

**SURETYSHIP ACT, 1983**

No. 30



of 1983

**ARRANGEMENT OF SECTIONS**

**SECTION**

1. Short title and commencement
2. Abolition of certain common law rules relating to suretyship
3. Amendment of section 21 of Cap. 46:02

**An Act to amend the law relating to suretyship**

*Date of Assent:* 14.12.83

*Date of Commencement:* On Notice

**ENACTED** by the Parliament of Botswana.

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|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------|
| <p>1. This Act may be cited as the Suretyship Act, 1983, and shall come into operation on such date as the Minister may, by notice published in the Gazette, appoint.</p>                                                          | <p>Short title and commencement</p>                         |
| <p>2. The common law rules of suretyship known as the <i>Senatus-consultum Velleianum</i> and the <i>Authentica si qua mulier</i> shall from the commencement of this Act, cease to be of any force or effect in this country.</p> | <p>Abolition of common law rules relating to suretyship</p> |
| <p>3. Section 21 of the Bill of the Exchange Act which relates to the capacity of parties to a bill of Exchange is hereby amended in subsection (1) thereof by the repeal of the proviso thereto.</p>                              | <p>Amendment of section 21 of Cap. 46:02</p>                |

**PASSED** by the National Assembly this 25th day of November, 1983.

**G.M. BASELE,**  
*Acting Clerk of the National Assembly.*