



UNIE VAN SUID-AFRIKA
UNION OF SOUTH AFRICA

BUITENGEWONE

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PROKLAMASIE.

DEUR SY EKSELLENSIE DIE EDELE CHARLES ROBERTS SWART, GOEWERNEUR-GENERAAL VAN DIE UNIE VAN SUID-AFRIKA.

No. 90.]

[30 Maart 1960.

NADEMAAL dit na my mening blyk dat omstandighede in die gebiede in die Bylae hierby vermeld ontstaan het wat die veiligheid van die publiek, en die handhawing van die openbare orde ernstig bedreig; en die gewone landswette onvoldoende is om die Regering in staat te stel om die veiligheid van die publiek te verseker en die openbare orde te handhaaf;

SO IS DIT dat ek hierby kragtens die bevoegdheid my verleen by artikel twee van die Wet op Openbare Veiligheid, 1953 (Wet No. 3 van 1953) verklaar dat 'n noodtoestand binne die gebiede in die Bylae hierby vermeld bestaan, vanaf 29 Maart 1960.

GOD BEHOEDE DIE KONINGIN!

GEGEE onder my Hand en Grootseël te Kaapstad op hede die Dertigste dag van Maart, Eenduisend Nege-honderd-en-sestig.

C. R. SWART,

Goewerneur-generaal.

Op las van Sy Eksellensie die Goewerneur-generaal-in-rade.

F. C. ERASMUS.

BYLAE.

Landdrosdistrikte Barkly-Wes, Bellville, Bizana, Caledon, Cradock, Grahamstad, Herbert, Kaap, Kimberley, King William's Town, Kokstad, Kuruman, Mafeking, Oos-Londen, Paarl, Peddie, Port Elizabeth, Queenstown, Simonstad, Somerset-Wes, Stellenbosch, Taung, Uitenhage, Umtata, Umzimkulu, Victoria-Oos, Vryburg, Warrenton, Wellington, Worcester en Wynberg, Kaap die Goeie Hoop;

Alfred, Durban, Estcourt, Inanda, Ixopo, Kliprivier, Laer Tugela, Newcastle, Pietermaritzburg, Pinetown, Port Shepstone, Umbumbulu en Umzinto, Natal;

Benoni, Bethal, Boksburg, Brakpan, Ermelo, Germiston, Groblersdal, Heidelberg, Johannesburg, Kempton Park, Klerksdorp, Krugersdorp, Letaba, Lichtenburg, Lydenburg, Marico, Middelburg, Nigel, Pietersburg, Piet Retief, Potchefstroom, Pretoria, Randfontein, Roodepoort, Rustenburg, Schweizer-Reneke, Sibasa, Soutpansberg, Springs, Standerton, Vanderbijlpark, Vereeniging en Witbank, Transvaal;

Bloemfontein, Harrismith, Kroonstad, Parys, Sasolburg en Welkom, Oranje-Vrystaat.

PROCLAMATION.

BY HIS EXCELLENCY THE HONOURABLE CHARLES ROBERTS SWART, GOVERNOR-GENERAL OF THE UNION OF SOUTH AFRICA.

No. 90.]

[30th March, 1960.

WHEREAS in my opinion it appears that circumstances have arisen in the areas specified in the attached Schedule which seriously threaten the safety of the public and the maintenance of public order, and the ordinary law of the land is inadequate to enable the Government to ensure the safety of the public and to maintain public order;

NOW THEREFORE, acting under the powers vested in me by section two of the Public Safety Act, 1953 (Act No. 3 of 1953), I hereby declare that a state of emergency exists within the areas specified in the attached Schedule as from the 29th March, 1960.

GOD SAVE THE QUEEN!

GIVEN under my Hand and Great Seal at Cape Town on this Thirtieth day of March, One Thousand Nine Hundred and Sixty.

C. R. SWART,

Governor-General.

By Command of His Excellency the Governor-General-in-Council.

F. C. ERASMUS.

SCHEDULE.

Magisterial districts of Barkly-West, Bellville, Bizana, Caledon, Cradock, Grahamstown, Herbert, The Cape, Kimberley, King William's Town, Kokstad, Kuruman, Mafeking, East London, Paarl, Peddie, Port Elizabeth, Queenstown, Simonstad, Somerset West, Stellenbosch, Taung, Uitenhage, Umtata, Umzimkulu, Victoria East, Vryburg, Warrenton, Wellington, Worcester and Wynberg, Cape of Good Hope;

Alfred, Durban, Estcourt, Inanda, Ixopo, Klip River, Lower Tugela, Newcastle, Pietermaritzburg, Pinetown, Port Shepstone, Umbumbulu and Umzinto, Natal;

Benoni, Bethal, Boksburg, Brakpan, Ermelo, Germiston, Groblersdal, Heidelberg, Johannesburg, Kempton Park, Klerksdorp, Krugersdorp, Letaba, Lichtenburg, Lydenburg, Marico, Middelburg, Nigel, Pietersburg, Piet Retief, Potchefstroom, Pretoria, Randfontein, Roodepoort, Rustenburg, Schweizer-Reneke, Sibasa, Soutpansberg, Springs, Standerton, Vanderbijlpark, Vereeniging and Witbank, Transvaal;

Bloemfontein, Harrismith, Kroonstad, Parys, Sasolburg and Welkom, Orange Free State.

PROKLAMASIE.

DEUR SY EKSELLENSIE DIE EDELE CHARLES ROBERTS SWART, GOEWERNEUR-GENERAAL VAN DIE UNIE VAN SUID-AFRIKA.

No. 91.]

[30 Maart 1960.

NADEMAAL die bestaan van 'n noodtoestand kragtens artikel twee van die Wet op Openbare Veiligheid, 1953 (Wet No. 3 van 1953) binne die gebiede in die Bylae hierby vermeld vanaf 29 Maart 1960 verklaar is en

NADEMAAL ek dit nodig en raadsaam ag om voorsiening te maak vir die veiligheid van die publiek, die handhawing van die openbare orde en die beëindiging van voornoemde noodtoestand, en om met omstandighede te handel wat na my oordeel as gevolg van voornoemde noodtoestand ontstaan het of waarskynlik sal ontstaan;

So IS DIT dat ek kragtens die bevoegdheid my verleen by artikel drie van die Wet op Openbare Veiligheid, 1953 (Wet No. 3 van 1953), soos gewysig, die regulasies in die bylae vervat uitvaardig om in 'gemelde gebiede van toepassing te wees en kragtens paragraaf (b) van sub-artikel (2) van die bedoelde artikel verklaar dat, behoudens die bepalings van regulasie ses-en-twintig, die voormelde regulasies geag word op die 29ste Maart 1960 in werking te getree het.

GOD BEHOEDE DIE KONINGIN!

GEGEE onder my Hand en Grootseël te Kaapstaad op hede die Dertigste dag van Maart, Eenduisend Nege-honderd-en-sestig.

C. R. SWART,

Goewerneur-generaal.

Op las van Sy Eksellensie die Goewerneur-generaal-in-rade.

F. C. ERASMUS.

BYLAE A.

Landdrosdistrikte Barkly-Wes, Bellville, Bizana, Caledon, Cradock, Grahamstad, Herbert, Kaap, Kimberley, King Wililam's Town, Kokstad, Kuruman, Mafeking, Oos-Londen, Paarl, Peddie, Port Elizabeth, Queenstown, Simonstad, Somerset-Wes, Stellenbosch, Taung, Uitenhage, Umtata, Umzimkulu, Victoria-Oos, Vryburg, Warrenton, Wellington, Worcester en Wynberg, Kaap die Goeie Hoop;

Alfred, Durban, Estcourt, Inanda, Ixopo, Kliprivier, Laer Tugela, Newcastle, Pietermaritzburg, Pinetown, Port Shepstone, Umbumbulu en Umzinto, Natal;

Benoni, Bethal, Boksburg, Brakpan, Ermelo, Germiston, Groblersdal, Heidelberg, Johannesburg, Kempton Park, Klerksdorp, Krugersdorp, Letaba, Lichtenburg, Lydenburg, Marico, Middelburg, Nigel, Pietersburg, Piet Retief, Potchefstroom, Pretoria, Randfontein, Roodepoort, Rustenburg, Schweizer-Reneke, Sibasa, Soutpansberg, Springs, Standerton, Vanderbijlpark, Vereeniging en Witbank, Transvaal;

Bloemfontein, Harrismith, Kroonstad, Parys, Sasolburg en Welkom, Oranje-Vrystaat.

BYLAE B.

NOODTOESTAND-REGULASIES.

WOORDOMSKRYWING.

1. In hierdie regulasies, tensy uit die samehang anders blyk, beteken—

(i) „druk” voortbring deur te druk of te tik of op enige ander wyse te vermenigvuldig; (ix)

PROCLAMATION.

BY HIS EXCELLENCY THE HONOURABLE CHARLES ROBERTS SWART, GOVERNOR-GENERAL OF THE UNION OF SOUTH AFRICA.

No. 91.]

[30th March, 1960.

WHEREAS a state of emergency has been declared in terms of section two of the Public Safety Act, 1953 (Act No. 3 of 1953), to exist within the areas specified in the attached schedule as from the 29th March, 1960 and

WHEREAS I deem it necessary and expedient to provide by regulation for the safety of the public, the maintenance of public order, the termination of the said state of emergency and for dealing with circumstances which in my opinion have arisen or are likely to arise as a result of the said state of emergency;

NOW THEREFORE, acting under the powers vested in me by section three of the Public Safety Act, 1953 (Act No. 3 of 1953), as amended, I hereby make the regulations contained in the Annexure hereto to be of force and effect in the said areas, and in terms of paragraph (b) of sub-section (2) of the said section I hereby declare that subject to the provisions of regulation twenty-six, the said regulations shall be deemed to have come into operation on the 29th March, 1960.

GOD SAVE THE QUEEN!

GIVEN under my Hand and Great Seal at Cape Town on this Thirtieth day of March, One Thousand Nine Hundred and Sixty.

C. R. SWART,

Governor-General.

By Command of His Excellency the Governor-General-in-Council.

F. C. ERASMUS.

SCHEDULE A.

Magisterial districts of Barkly-West, Bellville, Bizana, Caledon, Cradock, Grahamstown, Herbert, The Cape, Kimberley, King William's Town, Kokstad, Kuruman, Mafeking, East London, Paarl, Peddie, Port Elizabeth, Queenstown, Simonstad, Somerset West, Stellenbosch, Taung, Uitenhage, Umtata, Umzimkulu, Victoria East, Vryburg, Warrenton, Wellington, Worcester and Wynberg, Cape of Good Hope;

Alfred, Durban, Estcourt, Inanda, Ixopo, Klip River, Lower Tugela, Newcastle, Pietermaritzburg, Pinetown, Port Shepstone, Umbumbulu and Umzinto, Natal;

Benoni, Bethal, Boksburg, Brakpan, Ermelo, Germiston, Groblersdal, Heidelberg, Johannesburg, Kempton Park, Klerksdorp, Krugersdorp, Letaba, Lichtenburg, Lydenburg, Marico, Middelburg, Nigel, Pietersburg, Piet Retief, Potchefstroom, Pretoria, Randfontein, Roodepoort, Rustenburg, Schweizer-Reneke, Sibasa, Soutpansberg, Springs, Standerton, Vanderbijlpark, Vereeniging and Witbank, Transvaal;

Bloemfontein, Harrismith, Kroonstad, Parys, Sasolburg and Welkom, Orange Free State.

ANNEXURE B.

EMERGENCY REGULATIONS.

INTERPRETATION.

1. In these regulations, unless the context otherwise indicates—

(i) “Act” means the Public Safety Act, 1953 (Act No. 3 of 1953); (xii)

- (ii) „geskrif” enige sigbare voorstelling van letters, syfers, tekens of simbole; (xii)
- (iii) „landdros” ’n landdros in beheer van ’n landdros-distrik en ook ’n waarnemende landdros; (v)
- (iv) „Magte” die Suid-Afrikaanse Weermag ingestel kragtens die Verdedigingswet, 1957 (Wet No. 44 van 1957), die Suid-Afrikaanse Polisie ingestel kragtens die Polisiewet, 1958 (Wet No. 7 van 1958) en die liggaam van persone wat kragtens sub-artikel (1) van artikel sewe-en-vyftig van die Konsolidasiewet op die Beheer en Bestuur van Spoorweë en Hawens, 1957 (Wet No. 70 van 1957) aangestel is om wet en orde op die Spoorweë en by hawens te handhaaf; (iii)
- (v) „Minister” die Minister van Justisie; (vi)
- (vi) „offisier” ’n offisier in die Magte; (ii)
- (vii) „ondermynende verklaring” ’n verklaring wat daarop bereken is of waarskynlik die uitwerking sal hê—
 - (a) om die Staatsgesag of Wetgewende Gesag te ondermyn; of
 - (b) om die publiek of ’n deel van die publiek of enige persoon of klas van persone aan te hits om weerstand of verset te pleeg teen die Regering of ’n Minister of Administrateur of ’n beampte of lid van die Magte in verband met enige maatreef ingevolge engeen van hierdie regulasies getref of in verband met enige ander maatreef betreffende die openbare veiligheid of die handhawing van openbare orde of wetstoepassing; of
 - (c) om by die publiek of ’n deel van die publiek of enige persoon of klas van persone ’n gevoel van vyandigheid teenoor enige ander deel van die publiek of persoon of klas van persone te verwek of te vererger; of
 - (d) om paniek, alarm of vrees by die publiek of ’n deel van die publiek te veroorsaak, of die publiek of ’n deel van die publiek se vertroue in die geslaagde beëindiging van die noodtoestand te ondermyn, tensy die verklaring bewys word ’n ware en volledige verhaal te wees; (xi)
- (viii) „openbare plek” enige plek waartoe die publiek of ’n deel van die publiek toegang het, hetsy teen betaling of nie, en ook ’n kantien, geselskapkamer, sitkamer of ander kamer in ’n hotel of losieshuis waartoe gaste gewoonlik toegang het; (x)
- (ix) „persoon” ook enige owerheid of inrigting; (viii)
- (x) „Staatskoerant” by die toepassing van die regulasies in die Unie, die *Staatskoerant* van die Unie, en by die toepassing van die regulasies in die Gebied, die *Offisiële Koerant* van die Gebied; (iv)
- (xi) „Vredesbeampte” ’n vredesbeampte soos omskryf in artikel een van die Strafproseswet, 1955 (Wet No. 56 van 1955); (vii)
- (xii) „Wet” die Wet op Openbare Veiligheid, 1953 (Wet No. 3 van 1953); (i)
- (ii) “commissioned officer” means a commissioned officer in the forces; (vi)
- (iii) “forces” means the South African Defence Force established under the Defence Act, 1957 (Act No. 44 of 1957), the South African Police established under the Police Act, 1958 (Act No. 7 of 1958) and the body of persons appointed under subsection (1) of section fifty-seven of the Railways and Harbours Control and Management (Consolidation) Act, 1957 (Act No. 70 of 1957) for maintaining law and order upon the railways and at the harbours; (iv)
- (iv) “Gazette” in the application of the regulations to the Union, means the *Government Gazette* of the Union, and in the application of the regulations to the Territory, means the *Official Gazette* of the Territory; (x)
- (v) “magistrate” means a magistrate in charge of a magisterial district and includes an acting magistrate; (iii)
- (vi) “Minister” means the Minister of Justice; (v)
- (vii) “peace officer” means a peace officer as defined in section one of the Criminal Procedure Act, 1955 (Act No. 56 of 1955); (xi)
- (viii) “person” includes any authority or institution; (ix)
- (ix) “print” means produce by printing, typing or by any method of multiplication; (i)
- (x) “public place” means any place to which the public or a section of the public has access, whether on payment or not, or a bar, lounge, drawing-room or other room in an hotel or boarding-house to which the guests generally have access; (viii)
- (xi) “subversive statement” means any statement which is calculated or likely to have the effect—
 - (a) of subverting the authority of the Government of the legislature; or
 - (b) of inciting the public or any section of the public or any person or class of persons to resist or oppose the Government or any Minister of State or Administrator or official or member of the forces, in connection with any measure adopted in pursuance of any of these regulations or in connection with any other measure relating to the safety of the public, or the maintenance of public order or the application of the law; or
 - (c) of engendering or aggravating feelings of hostility in the public or any section of the public or any person or class of persons towards any section of the public or person or class of persons; or
 - (d) of causing panic, alarm or fear among the public or any section of the public, or of weakening the confidence of the public or any section of the public in the successful termination of the state of emergency, unless the statement is proved to be a true and complete narrative; (vii)
- (xii) “writing” means any visible representation of letters, figures, signs or symbols. (ii)

VERBOD OP SEKERE BYEENKOMSTE OF OPTOGTE.

2. (1) ’n Landdros of offisier kan deur middel van ’n kennisgewing gepubliseer of bekendgemaak op enige wyse wat die landdros of offisier die geskikste ag om die publiek in enige gebied in te lig, verbied dat ’n bepaalde byeenkoms of optog van meer as ’n deur hom bepaalde getal persone of alle byeenkomste of optogte van meer as ’n aldus bepaalde getal persone (uitgesonderd byeenkomste of optogte waartoe die betrokke landdros of offisier spesiaal magtiging verleen het) in daardie gebied of ’n omskrewe gedeelte daarvan gehou word: Met dien verstande dat die voorgaande bepalings van hierdie sub-regulasie nie van toepassing is nie in verband met—

- (a) ’n byeenkoms wat gehou word uitsluitlik vir ’n godsdiensoefening in ’n gebou wat gewoonlik vir sodanige godsdiensoefening gebruik word, of vir onderrig wat kragtens enige wet gegee word; of

PROHIBITION OF CERTAIN GATHERINGS OR PROCESSIONS.

2. (1) A magistrate or commissioned officer may by means of a notice published or conveyed in any manner which the said magistrate or the said officer deems most suitable to inform the public in any area, prohibit the holding in that area or any defined portion thereof of any particular gathering or procession of more than a number of persons determined by him, or all gatherings or processions of more than the number of persons so determined (except such gatherings or processions as the said magistrate or commissioned officer may have specially authorized): Provided that the preceding provisions of this sub-regulation shall not apply in connection with—

- (a) a gathering held exclusively for the purpose of divine worship in a building ordinarily used for such worship, or for the purpose of instruction imparted under any law; or

- (b) 'n byeenkoms of optog wat gehou word uitsluitlik in verband met 'n begrafnis of die verassing van die lyk van 'n oorlede persoon wat aan 'n ander oorsaak as geweld gepleeg gedurende 'n noodtoestand oorlede is; of
- (c) 'n byeenkoms van die lede van 'n by wet ingestelde liggaam van persone, wat uitsluitlik vir die verrigting van die werksaamhede van daardie liggaam gehou word; of
- (d) 'n byeenkoms van lede van 'n nywerheidsraad, werkgewersorganisasie of vakvereniging, wat behoorlik kragtens die bepalings van die Nywerheidsversoeningswet, 1956 (Wet No. 28 van 1956) geregistreer is, wat kragtens sy grondwet belê is en uitsluitlik vir die verrigting van die wettige besigheid van daardie raad, organisasie of vereniging gehou word; of
- (e) 'n byeenkoms wat uitsluitlik vir 'n toneelopvoering of kinematografiese vermaaklikheid gehou word; of
- (f) 'n byeenkoms wat uitsluitlik vir 'n bruilof gehou word; of
- (g) 'n byeenkoms of optog van 'n aard of vir 'n doel in die kennisgewing vermeld.

(2) Enige persoon wat aanwesig is by 'n byeenkoms of deelneem aan 'n optog wat kragtens sub-regulasie (1) verbied is, is aan 'n misdryf skuldig, tensy bewys word dat hy nie geweet het en nie redelikerwys verwag kon geword het om te weet dat die byeenkoms of optog verbied is nie, of dat hy vrywilliglik aan die byeenkoms of optog deelgeneem het nie.

(3) By enige geding voor 'n geregshof waarby dit ter sake is of 'n besondere byeenkoms of optog 'n byeenkoms of optog was waarop die bepalings van sub-regulasie (1) van toepassing is, word dit vermoed, tensy die teendeel bewys word, dat bedoelde byeenkoms of optog 'n byeenkoms of optog was waarop bedoelde sub-regulasie van toepassing is.

OPBREEK VAN BYEENKOMSTE OF OPTOGTE.

3. Wanneer as gevolg van 'n byeenkoms, optog of die optrede van sekere persone, hetsy verbode of wettig, 'n landdros of offisier van oordeel is dat die openbare veiligheid of die handhawing van die openbare orde daardeur in gevaar gestel word of mag word, of dat die byeenkoms, optog of optrede tot gevolg kan hê dat lewe of eiendom in gevaar gestel word, kan daardie landdros of offisier of 'n polisiebeampte van die rang nie laer nie as dié van sersant wat deur die landdros of offisier behoorlik daartoe gemagtig is die persone wat aldus byeen is of aldus optree of die optog uitmaak, gelas om uiteen te gaan of hulle optrede te staak en vir die doel moet hy die aandag van daardie persone probeer trek op 'n wyse wat hy onder die omstandighede die geskikste ag, en moet hy hulle met 'n luide stem beveel om onmiddellik uiteen te gaan of die betrokke optrede te staak en hulle waarsku dat indien hulle versuim om binne 'n deur hom bepaalde tydperk uiteen te gaan of bedoelde optrede te staak, geweld gebruik sal word. Die bevel moet drie maal herhaal word en indien die betrokke persone versuim om binne die deur hom bepaalde tydperk uiteen te gaan of bedoelde optrede te staak, kan die landdros, offisier of gemagtigde polisiebeampte gelas dat geweld gebruik word om hulle te doen uiteengaan of die optrede te beëindig. Met dien verstande dat sover moontlik slegs soveel geweld gebruik moet word as wat nodig is om die oogmerk van die geweld te verwesenlik en met dien verstande voorts dat vuur- of ander wapens wat ernstige liggaamlike letsels kan veroorsaak, nie gebruik moet word tensy dit na die oordeel van die landdros, offisier of gemagtigde polisiebeampte in die openbare belang of vir die beskerming van lewe en eiendom nodig is nie.

ARRES EN AANHOUDING VAN PERSONE.

4. (1) Die Minister of 'n landdros of offisier kan enige persoon wie sê arrestasie en aanhouding na die oordeel van die Minister of daardie landdros of offisier in belang van die openbare orde of veiligheid of daardie persoon self of ter beëindiging van die noodtoestand wenslik is,

- (b) a gathering or procession held exclusively in connection with a funeral or the cremation of the body of a deceased person who has died from causes other than violence committed during a state of emergency; or
- (c) a meeting of the members of a statutory body of persons, held exclusively for the purpose of transacting any business of that body; or
- (d) a meeting of the members of an Industrial Council, Employers Organization or Trade Union duly registered in accordance with the provisions of the Industrial Conciliation Act, 1956 (Act No. 28 of 1956) convened in accordance with its constitution and held exclusively for the purpose of transacting the lawful business of the said Council, Organization or Union; or
- (e) a gathering held exclusively for the purpose of a theatrical or cinematographic entertainment; or
- (f) a gathering held exclusively for the purpose of a wedding; or
- (g) a gathering or procession of a nature or for a purpose specified in the notice.

(2) Any person who is present at a gathering or takes part in a procession which has been prohibited under sub-regulation (1) shall be guilty of an offence, unless it is proved that he did not know and could not reasonably be expected to have known that the gathering or procession was prohibited, or that he did not voluntarily take part in the said gathering or procession.

(3) In any proceedings before a court in which it is relevant whether a certain gathering or procession was a gathering or procession to which the provisions of sub-regulation (1) apply it shall be presumed that the said gathering or procession was a gathering or procession to which the sub-regulation applies unless the contrary is proved.

DISPERSAL OF GATHERINGS OR PROCESSIONS.

3. Whenever as the result of a gathering, procession or the conduct of certain persons, whether lawful or prohibited a magistrate or commissioned officer is of the opinion that the public safety or the maintenance of public order is or may be thereby endangered, or that such gathering, procession or conduct could result in life or property being exposed to danger, such magistrate or commissioned officer or a police officer of a rank not lower than the rank of sergeant duly authorized thereto by a magistrate or commissioned officer, may order the persons so gathered or conducting themselves or forming the procession to disperse or to discontinue such conduct and to this end he shall endeavour to draw the attention of such persons in a manner which appears to him best suited to the circumstances and he shall command them in a loud voice to disperse or to discontinue the conduct in question forthwith and shall warn them that if they fail to disperse or discontinue such conduct within a space of time stipulated by him, force will be used. The command shall be uttered thrice and if the persons in question fail to disperse or to discontinue the conduct within the time specified such magistrate, commissioned officer or authorized police officer may order the gathering or procession to be dispersed or the conduct to be terminated by the use of force: Provided that the degree of force so used shall as far as possible be limited to the achievement of the objects for which it is applied; and provided further that firearms or other weapons likely to cause serious bodily injury shall not be used unless in the opinion of the magistrate, commissioned officer or authorized police officer such a course is essential in the public interest or for the protection of life or property.

ARREST AND DETENTION OF PERSONS.

4. (1) The Minister, or a magistrate or commissioned officer, may cause to be arrested and detained or himself arrest and detain with or without warrant or other order of arrest or detention any person whose arrest and detention is, in the opinion of the said Minister or such magis-

met of sonder lasbrief of ander arrestasiebevel laat arresteer en aanhou of hom self arresteer en aanhou.

(2) Die Minister kan iemand wat aldus gearresteer en aangehou is laat aanhou gedurende 'n tydperk wat die Minister bepaal, en kan hom te eniger tyd vrylaat hetsy onvoorwaardelik of op enige voorwaarde wat die Minister na goeddunke oplê.

(3) Indien deur die Minister daartoe gemagtig kan 'n landdros sonder om arrestasie en aanhouding soos bepaal in sub-regulasie (1) te gelas, voorwaardes oplê aan enige persoon wie se gedrag na die oordeel van daardie landdros sodanig was dat dit in belang van die openbare orde of veiligheid of van daardie persoon self wenslik is om sy bedrywighede te beheer. In ieder sodanige geval moet die landdros aan die betrokke persoon 'n sertifikaat (bekend as „'n Sertifikaat van Vrstelling van Aanhouding” uitreik waarin die voorwaardes aan hom opgelê en enige verdere besonderhede en voorwaardes wat die Minister gelas, vermeld word.

(4) Iemand wat 'n voorwaarde kragtens sub-regulasie (2) of (3) aan hom opgelê, oortree of versuim om daaraan te voldoen is aan 'n misdryf skuldig.

(5) Die Minister kan reëls uitvaardig vir die beheer en behoorlike bestuur van en die handhawing van orde in enige plek waar persone kragtens die Wet of hierdie regulasies aangehou word en kan soveel geskikte persone aanstel as wat na sy goeddunke noodsaaklik is om daaraan uitvoering te gee.

(6) Sodanige reëls kan sanksies voorskryf vir die handhawing daarvan en wel by wyse van—

- (a) die oplegging van die verpligting om sekere bepaalde werk in bedoelde aanhoudingsplek en in verband daarmee te verrig gedurende 'n bepaalde tydperk van hoogstens veertien dae; of
- (b) 'n boete van hoogstens tien pond of by wanbetaling van so 'n boete, opsluiting in 'n bepaalde vertrek, gebou of plek vir 'n tydperk van hoogstens tien dae; of
- (c) opsluiting in so 'n vertrek gebou of plek in geselskap van ander of afgesonderd van enige ander persoon, vir 'n tydperk van hoogstens dertig dae.

(7) Iemand wat kragtens hierdie regulasie gearresteer is of aangehou word, wat—

- (a) ontsnap; of
- (b) wetens enige persoon wat aldus gearresteer is of aangehou word help om uit hegtenis te ontsnap of te probeer ontsnap; of
- (c) aan enige persoon wat ontsnap of probeer om te ontsnap enige hulp verleen met die opset om daardeur sy gevangenneming te verhoed of te verhinder, is aan 'n misdryf skuldig.

(8) Iemand anders as 'n persoon wat kragtens hierdie regulasie gearresteer is of aangehou word, wat—

- (a) wetens enige persoon wat aldus gearresteer is of aangehou word, help om uit hegtenis te ontsnap of te probeer ontsnap; of
- (b) wetens herberg verleen aan enige persoon wat aldus gearresteer of aangehou is en wat uit hegtenis ontsnap het, of aan daardie persoon enige hulp verleen met die opset om daardeur sy gevangenneming te verhoed of te verhinder; of
- (c) sonder magtiging van die beamppte in bevel van enige plek van aanhouding—
 - (i) enige artikel van watter aard ook al aan enige persoon aldus in daardie plek aangehou, aflewer of deurstuur; of
 - (ii) so 'n persoon help om die vervoer van enige artikel van watter aard ook al uit daardie plek te bewerkstellig,

behalwe ooreenkomstig die reëls uitgevaardig kragtens sub-regulasie (5) of deur enige ander kanaal as die kanale by daardie reëls voorgeskryf, is aan 'n misdryf skuldig.

trate or commissioned officer desirable in the interest of the public order or safety or of that person or for the termination of a state of emergency.

(2) The Minister may cause any person arrested and detained as aforesaid to be detained during such period as the Minister may determine, and may release him at any time either unconditionally or upon any condition which the Minister may think fit to impose.

(3) If authorized thereto by the Minister a magistrate may, without ordering arrest or detention, as is provided in sub-regulation (1), impose conditions on any person whose conduct in the opinion of the said magistrate has been such as to make it desirable in the interests of public order or safety or of that person that his activities be controlled. In every such case the magistrate shall issue to the person concerned a certificate, styled “A Certificate of Exemption from Detention”, which shall set forth the conditions imposed upon him and such further particulars and conditions as the Minister may direct.

(4) Any person who contravenes or fails to comply with any conditions imposed upon him under sub-regulation (2) or (3) shall be guilty of an offence.

(5) The Minister may make rules for the administration and good government of and the maintenance of order at any place where persons are being detained pursuant to the Act or these regulations and may appoint so many fit and proper persons as to him seems necessary in order to give effect thereto.

(6) Such rules may provide for sanctions for their enforcement by way of—

- (a) the imposition of the duty to perform certain specified work in the said place of detention and in connection therewith during a specified period not exceeding fourteen days; or
- (b) a fine not exceeding ten pounds or in default of payment of such fine confinement in a specified room, building or locality for a period not exceeding ten days; or
- (c) confinement in such a room, building or locality in company with others or apart from any other person for a period not exceeding thirty days.

(7) Any person arrested or detained under this regulation who—

- (a) escapes; or
 - (b) knowingly assists any person who has been so arrested or is so detained to escape or to attempt to escape from custody; or
 - (c) gives any such person who escapes or attempts to escape any assistance with intent thereby to prevent or hinder his apprehension,
- shall be guilty of an offence.

(8) Any person other than a person who has been arrested or is detained under this regulation who—

- (a) knowingly assists any person who has been so arrested or is so detained to escape or to attempt to escape from custody; or
 - (b) knowingly harbours any person who has been so arrested or detained and who has escaped from custody, or gives any such person any assistance with intent thereby to prevent or hinder his apprehension; or
 - (c) without the authority of the officer in command of any place of detention—
 - (i) delivers or transmits any article whatsoever to any person who is so detained in that place; or
 - (ii) assists any such person to effect the conveyance of any article whatsoever out of that place, otherwise than in accordance with the rules made under sub-regulation (5) or through any channel other than the channels provided by those rules,
- shall be guilty of an offence.

VERSPREIDING VAN ONDERMYNENDE VERKLARINGS.

5. (1) Iemand wat—

- (a) 'n ondermynende verklaring druk of laat druk; of
- (b) 'n gedrukte of geskrewe ondermynende verklaring tussen die publiek of 'n deel van die publiek versprei of rondstuur of dit aan iemand verskaf of aanbied om dit aan hom te verskaf hetsy teen vergoeding of nie; of
- (c) 'n geskrif waarin 'n ondermynende verklaring vervat is in so 'n posisie vertoon dat dit sigbaar is van 'n plek af, waartoe die publiek toegang het; of
- (d) 'n ondermynende verklaring ten aanhore van iemand anders maak of deur middel van spraakopname apparaat speel

is aan 'n misdryf skuldig.

- (2) 'n Vervolging vir 'n oortreding van sub-regulasie
- (1) word nie ingestel nie behalwe ingevolge uitdruklike opdrag van 'n prokureur-generaal.

DREIGEMENTE VAN SKADE, LETSEL OF VERLIES.

6. Iemand wat regstreeks of onregstreeks—

- (a) mondelings dreig om iemand anders skade, letsel of verlies toe te bring, hetsy aan sy persoon of sy eiendom of op 'n ander wyse; of
- (b) 'n dokument skryf, druk of stuur of medepligtig is aan die skryf, druk of stuur van 'n dokument waarin gedreig word om iemand anders skade, letsel of verlies toe te bring, hetsy aan sy persoon of sy eiendom of op 'n ander wyse,

is aan 'n misdryf skuldig.

BESLAGLEGGING OP BOEKE EN DOKUMENTE.

7. Die Minister of 'n landdros of 'n offisier kan by bevel onder sy handtekening magtiging verleen tot die beslaglegging op enige boek of dokument in die bevel vermeld wat na sy mening enige inligting bevat wat gebruik kan word in 'n poging om die handhawing van die openbare orde te belemmer of om die openbare veiligheid in gevaar te bring.

DEURSOEKING VIR PUBLIKASIES WAT VERMOED WORD VAN ONDERMYNENDE AARD TE WEES.

8. As die Minister of 'n landdros of offisier te eniger tyd rede het om te vermoed dat enige persoon of vereniging van persone op sy perseel 'n publikasie het wat volgens die oordeel van die Minister of bedoelde landdros of offisier van 'n ondermynende aard is kan die Minister of daardie landdros of offisier by bevel onder sy handtekening magtiging verleen om daardie perseel te deursoek en om enige publikasie vir ondersoek van daardie perseel af te verwyder.

BESLAGLEGGING OP EN VERBEURDVERKLARING VAN PUBLIKASIES VAN 'N ONDERMYNENDE AARD.

9. (1) As die Minister bloot by ondersoek van enige publikasie of reeks publikasies wat deur enige persoon of vereniging van persone gepubliseer is daarvan oortuig is dat daar in bedoelde publikasie of reeks publikasies 'n stelselmatige publisering is van stof wat na sy oordeel van 'n ondermynende aard is kan hy by bevel onder sy handtekening wat in die *Staatskoerant* gepubliseer word die bepalings van hierdie regulasie toepas op daardie bepaalde publikasie of op alle publikasies wat deur daardie persoon of vereniging van persone gepubliseer word.

(2) Niemand mag 'n publikasie waarop hierdie regulasie van toepassing is, invoer, druk, publiseer of versprei of op enigerlei wyse by die invoer, druk, publiseer of verspreiding daarvan betrokke wees nie.

(3) Indien in 'n bevel van die Minister kragtens hierdie regulasie 'n publikasie by naam genoem word wat 'n koerant, joernaal, tydskrif of ander periodieke publikasie is, is daardie bevel ook van toepassing—

DISSEMINATION OF SUBVERSIVE STATEMENTS.

5. (1) Any person who—

- (a) prints or causes to be printed any subversive statement; or
- (b) distributes or circulates any subversive statement among the public or any section of the public or who supplies or offers to supply any written or printed subversive statement to any other person, whether at a price or not; or
- (c) displays any writing conveying any subversive statement in such a position that it is visible from any place to which the public has access; or
- (d) utters or by means of a recording apparatus plays any subversive statement in the hearing of any other person,

shall be guilty of an offence.

(2) No prosecution shall be instituted for any contravention of sub-regulation (1) except by the express direction of an attorney-general.

THREATS OF HARM, HURT OR LOSS.

6. Any person who directly or indirectly—

- (a) verbally threatens to inflict upon any other person any harm, hurt or loss, whether to his person or his property or in any other way; or
- (b) writes, prints or transmits or is a party to the writing, printing or transmission of any document which threatens the infliction upon any other person of any harm, hurt or loss, whether to his person or his property or in any other way,

shall be guilty of an offence.

SEIZURE OF BOOKS OR DOCUMENTS.

7. The Minister or a magistrate or commissioned officer may by order under his hand authorize the seizure of any book or document specified in the order which in his opinion contains any information capable of being used in any attempt to hamper the maintenance of public order or to endanger the safety of the public.

SEARCH FOR PUBLICATIONS SUSPECTED TO BE OF SUBVERSIVE CHARACTER.

8. If at any time the Minister or a magistrate or a commissioned officer has reason to suspect that any person or association of persons has on his premises any publication which, in the opinion of the Minister, the said magistrate or commissioned officer is of a subversive character, the Minister or such magistrate or commissioned officer may by order under his hand authorize a search of the said premises and the removal therefrom of any publication for examination.

SEIZURE AND CONFISCATION OF PUBLICATIONS OF A SUBVERSIVE CHARACTER.

9. (1) If the Minister is satisfied, solely on examination of any publication or series of publications published by any person or association of persons, that there is in the said publication or series of publications a systematic publishing of matter which is, in his opinion, of a subversive character, he may by order under his hand, published in the *Gazette*, apply the provisions of this regulation to that particular publication or to all publications published by that person or association of persons.

(2) No person shall import, print, publish or distribute or be in any way concerned in the importation, printing, publishing or distribution of any publication to which this regulation applies.

(3) If an order of the Minister under this regulation specifies by name a publication which is a newspaper, journal, magazine or other periodical publication, such order shall apply also—

- (a) ten opsigte van alle daaropvolgende uitgawes van bedoelde koerant, joernaal, tydskrif of ander periodieke publikasie; en
- (b) ten opsigte van enige publikasie onder 'n ander naam gepubliseer by wyse van voortsetting of in die plek van die publikasie in die bevel genoem.

(4) Indien 'n bevel van die Minister kragtens hierdie regulasie die bepalinge van hierdie regulasie toepas op alle publikasies deur 'n bepaalde persoon of vereniging van persone gepubliseer is daardie bevel van toepassing op alle publikasies deur daardie persoon of vereniging van persone gepubliseer hetsy dit voor of na die datum van uitreiking van daardie bevel gepubliseer is.

(5) Die Minister kan by bevel onder sy handtekening beveel dat daar op enige publikasie of reeks publikasies ten opsigte waarvan 'n bevel kragtens sub-regulasie (1) van toepassing is beslag gelê word en dat dit verbeurd verklaar en na goeddunke daarvoor beskik word.

OMSKRYWING VAN PUBLIKASIE VIR DIE TOEPASSING VAN REGULASIES *Agt* EN *Nege*.

10. In regulasies *agt* en *nege*, beteken die uitdrukking „publikasie” enige boek, dokument, koerant, pamflet, tydskrif, periodieke publikasie, byskrif, geskrif, afdruk, prent, gravure, steendruk, skildery, tekening of ander soortgelyke voorstelling en enige grammofoonplaat, masjien- of handopname of ander soortgelyke middel van spraakreproduksie, en het die uitdrukking „ondermynende aard” 'n betekenis wat ooreenstem met dié van „ondermynende verklaring” soos in regulasie *een* van hierdie regulasies omskryf.

ONDERSOEK AANGAANDE VERDAGTE VERENIGINGS.

11. (1) Indien die Minister rede het om te vermoed dat 'n vereniging op enige wyse in verband staan met 'n aanleentheid betreffende die noodtoestand, kan hy by bevel onder sy handtekening 'n landdros of iemand anders in die bevel genoem aansê om enigiemand wat die Minister rede het om te vermoed oor enige inligting beskik of 'n boek, dokument of voorwerp in sy besit of bewaring of onder sy beheer het, wat op daardie vereniging betrekking het te dagvaar.

(2) By ontvangs van die Minister se bevel moet die landdros of daardie ander persoon (in hierdie regulasie die gemagtigde beampte genoem) die bedoelde persoon dagvaar of laat dagvaar om op 'n tyd en plek in die dagvaarding vermeld voor hom te verskyn.

(3) Die gemagtigde beampte kan aan die persoon wat aldus gedagvaar is, enige vraag stel—

- (a) wat op die verrigtinge, bedrywighede en beleid van die vereniging betrekking het;
 - (b) waarvan die doel is om vas te stel watter persone lede van die vereniging is of was, en die datums waarop hulle lede daarvan geword het of opgehou het om lede daarvan te wees;
 - (c) aangaande enige doen of late wat betrekking het op die vraag of enige persoon 'n lid van die vereniging is of op enige tydstip 'n lid daarvan was;
 - (d) wat op bevel van die Minister gestel moet word,
- en kan van hom vereis om enige boek, dokument of voorwerp in sy besit of bewaring of onder sy beheer wat op die sake van die vereniging betrekking het of vermoedelik daarop betrekking het, oor te lê.

(4) Die gemagtigde beampte word hierby gemagtig om enige boek, dokument of voorwerp aldus oorgelê in bewaring te hou en om van die persoon wat aldus gedagvaar is 'n eed of bevestiging te neem, en alle verklarings gedoen in antwoord op enige vraag kragtens sub-regulasie (3) gestel, moet onder eed of bevestiging gedoen word indien die gemagtigde beampte aldus vereis.

(5) Die persoon aldus gedagvaar, moet, as die gemagtigde beampte dit van hom vereis, 'n eed of plegtige bevestiging aflê en moet op alle vrae wat aan hom deur die gemagtigde beampte gestel word, na sy beste vermoë duidelik, reguit en volledig antwoord, en moet enige boek,

- (a) with respect to all subsequent issues of such newspaper, journal, magazine or other periodical publication; and
- (b) with respect to any publication published under any other name, in continuation of or in substitution for the publishing of the publication named in the order.

(4) If an order of the Minister under this regulation applies the provisions of this regulation to all publications published by a specified person or association of persons, such order shall apply with respect to all publications published by that person or association of persons whether published before or after the date of making such order.

(5) The Minister may by order under his hand direct the seizure, confiscation and disposal as he may deem fit of any publication or series of publications in respect of which an order under sub-regulation (1), applies.

DEFINITION OF PUBLICATION FOR PURPOSES OF REGULATIONS *Eight* AND *Nine*.

10. In regulations *eight* and *nine*, the expression “publication” means any book, paper, newspaper, pamphlet, magazine, periodical, letterpress, writing, print, picture, engraving, lithograph, painting, drawing or other similar representation and any gramophone, machine or tape record or similar device for reproducing speech and the expression “subversive character” has a meaning corresponding to that of “subversive statement” as defined in regulation *one* of these regulations.

INVESTIGATION CONCERNING SUSPECTED ASSOCIATIONS.

11. (1) If the Minister has reason to suspect that any association is in any way connected with any matter relating to the state of emergency, he may by order under his hand addressed to a magistrate or any named person require him to summon any person whom the Minister has reason to believe may have any information or may have in his possession or custody or under his control any book, document or object relating to that association.

(2) On receipt of the Minister's order the magistrate or named person (in this regulation referred to as the authorized officer) shall summon or cause to be summoned the said person to appear before him at a time and place specified in the summons.

(3) The authorized officer may put to the person so summoned any question—

- (a) which relates to the proceedings, activities and policies of the association;
- (b) the purpose of which is to ascertain which persons are or have been members of the association, and the dates on which they became or ceased to be members thereof;
- (c) concerning any act or omission which has a bearing on the question whether any person is or has at any time been a member of the association;
- (d) which the Minister has directed to be put, and may require him to produce any book, document or object in his possession or custody or under his control, which relates to or is suspected to relate to the affairs of the association.

(4) The authorized officer is hereby empowered to retain any book, document or object produced and to administer an oath or affirmation to the person so summoned, and all statements made in answer to any question put under sub-regulation (3) shall be made under oath or affirmation if the authorized officer so requires.

(5) The person so summoned shall take an oath or make an affirmation if required to do so by the authorized officer, and shall answer any question put to him by the authorized officer, clearly, directly and fully, to the best of his ability, and shall produce any book, document or

dokument of voorwerp in sy besit of bewaring of onder sy beheer, waarvan die oorlegging deur die gemagtigde beampte van hom vereis word, oorlê.

(6) Iemand wat aldus gedagvaar is en wat versuim of weier om te verskyn of 'n eed of plegtige bevestiging af te lê of om wettige vrae op die wyse in sub-regulasie (5) vermeld te antwoord of om enige boek, dokument of voorwerp ooreenkomstig daardie sub-regulasie om te lê of wat wetens 'n vals antwoord gee of 'n vals verklaring maak is aan 'n misdryf skuldig.

ONDERDRUKKING VAN ONDERMYNENDE VERENIGINGS.

12. (1) Indien die Minister van oordeel is dat die bedrywighede van 'n vereniging van persone, met of sonder regs persoonlikheid, nadelig is vir die openbare veiligheid of die handhawing van die openbare orde, of dat dit op enigerlei wyse met enige saak betreffende die noodtoestand in verband staan, kan hy by kennisgewing in die *Staatskoerant* daardie vereniging beveel om sy bedrywighede te staak.

(2) 'n Vereniging wat versuim om onmiddellik aan 'n bevel kragtens sub-regulasie (1) te voldoen is aan 'n misdryf skuldig.

(3) Iemand wat op enigerlei wyse aan die verrigtinge van enige vereniging wat beveel is om sy bedrywighede te staak, deelneem of die bedrywighede daarvan bevorder, ongeag of hy 'n lid daarvan is al dan nie, is aan 'n misdryf skuldig.

ONDERSOEK BETREFFENDE VERENIGING WAT BEVEEL IS OM SY BEDRYWIGHED E TE STAAK.

13. (1) 'n Landdros of offisier kan enige persoon wat, na hy rede het om te vermoed oor inligting mag beskik of 'n boek, dokument of voorwerp in sy besit of bewaring of onder sy beheer mag hê, wat op enige vereniging wat kragtens regulasie *twalf* beveel is om sy bedrywighede te staak, betrekking het, dagvaar om voor hom of iemand anders in die dagvaarding genoem (in hierdie regulasie die gemagtigde beampte genoem) te verskyn op 'n tyd en plek in die dagvaarding vermeld, of deur die gemagtigde beampte bepaal en meegedeel aan die persoon aldus gedagvaar, ten einde ondervra te word, of om enige boek, dokument of voorwerp wat in sy besit of bewaring of onder sy beheer is en wat op die sake van daardie vereniging betrekking het of vermoedelik daarop betrekking het, oor te lê.

(2) Die bepalings van sub-regulasies (3), (4), (5) en (6) van regulasie *elf* is *mutatis mutandis* op die ondervraging en die oorlegging van boeke, dokumente en voorwerpe kragtens hierdie regulasie van toepassing.

INMENGING IN WETTIGE BYEENKOMSTE.

14. (1) Niemand mag—

(a) enigiets doen (met inbegrip van die uiting van enige woorde of ander geluide) wat bereken is om die uitwerking te hê of waarskynlik die uitwerking sal hê dat enige wettige byeenkoms of optog verhinder, belemmer of verstoer word nie; of

(b) deur woord of gedrag by die byeenkoms of optog waarop soiets gedoen word sy goedkeuring daarvan getuig nie.

(2) Niemand mag deur woord of gedrag dreig dat iemand anders of enige lid van enige klas persone aan enige boikot blootgestel sal word, of enige geweldpleging, verlies, nadeel of ongerief sal ondergaan, as hy of enige lid van daardie klas persone enige wettige byeenkoms of optog bywoon of daaraan deelneem, of versuim om dit by te woon of daaraan deel te neem nie.

SKENDING VAN DOKUMENTE OP GESAG UITGEREIK.

15. Niemand mag sonder behoorlike magtiging enige dokument vernietig, verwyder, skend, uitwis of verander nie, wat—

object in his possession or custody or under his control which he is required by the authorized officer to produce.

(6) Any person who has been summoned as aforesaid and who fails or refuses to attend or to answer any lawful questions in the manner specified in sub-regulation (5) or to produce any book, document or object or who knowingly gives a false answer or makes a false statement shall be guilty of an offence.

SUPPRESSION OF SUBVERSIVE ASSOCIATIONS.

12. (1) If in the opinion of the Minister the activities of any association of persons, corporate or unincorporated, are detrimental to the public safety or the maintenance of public order or are in any way connected with any matter relating to the state of emergency he may by notice in the *Gazette* direct the said association to discontinue its activities.

(2) Any association which fails to comply forthwith with any direction in terms of sub-regulation (1) shall be guilty of an offence.

(3) Any person who in any way participates in the proceedings, or promotes the activities of any association which has been directed to discontinue its activities shall be guilty of an offence whether or not he is a member thereof.

INVESTIGATION CONCERNING AN ASSOCIATION WHICH HAS BEEN DIRECTED TO DISCONTINUE ITS ACTIVITIES.

13. (1) A magistrate or commissioned officer may summon any person whom he has reason to believe may have any information or may have in his possession or custody or under his control any book, document or object relating to any association which has been directed to discontinue its activities under regulation *twelve* to appear before him or before a person mentioned in the summons (in this regulation referred to as the authorized officer) at a time and place specified in the summons, or fixed by the authorized officer and communicated to the person so summoned, to be interrogated or to produce a book, document or object related to or suspected to relate to the affairs of the said association which is in his possession or custody or under his control.

(2) The provisions of sub-regulations (3), (4), (5) and (6) of regulation *eleven* shall apply *mutatis mutandis*, to any interrogation and the production of books, documents and objects under this regulation.

INTERFERENCE WITH LAWFUL GATHERINGS.

14. (1) No person shall—

(a) do any act (which shall include the uttering of any words or other sounds) which is calculated or likely to have the effect of preventing, interfering with or disturbing any lawful gathering or procession; or

(b) by words or conduct at a gathering or procession at which any such act is done indicate his approval thereof.

(2) No person shall by words or conduct convey any threat that any other person or any member of any class of persons will be subjected to any boycott or will suffer any violence, loss, disadvantage or inconvenience if that person or any member of that class of persons attends or takes part, or fails to attend to take part, in any lawful gathering or procession.

DEFACEMENT OF DOCUMENTS ISSUED BY AUTHORITY.

15. No person shall without proper authority destroy, remove, deface, obliterate or alter any document which—

(a) uit die volgende bestaan, dit bevat of uiteensit of voorgee dat dit daaruit bestaan, dit bevat of uiteensit, naamlik:—

- (i) enige van hierdie regulasies; of
- (ii) enige reël, bevel of kennisgewing kragtens engeen van hierdie regulasies uitgevaardig of uitgereik, of enige kennisgewing kragtens enige sodanige reël of bevel uitgereik; of

(b) uitgereik of voorgee dat dit uitgereik is deur of namens die Unieregering of die Administrasie van die Gebied of deur enige persoon in diens van daardie Regering of Administrasie en wat uit die volgende bestaan, dit bevat of uiteensit, naamlik enige inligting, opdrag, versoek of oproep betreffende die openbare veiligheid of die handhawing van die openbare orde,

en wat aan enige gebou of ander bouwerk of enige ander voorwerp geplak of daarop aangebring is: Met dien verstande dat hierdie regulasie nie van toepassing is nie wanneer sodanige dokument aan 'n gebou, bouwerk of voorwerp geplak of daarop aangebring is sonder die toestemming van iemand wat as eienaar, huurder of in enige ander hoedanigheid geregtig is om daardie gebou te okkuper of oor daardie bouwerk of voorwerp beheer uit te oefen en daardie dokument deur bedoelde persoon van daardie gebou, bouwerk of voorwerp verwyder is.

BESLAGLEGGING OP WAPENS.

16. (1) Die Minister kan, wanneer hy dit ookal vir die openbare veiligheid of vir die handhawing van die openbare orde nodig ag, by kennisgewing in die *Staatskoerant* 'n algemene bevel uitreik vir die beslaglegging op wapens soos omskryf in die Wapens- en Ammunisiwet, 1937 (Wet No. 28 van 1937) van die Unie of die Wapens- en Ammunisieproklamasie van die Gebied (Proklamasie No. 28 van 1938, soos gewysig) wat in die besit of onder die beheer van alle persone of 'n klas persone is en kan 'n bevel uitreik vir die veilige bewaring van wapens waarop aldus beslag gelê is.

(2) Wanneer 'n landdros of offisier dit ook al vir die veiligheid van die publiek of vir die handhawing van die openbare orde nodig ag kan hy by skriftelike bevel onder sy handtekening gelas dat beslag gelê word op enige wapen soos omskryf in die Wapens- en Ammunisiwet, 1937 (Wet No. 28 van 1937) van die Unie of die Wapens- en Ammunisieproklamasie van die Gebied (Proklamasie No. 28 van 1938, soos gewysig) wat in die besit of onder die beheer van enige persoon vermeld in daardie bevel is en hy kan 'n bevel uitreik vir die veilige bewaring van 'n wapen waarop aldus beslag gelê is.

(3) Enige wapen waarop ingevolge sub-regulasies (1) of (2) beslag gelê is kan te eniger tyd in opdrag van die Minister terugbesorg word aan die persoon in wie se besit of onder wie se beheer dit was toe daarop beslag gelê is.

REG VAN VISEENTERING.

17. (1) As 'n landdros of offisier te eniger tyd rede het om te vermoed dat daar in die besit van enige persoon of op enige perseel of plek of in enige voertuig of vaartuig of enige houer van watter aard ook al, enige boek of dokument is waarop beslaglegging gemagtig is by 'n bevel uitgereik kragtens regulasie *sewe*, of enige boek of dokument wat betrekking het op 'n vereniging wat kragtens regulasie *twaalf* gelas is om sy bedrywighede te staak, of enige artikel ten opsigte waarvan 'n misdryf kragtens engeen van hierdie regulasies begaan is of wat as getuie kan dien van die pleging van sodanige misdryf, kan hy daardie persoon of daardie perseel of plek of voer- of vaartuig of houer laat visenteer of self visenteer; en enige persoon wat as gevolg van 'n visentering ingevolge hierdie regulasie, enige sodanige boek, dokument of artikel vind, moet daarmee handel ooreenkomstig enige opdrag vervat in enige sodanige bevel wat daarop betrekking het, of by onstentenis van sodanige opdrag, moet hy dit aan die landdros of offisier aflewer, wat, behoudens enige algemene of besondere opdragte wat deur die Minister uitgereik mag word, daarmee op sodanige wyse kan handel

(a) consists of, contains or sets forth or purports to consist of, contain or set forth—

- (i) any of these regulations; or
- (ii) any rule or order made or notice issued under any of these regulations or any notice issued under any such rule or order; or

(b) has been issued or purports to have been issued by or on behalf of the Government of the Union or the Administration of the Territory or by any person employed by that Government or that Administration, and which consists of, contains or sets forth any information, instruction, request or appeal relating to the safety of the public or the maintenance of public order,

and which has been posted on or affixed to any building, structure or other object: Provided that if the document was posted on or affixed to a building, structure or object without the consent of the person who as owner or lessee or in any other capacity is entitled to occupy that building or exercise control over that structure or object, this regulation shall not apply to the removal of the document from that building, structure or object by that person.

SEIZURE OF ARMS.

16. (1) The Minister may whenever he deems it necessary for the safety of the public or the maintenance of public order by notice in the *Gazette* make a general order for the seizure of arms as defined in the Arms and Ammunition Act, 1937 (Act No. 28 of 1937) of the Union or the Arms and Ammunition Proclamation of the Territory (Proclamation No. 28 of 1938, as amended) in the possession or under the control of all persons or of any class of persons and may make an order for the safe custody of any arms so seized.

(2) A magistrate or commissioned officer may whenever he deems it necessary for the safety of the public or the maintenance of public order, by writing under his hand order the seizure of any arm, as defined by the Arms and Ammunition Act, 1937 (Act No. 28 of 1937) of the Union or the Arms and Ammunition Proclamation of the Territory (Proclamation No. 28 of 1938, as amended) in the possession or under the control of any person named in such order and may make an order for the safe custody of any arm so seized.

(3) Any arm seized in terms of sub-regulations (1) or (2) may at any time upon the direction of the Minister be restored to the person in whose possession or under whose control it was at the time of seizure.

RIGHT OF SEARCH.

17. (1) If at any time a magistrate or commissioned officer has reason to suspect that there is in the possession of any person or upon any premises or at any place or in any vehicle or vessel or any receptacle whatsoever, any book or document the seizure of which has been authorised by an order issued under regulation *seven* or any book or document relating to an association which has been directed to discontinue its activities under regulation *twelve* or any article in respect of which an offence has been committed under any of these regulations or which may afford evidence of the commission of any such offence, he may cause to be searched or himself search that person or those premises or that place or vehicle or vessel or receptacle; and any person who, as a result of a search in terms of this regulation, finds any such book, document or article, shall deal with it in accordance with any direction contained in any such order which relates to it, or in the absence of any such directions, shall deliver it to the magistrate or commissioned officer who may, subject to any general or particular instructions which may be issued by the Minister deal

of sodanige bevel in verband met die beskikking daarvoor kan uitreik, as wat hy goed ag.

(2) As 'n landdros of offisier te eniger tyd rede het om te vermoed dat iemand wat kragtens regulasie vier van hierdie regulasies gearrester of aangehou is en uit hegtenis ontsnap het, hom op enige perseel of plek of in enige voer- of vaartuig bevind, kan hy daardie perseel, plek, voer- of vaartuig laat visenteer of dit self visenteer; en enige persoon wat as gevolg van visentering ingevolge hierdie regulasie, so iemand vind, moet hom arrester en hom so spoedig moontlik na 'n aanhoudingsplek deur die Wet gemagtig, bring.

ONDERSOEK VAN BOEKE.

18. 'n Landdros of offisier of iemand wat in die algemeen of spesiaal deur 'n landdros of offisier daartoe gemagtig is, kan te eniger tyd die perseel of plek betree wat geokkupeer word deur 'n persoon wat enige inligting in hierdie regulasies vermeld, verstrekket, of wat, na hy rede het om te vermoed, 'n persoon is van wie kragtens hierdie regulasies vereis word om sodanige inligting te verstrekket, en kan alle boeke, rekenings en dokumente wat daar is ondersoek en 'n verduideliking vereis van enige inskrywings daarin, en op enige sodanige boek, rekening en dokument wat as bewys van enige oortreding van of versuim om te voldoen aan die bepalings van hierdie regulasies mag dien, beslag lê en dit hou, en uittreksels uit en afskrifte maak van alle sodanige inskrywings wat as bewys van enige sodanige oortreding of versuim mag dien.

MAATREËLS VIR DIE OPSPORING VAN OORTREDERS.

19. (1) Indien die Minister, die Kommissaries van die Suid-Afrikaanse Polisie, 'n landdros of 'n offisier daarvan oortuig is dat iemand 'n misdryf gepleeg het met die opset om die handhawing van die openbare orde te belemmer of om die openbare veiligheid te bedreig, of indien die Minister, die bedoelde Kommissaris, landdros of offisier rede het om te vermoed dat iemand voornemens is of was om 'n misdryf te pleeg met die opset om die handhawing van die openbare orde aldus te belemmer of om die openbare veiligheid aldus te bedreig, kan die Minister, die bedoelde Kommissaris, landdros of offisier enigiemand wat hy op redelike gronde daarvan verdink dat hy deelgeneem het of van plan is of was om aan die pleging van daardie misdryf of voorgenome misdryf deel te neem of wat na die oordeel van die Minister, bedoelde Kommissaris, landdros of offisier oor enige inligting met betrekking tot daardie misdryf of voorgenome misdryf beskik, arrester of laat arrester, en die Minister, bedoelde Kommissaris, landdros of offisier kan daardie persoon met betrekking tot enige aangeleentheid wat op daardie misdryf of voorgenome misdryf betrekking het ondervra of laat ondervra en hom in enige plek wat die Minister, bedoelde Kommissaris, landdros of offisier daarvoor geskik ag aanhou of laat aanhou totdat die Minister, bedoelde Kommissaris, landdros of offisier daarvan oortuig is dat daardie persoon al die aan hom gestelde vrae wat op die bedoelde misdryf of voorgenome misdryf betrekking het, volledig en juis beantwoord het.

(2) Die Minister kan te eniger tyd iemand wat kragtens sub-regulasie (1) in hegtenis geneem is en aangehou word, op sulke voorwaardes as wat hy mag bepaal, laat vrystel en indien daardie persoon versuim om aan enige van bedoelde voorwaardes te voldoen, is hy aan 'n misdryf skuldig.

ARRES VAN OORTREDERS.

20. (1) 'n Landdros of offisier kan iemand wat 'n misdryf kragtens hierdie regulasies begaan het of wat op redelik gronde daarvan verdink word dat hy so 'n misdryf begaan het, met of sonder lasbrief arrester of laat arrester.

(2) 'n Vredesbeampte wat sien of gesien het dat iemand 'n misdryf kragtens hierdie regulasies begaan kan daardie persoon sonder lasbrief in hegtenis neem.

with it in such manner or make such order for its disposal as he thinks fit.

(2) If at any time a magistrate or commissioned officer has reason to suspect that any person who has been arrested or detained under regulation four and has escaped from custody, is upon any premises or at any place or in any vehicle or vessel, he may cause to be searched or himself search those premises or that place or vehicle or vessel; and any person, who as a result of a search in terms of this regulation finds any such person, shall arrest him and shall as soon as may be bring him to a place of detention authorised by the Act.

EXAMINATION OF BOOKS.

18. Any magistrate or commissioned officer or any person generally or specially authorized thereto by any magistrate or commissioned officer may at any time enter upon the premises of or place occupied by any person who has furnished, or whom he has reason to suspect is a person who is required by or under these regulations to furnish any information referred to in these regulations, and may examine all books, accounts and documents there being, and may demand an explanation of any entries therein, and seize and retain any such books, accounts and documents as may afford evidence of any contravention of or failure to comply with the provisions of these regulations, and may make extracts from and copies of all such entries as may afford evidence of any such contravention or failure.

MEASURES TO TRACE OFFENDERS.

19. (1) Whenever the Minister, the Commissioner of the South African Police, a magistrate or commissioned officer is satisfied that any offence has been committed by any person with intent to hamper the maintenance of public order or to endanger the safety of the public or whenever the Minister, the said Commissioner, magistrate or commissioned officer has reason to suspect that any person has or had the intention to commit any offence with intent so to hamper the maintenance of public order or so to endanger the public safety as aforesaid, the Minister, the said Commissioner, magistrate or commissioned officer may arrest or cause to be arrested any person whom he suspects upon reasonable grounds of having taken part or intending or having intended to take part in the offence or intended offence in question or who in the opinion of the Minister, the said Commissioner, magistrate or commissioned officer is in possession of any information relating to the said offence or intended offence, and the Minister, the said Commissioner, magistrate or commissioned officer may question or cause to be questioned the said person in regard to any matter which has any bearing upon the said offence or intended offence and may detain or cause to be detained him at any place which the Minister, the said Commissioner, magistrate or commissioned officer deems suitable for the purpose until the Minister, the said Commissioner, magistrate or commissioned officer is satisfied that the said person has answered fully and truthfully all questions put to him which have any bearing upon the said offence or intended offence.

(2) The Minister may at any time upon such conditions as he may determine, cause to be released any person arrested and detained under sub-section (1), and if such person fails to comply with any such condition, he shall be guilty of an offence.

ARREST OF OFFENDERS.

20. (1) A magistrate or a commissioned officer may with or without warrant cause to be arrested or himself arrest any person who has committed an offence under these regulations or who is suspected upon reasonable grounds, of having committed such an offence.

(2) Any peace officer may without warrant arrest any person whom he sees or has seen committing any offence under these regulations.

(3) Met iemand wat aldus gearresteer is, word ooreenkomstig die bepalings van die Strafproseswet, 1955 (Wet No. 56 van 1955) gehandel.

BEVELE.

21. (1) Die Kommissaris van die Suid-Afrikaanse Polisie kan sulke bevele, wat nie met hierdie regulasies onbestaanbaar is nie, uitvaardig vir—

- (a) die afbakening van gebiede;
- (b) die beheer van alle verkeer;
- (c) die sluiting van enige openbare of privaat plek of enige besigheid of nywerheid;
- (d) die verwydering van die publiek of enige deel van die publiek uit of na enige besondere gebied in belang van die openbare orde of veiligheid of die beëindiging van 'n noodtoestand;
- (e) die beheer van noodsaaklike dienste en die bewaring en veiligheid van enige installasie en werke wat daarmee in verband staan;
- (f) die tydperke en ure wanneer persone in die strate of openbare plekke mag wees of nie mag wees nie; en
- (g) sonder afbreuk aan die algemeenheid van die bevoeghede wat hierdie regulasies verleen, alle sake wat noodsaaklik en wenslik is om die openbare vrede en orde te handhaaf en die noodtoestand te beëindig.

(2) Die Kommissaris word hierby gemagtig om boetes tot 'n bedrag van hoogstens vyf-en-twintig pond voor te skryf vir die oortreding van enige bevel deur hom uitgereik.

(3) By enige geding voor 'n geregshof waarby dit ter sake is of die Kommissaris 'n besondere bevel uitgevaardig het al dan nie, word 'n afskrif daarvan onder sy handtekening gewaarmerk, as bewys van die uitvaardiging en inhoud daarvan aanvaar.

AFKONDIGING VAN BEVELE, OPDRAGTE EN KENNISGEWINGS.

22. Enige bevel of opdrag gegee of kennisgewing uitge-reik kragtens hierdie regulasies is op voldoende wyse afgekondig as daardie bevel, opdrag of kennisgewing—

- (a) in 'n koerant wat in omloop is in die gebied waarin die bevel, opdrag of kennisgewing moet geld, gepubliseer word; of
- (b) in bedoelde gebied tussen die publiek versprei word en op openbare geboue of opvallende openbare plekke aangebring word; of
- (c) deur voldoende mondelinge aankondiging in die openbaar in daardie gebied bekend gemaak word indien dit vanweë die dringendheid daarvan of om enige ander rede nie gedruk of gepubliseer of soos in paragraaf (b) bepaal, versprei of aangebring kan word nie; of
- (d) in die geval van 'n gebied wat onder die beheer van 'n Bantoe kaptein of -hoofman staan, aan daardie kaptein of hoofman meegedeel word.

MISDRYWE.

23. (1) Iemand wat—

- (a) 'n bepaling van hierdie regulasies of 'n voorwaarde van of opdrag vervat in enige sertifikaat in hierdie regulasies vermeld, oortree of versuim om daaraan te voldoen; of
- (b) versuim om aan enige bevel uitgereik, opdrag gegee of vereiste gestel kragtens hierdie regulasies te voldoen; of
- (c) iemand anders in die vervulling van enige plig op-gelê of in die uitoefening van enige bevoegdheid verleen kragtens hierdie regulasies belemmer; of
- (d) 'n valse verklaring in enige inligting wat deur of kragtens hierdie regulasies van hom vereis word aflê of van 'n inskrywing in regulasie agtien ver-meld, 'n vals verduideliking gee, wetende dat dit vals is; of

(3) Any person arrested as aforesaid shall be dealt with in accordance with the provisions of the Criminal Procedure Act, 1955 (Act No. 56 of 1955).

ORDERS.

21. (1) The Commissioner of the South African Police may issue such orders as are not inconsistent with these regulations for—

- (a) the demarcation of areas;
- (b) the control of all traffic;
- (c) the closing of any private or public place or any business or industry;
- (d) the removal of the public or any section of the public out of or to any particular area in the interests of public order or safety or the termination of a state of emergency;
- (e) the control of essential services and the security and safety of installations and works connected there-with;
- (f) the periods and hours during which persons may or may not be in the streets or public places; and
- (g) without prejudice to the generality of the powers conferred by this regulation for all matters necessary and desirable to maintain public peace and order and to end the state of emergency.

(2) The Commissioner is hereby empowered to prescribe fines for the contravention of any order issued by him but not exceeding in any case the sum of twenty-five pounds.

(3) In any proceedings before a court in which it is relevant whether the Commissioner has made a particular order, a copy of such order certified under his hand shall be accepted as proof of the making and of the contents thereof.

PROMULGATION OF ORDERS, DIRECTIONS AND NOTICES.

22. Any order, or direction made or any notice issued under these regulations shall be sufficiently promulgated if that order, direction or notice—

- (a) is published in a newspaper circulating in the locality in respect of which such order, direction or notice is to apply; or
- (b) is distributed amongst the public and affixed upon public buildings or in prominent public places in that locality; or
- (c) is promulgated by sufficient oral announcement in that locality when, owing to the urgency thereof or for any other cause whatever, it cannot be printed or published or distributed or affixed in terms of paragraph (b); or
- (d) is, in the case of a locality subject to the control of a Bantu chief or headman, notified to that chief or headman.

OFFENCES.

23. (1) Any person who—

- (a) contravenes or fails to comply with any of these regulations or with any condition of, or any direction contained in a certificate referred to in these regulations; or
- (b) fails to comply with any order issued, direction given or demand made under these regulations; or
- (c) obstructs any person in the performance of any duty or the exercise of any power imposed or conferred under these regulations; or
- (d) makes any false statement in any information which he is required to furnish by or under these regulations, or gives any false explanation of any entry referred to in regulation eighteen knowing it to be false; or

- (e) 'n kennisgewing of ander dokument wat kragtens hierdie regulasies uitgereik is of voorgee om daar-kragtens uitgereik te wees, vervals; of
- (f) op enige wyse ander persone organiseer, adviseer, aanhits of aanmoedig om van hul werk afwesig te wees of hulle werksaamhede te vertraag met die opset om die Regering te dwarsboom of tot toegewings te dwing of om algemene ontwrigting te veroorsaak of om enige nywerheid of onderneming te verlam en iemand wat met voormelde opset van sy werk afwesig is of sy werksaamhede vertraag; of
- (g) deur woorde of gedrag iemand anders of enige klas persone dreig dat hy of daardie klas persone aan 'n boikot onderwerp sal word of geweldpleging, verlies, nadeel of ongerief sal ondergaan as hy of daardie klas persone 'n sekere standpunt inneem of nie inneem nie of 'n sekere gedragslyn volg of nie volg nie of 'n sekere handeling verrig of nie verrig nie; of
- (h) sonder die skriftelike toestemming van die Minister of iemand deur hom daartoe gemagtig, die naam of identiteit van enige persoon wat kragtens hierdie regulasies gearresteer is of aangehou word op enige wyse bekend maak, tensy die Minister of persoon deur hom daartoe gemagtig, reeds daardie persoon se naam of identiteit bekend gemaak het; of
- (i) versuim om voldoende stappe te doen vir die veilige bewaring van enige wapen of ammunisie soos in die Wapens- en Ammunisiewet, 1937 (Wet No. 28 van 1937) van die Unie of the Wapens- en Ammunisieproklamasie van die Gebied (Proklamasie No. 28 van 1938) omskryf, of enige ontplofbare stof soos in die Wet op Ontplofbare Stowwe, 1956 (Wet No. 26 van 1956) van die Unie of die Ordonnansie op Ontplofbare Stowwe, 1931 (Ordonnansie No. 15 van 1931) van die Gebied bedoel, of enige gevaarlike wapen soos in artikel *tien* van die Algemene Regswysigingswet, 1949 (Wet No. 54 van 1949) van die Unie of artikel *vier* van die Algemene Regswysigingsordonnansie, 1956 (Ordonnansie No. 12 van 1956) van die Gebied bedoel, of enige vergif of gewoontevormende medisyne soos in die Wet op Geneeshere, Tandartse en Aptekers, 1928 (Wet No. 13 van 1928) bedoel, wat in sy besit of onder sy beheer is,

is aan 'n misdryf skuldig.

(2) By enige geding voor 'n geregshof waarby dit ter sake is of die gedrag vermeld in paragraaf (f) van sub-regulasie (1) met 'n besondere opset verrig of gepleeg is word dit vermoed, totdat die teendeel bewys word, dat dit met die opset in bedoelde paragraaf vermeld verrig of gepleeg is.

(3) Indien daar by 'n geding waarby iemand aangekla is van 'n oortreding van paragraaf (i) van sub-regulasie (1) bewys gelewer word dat enige wapen, ammunisie, ontplofbare stof, gevaarlike wapen, vergif of gewoontevormende medisyne wat in sy besit of onder sy beheer was in die besit of onder die beheer gevind is van iemand wat kragtens hierdie regulasies gearresteer, aangehou of aangekla is, word tensy die teendeel bewys word, vermoed dat hy versuim het om voldoende stappe vir die veilige bewaring van daardie wapen, ammunisie, ontplofbare stof, gevaarlike wapen, vergif of gewoontevormende medisyne te doen.

ERKENNINGS EN VERMOEDENS.

24. (1) By 'n geding waarin iemand daarvan aangekla word dat hy 'n misdryf kragtens hierdie regulasies gepleeg het, is 'n verklaring vervat in enige inligting wat hy kragtens hierdie regulasies moet verstrek en wat deur of namens hom verstrek is, en enige verklaring of aantekening vervat in enige boek, rekening of dokument wat deur hom of sy werknemer of agent gehou is, of op sy perseel, of grond of plek wat deur hom geokkupeer word, gevind is, as getuieis teen hom toelaatbaar as 'n erkenning van die feite in daardie verklaring of aantekening uiteengesit.

- (e) falsifies any notice or other document which was issued or which purports to have been issued under these regulations; or
- (f) in any manner organizes, advises, incites or encourages other persons to stay away from or to retard their work with intent to thwart the Government or to force it to make concessions or to cause general dislocation or to disable any industry or undertaking and any person who is absent from his work or retards his duties with the aforesaid intent; or
- (g) by word or conduct conveys a threat to any other person or to any class of persons that such person or class of persons will be subjected to any boycott or will suffer any violence, loss disadvantage or inconvenience if the said person or class of persons does or does not take up a certain attitude or follow a certain course of conduct or commits or does not commit a certain act; or
- (h) without the written permission of the Minister or any person delegated thereto by him discloses in any manner the name or identity of any person arrested or detained under these regulations unless the Minister or the said person delegated has already disclosed the name or identity of the said person; or
- (i) fails to take adequate steps for the safe custody of any arm or ammunition as defined in the Arms and Ammunition Act, 1937 (Act No. 28 of 1937) of the Union or the Arms and Ammunition Proclamation the Territory (Proclamation No. 28 of 1938), or any explosive referred to in the Explosives Act, 1956 (Act No. 26 of 1956) of the Union or the Explosives Ordinance, 1931 (Ordinance No. 15 of 1931) of the Territory, or any dangerous weapon referred to in section *ten* of the General Law Amendment Act, 1949 (Act No. 54 of 1949) of the Union or section *four* of the General Law Amendment Ordinance, 1956 (Ordinance No. 12 of 1956) of the Territory, or any poison or habit-forming drug referred to in the Medical, Dental and Pharmacy Act, 1928 (Act No. 13 of 1928), which is in his possession or under his control,

shall be guilty of an offence.

(2) In any proceedings before a court in which it is relevant whether the conduct referred to in paragraph (f) of sub-regulation (1) was committed or undertaken with any particular intent, it shall be presumed until the contrary is proved that it was committed or undertaken with the intent referred to in the said paragraph.

(3) If in any proceedings in which any person is charged with a contravention of paragraph (i) of sub-regulation (1) it is proved that any arm, ammunition, explosive, dangerous weapon, poison or habit-forming drug which was in his possession or under his control was found in the possession or under the control of any person arrested, detained or charged under these regulations, it shall be deemed, unless the contrary is proved, that he failed to take adequate steps for the safe custody of such arm, ammunition, explosive, dangerous weapon, poison or habit-forming drug.

ADMISSIONS AND PRESUMPTIONS.

24. (1) In any proceedings in which any person is charged with the commission of any offence under these regulations, any statement contained in any information which he is required to furnish under these regulations, and which has been furnished by him or on his behalf and any statement or record contained in any book, account or document kept by him or by his employee or agent or found upon his premises or upon any land or place occupied by him shall be admissible in evidence against him as an admission of the facts set forth in that statement or record.

(2) Wanneer iemand daarvan aangekla word dat hy, in inligting wat hy kragtens hierdie regulasies moet verstrek, 'n vals verklaring afgelê of laat aflê het en dit bewys word dat daar 'n vals verklaring in daardie inligting wat deur of namens hom verstrek is voorkom, word, tensy die teen-deel bewys word, dit geag dat hy bedoelde vals verklaring afgelê of laat aflê het, wetende dat dit vals is.

(3) Indien by 'n geding voor 'n geregshof die vraag ontstaan of 'n vereniging wat kragtens regulasie *twaalf* beveel is om sy bedrywighede te staak (hierna die oorspronklike vereniging genoem) dieselfde is as 'n vereniging (hierna die latere vereniging genoem) wat gestig is na die publikasie in die *Staatskoerant*, van die kennisgewing waarin die bevel ten aansien van die oorspronklike vereniging vervat is en bewys gelewer word dat—

- (a) enige eiendom of boeke van die oorspronklike vereniging deur die latere vereniging oorgeneem is; of
- (b) die meerderheid van die persone wat op die datum van bedoelde publikasie lede van die oorspronklike vereniging was, lede van die latere vereniging geword het; of
- (c) die meerderheid van die persone wat op bedoelde datum lede van die komitee of ander liggaam was wat die sake van die oorspronklike vereniging bestuur het, lede geword het van die komitee wat die sake van die latere vereniging bestuur.

word die oorspronklike vereniging, ondanks die feit dat hy 'n ander naam as dié van die latere vereniging het of gehad het, geag dieselfde te wees as die latere vereniging, tensy bewys word dat die latere vereniging nie gestig is met die oogmerk of ten dele met die oogmerk om 'n ontduiking van die oogmerke van regulasie *twaalf* te bewerkstellig nie.

(4) Indien daar by enige geding waarby iemand aangekla is van die pleging van 'n misdryf wat voortspruit uit 'n handeling by 'n wettige byeenkoms of optog waardeer iemand anders enige liggaamlike leed aangedoen is, bewys gelewer word dat die aangeklaagde by daardie byeenkoms of optog die bepalings van sub-regulasie (1) van regulasie *veertien* oortree het, word hy skuldig bevind aan die misdryf waarvan hy aangekla is, tensy dit bewys word dat hy by oortreding van die bedoelde bepalings nie ter nastrewing van 'n oogmerk wat hy en iemand anders in gemeen gehad het, gehandel het nie.

STRAFBEPALINGS.

25. (1) Indien 'n straf nie spesiaal voorgeskryf is nie, is iemand wat kragtens hierdie regulasies aan 'n misdryf skuldig bevind word, strafbaar met 'n boete van hoogstens vyfhonderd pond of, by wanbetaling, met gevangenisstraf vir 'n tydperk van hoogstens vyf jaar, of met daardie gevangenisstraf sonder die keuse van 'n boete, of met beide daardie gevangenisstraf en daardie boete; en die hof wat hom skuldig verklaar kan enige voorwerp deur middel of ten opsigte waarvan die misdryf gepleeg is, aan die Staat verbeurd verklaar indien die misdryf in die Unie gepleeg is, of in die geval waar die misdryf in die Gebied gepleeg is, dit aan die Administrasie van die Gebied verbeurd verklaar.

(2) 'n Landdroshof is bevoeg om die strawwe in sub-regulasie (1) voorgeskryf, op te lê.

HANDELING OF VERSUIM WORD NIE MET TERUGWERKENDE KRAAG AS MISDRYF GESTRAF NIE.

26. 'n Handeling of versuim begaan voor die afkondiging van hierdie regulasies is nie daarkragtens as 'n misdryf strafbaar nie tensy daardie handeling of versuim as 'n misdryf op die tydstip toe dit begaan is strafbaar was.

(2) Whenever any person is charged with having made or caused to be made a false statement in information which he is required to furnish under these regulations, and it is proved that a false statement appears in the information furnished by him or on his behalf, he shall be deemed, unless the contrary is proved, to have made such false statement or to have caused it to be made, knowing it to be false.

(3) If, in any proceedings before a court of law the question arises whether any association which has been directed to discontinue its activities under regulation *twelve* (hereinafter called the original association), is identical with an association (hereinafter called the later association) formed after the publication in the *Gazette* of the notice containing the direction concerning the original association and it is proved that—

- (a) any of the property or books of the original association have been taken over by the later association; or
- (b) the majority of the persons who at the date of the said publication were members of the original association have become members of the later association; or
- (c) the majority of the persons who at the said date were members of the committee or other body which managed the affairs of the original association have become members of the committee which manages the affairs of the later association,

the original association shall, notwithstanding the fact that it bears or bore a name other than the name borne by the later association, be deemed to be identical with the later association, unless it is proved that the later association was not formed for the purpose, or partly for the purpose, of bringing about the evasion of the purpose of regulation *twelve*.

(4) If in any proceedings in which any person is charged with the commission of an offence arising out of any act done at any lawful gathering or procession whereby any physical injury was inflicted upon any person, it is proved that at that gathering or procession the person charged contravened the provisions of sub-regulation (1) of regulation *fourteen*, he shall be convicted of the offence with the commission of which he is charged, unless it is proved that in contravening the said provisions he was not acting in the prosecution of a common purpose which existed between him and any other person.

PENALTIES.

25. (1) Any person convicted of an offence under these regulations shall, where no penalty is specially provided for such offence be liable to a fine not exceeding five hundred pounds or in default of payment imprisonment for a period not exceeding five years, or such imprisonment without the option of a fine, or both such fine and such imprisonment; and the court by which he is convicted may declare any article by means of which or in respect of which the offence was committed to be forfeited to the State, if the offence was committed in the Union, or to the Administration of the Territory, if the offence was committed in the Territory.

(2) A magistrate's court shall have jurisdiction to impose the penalties prescribed by sub-regulation (1).

ACTS AND OMISSIONS NOT PUNISHABLE AS OFFENCES WITH RETROSPECTIVE EFFECT.

26. No act or omission committed prior to the promulgation of these regulations shall be punishable thereunder as an offence unless such act or such omission was punishable as an offence at the time when it was committed.