

[Last checked: 28 March 2025.*]

*The last time this Act was reviewed for updates.

INTIMIDATION ACT 72 OF 1982

[Updated to 4 January 2023.**]

**Date of last changes incorporated into this Act.

(Afrikaans text signed by the President)

(Assented to 22 May 1982)

Published: G. 8222

Commencement: 2 June 1982

Amended

Act 138 of 1991 (G. 13414, with effect from 31 July 1991 [Proc. R72, G. 13440]),
Act 126 of 1992 (G. 14130, with effect from 31 July 1992 [Proc. R80, G. 14185]),
Act 23 of 2022 (G. 47803, with effect from 4 January 2023 [Proc. 110, G. 47820]).

ACT

To prohibit certain forms of intimidation and to provide for matters connected therewith.

BE IT ENACTED by the State President and the House of Assembly of the Republic of South Africa, as follows.

ARRANGEMENT OF SECTIONS

1. Prohibition of and penalties for certain forms of intimidation
- 1A. Intimidation of general public, particular section of population or inhabitants of particular area
2. Repeal of laws
3. Short title

1. Prohibition of and penalties for certain forms of intimidation

- (1) Any person who—
 - (a) without lawful reason and with intent to compel or induce any person or persons of a particular nature, class or kind or persons in general to do or to abstain from doing any act or to assume or to abandon a particular standpoint—
 - (i) assaults, injures or causes damage to any person; or

- (ii) in any manner threatens to kill, assault, injure or cause damage to any person or persons of a particular nature, class or kind; or

(b) ...

[S 1(1)(b) am by s 6 of Act 126 of 1992, rep by s 24 of Act 23 of 2022 wef 4 January 2023.]

shall be guilty of an offence and liable on conviction to a fine not exceeding R40 000 or to imprisonment for a period not exceeding 10 years or to both such fine and such imprisonment.

[S 1(1) subs by s 32 of Act 138 of 1991.]

(2) ...

[S 1(2) rep by s 24 of Act 23 of 2022 wef 4 January 2023.]

1A. Intimidation of general public, particular section of population or inhabitants of particular area

(1) Any person who with intent to put in fear or to demoralise or to induce the general public, a particular section of the population or the inhabitants of a particular area in the Republic to do or to abstain from doing any act, in the Republic or elsewhere—

- (a) commits an act of violence or threatens or attempts to do so;
- (b) performs any act which is aimed at causing, bringing about, promoting or contributing towards such act or threat of violence, or attempts, consents or takes any steps to perform such act;
- (c) conspires with any other person to commit, bring about or perform any act or threat referred to in paragraph (a) or act referred to in paragraph (b), or to aid in the commission, bringing about or performance thereof; or
- (d) incites, instigates, commands, aids, advises, encourages or procures any other person to commit, bring about or perform such act or threat,

shall be guilty of an offence and liable on conviction to a fine which the court may in its discretion deem fit or to imprisonment for a period not exceeding 25 years or to both such fine and such imprisonment.

(2) If in any prosecution for an offence in terms of subsection (1) it is proved that the accused has committed any act alleged in the charge, and if such act resulted or was likely to have resulted in the achievement of any of the objects specified in subsection (1), it shall be presumed, unless the contrary is proved, that the accused has committed that act with intent to achieve such object.

- (3) If in any prosecution for an offence in terms of subsection (1) the act with which the accused is charged, consists thereof, and it is proved, that he unlawfully had in his possession any automatic or semi-automatic rifle, machine gun, submachine gun, machine pistol, rocket launcher, recoilless gun or mortar, or any ammunition for or component part of such weaponry, or any grenade, mine, bomb or explosive, it shall be presumed, unless the contrary is proved, that the accused had the said weaponry, ammunition, component part, grenade, mine, bomb or explosive in his possession with intent to commit therewith or in connection therewith in the Republic, in order to achieve any of the objects specified in subsection (1), any of the acts contemplated in paragraphs (a) to (d) inclusive.
- (4) For the purposes of this section 'violence' includes the inflicting of bodily harm upon or killing of, or the endangering of the safety of, any person, or the damaging, destruction or endangering of property.

[S 1A ins by s 7 of Act 126 of 1992.]

2. Repeal of laws

Sections 10 to 15, inclusive, of the Riotous Assemblies Act, 1956 (Act 17 of 1956), are hereby repealed.

3. Short title

This Act shall be called the Intimidation Act, 1982.