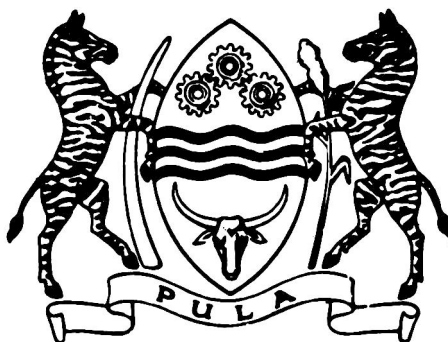




## REPUBLIC OF BOTSWANA



# GOVERNMENT GAZETTE

Vol. XX1, No. 14

GABORONE

25th March, 1983

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*Government Notice No. 93 of 1983*

**CONSTITUTION OF BOTSWANA**  
**Acting Appointment — Permanent Secretary to the President**  
**Office of the President**

IN EXERCISE of the powers conferred on His Excellency the President by section 113 of the Constitution —

**LEBANG MOGAETSHO MPOTOKWANE**

has been appointed to act as Permanent Secretary to the President, Office of the President, with effect from 14th to 16th March, 1983, both dates inclusive.

DATED this 11th day of March, 1983

F.G. MOGAE,  
*Permanent Secretary to the President,*  
*Office of the President.*

L2/7/98 XV

*Government Notice No. 94 of 1983.*

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

**Applications for Authorization of Change of Surnames**

IT IS HEREBY NOTIFIED in accordance with section 4 (2) of the Change of Name Act that an application has been made to the Minister of Home Affairs by each of the persons whose names and addresses are hereinafter specified for the Minister's authority to assume the surname hereinafter specified in relation to each applicant's name and address.

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.

<i>Name and Address of Applicant</i>	<i>Proposed Surname</i>	<i>Reasons Given by Applicant for wishing to assume Proposed Surname</i>
Hendrik Tshelane, P.O. Box 20058, Gaborone.	Andrew	Tshelane is his uncle's surname Andrew is his grandfather's name
Patrick Manowe, P.O. Box 1012, Gaborone.	Pholo	Monowe is his great grandfather Pholo is his surname
Time Fulube, P.O. Box 13, Tutume.	Danda	Fulube is his grandfather Danda is his father's name
Inspector Phineas, Georgia University Station, P.O. Box 2447, Athens.	Moloi	Phineas is his father's first name Moloi is his surname
Georgia. U.S.A. Boikanyo Monale, P.O. Box 328, Mochudi.	Dire	Mongale is his mother's surname Dire is his father's surname
Androcles Moswela, P.O. Box 10330, Francistown.	Ndhlovu	Moswela is his grandfather and Ndhlovu is his father

DATED this 11th day of March, 1983.

B.K. SEBELE,  
*Permanent Secretary,*  
*Ministry of Home Affairs.*

L2/7/105

*Government Notice No. 95 of 1983*

**BOTSWANA DEVELOPMENT CORPORATION**

**Board Membership**

IT IS HEREBY NOTIFIED for general information that the Vice-President and Minister of Finance and Development Planning has with effect from 4th March, 1983 appointed —

**P.M. MATSETSE; and  
E.T. MATENGE**

as director and alternate director respectively, and has revoked the appointments of

**E.T. MATENGE; and  
B.B. SELABE**

as director and alternate director respectively.

DATED this 11th day of March, 1983.

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

*L2/7193 I*

*Government Notice No. 96 of 1983*

**IMMOVABLE PROPERTY (REMOVAL OF RESTRICTIONS) ACT**  
(Cap. 32:08)

**Notice of Application**

In terms of section 2 of the Immovable Property (Removal of Restrictions) Act, notice is hereby given that

**INTERPRO (PRORIETARY) LIMITED**

has applied to the Registrar of Deeds for variation of Condition 2 in respect of the undermentioned property:-

**CERTAIN:** Lot 9821;

**SITUATE:** Gaborone Administrative District,

**MEASURING:** 2788 (Two Thousand Seven Hundred and Eighty Eight) Square Metres,

**HELD UNDER:** Deed of Fixed Period State Grant No. 349/82 dated 10th August, 1982,

to enable applicant to vary Condition 2 of the said Deed from 2 Storey office block together with on site parking to ground floor shops and first floor offices with on site parking.

Any person who has any objection to the proposed variation must lodge such objection with the Registrar of Deeds, Private Bag 0020, Gaborone, within 30 days from date of publication of this notice.

DATED this 15th day of March, 1983.

**O.P. KGOADI,**  
*Assistant Registrar of Deeds.*

*L2/7/227*

**BANK OF BOTSWANA**  
(Cap. 74:07)

**Statement of assets and liabilities as at 31st December, 1982**

<i>Assets</i>	<i>December 1982</i>	<i>December 1981</i>	<i>Liabilities</i>	<i>December 1982</i>	<i>December 1981</i>
<i>International Reserve</i>	<i>P</i>	<i>P</i>	<i>Capital and Reserves</i>	<i>P</i>	<i>P</i>
Balances with Banks and Cash	254 490 775	205 594 020	(Authorised Capital	5 000 000	5 000 000)
Treasury Bills and Securities	38 397 530	2 726 230	Paid up Capital	3 559 549	3 559 549
Holdings of Special Drawing Rights	7 241 665	5 375 706	General Reserve	16 262 536	13 407 234
Reserve Tranche at the I.M.F.	10 701 880	9 337 819	Special Reserve	37 068 338	16 920 064
	310 831 850	223 033 775		56 890 423	33 886 847
<i>Fixed Assets</i>	533 678	1 065 516	<i>Currency</i>		
			Notes in circulation	36 808 430	34 839 106
			Coin in circulation	1 905 412	1 715 004
<i>Other Assets</i>	3 062 146	3 831 489		38 713 842	36 554 110
			<i>Deposits</i>		
			Government		
			Accountant-General	91 820 439	64 461 216
			Other	3 035 821	2 099 788
			Bankers	57 623 751	16 328 152
			Others	15 165 319	30 264 814
				167 645 330	113 153 970
			<i>Other Liabilities</i>		
			Allocation of Special Drawing Rights	4 348 021	4 348 021
			Deposits of Government with I.M.F.	10 701 880	9 337 819
			Amount due to Government	34 964 804	26 973 870
			Other	1 163 374	3 676 144
				51 178 079	44 335 854
	314 427 674	227 930 781		314 427 674	227 930 781

C.N. KIKONYOKO,  
Governor.

L2/7/225



*Government Notice No. 98 of 1983*

**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:*

Metalkreft (Pty) Ltd.,  
c/o P.O. Box 202,  
FRANCISTOWN.

*List of products it is proposed to manufacture:*

Steel & Metal 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 11th day of March, 1983.

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

*L2/7/144*

*First Publication*

*Government Notice No. 99 of 1983*

**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:*

Wire Products (Pty) Ltd.,  
c/o P.O. Box 214,  
GABORONE.

*List of products it is proposed to manufacture:*

Metal Pressing & Rolling & Steel Fabrication

*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 9th day of March, 1983.

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

*L2/7/144*

*First Publication*

*Government Notice No. 100 of 1983*

**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:*

Limpopo Footwear (Pty) Ltd.,  
c/o P.O. Box 1339,  
GABORONE.

*List of Products it is proposed to manufacture:*

Fashion Footwear

*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 11th day of March, 1983.

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

*L2/7/144*

*First Publication*

**PUBLIC NOTICES**

**Notice**

Department of Water Affairs in its capacity as Water Authority for Mogoditshane and Tlokweng Waterworks areas acting in accordance with powers derived from section 16 of the Waterworks Act (Cap. 34:03 Laws of Botswana) hereby prohibits the use, by its consumers served by the Gaborone and Lobatse Undertakings, of potable water for irrigation (e.g. of gardens, parks, crops, lawns, vegetable and flower beds etc.) from the 1st April 1983 until further notice. Whoever fails to comply with this Notice shall be liable to prosecution under the said Act.

**G.M. QURAISHI,**  
*Director of Water Affairs.*

**Notice**

Consumers are informed that the Department of Water Affairs in its capacity as Water Authority for the Mogoditshane and Tlokweng Waterworks Areas acting in accordance with powers derived from section 15 of the Waterworks Act (Cap. 34:03 Laws of Botswana) will, at its discretion, diminish, or turn off the supply of water because of the prevailing water shortage. This will also be carried out in specific cases where the above Notice is contravened.

**G.M. QURAISHI,**  
*Director of Water Affairs.*

**Republic of Botswana Central Transport Organisation**

**SALE OF BOARDED VEHICLES/PLANT AT CTO DEPOT SEBELE (GABORONE)**

IT IS NOTIFIED for general information that auction sale of various boarded vehicles/plant will be held at the CTO depot Sebele (Gaborone) on the 25th March, 1983 starting at 0930 hours. Items for sale may be inspected during the two working days preceding the sale.

*Conditions of Sale*

- (1) Items will be sold by lot numbers to the highest bidder.
- (2) The Government reserves the right to reject any bid whether or not it is the highest.
- (3) Payment must be made by cash or Bank certified cheques immediately after an item is sold.
- (4) No item/s is to be removed from CTO premises without the presentation of a formal receipt.
- (5) All items sold are to be removed from CTO premises within seven days after the sale. Failure to do so will result in the ownership of item/s reverting to the Government and no return of money will be made.
- (6) Items are offered in an as is condition without warranty of any kind expressed or implied.

P.S.G. NAIR,  
*for General Manager.*

*Second Publication*

**Land Control Act**

BE PLEASED TO TAKE NOTICE that Swandalee (Proprietary) Limited intends to apply to the Minister for consent to enter into a controlled transaction with the Executor of the Estate of the Late Stephanus Johannes Van Wyk as follows:-

<b>SELLER:</b>	Executor Estate Late Stephanus Johannes Van Wyk
<b>PURCHASER:</b>	Swandalee (Proprietary) Limited
<b>PROPERTY:</b>	<b>CERTAIN:</b> Farm "Lekkerpoet" 37/MR Tuli Block
	<b>SITUATE:</b> in the Tuli Block
	<b>MEASURING:</b> 2 500 (Two Thousand Five Hundred) morgan

**CONSIDERATION:** The Pula equivalent of R30 000 (Thirty Thousand Rand).

Any person wishing to object to the above proposed transaction may give written notice of his objection with reasons therefore to the undersigned and to the Minister of Local Government and Lands within 30 (Thirty) days of the date of publication hereof.

*Second Publication*

**Change of Name**

PURSUANT to section 22(1) of the Companies Act, (Cap. 42:01) as amended, notice is hereby given that Air Services Botswana (Pty) Ltd., proposes to request the Registrar of Companies for his written approval to change the name of the company to Kgalagadi Investments (Pty) Limited, after 14 days of the second publication of this notice.

J.L. BYRNE for and on behalf of the company, P.O. Box 10102, GABORONE.

*Second Publication*

**Change of Name**

NOTICE IS HEREBY given that Super Motors & Engineering (Proprietary) Limited proposes to request the Registrar of Companies pursuant to section 22(1) of the Companies Act, (Cap. 42:01) for his approval to change the name of the Company to DEE ESS (Proprietary) Limited after 14 days of the second publication of this notice.

C.R. & CO. (PROPRIETARY) LIMITED, for and on behalf of the Company, P.O. Box 1157,  
GABORONE.

*Second Publication*

**Notice of Application to Alter Name or Style of Business**

NOTICE IS HEREBY given that the undersigned intends to apply for the alteration of style of business in terms of section 28 (1) (a) of the Trading Act, (Cap. 43:02) from Restaurant to Small General Trading in respect of Premises situated at Ratholo and that the Central District Council has determined that the application shall be heard by the licensing Authority on the 28th April, 1983.

W. MANYANA, P.O. Box 26, Moeng, Palapye.

*Second Publication***Disposal of Interest in Business**

NOTICE IS HEREBY given in terms of section 25 (10) of the Trading Act, 1966, that the I, Magdalene Thembeni Seboni t/a Thembies Corner Shop have disposed of my entire interest in Thembies Corner Shop carrying on the business of Small General Trading, Restaurant and Fresh Produce to Shamshad Ahmed Khan who will continue to trade at the same address and under the style of Duwaliyah Commercial Enterprises.

M.T. SEBONI, c/o Kirby, Helfer, P.O. Box 882, GABORONE.

*Second Publication***Disposal of Interest**

NOTICE IS HEREBY given in terms of section 28 (1) (b) of the Trading Act, 1966, that I, Keetile Muzila have disposed of my entire interest in Champa — Di Marumo Restaurant carrying on the business of Restaurant to Tabana Motladiile who will continue to trade at the same address and under the same style of Restaurant.

K. MUZILA, P.O. Box 796, MAHALAPYE.

*Second Publication***Disposal of Interest**

NOTICE IS HEREBY GIVEN in terms of section 28 (1) (b) of the Trading Act, (Cap. 43:02) that I, Mosupiemang B. Molosiwa, have disposed of my entire interest in Zoa Small General Trading carrying on the business of Small General Trading to David Ositang of Box 47 Letlhakane, who will continue to trade at the same address and under the same style of Small General Trading.

M.B. MOLOSIWA, P.O. Box 7, LETLHAKANE.

*Second Publication***Agents Licence**

NOTICE IS HEREBY given that Skye Products (Pty) Ltd., of 15 Fulton Street, Industria, Johannesburg intends to apply for an Agent's Licence to trade in the following goods:

Sunglasses, imitation jewellery, footwear, track suits, tee-shirts and clothing.

Represented by: Cassim Nathie and Richard Gordon Hyde both of 15 Fulton Street, Industria, Johannesburg.

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

*Second Publication*

## Licences

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

<i>Name and Address</i>	<i>Type of Licence</i>	<i>Location</i>	<i>Council</i>	<i>Date of hearing</i>
O. Motlolatsoku, P.O. Middlepits.	Cafe	Middlepits Village	Kgalagadi District Council	13.6.83
B. Noko, P.O. Box 44, Tsabong.	Small General Trading	Khuis Village	Kgalagadi District Council	13.6.83
D.J. Tshabalala, P.O. Box 10280, Selebi-Phikwe.	Small General Trading	Botshabelo South	Selebi-Phikwe Town Council	20.4.83
B.N. Dabgwe, Mapoka Village, P.O. Ramokgwebana.	Small General Trading	Mapoka	North East District Council	29.4.83
N.R.E. Pilane, P.O. Box 10108, Gaborone.	General Trading	Plot 4752 Broadhurst	Gaborone Town Council	20.4.83
E. Valanidas, P.O. Box 729, Gaborone.	Restaurant	Lot 5178 Ext. 14, Gaborone	Gaborone Town Council	20.4.83
K.T.T. Tshipana, P.O. Box 10144, Gaborone.	Restaurant	Broadhurst Lot 10226	Gaborone Town Council	20.4.83
N. Kala, c/o Minchin & Kelly, P.O. Box 1339, Gaborone.	General Trading	Lot 13120 Gaborone Extension 25	Gaborone Town Council	20.4.83
N. Kala, c/o Minchin & Kelly, P.O. Box 1339, Gaborone.	Fresh Produce	Lot 13120 Gaborone Extension 25	Gaborone Town Council	20.4.83
Minchin & Kelly. P.O. Box 1339, Gaborone.	Speciality	Gaborone Airport	Gaborone Town Council	20.4.83
Conwes Botswana (Pty) Ltd., c/o Minchin & Kelley, P.O. Box 1339, Gaborone.	Wholesale	PLot 5623 Extension 16 Gaborone	Gaborone Town Council	20.4.83
N. Sefo, P.O. Box 113, Maun.	Small General Trading	Mothibi's Kgotsa Maun	North West District Council	11.4.83
R. Oageng, P.O. Box 96, Sehitwa.	Small General Trading	Sehitwa	North West District Council	11.4.83
T. Motladiile, P.O. Box 796, Mahalapye.	Restaurant	Morale in Mahalapye	Central District Council	28.4.83
D. Ositang, P.O. Box 47, Lethakane.	Small General Trading	Lethakane	Central District Council	28.4.83
D. Molosiwa, P.O. Box 244, Palapye.	Chibuku Bar	Palapye — Serorome Ward	Central District Council	28.4.83
G.R. Molosiwa, P.O. Box 3, Serule.	Chibuku Bar and Depot	Serule	Central District Council	28.4.83
O. Bantsi, P.O. Box 4, Tonota.	Small General Trading	Maboledi Ward — Tonota	Central District Council	28.4.83

H. Mokwena, Phethu Mphoeng School, P.O. Box 29, Mmadinare.	General Trading	Mmadinare	Central District Council	28.4.83
B. Bolokang, P.O. Box 363, Serowe.	Small General Trading	Serowe	Central District Council	28.4.83
D.K.J. Matshaba, P.O. Box 2, Moeng. Via Palapye.	Chibuku Depot	Ratholo Village	Central District Council	28.4.83
G. Sikalesele, P/Bag 10463, Tatitown.	Small General Trading	Sebina/Maun Road Junction	Central District Council	28.4.83
R. Tape, P.O. Box 50, Serowe.	Chibuku Depot and Bar	Mmashoro	Central District Council	28.4.83
T. Bogopa, Molebatsi School, P.O. Box 49, Moeng, Palapye.	Small General Trading	Majwaneng Village	Central District Council	28.4.83
W. Manyana, Moeng College, P.O. Box 26, Palapye.	Chibuku Depot and Bar	Ratholo	Central District Council	28.4.83
I. Gibbs, P.O. Box 625, Francistown.	Small General Trading	Sebina Road	Central District Council	28.4.83
M. Tilane, P.O. Box 264, Orapa.	Small General Trading	Toromoja in Boteti Area	Central District Council	28.4.83
M. Nthaba, P.O. Box 195, Mahalapye.	Small General Trading	Tidimalo (Mahalapye Village)	Central District Council	28.4.83
N. Moatshe, P.O. Box 25, Sikwane.	Butchery	Boseja	Kgatleng District Council	28.4.83
Bob & Eldy Investments (Pty) Ltd., P.O. Box 70, Moshupa.	General Trading (Supermarket)	Moshupa	Southern District Council	7.4.83
T. Phirinyane, P/Bag 1, Orapa.	(Furniture Shop) Speciality	Kanye Central	Southern District Council	7.4.83
B. Molosi, P.O. Box 823, Mahalapye.	Restaurant	Mahalapye	Central District Council	28.4.83
G. Koontse, P.O. Box 10014, Borolong, Francistown.	Small General Trading and Chibuku Depot	Barolong Village	Central District Council	28.4.83

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

*Second Publication*

**Hawker's Licence**

Notice is hereby given that the undersigned intends 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>
G. Maapatsane, Lehututu Village, P.O. Lehututu.	Lehututu	Kgalagadi District Council	13.6.83
W. Boitshepo, P.O. Box 86, Shashe.	Shashe Bridge, Mabethe, Morotole and Motopi	North East District Council	29.4.83
E. Moduka, P.O. Box 100, Ramotswa.	Sebele, Ramotswa, Tlokweng, Otse, Mogobane and Ramotswa Station	South East District Council	30.3.83
B. Motlogelwa, P.O. Box 218, Kanye.	Jwaneng Township	Jwaneng Township Authority	6.4.83
M. Morwe, Private Bag 09, Digawana Village.	Jwaneng	Jwaneng Township Authority	6.4.83
W.N. Wantwa, P.O. Box 77, Jwaneng.	Jwaneng Township	Jwaneng Township Authority	6.4.83
D. Kanyeto, P.O. Box 129, Maun.	Mababe, Khwai and Shorobe	North West District Council	11.4.83
J.M. Ramontshonyana, P.O. Box 40, Kanye.	Machana, Kgonkwe, Motsentshe, Mmadikalong, Sefikile, Gatampa, Mmabelele, Digwete, Gamatlhaku, Lotlhakane (Machana), Tladingwane and Gakwatlapane	Southern District Council	7.4.83
K. Keatlholetswe, Moshupa Village, P.O. Box 22, Moshupa.	Sobe, Mantsatsana, Kgotsa and Ledubeng	Southern District Council	7.4.83
S. Sefela, P.O. Box 62, Kanye.	Tlapaneng, Dinatshana, Mogapinyana, Gantlelanama, Gasegwagwa, Tirwane, Sesu, Jwaneng, Garamonnidi and Pelotshetlha	Southern District Council	7.4.83
P. Seralanyane, P.O. Box 84, Kanye.	Kanye, Selokolela, Moshana, Sesu, Lotlhakane (west), Maokane, Ralekgetho, Pitseng and Molapowabasadi	Southern District Council	7.4.83
M. Garogwe, P.O. Box 331, Lobatse.	Kolepane, Borite, Kgomokasitwa, Mantshe and Motsenekatse	Southern District Council	7.4.83
M.F. Maruping, P.O. Box 433, Kanye.	Seokangwane, Motsenekatse, Moselebe, Gamoswaane, Pelotshetlha, Lotlhakane, Dibajakwena, Lorwaneng, Lokgwathi, Tlaakgama, Maisane and Malau	Southern District Council	7.4.83
M. Bakgaleme, Kalkfontein Village, P/Bag 7, Ghanzi.	Nxogodimo, Gobololo and G11	Ghanzi District Council	13.4.83
C.R. Ntebele, P/Bag Radisele, Via Mahalapye.	Ramherwane, Thebane, Pitseeosi, Tsholwane, Lemone, Kebuakabomo, Dikhu, Sukunya and Matsweenyane	Central District Council	28.4.83

G. Malumbela, Ntobgwe Small General Dealer, P.O. Box 711, Francistown.	Matsitama, Maxothaye, Mosetse, Nshakazhokwe and Sebina	Central District Council	28.4.83
B. Mhaka, Moiyabana Postal Agency, Via Serowe.	Leupane, Mabogo, Dinakeding, Mabuo, Lepalapala, Maxno, Chaixlam, Matonane, Mmamodzebe, Guukho, Xnoxno and Moiyabana	Central District Council	28.4.83
J. Sibanda, P.O. Box 10417, Tatitown.	Kgoronyane cattle post, Mokibilo, including all cattle posts between and Semotswane to Dzoroga including all cattle posts between	Central District Council	28.4.83
T. Moepeng, P.O. Box 54, Tonota.	Kaisara cattle post, Plate <del>54</del> <sup>55</sup> and Moshaiwa	Central District Council	28.4.83
K. Mpuang, P.O. Box 543, Serowe.	Molodi, Mmakhumo, Taukome, Bonwanonyane, Diphiri, Lechana (2), Bojanamane, Tsa-tsa, Letlhaping and Lekobolo	Central District Council	28.4.83
N. Setimela, Tatitown School, P.O. Box 510, Francistown.	Dukwe, Semowane, Soapan and Tshaathoka	Central District Council	28.4.83
M. Kaelo, P.O. Box 102, Francistown.	Mmatswale-Ke Mogwe, Fiishi, Mohudiri, Matlhomaganyane, Modimo-ga-je lands, Mmalebatana, Radipetla, Sekgarabana lands and Mothathe lands	Central District Council	28.4.83
K. Pheto, P.O. Box 286, Mahalapye.	Modiane lands, Tobela lands, Kgwaamathe lands, Semitwe cattle post, Konowa cattle post, Phokoje lands, Thosa lands and Rajimi lands	Central District Council	28.4.83
R. Modungwa, P.O. Box 10, Shoshong.	Tobela, Semitwa, Twetwee, Konowa, Thekwane, Mahibitswane and Kototshe	Central District Council	28.4.83
M. Masunga, Botswana Trading Store, P.O. Box 273, Francistown.	Mphane, Mooke, Kgoronyane, Jamakala, Mosu, Lekobeng, Sepalole, Kaotshaa, Chamine, Lebu, Jamataka, Matakana and Bodibeng	Central District Council	28.4.83
R. Kobe, P.O. Box 680, Molepolole.	Ratshere, Konye and Tsimane	Kweneng District Council	28.4.83
B. Motseonageng, Maboane Village, P.O. Box 9, Letlhakeng.	Satse, Matsabane, Ditshukudu, Maseru and Metsibothoko	Kweneng District Council	28.4.83
H.J. Murray, P.O. Box 20193, Gaborone.	Gaborone New International Airport	Kweneng District Council	28.4.83
J.M. Vati, P.O. Box 957, Gaborone.	Extension 14, 13 and 18	Gaborone Town Council	20.4.83
C. Maja, P.O. Box 20508, Gaborone.	Ext. 13, 23 and 32	Gaborone Town Council	20.4.83
N. Konyana, P.O. Box 2098, Gaborone.	Ext. 8, 14 and 20	Gaborone Town Council	20.4.83



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

*Second Publication*

**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>Type of Licence</i>	<i>Place(s) where Licences applied for</i>	<i>Council</i>	<i>Date of hearing</i>
S. Mooketsi, P.O. Box 25, Otse.	Street Vendor	Lesetheng and Otse	South East District Council	27.4.83
G. Kobue, P.O. Box 10, Ramotswa.	Street Vendor	(Goo-Kubela) Ramotswa	South East District Council	30.3.83
C. Sebape, P.O. Box 1057, Gaborone.	Street Vendor	Ext. 27	Gaborone Town Council	20.4.83
N. Mogotsi, P.O. Box 20140, Gaborone.	Street Vendor	Ext. 13 Old Naledi	Gaborone Town Council	20.4.83
M. Disang, P.O. Box 1216, Gaborone.	Street Vendor	Ext. 32	Gaborone Town Council	20.4.83
R. Tshipe, P.O. Box 985, Gaborone.	Street Vendor	Ext. 8 Bontleng	Gaborone Town Council	20.4.83

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

*Second Publication*

**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 Fresh Produce Licence from Magdalene Thembeni Seboni t/a Thembies Corner Shop to Shamshad Ahmed Khan t/a Duwaliyah Commercial Enterprises in respect of Lot 4753 Gaborone, Extension 16 and that the Gaborone Town Council has determined that the application shall be heard by the Licensing Authority on the 20th April, 1983.

S.A. KHAN, c/o Kirby, Helfer, P.O. Box 882, GABORONE.

A transfer of Restaurant Licence from Magdalene Thembeni Seboni t/a Thembies Corner Shop to Shamshad Ahmed Khan t/a Duwaliyah Commercial Enterprises in respect of Lot 4753 Gaborone, Extension 16 and that the Gaborone Town Council has determined that the application shall be heard by the Licensing Authority on the 20th April, 1983.

S.A. KHAN, c/o Kirby, Helfer, P.O. Box 882, GABORONE.

A transfer of General Trading Licence from Magdalene Thembeni Seboni t/a Thembies Corner Shop to Shamshad Ahmed Khan t/a Duwaliyah Commercial Enterprises in respect of Lot 4753 Gaborone, Extension 16 and that the Gaborone Town Council has determined that the application shall be heard by the Licensing Authority on the 20th April, 1983.

S.A. KHAN, c/o Kirby, Helfer, P.O. Box 882, GABORONE.

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

*Second Publication*

**Licences**

Notice is hereby given that the undersigned intends to apply for a certificate in terms of section 10 of the P.T. Trading Act, 1966 (No. 6 of 1966) to obtain a

<i>Name and Address</i>	<i>Type of Licence</i>	<i>Location</i>	<i>Council</i>	<i>Date of hearing</i>
Looking Good (Pty) Ltd., P.O. Box 49, Francistown.	General Trading	9819 Ext. 18	Gaborone Town Council	20.4.83
Modern Equipment, P.O. Box 1713, Gaborone.	General Trading	Plot 5641/2 Ext. 20	Gaborone Town Council	20.4.83
Moorad Brothers, P.O. Box 40, Gaborone.	Fresh Produce	Tlokwen	South East District Council	27.4.83
S. Mafohla, Everest Mills P.O. Box 496, Francistown.	Chibuku Depot	Ramokgwebana	Norh East District Council	29.4.83
Toppers Enterprises (Pty) Ltd., c/o Mosojane, Phumaphi & Co., <i>Applicant's Attorneys,</i> P.O. Box 484, Francistown.	Wholesale	Stand No. 226	Francistown Town Council	14.4.83
E.B. Gambule, c/o P.O. Box 2, Kasane.	Restuarant Bar and Filling Station	Pandamatenga Cross Roads	District Commissioner Kasane	29.4.83
U. Phukuntsi, P.O. Box 125, Thamaga.	Brickyard	Thamaga	Kweneng District Council	28.4.83
P.T. Tsimamma, P.O. Box 446, Molepolole.	Fresh Produce	Ntloedibe Ward	Kweneng District Council	28.4.83
R.M. Ferguson, P.O. Box 1002, Gaborone.	Chibuku Depot and "B" Compound	Jwaneng	Jwaneng Township Authority	6.4.83
A. Molebatsi, Private Bag 18, Jwaneng.	Chibuku Depot	Machaneng	Central District Council	28.4.83
G.M. Bathuleng, P.O. Box 819, Mahalapye.	Chibuku Bar and Depot	Radisele	Central District Council	28.4.83
R.G. Bagwasi, P.O. Box 35/2, Mahalapye.	General Trading	Moiyabana Village	Central District Council	28.4.83
Gweta Cooperative Marketing Society (Pty) Ltd., P.O. Box 4, Gweta.	General Trading and Fresh Produce	Gweta Village	Central District Council	28.4.83
A. Pogiso, P.O. Box 49, Tatitown.	Small General Trading	Makomoto	Central District Council	28.4.83
G. Sechele, P.O. Box 208, Selebi-Phikwe.	Small General Trading	Mmadinare	Central District Council	28.4.83

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.

*First Publication*

**Hawker's Licence**

Notice is hereby given that the undersigned intends 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>
E.T. Seleka, Private Bag 04, Jwaneng.	Jwaneng Township	Jwaneng Township Authority	6.4.83
M. Mapogo, P.O. Box 30036, Tlokweng.	Tlokweng, Sebele and Ramotswa	South East District Council	27.4.83
N. Mmereki, P.O. Box 30, Jwaneng.	Jwaneng	Jwaneng Township Authority	6.4.83
K. Leina, P.O. Box 569, Kanye.	Jwaneng	Jwaneng Township Authority	6.4.83
S. Ganetsang, P.O. Box 144, Jwaneng.	Jwaneng	Jwaneng Township Authority	6.4.83
C.L. Kgaoganang, P.O. Box 10, Jwaneng.	Jwaneng	Jwaneng Township Authority	6.4.83
M.N. Selekanyo, c/o A. Kesenyeditswe, P.O. Box 7, Jwaneng.	Jwaneng	Jwaneng Township Authority	6.4.83
M. Chakalisa, P.O. Box 311, Jwaneng.	Jwaneng	Jwaneng Township Authority	6.4.83
S. Kethogetswe, P.O. Box 680, Gaborone.	Jwaneng	Jwaneng Township Authority	6.4.83
M.J. Morake, P.O. Box 349, Jwaneng.	Jwaneng	Jwaneng Township Authority	6.4.83
T.I.L. Kelebogile, P.O. Box 10, Jwaneng.	Jwaneng	Jwaneng Township Authority	6.4.83
I. Gabohiwe, P.O. Box 278, Lobatse.	Jwaneng	Jwaneng Township Authority	6.4.83
M.E. Masibane, P.O. Box 1922, Gaborone.	Jwaneng	Jwaneng Township Authority	6.4.83
V.O. Kesupile, P.O. Box 231, Jwaneng.	Jwaneng	Jwaneng Township Authority	6.4.83
A.M. Modimoothata, Private Bag 06, Jwaneng.	Jwaneng, Dinonyane, Moleleme and Sekoma Village	Jwaneng Township Authority	6.4.83
M. Kotlhao, Mosamowakwena Primary School, P.O. Box 235, Kanye.	Mosamowakwena, Motselekatse, Maisane, Tsheregetlhe, Moswana, Kamawe and Mmaleiso	Jwaneng Township Authority	10.5.83
J.K. Phitshana, P.O. Box 101, Kanye.	Mhuduhutswi, Gasita, Letlapana, Tsitsane, Mogapinyana, Kodie, Tirwane, Lorolwane, Moraga, Mookane, Ditojana and Mosimane	Southern District Council	10.5.83

N. Rakose, P.O. Box 92, Tsabong.	Lotlophi cattle post, Mokolomape cattle post, Kununuge cattle post, Maleshe cattle post, Khudugwane and Loherwane	Kgalagadi District Council	13.6.83
T. Muchawacha, Nata Village, P.O. Nata, Via Francistown.	Pandamatenga — Kazungula Road	District Commissioner Kasane	29.4.83
B. Phatswane, P.O. Box 389, Francistown.	Pandamatenga — Kazungula Road	District Commissioner Kasane	29.4.83
J.M. Pilane, P.O. Box 20835, Gaborone.	Extension 14, 46 and 8	Gaborone Town Council	20.4.83
S. Mogatwe, c/o B. Nonong, P.O. Box 816, Gaborone.	Extension 2, 8 and 14	Gaborone Town Council	20.4.83
K.S. Motlogelwa, P.O. Box 20697, Gaborone.	Extension 13, 8 and 16	Gaborone Town Council	20.4.83
K. Maitewa, P.O. Box 606, Gaborone.	Extension 13, 16 and 8	Gaborone Town Council	20.4.83
T. Orapeleng, P.O. Box 143, Serowe.	Motshegaletau, Masoko, Matlhwana Hills, Makhi I, II, III, Malebala and Moitshopori	Central District Council	28.4.83
K. Mokoba, P.O. Box 69, Xhomo Village.	Goi, Daukudi, Xhadio, Doaga, Gubulaoga, Sebolaphuti, Xherexhwa, Zaiyo, Swiswana, Xhauoxho, Beetsao, Zaoga, Morwamaoto, Xhamanokhwe, Nyomekane, Ledimokao and Suophiri	Central District Council	28.4.83
R. Sheleng, P.O. Box 40, Sebina, Via Francistown.	Goshwe and Mashawi	Central District Council	28.4.83
R. Lekgaba, P.O. Box 637, Francistown.	Shashe mooke lands, Makubandundu mooke cattle posts, Sekhu, Maleladigwagwa cattle posts and Segolome lands	Central District Council	28.4.83
U.I. Makame, P.O. Box 273, Francistown, Mathangwane.	Maobe, Bosulani, Mooke, Mosu, Lekoba, Mphani, Mmeya, Bokololo, Bonwantshe, Sebelogai, Debi, Lepashe, Gamogai, Samosungu, Maalaphate and Chemanama	Central District Council	28.4.83
G.D. Ngwenya, P.O. Box 317, Serowe.	New Moropole, Makoba, Letlakame, Mopipi, Toromoja, Madikola, Recopsi and Tsienyane	Central District Council	28.4.83
B.J. Mapine, Private Bag 001, Orapa.	Tshwantsha, Makomoxdana, Maditsenyane, Tswagong, Tumba, Lentswana, Gubaga, Phatshwanyane, Yaoyaoga, Mantshwe, Sexdara, Thabatshekudu, Nyonixwe, Kabega, Kaunxara, Xdoga, Gaitsha and Xhaneo	Central District Council	28.4.83
G. Gabatshwane, P.O. Box 203, Mahalapye.	Makoro, Bikwe, Radisele, Tewane, Mogome, Lose and Mokgone	Central District Council	28.4.83

S. Xhago, P.O. Box 359, Bobonong.	Moshashambe, Kobe, Lenyetse 1, Lenyetse 2, Mapanda, Setempe and Mothwane	Central District Council	28.4.83
B. Shapi, P.O. Box 18, Sebina.	Nyakare, Sua, Simetwe, Semowane, Zoroga, Maotakgang, Matapudza and Xiare	Central District Council	28.4.83
M. Seshike, Botshabeleo, P.O. Box 10288, Selebi-Phikwe.	Keisane land, Leribe land and Lekomotong land	Central District Council	28.4.83
U. Kenneth, P.O. Box 41, Palapye.	Modala, Mangotae, Nikati, Marulamantse and Sepako	Central District Council	28.4.83
B. Basupi, P.O. Box 16, Sebina.	Bulalatsiye, Likoba, Mpani, Sikulwane, Shate, Thakutse, Sepalule, Koronyani, Mahelekواني, Bunwatholo and Sebinanyani	Central District Council	28.4.83

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.

*First 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>Type of Licence</i>	<i>Place(s) where Licences applied for</i>	<i>Council</i>	<i>Date of hearing</i>
D. Olifile, P.O. Box 69, Gaborone.	Street Vendor	Extension 13 (Old Naledi)	Gaborone Town Council	20.4.84
M. Tladi, P.O. Box 63, Gaborone.	Street Vendor	Extension 13	Gaborone Town Council	20.4.83

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.

*First Publication*

**Disposal**

NOTICE IS HEREBY given in terms of section 28 (1) (b) of the Trading Act Cap. 43:02 I, Geoffrey Z. Khan have disposed of my entire interest in Tsholetsa Fresh Produce carrying on the business of Fresh Produce in respect of the premises situated at Ntloedibe to Mr Peter T. Tsimamma who will continue to trade at the address P.O. Box 446, Molepolole under the same name as a Fresh Produce.

J.Z. KHAN, P.O. Box 666, MOLEPOLOLE.

*First Publication*

### **Transfers**

NOTICE IS HEREBY given that the undersigned intends to apply for a certificate in terms of "Trading Act (Cap. 43:02)" to obtain:

A transfer of General Trading Licence from Plot 5680 to Plot 5641 in respect of the premises situated at Extension 16 Broadhurst and that the Gaborone Town Council, has determined that the application shall be heard by the Licensing Authority on the 20th April, 1983.

**CENTURY OFFICE SUPPLY (PTY) LTD., P.O. Box 1478, GABORONE.**

A transfer of General Trading, Restaurant and Fresh Produce Licences from Mrs A.M. Jaset of Kismet Trading Store to Kismet Trading Store (Pty) Ltd., in respect of premises situated at Francistown and that the Francistown Town Council has determined that the application shall be heard by the Licensing Authority on the 14th April, 1983.

**KISMET TRADING STORE (PTY) LTD., P.O. Box 202, FRANCISTOWN.**

A transfer of Restaurant from Melosi P. Ndebele to Mr Philemon H. Ndebele as Small General in respect of the premises situated at Tsamaya and that the North East District Council, has determined that the application shall be heard by the Licencing Authority on the 29th April, 1983.

**MR PHILEMON NDEBELE, P.O. Box 710, FRANCISTOWN.**

A transfer of Garage, Filling Station and Fresh Produce Licences to Angeline Rampa in respect of the premises situated at Pilane and that the Kgatleng District Council has determined that the application shall be heard by the Trade Licensing Advisory Committee on the 28th April, 1983.

**ANGELINE RAMPA, Bokaa Village, P.O. Box 248, MOCHUDI.**

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

*First Publication*

### **Notice of Application to Alter Name or Style of Business**

NOTICE IS HEREBY given that the undersigned intends to apply for the alteration of style of business in terms of section 28 (1) (a) of the Trading Act, (Cap. 43:02) from Restaurnat to Small General Trading in respect of premises situated at Shashe Tonota and that the Central District Council has determined that the application shall be heard by the Licensing Authority on the 28th April, 1983.

**E.C. HUTTON, P.O. Box 91, SHASHE.**

*First Publication*

### **Notice of Application to Alter Name or Style of Business**

NOTICE IS HEREBY given that the undersigned intends to apply for the alteration of style of business in terms of section 28 (1) (a) of the Trading Act, (Cap. 43:02) from Restaurnat to Small General Trading in respect of premises situated at Tobane and that the Central District Council has determined that the application shall be heard by the Licensing Authority on the 28th April, 1983.

**M. MMEREKI, P.O. Box 98, MMADINARE.**

*First Publication*

### **Disposal of Interest in Business**

NOTICE IS HEREBY given in terms of section 28 of the Trading Act, 1966, that I, Peter Masty Tiego Dibotelo have disposed of my entire business of Pilane Garage Filling Station and Fresh Produce at the premises situated at Pilane to Angelina Rampa who will continue to trade under the same name and same style.

P.M.T. DIBOTELO, P.O. Box 248, MOCHUDI.

*First Publication*

### **Drillers Licence**

BE PLEASED TO TAKE NOTICE that application will be made to the National Licensing Authority Board on the 27th April, 1983 for a drilling licence to be granted to Delta Drilling (Proprietary) Limited in respect of premises situate at Stand 1248, Industrial Site, Gaborone.

This application will be heard by the National Licensing Authority Board on the 27th April, 1983.

Any person who objects thereto is required to communicate in writing with the Ministry of Commerce and Industry, together with a copy to the applicant's Attorneys, Richard A. Lyons, P.O. Box 160, Tirelo House, The Mall, Gaborone, within 7 days of the second publication of this notice, of his intention to oppose such application and state the grounds upon which objection is based.

RICHARD A. LYONS, P.O. Box 160, Tirelo House, The Mall, GABORONE.

*First Publication*

### **External/Agencies Representative Licence**

NOTICE IS HEREBY given that K.J Reinheimer (Botswana) 1983 (Proprietary) Limited intends to apply for an External Representative Licence to act as agents, importers and exporters of merchandise of all descriptions and in particular purveyors of footwear and leather wear.

Represented by: F. Levi.

Any person objecting to the granting of such certificate should within 7 days of the second publication of this notice give notice in writing to the National Licensing Authority Board, Private Bag 004, Gaborone, together with a copy to the applicant's Attorneys, Richard A. Lyons, P.O. Box 160, Tirelo House, The Mall, Gaborone, of his intention to oppose such application and state the grounds upon which objection is based.

RICHARD A. LYONS, P.O. Box 160, Tirelo House, The Mall GABORONE.

*First Publication*

### **GREENGOLD (PTY) LIMITED (IN LIQUIDATION)**

*Civil Cause No. 5 of 1979*

NOTICE IS HEREBY given pursuant to section 251 (2) of Cap. 42:01 that the First and Final Liquidation and Distribution Account has been confirmed by the Master of the High Court, in the matter of Greengold (Pty) Limited (In Liquidation), providing for award to Secured Creditor only.

NORMAN SIFRIS,  
GERALD LIPSCHITZ,

For: GERHARD MULLER,  
*Joint Liquidators*

TRUST & EXECUTOR CO. (PTY) LIMITED, P.O. Box 1572, GABORONE.

### **ESTATE LATE JAGGER RICHARD PULE**

*E 1271/79*

NOTICE IS HEREBY given pursuant to section 61 (5) of Cap. 31:01 that the Third Liquidation and Distribution Account will lie for inspection at the Offices of the Master of the High Court, Lobatse and the Magistrate, Gaborone for a period of 21 days commencing Friday the 25th March, 1983.

For: J.W. BODENSTEIN  
*Executor*

TRUST & EXECUTOR CO. (PTY) LIMITED, P.O. Box 1572, GABORONE.

**North West District Council — Tender No. 1 1983**

NORTH WEST DISTRICT COUNCIL invites tenders for the following vehicles with extras delivered to North West District Council, Maun.

**A. Mercedes Benz LA 1113/42 4 × 4) single rear wheel extra**

- (i) 4 mm flat bed with dropsides
- (ii) Extra spare wheel
- (iii) Bush Guard
- (iv) Electric Winch
- (v) 200 litre fuel tank

**B. Toyota DA 116 7 Ton**

- (i) Single Rear wheel
- (ii) Bush Guard
- (iii) 200 litre long range tank
- (iv) Extra spare wheel

All extras should be quoted separately. Warranty information is required with tender.

Tender must be submitted in a plain sealed envelope clearly marked "Tender No. 1 1983" and addressed to Council Secretary, North West District Council, Private Bag 001, Maun and not reach later than 4 p.m. on the 18th April, 1983. Council is not bound to accept the lowest tender.

**J. ROCKHOLD,**  
*for Council Secretary.*

*First Publication*

**Kweneng District Council — Tender No. 2 of 1983**

KWENENG DISTRICT COUNCIL invites tenders for the construction of classrooms as follows:-

*Bakwena National School*

3 classroom/block our plan No. KDC/S/G/1.1

*Lewis Memorial School*

4 classroom block our plan No. KDC/S/C/1

*Borakalalo Primary School*

4 class room block our plan No. KDC/S/C/1.1

*Boribamo School*

1 classroom our plan No. KDC/S/C/1.1 tenderers supply both labour and materials. Contractors to state the starting time and the anticipated date of completion. Plans and other details can be obtained from Works Department after paying a non refundable fee of ten pula only (P10.00). Tenders to be sent in sealed envelopes clearly marked "Tender No. 2 of 1983" and addressed to the Council Secretary, Private Bag 5, Molepolole and to reach him not later than the 22nd April, 1983.

The lowest or any tender will not necessarily be accepted.

**J.K. MONTSHO,**  
*for Council Secretary.*

*First Publication*

**Damaged or Destroyed Deed**

NOTICE IS HEREBY given that I intend applying for a copy of Deed of Fixed Period State Grant No. 100/78 registered on 24th April, 1978 in favour of James Alexander MCLEAN in respect of :-

**CERTAIN:** Lot 145;

**SITUATE:** in Ghanzi Extension 1;

**MEASURING:** 8398 (Eight Thousand three Hundred and ninety-eight) English Square feet.

Any person having objection to the issue of such copy is hereby required to lodge the same in writing with the Registrar of Deeds, Private Bag 0020, Gaborone within (Three) weeks of the last publication of this notice.

DATED at Lobatse this 28th of 11th day of March, 1983.

M. DEBOTELO, 1B Dormill Building, Khama 1 Avenue, P.O. Box 43, LOBATSE.



**Insolvent Estate John William Gallichan***Civil Cause No. 72 of 1977*

NOTICE IS HEREBY given pursuant to section 97 (2) of the Insolvency Act, Cap. 16:01 that the First and Final Liquidation and Distribution Account in the matter of Insolvent Estate John William Gallichan has been confirmed by The Master of the High Court, providing for awards to Secured and Concurrent Creditors.

For: DOUGLAS JOHN KLERCK  
*Trustee.*

TRUST & EXECUTOR CO. (PTY) LIMITED, P.O. Box 1572, GABORONE.

**IN THE SUBORDINATE COURT OF THE FIRST CLASS FOR THE SOUTH WEST  
MAGISTERIAL DISTRICT  
HOLDEN AT KANYE**

*Case No. 819/82*

In the matter between:

ANTHONY MAFOKATE	<i>Plaintiff</i>
and	
MOLEBI JEFFERSON PHIRI	<i>Defendant</i>

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**NOTICE OF SALE IN EXECUTION**

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

<b>PLACE:</b>	Magistrate Chambers, Kanye
<b>TIME:</b>	10.00 a.m. 25th March, 1983
<b>TERMS:</b>	Cash or bank guaranteed cheques
<b>PROPERTY TO BE SOLD:</b>	One Hifi Set with 2 speakers (Tempest)
	One Bookshelf
	One Single Hot Plate (Electric)

DATED at Gaborone this 14th day of March, 1983.

DOREEN KHAMA, *Plaintiff's Attorney*, P.O. Box 335, Fourth Floor Standard House, GABORONE.

**IN THE SUBORDINATE COURT OF THE FIRST CLASS FOR THE GABORONE DISTRICT  
HELD AT GABORONE**

*Case No. G. 828/82*

In the matter between:

TRUST WHOLESALERS (PTY) LTD	<i>Plaintiff</i>
and	
MR H. CHAND t/a VILLAGE GENERAL TRADING STORE	<i>Defendant</i>

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**NOTICE OF SALE IN EXECUTION**

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IN PURSUANCE of a Writ of Execution of movable property issued against the Defendant, the following items will be sold by public auction outside the Defendant's premises, at Sikwane, Botswana, on Friday the 29th day of April, 1983, namely:

One five piece lounge suite  
Two glass coffee tables

Please note that only cash or bank guaranteed cheques will be accepted.

DATED at Gaborone this 8th day of March, 1983.

MINCHIN & KELLY, *Plaintiff's Attorneys*, 4th Floor Botsalano House, P.O. Box 1339, GABORONE.

**IN THE SUBORDINATE COURT OF THE FIRST CLASS FOR THE GABORONE  
MAGISTERIAL DISTRICT  
HELD AT GABORONE**

*Case No. G. 514/82*

In the matter between:

**YASIER (PTY) LTD  
and  
WILLIAM DITLHABI**

*Plaintiff*

*Defendant*

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**NOTICE OF SALE IN EXECUTION**

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

**PLACE:** Gaborone Magistrate Court  
**TIME:** 10.00 a.m. 25th March, 1983  
**TERMS:** Cash or bank guaranteed cheque  
**PROPRETY TO BE SOLD:** Datsun — Registration No. BD 23

DATED at Gaborone this 10th day of March, 1983.

DOREEN KHAMA, *Plaintiff's Attorney*, P.O. Box 335, Fourth Floor Standard House, GABORONE.

**IN THE HIGH COURT OF THE REPUBLIC OF BOTSWANA  
HELD AT LOBATSE**

*Case No. CT 543/82*

In the matter between:

**BOTSWANA BUILDING SOCIETY  
and  
GOODWIN GALEBOE THWANE**

*Plaintiff*

*Defendant*

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**NOTICE OF SALE IN EXECUTION**

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BE PLEASED TO TAKE NOTICE that pursuant to a judgment of the above Honourable Court granted on 21 January 1983 the following immovable property will be sold by public auction by Deputy Sheriff I. C. PANDOR to the highest bidder at the site of the property as follows:-

**DATE OF SALE** 13th April, 1983;  
**TIME OF SALE** 10 a.m.  
**VENUE OF SALE** Lot 7988, Extension 25, Broadhurst II, Gaborone.  
**PROPERTY DESCRIPTION** as above"  
**CONDITIONS OF SALE** Purchase price will be payable as to 10% in cash on the date of sale or by Bank guaranteed cheque, the balance to be paid on transfer and to be secured by a Bank or Building Society guarantee to be provided within seven (7) days of the sale. Full and further conditions of sale may be inspected at the offices of the Deputy Sheriff I.C Pandor, High Court, Lobatse, on the Notice Board of the District Commissioner, Gaborone and at the offices of Kirby, Helfer Attorneys, First Floor, Cooperative House, The Mall, Gaborone.

DATED at Gaborone this 9th day of March, 1983.

KIRBY, HELFER, *Plaintiff's Attorneys* P.O. Box 882, 170 GABORONE.

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

HELD AT LOBATSE

Case No. CT 8/83

In the matter between:

YUSUF ABDULLA

*Plaintiff*

and

R.E. SCHRODER

*Defendant*

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**SALE IN EXECUTION**

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IN PURSUANCE of a Writ of Execution of movable property issued against the Defendant, the following property will be sold by public auction to the highest bidder at Lobatse outside the Magistrate Court on Thursday, 7th April, 1983 at 10.00 a.m., namely:

- (a) 15 Mixed Calves;
- (b) 5 Jersey Cows one with calf;
- (c) 12 Freesland Cows;
- (d) 1 Sermintal Cow;
- (e) 2 Cows;
- (f) 1 Cross Brahman Bull.

Kindly note that only cash or Bank guaranteed cheques will be accepted.

M. DIBOTELO, *Plaintiff's Attorney*, 1B Dormill Building, Khama 1 Avenue, P.O. Box 43, LOBATSE.

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

HELD AT LOBATSE

Case No. CT 42/83

In the matter between:

DEFY CORPORATION (PTY) LIMITED

*Plaintiff*

and

BISMELLA TRADING STORE (PTY) LIMITED

*Defendant*

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**NOTICE OF SALE IN EXECUTION**

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TAKE NOTICE THAT a sale in execution will be held by the Deputy Sheriff, Mr I.C. Pandor, pursuant to a judgment granted in the above matter on 7th March, 1983.

**DATE OF SALE:** Thursday 14th April, 1983

**TIME OF SALE:** 10.00 a.m.

**PLACE OF SALE:** Outside Magistrates Court Gaborone

**GOODS TO BE SOLD:** 2 X Cash Registers (tills)

3 X glass counters

40 pairs ladies boots

150 pairs ladies shoes

120 pairs men's shoes

50 pairs men's trousers

125 X ladies dresses

50 X children's dresses

25 X ladies jerseys

21 X Primus stoves

15 X bags

70 X men's shirts

**TERMS:**

Cash or bank guaranteed cheques immediately after the sale.

DATED at Lobatse this 9th day of March, 1983.

PETER COLLINS, *Plaintiff's Attorney*, P.O. Box 47, LOBATSE.

*First Publication*

### Notice of Loss or Destruction of Insurance Policy

NOTICE IS HEREBY given that Policy No. 299454 on the life and property of KELOTLHOKO B. MOLEFI has been reported to be lost or destroyed and any person in possession of policy, or claiming to have any interest in such policy, should communicate immediately by registered post with the Insurer. Failing any such communication, a certified copy of the policy (which shall be the sole evidence of the contract made by the policy) will be issued to the owner.

I.G.I. BOTSWANA LIMITED P.O. Box 715, GABORONE.

### Notice of Loss or Destruction of Insurance Policy

NOTICE IS HEREBY given that policy No. 251731 on the life and property of: YAMONG SEMETSA has been reported to be lost or destroyed and any person in possession of policy, or claiming to have any interest in such policy, should communicate immediately by registered post with the Insurer. Failing any such communication a certified copy of the policy (which shall be the sole evidence of the contract made by the policy) will be issued to the owner.

I.G.I. BOTSWANA LIMITED P.O. Box 715, GABORONE.

### BOTSWANA TELECOMMUNICATIONS CORPORATION

#### List of Prequalified Tenders

THE FOLLOWING companies are selected as prequalified tenderers for the Corporation's Development Programme:-

#### Switching/Radio/Transmission

Thomson C.S.F.  
Bell Telephone Manufacturing Company  
L.M. Ericsson  
C. Itoh & Company Ltd,  
Mitsui & Company Ltd,  
Siemens  
CIT-Alcatel  
G.E.C.  
Plessey  
G.T.E. Telecomuniazioni SPA

#### Cable Networks

Hitachi Cable  
L.M. Ericsson  
S.T.C.  
B.I.C.C.  
Mitsui & Company Ltd,  
Siemens  
Les Cables De Lyon  
NKF Kabel B. V.  
Cable Export  
Telephone Cables Ltd

N.T.K. MMONO,  
*Permanent Secretary,*  
*Ministry of Works and Communications.*

### Central District Council — Tender No. CDC/CTU2—83

THE CENTRAL DISTRICT COUNCIL INVITES tender for the supply of new vehicles.

- 1) Six × 7 ton vehicles.
- 2) One × 6 ton short wheel base vehicle.
- 3) Ten × 1 ton 4 × 2 vehicles.
- 4) Six × 1½ ton 4 × 4 vehicles.

Full details and specifications of the tender should be obtained on request from the Chief Technical Officer, Central District Council, Private Bag 001, Serowe.

All tender for consideration to reach the Council Secretary, Central District Council not later than 0900 hours on the 11th April, 1983.

L.L. MABUA,  
*Council Secretary.*

*Second Publication*

*Bill No. 8 of 1983*

**UNIFIED TEACHING SERVICE (AMENDMENT) BILL, 1983**  
(Published on 25th March, 1983)

**MEMORANDUM**

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

2. The object of the Bill is to amend the Unified Teaching Service Act to raise the compulsory age of retirement from 60 years to 65.

**K.P MORAKE,**  
*Minister of Education*

**ARRANGEMENT OF SECTIONS**

**SECTION**

1. Short title
2. Amendment of section 16 (2) of Cap. 62:01

**A BILL**

— entitled —

**An Act to Amend the Unified Teaching Service Act**

*Date of Assent:*

*Date of Commencement:*

ENACTED by the Parliament of Botswana.

1. This Act may be cited as the Unified Teaching Service (Amendment) Act, 1983. Short title

2. Section 16 (2) of the Unified Teaching Service Act is hereby amended by substituting for the figure "60" which appears therein, the figure "65". Amendment of  
section 16(2)  
Cap. 62:01

**L2/4/677 I**

*Bill No. 9 of 1983*

**CUSTOMS AND EXCISE DUTY (AMENDMENT) BILL, 1983**

*(Published on 25th March, 1983)*

**MEMORANDUM**

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

2. The object of the Bill is to amend the Customs and Excise Duty Act (Cap. 50:01) in order to comply with Botswana's treaty obligations under Article 10 of the Customs Union Agreement by bringing the Customs and Excise Duty Act into line with the changes which have been made (in June, 1982) to the customs legislation of the Republic of South Africa.

3. Clause 2 amends section 19 of the Act to establish the responsibility of licensees of bonded warehouses regarding taking and recording an accurate account of goods received in Warehouse including goods found in excess of the quantities entered for storage.

4. Clause 3 amends section 41 to make it obligatory for the responsible person to amend by means of voucher of correction any entry which does not comply with section 40 or is invalid in terms of section 41 (1). The amendment further states the circumstances in which a fresh bill of entry may be substituted for one passed in error.

5. Clause 4 amends section 42 as a result of the introduction of a new system of valuation for customs purposes as set out in clauses 11 to 16.

6. Clause 5 amends section 44 to provide for claims for charges and freight to be lodged with the Director in respect of the balance of proceeds of goods sold by the State in certain circumstances.

7. Clause 6 amends section 46 to define more clearly the time when goods are considered to have been entered for customs purposes.

8. Clause 7 is a textual amendment of subsection 49 (6) to indicate that anti-dumping duty and countervailing duty are leviable in terms of sections 57 and 58 respectively.

9. Clause 8 amends section 51 to empower the Minister, in addition to his powers to amend Part 2 (Excise Duty), Part 3 (Sales Duty) and Part 4 (Surcharge) of Schedule No. 1, to also withdraw or reintroduce such Parts whenever he deems it expedient in the public interest to do so and subject to the same accountability to the National Assembly as for all tariff schedule amendments.

10. Clause 9 amends section 62 to empower the Director to suspend a clearing agent's licence and also specifies the grounds for refusing any application for renewal of a licence or cancelling or suspending an existing licence.

11. Clause 10 amends section 64 to identify the circumstances in which an agricultural distiller's licence may be transferred.

## **B.64**

12. Clauses 11 to 13 amend sections 69 to 71.

13. Clause 14 amends section 73.

14. Clauses 15 to 16 amend sections 77 to 78.

15. The amendments provide for the incorporation in the Customs legislation of Botswana of the principles of customs valuation evolved by the international customs community in terms of the agreement on Implementation of Article VII of the General Agreement on Tariffs and Trade, otherwise known as the GATT Valuation Code.

16. South Africa has acceded to the agreement with effect from 1st July, 1983.

17. The amendment will enable Botswana to adopt the provisions of the agreement from the same date.

18. The implementation of this value concept will in its practical application not differ materially from the administration of the existing value concept of normal price as in the latter instance valuation is also principally based on the price actually paid or payable for imported goods.

19. Clause 17 amends section 79, to extend the period within which a refund or drawback may be applied for under subsection 15 (b) from one to six months.

20. Clause 18 amends section 80 to enable a refund of duty to be applied for in stated circumstances whether or not the importer has been compensated by insurance for the value of the goods inclusive of the duty. The deletion of subsection (6) effectively removes the obligation on importers to repay such refund or rebate to the Director in the stated circumstances.

21. Clause 19 amends section 81 to allow any duty refundable in terms of item 534.00 (goods used for manufacture of excise goods) of Schedule 5 to a licensee of Customs and Excise Warehouse to be set off against any amount of excise duty to which he subsequently becomes liable.

22. Clause 20 amends section 84 to extend the offence of "receiving" any rebate, drawback, refund or payment to the offence of "claiming" such amounts and incorporates other procedural changes following clause 18 amendment.

23. Clause 21 repeals section 101 which was inserted solely to empower the Minister to effect certain extraordinary amendments to the Schedules during 1973.

24. Clause 22 amends section 104 (2) (a), to specify the circumstances in which an agent will be absolved from the liability imposed on him for the acts of his principal.

25. Clause 23 amends section 118 to delete certain goods from the list of prohibited imports.

**P.S. MMUSI,**  
*Vice-President and Minister of  
Finance and Development Planning.*

## ARRANGEMENT OF SECTIONS

## SECTION

1. Short title and commencement
2. Amendment of section 19 of Cap. 50:01
3. Amendment of section 41 of principal Act
4. Amendment of section 42 of principal Act
5. Amendment of section 44 of principal Act
6. Amendment of section 46 of principal Act
7. Amendment of section 49 of principal Act
8. Amendment of section 51 of principal Act
9. Amendment of section 62 of principal Act
10. Amendment of section 64 of principal Act
11. Substitution of section 69 of principal Act
12. Substitution of section 70 of principal Act
13. Substitution of section 71 of principal Act
14. Amendment of section 73 of principal Act
15. Amendment of section 77 of principal Act
16. Substitution of section 78 of principal Act
17. Amendment of section 79 of principal Act
18. Amendment of section 80 of principal Act
19. Amendment of section 81 of principal Act
20. Amendment of section 84 of principal Act
21. Repeal of section 101 of principal Act
22. Amendment of section 104 of principal Act
23. Amendment of section 118 of principal Act

**A BILL**  
entitled

**An Act to amend the Customs and Excise Duty Act.**

*Date of Assent:*

*Date of Commencement:*

ENACTED by the Parliament of Botswana.

1. (1) This Act may be cited as the Customs and Excise Duty (Amendment) Act, 1983.

Short title  
and com-  
mencement

(2) Sections 4, 11, 12, 13, 14, 15 and 16 shall come into operation on 1st July, 1983, whilst section 19 shall be deemed to have come into operation on 3rd July, 1978.

2. Section 19 of the Customs and Excise Duty Act (in this Act referred to as "the principal Act") is hereby amended —

Amendment  
of section 19  
of Cap. 50:01

(a) by substituting for paragraph (a) of subsection (2) thereof, the following new paragraph —

“(a) (i) Upon the entry and landing of imported goods for storage in or the transfer of dutiable locally produced goods to a customs and excise warehouse or the transfer of dutiable manufactured goods from a customs and excise manufacturing warehouse to a customs and



excise storage warehouse, the licensee of any such warehouse in which such goods are stored or to which such goods are so transferred shall take and record an accurate account of such goods, which shall include, subject to any deduction that may be allowed under section 79 (19), the debiting to stock of any excess found on receipt of such goods at such warehouse;

- (ii) the licensee referred to in subparagraph (i) shall immediately upon the receipt of such goods report to the Director any such excess so found.”; and

(b) by deleting subsection (8) thereof.

Amendment  
of section 41  
of principal  
Act

3. Section 41 of the principal Act is hereby amended by substituting for paragraph (a) of subsection (3) thereof the following new paragraph —

“(a) Subject to the provisions of sections 80 and 81 and on such conditions as the Director may impose and on payment of such fees as the Minister may prescribe by regulation —

- (i) an importer or exporter or manufacturer of goods shall on discovering that a bill of entry presented by him does not in every respect comply with section 40, or is invalid in terms of subsection (1), forthwith adjust that bill of entry by means of a voucher of correction or in such other manner as the Director may prescribe; or
- (ii) if a bill of entry has been passed in error by reason of duty having been paid on goods intended for storage or manufacture in a customs and excise warehouse under section 19 or for use under rebate of duty under section 79, the Director may allow the importer, exporter or manufacturer concerned to adjust that bill of entry by substitution of a fresh bill of entry and cancellation of the original bill of entry, provided such goods, where a rebate of duty is being claimed, qualified at the time the duty was paid in all respects for that rebate:

Provided that acceptance of such voucher or fresh bill of entry shall not indemnify such importer or exporter or manufacturer against any fine or penalty provided for in this Act.”.

4. Section 42 of the principal act is hereby amended —

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

“(a) all particulars necessary to make a valid entry and all particulars in respect of the transaction value or of any commission, discount, cost, charge, expense, royalty, freight, duty, tax, drawback, refund, rebate, remission or other information whatever which relates to and has a bearing on such value shall be declared by the exporter in any prescribed invoice in respect of any imported goods and such particulars shall, except where the Director otherwise determines, relate to the final amount of such transaction value or commission, discount, cost, charge, expense, royalty, freight, duty, tax, drawback, refund, rebate or remission and to the final particulars or information regarding such goods.”; and

- (b) by substituting for paragraph (c) of subsection (4) thereof the following new paragraph —

“(c) if any particulars referred to in paragraph (a) of any imported goods are not declared in the prescribed invoice or certificate in respect thereof or if any change in the particulars declared in any prescribed invoice or certificate relating to any imported goods which occurs after the date of issue of any such invoice or certificate is not forthwith reported to the Director by the importer of such goods or if the Director has reason to believe that an offence referred to in section 90 (f) or (g) has been committed in respect of any imported goods the Director may determine a transaction value, origin, date of purchase, quantity, description or the characteristics of such goods according to the best information available to him, which shall, subject to a right of appeal to the Minister, be deemed to be the transaction value, origin, date of purchase, quantity, description or the characteristics of such goods.”.

5. Section 44 of the principal Act is hereby amended by substituting for subsection (2) thereof the following new subsection —

“(2) (a) The Director may at any time after the expiry of such prescribed period call upon the importer to make due entry of the goods within a time specified and if such importer fails to do so the goods shall be liable to forfeiture.

(b) If such goods are seized under section 92 (1) and sold in

terms of section 94 the proceeds thereof shall be disposed of as provided in subsection (3).”.

Amendment  
of section 46  
of principal  
Act

6. Section 46 of the principal Act is hereby amended by substituting for subsection (2) thereof the following new subsection —

“(2) For the purposes of this section, the time of entry for home consumption of —

- (a) goods imported by post (and not entered at a customs and excise office before the Director) shall be deemed to be the time when such goods are assessed for duty; and
- (b) goods imported otherwise shall be deemed to be the time when the bill of entry concerned is delivered to the Director in terms of section 40 (1) (a) and at a place indicated by the Director, irrespective of whether that bill of entry is returned by the Director in order to be adjusted as required by the Director, provided it is redelivered, so adjusted, to the Director within five days after the day on which it was so returned by the Director.”.

Amendment  
of section 49  
of principal  
Act

7. Section 49 of the principal Act is hereby amended by substituting for subsection (6) thereof the following new subsection —

“(6) Any duty payable in terms of section 54, any anti-dumping duty payable in terms of section 57 and any countervailing duty payable in terms of section 58 shall be paid for the benefit of the Fund in accordance with the provisions of the said sections.”.

Amendment  
of section 51  
of principal  
Act

8. Section 51 of the principal Act is hereby amended —

- (a) by substituting for the words preceding the proviso to subsection (2) thereof the following new words —

“The Minister may from time to time by like notice amend or withdraw or, if so withdrawn, insert Part 2, Part 3 or Part 4 of Schedule No. 1, whenever he deems it expedient in the public interest to do so;” and

- (b) by substituting for subsection (6) thereof the following new subsection —

“(6) Every amendment, withdrawal or insertion made by the Minister under this section shall be laid before the National Assembly. If the National Assembly shall not, during the next meeting of the Assembly which commences after such amendment, withdrawal or insertion has been laid, approve the same by resolution such amendment, withdrawal or insertion shall lapse on the last day of such meeting. Any such lapse shall be without prejudice to the

validity of such amendment, withdrawal or insertion before it has so lapsed and, in particular but without prejudice to the generality of the foregoing, no duty collected by reason of such amendment, withdrawal or insertion before such lapse shall be refundable and any duty due by reason of such amendment, withdrawal or insertion but not collected shall continue to be due.”.

9. Section 62 of the principal Act is hereby amended by substituting for subsection (2) thereof the following new subsection —

Amendment  
of section 62  
of principal  
Act

“(2) The Director may, subject to an appeal to the Minister, whose decision shall be final —

- (a) refuse any application for a new licence; or
- (b) refuse any application for a renewal of any licence or cancel or suspend for a specified period any licence if the applicant or the holder of such a licence, as the case may be —
  - (i) has contravened or failed to comply with the provisions of this Act;
  - (ii) has been convicted of an offence under this Act;
  - (iii) has incurred a penalty under section 95 (1); or
  - (iv) has been convicted of an offence involving dishonesty.”.

10. Section 64 of the principal Act is hereby amended by substituting for subsection (3) thereof the following new subsection —

Amendment  
of section 64  
of principal  
Act

“(3) No licence granted to an agricultural distiller shall be transferable except in circumstances which the Director may deem exceptional or, in the event of the death of the licensee or the expropriation in terms of the Acquisition of Property Act, of a farm in respect of which the licence was granted, with the written permission of the Director and subject to such conditions as he may determine.”.

Cap. 32:10

11. Section 69 of the principal Act is hereby amended by substituting for that section the following new section —

Substitution  
of section 69  
of principal  
Act

“Value of  
customs duty  
purposes

69. (1) Subject to the provisions of this Act, the value for customs duty purposes of any imported goods shall, at the time of entry for home consumption, be the transaction value thereof, within the meaning of section 70.

(2) If such value of any imported goods of a single denomination is —

- (a) in excess of one unit of account such value shall for the purpose of assessing the amount of duty payable, be calculated to the nearest unit of account, an amount of 0.50 unit of account being regarded as less than one half of one unit of account;
  - (b) less than one unit of account, such value shall be calculated as one unit of account.
- (3) Unless the context otherwise indicates, any reference in this Act to customs value or to value for duty purposes, in relation to imported goods, shall be deemed to be a reference to value for customs duty purposes.
- (4) (a) If in the opinion of the Director the transaction value of any imported goods cannot be ascertained in terms of section 70 or has been incorrectly ascertained by the importer, the Director may determine a value, which shall, subject to a right of appeal to the Minister, be deemed to the value for customs duty purposes of the goods.
  - (b) The acceptance by any officer of a bill of entry or the release of any goods as entered shall not be deemed to be any such determination.
  - (c) Any determination so made shall be deemed to be correct for the purposes of this Act, and any amount due in terms of any such determination shall remain payable as long as such determination remains in force.
- (5) The Director may whenever he deems it expedient and subject to a right of appeal to the Minister amend or withdraw any such determination and make a new determination with effect from —
  - (a) the date of first entry of the goods in question;
  - (b) the date of the determination made under subsection (4);
  - (c) the date of such new determination; or
  - (d) the date of such amendment.
- (6) An appeal against any such determination shall be lodged with the Minister in the manner prescribed by regulation within a period of 90 days from the date of the determination.
- (7) Except where —
  - (a) a determination has been made under subsection (4) (a) or (5); or

- (b) any false declaration is made for the purposes of subsection (4) or (5),

there shall be no liability for any underpayment of customs duty on any goods, where such underpayment is due to the acceptance of a bill of entry bearing an incorrect customs value, after a period of two years from the date of entry of such goods.

(8) (a) Notwithstanding the provisions of subsections (1) and (4), the value for customs duty purposes of any imported goods specified in section B Part 2 of Schedule No. 1 (other than pearls, precious and semi-precious stones, precious metals, rolled precious metals or articles containing or manufactured of such pearls, precious and semi-precious stones, precious metals or rolled precious metals entered under Schedule No. 4) shall be the transaction value thereof plus 15 per cent of such value, plus any non-rebated customs duty payable in terms of Part 1 of Schedule No. 1 on such goods, but excluding the customs duty specified in the said section B of Part 2 of Schedule No. 1 on such goods.

(b) The provisions of subsection (3) or (4) of section 73 shall mutatis mutandis apply to the ascertainment or determination of the value for customs duty purposes of any such imported pearls, precious and semi-precious stones, precious metals, rolled precious metals or articles containing or manufactured of such pearls, precious and semi-precious stones, precious metals or rolled precious metals.

(9) For the purposes of sections 70 and 71, unless the context otherwise indicates —

- (a) “buying commission”, in relation to imported goods, means any fee paid by an importer to his agent for representing him abroad in the purchase of and the payment for the goods;
- (b) “goods of the same class or kind”, in relation to imported goods, means goods produced by a particular industry or industry sector in the country from which the imported goods were exported, and falling within the same group or range of goods as the imported goods;
- (c) “identical goods”, in relation to imported goods, means goods produced in the same country and by the same or a different producer as the imported goods and which are the same in all respects, including physical characteristics, quality

and reputation but excluding minor differences in appearance, as the imported goods, but does not include goods incorporating or reflecting engineering, development work, art work, design work, plans or sketches undertaken in Botswana;

- (d) "price actually paid or payable", in relation to imported goods, means the total payment made or to be made, either directly or indirectly, by the buyer to or for the benefit of the seller for the goods, but does not include dividends or other payments passing from the buyer to the seller which do not directly relate to the goods;
- (e) "similar goods", in relation to imported goods, means goods produced in the same country and by the same or a different producer as the imported goods and which although not alike in all respects to the imported goods have, with due regard to their quality and reputation and the existence of a trade mark, like characteristics and like component materials which enable them to be employed for the same purposes and to be commercially interchangeable, but does not include goods incorporating or reflecting engineering, development work, art work, design work, plans or sketches undertaken in Botswana."

Substitution  
of section 70  
of principal  
Act

**12.** Section 70 of the principal Act is hereby amended by substituting for that section, the following new section —

"Transaction value 70. (1) Subject to the provisions of this Act, the transaction value of any imported goods shall be the price actually paid or payable for the goods when sold for export to Botswana, adjusted in terms of section 71, provided —

- (a) there are no restrictions as to the disposal or use of the goods by the buyer other than restrictions which —
  - (i) are imposed or required by law;
  - (ii) limit the geographical area in which the goods may be resold; or
  - (iii) do not substantially affect the value of the goods;
- (b) the sale or such price of the goods is not subject to any term or condition for which a value cannot be determined;

- (c) no part of the proceeds of any disposal, use or subsequent resale of the goods by the buyer will accrue directly or indirectly to the seller, unless an appropriate adjustment can be made in terms of section 71;
  - (d) Subject to subsection (3), the seller and the buyer are not related within the meaning of subsection (2) (a).
- (2) (a) For the purposes of subsection (1) (d), two persons shall be deemed to be related only if —
- (i) they are officers or directors of one another's business;
  - (ii) they are legally recognized partners in business;
  - (iii) the one is employed by the other;
  - (iv) any person directly or indirectly owns, controls or holds five per cent or more of the equity share capital of both of them;
  - (v) one of them directly or indirectly controls the other;
  - (vi) both of them are directly or indirectly controlled by a third person;
  - (vii) together they directly or indirectly control a third person; or
  - (viii) they are members of the same family.
- (b) Persons who are associated in business with one another in that the one is the sole agent, sole distributor or sole concessionary, however described, of the other shall be deemed to be related only if they are so deemed in terms of paragraph (a).
- (c) Every importer of goods which are not exempted by regulation shall, when making entry of the goods, declare, in the manner prescribed by regulation, whether or not he is related to the supplier of the goods within the meaning of this section.
- (3) Notwithstanding the provisions of subsection (1) (d), the fact that a buyer and a seller are related within the meaning of subsection (2) (a) shall not in itself be a ground for not accepting the transaction value, where —
- (a) in the opinion of the Director such relationship did not influence the price paid or payable; or



(b) the importer proves to the satisfaction of the Director that the transaction value closely approximates to one of the following values, namely —

- (i) the transaction value of identical or similar goods sold at comparable trade and quantity levels to unrelated buyers in Botswana at or about the same time as the goods to be valued;
- (ii) the value, ascertained in terms of subsection (7), of identical or similar goods imported into Botswana at or about the same time as the goods to be valued;
- (iii) the value, ascertained in terms of subsection (8), of identical or similar goods imported into Botswana at or about the same time as the goods to be valued.

(4) (a) If the transaction value of any imported goods cannot be ascertained in terms of subsection (1), it shall be the price actually paid or payable for identical goods in a sale for export to Botswana at the same commercial level and in substantially the same quantity and exported at or about the same time as the goods to be valued, adjusted, with reference to differences in any costs and charges referred to in section 71, on account of differences in distances and modes of transport to the port or place of export.

(b) Where no such sale is found, a sale of identical imported goods at either a different commercial or quantity level, or at a different commercial level and quantity level, adjusted to compensate for such differences, shall be used to ascertain the transaction value.

(c) If in the application of this subsection more than one transaction value is ascertained, the lowest such value shall be the transaction value of the goods to be valued.

(5) (a) If the transaction value of any imported goods cannot be ascertained in terms of subsection (4), it shall be the price actually paid or payable for similar goods in a sale for export to Botswana at the same commercial level and in substantially the same quantity and exported at or about the same time as the goods to be valued, adjusted, with reference to differences in any costs and charges referred to in section 71, on account of

differences in distances and modes of transport to the port or place of export.

(b) Where no such sale is found, the provisions of paragraphs (b) and (c) of subsection (4) shall *mutatis mutandis* apply.

(6) If the transaction value of any imported goods cannot be ascertained in terms of subsection (5), it shall be ascertained in terms of subsection (7) or, when it cannot be ascertained in terms of subsection (7), it shall be ascertained in terms of subsection (8):

Provided that at the request, in writing, of the importer concerned the order of application of subsections (7) and (8) shall be reversed.

(7) (a) If the imported goods or identical or similar imported goods are sold in Botswana in the same condition as that in which they were when imported, the transaction value of the imported goods in terms of this subsection shall be based on the unit price at which the imported goods or identical or similar imported goods are sold in Botswana in the greatest aggregate quantity, at or about the time of importation of the goods to be valued, by the importers thereof to persons not related to them, subject to deductions for —

- (i) commissions usually paid or agreed to be paid or additions usually made for profit and general expenses, including the direct and indirect costs of marketing the goods relative to sales in Botswana of imported goods of the same kind or class as the goods to be valued, irrespective of the country of exportation;
- (ii) the cost of transportation and the cost of loading, unloading, handling, insurance and associated costs incidental to the transportation of the goods from the port or place of export in the country of exportation to the importer's premises in Botswana; and
- (iii) any duties or taxes paid or payable in Botswana by reason of the importation of the goods or sale of the goods within Botswana.

(b) If neither the imported goods nor identical nor similar imported goods are sold at or about the time of importation of the goods to be valued, the transaction value of the imported goods in terms of this subsection shall, subject to the provisions of paragraph (a), be

based on the unit price at which the imported goods or identical or similar imported goods are sold in Botswana in the same condition as that in which they were when imported, at the earliest date after the importation of the goods to be valued, but not later than 90 days after such importation.

(c) If neither the imported goods nor identical nor similar imported goods are sold in Botswana in the same condition as that in which they were imported, then, if the importer so requests in writing, the transaction value of the imported goods in terms of this subsection shall be based on the unit price at which the imported goods, after further processing, are sold in the greatest aggregate quantity to persons in Botswana not related to the sellers of such goods, due allowance being made for the value added by such processing and the deductions referred to in paragraph (a).

(8) The transaction value of any imported goods in terms of this subsection shall be based on a computed value, computed by means of information supplied by the producer and consisting of the sum of —

(a) the cost or value of materials and manufacture or other processing in producing the goods;

(b) the cost of —

(i) packing, including that of the labour or materials concerned; and

(ii) containers which are dealt with as being for customs purposes one with the goods in question;

(c) the value, apportioned to the imported goods as deemed appropriate by the Director, with due regard to any relevant request by the importer, of any of the following goods and services if supplied directly or indirectly by the importer free of charge or at reduced cost, for use in connection with the production and sale for export of the imported goods, in so far as such value has not been included in the price actually paid or payable, namely —

(i) materials, components, parts and similar articles forming part of the imported goods;

(ii) tools, dies, moulds and similar articles used in the production of the imported goods;

(iii) materials consumed in the production of the imported goods;

(iv) engineering, development work, art work, design work, plans and sketches undertaken elsewhere than in Botswana and necessary for the production of the imported goods;

(d) the cost of transportation and the cost of loading, unloading, handling, transport and insurance and associated costs incidental to delivery of the imported goods at the port or place of export in the country of exportation, ready for export to Botswana;

(e) an amount for profit and general expenses equal to that generally applicable in sales of goods of the same class or kind as the imported goods, which are made by producers in the country of exportation.

(9) Where the transaction value of any imported goods cannot be ascertained in terms of the provisions of subsection (8), the Director may determine such value on the basis of a previous determination or, where there is no previous determination, by such application as he may deem reasonable of any manner of ascertaining the transaction value in terms of subsection (1), (4), (5), (7) or (8), but no such determination shall be based on —

(a) the selling price in Botswana of goods produced in Botswana;

(b) a system which provides for the acceptance for customs purposes of the higher of two alternative values;

(c) the selling price of goods on the domestic market of the country of origin or of exportation of the imported goods;

(d) the cost of production, other than computed values which have been determined for identical or similar goods in accordance with subsection (8);

(e) the price of the goods for export to a country other than Botswana;

(f) a system of minimum customs values; or

(g) arbitrary or fictitious values.

(10) For the purposes of subsection 7 (a) (ii) or (8) (d), goods which are exported to Botswana from any country but pass in transit through another country shall, subject to any conditions which may be prescribed by regulation, be deemed to have been exported direct from the first-mentioned country.

(11) For the purposes of subsection (7) (a) (ii) or (8)

(d), the port or place of export referred to therein shall be the place where the goods in question are —

(a) packed in a container as defined in section 2 (2) in the country of export or, if not so packed in a container, placed on board ship or on any vehicle in the country of exportation ready for export to Botswana; or

(a) placed on the vehicle which conveys them across the border of the country from which they are exported to Botswana.”

Substitution  
of section 71  
of principal  
Act

13. Section 71 of the principal Act is hereby amended by substituting for that section, the following new section —

“Adjust-  
ments to  
price  
actually paid  
or payable

71. (1) In ascertaining the transaction value of any imported goods in terms of section 70 (1), there shall be added to the price actually paid or payable for the goods —

(a) to the extent that they are incurred by the buyer but are not included in the price actually paid or payable —

(i) any commission other than a buying commission;

(ii) brokerage;

(iii) the cost of packing, including that of the labour and materials concerned;

(iv) the cost of containers which are dealt with as being for customs purposes one with the goods;

(b) the value, apportioned to the imported goods as deemed appropriate by the Director, of any of the following goods and services if supplied directly or indirectly by the importer free of charge or at reduced cost, for use in connection with the production and sale for export of the imported goods, to the extent that such value has not been included in the price actually paid or payable, namely —

(i) materials, components, parts and similar articles forming part of the goods;

(ii) tools, dies, moulds and similar articles used in the production of the goods;

(iii) materials consumed in the production of the goods;

(iv) engineering, development work, art work, design work, plans and sketches undertaken elsewhere than in Botswana and necessary for the production of the goods;

- (c) royalties and licence fees in respect of the imported goods, including payments for patents, trade marks and copyright and for the right to distribute or resell the goods, due by the buyer, directly or indirectly, as a condition of sale of the goods for export to Botswana, to the extent that such royalties and fees are not included in the price actually paid or payable, but excluding charges for the right to reproduce the imported goods in Botswana;
  - (d) the value of any part of the proceeds of any subsequent resale, disposal or use of the imported goods that accrues directly or indirectly to the seller; and
  - (e) to the extent that it is not included in the price actually paid or payable for the goods, the cost of transportation and the cost of loading, unloading, handling, insurance and associated costs incidental to delivery of the goods at the port or place of export in the country of exportation ready for export to Botswana.
- (2) In ascertaining the transaction value of any imported goods in terms of section 70 (1), there shall be deducted from the price actually paid or payable for the goods, to the extent that they are included therein, amounts equal to —
- (a) the cost of transportation and the cost of loading, unloading, handling, insurance and associated costs incidental to the transportation of the goods from the port or place of export in the country of exportation to the place of importation in Botswana;
  - (b) any of the following costs, charges or expenses if identified separately from the balance of the price actually paid or payable for the goods, namely —
    - (i) any expenditure incurred for the construction, erection, assembly or maintenance of, or technical assistance provided in respect of, the goods after they are imported;
    - (ii) the cost of transport and insurance of the goods within Botswana;
    - (iii) any duties or taxes paid or payable by reason of the importation of the goods or sale of the goods in Botswana;

- (iv) any duty or tax applicable in the country of exportation from which the goods have been or will be relieved by way of refund, drawback, rebate or remission;
- (v) buying commission;
- (vi) interest charged in respect of the price payable for the goods;
- (vii) any charge for the right to reproduce the imported goods in Botswana.

(3) For the purposes of subsection (1) (e) or (2) (a), goods which are exported to Botswana from any country but pass in transit through another country shall, subject to such conditions as may be prescribed by regulation, be deemed to have been exported direct from the first-mentioned country.

(4) For the purposes of subsection (1) (e) or 2 (a), the port or place of export referred to therein shall be the place where the goods in question are —

- (a) packed in a container as defined in section 2 (2) in the country of export or, if not so packed in a container, placed on board ship or on any vehicle in the country of exportation ready for export to Botswana; or
- (b) placed on the vehicle which conveys them across the border of the country from which they are exported to Botswana.”.

Amendment  
of section 73  
of principal  
Act

14. Section 73 of the principal Act is hereby amended by substituting for subsection (1) thereof the following new subsection —

“(1) (a) The value for sales duty purposes of any imported goods, other than goods entered in terms of item 709.01 of Schedule No. 7, shall be the customs value thereof, plus 15 per cent of such value, plus any non-rebated customs duty payable in terms of Part 1 and Part 2 of Schedule No. 1 on such goods, but excluding the sales duty on such goods.

(b) The provisions of sections 69, 70, 71 and 74 shall *mutatis mutandis* apply to the calculation or determination of the value for sales duty purposes of any imported goods.”.

Amendment  
of section 77  
of principal  
Act

15. Section 77 of the principal Act is hereby amended by substituting for subsection (1) thereof the following new subsection —

“(1) Subject to the provisions of subsection (2), the customs value of any imported goods shall be declared by the importer on entry of such goods.”.

16. Section 78 of the principal Act is hereby amended by substituting for that section the following new section —

Substituting  
of section 78  
of principal  
Act

“Inter-  
pretation of  
sections 69,  
70 and 71

78. (1) The interpretation of sections 69, 70 and 71 shall be subject to the agreement concluded at Geneva on 12th April, 1979 and known as the Agreement on Implementation of Article VII of the General Agreement on Tariffs and Trade, the Interpretative Notes thereto and the Advisory Opinions, Commentaries and Explanatory Notes issued under the said Agreement on Implementation of Article VII of the General Agreement on Tariffs and Trade.

(2) The Director shall obtain and keep in his office two copies of such Agreement, Interpretative Notes, Advisory Opinions, Commentaries and Explanatory Notes and shall effect thereto any amendment thereof which he is notified by the Secretariat of the General Agreement on Tariffs and Trade.

(3) The provisions of subsection (1) shall not derogate from the interpretation which would but for that subsection be given to section 69, 70 or 71.”

17. Section 79 of the principal Act is hereby amended by substituting for paragraph (b) of subsection (15) thereof, the following new paragraph —

Amendment  
of section 79  
of principal  
Act

“(b) in all other cases, within a period of six months from the date when such refund first becomes due.”

18. Section 80 of the principal Act is hereby amended —

Amendment  
of section 80  
of principal  
Act

(a) in subsection (2) thereof by substituting for —

(i) paragraph (d) therein, the following new paragraph —

“(d) the goods concerned having been damaged, destroyed or irrecoverably lost by circumstances beyond his control prior to the release thereof for home consumption;” and

(ii) paragraph (f) therein, the following new paragraph —

“(f) the substitution of any bill of entry in terms of section 41 (3).”; and

(b) by deleting subsection (6) thereof.

19. Section 81 of the principal Act is hereby amended by substituting for paragraph (a) of subsection (1) thereof, the following new paragraph —

Amendment  
of section 81  
of principal  
Act

“(a) Any amount due to a licensee of a customs and excise warehouse who, in terms of the regulations, is permitted to pay excise duty or sales duty monthly or quarterly, in respect of such duty paid by him for which he was not liable



or which is refundable to him in terms of item 534.00 of Schedule No. 5 or any item of Schedule No. 6 or No. 7 may, at any time within a period of two years from the date on which such amount first becomes due, be set off against any amount for which such licensee subsequently becomes liable in respect of excise duty or sales duty, provided the accounts or bills of entry submitted by such licensee in respect of the payment of any amount against which any amount so due to him has been set off are accompanied by a full statement by such licensee, supported by a certificate by an officer, giving full particulars of the excise duty or sales duty so paid and a full account of the circumstances under which the payment thereof took place and by such documentary evidence as the Director may in each case require.”.

Amendment  
of section 84  
of principal  
Act

**20.** Section 84 of the principal Act is hereby amended by substituting for paragraph (i) of subsection (1) thereof the following new paragraph —

“(i) claims or receives any rebate, drawback, refund or payment to which he knows he is not entitled under this Act;”.

Repeal of  
section 101  
of principal  
Act

**21.** Section 101 of the principal Act is hereby repealed.

Amendment  
of section 104  
of principal  
Act

**22.** Section 104 of the principal Act is hereby amended by adding at the end of paragraph (a) of subsection (2) thereof the following new proviso —

“Provided that such agent or person shall cease to be so liable if he proves to the satisfaction of the Director that —

- (i) he was not a party to the non-fulfilment by any such importer, exporter, manufacturer, licensee, remover of goods in bond or other principal, of any such obligation;
- (ii) when he became aware of such non-fulfilment, he notified the Director thereof as soon as practicable; and
- (iii) all reasonable steps were taken by him to prevent such non-fulfilment.”.

Amendment  
of section 118  
of principal  
Act

**23.** Section 118 of the principal Act is hereby amended by deleting paragraphs (a), (c), (d), (i) and (j) of subsection (1) thereof.

*Bill No. 10 of 1983*

**ROAD TRAFFIC (AMENDMENT) BILL, 1983**

*(Published on 25th March, 1983)*

**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 effect certain amendments to the Road Traffic Act (Cap. 69:01).

3. Clause 2 of the Bill proposes to amend section 44 of the Act in order to increase the speed limit in town and villages from fifty kilometres per hour to sixty kilometres per hour.

4. Clause 3 of the Bill proposes to amend section 45 of the Act in order to facilitate proof of the speed of vehicles by means of electronic timing devices.

5. In respect of certain offences under the Act of which unfitness to drive through drink or drugs is an element, section 47 permits the result of an analysis of a blood or urine specimen, taken from or provided an accused person, to be put in evidence.

6. In practice, blood specimens only are taken for the above-mentioned purpose. Accordingly, clause 4 of the Bill proposes to amend section 47 of the Act so that it will provide for the taking and analysis of blood specimens alone.

7. At the same time clause 4 proposes to amend section 47 to enable interns or housemen, laboratory assistants and registered nurses of or above the rank of Staff Nurse, in addition to medical practitioners as at present, to take blood specimens for the purposes of the section.

8. Clause 5 of the Bill proposes to amend section 49 of the Act to increase the maximum penalty for causing death by driving a motor vehicle while unfit to drive through drink or drugs from a fine of P1 000 and imprisonment for five years to a fine of P5 000 and imprisonment for ten years.

9. Clause 6 of the Bill proposes to amend section 51 of the Act in order to give the courts the power to convict an accused person of dangerous or careless driving where he is charged with driving a motor vehicle while unfit to do so through drink or drugs.

10. Clause 9 of Bill proposes to amend the Act in order to create certain new offences in connexion with gates through which cattle might stray onto roads often used by motor vehicles.

11. It would be an offence to open such a gate, except to go through it or to enable some other person to go through it. It would also be an offence, having gone through such a gate or enabled some other person to do so, to fail immediately to close and securely fasten the gate or ensure that it is closed and securely fastened.

12. Clause 10 of the Bill proposes to amend section 100 of the Act. Firstly, by increasing the maximum penalty for an offence under subsection (1) from

P20 to Pula 100. Secondly, by making it an offence under that subsection to deposit (or cause or permit to be deposited) on a road or roadside any bottle, can, tin, carton, food remnants or other refuse or litter whatsoever.

13. The remaining clauses of the Bill propose to amend various provisions of the Act in order to increase the present maximum penalty for offences under Part XII (not being offences for which some greater penalty is proposed by the Bill) from a fine of P20 to a fine of P50 and, at the same time, to increase the present maximum penalty, in respect of some only of the offences under Part XII, to a fine of P100 or P200, depending on the perceived seriousness of the particular offence.

**C.W. BLACKBEARD,**  
*Minister of Works and Communications.*

## ARRANGEMENT OF SECTIONS

### SECTION

1. Short title
2. Amendment of section 44 of Cap. 69:01
3. Amendment of section 45 of principal Act
4. Amendment of section 47 of principal Act
5. Amendment of section 49 of principal Act
6. Amendment of section 51 of principal Act
7. Amendment of section 98 of principal Act
8. Amendment of section 99 of principal Act
9. Insertion of new section 99A in principal Act
10. Amendment of section 100 of principal Act
11. Amendment of section 101 of principal Act
12. Substitution of new section 104 of principal Act

## A BILL —entitled—

### **An Act to Amend the Road Traffic Act**

*Date of Assent:*

*Date of Commencement:*

**ENACTED** by the Parliament of Botswana.

Short title

1. This Act may be cited as the Road Traffic (Amendment) Act, 1983.

Amendment  
of section  
44 of  
Cap. 69:01

2. Section 44 (3) of the Road Traffic Act (hereinafter referred to as "the principal Act") is amended by substituting for the words "50 kilometres per hour", wherever they appear therein, the words "60 kilometres per hour".

Amendment  
of section  
45 of  
principal  
Act

3. Section 45 of the principal Act is amended by renumbering the section as subsection (1) thereof and adding thereto, immediately after subsection (1), the following new subsection —  
“(2) In any proceedings in respect of an offence under this section, a certificate purporting to be signed by a police officer of or above the rank of Sergeant to the effect that a

device manufactured for the purpose of measuring the speeds at which vehicles are driven measured the speed at which any vehicle sufficiently identified in the certificate was being driven, on the day and road specified in the certificate, as the speed specified in the certificate shall, on being placed before the court by public prosecutor, be admissible in evidence without further proof thereof and the court shall presume that the vehicle so identified was, on that day and road, being driven at that speed, unless the contrary is proved.”.

4. Section 47 of the principal Act is amended —

Amendment  
of section  
47 of  
principal  
Act

- (a) in subsection (1) thereof, by substituting for the words “contained in the blood or present in the body of the accused, as ascertained by analysis of a specimen of blood taken from him by medical practitioner or of urine provided by him”, which appear therein, the words “contained in the blood of the accused, as ascertained by analysis of a specimen of blood taken from him by a qualified person”;
- (b) in subsection (3) thereof, by deleting the words “or to provide a specimen of urine”, which appear therein, and by substituting for the words “medical practitioner”, which also appear therein, the words “qualified person”;
- (c) in subsections (4) and (5) thereof, by substituting for the words “medical practitioner”, wherever they appear therein, the words “qualified person”;
- (d) in subsection (6) thereof, by inserting therein, immediately after the word “specimen”, which appears therein, the words “of blood”;
- (e) in subsection (7) thereof, by deleting the words “or a specimen of urine was provided by him”, which appear therein, and the words “or provided”, where they twice appear in paragraph (a) thereof;
- (f) in subsection (8) thereof, by deleting the words “or to provide a specimen of the urine”, which appear therein, and the words “of blood”, where they secondly appear therein;
- (g) in subsection (11) thereof, by substituting for the words “a specimen of blood or urine taken from or provided by and accused”, which appear therein, the words “a specimen of blood taken from an accused” and for the words “any specimen taken from or provided by an accused”, which also appear therein, the words “any specimen of blood taken from an accused”; and
- (h) by adding thereto, immediately after subsection (11) thereof, the following new subsection —

“(12) In this section, “qualified person” means a medical practitioner, intern or houseman, laboratory

assistant or registered nurse of or above the rank of Staff Nurse.”.

Amendment  
of section  
49 of  
principal  
Act

5. Section 49 of the principal Act is amended by adding thereto the following proviso —

“Provided that, in the case of a person who causes the death of another person by the driving of a motor vehicle whilst he is unfit to drive through drink or drugs, he shall be liable to a fine of P5 000 and to imprisonment for 10 years.”.

Amendment  
of section  
51 of  
principal  
Act

6. Section 51 (2) of the principal Act is amended by substituting for the words “an offence under section 49”, which appear therein, the words “an offence under section 46 in connexion with the driving of a motor vehicle or under section 49”.

Amendment  
of section  
98 of  
principal  
Act

7. Section 98 of the principal Act is amended by adding thereto, immediately after subsection (6) thereof, the following new subsection —

“(7) Any person who contravenes or fails to comply with any of the provisions of this section shall be liable to a fine of P100.”.

Amendment  
of section  
99 of  
principal  
Act

8. Section 99 (2) of the principal Act is amended by substituting a comma for the full stop at the end thereof and adding thereto, immediately after paragraph (b) thereof, the words “and any person who contravenes any of the provisions of this subsection shall be liable to a fine of P200.”.

Insertion of  
new section  
99A in  
principal  
Act

9. The principal Act is amended by inserting therein, immediately after section 99 thereof, the following new section —

“Offences in  
connexion  
with gates  
by which  
cattle might  
gain access  
to certain  
roads

99A. (1) No person shall —

- (a) open or unfasten a gate which gives access, either directly or indirectly, to a road habitually used by motor vehicles and by which cattle might gain access to the road, except for the purpose of then and there passing through the gate, with or without any vehicle or animals in his care, or of enabling some other person so to pass; or
- (b) having passed through a gate such as is referred to in paragraph (a) or enabled some other person so to pass, fail immediately to close and securely fasten the gate or ensure that it is closed and securely fastened.

(2) Where, in any proceedings in respect of a contravention of any of the provisions of this section, it is alleged in the charge that a gate gave access to a road habitually used by motor vehicles and by which cattle might have gained access to the road, the court shall presume that the allegation is true unless the contrary is proved.

(3) Any person who contravenes any of the provisions of this section shall be liable to a fine of P200.”.

10. Section 100 (1) of the principal Act is amended by —
- (a) substituting for paragraph (b) thereof the following new paragraph —
- “(b) leaves on a road any timber, stones or other material so as to obstruct or endanger persons using the road or wilfully or negligently deposits or causes or permits to be deposited upon a road or any land reserved therefor at the side or sides thereof any petrol or other liquid fuel or any oil, grease or other inflammable or offensive matter or any ashes, bottle, can, tin, carton, food remnants or other refuse or litter whatsoever;”;
- and
- (b) inserting therein, immediately after the words “shall be guilty of an offence”, which appear therein, the words “and liable to a fine of P100”.
11. Section 101 of the principal Act is amended by adding thereto, immediately after subsection (3) thereof, the following new subsection —
- “(4) Any person who contravenes any of the provisions of this section shall be liable to a fine of P200.”.
12. The principal Act is amended by substituting for section 104 thereof the following new section —
- “Penalties 104. Any person who contravenes or fails to comply with any of the provisions of this Part shall be guilty of an offence and liable, unless some other penalty is provided therefor, to a fine of P50.”.

Amendment  
of section  
100 of  
principal  
Act

Amendment  
of section  
101 of  
principal  
Act

Substitution  
of new  
section 104  
of principal  
Act