

**THE IMMIGRATION (CONSOLIDATION) (AMENDMENT) ACT, 1967**

No. 19



of 1967

**AN ACT TO AMEND THE IMMIGRATION (CONSOLIDATION) LAW, 1966.**

Date of Assent: 13th September, 1967.

Date of Commencement: 15th September, 1967.

ENACTED by the Parliament of Botswana

**Short Title and Commencement**

1. This Act may be cited as the Immigration (Consolidation) (Amendment) Act, 1967, and except as provided in section 9(2) shall come into operation on publication in the *Gazette*.

**Amendment of Section 3 of Law No. 19 of 1966**

2. Section 3 of the Immigration (Consolidation) Law, 1966 (hereinafter referred to as the principal law) is amended in paragraph (b) of subsection (2) by the deletion of "or (7)".

**Amendment of Section 11 of Law No. 19 of 1966**

3. (1) Section 11 of the principal law is amended —

(a) by the deletion of subsection (1) and the substitution of —

“(1) Any person suspected of being —

(a) a prohibited immigrant;

(b) a person liable to be declared to be an undesirable inhabitant of or visitor to the territory under the provisions of section 8(f);

may be detained by an immigration officer for such reasonable period, not exceeding fourteen days, as may be required for the purpose of making enquiries as to such person's identity and antecedents.

(2) An Immigration officer who detains any person under the provisions of subsection (1) shall, as soon as practicable, and in any event within a period of seven days, report such detention to the Minister.

(3) Where any person suspected of being —

(a) a prohibited immigrant by reason of the provisions of section 8(e);

(b) a person liable to be declared to be an undesirable inhabitant of or visitor to the territory under the provisions of section 8(f);

has been detained under the provisions of subsection (1), and the Minister considers that further time is required for the completion of the enquiries referred to under that subsection, the Minister may by order under his hand direct that the person so detained shall be detained for a further period or periods, not exceeding fourteen days at a time.”;

(b) by renumbering the existing subsections (2), (3), (4) and (5) as subsections (4), (5), (6) and (7) respectively;

(c) in subsection (4) by the insertion after “unless” of “with the consent of the Minister”.

#### **Amendment of Section 12 of Law No. 19 of 1966**

4. Section 12 of the principal law is amended in subsection (6) by the deletion of “unless the appeal is directed solely to the identity of the person affected by the declaration”.

#### **Amendment of Section 13 of Law No. 19 of 1966**

5. Section 13 of the principal law is amended by the addition of the following subsection —

“ (3) Where under the provisions of section 12(1) notice has been given to any person that he is a prohibited immigrant and the Minister is at any time satisfied that the grounds therefore no longer exist he may give notice to the person concerned that he is not a prohibited immigrant and, in such event, the notice given under section 12(1) shall be deemed to have been withdrawn.”.

#### **Amendment of Section 14 of Law No. 19 of 1966**

6. Section 14 of the principal law is amended —

(a) in subsection (1) by the insertion after “dismissed,” of “or where no appeal lies by reason of the provisions of section 12(6),”;

(b) in subsection (2) by the deletion of "contravening any of the provisions of this Law" and the substitution of "committing any offence".

**Amendment of Section 15 of Law No. 19 of 1966**

7. Section 15 of the principal law is amended by the deletion of "being" and the substitution of "who is liable to be".

**Amendment of Section 28 of Law No. 19 of 1966**

8. The principal law is amended by the deletion of subsection (3) of section 28 and the substitution of —

" (3) Any order, warrant, permit, certificate or other document which may be issued under this Law shall be good and effectual if signed by any immigration officer or any officer in the public service of Botswana authorised by the Minister by notice in the *Gazette* so to sign, and when so signed shall be accepted for all purposes as having been issued in accordance with the provisions of this Law."

**Amendment of Schedule of Law No. 19 of 1966**

9. (1) The Schedule of the principal law is amended in paragraph 3 by the insertion after "34" of "or of any law repealed by such law".

(2) The provisions of this section shall be deemed to have come into operation on the 30th September, 1966.

Passed by the National Assembly this day, the 31st August, 1967.

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