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Statutory Instrument No. 38 of 2020

PUBLIC FINANCE MANAGEMENT ACT
(Cap. 54:01)

**PUBLIC FINANCE MANAGEMENT (COVID-19 PANDEMIC
(CORONA VIRUS) RELIEF FUND) ORDER, 2020**
(Published on 25th March, 2020)

ARRANGEMENT OF PARAGRAPHS

PARAGRAPH

1. Citation
2. Interpretation
3. Establishment of Fund
4. Purpose of Fund
5. Administration of Fund
6. Management of Fund
7. Receipts into Fund
8. Disbursements from Fund
9. Surplus in Fund
10. Accounts of Fund

IN EXERCISE of the powers conferred on the Minister of Finance and Economic Development by section 38 of the Public Finance Management Act, the following Order is hereby made —

- 1.** This Order may be cited as the Public Finance Management (Covid-19 Pandemic (Corona Virus) Relief Fund) Order, 2020. Citation
- 2.** In this Order, unless the context otherwise requires — Interpretation

“Accounting Officer” means the Permanent Secretary in the Ministry responsible for finance appointed under paragraph 5;

“Committee” means a Management Committee appointed under paragraph 6; and

“Fund” means the COVID-19 Pandemic (Corona Virus) Relief Fund, established under paragraph 3.
- 3.** There is hereby established a special Fund, to be known as COVID-19 Pandemic (Corona Virus) Relief Fund, (hereinafter referred to as “the Fund”). Establishment of Fund
- 4.** The purpose of the Fund is to respond to the economic and social impact of the COVID-19 pandemic through provision of relief funding for the control, prevention and treatment of the disease and the after effect. Purpose of Fund
- 5.** (1) The Permanent Secretary in the Ministry responsible for finance (hereinafter referred to as “the Accounting Officer”) shall be the public officer responsible for the administration of the Fund. Administration of Fund

(2) The Accounting Officer may exercise such powers and perform such duties as may be required to be exercised or performed for the proper discharge of his or her functions under this Order.

(3) The Accounting Officer may, in writing, authorise any other public officer to exercise or perform all or any of the duties required of the Accounting Officer.
- 6.** (1) The Minister responsible for finance shall, after consultation with the Accounting Officer, appoint a Management Committee for the Fund. Management of Fund

- (2) The Committee shall be responsible for —
- (a) overseeing the administration and management of the Fund;
 - (b) advising the Accounting Officer on the matter related;
 - (c) determine the disbursement procedures of the Fund in accordance with the Act;
 - (d) review and approve audited financial statements of the Fund;
 - (e) make recommendations to the Accounting Officer responsible for finance on any changes or amendments in the Fund Order for subsequent approval by the Minister; and
 - (f) any other duties as may be approved by the Accounting Officer.
- (3) The Committee appointed under subparagraph (1) shall consist of —
- (a) the Secretary for Development and Budget from the Ministry responsible for finance and economic development, who shall be the Chairperson of the Committee;
 - (b) a representative from the Ministry responsible for finance and economic development, who shall provide secretariat services to the committee;
 - (c) a representative from the Ministry responsible for health and wellness;
 - (d) a representative from Ministry responsible for international affairs cooperation;
 - (e) a representative from the Ministry responsible for local government and rural development;
 - (f) a representative from the Ministry responsible for investment, trade and industry; and
 - (g) a representative from Ministry responsible for environment, natural resources, conservation and tourism.
 - (h) a representative from the Ministry responsible for agricultural development and food security; and
 - (i) a representative from the Ministry responsible for presidential affairs, governance and public administration
- (4) The members of the Committee shall be appointed for a period of the pandemic or a maximum of three years, whichever comes first.
- Receipts into Fund
- 7.** There shall be paid into the Fund —
- (a) such monies as may from time to time be appropriated by the National Assembly for the purposes of the Fund;
 - (b) grants or donations from any person or organisation as the Minister responsible for finance may approve; and
 - (c) any other source as the Minister responsible for finance may approve.
- Disbursements from Fund
- 8.** There shall be paid from the Fund monies required for —
- (a) the procurement of national relief supplies;
 - (b) the security of major national resources;
 - (c) the evacuation cost for citizens outside Botswana;
 - (d) the national publicity outreach programs;
 - (e) the relief of selected industries or sectors;
 - (f) public counselling centers or facilities;
 - (g) additional staff to support health professionals; and
 - (h) economic stimulus package post COVID-19 Pandemic.
- Surplus in Fund
- 9.** (1) If the Fund is in surplus at the end of a financial year, such surplus shall remain as part of Fund balance and be carried forward to the next financial year.

(2) Any monies accruing to the Fund which is not required for immediate use shall be invested in accordance with the objectives of the Fund as the Accounting-General may direct.

10. The Accounting Officer shall —

Accounts of
Fund

- (a) keep and maintain or cause to be kept and maintained, proper books of accounts and records of all financial transactions, assets and liabilities of the Fund in respect of each financial year;
- (b) maintain an account into which all receipts into the Fund and all disbursements from the Fund shall be recorded and the monthly reconciliation for the Fund accounts shall be carried out; and
- (c) prepare, sign and transmit to Accountant General and Auditor-General a statement of income and expenditure and a balance sheet of the Fund in respect of the financial year, containing such information in the manner that the Minister in consultation with Accountant-General may direct, within a period of two months after the close of each financial year.

MADE this 25th day of March, 2020.

DR. THAPELO MATSHEKA,
*Minister of Finance and Economic
Development.*

C.154

Statutory Instrument No. 39 of 2020

PUBLIC HEALTH ACT
(Cap. 63:01)

**PUBLIC HEALTH (DECLARATION OF A PUBLIC
HEALTH EMERGENCY) ORDER, 2020**
(Published on 25th March, 2020)

ARRANGEMENT OF PARAGRAPHS

PARAGRAPH

1. Citation and commencement
2. Declaration of public health emergency

IN EXERCISE of the powers conferred on the Director of Health Services by section 23 of the Public Health Act, the following Order is hereby made —

- | | |
|--|---|
| Citation and commencement | 1. This Order may be cited as the Public Health (Declaration of a Public Health Emergency) Order, 2020 and shall commence on 27th March, 2020. |
| Declaration of public health emergency | 2. It is hereby declared that a public health emergency exists, in order to minimise the risk and possible spread of the COVID-19. |

MADE this 24th day of March, 2020.

M. TSHIPAYAGAE,
Director of Health Services.

Statutory Instrument No. 40 of 2020

TRADE ACT
(Cap. 43:02)

TRADE (AMENDMENT) REGULATIONS, 2020
(Published on 25th March, 2020)

ARRANGEMENT OF REGULATIONS

REGULATION

1. Citation and commencement
2. Amendment of regulation 3 of Cap. 43:02 (Sub. Leg.)

IN RECOGNITION of the risk posed by the COVID-19 pandemic and in exercise of the powers conferred on the Minister of Investment, Trade and Industry by section 31 of the Trade Act, the following Regulations are hereby made —

1. These Regulations may be cited as the Trade (Amendment) Regulations, 2020 and shall come into operation on 28th March, 2020. Citation and commencement
2. The Trade Regulations are amended in regulation 3 by suspending operation of the licences for the following trades or businesses, until further notice — Amendment of regulation 3 of Cap. 43:02 (Sub. Leg.)
 - (a) amusement arcade;
 - (b) hair or beauty parlour; and
 - (c) gymnasium.

MADE this 25th day of March, 2020.

PEGGY O. SERAME,
Minister of Investment, Trade and Industry.

C.156

Statutory Instrument No. 41 of 2020

LIQUOR ACT
(Cap. 43:11)

LIQUOR (RESTAURANTS) (REVOCATION) REGULATIONS, 2020
(Published on 25th March, 2020)

ARRANGEMENT OF REGULATIONS

REGULATION

1. Citation and commencement
2. Revocation of SI No. 129 of 2018

IN RECOGNITION of the risk posed by the COVID-19 pandemic and in exercise of the powers conferred on the Minister of Investment, Trade and Industry by section 42 (1) of the Liquor Act, the following Regulations are hereby made —

- | | |
|------------------------------------|--|
| Citation and commencement | 1. These Regulations may be cited as the Liquor (Restaurants) (Revocation) Regulations, 2020 and shall come into operation on 28th March, 2020. |
| Revocation of S.I. No. 129 of 2018 | 2. The Liquor (Restaurants) (Exemption) Regulations, 2018, are hereby revoked. |

MADE this 25th day of March, 2020.

PEGGY O. SERAME,
Minister of Investment, Trade and Industry.

Statutory Instrument No. 42 of 2020

LIQUOR ACT
(Cap. 43:11)

LIQUOR (AMENDMENT) REGULATIONS, 2020
(Published on 25th March, 2020)

ARRANGEMENT OF REGULATIONS

REGULATION

1. Citation and commencement
2. Amendment of Second Schedule of Cap. 43:11 (Sub. Leg.)
3. Revocation of S.I. No. 32 of 2020

SCHEDULE

IN RECOGNITION of the risk posed by the COVID-19 pandemic and in exercise of the powers conferred on the Minister of Investment, Trade and Industry by section 42 (1) as read with section 42 (2) (c) of the Liquor Act, the following Regulations are hereby made —

1. These Regulations may be cited as Liquor (Amendment) Regulations, 2020 and shall come into operation on 28th March, 2020. Citation and commencement

2. The Liquor Regulations are amended in the Second Schedule by substituting for the Schedule, the following new Schedule — Amendment of Second Schedule of Cap. 43:11 (Sub. Leg.)

SECOND SCHEDULE
(reg. 8)

DAYS AND HOURS OF OPERATION

<i>Licence</i>	<i>Days</i>	<i>Hours</i>
1. Bar liquor	Monday to Thursday	Closed
	Friday to Saturday	Closed
	Sunday and public holiday	Closed
2. Bottle store liquor	Monday to Saturday	Closed
3. Liquor depot	Monday to Thursday	Closed
	Friday to Saturday	Closed
	Sunday and public holiday	Closed
4. Discotheque/night club	Monday to Thursday	Closed
	Friday to Saturday	Closed
	Sunday and public holiday	Closed
5. Club liquor	Monday to Thursday	Closed
	Friday to Saturday	Closed
	Sunday and public holiday	Closed
6. Temporary liquor	Trade fair	Closed
	Festivals	Closed
	Picnics	Closed
	Other public activities	Closed

C.158

7. Wholesale liquor	Monday to Sunday	Closed
8. Distributor liquor	Monday to Sunday	Closed

Revocation of
S.I. No. 32 of
2020

3. The Liquor (Amendment) Regulations, 2020, are hereby revoked.

MADE this 25th day of March, 2020.

PEGGY O. SERAME,
Minister of Investment, Trade and Industry.

Statutory Instrument No. 43 of 2020

LIQUOR ACT
(Cap. 43:11)

LIQUOR (AMENDMENT) REGULATIONS, 2020
(Published on 25th March, 2020)

ARRANGEMENT OF REGULATIONS

REGULATION

1. Citation and commencement
2. Amendment of regulation 8 of Cap. 43:11 (Sub. Leg.)

IN RECOGNITION of the risk posed by the COVID-19 pandemic and in exercise of the powers conferred on the Minister of Investment, Trade and Industry by section 38 as read with section 42 (2) (c) of the Liquor Act, the following Regulations are hereby made —

1. These Regulations may be cited as the Liquor (Amendment) Regulations, 2020 and shall come into operation on 28th March, 2020.

Citation and commencement

2. The Regulations are amended by substituting for regulation 8, the following new regulation —

Amendment of regulation 8 of Cap. 43:11 (Sub. Leg.)

“Days and hours of operation
Cap. 43:02
8. (1) The days and hours of operation for a business or trade licensed under the Act shall be as set out in the Second Schedule.
(2) Notwithstanding the provisions of subregulation (1), where a restaurant licensed under the Trade Act and a bar liquor licensed under the Act are issued for the same business premises, the bar licensee shall not sell liquor.”.

MADE this 25th day of March, 2020.

PEGGY O. SERAME,
Minister of Investment, Trade and Industry.

Statutory Instrument No. 44 of 2020

LIQUOR ACT
(Cap. 43:11)

TRADITIONAL BEER (AMENDMENT) REGULATIONS, 2020
(Published on 25th March, 2020)

ARRANGEMENT OF REGULATIONS

REGULATION

1. Citation and commencement
2. Amendment of Second Schedule of Cap. 43:11 (Sub. Leg.)
3. Revocation of S.I. No. 193 of 2018

IN RECOGNITION of the risk posed by the COVID-19 pandemic and in exercise of the powers conferred on the Minister of Investment, Trade and Industry by section 42 (1) as read with section 42 (2) (c) of the Liquor Act, the following Regulations are hereby made —

Citation and commencement
Amendment of Second Schedule of Cap. 43:11 (Sub. Leg.)

1. These Regulations may be cited as the Traditional Beer (Amendment) Regulations, 2020 and shall come into operation on 28th March, 2020.
2. The Traditional Beer Regulations are amended by substituting for Schedule 2, the following new Schedule —

“SCHEDULE 2

FORM A
(reg. 8 (1))

DAYS AND HOURS OF OPERATION

<i>Licence</i>	<i>Days</i>	<i>Hours</i>
Liquor Depot	Monday to Thursday	Closed
	Friday to Saturday and Public Holidays	Closed
	Sunday	Closed

FORM B
(reg. 8 (2))

DAYS AND HOURS OF OPERATION FOR DECLARED
TRADITIONAL BEER

<i>Days</i>	<i>Hours</i>
Monday to Sunday and Public Holidays	Closed”.

Revocation of S.I. No. 193 of 2018

3. The Traditional Beer (Amendment) Regulations, 2018, are hereby revoked.

C.161

MADE this 25th day of March, 2020.

PEGGY O. SERAME,
Minister of Investment, Trade and Industry.

Statutory Instrument No. 46 of 2020

GAMBLING ACT
(Cap. 19:03)

GAMBLING (SUSPENSION OF LICENCES) REGULATIONS, 2020
(Published on 25th March, 2020)

ARRANGEMENT OF REGULATIONS

REGULATION

1. Citation and commencement
2. Suspension of licences

IN RECOGNITION of the risk posed by the COVID-19 pandemic and in exercise of the powers conferred on the Minister of Investment, Trade and Industry by section 135 of the Gambling Act, the following Regulations are hereby made —

1. These Regulations may be cited as Gambling (Suspension of Licences) Regulations, 2020 and shall come into operation on 28th March, 2020. Citation and commencement

2. The Minister hereby suspends operation of the following licences issued in terms of section 33 of the Act, until further notice — Suspension of licences

- (a) a betting licence;
- (b) a bingo licence;
- (c) a bingo machine licence;
- (d) a bookmaker's licence;
- (e) a casino licence;
- (f) a gambling establishment licence;
- (g) a gambling machine licence;
- (h) a lottery licence;
- (i) a lottery machine licence;
- (j) a racing licence;
- (k) a testing agent licence; and
- (l) a totalisator licence.

MADE this 25th day of March, 2020.

PEGGY O. SERAME,
Minister of Investment, Trade and Industry.

