

PENAL CODE (AMENDMENT) ACT, 1993

No. 13



of 1993

ARRANGEMENT OF SECTIONS

SECTION

1. Short title
2. Amendment of section 230 of Cap.08:01
3. Amendment of section 292(2) of the Act
4. Amendment of section 293(2) of the Act

An Act to amend the Penal Code

Date of Assent: 30th August, 1993.

Date of Commencement: 3rd September, 1993.

ENACTED by the Parliament of Botswana.

1. This Act may be cited as the Penal Code (Amendment) Act, 1993.

2. Section 230 of the Penal Code (in this Act referred to as "the Act") is amended by substituting therefor, the following new section —

"Grievous 230. (1) Subject to the provisions of this section, any person who unlawfully causes grievous harm to another by the use of any offensive weapon or any other means whatever is guilty of an offence and shall, where there are no extenuating circumstances, on conviction, be sentenced to a term of imprisonment of not less than 7 years or more than 14 years.

(2) Where a court convicting a person under subsection(1) finds that there were extenuating circumstances, it may impose a lesser sentence than that prescribed in subsection (1)."

3. Subsection (2) of section 292 is amended by substituting therefor, the following new subsection —

"(2) If the offender is armed with any dangerous or offensive weapon or instrument, or is in company with one or more other person or persons, or if, at or immediately before or immediately after the time of the robbery, he wounds, beats, strikes, or uses any other personal violence to any person, he shall be sentenced to a term of imprisonment of not less than 10 years."

4. Subsection (2) of section 293 is amended by substituting therefor, the following new subsection —

Short title

Amendment
of section 230
of Cap. 08:01

Amendment
of section
292(2)
of the Act

Amendment
of section
293(2)
of the Act

“(2) If the offender is armed with any dangerous or offensive weapon or instrument, or is in company with one or more other person or persons, or if, at or immediately before or immediately after the time of the assault, he wounds, beats, strikes, or uses any other personal violence to any person, he shall be sentenced to a term of imprisonment of not less than 10 years.”

PASSED by the National Assembly this 4th day of August, 1993.

T.G.G.G. SEELETSO,
Clerk of the National Assembly.