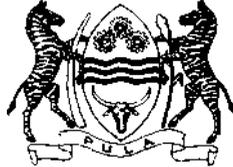


**THE PRESIDENTIAL ELECTIONS (SUPPLEMENTARY  
PROVISIONS) ACT, 1969**

Act No. 41



of 1969

**AN ACT TO MAKE PROVISION ANCILLARY TO THE CONSTITUTION OF  
BOTSWANA FOR THE ELECTION OF A PRESIDENT**

Date of Assent: 20.8.69

Date of Commencement: 22.8.69

ENACTED by the Parliament of Botswana.

**Short Title**

1. This Act may be cited as the Presidential Elections (Supplementary Provisions) Act, 1969.

**Application of Act**

2. This Act shall apply in respect of the holding of an election to the office of President in accordance with the provisions of section 33 of the Constitution.

**Interpretation**

3. In this Act unless the context otherwise requires —

“candidate” means a candidate for office of President;

“days” include Saturdays, Sundays and public holidays;

“returning officer” means the Chief Justice of Botswana;

“Supervisor of Elections” means the person designated as Supervisor of Elections in accordance with the provisions of section 67 of the Constitution.

### **Time and Place of Nomination**

4. (1) Nomination day of candidates shall be the first Saturday following the expiry of 20 days after each dissolution of the National Assembly.

(2) Every nomination of a candidate shall be handed to the returning officer at the High Court at Lobatsi, between the hours of 10 o'clock in the fore-noon and 1 o'clock in the afternoon or between the hours of 2 o'clock and 5 o'clock in the afternoon of nomination day.

(3) For the purpose of subsection (2) the expression "nomination" means a nomination paper and the support papers in respect of the candidate who is named in such nomination paper.

### **Form of Nomination**

5. (1) Every candidate shall be nominated by a proposer and a seconder (who shall be regarded as supporters for the purposes of section 33 of the Constitution) being persons who are registered as voters for the purposes of elections to the National Assembly and the nomination shall be made on a nomination paper in the form prescribed in the First Schedule.

(2) A nomination paper shall not be valid unless it is signed by the candidate, his proposer and seconder or marked by them with their marks and contains in accordance with the requirements noted on the form the following particulars —

- (a) the full name and address of the candidate ;
- (b) the name, address and constituency of both the proposer and the seconder, and the polling station at which they are registered and their number on the Election Roll ;
- (c) a statement by the candidate that he is willing and qualified to stand for election.

### **Form of Support**

6. (1) In addition to his proposer and seconder every candidate shall be supported by not less than 998 supporters being persons who are registered as voters for the purpose of elections to the National Assembly.

(2) Every supporter shall complete a support paper in the form set out in the Second Schedule.

(3) No person shall sign a support paper in favour of more than one candidate or more than one paper in favour of the same candidate.

(4) No person shall present a support paper for authentication other than a support paper in which he is named as the supporter.

### **Appointment of Authenticating Officers**

7. (1) For the purposes of this Act the Supervisor of Elections shall appoint such number of authenticating officers as he may deem necessary and shall publish the names and addresses of such officers in the *Gazette*.

(2) The Supervisor of Elections shall issue to every authenticating officer an official stamp in such form as he may deem appropriate.

### **Authentication of Support Papers**

8. (1) When any supporter presents a support paper to an authenticating officer such supporter shall produce to the authenticating officer his voter's registration card.

(2) An authenticating officer to whom a support paper is presented shall endorse such paper in the form provided thereon and shall authenticate such paper by stamping it with his official stamp if, and shall not endorse or authenticate such paper unless.

(a) such support paper contains in accordance with the requirements noted on the form the following particulars —

- (i) the name of the candidate supported;
- (ii) the name of the supporter;
- (iii) the constituency in which the supporter is registered;
- (iv) the polling station at which the supporter is registered;
- (v) the number of the supporter's voter's registration card; and
- (vi) the supporter's signature;

(b) he is satisfied that the description of the supporter in the support paper corresponds to the description in the voter's registration card produced with such support paper; and

(c) he is satisfied from an inspection of the back of the voter's registration card that the supporter has not signed any other support paper at that election.

(3) When an authenticating officer has authenticated a support paper he shall hand such paper to the person who presented it to him and shall stamp the back of the voter's registration card with his official stamp.

### **Examination of Nomination Papers and Counting of Support Papers**

9. (1) Forthwith upon the receipt of every nomination paper the returning officer shall examine such paper and after obtaining such information, if any, as he may deem necessary shall determine whether or not such nomination paper complies with the provisions of section 5.

**NOMINATION PAPER FOR A PRESIDENTIAL CANDIDATE**

We, the undersigned, hereby nominate .....

(full name in block capitals) of .....

(full address) as candidate for election to the office of President.

	Full names in block capitals (surname first)	Sex	Address	Constituency in which registered	Polling Station at which registered	Number on Election Roll	Signature
Proposed by	.....						
Seconded by	.....						

(Back of Nomination Paper)

I, the said ..... (candidate's full name) of .....  
 ..... (full address) do hereby state that I am willing to be  
 nominated for election to the office of President and declare that —

- (a) I am a citizen of Botswana;
- (b) I have attained the age of thirty years;
- (c) I am qualified to be elected as a member of the National Assembly in that —
  - (a) I am qualified for registration as a voter for the purposes of election of Elected Members of the National Assembly and am so registered in the ..... constituency;
  - (b) I am able to speak and read English well enough to take an active part in the proceedings of the National Assembly; and
  - (c) I am not disqualified by reason of section 63 of the Constitution from being elected as a member of the National Assembly.

Date ..... Signature of Candidate.

symbol that such candidate desires to be allocated to him:

Provided that if such colour or symbol has already been registered under the provisions of section 149 of the Electoral Act, 1968, he shall only be allocated such colour or symbol if the returning officer is satisfied on such evidence he deems fit that the candidate is the candidate of the political party who has registered such symbol and colour and if the returning officer is not so satisfied

**SECOND SCHEDULE**  
**BOTSWANA ELECTIONS**  
**PRESIDENTIAL ELECTIONS (SUPPLEMENTARY PROVISIONS) ACT, 1969**  
 (Section 6)

**SUPPORT PAPER FOR A PRESIDENTIAL CANDIDATE**

*(Note: This paper will not be valid as a support paper unless all the details required are given)*

I, ....., hereby support

.....  
*(full name in block capitals)*

of .....,  
*(full address)*

as a candidate for election to the office of President.

Full names in block capitals (Surname first)	Constituency in which registered	Polling Station at which registered	Number of voter's registration card	Signature

I, ....., *(full name)*, being an appointed authenticating officer,  
 declare that I am satisfied that this support paper has been made by the person named therein as a supporter, who presented it to me and that such person  
 produced to me his voter's registration card which I have marked in accordance with the provisions of section 5(3).

Dated .....

Signed .....

**THIRD SCHEDULE  
BOTSWANA ELECTIONS**

**PRESIDENTIAL ELECTIONS (SUPPLEMENTARY PROVISIONS) ACT, 1969  
(Section 12)**

**NOTICE OF CHOICE OF VOTING COLOUR AND SYMBOL**

I, ..... (full name) of  
.....  
(full address)

being declared to be a candidate for election to the office of President give notice that I choose the colour and symbol specified below to be the colour and symbol allocated to me.

Colour :

Symbol :

Signed.....

Date .....

Passed by the National Assembly this day, the 13th August, 1969.

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