

PROCLAMATION.¹

BY

HIS EXCELLENCY THE HIGH COMMISSIONER.

No. 41 of 1917.—PROMULGATED 21st DECEMBER, 1917.

Prohibiting the performance among native tribes of rites of circumcision or initiation on young persons without the consent of their parents or guardians.

WHEREAS rites of circumcision or initiation are performed among certain native tribes within the Bechuanaland Protectorate;

And whereas it is expedient to prohibit the subjection of young persons to such rites without the consent of their parents or guardians;

Now, therefore, under and by virtue of the powers in me vested, I do hereby declare, proclaim and make known as follows:—

¹Applied to Bamangwato, Bangwaketse, and Bakwena Reserves and to the Tati District by H.C. Notice No. 145 of 1917, to the Batawana Reserve by H.C. Notice No. 14 of 1918, and to the Lobatsi Block by H.C. Notice No. 64 of 1923.

PROCLAMATIONS.

1. The High Commissioner may by notice in the *Gazette* from time to time specify the areas within the Bechuanaland Protectorate to which the provisions of this Proclamation shall apply and the said provisions shall apply accordingly within each such area from the date fixed by the respective notice.

2. (i) For the purpose of this Proclamation "young person" shall mean any person male or female under the age of sixteen years.

(ii) "Guardian" shall in respect of any prosecution under this Proclamation include any person who in the opinion of the Court before which the prosecution is being heard had at the time at which the offence is alleged to have been committed the charge or control over the young person concerned.

3. Any person who causes or procures or aids or attempts to cause or procure any young person within the Bechuanaland Protectorate to undergo or take part in any rite of circumcision or initiation including the rites known respectively as Bogwera and Boyale without the consent of either parent or of the guardian of such young person, shall be guilty of an offence and liable on conviction to a penalty not exceeding fifty pounds or to imprisonment with or without hard labour for a period not exceeding one year.

4. Where in any prosecution under this Proclamation a question is raised as to the age of any person in respect of whom an offence under this Proclamation is alleged to have been committed, and it shall appear to the Court before which the prosecution is being heard that the person in question was at the date on which the offence is alleged to have been committed, under the age of sixteen years, such person shall for the purposes of this Proclamation be deemed to have been under that age on such date unless the contrary is proved.
