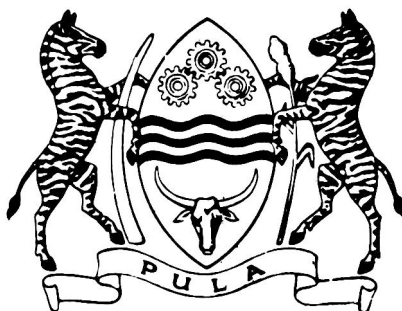




REPUBLIC OF BOTSWANA



GOVERNMENT GAZETTE

Vol. XIX, No. 29

GABORONE

19th June, 1981

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Government Notice No. 232 of 1981

INDUSTRIAL DEVELOPMENT ACT
(Cap. 43:01)

Notice of Application for Licence to Manufacture

IN ACCORDANCE with the provisions of section 6 of the Industrial Development Act, notice is hereby given that the following application for a licence to manufacture has been made.

Name of applicant and address:

Sable Clothing (Pty) Ltd.,
P.O. Box 801,
Francistown.

List of products it is proposed to manufacture:

Mens and Ladies Garments and allied products

Proposed location of manufacturing activities:

Francistown

2. Any person who wishes to make representations in terms of section 8 (1) of the Act may do so in writing to the Minister of Commerce and Industry, Private Bag 004, Gaborone, and should also send a copy of such representations to the applicant within 14 days of the second and last publication of this notice.

DATED this 29th day of May, 1981.

R.P. BOIKANYO,
for Acting Permanent Secretary,
Ministry of Commerce and Industry.

L2/7/144 IV

Second Publication

Government Notice No. 233 of 1981,

INDUSTRIAL DEVELOPMENT ACT
(Cap. 43:01)

Notice of Application for Licence to Manufacture

IN ACCORDANCE with the provisions of section 6 of the Industrial Development Act, notice is hereby given that the following application for a licence to manufacture has been made.

Name of applicant and address:

Francistown Printers (Pty) Ltd.,
P.O. Box 601,
Francistown.

List of products it is proposed to manufacture:

School and Commercial Stationery and
Job Works

Proposed location of manufacturing activities:

Francistown.

2. Any person who wishes to make representations in terms of section 8 (1) of the Act may do so in writing to the Minister of Commerce and Industry, Private Bag 004, Gaborone, and should also send a copy of such representations to the applicant within 14 days of the second and last publication of this notice.

DATED this 2nd day of June, 1981.

R.P. BOIKANYO,
for Permanent Secretary,
Ministry of Commerce and Industry.

L2/7/144 IV

Second Publication

Government Notice No. 245 of 1981

INDUSTRIAL DEVELOPMENT ACT
(Cap. 43:01)

Notice of Application for Licence to Manufacture

IN ACCORDANCE with the provisions of section 6 of the Industrial Development Act, notice is hereby given that the following application for a licence to manufacture has been made.

Name of applicant and address:

J.C. Leather Industries (Pty) Ltd., P.O. Box 880, Gaborone.

List of products it is proposed to manufacture:

Suitcases, canvas bags, briefcases, belts, purses, bags and other travel goods.

Proposed location of manufacturing activities:

Gaborone.

2. Any person who wishes to make representations in terms of section 8(1) of the Act may do so in writing to the Minister of Commerce and Industry, Private Bag 004, Gaborone, and should also send a copy of such representations to the applicant within 14 days of the second and last publication of this notice.

DATED this 5th day of June, 1981.

R.P. BOIKANYO,
for Permanent Secretary,
Ministry of Commerce and Industry.

L2/7/144 IV

First Publication

Government Notice No. 246 of 1981

CONSTITUTION OF BOTSWANA

Revocation of Acting Appointment — Attorney-General

IN EXERCISE of the powers conferred on His Excellency the President by section 112 of the Constitution, the appointment of —

ELIJAH WILLIAM MODALE JOHN LEGWAILA
to act as Attorney-General has been revoked with effect from 8th June, 1981.

DATED this 10th day of June, 1981.

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

L2/7/98 XIV

Government Notice No. 247 of 1981

CONSTITUTION OF BOTSWANA

Acting Appointment — Commissioner of Police

IN EXERCISE of the powers conferred on His Excellency the President by section 112 of the Constitution, —

NORMAN SEDUMA MOLEBOGE
has been appointed to act as Commissioner of Police with effect from 10th May, 1981, until further notice.

DATED this 10th day of June, 1981.

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

L2/7/98 XIV

Government Notice No. 248 of 1981

STOCK, BONDS AND TREASURY BILLS ACT
(Cap. 56:07)

TREASURY BILLS REGULATIONS
(Cap. 56:07 (Sub. Leg.))

Treasury Bills — Issue of 12th June, 1981

The Bank of Botswana announce that applications totalling P4 200 000 were received on 11th June, 1981 for the offer of P1 000 000 Treasury Bills for issue on 12th June, 1981 at a price of 98,75%.

Applications were scaled down pro rata and applicants received an allotment of approximately 23,8% of the amount of Bills applied for.

L2/7/237

Government Notice No. 249 of 1981

STOCK, BONDS AND TREASURY BILLS ACT
(Cap. 56:07)

TREASURY BILLS REGULATIONS
(Cap. 56:07 (Sub. Leg.))

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, 25th June, 1981 at 12 noon, for Treasury Bills to be issued under the Stock, Bonds and Treasury Bills Act and in accordance with the Treasury Bills Regulations to the amount of P1 000 000.

2. The price per cent at which the Bills will be offered will published by the Bank of Botswana not later than 9 a.m. on Thursday, 25th June, 1981.

3. The Bills will be in amount of P1 000 or a multiple of P1 000. They will be dated 26th June, 1981 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 9th day of June, 1981.

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

L2/7/237

Government Notice No. 250 of 1981

COMPANIES ACT
(Cap. 42:01)

Newly Registered Companies

It is hereby notified for general information that the Companies listed in this Schedule were registered in the month of May, 1981.

SCHEDULE

| <i>Number</i> | <i>Name of Company</i> |
|---------------|--|
| 3284 | J.C.M. Carriers (Proprietary) Limited |
| 3285 | Ferbarn (Proprietary) Limited |
| 3286 | Global Marketing Services (Proprietary) Limited |
| 3287 | Medi Centre (Botswana) (Proprietary) Limited |
| 3288 | Export Express (Botswana) (Proprietary) Limited |
| 3289 | Kopykat Secretarial Services (Botswana) (Proprietary) Limited |
| 3290 | Kanda (Proprietary) Limited |
| 3291 | Office Services Botswana (Proprietary) Limited |
| 3292 | Eyo Electrical Installation (Proprietary) Limited |
| 3293 | A & J. Radiators (Proprietary) Limited |
| 3294 | Air-Lease (Proprietary) Limited |
| 3295 | Car and Truck Centre (Proprietary) Limited |
| 3296 | Dam Stone Crushers (Proprietary) Limited |
| 3297 | Kega (Proprietary) Limited |
| 3298 | Global Enterprises (Proprietary) Limited |
| 3299 | Coopers & Lybrand Investments (Proprietary) Limited |
| 3300 | Aerofit Botswana (Proprietary) Limited |
| 3301 | Gaborone Insurance Brokers (Proprietary) Limited |
| 3302 | Amax Exploration (Botswana) Inc. (External) |
| 3303 | F.J. du Toit (Botswana) (Proprietary) Limited |
| 3304 | Bent El Nil (Proprietary) Limited |
| 3305 | A & S (Proprietary) Limited |
| 3306 | Icada (Proprietary) Limited |
| 3307 | Multipak (Proprietary) Limited |
| 3308 | S.G. Contractors (Proprietary) Limited |
| 3309 | Tonota Investments & Development (Proprietary) Limited |
| 3310 | Jamal Trading Company (Proprietary) Limited |
| 3311 | Lochinvar (Proprietary) Limited |
| 3312 | Cogefar-Costruzioni Generali S.P.A. (External) |
| 3313 | A.A. Investments Holding (Proprietary) Limited |
| 3314 | Litho Craft Industries (Botswana) (Proprietary) Limited |
| 3315 | Sechaba Butchery (Proprietary) Limited |
| 3316 | Jade's Bookkeeping Services (Proprietary) Limited |
| 3317 | E.K.M. Investments (Proprietary) Limited |
| 3318 | Pan African Motors & Transport (Proprietary) Limited |
| 3319 | T.C. Carriers (Proprietary) Limited |
| 3320 | Services Rendered (Proprietary) Limited |
| 3321 | G & G Engineering & Building Contractors (Proprietary) Limited |
| 3322 | B.G.I. Mahalapye (Proprietary) Limited |
| 3323 | Tony's Cafe (Proprietary) Limited |
| 3324 | Mermaid Pools (Proprietary) Limited |

DATED this 4th day of June, 1981.

O.R.N. KALABEN,
Registrar of Companies

Government Notice No. 251 of 1981

**COMPANIES ACT
(42:01)**

Disolution of Company following upon winding-up

It is hereby notified that, in accordance with the provisions of section 203 (2) of the Companies Act, the affairs of the Companies listed in the Schedule have been completely wound up and have been dissolved by the order of court.

SCHEDULE

| <i>Number</i> | <i>Name of Company</i> |
|---------------|---|
| 254 | Waynshon (Proprietary) Limited |
| 354 | Naps Investments (Proprietary) Limited |
| 1267 | Building Contractors (Botswana) (Proprietary) Limited |
| 1590 | Trans Kalahari (Proprietary) Limited |
| 2036 | Phikwe Milling Co. (Proprietary) Limited |

DATED this 9th day of June, 1981.

O.R.N. KALABEN,
Registrar of Companies

L2/7/111 VII

Government Notice No. 252 of 1981

**CHANGE OF NAME ACT
(Cap. 15:06)**

Applications for Authorization of Change of Surname

IT IS HEREBY notified in accordance with section 4 (2) of the Change of Name Act that applications have been made to the Minister of Home Affairs by the persons whose names and addresses are hereinafter specified for the Minister's authority to assume the surnames hereinafter specified opposite their names and addresses.

2. Any person who objects to any of the applications shall notify the Minister of such objection and the grounds thereof within 30 days of the publication of this notice.

| <i>Name and address of applicant</i> | <i>Proposed Surname</i> | <i>Reason given by applicant for wishing to assume proposed surname</i> |
|--|-------------------------|---|
| Daniel Mokgwa P.O. Box 424 Francistown | Saint-Mali Amali | In accordance with the established requirements and norms of my muslim religion, my previous name has now changed wholly. |
| Taelo Kenaope P.O. Box 1007 Gaborone | Keitsile | Kenaope is his father's name and Keitsile is his grand father. |
| Tebogo Aubrey Ketlogetswe P.O. Box 41 Palapye | Tshenolo | Ketlogetswe is his guardian and Tshenolo is the real surname |
| Hobson Chaka Dube U.C.B. P/Bag 0022 Gaborone. | Ndou | Dube is his uncle's surname and Ndou is the real surname |
| Geoffrey Keolebogile P.O. Box 223 Francistown. | Maygilip | Keolebogile is his step-father and Maygilip is his mother's surname |

Any person who objects to the application shall notify the Minister of such objection and the grounds thereof within 30 days of the publication of this notice.

DATED this 9th day of June, 1981.

B. MOOKODI,
*Permanent Secretary,
Ministry of Home Affairs*

L2/7/105

Government Notice No. 253 of 1981

CHANGE OF NAME ACT
(Cap. 15:06)

Authorization of Change of Surname

IN ACCORDANCE with section 2(1) read with section 4(3) of the change of Name Act, the Minister of Home Affairs hereby authorizes the persons whose names and addresses are hereinafter specified to assume the surnames hereinafter specified opposite their names and addresses.

| <i>Name and address</i> | <i>Surname</i> |
|---|----------------|
| Keleapere Taswa Sefhophe School P.O. Box 41 Sefhophe | Khunong |
| Mbiganyi Mmoloki Joseph P.O. Box 20005 Gaborone | Maseko |
| Sterlin Canaan Shadrack P.O. Box 17 Orapa | Tshweta |
| Phillimon Sizeze c/o P.O. Box 150 Lobatse | Danga |
| Dintwa Seosenyeng P.O. Box 97 Mochudi | Ghaa |
| Hange Kandapaera Ketanga P.O. Box 942 Gaborone | Kandapaera |

DATED this 2nd day of June, 1981.

B. MOOKODI,
*Permanent Secretary,
Ministry of Home Affairs.*

L2/7/105

PUBLIC NOTICES

Gaborone Town Council

PUBLIC AUCTION SALE OF UNSERVICEABLE STORES AND VEHICLES

A PUBLIC AUCTION sale will be held at the Gaborone Town Council Depot in the Industrial area on Saturday 27th June, 1981, commencing 10 a.m. Items to be auctioned are:-

- 3 vehicles;
- 2 tractors;
- domestic furniture;
- tubes, tyres and sundry items.

Items may be inspected at the depot two days before the sale and will be sold by lot numbers to the highest bidders. Council reserves the right to reject any bid. Payment must be made in cash or bank certified cheque immediately an item is sold. No item may be removed from the depot without presentation of a council receipt. All items must be removed within 7 days of sale otherwise the items will revert to council and no return of money will be made.

Items offered for sale are in an as is condition.

S. MOTSE,
Town Clerk

Second Publication

Central Transport Organisation
SALE OF BOARDED VEHICLES

IT IS NOTIFIED for general information that an auction sale of boarded vehicles/plant will be held at C.T.O. Sebele on 26th June, 1981 starting at 0930 hours. Items for sale may be inspected during two days preceeding the sale.

Items for sale: 28 X Extension comprising Ford Trucks, Bedford Trucks, cortinas, Kombis, Chev. Cars, etc.

Conditions of sale:

1. Items will be sold by lot numbers to the highest bidder.
2. Government reserves the right to reject any bid.
3. Payment must be made by cash or bank certified cheques immediately an item is sold.
4. No item/s is to be removed from the CTO premises without presentation of a formal receipt.
5. All items are to be removed from the CTO premises within seven (7) days after sale. Failure to do so will result in the ownership of item/s reverting to Government and no return of money will be made.
6. Items offered for sale are in an as is condition.

B.S. TSAYANG,
for General Manager.

Second Publication

Francistown Town Council — Tender No. 3/81

CONSTRUCTION OF 393 REC II TOILETS SOMERSET EAST EXTENSION, FRANCISTOWN

TENDERS ARE INVITED by the Francistown Town Council for the construction of 393 Rec II toilets in Somerset East Extension.

Tenders to be submitted in a sealed envelope marked "Tender No. 3/81 — Construction of Rec II toilets, Somerset East Extension", to the Town Clerk, Francistown Town Council, Private Bag 40, Francistown, to reach him not later than 12.00 noon Monday the 6th July, 1981.

Tender documents may be obtained from the Architects office, Francistown Town Council.

The price quoted should be held firm for a minimum period of 90 days.

The Francistown Town Council does not accept liability for costs of tender preparation and submission and does not bind itself to accept the lowest or any tender nor give reason for non-acceptance of any tender.

H. RODEN,
for/ Town Clerk.

Second Publication

Francistown Town Council — Tender No. 4/81

CONSTRUCTION OF PRE-CAST CONCRETE SLABS FOR REC II TOILETS

TENDERS ARE INVITED by the Francistown Town Council for the construction of Pre-cast concrete slabs for Rec II toilets.

Tenders to be submitted in a sealed envelope marked "Tender No. 4/81 — Construction of Pre-Cast concrete slabs for Rec II toilets", to the Town Clerk, Francistown Town Council, Private Bag 40, Francistown, to reach him not later than 12.00 noon, Monday the 6th July, 1981.

Tender documents may be obtained from the Architects Office, Francistown Town Council.

The Price quoted should be held firm for a minimum period of 90 days.

The Francistown Town Council does not accept liability for costs of tender preparation and submission and does not bind itself to accept the lowest or any tender nor give reason for non-acceptance of any tender.

H. RODEN,
for/ Town Clerk.

Second Publication

External Representative/Agent Licence

NOTICE IS HEREBY given that V & L Enterprises (Pty) Ltd., the holder of a current External Representative Licence to trade in the following goods:

Childrens' playground equipment and other allied products; prefabricated structures and other allied products, hereby intends to apply for an extension of the said External Representative licence to authorise the holder thereof to trade in the additional following goods:-

electronic sound and vision recorders and reproducers and associated goods.

Represented by/ Minchin & Kelly, P.O. Box 1339, Gaborone.

Any person objecting to grant of such certificate should within seven days of second publication of this notice give notice in writing to the National Licensing Authority Board, Private Bag 004, Gaborone of his intension to oppose such application and state the grounds upon which objection is based.

Second Publication

Disposal of Interest in Business

NOTICE IS HEREBY given in terms of section 28 of the Trading Act, 1966, that I, Elizabeth Segobaetsho, have disposed of my entire interest in business of Restaurant at the premises situated at Malotwana to Mrs R. Saidoo who will continue to trade under the same name and same style.

ELIZABETH SEGOBAETSHO, P/Bag Malotwana School, MALOTWANA.

Second Publication

NOTICE IS HEREBY given in terms of section 28 (1) of the Trading Act, 1966, that I, Sisco B. Lebogang have disposed of my entire interest in Small General Dealer to Mr Moffat Molapise, who will continue to trade at the same address and under the different style of Molapise Small General Dealer.

SISCO B. LEOGANG, P.O. Box 103, SELEBI-PHIKWE.

Second Publication

Lost Deed of Transfer

NOTICE IS HEREBY given that the undersigned intends applying for a certified copy of the lost Deed of Transfer Number 68/77 dated 4th March, 1977 made in favour of SERETSE KHAMA in respect of:-

Certain: piece of land being the Remaining Extent of The Farm Sherwood 2 MQ;

Situate: in the Central Administrative District;

Measuring: 1835,9606 (one Eight Three Five comma nine Six Nought Six) Hectares;

All persons having objections to the issue of such copy are hereby required to lodge same with the Registrar of Deeds for Botswana at Gaborone within three (3) weeks of the last publication of this notice.

DATED at Gaborone this 4th day of June, 1981.

KIRBY, HELFER & KHAMA,
Applicant's Attorneys,

Cooperative House,
P.O. Boxes 882 and 170,
Gaborone.

Second Publication

NOTICE IS HEREBY given that Richard Costain (Botswana) (Proprietary) Limited will make application to the Registrar of Companies in terms of section 22 (i) of the Companies Act (Cap. 42:01) not less than fourteen days after the last publication of this advertisement for his written approval to change the name of the Company to Costain Holdings (Botswana) (Proprietary) Limited.

DATED at Gaborone this 27th day of May, 1981.

MINCHIN & KELLY, 2nd Floor Botsalano House, P.O. Box 1339, GABORONE.
for and on behalf of

RICHARD COSTAIN (BOTSWANA) (PROPRIETARY) LIMITED.

Second 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> |
|---|---|--------------------------|-------------------------------|------------------------|
| ATAMALENG TRADING STORE, c/o Minchin & Kelly, P.O. Box 1339, GABORONE. | General Trading | Lot 8867, Broadhurst | Gaborone Town Council | 22.7.81 |
| P. MOGOME, P.O. Box 235, GABORONE. | Speciality (Photo Studio) | Tlokweng | South East District Council | 29.7.81 |
| J. NATAL, P.O. Box 12, OTSE. | General Trading and Chibuku | Otse | South East District Council | 24.6.81 |
| S.T. SETLHODI, P.O. Box 30030, TLOKWENG. | Fresh Produce | Tlokweng Shopping Centre | South East District Council | 29.7.81 |
| B.G.I. MAHALAPYE (PTY.) LTD., c/o J.M. Nganunu & Co., P.O. Box 1991, GABORONE. | General Trading and Petrol Filling Station | Mahalapye | Central District Council | 30.7.81 |
| B.G.I. ORAPA (PTY.) LTD., c/o J.M. Nganunu & Co., P.O. Box 1991, GABORONE. | General Trading and Petrol Filling Station | Orapa | Central District Council | 30.7.81 |
| B. MAPHAKWANE, P.O. Box 56, FRANCISTOWN. | Chibuku Depot | Shashe Mooke | Central District Council | 30.7.81 |
| S. SEKAPA, P.O. Box 3, SELEBI-PHIKWE. | Chibuku Depot | Nshakashogwe | Central District Council | 30.7.81 |
| E.G. MORERI, P.O. Box 308, SEROWE. | Hair Dresser | Serowe | Central District Council | 30.7.81 |
| M.L. MABENGANO, P.O. Box 13, MMADINARE. | Small General Trading | Madinare | Central District Council | 30.7.81 |
| S.H. WESSON, P.O. Box 4, Sefhare, Via MAHALAPYE. | General Trading | Sefhare | Central District Council | 30.7.81 |
| T.K. SELEBATSO, P.O. Box 712, GABORONE. | Small General Trading | Seolwane | Central District Council | 30.7.81 |
| C.K. MONYAMANE, P.O. Box 52, TUTUME. | Small General Trading | Thini (Tutume) | Central District Council | 27.8.81 |
| M.R. SETSWALO, P.O. Box 14, SHAKAWE. | Small General Trading | Nxamasere | North West District Council | 6.7.81 |
| INDUSTRIAL RESTAURANT, P.O. Box 13, MAUN. | Restaurant | Industrial Sites | North West District Council | 6.7.81 |
| J. GUMBO, P.O. Box 13, KASANE. | Speciality | Kasane Township | District Commissioner, Kasane | 7.7.81 |

| | | | | |
|--|------------------------------|----------------------------|------------------------------------|---------|
| J.C. GUMBO, P.O. Box 13, KASANE. | Small General Trading | Kachikao Village | District Commis- sioner, Kasane | 7.7.81 |
| B.M. WAPITSO, P.O. Box 523, KANYE. | Restaurant | Kanye | Southern District Council | 4.8.81 |
| B.K. KEATLHOTSWE, P.O. Box 85, MOSHUPA. | Small General Trading | Moshupa | Southern District Council | 1.7.81 |
| T.S. MOGOTSI, P.O. Box 20542, GABORONE. | General Trading | Mmopane Village | Kweneng District Council | 20.7.81 |
| M.E.B. DOWLING, P.O. Box 490, FRANCISTOWN. | General Trading | Stand No. 259 | Francistown Town Council | 9.7.81 |
| G. ALBERTI, P.O. Box 1546, GABORONE. | Small General Trading | Rasesa Village | Kgatlang District Council | 31.7.81 |
| J. MORUAKGOMO, P.O. Box 533, MOCHUDI. | Small General Trading | Mochudi | Kgatlang District Council | 31.7.81 |
| PIONEER (PTY.) LTD., c/o Norman Kades, P.O. Box 1111, GABORONE. | Fresh Produce (Superette) | The Mall, Selebi-Phikwe | Selebi-Phikwe Town Council | 29.7.81 |

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 Restaurant Licence to Mrs R. Saidoo in respect of the premises situated at Malotwana and the Kgatleng District Council has determined that the application shall be heard by the Trade Licensing Advisory Committee on the 31st July, 1981.

R.SAIDOO, P.O. Box 20895, GABORONE.

A transfer of a Speciality Licence of the premises situated at Lot 1 Bonnington and that the Gaborone Town Council has determined that the application shall be heard by the Licensing Authority on the 24th June, 1981.

RAMONA PARTS CENTRE (PTY) LTD., and
NORMAN KADES & HENRY LEVER, *Applicant's Attorneys*, P.O. Box 1111, GABORONE.

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

TAKE NOTICE THAT Capri (Proprietary) Limited intends to make application for the transfer of the Fresh Produce Licence held by it in respect of the premises on Plot 1230 (A) Industrial Sites, Gaborone. The licence shall remain in respect of those premises but shall be transferred to Star Bakery (Proprietary) Limited. The application will be heard by the Licensing Advisory Committee on the 22nd July, 1981.

NEILL W. ARMSTRONG,
for DAMANT BOSTOCK

Second Publication

Hawker's Licence

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 of hearing</i> |
|---|--|-------------------------------------|----------------------------|
| W.G. KGOSIEMANG, P.O. Box 181, MOLEPOLOLE. | Mamoagi, Sebisani and Keleapere | Kweneng District Council | 20.7.81 |
| B. KOKWE, P.O. Box 73, MOLEPOLOLE | Chabuchabu, Seletse and Machana | Kweneng District Council | 20.7.81 |
| W. RADIHEPI, P.O. Box 1, SEBINA. | Pandamatenga, 10 km South of Panda, km 105, Lesoma and Km 117 | District Commissioner, Kasane | 7.7.81 |
| S. MOTSAMAI, c/o Toteng School, Via MAUN. | Mogapelwa, Tswelenyane, Bothatogo and Kgwebe | North West District Council | 6.7.81 |
| K. SENKHANANA, P.O. Box 224, KANYE. | Sesu, Jwana, Legong, Pitsa, Sega, Betesankwe, Dintswana, Tshumu, Tswenyane and Lubutse, | Southern District Council | 4.8.81 |
| B. BAGAESI, Zwenshambe Village P.O. ZWENSHAMBE. | Zwenshambe, Nlaphwane, Mapoka and Sekakangwe | North East District Council | 28.7.81 |
| F. LETSHABILE, P/Bag Bokaa, MOCHUDI. | Kgomodiatshaba, Mokata, Khurutshe, Tshepa-Setena, Poloka-Batho and Mokala | Kgatlang District Council | 31.7.81 |
| S. SELLWE, P.O. Box 191, MOCHUDI. | Mochudi | Kgatlang District Council | 31.7.81 |
| S.T. MOLOI, P.O. Box 20537, GABORONE. | Extensions 12, 27 and 26 | Gaborone Town Council | 24.6.81 |
| G.G. MOLEBATSI, P.O. Box 20218, GABORONE. | Extensions 7, 13 and 8 | Gaborone Town Council | 24.6.81 |
| B. LEBURU, P.O. Box 189, SEROWE. | Nakalaphala, Ditshegwana, Seokane, Mogadengwane, Mmolelo and Ditshego | Central District Council | 30.7.81 |
| O. MOROPISI, P.O. Box 75, SELEBI-PHIKWE. | Lemone, Masuakoloi, Ramherwana, Madiela, Chekanyane, Sepolamoriri, Kebuakabomo, Mabatwe, Bikwe, Sebataladi, Matsosadikgang, Makgwelekgwele and Mmadikolobe | Central District Council | 30.7.81 |
| E.B. KEIPEDILE, P.O. Box 107, SEROWE. | Masama, Taukome, Tshethong, Mahataanare, Tsaope, Makhubung, Serowe, Paje, Jwenyane, Kgaswe, Dithojane, Ramashaba, Mogatsapoo, Tshimoyapula, Tlhwareng, Mmabogopa, Setatse, Sajwe and Lemone | Central District Council | 30.7.81 |
| K. KEALOTSWE, P.O. Box 378, SEROWE. | Mabeleapudi Village, Majaditholo lands, Seshane Lands, Mokobawaashadi Cattle Post, Majwanaadipitse Cattle Post, Kobe Cattle Post and Thamane Cattle Post | Central District Council | 30.7.81 |
| M. KOLOLO, P/Bag 1, ORAPA. | Mmatshumu, Tsutsuga, Mokwibilo, Letlhakane, Mmandunyane, Mooke, Mopipi, Rramorokotso, Mogobewanoga, and Mphane | Central District Council | 30.7.81 |
| J. OREKANG, P.O. Box 21, SELEBI-PHIKWE. | Makgwaphe Cattle Post, Dibokolodi, Segakwaneng, Sebesetsane, Setole, Leherwane, Maretele and Bokotlo | Central District Council | 30.7.81 |

| | | | |
|--|---|-----------------------------|---------|
| P. RAMOTHO, P.O. Box 102, ORAPA. | Mmantsibudi, Serokolo, Mahibitswane, Mmabae, Serengwa, Bapedi and Pyelepyetle | Central District Council | 30.7.81 |
| S.P. MAKWATI, P.O. Box 112, SHOSHONG. | Moralane, Morei, Makalane (Masimo), Meraka ya Mokokore and Masimo | Central District Council | 30.7.81 |
| D. MORUPISI, P.O. Box 44, PALAPYE. | Malaka, Senonope and Lebowana | Central District Council | 30.7.81 |
| S.M. KEKWALETSE, P.O. Box 249, GABORONE. | Mmutlane, Mahalapye and Shoshong | Central District Council | 30.7.81 |

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

Hawkers/Street Vendors Licences

Notice is hereby given that the undersigned intends to apply for a Licence in terms of Bye-Laws 5 and 8 of Gaborone Hawking and Street Vending Bye-Laws, 1977 to obtain a Hawkers Licence/Street Vendor's Licence in respect of the following areas within the Gaborone Township —

| <i>Name and Address</i> | <i>Place(s) where Licence(s) applied for</i> | | <i>Council</i> | <i>Date of hearing</i> |
|---|--|------------------------------|--------------------------------|------------------------|
| M. MOLELEKWA, P.O. Box 2, MOGOBANE. | Street Vendor | Ga-Rakorwe, Mogobane | South East District Council | 24.6.81 |
| J. MOTHOTENG, P.O. Box 20217, GABORONE. | Street Vendor | Extension 26 Broadhurst | Gaborone Town Council | 24.6.81 |
| L. PHITLHO, P.O. Box 606, GABORONE. | Street Vendor | Extension 13 Old Naledi | Gaborone Town Council | 24.6.81 |
| G. GAOLEKANE, P.O. Box 381, GABORONE. | Street Vendor | Ext. 14, New Naledi | Gaborone Town Council | 24.6.81 |
| W. MASWE, P.O. Box 20281, GABORONE. | Street Vendor | Ext 13 | Gaborone Town Council | 24.6.81 |
| B. NTHOMOLA, P.O. Box 1197, GABORONE. | Street Vendor | Ext. 13 (Old Naledi) | Gaborone Town Council | 24.6.81 |
| L. KOOSIMILE, P.O. Box 1093, GABORONE. | Street Vendor | Extension 30 (Tsholofelo) | Gaborone Town Council | 24.6.81 |
| H. MOKGOPO, P.O. Box 1809, GABORONE. | Street Vendor | Extension 24 (Broadhurst) | Gaborone Town Council | 24.6.81 |
| J. GOUWE, P.O. Box 161, GABORONE. | Street Vendor | Extension 26 (Broadhurst) | Gaborone Town Council | 24.6.81 |
| F. MATSIPANE, P.O. Box 1197, GABORONE. | Street Vendor | New Naledi, Extension 14 | Gaborone Town Council | 24.6.81 |
| N. SEGWAGWE, P.O. Box 1427, GABORONE. | Street Vendor | Extension 13 | Gaborone Town Council | 24.6.81 |

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

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> |
|--|--|--|--------------------------------|------------------------|
| M.B.C. UNIT ENTERPIRSES (PTY) LTD., P.O. Box 1603, GABORONE. | General Trading | Plot 32/38 Extension 12 | Gaborone Town Council | 22. 7.81 |
| B.R. MATSETSE, P.O. Box 22, GABORONE. | Fresh Produce and Chibuku Depot | Tlokweg | South East District Council | 29. 7.81 |
| G. THEBE, P.O. Box 64, RAMOTSWA. | Restaurant | Ramotswa | South East District Council | 29. 7.81 |
| A.K. SEMATHANE, P.O. Box 37, RAMOTSWA. | Restaurant and Fresh Produce | Poonyane Ward | South East District Council | 29. 7.81 |
| R. MAMITWA, P.O. Box 6, LETLHAKANE. | Fresh Produce Butchery and Restaurant | Dinokwane Ward Serowe | Central District Council | 30. 7.81 |
| C. MATHUMO, P.O. Box 15, JWANENG. | Chibuku Depot | Makoro | Central District Council | 30. 7.81 |
| F.L. MANOWE, P.O. Box 49, PALAPYE. | Small General Trading | Palapye | Central District Council | 30. 7.81 |
| B. CREATIVE (PTY) LTD., P.O. Box 398, FRANCISTOWN. | Speciality — art promotions, sales and allied crafts | Lot 1547 Light Industril Sites | Francistown Town Council | 13. 8.81 |
| E.B. MATUMO, P.O. Box 277, FRANCISTOWN. | Small General Trading | Plot No. 229 Light Industrial Sites | Francistown Town Council | 13. 8.81 |
| R.K. KGOPO, P.O. Box 49, FRANCISTOWN. | Small General Trading and Restaurant | Riverside West | Francistown Town Council | 13. 8.81 |
| KISMET KIDDIES CENTRE, P.O. Box 4, FRANCISTOWN. | General Trading | Lot 477 Haskins Street | Francistown Town Council | 13. 8.81 |
| J.G. TANGANE, P.O. Kalakamati, via FRANCISTOWN. | Small General Trading | Mbalambi Village | North East District Council | 25. 8.81 |
| A.D. COETZEE, P.O. Box 353, FRANCISTOWN. | Butchery | Makaleng | North East District Council | 25. 8.81 |
| K. NFAKOSE, P.O. Kalakamati, via FRANCISTOWN. | Small General Trading | Kalakamati | North East District Council | 25. 8.81 |
| TOWN AND COUNTRY SPORTS, P.O. Box 199, SELEBI-PHIKWE. | Speciality (sports goods, sports clothing, sports equipment and accessories) | Plot 4241, | Selebi-Phikwe Town Council | 29. 7.81 |
| B.E. SCOTT, for Fashion Scene, P.O. Box 54, SELEBI-PHIKWE. | General Trading | Shop 2B, The Mall | Selebi-Phikwe Town Council | 29. 7.81 |

| | | | | |
|---|---------------------------------------|--------|--------------------------------|---------|
| M. MAKWATI AND E. MASIKE, P.O. Box 73, MAUN. | Small General Trading | Boseja | North West District Council | 3. 8.81 |
| L. TLHOMELANG, P.O. Box 198, KANYE. | General Trading, and Fresh Produce | Kanye | Southern District Council | 4. 8.81 |

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 appropriate council of his intention to oppose such application and state the grounds upon which his objection is based.

First Publication

Hawkers/Street Vendors Licences

Notice is hereby given that the undersigned intend to apply for Licences in terms of Bye-Laws 5 and 8 of the Gaborone Hawking and Street Vending Bye-Laws, 1977, to obtain a Hawker's Licence/Street Vendor's Licence in respect of areas within the Gaborone Township –

| <i>Name and Address</i> | | <i>Place(s) where Licence(s) Applied for</i> | <i>Council</i> | <i>Date of hearing</i> |
|--|---------------|--|--------------------------|----------------------------|
| O. MOKOMANE, P.O. Box 158, GABORONE. | Street Vendor | Extension 19 | Gaborone Town Council | 22. 7.81 |
| G.D. MANGOPE, P.O. Box 69, GABORONE. | Street Vendor | Extension 23 Broadhurst | Gaborone Town Council | 22. 7.81 |
| M. TSHINAMO, P.O. Box 267, GABORONE. | Street Vendor | Extension 27 | Gaborone Town Council | 22. 7.81 |
| M. MOGWARO, P.O. Box 20879, GABORONE. | Street Vendor | Extension 8 Bontleng | Gaborone Town Council | 22. 7.81 |
| S. THENE, P.O. Box 75, GABORONE. | Street Vendor | Tsholofelo | Gaborone Town Council | 22. 7.81 |
| J. JORAMU, P.O. Box 20062, GABORONE. | Street Vendor | Extension 6 | Gaborone Town Council | 22. 7.81 |
| M. RAMPHALENG, P.O. Box 689, GABORONE. | Street Vendor | Extension 26 Tsholofelo | Gaborone Town Council | 22. 7.81 |

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

External Representative

NOTICE IS HEREBY given that B.B. Engineering (Pty) Ltd., intends to apply for an External Representative's Licence to trade in the following goods: engineering supplies, construction and agricultural machinery, tools, hardware and spare parts.
Represented by: Ronald Arthur Jones, James William Clapperton.

Any person objecting to grant of such certificate should within seven days of second publication of this notice give in writing to the National Licensing Authority Board, Private Bag 004, Gaborone of his intention to oppose such application and state the grounds upon which objection is based.

c/o Minchin & Kelly, Attorneys for Applicant, P.O. Box 1339, GABORONE.

First Publication

Hawker's Licence

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 of hearing</i> |
|---|--|--------------------------------|----------------------------|
| K. MMADIKAO, P.O. Box 27, KANYE. | Maologane, Masokwe, Dilokwana, Gakgolomu, Jwaneng, Gamokgosi, Basadinyana, Gamotekwane, Garamasa, Gamokalaka, Mothenene and Moshana | Southern District Council | 4. 8.81 |
| A. K.K. RATSOMA, P.O. Molapowabojang, via LOBATSE. | Gatshilwana, Molapowabojang, Tsheregethe, Phate, Motlhatshe, Matsane, Serala, Makhubu, Maruswa, Gapholokwebu, Gopong and Molokwe | Southern District Council | 4. 8.81 |
| R.Q. OTSHELENG, P.O. Box 68, MOSHUPA. | Dikhudu, Ralekgetho, Masasapa, Jwaneng Lands, Pitseng and Tlanege | Southern District Council | 4. 8.81 |
| L. SEKALABA, P.O. Box 213, KANYE. | Mmalore, Dikhana, Morwatubane, Serogwe, Gadinakanyane, Tsoaneng, Gatshuthe, Pudusetsa, Morenane, Gamothei, Magakabe, Lokalana, Mashamo, Molopo Farmers and Mookane | Southern District Council | 4. 8.81 |
| A. JOHANNES, P.O. Box 975, GABORONE. | Broadhurst, Tsholofelo and Bontleng | Gaborone Town Council | 22. 7.81 |
| R.K. MOTSISI, P.O. Box 800, GABORONE. | Extensions 4, 12 and 28 Broadhurst | Gaborone Town Council | 22. 7.81 |
| E. LEGAU, T. TSIBELE, P.O. Box 142, MOCHUDI. | Extensions 13, 14 and 25 | Gaborone Town Council | 22. 7.81 |
| R.M. MAKONDO, P.O. Box 323, MAUN. | Mogowagowe, Maila, Makgwelekgwele, Bodiba, Xatsitso and Bothatogo | North West District Council | 3. 8.81 |
| O. DINYANDO, P.O. Box 285, MAUN. | Boseja, Xobe, Daoga and Dikgato | North West District Council | 3. 8.81 |
| G. MAUTLANE, P.O. Box 58, GABORONE. | Molengwane, Sorilatholo and Mereatswe | Kweneng District Council | 20. 7.81 |
| M.K. LESWAPE, P.O. Box 4, GHANZI. | Kule and Nojane | Ghanzi District Council | 16. 7.81 |
| K. MAPITSE, P.O. Box 335, SELEBI-PHIKWE. | Seleka, Masimo, Moeng, Majwaneng, Mokobeng and Sherwood | Central District Council | 30. 7.81 |
| J. LOUW, P.O. Box 381, SELEBI-PHIKWE. | Monatsane, Mmhatane, Sampowane, Mahele, Phanya, Tshukwe, Mokoswane, Bodumatou, Mabowana, Shaphe, Dibete, Mmarumidi, and Ntswelegoro | Central District Council | 30. 7.81 |
| G. SETSHWAELA, Thabala Village, Private Bag 3, SEROWE. | Motshegaletau, Masoko, Lepalapala, Nkgamelang, Kamokwa, Monkgraphokoje, Teleba, Toroko and Padimo | Central District Council | 30. 7.81 |
| A.D. COETZEE, P.O. Box 353, FRANCISTOWN. | Sebina Village and surrounding areas | Central District Council | 30. 7.81 |
| G. NYOKA, P.O. Box 499, MAHALAPYE. | Phokojwe, Masimu-a-Xhosa, Lofapaneng and Mokobeng | Central District Council | 30. 7.81 |

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|--|---|-----------------------------|----------|
| B. JONASE, Private Bag 1, Mmutlane, via SHOSHONG. | Makoro, Bonwapitse, Kainawe, Ga-Kedikilwe, Tobela and Mmanare | Central District Council | 30. 7.81 |
| W.N. MOTHIBI, P.O. Box 3, FRANCISTOWN. | Pitamarago, Matakana, Malelong, Samesungu, Matsitama, Spamdrama and Letlhakana | Central District Council | 30. 7.81 |
| G. BAIPUSI, P.O. Box 58, SEROWE. | Ghane, Kaga, Makgandale, Ghobaga, Letswana, Maditsenyane, Phatswanyane, Machana and Lekotsane | Central District Council | 30. 7.81 |
| B. MONYATSI, P.O. Box 191, SELEBI-PHIKWE. | Letlhakane, Mafolapanje, Mmakgabo Lands, Seleka, Nkobotwane Cattle Posts and Mhatane Lands | Central District Council | 30. 7.81 |

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 appropriate 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 intends to apply for a certificate in terms of section 10 of the Trading Act (No. 6 of 1966) to obtain

A transfer of Fresh Produce Licence to E. Motswakhumo in respect of the premises situated at Artesia and that the Kgatleng District Council has determined that the application shall be heard by the Trade Licensing Advisory Committee on the 31st July, 1981.

E. MOTSWAKHUMO, P.O. Box 258, GABORONE.

A transfer of Butchery Licence from Johannes Cornelius Louw to Roadside Butchery (Proprietary) Limited in respect of premises situated at Molepolole and that the Kweneng District Council has determined that the application shall be heard by the Licensing Authority on the 20th July, 1981.

ROADSIDE BUTCHERY (PTY) LTD., c/o Magang & Co., Applicant's Attorneys, Zambia House Annex, P.O. Box 132, GABORONE.

A transfer of a General Trading Licence from Abdul Karim Kham in respect of Boseja Trading Store and Cafe, situated at Mochudi to Boseja (Proprietary) Limited and that the Kgatleng District Council has determined that the application shall be heard by the Licensing Authority on the 31st July, 1981.

ABDUL KARIM KHAM, c/o Kirby, Helfer & Khama, Applicant's Attorneys, Co-operative House, P.O. Box 882 and 170, GABORONE.

A transfer of a Fresh Produce Licence and a Restaurant Licence in respect of Tony's Cafe, Extension 2, Gaborone to Tony's Cafe (Proprietary) Limited and that the Gaborone Town Council has determined that the application shall be heard by the Licensing Authority on the 22nd July, 1981.

MINCHIN & KELLY, Applicant's Attorneys, P.O. Box 1339, GABORONE.

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 appropriate council of his intention to oppose such application and state the grounds upon which his objection is based.

First Publication

Disposal of Interest in Business

NOTICE IS HEREBY given in terms of section 28 of the Trading Act, 1966, that I, E.H. Makhura have disposed of my entire business of Fresh Produce at the premises situated at Artesia to E. Motswakhumu who will continue to trade under the same name and same style.

E.H. MAKHURA, Artesia Postal Agency, via GABORONE.

First Publication

NOTICE IS HEREBY given that Robert R. Moirwagale intends to dispose of his entire interest in the business known as Doll House Inn Extension to Anna M. Mamabulo, who shall continue to trade under the title of Doll House Inn Extension.

J.M. NGANUNU & CO.,
Attorneys for the Parties,

First Publication

NOTICE IS HEREBY given in terms of section 25 (1) of Trading Act, that I, O. Porogo have disposed of my entire interest in business of Restaurant and Fresh Produce at the premises situated at Ramotswa (Goo Raponyane) to A.K. Semathane who will continue to trade under the same address and style.

O. POROGO, P.O. Box 10, RAMOTSWA.

NOTICE IS HEREBY given in terms of section 28 of the Trading Act, 1966, that Johannes Cornelius Louw intends to dispose of his interest in his butchery carrying on business at Molepolole to Mogaenyana Bakwena who will continue to trade at the same address under the style Roadside Butchery (Pty) Ltd.

MAGANG & CO., *Applicant's Attorneys*, Zambia House Annex, P.O. Box 132, GABORONE.

First Publication

NOTICE IS HEREBY given that the undersigned intends to apply for a certificate in terms of section 10 of the Trading Act, 1966 (No. 6 of 1966) to obtain a Driller's Licence in respect of the Ngamiland District and that the North West District Council has determined that the application shall be heard by the Licensing Authority on the 3rd August, 1981.

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.

HARRY WELLIO,

P.O. Box 494,
MAUN

First Publication

North East District Council

SALE OF COUNCIL VEHICLE

TENDERS ARE INVITED for the purchase of a 1976 Toyota Hiace (11 seater) from the North East District Council. The vehicle will be sold to the highest bidder. This vehicle may be inspected during the working hours at the North East District Council Offices, Tatitown during working hours.

Tenders should be forwarded in sealed envelopes marked "Tender for the Purchase of Council Vehicle" to the Council Secretary, North East District Council, P.O. Box 10001, Tatitown, not later than 30th June, 1981.

S.L.A. KAJANE,
for Council Secretary.

**Kgatleng District Council — Tender No. 4 of 1981
SCHOOL CONSTRUCTION**

TENDERS ARE INVITED by the Kgatleng District Council for the construction of the following projects at various places:

| <i>SCHOOL</i> | <i>PROJECT</i> |
|------------------------|--|
| KGAFELA | 1 X 2 classrooms with ceiling 1 Teachers quarter with water system toilet |
| LADY MITCHISON | 1 X 2 classrooms with ceiling |
| ISANG | 2 Teachers quarters with water system toilet |
| PHAPHANE | 1 X 2 classrooms with ceiling |
| MMUSI | 1 X 2 classrooms with ceiling 1 Teachers quarter with water system toilet |
| SEGALE | 2 Teachers quarter with water system toilet |
| PILANE | |
| PILANE | 1 Teachers quarter with pit latrine |
| MORWA | |
| OUR LADY | 1 Storeroom/kitchen Type B |
| RAESA | |
| RAESA | 1 Teachers quarter with pit latrine |
| MALOTWANA | |
| BOITEKO | 1 X 2 classrooms with ceiling 1 storeroom/kitchen Type B |
| DIKGONNYE | |
| DIKGONNYE | 1 Teachers quarter with pit latrine |
| KHURUTSHE | |
| KHURUTSHE | 1 X 2 classrooms with ceiling |
| KGOMODIATSHABA | |
| KGOMODIATSHABA | 1 X 2 classrooms with ceiling |
| LESHIBITSE | |
| LESHIBITSE | 1 X 2 classrooms with ceiling 1 storeroom/kitchen Type B 1 Teachers quarter with pit latrine |
| MMATHUBUDUKWANE | |
| LETSEBE | 1 X 2 classrooms with ceiling |
| SIKWANE | |
| SIKWANE | 1 X 2 classrooms with ceiling |
| MABALANE | |
| MABALANE | 1 X 1 classroom with ceiling |
| DIKWIDIDI | |
| DIKWIDIDI | 1 X 2 classrooms with ceiling 1 storeroom/kitchen Type B 1 Teachers quarter with pit latrine |
| MODIPANE | |
| MODIPANE | 1 Teachers quarter with pit latrine |
| ODI | |
| ODI | 1 Teachers quarter with pit latrine |
| MATEBELE | |
| MATEBELE | 1 X 2 classrooms with ceiling 1 Teachers quarter with pit latrine |

All tender documents, drawings and specifications shall only be obtained from Council Works Department before tendering for a non-returnable tender fee of P10,00. Contractors who do not collect the tender documents from council shall simply not be considered.

Tenders should be sent in sealed envelopes clearly marked "Tender No. 4 of 1981 — School Construction" and to be addressed to: Council Secretary, Kgatleng District Council, P.O. Box 378, MOCHUDI, and to reach him not later than 5.00 p.m. 8th July, 1981. Council is not bound to accept the lowest or any tender.

T.D. MOROBANE,
for Council Secretary.

Francistown Town Council — Tender No. 5/1981**SUPPLY OF VEHICLES AND PLANT**

FRANCISTOWN TOWN COUNCIL invites tenders for the supply including delivery to specified Council sites in Francistown of vehicles and plant complying with the Botswana Motor Vehicle Safety requirements.

Documents containing details of the vehicles and plant and the conditions of tender are obtainable from the Francistown Town Council, SHHA Department, Principal Housing Officer. The SHHA Main Offices are located in the old BCL Office complex/new Magistrates Court on Blue Jacket Street. The Postal address is Private Bag 40, Francistown and telephone number is Francistown 2790.

Tenders must be submitted in a plain sealed envelope marked only with the following description: "Tender No. 5 — Supply of Vehicles and Plant".

All tender submissions must reach the Town Clerk, Private Bag 40, Francistown not later than 12.00 hours Wednesday 15th July, 1981, when the tender bids will be opened in the presence of those tenderers wishing to attend. Tenders received after closing time or submitted by telephone, telex or telegram shall not be considered.

Prices quoted must remain valid for a minimum period of sixty (60) days.

Francistown Town Council does not accept liability for costs of tender preparation and submission, and does not bind itself to accept the lowest or any tender nor to give reasons for the non-acceptance of any tender. The Council reserves the right to accept any tender bid in its entirety or any of its parts.

L.M. SEBINA,
Town Clerk.

First Publication

Central District Council — Tender CDC/CTU/No. 9 — 80**Tender CDC/CTU/No. 10 — 80**

THE CENTRAL DISTRICT COUNCIL invites tenders for the supply of new vehicles.

Six 4 × 4 vehicles.

Full details of the vehicles required may be obtained on request from the Chief Technical Officer (Transport), Central District Council, Private Bag 001, SEROWE.

L.L. MABUA,
Council Secretary.

Ghanzi District Council — Tender No. 5 of 1981

GHANZI DISTRICT COUNCIL invites tenders for the supply of the following vehicles with body each: Two (2) DA116 diesel powered rear single wheel rim size 1200 × 20 × 14 ply rear and 900 × 20 × 14 ply front with the following extras each:

1. Long range fuel tank in the body, side rails with rear gate.
2. Water tank on the side,
3. Bush guard and extra spare wheel.

Three (3) pickups 4 × 4 petrol, any make with the following extras each:

Long range fuel tank in the body, side rails with rear gate.
Water tank in the body.

Bush guard and one (1) extra spare wheel.

All tyres should be 7.50 × 16 × 10 ply.

Tenderers should state the delivery date. All tenders must be addressed to: Council Secretary, Ghanzi District Council, P.O. Box 4, Ghanzi, in sealed envelope clearly marked "Tender No. 5 of 1981" and should reach Council Secretary's Office not later than 21st June, 1981.

Council is not bound to accept the lowest or any tender and reserves the right to accept or reject the whole or part of any tender.

D.G. MOILWA,
for Council Secretary.

Notice

The following plotholder(s) on State Land granted by this Gaborone Town Council under the authority vested on it under section 4 (1) of the State Land Act, is (are) in arrears in payment of service levy/building material loan payments, from the dates and in the amounts set fourth in the schedule below.

SCHEDULE

| <i>Name and address</i> | <i>Plot No.</i> | <i>Levy (a) Loan (b)</i> | <i>Period covered</i> | <i>Number of</i> |
|--|-----------------|------------------------------|-----------------------|------------------|
| Edward Chaba, Box 90, Gaborone | 9345 | (a) P23,50 | Jan. 81 — May 81 | 5 |
| Godfrey Mmakgotso, Box 790, Gaborone | 9431 | (a) P32,50 | Nov. 80 — May 81 | 7 |
| A.S. Ratsatsi, Box 69, Gaborone | 9434 | (a) P37,00 | Oct. 80 — May 81 | 8 |
| Lucas Mosielele, Box 330, Gaborone | 9511 | (a) P28,00 | Dec. 80 — May 81 | 6 |
| Stafeoff Makatane, Box 517, Gaborone | 9617 | (a) P19,00 | Feb. 80 — May 81 | 4 |
| Dan Bololo, Box 202, Gaborone | 9666 | (a) P50, 50 | July 80 — May 81 | 11 |
| Ntjidzi Mbure, Box 20038, Gaborone | 7192 | (a) P14,50 | Mar. 81 — May 81 | 3 |
| Raditsonki Kgosiemang, Box 1, Ramotswa | 7216 | (a) P19,00 | Feb. 80 — May 81 | 4 |
| Robison Komete, Box 109, Gaborone | 7276 | (a) P86,50 | Nov. 79 — May 81 | 19 |
| Tshegofatso Seitei, Box 75, Gaborone | 7288 | (a) P32,50 | Nov. 80 — May 81 | 7 |
| Haps Moalosi, P/Bag 29, Gaborone | 7306 | (a) P14,50 | Mar. 81 — May 81 | 3 |
| Ruben Kopi, P/Bag 32, Gaborone | 7605 | (a) P37,00 | Oct. 80 — May 81 | 8 |
| Cathrine Kgengwanyane, Box 80, Gaborone | 7626 | (a) P14,50 | Mar. 80 — May 81 | 3 |
| Lizzy Motshabi, Box 1363, Gaborone | 7671 | (a) P41,50 | Sept. 80 — May 81 | 9 |
| Joseph Molaolwa, Box 447, Gaborone | 7682 | (a) P19,00 | Feb. 81 — May 81 | 4 |
| Kelebonye Mosugadikobo, Box 166, Gaborone | 7709 | (a) P32,50 | Nov. 80 — May 81 | 7 |
| Moshinka Mokone, Box 706, Gaborone | 7756 | (a) P55,00 | Jun. 80 — May 81 | 12 |
| Onalenna Lebapele, Box 844, Gaborone | 8116 | (a) P14,50 | Mar. 81 — May 81 | 3 |
| Ntuka Ntobanga, Box 109, Gaborone | 8134 | (a) P37,00 | Oct. 80 — May 81 | 8 |
| Pulane Segane, Box 105, Gaborone | 8137 | (a) P32,50 | Nov. 80 — May 81 | 7 |
| Baruti George Oageletse, Box 69, Gaborone | 02—095 | (a) P23,50 | Jan. 81 — May 81 | 5 |
| Moilwa Serelebang, P.O. Box 75, Gaborone | 04—091 | (a) P23,50 | Jan. 81 — May 81 | 5 |
| Pheko Ruel, P.O. Box 69, Gaborone | 07—087 | (a) P23,50 | Jan. 81 — May 81 | 5 |
| Motsemoleele Goaletsa, Box 75, Gaborone | 07—098 | (a) P23,50 | Jan. 81 — May 81 | 5 |
| Ramogare Frank, P.O. Box 75, Gaborone | 07—151 | (a) P23,00 | Jan. 81 — May 81 | 5 |
| Seanokeng Selelo, P.O. Box 75, Gaborone | 07—261 | (a) P23,50 | Jan. 81 — May 81 | 5 |
| Kopane Oikhutswa, P.O. Box 75, Gaborone | 08—155 | (a) P23,50 | Jan. 81 — May 81 | 5 |
| P. Mulelu, P.O. Box 534, Gaborone | 4228 | (a) P37,00 | Oct. 80 — May 81 | 8 |
| Y. Selikane, P.O. Box 376, Gaborone | 4244 | (a) P32,00 | Nov. 80 — May 81 | 7 |

| | | | | |
|--|------|-------------|-------------------|----|
| P.K. Monaheng, P/Bag 2, Gaborone | 2000 | (a) P41,50 | Sept. 81 – May 81 | 9 |
| P. Mangope, P.O. Box 303, Gaborone | 2013 | (a) P17,00 | Mar. 80 – May 81 | 3 |
| R. Mpofu, P.O. Box 1540, Gaborone | 2198 | (a) P70,00 | May 80 – May 81 | 13 |
| A. Masilo, P/Bag 001, Gaborone | 2324 | (a) P109,00 | June 79 – May 81 | 22 |
| Churchill Letsholonyane, P.O. Box 834, Gaborone | 8152 | (a) P37,00 | Oct. 80 – May 81 | 8 |
| Keabetswe Seogateng, P.O. Box 1340, Gaborone | 8162 | (a) P55,00 | Aug. 80 – May 81 | 10 |
| Edward Bogman, Box 10018, Gaborone | 8171 | (a) P32,50 | Nov. 80 – May 81 | 7 |
| Betty Kaijela, Box 389, Gaborone | 8180 | (a) P32,50 | Nov. 80 – May 81 | 7 |
| Seboe Lekgetho, Box 69, Gaborone | 8212 | (a) P37,00 | Oct. 80 – May 81 | 8 |
| Edward Gasebolelwe, Box 200, Gaborone | 8263 | (a) P32,50 | Nov. 80 – May 81 | 7 |
| Beny Kontle, Gaborone | 8264 | (a) P32,50 | Nov. 80 – May 81 | 7 |
| Mathews Makhawa, Gaborone | 8274 | (a) P23,50 | Nov. 80 – May 81 | 7 |
| Monare Mogaladi, P/Bag 29, Gaborone | 8565 | (a) P46,50 | Sept. 80 – May 81 | 9 |
| Rametse Ramoatlhodi, P.O. Box 48, Gaborone | 8576 | (a) P51,00 | Aug. 80 – May 81 | 10 |
| Kehilwe Mosielele, P/Bag 0022, Gaborone | 8624 | (a) P23,50 | Jan. 80 – May 81 | 5 |
| Jonas Chifidi, Box 1211, Gaborone | 8625 | (a) P46,00 | Aug. 80 – May 81 | 10 |
| Jonas Moremi, P.O. Box 80, Gaborone | 8629 | (a) P46,00 | Sep. 80 – May 81 | 9 |
| Phepafalo Gosiambe, P.O. Box 1369, Gaborone | 8636 | (a) P19,00 | Feb. 81 – May 81 | 4 |
| Nonofang Sophie, Box 5, Gaborone | 8646 | (a) P23,50 | Jan. 81 – May 81 | 5 |
| Jonas Kebalebetse, Box 48, Gaborone | 8708 | (a) P41,50 | Sep. 80 – May 81 | 9 |
| Abel Kgobe, Box 141, Gaborone | 8704 | (a) P41,50 | Sep. 80 – May 81 | 9 |
| Lucas Tlale, Box 769, Gaborone | 8715 | (a) P50,50 | July 80 – May 81 | 10 |
| Togasai Madumani, Box 866, Gaborone | 8781 | (a) P23,50 | Jan. 81 – May 81 | 3 |
| Kgakanyane Modipe, P.O. Box 10026, Gaborone | 8763 | (a) P46,00 | Aug. 80 – May 81 | 10 |

J. HIGGOTT,
Gaborone Town Treasurer.

Estate Late John Jones

Botswana Estate E. 12315/81

NOTICE IS HEREBY given that debtors and creditors are required to pay their debts to or lodge their claims with the undersigned within a period of thirty (30) days reckoned from the date of publication hereof.

MINCHIN & KELLY,
Attorneys for the Market Square,

P.O. Box 26,
MAPIKENG.

IN THE MAGISTRATES COURT
FOR THE NORTHERN MAGISTERIAL DISTRICT
HELD AT FRANCISTOWN

No. F. 245/79

In the matter between:

TATI LAND BOARD
and
BEN NGOZI

*Plaintiff**Defendant*

NOTICE OF SALE IN EXECUTION

TAKE NOTICE that pursuant to a writ of execution issued out of Court in the above matter the following property will be sold by public auction to the highest bidder by the Court Bailiff, Francistown on the 29th day of June, 1981 at the Magistrate's Court Francistown.

One Fridge

TERMS: Cash or bank guaranteed cheques only.

MOSOJANE, PHUMAPHI & CO.,
Plaintiff's Attorneys.

5 Africa House,
P.O. Box 484,
FRANCISTOWN.

IN THE SUBORDINATE COURT OF THE FIRST CLASS
FOR THE MOCHUDI MAGISTERIAL DISTRICT

HELD AT MOCHUDI

MU 10/80

In the matter between:

BARCLAYS BANK OF BOTSWANA LIMITED
and
ANDREAS MOGOMOTSI MARIBE

NOTICE OF SALE IN EXECUTION

BE PLEASED TO TAKE NOTICE that pursuant to the judgment of the above Honourable Court, the undermentioned property will be sold by public auction without reserve as follows:

PLACE: Outside the District Commissioner's Office, Mochudi.

TIME: 10.00 a.m.

DATE: 22nd June, 1981.

TERMS: Cash or bank guaranteed cheques.

Property to be sold: 7 mixed head of cattle.

DATED at Gaborone this 4th day of June, 1981.

MAGANG & CO,
Plaintiff's Attorneys,

Zambia House Annex,
P.O. Box 132,
GABORONE.

IN THE HIGH COURT OF
THE REPUBLIC OF BOTSWANA

Civil Trial No. 117 of 1981

In the matter between:

FINANCIAL SERVICES COMPANY OF BOTSWANA
and
TRY AGAIN BUILDER (PTY) LIMITED

Plaintiff

Defendant

ORDER

BEFORE the Honourable Mr Justice P.E.J. Corduff at Lobatse on the 22nd May, 1981.

UPON HEARING Mr Attorney Armstrong for the Plaintiff and having read the documents filed of record.

IT IS ORDERED THAT:

1. The deputy sheriff be authorised to attach certain goods to wit:
Toyota DA 116, body style 7 ton truck, year of manufacture 1978, manufacturer's serial number 23094, engine number 2D/144133, registration number BD 8174;
and store/deliver them to the applicant or its duly authorised representative pending the decision of an action instituted by the Applicant.
2. A rule nisi do issue calling upon the respondent to show cause, if any, to this Honourable Court, on the 26th June, 1981 at 10 o'clock in the fore-noon or so soon thereafter as the matter may be heard why —
 - (a) the attachment of the goods, as aforementioned should not be confirmed;
 - (b) the respondent should not be directed to pay the costs of this application;
 - (c) alternative relief should not be granted to the applicant.
3. The order be served on the respondent personally and by simultaneous advertising thereof in the Government Gazette and Botswana Daily News.

BY THE COURT,

E.J.B. FORSTER,
Assistant Registrar and Master.

INSOLVENT ESTATE Z.A. CHAND t/a MIDWAY SHOPPING CENTRE

Civil Cause No. 68 of 1979

NOTICE IS HEREBY given pursuant to section 97 (2) of the Insolvency Act, Cap. 16:01 that the Third and Final Liquidation and Distribution Account in the matter of Insolvent Estate Z.A. Chand t/a Midway Shopping Centre has been confirmed by The Master of the High Court, providing for awards to concurrent creditors.

for D.J. KLERCK,
Trustee.

Trust and Executor Co. (Pty) Ltd.,
P.O. Box 1572,
GABORONE.

KOVEYA HOLDING (PROPREITARY) LIMITED (IN LIQUIDATION)

Civil Cause No. 36 of 1979

NOTICE IS HEREBY GIVEN pursuant to section 251 (2) of the Companies Act (Cap. 42:01) that the First Liquidation and Distribution Account in the matter of Koveya Holdings (Proprietary) Limited (In Liquidation) has been confirmed by the Master of the High Court, Botswana.

The Account provides for payment of a dividend of 100%, together with interest, to all secured, preferent and concurrent creditors who proved claims and these dividends are presently being distributed.

A.C. SMITH,
Liquidator.

P.O. Box 231,
FRANCISTOWN.

Bill No. 16 of 1981

PETROLEUM (EXPLORATION AND PRODUCTION) BILL, 1981

(Published on 19th June, 1981)

MEMORANDUM

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

2. The purpose of the Bill is to provide legislation necessary for the regulation and control of the exploration and exploitation of the petroleum resources of Botswana.

3. Part I (clauses 1 to 5 inclusive) deals with the usual preliminary matters and also provides in —

- (a) clause 3, that the provisions of the Bill shall not apply to any mine or mineral, as defined in the Mines and Minerals Act (Cap. 66:01);
- (b) clause 4, that the entire property in and control over petroleum in any land is vested in the Republic; and
- (c) clause 5, for an exploration area to be divided into blocks; this is to facilitate the proper administration and control over any area made available for exploration.

4. Part II (clauses 6 to 10 inclusive) contains provisions, *inter alia*, prohibiting the disclosure of information and public officers from acquiring an interest in any licence issued under the provisions of the Bill.

5. Part III (clauses 11 to 68 inclusive) makes detailed provision for the grant of exploration and development licences. The grant of an exploration licence shall confer upon the holder the exclusive right to explore for petroleum in the area subject to the licence for an initial period of 4 years, a further period of 4 years in respect of a first renewal and a further 3 years each in respect of a second and third renewal. A development licence shall be valid for a period of 25 years and may be renewed for a further period not exceeding 20 years.

6. Part III also deals with miscellaneous matters. These require that exploration and development operations are to be carried out in accordance with good oilfield practices and that reasonable steps are to be taken to ensure the safety, health and welfare of persons engaged in such operations, the survey of wells and scientific investigations.

7. Part IV (clause 69 to 72 inclusive) makes provision for the right of a lawful occupier of any land in an exploration area to retain the right to graze stock upon or to cultivate the surface of the land, and also deals with the matter of compensation for any disturbance of rights.

8. Part V (clauses 73 to 79 inclusive) deals with the financial provisions relating to the grant of a development licence, such as payment of royalties and the annual fee payable on the grant of such licence.

9. Part VI (clauses 80 to 87 inclusive) empowers the Minister to require any person whom he considers capable of so doing to furnish him with information relating to petroleum obtained from an exploration or a development area and the value of petroleum obtained therefrom. He is also empowered under this Part, *inter alia*, to enter any area, building, structure,

vehicle, vessel or aircraft which is, in his opinion, being used in connexion with exploration or development operations.

10. Part VII (clause 88 gives the Minister power to make regulations for the purpose of giving effect to the provisions of the Bill when enacted into law.

G.K.T. CHIEPE,
Minister of Mineral Resources and Water Affairs.

ARRANGEMENT OF SECTIONS

SECTION

PART I — *Preliminary*

1. Short title and commencement
2. Interpretation
3. Act not to apply to certain minerals
4. Petroleum vested in State
5. Constitution of blocks

PART II — *Administration*

6. Prohibition of disclosure of information
7. Public officer not to acquire or hold certain rights
8. Indemnity of officers
9. Retention of cores and samples
10. Preference for Botswana products, etc.

PART III — *Licences*

General

11. Restrictions on persons to whom licence may be granted
12. Agreement with respect to grant, etc., of licences
13. Applications to be made to Minister
14. Powers of Minister to obtain information
15. Form of licence
16. Reservation of blocks

Exploration Licences

17. Application for exploration licence
18. Disposal of application for exploration licence
19. Notification of grant or rejection
20. Form and content of exploration licence
21. Rights conferred by exploration licence
22. Term of exploration licence
23. Application for renewal of exploration licence
24. Application for renewal to be in respect of reduced area
25. Grant or refusal of renewal of exploration licence
26. Renewal of exploration licence in respect of locations
27. Conditions of grant of exploration licence

Discovery of Petroleum in Exploration Area

28. Discovery of petroleum to be notified
29. Directions of Minister on discovery of petroleum
30. Nomination of block for purpose of declaring location
31. Declaration of location
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33. Removal and disposal of petroleum

Development Licences

- 34. Application by registered holder of exploration licence for development licence
- 35. Application for development licence
- 36. Disposal of application for development licence
- 37. Restrictions on grant of development licence
- 38. Notice of decision on application for development licence
- 39. Content of development licence
- 40. Rights conferred by development licence
- 41. Duration and renewal of development licence
- 42. Revocation of declaration of location
- 43. Unit development
- 44. Directions as to recovery of petroleum
- 45. Trading in development area

Restrictions on Exercise of Rights under Licences

- 46. Restrictions on exercise of rights

Surrender, Cancellation or Suspension of Licences

- 47. Surrender of area or part thereof covered by licence
- 48. Minister's power to suspend or cancel a licence

Transfers and Registration

- 49. Records
- 50. Interest in licence to be created by instrument in writing
- 51. Transfer, etc., of licence to be approved by Minister
- 52. Minister may require additional information
- 53. Evidence

Miscellaneous

- 54. Application of Schedule
- 55. Work practices for registered holder of licence
- 56. Work practices for holder of notice of consent
- 57. Wasteful production and processing practices
- 58. Penalty for breach of section 55 or 56
- 59. Maintenance, etc., of property
- 60. Drilling near boundaries
- 61. Directions
- 62. Compliance with directions
- 63. Removal of property, etc., by registered holder
- 64. Removal and sale of property, etc., by Minister
- 65. Penalty for default in payment
- 66. Survey of well, etc.
- 67. Scientific investigations
- 68. Restriction on transfer of shares

PART IV — Surface Rights

- 69. Right to graze stock, etc.
- 70. Acquisition of exclusive rights by registered holder of development licence
- 71. Compensation for disturbance of rights, etc.
- 72. Compulsory acquisition of land

PART V — Financial

- 73. Royalty on petroleum obtained under development licence
- 74. Provisional royalty
- 75. Prohibition on disposal of petroleum
- 76. Remission of royalty, etc.
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B.76

- 78. Annual fee in respect of licence
- 79. Security for compliance

PART VI — *Miscellaneous*

- 80. Minister may require information to be furnished
- 81. Failure to furnish information, etc., under section 80
- 82. Power of entry, etc.
- 83. Offences in relation to section 82
- 84. Obstruction of registered holder of licence
- 85. Offence committed by company
- 86. Miscellaneous offences
- 87. General penalty

PART VII — *Regulations*

- 88. Regulations
 - 89. Consequential amendment of the Mines and Minerals Act
- SCHEDULE**

A BILL
entitled

An Act to make provision relating to the exploration for and exploitation of Petroleum Resources and for purposes incidental thereto or connected therewith

Date of Assent:

Date of Commencement:

ENACTED by the Parliament of Botswana

PART I — *Preliminary*

Short title
and Com-
mencement

1. This Act may be cited as the Petroleum (Exploration and Production) Act, 1981, and shall come into operation on such date as the Minister may, by notice published in the Gazette, appoint.

Interpretation

2. (1) In this Act, unless the context otherwise requires, —
“authorized officer” means a person appointed under section 88;
“block” means a block constituted as provided by section 5;
“development area” means an area of land subject to a development licence;
“development licence” means a licence granted under section 36;
“development operations” means operations for or in connexion with the production of petroleum;
“drilling” means the perforation of the earth’s surface, whether the hole is vertical, inclined or horizontal, and includes all operations for preventing the collapse of the sides of the hole or for preventing the hole from becoming filled by any extraneous material (including water) and the fitting of wellheads, or coring or logging, and any operations incidental thereto;
“exploration area” means an area of land subject to an exploration licence;
“exploration licence” means a licence granted under section 18;

“exploration operations” means operations for or in connexion with the exploration for petroleum;

“good oilfield practices” means those things which are generally accepted as good, safe and efficient in the carrying on of exploration or development operations;

“in default” means in breach of a provision of this Act or of a condition of a licence, or of a condition of an agreement under section 12;

“land” includes land beneath water;

“licence” means an exploration or a development licence;

“location” means a block in respect of which a declaration under section 31 is in force;

“petroleum” means any naturally occurring —

- (a) hydrocarbon;
- (b) mixture of hydrocarbons; or
- (c) mixture of one or more hydrocarbons and any other substance,

whether in gaseous, liquid or solid form, and includes petroleum which has been returned to a natural reservoir, but does not include coal or a substance which may be extracted from coal;

“petroleum reservoir” means a natural occurring discrete accumulation of petroleum in any form whatsoever;

“processing” does not include refining of petroleum;

“registered holder”, in relation to a licence, means the person whose name is for the time being recorded pursuant to section 49 or 51 (5);

“well” means a hole made by drilling in land or the subsoil of land in connexion with exploration or development operations, but does not include a seismic short hole.

- (2) (a) Where in this Act provision is made for a matter to be referred to arbitration, the matter shall be referred to a single arbitrator appointed by the parties.
- (b) In the event of the parties being unable to agree on a single arbitrator, each party shall choose an arbitrator, and the arbitrators so chosen shall choose an umpire.
- (c) Arbitration proceedings shall be conducted in accordance with the Arbitration Act.
- (3) Where in this Act any application, report or other document is required to be submitted to the Minister, such application report or document shall be submitted, —
 - (a) in the case of an exploration licence, through the Director of Geological Survey; and
 - (b) in the case of a development licence, through the Mining Commissioner.

Act not to
apply to
certain
minerals
Cap. 66:01

Petroleum
vested in
State

3. A right to search for or mine any mineral, as defined in section 2 of the Mines and Minerals Act, shall not be granted or exercised under this Act.

4. (1) The entire property in and control over petroleum in any land are hereby vested in the Republic.

(2) Subject to section 67, no person shall carry on in any land any exploration or development operations except under and in accordance with a licence granted under this Act.

(3) Any person who contravenes any provision of subsection (2) shall be guilty of an offence and liable on conviction —

(a) in the case of an individual, to a fine not exceeding P1 000 or to imprisonment for a term not exceeding 2 years, or to both; or

(b) in the case of a company, to a fine not exceeding P10 000.

Constitution
of blocks

5. (1) For the purposes of this Act the surface of the earth shall be deemed to be divided into sections by the —

(a) meridian of Greenwich and meridians which are at a distance from that meridian of 5 minutes or a multiple of 5 minutes of longitude; and

(b) equator and parallels of latitude which are at a distance from the equator of 5 minutes or a multiple of 5 minutes of latitude,

each of which is bounded by portions of 2 of those —

(i) meridians which are at a distance from each other of 5 minutes of longitude; and

(ii) parallels of latitude which are at a distance from each other of 5 minutes of latitude,

and each such section shall constitute a block,

(2) Where a block constituted as provided in subsection (1) would include land in Botswana and land outside Botswana, the block shall be treated as being constituted by land in Botswana.

PART II — *Administration*

Prohibition
of disclosure

6. (1) No person shall disclose any information obtained by him or in connexion with the administration of this Act except where the disclosure is made —

(a) for or in connexion with the administration of this Act;

(b) to a person, being a consultant to or officer employed by the Government, who is approved by the Minister to receive such information;

(c) for the purpose of any legal proceedings;

(d) for the purpose of preparing official statistics or publications; or

(e) for any purpose which may be prescribed.

(2) Where an area has been but is no longer subject to a licence, nothing in subsection (1) shall, except where the Minister otherwise directs, operate to prevent the disclosure by or on

behalf of the Government of any geological information or matter concerning that area.

(3) Any person who contravenes any provision of subsection (1) shall be guilty of an offence and liable on conviction to a fine not exceeding P1 000 or to imprisonment for a term not exceeding 2 years, or to both.

(4) Where proceedings are instituted for an offence under this section, it shall be a sufficient defence where the accused person proves that the information disclosed was, prior to the disclosure, generally known.

7. (1) No public officer shall, directly or indirectly, acquire any right or interest in any licence, and any document or transaction purporting to confer any right or interest on any such officer shall be null and void.

Public officer not to acquire or hold certain rights

(2) No public officer employed in the Ministry shall acquire or retain any share in a private company carrying on exploration or development operations in Botswana:

Provided that the Minister may authorize a departure from the provisions of this subsection where, in his opinion, the operations in Botswana of the company concerned form a negligible part of the total operations of that company.

(3) Any person who contravenes any provision of subsection (2) shall be guilty of an offence and liable on conviction to a fine not exceeding P500 or to imprisonment for a term not exceeding 12 months, or to both.

8. No public officer or other authorized officer shall be liable for any thing done or omitted to be done *bona fide* in the performance or purported performance of any function vested in or delegated to him by or under this Act.

Indemnity of officers

9. (1) No core or sample obtained in the course of the exercise of powers conferred by a licence shall be destroyed or otherwise disposed of except for the purposes of identification or analysis without the permission in writing of the Minister, who may grant such permission subject to such conditions as he may deem fit to impose.

Retention of cores and samples

(2) Where any core or sample is retained for the purpose of complying with subsection (1), there shall be maintained a record in such degree of particularity as the Minister may require sufficient for the identification of the core or sample and the location and geological horizon of its origin.

(3) Any person who destroys or disposes of a core or sample in contravention of subsection (1) or fails to maintain a record as required by subsection (2) shall be guilty of an offence.

10. (1) The holder of every licence shall, in the conduct of his operations under such licence, and in the purchase, construction and installation of facilities, give preference to the maximum extent possible consistent with safety, efficiency and economy, to —

Preference for Botswana products, etc.

- (a) materials and products made in Botswana; and
- (b) service agencies located in Botswana and owned by Botswana citizens or bodies corporate established under the Companies Act.

(2) The holder of a licence shall, in all phases of his operations, give preference in employment to citizens of Botswana to the maximum extent possible consistent with safety, efficiency and economy.

(3) The holder of a licence shall, in his operations, conduct training programmes in consultation with the Minister for the benefit of employees so that such employees may qualify for advancement.

PART III — Licences -

General

Restrictions
on persons
to whom
licence may
be granted

11. No licence shall be granted to or held by —

(a) an individual who —

- (i) is under the age of 21 years;
- (ii) is not a citizen of Botswana or has not been ordinarily resident in Botswana for a period of 4 years or such other period as may be prescribed;
- (iii) is or becomes an undischarged bankrupt, having been adjudged or otherwise declared bankrupt, whether under the laws of Botswana or elsewhere; or
- (iv) has been convicted, within the previous 10 years, of any offence of which dishonesty is an element, or of any offence under this Act, the Employment Act or any similar written law in force outside Botswana, and has been sentenced to imprisonment without the option of a fine or to a fine exceeding P300 or the equivalent thereof;

Cap. 47:01

(b) a company —

- (i) which has not established a *domicilium citandi et executandi* in Botswana;
- (ii) unless, in the case of a development licence, such company is incorporated under the companies Act; or
- (iii) which is in liquidation except where such liquidation is part of a scheme for the reconstruction or amalgamation of such company.

Agreement
with respect
to grant,
etc. of
licences

12. The Minister may enter into an agreement with any person in respect of any or all of the following matters —

- (a) the grant of a licence;
- (b) the conditions to be included in a licence; or
- (c) any matter incidental to or connected with the grant of a licence.

Applications
to be made
to Minister

13. An application under this Act —

- (a) shall be made to the Minister in such form as may be approved by the Minister or prescribed; and

- (b) may be withdrawn by the applicant giving to the Minister in writing a notice of withdrawal.

14. (1) The Minister may, by notice in writing served on an applicant for the grant of a licence, require the applicant to furnish in writing, within such reasonable time as is specified in the notice, —

Powers of
Minister to
obtain
information

- (a) such further information in connexion with the application as the Minister may reasonably require; or
- (b) where the applicant is a company, such information as the Minister may reasonably require to enable him to ascertain to what extent the controlling power (whether directly or indirectly) relating to the affairs of the company may be vested in a company incorporated outside Botswana or in an individual resident outside Botswana.

(2) To enable him to dispose of an application for the grant of a licence the Minister may cause such investigations, negotiations or consultations to be made or carried out as he considers necessary.

15. A licence shall be in such form as may be approved by the Minister or prescribed.

Form of
licence

16. (1) The Minister may, by order published in the Gazette, declare that a block specified in the order (not being a block in respect of which a licence is in force) shall not be the subject of a licence.

Reservation
of blocks

(2) While a declaration in respect of a block under subsection (1) remains in force, a licence shall not be granted in respect of that block.

(3) The Minister may, by order published in the Gazette, vary or revoke any declaration published under this section.

Exploration Licences

17. (1) A person may make an application for the grant of an exploration licence in respect of any block.

Application
for explor-
ation licence

(2) the Minister, may by notice published in the Gazette, invite applications for the grant of an exploration licence in respect of any block, specifying therein the period during which applications may be made.

(3) An application for a licence under this section shall be made in writing and shall contain the following particulars —

- (a) the full name and nationality of the applicant, or, in the case of a partnership or other association of persons, the full names and nationalities of all partners or of all such persons, or, in the case of a body corporate, the registered name of such body, the full names and nationalities of the directors and the full name and nationality of any shareholder who is the beneficial owner of more than 5% of the issued capital;

- (b) full information as to the applicant's financial status, technical competence and experience;
 - (c) a description of the area constituted by the blocks in respect of which the application is being made;
 - (d) proposals with respect to the employment and training of Botswana citizens;
 - (e) a proposed programme of exploration operations and the estimated cost thereof; and
 - (f) any other matter which the applicant may wish the Minister to consider.
- (4) An area described in an application under this section shall be constituted by blocks which —
- (a) form a single area; and
 - (b) are such that each block in that area has a side in common with at least one other block in that area.

Disposal of
application
for
exploration

18. (1) Subject to the provisions of this Act, on application duly made the Minister may grant, on such conditions as he may determine, or refuse to grant an exploration licence in respect of any block.

(2) An exploration licence shall not be granted in respect of a block which is, at the time the application for a licence is made, —

- (a) comprised in a licence already granted; or
- (b) reserved by declaration under section 16.

Notification
of grant or
rejection

19. (1) the Minister shall cause the applicant to be notified in writing of his decision on the application and, where the grant of an exploration licence is approved, such notification shall include the terms and conditions on which it is granted.

(2) Where the applicant —

- (a) notifies the Minister, in writing, within 60 days of the date of notification or within such further period as the Minister may allow, that he accepts the terms and conditions to be attached to the exploration licence, the Minister shall cause the exploration licence to be issued; or
- (b) fails to notify the Minister in accordance with the provisions of paragraph (a), the application shall lapse.

Form and
content of
exploration
licence

20. (1) An exploration licence shall be in such form as the Minister may determine and shall —

- (a) include the terms and conditions on which it is granted;
- (b) include a description and place of the exploration area; and
- (c) state the period for which it is granted.

(2) There shall be appended to an exploration licence a programme of exploration operations.

(3) There may be included in an exploration licence a condition requiring the applicant to agree to the Government or a person nominated on its behalf, on such terms as may be agreed, acquiring or having an interest in any venture to explore for or

recover petroleum which may be carried out in any block in the licensed area.

21. (1) Subject to the provisions of this Act and to the conditions specified in the licence, an exploration licence shall confer on the holder thereof exclusive rights to explore for petroleum in the exploration area and to carry on such operations and execute such work as shall be necessary for that purpose.

Rights
conferred by
exploration
licence

(2) Where, in the course of exercising his rights under an exploration licence, the holder of the licence discovers any other mineral, he shall, within 30 days immediately following such discovery, notify the Minister thereof in writing.

22. (1) Subject to the provisions of this Act and to the conditions specified in the licence, an exploration licence shall remain in force —

Term of
exploration
licence

- (a) for a period not exceeding 4 years;
- (b) where the licence is renewed under section 25, for such period as may be specified in an application for renewal not exceeding 4 years in respect of a first renewal, and not exceeding 3 years in respect of a second or third renewal;
- (c) where the licence is renewed under section 26, for the further period to be specified by the Minister upon the grant of the renewal.

(2) Notwithstanding the provisions of subsection (1), the Minister may renew an exploration licence for a period in excess of any period specified in that subsection where, in his opinion, special circumstances exist justifying such further period.

23. (1) Subject to the provisions of this section and to section 24, a registered holder of an exploration licence may apply for a renewal of the licence in respect of any block in the exploration area.

Application
for renewal of
exploration

- (2) An application under this section —
 - (a) may be made 3 times only in respect of an exploration licence;
 - (b) shall be made not later than 90 days immediately prior to the day on which the licence is due to expire and shall be accompanied by —
 - (i) particulars of the work carried out and the amount expended in respect of the exploration area during the term of the licence, or, where the application is for a second or third renewal of the licence, during the period of the previous renewal, up to and including the date of the application; and
 - (ii) adequate proposals concerning the work to be carried out and the minimum amount to be expended during the period of the renewal for which application is made; and

(c) may set out any other matter which the applicant may wish the Minister to consider.

(3) Notwithstanding the provisions of subsection (2) an application may, with the permission of the Minister, be made more than 3 times in respect of an exploration licence and the Minister may renew such a licence for such period as he considers necessary if in his opinion special circumstances exist justifying such further renewal.

Application
for renewal
to be in

24. (1) Subject to any agreement under section 12, the number of blocks in respect of which an application for a renewal of an exploration licence may be made shall not exceed the number which is the total of —

(a) the number of blocks (if any) which, at the date on which the licence would expire if not renewed, constitute a location; and

(b) one-half of the area in respect of which the licence was issued or last renewed, as the case may be.

(2) Subject to any agreement under section 12, the blocks specified in an application for a renewal of an exploration licence shall be blocks which —

(a) constitute a single area or not more than 3 discrete areas; and

(b) are such that each block in each area has a side in common with at least one other block in that area.

Grant or
refusal of
renewal of
exploration
licence

25. (1) Subject to subsection (2), on application duly made under section 23 the Minister shall grant a renewal of the licence.

(2) The Minister shall refuse to grant a renewal of an exploration licence where the registered holder thereof is in default (except where, notwithstanding the default, the Minister considers that special circumstances exist which justify the granting of the renewal) or where the proposals accompanying the application pursuant to section 23 (2) (b) (ii) in respect of work and expenditure during the renewal period are not adequate.

(3) The Minister shall not refuse to grant a renewal of an exploration licence on application being duly made under section 23 —

(a) before giving to the applicant notice in writing to his intention so to do, such notice to state particulars of the grounds for the intended refusal and the date before which the applicant may take remedial action or make representations in relation to such grounds; and

(b) where the applicant has, before the date specified in a notice under paragraph (a), remedied the default or, in notice in writing to the Minister, made representations which, in the opinion of the Minister, remove the grounds for the intended refusal.

(4) The Minister shall give to an applicant for a renewal of an exploration licence notice in writing of his decision thereon and,

where he is prepared to grant the renewal, he shall give particulars of any variation of the conditions of the licence which may be required in order for the renewal to be granted.

(5) Where, within 60 days immediately following a notice under subsection (4) that the Minister is prepared to grant a renewal of an exploration licence, the applicant fails to give notice in writing to the Minister of his acceptance thereof, his application shall lapse.

(6) Where an application for a renewal of an exploration licence has been duly made and the licence expires before the —

(a) Minister grants or refuses to grant a renewal thereof; or

(b) application lapses under subsection (5),

the licence shall be deemed to continue in force until the Minister grants or refuses to grant a renewal of the licence or the application lapses, whichever first occurs, except where the licence is cancelled under this Act or the application for a renewal is withdrawn.

26. (1) Where —

(a) petroleum is discovered in an exploration area within a period of 2 years immediately prior to the date of expiration of an exploration licence which has been renewed 3 times under section 25; and

(b) the Minister has made a declaration of a location under section 31, or the registered holder of the licence has nominated a block under section 30 for the purpose of a declaration of a location,

Renewal of
exploration
licence in
respect of
locations

the Minister may grant a further renewal of the licence in respect of the block to which paragraph (b) applies.

(2) A further renewal granted under subsection (1) shall be for a period not exceeding 3 years and be subject to any condition which the Minister thinks necessary and specifies in the licence.

(3) Where, prior to the expiration of an exploration licence which includes blocks which constitute a location, the registered holder of the licence makes application for a renewal or a further renewal of the licence in respect of some or all of those blocks and satisfies the Minister that —

(a) the blocks contain all or part of a petroleum reservoir; and

(b) the construction, establishment and operation of facilities for the recovery of petroleum is economically feasible,

the Minister may grant a renewal or a further renewal of the exploration licence in respect of those blocks.

(4) A renewal of a licence under subsection (3) shall be for a period not exceeding one year.

(5) Notwithstanding the preceding provisions of this section, the Minister may renew an exploration licence for a period in excess of any period specified in the preceding provisions of this section, if in his opinion, special circumstances exist justifying such further period.

Conditions
of grant of
exploration
licence

27. (1) In addition to any condition specified in an exploration licence under section 20 or a renewal of that licence under section 26, the licence shall be subject to the following conditions, namely —

- (a) that not later than one month immediately prior to the anniversary in any year of the grant of the licence, the registered holder of the licence shall submit in writing to the Minister details of an adequate programme in respect of work to be carried out and the amount to be expended in the year following; and
- (b) that in relation to the exploration area, the registered holder of the licence shall, subject to subsection (3), meet the conditions of the licence in respect of work and expenditure.

(2) Any moneys required to be spent under the provisions of subsection (1) which are not so spent shall be a debt due to Government recoverable in a court of competent jurisdiction.

(3) The Minister may (either conditionally or unconditionally), on application in writing made to him by the registered holder of an exploration licence, limit, reduce, vary or suspend any obligation arising pursuant to subsection (1) (b).

Discovery of Petroleum in Exploration Area

Discovery
of petroleum
to be notified

28. (1) Where petroleum is discovered in an exploration area, the registered holder of the licence —

- (a) shall forthwith inform the Minister of the discovery;
- (b) shall, within a period of 30 days after the date of the discovery, furnish to the Minister particulars in writing of the discovery; and
- (c) shall take all necessary steps within such time as may be reasonably required for the purpose of determining the chemical composition and physical properties of that petroleum and the quantity of petroleum in the petroleum reservoir to which the discovery relates, or if part only of that petroleum reservoir is within the exploration area in that part of the reservoir which is within the exploration area.

(2) Any person who contravenes any provision of this section shall be guilty of an offence and liable on conviction to a fine not exceeding P1 000.

Directions
of Minister
on discovery
of petroleum

29. (1) On receipt of the information required under section 28, the Minister may, by notice in writing served on the registered holder of the licence, direct the holder to furnish to him in writing, within such reasonable period as may be specified in the notice, particulars of any of the following —

- (a) the chemical composition and physical properties of the petroleum;
- (b) the nature of the subsoil in which the petroleum occurs;

- (c) the quantity of petroleum in the petroleum reservoir to which the discovery relates, or if part only of that petroleum reservoir is within the exploration area, in that part of the reservoir which is within the exploration area; and
- (d) any other matter relating to the discovery that are specified in the notice.

(2) Any person who fails to comply with any provision of this section or any direction given under this section shall be guilty of an offence and liable on conviction to a fine not exceeding P1 000.

30. (1) Where petroleum has been discovered in a block (in this section and section 31 referred to as a discovery block) within an exploration area (not a block which is or is included in a location), the registered holder of the licence —

Nomination
of block for
purpose of
declaring

- (a) may; or
- (b) shall, if required so to do by the Minister by notice in writing served on the registered holder, —

by notice in writing served on the Minister, nominate such discovery block in respect of which an exploration licence is in force for the purpose of making a declaration under section 31.

(2) Where a registered holder of an exploration licence who has been required, by notice in writing served on him under subsection (1), to nominate a discovery block does not, within such reasonable period of time as may be specified in the notice, nominate the block, the Minister may, by notice in writing served on the registered holder of the exploration licence, nominate the block.

31. (1) Where a registered holder of an exploration licence or the Minister has nominated a discovery block under section 30, the Minister shall, by order published in the Gazette declare —

Declaration
of location

- (a) that discovery block; and
- (b) such of the adjoining blocks that immediately adjoin that block (not exceeding 8 in number),

to be a location for the purposes of this Act.

(2) At the request of a registered holder of an exploration licence the Minister may, by order published in the Gazette, —

- (a) include in a location additional adjoining blocks; or
- (b) revoke the declaration of a location in respect of one or more than one block:

Provided that a location shall not at any time include more than 9 blocks.

(3) For the purposes of this section a block adjoins a discovery block where such block has a side in common with or touches —

- (a) a discovery block;
- (b) a block which has a side in common with or touches a discovery block.

Investigations
of locations

32. (1) Where a location has been declared under section 31 the Minister may, by notice in writing served on the registered holder of an exploration licence, direct that the holder carry out, within a period (being not less than 2 years) specified in the notice, such investigations and studies as are necessary and reasonable to assess the feasibility of the construction, establishment and operation of an industry for the recovery of petroleum from the location.

(2) The investigations and studies referred to in subsection (1) may include —

- (a) technical and economic feasibility studies relating to the recovery, processing and transportation of petroleum from the location;
- (b) studies of proposed sites for facilities which would be required by the industry;
- (c) studies of roads, pipelines or other transportation facilities;
- (d) investigations into —
 - (i) suitable water facilities and reticulation systems for industrial and town purposes;
 - (ii) the location and design of a suitable airstrip and associated landing and terminal facilities, if so required, for the industry;
 - (iii) the generation and transmission of electricity required for the industry; and
 - (iv) the development, if required, of a suitable town for the industry, including the design of housing and associated civic, cultural and social facilities;
- (e) investigations of any other works, services or facilities in relation to the location which may be required for the industry;
- (f) studies of future labour requirements for the industry; and
- (g) physical impact studies into the possible effects of the industry on the environment.

(3) A registered holder of an exploration licence shall furnish in writing to the Minister, within the period specified in a notice under subsection (1), such reports, analyses and data resulting from the investigations and studies carried out under this section as the Minister may, by notice in writing served on the holder, require.

Removal and
disposal of
petroleum

33. A registered holder of an exploration licence shall not, without the written permission of the Minister and subject to such conditions as he may determine, remove any petroleum from an exploration area except for the purposes of having such petroleum analysed, determining its value or to conduct tests thereon.

**IN THE HIGH COURT
OF THE REPUBLIC OF BOTSWANA**

In the matter between:

**COMMISSIONER OF TAXES
vs
BUSINESS MANAGEMENT (PTY) LTD.**

Execution Creditor

*Execution Debtor
CT/280/80*

NOTICE OF SALE IN EXECUTION

TAKE NOTICE THAT in pursuance of a warrant of execution issued in the above matter, the following will be sold by public auction by the Deputy Sheriff, Gaborone at 10.00 a.m. on the 26th June, 1981 at CTO, Sebele.

Items for sale may be inspected during Government hours with permission from the Workshop Manager, CTO, Sebele.

Items for sale:

- 1 Nigel II Peanut Picker and Sheller
- 1 Road Broom

Immediately following this sale

- 1 Oleomat Back Actor

will be sold *insitu*. Details of location may be obtained from the office of the Commissioner of Taxes, Francistown Road, Gaborone. Telephone Number 43751, Gaborone.

Terms of sale:

- (1) Payment must be made by cash or bank certified cheque immediately an item is sold.
- (2) No item/s is to be removed from the CTO premises without presentation of a formal receipt
- (3) All items are to be removed from the CTO premises within seven (7) days after sale.
- (4) Items offered for sale are in an as is condition.

DONE and SIGNED at Gaborone this 26th day of May, 1981.

Second Publication

Development Licences

34. (1) A registered holder of an exploration licence whose licence is in force in respect of blocks which constitute a location may, within 2 years immediately following the date on which the blocks were declared to be a location, or such further period as the Minister may allow, make application for the grant of a development licence in respect of such of the blocks which the holder satisfies the Minister contain a petroleum reservoir or part of a petroleum reservoir.

Application
by registered
holder of
exploration
licence for
development
licence

(2) Notwithstanding the provisions of subsection (1), a registered holder of an exploration licence may, during the term of the licence, make application for the grant of a development licence in respect of any block which does not constitute a location within the exploration area if he satisfies the Minister that the block contains petroleum reservoir or part of a petroleum reservoir.

(3) Any person who is not the registered holder of an exploration licence in respect of a block may make application for the grant of a development licence in respect of a block if —

- (a) he satisfies the Minister that the block contains a petroleum reservoir or part of a petroleum reservoir; and
- (b) the block is not a block in respect of which an exploration licence or a development licence is in force at the time of the application.

35. An application for a licence under section 34 shall be made in writing and shall contain the following particulars —

Application
for develop-
ment licence

- (a) the full name and nationality of the applicant, or, in the case of a partnership or other association of persons, the full names and nationalities of all partners or of all such persons, or, in the case of a body corporate, the registered name of such body, the names and nationalities of the directors and the full name and nationality of any shareholder who is the beneficial owner of more than 5% of the issued capital;
- (b) full information as to the applicant's financial status, technical competence and experience;
- (c) the number of the applicant's exploration licence;
- (d) the period for which the licence is sought;
- (e) the form of petroleum which it is intended to produce;
- (f) a comprehensive report of the petroleum deposit, which report shall include a description of the petroleum reservoir or deposit, the form of the petroleum and an estimate of the petroleum reserves;
- (g) details, illustrated by an approved plan, of the area in respect of which the application is made;
- (h) a technological report on production and processing possibilities and the intention of the applicant in relation thereto;

- (i) a proposed programme of production and processing operations which shall include —
 - (i) the date by which the applicant intends to work for profit;
 - (ii) the capacity of production and scale of operations;
 - (iii) the estimated overall recovery of petroleum and by-products;
 - (iv) the nature of the petroleum and by-products;
 - (v) the marketing arrangements made for the sale of the petroleum and by-products; and
 - (vi) a detailed programme for the progressive reclamation and rehabilitation of lands disturbed by petroleum extraction and for the minimization of the effect of such extraction on adjoining land or water area;
- (j) a detailed forecast of capital investment, operating costs and sales revenues and the anticipated type and source of financing;
- (k) proposals with respect to the employment and training of Botswana citizens;
- (l) a report of the goods and services required for the production and processing operations which can be obtained within Botswana and the applicant's intention in relation thereto;
- (m) details of expected infrastructure requirements; and
- (n) such further information as the Minister may require or as may be prescribed.

Disposal of
application
for develop-
ment licence

36. (1) Subject to the provisions of section 37 and to any agreement under section 12, on application duly made under —

- (a) section 34 (1) or (2), the Minister shall, on such conditions as he may determine, including in particular a condition requiring the applicant to agree to the Government or a person nominated on its behalf, on such terms as may be agreed, to acquire or have an interest in the production and processing operations in the development area, grant the development licence; or
- (b) section 34 (3), the Minister may grant, on such conditions, as he may determine, or refuse to grant a development licence in respect of any block.

(2) To enable him to dispose of an application for the grant of a development licence the Minister may, by notice in writing given to the applicant, require the applicant to furnish, within a period specified in the notice, in addition or by way of alteration to any proposals which have already been furnished, such proposals as the Minister may specify, including proposals relating to any matter referred to in section 32 (2).

Restrictions
on grant of
development
licence

37. (1) A development licence shall not be granted to an applicant unless —

- (a) the proposals of the applicant ensure the most efficient, beneficial and timely use of the petroleum resources concerned;
 - (b) the applicant has adequate financial resources and technical and industrial competence and experience to carry on effective production operations;
 - (c) the applicant is able and willing to comply with the conditions on which a licence may be granted;
 - (d) the applicant's proposals for the employment and training of citizens of Botswana are satisfactory; and
 - (e) the applicant is not in default.
- (2) The Minister shall not refuse an application for the grant of a development licence on any grounds under subsection (1) unless he has —

- (a) given notice in writing to the applicant stating the grounds therefor; and
- (b) specified in the notice a date prior to which the applicant may make appropriate proposals to remove the grounds for refusal or make representations in relation thereto and the applicant has not, prior to such date, in writing made proposals or representations to the Minister.

38. (1) The Minister shall give to an applicant for the grant of a development licence notice in writing of his decision thereon and, where he is prepared to grant the licence, he shall give in the notice details of the conditions relating to the grant of the licence.

Notice of
decision on
application
for develop-
ment licence

(2) Where, within 60 days immediately following the receipt of a notice under subsection (1) that the Minister is prepared to grant a development licence, an applicant fails to give notice in writing to the Minister of his acceptance thereof, his application shall lapse.

39. (1) A development licence shall specify —

- (a) the date of the grant of the licence;
- (b) the development area;
- (c) the conditions on which the licence is granted; and
- (d) particulars necessary for the purpose of giving effect to subsection (2).

Content of
development
licence

(2) There may be included in a development licence such conditions as may be determined by the Minister in respect of the duty and the extent thereof of the registered holder of a development licence to supply petroleum or petroleum products to meet the requirements of Botswana.

40. (1) Subject to the provisions of this Act and to the conditions specified in the licence, a development licence shall confer on the registered holder thereof exclusive rights —

Rights
conferred
by develop-
ment licence

- (a) to carry on exploration and development operations in the development area;
- (b) to sell or otherwise dispose of the petroleum recovered; and

- (c) to carry on such operations and execute such work in the development area as may be considered necessary for the purpose of carrying into effect provisions of this section.

(2) Where, in the course of exercising his rights under development licence, the holder of the licence discovers any other mineral, he shall, within 30 days immediately following such discovery notify the Minister thereof in writing;

Duration
and renewal
of develop-
ment licence

41. (1) Subject to the provisions of this Act, a development licence shall be valid for such period, not exceeding 25 years, as may be specified therein.

(2) The registered holder of a development licence may apply to the Minister for a renewal of his licence at any time not later than one year immediately prior to the expiry of such licence and subject to the provisions of subsection (4) the Minister shall grant a renewal of such licence.

(3) An application for renewal of a development licence shall state the period for which renewal is sought and shall be accompanied by —

- (a) a proposed programme of production and processing operations to be carried on in the period of renewal; and

- (b) details of —

- (i) the latest proved, estimated and inferred petroleum and by-products reserves;

- (ii) the capital investment to be made in, and production costs and revenue forecasts in respect of, the period of renewal;

- (iii) any expected changes in methods of production or processing; and

- (iv) such further information as the Minister may require, and shall be presented in such a way as to give a clear indication of any expected increase or reduction in the production activities and the estimated live of the reservoir.

(4) The Minister shall reject an application for renewal where —

- (a) the applicant is in default;

- (b) the Minister is not satisfied that —

- (i) production of petroleum in a development area has proceeded with reasonable diligence;

- (ii) petroleum in workable quantities remain to be produced; or

- (iii) the proposed programme or production operations will ensure the most efficient and beneficial use of the petroleum resources in the development area.

(5) The Minister shall not reject an application on the ground referred to in —

- (a) subsection (4) (a), unless the applicant has been given details in writing of the default and has failed to remedy the same within such reasonable time as the Minister may allow;

- (b) subsection (4) (b) (i) or (ii), unless the applicant has been given reasonable opportunity to make written representations thereon to the Minister; or
- (c) subsection (4) (b) (iii), unless the applicant has in writing been so notified and has failed to propose amendments to his proposed programme of production and processing operations satisfactory to the Minister within such time as the Minister may allow.

(6) The period of renewal of a development licence shall be for such period, not exceeding 20 years as the Minister may consider as reasonably necessary in accordance with good oilfield practices to recover from the development area, the maximum amount of petroleum.

(7) The Minister shall give to an applicant for a renewal of a development licence notice in writing of his decision thereon and, where he is prepared to grant the renewal, he shall give particulars of any variation of the conditions of the licence which may be required in order for the renewal to be granted.

(8) Where, within 60 days immediately following a notice under subsection (7) that the Minister is prepared to grant a renewal of a development licence, the applicant fails to give notice in writing to the Minister of his acceptance thereof, his application shall lapse.

(9) Where an application for a renewal of a development licence has been duly made and the licence expires before the —

- (a) Minister grants or refuses to grant a renewal thereof; or
- (b) application lapses under subsection (8),

the licence shall be deemed to continue in force until the Minister grants or refuses to grant a renewal of the licence or the application lapses, whichever first occurs, except where the licence is cancelled under this Act or the application for a renewal is withdrawn.

42. (1) Where, in respect of a block included in a location, the registered holder of an exploration licence does not within —

Revocation
of declaration
of location

- (a) a period of 2 years immediately following the declaration of the location under section 31; or
- (b) any further period which the Minister may allow under section 34 (1),

apply for a development licence, the Minister may, subject to any agreement under section 12, by order published in the Gazette, revoke the declaration of the location.

(2) Where the declaration of a location is revoked under subsection (1), —

- (a) that part of the location which consists of the block which was the discovery block within the meaning of section 31 (4); and

(b) any adjoining block in which the presence of petroleum has been established at the time of the revocation of the declaration,
shall cease to be subject to the exploration licence concerned.

(3) Where an application made under section 34 (1) for a development licence in respect of a block which is included in a location has lapsed, the exploration licence shall be revoked in respect of that block.

(4) Where an exploration licence is revoked under subsection (3), the Minister shall, by order published in the Gazette, revoke the declaration of the location to the extent that it includes that block.

Unit
development

43. (1) For the purposes of this Act "unit development", in relation to a petroleum reservoir, means the co-ordination of operations being carried on or to be carried on for the recovery of petroleum in a development area in which there is part of the reservoir and operations in another area in which there is part of the same reservoir.

(2) A registered holder of a development licence may from time to time enter into an agreement in writing for or in connexion with a unit development of a petroleum reservoir.

(3) For the purpose of securing a more effective recovery of petroleum from a petroleum reservoir, the Minister may on his own motion, or on application made to him in writing by the registered holder of a development licence in whose development area there is a part of that petroleum reservoir, direct in writing that such holder —

(a) enter into a written agreement with, within the period specified by, the Minister for a unit development in connexion with that reservoir; and

(b) forthwith lodge the agreement with the Minister for approval and registration in accordance with the provisions relating to registration.

(4) Where a registered holder —

(a) fails to comply with a direction under subsection (3); or

(b) complies with a direction but the agreement so lodged is not approved under section 51,

the Minister shall, by notice in writing served on the registered holder, direct him to forthwith submit to the Minister, within the period specified in the notice, a scheme for or in connexion with a unit development of the petroleum reservoir.

Directions
as to
recovery of
petroleum

44. (1) Where petroleum is not being recovered in a development area and the Minister has reasonable cause to believe that there is recoverable petroleum in that area, he shall, by notice in writing served on the registered holder of the development licence, direct the holder to take all necessary and practicable steps to recover the petroleum.

(2) Where the Minister is satisfied that a registered holder to whom a direction has been given under subsection (1) is not complying therewith, the Minister shall, by notice in writing served on the holder, give to the holder such specific directions as the Minister thinks necessary to effect compliance with such direction.

(3) Where petroleum is being recovered in a development area, the Minister may by notice in writing served on the registered holder of the development licence, direct the holder to take all necessary and practicable steps to increase (not exceeding the capacity of the existing production facilities) or reduce the rate at which the petroleum is being recovered.

(4) Nothing in this section or in any direction given thereunder shall be construed as requiring the registered holder of a development licence to do anything which is not in accordance with good oilfield practices.

45. (1) No person shall, in any development area, carry on any business for which a licence is required under the Trading Act without the consent of the Minister:

Trading
in develop-
ment area
Cap. 43:02

Provided that such consent shall not entitle any person to carry on any such business except under and in accordance with the provisions of the Trading Act.

(2) No person shall, in any development area, erect any building or other structure for the purpose of carrying on any such business without the consent of the holder of the licence.

Restrictions on Exercise of Rights under Licences

46. (1) A registered holder of a licence shall not exercise any right thereunder, —

Restrictions
on exercise
of rights

- (a) without the written consent of the President, upon any land —
 - (i) dedicated as a place of burial;
 - (ii) containing any ancient or natural monument, as defined in the Monuments and Relics Act; or
 - (iii) set aside or used for the purposes of the Government;
- (b) without the written consent of the owner or lawful occupier thereof, —
 - (i) upon any land which is the site of or which is within 200 m of any inhabited, occupied or temporarily unoccupied house or building;
 - (ii) within 50 m of any land which has been cleared or ploughed or otherwise *bona fide* prepared for the growing of agricultural crops or upon which agricultural crops are growing;
 - (iii) upon any land from which, during the year immediately preceding, agricultural crops have been reaped; or
 - (iv) upon any land which is the site of or is within 100 m of any cattle dip, tank, dam or private water, as defined in the Water Act:

Cap. 59:03

Cap. 34:01

Provided that where consent is unreasonably withheld the Minister may authorize the holder of a licence to exercise all or any of his rights hereunder on such land, subject to such conditions as he may deem fit;

- (c) in a national park, without permission obtained under section 16 of the National Parks Act;
- (d) upon any land reserved for the purposes of a railway track or within 50 m of any railway track, without the written consent of the railway administration concerned;
- (e) upon any land within, or within 200 m of, the boundaries of any township, without the written consent of the local authority concerned;
- (f) upon any street, road, highway, public place or aerodrome, without the written consent of the Minister or other authority having control thereof.

(2) A person exercising any right under a licence shall produce evidence of the possession of such licence to the owner or lawful occupier of any land upon which such right is to be exercised upon demand being made to him in that behalf, and, in default of such production, such person may be treated as a trespasser.

(3) No person shall exercise any right under a licence upon any land other than unalienated State land unless he has given at least 14 days' notice of his intention so to do in such manner as the Minister may approve, giving in such notice details of the area in which the right is to be exercised and the dates of expiry of his licence.

(4) A notice given under subsection (3) shall be valid only for the period of validity of the licence and the person giving such notice shall not exercise any right under such licence in respect of the land to which the notice relates after the expiry thereof and, in the event of a renewal of such licence, he shall give fresh notice under subsection (3).

Surrender, Cancellation or Suspension of Licences

Surrender
of area or
part thereof
covered by
licence

47. (1) Subject to any condition in his licence, the registered holder of a licence may surrender all or any of the blocks subject to his licence by —

- (a) giving to the Minister not less than 3 months' notice of his intention to surrender all or any of the blocks concerned;
- (b) applying to the Minister for an obtaining a certificate of surrender; and
- (c) complying with such conditions as the Minister may determine.

(2) Where the application for a certificate of surrender is in respect of only some of the blocks in an area covered by the licence, the registered holder thereof shall, —

- (a) in his application, specify the block or blocks to be surrendered and give the results of exploration operations carried out; and

(b) where the application is approved, demarcate the remaining area in the prescribed manner.

(3) No surrender of any block covered by a licence shall be effective until the Minister has issued a certificate of surrender in respect of that block.

(4) A surrender shall be without prejudice to any liabilities or obligations incurred by the holder in relation to the block surrendered prior to the date of surrender.

(5) On the issue of a certificate of surrender the Minister shall, where the surrender is in respect of —

- (a) all the blocks in an area covered by a licence, cancel such licence; or
- (b) only some of the blocks in an area covered by the licence, amend the licence accordingly.

48. (1) Subject to the provisions of this section, the Minister may suspend or cancel a licence where the registered holder thereof —

Minister's
power to
suspend or
cancel a
licence

- (a) is in default;
- (b) dies or becomes insolvent or commits any act of bankruptcy or enters into any agreement or scheme of composition with his creditors or takes advantage of any written law for the benefit of debtors or, in the case of a company, goes into liquidation, except as part of a scheme for the reconstruction or amalgamation of the registered holder;
- (c) makes any statement to the Government in connexion with his licence which he knows or ought to have known was false in a material particular; or
- (d) for any reason becomes ineligible to apply for a licence under the provisions of section 11.

(2) Before suspending or cancelling a licence under subsection (1) (a), the Minister shall give the registered holder thereof notice in writing specifying the provisions of this Act or the condition of any licence or agreement in respect of which he is in default and calling upon the registered holder to remedy the default within such period, being not less than 30 days, as may be specified in such notice.

(3) Where the registered holder of a licence fails to remedy any default specified in subsection (1) (a) within the period specified in a notice issued under subsection (2), or where there is an event specified in subsection (1) (b), (c) and (d), the Minister may, by notice to the registered holder, cancel the licence forthwith.

(4) On cancellation of a licence under the provisions of this section, the rights of the registered holder thereof shall cease but without prejudice to any liabilities or obligations incurred in relation thereto prior to the date of cancellation.

Transfers and Registration

Records

49. The Minister shall cause to be kept a record, in such form as may be determined by the Minister, in which shall be recorded —

- (a) the name and address of the person to whom a licence is granted; and
- (b) any dealings with or affecting the licensee in connexion with the licence.

Interest in
licence to
be created
by instrument
in writing

50. A legal or equitable interest in or affecting a licence shall not —

- (a) be capable of being created, transferred, assigned or dealt with, whether directly or indirectly, except by instrument in writing; or
- (b) affect the liability of the registered holder of the licence for a breach of any condition of the licence or of any provision of this Act.

Transfer,
etc., of
licence to
be approved
by Minister

51. (1) Except where the Minister otherwise approves —

- (a) the transfer of a licence; or
- (b) an instrument by which a legal or equitable interest in or affecting a licence is created, assigned or dealt with, whether directly or indirectly,

the transfer or the instrument shall be of no effect.

(2) An application for approval by the Minister under subsection (1) shall be made to the Minister in such form as may be prescribed or determined by the Minister.

(3) Subject to subsections (4) and (5), on application made under subsection (2) the Minister may give or refuse to give his approval, or give his approval subject to such conditions as he deems necessary in the circumstances to impose.

(4) The Minister shall give his approval to the transfer of an exploration licence where the transferee —

- (a) is a person controlling, controlled by or under common control with the transferor; and
- (b) is not a person disqualified under any provision of this Act from holding an exploration licence.

(5) Where the Minister gives his approval under subsection (4), he shall cause the name of the transferee to be recorded as the registered holder of the licence, and any legal proceedings which may be or have been commenced against that holder may be commenced or continued notwithstanding the transfer.

(6) For the purposes of subsection (1) (a) a reference to the “transfer of a licence” shall include a transfer of a licence by operation of law.

Minister
may require
additional
information

52. The Minister may require any person making application under section 51 to furnish to him in writing such additional information as he may reasonably require to enable him to dispose of the application.

53. The Minister may issue a certificate in respect of any of the following matters, namely, that — Evidence

- (a) a licence was granted, transferred, suspended or cancelled on or with effect from the date specified in the certificate;
- (b) a block, identified in the certificate, is or was on the date specified therein subject to a licence;
- (c) a certificate of surrender in respect of a particular block was issued on the date specified in the certificate;
- (d) the person named in the certificate is or was on the date specified in the certificate the registered holder of a licence;
- (e) a direction, specified in the certificate, was, on the date specified therein, given to the person named in the certificate; or
- (f) a condition specified in the certificate —
 - (i) is or was on the date specified therein a condition of the licence; or
 - (ii) is a condition on which the certificate of surrender or on which the consent or approval, as specified, was issued or given;

and, without prejudice to the right to adduce evidence in rebuttal, such a certificate shall be admissible as evidence of that fact in any proceedings before a court of competent jurisdiction.

Miscellaneous

54. (1) The provisions set out in the Schedule shall apply in respect of the duty of a registered holder or former registered holder of a licence to furnish information in such form as may be determined by the Minister or prescribed, submit reports or keep records and accounts. Application of Schedule

(2) The registered holder of a licence shall, immediately following the grant of a licence, establish an address in Botswana and give to the Minister in writing notice thereof and of any change thereto.

55. (1) A registered holder of a licence shall —

- (a) carry out in the exploration or development area exploration or development operations in a proper, safe and workmanlike manner and in accordance with good oilfield practices;
- (b) take all reasonable steps necessary to secure the safety, health and welfare of persons engaged in operations in or about the exploration or development area; and
- (c) comply with regulations and any direction given pursuant to section 61 and with any direction given, restriction imposed or requirement requested by an authorized officer in the performance of his duties under this Act.

Work
practices
for registered
holder of
licence

(2) In particular, and without limiting the generality of subsection (1), a registered holder of a licence shall —

- (a) control the flow and prevent the waste or escape in the exploration or development area of petroleum gas (not being petroleum or water);
- (b) prevent the escape in the exploration or development area of any mixture of water or drilling fluid and petroleum or any other substance;
- (c) prevent damage to petroleum bearing strata in an area in respect of which the licence is not in force;
- (d) keep separate in the manner prescribed –
 - (i) each petroleum reservoir discovered in the exploration or development area; and
 - (ii) such of the sources of water (if any) discovered in the exploration or development area, as the Minister, by notice in writing served on the holder, directs;
- (e) except where required by and in accordance with good oilfield practices, prevent water or any other substance entering a petroleum reservoir through any well in the exploration or development area;
- (f) prevent the pollution of any water-well, spring, stream, river, lake, reservoir or estuary by the escape of petroleum, salt water, drilling fluid, chemical additive, gas (not being petroleum) or any other waste product or effluent;
- (g) where a pollution occurs, treat or dispose of it in an environmentally acceptable manner; and
- (h) prior to the drilling of a well, furnish to the Minister a detailed report on the technique to be employed, an estimate of the time to be taken, the material to be used and the safety measures to be employed in the drilling of the well.

(3) Where the consent in writing of the Minister has been obtained, nothing in this section shall prevent a registered holder of a licence from flaring natural gas in accordance with the terms of the notice of consent.

(4) Nothing in this section shall prevent a registered holder of a licence from flaring natural gas where, in an emergency, flaring is necessary to safeguard the health and safety of persons in the exploration or development area or to prevent damage to the property of any person in such area.

(5) A registered holder of a licence shall furnish to the Minister notice in writing, in such form as may be prescribed or determined by the Minister, of his intention to abandon a well, and the closure or plugging of a well shall be carried out only with the prior written consent of the Minister and in the manner prescribed or determined by the Minister.

56. Any person who is the holder of a notice of consent under section 67 shall carry out exploration operations in a proper and workmanlike manner and in accordance with good oilfield practices, and shall take all reasonable steps to secure the safety,

health and welfare of persons engaged in those operations in or about the area.

57. (1) Where the Minister considers that the registered holder of a development licence is using wasteful production or processing practices, he may notify such holder accordingly and require him to show cause, within such time as the Minister shall specify, why he should not cease to use such practices.

Wasteful
production
and proces-
sing practices

(2) where, within the time specified in any notice issued under subsection (1), the registered holder of a licence fails to satisfy the Minister that he is not using wasteful production or processing practices, or that the use of such practices is justified, the Minister may order the holder to cease using such practices within such time as he may specify.

(3) Where the registered holder of a licence fails, after being ordered so to do, to cease using wasteful production or processing practices, the Minister may cancel the licence or may suspend such licence for such period as he deems fit.

58. (1) A registered holder of a licence or holder of a notice of consent under section 67 who fails to comply with a requirement under section 55 or 56 shall be guilty of an offence and liable on conviction to a fine not exceeding P10 000.

Penalty for
breach of
section 55
or 56

(2) Where proceedings are instituted for an offence under this section, it shall be a sufficient defence where the accused person proves that he forthwith took all reasonable steps to comply with the requirement of the section applicable to him.

59. (1) A registered holder of a licence or a holder of a notice of consent under section 67 shall —

Maintenance,
etc., of
property

- (a) maintain in good condition and repair all structures, equipment and other property used in connexion with the operations in which he is engaged in the area subject to the licence or in respect of which the notice of consent is in force;
- (b) remove from the area concerned all structures, equipment and other property which are not used or to be used in connexion with the operations in which he is engaged; and
- (c) take reasonable steps to warn persons who may, from time to time, be in the vicinity of any such structure, equipment or other property of the presence thereof and the possible hazards which may result therefrom.

(2) The provisions of subsection (1) shall not apply to a structure, equipment or other property which was, without the authority of the registered holder of the licence or the holder of the notice, as the case may be, brought into the area subject to a licence or in respect of which a notice of consent is in force.

(3) A registered holder of a licence or holder of a notice of consent who contravenes any provisions of subsection (1) shall be guilty of an offence and liable on conviction to a fine not exceeding P10 000.

Drilling
near
boundaries

60. (1) Except with the consent in writing of the Minister and in accordance with such conditions, if any, as may be specified in the notice of consent, a registered holder of a licence shall not drill a well any part of which is less than 1 000 m from a boundary of the area subject to the licence.

(2) Where a registered holder of a licence does not comply with subsection (1), the Minister may, by notice in writing served on the holder, direct that, within the period specified in the notice, he take one or more of the following actions —

- (a) plug the well;
- (b) close off the well;
- (c) comply with any direction specified in the notice relating to the drilling or maintenance of the well.

(3) Any person who fails to comply with a direction under subsection (2) shall be guilty of an offence and liable on conviction to a fine not exceeding P10 000.

Directions

61. (1) The Minister may, by notice in writing served on the registered holder of a licence, give to the holder directions as to any matter which may be prescribed.

(2) Any person who fails to comply with a direction given under subsection (1) shall be guilty of an offence and liable on conviction to a fine not exceeding P10 000.

(3) Where proceedings are instituted for an offence under this section, it shall be a sufficient defence where the accused person proves that he forthwith took all reasonable steps to comply with the direction.

Compliance
with
directions

62. (1) Where a person fails to comply with a direction given to him under section 61, the Minister may cause to be done all or any of the things required thereby.

(2) Any costs or expenses incurred by the Minister under subsection (1) shall be a debt due to the Government by the person to whom the direction was given and may be recovered in a court of competent jurisdiction.

Removal of
property,
etc., by
registered
holder

63. (1) Where a licence has been wholly or partly determined or cancelled or has expired, the Minister may, by notice in writing served on the person who is or was the registered holder of the licence direct that person to —

- (a) remove or cause to be removed from the relinquished area concerned all property brought into that area by any person engaged or concerned in the operations authorized by the licence or to make arrangements which are satisfactory to the Minister in respect of that property;
- (b) plug or close off, to the satisfaction of the Minister, all wells made in that area by the person engaged or concerned in the operations; and

(c) make provision, to the satisfaction of the Minister, for the conservation and protection of the natural resources in that area.

(2) Any dam and the waters impounded thereby shall be left intact and any machinery or equipment connected therewith may be removed only with the written consent of the Minister.

(3) Nothing in this section or in any direction given thereunder shall be construed as requiring any person who is or was the registered holder of a licence to do anything which is not, or to refrain from doing anything which is, in accordance with good oilfield practices.

(4) Any person to whom a direction is given under subsection (1) who fails to comply with the direction within the period specified in the notice shall be guilty of an offence and liable on conviction to a fine not exceeding P200.

64. (1) Subject to the provisions of section 63 (3), where a direction given under section 63 has not been complied with the Minister may —

Removal
and sale of
property,
etc., by
Minister

(a) do or cause to be done all or any of the things required by the direction;

(b) remove or cause to be removed, in such manner as he thinks fit, from the relinquished area concerned all or any of the property;

(c) dispose of, in such manner as he thinks fit, all or any of the property referred to in paragraph (b); and

(d) where he has served on a person whom he believes to be the owner of the property or part thereof a copy of the notice by which the direction was given, sell or cause to be sold by public auction or otherwise as he think fit all or any of the property referred to in paragraph (b) which belongs or which he believes to belong to that person.

(2) The Minister may deduct from the proceeds of a sale of property under subsection (1) all or any part of any —

(a) ~~costs or~~ expenses incurred by him in relation to —

(i) the property; or

(ii) the doing of anything required by a direction under section 63 to be done; and

(b) fees or amounts due and payable under this Act by the person concerned.

(3) Any costs or expenses incurred by the Minister under subsection (1), if incurred in relation to the —

(a) removal, disposal or sale of property, shall be a debt due to the Government by the owner of the property; or

(b) doing of anything required by a direction under section 63, shall be a debt due to the Government by that person,

and to the extent to which they are not recovered under subsection (2) shall be recoverable by the Government as a debt.

(4) Subject to subsection (3), no action shall lie in respect of the removal, disposal or sale of property under this section.

Penalty
for default
in payment

65. (1) Where the liability of a person under this Act to pay an amount is not discharged on or before the due date, there shall be payable by that person an additional amount calculated at the rate of two per cent for each month or part of a month upon so much of that amount as from time to time remains unpaid, to be computed from the time that the amount became payable until it is paid.

(2) The Minister may, in a particular case, for reasons which in his opinion are sufficient, remit the whole or part of an amount under this section.

Survey of
wells, etc.

66. (1) The Minister may at any time, by notice in writing served on a registered holder of a licence, direct the holder to —

- (a) demarcate and keep demarcated, in such a manner as may be prescribed, the development area, and submit to the Minister, within such time as may be prescribed, a diagram of the development area;
- (b) carry out a survey of the position of any well or of any structure or equipment; or
- (c) furnish to him in writing, within a period specified in the notice, a report of the survey.

(2) where the Minister is not satisfied with a report furnished to him under subsection (1), he may, by notice in writing served on the registered holder of a licence, direct the holder to forthwith furnish in writing such further information as he may require.

(3) Where a person to whom a direction is given under subsection (1) fails to comply therewith, the Minister may cause to be carried out the survey specified in the notice containing the direction.

(4) Notwithstanding that a registered holder may be convicted of an offence under subsection (5), any costs or expenses incurred pursuant to subsection (3) shall be a debt due to the Government and recoverable in a court of competent jurisdiction.

(5) Any person to whom a direction is given under subsection (1) or (2) who fails or neglects to comply therewith shall be guilty of an offence and liable on conviction to a fine not exceeding P5 000.

Scientific
investigations

67. (1) The Minister may, by notice in writing, consent, subject to such conditions (if any) as the Minister may determine, to the carrying on by any person of exploration operations for the purpose of scientific investigations.

(2) A notice of consent issued pursuant to subsection (1) shall authorize the person to whom it is issued to carry on, in the area specified in the notice, exploration operations for the purpose referred to in subsection (1).

68. Without the prior written approval of the Minister, no person shall dispose of and no person shall acquire, directly or indirectly, any interest in any company of a registered holder of a licence which would confer a voting right or other financial interest exceeding 20% of the total or a right to appoint directors, and, in considering any application for such approval, the Minister may call for such information as he considers necessary.

Restriction
on transfer
of shares

PART IV — *Surface Rights*

69. (1) The owner or lawful occupier of any land in an exploration or development area shall retain the right to graze stock upon or to cultivate the surface of such land insofar as such grazing or cultivation does not interfere with exploration or development operations in the area.

Right to
graze
stock, etc.

(2) In the case of a development area, the owner or lawful occupier of any land within such area shall not erect any building or structure thereon without the written consent of the registered holder of the licence, or, if such consent is unreasonably withheld, the written consent of the Minister.

(3) The rights conferred by a licence shall be exercised reasonably and so as to affect as little as possible the interests of any owner or lawful occupier of the land to which such rights are exercised and exploration or development operations shall be carried out in a proper manner.

70. (1) A registered holder of a development licence may, if he requires the exclusive use of the whole or any part of a block in a development area, and shall it so requested by the owner or lawful occupier of any part of such area, obtain a lease thereof or other right to use the same upon such terms as to the rent to be paid therefor, the duration thereof or the extent or area of the land to which such lease or other right shall relate as may be agreed between the holder and the owner or lawful occupier, or, failing such agreement, as may be determined by arbitration:

Acquisition
of exclusive
rights by
registered
holder of
development
licence

Provided that —

- (i) a registered holder of a development licence shall not obtain a lease of or other right over any land specified in section 46 (1) (a) and (c) to (f) inclusive except with the written consents of the persons specified therein;
- (ii) in the case of tribal land, any rents payable under this subsection shall be payable to the land board of the area in which the land is situate; and
- (iii) an arbitrator appointed in pursuance of this subsection may, on application by any interested party, apportion any rent payable under this subsection between the owner and any lawful occupier.

(2) In assessing any rent payable under the provisions of this section an arbitrator shall determine the matter in relation to

values at the time of the arbitration current in the area to which the development licence relates for land of a similar nature to the land concerned but without taking into account any enhanced value due to the presence of petroleum.

Compensation
for disturb-
ance of
rights, etc.

71. (1) A registered holder of a licence shall, on demand being made by the owner or lawful occupier of any land subject to such rights, pay such owner or occupier fair and reasonable compensation for any disturbance of the rights of such owner or occupier and for any damage done to the surface of the land due to exploration or development operations, and shall, on demand being made by the owner of any crops, trees, buildings or works damaged during the course of such operations, pay compensation for such damage:

Provided that —

- (i) payment of rent under the provisions of section 70 shall be deemed to be adequate compensation for deprivation of the use of land to which such rent relates;
- (ii) in assessing compensation payable under this section, account shall be taken of any improvement effected by the registered holder of the licence or by his predecessor-in-title, the benefit of which has or will enure to the owner or lawful occupier thereof;
- (iii) the basis upon which compensation shall be payable for damage to the surface of any land shall be the extent to which the market value of the land (for which purpose it shall be deemed saleable) upon which the damage occurred has been reduced by reason of such damage, but without taking into account any such enhanced value due to the presence of petroleum; and
- (iv) no compensation shall be payable to the holder of a State grant of land or his successors-in-title in respect of any operations under a licence existing at the date of such grant.

(2) Where the registered holder of a licence fails to pay compensation when demanded under the provisions of this section, or if the owner or lawful occupier of any land is dissatisfied with any compensation offered, the dispute shall be determined by arbitration.

(3) A claim for compensation under the provisions of subsection (1) shall be made within a period of 4 years from the date when such claim has accrued, failing which, notwithstanding the provisions of any other written law, such claim shall not be enforceable.

72. (1) Where the President considers that any land is required to secure the development or utilization of the petroleum resources of Botswana, he may compulsorily acquire such land. Compulsory acquisition of land

(2) Acquisition of land under this section shall be deemed to be a public purpose in terms of the provisions of the Acquisition of Property Act and any acquisition under this section shall be effected in accordance with the provisions of that Act. Cap. 32:10

PART V — *Financial*

73. (1) Subject to the provisions of this Act, a registered holder of a development licence shall, in accordance with the conditions of his licence, pay royalty in respect of petroleum produced and saved by him in the development area. Royalty on petroleum obtained under development licence

(2) Where provision is made in a licence for the payment of royalty in kind, the word "pay" and cognate expressions in this Part shall be construed accordingly.

74. (1) Where, for any reason, it is impractical to assess the amount of any royalty due, the Minister may assess a provisional royalty. Provisional royalty

(2) When any royalty due has been ascertained, the registered holder of the licence concerned shall pay any sum which may be required to complete such ascertained royalty or be entitled to be repaid any sum paid in excess of the ascertained royalty.

75. (1) Where a registered holder of a development licence fails to pay any royalty or provisional royalty due in respect of that licence on or before the due date or any extension thereof, or where the Minister has reason to believe that petroleum has been produced from any area and royalties have not been paid in respect thereof, the Minister may, by order served on the holder of the licence, prohibit the disposal of, or any dealings in or with, any petroleum from the development area concerned, or from any other area held by such registered holder under a development licence, until all outstanding royalties have been paid or until an arrangement has been made, acceptable to the Minister, for the payment of such royalties. Prohibition on disposal of petroleum

(2) Any registered holder of a development licence who fails to comply with an order under this section or, contrary thereto, receives any petroleum from the area concerned, shall be guilty of an offence.

76. (1) Where he considers it expedient in the interests of the production of petroleum, the Minister may, for such period as he may determine, remit, in whole or in part, any royalty payable on petroleum obtained from a particular development area. Remission of royalty, etc.

(2) The Minister may, on application made to him by a registered holder of a development licence, defer, for such period and subject to such conditions as he may determine, payment of any royalty due from the holder.

(3) The Minister may exempt from liability to royalty samples of petroleum required for the purpose of analysis or other examination.

Recovery of
royalty, etc.

77. (1) Any royalty, fee, rent or other payment which may become due in respect of any right under the provisions of this Act shall be a debt due to the Government and recoverable in a court of competent jurisdiction.

(2) Without prejudice to the right to adduce evidence in rebuttal, a certificate issued by the Minister certifying that a specified amount of royalty, an annual fee, rent or other payment is payable by a specified person shall, in any proceedings instituted against that person for the recovery of any such royalty, fee, rent or other payment, be received as evidence of that fact.

Annual fee
in respect
of licence

78. (1) There shall be payable to the Government by the registered holder of a licence an annual fee of such amount as may be determined by the Minister or prescribed.

(2) The annual fee payable pursuant to subsection (1) shall be payable on the grant of a licence and thereafter annually on the anniversary of the grant until the termination of the licence.

Cap. 32:02

(3) Where an exploration licence is granted over land in a tribal area as defined in the Tribal Land Act, one-half of any moneys received under the provisions of this section shall be appropriated as a grant-in-aid to the district council of the area in which the land is situate.

Security
for compliance

79. The Minister may from time to time, make such arrangements as appear appropriate to him to secure the compliance of a registered holder with the provisions of this Act and, in particular may accept guarantees, whether from shareholders or otherwise, in respect of such compliance.

PART VI — *Miscellaneous*

Minister
may require
information
to be
furnished

80. (1) Where the Minister has reason to believe that a person is capable of giving information or producing or making available any book, document or data relating to exploration or development operations or to petroleum obtained from an exploration or a development area or the value of petroleum so obtained, he may, by notice in writing served on that person, require that person, —

(a) within the period and in the manner specified in the notice, to furnish to him the information required; or

(b) at such time and place specified in the notice —

(i) to attend before him or an authorized officer to answer any question; or

(ii) to make available to him or an authorized officer any book, document or data or copies thereof relating thereto as specified.

(2) A person shall not be excused from compliance with the provisions of this section on the ground that such compliance

may tend to incriminate him or make him liable to penalty; but any information furnished, question answered, document or data produced shall not be admissible in evidence against him in any proceedings, other than proceedings for an offence under section 81, which may be instituted against him.

(3) Where a book, document or data is made available pursuant to a requirement under subsection (1) (b) (ii), the person to whom the book, document or data is made available may make copies thereof or take extracts therefrom.

81. Any person who, —

- (a) fails to comply with a requirement under section 80 (1); or
- (b) in purported compliance with such a requirement, knowingly or recklessly —

- (i) furnishes information; or

- (ii) makes a statement or produces or makes available a book, document or data,

which is false or misleading in a material particular,

shall be guilty of an offence and liable on conviction to a fine not exceeding P1 000 or to a term of imprisonment not exceeding 2 years, or to both.

82. (1) For the purposes of this Act the Minister or an authorized officer may, at all reasonable times, —

- (a) (i) enter any area, building, structure, vehicle, vessel or aircraft; or

- (ii) inspect and test, or have tested by a qualified person, any machinery or equipment,

which in his opinion has been, is being or is to be used in connexion with exploration or development operations;

- (b) take or remove samples of petroleum or water or other substance for the purpose of analysis or testing or for use in evidence in connexion with an offence under the provisions of this Act;

- (c) inspect, make copies of or take extracts from any document, book or data relating to exploration or development operations;

- (d) in respect of the health and safety of persons employed by a registered holder of a licence in or in connexion with exploration or development operations, by notice in writing issue directions to or impose restrictions on the holder or on any person so employed;

- (e) direct, by notice in writing, —

- (i) the cessation of operations on or in, and the withdrawal of all persons from, any area, building or structure which is being used in connexion with exploration or development operations; or

- (ii) the discontinuance of the use of any machinery or equipment;

Failure to furnish information, etc., under section 80

Power of entry, etc.

which he considers unsafe, until such action necessary for safety is taken;

- (f) make such examinations and enquiries necessary to ensure that the provisions of, and any direction issued or order made or restriction imposed under, this Act are being complied with; and
- (g) obtain and record statements from any witness, appear at or conduct any enquiry held in respect of any accident which may have occurred in the course of exploration or development operations, and at any inquest call, examine and cross-examine any witness.

(2) Where there is a person present who is or appears to be in charge of the area, building, structure, vehicle, vessel, aircraft, machinery, equipment or matter or thing in respect of which any of the powers under subsection (1) are to be exercised, the Minister or an authorized officer shall, before exercising any such power, identify himself to that person and to any person to whom he is about to give an order or a direction.

(3) In exercising his powers under subsection (1) the Minister or the authorized officer may be accompanied by any person who the Minister or the officer believes has special or expert knowledge of any matter or thing being inspected, tested or examined.

(4) Any person who is an occupier or person in charge of an area, building or structure, or the person in charge of any vehicle, vessel, aircraft, machinery, equipment or matter or thing, referred to in subsection (1), shall provide the Minister or the authorized officer with all reasonable facilities and assistance (including, if necessary, the provision of transport) for the effective exercise of the powers conferred by this section.

Offences in
relation to
section 82

83. Any person who, —

- (a) without reasonable excuse, obstructs, molests or hinders the Minister or an authorized officer in the exercise of his powers under section 82;
 - (b) knowingly or recklessly makes a statement or produces a document which is false or misleading in a material particular to the Minister or to an authorized officer; or
 - (c) with intent to mislead or deceive the Minister or an authorized officer does any act or withholds any information,
- shall be guilty of an offence and liable on conviction to a fine not exceeding P1 000 or to a term of imprisonment not exceeding 2 year, or to both.

Obstruction
of registered
holder of
licence

84. Any person who, without reasonable excuse, obstructs, molests, hinders or prevents a registered holder of a licence in or from doing any act authorized to be done under the provisions of this Act shall be guilty of an offence and liable on conviction to a fine not exceeding P500 or to a term of imprisonment not exceeding 12 months.

85. Where an offence which has been committed by a company is proved to have been committed with the consent or connivance of, or to be attributable to any neglect on the part of, a director, manager, secretary or other officer of the company, or by a person who was purporting to act in any such capacity, he, together with the company, shall be guilty of that offence and liable to prosecution.

Offence
committed
by company

86. Any person who —

Miscellaneous
offences

- (a) (i) in or in connexion with an application under this Act knowingly or recklessly gives; or
 - (ii) in any report, return or affidavit submitted in pursuance of any provision of this Act, knowingly or recklessly includes or permits to be included, information which is false or misleading in a material particular; or
 - (b) places or deposits, or is an accessory to the placing or depositing of, any petroleum or other substance in any place with the intention of misleading any other person as to the petroleum possibilities of that place,
- shall be guilty of an offence and liable on conviction, in the case of —
- (i) an individual, to a term of imprisonment not exceeding 3 years; or
 - (ii) a company, to a fine not exceeding P10 000.

87. Any person found guilty of an offence under this Act for which no other penalty is provided shall be liable on conviction thereof to a fine not exceeding P500 or to a term of imprisonment not exceeding 12 months.

General
penalty

PART VII — *Regulations*

88. The Minister may, by statutory instrument, make regulations —

Regulations

- (a) in respect of the instigation and conduct of proceedings under this Act and the keeping of records and notes of evidence concerning such proceedings;
- (b) providing for any matter which under this Act is to be provided for by regulation;
- (c) appointing such persons as he deems fit to be authorized officers for the purpose of performing any function under this Act;
- (d) prescribing any matter or thing referred to in this Act as prescribed or to be prescribed; and
- (e) generally for the purpose of giving effect to the provisions of this Act.

89. In consequence of the provisions of this Act, the Mines and Minerals Act is hereby amended —

Consequential
Amendment
of Cap. 66:01

- (a) in section 2 thereof by inserting immediately after the words “but excluding” which appear in the definition of “mineral”, the words “petroleum as defined in section 2 of

the Petroleum (Exploration and Production) Act, and";
 (b) by inserting immediately after section 3 thereof, the following new section —

"Acts not to
 apply to
 petroleum 3A. No right to explore for or produce petroleum
 (as defined in section 2 of the Petroleum (Exploration
 and Production) Act, shall be granted or exercised
 under this Act.

SCHEDULE

(s. 54)

RECORDS, REPORT AND ACCOUNTS

Records, etc.

1. Subject to the provisions of this Schedule, a registered holder of a licence shall keep at the address referred to in section 54 (2), in such form as the Minister may approve or as prescribed, accurate geological maps and plans and geophysical records, including interpretations thereof, relating to the area subject to the licence, together with accurate records containing full particulars of the following matters —

- (a) a drilling, operation, deepening, plugging or abandonment of wells;
- (b) the strata and subsoil through which wells are drilled;
- (c) the casing inserted in wells and any alteration thereto;
- (d) the area in which any geological or geophysical work has been carried out;
- (e) the petroleum, water or other economic mineral or any dangerous substance encountered; and
- (f) such further matters as may be prescribed.

Reports

2. A registered holder of a licence shall give to the Minister —

- (a) at half-yearly intervals commencing 6 months immediately following the grant of a licence —
 - (i) a summary of geological and geophysical work carried out;
 - (ii) a summary of drilling activities and the results obtained; and
 - (iii) a list of maps, reports and other geological and geophysical data prepared for the holder in respect of the period concerned;
- (b) within 60 days immediately following the end of each year of the term of the licence —
 - (i) a record detailing the results of all exploration and development operations carried out by the holder in the year concerned; and
 - (ii) estimates (if available) of economically recoverable reserves of crude oil and natural gas at the end of the year concerned;
- (c) within 6 months of the completion of drilling, or, in the case of information which cannot reasonably be obtained in that period, as soon as possible, a summary of exploration wells drilled, including lithological groups, letter classification boundaries and hydrocarbon zones;
- (d) at such intervals as may be prescribed, such further information as may be specified.

Duties on
 termination
 of licence

3. Subject to the provisions of this Schedule, where a licence is determined or cancelled or expires, the person who was the registered holder of the licence shall, immediately prior to the determination, cancellation or expiration, forthwith deliver to the Minister —

- (a) all records relating to the licence which the former holder maintained pursuant to this Schedule;
- (b) all plans or maps of the area which was subject to the licence, together with all tapes, diagrams, profiles and charts, which were prepared by or on the instructions of the former holder; and
- (c) such other documents as the Minister may, by notice in writing given to the former holder, require him to deliver.

4. Subject to the provisions of this Schedule, a registered holder of a licence shall keep at the address referred to in section 54 (2) accurate Accounts accounts containing full particulars of the following matters —

- (a) the gross quantity of crude oil and natural gas won and saved from the area subject to the licence;
- (b) the grade and gravity of crude oil and the composition of natural gas produced;
- (c) any quantity of —
 - (i) crude oil;
 - (ii) natural gas;
 - (iii) refined petroleum products, including liquidified petroleum gas; or
 - (iv) sulphur, in any form, or other mineral in any form or other gas, liquid or solids,
 disposed of by way of sale or otherwise, the consideration received, the quantity disposed of and the name of the person to whom the disposal was made;
- (d) the quantity of petroleum injected into the formation of —
 - (i) crude oil;
 - (ii) natural gas;
 - (iii) refined petroleum products, including liquidified petroleum gas; or
 - (iv) other liquids or gases;
- (e) the quantity of petroleum consumed for drilling and other production operations (other than the quantities reported under paragraph (d)) and in pumping to field storage and refineries in Botswana of —
 - (i) crude oil;
 - (ii) natural gas; or
 - (iii) refined petroleum product, including liquidified petroleum gas;
- (f) the quantity of crude oil refinery by or on his behalf in Botswana;
- (g) the quantity of natural gas treated in Botswana by him or on his behalf for the removal of liquid or liquidified petroleum gas and the quantity of —
 - (i) butane;
 - (ii) propane; or
 - (iii) other liquid or gas or solids obtained from it;
- (h) the quantity of natural gas flared; and
- (i) such other information as may be prescribed.

5. The Minister may, on application made to him in writing by a registered holder or former registered holder of a licence, by notice in writing, dispense with or modify any requirement of this Schedule to the extent and on the conditions (if any) stated in the notice. Modification of duties under Schedule