

Swartland, South Africa

## Distribution of Handbills

Legislation as at 19 April 2002

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## Swartland South Africa

### Distribution of Handbills By-law, 2002

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**Commenced on 19 April 2002**

*[This is the version of this document from 19 April 2002 and includes any amendments published up to 12 April 2024.]*

#### 1.

In this by-law, unless the context otherwise indicates—

"**public road**" means any square, park or open space which—

- (a) at any time has been declared or rendered such by the Council or any other competent authority, or
- (b) have been zoned as public place or public open space in terms of any town planning scheme regulations promulgated by the council or any other competent authority, and

"**public road**" means any road, street or thoroughfare or any other place which is commonly used by the public or any section thereof or to which the public or any section thereof has a right of access, and includes—

- (a) the verge of any such road, street or thoroughfare;
- (b) any footpath, sidewalk or similar pedestrian portion of a road reserve;
- (c) any bridge, ferry or drift traversed by any such road, street or thoroughfare;
- (d) any other work or object belonging to such road, street or thoroughfare, footpath or sidewalk, and
- (e) any premises with or without structures thereon, used or set aside as a public parking area or public parking place for the parking of motor vehicles whether or not access to such a parking area or place is free of charge.

#### 2.

No person shall distribute or cause to be distributed a handbill or similar advertising matter in any public road, public place or public parking area, or place any handbill or similar advertising matter or cause it to be placed on or in any vehicle without the prior written permission of the Council.

#### 3. **Penalty clause**

Any person who contravenes or fails to comply with any provision of this by-law shall be guilty of an offence and liable upon conviction to a penalty not exceeding—

- (1) a fine of one thousand Rands or imprisonment for a period of six months or either such fine or such imprisonment or both such fine and such imprisonment;
- (2) in the case of a continuing offence, an additional fine of fifty Rands or an additional period of imprisonment of ten days or either such additional fine or such additional imprisonment or both such additional fine and imprisonment for each day on which such offence is continued, and
- (3) a further amount equal to any costs and expenses found by the court to have been incurred by the local authority as a result of such contravention or failure.