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OF SOUTH WEST AFRICA

BUITENGEWONE

# OFFISIËLE KOERANT

VAN SUIDWES-AFRIKA

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## Government Notice

## Goewermentskennisgewing

Office of the  
ADMINISTRATOR-GENERAL FOR THE  
TERRITORY OF SOUTH WEST AFRICA

Kantoor van die  
ADMINISTRATEUR-GENERAAL VIR DIE  
GEBIED SUIDWES-AFRIKA

DEPARTMENT OF THE COUNCIL OF  
MINISTERS

DEPARTEMENT VAN DIE MINISTERSRAAD

No. AG. 170 1981

No. AG. 170 1981

PROMULGATION OF ACT OF NATIONAL  
ASSEMBLY

AFKONDIGING VAN WET VAN NASIONALE  
VERGADERING

The following Act, which has been adopted by the National Assembly of South West Africa and signed by the Administrator-General in terms of the National Assembly Proclamation, 1979 (Proclamation AG. 21 of 1979), is hereby published in terms of section 19 of that Proclamation:—

Die volgende Wet, wat ingevolge die Proklamasie op die Nasionale Vergadering, 1979 (Proklamasie AG. 21 van 1979), deur die Nasionale Vergadering van Suidwes-Afrika aangeneem en deur die Administrateur-generaal onderteken is, word hierby afgekondig ingevolge artikel 19 van daardie Proklamasie:—

No. 22 of 1981: Prohibition and Notification of Meetings Act, 1981

No. 22 van 1981: Wet op die Verbod op en Kennisgewing van Vergaderings, 1981

Act No. 22, 1981 **PROHIBITION AND NOTIFICATION OF MEETINGS  
ACT, 1981**

*(Afrikaans text signed by the Administrator-General on  
10 December 1981)*

**ACT**

**To prohibit the holding of meetings by certain organisations; to require written notification of certain other meetings; and to provide for incidental matters.**

BE IT ENACTED by the National Assembly of South West Africa, as follows:—

Definition.

1. In this Act "meeting" means any meeting, gathering or assembly at which more than twenty persons are present at any time.

Meetings of certain organisations and officiating thereat prohibited.

2. No person shall at any place in the territory —

(a) hold, arrange, promote, advertise, announce or publicize any meeting for or in the name, on behalf or in the interests of any organisation —

(i) which according to its constitution has as its object, propagates, stands for, advocates, pursues, promotes, supports, encourages, expounds, approves or strives for or is in favour of the overthrow of any government or authority in the territory or the bringing about of a political, social or economic change in the territory by violence or intimidation or by forcible means;

(ii) which according to any book, document, record, publication, pamphlet or other written instrument compiled, kept, maintained, used, issued, published or distributed by or in the name, on behalf or in the interests of such organisation has as its object, propagates, stands for, advocates, pursues, promotes, supports, encourages, expounds, approves or strives for or is in favour of the overthrow of any government or authority in the territory or the bringing about of a political, social or economic change in the territory by violence or intimidation or by forcible means;

(iii) of which the executive committee or any other governing body or any office-bearer or officer in whatever way propagates, stands for, advocates, pursues, promotes, supports, encourages, expounds, approves or strives for or expresses itself

**WET OP DIE VERBOD OP EN KENNISGEWING VAN VERGADERINGS, 1981** Act No. 22, 1981

*(Afrikaanse teks deur die Administrateur-generaal onderteken op 10 Desember 1981)*

**WET**

**Om die hou van vergaderings deur sekere organisasies te verbied; om skriftelike kennisgewing van sekere ander vergaderings te vereis; en om voorsiening te maak vir verbandhoudende aangeleenthede.**

DAAR WORD BEPAAL deur die Nasionale Vergadering van Suidwes-Afrika, soos volg:—

1. In hierdie Wet beteken “vergadering” enige vergadering, byeenkoms of samekoms waarby meer as twintig persone op enige tydstip aanwesig is.

Woordomskrywing.

2. Niemand mag op enige plek in die gebied —

Vergaderings van sekere organisasies en optrede daarby verbode.

(a) ’n vergadering vir, namens of ten behoeve of in belang van ’n organisasie —

(i) wat volgens sy grondwet die omverwerping van enige owerheid of gesag in die gebied of die teweegbring van ’n politieke, maatskaplike of ekonomiese verandering in die gebied deur geweld of vreesaanjaging of op gewelddadige wyse ten doel het, propageer, voorstaan, bepleit, nastreef, bevorder, ondersteun, aanmoedig, verkondig of goedkeur of hom daarvoor beywer of ten gunste daarvan is;

(ii) wat volgens enige boek, dokument, rekord, publikasie, vlugskrif of ander geskrif deur, namens of ten behoeve of in belang van sodanige organisasie opgestel, aangehou, in stand gehou, gebruik, uitgereik, gepubliseer of versprei, die omverwerping van enige owerheid of gesag in die gebied of die teweegbring van ’n politieke, maatskaplike of ekonomiese verandering in die gebied deur geweld of vreesaanjaging of op gewelddadige wyse ten doel het, propageer, voorstaan, bepleit, nastreef, bevorder, ondersteun, aanmoedig, verkondig of goedkeur of hom daarvoor beywer of ten gunste daarvan is;

(iii) waarvan die uitvoerende komitee of enige ander bestuursliggaam of ’n ampsdraer of beampte op welke wyse ook al die omverwerping van enige owerheid of gesag in die gebied of die teweegbring van ’n politieke, maatskaplike of ekonomiese

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**PROHIBITION AND NOTIFICATION OF MEETINGS ACT, 1982**

or himself in favour of the overthrow of any government or authority in the territory or the bringing about of a political, social or economic change in the territory by violence or intimidation or by forcible means or intimates, confirms or admits that such organisation has that object,

or conspire with any other person or command, incite, instigate, procure or aid any other person to hold, arrange, promote, advertise, announce or publicize any such meeting or do anything else which facilitates or enables the realisation of any such meeting;

- (b) preside or otherwise officiate at or address or attend any meeting held or arranged by or in the name, on behalf or in the interests of any organisation referred to in paragraph (a).

Notification of certain meetings.

3. (1) Subject to the provisions of section 2 no person shall at any place in the territory preside or otherwise officiate at or address or attend any meeting unless he or any other person has at least twenty-four hours before the commencement of the meeting —

- (a) given notice in writing to the magistrate of the district in which such place is situated of —
- (i) the place and time at which the meeting is to be held;
  - (ii) the nature of the meeting;
  - (iii) the person or organisation by or in the name, on behalf or in the interests of whom or which the meeting is to be held; and
  - (iv) the names and addresses of the persons who will preside and otherwise officiate at and address the meeting;
- (b) if required by the magistrate referred to in paragraph (a), together with the notice referred to in the said paragraph (a) furnished the said magistrate with a copy of the constitution of the organisation by or in the name, on behalf or in the interests of which the meeting is to be held; and
- (c) if required by the magistrate referred to in paragraph (a), together with the notice referred to in the said paragraph (a) furnished the said magistrate with a declaration in a form determined by the said magistrate in which there is expressly stated whether or not the person or organisation by or in the name, on behalf or in the interests of whom or which the meeting is to be held has as his or its object, propagates, stands for, advocates, pursues, promotes,

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verandering in die gebied deur geweld of vreesaanjaging of op gewelddadige wyse propageer, voorstaan, bepleit, nastreef, bevorder, ondersteun, aanmoedig, verkondig of goedkeur of hom daarvoor beywer of hom ten gunste daarvan uitspreek of te kenne gee of bevestig of erken dat sodanige organisasie dit ten doel het,

hou, reël, bevorder, adverteer, aankondig of bekend maak of met iemand anders saamsweer of iemand anders beveel, uitlok, aanstig, verkry of help om so 'n vergadering te hou, te reël, te bevorder, te adverteer, aan te kondig of bekend te maak of enigiets anders doen wat dit vergemaklik of moontlik maak dat so 'n vergadering 'n werklikheid word nie;

- (b) by 'n vergadering wat gehou of gereël word deur, namens of ten behoeve of in belang van 'n organisasie bedoel in paragraaf (a), voorsit of 'n ander amp waarneem of dit toespreek of bywoon nie.

3. (1) Behoudens die bepalings van artikel 2 mag niemand op enige plek in die gebied by 'n vergadering voorsit of 'n ander amp waarneem of dit toespreek of bywoon nie, tensy hy of 'n ander persoon minstens vier-en-twintig uur voor die aanvang van die vergadering —

Kennisgewing van sekere vergaderings.

- (a) aan die landdros van die distrik waarin daardie plek geleë is, skriftelik kennis gegee het van —
- (i) die plek en tyd waarop die vergadering gehou staan te word;
  - (ii) die aard van die vergadering;
  - (iii) die persoon of organisasie deur, namens of ten behoeve van wie of in wie se belang die vergadering gehou staan te word; en
  - (iv) die name en adresse van die persone wat by die vergadering sal voorsit, enige ander ampte sal waarneem en dit sal toespreek;
- (b) indien deur die in paragraaf (a) bedoelde landdros vereis, tesame met die in genoemde paragraaf (a) bedoelde kennisgewing aan genoemde landdros 'n eksemplaar van die grondwet van die organisasie deur, namens of ten behoeve van wie of in wie se belang die vergadering gehou staan te word, verskaf het; en
- (c) indien deur die in paragraaf (a) bedoelde landdros vereis, tesame met die in genoemde paragraaf (a) bedoelde kennisgewing aan genoemde landdros 'n verklaring in die vorm deur genoemde landdros bepaal, verskaf het waarin daar uitdruklik vermeld word of die persoon of organisasie deur, namens of ten behoeve van wie of in wie se belang die vergadering gehou staan te word, die omverwerping van enige owerheid of gesag in die gebied of die teweegbring van 'n politieke.

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supports, encourages, expounds, approves or strives for or is in favour of the overthrow of any government or authority in the territory or the bringing about of a political, social or economic change in the territory by violence or intimidation or by forcible means.

(2) The provisions of subsection (1) shall not apply to a meeting —

- (a) for the purpose of a *bona fide* church service or a funeral;
- (b) in connection with the domestic affairs of any household;
- (c) of the members of a statutory body of persons, held exclusively for the purpose of transacting any business of that body;
- (d) for the purpose of instruction in terms of any law;
- (e) held as a *bona fide* sports gathering or for entertainment;
- (f) of any assembly, council, committee or other legislative or governmental authority established by or under any law;
- (g) for official administrative or judicial purposes;
- (h) held after such notification as is prescribed by subsection (1) but given less than twenty-four hours before the commencement of such meeting, if the magistrate concerned has in writing authorized such meeting;
- (i) held with a view to an election acknowledged for purposes of this subsection by the Administrator-General by notice in the *Official Gazette*, which has been convened for the purpose of promoting the interests of a political party or organisation at that election, or the candidature of any person who has been or is to be nominated as a candidate at that election.

Offences and penalties.

4. Any person who —

- (a) contravenes or fails to comply with any provision of this Act;
- (b) in any notice or declaration in terms of section 3(1) makes any false statement knowing it to be false or without having reasonable grounds for believing it to be true,

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maatskaplike of ekonomiese verandering in die gebied deur geweld of vreesaanjaging of op gewelddadige wyse ten doel het, propageer, voorstaan, bepleit, nastreef, bevorder, ondersteun, aanmoedig, verkondig of goedkeur of hom daarvoor beywer of ten gunste daarvan is, al dan nie.

(2) Die bepalings van subartikel (1) is nie van toepassing nie op 'n vergadering —

- (a) vir die doel van 'n *bona fide*-kerkdiens of 'n begrafnis;
- (b) in verband met die huishoudelike sake van enige huishouding;
- (c) van die lede van 'n statutêre liggaam van persone, wat uitsluitlik vir die verrigting van besigheid van daardie liggaam gehou word;
- (d) vir die doel van onderrig ingevolge die een of ander wet;
- (e) wat as 'n *bona fide*-sportbyeenkoms of vir vermaak gehou word;
- (f) van 'n vergadering, raad, komitee, of ander wetgewende of regeringsowerheid wat by of kragtens die een of ander wet ingestel is;
- (g) vir amptelike administratiewe of geregtelike doeleindes;
- (h) gehou na die kennisgewing wat by subartikel (1) voorgeskryf word maar wat minder as vier-en-twintig uur voor die aanvang van die vergadering gegee is, indien die betrokke landdros daardie vergadering skriftelik gemagtig het;
- (i) gehou met die oog op 'n verkiesing deur die Administrateur-generaal by kennisgewing in die *Offisiële Koerant* vir doeleindes van hierdie subartikel erken, wat belê is met die doel om die belange van 'n politieke party of organisasie by daardie verkiesing of die kandidatuur van iemand wat tot kandidaat by daardie verkiesing genomineer is of genomineer staan te word, te bevorder.

4. Iemand wat —

- (a) 'n bepaling van hierdie Wet oortree of versuim om daaraan te voldoen;
- (b) in 'n kennisgewing of verklaring ingevolge artikel 3(1) 'n valse verklaring doen wetende dat dit vals is of sonder dat hy redelike gronde het om te glo dat dit waar is,

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shall be guilty of an offence and liable on conviction to a fine not exceeding three thousand rand or to imprisonment for a period not exceeding three years or to such imprisonment without the option of a fine or to both such fine and such imprisonment.

Proof of certain facts.

5. In any prosecution for any offence in terms of this Act —

- (a) any book, document, publication or other written instrument which on the face thereof purports to be the constitution of an organisation mentioned in such book, document, publication or other written instrument, and any photostatic copy of any such book, document, publication or other written instrument, shall on its mere production in the court of law concerned be deemed to be the constitution of such organisation unless the contrary is proved;
- (b) any book, document, record, publication, pamphlet or other written instrument which on the face of it purports to be or to have been compiled, kept, maintained, used, issued, published or distributed by or in the name, on behalf or in the interests of an organisation mentioned in such book, document, record, publication, pamphlet or other written instrument, and any photostatic copy of any such book, document, record, publication, pamphlet or other written instrument, shall on its mere production in the court of law concerned, be deemed to be or to have been compiled, kept, maintained, used, issued, published or distributed by or in the name, on behalf or in the interests of such organisation unless the contrary is proved;
- (c) any view or utterance alleged to have been expressed or made by the executive committee or any other governing body or any office-bearer or officer of any particular organisation shall, if it is proved that such view or utterance was expressed or made by any body or person which or who in fact is, or at the time of expressing such view or making such utterance was, the executive committee or any other governing body or an office-bearer or officer of such organisation, be deemed to have been expressed or made by the executive committee or any other governing body or an office-bearer or officer of such organisation unless the contrary is proved.

Repeal of laws.

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

Short title.

7. This Act shall be called the Prohibition and Notification of Meetings Act, 1981.



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is aan 'n misdryf skuldig en by skuldigbevinding strafbaar met 'n boete van hoogstens drieduisend rand of met gevangenisstraf vir 'n tydperk van hoogstens drie jaar of met daardie gevangenisstraf sonder die keuse van 'n boete of met sowel daardie boete as daardie gevangenisstraf.

5. By 'n vervolging weens 'n misdryf ingevolge hierdie Wet — Bewys van sekere feite.

- (a) word enige boek, dokument, publikasie of ander geskrif wat oënskynlik die grondwet van 'n in daardie boek, dokument, publikasie of ander geskrif vermelde organisasie heet te wees, en 'n fotostatiese afdruk van so 'n boek, dokument, publikasie of ander geskrif, by blote oorlegging daarvan in die betrokke geregshof geag die grondwet van bedoelde organisasie te wees tensy die teendeel bewys word;
- (b) word enige boek, dokument, rekord, publikasie, vlugskrif of ander geskrif wat oënskynlik heet deur, namens of ten behoeve of in belang van 'n in daardie boek, dokument, rekord, publikasie, vlugskrif of ander geskrif vermelde organisasie opgestel, aangehou, in stand gehou, gebruik, uitgereik, gepubliseer of versprei te word of wees, en 'n fotostatiese afdruk van so 'n boek, dokument, rekord, publikasie, vlugskrif of ander geskrif, by blote oorlegging daarvan in die betrokke geregshof, geag deur, namens of ten behoeve of in belang van bedoelde organisasie opgestel, aangehou, in stand gehou, gebruik, uitgereik, gepubliseer of versprei te wees of te word tensy die teendeel bewys word;
- (c) word enige stelling of uitlating wat na bewering deur die uitvoerende komitee of enige ander bestuursliggaam of 'n ampsdraer of beampte van 'n bepaalde organisasie gemaak heet te wees, indien daar bewys word dat bedoelde stelling of uitlating gemaak is deur 'n liggaam of persoon wat inderdaad die uitvoerende komitee of 'n ander bestuursliggaam of 'n ampsdraer of beampte van bedoelde organisasie is of dit ten tyde van die maak van bedoelde stelling of uitlating was, tensy die teendeel bewys word geag deur die uitvoerende komitee of 'n ander bestuursliggaam of 'n ampsdraer of beampte van bedoelde organisasie gemaak te wees.

6. Die wette in die Bylae vermeld word hierby herroep in die mate in die derde kolom daarvan uiteengesit.

Herroeping van wette.

7. Hierdie Wet heet die Wet op die Verbod op en Kennisgewing van Vergaderings, 1981.

Kort titel.

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**PROHIBITION AND NOTIFICATION OF MEETINGS ACT, 1982****Schedule**

No. and year of law	Short title	Extent of repeal
Proclamation AG. 9 of 1977	Security Districts Proclamation, 1977	section 5
Proclamation AG. 27 of 1979	Second Security Districts Amendment Proclamation, 1979	section 1
Proclamation AG. 59 of 1980	Second Security Districts Amendment Proclamation, 1980	The whole

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**Bylae**

No. en jaar van wet	Kort titel	Omvang van herroeping
Proklamasie AG. 9 van 1977	Proklamasie op Veiligheids- distrikte, 1977	artikel 5
Proklamasie AG. 27 van 1979	Tweede Wysigingsproklamasie op Veiligheidsdistrikte, 1979	artikel 1
Proklamasie AG. 59 van 1980	Tweede Wysigingsproklamasie op Veiligheidsdistrikte, 1980	Die geheel