

No. 3, 1957.]

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ACT

To provide for the suppression of the practice of witchcraft and similar practices.

(English text signed by the Governor-General.)
(Assented to 19th February, 1957.)

BE IT ENACTED by the Queen's Most Excellent Majesty, the Senate and the House of Assembly of the Union of South Africa, as follows:—

Offences relating to the practice of witchcraft and similar practices.

1. Any person who—

- (a) imputes to any other person the use of supernatural means in causing any disease in or injury or damage to any person or thing, or who names or indicates any other person as a wizard;
- (b) employs or solicits any witch-doctor, witch-finder or any other person to name or indicate any person as a wizard;
- (c) professes a knowledge of witchcraft, or the use of charms, and who advises any person how to bewitch, injure or damage any person or thing, or who supplies any person with any pretended means of witchcraft;
- (d) on the advice of any witch-doctor, witch-finder or other person or on the ground of any pretended knowledge of witchcraft, uses or causes to be put into operation any means or process which, in accordance with such advice or his own belief, is calculated to injure or damage any person or thing;
- (e) for gain pretends to exercise or use any kind of supernatural power, witchcraft, sorcery, enchantment or conjuration, or undertakes to tell fortunes, or pretends from his skill in or knowledge of any occult science to discover where and in what manner anything supposed to have been stolen or lost may be found,

shall be guilty of an offence and liable on conviction—

- (i) in the case of an offence referred to in paragraph (a), in consequence of which the person in respect of whom such offence was committed, has been killed or where the accused has been proved to be by habit or repute a witch-doctor or witch-finder, to imprisonment for a period not exceeding twenty years or to a whipping not exceeding ten strokes or to both such imprisonment and such whipping;
- (ii) in the case of any other offence referred to in the said paragraph, to one or more of the following penalties, namely, a fine not exceeding five hundred pounds, imprisonment for a period not exceeding ten years and a whipping not exceeding ten strokes;
- (iii) in the case of an offence referred to in paragraph (b), (c) or (d), to a fine not exceeding two hundred and fifty pounds or to imprisonment for a period not exceeding five years or to both such fine and such imprisonment;
- (iv) in the case of an offence referred to in paragraph (e), to a fine not exceeding one hundred pounds or to imprisonment for a period not exceeding two years.

Presumption.

2. Where any person in respect of whom an offence referred to in paragraph (a) of section one was committed, is killed it shall be presumed until the contrary is proved, that such person was killed in consequence of the commission of such offence.

Repeal of laws.

3. The laws mentioned in the Schedule to this Act are hereby repealed to the extent set out in the fourth column of that Schedule.

Short title.

4. This Act shall be called the Witchcraft Suppression Act, 1957.

Schedule.

LAWS REPEALED.

Province or territory.	No. and year of law.	Title or subject of law.	Extent of repeal.
Cape of Good Hope.	Act No. 24 of 1886.	The Native Territories' Penal Code.	Chapter XI.
"	Act No. 2 of 1895.	The Witchcraft Suppression Act, 1895.	The whole.
Natal.	Law No. 19 of 1891.	Natal Code of Native Law.	Section <i>one hundred and twenty-nine</i> of the Schedule as substituted by Union Proclamation No. 168 of 1932.
Transvaal.	Ordinance No. 26 of 1904.	The Crimes Ordinance, 1904.	Sections <i>twenty-nine to thirty-four</i> inclusive.
Zululand.	Proclamation No. II of 1887.	Laws and Regulations for the Government of Zululand.	Regulations <i>nine and ten</i> .