

MAGISTRATES' COURTS (AMENDMENT) ACT, 2010

(Published on 20th April, 2010)

No. 3



of 2010

ARRANGEMENT OF SECTIONS

SECTION

1. Short title
2. Amendment of Cap. 04:04 by deletion of section 20
3. Amendment of Act by insertion of section 66A

An Act to amend the Magistrates' Courts Act.

Date of assent: 15th April, 2010

Date of Commencement: 20th April, 2010

ENACTED by the Parliament of Botswana.

1. This Act may be cited as the Magistrates' Courts (Amendment) Act, 2010.
2. The Magistrates' Courts Act, in this Act referred to as "the Act", is amended by the deletion of section 20.

Short title
Amendment
of Cap. 04:04
by deletion of
section 20
Amendment
of Act by
insertion of
section 66A

3. The Act is amended by inserting immediately after section 66 the following new section —

"Assessors 66A. (1) Any magistrate may, in any civil or criminal proceedings, summon to the assistance of the Court one or more persons to sit and act as assessors in an advisory capacity.
(2) The assessor shall give, either in open court, or otherwise, such assistance and advice as the magistrate may require, but the decision shall be vested exclusively in the magistrate.
(3) The agreement or disagreement of an assessor with the decision of the magistrate shall be noted on the record.
(4) The assessors may be paid such remuneration and allowances as may be prescribed."

PASSED by the National Assembly this 29th day of March, 2010.

BARBARA N. DITHAPO,
Clerk of the National Assembly.