

**CHAPTER 59:01**  
**NATIONAL MUSEUM AND ART GALLERY**  
ARRANGEMENT OF SECTIONS

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Act 28, 1967,  
Act 1, 1968,  
Act 46, 1970,  
Act 16, 1976,  
S.I. 12, 1977.

**An Act to make provision for the establishment of a National Museum and Art Gallery.**

*[Date of Commencement: 29th September, 1967]*

**1. Short title**

This Act may be cited as the National Museum and Art Gallery Act.

**2. Interpretation**

In this Act, unless the context otherwise requires-

"**Board**" means the National Museum and Art Gallery Board established under section

5;

"**museum**" includes a craft village;

"**National Museum and Art Gallery**" means the National Museum and Art Gallery established under section 3.

**3. Establishment of a National Museum and Art Gallery**

The Minister may, after consultation with the Board, establish such museum and art gallery facilities, to be called the National Museum and Art Gallery, as in his opinion are desirable in order to further the provision of an efficient museum and art gallery service in Botswana.

**4. Administration**

Subject to the provisions of this Act, the administration of the National Museum and Art Gallery shall be vested in the Minister, who shall perform his functions under this Act, in consultation with the Board.

**5. Establishment of a Board**

(1) For the purposes of this Act, there shall be established a Board to be styled the National Museum and Art Gallery Board.

(2) The Board shall consist of a Chairman and not more than six other members appointed by the Minister, together with such other members as may be co-opted by the Board under subsection (3).

(3) The Board may, with the approval of the Minister, co-opt as members not more than three persons with such expert knowledge or experience as may be required by the Board in the discharge of its functions.

(4) The period of office of a member of the Board shall be-

- (a) in the case of the Chairman or any member appointed under subsection (2), three years from the date of his appointment; and
- (b) in the case of a member co-opted under the provisions of subsection (3), the period, not being a period in excess of one year, for which he has been co-opted.

(5) The Chairman and any member of the Board may resign from the Board at any time by letter addressed to the Minister; and the Minister may at any time revoke any appointment which he has made.

(6) Any member of the Board who has not, on the 31st December in any year, attended at least one-third of the meetings of the Board during the preceding 12 months or during his tenure of office in such months, shall be considered to have vacated his seat on the Board, unless he has been absent owing to ill-health or with the leave of the Minister.

## **6. Meetings of the Board**

(1) The Board shall meet at such times as may be necessary or expedient for transacting its business.

(2) The Chairman may at any time summon a meeting of the Board, and, on the requisition of the Minister or any three members he shall summon a meeting and any such requisition shall state the object for which the meeting is required to be summoned.

(3) The views or decisions of the Board may be taken at meetings or, in cases in which the Chairman shall so direct, by the recording of the opinions of members on papers circulated among them.

(4) The Chairman may direct that papers shall not be circulated in accordance with the provisions of subsection (3) to any member who through interest, illness, absence from Botswana or otherwise is, in the opinion of the Chairman, incapacitated from voting on such papers.

(5) The quorum of the Board at any meeting or for the purpose of voting on papers circulated in accordance with the provisions of subsection (3) shall be four.

(6) The decisions of the Board shall be by the majority of votes and in any case in which the voting is equal the Chairman shall have a second or casting vote.

## **7. Functions of the Board**

(1) The functions of the Board shall be-

- (a) to advise the President and Minister in the exercise of their functions under this Act;
- (b) to undertake such administrative functions in connection with the National Museum and Art Gallery as the Minister may from time to time require it to undertake.

(2) The Board may, for the purpose of furthering the provision of an efficient museum and art gallery service in Botswana, enter into mutual arrangements with other museums or art galleries within or without Botswana.

## **8. General duty of Minister**

It shall be the duty of the Minister acting in consultation with the Board and within the limits of the means available to him, to provide a comprehensive and efficient museum and art gallery service for all persons desiring to make use thereof, and for that purpose to provide and maintain such buildings and equipment and do such other things as may be requisite.

## **9. Regulations**

(1) The Minister may make regulations either generally or in relation to any particular museum or art gallery facilities established under this Act-

- (a) for the control and management of any museum or art gallery and the use of its facilities including the payment of charges and fees in respect thereof;
- (b) for the establishment, functions and duties of museum or art gallery committees;
- (c) safeguarding the contents of any museum or art gallery;
- (d) generally for the better carrying out of the provisions of this Act.

(2) Any regulation made under the provisions of subsection (1) may provide in the event of its contravention for the imposition of a fine not exceeding P100 or for imprisonment for a

term not exceeding three months, or to both.