

# REPUBLIC OF BOTSWANA



## GOVERNMENT GAZETTE

Vol. XXXVII, No. 60

GABORONE

17th September, 1999

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*Government Notice No. 361 of 1999*

**CONSTITUTION OF BOTSWANA**

**Acting Appointment — Permanent Secretary, (Development)  
Office of the President**

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

**ALPHEUS MATLHAKU**

has been appointed to act as Permanent Secretary, (Development) Office of the President from 5th to 8th September, 1999.

DATED this 6th day of September, 1999.

**MOLOSIWA SELEPENG,**  
*Permanent Secretary to the President,  
Office of the President.*

*Government Notice No. 362 of 1999*

**CONSTITUTION OF BOTSWANA**

**Acting Appointment — Permanent Secretary,  
Ministry of Foreign Affairs**

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

**M. MOORAD**

has been appointed to act as Permanent Secretary, Ministry of Foreign Affairs from 4th to 18th September, 1999.

DATED this 7th day of September, 1999.

**MOLOSIWA SELEPENG,**  
*Permanent Secretary to the President,  
Office of the President.*

*Government Notice No. 363 of 1999*

**CONSTITUTION OF BOTSWANA**

**Acting Appointment — Secretary for Financial Affairs,**

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

**GERALD N. THIPE**

has been appointed to act as Secretary for Financial Affairs from 30th August, 1999 to 5th September, 1999.

DATED this 1st day of September, 1999.

**MOLOSIWA SELEPENG,**  
*Permanent Secretary to the President,  
Office of the President.*

*Government Notice No. 364 of 1999*

CONSTITUTION OF BOTSWANA

**Acting Appointment — Permanent Secretary,  
Ministry of Agriculture**

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

THOMAS M. TAUkobong

has been appointed to act as Permanent Secretary, Ministry of Agriculture from 4th to 8th September, 1999.

DATED this 2nd day of September, 1999.

MOLOSIWA SELEPENG,  
*Permanent Secretary to the President,  
Office of the President.*

*Government Notice No. 365 of 1999*

CONSTITUTION OF BOTSWANA

**Acting Appointment — Permanent Secretary,  
Ministry of Commerce and Industry**

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

DORAH TSHEKI TIBONE

has been appointed to act as Permanent Secretary, Ministry of Commerce and Industry from 29th August, 1999 to 4th September, 1999.

DATED this 31st day of August, 1999.

MOLOSIWA SELEPENG,  
*Permanent Secretary to the President,  
Office of the President.*

*Government Notice No. 366 of 1999*

CONSTITUTION OF BOTSWANA

**Acting Appointment — Permanent Secretary,  
Ministry of Works, Transport and Communications**

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

K. SKELEMANI

has been appointed to act as Permanent Secretary, Ministry of Works, Transport and Communications from 8th to 17th September, 1999.

DATED this 8th day of September, 1999.

MOLOSIWA SELEPENG,  
*Permanent Secretary to the President,  
Office of the President.*

Government Notice No. 367 of 1999

CHANGE OF NAME ACT  
(Cap. 15:02)

**Application for Authorisation of Change of Surname**

IN PURSUANCE of the provisions of section 4 (2) of the Change of Name Act, notice is hereby given that applications have been made to the Minister of Labour and Home Affairs by each of the persons listed hereunder for the Minister's authority to assume the surnames specified in relation to their names and addresses.

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

<i>Name and Address</i>	<i>Proposed Surname</i>	<i>Reasons given for wishing to assume proposed Surname</i>
Botho Zola Seakgamorini, Private Bag BR 45, Gaborone.	Quinn	Seakgamorini is her mother's maiden name while Quinn is her stepfather's surname.
Onalethata Mayou, P.O. Box 200, Francistown.	Chawilane	Mayou is her mother's maiden name while Chawilane is her biological father's surname. Parents are not married.
Dineo Maphane, P.O. Box 264, Masunga.	Siwungu	Maphane is her father's surname while Siwungu is her mother's maiden name. Parents are not married.
Dipuo Monyatsi, P.O. Box 60942, Gaborone.	Letlole	Monyatsi is her father's surname while Letlole is her mother's maiden name. Parents are not married.
Bryan Botsoba, P.O. Box M 1477, Kanye.	Lotshe	Botsoba is his mother's marital surname while Lotshe is his putative father's surname. Parents are not married.
Oteng Kenosi, P.O. Box 60456, Gaborone.	Kejelegame	Kenosi is his maternal great grandfather's nickname while Kejelegame is his maternal great grandfather's real name.
Gofentsemang Sosome, P.O. Box 570, Serowe.	Ramolotsana	Sosome is her paternal grandfather's first name while Ramolotsana is her maternal grandfather. Grand parents are not married.
Tshepo Boroboko, P.O. Box 00125, Gaborone.	Sengwaketse	Boroboko is her grandmother's marital name while Sengwaketse is her grandmother's maiden name. Grandparents are divorced.
Ludo Lorato Marape Private Bag 001, Sefhope.	Gobagoba	Marape is her step-father's surname while Gobagoba is her mother's maiden name. She was not adopted by her stepfather.
Kedibonye Modisenyane Seleka Primary School, P.O. Box 3, Tumasera.	Rakolanyane	Modisenyane is her uncle. Rakolanyane is her maternal grandfather.

DATED this 19th day of August, 1999.

M.L. MOKGAUTSI,  
Acting Deputy Registrar of Civil Registration,  
Ministry of Labour and Home Affairs.

**CHANGE OF NAME ACT**  
(Cap. 15:02)

**Authorisation of Change of Surname**

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

*Name and Address*  
Sekgabo Lethopha,  
P.O. Box 20690,  
Maun.

*Surname*  
Morolong

DATED this 20th day of August, 1999.

M.L. MOKGAUTSI,  
*Acting Deputy Registrar of Civil Registration,  
Ministry of Labour and Home Affairs.*

*Government Notice No. 369 of 1999*

**COMPANIES ACT**  
(Cap. 42:01)

**Corrigendum**

GOVERNMENT NOTICE NO. 329 OF 1999 APPEARING IN THE GOVERNMENT GAZZETTE NO. 52 VOL. XXXVII DATED 27th AUGUST 1999

The following company was erroneously listed in the companies to be struck off the register and it is deleted in the notice of intention to strike companies off the register.

<i>NUMBER</i>	<i>NAME OF COMPANY</i>
3671	Rebar Steel (Gaborone) (Proprietary) Limited

DATED at Gaborone this 7th day of September, 1999.

U . MSUYA,  
*Acting Registrar of Companies.*

*Government Notice No. 370 of 1999*

**COMPANIES ACT**  
(Cap. 42:01)

**Corrigendum**

GOVERNMENT NOTICE NO. 318 OF 1999 APPEARING IN THE GOVERNMENT GAZZETTE NO. 50 VOL. XXXVII DATED 20th AUGUST 1999

The following companies were erroneously listed in the companies to be struck off the register and they are deleted in the list of companies struck off the register.

<i>NUMBER</i>	<i>NAME OF COMPANY</i>
93/1813	Nakedi Enterprises (Proprietary) Limited
94/1702	New Yard Products (Proprietary) Limited

DATED at Gaborone this 7th day of September, 1999.

U . MSUYA,  
*Acting Registrar of Companies.*

## PUBLIC NOTICES

Republic of Botswana — Tender No. TB 9/3/68/99-2000

PROPOSED: MABUTSANE 'B' TRIBAL ADMINISTRATION HOUSING FOR  
LOCAL GOVERNMENT LANDS AND HOUSING

TENDERS ARE INVITED for the construction of the following:

- 7 No. houses Type LA2
- Associated external works and drainage

Tender documents will be available from 23rd August, 1999 on application to the Director, Department of Architecture and Building Services, Project Implementation Unit, Private Bag 00281, Gaborone, or collected from the Project Implementation Unit, Plot No. 14390, New Lobatse Road, Gaborone West, Gaborone.

Tenders shall be delivered to the Director, Central Tender Board, Private Bag 0058, Gaborone or to Room 202, new Ministry of Finance and Development Planning building not later than 10.00 a.m. on Wednesday 6th October, 1999 when tenders will be opened in the presence of tenderers wishing to attend. Telegraphic, telephonic, or faxed tenders and tenders delivered after the above-mentioned time and date will not be considered.

Prospective tenderers are advised that tender documents will only be issued to those contractors registered with Central Tender Board who can produce proof that they are registered for Building Works Grade "B" and are 100% citizen owned.

Drawings may be inspected by appointment only at the offices of the Director, Department of Architecture and Building Services, Project Implementation Unit, Plot No. 14390, New Lobatse Road, Gaborone West, Gaborone.

Notwithstanding anything contained in the foregoing, the Government of Botswana is not bound to accept the lowest or any tender nor to incur any expenses in the preparation thereof.

G.L. TLOGELANG,  
*Director,*  
*Central Tender Board.*

Republic of Botswana — Tender No. CTB 10/3/13/99-2000  
Department of Water Affairs

THE CONSTRUCTION OF THE SEPOPA/IKOGA INTEGRATED RURAL  
VILLAGE WATER SUPPLY PROJECT

TENDERS ARE INVITED from contractors registered for Civil Engineering works Grade E or above with the Central Tender Board for the construction of the Sepopa/Ikoga Integrated Rural Village Water Supply Project.

THE CIVIL WORKS CONSIST OF THE FOLLOWING:

- (a) Construction of 23km of uPVC transmission gravity water pipelines with diameters between 90mm and 160mm;
- (b) Construction of 4km of uPVC pumping mains of 110mm diameter;
- (c) Construction of 4km uPVC reticulation gravity water pipelines with diameters between 63mm and 160mm;
- (d) Construction of 2km gravel access roads;
- (e) Construction of 500m security fencing;
- (f) Construction of raw water intake structure in river, 25m HDPE suction main and associated dry-well pump station;
- (g) Construction of slow sand filter water treatment plant;
- (h) Construction of three elevated pressed steel village distribution reservoirs;
- (i) Construction of various buildings and shelters.

The electrical and mechanical works are to be done under a subcontract to the main contract and consist of the following:

The supply, delivery, installation, testing and commissioning of;

- (a) Motor control centres at the raw water and clear-water pump stations
- (b) One diesel generator
- (c) Electrical cables from the generator to the raw water and clear-water pump station MCC's
- (d) Electrical cables from MCC's to all electrical motors, push-button stations, electrically actuated valves, level control equipment and pressure switches;

- (e) Level control equipment and pressure switches;
- (f) Dry-well pumping installations in the clear-water and raw water pump stations.
- (g) One dry-line feeder;
- (h) Three valve actuators;
- (i) Chlorine dosing system and related pipework.

A complete set of tender documents may be purchased from Africon Botswana, Broadhurst Business Centre, Unit 1, Plot No. 10211, Nelson Mandela Drive, Gaborone during normal working hours upon payment of a non-refundable cash fee of P1 000,00 (One Thousand Pula) as from 20th September, 1999.

A compulsory site inspection will be held on 9th October, 1999 when representatives of the Engineer and the Department of Water Affairs will be in attendance. Tenderers attending should meet at the Kgotla in Sepopa at 11.00 a.m.

Written queries for answers should be received by Africon Botswana, Private Bag BR144, Gaborone, Botswana not later than 15th October, 1999.

Sealed tenders marked: "CTB 10/3/13/99-2000 — Department of Water Affairs, The Construction of Sepopa/Ikoga Integrated Rural Village Water Supply Project" and addressed to the Director, Central Tender Board, Ministry of Finance and Development Planning building, Private Bag 0058, Gaborone, Botswana should be received by the Secretary of Central Tender Board not later than 10.00 a.m. on 3rd November, 1999 at the Ministry of Finance and Development Planning, Room 202. Tenderers wishing to attend the tender opening may do so. Telegraphic, telephonic or facsimile tenders will not be accepted.

The Government of Botswana is not bound to accept the lowest or any tender and reserves the right to accept the whole or part of a tender as deemed expedient. No reason will be given for the acceptance or rejection of the whole or part of a tender.

Queries relating to the above should be addressed to Mr A.J. Olivier, Africon Botswana, Private Bag BR144, Gaborone, Botswana, Tel. 351112 or 311397.

G.L. TLOGELANG  
Director,  
Central Tender Board.

#### Republic of Botswana — Tender No. TB 3/4/17/98-99

#### FABRICS FOR UNIFORMS AND PROTECTIVE CLOTHING SUPPLEMENTARY

TENDERS ARE INVITED from manufacturers, for the supply and delivery of fabrics to the Government of Botswana for a period of twenty-one months.

Tender documents containing details of the requirements are available at a cost of P100.00 from the Chief Supply Officer (Purchasing), Department of Supply, Plot No. 14412/4, Makgadigau Road, Gaborone, Botswana, P.O. Box 80, Gaborone, Tel. 324800.

Tenders should be delivered to the Director of Central Tender Board, Private Bag 0058, Gaborone, Botswana, Ministry of Finance and Development Planning building, Room 202, Second Floor not later than 10.00 a.m. on Wednesday 3rd November, 1999 when tenders will be opened in the presence of tenderers wishing to attend. Telegraphic, telephone, e-mail and telex tenders will not be considered. Duplicate tenders should be submitted in sealed envelopes clearly marked: "TB 3/4/17/98-99 — Supplementary Fabrics for Uniforms and Protective Clothing".

Notwithstanding anything contained in the foregoing, the Government of the Republic of Botswana is not bound to accept the lowest or any tender nor to incur any expenses in the preparation thereof.

#### IMPORTANT NOTICE TO TENDERERS

1. Tender for the supply of the above goods will be for the duration of twenty-one months.
2. All tenderers must submit a copy of a valid manufacturer licence. Bids unaccompanied by licence will not be considered.
3. Instructions to tenderers and General Conditions of Contract must be strictly adhered to.
4. Tenderers are informed that the tabulated estimated figures are merely an estimation, not exactly what is going to be ordered.
5. Every tenderer must complete the cost analysis column of the schedule otherwise the bid will be rejected.
6. Tenderers are required to send samples of goods offered clearly marked the item number and name of company to the Director of Supply (Purchasing Unit), P.O. Box 80, Gaborone, Botswana, Plot No. 14412/4, Makgadigau Road in advance of tender opening date. Tenders without samples will not be considered. Tenders with unmarked offers will not be considered.
7. Schedule of quantities should bear the name and address of the tenderer/company.
8. Prices should be firm for a period of one year and all tenderers are required to indicate this in their submission.

G.L. TLOGELANG  
Director,  
Central Tender Board.

**Republic of Botswana — Tender No. CTB 10/3/14/99-2000**  
**Department of Water Affairs**

**THE CONSTRUCTION OF THE KAUXWI/XAKAU INTEGRATED RURAL  
 VILLAGE WATER SUPPLY PROJECT**

**TENDERS ARE INVITED** from contractors registered for Civil Engineering works Grade E or above with the Central Tender Board for the construction of the Kauxwi/Xakau Integrated Rural Village Water Supply Project.

**THE CIVIL WORKS CONSIST OF THE FOLLOWING:**

- (a) Construction of 24km of uPVC transmission gravity water pipelines with diameters between 63mm and 160mm;
- (b) Construction of 250m of uPVC pumping mains of 140mm diameter;
- (c) Construction of 10km uPVC reticulation gravity water pipelines with diameters between 63mm and 160mm;
- (d) Construction of 2km gravel access roads;
- (e) Construction of 1 500m security fencing;
- (f) Construction of raw water intake structure in river, 70m HDPE suction main and associated dry-well pump station;
- (g) Construction of slow sand filter water treatment plant;
- (h) Construction of six elevated pressed steel village distribution reservoirs;
- (i) Construction of various buildings and shelters.

The electrical and mechanical works are to be done under a subcontract to the main contract and consist of the following:

The supply, delivery, installation, testing and commissioning of;

- (a) Motor control centres at the raw water and clear-water pump stations;
- (b) One diesel generator;
- (c) Electrical cables from the generator to the raw water and clear-water pump station MCC's
- (d) Electrical cables from MCC's to all electrical motors, push-button stations, electrically actuated valves, level control equipment and pressure switches;
- (e) Level control equipment and pressure switches;
- (f) Dry-well pumping installations in the clear-water and raw water pump stations.
- (g) One dry-line feeder;
- (h) Three valve actuators;
- (i) Chlorine dosing system and related pipework.

A complete set of tender documents may be purchased from Africon Botswana, Broadhurst Business Centre, Unit 1, Plot No. 10211, Nelson Mandela Drive, Gaborone during normal working hours upon payment of a non-refundable cash fee of P1 000,00 (One Thousand Pula) as from 20th September, 1999.

A compulsory site inspection will be held on 9th October, 1999 when representatives of the Engineer and the Department of Water Affairs will be in attendance. Tenderers attending should meet at the Kgotla in Sepopa at 11.00 a.m.

Written queries for answers should be received by Africon Botswana, Private Bag BR144, Gaborone, Botswana not later than 15th October, 1999.

Sealed tenders marked: "CTB 10/3/13/99-2000 — Department of Water Affairs, The Construction of Sepopa/Ikoga Integrated Rural Village Water Supply Project" and addressed to the Director, Central Tender Board, Ministry of Finance and Development Planning building, Private Bag 0058, Gaborone, Botswana should be received by the Secretary of Central Tender Board not later than 10.00 a.m. on 3rd November, 1999 at the Ministry of Finance and Development Planning, Room 202. Tenderers wishing to attend the tender opening may do so. Telegraphic, telephonic or facsimile tenders will not be accepted.

The Government of Botswana is not bound to accept the lowest or any tender and reserves the right to accept the whole or part of a tender as deemed expedient. No reason will be given for the acceptance or rejection of the whole or part of a tender.

Queries relating to the above should be addressed to Mr A.J. Olivier, Africon Botswana, Private Bag BR144, Gaborone, Botswana, Tel. 351112 or 311397.

**G.L. TLOGELANG**  
*Director,*  
**Central Tender Board.**



**Republic of Botswana — Tender No. TB 8/6/99-2000**

**SUPPLY OF 11930 METRIC TONNES SORGHUM GRAIN FOR THE GOVERNMENT OF BOTSWANA,  
THE DEPARTMENT OF DISTRICT ADMINISTRATION AND FOOD RELIEF SERVICES**

TENDERS ARE INVITED for the supply of 11930 metric tonnes of sorghum grain to be used in supplementary feeding of primary school children and households affected by CBPP eradication programme.

Tender documents giving full specifications are available from the office of the Department of District Administration and Food Relief Services, Private Bag 443, Gaborone, Botswana. Telephone (267) 354153, Fax (267) 373483 and Telex BD 2589 MLGL&H.

Tenders in duplicate must reach the Director, Central Tender Board, Room 201, Ministry of Finance and Development Planning building, Private Bag 0058, Gaborone, Botswana not later than 10.00 a.m. on Wednesday 20th October, 1999 when tenders will be opened in the presence of tenderers wishing to attend. Tenders must be in sealed envelopes. Telegraphic, telephonic, telex and facsimile tenders will not be considered.

Notwithstanding anything contained in the foregoing, the Government of the Republic of Botswana is not bound to accept the lowest or any tender nor to give reason for non-acceptance of any tender thereof.

G.L. TLOGELANG

*Director,  
Central Tender Board.*

**Republic of Botswana — Tender No. TB 8/6/99-2000**

**SUPPLY OF 10390 METRIC TONNES DRIED BEANS FOR THE GOVERNMENT OF BOTSWANA, THE  
DEPARTMENT OF DISTRICT ADMINISTRATION AND FOOD RELIEF SERVICES**

TENDERS ARE INVITED for the supply of 10390 metric tonnes of dried beans to be used in supplementary feeding of primary school children, vulnerable groups and households affected by CBPP eradication programme.

Tender documents giving full specifications are available from the office of the Department of District Administration and Food Relief Services, Private Bag 443, Gaborone, Botswana. Telephone (267) 354153, Fax (267) 373483 and Telex BD 2589 MLGL&H.

Tenders in duplicate must reach the Director, Central Tender Board, Room 201, Ministry of Finance and Development Planning building, Private Bag 0058, Gaborone, Botswana not later than 10.00 a.m. on Wednesday 20th October, 1999 when tenders will be opened in the presence of tenderers wishing to attend. Tenders must be in sealed envelopes. Telegraphic, telephonic, telex and facsimile tenders will not be considered.

Notwithstanding anything contained in the foregoing, the Government of the Republic of Botswana is not bound to accept the lowest or any tender nor to give reason for non-acceptance of any tender thereof.

G.L. TLOGELANG

*Director, Central Tender Board.*

**Republic of Botswana — Tender No. TB 2/4/36/99-2000**

**BREATHALYSERS**

TENDERS ARE INVITED for the supply of Breathalyser Machines. Tender documents are available from Director of Traffic Division, Botswana Police Service, Broadhurst Police Station. Documents can be collected on any working day as from 8.00 a.m. to 4.00 p.m. or be requested by post from Private Bag 0012, Gaborone.

Tender papers should be sent to the Director of Central Tender Board, Private Bag 0058, Gaborone Botswana, Room 202, Ministry of Finance and Development Planning, second floor not later than 10.00 a.m. on Wednesday 20th October, 1999 when tenders will be opened in the presence of tenderers wishing to attend. Telegraphic, fax, telephone and telex tenders will not be considered. Tenders are to be submitted in duplicate.

Notwithstanding anything contained in the foregoing, the Government of the Republic of Botswana is not bound to accept the lowest or any tender nor to incur any expenses in the preparation thereof.

G.L. TLOGELANG

*Director,  
Central Tender Board.*

**Republic of Botswana — Tender No. TB 6/2/20/99-2000**

**SUPPLY AND INSTALLATION OF CLASSROOM, OFFICE AND WORKSHOP EQUIPMENT FOR  
GABORONE VOCATIONAL TRAINING CENTRE, KGALE VIEW, GABORONE (PART I)**

TENDERS ARE INVITED for the supply, including installation and commissioning of furniture, tools and equipment for the offices, classrooms, hostels, workshop and dining areas of the new Gaborone Vocational Training Centre at Kgale View, Gaborone.

The tender will comprise of a number of lots and will include tools, equipment and furniture for the administration offices, classrooms, dining hall and kitchen, Electrical Department, Refrigeration Department, Textile Department, Health and Beauty Departments, Hospitality and Tourism.

The tender documents are available from the Director, Mrs Nganunu of the Department of Vocational Education and Training (DVET) at Block 6, (Government Enclave), 7th Floor, Office 59.

Tenders should be delivered to the Director of Central Tender Board, Private Bag 0058, Gaborone, Botswana, Room 202, second floor, Ministry of Finance and Development Planning building not later than 10.00 a.m. on the 27th October, 1999 when tenders will be opened in the presence of tenderers wishing to attend. Telegraphic, telephone, telex, fax or e-mail tenders will not be considered. Tenders are to be submitted in duplicate.

Notwithstanding anything contained in the foregoing, the Government of the Republic of Botswana is not bound to accept the lowest tender nor to incur any expenses in the preparation thereof.

G.L. TLOGELANG  
*Director,*  
*Central Tender Board.*

**Republic of Botswana — Tender No. TB 9/4/129/99-2000 (Nominated Sub-Contract)**

**CONSTRUCTION OF A NON-LETHAL ELECTRIC FENCE ALONG  
BOTSWANA/ZIMBABWE BORDER**

TENDERS ARE INVITED for the construction of a Non-Lethal Electric Fence along the Botswana/Zimbabwe Border.

Documents and drawings will be available on application to the Director of Electrical and Mechanical Services Plot No. 6399-6401, Broadhurst Industrial Site, Gaborone or by post to Private Bag 0066, Gaborone.

Tenders should be delivered to the Secretary, Central Tender Board, Private Bag 0058, Gaborone, Room 202, Ministry of Finance and Development Planning building not later than 10.00 a.m. on Wednesday 13th October, 1999 when tenders will be opened in the presence of tenderers wishing to attend. Fax, telephonic and telex tenders will not be considered.

Tenders will only be considered from contractors who are registered with the Central Tender Board in Sub-Code 13 for electrical fencing.

Notwithstanding anything contained in the foregoing, the Government of the Republic of Botswana is not bound to accept the lowest or any tender nor incur any expenses in the preparation thereof.

G.L. TLOGELANG  
*Director,*  
*Central Tender Board.*

**Republic of Botswana — Tender No. TB 9/4/99/99-2000 (Nominated Sub-Contract)**

**ELECTRICAL INSTALLATION AND SITE RETICULATION FOR  
MAGISTRATE'S COURT AT TSABONG**

TENDERS ARE INVITED for the electrical installation and site reticulation for the Magistrate's Court at Tsabong.

Documents and drawings will be available on application to the Director of Electrical and Mechanical Services Plot No. 6399-6401, Broadhurst Industrial Site, Gaborone or by post to Private Bag 0066, Gaborone.

Tenders should be delivered to the Secretary, Central Tender Board, Private Bag 0058, Gaborone, Room 202, Ministry of Finance and Development Planning building not later than 10.00 a.m. on Wednesday 20th October, 1999 when tenders will be opened in the presence of tenderers wishing to attend. Tenders should be delivered in the envelopes provided. Fax, telephonic and telex tenders will not be considered.

Tenders will only be considered from contractors who are registered with the Central Tender Board in category "2C - 2E".

Notwithstanding anything contained in the foregoing, the Government of the Republic of Botswana is not bound to accept the lowest or any tender nor to incur any expenses in the preparation thereof.

G.L. TLOGELANG  
Director,  
Central Tender Board.

**Republic of Botswana — Tender No. TB 8/6/10/99-2000**

**SUPPLY OF 3335 METRIC TONNES VEGETABLE OIL FOR THE GOVERNMENT OF BOTSWANA,  
THE DEPARTMENT OF DISTRICT ADMINISTRATION AND FOOD RELIEF SERVICES**

TENDERS ARE INVITED for the supply of 3335 metric tonnes of Vegetable Oil to be used in supplementary feeding of vulnerable groups and primary school children.

Tender documents giving full specifications are available from the office of the Department of District Administration and Food Relief Services, Private Bag 443, Gaborone, Botswana. Telephone (267) 354153, Fax (267) 373483 and Telex BD 2589 MLGL&H.

Tenders in duplicate must reach the Director, Central Tender Board, Room 201, Ministry of Finance and Development Planning building, Private Bag 0058, Gaborone, Botswana not later than 10.00 a.m. on Wednesday 27th October, 1999 when tenders will be opened in the presence of tenderers wishing to attend. Tenders must be in sealed envelopes. Telegraphic, telephonic, telex and facsimile tenders will not be considered.

Notwithstanding anything contained in the foregoing, the Government of the Republic of Botswana is not bound to accept the lowest or any tender nor to give reasons for non-acceptance of any tender thereof.

G.L. TLOGELANG  
Director,  
Central Tender Board.

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

*Case No. CC 655/97*

In the matter between:

GOLDHILL INDUSTRIES (PTY) LTD	<i>Plaintiff</i>
and	
L & J CONSTRUCTION (PTY) LTD	<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 judgment of the above Honourable Court, the following property will be sold by public auction by Deputy Sheriff Moyo to the highest bidder as follows:

<b>DATE OF SALE:</b>	24th September, 1999
<b>TIME:</b>	10.30 a.m.
<b>VENUE:</b>	Broadhurst Police Station, Gaborone
<b>PROPERTY TO BE SOLD:</b>	1 x Hilux Registration No. B 290 ACR, 1 x Nashua photocopier machine with a stand, 1 x 2 sets of reception desk, 1 Kelvinator fridge, 1 x Panasonic fax machine, 1 x computer.
<b>TERMS OF SALE:</b>	Cash or bank guaranteed cheques.

DATED at Gaborone on this 25th day of August, 1999.

**MESSRS HELVER & COMPANY, *Plaintiff's Attorneys*, Plot No. 347, Moeding Road,  
Extension 4, P.O. Box 906, GABORONE.**

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

Case No. CC 948/98

In the matter between:

BARCLAYS BANK OF BOTSWANA LIMITED	<i>Plaintiff</i>
and	
BONTLHA CATTLE MARKETING (PROPRIETARY) LIMITED	<i>1st Defendant</i>
SOLOMON MAKHURA	<i>2nd Defendant</i>
CHRISTINE DINKO MAKHURA	<i>3rd Defendant</i>

**NOTICE OF SALE IN EXECUTION**

BE PLEASED to take notice that pursuant to a judgment of the above Honourable Court, the following property will be sold by public auction by Deputy Sheriff to the highest bidder as follows:

<b>DATE OF SALE:</b>	8th October, 1999
<b>TIME:</b>	10.00 a.m.
<b>VENUE:</b>	Broadhurst Police Station, Gaborone
<b>PROPERTY TO BE SOLD:</b>	Double door fridge, Defy 500 stove, Ariston 6 burner stove, 6 piece dining room suite, 4 piece lounge suite, 3 piece room divider, coffee table, display unit, chest of drawers, floor mat, television, heater, music system, Panasonic fax machine, Toyota Land Cruiser Registration No. B996 ABS, Mercedes Benz Registration B716 ACT.
<b>TERMS OF SALE:</b>	Cash or bank guaranteed cheques only.

DATED at Gaborone this 31st day of August, 1999.

DEPUTY SHERIFF T. KETSHABILE, c/o CHIBANDA, MAKGALEMELE & COMPANY,  
*Plaintiff's Attorneys*, Plot No. 886, Kaunda Road, Corner Independence Avenue,  
P.O. Box 1401, GABORONE.

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

Case No. CC 1820/98

In the matter between:

BOTSWANA HOUSING CORPORATION	<i>Plaintiff</i>
and	
JOYCE PHANA TEKANYO	<i>Defendant</i>

**NOTICE OF SALE IN EXECUTION**

BE PLEASED TO TAKE NOTICE that a sale in execution will be held by Deputy Sheriff G. Ramatlapanana pursuant to judgment granted in the above Honourable Court.

<b>DATE OF SALE:</b>	24th September, 1999
<b>TIME:</b>	10.30 a.m.
<b>PLACE:</b>	Broadhurst Police Station, Gaborone
<b>PROPERTY TO BE SOLD:</b>	4 piece cream white sofas, coffee table, floor mat, bookshelf, 3 glass coffee tables, 2 wall pictures, pioneer music system, 7 piece dining room suite, 3 piece room divider, Sony TV, Imperial deep freezer, electric fridge, electric stove, head board, dressing table, wooden mirror, floor mat, stool, radio tape, heater, ironing board, fan, dressing table, table, plastic chairs, curtains, 2 small coffee tables.
<b>TERMS OF SALE:</b>	Cash or bank guaranteed cheques.

RAMS SERVICES (PTY) LTD, DEPUTY SHERIFF G. RAMATLAPANA,  
P.O. Box 201599, GABORONE,

for

LESETEDI & CO., Plot No. 3267, Extension 12, Sechaba Close,  
Private Bag 00201, GABORONE.

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

*Case No. CC 1865/98*

In the matter between:

**BOTSWANA DEVELOPMENT CORPORATION  
and  
SUNRISE POULTRY (PTY) LTD  
CHICAGO FRIED CHICKEN (PTY) LTD**

*Plaintiff  
1st Defendant  
2nd Defendant*

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**SALE BY PRIVATE TREATY**

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BE PLEASED TO TAKE NOTICE that pursuant to the judgment granted by the above Honourable Court, the following property is hereby sold by private treaty:

**PROPERTY TO BE SOLD:** Tribal Lot No. 99 Maun with improvements thereon, situate at Maun Industrial, Measuring 2080m<sup>2</sup> and held under Agreement of Lease No. 199/94.

Tribal Lot No. 408 Maun, measuring 9,3935 hectares held under Agreement of Lease No. 200/94.

**TERMS OF SALE:**

**OFFERS:**

Cash or bank guaranteed cheques immediately after acceptance of the offer. To purchase should be sent to the hereunder attorneys or faxed to 307445 not later than the 24th September, 1999.

DATED at Gaborone this 9th day of September, 1999.

C. DIWANGA, c/o M.K. MOESI & CO., Plot No. 937, African Mall,  
P.O. Box 10193, GABORONE.

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

*Case No. CC 1914/98*

In the matter between:

**STANDARD CHARTERED BANK BOTSWANA LIMITED  
and  
PHOEBE SHARON GWARANTI**

*Plaintiff  
Defendant*

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**NOTICE OF SALE IN EXECUTION**

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BE PLEASED TO TAKE NOTICE that a sale in execution will be held by Deputy Sheriff G. Ramatlapanana pursuant to judgment granted in the above Honourable Court.

**DATE OF SALE:** 29th October, 1999

**TIME:** 10.00 a.m.

**PLACE:** Lot No. 10607, Extension 31, Gaborone.

**PROPERTY TO BE SOLD:** Lot No. 10607, Extension 31, Gaborone being a two-bedroomed house, sitting room dining room, kitchen, bath room and toilet, screen wall and some improvements thereon.

**TERMS OF SALE:** Cash or bank guaranteed cheques.

**RAMS SERVICES (PTY) LTD, DEPUTY SHERIFF G. RAMATLAPANA,  
P.O. Box 201599, GABORONE.**

*for*  
**LESETEDI & CO., Plot No. 3267, Extension 12, Sechaba Close,  
Private Bag 00201, GABORONE.**

**City of Francistown Council — Re-Tender No. COF/43/99**

**CLEANING OF STREETS AND OPEN SPACES (WARDS) FRANCISTOWN**

THE CITY COUNCIL of Francistown invites tenders for cleaning of public streets and open spaces in specific wards within the city.

**THE SCOPE OF WORK SHALL INCLUDE:**

- (a) Litter picking
  - (b) Sweeping
  - (c) Removal of animal carcasses
  - (d) Removal of tree branches/garden refuse
- From open space, streets and drains of specific wards.  
Council supplies refuse bags

Details/terms of reference can be obtained from the Chief Environmental Health Officer, Civic Centre (Office No. 510), Francistown City, upon payment of a non-refundable fee of P50.00.

This is a privatisation process aiming at empowering citizen medium/small-sized entrepreneurs (OC) and to create employment opportunities for local residents. Non-citizen companies need not apply.

Tenders should be delivered in sealed envelopes marked: "Tender No. COF/43/99—Cleaning of Streets and Open Spaces" and addressed to: The City Clerk, City of Francistown, Private Bag 40, Francistown on or before 8th October, 1999 at 08.00 hours. No late submission.

Tenders will be opened in the presence of tenderers wishing to attend at the old Council Chamber on 8th October, 1999 at 0900 hours.

Notwithstanding anything in the foregoing, the City Council is not bound to accept the lowest bid or any tender nor assign reasons for rejection/acceptance or to incur any expenses in the preparation thereof.

E.G. ANANI,  
*for City Clerk.*

*Second Publication*

**Selebi-Phikwe Town Council — Tender No. SPTC/F/15/99**

**SALE OF A BOARDED BEDFORD FIRE ENGINE**

TENDERS ARE INVITED by Selebi-Phikwe Town Council for sale of a boarded bedford fire engine by closed tender.

This is a 1986 Bedford truck converted to medium fire fighting equipment. The truck is equipped with a British Godeva Centrifugal Water Pump, 13.5m ladder and search light with extension cable of 25 meters. It has seven compartment lockers with two water hoses coiled in rims. All equipments are in good working conditions.

The vehicle can be inspected at Council Works Depot during working hours after the Second Publication. All interested bidders must produce a receipt of P50.00 from Council Revenue office before inspecting the vehicle and tendering. This amount will not be refunded.

Telegraphic, telephonic and telefaxed bidders will not be accepted. Tenders should be addressed to the Town Clerk, Selebi-Phikwe Town Council, Private Bag 001, Selebi-Phikwe and posted in the tender box. Tenders should reach this office not later than 12.00 noon of the 5th October, 1999. It will be opened the same day at 14.00 hours in the presence of tenderers who wish to attend.

A.A.B. QUASHIE,  
*for Town Clerk.*

*Second Publication*

**Kweneng District Council — Tender No. 37 of 1999****SUPPLY OF TEMPERA PAINTS, LABORATORY THERMOMETERS, STRIP MIRRORS, MELODICAS, WATERING CANS AND PENCIL SHARPENERS FOR SCHOOLS, SCIENCE KIT**

KWENENG DISTRICT COUNCIL invites tender for the supply of tempera paints, laboratory thermometers, strip mirrors, melodicas, watering cans and pencil sharpeners, science kit.

Particular specifications can be obtained from the Principal Education Secretary's Office No. 64, Kweneng District Council with a non-refundable fee of P50,00 which is payable to Council Revenue Office.

Tenders should be typed and submitted in plain sealed envelope clearly marked "Tender No. 37 of 1999" and addressed to The Council Secretary, Kweneng District Council, Private Bag 005, Molepolole, not later than 11th October, 1999 at 9.00 a.m. at which time tender opening shall commence. Tenders without samples will not be considered. Council is not bound to accept the lowest or any tender.

J. MOTLOTLEGI,  
*for Council Secretary.*

*Second Publication*

**Central District Council — Re-Tender No. CDC/Supplies/20/99****SUPPLY OF SHOES**

CENTRAL DISTRICT COUNCIL invites tenders for the supply of Family Welfare Educator's shoes. Tender documents together with specification can be obtained from Supplies Office. Central District Council, telephone 430253 on payment of a non-refundable fee of P10,00.

Completed tenders should be submitted in a sealed envelope clearly marked "Tender No. CDC/Supplies/20/99—Supply of Shoes". The Council Secretary, Central District Council, Private Bag 001, Serowe.

***TENDERERS ARE STRICTLY REQUESTED TO ADHERE TO THE FOLLOWING:***

1. Prices should be in Botswana currency.
2. States the expected date of delivery.
3. Items should be delivered to Council Supplies within sixty (60) days from the date of official order.
4. Samples should be submitted to supplies office.
5. Prices should remain firm until all orders are delivered.

Tenders should reach this office on or before the 7th October, 1999 at 9.00 a.m. and the opening shall be immediately after closing of the tender in the presence of tenderers if any. Central District Council does not bind itself to accept the lowest bidder nor to assign any reason thereof.

DORCAS CHAMILE,  
*for Council Secretary.*

*Second Publication*

**Central District Council — Tender No. CDC/Supplies/36/99****SUPPLY OF SHOES**

CENTRAL DISTRICT COUNCIL invites tenders for the supply of driver's shoes. Tender documents together with specifications can be obtained from Supplies Office. Central District Council telephone 430253 on payment of a non-refundable fee of P10,00.

Completed tenders should be submitted in a sealed envelope clearly marked "Tender No. CDC/Supplies/36/99—Supply of Shoes". The Council Secretary, Central District Council, Private Bag 001, Serowe.

**TENDERERS ARE STRICTLY REQUESTED TO ADHERE TO THE FOLLOWING:**

1. Prices should be in Botswana currency.
2. States the expected date of delivery.
3. Items should be delivered to Council Supplies within sixty (60) days from the date of official order.
4. Samples should be submitted to supplies office.
5. Prices should remain firm until all orders are delivered.

Tenders should reach this office on or before the 7th October, 1999 at 9.00 a.m. and the opening shall be immediately after closing of the tender in the presence of tenderers if any. Central District Council does not bind itself to accept the lowest bidder nor to assign any reason thereof.

**DORCAS CHAMILE,**  
*for Council Secretary.*

*Second Publication*

**Central District Council — Tender No. CDC/AB-37/99****EDUCATION FACILITIES**

**TENDERS ARE INVITED** for the construction of the following facilities:

**SEROWE/PALAPYE SUB-DISTRICT**

**CONTRACT NO. CDC/AB-37-99/1** (CATEGORY 01/01 OC)

<b>LOCATION</b>	<b>FACILITY</b>	<b>APPROX. AREA</b>
Malatswai	1 x 2 classroom	189 sqm

Tender documents may be obtained by writing to Council Architect, Central District Council, Private Bag 001, Serowe or may be collected in person from Architecture and Buildings Department, Central District Council at Rural Administration Centre Room No. B19 Serowe.

Tender documents shall only be issued to citizen contractors who can show proof of registration with Central Tender Board.

A non-refundable fee of P50,00 (Fifty Pula) will be charged. Documents will be available from the 13th September, 1999 to the 6th October, 1999. Tenders must be enclosed in a plain sealed envelope, addressed to the Council Secretary, Central District Council, Private Bag 001, Serowe and boldly marked "Tender No. CDC/AB-37/99".

Tender documents must be received in the office of the Council Secretary, Central District Council not later than 0900 hours on the 7th October, 1999. Any tender which is not accompanied by a declaration form, may not be considered.

Tenders will be opened immediately after closing time and willing tenderers may be present at the time of opening. The Council does not bind itself to accept the lowest or any tender or assign any reason thereof.

**J.N. BABILI,**  
*for Council Secretary.*

*Second Publication*



## Central District Council — Tender NO. CDC/AB-38/99

## EDUCATION FACILITIES

CENTRAL DISTRICT COUNCIL invites tenders for the construction of the following facilities:

*SEROWE/PALAPYE SUB-DISTRICT*

TENDER NO. CDC/AB-38/99/1 (Category 01 A)

LOCATION	FACILITY	APPROX. AREA
Palapye	Clinic	130 sqm

TENDER NO. CDC/AB-38/99/2 (Category 01/B)

LOCATION	FACILITY	APPROX. AREA
Moiyabana	Clinic	130 sqm
Moiyabana	Nurse House 1 x LA2	60 sqm
Moiyabana	Maternity Wards	130 sqm

TENDER NO. CDC/AB-38/99/3 (Category 01/A)

LOCATION	FACILITY	APPROX. AREA
Tamasane	Nurses House 1 x LA2	60 sqm
Diloro	Nurses House 1 x LA2	60 sqm

TENDER NO. CDC/A-38/99/4 (Category 01/A)

LOCATION	FACILITY	APPROX. AREA
Lecheng	Nurses houses 2 x LA2	60 sqm

*MAHALAPYE SUB-DISTRICT*

TENDER NO. CDC/AB-38/99/5 (Category 01/A)

LOCATION	FACILITY	APPROX. AREA
Mahalapye (Airstrip)	Clinic	130 sqm
Mahalapye	Nurses House 1 x LA2	60 sqm

TENDER NO. CDC/AB-38/99/6 (Category 01/B)

LOCATION	FACILITY	APPROX. AREA
Seleka	Maternity Wards	130 sqm
Seleka	Nurses Houses 2 x LA2	60 sqm

*TUTUME SUB-DISTRICT*

TENDER NO. CDC/AB-38/99/7 (Category 01/A)

LOCATION	FACILITY	APPROX. AREA
Senete	Clinic	130 sqm
Senete	Nurses Houses 2 x LA2	60 sqm

TENDER NO. CDC/AB-38/99/8 (Category 01/A)

LOCATION	FACILITY	APPROX. AREA
Sebina	Nurses Houses 1 x LA2	60 sqm
Matsitama	Nurses Houses 1 x LA2	60 sqm

*BOBIRWA SUB-DISTRICT*

TENDER NO. CDC/AB-38/99/9 (Category 01/01 OC)

LOCATION	FACILITY	APPROX. AREA
Mathathane	Nurses House 1 x LA2	60 sqm

*BOTETI SUB-DISTRICT*

TENDER NO. CDC/AB-38/99/10 (Category 01/01 OC)

LOCATION	FACILITY	APPROX. AREA
Rakops	Nurses Houses 1 x LA2	60 sqm

*TUTUME SUB-DISTRICT*

TENDER NO. CDC/AB-38/99/11 (Category 01/01 OC)

LOCATION	FACILITY	APPROX. AREA
Gweta	Market stalls	78 sqm

**SEROWE/PALAPYE SUB-DISTRICT**

TENDER NO. CDC/AB-38/99/12 (Category 01/01 OC)

<i>LOCATION</i>	<i>FACILITY</i>	<i>APPROX. AREA</i>
Lerala	Market stalls	78 sqm

**MAHALAPYE SUB-DISTRICT**

TENDER NO. CDC/AB-38/99/13 (Category 01/01 OC)

<i>LOCATION</i>	<i>FACILITY</i>	<i>APPROX. AREA</i>
Shoshong	Extension offices	140sqm

**BOBIRWA SUB-DISTRICT**

TENDER NO. CDC/AB-38/99/14 (Category 01/01 OC)

<i>LOCATION</i>	<i>FACILITY</i>	<i>APPROX. AREA</i>
Mmadinare	Extension offices	140sqm

Tender documents may be obtained by writing to Council Architect, Central District Council, Private Bag 001, Serowe or may be collected in person from Architecture and Buildings Department, Central District Council at Rural Administration Centre, Room No. B19, Serowe.

Tender documents shall only be issued to only citizen contractors who can show proof of registration with Central Tender Board. A non-refundable fee of P50.00 (Fifty Pula) will be charged. Documents will be available from the 13th September to the 6th October, 1999.

Tenders must be enclosed in a plain sealed envelope, addressed to the Council Secretary, Central District Council, Private Bag 001, Serowe and boldly marked: "Tender No. CDC/AB-38/99."

Tender documents must be received in the office of the Council Secretary, Central District Council not later than 09.00 hours on the 7th October, 1999. Any tender which is not accompanied by a declaration form may not be considered.

Tenders will be opened immediately after closing time and willing tenderers may be present at the time of opening. The Council does not bind itself to accept the lowest or any tender or assign any reason thereof.

J.N. BABILI,  
for Council Secretary.

*Second Publication*

**Central District Council — Tender No. CDC/AB-39/99****HEALTH FACILITIES (RADS)**

**TENDERS ARE INVITED** for the construction of the following facilities:

**MAHALAPYE SUB-DISTRICT**

CONTRACT NO. CDC/AB/39/99/1 (Category 01/01 OC)

<i>LOCATION</i>	<i>FACILITY</i>	<i>APPROX. AREA</i>
Moralane	Health Post	65 sqm

**BOTETI SUB-DISTRICT**

CONTRACT NO. CDC/AB/39/99/2 (Category 01/01 OC)

<i>LOCATION</i>	<i>FACILITY</i>	<i>APPROX. AREA</i>
Mmea	Health Post	65 sqm

Tender documents may be obtained by writing to the Council Architect, Central District Council, Private Bag 001, Serowe or may be collected in person from Architecture and Buildings Department, Central District Council at Rural Administration Centre, Room No. B19, Serowe.

Tender documents shall only be issued to only citizen contractors who can show proof of registration with Central Tender Board. A non-refundable fee of P50.00 (fifty pula) will be charged. Documents will be available from the 13th September to the 6th October, 1999.

Tenders must be enclosed in a plain sealed envelope, addressed to the Council Secretary, Central District Council, Private Bag 001, Serowe and boldly marked: "Tender No. CDC/AB-39/99."

Tender documents must be received in the office of the Council Secretary, Central District Council not later than 09.00 hours on the 7th October, 1999. Any tender which is not accompanied by a declaration form may not be considered.

Tenders will be opened immediately after closing time and willing tenderers may be present at the time of opening. The Council does not bind itself to accept the lowest or any tender or assign any reason thereof.

J.N. BABILI,  
for Council Secretary.

*Second Publication*

**Central District Council — Tender No. CDC/CTU/40/99****SECURITY SERVICES**

**TENDERS ARE INVITED** for security services at the following places:

1. Serowe Council Workshop
2. Mahalapye Council Workshop
3. Bobonong Council Workshop
4. Tutume Council Workshop
5. Letlhakane Council Workshop
6. Serowe Metal Works
7. Serowe Main Stores
8. Palapye Main Stores

**SUBMISSIONS SHOULD REFLECT THE FOLLOWING:**

- (a) Rates per hour, per day and month.
- (b) Rates for holidays and weekends.
- (c) Equipment to be used.
- (d) Supervision and monitoring criteria.
- (e) Insurance Policy cover (photocopy and should be valid).

Successful companies will be awarded the tender starting from November 1999 to March 2001. Award will only be effective after signing of contract. Price shall be valid until end of contract.

Tenders to be submitted in plain sealed envelopes marked: "Tender CDC/CTU/40/99—Security Services" and addressed to Council Secretary, Private Bag 001, Serowe should be hand delivered to his office not later than 7th October, 1999 at 9.00 a.m. at which time tenderers will be opened. Council is not bound to accept the lowest or any tender.

**P. MOKOTEDI,**  
*for Council Secretary.*

*Second Publication*

**North West District Council — Tender No. NW/AB/13/99****DEVELOPMENT CONSTRUCTION — HEALTH FACILITIES**

**TENDERS ARE INVITED** by the North West District Council for the construction of health facilities at Gumare. Only contractors registered with Central Tender Board under Grade A or B are invited.

<i>LOCATION</i>	<i>TENDER PACKAGE</i>	<i>PROJECT DETAILS</i>
Gumare-Gumare Clinic	NW-O/AB/13/99	2No x LA2 Houses

Tender documents can be obtained from Architecture and Buildings Department, North West District, Okavango Sub-District Council Offices, Gumare during working hours on payment of a non-refundable fee of fifty pula (P50.00) only.

Only tenders submitted on official forms of tender shall be considered. No drawings, specifications and other papers from the document should be removed or detached. Any detachment of papers from the document may lead to the disqualification of tender.

Tenders are to be submitted in plain sealed envelopes clearly marked: "Tender No. NW-O/AB/13/99—Construction of Health Facilities at Gumare" and shall be registered with the Personal Secretary of the Council Secretary and posted in the tender box at the office of the Council Secretary, North West District Council, Private Bag 001, Maun R.A.C. Building not later than 0900 hours on Wednesday 27th October, 1999.

Tender opening shall be immediately thereafter 0900 hours on the same day in the Council Chamber and tenderers are at liberty to attend. Notwithstanding anything contained in the foregoing the North West District Council is not bound to accept the lowest tender or any tender or part thereof nor give reasons thereof. North West District Council will not reimburse any expenses in respect of preparation thereof.

**S. BOJOSI,**  
*for Council Secretary.*

*Second Publication*

**North West District Council — Tender No. NW/AB/15/99**

**DEVELOPMENT CONSTRUCTION — HEALTH FACILITIES**

TENDERS ARE INVITED by the North West District Council for the construction of health facilities at Sedie Clinic and Matlapana Health Post. Only 100% citizen owned companies registered with Central Tender Board under Grade OC are invited.

<i>ITEM</i>	<i>LOCATION</i>	<i>TENDER PACKAGE</i>	<i>DESCRIPTION</i>
1	Matlapana	NW/AB/15/99	1No. x LA2 Nurses' Houses

Tenderer documents can be obtained from Achitecture and Buildings Department, North West District Council, Office No. 106, First Floor, (Green Block) at Rural Administration Centre (RAC) Maun during working hours on payment of a non-refundable fee of fifty pula (P50.00) only.

Only tenders submitted on official form of tender shall be considered. No drawings, specifications and other papers from the document should be removed or detached. Any detachment of papers from the document may lead to the disqualification of tender.

Tenders are to be submitted in plain sealed envelopes clearly marked: "Tender No. NW/AB/15/99— Construction of Health Facilities at Matlapana Health Post" and shall be registered with the Personal Secretary to the Council Secretary and posted in the tender box at the office of the Council Secretary, North West District Council, Private Bag 001, Maun (R.A.C.) Building not later than 0900 hours on Wednesday 27th October, 1999.

Tender opening shall be immediately thereafter 0900 hours on the same day in the Council Chamber and tenderers are at liberty to attend. Notwithstanding anything contained in the foregoing the North West District Council is not bound to accept the lowest tender or any tender or part thereof nor give reasons thereof. North West District Council will not reimburse any expenses in respect of preparation thereof.

E.K. DITHATHO,  
*for Council Secretary.*

*Second Publication*

**North West District Council — Tender No. NW/AB/16/99**

**DEVELOPMENT CONSTRUCTION — HEALTH FACILITIES**

TENDERS ARE INVITED by the North West District Council for the construction of health facilities at Maun Clinic and Boseja Clinic. Only 100% citizen owned companies registered with Central Tender Board under Grade A are invited.

<i>ITEM</i>	<i>LOCATION</i>	<i>TENDER PACKAGE</i>	<i>PROJECT DETAILS</i>
1	Boseja Clinic (Maun)	NW/AB/16/99	2No. x LA2 Nurses' Houses

Tender documents can be obtained from Achitecture and Buildings Department, North West District Council, Office No. 106, First Floor, (Green Block) at Rural Administration Centre (RAC) Maun during working hours on payment of a non-refundable fee of Fifty Pula (P50.00).

Only tenders submitted on official form of tender shall be considered. No drawings, specifications and other papers from the document should be removed or detached. Any detachment of papers from the document may lead to the disqualification of tender.

Tenders are to be submitted in plain sealed envelopes clearly marked: "Tender No. NW/AB/16/99— Construction of Health Facilities at Boseja Clinic" and shall be registered with the Personal Secretary to the Council Secretary and posted in the tender box at the office of the Council Secretary, North West District Council, Private Bag 001, Maun (R.A.C.) Building not later than 0900 hours on Wednesday 27th October, 1999.

Tender opening shall be immediately thereafter 0900 hours on the same day in the Council Chamber and tenderers are at liberty to attend. Notwithstanding anything contained in the foregoing the North West District Council is not bound to accept the lowest tender or any tender or part thereof nor give reasons thereof. North West District Council will not reimburse any expenses in respect of preparation thereof.

E.K. DITHATHO,  
*for Council Secretary.*

*Second Publication*

**North West District Council — Tender No. NW/AB/17/99**

**DEVELOPMENT CONSTRUCTION — HEALTH FACILITIES**

TENDERS ARE INVITED by the North West District Council for the construction of health facilities at Shorobe Clinic. Only 100% citizen owned companies registered with Central Tender Board under, under Grade A are invited.

<i>ITEM</i>	<i>LOCATION</i>	<i>TENDER PACKAGE</i>	<i>PROJECT DETAILS</i>
1	Sedie Clinic	NW/AB/17/99	2No. x LA2 Nurses' Houses

Tender documents can be obtained from Achitecture and Buildings Department, North West District Council, Office No. 106, First Floor, (Green Block) at Rural Administration Centre (RAC) Maun during working hours on payment of a non-refundable fee of Fifty Pula (P50.00).

Only tenders submitted on official form of tender shall be considered. No drawings, specifications and other papers from the document should be removed or detached. Any detachment of papers from the document may lead to the disqualification of tender.

Tenders are to be submitted in plain sealed envelopes clearly marked: "Tender No. NW/AB/17/99— Construction of Health Facilities at Sedie Clinic" and shall be registered with the Personal Secretary to the Council Secretary and posted in the tender box at the office of the Council Secretary, Private Bag 001, Maun (R.A.C.) Building not later than 0900 hours on Wednesday 27th October, 1999.

Tender opening shall commence immediately thereafter 0900 hours on the same day in the Council Chamber and tenderers are liberty to attend. Notwithstanding anything contained in the foregoing the North West District Council is not bound to accept the lowest tender or any tender or part thereof nor give reasons thereof. North West District Council will not reimburse any expenses in respect of preparation thereof.

E.K. DITHATHO,  
*for Council Secretary.*

*Second Publication*

**North West District Council — Tender No. NW/AB/18/99**

**DEVELOPMENT CONSTRUCTION — HEALTH FACILITIES**

TENDERS ARE INVITED by the North West District Council for the construction of health facilities at Shorobe Clinic. Only 100% citizen owned companies registered with Central Tender Board under Grade A are invited.

<i>ITEM</i>	<i>LOCATION</i>	<i>TENDER PACKAGE</i>	<i>PROJECT DETAILS</i>
1	Maun Clinic	NW/AB/18/99	2No. x LA2 Nurses' Houses

Tender documents can be obtained from Achitecture and Buildings Department, North West District Council, Office No. 106, First Floor, (Green Block) at Rural Administration Centre (RAC) Maun during working hours on payment of a non-refundable fee of fifty pula (P50.00).

Only tenderers submitted on official form of tender shall be considered. No drawings, specifications and other paper from the document should be removed or detached. Any detachment of papers from the document may lead to the disqualification of tender.

Tenders are to be submitted in plain sealed envelopes clearly marked: "Tender No. NW/AB/18/99— Construction of Health Facilities at Maun Clinic" and shall be registered with the Personal Secretary to the Council Secretary and posted in the tender box at the office of the Council Secretary, Private Bag 001, Maun (R.A.C.) Building not later than 0900 hours on Wednesday 27th October, 1999.

Tender opening shall commence immediately thereafter 0900 hours on the same day in the Council Chamber and tenderers are at liberty to attend. Notwithstanding anything contained in the foregoing the North West District Council is not bound to accept the lowest tender or any tender or part thereof nor give reasons thereof. North West District Council will not reimburse any expenses in respect of preparation thereof.

E.K. DITHATHO,  
*for Council Secretary.*

*Second Publication*

**Notice of Intention to Dispose Trading/Liquor Licence**

NOTICE IS HEREBY given in terms of section 23 of (Cap. 43:02) of the Trade and Liquor Act, 1987, that I, Spyros Nicolaou have disposed of my entire interest in carrying on the business of Liquor Restaurant to Veg Marketing (Pty) Ltd who will continue to trade at the same premises and under the same style.

SPYROS NICOLAOU, P.O. Box 492, MAUN.

*Second Publication*

**Notice of Intention to Dispose Trading/Liquor Licence**

NOTICE IS HEREBY given in terms of section 23 of (Cap. 43:02) of the Trade and Liquor Act, 1987, that I, Spyros Nicolaou have disposed of my entire interest in carrying on the business of Liquor Restaurant to Keamogetse Segadimo who will continue to trade at the same premises and under the same style.

SPYROS NICOLAOU, P.O. Box 492, MAUN.

*Second Publication*

**Notice of Intention to Dispose Trading/Liquor Licence**

NOTICE IS HEREBY given in terms of section 23 of (Cap. 43:02) of the Trade and Liquor Act, 1987, that I, Solomon Mosata have disposed of my interest in carrying on the business of Fresh Produce to Patrick C. Motlhaping who will continue to trade at the same premises and under the same style of a Butchery and Fresh Produce.

SOLOMON MOSATA, P.O. Box 1472, GABORONE.

*Second Publication*

**Notice of Intention to Dispose Trading/Liquor Licence**

NOTICE IS HEREBY given in terms of section 23 of (Cap. 43:02) of the Trade and Liquor Act, 1987, that I, Rammala Mokgadi have disposed of my entire interest in carrying on the business of Bar Liquor and General Trading to Joyce Phatshwane who will continue to trade at the same premises and under the style of a Bar Liquor and General Trading.

RAMMALA MOKGADI, P.O. Box 20887, MOCHUDI.

*Second Publication*

**Notice of Intention to Dispose Trading/Liquor Licence**

NOTICE IS HEREBY given in terms of section 23 of (Cap. 43:02) of the Trade and Liquor Act, 1987, that I, Patrick Manengena have disposed of my entire interest in carrying on the business of Bar Liquor to Wada Magudu who will continue to trade at the same premises and under the same style of a Bar Liquor.

PATRICK MANENGENA, Private Bag 30, SELEBI-PHIKWE.

*Second Publication*

**Notice of Intention to Dispose Trading/Liquor Licence**

NOTICE IS HEREBY given in terms of section 23 of (Cap. 43:02) of the Trade and Liquor Act, 1987, that We, Bobby Matambo and Sebele Molalapata have disposed of our entire interest in carrying on the business of Bar Liquor to J. Keleotswe who will continue to trade at the same premises and under the same style of a Bar Liquor.

BOBBY O. MATAMBO, P.O. Box 144, ORAPA.

*Second Publication*

**Notice of Intention to Dispose Trading/Liquor Licence**

NOTICE IS HEREBY given in terms of section 23 of (Cap. 43:02) of the Trade and Liquor Act, 1987, that I, Neo Lesole have disposed of my entire interest in carrying on the business of Bar Liquor to Ishmael Poloko who will continue to trade at the same premises and under the same style of Bar Liquor.

NEO LESOLE, P.O. Box 54, MAUNATLALA.

*Second Publication*

**Notice of Intention to Dispose Trading/Liquor Licence**

NOTICE IS HEREBY given in terms of section 23 of (Cap. 43:02) of the Trade and Liquor Act, 1987, that We, Maxisave Botswana (Pty) Ltd have disposed of our entire interest in carrying on the business of a Speciality Trading (Hardware, Building Materials, Cement and Gas) to Thabo Investments (Pty) Ltd t/a Maxisave who will continue to trade at the same premises and under the same style of business of a Speciality Trading.

MAXISAVE BOTSWANA (PTY) LTD, c/o Access Professional Services (Pty) Ltd,  
P.O. Box 830, PALAPYE.

*Second Publication*

**Notice of Intention to Dispose Trading/Liquor Licence**

NOTICE IS HEREBY given in terms of section 23 of (Cap. 43:02) of the Trade and Liquor Act, 1987, that We, Maxisave Botswana (Pty) Ltd have disposed of our entire interest in carrying on the business of a Speciality Trading (Hardware, Building Materials, Cement and Gas) to Fas Holdings (Pty) Ltd t/a Maxisave who will continue to trade at the same premises and under the same style of business of a Speciality Trading.

MAXISAVE BOTSWANA (PTY) LTD, c/o Access Professional Services (Pty) Ltd,  
P.O. Box 830, PALAPYE.

*Second Publication*

**Notice of Intention to Dispose Trading/Liquor Licence**

NOTICE IS HEREBY given in terms of section 23 of (Cap. 43:02) of the Trade and Liquor Act, 1987, that We, Maxisave Botswana (Pty) Ltd have disposed of our entire interest in carrying on the business of a Speciality Trading (Hardware, Building Materials, Cement and Gas) to Peba Investments (Pty) Ltd t/a Maxisave who will continue to trade at the same premises and under the same style of business of a Speciality Trading.

MAXISAVE BOTSWANA (PTY) LTD, c/o Access Professional Services (Pty) Ltd,  
P.O. Box 830, PALAPYE.

*Second Publication*

**Notice of Intention to Dispose Trading/Liquor Licence**

NOTICE IS HEREBY given in terms of section 23 of (Cap. 43:02) of the Trade and Liquor Act, 1987, that We, Maxisave Botswana (Pty) Ltd have disposed of our entire interest in carrying on the business of a Speciality Trading (Hardware, Building Materials, Cement and Gas) to Kabelo Investments (Pty) Ltd t/a Maxisave who will continue to trade at the same premises and under the same style of business of a Speciality Trading.

MAXISAVE BOTSWANA (PTY) LTD, c/o Access Professional Services (Pty) Ltd,  
P.O. Box 830, PALAPYE.

*Second Publication*

**Second Notice in Terms of Section 34 (1) of the Insolvency Act  
(Cap. 42:02)**

BE PLEASED TO TAKE NOTICE that Bandco (Pty) Ltd, intends disposing its shares to Dr. Josias Servaas Coetsee after the expiry of the 14 (Fourteen) day period commencing on the date of the publication of this notice.

Any person having a claim against the company is requested to notify the undersigned within 14 (Fourteen) days of the date hereof.

RAHIM KHAN & COMPANY, Attorneys, Notaries & Conveyancers, Office No. 1, Plot No. 50362,  
Showgrounds Office Park, P.O. Box 1884, GABORONE.

*Second Publication*

**Change of Name**

NOTICE IS HEREBY given in terms of section 21 of the Companies Act, (Cap. 42:01) that The Bookkeepers and Secretarial Services (Pty) Ltd proposed to change its name to Business Developers and Costs Consultants (Pty) Ltd and that the application will be made to the Registrar of Companies for the normal approval to the change of name after 14 days have elapsed from the date of second publication of this notice.

EDSON CHISENGA, Secretary, P.O. Box 1142, GABORONE.

*Second Publication*

**Change of Name**

PURSUANT to section 21 (1) of the Companies Act, (Cap. 42:01) as amended, notice is hereby given that MK Business Consultants (Pty) Ltd will make an application to the Registrar of Companies for his approval to change the name of the company to Creative Business Solutions (Pty) Ltd after (14) days have elapsed from the second publication of this notice.

*for and on behalf of the company*  
CORPORATE-MEDIA, Company Secretaries.

*Second Publication*



**Notice of Intention for Removal of Trading/Liquor Licence**

NOTICE IS HEREBY given that the undersigned intends to apply for a removal of a Specialised Trading licence (first aid and medical equipment and dried flower arrangements), from Lot 6391, Gaborone to Lot 764, Gaborone, in terms of section 9 of the Trade and Liquor Act No. 29 of 1987, and that the Gaborone Local Licensing Authority has determined to hear the application on the 13th October, 1999.

NZSA c/o CORPORATE SERVICES (PROPRIETARY) LIMITED, P.O. Box 406, GABORONE.

*Second Publication*

**Notice of Intention for Removal of Trading/Liquor Licence**

NOTICE IS HEREBY given in terms of section 23 (1) of the Trade and Liquor Act 1987 (Cap. 43:02) that the undersigned intends to remove a Speciality licence from Guanda Trading to Morula and will continue to trade under the same style of Specialised Trading.

LIU LAN YUE.

*Second Publication*

**Notice of Intention for Removal of Trading/Liquor Licence**

NOTICE IS HEREBY given that the undersigned intends to apply for a removal of a Workshop licence in respect of the premises situated at Plot No. 5648, Extension 16 to Plot No. 5652 who will continue to trade at the premises and under the same style of an Electrical Installation & Rewinding of Electric Motors and that the Gaborone City Council has determined that the application shall be heard by the Licensing Authority.

ELECTRIC MASTERCARE (PTY) LTD, P.O. Box 502497, GABORONE.

*Second Publication*

**Notice of Intention for Removal of Trading/Liquor Licence**

NOTICE IS HEREBY given that the undersigned intends to apply for a removal of a Specialised Trading licence from Plot No. 8561, Botshabelo North, Selebi-Phikwe to Plot No. 2914 Botshabelo North, Selebi-Phikwe and that the Licensing Authority has determined that the application shall be heard by the Licensing Authority in September, 1999.

CLASSIC SALES (PTY) LTD, c/o KGWEBE MANAGEMENT CONSULTANTS,  
P.O. Box 661, SELEB-PHIKWE.

*Second Publication*

**Notice of Intention to Transfer Trading/Liquor Licence**

NOTICE IS HEREBY given that the undersigned intends to apply for a certificate in terms of section 9 of the Trade and Liquor Act, 1987 to obtain a transfer of Fresh Produce licence in respect of premises situated at Boseja Ward, Maun from Spyros Nicolaou to Veg Market (Pty) Ltd and that the Maun Local Licensing Authority has determined that the application shall be heard on the 27th September, 1999.

C.B. THABANO (PTY) LTD, P.O. Box 40901, GABORONE.

*Second Publication*

**Notice of Intention to Transfer Trading/Liquor Licence**

NOTICE IS HEREBY given that the undersigned intends to apply for a certificate in terms of section 9 of the Trade and Liquor Act, 1987 to obtain a transfer of Liquor Restaurant licence in respect of premises situated at Boseja Ward, from Spyros Nicolaou to Keamogetse Segadimo and that the Maun Local Licensing Authority has determined that the application shall be heard on the 27th September, 1999.

KEAMOGETSE SEGADIMO, P.O. Box 454, MAUN.

*Second Publication*

**Change of Style**

NOTICE IS HEREBY given that the undersigned intends to apply in terms of section 9 of the Trade and Liquor Act, 1987 (No. 43:02 of 1987) to change the style of General Trading to Bar in respect of the premises situated at Phuthadikobo, Molepolole and that the Kweneng District Council has determined that the application shall be heard by the Licensing Authority on the 21st September, 1999.

BENJAMIN MATSILA, P.O. Box 655, MOLEPOLOLE.

*Second Publication*

**Lost Title Deed**

NOTICE IS HEREBY given that we intend to apply for a Certified Copy of Deed of Transfer No. 896/92 dated 23rd day of June, 1992 passed in favour of Richard Ndebele Soba in respect of:

**CERTAIN:** piece of land being Plot No. 43009, Gaborone;  
**SITUATE:** in the Gaborone Administrative District;  
**MEASURING:** 1107 m<sup>2</sup> (One Thousand One Hundred and Seven, Square Metres);

All persons having objection to the issue of such copy are hereby required to lodge same in writing with the Registrar of Deeds within three weeks from the last publication of this notice.

DATED at GABORONE on this 24th day of August, 1999.

LESETEDI & COMPANY, Attorneys, Notaries and Conveyancers. Plot No. 3267, Sechaba Close, Private Bag 00201, GABORONE.

*Second Publication*

**Lost Title Deed**

NOTICE IS HEREBY given that the undersigned intends to apply for a Certified Copy of Memorandum of Agreement of Lease dated 27th April, 1998 in respect of the following property:

**CERTAIN:** piece of land being Tribal Grant No. 51-PM;  
**SITUATE:** in the Batawana Tribal Territory;  
**MEASURING:** 1620 m<sup>2</sup> (One Thousand Six Hundred and Twenty, square metres);  
**HELD UNDER:** Memorandum of Agreement of Lease No. 7/98 dated 27th April, 1998 in favour of David & Goliath Safari Company (Proprietary) Limited;

All persons having objection to the issue of such copy are hereby required to lodge same in writing with the Registrar of Deeds within (3) three weeks from the last publication of this notice.

DATED at GABORONE this 3rd day of September, 1999.

CHRIS DU PLESSIS ATTORNEYS, Private Bag 00352, GABORONE.

*Second Publication*

**Final Distribution and Liquidation Account**

ESTATE OF THE LATE ANDRIES GERHARDUS DU PLESSIS - E 38/98

IN THE ESTATE of the Late Andries Gerhardus Du Plessis who died at Odendaalsrust Farm near Lobatse on 24th August, 1998.

THE FIRST AND FINAL LIQUIDATION AND DISTRIBUTION ACCOUNT of the above estate will lie for inspection at the Chambers of the Master of the High Court at Lobatse for a period of 21 (Twenty One) days from the date of publication hereof.

DATED at LOBATSE this 30th day of August, 1999.

GAONGALELWE & COMPANY, K & N FURNISHERS' BUILDING, The Mall,  
P.O. Box 367, LOBATSE.

*Second Publication*

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

*Case No. G. 335/95*

In the matter between:

MAGIC FINGERS HAIR SALON  
and  
PATRICK NGWAKO

*Plaintiff*

*Defendant*

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**NOTICE OF SALE IN EXECUTION**

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BE PLEASED TO TAKE NOTICE that pursuant to the judgment granted by the above Honourable Court, the following property of the Defendant will be sold by public auction by Deputy Sheriff Joseph Tollo Kokeletso to the highest bidder as follows:

**DATE OF SALE:** 24th September, 1999  
**TIME:** 10.00 a.m.  
**VENUE:** Broadhurst Police Station, Gaborone  
**PROPERTY TO BE SOLD:** Base beam speaker, welding machine, beam bag and the whole stock in the tuck shop.  
**TERMS OF SALE:** Cash or bank guaranteed cheques immediately after sale.

DATED at Gaborone this 31st day of August, 1999.

DEPUTY SHERIFF, JOSEPH KOKELETSO, c/o M.K. MOESI & CO, Plot No. 937, African Mall,  
Extension. 2, P.O. Box 10193, GABORONE.

*Second Publication*

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

*Case No. CC. 325/98*

In the matter between:

BARCLAYS BANK OF BOTSWANA LIMITED  
and  
ANIKIE KEANOLE MOTSWAGAE

*Plaintiff*

*Defendant*

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**NOTICE OF SALE IN EXECUTION**

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BE PLEASED TO TAKE NOTICE that pursuant to the judgment of the above Honourable Court, the following property will be sold by public auction to the highest bidder by Deputy Sheriff as follows:

**DATE OF SALE:** 18th September, 1999  
**TIME OF SALE:** 10.00 a.m.  
**VENUE:** Broadhurst Police Station, Gaborone  
**PROPERTY TO BE SOLD:** Phillips music system, Phillips television, Phillips video machine, coffee table.  
**TERMS OF SALE:** Cash or bank guaranteed cheques will be accepted.

DATED at Gaborone this 3rd day of September, 1999.

DEPUTY SHERIFF, JOSEPH KOKELETSO, BRISCOE ATTORNEYS, *Plaintiff's Attorneys*, Plot No. 222,  
Independence Avenue, P.O. Box 402492, GABORONE.

*Second Publication*

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

*Case No. CC. 550/98*

In the matter between:

**BARCLAYS BANK OF BOTSWANA LIMITED  
and  
CONSTANCE OFENTSE GAOLETLWE**

*Plaintiff*

*Defendant*

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**NOTICE OF SALE IN EXECUTION**

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BE PLEASED TO TAKE NOTICE that pursuant to the judgment of the above Honourable Court, the following immovable property will be sold by public auction by the Deputy Sheriff to the highest bidder as follows:

**DATE OF SALE:** 24th September, 1999  
**TIME:** 10.00 a.m.  
**VENUE:** Plot No. 12778, Gaborone  
**PROPERTY TO BE SOLD:** Certain piece of land being Plot No. 12778, Gaborone situated at Extension 46, measuring 432m<sup>2</sup> held under Deed of Transfer No. 762/91 dated 22nd May, 1991 made in favour of Constance Ofentse Gaoletlwe.  
**TERMS OF SALE:** Details can be obtained from the Deputy Sheriff.

DATED at Gaborone this 1st day of September, 1999.

DEPUTY SHERIFF, T. KETSHABILE c/o CHIBANDA, MAKGALEMELE & COMPANY,  
*Plaintiff's Attorneys, P.O. Box 1401, GABORONE.*

*Second Publication*

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

*Case No. CC 258/99*

In the matter between:

**DICK D. MOKOPAKGOSI  
and  
MAGDELINE MODONGO**

*Plaintiff*

*Defendant*

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**NOTICE OF SALE IN EXECUTION**

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BE PLEASED TO TAKE NOTICE that pursuant to the judgment of the above Honourable Court, the following property of the above-mentioned defendant will be sold by public auction by Deputy Sheriff Lenong to the highest bidder as follows:

**DATE OF SALE:** 18th September, 1999  
**TIME:** 10.30 a.m.  
**VENUE:** Opposite Barclays Bank, Lobatse  
**PROPERTY TO BE SOLD:** 1 x Phillips T.V., 1 x small T.V., 1 x VCR, 1 x wall unit 1 x glass coffee table, 1 x Defy deep freezer, 1 x Dako four burner gas stove  
**TERMS OF SALE:** Cash or bank guaranteed cheques.

DATED at Lobatse this 3rd day of September, 1999.

DEPUTY SHERIFF LENONG c/o GAONGALELWE & CO. *Plaintiff's Attorneys,*  
 K & N FURNISHERS' BUILDING, The Mall, P.O. Box 367, LOBATSE.

*Second Publication*

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

*Case No. CC 706/99*

In the matter between:

**BOTSWANA HOUSING CORPORATION  
and  
PRINCESS RALEBALA**

*Plaintiff*

*Defendant*

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**NOTICE OF SALE IN EXECUTION**

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BE PLEASED TO TAKE NOTICE that pursuant to the judgment granted by the above Honourable Court, the following property of the Defendant will be sold by public auction by Deputy Sheriff Joseph Tollo Kokeletso to the highest bidder as follows:

**DATE OF SALE:** 24th September, 1999  
**TIME:** 10.00 a.m.  
**VENUE:** Broadhurst Police Station, Gaborone  
**PROPERTY TO BE SOLD:** 4 piece sofas, Futronic television, Phillips VCR, JVC music system, coffee table, Master fridge, four burner gas stove, six chairs with table.  
**TERMS OF SALE:** Cash or bank guaranteed cheques immediately after the sale.

DATED at Gaborone this 19th day of August, 1999.

DEPUTY SHERIFF, JOSEPH KOKELETSO, c/o M.K. MOESI & CO., Plot No. 937,  
African Mall, Extension 2, *Plaintiff's Attorneys*, P.O. Box 10193, GABORONE.

*Second Publication*

**IN THE MAGISTRATE'S COURT FOR THE DISTRICT OF LOBATSE  
HELD AT LOBATSE**

*Case No. L 2238/98*

In the matter between:

**HOLLYWOOD HOUSEHOLD SUPPLIES (BOTSWANA) PTY LTD  
and  
JANE BOGATSU**

*Plaintiff*

*Defendant*

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**NOTICE OF SALE IN EXECUTION**

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BE PLEASED TO TAKE NOTICE that pursuant to the judgment of the above Honourable Court, the following property of the Defendant will be sold in execution by public auction by Deputy Sheriff, D.J. Moyo to the highest bidder as follows:

**DATE OF SALE:** 25th September, 1999  
**TIME:** 10.00 a.m.  
**VENUE:** Broadhurst Police Station, Gaborone  
**PROPERTY TO BE SOLD:** 1 x 4 piece sofas with coffee table, 1 x colour TV, 1 x double door fridge, 1 x 3 piece room divider  
**TERMS OF SALE:** Cash or Bank guaranteed Cheques.

DATED at Gaborone this 1st day of September, 1999.

DEPUTY SHERIFF, D.J. MOYO, c/o MATHUMO & ASSOCIATES, P.O. Box 50254, GABORONE.

*Second Publication*

**IN THE HIGH COURT FOR THE REPUBLIC OF BOTSWANA  
HELD AT FRANCISTOWN**

*Misca F. No. 77/93*

**In the matter between:**

**A.P.F. CHICOLE  
and  
DUNCAN T. MOROTSI & CO**

*Execution Creditor*

*Execution Debtors*

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**NOTICE OF SALE IN EXECUTION**

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**BE PLEASED TO TAKE NOTICE** that pursuant to the judgment of the above Honourable Court, the following property will be sold by public auction by the Deputy Sheriff to the highest bidder as follows:

**DATE OF SALE:** 27th August, 1999  
**TIME :** 9.30 a.m.  
**VENUE:** Magistrate's Court, Francistown  
**PROPERTY TO BE SOLD:** 1 x 4 office sofas, 1x Photocopying machine  
**TERMS OF SALE:** Cash or bank guaranteed cheques.

DATED at Francistown this 19th day of August, 1999.

A.P.F. CHICOLE, EXECUTION CREDITOR, P.O. Box 334, FRANCISTOWN.

*Second Publication*

**IN THE MAGISTRATE'S COURT FOR THE DISTRICT OF FRANCISTOWN  
HELD AT FRANCISTOWN**

*Case No. CCF 241/97*

**In the matter between:**

**UNIQUE HAIR SALON & BOUTIQUE  
and  
MALEBOGO MOATSHE**

*Plaintiff*

*Defendant*

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**NOTICE OF SALE IN EXECUTION**

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**BE PLEASED TO TAKE NOTICE** that pursuant to the judgment of the above Honourable Court, the following movable property of the Defendant will be sold in execution by public auction by Deputy Sheriff, D.J. Moyo to the highest bidder as follows:

**DATE OF SALE:** 2nd October, 1999  
**TIME :** 10.00 a.m.  
**VENUE:** Lobatse Police Station  
**PROPERTY TO BE SOLD:** 1 x 4 piece room unit, 1 x Phillips colour TV, 1 x radio tape,  
 1 x 5 chairs, 1 x 3 coffee tables, 1 x room stand unit, 1 x Phillips  
 video machine, 1 x Ocean fridge  
**TERMS OF SALE:** Cash or bank guaranteed cheques.

DATED at Gaborone this 1st day of September, 1999.

DEPUTY SHERIFF, D.J. MOYO, c/o MAJOKO & MAJOKO ATTORNEYS, P.O. Box 990, FRANCISTOWN.

*Second Publication*

**IN THE MAGISTRATE'S COURT FOR THE DISTRICT OF GABORONE  
HELD AT GABORONE**

*Case No. G4404/98*

In the matter between:

LESEGO DITHORE  
and  
LESOLAME SEEPI

*Plaintiff*

*Defendant*

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NOTICE OF SALE IN EXECUTION

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BE PLEASED TO TAKE NOTICE that pursuant to the judgment of the above Honourable Court, the following property of the Defendant will be sold by public auction by Deputy Sheriff Ramatlapana to the highest bidder as follows.

**DATE OF SALE:** 24th September, 1999  
**TIME :** 10.30 a.m.  
**VENUE:** Broadhurst Police Station, Gaborone  
**PROPERTY TO BE SOLD:** 4 piece brown sofas, wooden wardrobe, head board, dressing table, Phillips music system  
**TERMS OF SALE:** Cash or bank guaranteed cheques.

DATED at Gaborone this 27th day of August, 1999.

DEPUTY SHERIFF, GAELAE RAMATLAPANA & RAMS SERVICES (PTY) LTD LIMITED,  
P.O. Box 201599, GABORONE.

*Second Publication*

**IN THE MAGISTRATE'S COURT FOR THE DISTRICT OF GABORONE  
HELD AT GABORONE**

*Case No. G733/99*

In the matter between:

McDONALD EDUCATION & TRAINING CONSULTING (PTY) LTD  
t/a DAMELIN BOTSWANA  
and  
FORGET NGUBE

*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, the following property shall be sold by public auction by Deputy Sheriff Osupeng to the highest bidder as follows.

**DATE OF SALE:** 8th October, 1999  
**TIME :** 10.30 a.m.  
**VENUE:** Broadhurst Police Station, Gaborone  
**PROPERTY TO BE SOLD:** 3 piece sofas, VCR Panasonic, 5 piece wall unit, Satellite dish, receiver  
**TERMS OF SALE:** Cash or bank guaranteed cheques.

DATED at Gaborone this 24th day of August, 1999.

HAZEL TODD ATTORNEYS, *Plaintiff's Attorneys*, Plot No. 10290, Maru A Pula, P.O. Box 403506,  
GABORONE.

*Second Publication*

## Licences

NOTICE IS HEREBY given that the undermentioned intend to apply for a certificate in terms of section 9 of the Trade and Liquor Act, (Cap. 43:02) of 1987 to obtain a:

<i>Name and Address</i>	<i>Type of Licence</i>	<i>Location</i>	<i>Council</i>	<i>Date of Hearing</i>
Rizzio's (Pty) Ltd, P.O. Box 185, Gaborone.	Restaurant/Takeaway	Plot No. 42796 Gaborone	Gaborone City Council	8.9.99
Delta Pharmacies (Pty) Ltd, Private Bag 54, Maun.	Pharmacy	Plot No. 101 Ghanzi	Gaborone City Council	8.9.99
Skahc Barbing Salon, P.O. Box 501757 Gaborone.	Hair Salon/(Barber)	University of Botswana	Gaborone City Council	8.9.99
All Trades and Motor Dealers, (Pty) Ltd, P.O. Box 615, Gaborone.	Motor Trading	Gaborone West Gaborone	Gaborone City Council	8.9.99
All Trades and Motor Dealers, (Pty) Ltd, P.O. Box 615, Gaborone.	Motor Spares/Garage	Gaborone West Gaborone	Gaborone City Council	8.9.99
Rizzio's (Pty) Ltd, P.O. Box 185, Gaborone.	Liquor Restaurant	Plot No. 42796 Gaborone	Gaborone City Council	8.9.99
Jenfuna Enterprises (Pty) Ltd, c/o Industrial Management & Accounting Services (Pty) Ltd, P.O. Box 40096, Gaborone.	General Wholesale	Plot No. 21322 Unit 5 Gaborone	Gaborone City Council	8.9.99
Fabric World (Pty) Ltd, c/o Access Professional Services (Pty) Ltd, P.O. Box 830, Palapye.	Speciality goods: fabrics, blankets, upholstery materials, harbedashery, trimmings, bed spreads, ready made materials, garments, curtains, comforters, duvets, wool, sewing, knitting items, accessories and gift items	Plot No. 22115 Gaborone West Industrial, Phase 4 Gaborone.	Gaborone City Council	7.9.99
Dee-ess (Pty) Ltd, c/o Access Professional Services (Pty) Ltd, P.O. Box 830, Palapye.	Speciality to sell all types of furniture	Plot No. 22115 Gaborone West Industrial, Phase 4 Gaborone.	Gaborone City Council	7.10.99
Y & L (Py) Ltd, c/o Sunshine Enterprises (Pty) Ltd, Council P.O. Box 601105, Gaborone.	Specialised Wholesale	Plot No. 6397 cell phones, accessories,  Gaborone	Gaborone City  Broadhurst	.99
Leepile Enterprises, P.O. Box 20553, Gaborone.	Specialised Trading and workshop electronics/electrical	Plot No. 17502 Broadhurst Gaborone	Gaborone City Council	8.9.99
Peba Investments (Pty) Ltd, t/a Maxisave c/o Access Professional Services (Pty) Ltd, P.O. Box 830, Palapye.	Speciality hardware, building materials, cement, electrical items and gas	Plot No. 1228 Light Industrial Francistown	City of Francistown Council	14.9.99
Wada Magudu, c/o Business Package Consultants (Pty) Ltd, P.O. Box 148, Selebi-Phikwe.	Restaurant/TakeAway	Plot No 2911 Botshabelo North Selebi-Phikwe	Selebi-Phikwe Local Licensing Authority	22.9.99



Wada Magudu, c/o Business Package Consultants (Pty) Ltd, P.O. Box 148, Selebi-Phikwe. Classic Sales (Pty) Ltd, c/o Kgwebo Management Consultant and Company Secretary (Pty) Ltd, P.O. Box 661, Selebi-Phikwe.	Bar Liquor	Plot No 2911 Botshabelo North Selebi-Phikwe	Selebi-Phikwe Local Licensing Authority	22.9.99
	Specialised Trading electronics, electrical items, jewellery, curios, leather goods, stationery, text books, magazines, bed linen, fabrics, cosmetics, domestics, hardware, sports, shoes, toys, cards.		Selebi-Phikwe Local Licensing Authority	22.9.99
Feng Hao (Pty) Ltd, c/o Kgwebo Management Consultant and Company Secretary (Pty) Ltd, P.O. Box 661, Selebi-Phikwe.	Specialised Trading electrical, electronic goods, sports wear, cutlery, shoes, curios, clothing, cosmetics, jewellery, bags, audio cassettes, video cassettes, bicycles and domestic hardware, chinaware	Maaloso Ward Tonota	Selebi-Phikwe Local Licensing Authority	22.9.99
Aaron T. Toteng, P.O. Box 842, Jwaneng.	Specialised Trading computers, internet, accounting, secretarial services, e-mailing, faxing and computer hire, telephones	Lot No. 2460 Jwaneng	Jwaneng Town Council	15.9.99
C.B. Trading (Pty) Ltd, c/o Kgwebo Management Consultants and Company Secretary (Pty) Ltd, P.O. Box 661, Selebi-Phikwe.	Specialised Trading clothing, shoes, cosmetics, electronic goods, bedding materials, leather products, gift items, jewellery, bags, audio/video cassettes	Shop No. 6 4 Connections Complex, Palapye	Central District Council	9.99
Boma Motors (Pty) Ltd, c/o E.K. Masalila (Pty) Ltd, P.O. Box 945, Gaborone.	Garage/Workshop	Pelegano Village Industries Gabane	Kweneng District Council	21.9.99
M.K. Radiators Brake & Clutch, Lot No. 931 Mogoditshane P.O. Box 20671, Gaborone.	Workshop	Lot No. 931 Mogoditshane	Kweneng District Council	21.9.99
Supa Save (Pty) Ltd. c/o P.O. Box 1157, Gaborone.	Supermarket	Lot No. 6670 Unit No. 1 Mogoditshane	Kweneng District Council	21.9.99
Taj Trading Co. Ltd., P.O. Box 1058, Molepolole.	Factory Shop	Borakalalo Molepolole	Kweneng District Council	21.9.99
Hair Expressions Hair Salon & Boutique, P.O. Box 41183, Gaborone.	Hair Salon	Nkoyaphiri Mogoditshane	Kweneng District Council	21.9.99
Teb-Kopa Enterprises (Pty) Ltd, Private Bag 0010, Mogoditshane.	Electrical Wholesale	Plot No. 1439 Mogoditshane	Kweneng District Council	21.9.99

Kohinoor Enterprises (Pty) Ltd, c/o E.K. Masalila (Pty) Ltd, P.O. Box 945, Gaborone.	Speciality footwear, domestic hardware, linen, crockery, electronics, jewellery, leather goods, cosmetics	Borakalalo Ward Molepolole	Kweneng District Council	21.9.99
Z & J Electronic Services Workshop, P.O. Box 3031, Gaborone.	Speciality TV's radios, sewing machines, VCR, bicycle, washing machines, fridges, and other electronic goods	Bokaa Ward Molepolole	Kweneng District Council	21.9.99
Y & H (Pty) Ltd, c/o P.O. Box 202471, Gaborone.	Speciality gift shop	Plot No. 4,5,6, and 7 Mogoditshane Industrial	Kweneng District Council	21.9.99
Dasheng (Pty) Ltd, P.O. Box 20443, Gaborone.	Specialised Wholesale jewellery, cassettes, clothing, shoes, chinaware, domestic appliances, watches, perfumes, computer accessories	Lesetlheng Ward Molepolole	Kweneng District Council	21.9.99
Majapane G. Masula, P.O. Box 604, Mochudi.	General Trading	Boseja North	Kgatlang District Council	7.9.99
Patrick G. Motlhaping, P.O. Box 1977, Mochudi.	Fresh Produce	Rasesa Village	Kgatlang District Council	7.9.99
Joyce Phatshwane, P.O. Box 20887, Mochudi.	Bar Liquor and General Trading	Makgophana Ward, Mochudi	Kgatlang District Council	7.9.99
David Sefularo, P.O. Box 10087, Kanye.	Fresh Produce	Lotlhakane East	Southern District Council	21.10.99
Gaoribegwe Gabaake, P.O. Box 37, Moshupa.	Fresh Produce	Modimele Ward Moshupa	Southern District Council	21.10.99
Kitso Mogae, P.O. Box 1463, Mogoditshane	Bar	Moshupa	Southern District Council	21.10.99
M. Borokgwe, P.O. Box 10400, Lobatse.	Liquor Restaurant	Molapowabojang	Southern District Council	21.10.99
Fas Holdings (Pty) Ltd, t/a Maxisave c/o Access Professional Services (Pty) Ltd, P.O. Box 830, Palapye.	Speciality hardware, building materials, cement, electrical items, gas	Mmasekou Ward Kanye	Southern District Council	9.9.99
Evelyn Gobotswang, P.O. Box 1605, Serowe.	Small General Trading	Masuga Ward Serowe	Serowe/Palapye Local Authority	20.9.99
Kealeboga Gobotswang, P.O. Box 1605, Serowe.	Fresh Produce	Sebina Ward Serowe	Serowe/Palapye Local Authority	20.9.99
Ishmael Poloko, P.O. Box 64, Lerala.	Bar Liquor	Motati-Ward Lerala	Serowe/Palapye Local Authority	20.9.99

Makgoeng Investments (Pty) Ltd, c/o Page Alliance Services P.O. Box 10288, Palapye.	Hair Dressing Salon	Sebinanyana Ward	Serowe/Palapye Sub-District Council	20.9.99
Jordan Enterprises (Pty) Ltd, P.O. Box 10061, Palapye.	Hair Salon and Specialised Trading jewellery, cosmetics, and hair products	Lotsane Ward Palapye	Serowe/Palapye Sub-District Council	20.9.99
Kosadia Enterprises (Pty) Ltd, c/o Access Professional Services (Pty) Ltd, P.O. Box 830, Palapye.	Speciality hardware, building materials, electrical items, cement, gas, jewellery, gift items, plasticware, cutlery, stationery, enamelware	Boikago Ward Palapye	Serowe/Palapye Sub-District Council	20.9.99
Sheda Investments (Pty) Ltd, c/o Access Professional Services P.O. Box 830, Palapye.	Speciality funeral parlour	Boikago Ward Palapye	Serowe/Palapye Sub-District Council	20.9.99
Daxiong (Pty) Ltd, c/o Malebogo Consultancy Services, P.O. Box 202443, Gaborone.	Special Liquor	Segole Ward	Serowe/Palapye Lerala Sub-District Council	20.9.99
Freight & Management Services, (Pty) Ltd, S.B.M. Rerebotswe, P.O. Box 718, Serowe.	Specialised Trading coffins, caskets wreaths, tombframes, tombstones, dukes and dresses, funeral services, funeral parlour	Lerala	Serowe/Palapye Sub-District Council	20.9.99
Jeannete Kaome, c/o Agnes Kaome, P.O. Box 20222, Maun.	Caravan Take Away	Stadium	Maun Local Licensing Authority	27.9.99
Justice Sekondeko, Private Bag 111, Beetsha.	Special Liquor	Gudigwa	Maun Local Licensing Authority	17.11.99
Impho B. Kehemetswe, New Edition, P.O. Box 20449, Maun.	Specialised Trading fashion clothing, perfumes, jewellery, curios, toys, personalised gifts, reading material	Maun Airport	Maun Local Licensing Authority	27.9.99
Spectrum Trading (Pty) Ltd, Private Bag 05, Boseja, Maun.	Specialised Trading cutting keys, shoe repair, alarm systems, company tents and equipment, internet services, electronic spares	Maun Light Industrial Sites	Maun Local Licensing Authority	27.9.99
Rossie (Pty) Ltd, t/a Carnival Furnitures, Private Bag BR 257, Gaborone.	Speciality furniture	Tribal Lot No. 1283 Maun	Maun Local Licensing Authority	27.9.99
Pinkie O. Nkwe, Private Bag 00490, Gaborone.	Liquor Restaurant	Plot No. 152 Tlokweg Mall	South East District Council	20.9.99
Kitulinda Investments (Pty) Ltd, c/o Malebogo Consultancy Rose Kituyi, P.O. Box 20443, Gaborone.	Hair Dressing Salon	Plot No. 564 Tlokweg	South East District Council	20.9.99.

Patmos Tanyaniwa, P.O. Box 966, Gaborone.	Hairdressing Salon	Plot No. 564 Tlokwen	Tlokwen Sub- District Land Board	15.9.99
Dineo Dikatholo, c/o Kgwebo Management Consultant and Company Secretary (Pty) Ltd, P.O. Box 661, Selebi-Phikwe.	General Trading	Spar Ward Sefho	Bobirwa Sub- District Local Licensing Authority	20.9.99
Poly Enterprises (Pty) Ltd, P.O. Box 61, Selebi-Phikwe.	Restaurant/Takeaway	Masweu Ward Bobonong	Bobirwa Sub- District Local Licensing Authority	20.9.99
K. Masole, P.O. Box 442, Tutume.	Hair Salon additional items: jewellery, cosmetics	Madikwe Ward Tutume	Tutume Sub- District Council	20.9.99
Mapetla and Son's, P.O. Box 148, Shashe.	General Wholesale	Shashe	Tutume Sub- District Council	20.9.99
Kabelo Investments (Pty) Ltd, t/a Maxisave c/o Access Professional Services P.O. Box 830, Palapye.	Speciality hardware, building materials, cement and gas	Magabatona Ward, Tutume	Tutume Sub- District Council	14.10.99
R.A. Bailey (Pty) Ltd, Private Bag 004, Gweta.	Specialised Trading hardware	Gweta	Tutume Sub- District Council	20.9.99
Mothusi Kgosana, P.O. Box 430, Mahalapye.	Fresh Produce	Konyana Ward Mahalapye	Mahalapye Sub- District Council	20.9.99
San Ming, c/o Kgaodi and Partner, Private Bag 001, Mahalapye	Specialised Trading clothing, footwear goods, bags, beddings, ladies sport items, video electronic	Machaneg	Mahalapye Sub- District Council	20.9.99
Tetlanyo N. Moisaupula, P.O. Box 82, Hukuntsi	Bar Liquor	Hukuntsi	Hukuntsi Sub- District Council	7.10.99
Goineemang Tlamme, P.O. Box 4, Kanagas, Charleshill.	General Trading	Kanagas Business Centre	Ghanzi District Council	17.9.99
Goineemang Tlamme, P.O. Box 4, Kanagas.	General Trading	Xanagas	Charleshill Sub- District Council	17.9.99
Goineemang Tlamme, P.O. Box 4, Kanagas, Charleshill.	Fresh Produce	Xanagas	Charleshill Sub- District Council	17.9.99
Hans Metzler, P.O. Box 2, Charleshill.	Bar	Selailai Charleshill Local Licensing Authority	Charleshill Sub- District Council	17.9.99
Elvis Matebele, P.O. Box 10735, Lobatse.	General Trading	Dikhukhung	Goodhope Sub- District Council	7.9.99
Boitumelo Masilonyane, P.O. Box 6, Mmathethe.	Fresh Produce	Mmathethe	Goodhope Sub- District Council	12.10.99
General Trading Botswana Co. (Pty) Ltd, P.O. Box 401760, Broadhurst, Gaborone. Represented by: C. Schrevder	Agent sugar and sugar by-products	Gaborone	National Licensing Authority	.99

J & B Sales & Marketing (Pty) Ltd, c/o Rahim Khan & Company, Office # 1, Plot No. 50362, Showgrounds Office Park, P.O. Box 1884, Gaborone.	Agent hardware, stationery, houseware, dry food	Lot No. 120, Tlokweng	National Licensing Authority	.99
EPI (Pty) Ltd, P.O. Box 3110, Gaborone.	Agent pool tables, horse machines, juke boxes, TV games and others	Mogoditshane	National Licensing Authority	.99
Dee-es (Pty) Ltd, c/o Access Professional Services (Pty) Ltd, P.O. Box 830, Palapye.	Import/Export all types of furniture, furniture equipment and machines and manufacturing spares and accessories	Plot No. 22115, Gaborone West Industrial	National Licensing Authority	.99
Fabric World (Pty) Ltd, c/o Access Professional Services (Pty) Ltd, P.O. Box 830, Palapye.	Import/Export fabrics, blankets, upholstery, materials, harberdashery, trimmings, bed spreads, ready made materials, garments, curtains, comforters, duvets, wool, sewing, knitting items and accessories	Plot No. 22115 Gaborone West Industrial Phase 4	National Licensing Authority	.99
PSB Services (Pty) Ltd, Private Bag 0010, Mogoditshane. Represented by Lukas J.L. Gouws	Auctioneers the auctioneering of repossessed goods	Plot No. 1439 Mogoditshane	National Licensing Authority	.99
Pilane Beef t/a Pilane Auctioneers, P.R. Executive Employment Business Services (Pty) Ltd, P.O. Box 2160, Plot No. 682 , Botswana Road. Represented by: PR Executive Employment & Business Services (Pty) Ltd.	Auctioneers cattle(livestock) furniture, property, automobiles, antiques, machinery tools, and equipment, household goods, electronic appliances	Plot No. 682, Gaborone	National Licensing Authority	.99

## Licences

NOTICE IS HEREBY given that the undermentioned intend to apply for a certificate in terms of section 9 of the Trade and Liquor Act, (Cap. 43:02) of 1987 to obtain a:

<i>Name and Address</i>	<i>Type of Licence</i>	<i>Location</i>	<i>Council</i>	<i>Date of Hearing</i>
Tim Calvert for Cleaning Services Botswana (Pty) Ltd, Private Bag BR 18, Broadhurst, Gaborone.	Specialised Trading sale of cleaning equipment, cleaning chemicals	Plot No. 1253 Haile Selassie Road, Broadhurst	Gaborone City Council	13.10.99
Otladisa Ntoka, P.O. Box 391, Lobatse.	Restaurant/Takeaway (Caravan)	Plot No. 22120 Gaborone West	Gaborone City Council	13.10.99
Kelebonye L. Mosebudi, P.O. Box 40893, Gaborone.	Hair Salon	Plot No. 15638 Broadhurst	Gaborone City Council	13.10.99
Tsa Setso Liquor Restaurant, P.O. Box 502502, Gaborone.	Liquor Restaurant	Plot No. 17499 Extension 38, Gaborone	Gaborone City Council	13.10.99
Centro Truck (Pty) Ltd, Rahim Khan & Company Attorneys, Applicant's Attorneys, Showgrounds Office Park, P.O. Box 1884, Gaborone.	Specialised Trading rebuilding of trucks	Plot No. 50647 Gaborone	Gaborone City Council	13.10.99
Jacana Styles & Promotions (Pty) Ltd, c/o Corporate Services (Pty) Ltd, P.O. Box 406, Gaborone.	General Wholesaler	Lot No. 5648 Broadhurst Industrial Area, Gaborone	Gaborone City Council	13.10.99
Mhaladi Lesole, P.O. Box 25, Mogobane.	Fresh Produce		South East District Council	20.10.99
3MK Wholesales (Pty) Ltd, P.O. Box 514, Lobatse.	General Wholesale	Plot No. 2142 Woodhall Industrial Site	Lobatse Town Council	14.10.99
Mercy Metsing, t/a Lobatse Craftshop, P.O. Box 10801, Lobatse.	Specialised Trading crafts, pottery and ostrich eggs	Plot No. 1089, Lobatse	Lobatse Town Council	14.10.99
M.S. Ismail, Sunrise Holdings (Pty) Ltd, P.O. Box 65, Lobatse.	General Trading	Plot No. 1109 Woodhall Lobatse	Lobatse Town Council	14.10.99
Tewe Investment, P.O. Box 635, Moshupa.	General Trading and Fresh Produce	Mogaung Ward Moshupa	Southern District Council	21.10.99
Gasemotheo Thema, P.O. Box 41, Ranaka.	Fresh Produce	Momare Ward Ranaka	Southern District Council	21.10.99

Willie Herbst, P.O. Box 914, Lobatse.	Bar and General Trading	Molapowabojang	Southern District Council	21.10.99
Thatayaone Toko, P.O. Box M1003, Kanye.	Bar Liquor	Gasita	Southern District Council	21.10.99
Karan Autoworks (Pty) Ltd, P.O. Box BO 297, Gaborone.	Garage/Workshop	Lot No. 135 Kanye Industrial	Southern District Council	21.10.99
Lillian Morewakgosi, P.O. Box 125, Moshupa.	Fresh Produce	Jerusalema Ward Moshupa	Southern District Council	21.10.99
D.K. Botlhoko, P.O. Box 5, Thamaga.	Supermarket	Thamaga	Kweneng District Council	16.9.99
Pak Delite (Pty) Ltd, t/a Delite Pharmacy, c/o E.K. Masalila (Pty) Ltd, P.O. Box 945, Gaborone.	Pharmacy	Plot No. 6670 Shop No. 2A Mogoditshane	Kweneng District Council	21.9.99
Williebadu Investments, P.O. Box 210, Gaborone.	Bar	Matlhalerwa Ward Molepolole	Kweneng District Council	21.9.99
B.D. Merementsi, P.O. Box 1343, Mahalapye.	Butchery	Otse	Mahalapye Sub- District Council	20.9.99
Nchadi Koontse, P.O. Box 493, Mahalapye.	General Trading	Xhosa 1 Mahalapye	Mahalapye Sub- District Council	20.9.99
Koloi Engineering (Pty) Ltd, P.O. Box 1153, Mahalapye.	Welding Workshop	Plot No. 36 Industrial Site Mahalapye	Mahalapye Sub- District Council	20.9.99
Leslie Professional Services (Pty) Ltd, P.O. Box 402144, Gaborone.	Specialised Trading stock control, bookkeeping, business consultancy or advisory services Cleaning Services	Tshikinyega Ward Mahalapye	Mahalapye Sub- District Council	.99
C.B. Mokgwathi, P.O. Box 1502, Selebi-Phikwe.		Sesame Location, Selebi-Phikwe	Selebi-Phikwe Local Licensing Authority	22.9.99
Gthabots Investments (Pty) Ltd, c/o Chartacc Business Services (Pty) Ltd, P.O. Box 28, Francistown.	Speciality exclusive ladies fashions and accessories, shoes, hats, wedding wear	Plot No. 904 Francistown	City of Francistown Council	13.10.99
Lady Maika, Private Bag 002, Tshesebe.	General Trading & Fresh Produce	Themashanga	North East District Council	22.9.99
Story Rankhudu, P.O. Box 140, Tonota.	Bar Liquor	Manyanda Ward Tonota	Tutume Sub- District Council	14.10.99
Mavis Buno, P.O. Box 27, Nkange.	Liquor Restaurant	Nkange	Tutume Sub- District Council	20.9.99

Baliki Nombolo. P.O. Box 888, Tonota.	General Trading and Fresh Produce	Tholotsane Ward Tonota	Tutume Sub- District Council	20.9.99
Lepopo (Pty) Ltd, P.O. Box 59, Maun.	General Trading	Iceman Complex	Maun Local Licensing Authority	27.9.99
Bokspits Multipurpose Cooperative Society, Private Bag M9, Middlepits.	Fresh Produce	Bokspits	Kgalagadi District Council	21.9.99
Ptotea Furnishers, Private Bag 18, Ghantsi.	Speciality furniture, electronic, electrical appliances, house hold	Ghantsi	Ghanzi District Council	16.9.99
Mercantile Zimisco (Pty) Ltd., c/o Business Promoter (Pty) Ltd, P.O. Box 1461, Gaborone. Represented by/represents Pak Pioneers Enterprise (Pty) Ltd. t/a Business Promoter	Importer/Exporters textiles and garments, electrical and electronics, Broadhurst grains and cereals, leather Industrial and sports goods, stationery etc.	Plot No. 6405, Unit 16, Broadhurst Industrial Gaborone	National Licensing Authority	.99
Amal Distributors (Pty) Ltd, P.O. Box 1157, Gaborone. Represented by/represents Acumen Business Services	Importer/Exporter hardware, electrical accessories, building materials, sanitaryware	Malakana Ward Thamaga	National Licensing Authority	.99
Dithunya Cosmetics and Chemicals (Pty) Ltd, c/o P.O. Box 785, Francistown. Represented by/represents, M.B.I. ((Pty) Ltd.	Import/Export medical equipment, supplies, and instruments audio, video tapes, alkaline batteries, bulk food- stuffs, nuts, tea, coffee etc., machine tools, measuring equipment and accessories, photographic and graphic arts equipment and consumables	Plot No. 1076 Francistown	National Licensing Authority	.99

*First Publication*



**Southern District Council — Tender No. SDC/31/99**

**SUPPLY AND DELIVERY OF FUEL AND LUBRICANTS**

SOUTHERN DISTRICT COUNCIL invites tenders for the supply and delivery of fuel and lubricants at Kanye, Goodhope and Mabutsane Sub-Districts as follows:

**GOODHOPE (Petrol unleaded)**

1. Underground tanks are required to be installed at our new plot at Goodhope and the capacity of fuel tanks required will be:
  - (a) 1 x 23,000 litres petrol
  - (b) 2 x 14,000 litres diesel
2. Canopy and paving at the fuel point
3. Automatic nozzles on both pumps

**MABUTSANE (Petrol unleaded)**

1. Supply of fuel at our current depot the current underground tanks are 23,000 litres diesel and 18,000 litres petrol.
2. Canopy and paving at the fuel point.
3. Automatic nozzles on both pumps.

**KANYE/MOSHUPA (Petrol unleaded)**

1. Supply of fuel at our current depot, the capacity of our tanks are 2 x 14,000 litres petrol and 2 x 14,000 litres diesel.
2. Renovation of the current canopy

Lubricants should be quoted per litre. Suppliers are required to indicate in their bids service schedule of pumps per annum. The contract period will be five (5) years.

<i>FLEET SIZE</i>	<i>KANYE</i>	<i>GOODHOPE</i>	<i>MABUTSANE</i>
Petrol vehicles	87	36	23
Diesel vehicles	59	9	7
Boreholes	55	47	26

Tenders should be submitted in a plain sealed envelope clearly marked "Tender No. SDC/31/99 — Supply of Fuel and Lubricants" and should be sent to the Council Secretary, Private Bag 002, Kanye not later than 9.00 a.m. on Tuesday 26th October, 1999. Tenders will be opened in the presence of tenderers wishing to attend in the Committee Room, Rural Administration Centre. Southern District Council is not bound to accept the lowest or any tender nor to assign reason for rejection or to incur any expenses in the preparation thereof, (phone 340651).

F. MOTHUBANA,  
*for Council Secretary.*

*First Publication*

**South East District Council — Tender No. SE/RC/24/99**

**SUPPLY AND INSTALLATION OF RADIO COMMUNICATION SYSTEM**

SOUTH EAST DISTRICT COUNCIL invites tenders for the supply and installation of the below listed items:—

<i>ITEM</i>	<i>QUANTITY</i>	<i>DESCRIPTION</i>
A	1	Motorola VHF GR 300, 45 Watts Repeater including aerial, duplex, mast, solar panel, battery and solar regulator.
B	4	Motorola VHF Base Stations complete with power supply, mast and aerial at the following places:— Ramotswa      1 DHT Otse            1 Otse Clinic Mogobane     1 Mogobane Clinic Tlokweg       1 Tlokweg Main Clinic
C	2	Motorola VHF GM 350 Base Station with 4 channels, 25 Watts complete with aerial including 2 x solar panel at Sakutswane and Metsimaswaane Health Posts.
D	6	Motorola Radios P1 10 PL potable hand sets complete with recharging battery.
E	4	Motorola Mobile VHF 350, 4 channels, 25 Watts complete with aerials.

Tenders should be submitted in plain sealed envelopes clearly marked "Tender No. SE/RC/24/99 — Supply and Installation of Radio Communication System" and be addressed to Council Secretary, South East District Council, Private Bag 002, Ramotswa and to reach his office not later than 9.00 a.m. on the 4th October, 1999 and be delivered to the New Council Offices (Personal Secretary's office). The official opening shall commence the same day immediately after the closing time in the new Council Chamber and interested tenderers are free to attend the opening session.

***TENDERERS ARE STRONGLY REQUESTED TO ADHERE TO THE FOLLOWING CONDITIONS:—***

- (a) Enclose Brochures of radios intending to supply
- (b) All prices should be in Botswana currency
- (c) Should state validity of tender price
- (d) State possible period of delivery and completion period
- (e) Indicate discount if any

Any tender reflecting the name of the company on the outside of the envelope shall simply be rejected.

Notwithstanding anything contained in the foregoing, South East District Council shall not be bound to accept the lowest or any tender nor to assign reasons for rejected bids or to incur any expenses in the preparation thereof.

T.D. MOROBANE,  
*for Council Secretary.*

*First Publication*

### South East District Council

#### POSTPONEMENT OF TENDERS CLOSING DATE

NOTICE IS HEREBY given by South East District Council for general information that due to circumstances beyond its control, the closing date for the below listed tenders has been postponed from 9.00 a.m. 27th September 1999 to 9.00 a.m. 4th October, 1999.

All other conditions related to tenders in question remain the same.

#### THE REFERRED TENDERS ARE:

- (a) Tender No. SE/ED/19 of 1999 — Construction of Education Facilities
- (b) Tender No. SE/MW/22 of 1999 — Construction of Maternity Wing — Otse
- (c) Tender No. SE/B/22 of 1999 — Supply of Bus
- (d) Tender No. SE/MTC/23 of 1999 — Repair and maintenance of Council Facilities

South East District Council regrets any inconvenience caused.

T.D. MOROBANE,  
for Council Secretary.

First Publication

### Selebi-Phikwe Town Council — Tender No. SPTC/R/16/99

#### IMPROVEMENT AND TARRING OF ROADS

SELEBI-PHIKWE TOWN COUNCIL invites tenders from reputable contractors registered with the Central Tender Board, in the appropriate category to carry out improvement and tarring works to selected roads in Selebi-Phikwe. The works will include tarring of about 9 km of earth and gravel roads, resurfacing of about 6 km of roads including minor alignment improvements and resealing about 10 km of roads.

Tender documents may be obtained from the offices of the Town Engineer in the Main Administration building during working hours after payment of a non-refundable tender fee of P50.00. Completed tenders should be deposited in the Council tender box or sent to the Town Clerk, Selebi-Phikwe Town Council, Private Bag 001, Selebi-Phikwe before 12 noon on Friday, 22nd October, 1999 when the tender will close.

The tenders should be enclosed in a plain sealed envelope clearly marked "Tender No. SPTC/R/16/99 — Improvement and Tarring of Roads".

Tenders will be opened on the same day at 2.00 p.m. in the Council Chamber in the presence of tenderers who may wish to be present. No telephonic, telegraphic or telefaxed tenders will be entertained.

Selebi-Phikwe Town Council is not bound to accept the lowest or any tender or give reasons thereof.

A.A.B. QUASHIE,  
for Town Clerk.

First Publication

### Selebi-Phikwe Town Council — Tender No. H/17/99

#### SUPPLY AND INSTALLATION OF WASTE BINS ON STILTS

SELEBI-PHIKWE TOWN COUNCIL invites tenders for the supply and installation of 250 waste bins of steel drums.

Tenders should be submitted in sealed envelopes marked "Tender No. H/17/99 — Supply and Installation of Waste bins" addressed to Town Clerk, Selebi-Phikwe Town Council, Private Bag 001, Selebi-Phikwe and posted in the tender box at the office of the Town Clerk not later than Monday 25th October, 1999.

Tenders will close at 12:00 noon and be opened at 2:00 p.m., the same day 25th October, 1999 in the presence of tenderers who wish to attend.

Selebi-Phikwe Town Council is not bound to accept the lowest or any tender it receives and all costs associated with the preparation of this tender shall be borne by the tenderer. Telephonic, telegraphic, telex or facsimile tenders will not be considered.

#### IMPORTANT NOTICE TO TENDERERS

1. Tenderers are required to supply and install 250 waste bins. Supplied waste bins must be 200 litre steel drum with one end open and the other end closed and perforated with 25 no. x 20 mm diameter holes.
2. Waste bins must be fitted on 80mm diameter creosoted gum poles bedded in concrete.
3. Tenderers must state transportation charges to Selebi-Phikwe.
4. Tenderers must state prices per waste bin in Pula.
5. Tenderers are required to state any charge deemed necessary.
6. The successful tenderer will enter into agreement with Selebi-Phikwe Town Council.
7. The successful tenderer is expected to start installation of waste bins by 1st November, 1999 or as advised by Selebi-Phikwe Town Council.

B.S. MUTANGABENDE,  
for Town Clerk.

First Publication

### Selebi-Phikwe Town Council — Tender No. H/18/99

#### REMOVAL OF BULK DOMESTIC REFUSE IN SELF HELP HOUSING AGENCY (SHHA) AREAS

SELEBI-PHIKWE TOWN COUNCIL invites tenders for the removal of bulk domestic refuse from Western Areas to Selebi-Phikwe Town Council Dump Site.

Tenders should be submitted in sealed envelopes marked "Tender No. H/18/99 — Removal of Bulk Domestic Refuse" addressed to Town Clerk, Selebi-Phikwe Town Council, Private Bag 001, Selebi-Phikwe to arrive not later than Monday 25th October, 1999.

Tenders will close at 12:00 noon and be opened at 2:00 p.m., the same day 25th October, 1999 in the presence of tenderers who wish to attend.

Selebi-Phikwe Town Council is not bound to accept the lowest or any tender it receives and all costs associated with the preparation of this tender shall be borne by the tenderer. Telephonic, telegraphic, telex or facsimile tenders will not be considered.

#### IMPORTANT NOTICE TO TENDERERS

1. Tenderers are required to provide 13 skips of 6m<sup>3</sup> capacity, preferably open skips.
2. Tenderers are required to empty the skips twice a month i.e. every two weeks.
3. Tenderers must state charges for emptying each skip.
4. Tenderers must state prices in Pula and they must be held firm for 90 days.
5. Tenderers are required to state method of removing/hauling skips to Selebi-Phikwe Town Council waste disposal site.
6. Tenderers are required to state any charge deemed necessary.
7. Tenders must be accompanied by pamphlets/specifications of skips.
8. The successful tenderer will enter into agreement with Selebi-Phikwe Town Council for one year with charges expected to remain the same for that one year period.
9. The agreement binding Selebi-Phikwe Town Council for that period and the successful tender will be renewable every two years.
10. The successful tenderer is expected to mobilise his/her machinery and be on designated sites in Western Areas by 8th November, 1999 or as advised by Selebi-Phikwe Town Council.

B.S. MUTANGABENDE,  
for Town Clerk.

First Publication

### Kgatlang District Council — Tender No. KG 34 of 1999

#### SUPPLY OF MOTOR VEHICLE AND MOTOR PLANT

KGATLENG DISTRICT COUNCIL invites tenders for the supply of the following vehicles and motor plant:—

- (a) 5.3 cubic metre tipper truck with single rear wheels 1400 x 20 x 18ply.
- (b) Single drum vibratory roller 10-12 tonne, engine capacity 85-89 kW  
Transmission hydrostatic with 2 speed drum single smooth or padded.  
Steering; hydrostatic articulated. Brakes; Rear axle with twin spring accumulator.  
Cab; Roll Over Protection Structure (ROPS).

#### ALL MODELS QUOTED ABOVE SHOULD HAVE THE FOLLOWING FEATURES:

1. 200 litres reserve tank and 50 litres water tank. Except item B
2. Fenders be painted with D300/46-16 midchrome paint except item B.
3. Alarm and immobilizer. Item B
4. Bull bar and tow bar except item B.
5. White in colour except item B.
6. Item B should be yellow.

Prospective tenderers or suppliers should quote for single units and state or indicate period of delivery and period for which prices are to remain firm. All tenders should be in a sealed envelope clearly marked "Tender No. KG 34 of 1999 — Supply of Motor Vehicle and Motor Plant" and be addressed to Council Secretary, Kgatlang District Council, Private Bag 11, Mochudi.

Tenders should be submitted to Room 26, Rural Administration Centre, Mochudi. All tenderers must be received by Kgatlang District Council before 9.00 a.m. on 12th October, 1999.

Tenders shall be opened on the same day of closure in the Council Chamber, interested tenderers are free to attend the opening of the tender at their own expense. For further information please contact the Chief Technical Officer (Mechanic), Telephone 329388 or 329900 at Kgatlang District Council.

Kgatlang District Council does not bind itself to accept the lowest or any tender nor assign any reason for non-acceptance of the tender and shall not be responsible for any cost thus incurred in the preparation thereof.

KING RAMMIDI,  
for Council Secretary.

First Publication

**Lobatse Town Council — Tender No. LTC/14/97A (Re-Tender)**

**CONSTRUCTION OF STAFF HOUSES AT MOTSWEDI – LOBATSE**

TENDERS ARE RE-INVITED by Lobatse Town Council from contractors registered with Central Tender Board in Grade A and Grade B for the completion of unfinished items of work in 12-three bed roomed houses and 12 servants' quarters in Motswedi-Lobatse.

Tender documents are available at the office of the Town Architect, Lobatse Town Council upon payment of a non-refundable fee of P50.00. Prices quoted shall remain valid for sixty days after the closing date of re-tender.

Tenders must be enclosed in a plain sealed envelope addressed to the Town Clerk, Lobatse Town Council, Private 028, Lobatse and boldly marked "Re-Tender No. LTC/14/97A". Tenders must be received in the office of the Town Clerk, Lobatse Town Council not later than 2.00 p.m. on Friday the 22nd October, 1999. Tenders will be opened immediately after the closing time and willing tenderers may be present at the time of opening.

Lobatse Town Council does not bind itself to accept the lowest or any tender or to assign any reasons thereof.

H.N. PERERA,  
*for Town Clerk.*

*First Publication*

**North West District Council — Tender No. NW/AB/09/99**

**DEVELOPMENT CONSTRUCTION — HEALTH FACILITIES**

TENDERS ARE INVITED by the North West District Council for the construction of health facilities at Kasane from contractors registered with Central Tender Board under Grade A (for 100% citizen owned contractors only).

ITEM	LOCATION	TENDER PACKAGE	DESCRIPTION
1	Kasane—Plateau	NW/AB-C/09/99	1no. Health Post 1no. LA2 House 1no. Incinerator 1no.2 water closet

Tender documents can be obtained from Architectural Buildings Department, Chobe Sub-District, office no. 109, First Floor and Second Block at the Rural Administration Centre (RAC) Kasane during working hours on payment on a non-refundable fee of fifty pula (P50.00) only.

Only tenders submitted on official form of tender shall be considered. No drawings, specifications and other paper from the document should be removed or detached. Any detachment of papers from the document may lead to the disqualification of tender.

Tenders to be submitted in plain sealed envelopes clearly marked: "Tender No. NW/AB-C/09/99 — Construction of Health Facilities" and shall be registered with the Personal Secretary of the Council Secretary and posted in the tender box at the office of the Council Secretary, North West District Council, Private Bag 001, Maun R.A.C. Building not later than 0900 hours on Wednesday 27th October, 1999.

Tender opening shall be immediately thereafter 0900 hours on the same day in the Council Chamber and tenderers are at liberty to attend. Notwithstanding anything contained in the foregoing the North West District Council is not bound to accept the lowest tender or any tender or part thereof nor give reasons thereof. North West District Council will not reimburse any expenses in respect of preparation thereof.

M.V. LETSHOLO,  
*for Assistant Council Secretary.*

*First Publication*

### **Notice of Intention to Dispose Trading/Liquor Licence**

NOTICE IS HEREBY given in terms of section 23 (c) of the Trade and Liquor Act that I, T. Thebeyakgosi have disposed of my entire interest in carrying on the business of General Trading to G.B. Matsetse who will continue to trade at the same premises and under the style of a Bar the Kweneng District Council has determined to hear the application on the 21st September, 1999.

T. THEBEYAKGOSI, P.O. Box 751, MOLEPOLOLE.

*First Publication*

### **Notice of Intention to Dispose Trading/Liquor Licence**

NOTICE IS HEREBY given in terms of section 23 (c) of the Trade and Liquor Act that I, B.S. Ditira have disposed of my entire interest in carrying on the business of a Bar and General Trading to W. Jacobus Herbst who will continue to trade at the same premises and under the same style of a Bar and General Trading.

B.S. DITIRA, P.O. Box 710, LOBATSE.

*First Publication*

### **Notice of Intention to Dispose Trading/Liquor Licence**

NOTICE IS HEREBY given in terms of section 23 (c) of the Trade and Liquor Act that I, Neo Kgaodi have disposed of my entire interest in carrying on the business of a General Trading to Tewe Investment who will continue to trade at the same premises and under the same style of a General Trading.

NEO KGAODI, P.O. Box 84, MOSHUPA.

*First Publication*

### **Notice of Intention to Dispose Trading/Liquor Licence**

NOTICE IS HEREBY given in terms of section 23 (c) of the Trade and Liquor Act that I, Thina Puskas have disposed of my entire interest in carrying on the business of a Fresh Produce to Sunrise Holdings who will continue to trade at the same premises and under the same style of a Fresh Produce.

THINA PUSKAS, P.O. Box 668, LOBATSE.

*First Publication*

### **Change of Name**

NOTICE IS HEREBY given in terms of section 21 of the Companies Act (Cap. 42:01) that Botwell Services & Hire (Pty) Ltd proposes to change its name to Pracbuild Botswana (Pty) Ltd and that the application will be made to Registrar of Companies for the formal approval to the change of name after 14 days have elapsed from the date of the second publication of this notice.

M.B.I. (PTY) LTD, Company Secretaries, Accountants, Consultants, P.O. Box 785, FRANCISTOWN.

*First Publication*

### **Change of Name**

PURSUANT to section 21 (1) of the Companies Act (Cap. 42:01) as amended, notice is hereby given that PricewaterhouseCoopers (Pty) Ltd will make application to the Registrar of Companies for his written approval to change the name of the company to Coopers & Lybrand Services (Pty) Ltd after 14 days have elapsed from the second publication of this advertisement.

PRICEWATERHOUSECOOPERS (PTY) LTD, P.O. Box 294, GABORONE.

*First Publication*

### **Change of Name**

PURSUANT to section 21 (1) of the Companies Act (Cap. 42:01) as amended, notice is hereby given that, Coopers & Lybrand Services (Pty) Ltd will make application to the Registrar of Companies for his written approval to change the name of the company to PricewaterhouseCoopers (Pty) Ltd after 14 days have elapsed from the second publication of this advertisement.

PRICEWATERHOUSECOOPERS (PTY) LTD, P.O. Box 294, GABORONE.

*First Publication*

### **Change of Style**

NOTICE IS HEREBY given that the undersigned intends to apply in terms of section 9 of the Trade and Liquor Act, 1987 (No. 43:02) of 1987 to change the style of Liquor Restaurant to Bar in respect of the premises situated at Molepolole, Ntshono Ward and that the Kweneng District Council has determined that the application shall be heard by the Licensing Authority in 21st September, 1999.

P.R. SEKGWA, P.O. Box 139, MOLEPOLOLE.

*First Publication*

### **Change of Style**

NOTICE IS HEREBY given that the undersigned intends to apply for authority to change the style of his business from Restaurant & Take Away to Specialised Trading (Imported clothing, cosmetics, house hold items, crockeries and gift items) in terms of section 9 of the Trade and Liquor Act (Cap. 43:02) in respect of the premises situated at 260, Kanye and that the Southern District Council has determined that the application shall be heard by the Licensing Authority.

EMA REJE RENWE (PTY) LTD, Private Bag 23, LOBATSE.

*First Publication*

### **Notice of Intention to Transfer Trading/Liquor Licence**

NOTICE IS HEREBY given that the undersigned intends to apply for a transfer of a Workshop Licence in respect of premises situated at Lot 728, Extension 3, to Plot No. 14447, Unit 9, Gaborone West who will continue to trade at the premises and under the same style of a Workshop and that the Gaborone City Council has determined that the application shall be heard by the Licensing Authority on 13th October, 1999.

Q & A (Pty) Ltd, P.O. Box 20916, GABORONE.

*First Publication*

### **Application for Certified Copy of Lost Title Deed**

NOTICE IS HEREBY given that the undersigned intends applying for certified copy of the Deed of Grant No. 50/71 dated 23rd April, 1971 made in favour of Afcon (Pty) Ltd in respect of the following:

**CERTAIN:** Piece of land being Lot 3087, Gaborone;  
**SITUATE:** in Gaborone Township Extension No. 11;  
**MEASURING:** 39888 (Thirty Nine Thousand Eight Hundred and Eighty Eight) English Square Feet.  
 All person having objections to the issue of such a copy are hereby required to lodge their objections with the Registrar of Deeds for Botswana at Gaborone within three (3) weeks of the date of the second publication of this notice.

COLLINS NEWMAN & CO, *Applicant's Attorneys*, Dinatla Court, Morupule Drive,  
 P.O. Box 882, GABORONE.

*First Publication*

**Notice Inviting Objections Against Valuations Town Council Regulations  
(Cap. 40:02)**

**GABORONE CITY COUNCIL RE-VALUATION ROLL**

**NOTICE IS HEREBY** given in terms of the Town Council Regulation 67 (2) that the Gaborone City Council Re-valuation Roll has been completed by the Valuation Officer and a copy thereof lies in the office of the Town Clerk for inspection by every Ratepayer or his duly authorised representative. Ratepayers are now called upon to lodge in writing with the Town Clerk and the Clerks of Valuation Court any objections they may have against the valuation of any land or in respect of any error or omission in relation to such land within twenty-one days from the date of publication of this notice.

**DATED 1st day of September, 1999.**

**K.C. KOMA,**  
*Town Clerk.*

*First Publication*

**South East District Council**

**PUBLIC AUCTION SALE**

**SOUTHEAST DISTRICT COUNCIL** shall sell by public action four boarded vehicles and lots of unserviceable items on the 24th September, 1999 at 8.00 a.m.

**VENUE:** Council Supplies Depot, Ramotswa

**VEHICLES:**

1. Toyota Hilux 4 x 4 D/Cab — 1990 model
2. Toyota Hilux 4 x 2 — 1800 — 1990 model
3. Toyota Dyna 4 Tonner Diesel — 1990 model
4. Toyota Hilux 4 x 2 — 1800 — 1990 model

**CONDITIONS OF SALE:**

1. In the case of vehicles One Thousand Pula (P1000,00) deposit must be paid to qualify one to bid. This will be refundable if bidder is not successful. If the bidder is successful but fails to pay the balance then the (P1000,00) will be forfeited to South East District Council.
2. Items will be sold for cash or by bank guaranteed cheques.
3. Vehicles not paid for will be repossessed by Council.
4. Items must be removed from Council premises immediately after sale. Items Left on Council premises will be at owners risk.

**M.G. MMUSI,**  
*for Council Secretary.*

*First Publication*

**North West District Council**

**NOTICE OF SALE BY PUBLIC AUCTION**

**NORTH WEST DISTRICT COUNCIL** will be selling 6 bulls by public auction on the 22nd October, 1999. The sale will be held at Makalamabedi matimela kraals. The bulls are for the Remote Development Programme.

**TIME OF SALE:** 9.00 a.m.

**CONDITIONS OF SALE:**

1. Payment must be in cash or certified cheques immediately after sale.
2. Bidders should produce an official receipt during collection of bulls.
3. Bulls will be sold in lot numbers to the highest bidder.
4. All bulls should be removed from the council yard within (7) seven days failing of which they will revert to the Council without refund.
5. Council will not be held responsible for bulls not removed from its premises within the stipulated time such as safety. Loose and others the risk remains with the buyer.
6. All the bulls have a reserve price of P1500,00.

**M. KOKORO,**  
*for Council Secretary.*

*First Publication*



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

*Case No. CC 517/98*

In the matter between:

NATIONAL DEVELOPMENT BANK	<i>Plaintiff</i>
and	
MOTSHWARAPENE TSIANE	<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 judgment of the above Honourable Court, the following property of the Defendant will be sold by public auction to the highest bidder as follows:

<b>DATE OF SALE:</b>	14th October, 1999
<b>TIME:</b>	10.30 a.m.
<b>VENUE:</b>	Molepolole Police Station
<b>PROPERTY TO BE SOLD:</b>	165 Massey Ferguson Tractor, Toyota Hilux 4 x 4 B260 ACS, white in colour.
<b>CONDITIONS OF SALE:</b>	Detailed terms and conditions of the sale together with details of the property may be inspected at the Deputy Sheriffs c/o National Development Bank, Telephone 352801, P.O. Box 225, Gaborone.
<b>TERMS OF SALE:</b>	Cash or bank guaranteed cheques immediately after sale.

DATED at Gaborone this 7th day of September, 1999.

DEPUTY SHERIFF LESH LEPALE (326955), c/o KAELO BIKI RADIRA, *Plaintiff's Attorney*,  
National Development House, 2nd Floor, P.O. Box 225, The Mall, GABORONE.

*First Publication*

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

*Case No. CC 565/98*

In the matter between:

NATIONAL DEVELOPMENT BANK	<i>Plaintiff</i>
and	
TAU BROTHERS SYNDICATE	<i>1st Defendant</i>
MOROKO FRED TAU	<i>2nd Defendant</i>

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**NOTICE OF SALE IN EXECUTION**

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BE PLEASED TO TAKE NOTICE that pursuant to the judgment of the above Honourable Court, the following property of the Defendant will be sold by public auction to the highest bidder as follows:

<b>DATE OF SALE:</b>	24th September, 1999
<b>TIME:</b>	11.00 a.m.
<b>VENUE:</b>	Monotlwane Cattle Post
<b>PROPERTY TO BE SOLD:</b>	Tractor Reg. No. B248 AFL (290), Borehole Engine Lister, 20 heads of cattle, 11 Calves, Bulls, 150 goats, all branded TM earmarked Sekele thako ya phala.
<b>CONDITIONS OF SALE:</b>	Detailed terms and conditions of the sale together with details of the property may be inspected at the Deputy Sheriffs c/o National Development Bank, P.O. Box 225, Gaborone.
<b>TERMS OF SALE:</b>	Cash or bank guaranteed cheques immediately after sale.

DATED at Gaborone this 7th day of September, 1999.

DEPUTY SHERIFF LESH LEPALE (326955), c/o KAELO BIKI RADIRA, *Plaintiff's Attorney*,  
National Development House, 2nd Floor, P.O. Box 225, The Mall, GABORONE.

*First Publication*

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

*Case No. CC 751/94*

In the matter between:

NICHOLAS JOHN WESTON LEWIS	<i>Plaintiff</i>
and	
OKAVANGO MANUFACTURERS (PTY) LTD	<i>Defendant</i>

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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, the following movable property of the Defendant will be sold by public auction by Deputy Sheriff, Caine Mogorosi to the highest bidder as follows:

<b>DATE OF SALE:</b>	Saturday 25th September, 1999
<b>TIME:</b>	10.00 a.m.
<b>VENUE:</b>	Broadhurst Police Station
<b>PROPERTY TO BE SOLD:</b>	6 Imeus Trial singer machines; 3 Sungood machines; 1 Juki machine; 1 Kingstar machine; 1 Juki overlocking machine; 1 overlocking SH 6000 series; 1 treasure; 2 Chimes machines; 13 chairs; 1 table; 2 ironing boards; 1 radio; 3 electric irons; 1 office desk; 1 shelf.
<b>TERMS OF SALE:</b>	Cash or bank guaranteed cheques.

DATED at Gaborone this 9th day of September, 1999.

DEPUTY SHERIFF CAINE MOGOROSI, c/o LERUMO MOGOBE LEGAL PRACTITIONERS, *Plaintiff's Attorney*, Plot No. 2935/6 Pudulogo Crescent, off Mobuto Drive, Extension 10, Private Bag BO 249, GABORONE

*First Publication*

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

*Case No. CC 948/98*

In the matter between:

BARCLAYS BANK OF BOTSWANA LIMITED	<i>Plaintiff</i>
and	
BONTLHA CATTLE MARKETING (PROPRIETARY) LIMITED	<i>1st Defendant</i>
SOLOMON MAKHURA	<i>2nd Defendant</i>
CHRISTINE DINKO MAKHURA	<i>3rd Defendant</i>

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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, the following immovable property of the Defendant will be sold by public auction by Deputy Sheriff T.L. Ketshabile to the highest bidder as follows:

<b>DATE OF SALE:</b>	8th October, 1999
<b>TIME:</b>	9.00 a.m.
<b>VENUE:</b>	Lot 3142, Gaborone
<b>PROPERTY TO BE SOLD:</b>	Certain piece of land being Lot 3142 Gaborone situated at Extension 10 held under Deed of Transfer No. 290/78 dated 7th November, 1978, made in favour of Solomon Makhura, situate along South Ring Road comprising a single storey dwelling house with 4 bed rooms main ensuite, a lounge, dining room, wall to wall carpet, fitted kitchen, servants' quarters, screen wall, paved driveway and a small but well kept and developed garden.
<b>TERMS OF SALE:</b>	Details and Terms and conditions of sale are available from the Deputy Sheriff.

DATED at Gaborone this 31st day of August, 1999.

DEPUTY SHERIFF T.L. KETSHABILE, c/o CHIBANDA, MAKGALEMELE & CO, *Plaintiff's Attorney*, Plot No. 886, Kaunda Road Corner Independence Avenue, P.O. Box 1401, GABORONE.

*First Publication*

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

*Case No. CC 949/99*

In the matter between:

**BARCLAYS BANK OF BOTSWANA LTD  
and  
CORNELIUS JACOBS**

*Plaintiff*

*Defendant*

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**NOTICE OF SALE IN EXECUTION**

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BE PLEASED TO TAKE NOTICE that pursuant to the judgment granted by the above Honourable Court, the following property will be sold by public auction by Deputy Sheriff D.J. Moyo to the highest bidder as follows:

**DATE OF SALE:** 15th October, 1999  
**TIME:** 10.30 a.m.  
**VENUE:** Lot 7663, Gaborone  
**PROPERTY TO BE SOLD:** Lot 7663 situated in Gaborone Extension 27, measuring 612m<sup>2</sup>, Held under Mortgage No. 1797/94, dated 20th December, 1994 together with developments thereon being 5 roomed house.  
**RESERVED PRICE:** P60,000.00 (Sixty Thousand Pula)

DATED at Gaborone this 8th day of September, 1999.

DEPUTY SHERIFF D.J. MOYO, c/o M.K. MOESI & CO., Plot No. 937, African Mall,  
Extension 2, P.O. Box 10193, GABORONE.

*First Publication*

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

*Case No. CC 1668/95*

In the matter between:

**FIRST NATIONAL BANK BOTSWANA LIMITED  
and  
CLAUDE DEVELOPMENT (PTY) LIMITED  
WILLIAM NGANDU**

*Plaintiff*

*1st Defendant*

*2nd 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, the following movable property of the abovenamed Defendant is hereby advertised for sale in execution as follows:

**DATE OF SALE:** Friday 8th October, 1999  
**TIME:** 10.00 a.m.  
**VENUE:** Broadhurst Police Station, Gaborone  
**PROPERTY TO BE SOLD:** Red Toyota Venture Reg No. B907 ADC, 5 piece room divider, 3 piece lounge suite, coffee table, Goldstar television, Samsung video machine, Kenwood music system, dining room suite, wall mirror, electric fridge, wall pictures and washing machine.  
**TERMS OF SALE:** Cash or bank guaranteed cheques.

DATED at Gaborone this 10th day of September, 1999.

COLLINS NEWMAN & CO., *Plaintiff's Attorney*, Dinatla Court, P.O. Box 882, GABORONE.

*First Publication*

**IN THE MAGISTRATES' COURT FOR THE DISTRICT OF GABORONE  
HELD AT BROADHURST**

*Case No. G 2000/99*

In the matter between:

WOMEN'S FINANCE HOUSE BOTSWANA	<i>Plaintiff</i>
and	
MALEBOGO SHANGO	<i>1st Defendant</i>
THULAGANYO PHIRI	<i>2nd Defendant</i>
LORATO CHIBANA	<i>3rd Defendant</i>
MASEGONYANA DIKOLE	<i>4th Defendant</i>
ELLEN NTWAAGE	<i>5th Defendant</i>

**NOTICE OF SALE IN EXECUTION**

BE PLEASED TO TAKE NOTICE that pursuant to a judgment of the above Honourable Court, the following property will be sold by public auction by the Deputy Sheriff to the highest bidder as follows:

**DATE OF SALE:** 25th September, 1999  
**TIME:** 10.00 a.m.  
**VENUE:** Kanye Police Station  
**PROPERTY TO BE SOLD:** 800 4 1/2 Bricks  
**TERMS OF SALE:** Cash or bank guaranteed cheque.

DATED at Gaborone this 7th day of September, 1999.

DEPUTY SHERIFF T. KETSHABILE, c/o CHIBANDA, MAKGALEMELE & COMPANY,  
*Plaintiff's Attorney*, P.O. Box 1401, GABORONE.

*First Publication*

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

*Case No. G 2486*

In the matter between:

NATIONAL DEVELOPMENT BANK	<i>Plaintiff</i>
and	
KABELO GIDDIE	<i>Defendant</i>

**NOTICE OF SALE IN EXECUTION**

BE PLEASED TO TAKE NOTICE that pursuant to the judgment of the above Honourable Court, the following property of the Defendant will be sold by public auction to the highest bidder as follows:

**DATE OF SALE:** 15th October, 1999  
**TIME:** 10.30 a.m.  
**VENUE:** NDB Serowe Office  
**PROPERTY TO BE SOLD:** 3 piece lounge suite (sofas), 1 coffeetable, 1 Phillips television, 1 Phillips video, 3 piece Phillips radiogram, 3 piece room divider, 1 floor mat, 1 fan, 2 speakers, 1 electric fridge, 1 TV remote, 1 bed and mattress.  
**CONDITIONS OF SALE:** Detailed terms and conditions of the sale together with details of the property may be inspected at the Deputy Sheriffs c/o National Development Bank, Telephone 352801, P.O. Box 225, Gaborone.  
**TERMS OF SALE:** Cash or bank guaranteed cheques immediately after sale.

DATED at Gaborone this 7th day of September, 1999.

DEPUTY SHERIFF LESH LEPALE (326955), c/o KAELO BIKI RADIRA, *Plaintiff's Attorney*,  
 Development House, 2nd Floor, P.O. Box 225, The Mall, GABORONE.

*First Publication*

## MINES AND MINERALS ACT, 1999

No. 17



of 1999

### ARRANGEMENT OF SECTIONS

#### PART I — *Preliminary*

##### SECTION

1. Short title and commencement
2. Interpretation

#### PART II — *Ownership of Minerals and Acquisition of Mineral Rights*

3. Ownership of minerals vested in Republic
4. Act not to apply to petroleum
5. Acquisition of mineral concession
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## FIRST SCHEDULE

## SECOND SCHEDULE

**An Act to re-enact with substantial amendments the provisions that regulate the law relating to Mines and Minerals; to provide for the granting, renewal and termination of mineral concessions; to provide for the payment of royalties; and for matters incidental to and connected to the foregoing.**

*Date of Assent:* 01/09/99.

*Date of Commencement:* By Notice.

## PART I — Preliminary

Short title and  
commencement

1. This Act may be cited as the Mines and Minerals Act, 1999, and shall come into operation on such date as the Minister, by notice published in the *Gazette*, may appoint.

Interpretation

2. (1) In this Act, unless the context otherwise requires —  
 “associated company” means a company that directly or indirectly controls or is controlled by a party to the mineral project or a company which directly or indirectly controls or is controlled by a company which controls a party to the mineral project; for the purposes of this definition the term ‘controls’ means ownership by one company of more than 50% of the voting securities of the other company, or the power to direct, administer and dictate policies of the other company even where the voting securities held by such company exercising such effective control in that other company is less than 50%; the term ‘controlled’ shall be construed accordingly;  
 “associated mineral” means a mineral which occurs with a mineral resource in such circumstances that it is physically impossible to mine the mineral resource without also mining the mineral found in association with the mineral resource;  
 “authorised officer” means a person authorised by the Minister to exercise the powers conferred by section 7 (1);  
 “default” means a breach of a mineral concession or of any provision of this Act or any related legislation, and the term ‘in default’ shall be construed accordingly;  
 “diagram” means a document containing geometrical, numerical and verbal representations of a piece of land, which has been signed by a land surveyor and which has been approved or certified by the Director of Surveys and Mapping or other officer empowered under the Land Survey Act, so to approve or certify a diagram;  
 “Director of Mines” means the officer for the time being occupying the position of Director of Mines in the Ministry responsible for minerals, energy and water affairs;  
 “Director of Geological Survey” means the officer for the time being occupying the position of Director of Geological Survey in the Ministry responsible for minerals, energy and water affairs;  
 “holder” or “holder of a mineral concession” means the holder of a mineral concession under this Act;

Cap. 33:01



“ industrial mineral” means barite, basalt, clay, dolomite, feldspar, granite, gravel, gypsum, laterite, limestone, mica, magnesite, marble, phosphate, rock, sand, sandstone, slate and talc, when used for agricultural, building, road making or industrial purposes and such other minerals as may be prescribed in the regulations to be industrial minerals;

“mine”, when used as a noun, means any place, excavation or working wherein, whereon or whereby any operation connected with mining is carried on, together with all buildings, premises, erections and appliances belonging or appertaining thereto above and below the ground for the purpose of winning, or preparing minerals, obtaining or extracting any mineral or metal by any mode or method or for the purpose of dressing mineral ores;

“mine”, when used as a verb, means intentionally to win minerals and includes any operations directly or indirectly necessary therefor or incidental thereto, and “mining” shall be construed accordingly;

“mineral” means any substance, whether in solid, liquid or gaseous form, occurring naturally in or on the earth, formed by or subject to a geological process, but excluding petroleum as defined in section 2 of the Petroleum (Exploration and Production ) Act, and public and private water when used for a primary, secondary or tertiary use, as defined in the Water Act;

Cap 67:01

Cap 34:01

“mineral concession” means a prospecting licence, a retention licence, a mining licence, or a minerals permit;

“minerals permit” means a permit issued under section 52;

“minerals permit area ” means land subject to a minerals permit;

“mining area” means the land subject to a mining licence;

“mining licence” means a right to mine required under Part VI;

“ore” means a natural aggregate of one or more minerals which may be mined and sold at a profit;

“private land” means all land and all interests in land other than unalienated land or interests therein;

“programme of mining operations” means such programme approved on the granting or renewal of a mining licence and includes any amendment thereto made in pursuance of the provisions of this Act;

“programme of prospecting operations” means such programme approved on the granting or renewal of a prospecting licence and includes any amendment thereto made in pursuance of the provisions of this Act;

“prospect” means intentionally to search for minerals and includes determining their extent and economic value;

“prospecting area” means the land subject to a prospecting licence;

“prospecting licence” means a right to prospect acquired under Part IV;

“radioactive mineral” means a mineral which contains by weight at least one-twentieth of one per cent (0,05 per cent) of uranium or thorium or any combination thereof, including but not limited to the following —

- (a) monazite sand and other ores containing thorium;
- (b) carnotite, pitchblende and other ores containing uranium;

“retention area” means land subject to a retention licence;

“retention licence” means a right of retention over a prospecting area acquired under Part V;

“small scale mining” means the intentional winning of minerals other than diamonds in operations involving the mining and processing of less than 50 000 tonnes of raw ore per annum and in which the overall investment in fixed assets does not exceed P1 million.

“specially authorised officer” means an authorised officer specially authorised by the Minister to exercise the powers conferred by section 7 (2);

“termination” means the extinguishment of a mineral concession whether by expiry of time, surrender or cancellation, and where any surrender or relinquishment is in respect of part only of the area covered by a mineral concession then the mineral concession shall be deemed to have been extinguished in respect of that surrendered or relinquished area;

Cap. 32:02

“tribal area” has the meaning assigned to it under the Tribal Land Act;

“working for profit” means producing a mineral product with the intention of use or sale.

(2) Where in this Act provision is made for a matter to be referred to arbitration, the matter shall be referred to a single arbitrator appointed by the parties and finally resolved under the rules of the International Centre for the Settlement of Investment Disputes in force from time to time or in accordance with such other rules or procedures as the parties may agree.

(3) In the event of the parties being unable to agree on a single arbitrator, each party shall choose an arbitrator, and the arbitrators so chosen shall choose an umpire.

Cap. 06:01

(4) Arbitration proceedings shall be conducted in accordance with the Arbitration Act and conducted in English and shall be held in Gaborone, unless the parties otherwise agree.

(5) Where in this Act any application, report or other document is required to be submitted to the Minister —

- (a) in the case of a prospecting licence, such application, report or document shall be submitted through the Director of Geological Survey; and
- (b) in the case of any other mineral concession and in all other cases, shall, except where otherwise stated, be submitted through the Director of Mines.

(6) The Minister may exercise any of his functions through the Permanent Secretary, the Director of Mines or the Director of Geological Survey.

PART II — *Ownership of minerals and acquisition  
of mineral rights*

3. Subject to the provision of the Mineral Rights in Tribal Territories Act, all rights of ownership in minerals are vested in the Republic and the the Minister shall ensure, in the public interest, that the mineral resources of the Republic are investigated and exploited in the most efficient, beneficial and timely manner.

Ownership of  
minerals  
vested in  
Republic  
Cap. 66.02

4. No right to explore for or produce petroleum (as defined in section 2 of the Petroleum (Exploration and Production) Act) shall be granted or exercised under this Act.

Act not to  
apply to  
petroleum  
Cap. 67.01

5. (1) Subject to the provisions of this Act, the right to prospect for, to retain and to mine, minerals may be acquired and held only under and in accordance with the provisions of this Act, notwithstanding any right of ownership or otherwise which any person may possess in and to the soil on, in or under which minerals are found or situate.

Acquisition of  
mineral  
concession

(2) No person may prospect for or mine minerals except as provided in this Act.

(3) Nothing in this Act shall prevent a member of any tribe from taking, subject to such conditions and restrictions as may be prescribed, minerals from any land from which it has been the custom of members of that tribe to take minerals and to the extent that this is permissible under the customary law of that tribe.

(4) Notwithstanding the provisions of this Act, the Minister may, in the public interest and subject to such conditions as he may determine, authorize any person to undertake non commercial investigations into the geological resources of Botswana.

6. No mineral concession shall be granted to or held by —

(a) an individual who-

- (i) is under the age of 18 years;
- (ii) not being a citizen of Botswana, has not been ordinarily resident in Botswana for a period of four years or such other period as may be prescribed;
- (iii) is or becomes an undischarged bankrupt, having been adjudged or otherwise declared bankrupt, whether under the laws of Botswana or elsewhere; or

Restriction on  
acquisition of  
mineral  
concession

Cap. 42:01

- (iv) has been convicted, within the previous 10 years, of any offence of which dishonesty is an element, or of any offence under this Act, any related or similar Act, or any similar written law in force outside Botswana, and has been sentenced to imprisonment without the option of a fine or to a fine exceeding P1000 or the equivalent thereof;
- (b) a company —
  - (i) which has not established a *domicilium citandi et executandi* in Botswana;
  - (ii) unless, in the case of a mining licence, such company is incorporated under the Companies Act, and intends to carry on the sole business of mining under that mining licence;
  - (iii) which is in liquidation or under judicial management except where such liquidation or judicial management is a part of a scheme for the reconstruction or amalgamation of such company, or
  - (iv) which has among its directors or shareholders any person who would be disqualified in terms of paragraph (a) (iii) and (iv).

### PART III — Administration

Power of  
certain officers  
to enter upon  
prospecting  
areas, etc

7. (1) An authorized officer may, at all reasonable times, enter upon any prospecting area, retention area, mining area, minerals permit area or any premises or workings thereon or thereunder, other than a dwelling-house, for the purpose of —

- (a) generally inspecting such area, premises or workings and examining prospecting or mining operations or the treatment of minerals being performed or carried out thereon;
  - (b) ascertaining whether the provisions of this Act are being complied with;
  - (c) ascertaining whether any nuisance or breach of environmental obligations exists in such area, premises or workings;
  - (d) giving directions and taking steps to enforce any provisions of this Act, or to abate or remove any nuisance;
  - (e) taking soil samples or specimens of rocks, ore, concentrates, tailings or minerals situated upon such area, premises or workings for the purpose of examination or assay;
  - (f) examining books, accounts, vouchers, documents or records of any kind; or
  - (g) obtaining such information as he may deem necessary.
- (2) A specially authorized officer may —
- (a) enter at all reasonable times upon any land with such persons, animals, vehicles, appliances, instruments and materials as are necessary;

- (b) break up the surface of such land for the purpose of ascertaining the rocks or minerals within or under the same;
- (c) take and carry away samples and specimens of the soil, and of rocks or minerals found thereon, therein or thereunder;
- (d) fix any post, stone, mark or object to be used in the survey of any such land;
- (e) dig up any ground for the purpose of fixing any such post, stone, mark or object;
- (f) enter into or upon any land through which it may be necessary to pass for the purposes of such survey:

Provided that —

- (i) it shall not be lawful to fix any post, stone, mark or object within any walled or fenced garden or orchard without the consent of the lawful occupier thereof;
- (ii) as little damage and inconvenience as possible shall be caused by the exercise of the powers conferred by this subsection and the owner or lawful occupier thereof shall be entitled to compensation for any damage sustained in the exercise thereof; and
- (iii) before abandoning any land all excavations shall be backfilled or otherwise made safe.

(3) Authorised and specially authorised officers shall be appointed by the Minister by notice in the *Gazette*.

8. The Minister may direct the holder of a mineral concession to produce for inspection by an authorised officer any books, accounts, vouchers, documents or records of any kind concerning the mineral concession.

Power to  
require  
production  
of records

9. No public officer or other authorized officer or Government nominated director of any holder of a mineral concession shall be liable for anything done or omitted to be done *bona fide* in the performance or purported performance of any function vested in or delegated to him by or under this Act or in his capacity as a director as aforesaid.

Indemnity  
of officers

10. Any fees, dues, rents, royalties or payments which may become due in respect of any mineral concession or under the provisions of this Act shall be a debt due to Government and recoverable in a court of competent jurisdiction.

Recovery of  
fees, etc.

11. (1) No core obtained in the exercise of rights conferred by a mineral concession shall be destroyed or otherwise disposed of except for the purposes of assay, identification or analysis without the permission in writing of the Minister, which permission shall not be unreasonably withheld.

Retention of  
cores and  
samples

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

Preference for  
Botswana  
products, etc.

Cap. 42:01

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

12. (1) The holder of a mineral concession issued under this Act, shall, in the conduct of his operations under such concession, and in the purchase, construction and installation of facilities, give preference, to the maximum extent possible consistent with safety, efficiency and economy, to—

(a) materials and products made in Botswana; and

(b) service agencies located in Botswana and owned by Botswana citizens or bodies corporate established under the Companies Act.

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

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

#### PART IV — *Prospecting Licences*

Application  
for prospecting  
licence

Consideration  
of application  
for prospecting  
licence

13. A person wishing to obtain a prospecting licence shall make application to the Minister by completing Form I set out in the First Schedule.

14. (1) The Minister shall grant a prospecting licence if —

(a) the applicant has, or has secured access to, adequate financial resources, technical competence and experience to carry on effective prospecting operations;

(b) the proposed programme of prospecting operations is adequate and makes proper provision for environmental protection;

(c) the proposed prospecting area is not the same as, nor does it overlap an existing prospecting area, retention area, mining area or minerals permit area in respect of the same mineral or associated mineral; and

(d) the applicant is not in default.

(2) The Minister may cause such investigations to be made or such negotiations or consultations to be carried on as he may deem necessary to enable him to assess whether or not the criteria in subsection (1) has been satisfied.

(3) Where an application is made for a prospecting licence in respect of an area over which a previous prospecting licence in respect of the same or an associated mineral has been held for seven years, no new prospecting licence shall be granted before a period of three months has elapsed since the expiry of the previous licence, and the Minister shall in the event of competing applications grant a prospecting licence to the applicant which in his opinion has the best proposed programme.

**15.** The Minister shall cause the applicant to be notified in writing of his decision on the application and, if the prospecting licence is refused, the Minister shall give reasons for such refusal.

**16.** (1) A prospecting licence shall be in Form II of the First Schedule.

(2) There shall be appended to a prospecting licence the programme of prospecting operations.

**17.** (1) Subject to this Act, a prospecting licence shall be valid for such period as the applicant has applied for, which period shall not exceed three years.

(2) The holder of a prospecting licence may, at any time not later than three months before the expiry of such licence, apply to the Minister by completing Form I set out in the First Schedule for renewal thereof stating the period for which the renewal is sought and submitting together with the application —

(a) a report on prospecting operations so far carried out and the direct costs incurred thereby; and

(b) a proposed programme of prospecting operations to be carried out during the period of renewal and the estimated cost thereof.

(3) Subject to this Act, the applicant shall be entitled to the grant of no more than two renewals thereof, each for the period applied for, which periods shall not in either case exceed two years, provided that —

(a) the applicant is not in default; and

(b) the proposed programme of prospecting operations is adequate.

(4) Before rejecting an application for renewal under subsection 3 (a), the Minister shall give notice of the default to the applicant and shall call upon the applicant to remedy such default within a reasonable time.

(5) Before rejecting an application for renewal under (3) (b), the Minister shall give the applicant opportunity to make satisfactory amendments to the proposed programme of prospecting operations.

(6) Notwithstanding the provisions of subsection (3), the Minister may renew a prospecting licence for a period or periods in excess of the periods specified in that subsection where a discovery has been made and evaluation work has not, despite proper efforts, been completed.

**18.** (1) If, in the course of exercising his rights under a prospecting licence, the holder thereof discovers any mineral not included therein, he may apply to the Minister for an amendment of his prospecting licence to include such mineral.

(2) An application for the amendment of a prospecting licence under subsection (1) shall —

(a) specify the mineral discovered;

(b) give particulars of the situation and circumstances of the discovery; and

(c) have appended thereto a proposed programme of prospecting operations in connexion therewith.

Notification of  
grant or  
rejection

Form and  
content of  
prospecting  
licence

Duration and  
renewal of  
prospecting  
licence

Discovery of  
minerals not  
included in  
prospecting  
licence

(3) Subject to the provisions of subsection (4), and provided that the applicant is not in default, the Minister shall permit the amendment of a prospecting licence to include the mineral concerned.

(4) An amendment of a prospecting licence under sub-section (3) shall not be permitted if any person other than the applicant is the holder of a prospecting licence, retention licence, mining licence or minerals permit in respect of the mineral concerned or an associated mineral over the area in which it was discovered.

Size of  
prospecting  
area

19. (1) Subject to the provisions of this Act, a prospecting licence shall cover such area, not exceeding 1000 km<sup>2</sup>, as is in accordance with the applicant's application.

(2) Subject to the provisions of subsection (4), the prospecting area shall be reduced in size to eliminate therefrom —

- (a) at the end of the initial term of the prospecting licence, not less than half of the initial area;
- (b) at the end of each period of renewal, half of the remaining area, or such lower proportion as the Minister may in any case agree; and
- (c) the area covered by any retention licence or mining licence granted thereon.

(3) The holder of a prospecting licence shall designate, prior to the end of each of the periods referred to in subsection (2), the area or areas to be eliminated from the prospecting area and, in default thereof, the designation shall be made by the Minister.

(4) Where a person holds two or more contiguous prospecting licences covering the same period and the same mineral or minerals the Minister shall, for the purposes of the elimination, under subsection (2), of part of any of the areas thereof, permit the areas covered thereby to be deemed to be one area, the subject of one such prospecting licence.

(5) No compensation shall be payable to the holder of any prospecting licence arising out of reductions in area effected in terms of subsection (2).

Rights of  
holder of  
prospecting  
licence

20. Subject to the provisions of Part VIII, the holder of a prospecting licence may, in the exercise of his rights thereunder, enter upon any land to which his prospecting licence relates together with his servants and agents and may —

- (a) prospect thereon for the mineral to which his prospecting licence relates;
- (b) drill boreholes and make such excavations as may be necessary; and
- (c) erect camps and put up temporary buildings for machinery necessary for prospecting purposes.

Obligations of  
holder of  
prospecting  
licence

21. (1) The holder of a prospecting licence shall—

- (a) commence prospecting operations within three months or such further period as the Minister may allow, of the date of issue of his licence;



- (b) carry on prospecting operations in accordance with the programme of prospecting operations;
  - (c) notify the Minister of the discovery of the mineral to which his prospecting licence relates within a period of 30 days of such discovery;
  - (d) notify the Minister of the discovery of any mineral deposit of possible economic value within a period of 30 days of such discovery;
  - (e) backfill or otherwise make safe any excavation made during the course of his prospecting operations, to the reasonable satisfaction of the Director of Geological Survey;
  - (f) permanently preserve or otherwise make safe any borehole in the manner directed by the Director of Geological Survey and surrender to Government without compensation all such boreholes and any water rights in respect thereof on termination;
  - (g) unless the Director of Geological Survey otherwise stipulates, remove, within 60 days of the expiry or termination of his prospecting licence, any camp, temporary buildings or machinery erected or installed by him, and repair or otherwise make good any damage to the surface of the ground occasioned by such removal, to the reasonable satisfaction of the Director of Geological Survey;
  - (h) subject to the conditions of his prospecting licence and the provisions of section 22, expend on prospecting, in accordance with his prospecting programme, not less than such amount as may be specified in his prospecting licence; and
  - (i) submit to the Director of Geological Survey, at least quarterly, reports containing the information required under the licence and the Act both in digital and analogue form.
- (2) The holder of a prospecting licence shall submit to the Director of Geological Survey not later than three months after the end of each year of the licence, an audited statement of expenditure directly incurred under the licence and any moneys required to be spent under the provisions of subsection (1) (h) and which are not so spent shall be a debt due to Government recoverable in a court of competent jurisdiction.
- (3) The holder of a prospecting licence shall keep full and accurate records of his prospecting operations which shall show-
- (a) boreholes drilled;
  - (b) strata penetrated, with detailed logs of such strata;
  - (c) minerals discovered;
  - (d) the results of any geochemical or geophysical analysis;
  - (e) the result of any analysis or identification of minerals removed under section 24;
  - (f) the geological interpretation of the records maintained under paragraphs (a) to (e) inclusive;
  - (g) the number of persons employed;
  - (h) any other prospecting work not listed above;

and shall supply, at least once in every three months, copies of such records to the Director of Geological Survey.

(4) Any person who fails to keep any record or information required to be kept under subsection (3) or who fails to supply any record to the Director of Geological Survey or who supplies any false or misleading record or information shall be guilty of an offence.

Amendment of  
programme of  
prospecting  
operations

22. (1) The holder of a prospecting licence may, from time to time, notify the Minister of amendments he wishes to make to his programme of prospecting operations and such amendments shall, unless the Minister rejects the same within two months after being so notified, have effect after such period.

(2) The Minister may, on application being made to him by the holder of a prospecting licence, limit or suspend the obligation to carry on prospecting as required by section 21 (1) (b), or to expend moneys as required by section 21(1) (h).

Transfer of  
prospecting  
licence

23. (1) Subject to this section, a prospecting licence or any interest therein or any controlling interest in the holder thereof may be transferred to any other person provided that the Minister is notified not less than 30 days before the intended transfer.

(2) In such notification, the applicant shall give to the Minister such details of the transferee as would be required in the case of an application for a prospecting licence.

(3) Where the Minister is satisfied that the transferee is not disqualified under any provision of this Act from holding a prospecting licence, he shall notify the applicant of his approval of the transfer of the prospecting licence or an interest therein.

(4) Upon the transfer of a prospecting licence, the transferee shall assume and be responsible for all rights, liabilities and duties of the transferor under the prospecting licence.

Removal and  
disposal of  
minerals

24. The holder of a prospecting licence shall not, without the written permission of the Minister, which permission shall not be unreasonably withheld, and subject to such reasonable conditions as the Minister may determine, remove any mineral from a prospecting area except for the purpose of having such mineral analysed, valued, or tested in Botswana.

#### PART V — *Retention Licences*

Who may  
apply for a  
retention  
licence

25. (1) The holder of a prospecting licence may, by submitting to the Minister an application as set out in Form III of the First Schedule, apply for a retention licence in relation to an area and a mineral covered by his licence.

(2) An application made under subsection (1) shall be made not less than three months prior to the expiry of the prospecting licence concerned.

26. Upon receipt of application for a retention licence, the Director of Mines shall notify a holder of any other prospecting licence over the area that such an application has been made.

Other holders to be notified of application

27. (1) The Minister shall grant a retention licence if —

Grounds to be considered in application for a retention licence

(a) the applicant has carried out a feasibility study in respect of the deposit to which the application relates in accordance with good industry practice and the study has established that the deposit cannot be mined on a profitable basis at the time of the application;

(b) the approved prospecting programme in respect of the area applied for has been completed; and

(c) the applicant is not in default.

(2) Before rejecting an application for a retention licence under subsection (1) (a), the Minister shall give the applicant opportunity to make satisfactory amendments to the proposed mining programme submitted in the feasibility study.

(3) Before rejecting an application for a retention licence under subsection (1) (c), the Minister shall give notice of the default to the applicant and shall call upon the applicant to remedy such default within three months of such notification.

(4) A retention licence shall not be granted to the holder of a prospecting licence in respect of an area larger than that which would be required, having regard to the deposit to which the application relates, to carry on mining operations.

28. The Minister shall cause the applicant to be notified in writing of his decision on the application and, if the retention licence is refused, the Minister shall give reasons for such refusal.

Notification of grant or refusal

29. A retention licence, granted in accordance with section 27, shall be in Form IV of the First Schedule.

Form of retention licence

30. (1) Subject to the provisions of this Act, a retention licence shall be valid for such period as the applicant has applied for, which period shall not exceed 3 years.

Duration and renewal of a retention licence

(2) A retention licence may be renewed once only, for a period not exceeding 3 years.

(3) Subject to subsection (2) above, the holder of a retention licence may apply to the Minister for the renewal of his licence at any time not later than three months before the expiry of the licence, and provided that he has properly complied with section 32 and the deposit cannot be mined on a profitable basis, the Minister shall grant renewal.

31. Subject to the provisions of this Act, any other written law and the terms and conditions of his licence, the holder of a retention licence shall be entitled —

Rights conferred by a retention licence

(a) to retain the retention area to which the retention licence relates, for future mining operations;

Obligations  
of holder of  
a retention  
licence

- (b) to carry on prospecting operations in the retention area in order to determine from time to time the prospects of mining any mineral to which the retention licence relates on a profitable basis;
  - (c) to remove any mineral or sample of a mineral for any purpose other than sale or disposal, from any place where it was found or incidentally won in the course of prospecting operations referred to in paragraph (b) to any other place within Botswana or, with the permission of the Director of Mines, outside Botswana; and
  - (d) to carry on, in order to determine, from time to time, the prospect of mining any mineral to which the licence relates, on a profitable basis, such other investigations and operations, including the erection of necessary equipment, plant and buildings, in the retention area as may be reasonably necessary for, or in connection with, any future mining operations or any prospecting operations contemplated in paragraph (b).
- 32.** (1) The holder of a retention licence shall —
- (a) demarcate and keep demarcated the retention area in the prescribed manner;
  - (b) obtain the consent of the Director of Mines to any amendment of his intended work programme;
  - (c) unless the Director of Mines otherwise stipulates —
    - (i) back fill or otherwise make safe excavations made during the course of his prospecting operations to the satisfaction of the Director of Mines;
    - (ii) permanently preserve or otherwise make safe any borehole in the manner directed by the Director of Geological Survey and Director of Mines; and
    - (iii) remove, within two months of the expiry of his licence, any camp, equipment, plant or building erected by him in the retention area, and repair or otherwise make good any damage to the surface area of the grant occasioned by such removal, to the satisfaction of the Director of Mines.
- (2) The holder of a retention licence shall furnish to the Director of Geological Survey and to the Director of Mines a quarterly report covering all matters under section 31 (b),(c) and (d).
- (3) The holder of a retention licence shall —
- (a) furnish to the Minister by submitting to the Director of Mines, as soon as they become available —
    - (i) the results of all studies, surveys and tests including but not limited to analytical, metallurgical, mineralogical, and geo-physical work incidental to those prospecting operations;
    - (ii) the interpretation and assessment of such studies, surveys and tests; and
  - (b) submit annually to the Director of Mines an updated feasibility study and an audited statement of direct expenditure if any, incurred in the retention area during the year.

**33.** (1) Upon expiry of the first period of a retention licence all geological information relating to that licence and to the prospecting licences which preceded it shall be placed on open file at the Department of Geological Survey.

Surrender of  
information on  
expiry

(2) For the purposes of this section, the expression "geological information" shall include information supplied under section 32 (3) (a) but not feasibility studies or proprietary information.

**34.** (1) During any renewal period of a retention licence the Minister may, on notice to the holder, authorise and the holder thereof shall permit third parties to have access to the area for the purpose of collecting samples and data required for the purpose of applying for a mining licence.

Third party  
access

(2) Any geological data obtained by such third party by means of such access shall be promptly reported to the Director of Geological Survey.

(3) A representative portion of each core sample so obtained shall be promptly delivered to the Director of Geological Survey.

(4) A person authorized under this section shall carry out his operations in such manner as not to disturb or interfere with the operations or workings of the holder of the retention licence and shall have, in respect of his operations in the retention area, the rights and obligations of the holder of a prospecting licence in terms of sections 20, 21 and 24.

**35.** (1) A person authorized in terms of section 34 (1), shall be entitled to apply for a mining licence in respect of the retention area.

Application for  
mining licence  
by authorized  
third party

(2) In the event that both the holder and the authorized third party make application for a mining licence, the Minister shall consider the applications on merit.

(3) In the event that the Minister grants a licence to the authorized third party, the rights and obligations of the retention licence holder shall be extinguished save for his rights under section 32 (1) (c) (iii).

**36.** (1) No retention licence or any interest therein shall be transferred, assigned, encumbered or dealt with in any other way without the approval of the Minister.

Transfer or  
assignment of  
retention  
licence

(2) In any application to the Minister for his approval under subsection (1), the applicant shall give such particulars concerning the proposed transferee, assignee or other party concerned as would be required in an application for a mining licence.

(3) The Minister shall grant his approval to the transfer, assignment or other dealing with any retention licence or interest therein provided the transferee is not disqualified under any provision of this Act from holding a retention licence and the Minister is satisfied in accordance with section 27.

(4) For the purposes of this section, "interest" in a retention licence shall mean in the case of a holder who is a private company, a controlling interest in such holder.

PART VI — *Mining Licence*

Who may  
apply for a  
retention  
licence

37. (1) Subject to the provisions of this Act, the holder of a prospecting licence, retention licence, or a waiver issued under subsection (3) may apply for a mining licence for an area in respect of which the waiver has been issued, or for an area within his prospecting area or retention area, in respect of the mineral covered by such prospecting licence, retention licence or waiver, and in the case of a prospecting licence or a retention licence, the issue of a mining licence shall have the effect of reducing the prospecting area or retention area, as the case may be, by the area in respect of which the mining licence is granted.

(2) An application made under subsection (1) shall be made not less than three months prior to the expiry of the prospecting licence or retention licence.

(3) Where the Minister is satisfied that the area over which a mining licence is required has been sufficiently prospected and that no other person has exclusive rights over that area, he may waive the requirements of subsection (1), provided that where a waiver is granted in respect of an area over which a retention licence is current, the Minister shall notify the holder of the retention licence of the granting of such waiver.

(4) Notwithstanding the provisions of subsection (1), an application for a mining licence may only be made by a company incorporated under the Companies Act, which intends to carry on the sole business of mining under the mining licence applied for.

(5) For the purposes of subsection (1), the expression "holder of a prospecting or retention licence" shall include a company formed between such holder and any person or persons invited by such holder for the purposes set out in subsection (4) above.

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Application  
for a mining  
licence

38. A person wishing to obtain a mining licence shall apply to the Minister by submitting an application in Form V of the First Schedule.

Grant of a  
mining  
licence

39. (1) The Minister shall grant a mining licence if satisfied that —

- (a) the proposed programme of mining operations will ensure the most efficient and beneficial use of the mineral resources in the proposed mining area;
- (b) the proposed mining area is not the same as nor does it overlap an existing mining area or retention area unless the holder of that area consents to the grant of a mining licence, or in the case of a retention licence, has failed to make application in terms of section 35(1);
- (c) the proposed mining area extends to cover only that area reasonably required for surface mining and treatment facilities and also to cover the proved, indicated and inferred reserves;
- (d) the applicant has or has secured access to adequate financial resources, technical competence and experience to carry on effective mining operations;

- (e) the proposed financing plan submitted as part of the feasibility study is in accordance with good financial practice, and provides for a debt to equity ratio of no more than 3:1 unless the Minister otherwise agrees;
  - (f) the parent company guarantee in the prescribed form has been furnished;
  - (g) the applicant is not in default, and
  - (h) in the case of an application to mine diamonds, agreement has been reached following a negotiation under section 51.
- (2) The Minister shall not reject an application on any of the grounds referred to in —
- (a) subsection (1) (a) or (e), unless the applicant has been so notified and has failed to propose reasonable amendments satisfactory to the Minister to his proposed programme of mining operations or financing plan within three months of such notification.
  - (b) subsection (1) (g), unless the applicant has been given details of the default and has failed to remedy the same within three months of such notification.
- (3) The Minister may cause such investigations to be made or such negotiations or consultations to be carried on as he may deem necessary to enable him to assess whether or not the criteria in subsection (1) has been satisfied.
- (4) In the case of competing applications for a mining licence over the same or overlapping areas, the Minister shall grant a licence to the applicant whose programme will make more beneficial use of the mineral resources of the area.

**40.** (1) Upon the issue of a mining licence, the Government shall have the option of acquiring up to 15% working interest participation in the proposed mine in the following manner —

Government  
investment

- (a) upon its exercise of its option Government shall be issued a single P1.00 special share at par, which shall carry the right to appoint up to two directors, with alternates, and to receive all dividends or other distributions in respect of its working interest percentage; and
  - (b) government shall be obliged in the same manner as other shareholders to contribute its working interest percentage of —
    - (i) all audited arms-length expenditure incurred by the company to which the licence was issued that is directly attributable to the acquisition of the licence, including relevant prospecting expenditure; and
    - (ii) all expenditure on the mine incurred subsequent to the issue of the mining licence.
- (2) Government shall on issuing the licence inform the applicant as to whether or not it is exercising its option and of the working interest percentage it wishes to take.

Form and  
content of  
mining  
licence

(3) The provisions of this section shall not apply to a licence to mine diamonds, where the extent and terms of Government participation shall be agreed under section 51.

41. A mining licence shall be in Form VI of the First Schedule, save that a licence to mine diamonds shall have annexed to it a copy of the agreement reached under section 51.

Duration and  
renewal of  
mining licence

42. (1) Subject to the provisions of this Act, a mining licence shall be valid for such period, not exceeding 25 years, as is reasonably required to carry out the mining programme.

(2) The holder of a mining licence may apply to the Minister for the renewal of his licence at any time not later than one year before the expiry of such licence.

(3) An application for renewal of a mining licence shall be in Form V of the First Schedule.

(4) The Minister shall grant an application for renewal if satisfied that —

- (a) the applicant is not in default;
- (b) development of the mining area has proceeded with reasonable diligence;
- (c) the proposed programme of mining operations will ensure the most efficient and beneficial use of the mineral resources in the mining area; and
- (d) in the case of an application for renewal of a licence to mine diamonds, agreement has been reached following negotiation under section 51.

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

- (a) subsection (4) (a), unless the applicant has been given details of the default and has failed to remedy the same within three months of such notification;
- (b) subsection (4) (b), unless the applicant has been given reasonable opportunity to make written representations thereon to the Minister; or
- (c) subsection (4) (c), unless the applicant has been so notified and has failed to propose amendments to his proposed programme of mining operations satisfactory to the Minister within three months of such notification.

(6) Subject to the provisions of this Act, the period of renewal of a mining licence shall be such period, not exceeding 25 years, as is reasonably required to carry out the mining programme.

(7) On the renewal of a mining licence the Minister shall append thereto the programme of mining operations to be carried out in the period of renewal.



Amendment of  
programme of  
mining  
operations

Rights  
conferred  
by mining  
licence

**43.** The holder of a mining licence may, from time to time, notify the Minister of amendments he wishes to make to his programme of mining operations and such amendments shall, unless the Minister rejects them within three months after being so notified, have effect after such period.

**44.** (1) Subject to the provisions of this Act or any other written law the holder of a mining licence may, in the exercise of his rights thereunder, enter upon any land to which his mining licence relates with his servants and agents and may —

- (a) take all reasonable measures on or under the surface to mine the mineral to which his mining licence relates;
- (b) erect the necessary equipment, plant and buildings for the purposes of mining, transporting, dressing, treating, smelting or refining minerals recovered by him during mining operations;
- (c) dispose of any mineral product recovered;
- (d) prospect within his mining area for the mineral for which he holds a mining licence and for any other mineral; and
- (e) stack or dump any mineral or waste product in a manner approved by the Director of Mines.

(2) If, in the course of exercising his rights thereunder, the holder of a mining licence discovers any further deposits of the mineral for which he holds a mining licence or any mineral not included in such licence, he shall, within 30 days after such discovery, notify the Minister thereof, giving particulars of the mineral discovered and the site and circumstances of the discovery, and may, subject to section 51, apply to the Minister to have the mining of such deposit or such mineral included in his mining licence, giving in his application a proposed programme of mining operations in respect of that mineral.

(3) Subject to section 51, if the Minister is satisfied with the proposed programme of mining operations submitted under subsection (2), he shall approve such application and shall amend the mining licence accordingly.

(4) The Minister shall not reject an application under subsection (3) above unless he shall first give the applicant opportunity to amend the programme in a manner satisfactory to the Minister.

(5) Subject to section 51 and subsection (7) below, the holder of a mining licence may apply to the Minister to have his mining area enlarged and the Minister shall, subject to the provisions of subsection (6), approve such application if he is satisfied that such approval will ensure the most efficient and beneficial use of the mineral resources of Botswana.

(6) A mining area shall not be enlarged so as to include any area which is not contiguous to the mining licence.

(7) The applicant for enlargement of a mining licence area shall be the holder of a prospecting licence, a retention licence, or a waiver in respect of the area sought to be added to the mining area.

**45.** (1) Subject to the provisions of this Act, the holder of a mining licence shall —

- (a) commence production on or before the date referred to in the programme of mining operations as the date by which he intends to work for profit;
- (b) develop and mine the mineral covered by his mining licence in accordance with the programme of mining operations as adjusted from time to time in accordance with good mining and environmental practice;
- (c) demarcate and keep demarcated the mining area in such manner as may be prescribed and, within three months of the date referred to in paragraph (a), submit to the Minister a diagram of the mining area;
- (d) keep and maintain an address in Botswana, full particulars of which shall be registered with the Minister, to which all communications and notices may be addressed; and
- (e) notify the Minister as soon as he begins to work his mining area for profit.

(2) The holder of a mining licence shall —

- (a) maintain at the address kept in accordance with subsection (1) (d) —
  - (i) complete and accurate technical records of his operations in the mining area;
  - (ii) copies of all maps and geological reports, including interpretations, mineral analyses, aerial photographs, core logs, analyses and test results obtained and compiled by the holder in respect of the mining area;
  - (iii) accurate and systematic financial records of his operations in the mining area and such other books of accounts and financial records as the Minister may require; if such holder is engaged in any other activity not connected with his operations under the mining licence, he shall maintain separate books of accounts of his operations under such licence;
- (b) permit an authorized officer at any time to inspect the books and records maintained in pursuance of paragraph (a) and shall deliver to the Minister, without charge, copies of any part of such books and records as the Minister may from time to time require;
- (c) submit to the Minister such reports, records and other information as the Minister may from time to time reasonably require concerning the conduct of his operations in the mining area; and
- (d) furnish the Minister with a copy of his annual audited financial statements within six months of the end of each financial year.

**46.** (1) No holder of a mining licence shall engage in wasteful mining or treatment practices or conduct his operations otherwise than in accordance with good mining practice.

Wasteful  
mining  
treatment  
practices

(2) If the Minister considers that the holder of a mining licence is in breach of subsection (1), he may notify him accordingly and require him to show cause why he should not discontinue such breach.

(3) If, within the time specified in any notice issued under subsection (2), the holder of a mining licence fails to discontinue the breach or to satisfy the Minister that he is not in breach, the Minister may direct the holder to discontinue the breach and the holder shall comply with such direction.

**47.** (1) The holder of a mining licence shall notify the Minister —

Suspension of  
production

(a) one year in advance, if he proposes to cease production from his mine;

(b) six months in advance, if he proposes to suspend production from his mine;

(c) three months in advance, if he proposes to curtail such production, and shall, in all cases, give reasons for such cessation, suspension or curtailment.

(2) If, for reasons beyond his control, the holder of a mining licence terminates, suspends or curtails production from his mine without giving notice in accordance with subsection (1), he shall, within 14 days of such termination, suspension or curtailment, notify the Minister thereof.

(3) On receiving notification under subsection (1) or if he otherwise becomes aware of any cessation, suspension or curtailment of production, the Minister may cause the matter to be investigated and may either —

(a) give his approval to such cessation, suspension or curtailment; or

(b) if this is in accordance with good mining practice, direct the holder of the mining licence to continue or resume full production at the mine.

**48.** (1) No person shall export any radioactive mineral except under and in accordance with the terms and conditions of a permit granted by the Minister.

Export of  
radioactive  
minerals

(2) The grant of a permit under sub-section (1) shall be at the discretion of the Minister exercised reasonably.

(3) A permit issued under subsection (1) shall be in such form and shall be subject to the payment of such fee and such reasonable terms and conditions as the Minister may determine.

**49.** (1) No person shall, in any mining area, carry on any business for which a licence is required under the Trade and Liquor Act without the consent of the Minister;

Trading in  
mining areas

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

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Transfer or  
assignment of  
mining  
licence

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

50. (1) No mining licence or any interest therein shall be transferred, assigned, encumbered or dealt with in any other way without the approval of the Minister.

(2) In any application to the Minister for his approval under subsection (1), the applicant shall give such particulars concerning the proposed transferee, assignee, or other party concerned as would be required in an application for a mining licence.

(3) Subject to section 51, the Minister shall grant his approval to the transfer, assignment, encumbrance or other dealing with any mining licence or interest therein provided the transferee is not disqualified under any provision of this Act from holding a mining licence and the Minister is satisfied in accordance with section 39.

(4) For the purposes of this section, "interest" in a mining licence shall mean in the case of a holder who is a private company, a controlling interest in such holder.

Negotiations  
over mining  
licence for  
diamonds

51. (1) Notwithstanding the provisions of this Part, any application for the issue, renewal, transfer or amendment of a licence to mine diamonds shall initiate a negotiating process, in good faith, between Government and the applicant covering all technical, financial and commercial aspects of the proposed project including Government participation.

(2) Should the negotiations not lead to agreement within six months or such extended period as the Minister may allow, the application shall fail.

(3) Upon successful conclusion of the negotiation under subsection (1), the Minister shall issue a licence reflecting the terms and conditions agreed.

## PART VII — *Minerals Permits*

Application  
for a minerals  
permit

52. (1) Subject to the provisions of this Part, a person wishing to conduct small scale mining operations may apply for a minerals permit to conduct such operations for any mineral other than diamonds over an area not exceeding 0.5 km<sup>2</sup> per permit.

(2) A person wishing to obtain a minerals permit shall apply to the Minister by completing Form VII of the First Schedule.

(3) An application for a minerals permit relating to —

(a) any area in respect of which consent is required under any written law shall be accompanied by evidence that such consent has been obtained;

- (b) land of which the applicant is not the owner shall be accompanied by evidence that the consent of the owner, or, in the case of tribal territory, the consent of the appropriate land board, has been obtained; or
  - (c) a prospecting area, retention area or mining area or part thereof shall be accompanied by evidence that the consent of the holder of the prospecting licence, retention licence or mining licence has been given, unless such holder will not be prejudiced by the issue of a minerals permit.
  - (4) The Minister shall grant a minerals permit if satisfied that —
    - (a) the proposed programme of working will ensure the efficient and beneficial use of the mineral resource;
    - (b) consent has been obtained —
      - (i) under any written law where such consent is required in respect of the area applied for;
      - (ii) from the owner of the area applied for; and
      - (iii) from the holder of any existing mineral concession over the land applied for.
  - (5) Notwithstanding subsection 4 (b) (iii) above, the Minister may grant a minerals permit without the consent of the holder of an existing mineral concession over the area applied for if such holder will not be prejudiced by the grant of a permit, and the holder has been given a reasonable opportunity to make representations to the Minister as to why a permit should be refused.
  - (6) A minerals permit shall be in Form VIII of the First Schedule.
  - (7) No minerals permit shall be granted for the mining of diamonds.
- 53.** (1) Subject to the provisions of sub-section (2), a minerals permit to exploit industrial minerals shall not be granted to a person who is not a citizen of Botswana.
- (2) The Minister may exempt any person from the provisions of sub-section (1) if he is satisfied that —
- (a) it is in the public interest that a minerals permit to exploit industrial minerals should be granted to such person; or
  - (b) the permit applied for is in respect of industrial minerals required for specific works and the applicant has given an undertaking that the minerals concerned will not be sold or otherwise disposed of for profit.
- (3) In this section “citizen of Botswana” means —
- (a) in relation to an individual, an individual who is a citizen of Botswana;
  - (b) in relation to a partnership or association of individuals, a partnership or association which is composed exclusively of individuals who are citizens of Botswana; and

Permits for  
industrial  
minerals

Demarcation  
of area  
covered by a  
minerals  
permit

Duration,  
renewal and  
termination of  
a minerals  
permit

Rights under a  
minerals  
permit

Duties of  
holder of a  
minerals  
permit

Special rights  
with regard to  
industrial  
minerals

(c) in relation to a corporate body, a corporate body which is incorporated under the Companies Act —

(i) which is certified by the Minister to be controlled by the Government, or

(ii) whose directors and beneficial shareholders are all citizens of Botswana.

**54.** The holder of a minerals permit shall, within three months of the issue thereof, demarcate the area covered by such permit in such manner as may be prescribed.

**55.** (1) Subject to the provisions of subsection (2), a minerals permit shall be valid for such period, not exceeding five years, as the Minister may determine and may, on application made to the Minister, be renewed for further periods not exceeding five years at a time.

(2) Without prejudice to section 76, the Minister may terminate a minerals permit issued to exploit industrial minerals if he is satisfied that the holder thereof has ceased to be a citizen of Botswana or has entered into an arrangement with a person who is not a citizen of Botswana, as defined in section 53(3), which arrangement has the effect of transferring to that person any interest in such permit.

**56.** The holder of a minerals permit may, subject to the provisions of this Act and to any other written law, enter upon the area covered by such permit with his servants and agents and —

- (a) mine the minerals to which his permit relates;
- (b) dispose of the minerals to which his permit relates; and
- (c) erect such temporary structures, other than residential buildings, as may be necessary for the purposes of mining.

**57.** The holder of a minerals permit shall —

- (a) notify the Minister of any change in his address;
- (b) mine the mineral to which his permit relates within the area covered by his permit in conformity with good mining and environmental practice (as may be prescribed);
- (c) submit a report to the Minister each year during the currency of his permit and any renewal thereof giving —
  - (i) the mineral production from the area covered by his permit in the preceding year and the value of such production;
  - (ii) the average number of employees during the preceding year; and
  - (iii) a brief description of his plant, vehicles and equipment; and
- (d) at the termination of his permit, clear and make safe the area covered by his permit, to the satisfaction of the Director of Mines.

**58.** (1) Nothing in this Act shall prevent —

- (a) a local authority on land owned by it;
- (b) the owner or lawful occupier of any land owned or occupied by him; or

(c) the holder of a mineral concession on land the subject of such concession,  
from prospecting for and mining industrial minerals to be used solely for building, road making or agricultural purposes on such land, so long as the exercise of such powers is not inconsistent with or detrimental to the rights of any other mineral concession holder.

(2) For the purposes of subsection (1), a Land Board established under the Tribal Land Act shall be deemed to be a local authority.

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(3) Any person exercising rights under this section shall do so in such manner as to minimize environmental damage and shall rehabilitate within a reasonable time, the site of any such prospecting or mining to the reasonable satisfaction of the Director of Mines.

**59.** (1) No minerals permit or any interest therein shall be transferred, assigned, encumbered or dealt with in any other way without the approval of the Minister.

Transfer or assignment of minerals permit

(2) In any application to the Minister for his approval under subsection (1), the applicant shall give such particulars concerning the proposed transferee, assignee, or other party concerned as would be required in an application for a minerals permit.

(3) The Minister shall grant his approval to the transfer, assignment, encumbrance or other dealing with any minerals permit or interest therein provided the transferee is not disqualified under any provision of this Act from holding a minerals permit and the Minister is satisfied in accordance with section 52 (4).

(4) For the purposes of this section, "interest" in a minerals permit shall mean in the case of a holder who is a private company, a controlling interest in such holder.

## PART VIII — *Mineral Concessions and Surface Rights*

**60.** (1) No holder of a mineral concession shall exercise any right thereunder —

Restriction on exercise of rights under a mineral concession  
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- (a) without the written consent of the President, upon —
  - (i) any land dedicated as a place of burial;
  - (ii) any land containing any ancient monument or national monument, as defined in the Monuments and Relics Act; or
  - (iii) any land set aside or used for the purposes of Government;
- (b) without the written consent of the owner or lawful occupier thereof —
  - (i) within 200 metres of any inhabited, occupied or temporarily unoccupied house or building;
  - (ii) within 50 metres of any land which has been cleared or ploughed or otherwise bona fide prepared for the growing of agricultural crops or upon which agricultural crops are growing;

- (iii) upon any land from which, during the year immediately preceding, agricultural crops have been reaped; or
- (iv) within 100 metres of any cattle dip, tank, dam or private water, as defined in the Water Act:

Provided that where consent is unreasonably withheld the Minister may authorize the holder of a mineral concession to exercise all or any of his rights thereunder on such land, subject to such reasonable conditions as he may impose, including payment of reasonable compensation;

Provided further that a dispute over the level of compensation shall not preclude the exercise of the concession holder's rights while such dispute remains to be settled;

- (c) in a national park, without permission obtained under section 10 of the Wildlife Conservation and National Parks Act;
- (d) upon any land reserved for the purposes of a railway track or within 50 metres of any railway track, without the written consent of the railway administration concerned;
- (e) upon any land within, or within 200 metres of, the boundaries of any township, without the consent of the local authority concerned;
- (f) upon any street, road, highway, public place or aerodrome, without the consent of the Minister or other authority having control thereof;
- (g) upon any land on which industrial minerals are being mined on behalf of Government or a local authority, or by any person holding a permit under Part VII, without the consent of the Minister, such local authority or the holder of such permit, as the case may be; or
- (h) upon land specified by the Minister, by order published in the Gazette, to be land upon which prospecting or mining is prohibited or restricted.

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

(3) No person shall exercise any right under a mineral concession upon any land other than unalienated State land unless he has given at least 14 days notice of his intention to do so to the owner or lawful occupier thereof giving in such notice details of the area in which the right is to be exercised and the date of expiry of his permit or licence.

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



(5) No consent applied for under this section shall be unreasonably withheld.

**61.** (1) The owner or lawful occupier of any land within the area of a mineral concession shall retain the right to graze stock upon or to cultivate the surface of such land insofar as such grazing or cultivation does not interfere with the proper use of such area for prospecting, retention or mining purposes.

Right to graze  
stock, etc

(2) In the case of a mining area, a retention area or a minerals permit area, the owner or lawful occupier of any land within such area shall not erect any building or structure thereon without the consent of the holder of the mining licence, retention licence or minerals permit, as the case may be, which consent shall not be unreasonably withheld.

(3) The rights conferred by a mineral concession shall be exercised reasonably and so as to affect as little as possible the interests of any owner or lawful occupier of the land on which such rights are exercised consistent with the reasonable and proper conduct of the operations concerned.

(4) No holder of a mineral concession shall create unprotected pits, hazardous waste dumps or other hazards such as to be likely to endanger the stock, crops or other lawful activity of the owner or lawful occupier of the land covered by such mineral concession.

**62.** (1) The holder of a retention licence, mining licence or minerals permit may, if he requires the exclusive use of the whole or any part of the retention area or mining area or minerals permit area, and shall, if requested by the owner or lawful occupier of any part of such area, obtain a lease thereof or other rights to use the same upon such terms as to the rents to be paid therefor, the duration thereof or the extent or area of the land to which such lease relates as may be agreed between such holder and such owner or lawful occupier, or, failing such agreement, as may be determined by arbitration:

Acquisition of  
exclusive  
rights by  
holder of  
mining or  
retention  
licence or  
minerals  
permit

Provided that —

- (i) the holder of a mining licence or such a permit shall not obtain a lease of or other rights over any land specified in paragraphs (a) and (c) to (g) inclusive of section 60 (1) except with the consent of the persons specified in such paragraphs;
- (ii) in the case of tribal land, any rents payable under this subsection shall be payable to the Land Board within the area in which the land is situated;
- (iii) an arbitrator appointed in pursuance of this subsection may, on application by any interested party, apportion any rent payable under this subsection between the owner and any lawful occupier; and
- (iv) no demand made in terms of this subsection shall entitle the owner or lawful occupier to prevent or hinder the exercise by the holder of rights under his concession pending determination of compensation to be paid.

Compensation  
for disturbance  
of rights, etc.

(2) In assessing any rent payable under the provisions of this section, an arbitrator shall determine the matter in relation to values at the time of arbitration current in the area in which the mining licence or retention licence or minerals permit is situated for land of a similar nature to the land concerned but without taking into account any enhanced value due to the presence of minerals.

**63.** (1) The holder of a mineral concession shall, on demand being made by the owner or lawful occupier of any land subject to such concession, promptly pay such owner or occupier fair and reasonable compensation for any disturbance of the rights of such owner or occupier and for any damage done to the surface of the land by such operations and shall, on demand being made by the owner of any crops, trees, buildings or works damaged during the course of such operations, pay compensation for such damage:

Provided that —

- (i) payment of rent under the provisions of section 62 shall be deemed to be adequate compensation for deprivation of the use of land to which such rent relates;
- (ii) in assessing compensation payable under this section, account shall be taken of any improvement effected by the holder of the mineral concession or by his predecessor in title, the benefit of which has or will enure to the owner or lawful occupier thereof;
- (iii) the basis upon which compensation shall be payable for damage to the surface of any land shall be the extent to which the market value of the land (for which purpose it shall be deemed saleable) upon which the damage has occurred has been reduced by reason of such damage, but without taking into account any enhanced value due to the presence of minerals;
- (iv) no compensation shall be payable to the holder of a state grant of land or his successors-in-title in respect of any operations under a mineral concession existing at the date of such grant; and
- (v) no demand made in terms of this subsection shall entitle the owner or lawful occupier to prevent or hinder the exercise by the holder of rights under his concession pending the determination of compensation to be paid.

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

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

**64.** (1) Where the President considers that any land is required to secure the development or utilization of the mineral resources of Botswana, he may compulsorily acquire such land.

Compulsory  
acquisition  
of land  
Cap. 2:10

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

### Part IX — *Environmental Obligations*

**65.** (1) The holder of a mineral concession shall, in accordance with the law in force from time to time in Botswana and in accordance with good mining industry practice, conduct his operations in such manner as to preserve in as far as is possible the natural environment, minimize and control waste or undue loss of or damage to natural and biological resources, to prevent and where unavoidable, promptly treat pollution and contamination of the environment and shall take no steps which may unnecessarily or unreasonably restrict or limit further development of the natural resources of the concession area or adjacent areas.

Rehabilitation,  
reclamation  
etc.

(2) In accordance with good international mining industry standards, the applicant for a mining licence or retention licence or any renewal of either shall prepare and submit a comprehensive Environmental Impact Assessment as part of the Project Feasibility Study Report.

(3) The holder of a mineral concession shall ensure that his concession area is rehabilitated from time to time and ultimately reclaimed in so far as is practicable in a manner acceptable to the Director of Mines.

(4) Without prejudice to the generality of subsection (3) above, during and at the end of operations in any mine, excavation, waste dump or pond, the holder of a mineral concession shall take such measures as are required from time to time to maintain and restore the top soil of affected areas and otherwise to restore the land substantially to the condition in which it was prior to the commencement of operations.

(5) If there is any dispute as to the extent of the measures necessary to comply with the requirements of this section, the holder of a mineral concession may refer the question to arbitration.

(6) In the event that the holder of a mineral concession fails to fulfill his obligation under this section and without prejudice to any other remedy available or other liability the holder may otherwise incur, the Minister may, after having notified the holder of his default and having given the holder a reasonable period of time to carry out the necessary restorations, carry out the necessary restoration whereupon the cost of such restoration shall be a debt due to Government by the holder and shall be recoverable in a court of competent jurisdiction, provided that the cost of any part of the restoration determined by an arbitrator not to have been necessary in terms of subsection (3) shall be deducted from the sum payable or if paid, refunded from the sum paid.

(7) In the event of an emergency or extraordinary circumstances requiring immediate action, the holder of a mineral concession shall forthwith notify the Director of Mines and shall take all immediate action in accordance with the reasonable directions of the Director of Mines.

(8) For the purpose of this section "emergency or extraordinary circumstances" means a situation or occurrence, whether existing or imminent, resulting from an act of man or nature, which if no prompt remedial action were taken, might result in death, bodily harm or injury to any person, or loss of or damage to capital assets or to any natural or biological resources.

(9) The holder of a mineral concession shall make adequate ongoing financial provision for compliance with his obligations under this section.

#### PART X — *Financial*

##### Royalties

66. (1) Subject to the provisions of this Part, the holder of a mineral concession shall be liable to pay royalties to the Government on any mineral obtained by him in the course of the exercise of his rights thereunder at the rates and in the manner prescribed under this section.

(2) The royalties payable shall be the following percentages of gross market value as defined under subsection (3) below -

<u>Mineral Type</u>	<u>Percentage</u>
Precious stones	10%
Precious metals	5%
Other minerals or mineral products	3%

(3) The term "gross market value" shall for the purposes of calculation of royalties be defined as the sale value receivable at the mine gate in an arms length transaction without discounts, commissions or deductions for the mineral or mineral product on disposal.

(4) Royalty shall be paid on a mineral or mineral product on receipt of each payment or other consideration for such mineral or mineral product, and each royalty payment shall be accompanied by full particulars of the mineral or mineral product sold or disposed of and the terms of payment therefor:

Provided that any disposal for other than monetary consideration or consideration deferred for a period beyond industry practice shall be referred to the Minister for determination of royalty in terms of subsection (5) below.

(5) Where it appears to the Minister that minerals have been disposed of otherwise than in an arms length transaction, the Minister shall determine the royalty payable on the basis of prices ruling in the industry, and the royalty so determined shall be payable on demand;

Provided that the royalty so determined and paid may be varied by court review or arbitration and the sum of any such variation shall thereupon become payable or repayable as the case may be.

(6) For the purposes of this section, the expression "arms length transaction" shall mean a transaction between a willing buyer and willing seller in the open market where the purchase price for the sale is not influenced by any special relationship or other arrangement between the parties to the transaction and is not affected by any non-commercial considerations and specifically excludes any barter, swap, exchange, or transfer price arrangements, restricted or distress transaction which is associated with special financial, commercial or other considerations.

**67.** (1) The Minister may, in the public interest, remit all or part of any royalty payable on any mineral or mineral product for such period as he may determine.

Remission of  
royalties

(2) The Minister may exempt from liability to royalty samples of minerals required for the purpose of assay, analysis or other examination.

**68.** The Minister may, on application being made to him by the holder of a mineral concession, defer payment of any royalty due from such holder for such period and subject to such conditions as he may determine.

Deferred  
payment of  
royalty

**69.** (1) If the holder of a mineral concession fails to pay any royalty due in respect of that concession on or before the due date or any extension thereof, or if the Minister has reason to believe that minerals have been produced from any area and royalties have not been paid in respect thereof, the Minister may, by order served on the holder of the mineral concession concerned, prohibit the disposal of any mineral from such area, or from any other area held by such holder under a mineral concession until all outstanding royalties have been paid or until an arrangement has been made, acceptable to the Minister, for the payment of such royalties.

Prohibition on  
disposal of  
minerals

(2) Any holder of a mineral concession who contravenes or fails to comply with the provisions of an order given under subsection (1) and any person who, knowing of such an order and contrary thereto, receives any mineral from the area concerned, shall be guilty of an offence.

**70.** (1) There shall be due and payable to Government by every holder of a prospecting licence or retention licence the non refundable annual charge prescribed in the Second Schedule.

Annual  
charges in  
respect of  
prospecting  
and retention  
licences

(2) The annual charge payable under the provisions of subsection (1) shall be payable on the issue of a prospecting licence or retention licence and thereafter annually on the anniversary thereof until the termination of such licence.

(3) Where a prospecting licence or retention licence is granted over land in a tribal area, one-half of any moneys received under the provisions of this section shall be appropriated to the Land Board within the area in which the land is situated.

Annual charges in respect of mining licences and minerals permits

Interest on overdue payments

Security for compliance

71. (1) There shall be paid by the holder of every mining licence or minerals permit an annual charge as prescribed in the Second Schedule.

(2) The annual charge payable under the provisions of subsection (1) shall be payable on the issue of the licence or permit as the case may be and thereafter annually on the anniversary thereof until the termination of such licence or permit.

72. All overdue payments under this Act shall bear interest at the commercial bank prime lending rate ruling from time to time plus a premium of five percentage points.

73. The Minister may, from time to time, make reasonable arrangements to secure that the holders of mineral concessions comply with the provisions of this Act, and, without prejudice to the generality of the foregoing, may require or accept guarantees, whether from shareholders or otherwise, in respect of such compliance.

PART XI — *Withdrawal of applications, surrender and termination of mineral concessions, etc.*

Withdrawal of applications

74. An applicant for a mineral concession or any renewal thereof may withdraw his application at any time before such application is approved or rejected by notifying the Minister, in writing, that he withdraws such application.

Surrender of area or part thereof covered by mineral concession

75. (1) Subject to the provisions of section 47 and of any condition in his mineral concession, the holder of a mineral concession may surrender the area covered by his mineral concession or part thereof by —

- (a) giving the Minister not less than three months' notice of his intention to surrender the whole or part of the area concerned;
- (b) complying with any reasonable requirement of the Director of Geological Survey or the Director of Mines, as to the rehabilitation and reclamation of the concession area.

(2) If the application for surrender is in respect of part only of the area covered by the mineral concession, the holder thereof shall —

- (a) if it relates to a mining area, provide a diagram of the area to be surrendered;
- (b) in the case of any other mineral concession, provide a reliable plan of the area to be surrendered;
- (c) give the results of prospecting carried out; and
- (d) demarcate the remaining area in the prescribed manner.

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

(4) Following compliance with subsection (1) (b) by the holder, the Minister shall —

- (a) if the surrender is in relation to the whole area covered by a mineral concession, cancel such concession; or
- (b) if the surrender is in respect of part only of the area covered by a mineral concession, amend the concession accordingly.

**76.** (1) Subject to the provisions of this section, the Minister may suspend or cancel a mineral concession if the holder thereof —

Minister's  
power to  
suspend or  
cancel a  
mineral  
concession

- (a) fails to make any of the payments required by or under this Act on the due date;
- (b) contravenes any provision of this Act or the conditions of his mineral concession or the provisions of any other written law relating to mines and minerals;
- (c) dies, becomes of unsound mind, becomes insolvent, commits any act of bankruptcy, enters into any agreement or scheme of composition with his creditors, takes advantage of any written law for the benefit of debtors, or, in the case of a company, goes into liquidation, except as part of a scheme for its reconstruction or amalgamation.
- (d) makes any statement to the Government in connexion with his mineral concession which he knows or ought to have known was false; or
- (e) for any reason is or becomes ineligible to hold a mineral concession under the provisions of section 6.

(2) Before suspending or cancelling a mineral concession under paragraphs (a) and (b) of subsection (1), the Minister shall give the holder thereof notice in writing specifying the particular failure or contravention and calling upon the holder to remedy the same within such period, being not less than 30 days, as may be specified in such notice.

(3) If the holder of a mineral concession fails to remedy any failure or contravention specified in paragraphs (a) and (b) of subsection (1) within the period specified in a notice issued under subsection (2), the Minister may, by notice to the holder thereof, suspend or cancel the mineral concession forthwith.

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

**77.** (1) Where the holder of a mineral concession intends to cease operations either during the period of or on termination of his licence, he shall, not less than three months or such other period as the Director of Mines may allow before such cessation or termination, furnish to the Director of Mines, a full register of assets showing those assets which he intends to remove and those which he intends to leave in the concession area, and shall further notify the Director of Mines of any potentially hazardous substances, erections or excavations in the concession area.

Assets on  
termination

(2) On receipt of a notice in terms of subsection (1) above, the Director of Mines shall, if he deems it necessary —

- (a) certify that specified items of fixed machinery are necessary for the care and maintenance of the concession area and such items and machinery shall not be removed;
- (b) require that specified buildings and other items of fixed machinery shall be removed; or
- (c) require that potentially hazardous substances, erections and excavations be removed or made safe in such manner as he may direct.

(3) If removal of specified assets which the holder has indicated that he wishes to remove is prohibited under subsection 2(a) above, the Government shall pay reasonable compensation to the holder for such assets and any person who acquires a mineral concession over the area concerned shall reimburse the Government the sum equal to the compensation so paid.

(4) Upon cessation of operations by the holder of a mineral concession in terms of this clause, the mining area shall revert to the owner thereof provided that should the Director of Mines determine that the area should be retained, it shall be so retained by the Government subject to payment of fair compensation to the owner for such right of retention.

(5) Any fresh water dam and the waters impounded thereby shall be left intact on cessation of operations in or termination of a mineral concession.

Delivery of  
documents on  
termination

**78.** (1) Upon termination of any mineral concession the holder thereof shall deliver to the Minister —

- (a) all records which the holder is obliged under the provisions of this Act to maintain; and
- (b) all plans or maps of the area covered by the mineral concession prepared by the holder or at his instructions.

(2) Any person who fails to deliver any document required to be delivered under the provisions of subsection (1) within 14 days of being called upon to do so by the Minister shall be guilty of an offence.

Pending  
applications

**79.** Where the holder of —

- (a) a prospecting licence has made application for a renewal thereof or for either a retention licence or a mining licence over part of the area covered by his prospecting licence;
- (b) a retention licence has made application for a renewal thereof or for a mining licence; or
- (c) a mining licence or a minerals permit has made application for a renewal thereof;

the Minister may extend the period of validity of such prospecting licence, retention licence, mining licence or minerals permit, as the case may be, pending his decision on the application.



PART XII — *Regulations*

Regulations

**80.** (1) The Minister may make regulations for the better carrying into effect of this Act and, in particular and without prejudice to the generality of the foregoing, regulations may provide for the following matters or purposes —

- (a) prescribing anything which in terms of this Act is to or may be prescribed;
- (b) for making of returns of minerals won and for the valuation of such minerals, and the sampling, weighing and testing of any mineral;
- (c) the shape of the areas over which mineral concessions may be granted;
- (d) the manner in which areas and boundaries shall be marked, beacons and surveyed;
- (e) the gathering of fuel wood and the cutting and use of timber for the purposes of carrying on prospecting and mining operations;
- (f) the returns to be rendered and the nature of the accounts, books and plans to be kept by the holders of mineral concessions;
- (g) the fees to be paid in respect of any matter or thing done under this Act; and
- (h) the protection of the environment.

(2) Regulations made under this section may provide a penalty for the contravention thereof in any amount not exceeding P5000 or to imprisonment for a term not exceeding six months, or to both.

(3) The Minister may by notice amend or replace any schedule to this Act.

PART XIII — *Offences and penalties*

**81.** (1) If the Minister considers that the holder of a mineral concession is in breach of any of the provisions of this Act, or of any of the terms or conditions of such concession, he may, in lieu of proceeding under any other provision of this Act, notify the holder accordingly and require him to show cause, in writing, within such reasonable time as the Minister shall specify in the notification, why he should not incur a penalty for such breach.

Imposition of  
penalty on  
holder of  
mineral  
concession

(2) If, within the time specified in a notification, the holder of a mineral concession fails to satisfy the Minister that —

- (a) the alleged breach had not occurred;
- (b) the holder had taken all appropriate precautions, due care and reasonable alternative measures with the object of avoiding such breach; or

(c) there was a reasonable excuse for the breach;  
the Minister may order that there be imposed on the holder a penalty in such sum, not exceeding P 50 000, as the Minister may deem appropriate having regard to the nature of the breach, its seriousness and the other occasions, if any, upon which the holder has been in breach of this Act or of the terms or conditions of his mineral concession.

(3) If the Minister makes an order under subsection (2), the penalty imposed may be recovered in any court of competent jurisdiction.

#### Offences

**82.** Any person who —

- (a) fails, neglects or refuses to allow or provide all reasonable facilities and assistance to an authorized officer;
- (b) fails, neglects or refuses to comply with any direction given under section 8;
- (c) prospects, retains a mineral deposit or mines otherwise than in accordance with the provisions of this Act;
- (d) fails to notify the Minister in pursuance of the provisions of section 21 (1) (c) or (d), 32 (3) or 45 (1) (e);
- (e) carries on business in contravention of section 49 (1) or who erects any building or other structure in contravention of the provisions of section 49 (2);
- (f) obstructs, hinders or delays an authorized officer or specially authorised officer in the performance of his duties under this Act;
- (g) in making application for a mineral concession or any renewal thereof, knowingly makes any statement which is false or misleading in any material particular or makes any material omission;
- (h) in any report, return or affidavit submitted in pursuance of the provisions of this Act, knowingly includes any information which is false or misleading in any material particular or makes any material omission;
- (i) removes or fails to remove any buildings, fixed machinery or other movable property contrary to section 77;
- (j) removes or disposes of any mineral contrary to the provisions of section 24;
- (k) exports any radioactive mineral in contravention of section 48 (1) or fails to comply with the terms or conditions of a permit issued under that section;
- (l) causes unlawful environmental damage contrary to section 65 or fails to rehabilitate an extraction site, or fails to deal with potentially hazardous substances, erections or excavations in accordance with directions given under subsection 77 (2) (b).
- (m) places or deposits, or is accessory to the placing or depositing of, any mineral in any place with the intention to mislead any other person as to the mineral possibilities of such place;

- (n) mingles or causes to be mingled with any sample of ore any substance which will enhance the value or in any way change the nature of such ore with the intention to cheat, deceive or defraud; or
- (o) being engaged in the business of milling, leaching, sampling, concentrating, reducing, assaying, transporting or dealing in ores, metals or minerals, keeps or uses any false or fraudulent scales or weights for weighing such ores, metals or minerals, or uses any false or fraudulent assay scales or weights or enriched fluxes used for ascertaining the assay value of minerals, knowing them to be false or fraudulent;

shall be guilty of an offence.

**83.** (1) Any person guilty of an offence under section 82 (a) to (e) inclusive or an offence for which no penalty is prescribed under this Act shall be liable, on first conviction, to a fine not exceeding P1 000 or to imprisonment for a term not exceeding three months, or to both.

(2) Any person guilty of an offence under section 82 (f) to (i) inclusive shall be liable, on first conviction to a fine not exceeding P5 000 or to imprisonment for a term not exceeding 12 months, or to both.

(3) Any person guilty of an offence under section 82 (j) to (o) inclusive shall be liable, on first conviction to a fine not exceeding P100 000 or to imprisonment for a term not exceeding 5 years, or to both.

(4) On a second or subsequent conviction for an offence under this Act, a court may impose a penalty which does not exceed double the penalty referred to in subsections (1), (2) and (3).

**84.** (1) An authorized officer or a specially authorised officer may, if satisfied that any person is guilty of an offence described in section 82, summarily demand from such person the payment of a fine not exceeding P200 in respect of such offence.

(2) Any person from whom payment of a fine has been demanded under the provisions of subsection (1) shall have the right to elect to admit liability and pay the fine, or to dispute liability, and such person shall be informed of such rights at the time by the person making the demand.

(3) The payment forthwith or within such time as the person making the demand may specify of a fine shall operate as a bar to any further proceedings against the person making such payment in respect of the offence concerned.

(4) An authorized officer or specially authorized officer receiving payment of a fine shall cause a receipt to be given in such form as may be prescribed, and shall cause the fine to be paid into the general revenues of the Republic.

(5) An election made under subsection (2) shall be irrevocable.

Penalties

Summary  
imposition of  
penalties

PART XIII — *Records and information*

Records to be  
maintained by  
Minister

85. (1) The Minister shall maintain records of all mineral concessions issued under this Act in sufficient detail as to show —

- (a) the name of the holder of the mineral concession;
- (b) the area subject to the mineral concession;
- (c) the date of issue and duration of the mineral concession; and
- (d) the mineral for which the concession is granted.

(2) Records maintained under subsection (1) shall be open to inspection by members of the public during normal Government office hours, and members of the public shall be permitted to take copies thereof.

Certain  
records  
supplied to  
Minister to be  
confidential

86. Records supplied under section 21 (3), 32 (3), 45 (2) or 57 (c) shall so long as the person supplying the same or his successor-in-title retains a prospecting licence, retention licence, mining licence or minerals permit over the area to which the records relate, be treated as confidential and shall not be divulged without the consent of the person supplying the same or his successor-in-title;

Provided that nothing in this section shall prohibit the disclosure of any confidential information —

- (i) where such disclosure is necessary or required for the purposes of this Act,
- (ii) for the purposes of a prosecution under this Act or any other law,
- (iii) to any person being a consultant to or officer employed by the Government who is approved by the Minister to receive such confidential information.

Provided further that subject to items (i), (ii) and (iii) all proprietary information supplied to the Minister or any officer under this Act shall be kept confidential.

Repeal of  
Cap. 66.01  
Savings

87. The Mines and Minerals Act (hereafter referred to as the repealed Act) is hereby repealed.

88. (1) All subsidiary legislation made under the repealed Act, and in force immediately prior to the coming into operation of this Act shall, in so far as such subsidiary legislation may not be inconsistent with the provisions of this Act, continue in force as if made under this Act.

(2) Nothing in this Act shall affect the continued validity of any title to, interest in or right over, any minerals, of whatsoever nature, subsisting immediately prior to the coming into operation of this Act (hereinafter called “existing right”);

Provided that a state grant of a mining lease issued and in force immediately before the commencement of this Act shall be deemed for the purposes of this Act to be a mining licence issued under the provisions of Part VI;

Provided further that in the event of any conflict between the terms and conditions of any existing right and the provisions of this Act, the terms and conditions of such existing right shall continue to be valid and enforceable notwithstanding the provisions of this Act.

**FIRST SCHEDULE**  
(section 13)

**Forms**

**Form I**

**Prospecting Licence Application Form (Issue/Renewal)**

This application is in terms of section 13 of the Mines and Minerals Act

(attach additional sheets or annexures where necessary)

1. Name (and nationality where appropriate). In the case of company attach copy of certificate of incorporation	Address in Botswana
2. Full name(s) of partners/directors/members of association	Nationalities
3. Name(s) of shareholder who is a beneficial owner of more than 5% of the issued capital	Nationalities
4. Details of financial status (attach bankers reference and most recent financial statements)	
5. Technical competence (attach curriculum vitae of professionals to be involved)	
6. Experience (established track record is an advantage but is not essential)	
7. Description of area applied for (attach plan and coordinates)	
8. Name(s) of mineral applied for	Period applied for
9. Proposed programme of prospecting operations	Proposed minimum expenditure
Year 1	
Year 2	
Year 3	
10. Details of Botswana prospecting licence held within the preceding 10 years by the applicant or any person controlling, controlled by or under joint or common control with the applicant.	

## 11. Disclose any other information material to the application

I ..... being duly authorised, declare that the applicant and its partners/members/directors/shareholders are persons qualified in terms of section 6 of the Mines and Minerals Act to hold a prospecting licence, and that the information contained herein is true and correct.

Signed ..... Capacity ..... Date .....

Place .....

Form II

Prospecting Licence No.....

Issued in terms of section 16 of the Mines and Minerals Act.

WHEREAS ..... a company incorporated under the laws of .....  
(hereinafter referred to as "the Holder") has made application for the right to prospect for  
..... on land to which the Republic of Botswana holds mineral rights.

AND WHEREAS provision is made under section 14 of the Act for the conferring of such rights by means of a prospecting licence:

NOW THEREFORE the Minister hereby grants to the holder the exclusive right to prospect for ..... in the Licence area for a period of ..... years commencing on ..... and ending on .....

1. The Licence area shall be the area shown on the map annexed hereto, in extent ..... km<sup>2</sup>, located in ..... district(s) and more fully described in Annexure I hereto; and as reduced from time to time in accordance with the provisions of the Act.

2. In accordance with the provisions of section 70 of the Act, the holder shall, simultaneously with issuance of this licence and thereafter on each anniversary thereof, pay to the Government at the office of the Director of Geological Survey, an annual charge equal to ..... multiplied by the number of square kilometers in the Licence area subject to a minimum annual charge of .....

3. The holder shall incur the minimum annual expenditures and shall expeditiously carry out the programme of prospecting operations set out in Annexure II.

GIVEN under my hand at GABORONE this ..... day of ..... in the year .....

.....  
*Minister*  
*Ministry of Minerals, Energy and*  
*Water Affairs.*

#### Annexure I

The Licence area is ..... km<sup>2</sup> defined by boundary lines, which shall be straight unless otherwise stated, joining successive points at the following co-ordinates:

Point	Latitude(south)	Longitude(east)
-------	-----------------	-----------------

#### Annexure II

Programme of prospective operations	
Programme of prospecting operations	Proposed minimum expenditure
Year 1	
Year 2	
Year 3	

## Retention Licence Application Form (Issue/Renewal)

This application is in terms of section 25 of the Mines and Minerals Act

(attach additional sheets or documents where necessary)

1. Name of applicant (in the case of company attach copy of certificate of incorporation)	Address in Botswana
2. Full name(s) of partners/directors/members of association	Nationalities
3. Name(s) of shareholder who is a beneficial owner of more than 5% of the issued capital	Nationalities
4. Details of financial status (attach supporting documents, bankers reference and most recent financial statements)	
5. Technical competence (established mining track record is an advantage but is not essential)	
6. Description of area applied for (prospecting licence number; attach plan and coordinates)	
7. Name(s) of mineral which it is intended to retain	
8. Period for which licence is sought	
9. Details of prospecting or other work intended to be carried out during the period of retention.	
10. Furnish copy of feasibility study as prescribed including (a) to (h) below (a) Details of mineral deposit (including all known, proven, indicated, inferred ore reserves and mining conditions) (b) Technical report on mining and treatment possibilities and the applicant's intention in relation thereto (c) Proposed programme of mining operations including — (i) estimated date by which applicant intends to work for profit (ii) estimated recovery rates(s) (iii) nature of product (iv) envisaged marketing arrangements for sale of mineral product(s) (v) environmental impact assessment study (vi) environmental management programme (d) Forecast of capital investment, cashflow and details of anticipated financing plan (e) Outline of proposed employment level and training program. (f) Outline of proposed sources of goods and services (g) Details of expected infrastructure requirements (h) attach audited statement of relevant exploration expenditure incurred prior to this application on the area applied for	



11. Disclose any other information material to this application

12. I..... being duly authorised, declare that the applicant and its partners/directors/members/shareholders are persons qualified in terms of section 6 of the Mines and Minerals Act to hold a retention licence and that the information contained herein is true and correct.

Signed.....Capacity .....

Date .....Place.....

Form IV

Retention Licence No.....

Issued in terms of section 29 of the Mines and Minerals Act.

WHEREAS ..... a company incorporated under the laws of Botswana and holder of prospecting licence number....., and hereinafter referred to as "the Holder", has applied for a retention licence in respect of a deposit of.....discovered under the said prospecting licence.

AND WHEREAS provision is made under Part V of the Act for the conferring of such rights by means of a Retention licence.

NOW THEREFORE the Minister hereby grants to the holder a retention licence number.....to retain for future mining operations exclusive rights to deposits of .....in the retention area on the plan annexed hereto for a period of .....years commencing on .....and ending on.....subject to the provisions of the Act and to the terms and conditions of this licence.

1. The Holder shall upon issue of this licence and thereafter on each anniversary thereof, pay to government at the office of the Director of Mines a fee in accordance with section 70 of the Act.

2. At the expiry of the retention licence, any minerals recovered or won by the Holder during the retention period shall be disposed of in such manner as the Minister may direct.

GIVEN under my hand at Gaborone this ..... day of ..... in the year .....

.....  
Minister  
Ministry of Minerals, Energy  
and Water Affairs.

## Mining Licence Application Form (Issue/Renewal)

This Application is in terms of section 38 of the Mines and Minerals Act

(attach additional sheets or documents where necessary)

1. Name of applicant ( attach copy of certificate of incorporation)	Address in Botswana
2. Full Name(s) of Directors	Nationalities
3. Authorised share capital and issued capital	
4. Name(s) of Shareholder who is a beneficial owner of more than 5% of the issued Capital	Nationalities
5. Details of Financial Status (attach supporting documents, Bankers reference and most recent financial statements)	
6. Technical Competence (established mining track record is an advantage but is not essential)	
7. Prospecting/retention/waiver/mining licence/number	
8. Description of area applied for (attach plan and coordinates)	
9. Name(s) of mineral which it is intended to mine	
10. Period for which licence/renewal is sought	
11. Attach parent company guarantee as in annexure 1	
12. Furnish copy of feasibility study as prescribed including (a) to (h) below	
(a) Details of mineral deposit (including all known, proven, indicated, inferred ore reserves and mining conditions)	

<p>(b) Technical report on mining and treatment possibilities and the applicant's intention in relation thereto</p> <p>(c) Proposed programme of mining operations including</p> <ul style="list-style-type: none"> <li>(i) estimated date by which applicant intends to work for profit</li> <li>(ii) estimated recovery rates(s)</li> <li>(iii) nature of product</li> <li>(iv) envisaged marketing arrangements for sale of mineral product(s)</li> <li>(v) environmental impact assessment study</li> <li>(vi) environmental management programme</li> </ul> <p>(d) Forecast of capital investment, cashflow and details of anticipated financing plan</p> <p>(e) Outline of proposed employment level and training program.</p> <p>(f) Outline of proposed sources of goods and services</p> <p>(g) Details of expected infrastructure requirements</p> <p>(h) Attach audited statement of relevant exploration and arms length acquisition expenditure incurred prior to this application on the area applied for</p>
13. Disclose any other information material to this application
<p>14. I..... being duly authorised, declare that the applicant and its partners/directors/members/shareholders are persons qualified in terms of section 6 of the Mines and Minerals Act to hold a mining licence and that the information contained herein is true and correct.</p> <p>Signed..... Capacity .....</p> <p>Date ..... Place .....</p>

Annexure 1

## PARENT COMPANY GUARANTEE

## WHEREAS

X Ltd a company duly organised and existing under the laws of..... having its registered office at..... (hereinafter referred to as "the guarantor" which expression shall include its successors and permitted assignees) holds directly or indirectly a controlling interest in Y Ltd, a company duly incorporated and registered in Botswana, with its registered office at.....(which company, including its successors and permitted assignees, is referred to hereinafter as "the company");

## AND WHEREAS

the company is the applicant for/holder of a Mining Licence pursuant to the Mines and Minerals Act of Botswana (hereinafter referred to as "the licence" and "the Act" respectively) issued or to be issued, by the Government of Botswana represented by the Minister of Minerals, Energy and Water Affairs (hereinafter referred to as "the Government") in favour of the said company;

## AND WHEREAS

the guarantor agrees to guarantee the performance of the obligations of the company under the licence and its compliance with the Act;

## A.162

NOW THEREFORE this Deed hereby provides as follows:

1. The guarantor hereby unconditionally and irrevocably guarantees to the Government that it will make available, or cause to be made available, to the company or its permitted assignees, such financial, technical, managerial and other resources as are required to ensure that the company and /or any such assignee is able to carry out the obligations of the company or any permitted assignee as set forth in the licence and under the Act.
2. The guarantor further unconditionally and irrevocably guarantees to the Government the due and punctual compliance with or performance by the company or its permitted assignees, of any obligations of the company or any permitted assignee under the licence and the Act.
3. The guarantor hereby undertakes to the Government that if the company, or any permitted assignees, shall, in any respect, fail to perform its obligations under the licence or commits any breach of such obligations under the licence or the Act, then the guarantor shall fulfill or cause to be fulfilled the said obligations in place of the company or any permitted assignees, and will indemnify the Government against all losses, damages, costs, expenses or otherwise which may result directly from such failure to perform or breach on the part of the company or any permitted assignees.
4. This guarantee shall take effect from the date of the issue of the licence and shall remain in full force and effect for the duration of the said licence and any renewal thereof and thereafter until no obligation remains outstanding and no sum remains payable by the company, or its permitted assignees, under the licence or the Act or as a result of any decision or award made in any arbitration thereunder.
5. This guarantee shall not be affected by any change in the Articles of Association and bye-laws or any change in the ownership or control of the company or the guarantor.
6. The liabilities of the guarantor shall not be discharged or affected by:
  - (a) any time indulgence, waiver or consent given to the company;
  - (b) any amendment to the licence or the Act or to any security or other guarantee or indemnity to which the company has agreed;
  - (c) the enforcement or waiver of any terms of the licence or the provisions of the Act or of any security, other guarantee or indemnity; or
  - (d) the dissolution, amalgamation, reconstruction or reorganisation of the company.
7. This guarantee shall be governed by and construed in accordance with the laws of Botswana.

The seal of X Ltd was hereto duly affixed by..... in accordance with its articles this.....day of..... in the year.....in accordance with its bye-laws and this guarantee was duly signed by.....and .....as required by the said bye-laws, they being duly authorized to represent X Ltd.

.....  
*Secretary*

.....  
*Chairman and Director*

.....  
*Witness:*

Mining Licence No.....

Issued in terms of section 41 of the Mines and Minerals Act.

WHEREAS....., a company incorporated under the laws of Botswana and the holder of prospecting/retention/mining licence/waiver\* number ....., and hereinafter referred to as "the Holder", has applied for a mining licence in respect of a deposit discovered under prospecting licence number.....

AND WHEREAS provision is made under Part VI of the Act for the issue or renewal of a Mining Licence.

NOW THEREFORE the Minister hereby grants to the Holder mining licence number..... to mine for..... in the mining licence area on the plan annexed hereto for a period of..... years commencing on.....and ending on.....subject to the provisions of the Act and to the terms and conditions of this licence.

1. The Holder shall upon issue of this licence and thereafter on each anniversary thereof, pay to Government at the office of the Director of Mines a fee in accordance with Section 71 of the Act.
2. The Holder shall carry out its mining operations strictly within the mining licence area and in accordance with the approved programme of mining.
3. The Holder shall pay royalty to Government monthly in accordance with Section 66 of the Act.

GIVEN under my hand at Gaborone this.....day of.....in the year.....

.....  
*Minister*  
*Ministry of Minerals, Energy*  
*and Water Affairs.*

\*delete where inapplicable

## Minerals Permit Application Form (Issue/Renewal)

This application is in terms of section 52 of the Mines and Minerals Act

(attach additional sheets or documents where necessary)

1. Name of applicant (in case of company attach copy of certificate of incorporation)	Address in Botswana
2. Full name(s) of partners/directors/members of association	Nationalities
3. Name(s) of shareholders	Nationalities
4. Description of area applied for (attach plan and co-ordinates)	
5. Particulars of the minerals for which permit is sought	
6. Period for which permit is sought	
7. Attach proposed programme of working as in Annexure 1	
8. Disclose any other information material to this application	
<p>9. I ..... being duly authorised, declare that the applicant and its partners/directors/members/shareholders are persons qualified in terms of section 6 of the Mines and Minerals Act to hold a minerals permit and that the information contained herein is true and correct.</p> <p>Signed ..... Capacity .....</p> <p>Date ..... Place .....</p>	

## Annexure 1

## Proposed programme of working

- (a) Details of mineral deposit (including all known, proven, indicated and inferred ore reserves and mining conditions)
- (b) Proposed programme of mining operations including:
  - (i) estimated date by which applicant intends to work for profit
  - (ii) estimated capacity of production and scale of operations
  - (iii) nature of product
  - (iv) envisaged marketing arrangements for sale of mineral product(s)
  - (v) brief environmental impact assessment study
  - (vi) brief environmental reclamation programme

Form VIII

Minerals Permit No. ....

Issued in terms of Section 52 of the Mines and Mineral Act

WHEREAS ....., hereinafter referred to as "the Holder"  
has applied for the issue/renewal\* of a minerals permit in respect of .....

AND WHEREAS provision is made under Part VII of the Act for the issue/renewal of a minerals permit.

NOW THEREFORE the Minister hereby grants to the Holder a minerals permit  
number ..... to mine for ..... in the minerals permit  
area demarcated in the plan annexed hereto for a period of ..... years  
commencing on ..... and ending on ..... subject to the  
provisions of the Act and to the terms and conditions of this permit.

1. The holder shall upon the issue of the permit and thereafter on each anniversary thereof, pay to Government at the office of the Director of Mines a fee in accordance with Section 71 of the Act.
2. The Holder shall carry out its operations strictly within the minerals permit area and in accordance with the approved programme of working.
3. The Holder shall pay royalties to Government monthly in accordance with Section 66 of the Act.

GIVEN under my hand at Gaborone this ..... day of ..... in the year .....

.....  
*Minister*  
*Ministry of Minerals, Energy*  
*and Water Affairs.*

\* Delete where inapplicable

SECOND SCHEDULE  
(section 70)

Fees

The annual charges payable under this Act shall be as follows:

- (a) Prospecting Licence - P5.00 per km<sup>2</sup> or part thereof subject to a minimum of P500 for industrial minerals and P1 000 for all other minerals.
- (b) Retention Licence - P5 000 per km<sup>2</sup> or part thereof for the first year, increasing annually by P5 000 per km<sup>2</sup> for the second and subsequent years.
- (c) Mining Licence or Minerals Permit - P100/km<sup>2</sup> or part thereof.

PASSED by the National Assembly this 5th day of July, 1999.

C.T. MOMPEI,  
*Clerk of the National Assembly.*



**AGROCHEMICALS ACT. 1999**

No. 18



of 1999

**ARRANGEMENT OF SECTIONS****PART I— *Preliminary*****SECTION**

1. Short title and commencement
2. Interpretation

**Part II— *Regulatory Authority***

3. Appointment of Registrar
4. Functions of the Registrar
5. Delegation of duties and powers
6. National Agrochemicals Committee
7. Meetings of Committee
8. Functions of Committee
9. Appointment of an agrochemicals inspector

**PART III— *Register and Registration of Agrochemicals***

10. Agrochemicals to be registered
11. Register of agrochemicals
12. Application for registration
13. Validity of certificate
14. Variation or cancellation of certificate

**PART IV — *Licensing of Agrochemicals***

15. Requirement for a licence
16. Application for licence
17. Training course
18. Assessment and issue of licence
19. Validity of licence
20. Variation of conditions of licence
21. Suspension and revocation of licence

**PART V— *Miscellaneous***

22. Offences
23. Precautions to be taken in handling agrochemicals
24. Labelling of agrochemicals
25. Promotion and advertising of agrochemicals

26. Temporary permit
27. Publication in the Gazette
28. Record to be kept by licensee
29. Appeal
30. General Penalty
31. Regulations

**An Act to provide for the registration and licensing of agrochemicals; to control or regulate their importation, manufacture, distribution, use and disposal, so as to prevent pollution to the environment or harm to human, plant or animal life, and to provide for matters incidental and connected to the foregoing**

*Date of Assent:* 09/09/99.

*Date of Commencement:* By Notice.

Enacted by Parliament of Botswana.

## PART I — *Preliminary*

Short title and  
commence-  
ment

**1.** This Act may be cited as the Agrochemicals Act, 1999 and shall come into operation on such date as the Minister may, by notice in the Gazette, appoint.

Interpretation

**2.** In this Act, unless the context otherwise requires —  
“agrochemical” means any organic, inorganic or live biological material intended or offered for sale for purposes of:—

- (a) destruction, control, repulsion, attraction or prevention of any undesirable life forms injurious to plant and animal growth; or
- (b) promotion or inhibition of plant growth such as fertilisers, growth regulators, hormones, defoliants or legume inoculants;

“certificate” means an agrochemical registration certificate issued under section 12(5);

“Committee” means the National Agrochemicals Committee appointed by the Minister under section 6(1);

“distribute” means to supply commercially and includes to transport, store and sell;

“inspector” means a person appointed as an inspector of agrochemicals under section 9(1);

“label” includes any writing, printing or illustration made on, or attached to an agrochemical or its container;

“licence” means an agrochemical licence issued under section 18(2);

“manufacture” means, in relation to an agrochemical, to activate, combine or add ingredients or to package or re-package the ingredients separately in the final form;

“Registrar” means the Registrar of Agrochemicals appointed under section 3;

“residues” in relation to an agrochemical, includes any specified substances and any derivatives of an agrochemical such as impurities considered to be of toxicological significance found in food, agricultural remedies or animal feed resulting from the use of the agrochemical;

“restricted agrochemical” means an agrochemical classified as such under section 12(5); and

“sell” includes offer for sale and provision of goods as part of a service for agricultural use, whether or not the goods are described as free or included in the service.

## PART II— *Regulatory Authority*

3. The Minister may, by notice published in the Gazette, appoint, subject to the laws governing the public service, any officer to be the Registrar of Agrochemicals, for purposes of this Act.

Appointment  
of Registrar

4. (1) The Registrar, shall subject to the control of the Minister, be responsible for the administration of this Act.

Functions of  
Registrar

(2) Without derogating from the generality of subsection (1) the functions of the Registrar shall be to —

- (a) establish the appropriate facility of registration of agrochemicals, quality control and the analysis of their residues;
- (b) register agrochemicals in accordance with this Act;
- (c) monitor the sale, use and test residues of agrochemicals;
- (d) collect and maintain statistical and other information concerning the importation, manufacture, distribution, sale, and use of agrochemicals and their residues;
- (e) issue licences to persons for the importation, manufacture, distribution, sale or disposal of agrochemicals;
- (f) produce a code of practice for the management of and dealings in agrochemicals;
- (g) conduct public awareness campaigns on agrochemicals; and
- (h) perform any other function in relation to agrochemicals as the Minister may require.

5. The Registrar may, subject to such conditions as he or she may determine, delegate or assign any power or duty assigned to him or her under this Act to an inspector.

Delegation of  
duties and  
powers

6. (1) The Minister shall appoint an advisory and review committee to be known as the National Agrochemicals Committee.

Agrochemicals  
National  
Committee

(2) The Committee shall be composed of twelve members consisting of the following or their representatives —

- (a) Director of Crop Production and Forestry who shall be the chairperson;
- (b) Director of Animal Health and Production;
- (c) Director of Agricultural Research;
- (d) Director of Wildlife and National Parks;
- (e) Director of Quality Assurance, Botswana Bureau of Standards;
- (f) Dean of Faculty of Agriculture, Botswana College of Agriculture;
- (g) Government Chemist, Ministry of Health;
- (h) Head of the Chemistry Department, University of Botswana;
- (i) Chief Chemist, Department of Water Affairs;
- (j) Representative of National Conservation Strategy (Coordinating Agency);

(k) Representative of the farming community; and

(l) Representative of the agrochemicals industry.

(3) The Registrar shall be the secretary of the Committee, entitled to attend and take part in the proceedings of every meeting of the Committee but shall have no vote.

(4) Half of the members of the Committee shall hold office for a period of two years and the other half shall hold office for a period of three years as the Minister shall direct.

(5) A member shall be eligible for re-appointment at the expiration of his or her term of office as may be determined in accordance with subregulation (4) .

(6) The Minister may coopt two other members who, in his or her opinion, have knowledge and experience likely to contribute to the carrying out of the Committee's functions.

(7) A member coopted under subsection (6) shall be entitled to take part in the proceedings of the Committee but shall have no vote.

Meetings of  
Committee

7. (1) Subject to the provisions of this Act, the Committee shall regulate its own procedure.

(2) The Committee shall meet at such times and places as the chairperson, or, if he or she is absent, the vice-chairperson, may determine, provided the Committee shall meet for not less than three times in a year.

(3) The chairperson, or, if he or she is absent, the vice-chairperson, shall preside at all meetings of the Committee and if both the chairperson and vice-chairperson are absent from a meeting, the members present shall elect a person from among themselves to preside at such meeting.

(4) The decision of a majority of the members of the Committee present at a meeting of the Committee shall constitute a decision of the Committee and in the event of an equality of votes on any matter, the person presiding at the meeting in question shall have a casting vote in addition to his or her deliberative vote.

(5) Six members of the Committee shall form a quorum.

Functions of  
Committee

8. The functions of the Committee shall be to —

(a) do all things as are necessary to control or regulate the importation, distribution, use and disposal of agrochemicals in terms of this Act;

(b) ensure compliance with the provisions of this Act including to make recommendations to and advise the Registrar, in respect of a certificate or licence sought to be issued in terms of this Act; and

(c) review the registration and licensing of agrochemicals.

Appointment  
of an  
agrochemicals  
inspector

9. (1) The Minister may, subject to the laws governing the public service, appoint an officer to be an inspector for purposes of this Act.

(2) Every person appointed to be an inspector under subsection (1) shall be furnished with, and shall produce on request, an identity card stating that such person is duly appointed and authorised by the Minister to act as an inspector for purposes of this Act.

(3) Subject to subsection (5), an inspector may, for purposes of this Act, at all reasonable times enter any premises in or upon which there is, or is suspected to be, any agrochemical or its residue, and there may —

- (a) inspect and take samples of any agrochemical or any substance used or likely to be, or capable of being used in the manufacture, production, processing or treatment of an agrochemical;
- (b) inspect any process or other operation being carried on in such premises, in respect of such agrochemical, or in connection with the manufacture, production, processing or treatment of the agrochemical;
- (c) require from any person the production of a certificate, record, report, licence, label or other document which is in the possession, custody or under the control of such person, or of any other person on such person's behalf, which the inspector, on reasonable grounds, believes to be relevant to any inspection he or she may be carrying out;
- (d) examine and copy any part of any certificate, record, report, licence, label or any other document produced in accordance with paragraph (c) and require any person to give an explanation of any entry therein and may take possession of any such certificate, record, report, licence, label or any other document;
- (e) examine any container, facility or equipment used for agrochemicals and any such container, facility or equipment found in the premises;
- (f) stop and search a motor vehicle used for the transport of agrochemicals; and
- (g) question any person whom he or she finds in or on the premises with regard to any matter to which he or she is investigating.

(4) Any person who is in charge of premises or motor vehicle referred to in subsection (3), shall at all reasonable times furnish such assistance as an inspector may reasonably require in the exercise of his or her powers under this section.

(5) No person shall enter, inspect or seize any agrochemical, its residue or any item in terms of subsection (3) unless such person is an inspector and has obtained —

- (a) the consent in writing of the owner or the occupier of the premises; or
  - (b) a search warrant.
- (6) Any person who —
- (a) enters, inspects or seizes any agrochemical or its residue without obtaining the written consent of the owner or the occupier or producing a search warrant;
  - (b) resists, hinders or obstructs an inspector in the performance of his or her duties under this section;
  - (c) wilfully fails to comply with any requirement lawfully made of him or her in accordance with the provisions of this section;

shall be guilty of an offence.

PART III — *Register and Registration of Agrochemicals*

Agrochemicals  
to be registered

**10.** No person shall own, use, possess, import, manufacture, advertise, distribute or sell an agrochemical unless such agrochemical is registered under this Act:

Provided that this section shall not apply in the case of an unregistered agrochemical —

- (a) intended to be used for experimental or research purposes; or
- (b) on direct transit to another country and the Registrar is satisfied that the agrochemical will be permitted to enter a country outside Botswana.

Register of  
agrochemicals

**11.** (1) The Registrar shall establish and maintain a register containing the names of agrochemicals registered under this Act, the conditions of the certificate and other particulars, as may be prescribed.

(2) Any proprietary information submitted in connection with an application under section 12, shall not be entered in the register referred to under subsection (1), except as provided under this Act or as required by a court of law.

(3) Any person may, upon payment of the prescribed fee, and in accordance with the conditions which may be prescribed, inspect or make a copy of, or obtain an extract from the register referred to in subsection (1).

Application for  
registration

**12.** (1) An application for registration of an agrochemical shall be made to the Registrar, in writing, in the prescribed form and shall be accompanied by the following —

- (a) the prescribed fee, and
- (b) information, samples and materials as may be required by the Registrar.

(2) Upon receipt of an application for registration, the Registrar shall examine the application to determine whether an agrochemical for which application is being made, is effective and suitable for use in Botswana or complies with regulations made in pursuance of this Act.

(3) The Registrar may, in considering an application under this section, consult the Committee.

(4) The Registrar may, after examining an application and consulting the Committee —

- (a) register an agrochemical;
- (b) refuse to register the agrochemical;
- (c) defer decision making to require further information; or
- (d) if the agrochemical is registered in another country, register the agrochemical subject to the conduct of further tests to ensure its effectiveness and suitability in Botswana.

(5) Where the Registrar registers an agrochemical, he or she may issue a certificate to the applicant and thereby —

- (a) attach, to the certificate issued such conditions concerning the importation, manufacture, labelling, advertising, distribution, sale and use of the agrochemical to ensure its effectiveness and suitability in Botswana;
- (b) classify the agrochemical as a restricted agrochemical to be handled with particular care so as not to cause pollution to the environment, or harm to human, animal or plant life; or
- (c) require the agrochemical to be used under the supervision of a person authorised by the Registrar.

**13.** (1) A certificate shall be valid for a period of five years.

Validity of  
certificate

(2) A certificate may be renewed by the Registrar after consultation with the Committee, if the Registrar is satisfied that the agrochemical remains effective and suitable for use in Botswana and upon payment of such renewal fee as may be prescribed.

(3) The Registrar may in deciding to renew the certificate, require such information as appears necessary to determine the conditions of renewal.

**14.** (1) While a certificate issued, by the Registrar is in force, the Registrar may, after consultation with the Committee —

Variation or  
cancellation of  
certificate

- (a) if he or she is satisfied that a registered agrochemical is not effective or suitable for use in Botswana, serve a notice on the holder modifying the conditions specified therein to ensure its effectiveness and suitability in Botswana; or
- (b) cancel the certificate if it can be shown that the registered agrochemical is no longer effective nor suitable for Botswana.

(2) In subsection (1), “holder” means a holder of a certificate.

#### PART IV— *Licensing of Agrochemicals*

**15.** No person shall manufacture, import, distribute, sell or dispose an agrochemical unless he or she is licensed to do so under this Act.

Requirement  
for a licence

**16.** An application for a licence shall be made to the Registrar on such form as may be prescribed and accompanied by such fee as may be prescribed.

Application  
for licence

**17.** Before making a decision on the application for a licence, the Registrar may require an applicant to attend and successfully complete a prescribed training course.

Training  
course

**18.** (1) Upon receipt of an application for a licence, the Registrar shall examine the application to determine whether the —

Assessment  
and issue of  
licence

- (a) attendance and successful completion of the prescribed training course has been done by the applicant; and
- (b) agrochemical being applied for is duly registered under this Act.

(2) If the Registrar is satisfied that the applicant has fulfilled the requirements for the grant of the licence under subsection (1), he or she may issue the licence to the applicant.

(3) A licence issued under this section may be issued subject to such conditions as the Registrar considers necessary, which conditions shall be endorsed on such licence.

**Validity of licence** 19. (1) A licence issued under this part shall be valid for such period as may be stipulated therein and may be subject to renewal at the end of such period.

(2) An application for the renewal of a licence under this Part, accompanied by such fee as may be prescribed, shall be in such form as may be prescribed.

**Variation of conditions of licence** 20. While a licence issued by the Registrar is in force, the Registrar may modify the conditions specified in the licence to any extent which in the opinion of the Registrar is desirable, without requiring unreasonable expenditure on the licensee.

**Suspension and revocation of licence** 21. Where a licensee contravenes any provision of this Act or the Registrar is satisfied that the conditions of a licence are not being adhered to, the Registrar may by notice in writing to the licensee, suspend or revoke the licence.

#### PART V — *Miscellaneous*

**Offences** 22. (1) No person shall import, distribute, sell or otherwise dispose of an agrochemical unless a label is part of or securely attached to the container of the agrochemical and clearly and indelibly marked in English with such information as may be prescribed.

(2) No person shall alter the label of a container of an agrochemical, so as to misrepresent the nature of the agrochemical.

(3) No person shall distribute, sell or otherwise dispose of an agrochemical otherwise than in a container that conforms to the conditions and requirements as may be prescribed.

(4) No person shall advertise an agrochemical unless the agrochemical is duly registered in accordance with this Act.

(5) No person shall disclose any proprietary information acquired by him or her in the exercise of any duty or function under the Act.

(6) No person shall harvest any crops or horticultural produce, or slaughter or milk any stock following exposure of the crop, horticultural produce or stock to any agrochemical except under prescribed conditions.

**No. 21 of 1996** (7) "Stock" in subsection (6), has the meaning assigned to it under the Stock Theft Act.

(8) Any person who contravenes the provisions of this section shall be guilty of an offence and shall be liable to a fine not exceeding P10,000 or to imprisonment for a term not exceeding 10 years or to both.

(9) It shall be a defence for any person charged with the sale of an agrochemical in contravention of this Act that he or she purchased it and purported to sell it in a sealed container bearing a label indicating that it was registered and complied with the requirements of this Act and that he or she had no reason to believe at the time of the sale that the agrochemical differed in any way from the purported contents of the container or otherwise failed to meet the requirements of this Act.



**23.** An employer shall, where a worker handles an agrochemical during the course of his or her employment, provide, to the worker, such facilities and clothing to ensure safe handling or use of the agrochemical.

Precautions  
to be taken in  
handling  
agrochemicals

**24.** The Minister may, on the recommendation of the Committee, by notice in the Gazette, prescribe the requirements for labelling of containers of agrochemicals.

Labelling of  
agrochemicals

**25.** Any publication of an agrochemical advertisement which is intended to promote the sale or use of the agrochemical shall contain—

Promotion and  
advertising of  
agrochemicals

(a) such information as may be required to be on labels of containers under section 24; and

(b) any other condition as may be prescribed.

**26.** (1) The Minister may authorise a temporary permit to import, for own use and not for sale, limited quantities of agrochemicals in unopened original containers directly from a country in which such agrochemicals are registered.

Temporary  
permit

(2) The procedure to acquire a temporary permit under subsection (1) shall be as may be prescribed.

(3) In this Part, “temporary permit” means a permit valid for a single import of the agrochemicals authorised under subsection (1).

**27.** The Registrar shall cause to be published by notice in the Gazette every —

Publication in  
the Gazette

(a) registration, renewal, variation and cancellation of a certificate;

(b) grant, renewal, variation, suspension and revocation of a licence.

**28.** (1) A licensee shall —

Record to be  
kept by  
licensee

(a) maintain such records concerning the importation, manufacture, distribution or sale of agrochemicals; and

(b) after complying with the requirement of subsection (a), make a report, in such form as the Registrar may prescribe, of the contents of such records to the Registrar.

(2) A person may be exempted from maintaining records under subsection (1) if the agrochemical is acquired for own use.

**29.** Any person aggrieved by the —

Appeal

(a) refusal to grant a certificate or deferral of decision making to register the agrochemical; or

(b) variation of a condition of a certificate or cancellation of a licence; may, within thirty days of the decision of the Registrar, appeal to the Minister in the manner prescribed or to the court on a matter of law.

**30.** Subject to section 22, a person who contravenes any provision of this Act shall be guilty of an offence and liable, on conviction, to a fine not exceeding P8000 or to imprisonment for a term not exceeding eight years or to both.

General  
Penalty

Regulations

**31.** The Minister may make Regulations providing for any matter which under this Act is to be provided for by regulations or for the better carrying out of the purposes and provisions of this Act, and without prejudice to the generality of the foregoing, such regulations may make provision for prescribing —

- (a) procedures of manufacturing, importing, distributing, selling or disposing of agrochemicals;
- (b) the forms for applications of a certificate or licence and of fees;
- (c) the form of labelling agrochemical containers;
- (d) the manner of promoting and advertising agrochemicals;
- (e) the manner of keeping records;
- (f) the conditions of certificate and licence;
- (g) procedures of acquiring a temporary permit;
- (h) procedures of handling agrochemicals intended to be used for experimental or research purposes;
- (i) the manner of disposal of wastes derived from agrochemicals;
- (j) procedural requirements in respect of a review process; and
- (k) procedures of importation, handling and use of restricted agrochemicals.

PASSED by the National Assembly this 8th day of July, 1999.

C.T. MOMPEI,  
*Clerk of the National Assembly.*