

**CUSTOMARY COURTS ACT**  
(Cap: 04:05)

**ESTABLISHMENT OF CUSTOMARY COURTS (NO. 2) ORDER, 1987**  
(Published on 16th April, 1987)

**ARRANGEMENT OF PARAGRAPHS**

**PARAGRAPH**

1. Citation
2. Establishment of Customary Courts
3. Area of jurisdiction
4. Civil and criminal jurisdiction

**SCHEDULE**

IN EXERCISE of the powers conferred on the Minister of Local Government and Lands by section 6 (2) of the Customary Courts Act, the following Order is hereby made —

**Citation**            1. This Order may be cited as the Establishment of Customary Courts (No. 2) Order, 1987.

**Establishment of Customary Courts**            2. There is hereby established a lower customary court at each of the places specified in the first column of the Schedule hereto.

**Area of Jurisdiction**            3. The area of jurisdiction of each court established under paragraph 2 shall be limited to the area of the place at which the court is established.

**Civil and Criminal jurisdiction**            4. The jurisdiction of court in respect of civil and criminal matters shall be as specified in the second column of the Schedule hereto.

**SCHEDULE**

<i>First Column</i>	<i>Second Column</i>
<i>Place at which lower customary court is established.</i>	<i>Jurisdiction as to cause of action.</i>
<i>Central</i> Mogorosi Taupye Topisi Mmandunyane	(a) Limited jurisdiction: matters of civil nature where the subject of the suit does not exceed P400 or five bovines or equines or 25 sheep or goats.
<i>Kweneng</i> Tsetseng Medie	(b) Unlimited jurisdiction: where the subject of the suit involves or arises out of matters which are purely customary in nature e.g.
<i>Southern</i> Gasita Magothwane Tswagare	(i) inheritance, (ii) devolution of property upon death or divorce,

**Ghanzi  
Kacgae**

(iii) mahisa,

**North East  
Tshesebe  
Siviya**

(iv) seduction.  
(c) Matters of Criminal nature:  
(i) imprisonment not exceeding six months,

**Ngamiland  
Kauxwi  
Mogotlho**

(ii) fine or compensation not exceeding  
P560 or bovines or equines or 20 sheep or  
goats,

**Kgatleng  
Mabalane**

(iii) caning not exceeding two strokes.

**MADE this 9th day of April, 1987.**

**C.J. BUTALE,  
Assistant Minister of Local  
Government and Lands.**

**L2/7/119**