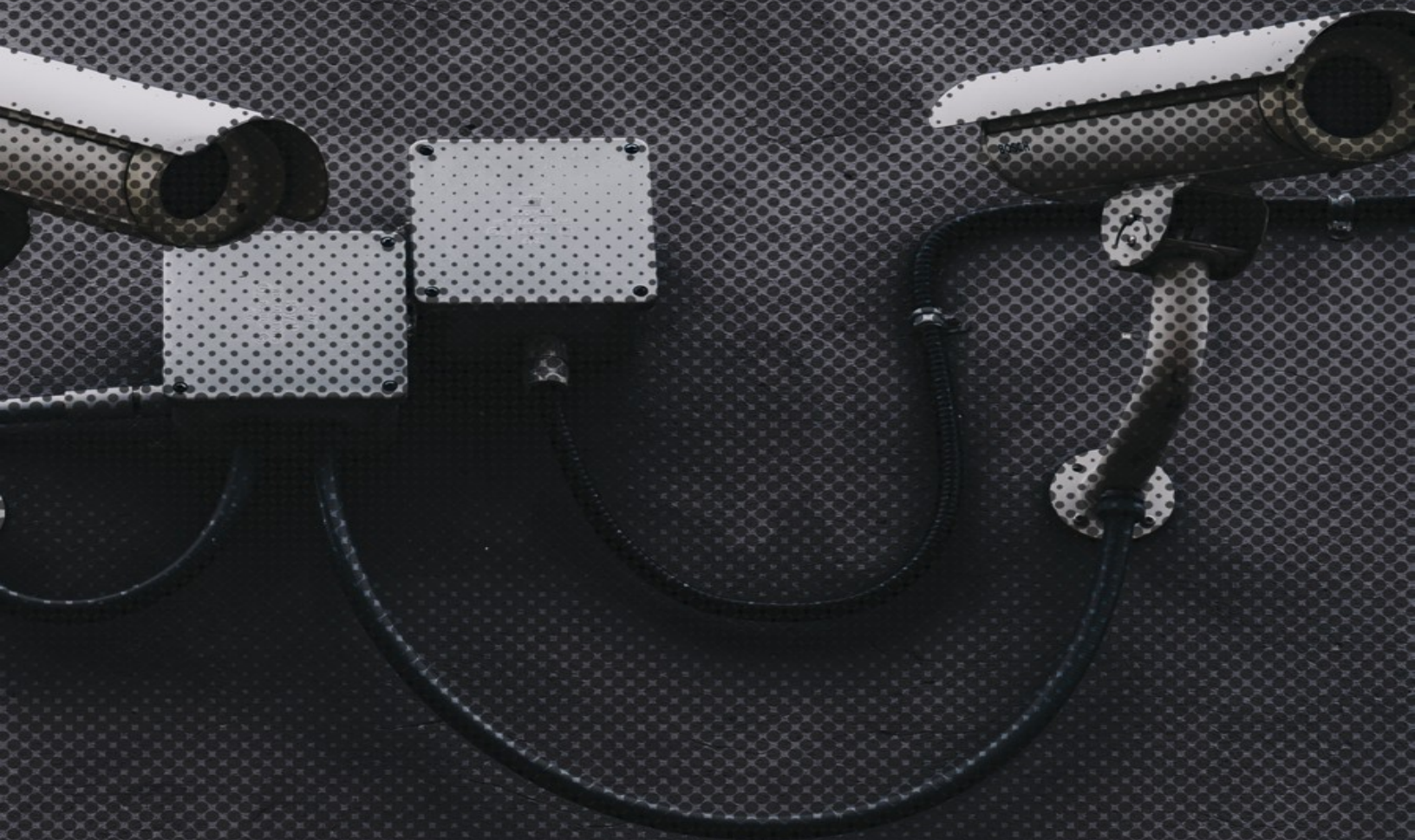


Parliament of South Africa



*Internal Security
Act, 1982*

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Internal Security Act, 1982



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ACT

To provide for the security of the State and the maintenance of law and order; and to provide for matters connected therewith.

*(Afrikaans text signed by the State President.)
(Assented to 1 June 1982.)*

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

ARRANGEMENT OF SECTIONS

Section

1

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Definitions.

1. In this Act, unless the context otherwise indicates—

-) (i) “authorized officer” means a person designated as such under [section 6](#) (1), and includes any person acting under his written authority;
-) (ii) “board of review” means a board of review established under section 35;
- i) (ii) “Commissioner” means the Commissioner of the South African Police;
- v) (i) “communism” means any doctrine, ideology or scheme—
 - a) (which is based on, has developed from or is related to the tenets of Karl Marx, Friedrich Engels, Vladimir Lenin or Mao Tse-Tung, or of any other recognized theorist in connection with or exponent of those tenets, and which aims at the establishment of any form of socialism or collective ownership;
 - b) (which aims at the establishment, by means of a class or group polarization of the community and the subsequent assumption of power by a particular class or group, of a despotic form of government under which one political party, group or organization only is recognized and all others are eliminated or prohibited; or
 -) (c) which aims at bringing about any political, economic, industrial or social change within the Republic in accordance with the

directions or under the guidance of or in cooperation with any foreign government or any foreign or international institution or organization whose purpose or one of whose purposes (whether professed or not) is to bring about the establishment within the Republic of any economic or social system as contemplated in paragraph (a) or any form of government as contemplated in paragraph (b);

-) (v “Director” means the person appointed in terms of [section 2](#) (2) to the office of Director of Security Legislation;
- i) (v “document” includes any book, pamphlet, record, list, placard, poster, drawing, photograph or picture, or a film as defined in section 47 (1) of the Publications Act, 1974 (Act No, 42 of 1974);
- ii) (v “gathering” means, for the purposes of—
 - a) (sections [20](#) (ii), 46 (1) (b) and (3) (b) and 48 (1) (b), any gathering, concourse or procession of any number of persons;
 - b) (any other provision of this Act, a gathering, concourse or procession of any number of persons having a common purpose, whether such purpose is lawful or unlawful;
- iii) (v “Inspector of Detainees” means any person appointed as such under section 44 (l);
- x) (i “liquidator” means a person designated as such under [section 13](#) (1) (b), and includes any person acting under his written authority;
-) (x “Minister” means the Minister of Law and Order;
- i) (x “office-bearer”, in relation to any organization, means member of the governing or executive body of—

- (the organization;
 - a) (any branch, section or committee of the organization; or
 - b) organization; or
 - c) any local, regional or subsidiary body forming part of the organization;
- ii) (x “officer”, in relation to any organization, means any person working for the organization or for any branch, section or committee of the organization, or for any local, regional or subsidiary body forming part of the organization;
- iii) (x “organization” means any association of persons, incorporated or unincorporated, and whether or not it has been established or registered in accordance with any statute;
- iv) (x “periodical publication” means any publication appearing at intervals;
- v) (x “place” means any place, whether or not it is a public place, and includes any premises, building, dwelling, flat, room, office, shop, structure, vessel, aircraft or vehicle, and any part of a place;
- vi) (x “police” means any body of men established or enrolled under any law and exercising or carrying out the powers, duties and functions of a police force, and includes any portion of the South African Defence Force when used for the prevention or suppression of terrorism or internal disorder;
- vii) (x “police officer” means any member of the Force as defined in section 1 of the Police Act, 1958 (Act No. 7 of 1958), and includes any member of the South African Railways Police Force referred to in section 43 of the South African Transport Services Act, 1981 (Act No. 65 of 1981);

- viii) (x “publication” means any newspaper, magazine, pamphlet, book, hand-bill or poster, and includes, for the purposes of section 56 (1) (c), any record or other object in or on which sound has been recorded for reproduction;
- ix) (x “public body” means any institution or body contemplated in section 84 (l) (f) of the Republic of South Africa Constitution Act, 1961 (Act No. 32 of 1961), and includes any institution or body established by law;
- x) (x “public office” means any office or post in the service of the State or a public body, and includes any office or post in the South African Defence Force or the Reserve referred to in sections 5 and 6, respectively, of the Defence Act, 1957 (Act No. 44 of 1957);
- xi) (x “this Act” includes any regulation made under any provision thereof;
- xii) (x “unlawful organization” means an organization—
 - a) (which, before the commencement of this Act, was by or under any law repealed by section 73 declared to be an unlawful organization for the purposes of the repealed law in question, and which immediately prior to the said commencement is such an unlawful organization; or
 - b) (which, under [section 4](#), is at any time after the said commencement declared to be an unlawful organization, and includes any branch, section or committee of any such organization and any local, regional or subsidiary body forming part of any such organization;
- (x “violence” includes the inflicting of bodily harm upon or killing of, or the endangering of the

- xiii) safety of, any person, or the damaging, destruction or endangering of property.

CHAPTER 1

DIRECTOR OF SECURITY LEGISLATION

Appointment and functions of Director of Security Legislation.

2. (1) The Minister of Justice shall, subject to the provisions of subsection (2), appoint an officer, to be known as the Director of Security Legislation, who shall, subject to the control and directions of the Minister, perform the functions assigned to the Director by this Act as well as such other functions as the Minister may assign to him from time to time.

(2) The Minister of Justice shall, subject to the laws governing the public service and with the concurrence of the Minister, appoint to the office of Director of Security Legislation a person holding a degree or diploma in law.

(3) The Minister of Justice may appoint, subject to the laws governing the public service and with the concurrence of the Minister, one or more Deputy Directors of Security Legislation or one or more Assistant Directors of Security Legislation or one or more such Deputy Directors and one or more such Assistant Directors, who shall respectively have the power to perform, subject to the control and directions of the Director, any of the functions of the Director.

(4) Whenever it becomes necessary to appoint an acting Director, the Minister may appoint a Deputy Director referred to in subsection (3) or, in the absence of such a Deputy Director, an Assistant Director referred to in that

subsection to act as Director for the period for which such appointment is necessary.

Secretarial work.

3. The secretarial work incidental to the performance of the functions of the Director shall be performed by such persons in the service of the State as the Minister of Justice may with the concurrence of the Minister designate for that purpose.

CHAPTER 2

MEASURES IN RESPECT OF CERTAIN ORGANIZATIONS AND CERTAIN PUBLICATIONS

Declaration of certain organizations as unlawful.

4. (1) If the Minister is satisfied—

- a) (any organization engages in activities which endanger or are calculated to endanger the security of the State or the maintenance of law and order;
- b) (that—
 - (i) any organization professes, by its name or otherwise, to be an organization for propagating the principles or promoting the spread of communism;
 - (ii) the purpose or one of the purposes of any organization is to propagate the principles or to promote the spread of communism;
 - (ii) any organization engages in activities for the achievement of any of the objects of communism;
- (c

-) that any organization is controlled, directly or indirectly, by an organization referred to in paragraph (a) or (b); or
- (
- d) established for the purpose of carrying on, directly or indirectly, any of the activities of an unlawful organization,

he may, subject to the provisions of sections 7 and 10, without notice to the organization in question, by notice in the *Gazette* declare that organization to be an unlawful organization.

(2) (a) The Minister may by notice in the *Gazette* declare that any body, organization, group or association of persons, institution, society or movement described in or known by a name specified in the notice and which in his opinion exists, or existed at any time after 7 April 1960—

- (i is in fact a body or organization specified in the notice which by virtue of a notice under subsection (1) or by virtue of the provisions of paragraph (a) of the definition of “unlawful organization” is an unlawful organization;
-)
- (ii was in fact at all times subsequent to a date specified in the notice, not being earlier than 8 April 1960, a body or organization so specified which by virtue of a notice under subsection (1) or by virtue of the provisions of paragraph (a) of the definition of “unlawful organization” is an unlawful organization,

and thereupon the said body, organization, group or association of persons, institution, society or movement shall in any criminal proceedings be deemed to exist or to have existed at all such times, as the case may be, and to