

Namibia

## Prohibition of Disguises Act, 1969

Legislation as at 1969-03-26.

FRBR URI: /akn/na/act/1969/16/eng@1969-03-26

PDF created on 2021-09-22 at 19:54.

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Republic of Namibia  
**Annotated Statutes**

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## **Prohibition of Disguises Act, 1969**

### **Act 16 of 1969**

Published in [South African Government Gazette no. 2316](#) on 26 March 1969

**Assented to on 13 March 1969**

**Commenced on 26 March 1969**

*[Up to date as at 17 September 2021]*

*[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)

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

### **1. Penalties for being in disguise in suspicious circumstances**

- (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.

## 2. Repeal of laws

The laws specified in the Schedule are hereby repealed to the extent set out in the third column thereof.

## 3. Application of Act to South-West Africa

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).

## 4. Short title

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

### Schedule

No. and year.	Title or Subject Matter.	Extent of Repeal.
	<b>Cape.</b>	
Act No. 27 of 1882.	Police Offences Act, 1882.	Section 8 (2).
	<b>Natal.</b>	
Act No. 10 of 1910.	Criminal Law Amendment Act, 1909.	Section 6 (2) (e).
	<b>Orange Free State.</b>	
Ordinance No. 21 of 1902.	Police Offences Ordinance, 1902.	Section 26 (2).
	<b>Transvaal.</b>	
Law No. 2 of 1891.	Masks and Disguises.	The whole.
Ordinance No. 26 of 1904.	Crimes Ordinance, 1904.	Section 7 (c).
	<b>South-West Africa.</b>	
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).