



Vaal River City, the Cradle of Human Rights

## OFFICE OF MUNICIPAL MANAGER

Tel: +27 16 950 6554  
Fax: +27 16 950 5030  
E-mail: [jerom@emfuleni.gov.za](mailto:jerom@emfuleni.gov.za)

P.O. Box 3

c/o Klasie Havenga Street and  
Frikkie Meyer Boulevard  
VANDERBIJLPARK  
1911

Web: [www.emfuleni.gov.za](http://www.emfuleni.gov.za)

**Date:** 15 November 2016

**Ref:** Jero Mofokeng

**File:**

### **SOUTH AFRICAN HISTORY ARCHIEVES (SAHA)**

**BOX 31719**

**BRAAMFONTEIN**

**FAX: 0866491491**

**TEL: 011 7182563**

**e-mail address: [foip@saha.org.za](mailto:foip@saha.org.za)**

**YOUR REF: SAH-2016-SED-0001**

**ATTENTION: MR. EKRON**

Dear Sirs

### **RE: REQUEST FOR INFORMATION/RECORDS CONCERNING THE REGULATIONS ON THE PUBLIC GATHERING ACT 205 OF 1993**

#### **AD PARAGRAPH 1 OF YOUR REQUEST**

We have a prescribe form that need to be completed. A cover letter is also requested with the logo of the institution that accompany the application. Attached is the notification form they complete

EMFULeni TRAFFIC DEPT

8 Newton Street

Duncanville

P O Box 3

Vanderbijlpark

1900

Tel: 016 422 3600

Fax: 016 455 1418

## NOTIFICATION : MARCH /GATHERING/ PROCESSION

Ref No:

DATE

THE CONVENER/ APPLICANT

POSITION AND DESIGNATION

ORGANIZATION / GROUP

AREA

This form must be fully completed and forwarded to Emfuleni Local Municipality: Traffic & Security at least seven (7) working days prior to the date of the march / gathering / procession.

In terms of the Regulations of the Gatherings Act, 1993 (Act 205 of 1993) a gathering can be defined as follows:

“*Gathering*” means any assembly, concourse or procession of more than 15 persons in or on any public road as defined in the National Road Traffic Act, 1996 (Act 93 of 1996), or any other public place or premises wholly or partly open to the are-

- (a) *at which the principles, policy, actions or failure to act of any government, political party or political organization, whether or not that party or organization is registered in terms of any applicable law, are discussed, attacked, criticized, promoted or propagated: or*
  
- (b) *held to form pressure groups, to hand over petitions to any person, or to mobilize or demonstrate support for or opposition to the views, principles, policy, actions or omissions of any person or body of person or institutions, including any government, administration or government institutions.”*

You may be required to attend a meeting to discuss your application.

.....

**APPLICANT**

(Designation and Signature)

**REGULATIONS OF GATHERINGS ACT 205, 1993**

I / We hereby apply for permission to hold the following march / gathering / procession in the Emfuleni Local Municipal.

**CONVENER**

**FULL NAME & SURNAME**

**PHYSICAL ADDRESS**




**ID NUMBER / PASSPORT NO**

--

**TELEPHONE & FAXES NUMBERS**

**OFFICE HOURS**

--

**AFTER HOURS**

--

**CELL NO**

--

**FAX NO**

--

**DEPUTY CONVENER**

**FULL NAME & SURNAME**

--

**PHYSICAL ADDRESS**


**I D NUMBER / PASSPORT NO**

--

**TELEPHONE NUMBERS & FAX NUMBERS**

**OFFICE HOURS**

--

**AFTER HOURS**

--

**CELL NO**

--

**FAX NO**

--

**NAME OF GROUP / ORGANIZATION**

--

**INFORMATION REGARDING THE MARCH / GATHERING / PROCESSION**

**DATE OF MARCH / GATHERING /  
PROCESSION**

**PURPOSE OF MARCH / GATHERING /  
PROCESSION**

**APPROXIMATE NUMBER  
PARTICIPANTS**

**NUMBER OF MARSHALS  
(1 Marshall Per Every 10 Marchers)**

**CHIEF MARSHALL  
(Name & Surname)**

**CELL PHONE NUMBER**

**DESCRIBE IDENTIFICATION INSIGNIA / ATTIRE OF MARSHALS**


**POINT OF GATHERING**

--

**Time of gathering**

--

**Starting time march**

--

**Time gathering / procession / march  
will return**

--

**Time of disperse**

--

**NOTICE OF MARCH / GATHERING / PROCESSION**

Is the application submitted at short notice i.e. less than seven (7) days to the Intended date of the march / gathering / procession.

**Yes**

--

**No**

--

If yes, supply reasons why notice was not given timeously.


**PETITIONS / MEMORANDUMS**

If any petition / memorandum going to be handed over?

Yes  No

If yes, supply the name & designation of such person (s) to **hand over** memorandum


Was the person (s) who will receive the memorandum notified thereof?

Yes  No

If yes, supply the following information –



DATE  PLACE  NAME

DESIGNATION OF PERSON TO RECEIVE

**SAFETY & SECURITY**

**Explain in detail the steps taken by organizers to ensure a peaceful/orderly conduct of participants at all times.**


**Description of placards /slogans to be displayed.**



**OTHER RELEVANT INFORMATION**

Have provision been made for:

Toilet facilities	YES	<input type="checkbox"/>	NO	<input type="checkbox"/>
Water	YES	<input type="checkbox"/>	NO	<input type="checkbox"/>
Resting places along the route	YES	<input type="checkbox"/>	NO	<input type="checkbox"/>
Parking for vehicles	YES	<input type="checkbox"/>	NO	<input type="checkbox"/>

**EXACT AND COMPLETE ROUTE OF MARCH / GATHERING / PROCESSION**

**ROUTE 1**



**ROUTE 2 (If applicable)**


**ROUTE 3 (If applicable)**

--


**SIGNATURE OF CONVENER**

--

**SIGNATURE OF DEPUTY CONVENER**

--

**PLEASE NOTE THAT IF A GATHERING /PROCESSION / MARCH IS CANCELLED OR CALLED OFF, THE RESPONSIBLE OFFICER MUST IMMEDIATELY BE NOTIFIED THEREOF IN WRITING, WHICH WILL RESULT IN THE CANCELLATION OF THIS APPLICATION.**

**NB** *ALL RELEVANT DOCUMENTATION MUST BE SUBMITTED TOGETHER WITH THIS APPLICATION*

**Conditions that will apply:**

No fire arms, or traditional weapons
--------------------------------------

No hate speech or slogans
No SAPS, SANDF or Traffic uniforms or pieces there off
No masks
No hindering or obstruction of traffic
No entering of any premises or building
May only gather at the point as indicated in this application and at no other time date or place.

**Additional requirements that need to be put in place as pre-requisite with / approval:**




**INDEMNITY**

I, \_\_\_\_\_ the  
undersigned.....(full  
names)

In \_\_\_\_\_ his/her \_\_\_\_\_ capacity  
as.....on behalf of

(organization /  
group).....

(he/she being duly authorized hereto  
in favour of Emfuleni Local Municipality  
hereinafter known as the "Municipality")

**WHEREAS** the Applicant has requested the approval of the Municipality to use certain  
streets, sidewalks or public places under the control of the Municipality of the purpose of:

.....  
**AND WHEREAS** the Municipality has approved the application subject to the requirements of Emfuleni Traffic Department and on further conditions that the applicant indemnities the Municipality as stated hereunder,

**NOW THEREFORE** the Applicant hereby indemnities and holds harmless the Municipality against all and any loss, costs, damage to property or person or injury which may be incurred or sustained by the Municipality or the Applicant or by any third party (including the Municipality's employees) and also against any actions, legal proceedings and claims of whatsoever nature that may be instituted or made against the Municipality, arising out of, or in any way connected with the exercise by the Applicant of the rights granted by the Municipality.

**AND ALSO** in respect of all legal and other expenses (including all attorney and client costs) incurred by the Municipality in examining or defending any such action, legal proceeding or claim.

This done and signed on behalf of the Applicant at (state administrative unit)

On this.....day of.....,20.... at

.....

.....  
**SIGNATURE**

.....  
**WITNESS**

.....  
**NAME**

**N.B. In terms of Section 12 of the Gatherings Act 205 of 1993 failing to comply with the provision of the Act id an offence and it is punishable by law.**

**The under-mentioned forum members agreed to the above amendments.**

.....  
**Responsible Officer  
(SAPS)**

.....  
**Authorized Member**

.....  
**Convener (Applicant)**

.....  
**Deputy Convener (Applicant)**

.....  
.....

.....  
**Area Coordinator (ELM Traffic)  
Commander**

.....  
**Area Police Station**

.....  
**Public Order Police Member  
Traffic Dept**

.....  
**Gauteng Provincial**

**AD PARAGRAPH 2 OF YOUR REQUEST**

The responsible officer for attending to matters relating to the Act is:

Ms. Marie Klotz

Chief Supt Admin & Logistics

Traffic & Security

Tel: (016) 440 7833

Fax: 086 269 4575

Cel: 082 560 4489





### AD PARAGRAPH 3 OF YOUR REQUEST

These are the numbers of list requested are as follows:

3.1	3.2	3.3	3.4	3.5
Notices/Applications received since 1 January 2015	Convener's meetings held since 1 January 2015	Gatherings prohibited since 1 January 2015	Gatherings authorized with conditions	Number of gatherings authorized in terms of Section 4 of the Regulation of Gatherings
36	34	3	33	33

All gatherings are approved subject to certain conditions – standard prescribed letter.

	DATE	ORGANISATION	PURPOSE	NUMBER OF PEOPLE
1	19/20.01.2015	ANC Women's League	Reopening of Court Case	1000
2	21.03.2015	Economic Freedom Fighters	Commemoration of the Fallen Heroes	10 000
3	26.03.2015	South African Communist Party	Organizational Rights; Re Nationalisation of Accelor Mittal; Burning of Labour Brokers; Victimization of SACP members and Racism	1000
4	31.03.2015	SANCO – Evaton West Branches	Not employing community close to Vaal Mall	5000
5	01.05.2015	St Francis Xavier Catholic Church	For peace against Xenophobia	300
6	05.05.2015	VUT	Against all forms of violence and Acts of Xenophobia	2500
7	05.06.2015	ANC Women's League	Reopening of Court Case	1000
8	16.06.2015	D A Youth	Commemorate Youth Day	300
9	16.06.2015	VUSA Organisation (NPO)	Against Substance Abuse	150
10	*23.06.2015	Boiketlong Service Delivery Movement	Against sentencing of fellow comrades (4)	200
11	03.09.2015	United Front	Service Delivery	5000
12	*18.09.2015	Workers World	Opposing injustice - Palestine	100
13	19.09.2015	ANC Congress	Against crime; service	1000

			delivery; killing of police	
14	28.10.2015	ANC Congress Youth League	Crime; selling of illegal drugs; youth killings; Racism at Sebokeng Magistrate Court; dismissal of cases without proper reasons; gangsterism	500
15	09.10.2015	Sebokeng Community	Prevention of perpetrators to get bail	100
16	12.11.2015	Concerned residents / Community of Sebokeng Wards 28, 27,33 24, 26	Stop killing our Police officers; SAPS to intergrate our SAPS reservists; RDP houses	500
17	03.12.2015	D A	Service delivery	150
18	08.01.2016	Community Police Forum Sebokeng	In support of murder case	1000
19	12.01.2016	Young Communist League of SA	Awareness against hate crimes	1000
20	19.01.2016	Pan Africanist Congress of Azania	Recall of PAC PR councillor	600
21	08.03.2016	Young Communist League of SA	Against crime	500
22	04.03.2016	Boiketlong Community	SAPS delaying case of missing person	300
23	21.03.2016	Democratic Alliance Ward 5	Gathering for inter faith ceremony	200
24	21.03.2016	Economic Freedom Fighters	Commemoration	2500
25	10/11.05.2016	South African Democratic Teaching Union	To raise concern in relation to the post provisioning model	50
26	8-3.06.2016	POPCRU	DCS Management to implement and pay all outstanding agreements/remunerations	300
27	23.06.2016	COSATU	Hand over memorandum of demands (employees to be appointed permanently/away with labour brokers	500
28	12.07.2016	POPCRU	DCS Management to implement and pay all outstanding agreements/remunerations	100
29	07.07.2016	Concerned SE7 Community	High electricity bills and smart meters	150
30	21.07.2016	Ke Ya Rona Movement	Cemetery fees	2000
31	05.10.2016	Palm Springs Community Association	Letters of demands to ELM: summonses to be withdrawn (evictions) Harassment from MBD lawyers through telephone calls	500

32	13.10.2016	COSATU	Away with outsourcing, Comply with Health and Safety Act, demand payment of all workers overtime	600
33	28.10.2016	Concerned Parents of Zone 20	Demonstration for Transport Assistance Dissatisfaction	500

### **REASONS FOR GATHERINGS PROHIBITED**

- Venue applied for, namely Sharpeville Old Police Station was not available (Human Rights Day).
- Road closure and burning of tyres do not fall within the provision of the Regulations of Gatherings Act and
- No one to unlock Municipal Offices on Saturday and Sundays.

All gatherings are approved subject to certain conditions – the Municipality has developed a standard prescribed letter in regards to the above. Attached is the sample of the said letter.



Vaal River City, the Cradle of Human Rights

## Department Public Safety Traffic & Security Function

Tel: +27 16 455 1764  
Fax: +27 16 455 1418  
E-mail:mariek@emfuleni.gov.za

P.O. Box 3  
c/o Frikkie Meyer & Klasie Havenga Street  
Vanderbijlpark

Web: www.emfuleni.gov.za



08 November 2016

Socialism In Azania  
2142 Tshepong  
IRONSIDE  
1984

Attention: Mr HL Mokone

### **NOTIFICATION OF A PEACEFUL MARCH TO HAND OVER A MEMORANDUM AT ARCELOR MITTAL ON WEDNESDAY, 09 NOVEMBER 2016, FROM 08:15 TO 12:00**

The Council has approved the application on the following conditions:

1. A written confirmation letter from the person who will receive the memorandum be submitted before the march will commence;
2. The march commences at 08:15 and be terminated at 12:00;
3. Please take cognisance that the period stated on the cover letter of 24 hours is not approved;
4. The march be peaceful, orderly and at no time exceed 400 people;
5. March: Assemble at the intersection of Frikkie Meyer Boulevard with Delfos Boulevard. Proceed with Delfos Boulevard, turn right into the main entrance of Arcelor Mittal. After the memorandum has been handed over, marchers will disperse;
6. Arrangements should be made to accommodate the marchers on the terrain;
7. The Council be indemnified regarding any losses or civil action that might occur during the event.
8. The necessary documentation has to be completed at the Traffic & Security Offices in Vereeniging, prior to the event;
9. That the marchers at all times obey lawful instructions by the South African Police Services and Traffic Officers;
10. Sufficient marshals to be provided for security purposes;
11. Participants must obey lawful instructions given by the South African Police Services and the Division Traffic & Security at all times.

If services are rendered a fee of R254.00 per traffic officer per hour or part thereof will be charged.

**In the event of disregard of any of the above conditions the event will be stopped forthwith.**

**WF RADEBE**  
**ACTG CHIEF TRAFFIC OFFICER**

**WA PRETORIUS**  
**ACTG MANAGER PUBLIC SAFETY**  
Recommended/Not Recommended

**J F MOKOENA**  
**DMM : PS & CD**  
Approved/Not Approved

#### **4. AD PARAGRAPH 4 OF YOUR REQUEST**

The municipality does not have a training manual but is working according to the provisions of the Regulations of Gatherings Act, Act 205 of 1993.

Hope you find the above in order.

Yours faithfully



**CHIEF OPERATIONS OFFICER**

**MR. C KEKANA**