

# NATIONAL ARCHIVES (AMENDMENT) ACT, 2007

No. 14



of 2007

## ARRANGEMENT OF SECTIONS

### SECTION

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### **An Act to amend the National Archives Act.**

*Date of Assent:* 3rd October, 2007

*Date of Commencement:* 12th October, 2007

ENACTED by the Parliament of Botswana.

1. This Act may be cited as the National Archives (Amendment) Act, 2007.

Short title

2. The National Archives Act (hereinafter referred to as "the Act") is amended in section 1 thereof by substituting for that section the following new section —

Amendment of section 1 of Cap. 59:04

*Short title* 1. This Act may be cited as the National Archives and Records Services Act."

3. The Act is amended in section 2, by —

Amendment of section 2

(a) inserting, the words "electronic records," immediately after the word "any" in the interpretation of the word "records"; and

(b) inserting, in their correct alphabetical order, the following new definitions —

"prescribed body" means any public body, corporation, society, association, institution, organization or any body of persons, whether incorporated or not, declared to be such by the Minister; and

"private archive" means a record created or received by a private individual or body other than an agency of the Government.

4. Section 3 is amended by inserting, immediately after the words "National Archives" the words "and Records Services".

Amendment of section 3

- Insertion of section 3A
5. The Act is amended by inserting, immediately after section 3, the following new section —  
 “Functions of the National Archives and Records Services  
 3A. (1) The functions of the National Archives and Records Services shall be —  
 (a) to provide records and information management service to government agencies; and  
 (b) to collect, preserve and access the nation’s documentary heritage.”.
- Amendment of section 5
6. Section 5 is amended in subsection (4) (h) by substituting, for the words “document, book or other material” which appear therein, the words “private archive”.
- Amendment of section 14
7. Section 14 is amended in subsection (4) by substituting, for the words “P1000” and “one year” which appear therein, the words “P7500” and “five years” respectively.
- Amendment of section 15
8. Section 15 is amended in subsection (3) by substituting, for the words “P1000” and “one year” which appear therein, the words “P7500” and “five years” respectively.
- Amendment of section 19
9. Section 19 is amended in subsection (3) by substituting, for the words “P1000” and “one year” which appear therein, the words “P7500” and “five years” respectively.
- Amendment of section 20
10. Section 20 is amended —  
 (a) in subsection (1), by substituting, for that section, the following new subsection —  
 “(1) There is hereby established a Council to be called the National Archives and Records Services Advisory Council.” ; and  
 (b) by inserting, immediately after subsection (1), the following new subsection —  
 “(1A) The Council shall consist of a Chairperson and not more than ten members appointed by the Minister from persons who possess knowledge or who have an interest in matters relating to archives.  
 (1B) The Chairperson shall be appointed from among persons who are not members of staff or otherwise employed by the National Archives and Records Services.”.
- Amendment of section 23
11. Section 23 is amended by substituting, for the words “P500” and “six months” which appear therein, the words “P3500” and “one year” respectively.

PASSED by the National Assembly this 16th day of August, 2007.

E.S. MPOFU,  
*Clerk of the National Assembly.*