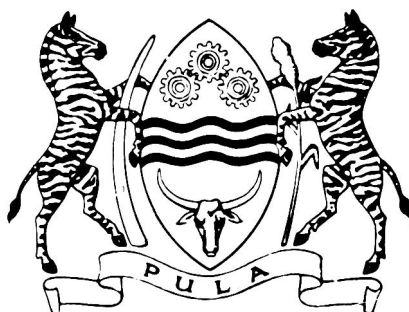


# REPUBLIC OF BOTSWANA



## GOVERNMENT GAZETTE

Vol. XV, No. 7

GABORONE

28th January, 1977

### CONTENTS

	Page
Judicial Service Commission — Appointment of Member — G.N. No. 58 of 1977 .....	70
Precious Stones Industry (Protection) Act — Power to Search Persons and Things — G.N. No. 59 of 1977 ..	70
Registration of Business Names Act — Appointment of Registrar — GN. No. 60 of 1977 .....	71
Treasury Bills — Issue of 21st January, 1977 — G.N. No. 61 of 1977 .....	71
Applications for Government of Botswana Treasury Bills — G.N. No. 62 of 1977 .....	71
Applications for Authorization of Change of Name:	
Motshomanyane — G.N. No 63 of 1977 .....	72
Gideon — G.N. No. 64 of 1977 .....	72
Closures of Liquidation:	
Ga-Mokoto Marketing Co-operative Society Limited — G.N. No. 65 of 1977 .....	72
Papatlo Marketing and Supply Co-operative Society Limited — G.N. No. 66 of 1977 .....	73
Application to Register a School (Mhalapitsa School) — G.N. No. 67 of 1977 .....	73
Corrigendum — G.N. No. 68 of 1977 .....	73
Public Notices .....	74-81

The following Supplements are published with this issue of the Gazette —

Supplement B — Promissory Oaths (Amendment) Bill, 1977 — Bill No. 1 of 1977 .....	B.1
Ministerial Offices (Maximum Number) (Amendment) Bill, 1977 — Bill No. 2 of 1977 .....	B.3
Criminal Procedure and Evidence (Amendment) Bill, 1977 — Bill No. 3 of 1977 .....	B.5-B.6
Presidential Elections (Supplementary Provisions) (Amendment) Bill, 1977 — Bill No. 4 of 1977 .....	B.7-B.8
Electoral (Amendment) Bill, 1977 — Bill No. 5 of 1977 .....	B.9-B.12
Supplement C — Diseases of Animals Act — Notice of Commencement — S.I. No. 9 of 1977 .....	C.15
Amendment of Schedules (No. 3) Notice, 1977 — S.I. No. 10 of 1977 .....	C.16-C.17

The Botswana Government Gazette is printed by the Botswana Government Printer.

P.O. Box 87: GABORONE, Republic of Botswana.

Subscription rate is P 10 00 post free for 12 months.

The price for this issue of the Gazette (including Supplements) is 60 thebe.

Government Notice No. 58 of 1977

CONSTITUTION OF BOTSWANA

**Judicial Service Commission — Appointment of Member**

IN EXERCISE of the powers conferred by section 103 (1) (c) of the Constitution, the Chief Justice and the Chairman of the Public Service Commission acting together have appointed —

**MOKWADI TOM MOKGABISI KGOPO**

to be a member of the Judicial Service Commission with effect from 10th January, 1977.

DATED this 18th day of January, 1977.

G.O.L. DYKE,  
*Chief Justice.*

M.L.A. KGASA,  
*Chairman, Public Service Commission.*

L2/7/98 1X

Government Notice No. 59 of 1977

PRECIOUS STONES INDUSTRY (PROTECTION) ACT  
(Cap. 66:03)

**Power to Search Persons and Things**

IN EXERCISE of the powers conferred by section 27 (1) of the Precious Stones Industry (Protection) Act, the Minister of Mineral Resources and Water Affairs has authorized the persons named in the first column of the Schedule, who hold the positions respectively specified in the second column of the said Schedule, to exercise, within the Orapa Precious Stone Security Area and the Letlhakane Mine Precious Stone Security Area, the powers of search conferred by that section.

SCHEDULE

<i>Name</i>	<i>Position held</i>
Robert Cowell	Senior Security Officer
Mokwadi Large Makuku	Security Sergeant
Babolai Malope Monthe	Security Sergeant
Daniel Olefile Nkwe	Security Sergeant
Keiphang Keitshegile Sechele	Security Sergeant
2. The authorizations of the under-mentioned persons to search are hereby revoked —	
Jemima Powers Moncur (Mrs)	Ex-Nursing Sister
John Henry Marshall Moncur	Ex-Chief Security Superintendent
James Lucas Besele	Ex-Security Sergeant
James Dailly Allan	Senior Security Officer

DATED this 19th day of January, 1977.

J.M. NGANUNU,  
*Permanent Secretary,*  
*Ministry of Mineral Resources and Water Affairs.*

L2/7/167 11

Government Notice No. 60 of 1977

REGISTRATION OF BUSINESS NAMES ACT  
(Cap 42:04)

**Appointment of Registrar**

IN EXERCISE of the powers conferred by section 3 (1) of the Registration of Business Names Act, the Minister of Commerce and Industry has appointed —

**ROBERT FRANCIS LUTHER GEARY PEPPER**

to be Registrar of Business Names.

DATED this 20th day of January, 1977.

P.P.M. MAKEPE,  
*Acting Permanent Secretary,  
Ministry of Commerce and Industry.*

L2/7/226 I

Government Notice No. 61 of 1977

STOCK, BONDS AND TREASURY BILLS ACT, 1976  
(6 of 1976)

TREASURY BILLS REGULATIONS, 1976  
(S.I. 143 of 1976)

**Issue of 21st January, 1977**

The Bank of Botswana announce that applications totalling P3 075 000 were received on 20th January, 1977, for the offer of P1 000 000 Treasury Bills for issue on 21st January, 1977, at a price of P98,16 per cent.

Applications were scaled down pro rata and applicants received an allotment of about 33% of the amount of bills applied for.

L1/7/237 I

Government Notice No. 62 of 1977

STOCK, BONDS AND TREASURY BILLS ACT, 1976  
(6 of 1976)

TREASURY BILLS REGULATIONS, 1976  
(S.I. 143 of 1976)

**Applications for Government of Botswana Treasury Bills**

The Minister of Finance and Development Planning hereby gives notice that applications will be received at the Bank of Botswana, Khama Crescent, Gaborone, on Thursday, 3rd February, 1977, at 12 noon, for Treasury Bills to be issued under the Stock, Bonds and Treasury Bills Act, 1976, and in accordance with the Treasury Bills Regulations, 1976, to the amount of P1 000 000.

2. The price per cent at which the Bills will be offered will be published by the Bank of Botswana not later than 9 a.m. on Thursday, 3rd February, 1977.

3. The Bills will be in amounts of P1 000 or a multiple of P1 000. They will be dated 4th February, 1977, and will be due 91 days after date.

4. The Bills will be issued and paid at the Bank of Botswana.

5. Each application must be for a minimum of P1 000.

6. Applications must be made through a commercial Bank in Botswana.

7. Notification will be sent, on the same day as applications are received, to the persons whose applications are accepted in whole or in part.

8. Payment in full of the amount due in respect of such accepted applications must be made to the Bank of Botswana by means of cash or by draft or cheque drawn on the Bank of Botswana not later than noon on the day on which the relative Bills are to be dated.

9. Applications must be made on the official printed forms which may be obtained from the commercial banks or the Accounts and Banking Office, Bank of Botswana.

10. The Minister of Finance and Development Planning reserves the right to reject any application in whole or in part.

DATED this 19th day of January, 1977.

B. GAOLATHE,  
*Permanent Secretary,  
Ministry of Finance and Development Planning.*

FDPC/3/8/25  
L2/7/237 I

Government Notice No. 63 of 1977

CHANGE OF NAME LAW, 1963  
(28 of 1963)

**Application for Authorization of Change of Name**

IN ACCORDANCE with the provisions of section 5 (2) of the Change of Name Law, 1963, the Minister of Home Affairs has directed that notification be published of an application by the undermentioned person for the Minister's authority to assume a surname other than that which he has borne. Any person who objects to the said application shall notify the Minister of such objection and the grounds thereof within thirty days of the publication of this notice.

<i>Name and address of Applicant</i>	<i>Proposed Surname</i>	<i>Reasons given by Applicant for desiring to assume proposed surname</i>
Italy Sempape, P.O. Box 246, Mochudi.	Motshomanyane	Sempape is father's name. The real surname is Motshomanyane.

DATED this 13th day of January, 1977.

D.L. PILANE  
*Permanent Secretary,  
Ministry of Home Affairs.*

L2/7/105 II

Government Notice No. 64 of 1977

CHANGE OF NAME LAW, 1963  
(28 of 1963)

**Application for Authorization of Change of Name**

IN ACCORDANCE with the provisions of section 5 (2) of the Change of Name Law, 1963, the Minister of Home Affairs has directed that notification be published of an application by the undermentioned person for the Minister's authority to assume a surname other than that which he has borne. Any person who objects to the said application shall notify the Minister of such objection and the grounds thereof within thirty days of the publication of this notice.

<i>Name and address of Applicant</i>	<i>Proposed Surname</i>	<i>Reasons given by Applicant for desiring to assume proposed surname</i>
Mr Poifo Bojanka Nkone, Independence Ass. of Botswana, P.O. Box 18, MOLEPOLOLE.	Gideon	Gideon is the correct surname.

DATED this 12th day of January, 1977.

D.L. PILANE,  
*Permanent Secretary,  
Ministry of Home Affairs.*

L1/7/105 II

Government Notice No. 65 of 1977

CO-OPERATIVE SOCIETIES ACT  
(Cap. 42:03)

**Closure of Liquidation — Ga-Mokoto Marketing Co-operative Society Limited**

WHEREAS IN EXERCISE of the powers conferred by section 40 of the Co-operative Societies Act, I, John Mackentire Edwin Gaetsaloe, was on 21st November, 1972, appointed to be Liquidator of the Ga-Mokoto Marketing Co-operative Society Limited, which Society was on 1st November, 1972, placed in liquidation by the Registrar of Co-operative Societies, in exercise of the powers conferred upon him by section 38 of the said Act;

NOW THEREFORE IN EXERCISE of the powers conferred by section 47 (2) of the aforesaid Act, I hereby close the liquidation of the said Society.

DATED this 18th day of January, 1977.

J.M.E. GAETSALOE,  
*Liquidator.*

L22/7/22



*Government Notice No. 66 of 1977*

**CO-OPERATIVE SOCIETIES ACT**  
(Cap. 42:03)

**Closure of Liquidation — Papatlo Marketing and Supply Co-operative Society Limited**

WHEREAS IN EXERCISE of the powers conferred by section 40 of the Co-operative Societies Act, I, John Mackentire Edwin Gaetsaloe, was on 21st November, 1972, appointed to be Liquidator of the Papatlo Marketing and Supply Co-operative Society Limited, which Society was on 1st November, 1972, placed in liquidation by the Registrar of Co-operative Societies, in exercise of the powers conferred upon him by section 38 of the said Act.

NOW THEREFORE IN EXERCISE of the powers conferred by section 47 (2) of the aforesaid Act, I hereby close the liquidation of the said Society.

DATED this 18th day of January, 1977.

J.M.E. GAETSALOE,  
*Liquidator.*

L2/7/22

*Government Notice No. 67 of 1977*

**EDUCATION ACT**  
(Cap. 58:01)

**Application to Register a School**

IN ACCORDANCE with the provisions of section 17 of the Education Act, it is hereby notified for general information that the Central District Council has made an application to me for the registration of a school situate at Mhalapitsa Village named Mhalapitsa School.

Any person or body of persons who may wish to object to this application shall lodge in writing with me, and with the applicant at its address, a statement of his grounds of objection within six weeks of the publication of this notice.

DATED this 17th day of January, 1977.

D.W. FINLAY,  
*Permanent Secretary,  
Ministry of Education.*

L2/7/87

*Government Notice No. 68 of 1977*

**Corrigendum**

In S.I. 149 of 1976 —

in regulation 6 for "21 (8)" substitute "26 (8)"; and for "subregulation (3)" substitute "subregulation (2)".

L2/7/162 II

## PUBLIC NOTICES

### Licences

Notice is hereby given that the persons specified hereunder intend to apply for certificates under the terms of section 10 of the Trading Act (No. 6 of 1966).

<i>Name and Address</i>	<i>Type of Licence</i>	<i>Location</i>	<i>Council</i>	<i>Date of hearing</i>
G.H. BADAT, P.O. Box 46, OTSE.	WORKSHOP AND FILLING STATION	OTSE	SOUTH EAST DISTRICT COUNCIL	28. 2.77
G.H. BADAT, P.O. Box 46, OTSE.	GENERAL TRADING	OTSE	SOUTH EAST DISTRICT COUNCIL	28. 2.77
T.L. KELAOTSWE, P.O. Box 179, LOBATSE.	SPECIALITY	PLOT No. 1187, PELENG	LOBATSE TOWN COUNCIL	3. 3.77
M.S. Dijo, P.O. Box 124, SEROWE.	SMALL GENERAL TRADING	SEBINA WARD, SEROWE	CENTRAL DISTRICT COUNCIL	25. 2.77
M.T. LECAGE, P.O. Box 9, SHOSHONG.	BUTCHERY AND RESTAURANT	SHOSHONG	CENTRAL DISTRICT COUNCIL	25. 2.77
MRS IDAH GARIKAYI, P.O. Box 135, LOBATSE.	FRESH PRODUCE	PLOT No. 4 – PELENG LOBATSE	LOBATSE TOWN COUNCIL	3. 3.77
K.T. LETLAPE, Manyana Village, P.O. Box 30, RAMOTSWA.	BUTCHERY	MANYANA	SOUTHERN DISTRICT COUNCIL	25. 2.77
K.M. NKHWA, P.O. Box 429, FRANCISTOWN.	RESTAURANT	GULUBANE VILLAGE	NORTH EAST DISTRICT COUNCIL	23. 3.77
L. SEFOKO, P.O. Box 111, MOCHUDI.	SMALL GENERAL TRADING	MOCHUDI	KGATLENG DISTRICT COUNCIL	15. 2.77
M. KGANG, P.O. Box 440, MOCHUDI.	SMALL GENERAL TRADING	TSHUKUDU, MOCHUDI	KGATLENG DISTRICT COUNCIL	25. 2.77
C. GUMBO, P.O. Box 13, KASANE.	SMALL GENERAL TRADING AND RESTAURANT	KASANE TOWNSHIP  KASANE	DISTRICT COMMISSIONER, KASANE	17. 2.77
A. SIBANDA, D.C.'s Office, P.O. Box 2, KASANE.	FRESH PRODUCE	CHOBE SAFARI LODGE, KASANE	DISTRICT COMMISSIONER, KASANE	17. 2.77
G. SELAOLE, P.O. Box 26, TUTUME.	SMALL GENERAL TRADING	MAGAPATONA CENTRAL WARD	CENTRAL DISTRICT COUNCIL	25. 2.77
A. MOSINYI, P.O. Box 432, FRANCISTOWN.	GENERAL TRADING	MATSILOJE	NORTH EAST DISTRICT COUNCIL	23. 3.77
S. MAFIKA, Masingwaneng Village, P/Bag, MAKALENG.	RESTAURANT	MASINGWANENG VILLAGE	NORTH EAST DISTRICT COUNCIL	23. 3.77
S.P.B. BALULE, P.O. Box 706, FRANCISTOWN.	RESTAURANT	MAPOKA VILLAGE	NORTH EAST DISTRICT COUNCIL	23. 3.77
M.J. MOLEELE, P.O. Box 13, TSHESEBE.	SMALL GENERAL TRADING	MOSOJANE	NORTH EAST DISTRICT COUNCIL	23. 3.77
A.K. THIPE, P.O. Box 143, PALAPYE.	SMALL GENERAL TRADING	BOIKAGO WARD, PALAPYE	CENTRAL DISTRICT COUNCIL	25. 2.77

Any person objecting to the grant of such certificate(s) should, within 7 days of the second publication of this/these notice(s), give notice in writing to the said council of his intention to oppose such application and state the grounds upon which his objection is based.

*Second Publication*

### Hawker's Licences

Notice is hereby given that the undersigned intend to apply for a certificate in terms of Byc-Law 8 of the Hawking (Model) Byc-Laws, 1967, to obtain a Hawkers Licence.

<i>Name and Address</i>	<i>Place(s) where Licence(s) Applied for</i>	<i>District Council</i>	<i>Date Application to be Heard</i>
GAME C. KALABEN, c/o P.O. Box 152, KANYE.	HONYE, MADIGE, MAHURANE, SEGA, MATUNTE, SEHERELELA, NHANE AND SESU	SOUTHERN DISTRICT COUNCIL	25. 2.77
K. BANTSI, P.O. Box 4, TONOTA.	TONOTA, FRANCISTOWN, SELEBI- PHIKWE, GABORONE, SEROWE AND LOBATSE	CENTRAL DISTRICT COUNCIL	28. 1.77
MOISERAELE MODISAGAREKWE, P.O. Box 179, MOLEPOLOLE.	LOPARE, MAOLOGANE, MAHIBI- TSWANE AND MOGONONO	KWENENG DISTRICT COUNCIL	17. 2.77
MRS PERPETUA MODIRIRA, c/o Peter Sladen, P.O. Box 121, SELEBI-PHIKWE.	SERULE, MOTSOTSWANE, MMADINARE LANDS, PHOKOJE AND SELEBI	CENTRAL DISTRICT COUNCIL	25. 2.77
MODISE NTSEANE, P.O. Box 131, KANYE.	MAPHADIKWE, DIKAKANA, GANAMANYANE, SEOKANGWANE, GORATSHWENYANA, MATSHE- TSHWANA, RAMOTLHOSI AND PELOTSHETLHA	SOUTHERN DISTRICT COUNCIL	25. 2.77
MOSALA MPOIFHANG, P.O. Box 84, KANYE.	MOSHANA, MAKAPANE, MASOKULE, TLANEGE, PITSA, MADIABATHO, RALEKGETHO, LOHERWANE, MOLAPOWABASADI, TSHWAANE, LOTLHAKANE AND TAUESHELE	SOUTHERN DISTRICT COUNCIL	25. 2.77
PETRUS MOKATE, Concentration Department, P.O. Box 3, SELEBI-PHIKWE.	THAMASHANGA	NORTH EAST DISTRICT COUNCIL	23. 3.77
PHILEMON DUBE, P.O. Box 22, MAUN.	HAINA VELD	NORTH WEST DISTRICT COUNCIL	7. 3.77
KWENAEJANG HANTA, c/o S.R. Letshaba, P.O. Box 52.	TOI, MOSETLHA, MAGODIRI, GARATSHWENYANA, MOREANE, AND TAUPONE	SOUTHERN DISTRICT COUNCIL	25. 2.77

Any person objecting to the grant of such certificate(s) should, within 7 days of the second publication of this/these notice(s), give notice in writing to the said council of his intention to oppose such application and state the grounds upon which his objection is based.

*Second Publication*

### Transfers

Notice is hereby given that the undersigned intend to apply for a certificate in terms of Section 10 of the Trading Act, 1966 (No. 6 of 1966) to obtain a transfer of licence.

A transfer of a GENERAL TRADING LICENCE in respect of the premises situated at SELEKA VILLAGE and that the CENTRAL DISTRICT COUNCIL has determined that the application shall be heard by the Licensing Authority on the 25th February, 1977.

J.H. STIGLINGH, P.O. Box 147, MAHALAPYE.

A transfer of a GENERAL TRADING LICENCE FROM J.M. PALMER TO F. ENGLETON in respect of the premises situated at MOPIPI and that the CENTRAL DISTRICT COUNCIL has determined that the application shall be heard by the Licensing Authority on the 25th February, 1977.

J.M. PALMER, c/o I.S. Kirby, Attorney, P.O. Box 170, GABORONE.

A transfer of a GENERAL TRADING LICENCE FROM J.M. PALMER TO A. WELLIO AND SONS in respect of the premises situated at MOREOMAOTO and that the CENTRAL DISTRICT COUNCIL has determined, that the application shall be heard by the Licensing Authority on 25th February, 1977.

J.M. PALMER, c/o I.S. Kirby, Attorney, P.O. Box 170, GABORONE.

A transfer of a GENERAL TRADING LICENCE FROM J.E. PALMER AND CO. (PTY.) LTD. TO F. ENGLETON in respect of the premises situated at RAKOPS and that the CENTRAL DISTRICT COUNCIL has determined that the application shall be heard by the Licensing Authority on 25th February, 1977.

J.M. PALMER & CO., (PTY.) LTD., c/o I.S. Kirby, Attorney, P.O. Box 170, GABORONE.

Any person objecting to the grant of such certificate should, within 7 days of the second publication of this notice, give notice in writing to the said Council of his intention to oppose such application and state the grounds upon which his objection is based.

*Second Publication*

**Notice of Intention to Continue to Carry on a Business**

Notice is hereby given under Section 28 of the Trading Act that I, Timothy L. Kelaotswe, will continue to carry on the Business of a Restaurant Licence at Plot No. 1187, Peleng, Lobatse, since Solly Sithole, has now disposed of his entire interest in the said plot.

T.L. KELAOTWE, P.O. Box 179, LOBATSE.

*Second Publication*

**Notice of Intention to Transfer a Trading Licence**

Notice is hereby given in terms of Section 28 of the Trading Act that I, Sollie Sethole, of P.O. Box 427, Gaborone, have disposed of my entire interest in Imperial Cafe and Confectionary carrying on the business of a Small General Trading Licence, at the premises situated at Plot No. 1187, Lobatse, to the owner of the premises, T.L. Kelaotswe, who will continue to trade at the same plot under a Restaurant Licence.

SOLLIE SETHOLE, P.O. Box 427, GABORONE.

*Second Publication*

**Notice of Intention to Transfer a Trading Licence**

Notice is hereby given in terms of Section 25 (1) of the Trading Act, 1966, that I, John Maurice Palmer, have disposed of my entire interest in Moreomaoto Store carrying on the business of General Trading Licence at premises situated at Moreomaoto to Andrew Wellio of P.O. Box 24, Maun, who will continue to trade at the same address and under the style of A. Wellio and Sons Stores.

JOHN MAURICE PALMER, P.O. Box 33, SEROWE.

*Second Publication*

**Notice of Intention to Transfer a Trading Licence**

Notice is hereby given in terms of Section 25 (1) of the Trading Act, 1966, that we, J.E. Palmer and Co. (Pty.) Ltd., have disposed of our entire interest in Rakops Store carrying on the business of a General Trading Licence at premises situated at Rakops, Tsienyane to Fred Engleton of P.O. Box 223, Francistown, who will continue to trade at the same address and under the style of F. Engleton.

J.E. PALMER & CO. (PTY.) LTD., P.O. Box 33, SEROWE.

*Second Publication*

**Notice of Intention to Transfer a Trading Licence**

Notice is hereby given in terms of Section 25 (1) of the Trading Act, 1966, that I, John Maurice Palmer, have disposed of my entire interest in Mopipi Store carrying on the business of a General Trading Licence at premises situated at Mopipi to Fred Engleton of P.O. Box 233, Francistown, who will continue to trade at the same address and under the style of F. Engleton.

JOHN MAURICE PALMER, P.O. Box 33, SEROWE.

*Second Publication*

**Notice of Intention to Transfer a Trading Licence**

Notice is hereby given in terms of Section 25 (1) of the Trading Act, 1966, that I, Aghraham Nfa, have disposed of my entire interest in Masingwaneng Restaurant carrying on the business of a Restaurant Licence at premises situated at Masingwaneng Village to Saul Mafika who will continue to trade at the same address and under the same style.

ABRAHAM NFA, Masingwaneng Village.

*Second Publication*

### Notice of Intention to Transfer a Trading Licence

Notice is hereby given in terms of Section 25 (1) of the Trading Act, 1966, that we, De Beers Botswana Mining Company (Pty.) Limited, have disposed of our entire interest in Orapa Filling Station carrying on the business of a filling station in premises situated at Orapa to Orapa Service Station (Pty.) Limited who will continue to trade at the same address and under the style of Orapa Service Station.

DE BEERS BOTSWANA MINING COMPANY (PTY.) LIMITED, Private Bag 1, ORAPA.

*Second Publication*

### Notice of Intention to Transfer a Trading Licence

Notice is hereby given in terms of Section 25 (1) of the Trading Act, 1966, that I, A.R. Southwood, have disposed of my entire interest in Seleka Trading Store carrying on the business of a General Trading Licence at premises situated at Seleka Village to Jan Hendrik Stiglingh who will continue to trade at the same address and under the same style.

A.R. SOUTHWOOD, P.O. Box 142, MAHALAPYE.

*Second Publication*

### Notice of Intention to Transfer a Trading Licence

Notice is hereby given in terms of Section 25 (1) of the Trading Act, 1966, that I, H. Khan, of P.O. Box 124, Lobatse, wish to dispose of my entire interest in Hildavale Trading Store carrying on the business of a General Trading Licence at premises situated at Hildavale to W.J. Lund who will continue to trade at the same address and under the same style.

H. KHAN, P.O. Box 124, LOBATSE.

*Second Publication*

### North West District Council – Schedule of Full Council and Committee Meetings in the Year 1977

Sessions open at 10.00 a.m.

#### COUNCIL MEETINGS 1977

Thursday March 10th  
Thursday June 9th (Kasane)  
Thursday August 25th  
Thursday December 8th

#### 1ST COMMITTEE MEETINGS

(a) Development Committee 9th February, 1977  
(b) Education Committee 14th February, 1977  
(c) Finance Committee 17th February, 1977

#### 2ND COMMITTEE MEETINGS

(a) Development Committee 9th May, 1977  
(b) Education Committee 11th May, 1977  
(c) Finance Committee 12th May, 1977

#### 3RD COMMITTEE MEETINGS

(a) Development Committee 8th August, 1977  
(b) Education Committee 11th August, 1977  
(c) Finance Committee 15th August, 1977

N.B. COMMITTEE MEETINGS OPEN AT 9.00 A.M.

*Second Publication*

#### 4TH COMMITTEE MEETINGS

(a) Development Committee 7th November, 1977  
(b) Education Committee 9th November, 1977  
(c) Finance Committee 11th November, 1977

#### TRADE LICENSING AUTHORITY MEETINGS 1977

February 7th  
March 7th  
April 4th  
May 6th  
June 3rd  
July 4th  
August 5th  
September 5th  
October 3rd  
November 4th  
December 6th

### Francistown Town Council – Schedule of 1977 Monthly Meetings

Town Planning Committee  
Site and Service Management Board  
Trade and Industry Committee  
Education Committee  
Finance and General Purposes Committee  
Full Council

= 1st Tuesday  
= 2nd Wednesday  
= 2nd Thursday  
= 2nd Tuesday  
= 3rd Tuesday  
= 4th Tuesday

*Second Publication*

S.R. MALATSI,  
for Town Clerk.

### South East District Council – Tender No. 1 of 1977

Tenders are invited by the South East District Council for the construction of the following projects in Ramotswa Village:

(a) **MAGOPANE SCHOOL:**

- (i) School kitchen/storeroom;
- (ii) 180 metres security fencing for a school garden project.

(b) **MOKGOSI SCHOOL**

- (i) School kitchen/storeroom.

Drawings, and specifications are obtainable from Council Works Superintendent, P.O. Box 1, Ramotswa, during office hours. Tenderers should submit quotations for both labour and materials in sealed envelopes clearly marked "Tender No. 1 of 1977" and addressed to The Council Secretary, South East District Council, P.O. Box 1, Ramotswa.

Closing date 4.30 p.m. 6th February, 1977.

C.D. CHIKUBA,  
Council Secretary.

#### Second Publication

#### Estate

In the Estate of the late JACOBUS FREDERICK ENGELBRECHT, Shiftboss, of Bamangwato Concessions Limited, Selebi-Phikwe, who died at Selebi-Phikwe on 2nd October, 1974.

ESTATE NO. E.1204/1975

Notice is hereby given that copies of the First and Final Liquidation and Distribution Account in the above Estate will lie for inspection of all persons interested at the offices of the Master of the High Court, Lobatse for a period of 21 (twenty-one) days reckoned from the date of publication hereof.

Should no objection thereto be lodged with the Master during the specified period, the Executor will proceed to make payment in accordance therewith.

L.H. WOOLLAM,  
Manager.

Lobatse Branch,  
Standard Bank Botswana Limited,  
P.O. Box 33,  
LOBATSE.

#### Second Publication

#### Lost or Destroyed Life Policy

Name and address of Insurer	Policy Number	Date of Policy	Amount Insured	Life Insured	Policy Owner
The Southampton Insurance Company Limited, P.O. Box 969, SALISBURY.	733707	1.12.1970	R2 000,00	B.F.W. LEKOKO	B.F.W. LEKOKO

#### Change of Name

Notice is hereby given in terms of Section 22 of the Companies Act, 1959, that by special resolution dated 10th January, 1977, THE HILCO FLOORING COMPANY (PROPRIETARY) LIMITED resolved to change its name to HILCO (PROPRIETARY) LIMITED.

Any person having objection hereto should lodge the same stating his reasons thereto with the Registrar of Companies, P.O. Box 102, Gaborone, within 14 days of publication hereof after which application will be made to the Registrar for his approval of the change of name.

PRICE WATERHOUSE & CO.,  
for and on behalf of the Company.

P.O. Box 382, GABORONE.

#### First Publication

**Licences**

Notice is hereby given that the persons specified hereunder intend to apply for certificates under the terms of section 10 of the Trading Act (No. 6 of 1966).

<i>Name and Address</i>	<i>Type of Licence</i>	<i>Location</i>	<i>Council</i>	<i>Date of hearing</i>
G. Thebeyapelo, P.O. Box 2, OTSE.	Small General Trading	Mogobane	South East District Council	28. 2.77
Serowe Meat Centre (Proprietary) Limited, c/o Helfer & Khama, Applicant's Attorneys, Room 509, Botsalano House, P.O. Box 882, GABORONE.	Fresh Produce	Serowe	Central District Council	25. 2.77
Monty Fuhr, c/o Helfer & Khama, P.O. Box 882, GABORONE.	General Trading	Merry Hill — Tuli Block	Central District Council	25. 2.77
M. Fuhr, c/o Helfer & Khama, P.O. Box 882, GABORONE.	Filling Station	Merry Hill — Tuli Block	Central District Council	25. 2.77
Marang Trading Company (Pty.) Ltd., P.O. Box 141, GABORONE.	General Trading	Plot No. 5360 Extension 2, Gaborone	Gaborone Town Council	16. 2.77
C.P. Harry P.O. Box 129, GABORONE.	General Trading	123/1 Industrial Sites Gaborone	Gaborone Town Council	16. 2.77
A.B. Kokorwe, P.O. Box 106, LOBATSE.	Butchery	Boribamo Village (trading as Boribamo Butchery)	Kweneng District Council	17. 2.77
P.K. Tshenyo and N.B. Walter, P.O. Box 202, MAUN.	Fresh Produce (Butchery)	Maun	North West District Council	7. 3.77
G.R. Sinombe, P.O. Box 49, SELEBI-PHIKWE.	General Trading	Phokojoe (Mmadinare)	Central District Council	25. 2.77
D.K. Phaladi, Tamasane School, P.O. PALAPYE.	Grinding Machine	Tamasane	Central District Council	25. 2.77
Mrs O. Mozingwane, P.O. Box 1, LETLHAKANE.	Chibuku Beer/Bar	Serule	Central District Council	25. 2.77
M. Mbulawa, P.O. RAMOKGWEBANA.	Restaurant	Themashanga Village	North East District Council	23. 3.77
L. Ramma, P.O. Box 2, SEROWE.	Restaurant	Tshimoyapula	Central District Council	25. 2.77
J. Chapata, c/o P.O. Box 42, TSEHESEBE.	Small General Trading	Tshesebe	North East District Council	23. 3.77
Margaret I. Chere P.O. Box 110, MAHALAPYE.	Chemist	Mahalapye	Central District	25. 2.77
Serowe Central Restaurant-Speciality (take away foods) (Pty.) Ltd., P.O. Box 168, SEROWE.		The Mall Serowe	Central District Council	25. 2.77
A. Travaglini, P.O. Box 287, GABORONE.	General Trading	Plot 1272, Lobatse Rd. Gab. Industrial Site	Gaborone Town Council	16. 2.77

Any person objecting to the grant of such certificate(s) should, within 14 days of the first publication of this/these notice(s), give notice in writing to the said council of his intention to oppose such application and state the grounds upon which his objection is based.

*First Publication*

### Hawker's Licences

Notice is hereby given that the undersigned intend to apply for a certificate in terms of Bye-Law 8 of the Hawking (Model) Bye-Laws, 1967, to obtain a Hawkers Licence.

<i>Name and Address</i>	<i>Place(s) where Licence(s) Applied for</i>	<i>District Council</i>	<i>Date Application to be heard</i>
Banki Gabonthone, P.O. Box 293, SELEBI-PHIKWE.	Selebi-Phikwe and Mmadinare	Central District Council	25. 2.77
Bothale Ja Basha Small Trading, B.C.L. Fire Station, P.O. Box 3, SELEBI-PHIKWE.	Seokeng Cattle Post, Mokgoje, Tlapalaphala and Sehephe Cattle Post	Central District Council	25. 2.77
Gaseitsiwe Kgate, P.O. Box 225, SEROWE.	Maninalegwete Cattle Posts, Mmited Cattle Posts, Mmamasilanoke Cattle Posts and Tewane Cattle Posts	Central District Council	25. 2.77
Letsenye Louis A. Moswoeu, Lerala Store, P.O. PALAPYE.	Lerala Village, Pakame, Mmakgabo, Sekgarapana Lands, Sesulela, Nakatsakgokong, Lotsane and Elibi Cattle Posts, Mosweu Lands and Mokwana Lands	Central District Council	25. 2.77
Socks Mafumba, Forestry Dept., P.O. Box 7, KASANE.	Kachikao, Mabele, Kavimba, Matabanelo, Siriba, Mawana and Longara	District Commissioner, Kasane	17. 2.77
Mrs Matshidiso Westhuizen, Tshidilamolomo, via MAFEKING.	Tshidilamolomo, Marojane, Mmakgori, Ditshukudung, Dikhukhung, Mapate, Magageng, Mabule and Loporung	Southern District Council	25. 2.77
Mogotsi Chaoka, P.O. Box 331, KANYE.	Kanye, Ranaka and Mosopa	Southern District Council	25. 2.77

Any person objecting to the grant of such certificate(s) should, within 14 days of the first publication of this/these notice(s), give notice in writing to the said council of his intention to oppose such application and state the grounds upon which his objection is based.

*First Publication*

### Transfers

Notice is hereby given that the undersigned intend to apply for a certificate in terms of Section 10 of the Trading Act, 1966 (No. 6 of 1966) to obtain a transfer of licence.

A transfer of a FRESH PRODUCE AND BUTCHERY LICENCE FROM H. LEON TO GABORONE MEAT CENTRE (PTY.) LIMITED in respect of the premises situated at PLOT NO. 0938 EXTENSION 2, GABORONE and that the GABORONE TOWN COUNCIL has determined that the application shall be heard by the Licensing Authority on the 15th February, 1977.

H. LEON, c/o Magang & Co., Tswana House, P.O. Box 132, GABORONE.

A transfer of a FRUIT SHOP LICENCE FROM NGAKA L. MASHIAKGOMO TO ALFRED SEKA OF P.O. BOX 267, LOBATSE in respect of the premises situated at KANYE and that the SOUTHERN DISTRICT COUNCIL has determined that the application shall be heard by the Licensing Authority on 25th February, 1977.

NGAKA L. MASHIAKGOMO, P.O. Box 288, KANYE.

A transfer of a GENERAL TRADING LICENCE in respect of the premises situated at PHALLA ROAD and that the CENTRAL DISTRICT COUNCIL has determined that the application shall be heard by the Licensing Authority on the 25th February, 1977.

F.F. MALAN, P.O. Box 3, MMADINARE.

Any person objecting to the grant of such Certificate should, within fourteen days of the second publication of this notice, give notice in writing to the said Council of his intention to oppose such application and state the grounds upon which his objection is based

*First Publication*



### Notice of Intention to Transfer a Trading Licence

Notice is hereby given in terms of Section 25 (1) of the Trading Act, 1966, that I, Johannes Petrus Groenewald, have disposed of my entire interest in Makopong Trading Store carrying on the business of a General Trading Licence at premises situated at Makopong to Gert Louw who will continue to trade at the same address and under the same style.

J.P. GROENEWALD, P/Bag C892, via VRYBURG.

*First Publication*

### Kweneng District Council

#### SALE BY PUBLIC AUCTION OF ONE LEYLAND BOXER 1200

It is hereby notified for general information that the Kweneng District Council will sell by Public Auction one Leyland Boxer 1200, 8¾ ton, 1974 model, No. BE 174.

*Place:* Old Council Storeyard, Molepolole  
*Time:* 10 a.m., 11th February, 1977.

The above vehicle can be inspected at the new Council storeyard, Industrial Area, every day from 7.30 a.m. — 12.45 p.m. and 2.00 p.m. — 4.30 p.m.

The vehicle will be sold at a price equal to or above a previously agreed confidential reserve price.

O.H. NIELSEN,  
*for Council Secretary.*

Kweneng District Council,  
Private Bag 5,  
MOLEPOLOLE.

*First Publication*

### South East District Council — Tender No. 2 of 1977

Tenders are invited by the South East District Council for the construction of the following Projects at Otse Clinic:—

(a) Addition of consulting, treatment and storage rooms as well as minor renovation to existing structure. As per drawing number O.A.L.2018.

(b) Construction of two (2) R.O.E.C. latrines as per drawing number XX.P4.2024.

Drawings and specifications are obtainable from Council Works Superintendent, P.O. Box 1, Ramotswa, during office hours. Contractors should submit quotations for both labour and materials in sealed envelopes clearly marked "TENDER NO. 2 OF 1977" and addressed to the Council Secretary, South East District Council, P.O. Box 1, Ramotswa.

Closing date 4.30 p.m. 28th February, 1977.

C.D. CHIKUBA,  
*Council Secretary.*

FIRST CRIMINAL SESSION OF THE HIGH COURT COMMENCING TUESDAY, 1ST FEBRUARY, 1977  
BEFORE THE HONOURABLE THE CHIEF JUSTICE MR JUSTICE G.O.L. DYKE AND THE HONOURABLE  
MR JUSTICE J.B. EDWARDS P.J.

#### WEDNESDAY 2ND FEBRUARY, 1977

C.T. 1/77	The State vs. Kwapo Modibedi	Murder (Trial)	Lobatse
C.T. 2/77	The State vs. Ntesang Merevagela	Murder (Trial)	Lobatse
C.T. 6/77	The State vs. Virginia M. Dikgale	1. Infanticide 2. Manslaughter)	Lobatse
C.T. 7/77	The State vs. Motatona Mopati Gaselame	Murder (Trial)	Lobatse

#### THURSDAY 3RD FEBRUARY, 1977

C.T. 3/77	The State vs. Boitshwarelo Keofethehe	Manslaughter (Trial)	Selebi-Phikwe
C.T. 4/77	The State vs. Malan Manyeko	Murder (Trial)	Selebi-Phikwe
C.T. 5/77	The State vs. Moses Mafolo	Murder (Trial)	Selebi-Phikwe

A. NITHIANANDAN,  
*Acting Registrar.*

LOBATSE.

### Francistown Town Council

#### S.H.H.A NOTICE NO. 4 OF 1976 – PLOT APPLICATIONS, AREA “L”

Notice is hereby given that the Self-help Housing Agency (S.H.H.A.), Francistown Town Council, invites applications for the allocation of plots in Site and Service Area “L”.

2. Area “L” is located north-east of the Central Francistown Residential Area and west of the Main Water Reservoir. The new ring road from Areas “I” and “M” (Minestone) toward the Jubilee Hospital provides access to Area “L”. Approximately 150 residential plots will be allocated under the “Certificate of Rights”. Other plots are reserved for Commercial, Community, Religious, and Institutional purposes.

3. Successful applicants will be assisted by the S.H.H.A. with technical advice concerning house types, house construction, and on-site development standards. Building Materials’ Loans of up to P400 will be available to all successful applicants and are repayable over 15 years.

4. Rights granted plot residents include:

- (a) the permission to occupy State land so long as obligations are fulfilled;
- (b) the inheritance of occupation rights by another family member in future;
- (c) the ownership of structures erected on the assigned plot;
- (d) the sale of structures to another person who has been approved by the Town Council; and,
- (e) the payment of compensation for structures in the event of the occupant losing the occupation right or the Government/Town Council requiring the plot for public purposes.

5. Obligations which must be met by plot residents include:

- (a) the compliance with all building, on-site development, and other bye-laws or regulations applied by the Government/Town Council;
- (b) the payment on a regular basis of the Monthly Service Levy, which covers water consumption from public standpipes, roads’ maintenance, street lighting, refuse collection, administrative activities, and other services provided by the Town Council;
- (c) the payment on a regular basis of the Monthly Capital Development Levy over a period of 15 years, which covers a portion of the costs incurred by the Town Council for the installation of water mains and the construction of roads/SWD; and,
- (d) the payment on a regular basis, when instituted, of the Monthly Sanitation Facilities Charge over a period of 15 years, which will be calculated from the actual cost of the toilet facility selected by the Government/Town Council for permanent installation on all Site and Service Plots.

6. Only Francistown residents falling within the Target Income Range are eligible for consideration by the Management Board. Other allocation criteria of a discretionary nature will be utilised by the Board to determine priorities. The need for these criteria arises from the limited number of plots available in comparison with the demand.

7. Application forms are obtainable from the Social/Development Officer in Area “W”, from the Group Worker in Area “S”, and from the S.H.H.A. Headquarters on Bluejacket Street between Tuesday, 28th December, 1976 and Friday, 31st January, 1977. Interested residents are urged to apply as soon as possible.

8. For further information interested residents are encouraged to contact the Social/Development Officer in Area “W” (Phone 698) or the S.H.H.A. Headquarters on Bluejacket Street (Phone 790).

*Second Publication*

D.D. PHILLIME,  
S.H.H.A. Director.

### Lost Deed of Transfer

Notice is hereby given that the undersigned intends applying for a certified copy of Deed of Transfer No. 114/60 dated 8th November, 1960, passed by MAHMOUD KHAN (born 16th February, 1917) and GOOLAM NABI KHAN (born 26th September, 1926) trading as M. KHAN AND COMPANY in favour of MOHAMED EBRAHIM BATA (born 10th October, 1916) in respect of

1. *CERTAIN* Erf No. 119 LOBATSE  
*SITUATE* in the LOBATSE TOWNSHIP;  
*MEASURING* two hundred and twenty-two (222) square roods and forty-eight (48) square feet.
2. *CERTAIN* Erf No. 120 LOBATSE  
*SITUATE* in the LOBATSE TOWNSHIP;  
*MEASURING* two hundred and twenty-two (222) square roods and twenty-four (24) square feet.
3. *CERTAIN* Erf No. 121 LOBATSE  
*SITUATE* in the LOBATSE TOWNSHIP;  
*MEASURING* two hundred and twenty-two (222) square roods and twenty-four (24) square feet.

All persons having objection to the issue of such copy are hereby required to lodge the same in writing with the Registrar of Deeds at Gaborone within three weeks from the last publication of this notice.

Dated at MAFEKING this 10th day of January, 1977.

FRAENKEL & ACKERMAN,  
*Applicant's Attorneys.*

P.O. Box 53,  
MAFEKING.  
*Second Publication*

*Bill No. 1 of 1977*

**PROMISSORY OATHS (AMENDMENT) BILL, 1977**

*(Published on 28th January, 1977)*

**MEMORANDUM**

A draft of the above Bill, which it is proposed to present to the National Assembly, is set out below.

2. The object of the Bill is to amend the Promissory Oaths Law, 1966, to provide that Assistant Ministers, who attend Cabinet meetings, shall take the Ministerial Oath and Cabinet Oath, in place of the Official Oath.

**D.K. KWELAGOBÉ,**

*Minister of the Public Service and Information.*

**ARRANGEMENT OF SECTIONS**

**SECTION**

1. Short title
2. Amendment of First Schedule to Law 36 of 1966
3. Amendment of Second Schedule to principal Act

**A BILL**

entitled

**An Act to amend the Promissory Oaths Law, 1966**

*Date of Assent:*

*Date of Commencement:*

ENACTED by the Parliament of Botswana.

1. This Act may be cited as the Promissory Oaths (Amendment) Act, 1977. Short title

2. The First Schedule to the Promissory Oaths Law, 1966, (hereinafter referred to as "the principal Act"), is amended by substituting for the words "Official Oath", where they appear in the second column in relation to the words "Assistant Minister" appearing in the first column thereof, the words — Amendment of First Schedule to Law 36 of 1966

"Ministerial Oath  
Cabinet Oath".

3. The Second Schedule to the principal Act is amended by inserting, immediately before the word "Minister," which appears in the form prescribed for the Ministerial Oath, the word "Assistant". Amendment of Second Schedule to principal Act

L2/4/341 I

Bill No. 2 of 1977

**MINISTERIAL OFFICES (MAXIMUM NUMBER)  
(AMENDMENT) BILL, 1977**

*(Published on 28th January, 1977)*

**MEMORANDUM**

A draft of the above Bill, which it is proposed to present to the National Assembly, is set out below.

2. The object of the Bill is to raise the permissible number of offices of Ministers of the Government, in terms of section 42 (1) of the Constitution, to 12.

**D.K. KWELAGOBÉ**

*Minister of the Public Service and Information*

**ARRANGEMENT OF SECTIONS**

**SECTION**

1. Short title
2. Amendment of section 2 of Cap. 02:02

**A Bill**

entitled

**An Act to amend the Ministerial Offices (Maximum Number) Act**

*Date of Assent:*

*Date of Commencement:*

ENACTED by the Parliament of Botswana

1. This Act may be cited as the Ministerial Offices (Maximum Number) (Amendment) Act, 1977.

2. Section 2 of the Ministerial Offices (Maximum Number) Act is amended by substituting for the word "ten", which appears therein, the word "12".

Short title  
Amendment of  
section 2 of  
Cap 02:02

L2/4/609 I

Bill No. 3 of 1977

# **CRIMINAL PROCEDURE AND EVIDENCE (AMENDMENT) BILL, 1977**

(Published on 28th January, 1977)

## **MEMORANDUM**

A draft of the above Bill, which it is proposed to present to the National Assembly, is set out below.

2. The object of the Bill is to amend section 110 of the Criminal Procedure and Evidence Act (Cap. 08:02) to permit a magistrate to grant bail subject to conditions and to permit proceedings for estreatment of bail to be taken before the trial magistrate as well as before the magistrate who granted bail in cases where the same magistrate does not perform both functions.

**D.K. KWELAGOBÉ**

*Minister of the Public Service and Information*

## **ARRANGEMENT OF SECTIONS**

### **SECTION**

1. Short title
2. Amendment of section 110 of Cap. 08:02

### **A BILL**

entitled

### **An Act to amend the Criminal Procedure and Evidence Act**

*Date of Assent:*

*Date of Commencement:*

ENACTED by the Parliament of Botswana

1. This Act may be cited as the Criminal Procedure and Evidence Act (Amendment) Act, 1977. Short title

2. Section 110 of the Criminal Procedure and Evidence Act is amended by substituting for subsection (3) thereof the new subsections following — Amendment of section 110 of Cap. 08:02

“(3) The magistrate may further add to the recognizance any conditions which he may deem necessary or advisable in the interest of justice as to —

- (a) times and places at which and persons to whom the accused shall present himself;
- (b) places where he is forbidden to go;
- (c) prohibition against communication by the accused with witnesses for the prosecution or any named person; or
- (d) any other matter relating to his conduct.

(4) If it appears to the magistrate that default has been made in any condition of a recognizance taken before him or if it appears to the magistrate before whom an accused person has to appear in terms of any recognizance entered into before another magistrate that default has been made in any condition of such recognizance, such magistrate may —

## B.6

- (a) issue an order declaring the recognizance forfeited, and such order shall have the effect of a judgment on the recognizance for the amounts therein named against the person admitted to bail and his sureties respectively; and
- (b) issue a warrant for the person admitted to bail and afterwards, on being satisfied that the ends of justice would otherwise be defeated, commit him, when so arrested, to a gaol until his trial."

L2/4/521 I

Bill No. 4 of 1977

**PRESIDENTIAL ELECTIONS (SUPPLEMENTARY PROVISIONS)  
(AMENDMENT) BILL, 1977**

(Published on 28th January, 1977)

**MEMORANDUM**

A draft of the above Bill, which it is proposed to present to the National Assembly, is set out below.

2. The object of the Bill is to amend the Presidential Elections (Supplementary Provisions) Act (Cap. 02:01) in three respects, namely, —

- (a) to require a presidential candidate to record his constituency, polling station and election roll number on his nomination paper (clause 2);
- (b) to permit the returning officer to advise a presidential candidate that he has been validly nominated as soon as he has checked the nomination paper and support papers instead of waiting until 5 p.m. on nomination day (clause 3); and
- (c) to permit the returning officer to allocate the voting colour and symbol when the papers are accepted as valid instead of waiting until 5 p.m. on nomination day (clause 4).

3. The opportunity is also taken to make it clear that a candidate need not attend the nomination in person and may cause another person to submit the nomination paper on his behalf.

**D.K. KWELAGOBÉ**

*Minister of the Public Service and Information*

**ARRANGEMENT OF SECTIONS**

**SECTION**

- 1. Short title
- 2. Amendment of section of 5 of Cap. 02:01
- 3. Amendment of section 9 of principal Act
- 4. Amendment of section 12 of principal Act

**A Bill**

entitled

**An Act to amend the Presidential Elections (Supplementary Provisions) Act**

*Date of Assent:*

*Date of Commencement:*

ENACTED by the Parliament of Botswana.

1. This Act may be cited as the Presidential Elections (Supplementary Provisions) (Amendment) Act, 1977. Short title

2. Section 5 (2) (a) of the Presidential Elections (Supplementary Provisions) Act (hereinafter referred to as "the principal Act") is amended by inserting after the word "candidate," which appears therein, the words "his constituency, the polling station at which he is registered and his number on the election roll". Amendment of  
section 5 of  
Cap 02:01

3. Section 9 of the principal Act is amended by inserting at the end thereof the 3 new subsections following — Amendment of  
section 9 of  
principal Act

## B.8

"(5) Where the returning officer has counted not less than 998 authenticated support papers in support of the same candidate and is satisfied that the candidate has been validly nominated, he shall so advise the candidate.

(6) Whenever the returning officer decides that a candidate has not been validly nominated he shall endorse and sign on the declaration paper his decision and the reasons therefor, and such decision shall not be questioned in any legal proceedings except on an election petition.

(7) A candidate whose first nomination paper is or may be invalid shall be permitted to submit a second or subsequent nomination paper before the time fixed for the expiry of the time for nominations."

Amendment of  
section 12 of  
principal Act

4. Section 12 (1) of the principal Act is amended by substituting for the words "who is declared to have been validly nominated shall, immediately after the declaration by the returning officer, hand," which appear therein, the words "whose nomination has been accepted as valid by the returning officer under section 5 and who has been so advised shall thereupon hand or cause to be handed".

L2/4/383 I



*Bill No. 5 of 1977*

## **ELECTORAL (AMENDMENT) BILL, 1977**

*(Published on 28th January, 1977)*

### **MEMORANDUM**

A draft of the above Bill, which it is which it is proposed to present to the National Assembly, is set out below.

2. Since Independence there have been two general elections in Botswana and following each election the Supervisor of Elections has, in his report, suggested certain amendments to the Electoral Act (Cap. 02:07). This Bill proposes that such amendments be effected.

3. The Electoral Act at present provides that there shall be one general registration period for all constituencies throughout Botswana. This means that registration must take place simultaneously at all 345 polling stations. This necessitates the use of inexperienced registration officers which gives rise to inaccuracies in the voters' rolls. It is proposed that the Electoral Act be amended to permit the appointment of a general registration period in respect of all or any constituencies. The proposed amendment, contained in clause 2, will permit the use of trained teams of registration officers travelling the country and will minimize the risk of inaccuracies. A consequential amendment is proposed by clause 3.

4. Clause 4 proposes an amendment to section 12 to require that a person's full names, not merely initials, appear on an election roll, thus minimizing the chances of confusion over people with identical initials.

5. Clause 5 proposes an amendment to section 32 to require that where a proposer, seconder or supporter is unable to sign his name, he may affix his mark and that such mark shall be witnessed by a person who can sign his name.

6. Clause 8 proposes the revocation of section 35, which requires each candidate to apply for a certificate of proficiency in English. Proficiency in English will remain a qualification for membership of the National Assembly, but it is considered unnecessary to require the production of such a certificate when a candidate is not required to produce a certificate that he is not otherwise disqualified. Consequential amendments are proposed by clauses 5, 6 and 13.

7. Clause 9 proposes an amendment to section 46 to remove the requirement that every ballot envelope be stamped prior to its issue to a voter. A strict check is kept on the number of envelopes issued to polling officers and this requirement is considered unnecessary.

8. Clause 10 proposes an amendment to section 52 to provide that a polling officer shall, instead of putting the number of the ballot envelope issued to a voter against his name on the election roll, merely make a mark on the roll to show that a ballot envelope was issued. This will ensure a truly secret ballot.

9. Clause 11 proposes an amendment to section 56 to enable a presiding officer to issue another ballot envelope to a voter who has accidentally placed his first envelope in the discard box. Clause 12 proposes a consequential amendment to section 66.

**D. K. KWELAGOBÉ**

*Minister of the Public Service and Information*

## ARRANGEMENT OF SECTIONS

## SECTION

1. Short title
2. Amendment of section 7 of Cap. 02:07
3. Amendment of section 11 of principal Act
4. Amendment of section 12 of principal Act
5. Amendment of section 32 of principal Act
6. Amendment of section 33 of principal Act
7. Amendment of section 34 of principal Act
8. Revocation of section 35 of principal Act
9. Amendment of section 46 of principal Act
10. Amendment of section 52 of principal Act
11. Amendment of section 56 of principal Act
12. Amendment of section 66 of principal Act
13. Amendment of section 70 of principal Act
14. Amendment of Schedule to principal Act

**A Bill**

entitled

**An Act to amend the Electoral Act***Date of Assent:**Date of Commencement:*

ENACTED by the Parliament of Botswana.

Short title

Amendment of  
section 7 of  
Cap. 02:07

1. This Act may be cited as the Electoral (Amendment) Act, 1977.
2. Section 7 of the Electoral Act (hereinafter referred to as "the principal Act") is amended —

(a) in subsection (1) thereof —

(i) by substituting for the words "in each constituency," which appear therein, the words "in any constituency or constituencies"; and

(ii) by inserting, immediately after the words "a general registration period," which appear therein, the words "in respect of the constituency or constituencies specified in the order"; and

(b) in subsection (2) thereof, by inserting, immediately after the words "polling stations in", which appear therein, the words "constituencies not included in an order published under subsection (1) and in".

Amendment of  
section 11 of  
principal Act

3. Section 11 (2) of the principal Act is amended by substituting for the words "each constituency", which appear therein, the words "the constituencies affected by such general registration period".

Amendment of  
section 12 of  
principal Act

4. Section 12 (a) of the principal Act is amended by substituting for the word "initials", which appears therein, the words "other names".

Amendment of  
section 32 of  
principal Act

5. Section 32 of the principal Act is amended —

(a) in subsection (2) (a) thereof, by inserting immediately after the word "candidate," which appears therein, the words, "the name of the constituency in which he is registered, together with his number on the election roll for that constituency"; and

(b) by inserting immediately after subsection (2) thereof the new subsection following —

“(2A) (a) If any proposer, seconder or supporter is unable to sign his name, he shall affix his mark in place of his signature and such mark shall be witnessed by a person who can sign his name.

(b) No person shall witness more than one mark.”.

6. Section 33 of the principal Act is amended by substituting for subsection (1) thereof the new subsection following —

Amendment of  
section 33 of  
principal Act

“(1) Every candidate shall, either before his nomination and support papers are delivered to the returning officer, desposit or cause to be deposited in any convenient Government revenue office the sum of P50 in cash and, at the time of delivery of such papers, produce or cause to be produced to the returning officer the official receipt for that sum, or, at the time of delivery of such papers, deposit or cause to be deposited with the returning officer the sum of P50 in cash, and no nomination shall be valid unless such deposit has been made or, in the case of a deposit made at a Government revenue office, the receipt therefor is produced to the returning officer.”.

7. Section 34 (1) of the principal Act is amended by substituting for the words “When any nomination paper is delivered and a receipt and certificate”, which appear therein, the words “When any nomination paper and support papers are delivered and a receipt is produced.”.

Amendment of  
section 34 of  
principal Act

8. The principal Act is amended by revoking section 35 thereof.

Revocation of  
section 35 of  
principal  
Act

9. Section 46 of the principal Act is amended by deleting the words “and authenticated by an official mark to be determined by the Supervisor of Elections”, which appear therein.

Amendment of  
section 46 of  
principal Act

10. Section 52 (c) of the principal Act is amended —

(a) by deleting subparagraph (i) thereof; and

(b) by substituting for subparagraph (iii) thereof the new subparagraph following —

Amendment of  
section 52 of  
principal Act

“(iii) a mark shall be made on the copy of the election roll against the number of such voter to show that he has been issued with a ballot envelope and counters;”.

11. Section 56 of the principal Act is amended —

(a) by renumbering it as subsection (1) thereof; and

(b) by adding at the end thereof the new subsection following —

Amendment of  
section 56 of  
principal Act

“(2) A voter who has accidentally placed his ballot envelope in the discard box may, on satisfying the presiding officer that it was so placed by accident, obtain another ballot envelope in place thereof and the presiding officer shall make an appropriate endorsement on the marked copy of the election roll.”.

12. Section 66 (5) of the principal Act is amended by inserting at the end thereof the new paragraph following —

Amendment of  
section 66 of  
principal Act

“(d) the number of ballot envelopes alleged, in terms of section 56 (2), to have been placed in the discard box by mistake.”.

13. Section 70 (3) of the principal Act is amended by deleting the words, “or which does not bear the official mark in accordance with section 52 (c) (i)”, which appear therein.

Amendment of  
section 70 of  
principal Act

## B.12

Amendment of  
Schedule to  
principal Act

14. Form 0 in the Schedule to the principal Act is amended by substituting for paragraph (b) thereof the new paragraph following—

“(b) I possess all the qualifications referred to in section 61 of the Constitution and none of the disqualifications referred to in section 62 of the Constitution;”.

L2/4/666 I