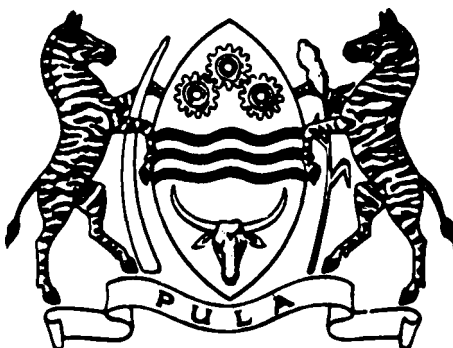


REPUBLIC OF BOTSWANA



GOVERNMENT GAZETTE

Vol. XXVIII, No. 56

GABORONE

9th November, 1990

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The following Supplement is published with this issue of the Gazette —

Suppliment A — Mutual Assistance in Criminal Matters Act, 1990 —

Act No. 20 of 1990 A.91—A110

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Government Notice No. 319 of 1990

WATER ACT
(Cap. 34:01)
(Cap. 34:01) (Sub. Leg.)

Applications for Water Rights

IN ACCORDANCE with the provisions of regulation 12 of the Water Regulations, notice is hereby given that the applications set out in the schedule for the grant of water rights have been made to the Water Apportionment Board in respect of which applications are set forth —

- (a) The name and address of the applicant
- (b) The location of the place in respect of which application is made
- (c) The nature of the right sought and whether it is desired to be declared appurtenant to any land.

Any objections to the grant of any of the rights applied for must be lodged with the Secretary, Water Apportionment Board at Private Bag 0029, Gaborone within thirty (30) days of the publication of this notice and shall state —

- (a) The name and address of the objector
- (b) The matter to which objection is made
- (c) The grounds of the objection
- (d) The interests of the objector
- (e) Whether the objector wishes to be heard by the Board

SCHEDULE

1. (a) Mokolobate Borehole Syndicate, P.O. Box 1038, Mochudi
(b) Borehole No. Z.6433 at Mmamelodi
(c) 18.2 m³ per day for domestic use
2. (a) Boiteko Syndicate, P.O. Box 69, Letlhakane
(b) Open well at Tsatsing
(c) 9.1 m³ per domestic use
3. (a) Gulliver Botswana (Pty) Ltd, Private Bag 00173, Gaborone
(b) River draw off — Chobe river
(c) 50 m³ per day for construction purposes
4. (a) Mabolaelo Dam Group, P.O. Box 65, Mochudi
(b) Haffir dam at Mabolaelo
(c) Conservation of flood-flow for domestic use
5. (a) M. Matlhwane, P.O. Box 102, Mahalapye
(b) River Draw off — Mahalapye river
(c) 60 m³ per day for irrigation use
6. (a) Q.G. Chepete, P.O. Box 34, Shoshong
(b) Borehole No. Z.6545 at Mmamona
(c) 18.2 m³ per day for domestic use
7. (a) Okavango Brigades Development Trust, P.O. Box 33, Shakawe
(b) River Draw Off — Okavango river (at Shakawe)
(c) 62 m³ per day for domestic use

(a) Okavango Brigades Development Trust, P.O. Box 33, Shakawe
(b) River draw off — Okavango river (at Mohembo)
(c) 84 m³ per day for construction purposes
8. (a) Obonye Agricultural Management Association, Private Bag 001, Gaborone
(b) Borehole No. Z6539 at Lephephe
(c) 18.2 m³ per day for domestic use

9. (a) G.M. Caro, P.O. Box 187, Sehitwa
(b) Open well at Peteke
(c) 9.1 m³ per day for domestic use
10. (a) M. Mokgwatheng and Company, P.O. Box 43, Mabutsane
(b) Borehole No. Z6347 at Mabutsane
(c) 18.2 m³ per day for domestic use
11. (a) A.P. Longden, P.O. Box 150, Kanye
(b) River draw off — Shashe river (Shashe Bridge Area)
(c) 30 m³ per day for domestic use
12. (a) D. Gofamodimo, P.O. Box 150, Kanye
(b) Borehole No. Z6509 at Radikgaka
(c) 18.2 m³ per day for domestic use
13. (a) Galekgabe Syndicate, P.O. Box 103, Serowe
(b) Borehole No. X6538 at Mosetha-Monato
(c) 18.2 m³ per day for domestic use
14. (a) Department of Agricultural Research, P.O. Box 71, Gomare
(b) Draw off — Thaoge river
(c) 164 m³ per day for irrigation use.
15. (a) Itireleng Batswana Group, Mosu Postal Agency, Via Letlhakane
(b) Open well at Nihane
(c) 9.1 m³ per day for irrigation use.
16. (a) J.K. Leburu, P.O. Box 95, Hukuntsi
(b) Borehole No. Z6543 at Tshane
(c) 18.2 m³ per day for domestic use.
17. (a) N.M. Mazhani, P.O. Box 667, Francistown
(b) Borehole No. Z6542 at Matsitama
(c) 18.2 m³ per day for domestic use.
18. (a) Kojane Syndicate, P.O. Box Kalamare, Via Mahalapye
(b) Borehole No. Z5255 at Morwako
(c) 18.1 m³ per day for domestic use.
19. (a) Tshwaragano Syndicate, P.O. Box 160, Sehitwa
(b) Open Well at Khatsitso
(c) 9.1 m³ per day for domestic use
20. (a) Dr B.B. Bagwasi, P.O. Box 20155, Gaborone
(b) Borehole No. 6496 at Mahibitswane
(c) 18.2 m³ per day for domestic use.
21. (a) G. Anderson, P.O. Box 321, Selebi-Phikwe
(b) River Draw off — Motloutse River (at Selokwane)
(c) 82 m³ per day for irrigation use.
22. (a) Hulapetsana Syndicate, Private Bag 00111, Gaborone
(b) Borehole No. 5318 at Sonakoma
(c) 18.2 m³ per day for domestic use.
23. (a) Ikemeleng Syndicate, P.O. Box 1, Sehitwa
(b) Open Well at Namanyane
(c) 9.1 m³ per day for domestic use.
24. (a) Bonolo Schulte to Brinke, P.O. Box 93, Maun
(b) River draw off — Thamalakane River (at Wenela)
(c) 3 m³ per day for domestic use.

25. (a) Boikago Syndicate, P.O. Box 46, Gomare
(b) Borehole No. Z5915 at Mogotho
(c) 18.2 m³ per day for domestic use.
26. (a) Baikopanye Family Group, P.O. Box 6, Shakawe
(b) Open Well at Setutu
(c) 9.1 m³ per day for domestic use.
27. (a) Kagisano Syndicate, P.O. Box 149, Sehiwa
(b) Open well at Moruleng
(c) 9.1 m³ per day for domestic use.
28. (a) Motswere Syndicate Group, Mosu Postal Agency, Via Letlhakane
(b) Borehole No. Z6407 at Kutitshaa
(c) 18.2 m³ per day for domestic use.
29. (a) Bollaphala Syndicate, P.O. Mookane, Via Mahalapye
(b) Open Well at Menoge
(c) 9.1 m³ per day for domestic use.
30. (a) Keba Syndicate, P.O. Box 234, Serowe
(b) Borehole No. Z3823 at Jwaabaaau
(c) 18.2 m³ per day for domestic use.
31. (a) Sunset Properties (Pty) Ltd., P.O. Box 593, Maun
(b) River Draw off — Thamalakane River
(c) 20 m³ per day for domestic and irrigation use.
32. (a) Tuvatera Borehole Syndicate, P.O. Box 65, Rakops
(b) Borehole No. Z2423 at Kwedum
(c) 18.2 m³ per day for domestic use.
33. (a) Ga-Majaalela Syndicate, P.O. Box 286, Lobatse
(b) Borehole No. 116 at Lenyaphiri
(c) 18.2 m³ per day for domestic use.
34. (a) Kweneng District Council, Private Bag 005, Molepolole
(b) Borehole No. 4391 at Kopong
(c) 18.2 m³ per day for domestic use
35. (a) D.P. Van Aerden, P.O. Box 431, Maun
(b) River Draw off — Boteti River
(c) 5 m³ per day for domestic use.
36. (a) Radikhudu Syndicate, P.O. Box 302, Kanye
(b) Borehol No. Z6569 at Radikhudu
(c) 18.2 m³ per day for domestic use.
37. (a) Otjilianeno Syndicate, P.O. Box 191, Shakawe
(b) Open well at Dobechea
(c) 9.1 m³ per day for domestic use.
38. (a) F. Mafela, P.O. Box 134, Maun
(b) River Draw off — Thamalakane river (at Boseja)
(c) 50 m³ per day for irrigation use.
39. (a) G. Zambo, P.O. Box 401, Maun
(a) Open well at Lebala-La-Basadi
(c) 9.1 m³ per day for domestic use.
40. (a) G. Tshimologo, P.O. Box 90, Maun
(b) Open well at Shorobe
(c) 9.1 m³ per day for domestic use.

41. (a) L. Kgabo, P.O. Box 53, Lentsweletau
(b) Open well at Mmadikgomo
(c) 9.1 m³ per day for domestic use.
42. (a) Pumula (Pty) Ltd., P.O. Box 41, Lobatse
(b) Borehole No. Z 5346 at Lobatse (on Farm 20JO)
(c) 18.2 m³ per day for domestic use.
(a) Pumula (Pty) Ltd., P.O. Box 41, Lobatse
(b) Borehole No. Z5430 at Lobatse (on Farm 20JO)
(c) 18.2 m³ per day for domestic use.
43. (a) Ramotimane Syndicate, P.O. Box 1020, Molepolole
(b) Borehole No. 4606 at Mmamabole
(c) 18.2 m³ per day for domestic use.
44. (a) Masebethe Borehole Syndicate, P.O. Box 732, Mochudi
(b) Borehole No. Z6557 at Masebethe
(c) 18.2 m³ per day for domestic use.
45. (a) Diphuduhudu Syndicate, Private Bag 0029, Gaborone
(b) Borehole No. Z6567 at Diphuduhudu
(c) 18.2 m³ per day for domestic use
46. (a) Sita Lecogo's Syndicate, P.O. Box 54, Lobatse
(b) Borehole No. Z6565 at Good-Hope
(c) 18.2 m³ per day for domestic use.
47. (a) Dintshatla Syndicate, P.O. Box 20820, Gaborone
(b) Borehole No. X6561 at Selenye
(c) 18.2 m³ per day for domestic use
48. (a) Kgetsi-ya-tsie Syndicate, P.O. Box 764, Mogoditshane
(b) Borehole No. Z6562 at Sekhung
(c) 18.2 m³ per day for domestic use.
49. (a) Raboswane Syndicate, P.O. Box 242, Serowe
(b) Borehole No. Z6559 at Tshimoyapula
(c) 18.2 m³ per day for domestic use.
50. (a) Mosokotso Syndicate, P.O. Box 51, Molepolole
(b) Borehole No. Z4597 at Mosokotso
(c) 18.2 m³ per day for domestic use.
52. (a) Moraga Syndicate, P.O. Box 447, Kanye
(b) Borehole No. 1966 at Tsatsu
(c) 18.2 m³ per day for domestic use.
53. (a) M.M. Mokgwathi, P.O. Box 34, Shakawe
(b) River draw off — Okavango River (at Shakawe)
(c) 616 m³ per day for irrigation use.
54. (a) Somese Syndicate, P.O. Box 1012, Molepolole
(b) Borehole No. Z6475 at Ngware
(c) 18.2 m³ per day for domestic use.
55. (a) Matsweenyane Syndicate, P.O. Box 10093, Gaborone
(b) Borehole No. 6560 at Matsweenyane
(c) 18.2 m³ per day for domestic use.
57. (a) Nokodi Syndicate, P.O. Box 10263, Francistown
(b) Borehole No. Z1704 at Dedinko
(c) 18.2 m³ per day for domestic use.

- 58. (a) J.P.M. Madisa Syndicate, P.O. Box 17, Morwa
- (b) Borehole No. 2356 at Lentswe
- (c) 18.2 m³ per day for domestic use.
- 59. (a) P.M. Seaganeng, P.O. Box 165, Palapye
- (b) Borehole No. Z6579 at Kolojwane
- (c) 18.2 m³ per day for domestic use.
- 60. (a) J.D. Van Riet, P.O. Box 20, Sheerwood
- (b) River Draw off — Limpopo river (Farm 5 MQ PTN 16 and 21)
- (c) 1200 m³ per day for irrigation use
- 61. (a) Mmamhiko Borehole Syndicate, Private Bag 005, Molepolole
- (b) Borehole No. 4321 at Mmamhiko
- (c) 18.2 m³ per day for domestic use
- 62. (a) G.A. Katai, P.O. Box 12, Kang
- (b) Borehole No. Z5801 at Khonema
- (c) 18.2 m³ per day for domestic use
- 63. (a) T. Chiwita, P.O. Box 742, Mahalapye
- (b) River Draw off — Mahalapye
- (c) 12 3 m³ per day for irrigation use

S.G. SOKWANE,
Secretary,
Water Apportionment Board.

Second Publication

Government Notice No. 321 of 1990

INDUSTRIAL DEVELOPMENT ACT, 1988

Application for Industrial Licence

IN ACCORDANCE with the provisions of section 11 of the Industrial Development Act, 1988, notice is hereby given that the following applications for industrial licences have been made:

Name and address of applicant:
B.G.I. Tanning Co. (Pty) Ltd.,
Private Bag F58,
Francistown.

List of products proposed to manufacture:
Feather Dusters

Proposed location for Manufacturing operation:
Francistown

Name and address of applicant:
Michael Kgosiemang & Sons Welders
P.O. Box 210,
Mogoditshane.

List of products proposed to manufacture:
Bush Guards, Burglar Bars, Double Gates,
Garden Chairs.

Proposed location for manufacturing operation:
Mogoditshane

Name and address of applicant:

Kabelo Enterprises (Pty) Ltd.,
P.O. Box 66
Francistown

List of products proposed to manufacture:

Cooking oil, other oil products.

Proposed location for manufacturing operation:

Selibe-Phikwe

Name and address of applicant:

G.M.W. (Pty) Ltd.,
c/o Acumen Consultants
P.O. Box 1382,
Francistown.

List of products proposed to manufacture:

Bricks "4" blocks

Proposed location for manufacturing operation:

Barolong Village

Name and address of applicant:

West Clothing Manufacturers (Botswana) (Pty) Ltd
c/o Acumen, P.O. Box 1157, Gaborone

List of products proposed to manufacture:

T-shirts, towels, sports apparels

Proposed location for manufacturing operation:

Gaborone West

Name and address of applicant:

Nata Timber Industries (Pty) Ltd.,
Plot No. 14455/2 Gaborone West,
P.O. Box 493, Gaborone

List of products proposed to manufacture:

Beds, tables, desks, chairs, wardrobes, kitchen units, shelving and partitioning

Proposed location for manufacturing operation::

Gaborone.

Name and address of applicant:

S.A.AF. Industries (Pty) Ltd.
P.O. Box 41913,
Broadhurst: Gaborone.

List of products proposed manufacture:

Processing and Packaging of Tea and Coffee

Proposed location for manufacturing operation:

Ramotswa

Name and address if applicant:

Sun Bright Printers (Pty) Ltd.,
c/o Universal Computer Applications (Pty) Ltd.,
P.O. Box 20578,
Francistown

List of products proposed to manufacture:

Invoice books, job cards, cards, time cards, memo pads, order books, letter heads, ledger cards.

Proposed location for manufacturing operation:
Francistown.

Name and address of applicant:
Motsemme Last Respect Services (Pty) Ltd.,
c/o Business Development Services,
P.O. Box 106,
Gaborone.

List of products proposed to manufacture:
Coffins

Proposed location for manufacturing operation:
Goodhope

Name and address of applicant:
Teemane Manufacturing Company (Pty) Ltd.,
P.O. Box 329,
Gaborone.

List of products proposed to manufacture:
Polished Diamonds

Proposed location for manufacturing operation:
Serowe

Name and address of applicant:
D.J.M. Services (Pty) Ltd.,
P.O. Box 448,
Gaborone.

List of products proposed to manufacture:
Construction dumberes and spares: workshop compressors and spares, generators and spares; earthmoving pins and bushes concrete vibrators and spares, concrete mixers and spares: excavator blades and buckes..

Proposed location for manufacturing operation:
Gaborone.

Any person who wishes to make representations in terms of section 12 of the Industrial Development Act, 1988 may do so in writing to: The Secretary, Industrial Licensing Authority, Private Bag 0014, Gaborone, Botswana and should also send a copy of such representation to the applicant within fourteen (14) days of the second and last publication of this notice.

ISSUED on this 18th day of October, 1990.

M. DITSEGO,
Secretary, Industrial Licensing Authority.

Second Publication

Government Notice No. 323 of 1990

CONSTITUTION OF BOTSWANA

Acting Appointment — Permanent Secretary to the President

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

THEBE DAVID MOGAMI

has been appointed to act as Permanent Secretary to the President from 27th October to 3rd November, 1990.

DATED this 26th day of October, 1990.

E.W.M.J. LEGWAILA,
*Permanent Secretary to the President,
Office of the President.*

Government Notice No. 324 of 1990

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 —

EDWIN TIAKABAKA MATENGE

has been appointed to act as Permanent Secretary, Ministry of Commerce and Industry from 26th to 29th October, 1990, 30th October, to 1st November, 4th to 6th November, 8th to 11th November, and 12th November to 2nd December, 1990 respectively.

DATED this 25th day of October, 1990.

E.W.M.J. LEGWAILA,
*Permanent Secretary to the President,
Office of the President.*

Government Notice No. 325 of 1990

CONSTITUTION OF BOTSWANA

Acting Appointment — Permanent Secretary,
Ministry of Finance and Development Planning

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

KEBOEMETSE GABOPELWE BAREKI

has been appointed to act as Permanent Secretary, Ministry of Finance and Development Planning from 27th October to 3rd November, 1990.

DATED this 26th day of October, 1990.

E.W.M.J. LEGWAILA,
*Permanent Secretary to the President,
Office of the President.*

Government Notice No. 326 of 1990

CONSTITUTION OF BOTSWANA

Acting Appointment — Permanent Secretary, Ministry of Mineral Resources and Water Affairs

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

BLACKIE MAROLE

has been appointed to act as Permanent Secretary, Ministry of Mineral Resources and Water Affairs from 7th November to 14th November, 1990.

DATED this 31st day of October, 1990.

T.D. MOGAMI,
*Acting Permanent Secretary to the President,
Office of the President.*

Government Notice No. 327 of 1990

MARRIAGE ACT
(Cap 29:01)

Appointment — Marriage Officer

IN EXERCISE of the powers conferred on the Minister of Labour and Home Affairs by section 7 of the Marriage Act, the following has been appointed a marriage officer, with effect from 3rd October, 1990 —

REV. RICHARD CHANCE

DATED this day of October, 1990.

K.M. MASOGO,
*Permanent Secretary,
Ministry of Labour and Home Affairs.*

L2/7/92 II

Government Notice No. 328 of 1990

CUSTOMARY COURTS ACT
(Cap. 04:05)

Appointment — Customary Courts Commissioner

IN EXERCISE of the powers conferred by section 5 of the Customary Courts Act on the Minister of Local Government and Lands, Mr Berence Ngaka Seitshiro has been appointed Customary Courts Commissioner, with effect from 1st November, 1990.

DATED at Gaborone this 26th day of October, 1990.

P.S. MMUSI,
Minister of Local Government and Lands.

L2/7/119 II

Government Notice No. 329 of 1990

CHANGE OF NAME ACT
(Cap. 15:02)

Application for Authorization of Change of Surname

IN PURSUANCE of the provisions of section 4 (2) of the Change of Name Act, notice is hereby given that an application has been made to the Minister of Labour and Home Affairs by each of the persons listed hereto for the Minister's authority to assume the surname specified in relation to his name and address.

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

<i>Name and Address</i>	<i>Proposed Surname</i>	<i>Reasons given wishing to assume proposed surname</i>
Malebogo Wetshootsile, P.O. Box 841, Serowe.	Sentsho	Wetshootsile is her grandfather. Sentsho is her step-father.
Galejewe Jabulane, P.O. Box 603, Francistown.	Tshuthedi	Tshuthedi is his grandfather. Jabulane is his great grand-father.
Andries Gabanamotse Lerala, P.O. Box 216, Lerala.	Modisadife	Lerala is the name of the Village. Modisadife is his grandfather.
Vincent Ketshabile Ngulubane, P.O. Box 20090, Francistown.	Botshelo	Ngulubane is his totem Botshelo is his grand-father.
Juliet Bonolo Chipura, P.O. Box 1948, Gaborone.	Moapare	Chipura is her father. Moapare is her grand-father.
Patrick Tlhareselele Phiri, P.O. Box 762, Gaborone.	Mosiane	Mosiane is his father. Phiri is his step-father.
Thabologo Keboreng Keboreng, P.O. Box 20139, Gaborone.	Ngakaemang	Keboreng is his uncle. Ngakaemang is his grandfather.
Sebonile Tabona Mackson, P.O. Box 201281, Gaborone.	Mudongo	Mackson is her uncle. Mudongo is her father's surname.
Nishadi Mpuang, Private Bag 103, Gaborone.	Boitumelo	Mpuang is her step-father. Boitumelo is her grandfather.
Kearnogetse Pilane, Private Bag 0027, Gaborone.	Molomo	Pilane is her great grandfather. Molomo is her grandfather.

DATED 17th day of October, 1990.

J.B. MATUMO,
Registrar,
Ministry of Labour and Home Affairs.

Government Notice No. 330 of 1990

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

Authorization of Change of Surname

IN ACCORDANCE with section 2 (1) read with section 4 (3) of the Change of Name Act, the Minister of Labour and Home Affairs hereby authorizes the person whose name and address are herein after specified to assume the surname herein after specified opposite his name and address.

Name and Address
Thabo Ofentse Sebalu,
P.O. Box 490,
Mahalapye.

Surname
Pono

DATED this 24th day of October, 1990.

J.B. MATUMO,
Registrar,
Ministry of Labour and Home Affairs.

PUBLIC NOTICES

Change of Name

PURSUANT to section 22 (1) of the Companies Act Cap 42:01 as amended, notice is hereby given that Trio Investments (Proprietary) Limited will make an application to the Registrar of Companies for his written approval to change the name of the company to Trident (Proprietary) Limited after fourteen days from the second publication of this advertisement.

DATED at Gaborone this day of October, 1990.

COOPERS & LYBRAND SERVICES (PTY) LIMITED, P.O. Box 294, GABORONE.

Second Publication

Notice of Intention to Dispose of Trading Licence

NOTICE IS HEREBY given that the undersigned intends to apply for a transfer of a Butchery Licence in respect of premises situated at Motlhala Ward Extension Kanye to Moffat Sekalaba and Pandor Essop who will continue to trade at the same premises and under the same style of a Butchery and that the Southern District Council has determined that the application shall be heard by the Licensing Authority on 30th October, 1990.

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

HLALEFO SEBEGO, P.O. Box 469, KANYE..

Second Publication

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, 1986 (No. 29 of 1986) to obtain a

<i>Name and Address</i>	<i>Type of Licence</i>	<i>Location</i>	<i>Council</i>	<i>Date of Hearing</i>
M. Osenoneng, P.O. Box 145, Tsabong.	Fresh Produce/ Butchery	Tsabong	Kgalagadi District Council	3.12.90
E.T. Mokopaina, P.O. Box 20820, Gaborone.	Liquor Restaurant	Kopong Village	Kweneng District Council	28.11.90
Gasebatho Ntshiping, t/a This & That Hair Salon, c/o Minchin & Kelly, (Botswana), Plot 688, Khwai Road, P.O. Box 1339, Gaborone.	Hair Salon	Behind a Shopping Complex in Mogoditshane	Kweneng District Council	28.11.90
Botite Enterprises (Pty) Ltd, P.O. Box 132, Gabane.	Workshop (Carpentry)	Shaudi Ward Gabane	Kweneng District Council	19.12.90
I. Motlhabane, P.O. Box 67, Mogoditshane.	General Trading	Nitloedibe Ward Molepolole	Kweneng District Council	28.11.90
B. Botsoba, Private Bag 13, Molepolole.	Restaurant	Phuthadikobo Ward Molepolole	Kweneng District Council	28.11.90
Royal Meat Market, P.O. Box 254, Lobatse.	Butchery	Mothala Ward at Kanye	Southern District Council	6.11.90
Royal Bar, P.O. Box 254, Lobatse.	Bar	Mothala Ward at Kanye	Southern District Council	6.11.90
M. Morebodi, P.O. Box 10041, Kanye.	Bar	Ditojana	Southern District Council	6.11.90
P. Kgosiensele, P.O. Box 10347, Kanye.	General Trading	Kanye	Southern District Council	4.12.90
Kentswana (Pty) Ltd, c/o Nganumu, Tafa & Modisenyane, P.O. Box 1991, Gaborone.	Restaurant Kentucky fried chicken	Shops 1 — 2, Lot 1174 — 1177, Gaborone Mall	Gaborone City Council	5.12.90
Fremas, Bridec, Private Bag 0062, Gaborone.	Take Away Caravan	Botswana Tech- nology Centre Plot No. 10062	Gaborone City Council	5.12.90
Favourites (Pty) Ltd, P.O. Box 41171, Gaborone.	Speciality (oriental dishes)	Plot 17949	Gaborone City Council	5.12.90
Tswana Marketing (Pty) Ltd, c/o Minchin & Kelly, (Botswana), Plot 688, Khwai Road, P.O. Box 1339, Gaborone.	Specialised Trading general domestic and industrial hardware, educational equip- ment and supplies, gifts and toys	Plot 5623, Lejara Road, Gaborone	Gaborone City Council	5.12.90
Dashing Botswana (Pty) Ltd, P.O. Box 892, Gaborone.	Speciality office furniture and furnishings	Plot 6411, Gaborone	Gaborone City Council	5.12.90

Alia Enterprises (Pty) Ltd, c/o Minchin & Kelly, (Botswana), Plot 688, Khwai Road, P.O. Box 1339, Gaborone.	General Trading	Bull and Bush, Restaurant and Bar in Gaborone	Gaborone City Council	5.12.90
N. Daniel, P.O. Box 728, Francistown.	General Trading	Serowe Mall	Serowe/Palapye Sub-District Council	3.12.90
G.M. Maine, P.O. Box 91, Jwaneng.	Supermarket	Jwaneng Lot No. 2460, Jwaneng Township	Jwaneng Local Licensing Authority	12.12.90
M.A. Megale, Private Bag 3, Mochudi.	Liquor	Sikwane	Kgatlang District Council	6.12.90
J.J.R. Pilane, P.O. Box 136, Lobatse.	Restaurant Take Away	825 Town Centre	Lobatse Town Council	13.12.90
U.A. Malikongwa, P.O. Box 28, Nata.	Bar Liquor	Nata	Tutume Sub- District Council	4.12.90
Silent Tlale, P.O. Box 722, Francistown.	Liquor Restaurant	Shashe Mooke	Tutume Sub- District Council	4.12.90
J. Johane, P.O. Box 20090, Francistown.	Liquor Restaurant	Chadibe	Tutume Sub- District Council	4.12.90
J. Kegakilwe, P.O. Box 38, Otse.	Bottle Store	Mogobane	South East District Council	17.12.90
R. Nato, P.O. Box 1066, Gaborone.	Fresh Produce	Magopane Ward, Ramotswa	South East District Council	17.12.90
B.K. Madumetse, P.O. Box 253, Gaborone.	Filling Station	Tlokweneng	South East District Council	17.12.90
B & G Enterprises (Pty) Ltd, c/o Soyab Mehtar, P.O. Box 480, Selebi-Phikwe.	Specialised Trading (Builders requisites, hardware, appliances, plant hire etc)	Serowe Mall	Serowe/Palapye Sub-District Council	3.12.90
A & M. Supereps (Pty) Ltd, c/o Soyab Mehtar, P.O. Box 480, Selebi-Phikwe.	Agents (stationery, printing requisites, electronic and electrical goods, toys and educational products)	Plot 2136, Morupule Way Selebi-Phikwe,	National Licensing Authority	11.12.90

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

Second Publication

Notice of Intention to Dispose of Trading Licence

NOTICE IS HEREBY given in terms of section 23 of the Trade and Liquor Act, 1986 that I, Mr Edgar Maruping have disposed of my entire interest in carrying on the business of Sikwane Bar and Bottle Store to Mr Alfred Megale who will continue to trade at the same premises and under the same style of a Bar and Bottle Store.

MR EDGAR MARUPING, P.O. Box 20055, GABORONE.

Second Publication

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

Case No. Misc.. A235/89

In the matter between:

**BOTSWANA BUILDING SOCIETY
and
NTONA ALEFENG**

Plaintiff

Defendant

NOTICE OF SALE IN EXECUTION

BE PLEASED to take notice that pursuant to Provisional Sentence granted by the above Honourable Court, the immovable property of the above-named Defendant will be sold in execution by Deputy Sheriff Seboko in the following matter:

DATE OF SALE:	Tuesday 20th November, 1990
TIME OF SALE:	12.00 midday
VENUE:	Tribal Lot 5, Lentsweletau
PROPERTY TO BE SOLD:	
CERTAIN:	Defendant's right, title and interest in and to Tribal Lot 5, Lentsweletau and commercial building thereon;
SITUATE:	in the Kweneng Tribal Territory;
MEASURING:	5964 Square Metres;
HELD:	Agreement of Lease with the Kweneng Land Board which lease is registered at the Deeds Office under No. 18/87.
DETAILS OF SALE:	Detailed conditions of sale may be inspected at the offices of Plaintiff's Attorneys by arrangement with Deputy Sheriff Seboko

DATED at Gaborone this 23rd day of October, 1990.

HELPER, COLLINS & NEWMAN, *Plaintiff's Attorney*, Co-operative House, The Mall, P.O. Box 882,
GABORONE.
Second Publication

DEEDS REGISTRY REGULATIONS (NO. 46) (UNDER SECTION 11 OF CAP. 33:02)

Lost Title Deed

NOTICE IS HEREBY given that the Attorney-General intends applying for a certified copy of a Deed of Fixed Period State Grant 61/89 dated 27th January, 1989 in respect of the below mentioned property namely:—

CERTAIN:	Piece of land being remainder of Lot 3225, Selebi-Phikwe;
SITUATE:	in Selebi-Phikwe Administrative District;
MEASURING:	1 920 (One thousand nine hundred and twenty) Square Metres;
WHICH PROPERTY:	Is held under Deed of Fixed Period State Grant No. 61/89 dated 27th January, 1989;
SUBJECT TO:	The reservations and conditions contained in the aforesaid Deed;

All persons having objection to the issue of such copy, are hereby requested to lodge same in writing with the Registrar of Deeds, Private Bag 0020, Gaborone within 3 (three) weeks of the last publication of this notice.

DATED at Gaborone this 24th day of September, 1990.

ATTORNEY-GENERAL'S CHAMBERS, (Land Division) Private Bag 0020, GABORONE.

Second Publication

Change of Name

PURSUANT to section 22 (1) of the Companies Act Cap 42:01 as amended, notice is hereby given that Wheels (Pty) Ltd will make an application to the Registrar of Companies for his written approval to change the name of the company to 'Triple 'F' Investments (Pty) Limited' after fourteen days have elapsed from the 2nd publication of this advertisement"

DATED at Francistown this 9th day of October, 1990.

Second publication

Notice of Intention to Dispose of Trading Licence

BE PLEASED to take notice that John and Cecilia Griffiths have disposed off their entire shareholding and interests in Electrade (Pty) Limited to Narvjivan and Renu Koshal. Any person having any claim against the company should forward same to the undersigned within 30 days from the second publication hereof.

DATED at Selebi-Phikwe 30th September, 1990.

ATTORNEY SOYAB MEHTAR, P.O. Box 480, SELEBI-PHIKWE.

Second Publication

Notice of Intention to Dispose of Trading Licence

NOTICE IS HEREBY given in terms of the Trade and Liquor Act No. 29 of 1986 that I, Israel Mompe have disposed of my entire interest in carrying on the business of a Bottle Store situated at Lot 5548 to Rus Matho who will trade under the same name and style and that the Francistown Town Council has determined that the application shall be heard by the Licensing Authority on the 18th September, 1990.

Any person objecting to the grant of such Certificate should within (14) days of the second publication of this notice give notice in writing to the said Council of his intention to oppose such application and state the grounds upon which his objection is based

ISRAEL MOMPE, P.O. Box 10035, FRANCISTOWN.

Second Publication

Notice of Intention to Dispose of Trading Licence

NOTICE IS HEREBY given in terms of section 23 (2) of the Trade and Liquor Act, No. 29 of 1986 that I, Dikgang Matsietsa have disposed of my entire interest in carrying on the business of a Bottle Store to Joseph Kegakilwe who will continue to trade at the same premises and under the same style of a Bottle Store.

DIKGANG MATSIETSA, P.O. Box 38, OTSE.

Second Publication

Notice of Intention to Dispose of Trading Licence

NOTICE IS HEREBY given in terms of section 23 of the Trade and Liquor Act, 1986 that I, Shiyani Malikongwa have disposed of my entire interest in carrying on the business of Bar Licence to Unangoni Augustine Malikongwa who will continue to trade at the same premises and under the same style of a Bar.

SHIYANI MALIKONGWA, P.O. Box 28, NATA.

Second Publication

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

Case No. CT CC 112/90

In the matter between:

TSWELELO (PROPRIETARY) LIMITED
and
JOHN MORWAENG

Plaintiff

Defendant

NOTICE OF SALE IN EXECUTION

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 in execution by Deputy Sheriff Seboko in the manner hereinafter set out:-

DATE OF SALE: Tuesday 20th November, 1990
TIME OF SALE: 10.00 a.m.
VENUE OF SALE: Lot 138 Molepolole
PROPERTY TO BE SOLD:

CERTAIN:

All Defendant's right, title and interest as Lessee of Tribal Lot 138 Molepolole, measuring 2 776 square metres and commercial building thereon, in terms of Agreement of Lease with the Kweneng Land Board, which Lease is registered at the Deeds Office under Number 59/87

DETAILS OF SALE:

Detailed conditions of sale may be inspected at the offices of Plaintiff's Attorneys by arrangement with Deputy Sheriff Seboko at the below mentioned address.

DATED at Gaborone this 23rd day of October, 1990.

HELPER, COLLINS & NEWMAN, *Plaintiff's Attorney*, Co-operative House, The Mall, P.O. Box 882, GABORONE.

Second Publication

Republic of Botswana — Central Transport Organisation

AUCTION SALE OF BOARDED VEHICLES

IT IS NOTIFIED for general information that an auction sale of Boarded vehicles will be held at Selebi-Phikwe on 8th November, 1990 at 9 a.m.

Conditions of Sale

1. Items will be sold in Lot numbers to the highest bidder.
2. The Government reserves a right to reject a bid whether or not is the highest.
3. No item/s are to be removed from C.T.O. premises without the presentation of a normal receipt of purchase.
4. Payment must be made by cash or bank certified cheque immediately an item is sold.
5. All items sold are to be removed from C.T.O. Premises within (7) seven days, failure to do so will result in the ownership reverting to the Government and no refund of money will be made.
6. Items for sale are offered without any guarantee expressed or implied and will be sold in its condition.
7. An amount of P200,00 per item will be paid in advance as a deposit enabling the prospective bidders to take part in the auction sale. The deposit amount will be refundable except for those successful bidders who fail to honour their bids.

M. BOTTPENG.

Second publication

Botswana Telecommunication Corporation — Tender BTC 032/90/91

PROPOSED POWER HOUSE AND EARTH STATION RENOVATION AT KGALE

BOTSWANA TELECOMMUNICATION CORPORATION invites tenders for proposed powerhouse and earth station renovation at Kgale.

1. BRIEF DISCRIPTION OF THE WORKS

The contract comprises the construction of a power house. Contained therein is, a generator room, a battery room and a small workshop.

2. Tender documents may be obtained free of charge and returned to the addressee stated below: Tender BTC 032/90/91, Secretary/Supplies Manager, Botswana Telecommunication Corporation, P.O. Box 700, Gaborone.

4. Tender closing date will be Wednesday 28th November, 1990, at 9.30 a.m. and tenders shall be opened at 10.30 a.m. in the presence of tenderers wishing to attend at the B.T.C. head-quarters buildings.

5. The Corporation does not bind itself to award to the lowest tenderer or any tenderer nor assign any reason thereof.

Enquiries:- Telephone: 358245/358203; Fax: 374695.

Second Publication

Botswana Telecommunication Corporation — Tender BTC 041/90/91

AUCTION SALE

1. BOTSWANA TELECOMMUNICATION CORPORATION shall sell by public auctions a range of used vehicles and household furniture items in Gaborone Village on the following dates respectively:—

(a) Vehicles and Plant/Machinery 17th November, 1990: Time 9.00 a.m.

(b) Furniture Items 24th November, 1990; Time 9.00 a.m.

2. *Public Viewing Dates:*— (a) 15th November, 1990 (14.00 hrs until 16.30 hrs)

(b) 22nd November, (14.00 hrs until 16.30 hrs)

3. Conditions of Sales

(a) All payments shall be effected on cash basis or bank certified cheques.

(b) No items shall be removed from sites without prior approval from management.

(c) Items are offered without any guarantee expressed or implied and will be sold in the condition in which they are.

(d) Interested bidders are required to deposit the sum of Two Hundred Pula (200,00) which will be refunded upon removal of the vehicles.

Enquiries: Telephone: 358203/358425, Fax: 374695.

Second Publication

Rolong Land Board — Tender Notice No. 3 of 1990

CONSTRUCTION OF LAND BOARD OFFICES

Rolong Land Board is inviting tenders for construction of offices in Goodhope. Offices shall be built on the existing Land Board Office premises.

Tender documents and specifications shall be obtainable for 40 Pula non-refundable from Kanye Council Works Department as from the 22nd October, 1990 during working hours. Tenders in sealed envelopes, clearly marked "Tender No. 3/90 — Construction of Offices" addressed to: Land Board Secretary, P.O. Box 75, Goodhope.

Tenders to reach the Land Board Secretary not later than 4 p.m. Friday 23rd November, 1990. The Bidders are invited to attend tender opening in the Rolong Land Board Confrence room on Monday 26th November, 1990.

The Rolong Land Board is not bound to accept the lowest or any tender.

G.N. DINTWA,
for Rolong Land Board Secretary.

Second Publication

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, 1986 (No. 29 of 1986) to obtain a

<i>Name and Address</i>	<i>Type of Licence</i>	<i>Location</i>	<i>Council</i>	<i>Date of Hearing</i>
J.S. Gaoetswe, P.O. Box 55, Tsabong.	Bottle Store	Tsabong	Kgalagadi District Council	3.12.90
C and Z Investments, P.O. Box 1, Hukuntsi.	General Trading	Hukuntsi	Kgalagadi District Council	3.12.90
Adima Hire (Pty) Ltd., Private Bag BR 12, Gaborone.	Speciality	Serorome Ward Plot No. 72	Central District Council	3.12.90
Mucklec Electrics (Pty) Ltd., c/o K & Business Services (Pty) Ltd., P.O. Box 29, 4th Floor, Tirelo House, The Mall, Gaborone.	Workshop	Lot 1867 Extension 4,	Gaborone City Council	5.12.90
Alia Enterprises (Pty) Ltd., c/o Minchin & Kelly (Botswana), Plot 688, Khwai Road, P.O. Box 1339, Gaborone.	Specialised Trading	Lot 8766 Extension 16, Gaborone	Gaborone City Council	5.12.90
Commodities Marketing Company (Pty) Ltd., c/o Professional Services, P.O. Box 1816, Gaborone.	Speciality electrical and electronic equipments and appliances. Office furniture and stationery.	Plot 8870, Broadhurst, Gaborone	Gaborone City Council	5.12.90
Nanzz (Pty) Ltd., P.O. Box 331, Gaborone.	Restaurant/ Take-Away	Plot 17860 Gaborone West Gaborone	Gaborone City Council	5.12.90
A.I.M. Segal (Botswana) (Pty) Ltd., c/o K & M Business Services (Pty) Ltd., P.O. Box 29, 4th Floor, Tirelo House, The Mall, Gaborone.	External Representative (clothing)	Whole of Botswana	Gaborone City Council	5.12.90
Mareledi Ventures (Pty) Ltd., c/o K & M Business Services (Pty) Ltd., P.O. Box 29, 4th Floor, Tirelo House. The Mall. Gaborone.	Agency (clothing, footwear, jewellery, towellery, tents)	Whole of Botswana	National Licensing Authority	11.12.90
Dels (Pty) Ltd., c/o Premier Properties (Pty) Ltd., P.O. Box 1553, Gaborone.	Agency (Horticultural and Agric products, brushware brushware and plastic ware, drier and frozen fish)	Whole of Botswana	National Licensing Authority	11.12.90

Premier Properties (Pty) Ltd., P.O. Box 1553, Gaborone. B.S.E. Trading (Pty) Ltd., c/o Accountsec Services (Pty) Ltd., P.O. Box 1229, Gaborone.	Estate Agents property	Lot 479 Francistown Lot 731 Gaborone Whole of Botswana	National Licensing Authority	11.12.90
	Agency 1. foodstuff (fruits, vegetables, spices and grains) 2. small machinery and household goods 3. Textiles 4. electrical components		National Licensing Authority	11.12.90
E & E Agencies (Pty) Limited, c/o J.M. Nganunu & Co., Attorneys, P.O. Box 1991, Gaborone.	Agency Food stuff	Plot 251 Lenganeng Tlokwen	National Licensing Authority	11.12.90
Botshelo Medical Supplies (Pty) Ltd., c/o Professional Services P.O. Box 1816, Gaborone.	Agency Pharmaceuticals, medical and dental equipment and materials	Botswana	National Licensing Authority	11.12.90
Bake'n Take (Pty) Ltd., c/o Attorney Nkate, Masilo, P.O. Box 384, Selebi-Phikwe.	Agency a manufacturing licence to make bread and confectionery	Selebi-Phikwe Mall Lot No. 2681/2	National Licensing Authority	11.12.90
Commodities Marketing c/o Professional Services (Pty) Ltd., P.O. Box 1816, Gaborone.	Import/Export clothing, packed food, hardware and building materials	Botswana	National Licensing Authority	11.12.90
Hardware and General (Pty) Ltd., c/o Professional Services P.O. Box 1816, Gaborone.	Import/Export water cooled engines	Botswana	National Licensing Authority	11.12.90
Unimart Services (Botswana) (Pty) Ltd., c/o Professional Services (Pty) Ltd., P.O. Box 1816, Gaborone.	Import/Export packed tea, coffee and other beverages, clothes and fabric, domestic and office equipments and appliances, food items, stationery.	Botswana	National Licensing Authority	11.12.90
Bangwato Wholesalers (Pty) Ltd., Tsholofelo Oganeditse Nthaga, P.O. Box 343, Mahalapye.	General Wholesale and Distribution, General merchandise and Distribution of goods	Mahalapye Industrial Site	National Licensing Authority	11.12.90
B. Kebinakgomo, P.O. Molapowabojang, Via Kanye.	General Trading	Molapowabojang	Southern District Council	4.12.90
K. Thage, Postal Agency, Ranaka.	Bar and Bottle Store	Ranaka	Southern District Council	6.12.90
D.M. Mulale, Private Bag 0088, Selebi-Phikwe.	Bar Liquor	Area UX Pot No. 4219	Selebi-Phikwe Town Council	13.12.90
M. Keitatile, Private Bag 28, Lobatse.	Fresh Produce	Plot No. 1115 B.D.C.	Lobatse Town Council	13.12.90

D.M. Mulale, Private Bag 0088, Selebi-Phikwe.	Bar Liquor	Area UX Pot No. 4219	Selebi-Phikwe Town Council	13.12.90
M. Keitaile, Private Bag 28, Lobatse.	Fresh Produce	Plot No. 1115 B.D.C.	Lobatse Town Council	13.12.90
S. Thase, P.O. Box 444, Mochudi.	General Trading and Fresh Produce	Mochudi Village	Kgatlang District Council	6.12.90
P. Moseki, P.O. Box 1235, Mochudi.	General Trading and Fresh Produce	Rasesa Village	Kgatlang District Council	6.12.90
M.G. Makwate, P.O. Box 1194, Serowe.	Specialised Trading (Hardware)	Serowe Mall	Serowe Sub-District Council	3.12.90
Sun Rise Filling Station (Pty) Ltd., P.O. Box 218, Maun.	Petrol Filling Station and and Specilaised Trading, Tyres and Domestic Gas	Industrial Site Plot 216 Maun	North West District Council	15.12.90
G.G. Gabaeme, P.O. Box 1275, Gaborone.	Small General Trading	Siga Ward in Ramotswa Village	South East District Council	17.12.90
Toplink Enterprises, P.O. Box 261, Gaborone.	Special Liquor	Goo Matswee (Lido) Ramotswa	South East District Council	17.12.90
L. Gosame, P.O. Box 210, Selebi-Phikwe.	Bar	Mmutlane	Mahalapye Sub- District Council	4.12.90
Nomalanga Beauty Jones, Montsamaisa CJS. School, Private Bag F.47, Francistown.	Specialised Trading (Health and Fitness Centre)	Stand 672—676 Francistown	Francistown Town Council	18.12.90
T.L. Nkele, P.O. Box 10330, Francistown.	Liquor Restaurant	Boseja (Kgatlang District)	Kgatlang District Council	6.12.90
Mectrix Services (Pty) Ltd., P.O. Box 10032, Tati-Town. Francistown.	Speciality for trading in plumbing material and hardware	Plot 9254 Dumela	Francistown Town Council	18.12.90
Mini-Oriental (Pty) Ltd., P.O. Box 247, Francistown.	Speciality gifts and novelties	Portion 'A' Plots 662—666	Francistown Town Council	18.12.90
V. Letsholo, P.O. Box 119, Letlhakeng.	Liquor Restaurant	Khudumelapye	Kweneng District Council	19.12.90
D. Segakisa, P.O. Box 817, Molepolole.	Liquor Restaurant	Phuthadikobo Ward Molepolole	Kweneng District Council	19.12.90
F. Leshona, P.O. Box 20519, Gaborone.	Liquor Restaurant	Magokotswane Ward Molepolole	Kweneng District Council	19.12.90
M. Molathegi, P.O. Box 47, Thamaga.	Chibuku Depot	Kubung	Kweneng District Council	19.12.90

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

First Publication

Republic of Botswana — Tender No. TB 10/3/21/90—91

MAJOR VILLAGE WATER SUPPLY — SEROWE
ADDITIONAL SANITATION MEASURES

THE GOVERNMENT OF BOTSWANA, Ministry of Mineral Resources and Water Affairs, represented by the Department of Water Affairs in Gaborone intends to carry out the civil works for the Additional Sanitation Measures in Serowe, Botswana.

Tenders are invited for the construction of:

- The gravity mainline and collector chambers (from TTC/Hospital to Swaneng High School ponds);
- The pumping mainline in connection with a pumping station (Prison line);
- The irrigation (Swaneng Hill School ponds);
- Sludge disposal.

The total length of the pipeline is about 9,7 km, of which about 7,7 km are gravity main of uPVC pipes, diameter O.D. 110, 160, 225, class 6; the rest of about 2 km are pressure pipes of uPVC O.D. 110, class 9; and one pump station.

Tender documents will be issued from 7th November 1990 onward only to contractors classified in Class 5 — Water Supply and Sanitation — General — Grade E unlimited and/or internationally working in the field of water supply and sanitation and will be available from Prack Consult (Botswana) (Pty) Ltd., reference the Manager, Private Bag 00212, Coal Close 7987, Gaborone/Botswana, against payment of P500,00 or from Prack Consult GmbH., reference Mr Burg, Post Box 1624, Rosentrasse 38, D — 2240 Heide, Federal Republic of Germany, against payment of DM 500,00.

These amounts will be refunded for valid but unsuccessful tenders.

Participation is open on equal terms to all natural persons, companies or firms of Member States of the European Communities and ACP States which are signatories to the Third Lome Convention.

For the purpose of this Convention 'Companies of firms' means companies or firms constituted under civil or commercial law, including cooperative societies and other legal persons governed by public or private law, save those which are non-profit making.

'Companies of firms of a Member State or of an ACP State' means companies of firms formed in accordance with the law of a Member State or ACP State and whose registered office, central administration or principal place of business is in a Member State or ACP State; however, a company or firm having only its registered office in a Member State or an ACP State must be engaged in an activity which has an effective and continuous link with the economy of that Member State or ACP State.

Tenders in plain envelope marked "TB 10/3/21/90—91—Three Major Village Water Supply — Serowe Additional Sanitation Measures" — be delivered to: The Secretary, Central Tender Board, Private Bag 0058, Gaborone/Botswana (or by hand to the Secretary, Room 202,) not later than 10.00 hours (10 a.m.), Botswana time on Wednesday, 19th December, 1990 when the tenders will be opened in the presence of those tenderers wishing to attend.

Telegraphic, telefaxed or telephone tenders will not be considered.

The site visit for all tenderers is on Wednesday, 21st November, 1990, 10.00 a.m. on site. (Turn off Serowe-Orapa Road 2 km on the left to the site office DWA-Prack Consult).

The Government of Botswana reserves the right not to accept the lowest tender either in whole or in parts as regards anyone or more of the items specified, nor any tender or to assign any reason thereof.

K.K. SEMELAMELA,
Secretary,
Central Tender Board.

Lobatse Town Council — Tender No. LTC/18/90

STORM WATER DRAINAGE CONSTRUCTION PROJECT — PHASE II

LOBATSE TOWN COUNCIL invites tenders for storm water drainage project.

The project mainly includes lined drains, culvert construction and related works in Maokaneng West, Boswelatlou, Town Centre and Woodhall I.

Tender documents will be available from Deputy Town Engineer's office in the Civic Centre from 7th November, 1990 during normal working hours on payment of non-refundable P100,00 per set.

Sealed tenders clearly marked "Tender No. LTC/18/90—Storm Water Drainage Construction Project Phase II" addressed to Town Clerk, Lobatse Town Council, Private Bag 28, Lobatse, should reach his office not later than 14 00 hours on 7th December, 1990.

Tenders will be opened on the same day at 1400 hours in presence of tenderers who may wish to be present. The Lobatse Town Council does not bind itself to accept the lowest tender nor any tender or to assign any reason thereof.

M. SEKGOMANYANE,
for Town Clerk.

First Publication

Kgatlang District Council — Tender No. KG 8 of 1990

SUPPLY AND INSTALLATION OF AIR CONDITIONING TO THE REGIONAL HEALTH TEAM OFFICES

TENDERS ARE invited by the Kgatlang District Council for the supply and installation of 17 Nos. Air Conditions to the existing Regional Health Team Offices in Mochudi as described below:—

NATIONAL — SPLIT TYPE (FLOOR MOUNTED)

- 14 Nos. CS/CU 90 RH 3300 x 4200 mm Offices
- 1 No. CS/CU 160 RH DMO's Office
- 2 Nos. CS/CU 110 RH Waiting hall

Tenderers to state the potential date of delivery and installation and to submit tenders in plain sealed envelopes clearly marked "Tender No. KG 8 of 1990 — Supply and Installation of Air Conditions to Regional Health Team Offices", and addressed to the Council Secretary, Kgatlang District Council, Private Bag 11, Mochudi, so as to reach not later than 16.00 hours on Friday 16th November, 1990.

Tenders shall be opened on the 19th November, 1990 at 9.00 a.m. in the Council Chamber and all interested tenderers are free to attend the Official Opening. This Council is not bound to accept the lowest or any tender nor to give reasons for the non-acceptance of any tender and will not be responsible for the cost thus incurred in the preparation thereof.

J.K. MONTSHO,
for Council Secretary.

First Publication

Chobe Land Board — Tender No. 5 of 1990

SUPPLY OF ADMINISTRATION VEHICLE SKYLINE 2.4. G.L.E. OR CRESSIDA 2.4. G.L.E.

CHOBELAND BOARD invites tenders for the supply of administration vehicle in the following:—

- (a) Cressida 2.4. G.L.E.
- (b) Skyline 2.4. G.L.E.

Tenders to be submitted to the Secretary, Chobe Land Board in the sealed envelopes clearly marked "Tender No. 5 of 1990—Supply of Vehicles".

Tenders are requested to clearly quote the price, colour and delivery date.

Chobe Land Board is not bound to give reasons why or prepared to enter into any explanation with any tenderer for its final decision regarding the award of this tender.

Closing date will be 4.30 p.m. of the 19th November, 1990.

G.K.M. MAANO,

Gaborone City Council**RENEWAL OF TRADE AND LIQUOR LICENCES FOR 1991**

ALL GABORONE LICENCE HOLDERS are reminded to renew their Licences for 1991 before the 31st December, 1990 to avoid a late penalty fee. Renewal forms can be picked up at the Civic Centre in Room 37. (Please do it soon).

BAGWEBI BOTLHE BA GABORONE ba gakololwa go ntshafatsa ditlankana tsa bone tsa kgwebo pele ga bofelo jwa kgwedi ya Morule. Go sa nneng ba tlaa lefisiwa.

*First Publication***Lost Title Deed**

NOTICE IS HEREBY given that One Two Seven One Botswana (Proprietary) Limited intends applying for a certified copy of a Deed of Transfer No. 69/71 dated 14th June, 1971 in respect of the following property:

CERTAIN;:	piece of land being Lot 1271
SITUATE:	in Gaborone Township Extension 6
MEASURING:	40,982 (Forty Thousand Nine Hundred and Eighty Two) English Square Feet
WHICH :	is held under Deed of Transfer No. 69/71
PROPERTY:	dated 14th day of June, 1971 made in favour of Johannes Setlhare
SUBJECT:	the reservations and conditions contained in the aforesaid Deed.

All persons having objection to the issue of such copy, are hereby requested to lodge same in writing with the Registrar of Deeds, Private Bag 0020, Gaborone within 3 (Three) weeks of the last publication of this notice.

DATED at Gaborone this 30th day of October, 1990.

MINCHIN & KELLY (BOTSWANA), Attorneys for Applicant, Plot 688, Khwai Road, P.O. Box 1339, GABORONE.

*First Publication***Notice of Loss or Destruction of Insurance Policy**

NOTICE IS HEREBY given that Policy No. 742097 on the life of and property of Bartholomew Ophaketse Gaobakwe has been reported to be lost or destroyed and any person in possession of the policy, or claiming to have any interest in such policy, should communicate immediately by registered post with the Insurer. Failing any such communication, a certified copy of the policy (which shall be the sole evidence of the contract made by the policy) will be issued to the owner.

BOTSWANA INSURANCE COMPANY (PTY) LTD, P.O. Box 336, GABORONE.

*First Publication***Change of Name**

NOTICE IS HEREBY given that Caroline Anne Design (Pty) Limited proposes to change its name into House and Home (Pty) Limited pursuant to Section 22 (i) of the Companies Act (Chapter 42:01) as amended. The change will be effected after 14 days of the second publication of this advertisement in accordance with the provisions of the law.

BUSINESS AND PROFESSIONAL SERVICES (PTY) LTD, P.O. Box 359, SELEBI-PHIKWE.

First Publication

Notice of Application for Removal of Licence

NOTICE IS HEREBY given that the undersigned intends to apply for a removal of a Sepciality Licence in respect of premises situated at Lot 5635, to Lot 17982 and that the Gaborone City Council has determined that the application shall be heard by the Licensing Authority on December, 1990.

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

COPY-ONE (PTY) LTD, P.O. Box 40313, GABORONE.

First Publication

Kgatleng District Council

STORES REGULATION CAP. 18 1804 OF 1971 SALE OF STORES NOTICE OF SALE OF UNSERVICEABLE STORES

NOTICE IS HEREBY given for general information that Kgatleng District Council intends to sell by public auction at the Council Stores on the 1st December, 1990 at 9.00 a.m. the following unserviceable stores:—

DESCRIPTION OF ITEMS:—

BL 2353	Toyota Land Cruiser with canopy 1983 Model	
BL 1309	Toyota Stout with Canopy 1983 Model	
BL 2351	Toyota Land Cruiser with Rails 1983 Model	
BL 1262	Refuse Tanker	
	Office Desks 6 Drawers	3
	Typist Desks 3 Drawers	3
	Typist Chairs	2
	4 Burner Stoves	6
	Office Table 2 Drawers	1
	Single Spring Beds	17
	Old Wardrobe	1
	Baths Plastic	6
	4 Burner Gas Stoves	8
	Gas Fridge conveted from Electric	1
	Bicycles: Challengers Red & Black	2
	Old Tyres 1 200 x 20 ply	9
	" " 900 x 20 "	18
	Old Tyres 600 x 14 ply	17
	" " 750 x 16 "	14
	Old Tyres 700 x 15 ply	15
	" " 700 x 16 "	14
	Old Tyres 1 000 x 20 ply	2
	" " 825 x 16 "	1
	Old Tyres 750 x 18 ply	1
	" " 18.4 x 30 Tractor	1
	Old Tyres 900 x 16 ply	3
	Steel Scholars Tables Medium	100
	Steel Scholars Tables Large	100
	Small Tables Furniture Type	40
	Flat Wheel Barrows	17
	Congrete Wheel Barrows	2
	Steel Bathroom Bath	1
	Rakes	5
	Empty Drums 210 l	21
	Empty Drums 50 l	4
	Old Diamond mesh wire rolls	7
	Corrugated Iron Sheets	38
	Corrugated half cut sheets	10

Gutters	25
Ridges	20
House Doors	49
Mosquito Flying Screen	16
Corner Posts	2
Assorted Vehicles Batteries	26
Honda Machine	2
Assorted Door Frames	6
Paint Empty "tin 20 l	10
" " Plastic 25 l	3
Electric Fans	5
Standards	3
Single Gate	1
Double Gate	1

LAND BOARD ITEMS:

Old Tyres 750 x 6 ply	14
" " 700 x 15 ply	5
Bicycle Challenger	1

COUNCIL CONTINUES

Vehicles Base Doors	6
Pipe Silender	10
Cart B42035	1
Rim & Tyres 900 x 20	4
Rim 18.4 x 30	1
Sonny Radios	3 Education
Rim Vehicles	4
Bicycle	1 for LG 34
Donkey Cart	1 for LG 34

DROUGHT RELIEF ITEMS:

Wheel Barrows	50
Spades	30
Shovels	20
Rake	10
Picks	50
Pick eyed Axes	60
Saws	15
Bricks moulds	20
Plastic container Empty 50 l	3
Toilet Doors	9

I wish to request the General Public to come and view the Items at Council Stores from the 19th to the 30th November, 1990 from 8.00 a.m. to 4.30 p.m. on working days.

P.M.D. TAU,
for Council Secretary.

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 Specialised Trading Licence in respect of premises situated at Botlaote Ward to Botlaote Ward near Taku who will continue to trade at the same premises and under the same style of a Furniture Mart and that the Mahalapye Sub-District Council has determined that the application shall be heard by the Licensing Authority on 4th December, 1990.

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

FURNITURE MART (PTY) LTD, Private Bag 115, GABORONE.

First Publication

Notice of Intention to Disposal of Trading/Liquor Licence

NOTICE IS HEREBY given in terms of section 23 of the Trade and Liquor Act, 1986 that I, Lydia Matenge have disposed of my entire interest in carrying on the business of Bar to D.M. Mulale who will continue to trade at the same premises and under the same style of a Bar.

LYDIA MATENGE, P.O. Box 788, FRANCISTOWN.

First Publication

Notice of Intention to Disposal of Trading/Liquor Licence

NOTICE IS HEREBY given in terms of section 23 of the Trade and Liquor Act, 1986 that I, Alfred S.K. Semathane have disposed of my entire interest in carrying on the business of Restaurant to G.G. Gabaeme who will continue to trade at the same premises and under the different style of a Business (Small General Dealer)

A.S.K. SEMATHANE, P.O. Box 444, JWANENG.

First Publication

Notice of Intention to Disposal of Trading/Liquor Licence

NOTICE IS HEREBY given in terms of section 23 of the Trade and Liquor Act, 1986 that I, Lesedi Trading Co. (Pty) Ltd, have disposed of my entire interest in carrying on the business of Fresh Produce to Motlathlhoi Keitaile who will continue to trade at the same premises and under the same style of a Fresh Produce.

LESEDI TRADING CO. (PTY) LTD, P.O. Box 423, LOBATSE.

First Publication

Change of Name

PURSUANT TO SECTION 22(1) of the Companies Act (Cap. 42:01) as amended, notice is hereby given that Ital Terrazo Construction (Pty) Ltd will make application to the Registrar of Companies for his written approval to change the name of the company to Ital Terrazo Construction (1990) (Pty) Ltd, after 14 days of the publication of this advertisement have elapsed.

for and on behalf of the Company

BAMAS (PTY) LTD, P.O. Box 66, FRANCISTOWN.

First Publication

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

Civil Case No. CCF. 117/89

In the matter between:

NORTHERN BUILDING SUPPLIES (PTY) LTD

Plaintiff

and

MR CHOPS KEAITSEWE SEGWAI $\frac{1}{a}$ WESTERN TSODILO CONSTRUCTION

Defendant.,

NOTICE OF SALE IN EXECUTION

BE PLEASED TO TAKE NOTICE that pursuant to a judgment of the above Honourable Court dated the 9th November, 1989 the following movable property will be sold by public auction without reserve to the highest bidder as follows:—

DATE OF SALE:	Saturday 17th November, 1990
TIME OF SALE:	11.00 a.m.
PLACE OF SALE:	Mabudutsa Store
	1 Double Bed & Mattress with wooden headboard
	1 Wooden Table 1,2. m & 3 chairs

- 1 Gas stove boreal 4 plate with oven
- 1 14 kg gas cylinder & hose & regulator
- 2 Wooden folding traditional chairs
- 1 Sovereign radio
- 1 Omega radio/cassette player
- 1 Book case
- Display cabinet
- 1 Carpet 3 x 4 m
- 1 Lounge suite 2 double sofas 2 single sofas
- 1 Coffee table large
- 1 Sideboard
- 1 No. 10 gas cylinder
- 1 Gas iron c/w hose & regulator
- 1 Wardrobe
- 1 Coffee table small
- 1 Pedal bin

DATED at Maun this 24th day of October, 1990.

R.E. RIDGE, *Deputy Sheriff*, P.O. Box 75, MAUN.

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

Case No. CC 79/90

In the matter between:

TSWELELO (PROPRIETARY) LIMITED
and
ELIZABETH BATHOBAKAE

Plaintiff

Defendant

NOTICE OF SALE IN EXECUTION

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 in Execution by Deputy Sheriff Marule in the manner hereinafter set out:—

DATE OF SALE:	Tuesday 27th November, 1990
TIME OF SALE:	12.00 mid-day
VENUE OF SALE:	SHAA Plot Number EU2406, Jwaneng
PROPERTY TO BE SOLD:	All Defendant's right, title and interest in and to SHAA Plot EU2-406, Jwaneng, together with large residential building thereon.
TERMS OF SALE:	Detailed conditions of sale may be inspected at the offices of Plaintiff's Attorneys at the below mentioned address.

DATED at Gaborone this 30th day of October, 1990.

HELPER, COLLINS & NEWMAN, *Plaintiff's Attorneys*, Cooperative House, P.O. Box 882, The Mall, GABORONE.

First Publication

Notice of Creditors Meeting

ENSIGN CANNERS (PTY) LIMITED (UNDER JUDICIAL MANAGEMENT)

NOTICE IS HEREBY given that a meeting of Creditors of Ensign Canners (Pty) Ltd (Under Judicial Management) will be held at Masters Chambers High Court Lobatse at 10.00 a.m. on 29th November, 1990 for the following reasons:

1. To receive Judicial Managers Report
2. To consider course of action to be taken
3. To prove claims against the company
4. Any other business

Creditors who intend to prove their claims against the company should forward their claims to P.O.Box 843, Gaborone, on or before 19th November, 1990.

JUDICIAL MANAGER, ENSIGN CANNERS (PTY) LTD

Notice to Debtors and Creditors

IN THE ESTATE of the Late John Wilson previously of Jwaneng, Botswana, who died on the Lobatse-Kanye Road on 29th August, 1989.

NOTICE IS HEREBY given that Debtors and Creditors in the above Estate are hereby required to file their claims with, and pay their debts to the undersigned executrix within 30 (thirty) days of the date of publication hereof.

ANNIE WILSON, c/o Minchin & Kelly (Botswana), Plot 688, Khwai Road, Off Botswana Road,
P.O. Box 1339, GABORONE.

First Publication

MUTUAL ASSISTANCE IN CRIMINAL MATTERS ACT, 1990

No. 20



of 1990

ARRANGEMENT OF SECTIONS

PART 1 — *Preliminary*

SECTION

1. Short title
 2. Interpretation
 3. Application of Act
 4. Object of Act
 5. Refusal of assistance
 6. Assistance may be provided subject to conditions
 7. Requests by Botswana
 8. Request by foreign country
- PART II — *Assistance in Relation to taking of Evidence and Production of Documents or other Articles*

9. Requests by Botswana
10. Requests by foreign countries

PART III — *Assistance in Relation to Search and Seizure*

11. Requests by Botswana for search and seizure
12. Requests by foreign countries for search and seizure

PART IV — *Arrangements for Persons to give Evidence or Assist Investigations*

13. Requests for removal of certain persons to Botswana
14. Custody of certain persons
15. Immunities
16. Status of person prosecuted for offence committed after departure from foreign country
17. Limitation on use of evidence given by certain persons
18. Release of certain persons upon request by foreign country
19. Escaping
20. Arrest of person who has escaped from custody
21. Requests for giving of evidence at hearings in foreign countries

22. Requests for assistance in relation to investigations in foreign countries
23. Effect of removal to foreign country on prisoner's term of imprisonment

PART V — *Custody of Persons in Transit*

24. Transit
25. Escaping
26. Arrest of person in transit

PART VI — *Proceeds of Crime*

27. Requests for enforcement of orders
28. Requests for issue of orders in foreign countries
29. Requests for enforcement of orders
30. Requests for search and seizure warrants in respect of tainted property
31. Requests for restraining orders
32. Requests for information gathering orders

PART VII — *Service of Documents*

33. Service of documents

PART VIII.— *Miscellaneous*

34. Delegation
35. Evidence
36. Authentication of documents
37. Regulations
38. Act not to cover arrest or extradition

An Act relating to the provision and obtaining of international assistance in criminal matters

Date of Assent: 30th October, 1990.

Date of Commencement: 9th November, 1990.

ENACTED by the Parliament of Botswana

PART 1 — *Preliminary*

- | | |
|-----------------|--|
| Short title | 1. This Act may be cited as the Mutual Assistance in Criminal Matters Act, 1990. |
| Inter-pretation | <p>2. (1) In this Act, unless the context otherwise requires —</p> <p>“approved form” means a form approved by the Attorney-General in writing for the purposes of the provision in which the expression occurs;</p> <p>“arrangement” includes a convention, protocol, agreement, scheme, or treaty;</p> <p>“committal proceeding”, in relation to a foreign offence, includes —</p> <p>(a) any proceeding to determine whether a person should be tried for the offence (whether or not a particular person is specified at the commencement of that proceeding as the person in relation to whom the determination is to be made); and</p> |

- (b) a proceeding that is, in accordance with the regulations, to be taken to be a committal proceeding for the purposes of this Act;
- "confiscation order" has the meaning assigned to it under section 5 of the Proceeds of Serious Crimes Act, 1990;
- "criminal investigation" means an investigation into an offence (whether the offence is believed to have been committed, to be being committed or to be likely to be committed);
- "criminal matter" includes —
 - (a) a criminal matter relating to taxation, customs duties or other revenue matter or relating to foreign exchange control;
 - (b) a matter relating to the forfeiture or confiscation of property in respect of an offence; and
 - (c) a matter relating to the restraining of dealings in property, or the freezing of assets, that may be forfeited or confiscated in respect of an offence,
 whether arising under the laws of Botswana or a law of a foreign country;
- "criminal proceeding", in relation to an offence, means a trial of a person for the offence or a committal proceeding in respect of offence;
- "financial institution" has the same meaning as in the Financial Institutions Act; Cap. 46:04
- "foreign forfeiture order" means an order, made under the law of a foreign country, for the forfeiture of property in respect of an offence against the law of that country;
- "foreign prisoner" means a person who is being held in custody pending trial for or sentence for, or is under a sentence of imprisonment for, an offence against a law of a foreign country, but does not include a person who is at large after having escaped from lawful custody;
- "foreign restraining order" means an order, made under the law of a foreign country, restraining a particular person, or all persons, from dealing with property, being an order made in respect of an offence against the law of that country;
- "foreign offence" means an offence against a law of a foreign country;
- "foreign serious offence" means a serious offence against a law of a foreign country;
- "magistrate" means any person appointed as a Magistrate Grade I or over in accordance with the Magistrates' Courts Act; Cap. 04:04
- "money laundering offence" has the meaning assigned to it under section 14 of the Proceeds of Serious Crime Act, 1990;
- "offence" includes an offence against a law relating to taxation, customs duties or other revenue matters or relating to foreign exchange control;
- "offence under the ordinary criminal law of Botswana" means an offence against the laws of Botswana other than an offence under the military law of Botswana;
- "police officer" means a member of the Botswana Police Force;
- "premises" includes —

- (a) a structure, building, aircraft, vehicle or vessel;
- (b) a place (whether enclosed or built upon or not); and
- (c) a part of premises (including premises of a kind referred to in paragraph (a) or (b);

"prison" includes gaol, lock-up or other place of detention;

"production order" has the meaning assigned to it under section 17 of the Proceeds of Serious Crime Act, 1990;

"restraining order" has the meaning assigned to it under section 8 of the Proceeds of Serious Crime Act, 1990;

"serious offence" has the meaning assigned to it under section 2 the Proceeds of Serious Crime Act, 1990;

"tainted property", in relation to an offence, means —

- (a) property used in, or in connection with, the commission of the offence; or
- (b) proceeds of the offence.

(2) Where in this Act reference is made to the Commissioner of Police, such reference shall be deemed to include any person specially or generally authorized by the Commissioner of Police in that regard.

Application
of Act

3. (1) Where an arrangement has been made with a foreign country for mutual assistance in criminal matters, the Minister may by statutory instrument make regulations that this Act shall apply to that country.

(2) Regulations made under subsection (1) may provide that the application of this Act to a foreign country shall be subject to such limitations, conditions, exceptions or qualifications as are necessary to give effect to an arrangement made between Botswana and that country.

Object of Act

4. The object of this Act is to facilitate the provision and obtaining by Botswana of international assistance in criminal matters, including —

- (a) the obtaining of evidence, documents or other articles;
- (b) the provision of documents and other records;
- (c) the location and identification of witnesses or suspects;
- (d) the execution of requests for search and seizure;
- (e) the making of arrangements for persons to give evidence or assist investigations;
- (f) the confiscation of property in respect of offences;
- (g) the recovery of pecuniary penalties in respect of offences;
- (h) the restraining of dealings in property, or the freezing of assets, that may be confiscated, or that may be needed to satisfy pecuniary penalties imposed, in respect of offences;
- (i) the location of property that may be confiscated, or that may be needed to satisfy pecuniary penalties imposed, in respect of offences; and
- (j) the service of documents.

Refusal of
assistance

5. (1) A request by a foreign country for assistance under this Act shall be refused if, in the opinion of the Attorney-General —

- (a) the request relates to the prosecution or punishment of a person for an offence that is, or is by reason of the circumstances in which it

is alleged to have been committed or was committed, an offence of a political character;

- (b) subject to subsection (3), there are substantial grounds for believing that the request has been made with a view to prosecuting or punishing a person for an offence of a political character;
 - (c) there are substantial grounds for believing that the request was made for the purpose of prosecuting, punishing or otherwise causing prejudice to a person on account of his race, sex, religion, nationality or political opinions;
 - (d) the request relates to the prosecution or punishment of a person in respect of an act or omission that if it had occurred in Botswana, would have constituted an offence under the military law of Botswana but not also under the ordinary criminal law of Botswana;
 - (e) the granting of the request would prejudice the sovereignty, security or national interest of Botswana;
 - (f) the request relates to the prosecution of a person for an offence in a case where he has been acquitted or pardoned by a competent tribunal or authority in the foreign country, or has undergone the punishment provided by the law of that country, in respect of that offence or of another offence constituted by the same act or omission as that offence; or
 - (g) except in the case of a request under section 10, the foreign country is not a country to which this Act applies.
- (2) A request by a foreign country for assistance under this Act may be refused if, in the opinion of the Attorney-General —
- (a) the request relates to the prosecution or punishment of a person in respect of an act or omission that, if it had occurred in Botswana, would not have constituted an offence against the laws of Botswana;
 - (b) the request relates to the prosecution or punishment of a person in respect of an act or omission that occurred, or is alleged to have occurred, outside the foreign country and a similar act or omission occurring outside Botswana in similar circumstances would not have constituted an offence against the laws of Botswana;
 - (c) the request relates to the prosecution or punishment of a person in respect of an act or omission where, if it had occurred in Botswana at the same time and had constituted an offence against the laws of Botswana, the person responsible could no longer be prosecuted by reason of lapse of time or any other reason;
 - (d) the provision of the assistance could prejudice an investigation or proceeding in relation to a criminal matter in Botswana;
 - (e) the provision of the assistance would, or would be likely to, prejudice the safety of any person (whether in or outside Botswana); or
 - (f) the provision of the assistance would impose an excessive burden on the resources of the State.

- (3) An offence is not an offence of a political character —
 - (a) if it is an offence in accordance with the provisions of any international convention to which Botswana and the foreign country to which this Act applies are parties and there is an obligation on each party to afford mutual assistance in investigation and prosecution of such offence;
 - (b) if it is an offence against the life or person of a Head of State or a member of his immediate family, a Head of Government, or a Minister or any related offence;
 - (c) if it is murder or any related offence.
- (4) For the purposes of subsection (3) (b) and (c), “related offence” means aiding and abetting, counselling or procuring the commission of, being an accessory before or after the fact to, or attempting or conspiring to commit that offence.

Assistance
may be provi-
ded subject
to conditions
Request by
Botswana

Request by
foreign
country

6. Assistance under this Act may be provided to a foreign country subject to such conditions as the Attorney-General may determine.

7. Requests by Botswana for international assistance in criminal matters may be made by the Attorney-General.

8. (1) A request by a foreign country for international assistance in a criminal matter may be made to the Attorney-General or a person authorised by the Attorney-General, in writing, to receive requests by foreign countries under this Act.

(2) A request made under subsection (1) shall be accompanied by —

- (a) the name of the authority concerned with the criminal matter to which the request relates;
- (b) a description of the nature of the criminal matter and a statement setting out a summary of the relevant facts and laws;
- (c) a description of the purpose of the request and of the nature of the assistance being sought;
- (d) details of the procedure that the foreign country wishes to be followed by Botswana in giving effect to the request, including details of the manner and form in which any information, document or thing is to be supplied to the foreign country pursuant to the request;
- (e) a statement setting out the wishes of the foreign country concerning the confidentiality of the request and the reasons for those wishes;
- (f) details of the period within which the foreign country wishes the request be complied with;
- (g) if the request involves a person travelling from Botswana to the foreign country, details of allowances to which the person will be entitled, and of the arrangements for accommodation for the person, while the person is in the foreign country pursuant to the request;
- (h) any other information required to be included with the request

under an arrangement between Botswana and the foreign country;
and

- (i) any other information that may assist in giving effect to the request; but failure to comply with this subsection is not a ground for refusing the request.

(3) Where a request by a foreign country is made to a person authorised under subsection (1), the request shall be taken, for the purposes of this Act, to have been made to the Attorney-General.

**PART II — Assistance in Relation to taking of Evidence and
Production of Documents or other Articles**

9. The Attorney-General may in writing request an appropriate authority of a foreign country to arrange for — Requests by Botswana

- (a) evidence to be taken in the foreign country; or
- (b) documents or other articles in the foreign country to be produced, for the purposes of a proceeding in relation to a criminal matter in Botswana.

10. (1) Where a request is made by a foreign country that — Requests by foreign countries

- (a) evidence be taken in Botswana; or
- (b) documents or other articles in Botswana be produced,

for the purposes of a proceeding in relation to a criminal matter in the foreign country, the Attorney-General may by writing in accordance with the approved form, authorise the taking of the evidence or the production of the documents or other articles, and the transmission of the evidence, documents or other articles to the foreign country.

(2) Where the Attorney-General authorises the taking of evidence or the production of documents or other articles under subsection (1) —

- (a) in the case of taking evidence, a magistrate may take the evidence on oath of each witness appearing before him to give evidence in relation to the matter, and a magistrate who takes any such evidence shall —

- (i) cause the evidence to be put in writing and certify that the evidence was taken by him, and
 - (ii) cause the writing so certified to be sent to the Attorney-General; or

- (b) in the case of the production of documents or other articles, a magistrate may require the production of the documents or other articles and, where the documents or other articles are produced, he shall send the documents, or copies of the documents certified by him to be true copies, or the other articles, to the Attorney-General.

(3) The evidence of such a witness may be taken in the presence or absence of the person to whom the proceeding in the foreign country relates or of his legal representative, if any.

(4) The magistrate conducting a proceeding under subsection (2) may permit —

- (a) the person to whom the proceeding in the foreign country relates;

- (b) any other person giving evidence or producing documents or other articles at the proceeding before the magistrate; and
- (c) the relevant authority of the foreign country, to have legal representation at the proceeding before him.

(5) The certificate by the magistrate under subsection (2) shall state whether, when the evidence was taken or the documents or other articles were produced, any of the following persons were present —

- (a) the person to whom the proceeding in the foreign country relates or his legal representative, if any;
- (b) any other person giving evidence or producing documents or other articles or his legal representative, if any.

(6) For the purposes of this section, the person to whom the proceeding in the foreign country relates is competent but not compellable to give evidence.

PART III — *Assistance in Relation to Search and Seizure*

Requests by
Botswana for
search and
seizure

11. (1) This section shall apply to a proceeding or investigation relating to a criminal matter involving a serious offence against the laws of Botswana if there are reasonable grounds to believe that a thing relevant to the proceeding or investigation may be located in a foreign country to which this Act applies.

(2) Where this section applies to a proceeding or investigation, the Attorney-General may request an appropriate authority of the foreign country to obtain a warrant or other instrument authorising a search for a thing relevant to the proceeding or investigation and, if such a thing, or any other thing that is or may be relevant to the proceeding or investigation, as the case may be, is found pursuant to such a search, authorising the seizure of that thing.

(3) A request shall be accompanied by an affidavit by a person verifying the grounds on which the request is made.

Requests by
foreign
countries for
search and
seizure

12. (1) Where —

- (a) a proceeding or investigation relating to a criminal matter involving a serious offence has commenced in a foreign country;
- (b) there are reasonable grounds to believe that a thing relevant to the investigation or proceeding is located in Botswana; and
- (c) the foreign country requests the Attorney-General to arrange for the issue of a search warrant under this section in relation to that thing,

the Attorney-General may authorise a police officer, in writing, to apply to a magistrate in the district in which that thing is believed to be located for the search warrant requested by the foreign country.

(2) Where a police officer authorised under subsection (1) has reason to believe that the thing to which the request relates is, or will, at a specified time, be —

- (a) on a person;
- (b) in the clothing that is being worn by a person; or

(c) otherwise in a person's immediate control, the police officer may —

- (i) lay before a magistrate an information on oath setting out the grounds for that belief, and
- (ii) apply for the issue of a warrant under this section to search the person for that thing.

(3) Where an application is made under subsection (2), the magistrate may, subject to subsection (6), issue a warrant authorising a police officer (whether or not named in the warrant), with such assistance, and by such force, as is necessary and reasonable —

- (a) to search the person for the thing; and
- (b) to seize any thing found in the course of the search that the police officer believes, on reasonable grounds, to be relevant to the proceeding or investigation.

(4) Where a police officer authorised under subsection (1) has reason to believe that the thing to which the request relates is, or will, at a specified time, be, upon any land, or upon or in any premises, the police officer may —

- (a) lay before a magistrate an information on oath setting out the grounds for that belief; and
- (b) apply for the issue of a warrant under this section to search the land or premises for that thing.

(5) Where an application is made under subsection (4), the magistrate may, subject to subsection (6), issue a warrant authorising a police officer (whether or not named in the warrant), with such assistance, and by such force, as is necessary and reasonable —

- (a) to enter upon the land, or upon or into the premises;
- (b) to search the land or premises for the thing; and
- (c) to seize any thing found in the course of the search that the police officer believes, on reasonable grounds, to be relevant to the proceeding or investigation.

(6) A magistrate shall not issue a warrant under this section unless —

- (a) the informant or some other person has given to him either orally or by affidavit, such further information, if any, as he requires concerning the grounds on which the issue of the warrant is sought; and
- (b) he is satisfied that there are reasonable grounds for issuing the warrant.

(7) There shall be stated in a warrant issued under this section —

- (a) the purpose for which the warrant is issued, including a reference to the nature of the criminal matter in relation to which the search is authorised;
- (b) whether the search is authorised at any time of the day or night or during specified hours of the day or night;
- (c) a description of the kind of things authorised to be seized; and
- (d) a day, not being later than one month after the issue of the warrant, on which the warrant ceases to have effect.

(8) If, in the course of searching, under a warrant issued under this section, for a thing of a kind specified in the warrant, the police officer finds another thing that he believes on reasonable grounds —

(a) to be relevant to the proceeding or investigation in the foreign country or to afford evidence as to the commission of a criminal offence; and

(b) is likely to be concealed, lost or destroyed if it is not seized, the warrant shall be deemed to authorise him to seize the other thing.

(9) Where a police officer finds, as a result of a search in accordance with a warrant issued under this section, a thing which he seizes wholly or partly because he believes the thing on reasonable grounds to be relevant to the proceeding or investigation in the foreign country, he shall deliver the thing into the custody and control of the Commissioner of Police.

(10) Where a thing is delivered into the custody and control of the Commissioner of Police under subsection (9), the Commissioner shall arrange for the thing to be kept for a period not exceeding one month from the day on which the thing was seized pending a direction in writing from the Attorney-General as to the manner in which the thing is to be dealt with (which may include a direction that the thing be sent to an authority of a foreign country).

(11) A police officer who executes a search warrant issued under subsection (3) or (5) shall, as soon as practicable after the execution of the warrant, give to the person, or give to the owner or occupier of the land or premises or leave in a prominent position on the land or at the premises, as the case requires, a notice setting out —

(a) the name and rank of the police officer;

(b) the name of the magistrate who issued the warrant and the day on which it was issued; and

(c) a description of any things seized and removed in accordance with the warrant.

(12) A police officer acting in accordance with a warrant issued under subsection (3) may remove, or require a person to remove, any of the clothing that the person is wearing but only if the removal of the clothing is necessary and reasonable for an effective search of the person under the warrant.

(13) A person shall not be searched under a warrant issued under subsection (3) except by a person of the same sex.

(14) Where a police officer is authorised, under a warrant issued under subsection (3), to search a person, the police officer may also search —

(a) the clothing that is being worn by the person; and

(b) any property in, or apparently in, the person's immediate control.

*PART IV — Arrangements for Persons to give Evidence
or Assist Investigations*

13. (1) Where —

- (a) a proceeding relating to a criminal matter has commenced in Botswana; and
- (b) the Attorney-General is of the opinion that a person who is in a foreign country to which this Act applies —
 - (i) is a foreign prisoner,
 - (ii) is capable of giving evidence relevant to the proceeding, and
 - (iii) has given his consent to being removed to Botswana for the purpose of giving evidence in the proceeding,

Requests
for removal
of certain
persons to
Botswana

the Attorney-General may request the foreign country to authorise the attendance of the person at a hearing in connection with the proceeding.

(2) Where —

- (a) an investigation relating to a criminal matter has commenced in Botswana; and
- (b) the Attorney-General is of the opinion that a person who is in a foreign country to which this Act applies —
 - (i) is a foreign prisoner,
 - (ii) is capable of giving assistance in relation to the investigation, and
 - (iii) has given his consent to being removed to Botswana for the

purposes of giving assistance in relation to the investigation, the Attorney-General may request the foreign country to authorise the removal of the person to Botswana for the purpose of giving assistance in relation to the investigation.

(3) Where the Attorney-General makes a request under subsection (1) or (2), he may make arrangements with an appropriate authority of the foreign country for the purposes of —

- (a) the removal of the person to Botswana;
- (b) the custody of the person while in Botswana;
- (c) the return of the person to the foreign country; and
- (d) other relevant matters.

14. Where —

- (a) a person is to be brought to Botswana from a foreign country pursuant to a request under section 13; and
- (b) the foreign country requests that the person be kept in custody while he is in Botswana,

Custody of
certain
persons

the person shall, while he is in Botswana or travelling to or from Botswana pursuant to the request, be kept in such custody as the Attorney-General directs in writing.

15. (1) Where a person is in Botswana —

- (a) pursuant to a request under section 13; or
- (b) to give evidence in a proceeding, or to give assistance in relation to an investigation, pursuant to a request made by or on behalf of the Attorney-General (not being a request under section 13) for

Immunities

international assistance in a criminal matter,
the person, subject to subsection (2), shall not —

- (i) be detained, prosecuted or punished in Botswana for any offence that is alleged to have been committed, or that was committed, before his departure from the foreign country pursuant to the request,
 - (ii) be subjected to any civil suit in respect of any act or omission of his that is alleged to have occurred, or that occurred, before the person's departure from the foreign country pursuant to the request, or
 - (iii) be required to give evidence in any proceeding in Botswana other than the proceeding to which the request relates, if any.
- (2) Subsection (1) shall cease to apply to a person if —
- (a) he has left Botswana; or
 - (b) he has had the opportunity of leaving Botswana and has remained in Botswana otherwise than for —
 - (i) the purpose to which the request relates,
 - (ii) the purpose of giving evidence in a proceeding in Botswana certified by the Attorney-General, in writing, to be a proceeding in which it is desirable that he gives evidence, or
 - (iii) the purpose of giving assistance in relation to an investigation in Botswana certified by the Attorney-General, in writing, to be an investigation in relation to which it is desirable that he gives assistance.

(3) A certificate given by the Attorney-General for the purposes of subsection (2) (b) (ii) or (iii) has effect from the day specified in the certificate (which may be a day before the day on which the certificate is given).

(4) This section binds the State.

Status of
person
prosecuted
for offence
committed
after
departure from
foreign
country

16. (1) Where a person has come to Botswana pursuant to a request by Botswana under section 13 he shall be taken, for the purposes of this Act, to be in Botswana pursuant to the request during any period during which he remains in Botswana for the purpose of being tried for a criminal offence under the laws of Botswana that he is alleged to have committed after his departure from the foreign country.

(2) Without limiting the generality of subsection (1), the person shall be kept in such custody as the Attorney-General directs under section 14.

Limitation
on use of
evidence
given by
certain
persons

17. (1) Where —

(a) a person is in Botswana —

- (i) pursuant to a request under section 13, or
- (ii) to give evidence in a proceeding, or to give assistance in relation to an investigation, pursuant to a request made by or on behalf of the Attorney-General (not being a request under section 13) for international assistance in a criminal matter, and

(b) he has given evidence in the proceeding to which the request related or in a proceeding certified by the Attorney-General under section 15 (2) (b) (ii) in relation to him,

that evidence shall not be admitted or otherwise used in any prosecution

of him for an offence against the laws of Botswana, other than the offence of perjury in relation to the giving of that evidence.

(2) This section binds the State.

18. Where —

(a) a person is being held in custody in accordance with a direction of the Attorney-General under section 14; and

(b) the foreign country from which he has been brought requests his release from custody,

Release of
certain
persons upon
request by
foreign
country

the Attorney-General shall direct that he be released from custody.

19. Any person who escapes from lawful custody while in Botswana pursuant to a request under section 13 shall be guilty of an offence and liable to imprisonment for a term not exceeding two years.

Escaping

20. (1) Any police officer may, without warrant, arrest a person, if he has reasonable grounds to believe that the person —

(a) has been brought to Botswana pursuant to a request under section 13; and

(b) has escaped from lawful custody while in Botswana pursuant to the request.

Arrest of
person who
has escaped
from
custody

(2) A person who has been arrested pursuant to subsection (1) shall be returned to custody in accordance with this Act.

21. (1) Where —

(a) a proceeding relating to a criminal matter has commenced in a foreign country;

(b) the foreign country requests the attendance at a hearing in connection with the proceeding of a prisoner who is in Botswana (whether or not in custody);

(c) there are reasonable grounds to believe that the prisoner is capable of giving evidence relevant to the proceeding; and

(d) the Attorney-General is satisfied that —

(i) the prisoner has consented to giving evidence in the foreign country, and

(ii) the foreign country has given adequate undertakings in respect of the matters referred to in subsection (3),

Requests for
giving of
evidence at
hearings in
foreign
countries

the President may direct that the prisoner be released from prison for the purpose of travelling to the foreign country in the custody of a police officer or prison officer appointed by the Attorney-General to give evidence at the proceeding.

(2) Where —

(a) a proceeding relating to a criminal matter has commenced in a foreign country;

(b) the foreign country requests the attendance at a hearing in connection with the proceeding of a person who is in Botswana;

(c) there are reasonable grounds to believe that the person is capable of giving evidence relevant to the proceeding; and

(d) the Attorney-General is satisfied that —

(i) the person has consented to giving evidence in the foreign country, and

(ii) that country has given adequate undertakings in respect of the matters referred to in subsection (3),
the Attorney-General may make arrangements for the travel of the person to the foreign country.

(3) The matters in relation to which undertakings are to be given by a foreign country for the purpose of a request that a person give evidence in the foreign country are —

(a) that he shall not —

- (i) be detained, prosecuted or punished for any offence against the law of the foreign country that is alleged to have been committed, or that was committed, before his departure from Botswana,
- (ii) be subjected to any civil suit in respect of any act or omission of the person that is alleged to have occurred, or that occurred, before his departure from Botswana, or
- (iii) be required to give evidence in any proceeding in the foreign country other than the proceeding to which the request relates,

unless he has left the foreign country and returned voluntarily; or he has had the opportunity of leaving the foreign country and has voluntarily remained in that country otherwise than for the purpose of giving evidence in the proceeding to which the request relates;

(b) that any evidence given by him in the proceeding to which the request relates will be inadmissible or otherwise disqualified from use in the prosecution of him for an offence against a law of the foreign country other than the offence of perjury in relation to the giving of that evidence;

(c) that he will be returned to Botswana in accordance with arrangements agreed by the Attorney-General;

(d) in a case where he is being held in custody in Botswana and the Attorney-General requests the foreign country to make arrangements for his keeping him in custody while he is in the foreign country —

- (i) the making of appropriate arrangements for that purpose,
- (ii) that he will not be released from custody in the foreign country unless the Attorney-General notifies an appropriate authority of the foreign country that he is entitled to be released from custody under the laws of Botswana, and
- (iii) if he is released in the foreign country as mentioned in subparagraph (ii), that his accommodation and expenses pending the completion of the proceeding to which the request relates will be paid for by the foreign country; and

(e) such other matters, if any, as the Attorney-General thinks appropriate.

22. (1) Where —

- (a) an investigation relating to a criminal matter has commenced in a foreign country;
- (b) the foreign country requests the removal of a prisoner who is in Botswana (whether or not in custody) to the foreign country for the purpose of giving assistance in relation to the investigation;
- (c) there are reasonable grounds to believe that the prisoner is capable of giving assistance in relation to the investigation; and
- (d) the Attorney-General is satisfied that —
 - (i) the prisoner has consented to being removed to the foreign country for the purpose of giving assistance in relation to the investigation, and
 - (ii) the foreign country has given adequate undertakings in respect of the matters referred to in subsection (3),

Requests for assistance in relation to investigations in foreign countries

the President may direct that the prisoner be released from prison for the purpose of travelling to the foreign country in the custody of a police officer or prison officer appointed by the Attorney-General to give assistance in relation to the investigation.

(2) Where —

- (a) an investigation relating to a criminal matter has commenced in a foreign country;
- (b) the foreign country requests that a person who is in Botswana travel to the foreign country to give assistance in relation to the investigation;
- (c) there are reasonable grounds to believe that he is capable of giving assistance in relation to the investigation; and
- (d) the Attorney-General is satisfied that —
 - (i) he has consented to travel to the foreign country for the purpose of giving assistance in relation to the investigation, and
 - (ii) the foreign country has given adequate undertaking in respect of the matters referred to in subsection (3),

the Attorney-General may make arrangements for him to travel to the foreign country.

(3) The matters in relation to which undertakings are to be given by a foreign country for the purpose of a request that a person be removed to, or travel to, the foreign country for the purpose of giving assistance in relation to an investigation are —

- (a) that he shall not —
 - (i) be detained, prosecuted or punished for any offence against the law of the foreign country that is alleged to have been committed, or that was committed, before the person's departure from Botswana,
 - (ii) be subjected to any civil suit in respect of any act or omission of his that is alleged to have occurred, or that occurred, before his departure from Botswana, or
 - (iii) be required to give evidence in any proceeding in the foreign country,

unless he has left the foreign country, and returned voluntarily or he has had the opportunity of leaving the foreign country and has voluntarily remained in that country otherwise than for the purpose of giving assistance in relation to the investigation to which the request relates;

- (b) that he will be returned to Botswana in accordance with arrangements agreed by the Attorney-General;
- (c) in a case where he is being held in custody in Botswana and the Attorney-General requests the foreign country to make arrangements for keeping him in custody while he is in the foreign country —
 - (i) the making of appropriate arrangements for that purpose,
 - (ii) that he will not be released from custody in the foreign country unless the Attorney-General notifies an appropriate authority of the foreign country that he is entitled to be released from custody under the laws of Botswana, and
 - (iii) if he is released in the foreign country as mentioned in subparagraph (ii), that his accommodation and expenses pending the completion of the investigation to which the request relates will be paid for by the foreign country, and
- (d) such other matters, if any, as the Attorney-General thinks appropriate.

Effect of
removal to
foreign
country on
prisoner's
term of
imprisonment

23. Where a prisoner who is serving a term of imprisonment for an offence against a law in Botswana is released from a prison pursuant to a request by a foreign country under section 21 or 22, the prisoner shall, while in custody in connection with the request (including custody outside Botswana), be deemed to be continuing to serve that term of imprisonment.

PART V — *Custody of Persons in Transit*

Transit

24. (1) Where —

- (a) a person is to be transported in custody from a foreign country through Botswana to another foreign country for the purpose of giving evidence in a proceeding, or giving assistance in relation to an investigation, relating to a criminal matter in the other foreign country; and
- (b) at least one of those foreign countries is a foreign country to which this Act applies,

the person —

- (i) may be transported through Botswana in the custody of another person, and
- (ii) if an aircraft by which the person is being transported lands at a place in Botswana,

shall be kept in such custody as the Attorney-General directs in writing until his transportation is continued.

(2) Where a person who is being held in custody pursuant to a direction under subsection (1) and his transportation is not, in the opinion of the Attorney-General, continued within a reasonable time, the Attorney-

General may direct that he be transported in custody to the foreign country from which the person was first transported.

25. Any person who being a person being kept in custody pursuant to a direction under section 24 (1), escapes from such custody, shall be guilty of an offence and liable to imprisonment for a term not exceeding two years. Escaping

26. (1) Any police officer may, without warrant, arrest a person if the police officer has reasonable grounds to believe that the person was being kept in custody pursuant to a direction under section 24 (1) and has escaped from that custody. Arrest of person in transit

(2) A person who has been arrested pursuant to subsection (1) shall be returned to custody in accordance with this Act.

PART VI — *Proceeds of Crime*

27. The Attorney-General may request an appropriate authority of a foreign country to which this act applies to make arrangements for the enforcement of — Requests for enforcement orders

- (a) a confiscation order against property that is believed to be located in that country;
- (b) a restraining order against property that is believed to be located in the country,

if the order was made in respect of a serious offence.

28. Where a criminal proceeding or criminal investigation has commenced in Botswana in relation to a serious offence, the Attorney-General may request an appropriate authority of a foreign country to which this Act applies to obtain the issue, in respect of the offence, of a warrant, order or other instrument similar in nature to any of the following warrants and orders under the Proceeds of Serious Crime Act, 1990 — Requests for issue of orders in foreign countries

- (a) a search warrant for tainted property;
- (b) a restraining order;
- (c) a production order.

29. (1) Where —

- (a) a foreign country requests the Attorney-General to make arrangements for the enforcement of a foreign confiscation order made in respect of a serious offence, against property that is believed to be located in Botswana; and
- (b) the Attorney-General is satisfied that —

- (i) a person has been convicted of the offence, and
- (ii) the conviction and the order are not subject to further appeal in the foreign country,

the Attorney-General may apply for the registration of the order in the High Court.

(2) Where a foreign country requests the Attorney-General to make arrangements for the enforcement of a foreign restraining order, made in respect of a serious offence, against property that is believed to be located in Botswana, the Attorney-General may apply for the registration of the order in the High Court.

Request for enforcement of orders

(3) A foreign confiscation order, or a foreign restraining order, as the case may be, registered in the High Court in accordance with this section has effect, and may be enforced, as if it were an order made by a court under the Proceeds of Serious Crime Act, 1990.

(4) Where an order is registered in a court in accordance with this section, a copy of any amendments made to the order (whether before or after registration) may be registered in the same way as the order and the amendments do not have effect until they are registered.

Requests for
search and
seizure
warrants in
respect of
tainted
property

30. Where —

- (a) a criminal proceeding or criminal investigation has commenced in respect of a foreign country in respect of a serious offence;
- (b) there are reasonable grounds to believe that tainted property in relation to the offence is located in Botswana; and
- (c) the foreign country requests the Attorney-General to obtain the issue of a search warrant under the Proceeds of Serious Crime Act in relation to the tainted property;

the Attorney-General may authorise a police officer to apply to a magistrate for the search warrant requested by the foreign country.

Requests for
restraining
orders

31. Where —

- (a) a criminal proceeding has commenced in a foreign country in respect of a serious offence;
- (b) there are reasonable grounds to believe that property that may be made or is about to be made the subject of a foreign restraining order is located in Botswana; and
- (c) the foreign country requests the Attorney-General to obtain the issue of a restraining order under the Proceeds of Serious Crime Act against the property,

the Attorney-General may apply to a magistrate's court or the High Court for the restraining order requested by the foreign country.

Requests for
information
gathering
orders

32. Where —

- (a) a criminal proceeding or criminal investigation has commenced in a foreign country in respect of a serious offence;
- (b) a document in relation to the offence is reasonably believed to be located in Botswana; and
- (c) the foreign country requests the Attorney-General to obtain the issue of —
 - (i) a production order under the Proceeds of Serious Crime Act, 1990 in respect of the document, or
 - (ii) a search warrant under the Proceeds of Serious Crime Act, 1990 in respect of the document,

the Attorney-General may authorise a police officer to apply to a magistrate or a judge of the High Court for the order requested by the foreign country.

(2) Where —

- (a) a criminal proceeding or criminal investigation has commenced in a foreign country in respect of a serious offence that is —
 - (i) a money laundering offence in respect of proceeds of a serious offence; or

- (ii) an ancillary offence in relation to an offence of a kind referred to in subparagraph (i);
 - (b) information about transaction conducted through an account with a financial institution in Botswana is reasonably believed to be relevant to the proceeding or investigation; and
 - (c) the foreign country requests the Attorney-General to obtain the issue of an order under the Proceeds of Serious Crime Act, 1990 directing the financial institution to give information to the police about transactions conducted through the account,
- the Attorney-General may authorise a police officer to apply to a magistrate or a judge of the High Court for the order requested by the foreign country.

PART VII — *Service of Documents*

33. (1) Where a foreign country requests the Attorney-General to arrange for the service in Botswana of a process relating to a criminal matter in the foreign country, the Attorney-General may arrange for the service of the process.

(2) Without limiting the manner in which the service of a document in a foreign country may be proved in Botswana, service of such a document may be proved by affidavit of the person who served the document.

PART VIII — *Miscellaneous*

34. (1) The Attorney-General may, either generally or as otherwise provided by the instrument of delegation, delegate to an officer of the Attorney-General's Chambers all or any of his powers under this Act, other than this power of delegation or his powers under section 5. Delegation

(2) A power so delegated, when exercised by the delegate, shall, for the purposes of this Act, be deemed to have been exercised by the Attorney-General.

(3) A delegation under this section does not prevent the exercise of a power by the Attorney-General.

35. A certificate by the Attorney-General stating that Botswana or a specified foreign country is a party to an arrangement in force is, for the purpose of any proceedings under this Act, prima facie evidence of the matters stated in the certificate. Evidence

36. (1) In a proceeding under this Act arising directly or indirectly from a request made under this Act, any document that is duly authenticated is admissible in evidence. Authentication of documents

(2) A document is duly authenticated for the purposes of subsection (1) if —

- (a) it purports to be signed or certified by a judge, magistrate or officer in or of a foreign country; and
- (b) it purports to be authenticated by the oath of a witness or an officer of the Government of the foreign country or to be sealed with an official or public seal of the foreign country or of a Minister of

State, or of a Department or officer of the Government, of the foreign country.

(3) Nothing in this section prevents the proof of any matter, or the admission in evidence of any document, in accordance with any other law of Botswana.

Regulations

37. The Minister may make regulations prescribing matters —

- (a) required or permitted by this Act to be prescribed; or
- (b) necessary or convenient to be prescribed for carrying out or giving effect to this Act; and
- (c) prescribing penalties not exceeding a fine of P1 000 for offences against the regulations.

**Act not to
cover arrest
or
extradition**

38. Nothing in this Act shall be construed as authorising the extradition, or arrest or detention with a view to extradition, of any person.

PASSED by the National Assembly this 21st day of September, 1990.

C.T. MOMPEI,
Acting Clerk of the National Assembly.