



Legal Basis of 24 September 2025 Protests

The Right to Protest & Access to Information

The Constitution of South Africa (Section 17) guarantees the right to assemble, demonstrate, picket, and present petitions peacefully and unarmed. In South Africa, the **Regulation of Gatherings Act (RGA)** sets out strict rules on how to legally organise a protest. A key requirement is giving notice of the gathering to either:

- The **Responsible Person** in your municipality, or
- The **Authorised Member** of the South African Police Service (SAPS) in your area.

The challenge is that this information (names and contact details of these officials) is **not proactively shared** by municipalities or SAPS. Without it, exercising your constitutional right to protest becomes difficult.

To address this, the **South African History Archive (SAHA)** has used the **Promotion of Access to Information Act (PAIA)** to obtain and publish these details. Their online tool, the **SAHA PAIA Tracker**, provides:

- Contact details of the Responsible Officers in most municipalities
- A list of Authorised SAPS Members across the country
- Direct links to the released records for organisers to use

Our priority as #ReclaimSA is not to organise people in all the regions, but rather to ensure that citizens have easy access to the information and documents they need to activate a protest. Our directive is to enable protest organisers to have a shared voice across the country. Our channels are meant to enable regular citizens and organisers to easily organise action items around a cause via our social media channels and groups.

In order to demonstrate the widespread failure of our systems, we have made 3 documents available for organisers to use for the 24 September protests. Organisers can download and populate the Protest Notification Letter and Planned Routes document for submission to their local municipality or local SAPS. Download the Memorandum of Demands (not for editing) to submit to a local official.

Organisers can find the **correct officials to notify** and ensure that their protest is fully compliant with the law. The **SAHA PAIA Tracker** provides details of every municipality that granted full access to this information, as well as to the page for the SAPS. At the bottom of each page, there is a link to the actual records that contain the relevant contact details.

We have a shared responsibility to keep each other safe. Protest organisers are asked to submit a copy of the documents submitted to #ReclaimSA so that we can amplify the gathering on our social media channels, and so that the public has assurance that they are meeting under legally compliant conditions. Routes that have not been shared via ReclaimSA cannot be attributed to the efforts of the movement. ReclaimSA retains no legal responsibility for protests filed as ReclaimSA protests but were not submitted to the platform.



or published on our official communication channels. Responses to the Demands from notified officials will also be shared via official ReclaimSA channels

Documents and Information

notices and documents you need to prepare

Under Section 3 of the RGA, you must give **written notice** to the “responsible officer” or local authority. That notice must include certain details. The notice is not a request for permission, but a requirement so authorities are aware, support and protect protestors.

Here is what to include:

Item	Description / Why it's needed
Convener & Deputy Convener details	Names, contact info, and address of the person leading the protest (and someone who can act if the convener is not available).
Organisation name	If applicable
Purpose of the protest / main reason for gathering / what will be demanded or communicated	Detailed documents with a memorandum of demands.
Date, time, duration	Day Month Year, Start Time - End Time Location
Location of gathering	Where people will assemble; also, if it's a march, the route (start, path, end).
An estimate of the number of people who will attend	Helps authorities plan for logistics, safety, etc.
Number of marshals & how to identify them	Marshals help keep order, ensure safety, and help with coordination. Everyone who stands with ReclaimSA wears all black
If you will deliver a memorandum/petition: name and place / to whom/memorandum will be handed over	If the protest involves handing over demands.
Vehicles / Procession details (if applicable)	If you're marching, any vehicles involved; also, entry/exit points, and transport plans.





When you need to submit

- The notice should ideally be given **at least 7 days before** the protest to the responsible officer.
- But if that's not feasible, then **at least 48 hours** before. If you give notice less than 48 hours before, the responsible officer *may* have grounds to prohibit the gathering.

To whom / where do you submit the notice

- The **Responsible Officer** in the local municipality (or city) where the protest will happen. That is defined under the Regulation of Gatherings Act.
- If no municipal officer is available, then an **authorised member of the South African Police Service (SAPS)** within the jurisdiction may accept the notice.
- In certain sensitive locations, special authority/permission is required. For example, within **100 metres of Parliament, the Union Buildings, or court buildings**, you must get permission (not just give notice) from the relevant authority.

What you *don't* have to do; rights you retain

- You do **not** need to get "permission" in the sense of asking for permission to protest (unless in those special areas above). The law requires notice, not permission.
- You don't need confirmation from the recipient of a memorandum (unless required under law for specific cases). The law does *not* require proof that the intended recipient has accepted or is willing to receive the demands. GroundUp News?