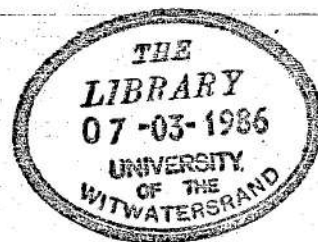


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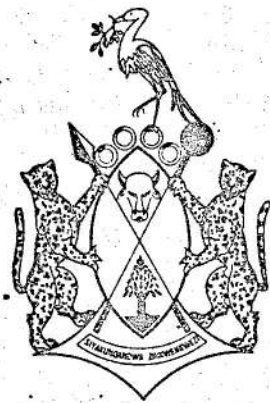


IRIPHABLIKI  
YECISKEI

REPUBLIC OF  
GISKEI

IGAZETHI  
YODURNHULUMENTE

GOVERNMENT  
GAZETTE



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DEPARTMENT OF JUSTICE, POLICE AND PRISONS

GOVERNMENT NOTICE NO. 5

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

INDEMNITY ACT, 1985

ACT NO. 31 OF 1985

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# INDEMNITY ACT, 1985

## ACT

To indemnify the Government of Ciskei, its officers and all other persons acting under its or their authority in respect of acts advised, commanded, ordered, directed or performed in good faith for the prevention or suppression of internal disorder or the maintenance or restoration of good order or public safety or essential services or the preservation of life or property in any part of the republic of Ciskei and to provide for matters incidental thereto.

(English text signed by the President. Assented to on 13 January 1986)

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

### Indemnity.

1. (1) No proceedings, whether civil or criminal, shall be brought in any court of law against —
  - (a) the State, or
  - (b) the President, or
  - (c) any member of the Executive Council of the Republic of Ciskei, or
  - (d) any officer or member of the defence force of the Republic of Ciskei, or
  - (e) any person in the employ of the State, whether in the public service or in the police force or prisons service of the Republic, or
  - (f) any other person in Ciskei who is a police official as defined in section 1(1) of the Criminal Procedure Act, 1977 (Act 51 of 1977), or
  - (g) any chief or headman as defined in section 1 of the Administrative Authorities Act, 1984 (Act 37 of 1984), or
  - (h) any person acting under the authority or by the direction or with the approval of any office-bearer, officer, member or person referred to in the preceding paragraphs of this subsection, by reason of any act advised, commanded, ordered, directed or performed by him *in good faith* on or after the twenty-first day of July, 1985 and while the provisions of this Act remain in operation, in the performance or discharge of his duties or functions with intent to prevent or suppress internal disorder in the republic of Ciskei or to maintain or restore good order or public safety or essential services therein or to preserve life or property therein.
- (2) Every such proceeding which may have been brought or commenced prior to the coming into operation of this Act shall lapse and shall be deemed void.
- (3) If in any proceedings brought against any office-bearer, officer, member or person referred to in subsection (1) the question arises whether any act advised, commanded, ordered, directed or performed by him was advised, commanded, ordered, directed or performed by him in good faith with the intent mentioned in the said subsection, it shall be presumed until the contrary is proved that such act was advised, commanded, ordered, directed or performed by him in good faith with such intent as aforesaid.

### Duration of Act.

2. This Act shall cease to have effect on a date fixed by the President by proclamation in the *Gazette*.

### Short title.

3. This Act shall be called the Indemnity Act, 1985.

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