

Law No. 1 of 1966.

BECHUANALAND

---

**THE ELECTORAL (AMENDMENT) LAW, 1966**



I ASSENT,  
H. S. NORMAN-WALKER  
Her Majesty's Commissioner  
3rd February, 1966.

*Public Seal*

---

**No. 1 of 1966**

---

**A LAW TO AMEND THE LEGISLATIVE ASSEMBLY (QUALIFICATIONS OF VOTERS) REGULATIONS, 1964, AND THE LEGISLATIVE ASSEMBLY (REGISTRATION OF VOTERS) REGULATIONS, 1964.**

[Section 2 — by notice under section 1(2),  
Remainder — 11th February, 1966]

ENACTED by the Legislature of Bechuanaland.

**Short Title and Commencement.**

1. (1) This Law may be cited as the Electoral (Amendment) Law, 1966, and subject to the provisions of sub-section (2), shall come into operation on publication in the *Gazette*.

(2) Section 2 shall come into operation on a day to be appointed by Her Majesty's Commissioner by notice in the *Gazette*.

**Amendment of Regulation 4 of G.N. No. 97 of 1964.**

2. Regulation 4 of the Legislative Assembly (Qualifications of

Voters) Regulations, 1964, is revoked and the following regulation substituted therefor —

**“Polling Station in Respect of Which Voter Entitled to Registration.**

4. (1) A person qualified for registration as a voter in terms of regulation *two* shall be entitled to be registered in respect of any polling station —

- (a) in the polling district in which he has his residence (or if he has more than one residence in Bechuanaland, his principal residence in Bechuanaland); or
- (b) if he does not have a residence in Bechuanaland, but is qualified for registration by virtue of the provisions of sub-paragraph (c) of sub-regulation (1) of regulation *two*, in the polling district in which he was born.

(2) A person shall be entitled to be registered as a voter at one polling station only.

(3) In this regulation “polling district” and “polling station” have the meanings respectively assigned thereto in the Legislative Assembly (Registration of Voters) Regulations, 1964 (as amended).”.

**Amendment of Regulation 2 of G.N. No. 102 of 1964.**

3. Regulation 2 of the Legislative Assembly (Registration of Voters) Regulations, 1964 (hereinafter referred to as the principal regulations) is amended —

(a) by the insertion after the definition of “constituency” of the following new definition —

““designated polling district” means a polling district designated by Her Majesty’s Commissioner in terms of the proviso to sub-regulation (1) of regulation *five*;”;

(b) by the deletion of the definition of “entitled to registration” and the substitution of —

““entitled to registration”, in relation to any polling station, means entitled to be registered as a voter in respect of that polling station in accordance with the provisions of the Legislative Assembly (Qualifications of Voters) Regulations, 1964 (G.N. No. 97 of 1964) (as amended);”;

(c) by the deletion of the definition of “general registration period” and the substitution of —

““general registration period” means any period appointed as such under sub-regulation (1) of regulation *five*;”;

(d) by the insertion after the definition of "objection" of the following new definition —

“polling district” means a polling district established under regulation *four*;”.

**Replacement of Regulation 4 of G.N. No. 102 of 1964.**

4. Regulation 4 of the principal regulations is revoked and the following regulation substituted therefor —

**“Establishment of Polling Districts and Stations.**

4. (1) As soon as practicable after constituencies have been delimited, the Chief Registration Officer shall divide each constituency into polling districts and establish one or more polling stations in each polling district; and shall cause notice of the boundaries of every such polling district, the situation of every such polling station and the names by which such polling districts and polling stations are to be known, to be published in the *Gazette* and in such other manner as he may consider appropriate.

(2) The Chief Registration Officer may from time to time in like manner add to the number of polling stations established in any polling district or vary the situation within a polling district of any polling station established therein.”.

**Replacement of Regulation 5 of G.N. No. 102 of 1964.**

5. Regulation 5 of the principal regulations is revoked and the following regulation substituted therefor —

**“General Registration of Voters.**

5. (1) Whenever polling districts and polling stations have been established under regulation *four* or whenever Her Majesty's Commissioner considers that it is necessary for new general rolls to be prepared in order to obtain accurate rolls of voters in each constituency, Her Majesty's Commissioner shall by order published in the *Gazette* appoint a period to be a general registration period:

Provided that if it appears to Her Majesty's Commissioner in relation to any polling district that there is good reason to believe that the relevant sections of the existing rolls constitute at that time a substantially accurate record of the persons entitled to registration at polling stations in that district he may in such order designate that polling district as a district in which the relevant sections of the existing rolls shall be used in the preparation of general rolls following that general registration period.

(2) During a general registration period registration officers shall attend at all polling stations (other than polling stations in designated polling districts) for the purpose of registering voters.

(3) During a general registration period in any designated polling district, the Chief Registration Officer shall cause copies of the relevant sections of the existing rolls to be made available for inspection by the public at all polling stations within that district and at such other places as he may consider appropriate.

(4) On publication of an order appointing a general registration period, the Chief Registration Officer shall publish a notice or notices, in such manner as he may consider appropriate —

- (a) calling upon every person who is entitled to registration (otherwise than in respect of a polling station in a designated polling district) to apply for registration during the general registration period, and specifying the dates, times and places when and at which persons so entitled may apply for such registration;
- (b) informing all persons who are entitled to registration in respect of polling stations in any designated polling district of the dates, times and places when and at which copies of the relevant sections of the existing rolls will be available for inspection by the public in pursuance of sub-regulation (3), and calling upon all such persons who are not already registered in respect of any such polling station to apply for registration during the general registration period, and specifying the dates, times and places when and at which persons so entitled may apply for such registration.”.

**Replacement of Regulation 7 of G.N. No. 102 of 1964.**

6. Regulation 7 of the principal regulations is revoked and the following regulation substituted therefor—

**“Applications for Registration.**

7. (1) During a general registration period —

- (a) any person who claims to be entitled to registration in respect of any polling station not in a designated polling district may, unless he has an existing registration in respect of a polling station in a designated polling district, make application for registration by attending before a registration officer at that polling station;
- (b) any person who claims to be entitled to registration in respect of any polling station in a designated polling district may, unless he has an existing registration in respect of that polling station or a polling station in a designated polling district, make application for registration by attending before a registration officer for the constituency which contains that polling station.

(2) At any other time, any person who claims to be entitled to registration may, if he is not already a voter, make application for registration by attending before a registration officer for the constituency which contains that polling station in respect of which he claims to be entitled to registration.

(3) The registration officer shall determine whether the applicant is entitled to registration in respect of that polling station and, if satisfied that he is, shall —

- (a) complete a voter's registration record card in Form A in the Schedule in relation to the applicant;
- (b) require the applicant to make the declaration set out in that form;
- (c) register the applicant as a voter in respect of that polling station by completing a voter's registration card in Form B in the Schedule in relation to the applicant, marking the card with a date stamp of such pattern as the Chief Registration Officer may from time to time determine, and giving it to the applicant; and
- (d) forward the completed voter's registration record card to the Chief Registration Officer.

(4) If a registration officer is not satisfied that an applicant is entitled to registration, he shall complete and give to the applicant a notice of rejection in Form C in the Schedule and send a counterpart of such notice to the principal registration officer."

**Amendment of Regulation 9 of G.N. No. 102 of 1964.**

7. Regulation 9 of the principal regulations is amended —

(a) by the deletion of sub-regulation (2) and the substitution of —

"(2) As soon as practicable after the termination of a general registration period, the Chief Registration Officer shall cause to be prepared a roll of voters in each constituency, containing —

- (a) in respect of polling stations not included in any designated polling district, the names of voters registered in respect of such polling stations during the general registration period;
- (b) in respect of any polling stations included in a designated polling district, the names of voters registered in the relevant sections of the existing rolls together with the names of voters registered in respect of such polling stations between the expiration of the period in respect of which the last existing roll was prepared and the expiration of the general registration period.

Any such roll shall be known as a general roll.”;

- (b) in sub-regulation (3) by the deletion of “otherwise than during any general registration period” and the substitution of “and not included in any general roll in pursuance of sub-regulation (2) ”;
- (c) in sub-regulation (7) by the deletion of “Electoral” and the substitution of “Registration”.

**Amendment of Regulation 14 of G.N. No. 102 of 1964.**

8. Regulation 14 of the principal regulations is amended in sub-regulation (6) by the deletion of paragraph (b) and the substitution of —

- “(b) register the appellant as a voter in respect of the polling station named by the appellant in his notice of appeal by completing a voter’s registration card in Form B in the Schedule in relation to the appellant, marking the card in the manner prescribed in paragraph (c) of sub-regulation (3) of regulation seven and giving it to the appellant;”.

**Amendment of Regulation 18 of G.N. No 102 of 1964.**

9. Regulation 18 of the principal regulations is amended in sub-regulation (1) —

- (a) by the deletion from line 2 of “on” and the substitution of “in any section of”;
- (b) by the deletion from line 3 of “that constituency” and the substitution of “in respect of the polling station to which that registration relates”;
- (c) by the deletion from line 6 of “his constituency” and the substitution of “in respect of that polling station”;
- (d) by the deletion from line 10 of “constituency” and the substitution of “in respect of that polling station”.

**Correction in the Numbering of Regulation 21 of G.N. No. 102 of 1964.**

10. The first regulation of the principal regulations numbered 22 (being the regulation entitled “Notification to Chief Registration Officer”) is renumbered as regulation 21.

**Replacement of Regulation 22 of G.N. No. 102 of 1964.**

11. Regulation 22 of the principal regulations is revoked and the following regulation substituted therefor —

**“Transfer of Registration.**

22. (1) Any person who is registered as a voter in respect of any polling station (hereinafter referred to as the existing polling station) and has become entitled to registration in respect of any other polling station (hereinafter referred to as the other polling station) may make application for the transfer of his registration in the manner provided by this regulation:

Provided that, during a general registration period, this regulation shall have effect only where the existing polling station is in a designated polling district.

(2) Any person who wishes to make such an application shall attend before a registration officer for the constituency in which the other polling station is situate.

(3) The registration officer shall determine whether the applicant is entitled to transfer his registration to the other polling station and, if satisfied that he is, shall—

- (a) require him to surrender the voter's registration card given to him in pursuance of these regulations on his registration in respect of the existing polling station;
  - (b) complete a registration transfer card in Form J in the Schedule in relation to the applicant;
  - (c) require him to make the declaration set out in that form;
  - (d) transfer the applicant's registration to the other polling station by making an appropriate endorsement on the surrendered voter's registration card, completing a new voter's registration card in Form B in the Schedule in relation to the applicant, marking the card in the manner prescribed in paragraph (c) of sub-regulation (3) of regulation seven, and giving it to the applicant;
  - (e) forward the surrendered voter's registration card and the completed registration transfer card to the Chief Registration Officer.
- (4) The Chief Registration Officer shall—
- (a) make an appropriate endorsement on the applicant's registration record card;
  - (b) delete the applicant's name from the roll on which it is enrolled; and
  - (c) insert his name in the appropriate section of the last existing roll for the constituency which includes the polling station to which he has been transferred.

(5) If the registration officer is not satisfied that the applicant is entitled to transfer his registration he shall complete and give to the applicant a notice of rejection in Form K in the Schedule and send a counterpart of such notice to the principal registration officer; and the provisions of regulation *fourteen* shall have effect in respect thereof as they have in respect of a notice of rejection under regulation *seven*:

Provided that any notice of appeal against such a rejection shall be as in Form K in the Schedule.

(6) The provisions of regulation *eight* shall have effect in relation to an application under this regulation as they have in relation to an application under regulation *seven*."

**Revocation of Regulation 23 of G.N. No. 102 of 1964.**

12. Regulation 23 of the principal regulations is revoked.

**Amendment of Regulation 26 of G.N. No. 102 of 1964.**

13. Regulation 26 of the principal regulations is amended—

(a) in paragraph (d) by the insertion after "roll" of "except to record in pursuance of regulations *twenty-two* a transfer of registration effected prior to the issue of the writ of election";

(b) in paragraph (d) by the insertion after "roll" of "except to record in pursuance of regulation *twenty-two* a transfer of registration effected prior to the issue of the writ of election".

**Amendment of Regulation 31 of G.N. No. 102 of 1964.**

14. Regulation 31 of the principal regulations is amended in paragraph (b) by the deletion of "receipt".

**Amendment of Schedule to G.N. No. 102 of 1964.**

15. The Schedule to the principal regulations is amended by the deletion of Forms A, G, H and J and the substitution thereof of the following forms—

**SCHEDULE**

(Regulations 7, 11, 12, 14, 15, 18, 19, 22 & 25)

FORM A (r.7 (2) (a) )

**BECHUANALAND ELECTIONS.**

Constituency 

--

 Polling Station 

--

**VOTER'S REGISTRATION RECORD CARD.**

No: .....

I ..... (Sex) .....

residing at .....

.....  
in the ..... Polling District .....

Declare —

- (1) that I am a British subject or British protected person;
- (2) that I have attained the age of 21 years;
- (3)(a)\* that I have resided in Bechuanaland for a continuous period of 12 months immediately prior to this day;
- (b)\* that I have resided in Bechuanaland and retained my residence (my principal residence) in Bechuanaland during the period of 12 months immediately prior to this day, and been absent from Bechuanaland during this period merely for some temporary purpose;
- (c)\* that I was born in Bechuanaland and I am at present domiciled in Bechuanaland;
- (4)(a)\* that my residence (my principal residence in Bechuanaland) is in this Polling District;
- (b)\* I do not have a residence in Bechuanaland but I was born in the ..... Polling District.

Signature .....

Declared before me this day in the .....  
language and a voter's registration card issued.

Date .....

(Registration Officer.)

\* Delete as necessary.

Passed by the Bechuanaland Legislative Assembly, this day,  
the 25th day of January, 1966.

G. T. MATENGE,  
Clerk of Legislative Assembly.