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DEPARTEMENT VAN DIE EERSTE MINISTER

DEPARTMENT OF THE PRIME MINISTER

No. 1209.

6 Julie 1977.

Hierby word bekend gemaak dat die Staatspresident sy goedkeuring geheg het aan die onderstaande Wet wat hierby ter algemene inligting gepubliseer word:—

No. 101 van 1977: Wysigingswet op Ontploffbare Stowwe, 1977.

No. 1209.

6 July 1977.

It is hereby notified that the State President has assented to the following Act which is hereby published for general information:—

No. 101 of 1977: Explosives Amendment Act, 1977.

Act No. 101, 1977

EXPLOSIVES AMENDMENT ACT, 1977.

ACT

To amend the Explosives Act, 1956, in order to penalize persons falsely holding themselves out to be inspectors of explosives and persons who make threats or communicate false information regarding explosions or alleged explosions or attempts or alleged attempts thereto.

(English text signed by the State President.)

(Assented to 22 June 1977.)

BE IT ENACTED by the State President, the Senate and the House of Assembly of the Republic of South Africa, as follows:—

Substitution of section 24 of Act 26 of 1956, as amended by section 12 of Act 21 of 1963.

1. The following section is hereby substituted for section 24 of the Explosives Act, 1956 (hereinafter referred to as the principal Act):

“Penalties for obstructing inspector, or refusing to answer inquiries, etc.

24. Any person who wilfully obstructs or hinders any inspector in the exercise of the powers or duties conferred or imposed upon him by this Act or the regulations or disobeys any lawful order of an inspector, or who upon demand fails to answer as far as he may be able any question lawfully put by an inspector, or who gives false information to an inspector, whether in answer to any such question or not, or who falsely holds himself out to be an inspector, shall be guilty of an offence and liable on conviction to a fine not exceeding two hundred and fifty rand or, in default of payment, to imprisonment for a period not exceeding six months.”

Amendment of section 27 of Act 26 of 1956, as amended by section 13 of Act 21 of 1963.

2. Section 27 of the principal Act is hereby amended by the insertion after subsection (1) of the following subsection:

“(1A) Any person who in any manner—

- (a) threatens, or falsely alleges, knowing it to be false, that any other person intends, to cause an explosion whereby life or property is or may be endangered or in order to intimidate any person;
- (b) communicates false information, knowing it to be false, regarding any explosion or alleged explosion or any attempt or alleged attempt thereto,

shall be guilty of an offence and liable on conviction to imprisonment without the option of a fine for a period of not less than three years and not more than fifteen years.”

Short title.

3. This Act shall be called the Explosives Amendment Act, 1977.

WET

Tot wysiging van die Wet op Ontplobbare Stowwe, 1956, ten einde persone wat hulle valslik as inspekteurs van ontplobbare stowwe voordoen en persone wat dreigemente maak of valse inligting oorbring betreffende ontploffings of beweerde ontploffings of pogings of beweerde pogings daartoe, strafbaar te maak.

(Engelse teks deur die Staatspresident geteken.)
(Goedgekeur op 22 Junie 1977.)

DAAR WORD BEPAAL deur die Staatspresident, die Senaat en die Volksraad van die Republiek van Suid-Afrika, soos volg:—

1. Artikel 24 van die Wet op Ontplobbare Stowwe, 1956 (hieronder die Hoofwet genoem), word hierby deur die volgende artikel vervang:

„Strawwe vir belemmering van inspekteur of weiering om navrae te beantwoord, ens.

24. Iemand wat 'n inspekteur opsetlik belemmer of hinder in die uitoefening van die bevoegdhede of pligte kragtens hierdie Wet of die regulasies aan hom verleen of opgelê, of 'n wettige bevel van 'n inspekteur veronagsaam, of wat in gebreke bly om, vir sover hy daartoe in staat is, 'n wettige vraag deur 'n inspekteur gestel, te beantwoord, of wat valse inligting, hetsy in antwoord op so 'n vraag al dan nie, aan 'n inspekteur verstrek, of wat valslik voorgee dat hy 'n inspekteur is, is aan 'n misdryf skuldig en by skuldigbevinding strafbaar met 'n boete van hoogstens tweehonderd-en-vyftig rand of, by wanbetaling, met gevangenisstraf vir 'n tydperk van hoogstens ses maande.”.

Vervanging van artikel 24 van Wet 26 van 1956, soos gewysig deur artikel 12 van Wet 21 van 1963.

2. Artikel 27 van die Hoofwet word hierby gewysig deur die volgende subartikel na subartikel (1) in te voeg:

„(1A) Iemand wat op enige wyse—

- (a) dreig, of valslik beweer, wel wetende dat dit vals is, dat iemand anders voornemens is, om 'n ontploffing te veroorsaak waardeur lewe of eiendom in gevaar gestel word of kan word of ten einde iemand te intimideer;
 - (b) valse inligting oorbring, wel wetende dat dit vals is, betreffende 'n ontploffing of beweerde ontploffing of 'n poging of beweerde poging daartoe,
- is aan 'n misdryf skuldig en by skuldigbevinding strafbaar met gevangenisstraf sonder die keuse van 'n boete vir 'n tydperk van minstens drie jaar en hoogstens vyftien jaar.”.

Wysiging van artikel 27 van Wet 26 van 1956, soos gewysig deur artikel 13 van Wet 21 van 1963.

3. Hierdie Wet heet die Wysigingswet op Ontplobbare Stowwe, 1977. Kort titel.

