

NUCLEAR WEAPONS (PROHIBITION) (AMENDMENT) ACT, 2022

No. 9



of 2022

ARRANGEMENT OF SECTIONS

SECTION

1. Short title
2. Amendment of section 2 of Cap. 24:05
3. Amendment of section 5 of the Act

An Act to amend the Nuclear Weapons (Prohibition) Act.

Date of assent: 25.02.2022

Date of commencement: 25.02.2022

ENACTED by the Parliament of Botswana.

1. This Act may be cited as the Nuclear Weapons (Prohibition) (Amendment) Act, 2022.	Short title
2. Section 2 of the Nuclear Weapons (Prohibition) Act (herein after referred to as “the Act”) is amended by deleting the definition of “proliferation financing”	Amendment section 2 of Cap. 24:05
3. The Act is amended by substituting for section 5, the following section —	Amendment of section 5 of the Act
Nuclear Weapons and nuclear material	Cap. 24:03
“5. (1) Subject to the exceptions for peaceful use of nuclear materials including nuclear energy, nuclear medicine and nuclear technology under the Radiation Protection Act, a person who —	
(a) uses nuclear material;	
(b) receives the transfer from any transferor whatsoever of nuclear weapons or other nuclear explosive devices or of control over such weapons or explosive devices directly, or indirectly;	
(c) manufactures or otherwise acquires nuclear weapons or other nuclear explosive devices;	
(d) seeks or receives any assistance in the manufacture of nuclear weapons or other nuclear explosive devices;	
(e) diverts nuclear energy from peaceful uses to nuclear weapons or other nuclear explosive devices;	

Cap. 08:08

- (f) constructs, acquires or retains any facility intended for the production of nuclear weapons or other nuclear explosive devices; or
 - (g) possesses, develops, exports, transports, transfers, stockpiles or uses any nuclear weapon or nuclear explosive device or its means of delivery,
- commits an act of terrorism and is liable to a penalty specified in section 3 (2) of the Counter Terrorism Act.
- (2) A person who finances any of the activities listed in subsection (1) commits an act of financing of terrorism and is liable to a penalty specified in section 5 (1) of the Counter Terrorism Act.
- (3) For the purposes of this section, “act of terrorism” has the same meaning assigned to it under the Counter Terrorism Act.”.

PASSED by the National Assembly this 1st day of February, 2022.

BARBARA N. DITHAPO,
Clerk of the National Assembly.