
GENERAL NOTICES • ALGEMENE KENNISGEWINGS

PARLIAMENT OF THE REPUBLIC OF SOUTH AFRICA NOTICE 353 OF 2018

MR ANTON ALBERTS

NOTICE OF INTENTION TO INTRODUCE THE REGULATION OF GATHERINGS AMENDMENT BILL, 2018, A PRIVATE MEMBER'S BILL, INTO PARLIAMENT AND INVITATION FOR PUBLIC COMMENT THEREON

Mr Anton Alberts, MP acting in accordance with section 73(2) of the Constitution of the Republic of South Africa, 1996, intends to introduce the Regulation of Gatherings Amendment Bill, 2018 ("Bill"), in Parliament during the second quarter of 2018/2019. An explanatory summary of the Bill is hereby published in accordance with Rule 276(1)(c) of the Rules of the National Assembly (9th Edition).

The Regulation of Gatherings Act, 1993 (Act No. 205 of 1993) ("Act"), amongst other things, regulates the holding of public gatherings and demonstrations at certain places. In line with the provisions of section 17 of the Constitution of the Republic of South Africa, 1996, its preamble reads:

"Whereas every person has a right to assemble with other persons and to express his views on any matter freely in public and to enjoy the protection of the state while doing so;
And whereas the exercise of such right shall take place peacefully and with due regard to the rights of others."

The Bill seeks to amend the Act to prohibit protests outside schools as well other institutions of learning and care, such as children's homes and houses of safety, where there are minor children in order to give effect, amongst others, to the rights enshrined in Section 28(2) of the Constitution.

The draft Bill will provide for the following:

- All demonstrations or gatherings in the vicinity of a building in which a school or institution of learning and care is situated, on every week day (Saturdays, Sunday and public holidays are included in the prohibition) are prohibited except for certain people and certain causes which will be prescribed in regulations;
- the responsible officer appointed in terms of the Act may not grant permission to hold a gathering or demonstration outside the above-mentioned places, except to prescribed applicants for a prescribed cause; and
- the Minister of Safety and Security may, after consultation with the Minister of Education and approval by Parliament, make regulations in regard to the causes and applicants that may be given permission, and in regard to the procedure to be followed when requesting permission to hold a gathering or demonstration outside the above-mentioned places.

Interested parties and institutions are invited to submit written representations on the proposed content of the draft Bill to the Speaker of the National Assembly within 30 days of the publication of this notice. Representations can be delivered to the Speaker, New Assembly Building, Parliament Street, Cape Town; mailed to Speaker, P O Box 15 Cape Town 8000, or emailed to bmbete@parliament.gov.za and copied to wanda@vfplus.org.za.

Copies of the Bill may, after introduction, be obtained from:

The Freedom Front Plus

8th Floor

90 Plein Street

Parliament

Cape Town

Attention: Mr Anton Alberts

Telephone: 021-4033489

E-mail: wanda@vfplus.org.za