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STAATSKOERANT

VAN DIE REPUBLIEK VAN SUID-AFRIKA

REPUBLIC OF SOUTH AFRICA

GOVERNMENT GAZETTE

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DEPARTEMENT VAN DIE EERSTE MINISTER.

No. 435. 26 Maart 1969.

Hierby word bekend gemaak dat die Staatspresident sy goedkeuring geheg het aan die onderstaande Wet wat hierby ter algemene inligting gepubliseer word:—

No. 16 van 1969: Wet op die Verbod op Vermommings, 1969.

DEPARTMENT OF THE PRIME MINISTER.

No. 435. 26th March, 1969.

It is hereby notified that the State President has assented to the following Act which is hereby published for general information:—

No. 16 of 1969: Prohibition of Disguises Act, 1969.

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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.)

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

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 The laws specified in the Schedule are hereby repealed to the extent set out in the third column thereof.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

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WET

Om strawwe voor te skryf vir vermomming onder verdagte omstandighede; en om sekere bepalings van die „Police Offences Act, 1882" (Kaap), die „Criminal Law Amendment Act, 1909" (Natal), die „Police Offences Ordinance, 1902" (Oranje-Vrystaat), Wet No. 2 van 1891 (Transvaal), die „Crimes Ordinance, 1904" (Transvaal), die „Politie Overtredingen Proklamatie, 1920" (Suidwes-Afrika), en die Polisieoortredings- (Rehoboth-*Gebiet*) Proklamasie, 1937 (Suidwes-Afrika), te herroep.

(*Engelse teks deur die Staatspresident geteken.*)
(*Goedgekeur op* 13 *Maart* 1969.)

DAAR WORD BEPAAL deur die Staatspresident, die Senaat en die Volksraad van die Republiek van Suid-Afrika, soos volg:—

Strawwe vir vermomming onder verdagte omstandighede.

1. (1) 'n Persoon wat vermom is, op watter wyse ook al en hetsy op doeltreffende wyse al dan nie, en aangetref word onder omstandighede waaruit redelikerwys afgelei kan word dat hy die bedoeling het om die een of ander misdryf te pleeg of om 'n ander persoon uit te lok, aan te moedig of te help om die een of ander misdryf te pleeg, is, tensy hy bewys dat toe hy aldus aangetref is, hy nie so 'n bedoeling gehad het nie, aan 'n misdryf skuldig en by skuldigbevinding strafbaar met 'n boete van hoogstens tweehonderd rand of met gevangenisstraf vir 'n tydperk van hoogstens ses maande of met sowel daardie boete as daardie gevangenisstraf.

(2) By 'n vervolging weens oortreding van subartikel (1) is dit nie nodig om te beweer of te bewys dat die omstandighede waaronder die beskuldigde aangetref is, aanleiding gegee het tot die afleiding dat hy die bedoeling gehad het om 'n bepaalde misdryf te pleeg of om 'n ander persoon uit te lok, aan te moedig of te help om 'n bepaalde misdryf te pleeg nie.

Herroeping van Wette.

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

Toepassing van Wet op Suidwes-Afrika.

3. Hierdie Wet en enige wysiging daarvan wat van tyd tot tyd aangebring mag word, is ook van toepassing in die gebied Suidwes-Afrika, met inbegrip van dié gedeelte van genoemde gebied bekend as die Oostelike Caprivi Zipfel en omskryf in die Proklamasie op die Administrasie van die Oostelike Caprivi Zipfel, 1939 (Proklamasie No. 147 van 1939 van die Republiek).

Kort titel.

4. Hierdie Wet heet die Wet op die Verbod op Vermommings, 1969.

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Schedule.

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

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WET OP DIE VERBOD OP VERMOMMINGS, 1969. **Wet No. 16, 1969**

Bylae.

No. en Jaar.	Titel of Onderwerp.	In hoeverre herroep.
	KAAP.	
Wet No. 27 van 1882.	„Police Offences Act, 1882".	Artikel 8 (2).
	NATAL.	
Wet No. 10 van 1910.	„Criminal Law Amendment Act, 1909".	Artikel 6 (2) (*e*).
	ORANJE-VRYSTAAT.	
Ordonnansie No. 21 van 1902.	„Police Offences Ordinance, 1902".	Artikel 26 (2).
	TRANSVAAL.	
Wet No. 2 van 1891.	Maskers en vermommings.	Die geheel.
Ordonnansie No. 26 van 1904.	„Crimes Ordinance, 1904".	Artikel 7 (*c*).
	SUIDWES-AFRIKA.	
Proklamasie No. 27 van 1920.	„Politie Overtredingen Proklamatie, 1920".	Artikel 9 (2).
Proklamasie No. 5 van 1937.	Polisieoortredings-(Rehoboth-*Gebiet*) Proklamasie, 1937.	Artikel 3 (2).