

THE COURT OF APPEAL (AMENDMENT) ACT, 1967

No. 10



of 1967

AN ACT TO AMEND THE COURT OF APPEAL PROCLAMATION

Date of Assent: 21.4.67.

Date of Commencement: 21.4.67.

ENACTED by the Parliament of Botswana.

Short Title.

1. This Act may be cited as the Court of Appeal (Amendment) Act, 1967.

Insertion of Section 3A in Cap. 3.

2. The Court of Appeal Proclamation (Chapter 3) is amended by the insertion after section 3 of the following new section —

“Right of the Attorney-General to Appeal.

3A. If the Attorney-General is dissatisfied with a decision of the High Court upon a point of law in the exercise of its original, revisionary, or appellate jurisdiction in a case which relates to an offence, the Attorney-General may appeal against such decision to the Court of Appeal:

Provided that —

- (i) the decision of the Court of Appeal on such an appeal shall in no way affect the finality of the judgment of the High Court in the case so brought on appeal:

(ii) the person who was the accused in the case shall have the right, should he so desire, at his own expense to be represented by his legal representative."

Passed by the National Assembly this day, the 20th March, 1967.

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