

**DECLARATION AND UNDERTAKING TO BE SIGNED BY  
PERSONS WHO MAY WORK ON OR HAVE ACCESS TO  
MATTERS AFFECTING STATE SECURITY**

My attention has been drawn to the State Security Act, 1969 (Act 36 of 1969), the principle provisions of which are set out hereunder. I undertake to comply with all the provisions in the Act and I am fully aware of the serious consequences which may follow any of such provisions.

Signed.....

Witnessed.....

Name.....

Name.....

Date.....

(BLOCK CAPITAL)

**THE STATE SECURITY ACT, 1969 (ACT No. 36 OF 1969)**

(Sections 2 (part), 3, 4, 5, 6, 7, 8, 9, 12, (1), 18 (l))

- 2. In this Act, unless the context otherwise requires- 'classified matter' means any information or thing declared to be classified by an authorised officer.
- 3. Any person who for any purpose prejudicial to the safety or interests of the Republic-
  - (a) approaches, inspects, passes over, is in the vicinity of or enters any protected place;
  - (b) makes any sketch, plan, model or note or in any manner whatsoever makes a record of or relating to any thing which might be or is intended to be directly or indirectly useful to a foreign power or disaffected Person;
  - (c) obtains, collects, records, publishes or communicates to any person any code, password, sketch, plan, model, note or other document, article or information which might be or is intended to be directly or indirectly useful to a foreign power or disaffected person;
  - (d) without lawful excuse damages, hinders or interferes with, or does any act which is likely to damage, hinder interfere with, any necessary service or the carrying on thereof;

shall be guilty of an offence and liable on conviction to imprisonment for a period not exceeding twenty-five years.

- 4. (1) Any person who has in his possession or under his control any code, password, sketch, plan, model, note or other document, article or document, which relates to or is used in a protected place or anything in such a place, in which has been made or obtained in contravention of this Act, or which has been entrusted in confidence to him by any person holding office under the Government, or to which he has obtained or which he has had access owing to his position as a person who holds or has held such office or as a person who is or was a party to a contract with the Government or a contract the performance of which in whole or in part is carried out in a protected place, or a person who is or has been employed by or under a person who holds or has held such an office or is or was a party to such a contract, and who-
  - (a) uses the same in any manner or for any purpose prejudicial to the safety or interests of the public; or
  - (b) communicates the same to any person other than a person to whom he is authorised to communicate it to or to whom it is in the interests of the Republic his duty to communicate it; or
  - (c) fails to take proper care of, or so conducts himself as to endanger the safety of, the same; or
  - (d) retains the sketch, plan, model, note, document or article in his possession or under his control when he has no right or when it is contrary to his duty so to do, or fails to comply with any lawful directions with regard to the return or disposal thereof;

shall be guilty of an offence and liable on conviction to imprisonment for a term not exceeding twenty years.

(2) Any person who has in his possession or under his control. any sketch, plan, model, note or other document, article or information, relating to munitions of war and who communicates it directly or indirectly to any person in any manner for any purpose prejudicial to the safety or interests of the Republic shall be guilty of an offence and liable on conviction to imprisonment for a term not exceeding twenty years.

(3) Any person who receives any code, password, sketch, plan, model, note or other document, article or information, knowing or having reasonable grounds to believe at the time when he receives it that the same is communicated to him in contravention of the provision of this Act, shall, unless he proves that the communication thereof to him was against his wish, be guilty of an offence and liable on conviction to the penalty prescribed in subsection (1).

(4) Any person who communicates to any person, other than a person to whom he is authorised by an authorised Officer to communicate it or to whom it is in the interests of the Republic his duty to communicate it, any information relating to the defence or security of the Republic shall be guilty of an offence and liable on conviction to imprisonment for a term not exceeding twenty years.

(5) For the purposes of subsection (4) 'information relating to the defence or security of the Republic' includes (but without derogating from the generality or the ordinary meaning of that expression) information relating to the movements or locations of the Defence Force or the Police Force, the steps taken to protect any vital installations or protected places, and the acquisition or disposal of munitions of war.

[P.T.O.]

5. (1) Any person who communicates any classified matter to any person other than a person to whom he is authorised to communicate it or to whom it is in the interests of the Republic his duty to communicate it shall be guilty of an offence and liable on conviction to imprisonment for a term not exceeding twenty years.

(2) In a prosecution for a contravention of subsection (1) it shall be no offence for the accused person to prove that when he communicated the matter he did not know and could not reasonably have known that it was classified matter.

6. (1) Any person who, for the purpose of gaining or assisting any other person to gain admission to a protected place or for any other purpose prejudicial to the safety or interests of the Republic-

- (a) without lawful authority uses or wears any uniform of the Defence Force or of the Police Force or any other official uniform of the Republic or any uniform so closely resembling the same as to be likely to deceive, or falsely represents himself to be a person who is or has been entitled to wear or use any such uniform; or
- (b) without lawful authority uses any vehicle belonging to the Government or any branch thereof, or any vehicle which because of false number-plates or other reason so closely resembles such a vehicle as to be likely to deceive, or falsely represents himself to be a person who is entitled to use such a vehicle; or
- (c) orally or in writing in any declaration or application or in any document signed by him or on his behalf, omits any material fact or makes any statement which in any particular he knows to be false or does not believe to be true; or
- (d) forges, alters or tampers with any official document or uses or has in his possession any forged, altered or irregular official document; or
- (e) personates or falsely represents himself to be a person holding, or in the employ of a person holding, office under the Government, or to be or not to be a person to whom an official document or a secret official code or password has been duly issued or communicated- or with intent to obtain, whether for himself or for any other person, an official document or any secret official code or password makes any statement which in any particulars he knows to be false or does not believe to be true; or
- (f) without lawful authority uses or has in his possession or under his control any die, seal or stamp or belonging to or used, made or provided by any Government department or by any diplomatic, naval, army or air force authority appointed by or acting under the authority of the Government, or any die, seal or stamp so closely resembling any such die, seal or stamp as afore said as to be likely to deceive or counterfeits any such die, seal or stamp or uses or has in his possession or under his control any such counterfeit die, seal or stamp; shall be guilty of an offence and liable on conviction to imprisonment for a term not exceeding twenty years.

(2) Any person who-

- (a) retains any official document, whether or not completed or issued for use, when he has no right or when it is contrary to his duty so to do, or fails to comply with any lawful directions with regard to the return or disposal thereof; or
- (b) allows any other person to have possession of any official document issued for his use alone, or communicates to any person any secret official code or password so issued, or without lawful authority or excuse has in his possession any official document or secret official code or password or issued for the use of some person other than himself, or, on obtaining possession of any official document, whether by finding or otherwise, neglects or fails to hand it over to the person or authority by whom or for whose use it was issued or to a police officer; or
- (c) without lawful authority or excuse manufactures or sells, or has in his possession for sale, any such die, seal or stamp as aforesaid; shall be guilty of an offence and liable on conviction to the penalties prescribed in subsection (1).

7. Any person who in the vicinity of any protected place, knowingly obstructs, misleads or otherwise interferes with any person engaged on guard, sentry, patrol or other similar duty in relation to the protected place shall be guilty of an offence and liable on conviction to imprisonment for a term not exceeding ten years.

8. Any person who-

- (a) knowingly harbours or conceals any person whom he knows or has reasonable grounds for supposing to be a person who is about to commit or has committed an offence under this Act, or knowingly permits any such persons to meet or assemble in any premises in his occupation or under his control; or
- (b) having harboured or concealed any such person or permitted any persons to, meet or assemble in any premises in his occupation or under his control, wilfully omits or refuses to disclose to a police officer of or above the rank of inspector any information that it is in his power to give in relation to any such person;

shall be guilty of an offence and liable on conviction to imprisonment for term not exceeding twenty years.

9. Any person who attempts to commit any offence under this Act, or solicits or incites or endeavours to persuade another person to commit any such offence, or aids or abets or does any act preparatory to the commission of such an offence, shall be guilty of an offence and liable on conviction to the same penalties as if he had been convicted of that offence.

12. (1) Any person who is found committing an offence under this Act or who is reasonably suspected of having omitted or having attempted to commit or being about to commit such an offence may be arrested by any police officer and detained.

18. (1) Any act, omission or other conduct constituting an offence under this Act shall constitute such offence wherever such conduct took place, whether within or outside the Republic