

eSwatini

## Protected Places and Areas Act, 1966

Act 13 of 1966

Legislation as at 1 December 1998

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## Protected Places and Areas Act, 1966

### Contents

1. Short title .....	1
2. Interpretation .....	1
3. Authorization of guards and watchmen .....	1
4. Protected places .....	1
5. Protected areas .....	2
6. Publication of orders .....	2
7. Measures for protection of protected place or area .....	2
8. Safeguarding of information .....	3
9. Regulations .....	3
10. Power to arrest .....	3

## eSwatini

# Protected Places and Areas Act, 1966

Act 13 of 1966

Commenced on 26 August 1966

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

**An Act to provide for the declaration of protected places and areas and to regulate the entry of persons into those places and areas and to provide for incidental or connected matters.**

### 1. Short title

This Act may be cited as the Protected Places and Areas Act, 1966.

### 2. Interpretation

In this Act, unless the context otherwise requires—

“**authorized officer**” means—

- (a) a police officer of or above the rank of sub-inspector, or
- (b) a regional secretary, or
- (c) a person performing the duties of a guard or watchman in a protected place or a protected area and authorized to do so under [section 3](#), or
- (d) such other person or class of person as the Minister may, by notice published in the *Gazette*, declare to be an authorized officer either generally, or respect of a specified place or area or class of place or area;

“**classified information or document**” means any information or document specified by the Minister to involve the security of the Government;

“**Minister**” means the Prime Minister;

“**premises**” means land and any building or other structure thereon;

“**protected area**” means an area declared under [section 5](#), to be a protected area;

“**protected place**” means premises declared, under [section 4](#), to be a protected place.

### 3. Authorization of guards and watchmen

A regional secretary, or a police officer of or above the rank of assistant superintendent, may in writing authorize a person performing the duties of a guard or watchman in a protected area, to exercise the functions of an authorized officer in such place or area.

### 4. Protected places

- (1) If, in regard to any premises, it appears to the Minister to be necessary or expedient that special precautions should be taken to prevent the entry of unauthorized persons, he may, by order, declare those premises to be a protected place for the purposes of this Act.
- (2) As long as the order is in force, a person, other than a person who is or who belongs to a class of person which is specifically exempted in such order, shall not be in such premises unless he is in possession of a pass card or permit issued by an authority or person specified in the order, or he is permitted, by an authorized officer on duty at those premises, to enter them.

- (3) If, under this section, a person is permitted to be in a protected place, he shall, while acting under that permission, comply with any directions for regulating his conduct given by the authority or person granting the permission.
- (4) An authorized officer, or a person authorized in that behalf by the occupier of the premises, may search any person entering, or seeking to enter, or in, a protected place, and detain him for the purpose of searching him.
- (5) Any person who is in a protected place in contravention of this section, or while in such place, fails to comply with any directions given under this section shall be guilty of an offence and may be removed from such place by an authorized officer or by a person authorized in that behalf by the occupier of the premises.
- (6) Any person convicted of an offence under subsection (5) shall be liable to a fine not exceeding two thousand emalangeni or imprisonment not exceeding five years or both.
- (7) Pass cards or permits issued under this section shall be in such form as the authority or person issuing them may determine.

## 5. Protected areas

- (1) If, it appears to the Minister to be necessary or expedient that special measures should be taken to control the movements and conduct of persons in any area, he may, by order, declare such area to be a protected area.
- (2) Any person in a protected area shall comply with any directions for regulating his conduct given by an authorized officer.
- (3) An authorized officer may search a person entering, or seeking to enter or being in, a protected area, and detain him for the purpose of searching him.
- (4) A person who, while in a protected area, fails to comply with any directions given under this section shall be guilty of an offence and may be removed from such area by an authorized officer.
- (5) Any person who is convicted of an offence under subsection (4) shall be liable to a fine not exceeding two thousand emalangeni or imprisonment not exceeding five years or both.

## 6. Publication of orders

- (1) An order under this Act shall be in force upon its being made and, subject to subsection (2) the Minister shall, within seven days after the making of the order, cause it to be published in the *Gazette*, and in a newspaper circulating in the district in which the protected place or area to which the order relates is situated.
- (2) Failure to publish an order in such a newspaper shall not invalidate the order, or be a defence to a charge under [section 4](#) or [5](#).

## 7. Measures for protection of protected place or area

- (1) The Minister may, by notice in writing to the occupier of a protected place or area, direct such occupier to take measures at his own expense, for the better protection of the place or area, as the Minister considers reasonably necessary.
- (2) If an occupier fails or refuses to comply within a reasonable time with a direction given under subsection (1), the Minister may cause the measures to be taken and may recover, from the occupier concerned, the expenses incurred in so doing.

## 8. Safeguarding of information

- (1) The Minister may, by notice in writing to the occupier of a protected place or area, require such occupier to take such steps for the safeguarding of information relating to the place or area, or for the security of any classified information or document which a public officer may furnish to the occupier in his capacity as such as the Minister deems necessary in the public interest at his own expense.
- (2) A person who fails to comply with the requirements of a notice issued to him under subsection (1) shall be guilty of an offence and is liable, on conviction to a fine not exceeding two hundred emalangenis or imprisonment not exceeding six months or both.

## 9. Regulations

- (1) The Minister may make—
  - (a) regulations requiring the erection by persons specified in the regulations or in an order made by the Minister under this Act of warning notices at or near the site of protected places or areas; and
  - (b) such other regulations as may be necessary or expedient for carrying out the objects of this Act.
- (2) A person who is guilty of an offence under a regulation made under subsection (1) shall be liable on conviction to a fine not exceeding one hundred emalangenis or imprisonment not exceeding three months or both.

## 10. Power to arrest

A police officer may arrest a person reasonably suspected of committing an offence under this Act without a warrant.