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PROKLAMASIE

van die

Staatspresident van die Republiek van Suid-Afrika

No. R. 164, 1990

NATALSE WETBOEK VAN ZOELOEREG.—
WYSIGING VAN PROKLAMASIE No. R. 151 VAN
9 OKTOBER 1987

Kragtens die bevoegdheid my verleen by artikel 24
van die Swart Administrasie Wet, 1927 (Wet No. 38
van 1927)—

(a) wysig ek hierby artikels 115 en 117 van die
Natale Wetboek van Zoeloereg afgekondig by
Proklamasie No. R. 151 van 1987, in die mate uit-
eengesit in die bygaande Bylae;

(b) verklaar ek hierby dat hierdie Proklamasie in
werking tree een maand na die datum van afkon-
diging daarvan in die *Staatskoerant*.

Gegee onder my Hand en die Seël van die Republiek
van Suid-Afrika te Pretoria, op hede die Dertigste dag
van Augustus Eenduisend Negehoenderd en Negentig.

F. W. DE KLERK,
Staatspresident.

Op las van die Staatspresident-in-Kabinet:

C. J. VANDER MERWE,
Minister van die Kabinet.

BYLAE

1. Artikel 115:

Skrap subartikel (1) (d).

2. Artikel 117:

(a) Vervang subartikel (3) (a) deur die volgende sub-
artikel:

“(3) (a) Geen Swarte mag 'n assegaai,
degenstok (intshumentshu), strydbyl, stok met
yster beslaan, staf of skerppuntige stok (ubhoko)
of enige ander gevaarlike wapen by hom dra,
tensy—

(i) hy besig is met die uitvoering van die een of
ander openbare plig; of

PROCLAMATION

by the

State President of the Republic of South Africa

No. R. 164, 1990

NATAL CODE OF ZULU LAW.—AMENDMENT
OF PROCLAMATION No. R. 151 OF 9 OCTOBER
1987

Under the powers vested in me by section 24 of the
Black Administration Act, 1927 (Act No. 38 of 1927), I
hereby—

(a) amend sections 115 and 117 of the Natal
Code of Zulu Law, promulgated under Proclama-
tion No. R. 151 of 1987, to the extent as set out in
the attached Schedule;

(b) declare that this Proclamation shall come
into operation one month after the date of its pro-
mulgation in the *Government Gazette*.

Given under my Hand and the Seal of the Republic
of South Africa at Pretoria this Thirtieth day of August,
One thousand Nine hundred and Ninety.

F. W. DE KLERK,
State President.

By Order of the State President-in-Cabinet:

C. J. VANDER MERWE,
Minister of the Cabinet.

SCHEDULE

1. Section 115:

Delete subsection (1) (d).

2. Section 117:

(a) Substitute for subsection (3) (a) the following
subsection:

“(3) (a) No Black shall carry an assegaai, sword-
stick (intshumentshu), battle axe, stick shod with
iron, staff or sharp-pointed stick (ubhoko) or any
other dangerous weapon, unless—

(i) he is engaged upon some public duty; or

(ii) hy 'n lid is van 'n by wet ingestelde polisie-mag; of

(iii) hy op jag is; of

(iv) hy op *bona fide*-nagreis buitekant 'n dorpsgebied is; of

(v) hy 'n bejaarde of swak persoon is wat 'n staf of 'n skerppuntige stok (ubhoko) *bona fide* gebruik om hom te steun wanneer hy loop; of

(vi) hy kan bewys dat hy die *bona fide*-bedoe-ling gehad het om sodanige gevaarlike wapens te dra ooreenkomstig tradisionele Zoeloegebruike, -gewoontes of -gelowe; of

(vii) hy skriftelik daartoe gemagtig is deur 'n polisiebeampte in die hoedanigheid van 'n bevelvoerder van 'n polisiestasie, behoudens die bedinge, voorwaardes, bepalinge of voorskrifte wat in die skriftelike magtiging vermeld word."

(b) Vervang subartikel 3 (b) deur die volgende sub-artikel:

"(b) Die skriftelike magtiging van 'n polisie-beampte bedoel in subparagraaf (3) (a) (vii) kan, in geval van 'n groep of klas persone wat deelneem aan 'n byeenkoms of optog, verleen word aan 'n organiseerder of persoon in beheer van 'n byeenkoms of optog ten behoeve van enige persoon wat behoort aan sodanige groep of klas persone en kan bedinge, voorwaardes, beperkings of voorskrifte bevat betreffende die dra van sodanige gevaarlike wapens na 'n byeenkoms of optog of gedurende of na afloop van 'n byeenkoms of optog en kan toegestaan word ten opsigte van 'n besondere streek of vir Natal buite KwaZulu."

(c) Voeg ná subartikel 3 (b) die volgende subartikel by:

"(c) Iemand wat in besit is van 'n gevaarlike wapen in stryd met die bepalinge van subartikel (3) (a), is skuldig aan 'n misdryf en by skuldigbevinding, benewens enige ander straf wat hom opgelê kan word, kan die hof die gevaarlike wapen of wapens konfiskeer."

(ii) he is a member of a police force estab-lished under any law; or

(iii) he is engaged in hunting; or

(iv) he is engaged in *bona fide* night travelling outside an urban area; or

(v) he is an aged or infirm person who *bona fide* uses a staff or sharp-pointed stick (ubhoko) to support him when walking; or

(vi) he is able to prove that he had the *bona fide* intention to carry such dangerous weapons in accordance with traditional Zulu usages, cus-toms or religions; or

(vii) he has been authorized in writing by a police official in the capacity of commander of a police station, subject to such terms, conditions, restrictions or directions as may be specified in the written authority."

(b) Substitute for subsection 3 (b) the following sub-section:

"(b) The written authority of a police official referred to in subsection 3 (a) (vii) may, in case of a group or class of persons who participate in a gathering or procession, be granted to an organizer or person in control of a gathering or procession on behalf of any person belonging to such group or class of persons and may contain terms, conditions restrictions or directions regarding the carrying of such dangerous weapons to a gathering or pro-cession or during or after a gathering or procession and may be granted in respect of a particular area or for Natal outside KwaZulu."

(c) Insert after subsection (3) (b) the following sub-section:

"(c) Any person who is in possession of any dan-gerous weapon in contravention of the provisions of subsection (3) (a), shall be guilty of an offence and upon conviction, in addition to any other pen-alty to which he may be liable, the dangerous wea-pon or weapons may be confiscated by the court."

INHOUD

Bladsy No. Koerant No.

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