

# Pepper spray to be excluded from Dangerous Weapons Bill

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Asanda Mbetshe, SABC News, Parliament.



The draft Dangerous Weapons Bill to be approved by Cabinet, before going to Parliament.(SABC)

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The police say it won't tamper with the right to self-defence, and may exclude pepper spray from the Draft Dangerous Weapons Bill. Critics say the proposed legislation will take away people's right to defend themselves. The Bill will ban weapons, other than firearms, considered to be dangerous. Pepper spray, which is cheap and easily available, is a chemical compound that irritates the eyes, causing tears, pain, and even temporary blindness, but is popular for self-defence.

Self-defence Trainer Marc Schatz says "Small little bottles that go in key chains and can be kept in the bag, things like batons, extendable batons and so on, that people can keep on them, are predominantly used for self defence purposes."

For now, the Bill categorises pepper spray as a dangerous weapon, being an object that can injure, disable or cause fear that someone will be injured.

"It's far too vague and wide, secondly it gives police officers such a wide discretion. I think that it will be almost impossible for them really to implement the Act," says Advocate Edmund Booth.

Authorities however say there is no need for panic. General Phillip Jacobs, from the South African Police says "The right to self defence we will not tamper with, its a right in the constitution. Pepper spray may be excluded, the minister can make any exception."

The draft Bill has to be approved by Cabinet, before going to Parliament.

## **Dangerous Weapons Bill will not 'disarm' public - SAPS**

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Police officials said it was 'unfortunate' there had been an 'overreaction' to the draft Dangerous Weapons Bill, as it was aimed at protecting members of the public and not at disarming them, says a report in ***The Mercury***.

It notes the FF Plus had called the Bill 'absurd', saying it would give police the power to 'arrest people left, right and centre'. Major-General Philip Jacobs of the SAPS said the draft Bill had nothing to do with preventing people playing paintball games or using pepper spray guns to defend themselves. Rather, it was aimed at people who carried dangerous weapons - including replica and toy guns - in public, he said. It would allow police to accost anyone they saw carrying, for example, a crossbow or a sword in a public place, and ask why they were carrying the weapon. The report notes under the proposed law, such a person would not be able to use the reason that the weapon was being carried for purposes of 'self-defence'. Jacobs said anyone who was under attack, whether in a public place or at home, could use 'whatever they can get their hands on' legitimately to defend themselves, and the Bill - if passed into law - would not change this.