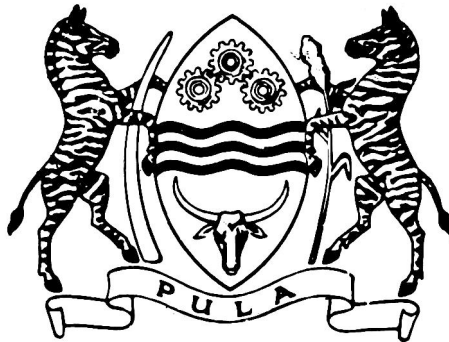


REPUBLIC OF BOTSWANA



GOVERNMENT GAZETTE

EXTRAORDINARY

Vol. XX, No. 40

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9th July, 1982

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The following is a list of the names of the persons who have been named in the above-mentioned documents, in the order in which they are mentioned in the documents. The names are given in the order in which they are mentioned in the documents, and not in the order in which they are mentioned in the text of the documents.

Bill No. 15 of 1982

**BCL LIMITED (PROTECTION OF CREDITOR'S RIGHTS AND
INTERESTS UNDER DEED OF DEFERRAL (AMENDMENT))**

BILL, 1982

(Published on 9th July, 1982)

MEMORANDUM

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

2. The main object of the Bill is to make it clear that any amounts lent and advanced to BCL Limited shall not be subject only to the provisions of section 236 of the Companies Act but also to section 269 of the said Act.

M.P.K. NWAKO,

Minister of Commerce and Industry.

ARRANGEMENT OF SECTIONS

SECTION

1. Short title
2. Amendment of section 3 of Act 1 of 1982

A BILL

entitled

**An Act to amend the BCL Limited (Protection of Creditors' Rights and
Interests under Deed of Deferral) Act, 1982**

Date of Assent:

Date of Commencement:

ENACTED by the Parliament of Botswana.

1. This Act may be cited as BCL Limited (Protection of Creditors' Rights and Interests under Deed of Deferral) (Amendment) Act, 1982. Short title

2. Section 3 of the BCL Limited (Protection of Creditors' Rights and Interests under Deed of Deferral) Act, 1982, is hereby amended by substituting for the words "section 236" which appear therein the following new words, "section 236 or 269". Amendment
of section
3 of Act
1 of 1982

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Bill No. 16 of 1982

**MORUPULE CENTRAL POWER STATION PROJECT LOAN
(AUTHORIZATION) (NO. 2) BILL, 1982**
(Published on 9th July, 1982)

MEMORANDUM

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

2. The object of the Bill is to authorize the Government to raise the following loans, namely, 20 000 000 units of account from the African Development Bank, 34 400 000 Saudi Riyals from the Saudi Fund for Development, 2 900 000 Kuwaiti Dinars from the Kuwait Fund for Arab Economic Development, U.S. \$8 000 000 from the Abu Dhabi Fund for Arab Economic Development and FF 140 000 000 from the French Government. The total amount of the loans to be raised is worth at the time of writing approximately P78 000 000.

3. The purpose of the loans is to enable the Government to carry out the Morupule Power Station Project.

P.S. MMUSI,
Minister of Finance and Development Planning.

ARRANGEMENT OF SECTIONS

SECTION

1. Short title
2. Authorization to raise loans
3. Loans to be paid into Development Fund
4. Loans charged upon Consolidated Fund
5. Powers of Minister in connexion with loans
6. Report on loans to be laid before National Assembly

A BILL

entitled

An Act to authorize the Government to raise loans for the purpose of financing the Morupule Power Station Project.

Date of Assent:

Date of Commencement:

ENACTED by the Parliament of Botswana.

1. This Act may be cited as the Morupule Central Power Station Project Loan (Authorization) (No. 2) Act, 1982. Short title

2. (1) The Minister may, subject to such terms and conditions as may be agreed between him and any of the financial institutions and the French Government mentioned herein, raise by loans from — Author-
ization
to raise
loans

- (a) the African Development Bank sums not exceeding in the aggregate the equivalent of 20 000 000 units of account (twenty million units of account);
- (b) the Saudi Fund for Development sums not exceeding in the aggregate the equivalent of 34 400 000 Saudi Riyals (thirty four million four hundred thousand Saudi Riyals);
- (c) the Kuwait Fund for Arab Economic Development sums not exceeding in the aggregate the equivalent of KD 2 900 000 (two million nine hundred thousand Kuwaiti Dinars);
- (d) the Abu Dhabi Fund for Arab Economic Development sums not exceeding in the aggregate the equivalent of \$8 000 000 (eight million United States dollars; and
- (e) the French Government sums not exceeding in the aggregate the equivalent of FF 140 000 000 (one hundred and forty million French francs).

(2) Any loans raised from the French Government in accordance with the provisions of subsection (1) may be used partly or wholly for the Morupule Central Power Station Project or for any other project to be determined by the Government of Botswana.

Loans to
be paid
into
Develop-
ment Fund

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

Loans
charged
upon
Consoli-
dated Fund

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

Powers of
Minister in
connexion
with loans

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

Report on
loans to
be laid
before
National
Assembly

6. As soon as practicable after the raising of the loans the Minister shall lay before the National Assembly a paper containing a report on the loans which shall include the terms and conditions of the loans and any other information relating thereto which the Minister considers appropriate to include.

Bill No. 17 of 1982

**IMMOVABLE PROPERTY (REMOVAL OF RESTRICTIONS)
(AMENDMENT) BILL, 1982**
(Published on 9th July, 1982)

MEMORANDUM

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

2. The object of the Bill is to make provisions for the removal of various reservations or restrictions of rights imposed by owners of land on transferring such land to others, where such reservations or restrictions are considered inconsistent with any provision of the Town and Country Planning Act, 1977 (No. 11 of 1977), the Water Act (Cap. 34:01) or the Building Control Act (Cap. 65:03). It is considered that where there are established controlling bodies like the Town and Country Planning Board, Water Apportionment Board or Building Control Regulations which regulate the use or development of land in an area, any restrictions in title deeds to land purporting to impose extra burdens on transferees of such land should not be allowed.

L.J.T. MOTHIBAMELE,
Acting Minister of Local Government and Lands.

ARRANGEMENT OF SECTIONS

SECTION

1. Short title
2. Amendment of section 8 of Cap. 32:08

A BILL
— entitled —

An Act to amend the Immovable Property (Removal of Restrictions) Act.

Date of Assent:

Date of Commencement:

ENACTED by the Parliament of Botswana.

1. This Act may be cited as the Immovable Property (Removal of Restrictions) (Amendment) Act, 1982. Short title

2. Section 8 of the Immovable Property (Removal of Restrictions) Act is hereby amended — Amendment of section 8 of Cap. 32:08

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

“(3) Where any reservation or restriction of any right of use or development registered against the title deeds of, or however effected on, any immovable property is inconsistent with any provision of the Town and Country Planning Act, the Water Act or the Building Control Act to which such immovable property is subject, such reservation or restriction shall, in so far as it is inconsistent with any provision of any of the Acts mentioned, be void.”; and Act No. 11 of 1977 34:01 65:03

(b) by renumbering subsection (3) thereof as “subsection (4)”.

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