

Submission by the African National Congress

**To the Technical Committee on the Repeal of
Discriminatory Legislation**

Date : 12 May, 1993

[Note : Further submissions on this question will be filed by 19 May, 1993]

The African National Congress submits that it is crucial for all laws that impede free political activity in South Africa, including the TBVC states, should be amended or, as the case may be, repealed, in order to

1. ensure the creation of a climate for the exercise of free political activity, and
2. ensure that laws which may abridge or inhibit the objective of free and fair elections for a Constituent Assembly are removed.

We therefore propose that the laws listed in the schedule attached hereto be dealt with as indicated in the said schedule.

Repressive legislation prohibiting free political activity.

Schedule 1.

| No. and year of law | Title of law | Extent to which repealed or amended |
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| Act. no 44 of 1950 of the Parliament of the republic of South Africa | Internal Security Act, 1950 | The repeal of the whole |
| Act no. 3 of 1953 of the Parliament of the Republic of South Africa | Public Safety Act, 1953 | The Repeal of the whole |
| Act no. 17 of 1956 of the Parliament of the RSA | Riotous Assemblies Act, 1956 | (a) The repeal of section 2; |
| | | (b) the amendment of section 4 by the deletion of expression "section 2(4) or"; |
| | | (c) the amendment of section 5 by the deletion of the expression "2 or"; |
| | | (d) the repeal of section 6; and |
| | | (e) the repeal of Chapter VIII; |
| | | (f) the repeal of Chapter IX, except in so far as it relates to the payment of salaries, pay and allowances and allowances of auxiliary services who are such members immediately before the commencement of this Proclamation; |
| | | (g) the repeal of sections 103bis, 103ter and 103quat; and |
| | | (h) the amendment of section 118 by the deletion of paragraph (b) of subsection (1). |
| Act no. 44 of 1958 of the Parliament of the RSA | Post Office Act, 1958 | All sections that enable the State or government or any of its agencies to, in any manner whatsoever, interfere with the privacy of the citizens of this country |
| Act no. 34 of 1960 of the Parliament of the RSA | Unlawful Organisations Act, 1960 | The repeal of the whole |
| Act no. 76 of 1962 of the Parliament of the RSA | General Law Amendment Act, 1962 | The repeal of the whole |
| Act no. 37 of 1963 of the Parliament of the RSA | General Law Amendment Act, 1963 | The repeal of sections 3, 4, 5, 6, 7, 14, 15, 16 and 17 |
| Act no. 62 of 1966 of the Parliament of the RSA | General Law Amendment Act, 1966 | The repeal of sections 3, 4, 5, 6, 22 and 23 |

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| Act no. 83 of 1967 of the Parliament of the RSA | Terrorism Act, 1967 | The repeal of the whole |
| Act no. 21 of 1975 of the Parliament of the RSA | Publications Act, 1975 | The amendment of section 47 by the deletion in paragraph (e) of subsection (2) of the words "safety of the State" |
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