

(d) any foundling registered as a citizen on the basis of presumption of birth in Botswana; or

(e) any person born to a parent who was a citizen of Botswana who subsequently renounced their citizenship of Botswana before that person's birth; and

“dual citizen” means a person who is a citizen of Botswana by birth or descent who has acquired the citizenship of another country; and

(b) substituting for the definition of “national register”, the following new definition —

“Register” means the Unified Population Register kept and maintained by the registrar in terms of section 4”.

Substitution of section 4 in the Act

3. The Act is amended by substituting for section 4, the following new section —

“Functions of registrars 4. The registrar shall keep a Register to be known as the “Unified Population Register” of all citizens, dual citizens and non-citizen residents in Botswana, and district registers of all such citizens, dual citizens and non-citizens residents living within the districts concerned.”.

Substitution of section 5 in the Act

4. The Act is amended by substituting for section 5, the following new section —

“Unified Population Register 5. The registrar shall keep or cause to be maintained the Register, in such manner and form as may be prescribed and shall contain such particulars and information, as may be prescribed.”.

Insertion of section 5A in the Act

5. The Act is amended by inserting, immediately after section 5, the following new section —

“Assignment of identity number 5A. (1) The registrar shall assign an identity number to a person whose particulars are included in the Register in terms of section 5.

(2) The identity number assigned in terms of subsection (1) shall be gender neutral and not have a gender marker.”.

Amendment of section 6 of the Act

6. Section 6 of the Act is amended by —

(a) substituting for subsection (1), the following new subsection —
“(1) Subject to such regulations as may be made under this Act, a citizen or non-citizen resident of Botswana of or above the age of 16 years shall be qualified to be registered under this Act, and shall apply for registration to the Registrar or to the Registrar of the area in which he ordinarily resides, within one month of his reaching the age of 16 years, or, if he becomes a citizen of Botswana after reaching the age of 16, within one month of so becoming a citizen.”.

(b) by deleting subsection (4).

Amendment of section 7 of the Act

7. Section 7 of the Act is amended by substituting for subsection (1), the following new subsection —

“(1) The registrar may require a person applying for registration under this Act to provide such documentary information, as may be prescribed.”.

8. The Act is amended by substituting for section 9, the following new section —

Substitution
of section 9
in the Act

"Issue of
identity card

9. (1) Where the registrar is satisfied that an applicant qualifies for registration he shall issue an identity card to the applicant, on payment of the prescribed fee.

(2) An identity card shall be valid for a period of 10 years, and shall be renewable for further periods of 10 years each for so long as the holder of the card qualifies for registration under this Act.

(3) Notwithstanding the provisions of subsection (2), where an applicant is 65 years old and above, the identity card shall be issued for an indefinite period, unless the identity card is soiled or defaced.

(4) An identity card issued in terms of this Act shall be deemed to be the primary source of identification of a person:

Provided that, where such identity card is defaced, lost, damaged or has expired, a valid passport issued in terms of the Immigration Act and a valid driver's licence issued by the relevant authorities in Botswana, in terms of the Road Traffic Act, shall be used as a form of identification, until such identity card has been replaced.

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(5) Notwithstanding the provisions of the proviso to subsection (4), a person whose identity card has been lost, damaged or has expired, shall produce proof that he has applied for the replacement of his identity card, when using his passport or driver's licence as proof of identity."

9. The Act is amended by substituting for section 10, the following new section —

Substitution
of section 10
in the Act

"Forms of
identity cards

10. (1) Where a person has been registered in the Register in terms of section 4, the Registrar shall issue such person with an identity card, in such form and manner and within such period from the date of registration, as may be prescribed.

(2) The Minister may determine for different categories of persons, the size, description and particulars of any identity card issued in terms of section 9."

10. The Act is amended in section 11 by substituting for subsection (2), the following new subsection —

Amendment
of section 11
of the Act

"(2) A person whose identity card is lost, damaged or destroyed, shall immediately inform the nearest district registration office."

11. The Act is amended by substituting for section 14 of the Act, the following new section —

Substitution
of section 14
in the Act

"Change in
particulars
relating to
registered
person

14. (1) Where the particulars relating to any person, and to which he has in his application, change after he has been issued with an identity card, such person shall, within 30 days of such change inform the registrar or the nearest district registrar of the changes.

(2) Where a person referred to under subsection (1) fails to inform the registrar of any changes in his particulars, such person commits an offence and is liable to a fine not exceeding P100.

Substitution
of section 17
in the Act

12. The Act is amended by substituting for section 17, the following new section —

“Updating of
photograph” 17. (1) A registered person may, where he is satisfied that his personal appearance has changed so as to make it likely that his identity as certified by the identity card may be questioned, apply to the nearest district registration office, for the issue of a new card with a more recent photograph and shall, when issued with a new identity card by the district registrar of that district office, surrender his existing identity card to the district registrar to be cancelled and destroyed.
(2) The district registrar of the area in which an application is made in terms of subsection (1), shall cause the changes to be recorded in the relevant register.”

Substitution
of section 19
in the Act

13. The Act is amended by substituting for section 19, the following new section —

“Offences” 19. A person who commits an offence under sections 8 and 18 of this Act, is liable —
(a) where such offence is committed in terms of section 8 (b) and (c), to a fine not exceeding P50 000 or to a term of imprisonment not exceeding three years, or to both; and
(b) where such offence is committed in terms of sections 8 (d) and (e) and 18, to a fine not exceeding P5 000 or to a term of imprisonment not exceeding six months, or to both.”

Substitution of
section 20 in
the Act

14. The Act is amended by substituting for section 20, the following new section —

“Processing
of personal
data” 20. (1) The registrar of an officer employed in the National Registration office shall, in processing personal data in the exercise of his powers under this Act, process such data in accordance with the provisions of the Data Protection Act.
(2) For the purposes of this section, “personal data” has the same meaning assigned to it under the Data Protection Act.”

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Deletion of
Schedule to
the Act

15. The Schedule to the Act is hereby deleted.

PASSED by the National Assembly this 20th day of August, 2024.

BARBARA N. DITHAPO,
Clerk of the National Assembly.