

FREEDOM OF INFORMATION BILL, 2010 OF BOTSWANA

PRIVATE MEMBER'S BILL DRAFTED BY
HONOURABLE DUMELANG SALESHANDO, MP

PRELIMINARY COMMENTS **&** **RECOMMENDATIONS FOR IMROVEMENT**

Submitted by

Ms. Maja Daruwala

Mr. Venkatesh Nayak



Commonwealth Human Rights Initiative (CHRI)

B-117, First Floor, Sarvodaya Enclave, New Delhi – 110 017

Tel: 91-11-43180215/ 43180201

Fax: 011-2686 4688

Email: director@humanrightsinitiative.org, venkatesh@humanrightsinitiative.org

Website: www.humanrightsinitiative.org

March 2011

Freedom of Information Bill, 2010 of Botswana

Private Member's Bill prepared in Botswana

Preliminary Comments and Recommendations for Improvement submitted by

Commonwealth Human Rights Initiative

General:

It is very encouraging that a Member of Parliament in Botswana has prepared a Bill on the Freedom of Information. The Bill is well-drafted in many places based on specific international best practice principles. Given below is a clause-by-clause set of preliminary recommendations for strengthening the Bill further. A more detailed critique containing explanatory notes for each recommendation can be provided on request.

I Title of the Bill:

The law may be more appropriately named, 'The Right to Information Act' (RTI Act) or 'Access to Information Act' (ATI Act) as these terms cover the interests of both rights-bearers and duty-holders under the right to information. Freedom of Information merely indicates a duty not to interfere with the free flow of information. It does not convey the sense that there is a duty placed upon public authorities to give information to any person. Although the Bill does contain provisions that place a duty of disclosure on bodies covered by it, naming it right will do a deal of good for the eventual reputation of the law. The term 'RTI' has become a household term in countries like India and Bangladesh where such laws are named as RTI Acts.

II Coverage of the law:

- i. **Information covered:** The Bill does not extend to samples and models created for or used by bodies covered by the Act. The RTI Acts in India and Bangladesh cover these categories of items as they have a bearing on transparency. As corruption in public works and the public distribution system of food grains and other edibles is a common problem in these countries, access to samples of such items enables people to check whether the right quality specifications have been adhered to during procurement. Therefore the access law must provide for seeking and receiving samples and models of materials created or used by public bodies. **Clause 2 may be amended to include 'samples' and 'models' within the definition of information.**
- ii. **Personal information:** The Bill does not include 'iris pattern identification' and 'DNA data' in the list of biometrical data that is sought to be protected under its data protection provisions. These kinds of personal data are increasingly being used around the world as identity markers for individuals and as such deserve protection under a data protection law. **Clause 2 may be amended to include 'iris pattern identification' and 'DNA data' in the list pertaining to "personal information".**

- iii. **State agencies left out:** The Bill does not apply to the office of the President, the Commissions of Inquiry issued by the President and the Judiciary. These are glaring omissions. There is no valid reason for insulating the highest offices of the land from the coverage of the access law. If the law binds the State, as mentioned in Clause 4, there is no justifiable reason why the President as the Head of State must be left out of its coverage. Courts need to be transparent in terms of their administrative functions. The court rules regarding access to documents on the judicial side do not apply to the administrative side. Blanket exclusion of this nature is not in tune with international best practice principles of RTI legislation. Instead the specific public interests linked to the duties requiring the maintenance of confidentiality performed by these offices may be protected under the exemptions. **The Bill may be amended to cover the office of the President, Commissions of Inquiry and the Judiciary subject to reasonable exemptions.**
- iv. **Political Parties left out:** The Bill does not cover political parties. It is increasingly the trend in developing countries to subject political parties to RTI laws as they collect and spend huge sums of money in order to win elections. A party that promises transparent and accountable governance in its election manifesto must also live by such ideals as far as its internal affairs are concerned. It is not enough to demand that Caesar's wife be above suspicion. Caesar himself should be above suspicion given the nature of the absolute power he wielded despite refusing the crown throne. Nepal has included political parties under its RTI Act, 2007. **Clause 2 may be amended to include political parties within the definition of 'public authority'.**
- v. **Private bodies left out:** The Bill leaves out private bodies from its ambit. This is undesirable in the light of latest international best practices. Withdrawal of the State or its agencies from economic and public service functions is a growing trend the world over. Such functions are being taken over by private bodies single-handedly or in partnership with a public sector agency. Bodies in which public funds are invested or those which perform public functions or provide public services that were hitherto being provided by the State, must also be covered by the Bill. **Clause 2 may be amended to include private bodies performing public functions or performing public services within the definition of 'public authority'. At the very least the definition of 'information' may be expanded to include "information relating to any private body that may be accessed by a public authority under any law or instrument of law in force".** India's RTI Act includes this category in the definition of 'information'.
- vi. **Replace the term 'public authority':** Given the aforementioned recommendations it is appropriate to rename the term 'public authority' as 'public body'. This term will ensure coverage of private bodies performing public functions or using public funds in their works. **Clause 2 may be amended accordingly.**

III Right of Access:

It has been observed in some developing countries that some bureaucrats who are unnerved by the power of RTI laws demand that such laws apply prospectively. In other words access may be granted only to information created or collected after the enactment of the RTI Act. This leaves out the entire bulk of information created or collected prior to the enactment of the access law. This is not in tune with international best practices. In order to ensure that the applicant is able to access information that was created prior to the commencement of the access law, **Clause 5 may be amended as follows:**

“Notwithstanding any law to the contrary and subject to the provisions of this Act, every person shall have the right to obtain access to information held by or under the control of public bodies”.

IV Access not to be obtained:

Clause 7 permits the designated officer to reject a request for information that is ordinarily openly accessible to the people or is a part of any public register that is accessible to the people or is available publicly for purchase. Similarly copies of duplicates of a document lying with a public authority but created by another public authority may be denied under this clause. There is no reason why such information should be denied. Often experience from developing countries shows that even such information is not easily available without greasing palms or bringing political influence to bear. In such circumstances people should have the option of filing information requests under the RTI Act. Where access is sought for copies of a document which itself exists in a copy then the application may be transferred under Clause 10 to the public body that holds the original document or had created it. The purpose of an RTI Act must be to facilitate access to information. Denial should be only on very strict grounds of public interest. No public interest is served by denying access to information already available under other procedures. **Clause 7 may be deleted.**

V Reasons for seeking information:

It is international best practice to require disclosure of information to people without demanding to know why they want the information or what they may do with it. The Indian RTI Act states that an applicant must not be compelled to disclose the reasons for seeking information. The current Bill does not contain any provision that protects applicants in this manner. If it is accepted that the right to access information is a basic human right then there must not be any need for justifying one's information requests. **A new sub-clause (5) may be inserted in Clause 9 as follows:**

“A person making a request for information shall not be required to give any reasons for requesting the information.”

Sub-Clause (3) wrongly refers to section 20 of the Act in the context of methods of access. The methods of access are specified in Clause 15 of the Bill. **In Clause (9)(3) the numeral “20” may be replaced with the numeral “15”.**

VI Restricting information requests to one subject matter:

Para (b) of Clause 9(4) requires that an information request pertain to a particular subject matter only. This is a mischievous provision and is likely to be misused. Determining what constitutes one subject matter is problematic due to varied interpretations of the phrase. The applicant may seek information about three public works projects being implemented by one municipal corporation or one line agency of a department. Should such applications be treated as containing one subject matter relating to 'development works' or as three different subject matters because information is sought on three projects? This provision will only create delays, deliberate dismissals of information requests in order to frustrate the applicants and will result in increase in RTI litigation. **Para (b) of Clause 9(4) may be deleted.**

VII Transfer of requests and time limits:

Clause 10 does not provide for a specific time limit for the transfer of a request. This is a lacuna. A determination as to whether the information sought lies with the public body that received the application or with another public body, can be made quickly. In India and Bangladesh transfers must be made within five days under the respective RTI laws. The requester must also be informed in writing. The current wording of this clause can be interpreted to mean that verbal intimation of transfer is adequate for the purpose of this clause. **Clause 10(1) may be amended to require a public body to transfer the request within five days and inform the requester of such transfer in writing.**

Sub-clause (2) of Clause 10 implies that no extra time will be available for the public body that receives the request from another public body by way of transfer. This is unfair to the receiving public authority as it must have advantage of the entire length of time stipulated in Clause 12 for making a decision on the request. In India and Bangladesh the RTI Acts do not discount the time taken for transfer from the maximum time limit for response by the public authority that receives a transferred request. Sub-clause (2) of Clause 10 may be amended as follows:

Clause 10(2) may be amended as follows:

" (2) Where a request is transferred to a public body in accordance with this section, it shall be deemed to be a request made to that public authority and such public body shall dispose of the request in accordance with the time limit specified in sections 12 and 13 as may be applicable."

VIII Fees for access:

The Bill does not contain a provision for waiving fees for requesters who may not be able to afford the cost of obtaining the information but will have a real need for it. This is often the case with people living below the official poverty line in developing countries of Africa and S. Asia. The law must provide the information free of cost to such people within reasonable limits.

New sub-clauses 5 and 6 may be inserted below Clause 14(4) as follows:

"(5) Notwithstanding anything contained in subsection (2) and subject to the provisions contained in sub-section (3) of section 15 and section 17, no fee shall be charged from indigent persons for obtaining information under this Act.

(6) The Government shall from time to time prescribe the criteria for persons who are eligible for receiving information free of cost under sub-section (3)."

While Clause 14(4) states that the fees payable by an applicant shall be commensurate with the cost incurred in making the document available to the applicant, it fails to meet the test of reasonableness. This clause opens up opportunities for discouraging applicants from seeking information by charging all kinds of costs under the sun- eg. wages of the officials who search and prepare the information, capital costs such as rentals, computer and photocopies facilities etc. may be charged. These kinds of instances of overcharging the applicant in order to discourage him/her were many in India until the Central Information Commission issued an order saying that only copying charges may be collected from the applicant. This was made possible because the fee related clause in the Indian RTI Act requires that any fee collected or fee rates prescribed under it must be 'reasonable'. This clause was included in order to prevent the public authority from sending inflated Bills to the applicant. Costs incurred on personnel, capital equipment etc. are paid for by the taxpayer already. There is no reason for burdening the applicant a second time. **Clause 14(4) may be amended as follows:**

“The fees payable by an applicant shall be reasonable and not exceed the cost of actually copying or reproducing the information from the original document.”

IX Methods of access:

Clause 15 describes the methods of accessing information under the law. The provisions allow a person to inspect records. However the provision for making notes and seeking extracts from the original are missing. **Para (a) under Clause 15(1) may be amended as follows:**

“(a) a reasonable opportunity to inspect the document and take notes or obtain extracts;”

X Deferral of access:

The Bill provides for deferral of access to information which is likely to be made public at a later date. However this Clause does not provide for safeguards such as delays caused and time limits for disclosure. The Ugandan ATI Act, 2005 provides for a reasonable procedure for disclosing information that is not yet ready for disclosure in this manner:

“15. Deferral of access.

(1) Where the information officer determines that access may be granted to a record, but that record -

(a) is to be published within ninety days after the receipt or transfer of the request or such further period as is reasonably necessary for printing the record for the purpose of publishing it;

(b) is required by law to be published but is yet to be published; or

(c) has been prepared for submission to a public body, public officer or a particular person but is yet to be submitted, the information officer may defer giving access to the record.

(2) Where access to a record is deferred under subsection (1), the information officer shall notify the person concerned -

(a) that he or she may, within twenty one days after that notice is given, make representations to the information officer why the record is required before the publication or submission; and

(b) of the likely period for which access is to be deferred.

(3) Where a person makes representation under subsection (2)(a), the information officer shall, after due consideration of those representations, grant the request for access only if there are reasonable grounds for believing that the person will suffer substantial prejudice if access to the record is deferred for the period referred to in subsection (2)(b)."

Clause 16 may be amended to incorporate the proceed provided in Section 15 of the Ugandan ATI Act.

XI Right of review and external appeals:

The current Bill does not provide for a mechanism of internal review of a decision regarding access to information within a public body. It is international best practice that the decision of the designated officer of a public body on an information request be subjected to review by an officer senior in rank to him or her within the same body. This saves time and costs on litigation. **The Bill may be amended to include a new Clause that allows for filing of applications for review of the decision made on an information request to an officer senior in rank to the officer who decided the information request. Section 19(1) of the Indian RTI Act may be used as an example.**

The current Bill provides for an appeal to the High Court as the only remedy for any contravention of the access law. This is inadequate in terms of international best practice standards. As litigation in courts is expensive and will not be within the reach of the common person with modest means, it is important to establish a quasi-judicial body or tribunal such as an Information Commission to adjudicate on access disputes without requiring the presence of lawyers. Such bodies have been established in countries like Canada, Bangladesh, India, Nepal, and the United Kingdom and have reduced less RTI litigation in courts. However the High Court may be made the final arbiter in all access disputes. **The Bill may be amended to provide for the establishment of a three-member independent Information Commission for Botswana to adjudicate on access disputes. Appeal to the judiciary must be the last resort.**

XII Proactive/voluntary disclosure:

Clause 21 provides for disclosure of information on *suo motu* basis by every public body. While this is welcome the range of topics on which information must be disclosed proactively is limited. Countries like India, Mexico and Bangladesh have more extensive proactive disclosure requirements such as financial information, details of development schemes etc. Public bodies are also required to voluntarily provide reasons for any of their administrative or quasi-judicial actions/decisions to affected persons as is the case in India and Bangladesh. **The current Bill may be amended along the lines of the proactive disclosure provisions contained in the RTI laws of Mexico and India.**

XIII Sunset clause:

The current Bill has a sunset clause which is applicable only to Cabinet documents. The short time limit of 10 years is welcome. It is important that all exempt information except trade secrets be subjected to sunset clauses of a similar nature. **Part IV of the Bill may be amended to include sunset clauses under all exemptions listed under it.**

XIV Cabinet documents:

The current Bill exempts Cabinet documents from disclosure except a few categories of information contained in them. This is contrary to growing trends in international best practices. The Indian RTI Act exempts cabinet documents from disclosure only until such time as a decision is taken on any matter. After the decision is taken, the decision itself, along with reasons and the materials supporting the decision made must be provided to a requestor unless some other exemption is applicable. The current Bill gives a status of finality to the certificate signed by the Cabinet Secretary as to whether a document is exempt under this clause. This is tantamount to making the Cabinet Secretariat both an interested party and the judge in such matters. This is contrary to the principle of natural justice namely, *nemo iudex in causa sua* which requires every case to be heard and decided by an impartial judge. Such matters as to whether an exemption has been rightfully claimed must be decided by an independent appellate body. **Clause 25 may be amended to permit disclosure of information contained in Cabinet documents after a decision has been taken and the matter is complete or over, unless one or more of the other exemptions are applicable. The issue as to whether a document has been rightly exempted under this clause must be subject to adjudication before the 'Information Commission' in the first instance and later before the High Court, if necessary.**

XV Exemption of internal working documents:

Clause 26 exempts the disclosure of working documents containing opinion or advice prepared by officers or Ministers or information whose disclosure would prejudice the formulation of government policy. This exemption is available *ad infinitum* as it is not circumscribed by a sunset clause. This exemption is not in tune with the growing trend in international best practices of RTI legislation. In India 'advice' and 'opinion' tendered by officers and Ministers are included within the definition of 'information'. Records of opinions and advice including deliberations of senior officers are exempted from disclosure only if they are linked to a Cabinet document. Further, this secrecy is permissible only until such time when the decision is not taken and the matter is finalised or over. This information will continue to be held in secret if some other exemption is applicable despite the matter being complete and over. The objective of such exemptions is to provide the bureaucracy the 'freedom to think and discuss' an issue before making a decision on any matter. This freedom is an important public interest which is protected by sub-clause (2) of Clause 26. There is no need for sub-clause (1) as it insulates records of deliberations of all officers including their written advice and opinion for all time to come. The protection offered by sub-clause (2) is adequate. If sub-clause (1) is retained then people of Botswana will not have any way of knowing who said what in the decision-making chain and ultimately which view or advice prevailed. This disclosure is important for fixing accountability for actions and decisions in public bodies. Experience from countries like India has shown that often the policymakers high up in the decision-making chain ignore the law-based advice given by bureaucrats situated lower down in the hierarchy. It is the latter who get blamed for any negative effects of such decisions that may occur in future. In a responsible democracy the person who took a wrong decision despite best advice being available should be held responsible and penalised, if deserving. Transparency is the first step towards ensuring

such accountability. **Sub-clause (1) of Clause 26 may be deleted as sub-clause (2) is adequate for the purpose of protecting this important public interest.**

XVI Avoid twin tests in some exemptions:

Clause 26 exempts disclosure of a document that contains opinion or advice prepared by officers or Ministers or information whose disclosure would prejudice the formulation of government policy. Clause 28 exempts the disclosure of documents that would seriously prejudice Botswana's relations with foreign governments or international agencies. While these are very important public interests that must be protected, the language of these exemption clauses needs to be improved. Both clauses start with a stock opening line: "*A document is an exempt document if disclosure of the document under this Act would be contrary to the public interest, and the disclosure'...*" would lead to the consequences described in each Clause mentioned above. This stock statement creates the impression that there is a general public interest to be protected along with the specific public interests that are described in the sub-clauses following this statement. This is perplexing and can lead to confusion during implementation. It is international best practice to draw the exemption clauses as narrowly as possible. The reason for doing so is because the RTI law is intended to create a regime of transparency that will facilitate disclosure of information rather than a regime of exemptions that will foster secrecy in large parts of government affairs. The specific public interests mentioned in the sub-clauses are adequate for protecting the State or its agencies from harm in both cases. There is no need to mention a general public interest clause for denying access to information. Merely stating that "access will be denied on the ground of public interest" is not adequate. The exemption clause must merely state what is the specific public interest that it seeks to protect. **The opening statement of Clauses 26 and 28 may be amended as follows:**
"A document is an exempt document if disclosure under this Act –"

XVII Apply stricter harm tests:

Clauses 26, 27, 28 and 29 use the term 'prejudice' to describe the harm that disclosure of an exempt document identified under them is likely to cause. This is a weak harm test as almost anything may be fitted within the meaning of the term 'prejudice'. It is international best practice to incorporate strict harm tests in exemption-related provisions. The general rule in such a law is disclosure and secrecy or confidentiality is only an exception. **In Clauses 26, 27 and 28 the term 'prejudice' may be replaced with the phrase 'seriously harm'. In Clause 29 the term 'prejudice' may be replaced with the term 'impede'.**

XVIII Protecting personal privacy:

The current Bill protects personal information from unreasonable disclosure under the Act. While this is a necessary exemption, the language needs considerable improvement. The first problem with this clause is that disclosure of his or her own personal information may be denied to an applicant unless it is for the purpose of correcting it. This requirement is not in tune with international best practice. The protection for the right privacy is available against the rest of the world as it is in the nature of a *right in rem*. However disclosure of personal information to the same person it pertains to, will not lead to invasion of privacy.

The second problem is the absence of a procedure for seeking the consent or objection of the individual whose personal information has been sought by a third party. This is a necessary precondition for the disclosure of personal information to third parties in other countries having RTI or data protection laws. The time limit for responding to requests for personal information by third parties must be longer than for other kinds of requests. In India when information about third parties is sought including confidential personal information and the public authority is of the opinion that any of the exemptions including that relating to personal privacy are not applicable to that case, it is duty bound to seek the objections of the person concerned before making a decision on the request. The time limit for making a decision is extended from 30 days to 40 days in such cases. The third problem is that sub-clause 4 of Clause 31 does not place a duty on the public authority to confirm or deny the existence of a document containing information exempted from disclosure on the grounds of personal privacy. This is also not in tune with international best practice. A document can either exist or no exist. There must not be any uncertainty about it. The public body holding such a document must confirm or deny the existence of the record. **Clause 31 may be amended in the following manner:**

- a) **Access to one's own personal information must not be denied under this provision;**
- b) **Where a public body thinks that the personal information sought by a third party is fit for disclosure but such information was supplied to it by or relates to an individual who treats it as being confidential, a procedure must be laid down for issuing a notice to such person and obtaining his or her grounds for objecting to the decision of disclosure, if any. The Clause must also contain a provision that if the public body decides to make a decision of disclosure despite the objections of the person concerned then that person must have the right to seek a review internally and later file an appeal before the proposed Information Commission (see para XI) against such decision. The information must not be disclosed until finality is reached in favour of disclosure in that case.**
- c) **The public body holding the information must confirm or deny the existence of a personal record rather than leave it in limbo.**

XIX Examination-related information:

The current Bill exempts the disclosure of information relating to exams. However the language is unsatisfactory for two reasons: **a)** The exemption does not protect the integrity of an examination process adequately as it uses a vague term 'examination paper'. As this term may be understood as including both question papers and answer sheets it is better to use the term 'question paper' in this clause. Disclosing question papers prior to the exam would cause undue advantage to the applicant at the expense of other potential examinees. Similarly the names of members of interview boards must also be kept confidential prior to the conduct of the interview in order to prevent a candidate from trying to influence one or more members of the board. **b)** The exemption clause does not clarify whether an examinee will have access to an evaluated answer script. This information must be disclosed after the process of evaluation is completed. Similarly interviewees should have the right to know the marks awarded to them as well as other candidates. **Clause 33(4)(c) may be amended to provide for these matters.**

XX Contradictory provisions on disclosure:

Clauses 5 and 35 of the current Bill contradict each other. Clause 5 starts with a *non obstante* assertion and establishes the supremacy of the access law over all other laws that may be inconsistent with its provisions. However Clause 35 states that a document will be exempt if any other statute prohibits the disclosure of certain categories of information either *in toto* or subject to certain conditions. Clause 35 being a later law than Clause 5 has the effect of rendering it ineffective and redundant. This is a contradiction and is not in tune with international best practice. Other laws such as the Official Secrets Act which are essentially espionage laws of colonial vintage prohibit unauthorised disclosure of any information contained in government files. This is the basis of the unreasonable levels of secrecy characterising the working of government bodies. The information access law is specifically designed to change this paradigm of secrecy to one of openness. Unlike before, transparency will be the norm and secrecy will be an exception. Given this philosophy of RTI laws, subjecting such a law to secrecy requirements contained in other laws is unjustified. The RTI law itself must define the limits of secrecy in government affairs by enumerating the public interests which are to be protected through non-disclosure. This is the purpose of incorporating a list of exemptions in the RTI Acts. No other law should take precedence in matters of seeking and obtaining information especially in the event of an inconsistency with the RTI Act. The RTI laws of India and Bangladesh have this kind of an overriding effect over all other laws that were in force at the time of enactment. This position of primacy may be accorded to the RTI law in Botswana also. **Clause 35 may be deleted.**

XXI Annual Reports should be more extensive:

The current Bill requires the Minister concerned to table an annual report on the implementation of the access law before the National Assembly. This is a positive provision. However the number of issues on which reporting should be made is limited to a few. The current Bill requires the public bodies to publish a range of information under Clauses 21-23. Action taken for the fulfillment of these obligations must also be described in the report so that the National Assembly is provided with a fuller picture about the status of implementation year after year. **Clause 43 may be amended to include in the Annual Report details of action taken by the public bodies under Clauses 21, 22 and 23 to voluntarily disclose information.**

XXII Important provisions missing:

The current Bill lacks provisions pertaining to public education and training of officers of public bodies in implementing the access law. It is international best practice to place an obligation on Governments to educate people about RTI and undertake awareness building programmes. In India the Central and State Governments are required to undertake public education programmes subject to availability of resources. Similarly these Governments are required to design and undertake training programmes for officers of public bodies that have a responsibility for implementing the RTI Act. In Bangladesh the Information Commission is the nodal agency for designing and conducting training programmes for officials as well as undertaking public education programmes. **New clauses may be inserted in the current Bill to make it the responsibility of the Government and the proposed Information Commission to**

ensure the organization of public education programmes on RTI and training for officers of public bodies.

XXIII No penalty provisions:

The current Bill lacks provisions that impose sanctions on officers who violate its provisions. Two kinds of violations must be made punishable under the access law. Criminal offences such as deliberately providing false information from government files or destroying files in an unauthorised manner, especially if they are the subject of an information request, must be punished with the same kinds of penalty as may be applicable under the penal laws. Other contraventions of the law can also amount to unreasonable denial of a person's right to information. For example, refusing to receive an information request without reasonable cause, delaying the supply of information without reasonable cause, not responding to an information request at all without reasonable cause and malafidely denying access to information must be punishable with a monetary fine. In India and Bangladesh fines calculable on a daily basis but subject to an upper limit are imposed for first time violations in the case of delays without adequate reason. For repeated violations of the law departmental action may be recommended. These provisions are essential for the success of the access law. Monetary penalties may be imposed by both the proposed Information Commission and the High Court. A sentence of imprisonment may be imposed by the appropriate court subject to appeal before the High Court. **New provisions specifying the penalties leviabale for violations of the law may be inserted in the current Bill.**
