

**LOCAL GOVERNMENT (DISTRICT COUNCILS)
(AMENDMENT) ACT, 1971**

No. 31



of 1971

ARRANGEMENT OF SECTIONS

SECTION

1. Short title
2. Amendment of s. 6 of Law 35 of 1965
3. Amendment of s. 7 of the principal law
4. Amendment of s. 9 of the principal law
5. Amendment of s. 18 of the principal law
6. Insertion of new s. 40A into the principal law
7. Amendment of s. 51 of the principal law

AN ACT TO AMEND THE LOCAL GOVERNMENT (DISTRICT COUNCILS) LAW, 1965.

Date of Assent : 27.7.1971.

Date of Commencement : 6.8.1971.

ENACTED by the Parliament of Botswana.

1. This Act may be cited as the Local Government (District Councils) (Amendment) Act, 1971. Short title

2. Section 6 of the Local Government (District Councils) Law, 1965 (hereinafter called the principal law) is amended by the addition, immediately after subsection (2), of the following new subsection — Amendment of s. 6 of Law 35 of 1965

“(3) Notwithstanding anything contained in the order establishing a council, any District Commissioner holding office within the area for which a council is established shall be an *ex officio* member of the council without voting rights but with all other rights enjoyed by members of the council.”.

Amendment
of s. 7 of the
principal law

3. Section 7 of the principal law is amended —

- (i) by the renumbering of the present section 7 as subsection (1); and
- (ii) by the addition, immediately after subsection (1) of the following new subsection —
“(2) Subsection (1) shall not apply to any *ex officio* member.”.

Amendment
s. 9 of the
principal law

4. Section 9 of the principal law is amended by the insertion immediately after the words “of a council” appearing therein of the words —

“, other than an *ex officio* member,”

Amendment
of s. 18 of the
principal law

5. Section 18 of the principal law is amended —

- (i) in subsection (1) thereof by the insertion, immediately after the word “members” appearing therein of the words —
“other than any *ex officio* member”; and
- (ii) in section 2 thereof by the deletion of the fullstop at the end thereof, the substitution therefor of a colon and the addition immediately after the aforesaid colon of the following proviso —

“Provided that in any case where the member presiding is an *ex officio* member he shall have neither an original nor a casting vote.”

Insertion of
new s. 40A
into the
principal law

6. The principal law is amended by the insertion, immediately after section 40, of the following new section —

“Rights of
ex officio
member

40A. A council shall —

- (a) furnish an *ex officio* member with copies of agenda and minutes of all meetings that he attended or was entitled to attend;
- (b) make available for inspection by an *ex officio* member all records, accounts, documents, cash, stores and other property of the council;
- (c) hand over for inspection to such *ex officio* member such records, books and documents of the council as he may require for inspection.”

7. Section 51 of the principal law is amended by the insertion, ^{Amendment} immediately after the words "any member" appearing therein, of ^{of s 51 of the} the words ", other than an *ex officio* member," _{principal law}.

Passed by the National Assembly this day the, 24th June, 1971.

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