

THE CITIZENSHIP OF BOTSWANA (SUPPLEMENTARY PROVISIONS) (AMENDMENT) ACT, 1969

No. 56



of 1969.

AN ACT TO AMEND THE CITIZENSHIP OF BOTSWANA (SUPPLEMENTARY PROVISIONS) LAW, 1966, BY PROVIDING THAT A CITIZEN WHO IS LIABLE TO BE DEPRIVED OF HIS CITIZENSHIP SHALL NOT BE SO DEPRIVED IF THE MINISTER IS SATISFIED THAT IT IS IN THE PUBLIC INTEREST THAT SUCH PERSON SHOULD CONTINUE TO BE A CITIZEN OF BOTSWANA; TO PROVIDE FOR THE DATE OF RENUNCIATION OF CITIZENSHIP BY PERSONS OF UNSOUND MIND; AND TO LAY DOWN THE CIRCUMSTANCES IN WHICH COMMONWEALTH CITIZENS WILL NOT BE ENTITLED TO REGISTRATION AS CITIZENS OF BOTSWANA.

Date of Assent: 30.12.69.

Date of Commencement : 6.1.70.

ENACTED by the Parliament of Botswana .

Short Title

1. This Act may be cited as the Citizenship of Botswana (Supplementary Provisions) (Amendment) Act, 1969.

Insertion of section 5B in Law No. 39 of 1966

2. The Citizenship of Botswana (Supplementary Provisions) Law, 1966, (hereinafter referred to as the principal law) is amended by the insertion immediately after section 5A thereof of a new section as follows —

“Circumstances in which persons are not entitled to registration

5B (1) For the purposes of section 25(3) of the Constitution a person shall not be entitled to registration as a citizen of Botswana under the provisions of section 25(1) of the Constitution who

- (a) is a prohibited immigrant as defined in section 8 of the Immigration (Consolidation) Law, 1966; or
- (b) in the opinion of the Minister is not of good character by reason of habitual drunkenness, prostitution, perversion or other objectionable practices or is a member of a group whose beliefs or practices are not generally acceptable in Botswana; or

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- (c) has been declared insolvent or adjudged or otherwise declared bankrupt under any law in force in any part of the Commonwealth and has not been discharged or has made a composition with his creditors and has not paid his debts in full; or
- (d) has been convicted of any offence during the five years preceding the date of his application for registration which, in the opinion of the Minister, is serious enough to justify refusal of registration; or
- (e) by remaining in Botswana would, in the opinion of the Minister, be likely to prevent the employment of a citizen of Botswana in any business, trade, profession or other form of employment in which no special skills, qualifications or experience likely to be of benefit to Botswana are required; or
- (f) is a citizen of a Commonwealth country whose law does not make equally favourable provision for the acquisition of citizenship of such country by citizens of Botswana.

(2) Any decision by the Minister that a person is not entitled to registration by reason of coming within the provision of subsection (1) (b), (d) or (e) shall be final and shall not be questioned in any Court.

Amendment of section 10 of Law No. 39 of 1966

3. Section 10 of the Citizenship of Botswana (Supplementary Provisions) Law, 1966, is amended by the deletion of subsection (3) thereof and by the substitution therefor of a new subsection as follows —

“(3) The Minister shall not deprive a person of citizenship under this section if he is satisfied that it is conducive to the public interest that that person should continue to be a citizen of Botswana.”

Addition of Section 20 to Law No. 39 of 1966

4. The principal law is amended by the addition immediately after section 19 thereof of a new section as follows —

“Renunciation of Citizenship of Persons of Unsound Mind

20. For the purposes of section 29 of the Constitution the date upon which a person who is of unsound mind, and who is a citizen of Botswana and of some other country, shall cease to be a citizen of Botswana unless such person has complied with the requirements of that section shall be either the 31st December, 1970, or twelve months after such person shall have ceased to be of unsound mind, whichever is the later.”

Passed by the National Assembly this day, the 26th November, 1969.

G.T. MATENGE,
Clerk of the National Assembly.