

Khartoum Public Order Act 1998

[This decree was originally issued by the Governor of Khartoum State but later ratified by the Assembly of Khartoum State in 1996. See the end of the Act for more details]

In the name of the God, the compassionate the merciful,

In Pursuance of section (41) of the Eleventh Constitution Decree, the Government of Khartoum State has issued the Decree stated here under

Chapter One

Preliminary Provisions

Title and Commencement

1. This Act may be cited as Khartoum Public Order Act 1998 and shall come into Force from the date of its signature.

Scope of Enforcement

2. Enforcement of the provisions of this Act is restricted to Khartoum State geographical boundaries.

Repeal

3. From the date of its enforcement, this Act hereby repeals any legislation or state law regulating the same subject.

Interpretation

4. In this Act, unless the context otherwise requires, the following words and expressions shall have the meaning assigned thereto:

a) State: means Khartoum State.

b) Locality: means the locality established Pursuant to section 6 of the local Government Act 1995.

c) Peoples' Committee: means the Committee established Pursuant to section 1(1) of the Peoples Committee Act 1992.

d) Public Place: means a place where people come to and includes restaurants, cafes markets, cafeterias, places of entertainment, public streets and clubs.

e) Public Party: means having a party in a public place whether it charges admission or not.

f) Private Party: means having a party inside or outside a house in which loud speakers are used.

g) Trivial Songs: means songs that use words or expression contradicting religion morality good taste and good conscience.

i) Vagrant: Means person who has no apparent place of residence, no profession, or no whereby he earns a living.

h) Beggar: means person who is usually earns his living by asking people, directly or indirectly by collecting for charities, for money.

j) Markets: means the central local markets that are allowed by law and prescribed by law in each case.

Chapter Two

Having Parties with Music

Permission for Private Parties with Music

5. There shall be no private parties unless permission is obtained from the locality in which the intended party is to take place.

Prior Notification of Public Order Police Required

6. Permission for having public musical party public musical party shall not be granted unless given by the locality under whose jurisdiction the intended party will take place and, furthermore, the Public Order Police have been notified.

Restrictions on Public or Private Parties with Music

7. (1) Every person granted permission for a party with music shall respect the following restrictions:

- a) The party shall end by 11 p.m..
- b) There shall be no dancing between men and women and women shall not dance in front of men.
- c) There shall be no shooting.
- d) The singing of trivial songs is prohibited.

(2) In cases where the restrictions mentioned in paragraph (1) are violated, the police may take the necessary steps, include stopping the party.

8. Musical parties, cinema or theatre shows, exhibitions or other such events, as well as the continuance of the above mentioned during the hours of 12 a.m. to 2 p.m. on Fridays is prohibited.

Chapter Three

Public Transportation

Restrictions on using public transportation

9. (1)(a) Each vehicle used for public transportation within the state shall specify a door to be used by women and reserve ten seats for women, (b) men may not sit in the seats reserved for women, (c) writing any expression, or sticking any picture or sketches, that contradict religion morals and good taste is prohibited on public transportation, and (d) darkening or shading the windows of public or private transportation is prohibited.

(2) Twenty five percent of the total seats in public transportation other than the mentioned in paragraph 1(a), shall be reserved for women.

Chapter Four

Prohibition of Begging and Vagrancy

10. Begging

- a) Practising begging, earning a living by begging or abetting begging is prohibited.
- b) Collecting donations for charity, without written permission from the competent locality, is prohibited.

11. Vagrancy

- a) Vagrancy or the abetting thereof is prohibited.
- b) The police may collect vagrants and take them to housing where they will receive social care.

12. People of unsound mind

The police gather people of unsound mind from public places and order them be sent to hospitals or to their families who must undertake to care for them and to give them medical treatment.

Chapter Five

Places of women's hair dresses

The necessity of obtaining a license

13. (a) No person shall practice the profession of women hair dressing unless a license is obtained from the competent peoples committee and after obtaining the required recommendation issued by the competent people's authority committee, (b) application for a license shall be made on the forms prescribed by the locality after obtaining the health and commercial licenses.

Requirements for Working as a Hairdresser

14. (a) Men may not be employed in the hairdressing business, (b) Men may not start a hairdressing business, (c) a sign explaining the provisions of this subsection must be placed in a public place, (d) the sole entrance of a business must be facing the street and any other entrances or exits are prohibited except in buildings with many floors.

Granting a License to Men

15. (1) Men may own hairdressing businesses in accordance with the conditions and requirements that are prescribed by the competent local authority, (2) to grant a license pursuant to this subsection, the business must be managed by women.

Requirements for Employing Women in a Hairdressing Business

16 (a) The owner or managers of the business shall not employ any woman in the business unless being sure of righteousness and good reputation, (b) an employee must be technically qualified and have been awarded a certificate from the competent authorities, (c) the manager must not be less than 35 years of age.

Inspection of Business

17. The license authority and Public Order Police may enter the hairdressing business at any time for the purpose of inspecting and making sure of the compliance with the provisions of this Act.

Tailors of Women's Dresses

18. (a) The profession of making women's dresses is prohibited unless a license is obtained from the local authority, (b) the local authority shall prescribe the regulations which shall have regard to the public morality of the employees and the business.

Chapter Six

Miscellaneous Provisions

Prohibition of Using Loud Speakers

19. (a) Using loud speakers in commercial business in such away that is likely to cause public nuisance is prohibited, (b) using load speaker for any purpose after 11 p.m. is prohibited.

The Separation of Men and Women Queuing

20. Every authority requiring citizens to queue must separate between men and women and the public must adhere to this provision.

Prohibition of Doing Commercial Business in Friday during the Hours of Prayer

21. Operating a commercial business between the hours of 12 a.m. and 2 p.m. on Friday is prohibited.

Prohibition of Fraud

22. Imposture, fraud, magic and *Zaar* are prohibited.

Prohibition of Bathing or Washing Cars

23. (a) No person is permitted to bath naked in the Nile, (b) washing cars on beaches, streets and public parks is prohibited unless that area is prescribed for that purpose by the locality.

Restrictions of Ramadan

24. Owners of restaurants and cafeterias and everyone selling food or drink must not sell during the day during Ramadan.

Issue or Renewal of a Business License

25. Having regard to the Traders License Act 1995, the issuing or renewal of a license is prohibited if the business name would contradict religion, good values or customs.

Chapter Seven

Penalties

26. In the case of any contravention of this Act, a person may be punished by one or more of the following punishments:

- a) Imprisonment for a term not exceeding five years.
- b) A fine.
- c) Both of the above.
- d) Whipping.

e) Forfeiture of any instrument used in such contravention.

f) Closure of the premises for a term not exceeding 2 years.

Issued under signature of Badr Eddin Taha Ahmed, Governor of Khartoum State on 28 March 1996 by Decree.

On 22 October 1996, the Khartoum State Council ratified in session No. 27 in term No. 4 the temporary Decree known as the Khartoum State Public Order Act 1996 in its original form. Attested to by Retired Major-General Kamal Abashr Yasin, President of Khartoum Council (deputy).