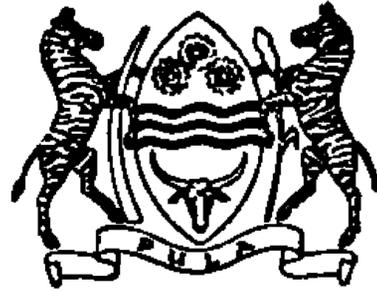


HIGH COURT (AMENDMENT) ACT, 1986

No. 20



of 1986

ARRANGEMENT OF SECTIONS

SECTION

1. Short title
2. Amendment of section 2 of Cap. 04:02
3. Amendment of sections 9, 10, 11, 12 and 13 of the principal Act

An Act to amend the High Court Act

Date of Assent: 23.12.86

Date of Commencement: 31.12.86

ENACTED by the Parliament of Botswana.

1. This Act may be cited as the High Court (Amendment) Act, 1986. Short title
2. Section 2 of the High Court Act (hereinafter referred to as the "principal Act") is amended by the addition after the definition of the word "Court" of the following definition — Amendment of section 2 of Cap. 04:02
" 'customary court' and 'customary court of appeal' mean the customary court and customary court of appeal respectively, set up under the Customary Courts Act;".
3. The principal Act is amended as follows — Amendment of sections 9, 10, 11, 12 and 13 of the principal Act
 - (a) in subsection (1) of section 9 by the addition after the words "subordinate courts" appearing therein of the words "and customary courts of appeal" and the addition after the words "subordinate court" appearing in paragraphs (a) and (b) thereof of the words "or a customary court of appeal";
 - (b) in subsections (1) and (4) of section 10 by the addition after the words "subordinate court" whenever they appear therein of the words "or a customary court of appeal";
 - (c) in subsection (2) of section 10 by the addition after the words "from subordinate courts" appearing therein of the words "or from customary courts of appeal";
 - (d) in subsection (3) of section 10 by the addition after the words "subordinate court" appearing therein of the words "or by a customary court of appeal";

- (e) in paragraphs (b), (c) and (h) of subsection (1) of section 11 by the addition after the words "subordinate court" whenever they appear therein of the words "or the customary court";**
- (f) by substituting for paragraph (d) of subsection (1) of section 11 the following new paragraph —
"call additional evidence or direct the subordinate court of customary court or any subordinate court or customary court to take additional evidence;"**
- (g) in section 12 and 13 by the addition after the words "subordinate court" whenever they appear therein of the words "or customary court".**

PASSED by the National Assembly this 16th day of December, 1986.

C.G. MOKOBI,
Clerk of the National Assembly.