

B.O.S.S.

WHAT IS THE GOVERNMENT HIDING?

WHAT DON'T THEY WANT US TO KNOW?

WHY MUST WE HAVE A B.O.S.S. BILL?

ANYONE in possession of ANY document or information which relates to any military, police, or security matter, and who publishes or communicates it to any person, in any manner deemed to be prejudicial to the safety or interests of the Republic, shall be guilty of contravening this Act. These words are so wide in their scope, that nobody will really know what spheres will be prejudicial or what will not be prejudicial.

Stringent legislation already exists to control what the public may know about military, police, or security matters.

Why does the Government NEED further legislation?

WHAT is a military matter under the BOSS?

If I tell my neighbour where my young son is at camp will this "relate to a military matter"?

If the press publishes a report on the death of trainees during a route march will this constitute an offence?

WHAT is a police matter under the BOSS?

When the press reported the death by suffocation of three prisoners in a police van, the Minister stated that the publicity was not in the interests of the Republic. Would we ever have known of these deaths if B.O.S.S. was in force?

WHAT is a security matter under the BOSS?

- It could be a press report or magazine article on:
 - arrests, bannings, banishments.
 - removals of passports.
 - indefinite detention.
 - torture allegations.
- number of suicide cases in detention.

Once BOSS becomes law you dare not even talk about these things.

How will you know when you have contravened this section?

THE BOSS WILL TELL YOU WHEN YOU'VE DONE IT.

The maximum penalty is a fine of R1,500 or 7 years in jail or both.

BUT aren't you protected by the courts?

NO. There is no protection from the BOSS.

If the Prime Minister or any other person authorised by him, or any other Minister issues a certificate to the effect that any disclosure in court of any fact or document may be prejudicial to the interests of the state or public security, the courts may not hear the evidence about that fact.

This means that:

- There could be no argument in court on the issue.
- The Minister could stop the hearing of any evidence if it appears that the evidence might be embarrassing to the State or prejudicial to public security.
- An accused person could be prevented from bringing evidence in his defence or from divulging information by which he felt himself aggrieved. The Court could hear nothing about his complaints.

WHY IS THIS BILL BEFORE PARLIAMENT?

Because when it is passed.

- You will hear nothing — that the BOSS disapproves of
- You will read nothing — that the BOSS disapproves of
- You will say nothing — that the BOSS disapproves of

10. Section 3 of the Official Secrets Act, 1956, is hereby amended by the substitution for subsection (2) of the following subsection:

"(2) (a) Any person who has in his possession or under his control any sketch, plan, model, article, note, document or information which relates to munitions of war or any military, police or security matter and who publishes it or directly or indirectly communicates it to any person in any manner or for any purpose prejudicial to the safety or interests of the Republic, shall be guilty of an offence and liable on conviction to a fine not exceeding one thousand five hundred rand or to imprisonment for a period not exceeding seven years or to both such fine and such imprisonment.

(b) For the purposes of paragraph (a)—

(i) "police matter" means any matter relating to the preservation of the internal security of Republic or the maintenance of law and order by the South African Police;

(ii) "security matter" means any matter relating to the security of the Republic and includes any matter dealt with by or relating to the Bureau for State Security referred to in section 1 of the Public Service Act, 1957 (Act No. 54 of 1957), or relating to the relationship subsisting between any person and the said Bureau."