

MAGISTRATES' COURTS (AMENDMENT) ACT, 1975

No. 12



of 1975

ARRANGEMENT OF SECTIONS

SECTION

1. Short title
2. Amendment of section 60 of Act 20 of 1974
3. Substitution of section 64 of principal Act

An Act to amend the Magistrates' Courts Act, 1974.

Date of Assent : 22.4.75

Date of Commencement : 2.5.75

ENACTED by the Parliament of Botswana

1. This Act may be cited as the Magistrates' Courts (Amendment) Act, 1975. Short title

2. Section 60 of the Magistrates' Courts Act, 1974 (hereinafter referred to as "the principal Act"), is amended by adding at the end thereof the new subsection following – Amendment of section 60 of Act 20 of 1974

“(6) Notwithstanding the provisions of subsections (1) and (2), the Chief Justice may, by notice published in the Gazette, authorize any magistrate or any class or grade of magistrates to exercise jurisdiction to try any offence, other than an offence punishable with death, which, but for the provisions of this subsection, he would not have jurisdiction to try:

Provided that the magistrate's powers of punishment as specified in section 61 shall not be increased.”

Substitution
of section 64
of principal
Act

3. The principal Act is amended by substituting for section 64 thereof the new section following –

“Execution
of sentence
not to be
suspended

64. The execution of any sentence of fine or of imprisonment shall not be suspended by the transmission of, or the obligation to transmit, the record for review.”.

Passed by the National Assembly this 27th day of March, 1975.

I.P. GONTSE,
Clerk of the National Assembly.