

THE STATISTICS (AMENDMENT) ACT, 1969

No. 40



of 1969

AN ACT TO AMEND THE STATISTICS ACT, 1967, BY REDEFINING "AUTHORISED OFFICER", BY SUBSTITUTING REFERENCES TO THE GOVERNMENT STATISTICIAN FOR REFERENCES TO THE DIRECTOR OF THE CENTRAL STATISTICS OFFICE, BY PROVIDING FOR THE OBTAINING OF INFORMATION BY SERVICE OF QUESTIONNAIRES, BY PROVIDING FOR THE ERECTION OF BARRIERS ON ROADS, BY DELETING THE PROVISION THAT THE FURNISHING OF BALANCE SHEETS OR PROFIT AND LOSS ACCOUNTS SHALL NOT BE REQUIRED, BY INCREASING THE PENALTY FOR CERTAIN OFFENCES AND CREATING ADDITIONAL OFFENCES BY CHANGING THE DESCRIPTION OF PERSONS REQUIRED TO MAKE AN OATH OF SECRECY AND BY SUBSTITUTING A NEW FORM OF OATH, AND BY MAKING CERTAIN SUPPLEMENTARY AMENDMENTS AND PROVISION.

Date of Assent :

Date of Commencement :

ENACTED by the Parliament of Botswana.

Short Title

1. This Act may be cited as the Statistics (Amendment) Act, 1969.

Amendment of Section 2 of Act No. 38 of 1967

2. Section 2 of the Statistics Act, 1967 (hereinafter referred to as the principal law), is amended —

(a) by the deletion of the definition of "authorised officer" and the substitution therefor of — " "authorised officer" means in relation to any function under this Act or regulations made thereunder —

(i) any officer of the Public Service holding the office of statistician, statistical officer or assistant statistical officer ;

- (ii) any person authorised in writing by the Government Statistician to perform such function; and
- (iii) any member of a class of persons appointed by the Government Statistician in accordance with any regulations made under this Act to perform such function.”;

(b) by the deletion of the definition of “Director”.

Substitution of References to Government Statistician in Act No. 38 of 1967

3. The references in the principal law to the Director or the Director of the Central Statistics Office are deleted wherever they occur and there are substituted therefor references to the Government Statistician.

Amendment of Section 6 of Act No. 38 of 1967

4. Section 6 of the principal law is amended by the insertion immediately after “put to him” of “verbally or in the form of a questionnaire served on him”

Insertion of Section 6A into Act No. 38 of 1967

5. The principal law is amended by the insertion after section 6 of the following section —

“Erection of barriers on Roads

6A. (1) For the effective carrying out of the provisions of this Act and notwithstanding the provisions of any law relating to the obstruction of roads, any authorised officer may erect a temporary barrier across any road but such officer shall erect at such distances from such barrier as may be prescribed and shall take all such other steps as may be reasonably necessary to protect the users of the road from injury to themselves or their property.

(2) Where a person is required to do so by an authorised officer wearing such means of identification as may be prescribed he shall, if he is a pedestrian, stop or, if he is in charge of a vehicle, bring such vehicle to a standstill.”.

Amendment of Section 9 of Act No. 38 of 1967

6. Section 9 of the principal law is amended by the deletion of subsection (3).

Amendment of Section 11 of Act No. 38 of 1967

7. Section 11 of the principal law is amended —

- (a) by the deletion of “(1)” immediately after the number of the section;
- (b) by the deletion of paragraph (e) and the substitution of —

“(e) discloses or makes known any matter or thing in breach of an oath or affirmation made under the provisions of section 15.”;

- (c) by the deletion of "not exceeding one hundred rand or to imprisonment for a period not exceeding three months or both such fine and imprisonment" and the substitution therefor of "of four hundred rand and imprisonment for a period of one year."

Amendment of Section 15 of Act No. 38 of 1967

8. Section 15 of the principal law is amended by the deletion of "Every authorised officer other than an officer in the Public Service" and the substitution therefor of "Every person employed in the execution of any duty under this Act or any regulation made thereunder"

Amendment of Section 16 of Act No. 38 of 1967

9. Section 16 of the principal law is amended —

- (a) by the deletion of paragraph (g) and the substitution therefor of —

"(g) not being an authorised officer in relation to the obtaining of any particular statistical information, holds himself out to be an authorised officer for the purpose of obtaining or attempting to obtain that information;" ;

- (b) by the addition after paragraph (g) of the following paragraph —

"(h) fails to comply with any request or direction given or made by an authorised officer in accordance with the provisions of section 6A;" .

Substitution of Schedule to Act No. 38 of 1967

10. The Schedule to the principal law is repealed and there is substituted therefor the following —

“ SCHEDULE

I,do swear (solemnly affirm) that I will faithfully and honestly fulfil my duties as in conformity with the requirements of the Statistics Act, 1967, and that I will not otherwise than in the ordinary course of my employment as such, without the authority in writing of the Government Statistician, disclose or make known any matter or thing which comes to my knowledge by reason of my said employment

SO HELP ME GOD

(to be omitted in affirmations)

SWORN TO (AFFIRMED) and SIGNED this day of 19....

BEFORE ME

.....
Commissioner of Oaths/ Government
Statistician.

Cancellation of Statutory Instrument No. 13 of 1969

11. Statutory Instrument No. 13 of 1969 is cancelled.

Presented to the National Assembly this day, the 18th August, 1969.

G.T. MATENGE
Clerk of the National Assembly.