

THE CHANGE OF NAME (AMENDMENT) ACT, 1968

No. 44



of 1968

AN ACT TO AMEND THE CHANGE OF NAME LAW, 1963, TO SIMPLIFY THE PROCEDURE PRESCRIBED FOR A CHANGE OF SURNAME AND TO FACILITATE THE ADMINISTRATION OF THE LAW

Date of Assent : 6.9.68

Date of Commencement : 13.9.68

ENACTED by the Parliament of Botswana.

Short Title

1. This Act may be cited as the Change of Name (Amendment) Act, 1968.

Repeal of Section 2 of Law No. 28 of 1963

2. Section 2 of the Change of Name Law, 1963 (hereinafter referred to as the principal law) is repealed.

Amendment of Section 4 of Law No. 28 of 1963

3. The principal law is amended in section 4 by the addition of the following paragraph -

“(g) a woman, on her husband assuming another surname under the provisions of this law, assumes that other surname.”.

Substitution of Sections 5 and 6 of Law No. 28 of 1963

4. Sections 5 and 6 of the principal law are repealed and the following sections are substituted -

"Applications to the Minister

5. (1) An application to the Minister for his authority under the provisions of section 3(1) shall be in such form as the Minister may determine, shall be accompanied by such fees as may be prescribed, and shall state the reason why a change of name is desired.

(2) The Minister shall cause notification of an application under subsection (1) to be published in the *Gazette* and in a newspaper circulating in the district in which the applicant resides; such notice shall call upon any person who objects to the application to notify the Minister of such objection and the grounds thereof within thirty days of the publication of such notice.

(3) The Minister shall, after considering any objection lodged under the provisions of subsection (2) and after making such inquiries as he may deem fit, grant his authority in accordance with the provisions of section 3(1) unless he has reason to believe that there is insufficient reason for the assumption of another surname or that the application has been made for an improper purpose.

Minor Children of an Applicant

6. (1) Where the father of a minor child assumes another surname under the provisions of this law, that child shall be deemed to have assumed such surname under the provisions of this law, unless the Minister otherwise directs.

(2) The Minister shall cause notification of any direction given under subsection (1) to be published in the *Gazette*."

Amendment of Section 8 of Law No. 28 of 1963

5. The principal law is amended in section 8 by the deletion of "President" and the substitution of "Minister".

Passed by the National Assembly this day, the 9th August, 1968.

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