

# REVISION OF THE LAWS ACT, 1984

No. 15



of 1984

## ARRANGEMENT OF SECTIONS

### SECTION

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**An Act to provide for revisions of the Laws of Botswana and for matters connected therewith and incidental thereto**

*Date of Assent:* 18.4.84.

*Date of Commencement:* 4.5.84.

**ENACTED** by the Parliament of Botswana.

1. This Act may be cited as the Revision of the Laws Act, 1984.
2. In this Act unless the context otherwise requires —  
“the Commissioner” means the Law Revision Commissioner under section 3;  
“revision date” has the meaning given by section 4.
3. The Attorney-General shall be the Law Revision Commissioner for the purposes of this Act.
4. (1) It shall be the duty of the Commissioner, in accordance with this Act, to cause to be prepared and published from time to time an edition to be known as the Laws of Botswana containing all the enactments required to be included therein as they stand at a date appointed by the Commissioner (in this Act referred to as a “revision date”).

Short title  
Interpre-  
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Law Revi-  
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Duty of  
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(2) The Commissioner may also cause to be prepared and published, as and when he thinks proper, periodical Supplements to any edition of the Laws of Botswana.

Contents  
of Laws  
of  
Botswana

5. The Laws of Botswana shall, in relation to any revision date, contain —

- (a) the Constitution of Botswana;
- (b) this Act;
- (c) every Act as it stands at the revision date, unless omitted under section 6;
- (d) such subsidiary legislation as the Commissioner thinks fit to include therein;
- (e) a chronological list of Acts and a table of contents;
- (f) a list of Acts omitted under the authority of section 6 (b).

Power to  
omit  
certain  
laws from  
the Laws  
of  
Botswana

6. It shall not be necessary to include in the Laws of Botswana —

- (a) any Appropriation Act or Supplementary Appropriation Act;
- (b) any Act which, because of its temporary nature or local or limited application or for any other reason, can, in the opinion of the Commissioner, be conveniently omitted.

Powers in  
respect  
of prepara-  
tion  
of Edi-  
tions and  
supplements

7. In the preparation of an edition of the Laws of Botswana or Supplement thereto there shall be power —

- (a) to omit or remove —
  - (i) all written laws or parts of written laws which have been repealed expressly or specifically or by necessary implication, or which have expired, or have become spent or have had their effect;
  - (ii) all repealing enactments contained in written laws and also all tables or lists of repealed enactments, whether contained in schedules or otherwise;
  - (iii) all preambles or long titles to written laws where such omission can, in the opinion of the Commissioner, be conveniently made;
  - (iv) all introductory words of enactment in any provision of any written law;
  - (v) all enacting clauses;
  - (vi) all provisions prescribing the date when any written law or part of a written law is to come into force where such omission can, in the opinion of the Commissioner, be conveniently made; and
  - (vii) all amending written laws or parts thereof where the amendments effected thereby have been embodied in the laws to which they relate;
- (b) to consolidate into one written law any two or more written laws relating to similar matters, making all the necessary alterations therefor and affixing such date thereto as may seem convenient;

- (c) to alter the order of the provisions in any written law and, in all cases where it is necessary to do so, to renumber the provisions;
- (d) to alter the form or arrangement of any provision by transferring words, by combining it in whole or in part with another provision or other provisions or by dividing it into two or more provisions;
- (e) to divide any written law, whether consolidated or not, into Parts, Chapters or Divisions;
- (f) to transfer any provision contained in any written law from that law to any other written law to which the Commissioner considers that it properly belongs;
- (g) to arrange written laws, whether consolidated or not, in any sequence or group that may be convenient, irrespective of the date of enactment;
- (h) to add a long title, short title or citation to any written law which may require it and, where the Commissioner considers it necessary, to alter the long title, short title or citation in any written law;
- (i) to supply or alter marginal notes;
- (j) to supply or alter tables of contents;
- (k) to correct cross-references;
- (l) to shorten and simplify the phraseology of any enactment;
- (m) to correct grammatical and typographical errors, or any clerical or printing errors in any written law and for that purpose to make verbal additions, omissions or alterations not affecting the meaning of any written law;
- (n) to make such formal alterations as to names, localities, offices and otherwise as may be necessary to bring any written law into conformity with the circumstances of Botswana;
- (o) to make such adaptations or amendments to any written law as appear to be necessary or proper as a consequence of any change in the constitution of any country;
- (p) to renumber any Part, Chapter or Division and to re-arrange the order of Parts, Chapter or Divisions;
- (q) to classify or arrange all written laws under headings or otherwise, and to add to, alter or abolish any such classification or arrangement;
- (r) to include any Act replacing in whole or in part the Interpretation and General Provisions Act;
- (s) to do all things relating to form and method which to the Commissioner appear necessary for the perfecting of the Laws of Botswana.

Cap 01:02

8. (1) A copy of any written law contained in a Volume of the Laws of Botswana purporting to be prepared under the authority of this Act or in any Supplement to the Laws of Botswana

Evidence of  
revised  
edition

purporting to be so prepared shall be accepted as evidence of the due making and terms of such law and of the date of its commencement, if stated, without any proof being given that the Volume or Supplement was so prepared, unless the contrary is proved.

Cap 01:02

(2) Subsection (1) is without prejudice to section 55 of the Interpretation and General Provisions Act.

References to laws included in revised edition

9. Where any written law made after a revision date contains a reference to any other law by its short title, citation or chapter number the reference, unless a contrary intention appears, shall be read as referring, in the case of a law included in an edition of the Laws of Botswana or a Supplement thereto, published by reference to that revision date, to that edition.

Power of Commissioner to rectify errors by order

10. The Commissioner may at any time, by order, rectify any clerical or printing error appearing in the Laws of Botswana, or rectify in a manner not inconsistent with the powers of revision conferred by this Act any other error so appearing, or any other matter or omission requiring revision.

Repeal of Act 15 of 1973

11. The Revised Edition of the Laws Act, 1973, is hereby repealed.

PASSED by the National Assembly this 9th day of April, 1984.

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