

**THE COMPULSION OF WITNESSES (AMENDMENT AND
SUPPLEMENTARY PROVISIONS) ACT, 1966**

No. 12



of 1966.

AN ACT TO AMEND THE COMPULSION OF WITNESS PROCLAMATION; TO VEST IN A MINISTER POWER TO DETERMINE WHETHER A SUBPOENA RECEIVED IN PURSUANCE OF SECTION 4 OF THAT PROCLAMATION SHOULD BE ACCEPTED FOR SERVICE IN BOTSWANA; AND FOR MATTERS INCIDENTAL THERETO.

Date of Assent: 21st December, 1966

Date of Commencement: 21st December, 1966

ENACTED by the Parliament of Botswana.

Short Title and Construction.

1. This Act may be cited as the Compulsion of Witnesses (Amendment and Supplementary Provisions) Act, 1966 and shall be construed as one with the Compulsion of Witnesses Proclamation (Cap. 9) (which Proclamation is hereinafter referred to as the principal law).

Repeal of Part I of Cap. 9.

2. Part I of the principal law (that is to say sections 2 and 3 thereof) is repealed.

Amendment of Section 4 of Cap. 9.

3. Section 4 of the principal law is amended by the deletion of "the President or to the officer" and the substitution of "the District Officer".

Amendment of Section 6 of Cap. 9.

4. Section 6 of the principal law is amended by, —

- (a) the deletion of "two three or four are" and the substitution of "four is";
- (b) the deletion of "attended" and the substitution of "taken such steps within Botswana as may enable him to attend";
and
- (c) the deletion of "valid and lawful" and the substitution of "reasonable".

Amendment of Section 7 of Cap. 9.

5. Section 7 of the principal law is amended by the deletion of "two, three or".

No Subpoena to be Endorsed under Section 4 of Cap. 9.

6. (1) Notwithstanding anything contained in section 4 of the principal law a District Officer shall not endorse a subpoena in pursuance of that section unless the Minister has by order under his hand signified his acceptance of that subpoena for service in Botswana.

(2) The Minister shall not make any such order if it appears to him that the subpoena has been issued in connection with criminal proceedings of political character or in which the witness is an accused person, or if he considers for any other reason that it is unreasonable or inexpedient to do so.

Passed by the National Assembly this day, the 14th December, 1966.

G.T. MATENGE,
Clerk of the National Assembly.