

**CONSTITUTION (AMENDMENT) (CONSEQUENTIAL
PROVISIONS) ACT, 2005**



No. 14

of 2005

An Act to provide for sundry amendments to certain enactments consequential upon the enactment of the Constitution (Amendment) Act,

Date of Assent: 7th September, 2005

Date of commencement: 1st October, 2005

ENACTED by the Parliament of Botswana.

1. This Act may be cited as the Constitution (Amendment) (Consequential Provisions) Act, 2005.

Short title

2. In consequence of the enactment of the Constitution (Amendment) Act, 2005, the enactments set out in the first column of the Schedule hereto are amended in the manner indicated in the second column of the Schedule.

Amendment
of certain
enactments

SCHEDULE

CONSEQUENTIAL AMENDMENTS TO CERTAIN ENACTMENTS

Title of enactment

Amendment

Cap. 02:04
Ministers and National Assembly
Gratuities and Pensions Act

In section 2 (2) thereof by deleting the words "and the Attorney-General" which appear therein.

Cap. 02:05
National Assembly
(Powers and Privileges) Act

In section 30 thereof, by substituting for the words "Attorney-General" which appear in the section, the words "Director of Public Prosecutions".

Cap. 02:06
National Assembly
(Salaries and Allowances) Act

In paragraphs 1, 4 and 11 of the Schedule thereof, by deleting the words “other than the Attorney-General”.

In paragraphs 2 and 6(2) of the Schedule thereof, by deleting the words “including the Attorney-General”.

In paragraphs 3(1) and 6(1) of the Schedule thereof, by deleting the words “and the Attorney-General”.

Cap. 02:09
Electoral Act

In sections 121 and 122 thereof, by substituting for the words “Attorney-General” whenever they appear in the sections, the words “Director of Public Prosecutions”.

Cap. 02:11
Public Authorities (Functions) Act

In section 8 thereof, by inserting immediately after the words “Attorney-General” wherever they appear in the section, the words “or Director of Public Prosecutions”.

Cap. 03:05
Protected Names Act

In section 7 thereof, by substituting for the words “Attorney-General” which appear in the section, the words “Director of Public Prosecutions”.

Cap. 04:01
Court of Appeal Act

In section 12(1), (3), (4) and (5) thereof, by substituting for the words “Attorney-General” which appear in the section, the words “Director of Public Prosecutions”.

Cap. 04:02
High Court Act

In section 10(2) thereof, by substituting the words “Attorney-General” which appear in the sections the words “Director of Public Prosecutions”.

Cap. 07:01
Inquests Act

In sections 20, 21(1) and (2) and 23(1) and (2) thereof, by substituting for the words “Attorney-General” wherever they appear in the sections, the words “Director of Public Prosecutions”.

Cap. 08:01
Penal Code

The Penal Code is amended by substituting for the words “Attorney-General” wherever they appear in any section of the Penal Code, the words “Director of Public Prosecutions”.

Cap. 08:02
Criminal Procedure and Evidence Act

The Criminal Procedure and Evidence Act is amended by substituting for the words “Attorney-General” wherever they appear in any section of the Act “Director of Public Prosecutions”.

Cap. 08:03
Proceeds of Serious Crime Act

The Proceeds of Serious Crime Act is amended by substituting for the words “Attorney-General” whenever they appear in any section of the Act the words “Director of Public Prosecutions”.

Cap. 08:04
Mutual Assistance
in Criminal Matters Act

The Mutual Assistance in Criminal Matters Act is amended by substituting for the words “Attorney-General” wherever they appear in any section of the Act, the words “Director of Public Prosecutions”.

Cap. 08:05
Corruption and Economic Crime Act

The Corruption and Economic Crime Act is amended, by substituting for the words “Attorney-General” wherever they appear in any section of the Act, the words “Director of Public Prosecutions”.

Cap 09:03
Extradition Act

In section 27 thereof, by substituting for the words “Attorney-General” which appear in the section, the words “Director of Public Prosecutions”.

Cap. 21:06
Foreign Enlistment
Act

In section 9 thereof, by substituting for the words “Attorney-General” which appear in the section, the words “Director of Public Prosecutions”.

Cap. 23:01
National Security Act

In sections 13, 14, 15, and 17 thereof, by substituting, for the words “Attorney-General” wherever they appear in the said sections, the words “Director of Public Prosecutions”.

Cap. 25:01
Refugees (Recognition
and Control) Act

In section 15 thereof, by substituting for the words “Attorney-General” which appear in the section, the words “Director of Public Prosecutions”.

Cap. 26:03
Promissory Oaths Act

In the First Schedule thereof, by inserting, immediately after the last entry therein, the words “Director of Public Prosecutions”.

Cap. 26:04
Specified Offices
(Salaries and Allowances)
Act

In the Schedule thereof, by inserting, immediately after the last entry therein, the words "Director of Public Prosecutions".

Cap. 28:04
Children's Act

In subsection (2) of section 23 thereof, by substituting for the words "Attorney-General" which appear in the subsection, the words "Director of Public Prosecutions".

Cap. 39:03
Geneva Conventions Act

In subsection (3) of section 3 thereof, by substituting for the words "Attorney-General" which appear in the subsection, the words "Director of Public Prosecutions".

Cap. 41:01
Chieftainship Act

In subsection (2) of section 24 thereof, by substituting for the words "Attorney-General" which appear in the subsection, the words "Director of Public Prosecutions".

Cap. 42:01
Companies Act

In sections 137 (1), 187 (1) and (2), 281 and 300 thereof, by substituting for the words "Attorney-General" which appear in the said sections, the words "Director of Public Prosecutions".

Cap. 42:02
Insolvency Act

In subsection (1) of section 57 thereof, by substituting for the words "Attorney-General" wherever they appear in the subsection, the words "Director of Public Prosecutions".

Cap. 48:01
Trade Unions and
Employers' Organizations Act

In section 49(5) and 59 thereof, by substituting for the words "Attorney-General" wherever they appear in the sections, the words "Director of Public Prosecutions".

Cap. 61:01
Legal Practitioner's Act

In section 17 (1) and paragraph (1) of the First Schedule thereof, by inserting immediately after the words "Attorney-General" where they appear in the section, and where they first appear in paragraph (1) of the First Schedule, the words, "Director of Public Prosecutions".

In paragraph (3) of the First Schedule thereof, by substituting for the words "Attorney-General" the words "Director of Public Prosecutions".

Cap. 70:02
Railway (Accident Inquiry) Act

In section 11 thereof, by substituting for the words “Attorney-General” which appear therein the words “Director of Public Prosecutions”.

Cap. 71:01
Civil Aviation Act

In section 15 (2) thereof, by substituting for the words “Attorney-General” which appear therein the words “Director of Public Prosecutions”.

Cap. 71:02
Aviation (Security) Act

In section 11 thereof, by substituting for the words “Attorney-General” which appear therein the words “Director of Public Prosecutions”.

Cap. 74:05
National Development Bank Act

In section 32 thereof, by substituting for the words “Attorney-General” which appear therein the words “Director of Public Prosecutions”.

Act No. 15 of 2004
Trade Disputes Act, 2003

In section 48 thereof, by substituting for the words “Attorney-General” wherever they appear in the section, the words “Director of Public Prosecutions”.

Act 32 of 2004
Companies Act

In sections 288 (4), 482, 506 (1) and 522 (3) thereof, by substituting for the words “Attorney-General” which appear in the said sections, the words “Director of Public Prosecutions”.

PASSED by the National Assembly this 3rd day of August, 2005.

A. MATLHAKU,
Clerk of the National Assembly.