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Act No. 2 of 1993

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PUBLIC MEETINGS AND PROCESSIONS ACT 1993**ACT NO 2 OF 1993****[Date of Assent: 1 September 1993]****An Act to provide for the regulation and control of public meetings and processions.**

Enacted by the Parliament of Lesotho.

Short title

1. This Act may be cited as the Public Meetings and Processions Act 1993.

Interpretation

2. (1) In this Act unless the context otherwise requires -

"dangerous weapon" means anything that is capable if used, of causing fear or physical injury to a person or the death of a person;

"headman" in relation to an area, means the person having authority as chief in that area pursuant to the Chieftainship Act 1968;

"public meeting" means an assembly, concourse or gathering of persons pursuing a common purpose other than a genuine religious, social, cultural professional or business purpose;

"procession" means a public meeting which moves from one place to another;

"public place" means a place to which at the relevant time the public have or are permitted to have access, whether on payment or otherwise and includes a place that comes within that description notwithstanding that it is private property and has not been dedicated to the use of the public.

Notice of meetings and processions

3. (1) Any person who wishes to hold a public meeting or procession in an area that is an urban area shall, at least 24 hours before the holding of that meeting or procession, give a written notice to the police officer in command of police in the area where the meeting or procession is to take place.

(2) Any person who wishes to hold a public meeting or a procession in an area that is not an urban area shall, at least 24 hours before the holding of that meeting or procession, give a written notice to either the appropriate headman for that area or a representative of the headman in that area where the meeting or procession is to take place.

(3) A notice under subsection (1) or (2) shall be signed and given by the person organising the meeting or procession or if the meeting or procession is organised by a body of persons, the notice shall be signed and given by a person having authority to act on behalf of that body of persons.

(4) The notice shall specify -

(a) the full name and address of the person or body of persons organising the meeting or procession; and

- (b) in the case of a meeting, the time and place at which the meeting is to be held; and
 - (c) in the case of a procession, the route that is to be taken by the procession and the time and place at which the procession is to start and end.
- (5) The person giving the notice shall provide such further information as the police officer, headman or representative of the headman receiving the notice may reasonably require.

Conditions on meetings and processions

4. (1) A police officer, headman or representative of the headman to whom notice has been given under section 3(1) or (2) may, having regard to the proposed time and place of the meeting or the proposed time, place and route of the proposed procession and any other relevant circumstances, impose conditions on the holding of that meeting or procession that, in the opinion of the police officer, headman or representative of the headman, are necessary to prevent damage or harm to public safety or public order.

(2) Without limiting the generality of subsection (1), the type of conditions that may be imposed on a meeting or procession are -

- (a) conditions as to the time and place at which the meeting or procession is to be held;
- (b) conditions as to the route of a procession;
- (c) conditions prohibiting a procession from entering specified public places;
- (d) conditions limiting the use of sound amplifiers at a meeting or procession.

Breach of peace

5. (1) If a police officer, headman or representative of the headman to whom notice has been given under section 3 (1) or (2) has reasonable grounds to believe that the proposed meeting or procession involves a real potential for causing a breach of the peace or a threat to public safety or public order, he or she may direct that the meeting or procession not be held at the time and place or along the route specified in that notice.

(2) If a police officer, headman or representative of the headman to whom notice has been given under section 3 (1) or (2) has reasonable grounds to believe that a meeting or procession that is taking place is causing a breach of the peace or a threat to public safety or public order he or she may direct that the meeting or procession -

- (a) disperse; or
- (b) assemble at some other place; or
- (c) in the case of a procession, vary the route; or
- (d) avoid a specified public place.

Offences

6. (1) A person who knowingly in respect of a public place -
- (a) organises or assists in organising a meeting or procession at that place without notice having been given under section 3; or
 - (b) fails or refuses to comply with a condition imposed under section 4 upon a meeting or procession held at that place; or

- (c) organises or assists in organising a meeting or procession at that place in contravention of a direction given under section 5(1) that the meeting or procession not be held at that place; or
- (d) fails or refuses to comply with a direction given under section 5(2); or
- (e) attends or takes part in, or incites any other person to attend or take part in a meeting or procession at that place in contravention of a direction given under section 5,

commits an offence.

(2) A person who knowingly or recklessly makes a false statement in a notice given under section 3(1) or (2) or fails or refuses to provide further information required under section 3(5), commits an offence.

(3) A person who commits an offence under this section is liable on conviction to a fine not exceeding M1,000 or imprisonment for a term not exceeding one year or both.

Use of dangerous weapons

7. A person who, while at or near a meeting or through, across or along a public place -

- (a) uses a dangerous weapon otherwise than in pursuance of lawful authority; or
- (b) uses a dangerous weapon while resisting a police officer, headman or representative of a headman acting in pursuance of lawful authority,

is guilty of an offence and is liable on conviction to a fine not exceeding M3,000 or imprisonment for a term not exceeding three years or both.

Power of arrest

8. A police officer, headman or representative of a headman may, without warrant, arrest any person whom he suspects on reasonable grounds of committing, or to have recently committed, an offence under section 6 or 7.

Repeal

9. Part IX of the Internal Security (General) Act 1984 is repealed.

**LETSIE III
KING OF LESOTHO**

NOTE

The explanatory memorandum to the Public Meetings and Processions Bill 1993 that was introduced into the National Assembly on 9 August 1993 is published as Government Notice No. 66 of 1993