

CHAPTER 59:02
ANTHROPOLOGICAL RESEARCH
ARRANGEMENT OF SECTIONS

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Act 45, 1967.

An Act to regulate anthropological research.

[Date of Commencement: 20th October, 1967]

1. Short title

This Act may be cited as the Anthropological Research Act.

2. Interpretation

In this Act-

"anthropological research" means investigation or research of a physical anthropological, social anthropological, cultural anthropological, sociological, physiological, group psychological, linguistic, ethnological, ethnographical, or ethno-historical nature and includes research into the human geography and human ecology of any area.

3. Regulation of anthropological research

(1) No person shall conduct anthropological research-

- (a) by residing in, near, or among any community which is the subject of the research;
- (b) by means of the questioning of informants;
- (c) by means of the physical examination of individuals including the measurement of their physical traits; or
- (d) by inducing persons to submit themselves to experiment,

unless with the prior permission of the Minister:

Provided that nothing in this section shall prevent the undertaking of any investigation or research within a school, training college, university or other institution, of a nature normally undertaken within such places, or the conducting by an employer of any research designed to promote the efficiency of his employees, or the conducting by any local, statutory or traditional authority of research for the purpose of the better performance of its functions.

(2) The Minister may refuse to grant permission under this section if he is of the opinion-

- (a) that the person seeking to conduct research has not the qualifications to enable him to do so adequately;
- (b) that the person seeking to conduct research is for any other reason not a fit and proper person to conduct research;
- (c) that the nature of the research or the circumstances thereof are such as to make it probable that the life of any community or of any of the inhabitants thereof may be disrupted to an extent not justifiable in relation to the probable results of the research;
- (d) that by reason of the moneys, equipment, or time at the disposal of the person conducting the research it is unlikely that the research will be conducted in an efficient or proper manner; or
- (e) there is reason to fear for the safety of the person conducting research.

(3) Where the Minister grants permission for the purposes of this section he may do so subject to conditions-

- (a) relating to the time, place and manner of the research;

(b) providing for the submission of reports on the progress, information obtained, and results of the research.

(4) Any person who conducts anthropological research in contravention of the provisions of subsection (1), or who contravenes any condition imposed by the Minister under subsection (3), shall be guilty of an offence and liable to a fine not exceeding P200.

4. Entry upon land

The permission of the Minister in terms of section 3 shall not be deemed to authorize the entry of any person upon any land, other than State land, without the permission of the owner or occupier thereof.

5. Entry into defined areas of persons who are not citizens of Botswana

(1) The Minister may, by regulations, impose restrictions on the entry into or residence within defined areas of Botswana, of persons who are not citizens of Botswana to the extent that such restrictions are reasonably required for the better carrying into effect of the purposes of this Act.

(2) Regulations made in accordance with the provisions of subsection (1) may make provision for the imposition of a fine, not exceeding P500, in the event of its contravention.