

- Section 29(2): The validity of a detention order was not subject to court challenge.
- Section 31: Detention of potential witnesses for not longer than six months or for the duration of a trial.
- Section 30: Empowerment of the Attorney-General to order that prisoners arrested be refused bail.
- Section 50: Fourteen-day preventive detention. A low-ranking police officer could detain a person deemed to be threatening public safety. For the detention to be extended beyond fourteen days, a magistrate's permission was required.
- Sections 46-53: Prohibition of meetings.
- Section 54: Redefinition of 'communism' to include campaigns of civil disobedience and creation of racial hostility between European and non-European races of the Republic (SRR 1982: 222). This definition was removed by the 1991 Internal Security and Intimidation Amendment Act.
- Section 54(2): Proscription of such activities as the promotion of 'general dislocation' or the causing of 'prejudice or interruption' to an industry or undertaking 'with the purpose of effecting social, political, constitutional, industrial or economic change'.
- Section 56(1): A ban on the publication or dissemination of any statement made by a listed person, except with the permission of the Minister of Law and Order.
- Section 62: Prohibition of actions causing, encouraging or fomenting feelings of hostility between different population groups.

Commenced: 2 July 1982

IN FORCE: CRIMINAL LAW AND PROCEDURE

1982 Black Local Authorities Act No 102:

P Provided for the establishment of local communities, village councils and town councils for blacks in certain areas.

Commenced: 1 August 1983

Repealed by the Local Government Transition Act No 209 of 1993

1983 Republic of South Africa Constitution Act No 110:

P Provided for the establishment of a tricameral Parliament consisting of separate legislative houses for whites, coloureds and Indians. Matters before Parliament were to be divided into 'general affairs' (to be discussed by all houses and applying to all South Africans) and 'own affairs' (relevant to one particular race group). The Constitution also made PW Botha both the formal and executive head of state and Commander-in-Chief of the South African Defence Force.

Commenced: 3 September 1984, except ss 48, 49(1)-(3), 50 & 102(9): 24 February 1984.

Repealed by the Constitution of Republic of South Africa Act No 200 of 1993

1984 Black Communities Development Act No 4:

U Introduced freehold ownership (Budlender 1989: 5). The Act stated that only a 'competent person' could lease or rent property. A person was 'competent' if she/he had section 12 rights in terms of the 1945 Natives (Urban Areas) Consolidation Act. (For further information see *RRS* 1984: 161-3.)

P This Act provided for purposeful development of black communities outside the national states and amended and consolidated certain laws which applied to such communities.

Commenced: 1 April 1984, except s 55: to be proclaimed; ss 56 & 57: 1 November 1985
Repealed by s 72 of the Abolition of Racially Based Land Measures Act No 108 of 1991, with the exception of chapters VI and VIA

1984 Aliens and Immigration Laws Amendment Act No 49:

U Amended the 1937 Aliens Act, the 1939 Aliens Registration Act and the 1972 Admission of Persons to the Republic Regulation Act, used against squatters (*RRS* 1984: 345-6). Several critics warned that the 'amendment act would lead to a massive clamp-down on Africans present in white-designated areas but officially regarded as citizens of the "independent" homelands' (*RRS* 1984: 345). It is not clear from the *Race Relations Survey* whether this did in fact occur. What is more than clear is that those South Africans eligible to carry passes, if found not carrying one, were arrested and prosecuted for a wide range of influx control related offences (e.g. being in a prescribed area for longer than 72 hours without permission or having taken up employment without the necessary permission being granted).

Commenced: 18 June 1984

Repealed by s 60 of the Aliens Control Act No 96 of 1991

1984 *KaNgwane proclaimed a self-governing territory*

1984 Group Areas Amendment Act No 101:

U Amended the 1966 Act in order to give effect to the policy of declaring certain central business districts as free trade areas (*RRS* 1986: 11). Free trade areas were not permitted in black townships since these were established in terms of the 1945 Natives (Urban Areas) Consolidation Act and other laws and not in terms of the 1966 Group Areas Act.

Commenced: 30 May 1985

Repealed by s 48 of the Abolition of Racially Based Land Measures Act No 108 of 1991

1984 Public Service Act No 111:

S Provided for the organisation and administration of the public service, and laid down terms of office and conditions of employment and discharge for members of the public service.

Assent gained: 12 July 1984; commencement date not found

Repealed by s 43 of Proc 103 of 1994

1985 *20 July midnight: State of emergency declared in terms of Public Safety Act No 3 of 1953, affected 36 magisterial districts.*

Regulations (Proc R 121 of 1985) were amended as follows:

- The power to detain was extended to every member of the police, railways police, prisons and army.
- Detainees had no right to visitors or a lawyer, nor were they entitled to receive letters or any reading material other than the Bible.
- No member of the force could be brought to account, by civil suit or criminal charge, for unlawful actions in carrying out emergency laws.
- It became a crime to disclose the identity of any detainee without prior disclosure by the Minister of Law and Order.
- The Commissioner of Police was authorised to impose blanket censorship on press coverage of the emergency.