

**THE REVISED EDITION OF LAWS ACT,
1968**

**THE REVISED EDITION OF LAWS (FOREIGN LAW
ASCERTAINMENT ACT) ORDER, 1969**

(Published on 21st February, 1969)

In the exercise of the powers vested in him by section 8 of the Revised Edition of Laws Act, 1968 (No. 50 of 1968) His Excellency the President hereby makes the following Order —

Citation

1. This Order may be cited as the Revised Edition of Laws (Foreign Law Ascertainment Act) Order, 1969.

Amendment of 24 & 25 Vic. c. 11

2. The Foreign Law Ascertainment Act, 1861, as applied in Botswana under the provisions of South African Protectorates (Extension of Imperial Acts) Order in Council, 1910, (hereinafter referred to as the principal law) is amended by the deletion of —

- (a) "Superior Courts within Her Majesty's dominions";
- (b) "any of the Superior Courts within Her Majesty's dominions";
- (c) "the court within Her Majesty's dominions" and "a court within Her Majesty's dominions";
- (d) "Courts within Her Majesty's dominions";

wherever these appear, and the substitution of "the High Court of Botswana".

Amendment of Section 1 of 24 and 25 Vic. c. 11

3. Section 1 of the principal law is amended —

- (a) by the deletion of "Her Majesty" and the substitution of "the President";
- (b) by the deletion of "such convention as aforesaid" and the substitution of "a convention for the ascertainment of the law of such state or country";
- (c) by the deletion of "verdict of jury" and the substitution of "by its verdict".

Amendment of Section 2 of 24 and 25 Vic. c. 11

4. Section 2 of the principal law is amended by the deletion of " , or upon special verdict of a jury; or the said last mentioned court shall, if it thinks fit, when the said opinion has been obtained before trial, order such opinion to be submitted to the jury with the other facts of the case as conclusive evidence of the foreign law therein stated; and the said opinion shall be submitted to the jury."

Amendment of Section 3 of 24 and 25 Vic. c. 11

5. Section 3 of the principal law is amended —

- (a) by the deletion of "Her Majesty" and the substitution of "the President";
- (b) by the deletion of "any part of Her Majesty's dominions" and the substitution of "Botswana";

(c) by the deletion of "whose opinion is required".

Amendment of Section 4 of 24 and 25 Vic. c. 11

6. Section 4 of the principal law is amended by the deletion of the definition of "Superior Courts" and the substitution of —

"Superior Courts" in relation to a foreign country or state means any superior court or courts which shall be set forth in any such convention between the President and the Government of such foreign country or state."

A.M. MOGWE,
Permanent Secretary to the President.

GABERONES.
5th February, 1969.