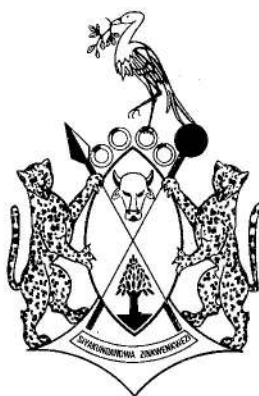


**IRIPHABLIKI  
YECISKEI**

**IGAZETHI  
YOBURHULUMENTE**



**REPUBLIC OF  
CISKEI**

**GOVERNMENT  
GAZETTE**

imbaza Printers - 16805

Price 30c

**Umq. 13**

**eBISHO  
23/08/85**

**No. 98**

**Vol. 13**

**BISHO  
23/08/85**

**No. 98**

**DEPARTMENT OF JUSTICE, POLICE AND PRISONS**

**GOVERNMENT NOTICE NO. 74**

**IT IS HEREBY NOTIFIED THAT THE PRESIDENT HAS  
ASSENTED TO THE FOLLOWING ACT WHICH IS HEREBY  
PUBLISHED FOR GENERAL INFORMATION:-**

**POLICE AMENDMENT ACT, 1985**

**ACT NO. 21 OF 1985**

# POLICE AMENDMENT ACT, 1985

## ACT

To amend the Police Act, 1983.

English text signed by the President. Assented to on 14 August 1985.

BE IT ENACTED by the National Assembly of the Republic of Ciskei, as follows:-

*Amendment of section 1 of Act 32 of 1983.*

1. Section 1 of the Police Act, 1983 (hereinafter in this Act referred to as the principal Act) is hereby amended by the substitution for the definition of "Minister" of the following definition: " 'Minister' means the Minister of Justice, Police and Prisons;"

*Amendment of section 4 of Act 32 of 1983.*

2. Section 4 of the principal Act is hereby amended by the substitution for paragraphs (b) and (c) of subsection (1) of the following paragraphs respectively:  
"(b) may divide the Force into such divisions, branches, units or groups as he may deem necessary;  
(c) shall determine the functions to be exercised by, the number and grading of posts in, and the distribution of the strength of the Force among, the divisions, the branches, units or groups into which the Force may have been divided under paragraph (b);"

*Amendment of section 14 of Act 32 of 1983.*

3. Section 14 of the principal Act is hereby amended by the substitution in subsection (3) for the expression "Ciskeian Authorities, Chiefs and Headmen Act, 1978 (Act 4 of 1978)" of the expression "Administrative Authorities Act, 1984 (Act 37 of 1984)".

*Insertion of sections 43A and 43B in Act 32 of 1983.*

4. The following sections are hereby inserted in the principal Act after section 43:  
"Prohibition of 43A. (1) Any person who, without the prior authority in writing of the Commissioner—  
certain sketches (a) makes a sketch or takes a photograph of any person who is, with a view to criminal proceedings, detained in lawful custody or who is a fugitive after escaping from such custody, or  
or photographs. (b) in any manner publishes or causes to be published any sketch or photograph of any person referred to in paragraph (a),  
before —  
(i) the trial of the lastmentioned person, if he is the accused, or, if he is a witness, the trial of the accused concerned, in respect of the offence to which such person's detention relates, has been commenced with, or  
(ii) such person has been released from custody in the case where he is neither the accused nor a witness,  
shall, notwithstanding anything to the contrary in any law contained, be guilty of an offence and liable on conviction to a fine not exceeding five hundred rand or to imprisonment for a period not exceeding twelve months or to both such fine and such imprisonment.  
(2) For the purposes of this section "photograph" includes any cinematograph film, any picture intended for exhibition by means of any mechanical device and any film cassette, magnetic tape or video-plate.

*Prohibition of publication of certain untrue statements.*

- 43B. (1) Any person, who publishes any untrue matter in relation to any action by the Force or any part of the Force, or any member of the Force in relation to the performance of his functions as such a member, without having reasonable grounds (the onus of proof of which shall rest on such person) for believing that that statement is true, shall be guilty of an offence and liable on conviction to a fine not exceeding five thousand rand or to imprisonment for a period not exceeding five years or to such imprisonment without the option of a fine or to both such fine and such imprisonment.  
(2) No prosecution shall be instituted in respect of an offence under subsection (1) except with the prior authority in writing of the attorney-general."

*Amendment of arrangement of Act 32 of 1983.*

5. The arrangement of the principal Act, as set forth at the beginning thereof, is hereby amended by the insertion at the end of the particulars relating to Chapter 6 of the following:  
"Prohibition of certain sketches or photographs. . . . . 43A  
Prohibition of publication of certain untrue statements. . . . . 43B."

*Short title.*

6. This Act shall be called the Police Amendment Act, 1985.

OKUQULATHIWEYO			CONTENTS		
<i>Inani le-saziso</i>	<i>Inani lekhasi</i>	<i>Inani le-Gazethe</i>	<i>Govt. Notice No.</i>	<i>Page No.</i>	<i>Gazette No.</i>
74		98	74		98

DEPARTMENT OF JUSTICE, POLICE AND PRISONS

GOVERNMENT NOTICE NO. 74

POLICE AMENDMENT ACT, 1985

ACT NO. 21 OF 1985