

CONSTITUTION (AMENDMENT) ACT, 1973

No. 24



of 1973

ARRANGEMENT OF SECTIONS

SECTION

1. Short title
2. Replacement of section 35 of the Constitution
3. Replacement of section 59
4. Commencement and repeal

An Act to amend the Constitution to make provision with regard to the membership of the National Assembly

Date of Assent: 27.11.73

Date of Commencement: 30.11.73

ENACTED by the Parliament of Botswana.

1. This Act may be cited as the Constitution (Amendment) Act, 1973. Short title

2. The Constitution is amended by substituting for section 35 thereof the following new section — Replacement of section 35 of the Constitution

“Tenure of office of President 35. (1) The President shall cease to hold the office of President if at any time during his tenure of office any circumstances arise that would, if he were not a member of the National Assembly, cause him to be disqualified for election thereto.

(2) The President shall cease to hold the office of President when the person elected at the next election of President following a dissolution of Parliament assumes office.”.

3. The Constitution is amended by substituting for section 59 thereof the following new section — Replacement of section 59

“Composition
of National
Assembly

59. (1) The President shall be ex-officio a member of the National Assembly, and shall be entitled to speak and to vote in all proceedings of the National Assembly.

(2) In addition to the President the National Assembly shall consist of—

- (a) thirty - two Elected Members who shall be elected in accordance with the provisions of the Constitution and subject thereto in accordance with the provisions of any Act of Parliament;
- (b) four Specially Elected Members who shall be elected in accordance with the provisions of the Schedule to this Constitution and subject thereto in accordance with the provisions of any Act of Parliament; and
- (c) the Attorney-General.

(3) If a person who is not a member of the National Assembly is elected to the office of Speaker of the National Assembly, that person shall, by virtue of holding that office, be a member of the Assembly in addition to the members referred to in subsections (1) and (2) of this section.”

Commence-
ment and
repeal

4. This Act shall have force and effect immediately upon the next dissolution of Parliament following the date of its publication and shall replace the Constitution of Botswana (Amendment) Act, 1972 which is hereby repealed.

Passed by the National Assembly this 22nd day of November, 1973

R. J. CHILUME,
Acting Clerk of the National Assembly.