

**CITIZENSHIP ACT, 1982**  
(25 of 1982)

**CITIZENSHIP REGULATIONS, 1983**  
(Published on 4th February, 1983)

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**SCHEDULE**

IN EXERCISE of the powers conferred on the Minister of Home Affairs by section 22 of the Citizenship Act, 1982, the following Regulations are hereby made —

PART I *Preliminary*

- Citation 1. These Regulations may be cited as the Citizenship Regulations, 1983.
- Interpretation 2. (1) In these Regulations, —  
Cap. 41:01 “authorized tribal officer” means —  
(a) any Chief or tribal authority for the purposes of the Chiefs-tainship Act; or  
(b) any Chief’s representative or sub-chief for the purposes of the Chiefs-tainship Act declared under subregulation (2) to be an authorized tribal officer for the purposes of these Regulations;  
“Citizenship Officer” means the officer for the time being appointed as Citizenship Officer in accordance with regulation 3;  
“minister of religion” means a minister of religion appointed as a marriage officer under the Marriage Act;  
Cap. 29:01 “senior public officer” means a Permanent Secretary, Under Secretary, Principal Administration Officer, Senior Administrative Officer, Senior District Officer, District Officer or police officer of or above the rank of Assistant Superintendent.
- (2) The Minister may, by notice published in the Gazette, declare any Chief’s representative or sub-chief for the purposes of the Chiefs-tainship Act to be an authorized tribal officer for the purposes of these Regulations.
- Citizenship Officer 3. The Permanent Secretary shall, for the purposes of these Regulations, appoint a public officer as Citizenship Officer.
- Duty of Citizenship Officer to keep registers and other records 4. (1) The Citizenship Officer shall keep and maintain, in such form as the Minister may direct, a separate register for each of the following purposes —  
(a) the registration, by virtue of the power conferred on the Minister by section 7 of the Act, of adopted children over three years old as of citizens Botswana;  
(b) the registration, by virtue of the powers conferred on the President by section 8 of the Act, of persons such as are referred to in section 8 (a) of the Act as citizens of Botswana;  
(c) the registration, by virtue of the powers conferred on the President by section 8 of the Act, of persons such as are referred to in section 8 (b) of the Act as citizens of Botswana;  
(d) the registration, by virtue of the power conferred on the Minister by section 14 of the Act, of declarations of renunciation of citizenship of Botswana.
- (2) In addition to the registers prescribed by subregulation (1), the Citizenship Officer shall keep and maintain, in such form as the Minister may direct, as separate permanent record for each of the following purposes —  
(a) recording every grant by the Minister, under section 10 of the Act, of a certificate of naturalization to a qualified person of full age and capacity;  
(b) recording every oath of allegiance taken for the purposes of section 10 of the Act;

- (c) recording every grant by the Minister, under section 12 of the Act, of a certificate of naturalization to a woman who is or was married to a citizen of Botswana;
  - (d) recording every grant by the Minister, under section 12 of the Act, of a certificate of temporary citizenship to such a woman;
  - (e) recording every proved renunciation, in terms of section 13 of the Act, of citizenship of a country other than Botswana;
  - (f) recording every deprivation by the Minister, under section 15 of the Act, of citizenship of Botswana;
  - (g) recording every notice of intention, for the purposes of section 15 of the Act, to retain citizenship of Botswana;
  - (h) recording every issue by the Minister, under section 19 of the Act, of a certificate of citizenship in a case of doubt.
- (3) The Citizenship Officer shall enter in the registers and other permanent records prescribed by this regulation such particulars as the Minister may require.

**PART II Registration as Citizen of Botswana**

5. (1) Every application —
- (a) for an adopted child over three years old to be registered, by virtue of the power conferred on the Minister by section 7 of the Act, as a citizen of Botswana; or
  - (b) for the registration, by virtue of the powers conferred on the President by section 8 of the Act, of a person such as is referred to in section 8 (b) of the Act as a citizen of Botswana,
- shall be lodged with the Citizenship Officer in the appropriate form approved by the Minister for the purposes of this regulation.
- (2) Every form approved by the Minister for the purposes of this regulation shall contain forms of certificates for completion and signing by sponsors and for signing by witnesses to the sponsor's signatures, in accordance with regulation 6.
- (3) Every application in terms of this regulation shall be accompanied by such evidence as the applicant is required to produce by the material application form.
6. (1) Every application —
- (a) such as is referred to in regulation 5 (1) (a) shall be sponsored by a citizen of Botswana and by one other person qualified, by virtue of regulation 20, to be an additional sponsor for the purposes of these Regulations; or
  - (b) such as is referred to in regulation 5 (1) (b) shall be sponsored by a citizen of Botswana and by two other persons each of whom is qualified, by virtue of regulation 20, to be an additional sponsor for the purposes of these Regulations.
- (2) Each of the sponsors referred to in subregulation (1) shall complete and sign one of the forms of sponsors' certificates contained in the material application form in the presence of a person, other than the applicant, who is not a sponsor, which person shall thereafter sign the certificate as witness to the sponsor's signature.
7. Upon the registration of a person as a citizen of Botswana in terms of the Act, the Citizenship Officer shall issue a certificate of registration in the appropriate form approved by the Minister for the purposes of this regulation.

Manner of making application for registration as citizen

Sponsorship of application for registration as citizen

Certificate of registration

Withholding of certificate of registration

8. Where it is a condition of the registration of a person as a citizen of Botswana that he shall renounce his citizenship of a country other than Botswana, the Citizenship Officer shall not issue that person's certificate of registration until he is satisfied that that person has renounced his citizenship of that other country.

### PART III *Naturalization as Citizen of Botswana*

Declaration of intent to make application for certificate of naturalization

9. (1) Every declaration of intent to make an application for a certificate of naturalization such as is referred to in section 11 (1) (b) of the Act shall be in the form approved by the Minister for the purposes of this regulation.

(2) Every declaration such as is referred to in subregulation (1) shall be signed by the declarant in the presence of a magistrate, justice of the peace or commissioner of oaths who shall thereafter record thereon the date on and the place at which the declaration was made and also sign the same.

Manner of making application for certificate of registration

10. (1) Every application for a certificate of naturalization under section 10 or 12 of the Act shall be lodged with the Citizenship Officer in the appropriate form approved by the Minister for the purposes of this regulation.

(2) Every form approved by the Minister for the purposes of this regulation shall contain forms of certificates for completion and signing by sponsors and for signing by witnesses to the sponsors' signatures, in accordance with regulation 11.

(3) Every application in terms of this regulation shall be accompanied by such evidence as the applicant is required to produce by the material application form.

Sponsorship of application for certificate of naturalization

11. (1) Every application for a certificate of naturalization under section 10 or 12 of the Act shall be sponsored by two citizens of Botswana and by two other persons each of whom is qualified, by virtue of regulation 20, to be an additional sponsor for the purposes of these Regulations.

(2) Each of the sponsors referred to in subregulation (1) shall complete and sign one of the forms of sponsors' certificates contained in the material application form in the presence of a person, other than the applicant, who is not a sponsor, which person shall thereafter sign the certificate as witness to the sponsor's signature.

Certificate of naturalization

12. Every certificate of naturalization granted by the Minister under section 10 or 12 of the Act shall be in the appropriate form approved by the Minister for the purposes of this regulation.

Oath of allegiance

13. (1) The oath of allegiance required by section 10 of the Act to be taken by a person to whom a certificate of naturalization has been granted shall be subscribed and attested before a magistrate, justice of the peace or commissioner of oaths who shall endorse the fact that it has been so subscribed and attested on the material certificate of naturalization and forward the document so subscribed and attested to the Citizenship Officer.

(2) An oath of allegiance such as is referred to in subsection (1) shall be wholly null and void unless subscribed and attested as thereby prescribed

14. Every certificate of temporary citizenship granted by the Minister under section 12 of the Act shall be in the form approved by the Minister for the purposes of this regulation.

Certificate of temporary citizenship

**PART IV Renunciation and Deprivation of Citizenship of Botswana**

15. (1) Every declaration of renunciation of citizenship of Botswana made under section 14 of the Act shall be in the form approved by the Minister for the purposes of this regulation.

Renunciation of citizenship

(2) Every declaration such as is referred to in subregulation (1) shall be signed by the declarant in the presence of a magistrate, justice of the peace or commissioner of oaths who shall thereafter record thereon the date on and the place at which the declaration was made and also sign the same.

16. (1) Every order made by the Minister under section 15 of the Act depriving a person of citizenship of Botswana shall be in the form approved by the Minister for the purposes of this regulation.

Deprivation of citizenship

(2) Where an order is made by the Minister under section 15 of the Act depriving a person of citizenship of Botswana, the person then having possession of the material certificate of registration or naturalization, if any, shall forthwith surrender the same to the Citizenship Officer who shall dispose of it in such manner as the Minister may direct.

17. (1) Every notice to the Minister of intention to retain citizenship of Botswana for the purposes of section 15 (c) (v) of the Act shall be given by means of a letter addressed to the Minister stating the full name and postal address of the person giving such notice, the date and number of his certificate of naturalization, the date of his ceasing to be resident in Botswana or of his last giving such notice, as the case may be, and his intention to retain his citizenship of Botswana.

Notice of intention to retain citizenship

(2) The initial notice such as is referred to in subregulation (1) shall be given so as to reach the Minister not later than the seventh anniversary of the date on which the person giving such notice ceased to be resident in Botswana and every subsequent such notice shall be given so as to reach the Minister not later than the seventh anniversary of the immediately preceding occasion on which such notice was given to the Minister.

**PART V Supplementary**

18. For the purpose of assisting the President or the Minister, as the case may be, to determine an application for registration as a citizen of Botswana or for a certificate of naturalization in terms of the Act, the Citizenship Officer may call for and obtain such additional evidence and information as he thinks it necessary or expedient for the President or the Minister to have.

Additional evidence in support of application for registration or certificate of naturalization

19. (1) Every form approved by the Minister for the purposes of regulation 5 or 10 shall contain a form of declaration for completion and signing by the applicant and a form of statement as to the date on and place at which the declaration was made for completion and signing by a magistrate, justice of the peace or commissioner of oaths.

Supplementary provisions in relation to applications and declarations under Act

(2) An application in terms of regulation 5 or 10 in respect of which the form of declaration such as is referred to in subsection (1) has not

been signed by the applicant in the presence of a magistrate, justice of the peace or commissioner of oaths shall be rejected.

(3) A declaration of intent to make an application for a certificate of naturalization such as is referred to in section 11 (1) (b) of the Act or a declaration of renunciation of citizenship of Botswana made under section 14 of the Act shall be wholly null and void unless it was signed by the declarant in the presence of a magistrate, justice of the peace or commissioner of oaths.

Additional sponsors

20. Notwithstanding that he is not a citizen of Botswana, every person resident in Botswana belonging to any one or more of the following categories of persons shall be qualified to be an additional sponsor for the purposes of these Regulations—

- (a) Justices of Appeal;
- (b) judges;
- (c) Members of the National Assembly;
- (d) magistrates;
- (e) justices of the peace;
- (f) senior public officers;
- (g) legal practitioners;
- (h) medical practitioners;
- (i) bank managers;
- (j) ministers of religion;
- (k) authorized tribal Officers

Forms

21. For the purposes of any of these Regulations, the Minister may approve a form or forms.

Certified copies of documents

22. A document may be certified to be a true copy of a document for the purposes of section 20 of the Act by means of a statement in writing to that effect signed by the Citizenship Officer.

Fees

23. (1) Subject to subregulations (2) and (3), the fees specified in the Schedule shall be payable, in respect of the matters there specified, to the Citizenship Officer.

(2) Of the fee payable in respect of a certificate of registration issued following an application such as is referred to in regulation 5 (1) (b) or of a certificate of naturalization granted under section 10 of the Act, P10 shall be payable on the lodging of the application with the Citizenship Officer (and shall not be refundable if the application is rejected) and the balance shall be payable on receipt of the decision to register the person in question as a citizen of Botswana or to grant a certificate of naturalization, as the case may be.

(3) The Minister may, in respect of any person or category of persons, waive or reduce any fee payable in terms of these Regulations.

Revocation  
Cap. (25:01)  
(Sub. Leg.)

24. The Citizenship of Botswana Regulations are hereby revoked.

SCHEDULE

(r.23)

FEEs

Matter in respect of which fee payable  
Registration by virtue of —

Fee

- (a) section 7 of the Act ..... P25
- (b) section 8 of the Act of persons such as are referred to in section 8 (b) of the Act. .... P100

Grant of a certificate of naturalization under —	
(a) section 10 of the Act .....	P100
(b) section 12 of the Act .....	P50
Grant of a certificate of temporary citizenship .....	Nil
Registration of declaration of renunciation of citizenship of	
Botswana .....	P2
Recording renunciation of citizenship of a country other than	
Botswana .....	P2
Cerifying citizenship in case of doubt .....	Nil
Supplying a certified copy of any document .....	P1

MADE this 28th day of January, 1983.

K.L. DISELE,  
*Minister of Home Affairs.*

*L2/7/73 II*