

REPUBLIC
OF
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REPUBLIEK
VAN
SUID-AFRIKA

Government Gazette Staatskoerant

Selling price • Verkoopprys
(GST excluded)/(AVB uitgesluit)

Local **50c** Plaaslik

Other countries 70c Buitelands
Post Free • Posvry

Registered at the Post Office as a Newspaper

As 'n Nuusblad by die Poskantoor Geregistreer

Vol. 267

PRETORIA, 11 SEPTEMBER 1987

No. 10915

GOVERNMENT NOTICE

MINISTRY OF LAW AND ORDER

No. 2039

11 September 1987

ORDERS UNDER THE REGULATIONS MADE UNDER THE PUBLIC SAFETY ACT, 1953

Under the powers vested in me by regulation 7 (1) of the regulations published under the Public Safety Act, 1953 (Act 3 of 1953), by Proclamation R. 96 of 11 June 1987, I, Frans Sebastian Botha, Divisional Commissioner of the South African Police for the Natal Division, hereby issue the orders set out in the Schedule.

F. S. BOTHA,

Divisional Commissioner: Natal.

SCHEDULE

Definitions

1. In this Schedule, unless the context otherwise indicates, any word or expression to which a meaning has been assigned in the Security Regulations has a corresponding meaning, and—

“ceremonial gathering”, in relation to the burial of a person, means any gathering associated with such a burial, including any memorial service, commemorative service or any other service held in connection with such burial, and also a funeral procession;

“designated area” means—

(a) the areas in the Magisterial District of Pietermaritzburg known as—

- (i) Edendale, as demarcated and described in Government Notice R. 163 of 23 August 1974, as amended;
- (ii) Ashdown and Imbali, as demarcated and described in Government Notice R. 293 of 16 November 1962, as amended;
- (iii) Sobantu, as demarcated and described in Government Notice 1838 of 10 September 1954, as amended;

GOEWERMENSKENNISGEWING

MINISTERIE VAN WET EN ORDE

No. 2039

11 September 1987

BEVELE KRAGTENS DIE REGULASIES UITGEVAARDIG KRAFTENS DIE WET OP OPENBARE VEILIGHEID, 1953

Kragtens die bevoegdheid my verleen by regulasie 7 (1) van die regulasies kragtens die Wet op Openbare Veiligheid, 1953 (Wet 3 van 1953), afgekondig by Proklamasie R. 96 van 11 Junie 1987, soos gewysig, reik ek Frans Sebastian Botha, Afdelingskommissaris van die Suid-Afrikaanse Polisie vir die Afdeling Natal, hierby die bevele in die Bylae uiteengesit uit.

F. S. BOTHA,

Afdelingskommissaris: Natal.

BYLAE

Woordomskrywing

1. In hierdie Bylae, tensy uit die samehang anders blyk, het 'n woord of uitdrukking waaraan in die Veiligheidsregulasies 'n betekenis geheg is 'n ooreenstemmende betekenis, en beteken—

“aangewese gebied”—

(a) die gebiede in die landdrosdistrik van Pietermaritzburg bekend as—

- (i) Edendale, soos afgebaken en omskryf in Goewermenskennisgewing R. 163 van 23 Augustus 1974, soos gewysig;
- (ii) Ashdown en Imbali, soos afgebaken en omskryf in Goewermenskennisgewing R. 293 van 16 November 1962, soos gewysig;
- (iii) Sobantu, soos afgebaken en omskryf in Goewermenskennisgewing 1838 van 10 September 1954, soos gewysig;
- (b) die gebied in die landdrosdistrik van Camperdown bekend as Mpumalanga, soos afgebaken en omskryf in Goewermenskennisgewing 2394 van 19 Desember 1972, soos gewysig;

(b) the area in the Magisterial District of Camperdown known as Mpumalanga, as demarcated and described in Government Notice 2394 of 19 December 1972, as amended;

(c) the area in the Magisterial District of Umvoti known as Enhlalakahle, as demarcated and described in Government Notice 485 of 24 March 1961, as amended;

(d) the area in the Magisterial District of Lions River known as Mpophomeni, as demarcated and described in Government Notice 3097 of 15 August 1969.

"Divisional Commissioner" means the Divisional Commissioner of the South African Police for the Natal Division;

"funeral" means a gathering held at the grave of a person who is buried;

"local authority" means a local authority as defined in the regulations published by Proclamation R. 97 of 1987;

"security action" means any action by a security force or a member of a security force, whether such action took place before or takes place after the publication of this Government Notice;

"security force" means a security force as defined in the regulations published by Proclamation R. 97 of 1987;

"the Security Regulations" means the regulations published by Proclamation R. 96 of 11 June 1987.

"specified person" means a person, with the exception of a member of a security force, who has died in or during any security action or unrest or of wounds sustained by him in or during any security action or unrest;

"unrest"—

(a) any gathering in contravention of an order under regulation 7 of the Security Regulations or of a provision of any other law or of any prohibition, direction or other requirement under any such provision;

(b) any physical attack on a security force or on a member of a security force or on a member of a local authority or on the house or family of a member of a security force or local authority by a group of persons; or

(c) any conduct which constitutes riot, public violence or a contravention of section 1 (1) (a) of the Intimidation Act, 1982 (Act 72 of 1982).

Funeral etc., to be held in accordance with conditions

2. Subject to clause 7 no funeral, and no ceremonial gathering in connection with the burial, of a specified person shall be held otherwise than in accordance with the following conditions, namely—

(a) that the Divisional Commissioner's prior approval for the time, date and place of any such funeral and of any such a ceremonial gathering shall be obtained;

(b) that no such ceremonial gathering, insofar as it takes the form of a memorial service, commemorative service or any other service (except any such service held at the grave of the person who is buried), shall be held out of doors;

(c) die gebied in die landdrosdistrik van Umvoti bekend as Enhlalakahle, soos afgebaken en omskryf in Goewermentskennisgewing 485 van 24 Maart 1961, soos gewysig;

(d) die gebied in die landdrosdistrik van Lions River bekend as Mpophomeni, soos afgebaken en omskryf in Goewermentskennisgewing 3097 van 15 Augustus 1969.

"Afdelingskommissaris" die Afdelingskommissaris van die Suid-Afrikaanse Polisie in die Afdeling Natal;

"begrafnis" 'n byeenkoms wat gehou word by die graf van 'n persoon wat teraarde bestel word;

"die Veiligheidsregulasies" die regulasies afgekondig by Proklamasie R. 96 van 11 Junie 1987;

"gespesifiseerde persoon" 'n persoon, met die uitsondering van 'n lid van 'n Veiligheidsmag, wat in of tydens veiligheidsoprede of oproerigheid gesterf het of gesterf het aan beserings wat hy in of tydens veiligheidsoprede of oproerigheid opgedoen het;

"oproerigheid"—

(a) enige byeenkoms in stryd met 'n bevel kragtens regulasie 7 van die Veiligheidsregulasies of met 'n bepaling van 'n ander wet of met die een of ander verbod, lasgewing of ander voorskrif kragtens so 'n bepaling;

(b) enige fisiese aanval op 'n veiligheidsmag of op 'n lid van 'n veiligheidsmag of op 'n lid van 'n plaaslike owerheid of op die huis of huisgesin van 'n lid van 'n veiligheidsmag of plaaslike owerheid deur 'n groep persone; of

(c) enige gedrag wat oproer, openbare geweldpleging of 'n oortreding van artikel 1 (1) (a) van die Wet op Intimidasie, 1982 (Wet 72 van 1982), daarstel;

"plaaslike owerheid" 'n plaaslike owerheid soos omskryf in die regulasies afgekondig by Proklamasie R. 97 van 11 Junie 1987;

"seremoniële byeenkoms", met betrekking tot die teraardebestelling van 'n persoon, enige byeenkoms wat met so 'n teraardebestelling gepaard gaan, met inbegrip van 'n roudiens, gedenkdiens of ander diens wat gehou word in verband met so 'n teraardebestelling, en ook 'n begrafnisstoet;

"veiligheidsmag" 'n veiligheidsmag soos omskryf in die regulasies afgekondig by Proklamasie R. 97 van 11 Junie 1987;

"veiligheidsoprede" enige optrede deur 'n veiligheidsmag of 'n lid van 'n veiligheidsmag, hetsy sodanige optrede plaasgevind het voor of plaasvind na die publikasie van hierdie Goewermentskennisgewing.

Begrafnisse ens., gehou te word ooreenkomstig voorwaardes

2. Behoudens klousule 7 word geen begrafnis, en geen seremoniële byeenkoms in verband met die teraardebestelling, van 'n gespesifiseerde persoon gehou nie behalwe ooreenkomstig die volgende voorwaardes, naamlik—

(a) dat die Afdelingskommissaris se voorafverkreë goedkeuring verkry moet word vir die tyd, datum en plek van so 'n begrafnis asook van enige so 'n seremoniële byeenkoms;

(b) dat geen sodanige seremoniële byeenkoms, in soverre dit die vorm van 'n roudiens, gedenkdiens of ander diens aanneem (behalwe so 'n diens wat gehou word by die graf van die persoon wat begrawe word), in die opelug gehou mag word nie;

- (c) that only an ordained minister of a religious denomination or organization may act as a speaker at such a funeral or ceremonial gathering;
- (d) that no public address system shall be used at or during such a funeral or ceremonial gathering;
- (e) that the number of persons attending such a funeral or ceremonial gathering shall not exceed 200; and
- (f) that the proceedings in connection with the burial of such a person, including any such ceremonial gathering, shall not continue for longer than three hours.

Speakers

3. No person other than an ordained minister of a religious denomination or organization shall act as a speaker at any funeral, or any ceremonial gathering in connection with the burial, of a specified person.

Attendance of funerals etc.

4. (1) No person shall attend or remain present at a funeral, or any ceremonial gathering in connection with the burial of a specified person in respect of which a condition mentioned in clause 2 has not or is not being complied with.

(2) The provisions of subclause (1) shall not apply to the spouse, child, grandchild, parent, grandparent, brother or sister or other next of kin of the person who is buried, in the case of non-compliance with the condition mentioned in paragraph (e) of clause 2.

Funeral processions

5. (1) A person who has attended any memorial service, commemorative service or other service in connection with the burial of a specified person, shall not proceed otherwise than by vehicle from the place where that memorial service, commemorative service or other service was held to the place where the person concerned is to be buried.

(2) A funeral procession formed for the burial of a specified person shall not proceed from the place where any memorial service, commemorative service or other service was held to the place where the person concerned is to be buried, along any other route than a route approved by the Divisional Commissioner.

(3) The provisions of subclause (1) shall not apply if the route approved by the Divisional Commissioner in terms of subclause (2) is shorter than five hundred metres.

Flags, banners etc.

6. (1) No person shall display or distribute any flags, banners, placards, pamphlets or posters at the funeral, or any ceremonial gathering in connection with the burial, of any specified person.

(2) Subclause (1) shall not affect the distribution of any customary funeral notice.

Joint funerals

7. No joint funeral, and no joint ceremonial gathering in connection with the burial, of two or more specified persons may be held.

Application of these orders

8. These orders shall apply in the designated area.

- (c) dat slegs 'n geordende leraar van 'n godsdienstige denominasie of organisasie as 'n spreker tydens so 'n begrafnis of seremoniële byeenkoms mag optree;
- (d) dat geen luidspreker by of tydens so 'n begrafnis of seremoniële byeenkoms gebruik mag word nie;
- (e) dat die getal persone wat so 'n begrafnis of seremoniële byeenkoms bywoon, nie 200 mag oorskry nie; en
- (f) dat die verrigtinge in verband met die teraardebestelling van so 'n persoon, met inbegrip van enige sodanige seremoniële byeenkoms, nie langer as drie ure mag aanhou nie.

Sprekers

3. Geen persoon, behalwe 'n geordende leraar van 'n godsdienstige denominasie of organisasie, mag as 'n spreker by enige begrafnis, of enige seremoniële byeenkoms in verband met die teraardebestelling, van 'n gespesifiseerde persoon optree nie.

Bywoning van begrafnisse ens.

4. (1) Geen persoon mag 'n begrafnis, of 'n seremoniële byeenkoms in verband met die teraardebestelling, van 'n gespesifiseerde persoon ten opsigte waarvan 'n voorwaarde in klousule 2 vermeld nie aan voldoen is of word nie, bywoon of daarby aanwesig bly nie.

(2) Die bepalings van subklousule (1) is nie op die eggenoot, kind, kleinkind, ouer, grootouer, broer of suster of ander naasbestaande van die persoon wat ter aarde bestel word, van toepassing in die geval van nie-voldoening aan die voorwaarde vermeld in paragraaf (e) van klousule 2 nie.

Begrafnisstoete

5. (1) 'n Persoon wat 'n roudiens, gedenkdiens of ander diens in verband met die teraardebestelling van 'n gespesifiseerde persoon bygewoon het, mag nie op 'n ander wyse as per voertuig vanaf die plek waar daardie roudiens, gedenkdiens of ander diens gehou is na die plek waar die betrokke persoon ter aarde bestel word, beweeg nie.

(2) 'n Begrafnisstoet wat vir die teraardebestelling van 'n gespesifiseerde persoon opgestel is, beweeg nie vanaf die plek waar enige roudiens, gedenkdiens of ander diens gehou is na die plek waar die persoon ter aarde bestel word, langs 'n ander roete as 'n roete deur die Afdelingskommissaris goedgekeur nie.

(3) Die bepalings van subklousule (1) is nie van toepassing in die geval waar die roete wat deur die Afdelingskommissaris kragtens subklousule (2) goedgekeur is, korter as vyfhonderd meter is.

Vlae, baniere ens.

6. (1) Geen persoon mag enige vlag, baniere, plakate, pamflette of aanplakbiljette, by die begrafnis, of enige seremoniële byeenkoms in verband met die teraardebestelling, van 'n gespesifiseerde persoon vertoon of versprei nie.

(2) Subklousule (1) raak nie die verspreiding van enige gebruiklike begrafniskennisgewing nie.

Gesamentlike begrafnisse

7. Geen gesamentlike begrafnis, en geen gesamentlike seremoniële byeenkoms in verband met die teraardebestelling, van twee of meer gespesifiseerde persone mag gehou word nie.

Toepassing van hierdie bevel

8. Hierdie bevel is van toepassing in die aangewese gebied.

No. 2042

11 September 1987

ORDER UNDER THE REGULATIONS MADE UNDER
THE PUBLIC SAFETY ACT, 1953

Under the powers vested in me by regulation 7 (1) of the Regulations published under the Public Safety Act, 1953 (Act 3 of 1953), by Proclamation R. 96 of 11 June 1987, for the purpose of the safety of the public, the maintenance of public order or the termination of the state of emergency, I, Roy Peter During, Acting Divisional Commissioner of the South African Police for the Western Province, hereby prohibit in the Magisterial District of Bellville the gathering organised and advertised for the 13th September 1987 at the University of the Western Cape by the South African Youth Congress.

R. P. DURING,

Acting Divisional Commissioner: Western Province
Division.

No. 2042

11 September 1987

BEVEL KRAGTENS DIE REGULASIES UITGEVAARDIG
KRAFTENS DIE WET OP OPENBARE VEILIGHEID, 1953

Kragtens die bevoegdheid my verleen by regulasie 7 (1) van die Regulasies kragtens die Wet op Openbare Veiligheid, 1953 (Wet 3 van 1953), afgekondig by Proklamasie R. 96 van 11 Junie 1987, vir die doel van veiligheid van die publiek, die handhawing van die openbare orde of die beëindiging van die noodtoestand, verbied ek, Roy Peter During, Waarnemende Afdelingskommissaris van die Suid-Afrikaanse Polisie vir die Afdeling Westelike Provinsie, hierby in die landdrosdistrik van Bellville die byeenkoms wat deur die South African Youth Congress gereël en geadverteer is vir 13 September 1987 by die Universiteit van Wes-Kaapland.

R. P. DURING,

Waarnemende Afdelingskommissaris: Afdeling Westelike
Provinsie.

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