

**OFFICIAL GAZETTE**  
EXTRAORDINARY  
OF SOUTH WEST AFRICA  
BUITENGEWONE  
**OFFISIËLE KOERANT**  
VAN SUIDWES-AFRIKA

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**PROCLAMATION**

by the

ADMINISTRATOR-GENERAL FOR THE  
TERRITORY OF SOUTH WEST AFRICA

*(Approved by the State President on  
17 July 1989)*

No. AG. 24 1989

PROVISION FOR THE PREVENTION OF  
INTIMIDATION

Under the powers vested in me by Proclama-  
tion 181 of 19 August 1977, I hereby make the  
laws set out in the Schedule.

L. A. PIENAAR

Administrator-General

Windhoek, 18 July 1989

**PROKLAMASIE**

van die

ADMINISTRATEUR-GENERAAL VIR DIE  
GEBIED SUIDWES-AFRIKA

*(Deur die Staatspresident goedgekeur op  
17 Julie 1989)*

No. AG. 24 1989

VOORSIENING VIR DIE VOORKOMING  
VAN INTIMIDASIE

Kragtens die bevoegdheids my verleen by Prokla-  
masie 181 van 19 Augustus 1977, maak ek hierby  
die wette in die Bylae vervat.

L. A. PIENAAR

Administrateur-generaal

Windhoek, 18 Julie 1989

## SCHEDULE

## BYLAE

*Prohibition of certain forms of intimidation**Verbod op sekere vorms van intimidasie*

1. (1) Any person who-

1. (1) 'n Persoon wat -

(a) with intent to compel or induce any other person to do, or to abstain from doing, something or to assume or to abandon a particular standpoint-

(a) met die opset om 'n ander persoon te dwing of te beweeg om iets te doen of nie te doen nie, of om 'n bepaalde standpunt in te neem of te laat vaar -

(i) kills, assaults, injures or causes damage to that person or any other person; or

(i) daardie persoon of 'n ander persoon dood, aanrand, beseer of skade berokken; of

(ii) in any manner threatens to kill, assault, injure or cause damage to that person or any other person;

(ii) op enige wyse dreig om daardie persoon of 'n ander persoon te dood, aan te rand, te beseer of skade te berokken;

(b) acts in such a manner or uses or publishes any language in such a manner that it has, or would probably have, the effect on a person perceiving the act or language, reasonably to fear for his own safety or the safety of his property, or for the safety of any other person or for the safety of the property of that other person, and to be induced by his fear to do, or to abstain from doing, something or to assume or to abandon a particular standpoint,

(b) op so 'n wyse optree of woorde op so 'n wyse besig of publiseer dat dit die uitwerking het, of waarskynlik sal hê, dat 'n persoon wat die optrede of woorde waarneem redelikerwys vir sy eie veiligheid of die veiligheid van sy eiendom, of vir die veiligheid van 'n ander persoon of vir die veiligheid van daardie ander persoon se eiendom, vrees, en deur sy vrees beweeg word om iets te doen of nie te doen nie, of om 'n bepaalde standpunt in te neem of te laat vaar,

shall be guilty of an offence and liable on conviction to a fine not exceeding R20 000 or to imprisonment for a period not exceeding 10 years or to both such fine and such imprisonment.

is aan 'n misdryf skuldig en by skuldigbevinding strafbaar met 'n boete van hoogstens R20 000 of met gevangenisstraf vir 'n tydperk van hoogstens 10 jaar of met daardie boete sowel as daardie gevangenisstraf.

(2) A person may be convicted on account of a threat referred to in subsection (1)(a)(ii) if the threat was of such a nature that a reasonable person in the circumstances of the person threatened, would have feared for his own safety or the safety of his property, or for the safety of the other person referred to in subsection (1)(a)(ii), or for the safety of the property of that other person.

(2) 'n Persoon kan op grond van 'n dreigement bedoel in subartikel (1)(a)(ii) skuldig bevind word indien die dreigement van so 'n aard was dat 'n redelike persoon in die omstandighede van die persoon wat gedreig is, vir sy eie veiligheid of die veiligheid van sy eiendom, of vir die veiligheid van die ander persoon in subartikel (1)(a)(ii) bedoel, of vir die veiligheid van daardie ander persoon se eiendom, sou gevrees het.

*Hearing of certain applications behind closed doors*

2. Any application for a direction referred to in section 153(1) or (2) of the Criminal Procedure Act, 1977 (Act No. 51 of 1977), shall, if the criminal proceedings in connection with which that application is made is a prosecution for an offence referred to in section 1, be heard behind closed doors.

*Repeal of Act 72 of 1982*

3. The Intimidation Act, 1982, is hereby repealed.

*Short title*

4. This Proclamation shall be called the Intimidation Proclamation, 1989.

*Aanhoor van sekere aansoeke agter geslote deure*

2. Enige aansoek om 'n lasgewing bedoel in artikel 153(1) of (2) van die Strafproseswet, 1977 (Wet No. 51 van 1977), word, indien die strafregtelike verrigtinge in verband waarmee daardie aansoek gedoen word 'n vervolging weens 'n misdryf bedoel in artikel 1 is, agter geslote deure aanhoor.

*Herroeping van Wet 72 van 1982*

3. Die Wet op Intimidasie, 1982, word hierby herroep.

*Kort titel*

4. Hierdie Proklamasie heet die Proklamasie op Intimidasie, 1989.