



Botswana Independence Act 1966

1966 CHAPTER 23

An Act to make provision for, and in connection with, the establishment of the Bechuanaland Protectorate, under the name of Botswana, as an independent republic within the Commonwealth. [3rd August 1966]

1 Establishment of Republic of Botswana.

On 30th September 1966 (in this Act referred to as “the appointed day”) the territory which immediately before that day constitutes the Bechuanaland Protectorate shall cease to be a protectorate and shall become an independent republic under the name of Botswana; and on and after that day Her Majesty shall have no jurisdiction over that territory.

2 Operation of existing law.

- (1) Subject to the following provisions of this Act, on and after the appointed day all law which, whether being a rule of law or a provision of an Act of Parliament or of any other enactment or instrument whatsoever, is in force on that day or has been passed or made before that day and comes into force thereafter, shall, unless and until provision to the contrary is made by Parliament or some other authority having power in that behalf, have the same operation in relation to Botswana, and persons and things belonging to or connected with Botswana, as it would have apart from this subsection if on the appointed day the Bechuanaland Protectorate had been renamed Botswana but there had been no change in its status.
- (2) Part I of the Schedule to this Act (which relates to enactments applicable to Commonwealth countries having fully responsible status) and Part II of that Schedule (which relates to enactments excepted from the operation of the preceding subsection) shall have effect on and after the appointed day in relation to the enactments therein mentioned; but that Schedule shall not extend to Botswana as part of its law.
- (3) Subsection (1) of this section applies to law of, or of any part of, the United Kingdom, the Channel Islands and the Isle of Man, and, in relation only to any enactment of the Parliament of the United Kingdom or any Order in Council made by virtue of any such enactment whereby any such enactment applies in relation to the Bechuanaland

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Protectorate, to law of any other country or territory to which that enactment or Order extends.

3, 4 F1

Textual Amendments

F1 Ss. 3, 4 repealed by British Nationality Act 1981 (c. 61, SIF 87), Sch. 9

5—7 F2

Textual Amendments

F2 Ss. 5-7 repealed by Statute Law (Repeals) Act 1977 (c. 18), Sch. 1 Pt. XV

8 Short title and interpretation.

- (1) This Act may be cited as the Botswana Independence Act 1966.
- (2) References in this Act to any enactment are references to that enactment as amended or extended by or under any other enactment.

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SCHEDULE

Section 2.

AMENDMENTS NOT AFFECTING THE LAW OF BOTSWANA

PART I

EXTENSION OF CERTAIN ENACTMENTS APPLICABLE TO COMMONWEALTH COUNTRIES HAVING FULLY RESPONSIBLE STATUS

1 F3

Textual Amendments

F3 Sch. Pt. I para. 1 repealed by Finance Act 1969 (c. 32), Sch. 21 Pt. IX

2 In section 1(6) of the ^{M1}Diplomatic Immunities (Commonwealth Countries and Republic of Ireland) Act 1952, before the words “and the Republic of Ireland” there shall be inserted the word “ Botswana ”.

Modifications etc. (not altering text)

C1 The text of Sch. Pt. 1 para. 2 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991

Marginal Citations

M1 1952 c. 18

3 F4

Textual Amendments

F4 Sch. Pt. 1 para. 3 repealed by International Organisations Act 1981 (c. 9, SIF 68:1), Sch.

Financial

4 In section 2 of the ^{M2}Import Duties Act 1958—

(a) in subsection (4) before the words “together with” there shall be inserted the word “ Botswana ”;and

(b) in subsection (9) for the words “the Bechuanaland Protectorate”, in each place where they occur, there shall be inserted the word “ Botswana ”.

Modifications etc. (not altering text)

C2 The text of Sch. Pt. 1 para. 4 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991

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Marginal Citations

M2 1958 c. 6

Armed forces

- 5 In the definitions of “Commonwealth force” in section 225(1) of the ^{M3}Army Act 1955 and section 223(1) of the ^{M4}Air Force Act 1955, and in the definition of “Commonwealth country” in section 135(1) of the ^{M5}Naval Discipline Act 1957, at the end there shall be added the words “ or Botswana ”.

Modifications etc. (not altering text)

C3 The text of Sch. Pt. 1 para. 5 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991

Marginal Citations

M3 1955 c. 18

M4 1955 c. 19

M5 1957 c. 53

- 6 In the ^{M6}Visiting Forces (British Commonwealth) Act 1933, section 4 (attachment and mutual powers of command) shall apply in relation to forces raised in Botswana as it applies in relation to forces raised in Dominions within the meaning of the ^{M7}Statute of Westminster 1931.

Marginal Citations

M6 1933 c. 6.

M7 1931 c. 4 (22 & 23 Geo. 5).

- 7 In the ^{M8}Visiting Forces Act 1952, in section 1(1)(a) (countries to which that Act applies), at the end there shall be added the words “ Botswana or ”, and, until express provision with respect to Botswana is made by Order in Council under section 8 of that Act (application to visiting forces of law relating to home forces), any such Order for the time being in force shall be deemed to apply to visiting forces of Botswana.

Marginal Citations

M8 1952 c. 67.

- 8 (1) In section 84(2) of the ^{M9}Offices, Shops and Railway Premises Act 1963 (exclusion of application to visiting forces) before the words “and any country” there shall be inserted the word “ Botswana ”.
- (2) In section 78(2) of the ^{M10}Offices and Shop Premises Act (Northern Ireland) 1966 (exclusion of application to visiting forces) before the words “and any country” there shall be inserted the word “ Botswana ”.

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(3) F5

Textual Amendments

F5 Sch. Pt. 1 para. 8(3) repealed by Northern Ireland Constitution Act 1973 (c. 36), Sch. 6 Pt. I

Modifications etc. (not altering text)

C4 The text of Sch. Pt. 1 para. 8(1)(2) is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991

Marginal Citations

M9 1963 c. 41

M10 1966 c. 26 (N.I.)

Commonwealth Institute

9 In section 8(2) of the ^{M11}Imperial Institute Act 1925, as amended by the ^{M12}Commonwealth Institute Act 1958 (power to vary the provisions of the said Act of 1925 if an agreement for the purpose is made with the governments of certain territories which for the time being are contributing towards the expenses of the Commonwealth Institute) at the end there shall be added the words “and Botswana”.

Modifications etc. (not altering text)

C5 The text of Sch. Pt. I para. 9 is in the form in which it was originally enacted; it was not reproduced in statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991

Marginal Citations

M11 1925 c. cvii

M12 1958 c. 16

PART II

EXCEPTIONS FROM S. 2(1) OF ACT

10 Section 2(1) of this Act shall not apply to the ^{M13}Army Act 1955, the ^{M14}Air Force Act 1955 or the ^{M15}Naval Discipline Act 1957.

Marginal Citations

M13 1955 c. 18.

M14 1955 c. 19.

M15 1957 c. 53.

11 F6

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for the Botswana Independence Act 1966. (See end of Document for details)*

Textual Amendments

- F6** Sch. Pt. 11 para. 11 repealed by Civil Aviation Act 1971 (c. 75), **Sch. 11** and Statute Law (Repeals) Act 1976 (c. 16), **Sch. 1 Pt. XIII**

Status:

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Changes to legislation:

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