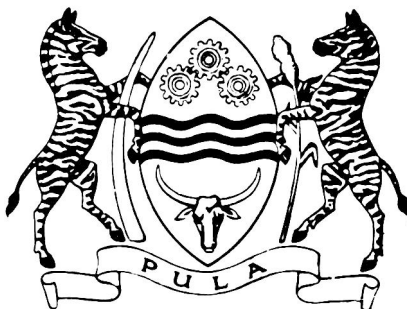




## REPUBLIC OF BOTSWANA



# GOVERNMENT GAZETTE

## EXTRAORDINARY

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Vol. XV, No. 71

GABORONE

28th November, 1977.

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*Government Notice No. 603 of 1977*

**ELECTORAL ACT**  
(Cap. 02:07)

**Appointment of General Registration Period**

IN EXERCISE of the powers conferred by section 7 of the Electoral Act, His Excellency the President hereby appoints the period between 5th December, 1977, and 16th December, 1977, to be a general registration period for the constituency listed in the Schedule.

**SCHEDULE**  
Lobatse and Barolong

DATED this 24th day of November, 1977.

P.L. STEENKAMP,  
*Permanent Secretary,  
Office of the President*

*L2/7/63 I*

*Government Notice No. 694 of 1977*

**ELECTORAL ACT**  
(Cap. 02:07)

**Establishment and Names of Polling Stations**

IT IS HEREBY NOTIFIED for general information that, in accordance with section 5 (2) of the Electoral Act, I have added to the number of polling stations as set forth in the Schedule to Government Notice No. 152 of 1973. I have established in respect of the polling stations specified in the first column of the Schedule hereto additional polling stations at the places specified in the second column of the said Schedule, such polling stations to be known by the names respectively specified in the third column of the said Schedule.

SCHEDULE		
<i>Polling District</i>	<i>Situation of Polling Station</i>	<i>Name of Polling Station</i>
Goodhope	Goodhope School	Goodhope
	Metlojane School	Metlojane
Tlhareseleele	Tlhareseleele School	Tlhareseleele
	Dinatshana School	Dinatshana
Hebron	Hebron School	Hebron
	Papatlo School	Papatlo
Mokatako	Mokatako School	Mokatako
	Tawana School,	Ditlharapa
	Ditlharapa	
Station	D.C.'s Office, Lobatse	Station
Peleng West	Peleng Court House	Peleng West
Peleng Central	Hill School, Peleng	Peleng Central
Peleng East	T.T.C., Lobatse	Peleng East
Mission	B.M.C. Recreational Hall	B.M.C.
Woodhall	New Look School,	Woodhall
	Woodhall	
Lobatse Central	Agriculture Offices,	Lobatse Central
	Lobatse	
Boswelatlou	High Court Annexe	Boswelatlou

DATED this 24th day of November, 1977.

P.L. STEENKAMP,  
*Supervisor of Elections*

*L2/7/63 I*

*Bill No. 39 of 1977*

**FINANCE AND AUDIT (AMENDMENT) BILL, 1977**

*(Published on 28th November, 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 8 of the Finance and Audit Act (Cap. 54:01) so as to extend the period for which moneys at the credit of the Consolidated Fund may be deposited with banks from twenty-four months to sixty months. This amendment will enable the banks concerned to lend to their customers on longer terms than the present period permits.

3. The opportunity is also taken to make a minor amendment to section 16 (2) to clarify the meaning of "other public funds" as defined.

**Q.K.J. MASIRE,**

*Vice-President and*

*Minister of Finance and Development Planning.*

**ARRANGEMENT OF SECTIONS**

**SECTION**

1. Short title
2. Amendment of section 8 of Cap. 54:01
3. Amendment of section 16 of principal Act

**A BILL**

entitled

**An Act to amend the Finance and Audit Act**

*Date of Assent:*

*Date of Commencement*

**ENACTED** by the Parliament of Botswana.

1. This Act may be cited as the Finance and Audit (Amendment) Act, 1977. Short title

2. Section 8 of the Finance and Audit Act (hereinafter referred to as "the principal Act") is amended by substituting for the words "twenty-four", which appear therein, the word "60". Amendment of section 8 of Cap. 54:01

3. Section 16 (2) of the principal Act is amended by substituting for the word "or", which appears therein, the word "and". Amendment of section 16 of principal Act

*L2/4/606 I*

*Bill No. 40 of 1977*

**BRANDING OF CATTLE (AMENDMENT) (NO. 2) BILL, 1977**

*(Published on 28th November, 1977)*

**MEMORANDUM**

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

2. Section 13 (1) of the Branding of Cattle Act (Cap. 36:02) presently requires that every brand, other than an AC brand (a brand which indicates that cattle are pledged as security under the Agricultural Charges Act (Cap. 35:01) or the Hypothecation Act, 1977, (No. 40 of 1977)), registered under the Act must consist of two letters and one numeral or two numerals and one letter in the form of a horizontal line, pyramid or inverted pyramid.

3. The object of the Bill is to amend section 13 (1) of the Branding of Cattle Act in order to provide that brands which consist of three letters may also be registered under the Act provided that they are in the present required form of a horizontal line, pyramid or inverted pyramid.

4. Section 13 (1) places a severe limitation on the numbers of brands available for registration by the Registrar of Brands. The proposed amendment will remove that limitation and make a greater number of brands available for registration under the Act.

**E.S. MASISI,**  
*Minister of Agriculture.*

**ARRANGEMENT OF SECTIONS**

**SECTION**

1. Short title
2. Amendment of section 13 of Cap. 36:02

**A BILL**  
**entitled**

**An Act to amend the Branding of Cattle Act**

*Date of Assent:*

*Date of Commencement:*

**ENACTED** by the Parliament of Botswana.

1. This Act may be cited as the Branding of Cattle (Amendment) (No. 2) Act, 1977.

Short title

2. Section 13 of the Branding of Cattle Act is amended by substituting for subsection (1) thereof the new subsection following —

Amendment  
of section 13  
of Cap. 36:02

“(1) Every brand, other than an AC brand, registered under this Act shall consist of three characters of which —

- (a) two shall be letters and one a numeral; or
- (b) two shall be numerals and one a letter; or
- (c) all three shall be letters;

and shall be in the form of a horizontal line, a pyramid or an inverted pyramid.”.

*L2/4/407*

*Bill No. 41 of 1977*

**MORUPULE COLLIERY (PROPRIETARY) LIMITED**

**TAX AGREEMENT (RATIFICATION) BILL, 1977**

*(Published on 28th November, 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 ratify a Tax Agreement entered into on 23rd November, 1977, between the Government and Morupule Colliery (Proprietary) Limited.

**Q.K.J. MASIRE,**

*Vice-President and*

*Minister of Finance and Development Planning.*

**ARRANGEMENT OF SECTIONS**

**SECTION**

1. Short title
2. Ratification of Agreement

**SCHEDULE**

**A BILL**

entitled

**An Act to ratify a Tax Agreement between the Government and Morupule Colliery (Proprietary) Limited**

*Date of Assent:*

*Date of Commencement:*

ENACTED by the Parliament of Botswana.

1. This Act may be cited as the Morupule Colliery (Proprietary) Limited Tax Agreement (Ratification) Act, 1977. Short title

2. The Agreement entered into between the Government of the Republic of Botswana and Morupule Colliery (Proprietary) Limited on 23rd November, 1977, and set out in the Schedule is hereby ratified. Ratification of Agreement

**SCHEDULE**

**MEMORANDUM OF AGREEMENT**

made and entered into by and between:

**THE HON. QUETT KETUMILE JONNY MASIRE, LL.D.,**

**J.P., M.P., Vice-President and Minister of**

**Finance and Development Planning, for and on**

**behalf of The Government of the Republic of Botswana, (hereinafter referred to as "the Government") of the one part**

**and**

**MORUPULE COLLIERY (PROPRIETARY) LIMITED**

**represented herein by NORMAN DOUGLAS ALEXANDER HARDIE**

**(hereinafter referred to as "the Mining Company") of the other part**

**WITNESSETH:**

THAT WHEREAS the Mining Company is a company incorporated under the Laws of Botswana and has its registered office at Botsalano House, The Mall, Gaborone; AND WHEREAS the Mining Company commenced production of coal at Morupule on 1st July, 1973;

AND WHEREAS, in exercise of the powers conferred by section 54 of the Income Tax Act, the Minister of Finance and Development Planning may on behalf of the Government enter into a tax agreement with any person,

NOW THEREFORE the parties hereto agree as follows —

1.

In ascertaining the chargeable income of the Mining Company for the tax year ended on 30th June, 1974, and for each of the four subsequent tax years, there shall be deducted from the Mining Company's assessable income the allowance provided under Clause 2 of this Agreement in lieu of the allowance provided under Part V of the Third Schedule to the Income Tax Act (hereinafter referred to as "the principal Act").

2.

The allowance shall be —

- (a) for the tax year ended on 30th June, 1974, an amount equal to the quotient obtained by dividing the mining capital expenditure incurred during that tax year and previous tax years (less the disposal value of any property included in such expenditure and disposed of during that tax year and previous tax years) by five;
- (b) for the tax year ended on 30th June, 1975, an amount equal to the quotient obtained by dividing the residual capital expenditure of that tax year by four;
- (c) for the tax year ended on 30th June, 1976, an amount equal to the quotient obtained by dividing the residual capital expenditure of that tax year by three;
- (d) for the tax year ended on 30th June, 1977, an amount equal to the quotient obtained by dividing the residual capital expenditure of that tax year by two; and
- (e) for the tax year ending on 30th June, 1978, an amount equal to the residual capital expenditure of that tax year.

3.

In this Agreement —

"disposal value" has the meaning ascribed to that term in the Third Schedule to the principal Act;

"mining capital expenditure" has the meaning ascribed to that term in the principal Act and includes prospecting expenditure incurred by the African and European Investment Company Limited and taken over by the Mining Company; and

"residual capital expenditure" of any tax year means the amount equal to A minus B where —

"A" is the sum of the mining capital expenditure incurred during that tax year and the residue of mining capacity expenditure for previous tax years remaining after the application of this Agreement to such expenditure; and

"B" is the disposal value of any property included in mining capacity expenditure for that tax year or previous tax years and disposed of in that tax year.

IN WITNESS WHEREOF the parties to this Agreement have hereunto set their hands.

SIGNED by The Hon. QUETT KETUMILE JONNY MASIRE,  
Vice-President and Minister of Finance and  
Development Planning, for and on behalf of the  
Government of the Republic of Botswana on the

23rd November, 1977, in the presence of the  
undersigned witnesses:

*As Witnesses:*

1. B. Gaolathe
2. B. Gasennelwe

Q.K.J. MASIRE

SIGNED by NORMAN DOUGLAS ALEXANDER HARDIE for  
and on behalf of Morupule Colliery (Proprietary)  
Limited on the 23rd November, 1977, in the  
presence of the undersigned witnesses:

1. L.G. Nchindo
2. A.V. Waterston

N.D.A. HARDIE

L2/4/729 I