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ACT NO. 2 OF 2025

Tenth Amendment to the Constitution Act, 2025

An Act to amend the Constitution of Lesotho, 1993; and provide for related matters.

Enacted by the Parliament of Lesotho.

Preamble

We, the Basotho nation:

Acknowledging the supremacy of God, the Almighty;

Inspired by the legacy of Morena Moshoeshoe I, the Founder of the Basotho Nation, which is based on the values of good governance, prosperity, peaceful co-existence, reconciliation, and unity;

Mindful of the challenges of political instability, conflict, and under-development in our recent history;

Conscious of the need to manage our natural resources sustainably and efficiently for the equitable benefit of the present and future generations;

Determined to build a better future based on a stable democracy, strong economy, peace, equality of opportunity, prosperity, and sustainable development;

Affirming our resolve to uphold, commit and embrace, as pillars of our national cohesion and governance the following foundational values:

- (a) se-Moshoeshoe, nation-building, peace, and unity;
- (b) respect for human rights and freedom, equality, human dignity, and gender equity;
- (c) supremacy of the Constitution, rule of law, justice, separation of powers and the independence of the judiciary;

- (d) democracy, accountability, responsiveness, and openness; and
- (e) A God-Fearing Nation.

Now therefore, adopt this Constitution as the supreme law of the Kingdom of Lesotho.

Short title and commencement

1. This Act may be cited as the Tenth Amendment to the Constitution Act, 2025 and shall come into operation on the date of its publication in the Gazette.

Amendment of section 3: Official languages

2. Section 3 of the Constitution of Lesotho 1993 (herein referred to as “the Constitution”) is amended by -

- (a) deleting subsection (1) and substituting with the following:

“(1) The official languages of Lesotho shall be Sesotho, English, isiXhosa, isiPhuthi and sign language.”;
- (b) inserting the following subsections after subsection (1):

“(1A) Notwithstanding subsection (1), any of the official languages may be used -

 - (a) as a means of communication in legislative, administrative or judicial processes;
 - (b) in any transaction, official document or instrument;
 - (c) as a medium of instruction for educational purposes; or

- (d) for any other purpose that may be provided for by an Act of Parliament.

(1B) A transaction or instrument expressed or conducted in a particular official language pursuant to subsection (1) shall not be declared invalid by reason that it is expressed or conducted in one of the languages.

(1C) The Government shall take legislative, administrative and other measures to advance the use and development of the official languages.

(1D) The Government shall, in deciding to use a particular language, take the following into account:

- (a) the financial implications of choosing a particular language;
- (b) the balance of the needs and preferences of the population as a whole or population in a particular area;
- (c) the practicality of using a particular language;
- (d) the need for promotion of access to information;
- (e) the local circumstances of a population targeted for business; or
- (f) the need for affirmation and promotion of indigenous languages.

(1E) The Government documents shall be translated into at least two official languages.

(1F) The Government shall ensure that official Government communication is translated into a sign language and braille subject to subsection (1D)."

Insertion of new section 3A: Age of majority

3. The Constitution is amended by inserting the following section after section 3:

“Age of majority

3A. (1) The age of majority in Lesotho is eighteen years.

(2) Every person who has not yet attained eighteen years of age is a minor.

(3) A “child” in terms of this Constitution means a person under the age of eighteen years.”

Insertion of a new section 20A: Affirmative action in favour of marginalised groups

4. The Constitution is amended by inserting the following section after section 20:

“Affirmative action in favour of marginalised groups

20A. (1) Notwithstanding anything in this Constitution, the State shall take affirmative action in favour of groups marginalised on the basis of gender, age, disability or any other reason created by history or law, for the purpose of redressing imbalances which exist against them.

(2) Parliament shall make laws for the purpose of giving effect to this section.”

Insertion of a new section 22A: Public interest

5. The Constitution is amended by inserting the following section after section 22:

“Public interest

22A. (1) The following persons may approach a competent court where any or all of them reasonably believe or believes that a right in

this Constitution has been infringed or threatened, and the court may grant appropriate relief, including a declaration of rights:

- (a) a person acting in his or her own interests;
- (b) a person acting on behalf of another person who cannot act on his or her own;
- (c) a person acting as a member of, or in the interest of, a group or class of persons;
- (d) a person acting in the public interest; and
- (e) an association acting in the interests of its members or any other members of society.

(2) An Act of Parliament shall make provision for the exercise of the right under this section.”

Amendment of section 54: Establishment of Parliament

6. The Constitution is amended by deleting section 54 and substituting with the following:

“Establishment of Parliament

54. (1) There shall be a Parliament which shall be autonomous and independent.

(2) The Parliament shall consist of the King, the Senate and the National Assembly.

(3) The budgetary allocation for Parliament shall be done through a percentage or a model to be determined by an Act of Parliament.”

Amendment of section 24: Interpretation and savings

7. The Constitution is amended in section 24 by deleting the words “disciplined force” and wherever they appear in this Constitution and substituting the

words “National Security Agencies.”

Amendment of section 65: Clerks to Houses of Parliament and their staff

8. The Constitution is amended in section 65 by deleting subsections (2) and (3) and substituting the following subsection:

“(2) The offices of the Clerk to the Senate and the National Assembly shall be offices in the parliament service, and an Act of Parliament shall make provision for their functions, terms and conditions of Service.”

Insertion of new sections 65A – 65B

9. The Constitution is amended by inserting the following sections after section 65:

“Establishment of parliament service

65A. There shall be a parliament service which shall be responsible for parliament affairs.”

Parliament Service Commission

65B. (1) There shall be a Parliament Service Commission, which shall be an autonomous body.

(2) The composition, powers and functions of the Parliament Service Commission shall be provided for by an Act of Parliament.”

Amendment of section 70: Power to make laws

10. The Constitution is amended by deleting section 70 and substituting the following:

“Functions of Parliament

70 (1) The Parliament of Lesotho shall have power to -

- (a) make laws;
- (b) appropriate funds for expenditure by Government ministries, department, state institutions, local authorities and any other organs of state;
- (c) exercise oversight over public expenditure and oversee the general performance of local authorities, the Executive and other State organs; and
- (d) approve International Conventions and Treaties before they are ratified or acceded to, except for all non-binding memoranda of understanding, exchange of notes, declarations and any such non-binding instruments.

(2) Nothing in this section shall be construed as preventing Parliament from conferring on any other person or authority the power to make any rules, regulations, laws, orders or other instruments having legislative effect as Parliament may determine.

(3) Parliament shall establish a Parliament Budget Office and other specialized offices that enables it to function and discharge its mandate as may be provided for by an Act of Parliament.”

Amendment of section 78: Mode of Exercise of Legislative Power

11. The Constitution is amended in section 78 by inserting the following new subsections after subsection (3):

- (3a) The National Assembly may, by resolution and with the approval of Cabinet, reinstate a bill that lapsed when Parliament was prorogued or dissolved.
- (3b) The King may assent to a bill that has been passed by the two Houses presented to him after prorogation or dissolution of Parliament.”

Insertion of a new section 80A: Joint sittings of Parliament

12. The Constitution is amended by inserting the following new section after section 80:

“Joint sittings of Parliament

80A (1) The King may summon the Senate and the National Assembly to convene in a joint sitting for the delivery of the Speech from the Throne.

(2) The President of the Senate and the Speaker of the National Assembly may, acting jointly, convene a joint sitting of the two Houses of Parliament under the following circumstances for:

- (a) the delivery of policy statements by the Prime Minister;
- (b) presentation of the budget speech; and
- (c) addresses by visiting Heads of State, Government and other dignitaries.

(3) The joint sitting of both Houses shall be presided over jointly by the President of the Senate and the Speaker of the National Assembly.

(4) An Act of Parliament shall prescribe the -

- (a) conditions under which joint sittings of both Houses or their committees, may be held; and
- (b) procedure for deliberations in such joint sittings.”

Amendment of section 96: Principal Secretaries

13. The Constitution is amended by deleting section 96 and substituting the following:

“Government Secretary

96. (1) There shall be a Government Secretary whose office shall be an office in the public service and who shall be the head of the civil service.

(2) The Government Secretary shall be appointed -

- (a) by the Prime Minister from a short list of three names recommended by the Public Service Commission through a transparent, merit-based, fair and competitive process as may be provided for in an Act of Parliament; and
- (b) for an initial period of five years which may be renewed for a further period of five years upon satisfactory performance of duties.”

Amendment of section 97: Government Secretary

14. The Constitution is amended by deleting section 97 and substituting the following:

“Permanent Secretaries

97. (1) A Permanent Secretary, whose office shall be an office in the public service, shall be responsible for the supervision of a Government Ministry, where a Minister has been charged with responsibility to exercise general direction and control over the Ministry.

(2) Two or more Government ministries may be placed under the supervision of one Permanent Secretary.

(3) A Permanent Secretary shall -

- (a) be appointed by the Public Service Commission through a transparent, merit-based, fair and competitive process as may be provided for in an Act of Parliament;

- (b) be the Chief Executive Officer and Chief Accounting Officer of the relevant Ministry; and
- (c) be employed for an initial period of five years which may be renewed for another five years upon satisfactory performance of duties.”

Amendment of Chapter X: Finance

15. Chapter X of the Constitution is amended by deleting sections 110, 111, 112, 114, 115, 116 and 117 and substituting the following:

“CHAPTER X - FINANCE

The Consolidated Fund

110. There is the Consolidated Fund into which all revenues or other moneys raised or received for the purposes of the Government of Lesotho shall be paid, except money that -

- (a) is reasonably excluded from the Fund by an Act of Parliament and payable into another public fund established for a specific purpose; or
- (b) may, under an Act of Parliament, be retained by a state organ that received it for the purpose of defraying the expenses of the state organ.

Withdrawals from the Consolidated Fund and other public funds

111. (1) Moneys shall be withdrawn from the Consolidated Fund only:

- (a) in accordance with an appropriation by an Act of Parliament; or
 - (b) as a charge against the Fund as authorised by the Constitution or an Act of Parliament.
- (2) Notwithstanding subsection (1), moneys may be with-

drawn from the Consolidated Fund only for purposes of Supplementary Budget and servicing of public debt.

(3) Moneys shall not be received into, or withdrawn from, any public fund other than the Consolidated Fund unless the receipt or withdrawal of the moneys has been authorised by an Act of Parliament.

(4) Parliament may prescribe the manner in which -

- (a) receipts shall be channeled into; or
- (b) withdrawals may be made from, the Consolidated Fund or any other public fund.

(5) The investment of moneys forming part of -

- (a) the Consolidated Fund; or
- (b) other public funds, shall be made in such a manner as may be provided for by this Constitution or under an Act of Parliament.

(6) Notwithstanding the provisions of subsection (2), provision may be made by or under an Act of Parliament authorising withdrawals to be made from the Consolidated Fund, in such circumstances and to such extent as may be provided for by or under an Act of Parliament, for the purpose of making repayable advances.

Authorisation of expenditure from the Consolidated Fund by appropriation

112. (1) The Minister responsible for finance shall cause to be prepared and laid before the Parliament in each financial year, estimates of the revenue and expenditure of Lesotho for the next financial year for approval.

(2) When the estimates of expenditure, other than expenditure charged upon the Consolidated Fund by this Constitution or by any Act of Parliament, have been approved by Parliament, a Bill, to be known as an Appropriation Bill, shall be introduced to Parliament, pro-

viding for the issue from the Consolidated Fund of the sums necessary to meet that expenditure and the appropriation of those sums, under separate votes for the several heads of expenditure approved, for specified purposes.

(3) If in respect of any financial year it is found -

- (a) that the amount appropriated by the Appropriation Act to any purpose is insufficient or that a need has arisen for expenditure for a purpose to which no amount has been appropriated by that Act; or
- (b) that any moneys have been expended for any purpose in excess of the amount appropriated to that purpose by the Appropriation Act or for a purpose to which no amount has been appropriated by that Act, a supplementary estimate or, as the case may be, a statement of excess showing the sums required or spent, shall be laid before the Parliament.

(4) When a supplementary estimate or statement of excess has been approved by Parliament, a supplementary Appropriation Bill shall be introduced in Parliament, providing for the issue of such sums from the Consolidated Fund and appropriating them for specified purposes.

(5) The supplementary estimates referred to in subsection (4) shall not exceed twenty percent of the approved annual budget.

(6) Notwithstanding subsection (5), the supplementary estimates may exceed twenty percent during emergencies, disasters and unforeseen emergencies requiring supplementary estimates.

(7) The use of the requested supplementary funds shall not exceed one-fifth of the total supplementary budget that is being requested prior to being approved by Parliament.

Contingencies Fund

113. (1) Parliament may make provision for the establishment of a Contingencies Fund and for authorising the Minister responsible for finance, if satisfied that there has arisen an urgent and unforeseen need for expenditure for which no other provision exists, to make advances from that Fund to meet that need.

(2) Where any advance is made from the Contingencies Fund, supplementary estimates shall be prepared and a supplementary Appropriation Bill shall be introduced as soon as possible for the purpose of replacing the amount so advanced.

(3) The use of the Contingencies Fund shall be regulated by an Act of Parliament.

Remuneration of certain officers

114. (1) There shall be paid to the holders of the offices specified in Schedule 4 to this Constitution, such salaries and allowances as may be provided for in an Act of Parliament.

(2) Nothing in this section shall be construed as prejudicing the provisions of section 150 of this Constitution.

Public debt

115. (1) The following conditions shall be met before the Government concludes any agreement which may impact on the country's sovereign debt position:

- (a) proposed borrowing shall emanate from the Minister responsible for finance;
- (b) the Minister responsible for finance shall, before the commencement of a financial year, prepare an annual borrowing plan that shall be presented with the annual budget of Government for approval by Parliament; and

- (c) notwithstanding paragraph (b), the Minister may propose a loan for approval by Parliament following budget approval.

(2) Debt charges for which Lesotho is liable shall be a charge on the Consolidated Fund.

(3) For the purposes of this section, debt charges include interest, sinking fund charges, the repayment or amortisation of debt and expenditure in connection with the raising of loans on the security of the Consolidated Fund and the service and redemption of the debt created.

(4) Other conditions for the public debt not referred to in this section shall be provided for by an Act of Parliament.

“Supreme Audit Institution

116. (1) There shall be the Supreme Audit Institution, which shall -

- (a) be independent and autonomous; and
- (b) not be subject to the direction or control of any person or authority in the performance of its functions.

(2) The main function of the Supreme Audit Institution, is to ensure public accountability and transparency, by ensuring that-

- (a) Government receipts have been included in -
 - (i) the Consolidated Fund and other funds established by this Constitution or an Act of Parliament; and
 - (ii) Government entities and revenues retained by the authority that received them for the purpose of defraying the expenses of that authority;

- (b) expenditures charged to the Consolidated Fund and other funds as authorized by this Constitution or by an Act of Parliament have been properly accounted for; and
 - (c) public assets and liabilities are accounted for including public assets on acquisition, maintenance, management and disposal.
- (3) The Supreme Audit Institution shall be accountable and report to Parliament.
- (4) The Speaker of the National Assembly shall designate a Parliamentary Committee which shall:
 - (a) approve the budget of the Supreme Audit Institution before it is tabled in Parliament;
 - (b) examine the Annual Performance Report of the Supreme Audit Institution before it is tabled in Parliament; and
 - (c) appoint an auditor to audit the accounts of the Supreme Audit Institution.

Disqualification for appointment

117. (1) A person shall not qualify to be appointed as Auditor-General, if the person -
- (a) is over fifty-five years of age;
 - (b) is a member of Parliament, a local authority, a candidate for election to Parliament or an officer of a political party;
 - (c) has held the office of Auditor-General; or
 - (d) is declared insolvent.

(2) A person shall not be appointed as the Auditor- General unless the person -

- (a) is of high moral character, integrity and possesses personal qualities and attributes that would enable the person to discharge the functions of the Supreme Audit Institution impartially, fairly and free from bias or prejudice;
- (b) does not take an active part in party politics; and
- (c) has the relevant professional qualifications, experience and leadership skills as may be specified by an Act of Parliament and is also a member of the national regulatory body at a professional level.”

Insertion of new sections 117A and 117B: Establishment of the Central Bank of Lesotho and Salaries and Remunerations Commission

16. The Constitution is amended by inserting the following new sections after section 117:

“Establishment of the Central Bank of Lesotho

117A. (1) There is established the Central Bank of Lesotho, which shall -

- (a) be a body corporate with perpetual succession;
- (b) be capable of suing and being sued in its corporate name; and
- (c) have powers to hold or dispose of property in the exercise of its functions.

(2) The powers and functions of the Central Bank of Lesotho shall be provided for by an Act of Parliament.

Salaries and Remunerations Commission

117B. (1) There shall be a Salaries and Remunerations Commission.

(2) The powers and functions of the Salaries and Remunerations Commission shall be provided for by an Act of Parliament.”

Amendment of Chapter XIA: The Human Rights Commission

17. The Constitution is amended by deleting Chapter XIA and substituting the following:

“CHAPTER XIA THE HUMAN RIGHTS COMMISSION

Establishment of the Human Rights Commission

133A. (1) There is established a Human Rights Commission, which shall be a body corporate with perpetual succession capable of suing and being sued in its own name and of performing acts as are necessary for, or incidental to, the execution of its functions.

(2) The Commission shall be independent and free from interference from any person or any authority and subject only to this Constitution and an Act of Parliament.

(3) The Commission shall be impartial and shall exercise its powers and perform its functions without fear, favour, or prejudice.

(4) The Commission shall be accountable to Parliament through the relevant Portfolio Committee.

Composition and appointment of the Commission

133B. (1) The Commission shall consist of seven members who shall be the Chairperson, the Deputy Chairperson and five ordinary members with expertise and experience in human rights.

(2) The composition of the Commission shall, as far as pos-

sible, be representative of a broad cross-section of society such as women, people with disabilities, youth and other marginalised groups.

(3) Members of the Commission shall be appointed by the King on the advice of the Prime Minister from a list of three names submitted by Parliament through a fair, competitive, merit based and transparent process as provided for by an Act of Parliament.

(4) Members of the Commission shall be appointed for a non-renewable term of seven years.

Functions of the Commission

133C. The functions of the Commission shall be to -

- (a) promote and protect human rights and freedoms;
- (b) monitor the state of human rights and freedoms throughout Lesotho;
- (c) investigate alleged human rights violations and take steps to secure appropriate redress where human rights have been violated;
- (d) promote and ensure the harmonisation of national legislation, regulations, and practices with the international human rights instruments to which Lesotho is a party, and their effective implementation;
- (e) monitor the implementation of international human rights conventions that Lesotho has ratified;
- (f) report on the performance of its functions to the Parliament at least once a year; and
- (g) perform such other functions as may be provided for by an Act of Parliament.

Disqualification for appointment

133D. (1) A person shall not qualify to be appointed a member of the Commission if he or she is -

- (a) a public officer;
- (b) a member of either House of Parliament, a local authority, a candidate for election to Parliament or an officer of a political party; or
- (c) declared insolvent.

(2) The Prime Minister shall not advise the King to appoint a person as a member of the Commission unless he is satisfied that the person -

- (a) has extensive experience in human rights and related disciplines;
- (b) is of high moral character, integrity, and possesses personal qualities and attributes that would enable him or her to discharge his or her duties impartially, fairly, and free from bias or prejudice; and
- (c) has not taken an active part in, or has retired from, party politics for a period of at least two years.

Tenure of office

133E. (1) Subject to the provisions of this section, the office of a member of the Commission shall become vacant -

- (a) at the expiration of five years in case of the Chairperson and three years in the case of the other members;
- (b) if he or she becomes a public officer or resigns from office;

- (c) if he or she becomes a member of either House of Parliament, a local authority, a candidate for election to Parliament, or an officer of a political party;
- (d) if any circumstances arise that, if he or she were not a member of the Commission, would cause him or her to be disqualified from appointment as provided in section 133D; or
- (e) if he or she dies.

(2) If the office of a member of the Commission becomes vacant before the expiration of a term of office, whether by death, resignation or otherwise, the vacancy shall be filled in accordance with the manner in which the member was appointed.

(3) A member of the Commission appointed under subsection (2) shall hold office for the remainder of the term of the vacating member of the Commission.”

Insertion of new Chapter XIIA: Lesotho Independent Anti-Corruption and Ethics Commission

18. The Constitution is amended by inserting the following new Chapter after Chapter XII:

“CHAPTER XIIA: Lesotho Independent Anti-Corruption and Ethics Commission

Establishment of the Lesotho Independent Anti-Corruption and Ethics Commission

135F. (1) There is continued in existence the Directorate on Corruption and Economic Offences which shall be known as the Lesotho Independent Anti-Corruption and Ethics Commission (in this Part to be called “the Commission”).

(2) The Commission shall be a body corporate with perpetual succession capable of suing and being sued in its own name and of

performing acts as are necessary for, or incidental to, the execution of its functions.

- (3) The Commission shall be -
 - (a) independent and free from interference from any person or any authority and subject only to this Constitution and an Act of Parliament;
 - (b) impartial and exercise its powers and perform its functions without fear, favour or prejudice; and
 - (c) accountable to Parliament through the relevant Portfolio Committee.

Composition and appointment of the Commission

135G. (1) The Commission shall consist of a Chairperson and four other members.

(2) The Director General shall be the Secretary of the Commission.

(3) The terms and conditions of employment of the Commissioners shall be provided for by an Act of Parliament.

The Secretariat of the Commission

135H. (1) There shall be the staff of the Commission which shall consist of the Secretariat of the Commission, and shall be appointed by the Commission in accordance with an Act of Parliament.

(2) The Director General shall be the Head of the Secretariat and Chief Accounting Officer of the Commission.

(3) The terms and conditions of staff shall be provided for by an Act of Parliament.”

Amendment of Chapter XIII: Public Service

Public Service Commission

19. The Constitution is amended by deleting section 136 and substituting the following sections:

Public Service

The Constitution is amended by inserting the following new sections:

“Public Service

136. (1) There shall be established the Public Service.

(2) The functions of the Public Service shall be as provided for by an Act of Parliament.

Establishment and Appointment of the Public Service Commission

136A. (1) There shall be a Public Service Commission which shall consist of the following five members to be appointed on a full-time basis:

(a) a Chairperson; and

(b) four other members.

(2) The appointment of members of the Commission shall be published by notice in the Gazette.

(3) The Commission shall, in the exercise of its functions under this Constitution or any other law, not be subject to the direction or control of any person or authority.”

Deletion of section 142: Auditor-General

20. The Constitution is amended -

(a) by deleting section 142; and

- (b) by deleting the words “Office of the Auditor-General” wherever they appear and substituting them with “Supreme Audit Institution”.

Amendment of section 143: Principal representatives of Lesotho abroad

21. The Constitution is amended by deleting section 143 and substituting the following:

“FOREIGN SERVICE

Establishment

143 (1) There shall be a Foreign Service which shall -

- (a) be a specialised professional service within the Public Service, responsible for foreign affairs and international relations; and
- (b) adhere to international law, and all applicable legal instruments to which Lesotho is a signatory and has ratified.

(2) Regulation and administration of Foreign Service shall vest in the Minister responsible for foreign affairs and international relations as provided for by the Act of Parliament.

Composition

143A. (1) The Foreign Service shall consist of the following:

- (a) the Ministry Headquarters; and
- (b) Lesotho Diplomatic Missions and Consular Posts abroad including Heads of Missions, Heads of Consular Posts, diplomatic staff and consular officers.

(2) The Foreign Service shall be based on a hybrid system consisting of -

- (a) professional career diplomats from the Ministry

responsible for foreign affairs and international relations; and

- (b) attachés with specific expertise seconded or on special assignment from other Government ministries, agencies and parastatals.

(3) Requirements for members of the Foreign Service shall be provided for by the Act of Parliament.

Appointment

143B (1) Heads of Diplomatic Missions and Heads of Consular Posts shall be appointed -

- (a) by the King acting on the advice of the Prime Minister;
- (b) for a period of four years, which may be renewed for a further period of four years, upon satisfactory performance;
- (c) on appropriate contract terms if, at the time of appointment, they are not public officers;

(2) The power to -

- (a) remove Heads of Diplomatic Missions and Heads of Consular Posts shall vest in the King, acting in accordance with the advice of the Prime Minister; and
- (b) discipline Heads of Diplomatic Missions and Heads of Consular Posts shall vest in the Principal Secretary responsible for foreign affairs and international relations.

(3) Heads of Diplomatic Missions and Heads of Consular Posts shall have a performance contract with the Ministry responsible for foreign affairs and international relations, to ensure accountability

of their performance while in Foreign Service.

(4) Heads of Diplomatic Missions and Heads of Consular Posts shall administratively report to the Principal Secretary responsible for foreign affairs and international relations.

(5) Appointment and recall of career diplomats and attachés to Foreign Service shall be provided for by an Act of Parliament.”

Amendment of sections 145-149: National Security Institutions, Principles governing the National Security Institutions, Development of National Security Policy, National Security Council and Functions of the Council

22. The Constitution is amended by deleting sections 145, 146, 147, 148 and 149 and substituting the following:

“Chapter XIII
NATIONAL SECURITY

National Security Institutions

145. (1) There shall be the National Security Institutions which shall consist of -

- (a) the Lesotho Defence Force;
- (b) the Lesotho Mounted Police Service;
- (c) the National Intelligence Service; and
- (d) the Lesotho Correctional Service,
which shall be the only lawful National Security
Institutions in Lesotho.

(2) The National Security Institutions shall be structured and regulated by Acts of Parliament.

(3) Parliament may make provision for the registration and operation of private security companies, which shall conform to national laws.

(4) Private military companies shall not be registered or allowed to operate in Lesotho.

(5) Parliament shall exercise oversight of the National Security Agencies as may be provided for by an Act of Parliament.

Principles governing the National Security Institutions

146. (1) National Security shall be promoted and guaranteed in accordance with the following principles:

- (a) National Security Institutions shall be subject to civilian control as established by this Constitution and any other law;
- (b) National Security Institutions and their personnel shall be patriotic, competent, professional, and disciplined;
- (c) National Security Institutions shall be gender sensitive and inclusive.

(2) In performing their functions and exercising their powers, the National Security Institutions and their members shall not -

- (a) act in a partisan manner;
- (b) further any interest of a political party or cause; or
- (c) prejudice a political interest or political cause that is legitimate under this Constitution.

(3) A serving member of the National Security Institutions shall not -

- (a) take up any other employment without due authorisation;
- (b) obey or act upon a manifestly unlawful order;

- (c) associate with violent extremism, participate, or engage in any criminal activities;
- (d) engage in political activism and shall, as far as practicable, be protected from political interference by political parties and their members and supporters.

(4) The recruitment, appointment, and promotion of candidates into the National Security Institutions shall be through a transparent, competitive, and impartial process based on merit and qualifications.

(5) Only indigenous Basotho shall be eligible for recruitment into the National Security Institutions.

Development of National Security Policy

147. (1) There shall be developed a National Security Policy (to be called “the Policy”) to guide the Kingdom of Lesotho in addressing the security needs of the nation. The policy shall -

- (a) elaborate the main national security interests, core values, principles, priorities, legal basis and roles of key actors and institutions in the security sector;
- (b) provide for national security that reflects the protection of national strategic interests, protection against internal and external threats, respect for fundamental rights and freedoms, promotion of social cohesion, democratic values and principles enshrined in this Constitution, resolve of Basotho as individuals and as a nation to live as equals, free from fear, live in peace, liberty, harmony, and prosperity; and
- (c) provide for National Security Institutions that are answerable to the Basotho nation through the civilian authorities and complies with the law, including international law.

(2) The policy framework and the necessary implementation strategy shall be developed under the guidance of the National Security Council, which shall oversee its dissemination and implementation.

National Security Council

148. (1) There shall be a National Security Council (to be called “the Council” in this Part) which shall be the apex security structure that shall be responsible for the state of security in Lesotho.

(2) The Council shall consist of -

- (a) the Prime Minister who shall be the Chairperson;
- (b) the Deputy Prime Minister;
- (c) Ministers responsible for national security institutions, international relations, and finance;
- (d) the Attorney General;
- (e) the Chief of Defence Staff;
- (f) the Chief of Lesotho Mounted Police Service;
- (g) the Director-General of National Security Service;
- (h) the Chief of Lesotho Correctional Service; and
- (i) the Government Secretary who shall be the Secretary to the Council and shall record proceedings but shall neither participate nor vote in the meetings of the Council.

(3) The quorum of the Council shall be fifty percent plus one, including the Chairperson and subject thereto the Council may act notwithstanding any vacancy in its membership.

(4) Meetings of the Council shall be summoned by the Prime Minister.

(5) The Council may request any public officer or any other person holding or acting in any office established by or under this Constitution or any authority so established to assist it in the exercise of its functions, whether by way of attendance before the Council or otherwise and any such officer or authority shall comply with such request.

Functions of the Council

149. (1) The functions of the Council shall be provided for by an Act of Parliament.

(2) The Council shall determine its own rules of procedure for the execution of its functions except as may otherwise be provided for by an Act of Parliament.”

Insertion of new sections 149A – 149R: National Security Commission, Functions of the Commission, Appointments of heads and deputies of Security Institutions, Lesotho Defence Force, Functions of the Lesotho Defence Force, Deployment of the Lesotho Defence Force, Lesotho Mounted Police Service, Functions of the Lesotho Mounted Police Service, National Security Service, Functions of the National Security Service, Lesotho Correctional Service, Functions of the Lesotho Correctional Service, Establishment and functions of Independent Security Sector Oversight, Inspectorate and Complaints Authority, Composition and Appointment of the Authority, Functions of the Authority, General principles of the media, Media Council of Lesotho and Settlement of disputes in the media sector

23. The Constitution is amended by inserting the following new sections after section 149:

“National Security Commission

149A. (1) There shall be a National Security Commission (to be called “the Commission” in this Part) which shall be appointed by the King, by notice published in the Gazette for the appointment and removal of security chiefs, on the advice of the National Security

Council and which shall consist of -

- (a) two members from the National Assembly, one nominated from the government and one from the opposition and one member nominated from the Senate;
- (b) a member of the Judicial Service Commission nominated by the Judicial Service Commission;
- (c) a former Chief of Defence Staff;
- (d) a former Chief of Police;
- (e) a former Director-General of the National Intelligence Service;
- (f) a former Chief of the Lesotho Correctional Service; and
- (g) a Secretary who shall be appointed by the Commission through a transparent and competitive process but who shall neither participate nor vote in any meeting of the Commission.

(2) Where there is no person to fill the membership referred to in subsection (1)(c), (d), (e) and (f) a former deputy may be appointed in accordance with this section.

(3) Members of the Commission shall elect a Chairperson and Deputy Chairperson from among themselves, and the names of the elected persons shall be published in the Gazette by the Prime Minister.

(4) Members of the Commission referred to under subsection (1), (c), (d), (e) and (f) shall be appointed on the basis of their general suitability for appointment through a fair and transparent process.

(5) A member of the Commission shall hold office for three years, renewable once for a period not exceeding three years based on a

good performance.

(6) Meetings of the Commission shall be called by the Chairperson.

(7) The quorum of the Commission shall be fifty percent plus one, and subject thereto the Commission may act notwithstanding any vacancy in its membership.

(8) Decisions of the Commission shall be taken by a simple majority of the members present and voting and in the case of equality in votes, the Chairperson shall have a casting vote.

(9) Parliament may make provision for further functions, procedures for appointment, tenure of office, and other related matters by an Act of Parliament.

(10) Subject to the provisions of this section, the Commission may regulate its own procedures.”

Functions of the Commission

149B. The functions of the Commission shall be provided for by an Act of Parliament.

Appointment of heads and deputies of National Security Institutions

149C. (1) The heads and deputies of the National Security Institutions shall be appointed by the King acting on the advice of the Prime Minister based on the recommendation of the Commission, following a transparent, fair, merit based and competitive process.

(2) The appointment process shall be conducted by the Commission, which shall shortlist and interview competent, non-partisan, patriotic, professional, and disciplined senior most candidates within a particular National Security Institution.

(3) The Commission shall recommend three candidates from each National Security Institution for the Prime Minister to consider.

(4) The Prime Minister shall advise the King with one candidate for appointment as the head of a National Security Institution.

(5) A person who has served as a head of any National Security Agency shall not be appointed to the command of any other National Security Institution.

(6) Where there is a vacancy in the office of a head of a National Security Institution, the deputy shall act until the head is duly appointed. In the absence of both the head the deputy, the senior-most officer shall act.

(7) The acting period in the office of the head or deputy head of a National Security Institution shall not exceed six months.

Lesotho Defence Force

149D. (1) There shall be the Lesotho Defence Force for the defence of the Kingdom of Lesotho, which shall be the only lawful military force in Lesotho.

(2) A member of Cabinet shall be appointed to be the Minister responsible for defence and shall be the channel through which the Lesotho Defence Force shall be answerable to Parliament.

(3) The command of the Lesotho Defence Force shall be vested in the Chief of Defence Staff.

Functions of the Lesotho Defence Force

149E. The functions of the Lesotho Defence Force shall be provided for by an Act of Parliament.

Deployment of the Lesotho Defence Force

149F. (1) The power to deploy the Lesotho Defence Force, except for routine military operations, shall be vested in the King, acting on the advice of the National Security Council.

(2) If the King, on the advice of the National Security Council, deploys the Lesotho Defence Force due to a threat to the Kingdom

of Lesotho, the Prime Minister shall, within fourteen days, report the deployment to Parliament stating -

- (a) the nature of the threat and the reason for the deployment;
- (b) the nature of the force, the place of deployment and the number of personnel involved;
- (c) the expected period of deployment; and
- (d) any other relevant information.

(3) If Parliament is in recess during the first fourteen days after the Lesotho Defence Force is deployed, the Council of State shall, at the recommendation of the National Security Council, advise the King to convene an emergency session of Parliament to be briefed on the deployment.

(4) Notwithstanding subsection (1), if circumstances arise that warrant urgent deployment of the Lesotho Defence Force, and it is not practically possible for the National Security Council to meet and advise the Commander in Chief on the deployment, the Chief of Defence Staff shall, with the approval of the Prime Minister and in consultation with the Minister responsible for Defence, authorise such deployment.

(5) The deployment referred to in subsection (4) shall be reported to the National Security Council by the Prime Minister within three days.

Lesotho Mounted Police Service

149G. (1) There shall be the Lesotho Mounted Police Service that shall be responsible for the maintenance of law and order in Lesotho and shall be the only Police Service in Lesotho.

(2) A member of Cabinet shall be appointed to be the Minister responsible for the Police and shall be the channel through which the Police will be answerable to Parliament.

(3) The command of the Lesotho Mounted Police Service shall be vested in the Chief of Police.

Functions of the Lesotho Mounted Police Service

149H. The functions of the Lesotho Mounted Police Service shall be provided for by an Act of Parliament.

National Security Service

149I. (1) There shall be the National Security Service that shall be responsible for the provision of national intelligence and shall be the only National Security Service in Lesotho.

(2) The command of the National Security Service shall be vested in the Director-General of the National Security Service who shall be answerable to the Prime Minister.

(3) The Director-General shall be responsible for the administration and discipline of the National Security Service.

Functions of National Security Service

149J. The functions of the National Security Service shall be provided for by an Act of Parliament.

Lesotho Correctional Service

149K. (1) There shall be the Lesotho Correctional Service that shall be responsible for the administration of correctional facilities in Lesotho and shall be the only Correctional Service in Lesotho.

(2) A member of Cabinet shall be appointed to be the Minister responsible for the Lesotho Correctional Service and shall be the channel through which the Correctional Service will be answerable to Parliament.

(3) The command and superintendence of the Lesotho Correctional Service shall be vested in the Chief of Corrections who shall be answerable to the Minister responsible for the Correctional Service.

Functions of Lesotho Correctional Service

149L. The functions of the Lesotho Correctional Service shall be provided for by an Act of Parliament.

Establishment and functions of Independent Security Sector Oversight, Inspectorate and Complaints Authority

149M. (1) There shall be an Independent Security Sector Oversight, Inspectorate and Complaints Authority which shall be an oversight authority for the National Security Institutions in Lesotho.

(2) The Independent Security Sector Oversight, Inspectorate and Complaints Authority shall be answerable to Parliament, through a relevant Portfolio Committee.

Composition and appointment

149N. (1) The Authority shall consist of seven members of the Authority who shall be appointed on a part time basis, as follows:

- (a) a Chairperson who shall be a former judge and who shall be appointed by the National Security Commission.
- (b) an experienced legal practitioner, of high moral integrity, with a minimum of ten years of experience, who shall be appointed by the National Security Commission;
- (c) a qualified psychologist or any other expert as may be provided for by an Act of Parliament appointed by the National Security Commission;
- (d) a former member of the Lesotho Defence Force from the rank of Brigadier or above, who shall be responsible for the portfolio relating to the Lesotho Defence Force in the Authority;
- (f) a former member of Lesotho Mounted Police

Service, from the rank of Senior Assistant Commissioner of Police or above, who shall be responsible for the portfolio relating to the Lesotho Mounted Police Service;

- (g) a former member of the National Security Service, from the rank of Director or above, who shall be responsible for the portfolio relating to the National Security Service; and
- (h) a former member of the Lesotho Correctional Service, from the rank of Senior Assistant Commissioner of Corrections or above who shall be responsible for the portfolio relating to the Lesotho Correctional Service.

(2) All appointments, shall be carried out through a transparent, competitive, and impartial process.

Functions

149O. The functions of the Authority shall be provided for by an Act of Parliament.

General principles of the Media

149P. (1) The media in Lesotho shall play an integral part in the development and democratisation process of the country.

(2) The role of the media in society shall be based on the following principles:

- (a) the media shall promote freedom of expression;
- (b) the media shall be a platform that facilitates citizen participation in public affairs and development of the country;
- (c) providers of media services shall ensure professionalism and ethical conduct in the provision of

media services, which shall include -

- (i) providing content that is not biased;
 - (ii) protecting users from harmful content;
 - (iii) respecting the right to privacy; and
 - (iv) protecting society against incitement of violence, the commission of crimes and hatred; and
- (d) media shall be protected against revealing their confidential sources.

(3) There shall be diversity of media ownership and media content in Lesotho.

(4) The State shall encourage investment in the media by providing technological and other infrastructure for optimal innovation in the media sector.

Media Council of Lesotho

149Q. (1) There shall be a Media Council of Lesotho which shall be an independent body that regulates the media industry.

(2) In the performance of its functions, the Council shall not be subject to the control and direction of any person or authority.

Settlement of disputes in the media sector

149R. (1) There shall be an office of the Media Ombudsman, which shall deal with settlement of disputes against the media sector.

(2) The Media Ombudsman shall be appointed by the Minister responsible for communications on the advice of a selection panel following a fair, transparent, competitive and merit-based process to be provided for by an Act of Parliament.

(3) The Media Ombudsman shall hold office for a period of five years.

(4) In the performance of his or her duties, the Media Ombudsman shall be independent, impartial, and transparent and shall not be subject to the direction and control of any person or authority.

(5) The duties and functions of the Media Ombudsman shall be provided for by an Act of Parliament.

Insertion of new sections 152A, 152B and 152C: Appointments, tenure and removal

24. The Constitution is amended by inserting the following new sections after section 152:

“Appointments

152A. (1) The Auditor General, Ombudsman, members of the Human Rights Commission, members of the Lesotho Independent Anti-Corruption and Ethics Commission and members of the Public Service Commission shall be appointed by the King acting in accordance with the advice of the Prime Minister, taking one from the three names selected through a fair, competitive, merit based and transparent parliamentary selection process to be provided for by an Act of Parliament.

(2) A person shall be appointed to an office or a Commission under subsection (1), if the person -

- (a) is an indigenous Mosotho;
- (b) holds qualifications which shall be provided for by an Act of Parliament; and
- (c) is of high moral character and integrity and possesses such quality of mind to enable him or her to discharge the functions of his or her office, impartially, fairly and free from bias and prejudice.

(3) The commissions and bodies provided for in subsection (1), and other bodies with similar functional mandate, are declared the state institutions strengthening and supporting constitutional democracy, and they shall be guided by the following values and principles:

- (a) these institutions are independent, and subject to only the Constitution and the law, and they shall be impartial and must exercise their powers and perform their functions without fear, favour or prejudice;
- (b) other organs of state, through legislative and other measures, assist and protect these institutions to ensure the independence, impartiality, dignity and effectiveness of these institutions;
- (c) no person or organ of state may interfere with the functioning of these institutions; and
- (d) these institutions are accountable to the National Assembly and must report on their activities and the performance of their functions to the Assembly at least once a year.

(4) Public Administration shall be governed by democratic values and principles enshrined in the Constitution, including the following principles:

- (a) a high standard of professional ethics must be promoted and maintained;
- (b) efficient, economic and effective use of resources shall be promoted;
- (c) public administration shall be development-oriented;
- (d) services shall be provided impartially, fairly, equitably and without bias;

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- (e) people's needs shall be responded to, and the public shall be encouraged to participate in policy-making;
 - (f) public administration shall be accountable;
 - (g) transparency shall be fostered by providing the public with timely, accessible and accurate information;
 - (h) good human-resource management and career-development practices to maximize human potential, shall be cultivated, hence no personnel of any state organ, department and agency shall be engaged on contract after retirement; and
 - (i) public administration shall be broadly representative of Basotho groupings, with employment and personnel management practices based on ability, objectivity, fairness, and the need to redress the imbalances of the past to achieve broad representation.
- (5) The principles listed in subsection (3) shall apply to -
- (a) administration in every sphere of government;
 - (b) organs of state; and
 - (c) public enterprises.
- (6) Across the board, the national legislation shall ensure the promotion of the values and principles listed in subsection (3).
- (7) The appointment in public administration of a number of persons on policy considerations is not precluded, but national legislation shall regulate these appointments in the public service.
- (8) Legislation regulating public administration may differentiate between sectors, administrations or institutions.

(9) The nature and functions of different sectors, administrations or institutions of the public administration are relevant factors to be taken into account in legislation regulating public administration.

Tenure

152B. A public officer or member of a Commission appointed under subsection (1) shall hold office for a period of seven years which shall not be renewable.

Removal

152C. (1) The King may, acting on the advice of the Prime Minister, remove from office a person appointed under section 152A after the National Assembly makes a resolution for the removal of the person to the Prime Minister for -

- (a) inability to exercise the functions of his or her office whether arising from infirmity of body or mind or any other cause;
- (b) gross misconduct;
- (c) incompetence; or
- (d) any other ground that may affect the integrity of his or her office or the discharge of his or her duties and functions.

(2) The process of appointing or removing a person under this section shall be as provided for by an Act of Parliament.

(3) A resolution of the National Assembly concerning the removal from office of a member of the commission or a body in section 152A shall be adopted with a supporting vote of a majority of the members of the National Assembly.

(4) The Prime Minister -

- (a) may suspend a person from office at any time

after the start of the proceedings of a committee of the National Assembly for the removal of that person; and

- (b) shall recommend to the King, a removal of that person from office upon the adoption by the National assembly of the resolution calling for that person's removal."

Insertion of new section 153A: International law, conventions and treaties

25. The Constitution is amended in section 153, by inserting the following section:

"International law and agreements

153A (1) The Executive branch of Government, through the Minister responsible for international relations shall be responsible for initiating, negotiating, signing, acceding to and ratifying international conventions and treaties.

(2) Notwithstanding subsection (1), the Executive shall not sign, ratify, or accede to an international agreement unless it has -

- (a) considered several variables including the cost implications involved in ratifying, acceding to the agreement or treaty as well as implementing its provisions;
- (b) tabled before Parliament, with an explanatory memorandum in respect of the agreement or treaty that it intends to sign, ratify, or accede to as may be provided for by an Act of Parliament; and
- (c) obtained approval by a resolution of both houses of parliament where the resolutions of the two Houses of Parliament differ, the resolution of the National Assembly shall prevail.

(3) For purposes of expediency, the Executive may sign without prior approval of Parliament, but the signing shall not have effect until the conditions specified in sub-section (2) have been satisfied.

(4) An international agreement which Lesotho has ratified or acceded to shall only become law in Lesotho when its provisions have been incorporated into an Act of Parliament.

(5) A self-executing agreement approved by Parliament shall not become law unless their provisions have been incorporated into an Act of Parliament.

(6) The Kingdom of Lesotho shall continue to be bound by international agreements or treaties which were binding on Lesotho before the coming into operation of this Constitution.

(7) A court shall, in interpreting any legislation, take into account the general principles consistent with international law unless they are inconsistent with the Constitution or an Act of Parliament.

(8) This section shall not apply to all non-binding memoranda of understanding, exchange of notes, declarations, and any such non-binding instrument.

(9) Notwithstanding subsection (8), a designated person shall not sign such non-binding instrument without the approval of the Executive.

Amendment of section 154: Interpretation

26. (1) Section 154 of the Constitution is amended in -

(a) subsection (1) by inserting the following in its rightful order as follows:

“indigenous Mosotho” means a person whose ancestry can be traced back to at least three generations as citizens of Lesotho”; and

(b) subsection (5) -

- (i) line 1, by inserting after the word “Constitution” the words “and any other laws,”;
- (ii) by deleting paragraph (a), and substituting with the following:
 - “(a) where the words or expressions “he” or “him” appears insert after the words or expressions “or she” and “or her” respectively, except in the case of the King.”

Amendment of Chapter XV: Transitional and temporary provisions

Amendment of section 156: Existing law and related matters

27. The Constitution is amended in section 156 by deleting subsection (3) and substituting the following:

“(3) Matters that have to be provided for by an Act of Parliament and any matter that has to be implemented to bring into effect the provisions of this Constitution shall, immediately after the coming into operation of this Constitution, be prescribed or implemented by a responsible authority within a period of eighteen months.

(3A) If at the expiry of eighteen months period referred to in subsection (3), there is any matter that is incomplete, Parliament may extend the period of eighteen months for a further term of eighteen months.

(3B) Parliament shall, by an Act of Parliament, establish the responsible authority referred to in subsection (3), whose functions shall be to -

- (a) monitor, facilitate and oversee the development of legislation and administrative matters necessary for the implementation of this Constitution, including transitional mechanisms and processes in respect of affected offices; and
- (b) such other functions as the Parliament may consider necessary.

(3C) The responsible authority referred to in subsection (3) shall -

- (a) co-ordinate with the Attorney-General who shall ensure that the letter and spirit of this Constitution is respected in the preparation, development and tabling of legislation required to implement this Constitution; and
- (b) stand dissolved thirty-six months after it is established or at the full implementation of this Constitution as determined by Parliament, whichever comes first, but the National Assembly may, by resolution, extend its life.

Amendment of section 163: Existing public officers

28. The Constitution is amended by deleting section 163 and substituting the following:

“Existing public officers, public offices and institutions

163. (1) A person who before the coming into operation of this Constitution holds an office established under this Constitution shall continue to hold the office in terms of this Constitution subject to -

- (a) consistency and conformity with this Constitution; and
- (b) any amendment or repeal of the legislation applicable to his or her office.

(2) Any person who under this Constitution or any existing law would have been required to vacate his or her office at the expiration of any period shall within a period of six months of the coming into operation of this Constitution, vacate his or her office and may choose either -

- (a) to retire from the office; or
- (b) continue to serve in the office subject to appointments, mechanisms and procedure provided in

this Constitution and any other legislation.

(3) A public office or institution established under this Constitution is the legal successor of the corresponding office or institution established under the Constitution or by an Act of Parliament in force immediately before the coming into operation of this Constitution whether known by the same or a new name.

(4) The provisions of this section do not apply to a person who held or acted in any office established by a law repealed, by this Constitution or otherwise, on the coming into operation of this Constitution.”

Amendment of Schedules

29. The Constitution is amended by inserting the following new schedules after schedule 3:

“Schedule: 4

1. Appointed Member of Council of State
2. Chief Justice
3. Deputy Chief Justice
4. Judge President
5. Deputy Judge President
6. Judge of the Supreme Court
7. Judge of the High Court
8. Attorney General
9. Member of Parliamentary Service Commission
10. Member of Judicial Service Commission
11. Member of Public Service Commission
12. Member of the National Security Commission
13. Member of Human Rights Commission
14. Member of Lesotho Anti-Corruption and Ethics Commission
15. Member of Independent Electoral Commission
16. Member of National Development Planning Commission
17. Auditor-General
18. Public Protector
19. Director of National Public Prosecutions Authority
20. Member of Security Sector Inspectorate, Oversight and Complaints Authority .

GOVERNMENT NOTICE NO. 34 OF 2025**The Parliament of Lesotho****Statement of Objects and Reasons of the Tenth Amendment
to the Constitution Act, 2025**

**(Circulated on the Authority of the Minister of Law and Justice,
Honourable Richard Ramoeletsi)**

The purpose of the Act is to amend the Constitution of Lesotho 1993, to give effect to the resolutions of the Multi-Stakeholder National Dialogue on comprehensive national reforms as espoused in the Plenary II Report.

The Act is a result of consultations and debates among members of the National Reforms Authority and a wide number of Stakeholders.

The Act recognises isiXhosa, SiPhuthi and sign language as official languages of Lesotho.

The Act introduces the age of majority in Lesotho and sets it at 18 years.

The Act further provides for the establishment of the Parliamentary Service. The offices of the President of the Senate, Speaker, Clerks of both Houses of Parliament will be offices in the Parliamentary Service. According to the Act, there is the Parliamentary Service Commission which is an autonomous body and whose composition, powers and functions shall be provided for by an Act of Parliament. The Act introduces the Parliament Budget Office and other specialised offices to enable the Parliament to function and discharge its mandate as will be provided for in the Act.

The Act makes provision for Joint Sitzings of Parliament and sets out the circumstances under which a Joint Sitting may be convened.

The Act provides for the appointment of the Government Secretary by the Prime Minister from the shortlist of three names recommended by the Public Service Commission through a process to be provided for in an Act of Parliament.

The Act makes provision for the Principal Secretaries to be designated as Permanent Secretaries under the Government Secretary. The appointment of these

officers shall be by the Public Service Commission as opposed to the Prime Minister as is currently the situation.

Chapter Ten which deals with financial matters is completely overhauled and replaced with a new chapter which deals with, among others issues, the Consolidated Fund, the Public debt and fiscal devolution. The Act renames the Office of Auditor-General to the Supreme Audit Institution and provides for its full autonomy, functions and disqualifications for appointment.

The Act establishes the Central Bank of Lesotho as an independent body responsible for determining, formulating and implementing the monetary policy as well as maintaining financial and price stability. The Central Bank is responsible for supervising and regulating financial institutions and financial activities of the banks and non banking financial institutions.

The Act introduces the Salaries and Remuneration Commission, which shall be responsible for determining, reviewing and harmonising pay and benefit threshold for all officers and persons whose salaries and benefits are drawn from the Consolidated Fund, including salaries and benefits for all members of Parliament, the Executive, all statutory position holders, all boards, councils, advisory bodies, parastatals state owned enterprises and government agencies is answerable to Parliament.

The Act makes provision for the existence of the public service, whose structure and operations are to provide for the effective and efficient public service. The Act also provides for the establishment of the Public Service Commission. Members of the Public Service Commission are to be appointed by the King acting on the advice of the Judicial Service Commission through a transparent, merit based, fair and competitive process. According to the Act, appointments, confirmations of appointments, promotions and dismissals shall be the responsibility of the Commission.

The Human Rights Commission is also deleted in its entirety and replaced with a new version, which provides it with a large degree of independence from the executive branch of Government.

The Act introduces the Lesotho Independent Anti-Corruption and Ethics Commission in the Constitution and it is also given more independence from the executive branch of Government and the element of ethics is also added. It is currently established by an Act of Parliament.

The Act makes provision for the establishment of a Foreign Service whose composition will be career diplomats, attaches and political appointees.

The Act introduces the media sector and outlines general media principles which shall form a basis for the role of media in Lesotho. According to the Act, the entire media industry shall be regulated by a Media Council, which shall be an independent body comprising persons from different sectors such as journalism and media, legal, labour, dispute resolution, civil society, human rights and communications. The Act also provides for the Media Ombudsman, which shall amongst other things, develop an effective and efficient complaints system to be used by media content users and settle disputes from media houses.

Finally, the Act makes it mandatory for the executive arm of the Government to obtain approval from Parliament before ratification or accession of international agreements.