

Namibia

## Intimidation Proclamation, 1989

Proclamation AG24 of 1989

Legislation as at 22 July 1989

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## Intimidation Proclamation, 1989

### Proclamation AG24 of 1989

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**Assented to on 17 July 1989**

**Commenced on 22 July 1989**

**[This is the version of this document from 22 July 1989 and includes any amendments published up to 1 September 2023.]**

#### PROCLAMATION

by the

ADMINISTRATOR-GENERAL FOR THE TERRITORY OF SOUTH WEST AFRICA

PROVISION FOR THE PREVENTION OF INTIMIDATION

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

L. A. PIENAAR

Administrator-General Windhoek, 18 July 1989

#### SCHEDULE

##### 1. Prohibition of certain forms of intimidation

- (1) Any person who -
  - (a) with intent to compel or induce any other person to do, or to abstain from doing, something or to assume or to abandon a particular standpoint -
    - (i) kills, assaults, injures or causes damage to that person or any other person; or
    - (ii) in any manner threatens to kill, assault, injure or cause damage to that person or any other person;
  - (b) acts in such a manner or uses or publishes any language in such a manner that it has, or would probably have, the effect on a person perceiving the act or language, reasonably to fear for his own safety or the safety of his property, or for the safety of any other person or

for the safety of the property of that other person, and to be induced by his fear to do, or to abstain from doing, something or to assume or to abandon a particular standpoint,

shall be guilty of an offence and liable on conviction to a fine not exceeding R20 000 or to imprisonment for a period not exceeding 10 years or to both such fine and such imprisonment.

- (2) A person may be convicted on account of a threat referred to in subsection (1)(a)(ii) if the threat was of such a nature that a reasonable person in the circumstances of the person threatened, would have feared for his own safety or the safety of his property, or for the safety of the other person referred to in subsection (1)(a)(ii), or for the safety of the property of that other person.

## **2. Hearing of certain applications behind closed doors**

Any application for a direction referred to in section 153(1) or (2) of the Criminal Procedure Act, 1977 (Act [No. 51 of 1977](#)), shall, if the criminal proceedings in connection with which that application is made is a prosecution for an offence referred to in section 1, be heard behind closed doors.

## **3. Repeal of Act [72 of 1982](#)**

The Intimidation Act, 1982, is hereby repealed.

## **4. Short title**

This Proclamation shall be called the Intimidation Proclamation, 1989