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GOEWERMENTSKENNISGEWING

MINISTERIE VAN WET EN ORDE

No. 1881

3 September 1986

BEVELE KRAGTENS DIE REGULASIES UITGEVAARDIG KRAGTENS 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. 109 van 12 Junie 1986, soos gewysig, reik ek, Petrus Johannes Coetzee, Kommissaris van die Suid-Afrikaanse Polisie, hierby die bevel in die Bylae uiteengesit uit.

BYLAE

1. In hierdie Bylae het 'n woord of uitdrukking waaraan in die Regulasies 'n betekenis geheg is 'n ooreenstemmende betekenis, en beteken—

“beperkte byeenkoms” enige byeenkoms ten opsigte waarvan 'n voorwaarde kragtens artikel 46 (1) (ii) van die Wet op Binnelandse Veiligheid, 1982 (Wet 74 van 1982), of 'n beperking of voorwaarde kragtens regulasie 7 van die Regulasies bepaal of opgelê is;

“die Regulasies” die regulasies afgekondig by Proklamasie R. 109 van 12 Junie 1986, soos gewysig deur Proklamasies R. 110 van 17 Junie 1986, R. 121 van 27 Junie 1986, R. 125 van 8 Julie 1986 en R. 140 van 1 Augustus 1986;

“Kommissaris” die Kommissaris van die Suid-Afrikaanse Polisie ooreenkomstig die bedoeling van regulasie 7 (5) van die regulasies;

“oproerigheid”—

- (a) 'n onwettige byeenkoms, toeloop of optog van enige getal persone;
- (b) 'n aanval op 'n Mag of op 'n lid van 'n Mag;
- (c) enige gedrag wat openbare rusverstoring, oproer, openbare geweldpleging of 'n oortreding van artikel 1 (1) (a) van die Wet op Intimidasie, 1982 (Wet 72 van 1982), daarstel; of

GOVERNMENT NOTICE

MINISTRY OF LAW AND ORDER

No. 1881

3 September 1986

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. 109 of 12 June 1986, as amended, I, Petrus Johannes Coetzee, Commissioner of the South African Police, hereby issue the orders set out in the Schedule.

SCHEDULE

1. In this Schedule any word or expression to which a meaning has been assigned in the Regulations shall have a corresponding meaning, and—

“Commissioner” means the Commissioner of the South African Police within the meaning of regulation 7 (5) of the Regulations;

“restricted gathering” means any gathering in respect of which a condition has been determined under section 46 (1) (ii) of the Internal Security Act, 1982 (Act 74 of 1982), or a restriction or condition has been imposed or determined under regulation 7 of the Regulations;

“security action” means—

(a) any of the following actions by a Force or a member of a Force, namely—

- (i) any action to terminate, or which contributes to the termination of, any unrest;
- (ii) any action to protect life or property in consequence of any unrest;
- (iii) any follow-up action after any unrest has been terminated or has ended, including any pursuit or tracking down of, or any other action taken against, a person who participated, or who is suspected of having participated, in that unrest;
- (iv) any action involving the arrest of a person—

(aa) on a charge of having committed an offence under the Regulations or the Internal Security Act, 1982;

- (d) enige bedrywigheid of gedrag wat op redelike gronde skyn 'n bedrywigheid of gedrag bedoel in paragraaf (a), (b) of (c) te wees;

“veiligheidsoptrede” —

- (a) enige van die volgende optredes deur 'n Mag of 'n lid van 'n Mag, naamlik—
- (i) enige optrede ter beëindiging, of wat bydra tot die beëindiging, van enige oproerigheid;
 - (ii) enige optrede ter beskerming van lewe of eiendom na aanleiding van enige oproerigheid;
 - (iii) enige opvolgoptrede na die beëindiging of afloop van enige oproerigheid, met inbegrip van die agtervolging of opsporing van, of ander optrede teen, 'n persoon wat aan daardie oproerigheid deelgeneem het of wat daarvan verdink word dat hy daaraan deelgeneem het;
 - (iv) enige optrede waarby 'n persoon gearresteer word—
 - (aa) op 'n aanklag weens 'n misdryf ingevolge die Regulasies of die Wet op Binnelandse Veiligheid, 1982;
 - (bb) in verband met 'n misdryf wat gepleeg is in die loop van enige oproerigheid of 'n voorval wat daaruit voortgespruit het of daarmee verband hou; of
 - (cc) kragtens 'n bepaling van die Regulasies of van die Wet op Binnelandse Veiligheid, 1982; of
 - (v) enige optrede kragtens regulasie 2 van die Regulasies;
- (b) enige optrede deur 'n Mag of 'n lid van 'n Mag wat op redelike gronde skyn optrede bedoel in paragraaf (a) te wees; of
- (c) enige ontplooiing van 'n Mag of van enige voertuie, wapentuig, toerusting of enige hulpmiddels, vir of in verband met enige optrede bedoel in paragraaf (a) of wat op redelike gronde skyn vir of in verband met so 'n optrede te wees.

2. Geen persoon mag, behalwe met die voorafverkreë skriftelike toestemming van die Kommissaris of van 'n lid van 'n Mag wat as 'n offisier in daardie Mag dien, enige kommentaar op of nuus in verband met enige veiligheidsoptrede bekend maak, versprei, uitdeel, neem of stuur nie.

3. (1) Behoudens subklousule (2), mag geen joernalis, nuusverslaggewer, nuuskomentator, nuuskorrespondent, koerant- of tydskrifffotograaf, operateur van 'n televisie- of ander kamera of van enige televisie-, klank-, film- of ander opnametoerusting, persoon wat so 'n kamera of toerusting dra of met die vervoer of aanwending daarvan behulpsaam is, of ander persoon wat gebeurde dek met die doel om nuusmateriaal in te win vir die disseminasie, verspreiding of publikasie daarvan in die Republiek of elders, behalwe met die voorafverkreë toestemming van die Kommissaris of van 'n lid van 'n Mag wat as 'n offisier in daardie Mag dien, op die toneel, of op 'n plek binne sig, van enige oproerigheid, beperkte byeenkoms of veiligheidsoptrede [volgens paragraaf (a) of (b) van die omskrywing van “veiligheidsoptrede”] wees nie.

(2) Die bepalinge van subklousule (1)—

- (a) is nie op 'n daarinvermelde persoon van toepassing nie wat—
- (i) by aanvang van enige oproerigheid, beperkte byeenkoms of veiligheidsoptrede hom op die toneel, of op 'n plek binne sig, van daardie oproerigheid, byeenkoms of optrede bevind; of

- (bb) in connection with an offence committed during the course of any unrest or any incident arising therefrom or connected therewith; or

- (cc) under a provision of the Regulations or of the Internal Security Act, 1982; or

- (v) any action taken under regulation 2 of the Regulations;

- (b) any action by a Force or a member of a Force which on reasonable grounds appears to be action referred to in paragraph (a); or

- (c) any deployment of a Force, or of any vehicles, armaments, equipment or any accessories, for or in connection with any action referred to in paragraph (a) or which on reasonable grounds appears to be for or in connection with any such action;

“the Regulations” means the regulations published by Proclamation R. 109 of 12 June 1986, as amended by Proclamations R. 110 of 17 June 1986, R. 121 of 27 June 1986, R. 125 of 8 July 1986 and R. 140 of 1 August 1986.

“unrest” means—

- (a) any unlawful gathering, concourse or procession of any number of persons;
- (b) any attack on a Force or on a member of a Force;
- (c) any conduct which constitutes a public disturbance or riot, public violence or a contravention of section 1 (1) (a) of the Intimidation Act, 1982 (Act 72 of 1982); or
- (d) any activity or conduct which on reasonable grounds appears to be an activity or conduct referred to in paragraph (a), (b) or (c).

2. No person shall, except with the prior written consent of the Commissioner or of a member of a Force who serves as a commissioned officer in that Force, announce, disseminate, distribute, take or send any comment on or news in connection with any security action.

3. (1) Subject to subclause (2), no journalist, news reporter, news commentator, news correspondent, newspaper or magazine photographer, operator of any television or other camera or of any television, sound, film or other recording equipment, person carrying or assisting in the conveyance or operation of such camera or equipment, or other person covering events for the purpose of gathering news material for the dissemination, distribution or publication thereof in the Republic or elsewhere, shall, except with the prior consent of the Commissioner, or of any member of a Force who serves as a commissioned officer in that Force, be on the scene, or at a place within sight, of any unrest, restricted gathering or security action [according to paragraph (a) or (b) of the definition of “security action”]

(2) The provisions of subclause (1) shall not—

- (a) apply to any person mentioned therein who—

- (i) at the commencement of any unrest, restricted gathering or security action happens to be on the scene, or at a place within sight, of that unrest, gathering or action; or

- (ii) ná aanvang van enige oproerigheid, beperkte byeenkoms of veiligheidsoptrede op die toneel, of op 'n plek binne sig, van daardie oproerigheid, byeenkoms of optrede aankom weens 'n ander rede as om daardie oproerigheid, byeenkoms of optrede vir die inwin van nuusmateriaal te dek,

mits so 'n persoon onmiddellik die toneel van daardie oproerigheid, byeenkoms of optrede verlaat of homself na 'n plek buite sig van daardie oproerigheid, byeenkoms of optrede verwyder binne 'n tydsbestek wat redelikerwyse in die omstandighede vir die doel nodig is; of

- (b) belet nie 'n daarinvermelde persoon om in sy woning of op pad na of van sy woning te wees nie.

- (ii) after the commencement of any unrest, restricted gathering or security action happens to arrive on the scene, or at a place within sight, of that unrest, gathering or action for a reason other than to cover that unrest, gathering or action for the gathering of news material,

provided such a person immediately leaves the scene of that unrest, gathering or action or removes himself to a place outside sight of that unrest, gathering or action within such time as is reasonably required under the circumstances for such purpose; or

- (b) prevent a person mentioned therein from being in his residence or on his way to or from his residence.

Spaar 'n druppel — en vul die dam

Indien almal van ons besparingsbewus optree, besnoei ons nie slegs uitgawes nie maar wen ook ten opsigte van ons kosbare water- en elektrisiteitsvoorraad



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INHOUD**CONTENTS**

No.	Bladsy No.	Staats- koerant No.	No.	Page No.	Gazette No.
GOEWERMENTSKENNISGEWING			GOVERNMENT NOTICE		
Wet en Orde, Ministerie van Goewermentskennisgewing			Law and Order, Ministry of Government Notice		
1881 Wet op Openbare Veiligheid (3/1953): Bevele	1	10429	1881 Public Safety Act (3/1953): Orders	1	10429