why his business is crippled if it is, which is denied, had the Applicant complied with the minimal requirements as per section 7 (4) of the Firearm Controls Act, we would not be talking about the business being crippled. I respectfully submit therefore that there is no urgency in this as the Applicant suggest.

91.

AD PARAGRAPH 83 THEREOF:

The fact that the Applicant cannot receive and sell any firearms or ammunition cannot be attributed to the Respondent if that statement is true.

92.

AD PARAGRAPH 84 THEREOF:

I have no knowledge of the allegations contained in this paragraph, therefore, I cannot admit or deny same and put the Applicant to the proof thereof.

93.

AD PARAGRAPH 85 THEREOF:

The Applicant is well aware of the reason why he cannot obtain a permanent import permit and such has been repeated on many occasions if the application is lodged by Mr. Van Zyl.

SM

94.

AD PARAGRAPH 86 THEREOF:

Annexure "FA12" as annexed is noted.

95.

AD PARAGRAPH 87 THEREOF:

The consequence of the Applicant being made the responsible person has been answered in terms of section 7(4) of the Firearms Controls Act and the Applicant is well aware of it so he cannot now cry foul of the same issue that was dealt with already. I again re-iterate that there is no urgency in this matter and if an argument is made that there is, such urgency is self-created.

96.

AD PARAGRAPH 88 THEREOF:

The facts of this matter has nothing to do with the Pretoria Arms order, in this case the Applicant was not authorized to make an application in terms of the close corporation and that's where the difference lies.

97.

AD PARAGRAPH 89 THEREOF:

The letter sent on the 21st of November 2025 forms part of the record of the proceedings and it was not necessary to repeat same as it is common cause.

98.

AD PARAGRAPH 90 THEREOF:

I have already said that the Respondent has put up a system that has linked all the Applicants and in this case, Ms. A Nel is the one linked to the system, it could be that Ms. Nel has received an sms notification which he did not show it to the Applicant.

99.

AD PARAGRAPH 91 THEREOF:

I note the allegations in this paragraph.

SM

100.

AD PARAGRAPH 92 THEREOF:

AD COSTS AND CONCLUSION:

I note the argument that the Applicant will advance in Court, I however will argue also that the issue before Court is not related to the Pretoria Arms matter as the Mr. Van Zyl in this matter was not authorized to make a change and/or a nomination to become a responsible person.

Secondly, Mr. Van Zyl blatantly refuses to comply with the minimal requirements of the Act and makes it difficult to be assisted by the same officials that he is complaining about.

There are no civil servants who are refusing to comply with the case, we were always willing to come to the Applicant's rescue but seemingly Mr. Van Zyl is the one who refuses to comply. It would further be argued that if there is a party who is supposed to pay costs, it is the Applicant and not the Respondents.

101.

AD PARAGRAPH 93 THEREOF:

The allegations in this paragraph is denied, the Applicant has been held ransom by his own actions of refusing to comply with the requirements of the Act, especially section 7(4) of the Firearms Controls Act.

102.

AD PARAGRAPH 94 THEREOF:

WHEREFORE the Respondents prays for the dismissal of the Applicant's claim with costs.

DATED AT PRETORIA ON THIS THE 02nd DAY OF JANUARY 2025.

SM


COLONEL
SM MANGADI

DEPONENT

I CERTIFY THAT THE DEPONENT ACKNOWLEDGED THAT SHE KNOWS AND UNDERSTAND THE CONTENTS OF THIS AFFIDAVIT, AND THAT I DULY ADMINISTERED THE OATH AS PRESCRIBED BY REGULATIONS NO R 1258 OF 21 JULY 1972, AND THAT THE DEPONENT IN MY PRESENCE SIGNED THE DECLARATION AT PRETORIA ON THIS THE ___ DAY OF DECEMBER 2025 AND THE DEPONENT SIGNATURE WAS PLACED THEREOF IN MY PRESENCE.



COMMISSIONER OF OATH

FULL NAMES: *Motlale M*

CAPACITY: *CPJ*

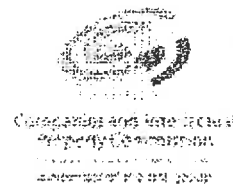
ADDRESS: *Seshego*



"SM1"

CK2

**Certificate issued by the Registrar of Companies & Close Corporations on Thursday, October 20, 2016 08:31
Certificate of Amended Founding Statement**



Registration Number **2004 / 025046 / 23**

Enterprise Name **MARKSMAN ARMS AND FIREARM TRAINING**

Enterprise Shortened Name **None provided.**

Enterprise Translated Name **None provided.**

Registration Date **15/03/2004**

Business Start Date **15/03/2004**

Enterprise Type **Close Corporation**

Enterprise Status **In Business**

Financial Year End **February**

Tax Number **9243689156**

Number of Members **1**

Aggregate Members' Contribution **R 100.00**

Description of Principal Business **FIREARMS, AMMUNITION, TRAINING, GUNSMITHING, ENGINEERING**

Postal Address **P O BOX 30067
WONDERBOOMPOORT
PRETORIA
GAUTENG
0033**

Address of Registered Office **71 LOUIS TRICHARDT STREET
PARKTOWN ESTATE
PRETORIA
GAUTENG
0002**

Accounting Officer

Name **AWIE BOSMAN**

Postal Address **P O BOX 879
MONTANA PARK
0159**

Profession **The Institute of Accounting and Commerce**

Membership/Practice No **652169**

Active Members

Surname and first names	ID number or date of birth	Contrib. (R)	Interest (%)	Appoint-ment date	Addresses
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COMPANIES AND INTELLECTUAL PROPERTY REGISTRATION OFFICE

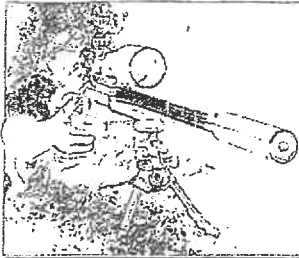
Registrar of Companies & Close Corporations

P O BOX 429, PRETORIA, 0001, Republic of South Africa Docex 256, PRETORIA

Call Centre Tel 086 184 3284, Website www.cipro.co.za, WAP www.cipro.co.za/mobila



SM



Tel: (012) 335 0546
Cell: 082 444 9164
idndynamics@gmail.com

"SM 2"

71 Louis Trichardt st
Parktown Estate
0002

SKERPKNAL VUURWAPENS

TO WHOM IT MAY CONCERN:

I, Izak-David Nel, ID 720203 5041 08 1, current owner of Skerpknal Vuurwapens herewith appoint Mrs. Adri Nel, ID 831013 0052 08 2 as the responsible person for Skerpknal Vuurwapens, FAR code 2329.

Kind regards,



Izak-David Nel

IDN Dynamics t/a
SKERPKNAL Vuurwapens
Reg No. 2004/025046/23 Vat No. 4340 264 003
71 Louis Trichardt str - Parktown Estate - 0002
Tel 012 335 0546
idndynamics@gmail.com

SM

LIM:Seshego-HRM 4

From: VP: FLASH CFR Section Head: Sikhakhane PN - Brigadier
<SikhakhaneP@saps.gov.za>
Sent: Friday, 02 January 2026 12:54
To: Mabasa Nkateko
Subject: RE: MARKSMAN ARMS Urgent Matter

Good afternoon Nkateko

This is the records of the responsible person with the Registrar as retrieved from the Enhanced Firearms Register System (EFRS). You can attach with annexure "SM2"

Institution Type :	INSTITUTIONAMMUNITION DEALERDEALERGUNSMITHAMMUNITION MANUFACTURERFIREARMS MANUFACTURERTRANSPORTER
Registration Number :	
Trading As Name :	MARKSMAN ARMS AND FIREARM TRAINING
Company Name :	MARKSMAN ARMS AND FIREARM TRAINING
Expiry Date :	2026-04-02
Received Date :	2025-03-13
Application Status :	APPROVED
Status Date :	2025-04-02
Responsible Person ID :	8310130052082
Name :	A NEL
Address :	SANMAR GEBOU H/V BURLINGTON EN LOUIS TRICHARDTSTRAAT PARKTOWN, PRETORIA
Postal Address :	POSBUS 30067 WONDERBOOMPOORT
Postal Code :	0033
Telephone Details	Area Code : 012 Number : 3350546
Fax Details	Area Code : 012 Number : 3355789
Safe 1	CATEGORY II TYPE VAULT
Nearest Police Station :	WONDERBOOMPOORT
Previous Trading As Name :	IDN DYNAMICS T/A SKERPKNAL VUURWAPENS

DESIGNATED PERSON DETAILS

Designated Person ID	Person Name	Email	Telephone Number	Cellphone Number
7202035041081	I NEL	ADRI@MARKSMANARMS.CO.ZA		

SM



BRIGADIER PN SIKHAKHANE



**SECTION HEAD: CENTRAL FIREARMS REGISTER
FIREARMS LIQUOR & SECOND HAND GOODS SERVICES
DIVISION: VISIBLE POLICING AND OPERATIONS**
Tel: Office: 012 353 6537 | Fax: 086 643 8486 | Cell: 082 553 2202
E-mail (Ext.): SikhakhaneP@saps.org.za
(Int.): **VP: FLASH CFR: Section Head: Sikhakhane PN – Brigadier**

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“Join me in suffering, like a good soldier of Christ Jesus, No one serving as a soldier gets entangled in civilian affairs, but rather tries to please his commanding officer.” (2 Timothy 2:3-4)

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SM