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Military Manoeuvres Act, 1903

Act 25 of 1903

Legislation as at 1 December 1998

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Military Manoeuvres Act, 1903

Contents

1. Short title	1
2. Interpretation	1
3. Prime Minister may authorise manoeuvres	1
4. Execution of manoeuvres to be subject to certain limitations and liabilities	1
5. Regional Administrator may close roads on application of commanding officer for forty-eight hours	2
6. Compensation for damage to person or property	2
7. Offences	3

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Military Manoeuvres Act, 1903

Act 25 of 1903

Commenced on 30 April 1903

[This is the version of this document at 1 December 1998.]

An Act to facilitate military manoeuvres.

1. Short title

This Act may be cited as the Military Manoeuvres Act, 1903.

2. Interpretation

In this Act, unless the context otherwise requires—

“**authorised forces**” means persons under the authority of His Majesty the King who are engaged in manoeuvres authorised under [section 3](#);

“**Minister**” means the Prime Minister.

3. Prime Minister may authorise manoeuvres

- (1) The Prime Minister may authorise the execution of military manoeuvres within specified limits and during a specified period not exceeding three months.

Provided that the same limits or any part thereof shall not be specified more than once in any period of two years.

- (2) Notice of intention to make the order shall be published three times in the *Gazette* and in at least one newspaper circulating generally within the region not less than three months before the order is to come into force.

4. Execution of manoeuvres to be subject to certain limitations and liabilities

- (1) Subject to subsections (2), (3), (4) and (5) if the execution of military manoeuvres is authorised under [section 3](#), authorised forces may under the direction of the Prime Minister and within the specified limits and specified period—

- (a) pass over and encamp, construct military works (not of a permanent character) and execute military manoeuvres on any land whether under cultivation or not;
- (b) supply themselves with water from any source of water and for that purpose dam up any running water:

Provided that such damming up shall not interfere with the carrying on of any trade or industry.

- (2) No water shall be taken from any source of supply belonging to a private owner or public authority except subject to the supply shown to be required by those entitled to use such water supply.
- (3) This Act shall not authorise entry on or interference with any dwelling-house, place of worship, school, factory, workshop, store or premises used for the carrying on of any trade, business or manufacture, farmyard, garden, orchard, pleasure ground or nursery ground, burial ground, ground attached to any place of worship or school or any tent or other enclosure attached to any dwelling-house.

- (4) The officer in command of authorised forces shall take care that there is no interference with any picturesque or valuable timber or other natural features of exceptional interest or beauty and may prevent trespass or damage to property by persons not belonging to the forces and shall cause all lands used under the powers conferred by this Act to be restored as soon and as far as practicable to their previous condition or pay compensation.
- (5) This Act shall not prejudicially affect any public right or any right of common except where this Act makes provision for the—
 - (a) closing of roads and footpaths;
 - (b) obstruction of or interference with military manoeuvres; and
 - (c) entering or remaining in a camp.

5. Regional Administrator may close roads on application of commanding officer for forty-eight hours

- (1) The Regional Administrator may if he thinks fit on the application of a commissioned officer in command of the authorised forces or of part thereof by order suspend for a time not exceeding forty-eight hours any right of way over any road or footpath within the specified limits within his jurisdiction:

Provided that any such order shall only be made with regard to any main road for a time not exceeding twelve hours and after seven days' notice of such intended application published in at least one newspaper circulating generally in the region and subject to such terms and conditions as may be required by the Regional Administrator for the protection of individuals or of the public or of public bodies.

- (2) The officer in command of the authorised forces shall cause such public notice of the order as the Regional Administrator may require to be given not less than twelve hours before the order comes into force and shall give all reasonable facilities for traffic whilst the order is in force.

6. Compensation for damage to person or property

- (1) If the execution of military manoeuvres has been authorised under [section 3](#), full compensation shall be made for any damage to person or property arising from putting any of the provisions of this Act into force and occasioned by the acts or defaults of the authorised forces, including therein all expenses reasonably incurred in protecting person, property, rights and privileges.
- (2) Compensation shall be determined by two persons, one being a landowner appointed by the Prime Minister and the other being a person appointed by the officer commanding the region.
- (3) The persons appointed under subsection (2) shall as speedily as possible determine the amount of compensation to be paid for any damage sanctioned under this Act and such amount if agreed to by the claimant shall as soon as practicable be paid by such commanding officer.
- (4) If the amount of compensation determined as aforesaid is not agreed to by the claimant the matter shall be referred to a third person appointed by the Prime Minister whose decision shall be final and as soon as practicable after such decision is given such amount shall be paid to the claimant by such commanding officer.
- (5) The Prime Minister may after consultation with the general officer commanding the forces make regulations with respect to the procedure for making and determining claims for compensation, for limiting the time within which claims must be made and for regulating the way in which compensation is to be paid.

7. Offences

- (1) Any person who within the limits and during the period specified in an order authorising military manoeuvres under [section 3](#) wilfully and unlawfully obstructs or interferes with the execution of such manoeuvres, or without due authority enters or remains in any camp, shall be guilty of an offence and liable on conviction to a fine not exceeding ten emalangeni or in default of payment thereof to imprisonment not exceeding seven days and he and any animal or vehicle under his charge may be removed by any constable or by order of any commissioned officer of the authorised forces.
- (2) Any person who within such limits and period—
 - (a) without due authority moves any flag or other distinguishing mark used for the purposes of the manoeuvres; or
 - (b) maliciously cuts or damages any telegraph or telephone wire or instrument laid down by or for the use of the authorised forces;

shall be guilty of an offence and liable on conviction to a fine not exceeding twenty emalangeni or in default of payment thereof to imprisonment not exceeding one month.