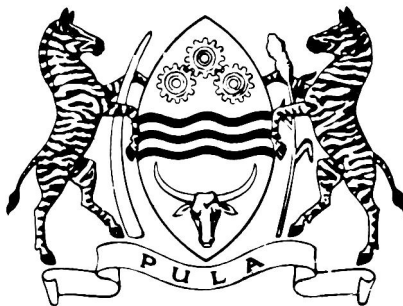


REPUBLIC OF BOTSWANA



GOVERNMENT GAZETTE

EXTRAORDINARY

Vol. XVII, No. 46

GABORONE

8th August, 1979

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

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

Subscription rate is P10,00 post free for 12 months.

The price for this issue of the Gazette (including Supplements) is 40 thebe

Bill No. 27 of 1979

ADMINISTRATION OF ESTATES (AMENDMENT) BILL, 1979

(Published on 8th August, 1979)

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 Administration of Estates Act (Cap. 31:01) to correct some errors in the figures of the fees specified in the Second Schedule to the Act which were inadvertently inserted in the Act.

Q. K. J. MASIRE,

Vice-President and

Minister of Finance and Development Planning.

ARRANGEMENT OF SECTIONS

SECTION

1. Short title and commencement
2. Amendment of Second Schedule to Cap. 31:01

A BILL

entitled

An Act to amend the Administration of Estates Act

Date of Assent:

Date of Commencement:

ENACTED by the Parliament of Botswana.

1. This Act may be cited as the Administration of Estates (Amendment) Act, 1979, and shall be deemed to have come into operation on 1st July, 1974.

2. The Second Schedule to the Administration of Estates Act is hereby amended by substituting for subparagraphs (b) and (c) of paragraph 1 thereof the following new subparagraphs —

- | | |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------|
| <p>“(b) exceeds P800, for every P200 or part thereof . . .
 subject to a maximum fee to be fixed to the liqui-
 dation account</p> <p>“(c) does not exceed P200 where the administration
 takes place, a fee, in the discretion of the Master
 to be affixed to the inventory, not exceeding . . .
 Where the deceased is one of two spouses married
 in community of property, the above fees shall
 be assessed upon one-half of the gross assets of
 such community.”.</p> | <p>50</p> <p>20,00</p> <p>2,00</p> |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------|

Short title
and
commence-
ment
Amendment
of Second
Schedule
to Cap. 31:01

Bill No. 28 of 1979

**SHASHE DAM — FRANCISTOWN WATER PIPELINE LOAN
(AUTHORIZATION) BILL, 1979**

(Published on 8th August, 1979)

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 authorize the raising by the Government from the International Bank for Reconstruction and Development (IBRD) of an amount equivalent to 5 million United States dollars (worth, at the time of writing, approximately P4 million).

3. The purpose of the loan is the construction of a water pipeline from the Shashe Dam to Francistown together with related civil engineering works and the securing of civil engineering consultancy services in connexion both with this project and the projected raising of the Gaborone Dam wall.

Q.K.J. MASIRE,
Vice-President and

Minister of Finance and Development Planning.

ARRANGEMENT OF SECTIONS

SECTION

1. Short title
2. Authorization to raise loan
3. Loan to be paid into Development Fund
4. Loan charged upon Consolidated Fund
5. Powers of Minister in connexion with loan
6. Terms and conditions of loan to be laid before Parliament

A BILL
entitled

An Act to authorize the raising by the Government of a loan from the International Bank for Reconstruction and Development (IBRD) for the purpose of constructing a water pipeline from the Shashe Dam to Francistown together with related civil engineering works and the securing of civil engineering consultancy services in connexion therewith and with the projected raising of the Gaborone Dam wall

Date of Assent:

Date of Commencement:

ENACTED by the Parliament of Botswana.

1. This Act may be cited as the Shashe Dam — Francistown Water Pipeline Loan (Authorization) Act, 1979. Short title

B.248

Authorization
to raise loan

2. The Minister may raise by loan from the International Bank for Reconstruction and Development (commonly known as IBRD and hereinafter referred to as "the Bank"), subject to such terms and conditions as may be agreed between the Minister and the Bank, sums not exceeding in the aggregate the equivalent of US \$5 000 000 (5 million United States dollars) for the purpose of constructing a water pipeline from the Shashe Dam to Francistown together with related civil engineering works and the securing of civil engineering consultancy services in connexion therewith and with the projected raising of the wall of the Gaborone Dam.

Loan to be
paid into
Development
Fund

3. The proceeds of the loan authorized to be raised by this Act (hereinafter referred to as "the loan") shall be paid into the Development Fund.

Loan charged
upon
Consolidated
Fund

4. All sums required to repay the loan and to pay the interest and other charges thereon shall be charged upon and paid out of the Consolidated Fund.

Powers of
Minister in
connexion
with loan

5. The Minister is hereby empowered to sign and to authorize any public officer to sign on behalf of the Government any agreements embodying the terms and conditions of the loan and to do all such things as may be necessary or expedient to effect or facilitate the loan or such agreements.

Terms and
conditions of
loan to be laid
before
Parliament

6. As soon as practicable after the raising of the loan the Minister shall present a paper to Parliament containing a report on the loan and setting out the terms and conditions of the loan and any further information relating thereto that he considers it appropriate to include.

L2/4/754 I

Bill No. 29 of 1979

**CABLE AND WIRELESS TELECOMMUNICATIONS LOAN
(AUTHORIZATION) BILL, 1979**
(Published on 8th August, 1979)

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 authorize the raising by the Government of a loan from Cable and Wireless Limited of London of an amount in United Kingdom pounds equivalent to P10 million.

3. The purpose of the loan is to provide Botswana with a modern and comprehensive system of telecommunications.

Q.K.J. MASIRE,
Vice-President and

Minister of Finance and Development Planning.

ARRANGEMENT OF SECTIONS

SECTION

1. Short title
2. Authorization to raise loan
3. Loan to be paid into Development Fund
4. Loan to be charged upon Consolidated Fund
5. Powers of Minister in connexion with loan
6. Terms and conditions of loan to be laid before Parliament

A BILL
entitled

An Act to authorize the raising by the Government of a loan from Cable and Wireless Limited for the purpose of providing Botswana with a modern and comprehensive system of telecommunications

Date of Assent:

Date of Commencement:

ENACTED by the Parliament of Botswana.

1. This Act may be cited as the Cable and Wireless Telecommunications Loan (Authorization) Act, 1979. Short title

2. The Minister may raise by loan from Cable and Wireless Limited, subject to such terms and conditions as may be agreed between the Minister and Cable and Wireless Limited, sums not exceeding in the aggregate such sum of United Kingdom pounds as will produce, at an agreed rate of exchange, P10 000 000 (10 million Pula) for the purpose of providing Botswana with a modern and comprehensive system of telecommunications. Authorization to raise loan

B.250

Loan to be
paid into
Development
Fund

3. The proceeds of the loan authorized to be raised by this Act (hereinafter referred to as "the loan") shall be paid into the Development Fund.

Loan charged
upon Con-
solidated
Fund

4. All sums required to repay the loan and to pay the interest and other charges thereon shall be charged upon and paid out of the Consolidated Fund.

Powers of
Minister in
connexion
with loan

5. The Minister is hereby empowered to sign and to authorize any public officer to sign on behalf of the Government any agreements embodying the terms and conditions of the loan and to do all such things as may be necessary or expedient to effect or facilitate the loan or such agreements.

Terms and
conditions of
loan to be
laid before
Parliament

6. As soon as practicable after the raising of the loan the Minister shall present a paper to Parliament containing a report on the loan and setting out the terms and conditions of the loan and any further information relating thereto that he considers it appropriate to include.

L2/4/755 I

Bill No. 30 of 1979

CUSTOMS AND EXCISE DUTY (AMENDMENT) BILL, 1979

(Published on 8th August, 1979)

MEMORANDUM

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

2. The main object of the Bill is to amend the Customs and Excise Duty Act (Cap. 50:01) so as to comply with Botswana's treaty obligations under the Customs Union Agreement by bringing the Customs and Excise Duty Act into line with the changes which were recently made to the customs legislation of the Republic of South Africa.

3. Clause 2 of the Bill amends section 2 (1) of the Act by giving a more definite definition of "manufacture" in order to give the Director of Customs and Excise a wider discretion to determine the stage in the manufacturing process at which goods are deemed to be manufactured.

4. Clause 3 amends section 16 (3) of the Act in order to absolve the State from liability in cases where any person with any right, title or interest in goods attacks the legality of the clearance and consequential delivery of such goods from the State warehouse.

5. Clause 4 amends section 39 of the Act by prescribing that —

- (a) additional information regarding the purpose for which goods are entered shall be declared on bills of entry; and
- (b) in cases where a tariff determination has been made by the Director in respect of imported goods, the person entering such goods for customs purposes shall furnish the reference and date of the determination in the manner required by the Director.

6. Clause 5 amends section 44 (4) and (8) of the Act. The purpose of the amendment to subsection (4) is to transfer liability for payment of duty on goods lost in an appointed transit shed from the importer to the carrier. The amendment to subsection (8) is to provide that, where necessary, a purchaser can be held liable for the duty on excisable goods. The insertion of "purchaser" will enable the Department to collect duty from such party where excisable goods are disposed of with the express purpose of evading liability for duty.

7. Clause 6 amends section 48 of the Act. The provisions embodied in the proposed subsections (9) and (10) conform to the principles evolved by the international customs community. The basic concepts inherent in these principles are the issuing of binding tariff determinations (tariff classifications) by customs administrations which require to be duly observed by importers and also bind administrations until such determinations are officially withdrawn or amended.

8. Clause 7 amends section 65 (3) of the Act by providing that the value for duty purposes of goods of a single denomination shall be calculated to the nearest unit of account; fractions are thus eliminated. The amendment is made to facilitate the flow of bills of entry.

9. Clause 8 amends section 66 (1) (e) of the Act in order to give effect to an administrative policy which has been in operation since the amendment of section 66 in 1977 to make provision for the concept of "normal price" and relates to the nature of the costs, charges and expenses which are required to be included when calculating the normal price.

10. Clause 9 amends section 74 of the Act to provide that the Minister may determine the rate of exchange to be applied in converting the price of imported goods. The normal price as stated in the existing enactment is a price to be calculated and not the price charged, and is therefore not the price to be converted into the currency of Botswana.

11. Clause 10 amends section 76 of the Act by —

- (a) inserting a new subsection (4A) which gives the power to prescribe the manner in which a supplier is required to enter kerosene, distillate fuel or residual fuel oil under rebate of duty, and provides further that deliveries of such goods by him or the reseller thereof shall be subject to the conditions specified in the Act. It also provides for separate and explicit provisions in respect of the liability for duty of the supplier and the reseller should they supply kerosene, distillate fuel or residual fuel oil contrary to the requirements specified in the Act;
- (b) adding to subsection (5) (a), the effect of which is to extend similar provisions of section 19 (4), which are applicable to customs and excise warehouses, to rebate stores; and
- (c) adding a new paragraph to subsection (15) in order to empower the Minister to amend Schedule Nos. 3, 4, 5, 6 or 7 with retrospective effect whenever he deems it expedient in the public interest so to do.

12. Clause 11 amends section 77 (2) (c) of the Act as a consequence of the amendment to section 48 and distinguishes between an incorrect tariff classification by the importer, manufacturer or rebate user and an amended tariff determination by the Director when a refund of duty overpaid is applied for.

13. Clause 12 amends section 101 (2) of the Act, the effect of the amendment being that an agent can be held liable for duty on goods cleared on behalf of an importer. This provision will, however, in no way detract from the liability of the importer for the payment of duty. The principle that an agent and importer be held jointly and severally liable for duty on goods cleared by the former in accordance with proposals now under consideration by the Customs Co-operation Council, Brussels.

14. Clause 13 provides for the continuation of amendments to Schedule Nos. 1, 3, 4, 5 and 6 to the principal Act published in the Gazette prior to 2nd February, 1979, as well as those published on 6th April, 1979, and stipulates the effective dates of certain amendments.

Q.K.J. MASIRE,
Vice-President and
Minister of Finance and Development Planning.

ARRANGEMENT OF SECTIONS

SECTION

1. Short title
2. Amendment of section 2 of Cap. 50:01
3. Amendment of section 16 of principal Act
4. Amendment of section 39 of principal Act
5. Amendment of section 44 of principal Act
6. Amendment of section 48 of principal Act
7. Amendment of section 65 of principal Act
8. Amendment of section 66 of principal Act
9. Substitution of section 74 of principal Act
10. Amendment of section 76 of principal Act
11. Amendment of section 77 of principal Act
12. Amendment of section 101 of principal Act
13. Continuation of certain amendments of Schedule Nos. 1, 3, 4, 5 and 6

A BILL
entitled

AN ACT to amend the Customs and Excise Duty Act

Date of Assent:

Date of Commencement:

ENACTED by the Parliament of Botswana.

1. This Act may be cited as the Customs and Excise Duty Short title
(Amendment) Act, 1979.

2. Section 2 (1) of the Customs and Excise Duty Act (hereinafter Amendment of section 2 of
referred to as "the principal Act") is hereby amended by substituting Cap. 50:01
for the definition of "manufacture", which appears therein, the
following new definition —

““manufacture” includes, in the discretion of the Director, any
process —

- (a) in the manufacture of any excisable goods or sales duty goods;
- (b) in the conversion of any goods into excisable goods or sales duty goods;
- (c) whereby the dutiable quantity or value of any excisable goods or sales duty goods is increased in any manner;
- (d) in the recovery of excisable goods or sales duty goods from excisable goods or any other goods; or
- (e) in the packing or measuring off of any excisable goods or sales duty goods;”.

Amendment
of section 16
of principal
Act

3. Section 16 of the principal Act is hereby amended by substituting for subsection (3) thereof the following new subsection—

“(3) The State or any officer shall in no case be liable in respect of any loss or diminution of or damage to any goods in a State warehouse or in respect of any loss or damage sustained by reason of wrong delivery of such goods.”.

Amendment
of section 39
of principal
Act

4. Section 39 (1) of the principal Act is hereby amended by substituting for paragraphs (a) and (b) thereof the following new paragraphs —

“(a) The person entering any imported goods for any purpose in terms of the provisions of this Act shall deliver to the Director a bill of entry in the prescribed form, setting forth the full particulars as indicated on the form and as required by the Director, and according to the purpose (to be specified on such bill of entry) for which the goods are being entered, and shall make and subscribe to a declaration in the prescribed form as to the correctness of the particulars and purpose shown on such bill of entry.

(b) The said person shall further produce the transport documents or such other documents in lieu thereof as may be approved by the Director, invoices as prescribed, shipper's statement of expenses incurred by him, copy of the confirmation of sale or other contract of purchase and sale, importer's written clearing instructions and such other documents relating to such goods as the Director may require in each case, and shall answer all such questions relating to such goods as may be put to him by the Director, and furnish in such manner as the Director may determine such information regarding the tariff classification of such goods as the Director may require.”

Amendment
of section 44
of principal
Act

5. Section 44 of the principal Act is hereby amended —

(a) by substituting for subsection (4) thereof the following new subsection —

“(4) The master, pilot or carrier concerned shall be liable for the duty on all goods deemed in terms of section 10 to have been imported, except goods in respect of which a bill of lading, air consignment note or other document was issued on loading of such goods on to the ship, aircraft or vehicle by means of which they were imported stating that the said goods were accepted for conveyance at the risk of the owner thereof in all respects and not only as regards risk in respect of damage to such goods, provided such goods have not been landed and placed in a transit shed appointed or prescribed under section 6 (1).”;

(b) by substituting for subsection (8) thereof the following new subsection —

“(8) The manufacturer, owner or purchaser of any excisable goods or sales duty goods shall, subject to the provisions of Part VII, be liable for the duty on such goods and his liability shall continue until such goods have been duly entered and the duty due thereon paid.”.

6. (1) Section 48 of the principal Act is hereby amended by adding thereto, immediately after subsection (8), the following new subsections —

Amendment
of section 48
of principal
Act

“(9) (a) (i) The Director may determine the tariff headings, tariff subheadings or items of any Schedule under which any imported goods or goods manufactured in Botswana shall be classified.

(ii) The acceptance by any officer of a bill of entry or the release of any goods as entered shall be deemed not to be any such determination.

(b) Any determination so made shall, subject to appeal to the court, be deemed to be correct for the purposes of this Act, and any amount due in terms of any such determination shall remain payable as long as such determination remains in force.

(c) The Director may within 90 days from the date of any such determination publish it by notice in the Gazette.

(d) The Director may whenever he deems it expedient amend any such determination or withdraw it and make a new determination with effect from the date of —

- (i) first entry of the goods in question;
- (ii) the notice referred to in paragraph (c);
- (iii) the determination made under paragraph (a)
- (iv) such new determination; or
- (v) such amendment.

(e) An appeal against any such determination shall be lodged with a court of competent jurisdiction in Botswana in the area wherein the determination was made or the goods in question were entered for home consumption.

(f) Such appeal shall be prosecuted within a period of 90 days from the date of the determination.

(10) Save where —

- (a) a determination has been made under subsection (9) (a) or (d); or
- (b) any false declaration is made for the purpose of subsection (9), there shall be no liability for any underpayment in duty on any goods, where such underpayment is due to the acceptance of a bill of entry bearing an incorrect tariff heading, tariff subheading or item of any Schedule, after a period of two years from the date of entry of such goods.”.

Amendment
of section 65
of principal
Act

(2) Subsection (1) shall come into operation on 1st October, 1979.

7. Section 65 of the principal Act is hereby amended by substituting for subsection (3) thereof the following new subsection—

“(3) If the value of any imported goods of a single denomination according to the provisions of this section is —

(a) in excess of one unit of account, such value shall, for the purpose of assessing the amount of duty payable, be calculated to the nearest unit of account, an amount of 0,50 unit of account being regarded as less than one-half of one unit of account;

(b) less than one unit of account, such value shall be calculated as one unit of account.”.

Amendment
of section 66
of principal
Act

8. Section 66 of the principal Act is hereby amended —

(a) in subsection (1) thereof, by substituting for paragraph (e) the following new paragraph —

“(e) the price includes all costs, charges and expenses incidental to the sale and to delivery of the goods to the place of final dispatch in the territory of export but does not include any other costs, charges and expenses incidental to the delivery thereof to Botswana;”; and

(b) in subsection (3) thereof, by deleting paragraph (c).

Substitution
of section 74
of principal
Act

9. The principal Act is hereby amended by substituting for section 74 thereof the following new section —

“Conversion of prices expressed in foreign currency 74. The Minister may by regulations determine the rate and time at which the price paid or payable in respect of imported goods shall, if expressed in a foreign currency, be converted into the currency of Botswana.”.

Amendment
of section 76
of principal
Act

10. Section 76 of the principal Act is hereby amended —

(a) by inserting, immediately after subsection (4) thereof, the following new subsection —

“(4A) (a) Notwithstanding anything to the contrary contained in this Act, any kerosene, distillate fuel or residual fuel oil which may be entered under rebate of duty under any item of Schedule No. 4 or 6 shall be so entered by the supplier thereof.

(b) Any kerosene, distillate fuel or residual fuel oil so entered shall, if supplied to a reseller or user thereof, be so supplied in such manner and on such conditions as may be prescribed by regulations.

(c) Any reseller so supplied who supplies such kerosene, distillate fuel or residual fuel oil to any user shall so supply it in such manner and on such conditions as may be prescribed by regulations.

(d) If a supplier mentioned in paragraph (a) supplies any kerosene, distillate fuel or residual fuel oil entered as stated in paragraph (a) to any reseller or user contrary to the manner or conditions prescribed therefor by regulations, he shall be liable for such duty thereon as may at the time of such entry, or, if the duty concerned has after such entry been increased, of the payment of such duty, be leviable thereupon as if no rebate of duty applied thereto.

(e) If any reseller mentioned in paragraph (c) supplies any kerosene, distillate fuel or residual fuel oil to any user contrary to the manner or conditions prescribed therefor by regulations, he shall be liable for the duty thereon to the extent of the rebate allowed to the supplier mentioned in paragraph (a) at the time of entry:

Provided that, if the duty in question has after such entry under rebate been increased, the extent of such rebate shall be deemed to be —

- (i) the difference between the duty actually paid on entry for home consumption and such increased duty; or
- (ii) such increased duty if no duty was paid on entry for home consumption.”;
- (b) in subsection (5) thereof —
 - (aa) by inserting, immediately after the word “(a)”, which appears therein, the word “(i)”;
 - (bb) by adding, immediately after paragraph (a) (i), the following new subparagraphs —
 - “(ii) The Director may at any time take stock of goods entered for home consumption and stored on any premises registered by virtue of subsection (10) and duty shall, subject to the provisions of subparagraph (i), be paid forthwith on demand upon any deficiency detected.
 - (iii) If the stock is found to be greater than the quantity which should be on such premises, the excess shall be debited to stock.”;
- (c) in subsection (15) thereof, by adding, immediately after paragraph (a), the following new paragraph —

“(aa) The Minister may, whenever he deems it expedient in the public interest so to do, by like notice amend any such Schedule with retrospective effect from such date as he may specify in that notice.”.

11. Section 77 (2) of the principal Act is hereby amended by substituting for paragraph (c) thereof the following new paragraph —

“(c) a determination under section 48 (9) or incorrect tariff classification;”.

Amendment
of section 77
of principal
Act

Amendment
of section
101 of principal
Act

12. Section 101 of the principal act is hereby amended by substituting for subsection (2) thereof the following new subsection —

“(2) (a) An agent appointed by any importer, exporter, manufacturer, licensee, remover of goods in bond or other principal and any person who represents himself to any officer as the agent of any importer, exporter, manufacturer, licensee, remover of goods in bond or other principal, and is accepted as such by that officer, shall be liable for the fulfilment, in respect of the matter in question, of all obligations, including the payment of duty and charges, imposed on such importer, exporter, manufacturer, licensee, remover of goods in bond or other principal by this Act to any penalty which may be incurred in respect of that matter.

(b) No importer, exporter, manufacturer, licensee, remover of goods in bond or other principal shall by virtue of the provisions of paragraph (a) be relieved from liability for the fulfilment of any obligation imposed on him by this Act and to any penalty which may be incurred in respect thereof.”.

Continuation
of certain
amendments
of Schedule
Nos. 1, 3, 4,
5 and 6

13. (1) Every amendment of Schedule Nos. 1, 3, 4, 5 and 6 made under sections 50 (1) or (2) or 76 (15) of the principal Act prior to 2nd February, 1979, shall not lapse by virtue of the provisions of section 50 (8) or 76 (16) of the principal Act.

(2) The amendments of Schedule Nos. 1 and 6 made under sections 50 (1) and (2) and 76 (15) of the principal Act by Statutory Instrument No. 28 of 1979 shall not lapse by virtue of the provisions of sections 50 (8) and 76 (16) of the principal Act.

Cap. 43:07
Cap. 22:07

(3) (a) Item 410.04 of Schedule No. 4 and item 609.06 of Schedule No. 6 to the principal Act, as published by Statutory Instrument No. 34 of 1979, shall, for the purposes of the Control of Goods Act and the Essential Supplies and Services Act, be deemed not to constitute rebates.

(b) Paragraph (a) shall be deemed to have come into operation on 12th April, 1979.

(4) The Note to item 317.05 of Schedule No. 3 to the principal Act, published by Statutory Instrument No. 6 of 1978, shall be deemed to have come into operation on 6th January, 1978.

(5) Insofar as it relates to tariff heading No. 85.01.13 of Schedule No. 1 to the principal Act, Statutory Instrument No. 36 of 1978 shall be deemed to have come into operation on 21st May, 1976.

(6) Insofar as it relates to tariff heading No. 59.11 in item 312.01 of Schedule No. 3 to the principal Act, Statutory Instrument No. 67 of 1978 shall be deemed to have come into operation on 7th August, 1975.

(7) During the period 18th April, 1975, to 18th January, 1979, item 306.04 of Schedule No. 3 to the principal Act shall be

construed as if there were included therein a provision providing for a rebate of the full duty on hydroxypropyl methylcellulose for the manufacture of colour, paint varnish and allied products.

(8) Insofar as it relates to tariff heading No. 90.07.60.50 of Schedule No. 1 to the principal Act, Statutory Instrument No. 11 of 1978 shall be deemed to have come into operation on 8th June, 1973.

(9) Paragraph (3) of tariff heading No. 90.07 in sales duty item 148.00 of Schedule No. 1 to the principal Act shall be construed as if it provided for a rate of sales duty of 15% during the period 8th June, 1973, to 23rd August, 1973, a rate of sales duty of 5% during the period 24th August, 1973, to 30th March, 1976, a rate of sales duty of 6,5% during the period 31st March, 1976, to 6th March, 1977, and a rate of sales duty of 8% during the period 7th March, 1977, to 31st December, 1977.

L2/4/575 II

Bill No. 31 of 1979

LOCAL POLICE (AMENDMENT) BILL, 1979

(Published on 8th August, 1979)

MEMORANDUM

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

2. The main objects of the Bill are, firstly, to amend section 3 of the Local Police Act (Cap. 21:04) by removing the restrictions as to the number of officers which the President is empowered to appoint and, secondly, to amend the First Schedule by adding the ranks of Inspector and Sub-Inspector to the list of officers specified therein.

L. MAKGEKGENENE,

Minister of Local Government and Lands.

ARRANGEMENT OF SECTIONS

SECTION

1. Short title
2. Amendment of Cap. 21:04

A BILL

entitled

An Act to amend the Local Police Act

Date of Assent:

Date of Commencement:

ENACTED by the Parliament of Botswana

1. This Act may be cited as the Local Police (Amendment) Act, Short title 1979.

2. The Local Police Act is hereby amended —

Amendment
of Cap. 21:04

(a) by the substitution for subsections (2) and (3) of section 3 thereof of the following new subsections —

“(2). The President may, by notice published in the Gazette, appoint such number of officers of the Force as may be considered necessary for the purposes of this Act.

(3) The Minister shall be in charge of the Force and shall, by notice published in the Gazette, assign such number of officers appointed under subsection (2) to any tribal area or tribal community area as may be considered necessary.”; and

(b) by the insertion, immediately before the word “Sergeant” in the First Schedule, of the following new words —

“Inspector
Sub-Inspector”.