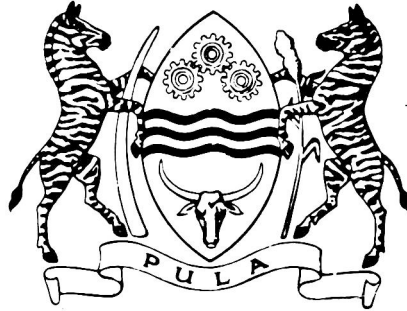
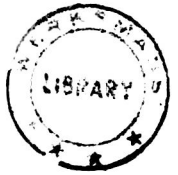


REPUBLIC OF BOTSWANA



# GOVERNMENT GAZETTE

## EXTRAORDINARY

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The following Supplement is published with this issue of the Gazette —

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ARRANGEMENT OF SECTIONS

SECTION

1. Short title and commencement
2. Amendment of section 111 of Constitution
3. Repeal of section 112 of Constitution

**A BILL**  
entitled

**An Act to amend the Constitution**

*Date of Assent:*

*Date of Commencement:*

ENACTED by the Parliament of Botswana.

Short title  
and com-  
mencement

1. This Act may be cited as the Constitution (Amendment) Act, 1978, and shall come into operation on such date as the President may, by notice published in the Gazette, appoint.

Amendment  
of section 111  
of Constitution

2. Section 111 of the Constitution is amended —

(a) in subsection (1) thereof, by inserting immediately after the word “person”, which appears therein, the words “, other than a member of the Police Force or the Prison Service,”; and

(b) in subsection (2) thereof, by deleting the words “or of section 112 of this Constitution”, which appear therein.

Repeal of  
section 112 of  
Constitution

3. Section 112 of the Constitution is hereby repealed.

*Bill No. 7 of 1978*

**CONSTITUTION (AMENDMENT) BILL, 1978**

*(Published on 20th February, 1978)*

**MEMORANDUM**

A draft of the above Bill, which it is proposed to present to the National Assembly, is set out below.

2. It is proposed, later this year, to present Bills to the National Assembly repealing and replacing the present Police Act (Cap. 21:01) and Prisons Act (Cap. 21:03). The Constitution at present provides for an appeal to the Public Service Commission by any person removed from office or subjected to any punishment as a result of disciplinary action. This works well in the case of most public officers, but it is felt that, in the case of police and prison officers, being members of uniformed and disciplined forces, special considerations arise. The proposed Police and Prisons Bills will provide for appeals to be made to and heard by a Police Council and Prison Council respectively. Similar provision already exists in respect of the Botswana Defence Force by virtue of the Botswana Defence Force Act, 1977.

3. This Bill proposes amendment to the Constitution made necessary by the proposed Police and Prisons Bills.

4. Clause 2 provides for the amendment of section 111 of the Constitution to make it clear that there is no right of appeal by a police officer or prison officer to the Public Service Commission, and also proposes an amendment consequent on the repeal of section 112. Clause 3 proposes the repeal of that section. On the enactment of the Police and Prisons Bill, the need for section 112 will fall away and it ought, therefore, to be repealed.

D.K. KWELAGOBÉ,  
*Minister of Public Service and Information.*