



Republic of Namibia  
Annotated Statutes

---

## Prohibition of Disguises Act 16 of 1969 (RSA)

(RSA GG 2316)

came into force in South Africa and South West Africa

on date of publication: 26 March 1969

(see section 3 of Act)

**APPLICABILITY TO SOUTH WEST AFRICA: Section 3 states** "This Act and any amendment thereof which may be made from time to time, shall apply also in the territory of South West Africa, including that part of the said territory known as the Eastern Caprivi Zipfel and defined in the Eastern Caprivi Zipfel Administration Proclamation, 1939 (Proclamation No. 147 of 1939 of the Republic)."

**TRANSFER TO SOUTH WEST AFRICA: It is not clear what transfer proclamation, if any, applied to this Act. However, the issue of transfer is not relevant to the content of the Act since there were no amendments to the Act in South Africa prior to Namibian independence.**

---

## ACT

To prescribe penalties for being in disguise in suspicious circumstances; and to repeal certain provisions of the Police Offences Act, 1882 (Cape), the Criminal Law Amendment Act, 1909 (Natal), the Police Offences Ordinance, 1902 (Orange Free State), Law No. 2 of 1891 (Transvaal), the Crimes Ordinance, 1904 (Transvaal), the Police Offences Proclamation, 1920 (South-West Africa), and the Police Offences (Rehoboth Gebiet) Proclamation, 1937 (South West Africa).

*(English text signed by the State President)*

*(Assented to 13th March, 1969)*

---

## ARRANGEMENT OF SECTIONS

1. Penalties for being in disguise in suspicious circumstances
2. Repeal of laws
3. Application of Act to South-West Africa
4. Short title

### Schedule

BE IT ENACTED by the State President, the Senate and the House of Assembly of the Republic of South Africa, as follows:-

**Prohibition of Disguises Act 16 of 1969 (RSA)**

**Penalties for being in disguise in suspicious circumstances**

1. (1) Any person found disguised in any manner whatsoever and whether effectively or not, in circumstances from which it may reasonably be inferred that such person has the intention of committing or inciting, encouraging or aiding any other person to commit, some offence or other, shall, unless he proves that when so found he had no such intention, be guilty of an offence and liable on conviction to a fine not exceeding two hundred rand or to imprisonment for a period not exceeding six months or to both such fine and such imprisonment.

(2) In any prosecution for a contravention of subsection (1) it shall not be necessary to allege or prove that the circumstances in which the accused was found, gave rise to an inference that he had the intention of committing or inciting, encouraging or aiding any other person to commit, any particular offence.

**Repeal of laws**

2. The laws specified in the Schedule are hereby repealed to the extent set out in the third column thereof.

**Application of Act to South-West Africa**

3. This Act and any amendment thereof which may be made from time to time shall apply also in the territory of South-West Africa, including that part of the said territory known as the Eastern Caprivi Zipfel and defined in the Eastern Caprivi Zipfel Administration Proclamation, 1939 (Proclamation No. 147 of 1939 of the Republic).

**Short title**

4. This Act shall be called the Prohibition of Disguises Act, 1969.

**Schedule**

No. and year.	Title or Subject Matter.	Extent of Repeal.
Act No. 27 of 1882.	CAPE. Police Offences Act, 1882.	Section 8 (2).
Act No. 10 of 1910.	NATAL. Criminal Law Amendment Act, 1909.	Section 6 (2) (e)
Ordinance No. 21 of 1902.	ORANGE FREE STATE. Police Offences Ordinance, 1902.	Section 26 (2).
Law No. 2 of 1891. Ordinance No. 26 of 1904.	TRANSVAAL. Masks and Disguises. Crimes Ordinance, 1904.	The whole. Section 7 (c).
Proclamation No. 27 of 1920. Proclamation No. 5 of 1937.	SOUTH-WEST AFRICA. Police Offences Proclamation, 1920. Police Offences (Rehoboth <i>Gebiet</i> ) Proclamation, 1937	Section 9 (2). Section 3 (2)