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PROCLAMATION

by the
ADMINISTRATOR-GENERAL FOR THE TERRITORY OF SOUTH WEST AFRICA

(Approved by the State President on 7 November 1977)

No. AG. 10 1977

AMENDMENT OF THE RIOTOUS ASSEMBLIES ACT, 1956 (ACT 17 OF 1956)

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

M. T. STEYN
Administrator-General Windhoek, 9 November 1977

SCHEDULE

Amendment of section 1 of Act 17 of 1956, as amended by section 1 of Act 30 of 1974 and section 12 of Act 79 of 1976

1. Section 1 of the Riotous Assemblies Act, 1956 (hereinafter referred to as the Act, is hereby amended —

(a) by the deletion of the word "foreign" wherever it appears in the definition of "documentary information";

(b) by the substitution, in the definition of "gathering", for the expression "7(1)(b)" of the expression "7(1)(b) and (c)";

PROKLAMASIE

deur die
ADMINISTRATEUR-GENERAAL VIR DIE GEBIED SUIDWES-AFRIKA

(Deur die Staatspresident goedgekeur op 7 November 1977)

No. AG. 10 1977

WYSIGING VAN DIE WET OP OPROERIGE BYEENKOMSTE, 1956 (WET 17 VAN 1956)

Kragtens die bevoegdheid my verleen by Proklamasie 181 van 19 Augustus 1977, maak ek hierby die wette in die Bylae vervat.

M. T. STEYN
Administrateur-Generaal Windhoek 9 November 1977

BYLAE

Wysiging van artikel 1 van Wet 17 van 1956, soos gewysig deur artikel 1 van Wet 30 van 1974 en artikel 12 van Wet 79 van 1976

1. Artikel 1 van die Wet op Oproerige Byeenkomste, 1956 (hieronder die Wet genoem), word hierby gewysig —

(a) deur in die omskrywing van "byeenkoms" die uitdrukking "7(1)(b)" deur die uitdrukking "7(1)(b) en (c)" te vervang;

(b) deur die woord "buitelandse", waar dit ook al in die omskrywing van "dokumentêre inligting" voorkom, te skrap;

(c) by the deletion of the definition of "Minister"; and

(d) by the addition of the following definition: "'territory' means the territory of South West Africa.".

Amendment of section 2 of Act 17 of 1956, as substituted by section 2 of Act 30 of 1974

2. Section 2 of the Act is hereby amended —

(a) by the substitution, in subsection (4), for the words "hostility would be engendered between the European inhabitants of the Republic on the one hand and any other section of the inhabitants of the Republic on the other hand" of the words "grievous enmity would be engendered between different sections of the inhabitants of the territory";

(b) by the deletion of the word "or" at the end of paragraph (a), and paragraph (b) of that subsection;

(c) by the deletion in that subsection of the words "or may, by notice under his hand addressed and delivered or tendered to that particular person, prohibit him from attending such a gathering"; and

(d) by the deletion of subsection (5), paragraph (b) of subsection (6), and subsection (7).

Amendment of section 3 of Act 17 of 1956, as amended by section 3 of Act 30 of 1974

3. Section 3 of the Act is hereby amended —

(a) by the substitution, in subsection (1), for the words "hostility between the European inhabitants of the Republic on the one hand and any other section of the inhabitants of the Republic on the other hand" of the words "grievous enmity between different sections of the inhabitants of the territory";

(b) by the substitution, in subsection (3), for the words "hostility between the European inhabitants of the Republic on the one hand and any other section of the inhabitants of the Republic on the other hand" of the words "grievous enmity between different sections of the inhabitants of the territory"; and

(c) by the deletion of subsections (5), (6), (7) and (8).

Repeal of section 4 of Act 17 of 1956

4. Section 4 of the Act is hereby repealed.

(c) deur na die omskrywing van "dokumentêre inligting" die volgende omskrywing in te voeg:

"'gebied' die gebied Suidwes-Afrika;"; en

(d) deur die omskrywing van "Minister" te skrap.

Wysiging van artikel 2 van Wet 17 van 1956, soos vervang deur artikel 2 van Wet 30 van 1974

2. Artikel 2 van die Wet word hierby gewysig —

(a) deur in subsubartikel (4) die woorde "vyandigheid tussen die Blanke inwoners van die Republiek enersyds en enige ander deel van die inwoners van die Republiek andersyds" deur die woorde "ernstige vyandigheid tussen verskillende dele van die inwoners van die gebied" te vervang;

(b) deur die woord "of" aan die end van paragraaf (a), en paragraaf (b) van daardie subartikel te skrap;

(c) deur in daardie subartikel die woorde "of kan hy by kennisgewing deur hom onderteken en aan bedoelde persoon gerig en oorhandig of aangebied, hom verbied om so 'n byeenkoms by te woon" te skrap; en

(d) deur subartikel (5), paragraaf (b) van subartikel (6), en subartikel (7) te skrap.

Wysiging van artikel 3 van Wet 17 van 1956, soos gewysig deur artikel 3 van Wet 30 van 1974

3. Artikel 3 van die Wet word hierby gewysig —

(a) deur in subartikel (1) die woorde "vyandigheid tussen die blanke inwoners van die Republiek enersyds en enige ander deel van die inwoners van die Republiek andersyds" deur die woorde "ernstige vyandigheid tussen verskillende dele van die inwoners van die gebied" te vervang;

(b) deur in subartikel (3) die woorde "vyandigheid tussen die blanke inwoners van die Republiek enersyds en enige ander deel van die inwoners van die Republiek andersyds" deur die woorde "ernstige vyandigheid tussen verskillende dele van die inwoners van die gebied" te vervang; en

(c) deur subartikels (5), (6), (7) en (8) te skrap.

Herroeping van artikel 4 van Wet 17 van 1956

4. Artikel 4 van die Wet word hierby herroep.

Amendment of section 7 of Act 17 of 1956, as substituted by section 7 of Act 30 of 1974

5. Section 7 of the Act is hereby amended by the insertion, at the end of paragraph (b) of subsection (1), of the word "or", and, after that paragraph, of the following paragraph:

"(c) persons attending a gathering (whether or not the gathering has been so prohibited) are, at that gathering, in any manner whatsoever incited, instigated, ordered, advised or encouraged —

(i) to cause, encourage or further an insurrection or forcible resistance to any government, administration or authority established or recognised in or for the territory, or vested with authority in respect of the territory by or under any law; or

(ii) to use, or to cause, encourage or further the use of, any violence against any person or class of persons or persons generally; or

(iii) to destroy or seriously damage valuable property or property in general, or to cause, encourage or further its destruction or serious damage to it,".

Repeal of section 19 of Act 17 of 1956

6. Section 19 of the Act is hereby repealed.

Amendment of long title of, and substitution of certain expressions in, Act 17 of 1956

7. (1) The long title of the Act is hereby amended by the substitution for the words "hostility between the European and non-European inhabitants of the Republic" of the words "grievous enmity between various sections of the inhabitants of the territory of South West Africa".

(2) Subject to the provisions of subsection (3) —

(a) the word "Administrator-General" is hereby substituted for the words "State President" and "Minister", wherever they appear in the Act;

(b) the words "territory" and *"Official Gazette"* are hereby substituted for the words "Republic" and *"Gazette"*, respectively, wherever they appear in the Act.

(3) The provisions of subsection (2) shall not apply with reference to sections 1, 5 and 16 of the Act.

Short title

8. This Proclamation shall be called the Riotous Assemblies Amendment Proclamation, 1977.

Wysiging van artikel 7 van Wet 17 van 1956, soos vervang deur artikel 7 van Wet 30 van 1974

5. Artikel 7 van die Wet word hierby gewysig deur aan die end van paragraaf (b) van subartikel (1) die woord "of", en na daardie paragraaf die volgende paragraaf, in te voeg:

"(c) persone wat 'n byeenkoms bywoon (hetsy die byeenkoms aldus verbied is al dan nie) by daardie byeenkoms op enige wyse hoegenaamd uitgelok, aangestig, beveel, aangeraai of aangemoedig word —

(i) om 'n opstand of gewelddadige verset teen 'n regering, administrasie of owerheid wat by of kragtens wet in of vir die gebied ingestel of erken is of met gesag ten opsigte van die gebied beklee, is te veroorsaak, aan te moedig of te bevorder; of

(ii) om geweld teen enige persoon of klas persone of persone in die algemeen te gebruik of die gebruik daarvan te veroorsaak, aan te moedig of te bevorder; of

(iii) om waardevolle eiendom of eiendom in die algemeen te verniel of ernstig te beskadig, of die vernieling of ernstige beskadiging daarvan te veroorsaak, aan te moedig of te bevorder,".

Herroeping van artikel 19 van Wet 17 van 1956

6. Artikel 19 van die Wet word hierby herroep.

Wysiging van lang titel van, en vervanging van sekere uitdrukkings in, Wet 17 van 1956

7. (1) Die lang titel van die Wet word hierby gewysig deur die woorde "vyandigheid tussen die blanke en nieblanke inwoners van die Republiek" deur die woorde "ernstige vyandigheid tussen verskillende dele van die inwoners van die gebied Suidwes-Afrika" te vervang.

(2) Behoudens die bepalings van subartikel (3) —

(a) word die woorde "Staatspresident" en "Minister", waar hulle ook al in die Wet voorkom, deur die woord "Administrateur-generaal" vervang;

(b) word die woorde "Republiek" en *"Staatskoerant"*, waar hulle ook al in die Wet voorkom, deur onderskeidelik die woord "gebied" en die woorde *"Offisiële Koerant"* vervang.

(3) Die bepalings van subartikel (2) is nie met betrekking tot artikels 1, 5 en 16 van die Wet van toepassing nie.

Kort Titel

8. Hierdie Proklamasie heet die Wysigingsproklamasie op Oproerige Byeenkomste, 1977.

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