

CHAPTER 25:01 - REFUGEES (RECOGNITION AND CONTROL): SUBSIDIARY LEGISLATION

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Refugees (Recognition and Control) Order

Refugees (Recognition and Control) Regulations

REFUGEES (RECOGNITION AND CONTROL) REGULATIONS

(under section 14)

(5th April, 1968)

ARRANGEMENT OF REGULATIONS

REGULATION

1. Citation
2. Interpretation
3. Quorum of Committee
4. Witness fees
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Schedule - Forms

S.I. 25, 1968.

1. Citation

These Regulations may be cited as the Refugees (Recognition and Control) Regulations.

2. Interpretation

In these Regulations "**form**" means a form prescribed in the Schedule.

3. Quorum of Committee

The quorum of a Refugee Advisory Committee shall be the Chairman and two members.

4. Witness fees

A witness who is summoned before a Refugee Advisory Committee under section 5(1) of the Act shall be entitled to witness fees at the rate prescribed for witnesses appearing in criminal prosecutions before a magistrate's court.

5. Prescribed forms

- (1) A notice for the purposes of section 5(1)(a) of the Act shall be in Form A.
- (2) A notice for the purposes of section 5(1)(b) of the Act shall be in Form B.
- (3) A notice for the purposes of section 5(1)(d) of the Act shall be in Form C.
- (4) A warrant for the purposes of section 6(b) of the Act shall be in Form D.
- (5) A direction by the Minister under section 9(2) of the Act shall be in Form E.

SCHEDULE

Form A

SUMMONS TO APPEAR BEFORE A REFUGEE ADVISORY COMMITTEE

REPUBLIC OF BOTSWANA

(Section 5(1)(a) of the Refugees (Recognition and Control) Act (Cap. 25:01))

To:

of:

You are notified that you are hereby required and directed to appear before the Refugee Advisory Committee at

on the day of

at for the purpose of assisting the said Refugee Advisory Committee in making inquiry under the provisions of section 4 of the Refugees (Recognition and Control) Act.

In accordance with the provisions of section 5 of the said Act you are hereby further notified that at such inquiry you are entitled to appear before the Committee and make representation

concerning your case to it.

GIVEN under my hand this day of 20

.....
Chairman /Secretary ^{i*}

NOTE: Failure to comply with this summons is a criminal offence for which the offender is liable to a fine not exceeding P500 or to imprisonment for a term not exceeding six months, or to both.

Form B
SUMMONS TO APPEAR AS A WITNESS BEFORE A REFUGEE ADVISORY COMMITTEE
AND TO PRODUCE SPECIFIED DOCUMENTS

REPUBLIC OF BOTSWANA
(Section 5(1)(b) of the Refugees (Recognition and Control) Act
(Cap. 25:01)

To:

of:

.....
.....

You are notified that you are hereby required and directed to appear before the Refugee Advisory Committee at on the day of at for the purpose of assisting the said Refugee Advisory Committee in making inquiry under the provisions of section 4 of the Refugees (Recognition and Control) Act into the case of

.....
.....

GIVEN under my hand this day of 20

.....
Chairman/Secretary ^{ii*}

NOTE: Failure to comply with this summons is a criminal offence for which the offender is liable to a fine not exceeding P500 or to imprisonment for a term not exceeding six months, or to both.

Form C
NOTICE CALLING UPON A PERSON TO GIVE WRITTEN EVIDENCE OR PRODUCE
DOCUMENTS TO A REFUGEE ADVISORY COMMITTEE

REPUBLIC OF BOTSWANA
(Section 5(1)(d) of the Refugees (Recognition and Control) Act
(Cap. 25:01)

To:

of:

.....
.....

I am directed by the Refugee Advisory Committee to require you to furnish to the Committee at on or before the the following information touching the case of

.....
Such information shall be in the form of a statutory declaration/in writing. ^{iii*}

You are further directed to produce to the said Committee at on or before the the following documents which the said Committee believe to be in your possession or under your control and which, in the opinion of the said Committee, may be relevant at the inquiry.

For and on behalf of the
Refugee Advisory Committee

.....
Chairman/Secretary ^{iv*}

NOTE: Failure to comply with this notice is a criminal offence for which the offender is liable to a fine not exceeding P500 or to imprisonment for a term not exceeding six months, or to both.

Form D
WARRANT OF DETENTION

(Section 6 of the Refugees (Recognition and Control) Act)
(Cap. 25:01))

REPUBLIC OF BOTSWANA

To: (Officer-in-Charge of
..... prison or other place
..... of detention)
.....

WHEREAS
being an immigrant as defined in section 2 of the Refugees (Recognition and Control) Act, was
summoned on the
day of 20 to appear before the
..... Refugee Advisory Committee;
NOW, THEREFORE, this is to authorize you by virtue of the powers vested in me by section
6 of the said Act to take into your custody the said
and to detain him for a period of 28 days from the date of such summons unless sooner
required to be released by me.

Dated at this day of
..... 20

Form E
DIRECTION OF THE MINISTER IN ACCORDANCE WITH THE PROVISIONS OF SECTION
9(2) OF THE REFUGEES (RECOGNITION AND CONTROL) ACT (Cap. 25:01)

REPUBLIC OF BOTSWANA

NAME

Photograph/and/or Thumbprint

WHEREAS you have been declared to be a political refugee under the provisions of section
8 of the Refugees (Recognition and Control) Act;

AND WHEREAS you are liable to removal from Botswana under the provisions of the
Immigration Act;

AND WHEREAS the Minister is of the opinion that delay is likely to occur before such
removal may be effected;

NOW, THEREFORE, you are hereby given notice that the Minister has directed in
accordance with the provisions of section 9(2) of the Act, that you shall not be detained pending
your removal in accordance with the provisions of that section but that you shall, while you
remain in Botswana, be subject to the following conditions-

.....
Date of issue of the direction

NOTE: This direction may be withdrawn or modified at any time. In accordance with the
provisions of section 11 of the Act, the case of a recognized political refugee is subject to
revision every six months.

REFUGEES (RECOGNITION AND CONTROL) ORDER
(under section 3)
(17th September, 1993)

S.I. 92, 1993.

1. Citation

This Order may be cited as the Refugees (Recognition and Control) Order.

2. Establishment of Refugee Advisory Committee

(1) The Minister hereby establishes a Refugee Advisory Committee to be based in Francistown.

(2) The Composition of the Committee referred to in subparagraph (1) shall be as follows-

District Commissioner (Francistown)-

Botswana Police Divisional Commander (North)- Vice-Chairman

Settlement Commander (Dukwi Refugee Settlement)-

Officer Commanding, Special Branch (Northern Division)-

Regional Immigration Officer (North)-.

ⁱDelete whichever is inapplicable.

ⁱⁱDelete whichever is inapplicable.

ⁱⁱⁱDelete whichever is inapplicable.

^{iv}Delete whichever is inapplicable.