

REPUBLIC OF BOTSWANA



GOVERNMENT GAZETTE

Vol. XXXVII, No. 50

GABORONE

20th August, 1999

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The Botswana Government Gazette is printed by the Botswana Government Printer,
Private Bag 0081, GABORONE, Republic of Botswana.

Annual subscription rates are P150,00 post free surface mail and P244,00 airmail.

The price for this issue of the Gazette (including Supplement) is P7,00

Government Notice No. 310 of 1999

CONSTITUTION OF BOTSWANA

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

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

ALPHEUS MATLHAKU

has been appointed to act as Permanent Secretary (Development), Office of the President from 8th to 10th August, 1999.

DATED this 6th day of August, 1999.

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

Government Notice No. 311 of 1999

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 —

DITLHOGO N. MOKGETHI

has been appointed to act as Permanent Secretary, Ministry of Finance and Development Planning from 16th to 27th August, 1999.

DATED this 9th day of August, 1999.

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

Government Notice No. 312 of 1999

CHANGE OF NAME ACT
(Cap. 15:02)

Application for Authorisation of Change of Surname

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

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

Name and Address

Proposed Surname

*Reasons given for wishing
to assume proposed Surname*

John Lovemore Sedimo,
P.O. Box 20578,
Gaborone.

Vassiliadis

Sedimo is his mother's maiden name while
Vassiliadis is his biological father's surname.
Parents are not married.

Keabatshaba Methikge, P.O. Box 134, Goodhope.	Mering	Methikge is his father's surname while Mering is his mother's maiden name. Parents are not married.
Thabiso Ntshakisang, P.O. Box 501651, Gaborone.	Momoh	Ntshakisang is her maternal great great grandfather while Momoh is her stepfather's surname.
Bokaeng Gloria Moeng, P.O. Box 81, Mabule.	Magoko	Moeng is her biological father's surname while Magoko is her mother's maiden name.
Cynthia Nkomo, P.O. Box 50827, Gaborone.	Samuel	Nkomo is her totem while Samuel is her father's surname.
Batisani Mokwena, P.O. Box 57, Mathangwane.	Lekodo	Mokwena is his maternal grandfather's first name while Lekodo is his maternal grandfather's other name.
Gofaone Bagwasi, Mosu Postal Agency, Letlhakane.	Gakelebotse	Bagwasi is her mother's surname while Gakelebotse is her father's surname. Parents are not married.
Boago Biki Dipholo, P.O. Box 396, Gaborone.	Molefi	Dipholo is his mother's maiden name while Molefi is his stepfather's surname.
Lameck Ndlovu, P.O. Box 20350, Francistown.	Gwakuba	Ndlovu is his totem while Gwakuba is his father's first name.
Dikeledi R. Mosarwane, P.O. Box M661, Kanye.	Sebitla	Mosarwane is her maternal grandfather while Sebitla is her paternal grandfather. Parents are not married.
Mmoloki Jonas, P.O. Box 75, Gaborone.	Nyambe	Jonas is her father's surname while Nyambe is her mother's maiden name.
Gaolatlhe Matebesu, P.O. Box 61, Mookane.	Setlhare	Matebesu is her father's first name while Setlhare is her maternal grandfather. Parents are not married.
Thabo Chabaesele, c/o R. Phemelo, P.O. Box 69, Gaborone.	Phemelo	Chabaesele is his mother's maiden name while Phemelo is his stepfather's surname.
Tlanelo Edger Motlhalamme, P.O. Box 400, Gaborone.	Phonchi	Motlhalamme is his mother's maiden name while Phonchi is his stepfather's surname.
Chebukani Zambezi Tabona, P.O. Box 152, Ghanzi.	Zambezi	Tabona is his paternal great grandfather while Zambezi is his paternal grandfather.
Asele Tlhalefo Kenosi, P.O. Box 985, Gaborone.	Khiwa	Kenosi is her maternal grandfather's surname while Khiwa is her stepfather's surname.

DATED this 3rd day of August, 1999.

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

Government Notice No. 313 of 1999

CHANGE OF NAME ACT
(Cap. 15:02)

Authorisation of Change of Surname

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

<i>Name and Address</i>	<i>Surname</i>
Gaorekwe Manyamane, P.O. Box 70, Mabutsane.	Masusubele
Omogolo Sinah Mosiane, c/o Boesi Mothoemang, P.O. Box 306, Maun.	Boesi
Tshepo Amantle Matlapeng, P.O. Box 30801, Tlokweng.	Ndzinge
Maipelo Moeti, P.O. Box 1042, Francistown.	Taolo
Bina Norman Menyatso, P.O. Box 62, Mmankgodi.	Seabelo
Mpolokang K. Motlhagodi, c/o Sarah Motlhagodi, P.O. Box 1016, Mogoditshane.	Khupe
Dineo Rebecca Mmolotsi, P.O. Box 30551, Tlokweng.	Molefhi
Babedzi Janet Tumedisio, P.O. Box 20501, Nswazwi.	Thumba
Keletso Ryder Sefologa, P.O. Box 959, Tonota.	Thobogang
Phetogo Kgosietsile, P.O. Box 7, Sherwood.	Malope
Masego Calton, P.O. Box 40707, Gaborone.	France
Onkokame Segapio, P.O. Box 79, Kanye.	Kgamone
Patrick Mothusi Basupang, c/o Cecilia S. Selala, P.O. Box 872, Thamaga.	Selala
Kgomotso Gaogadime, P.O. Box 1340, Francistown.	Osupile
Cynthia Lebalang Teko, P.O. Box 501900, Gaborone.	Pheresi

Gidion Mmualefe, P.O. Box 202007, Gaborone. Godiraone Teseletso, P.O. Box 2080, Serowe. Kago Botshabelo, P.O. Box 50413, Gaborone. Mmoloki Mawela, P.O. Box 20178, Francistown. Thatayotlhe Tshekoemang, P.O. Box 263, Selebi-Phikwe. Keabaka Doreen Teko, P.O. Box 501900, Gaborone. Kefentse Michael Teko, P.O. Box 501900, Gaborone. Ethel Natasha Vimbai Chiwara, P.O. Box 193, Shashe. Misani Tapela, P.O. Box 2287, Francistown. Nancy Molebatsi, P.O. Box 2048, Serowe. Thatayotlhe Joseph, P.O. Box 1657, Francistown. Lebogang Mmolotsi, P.O. Box 30551, Tlokweng. Tshepiso Lechiile, P.O. Box 620, Mogoditshane. Joyce M. Mmolotsi, P.O. Box 30551, Tlokweng. Itumeleng Mmolotsi, P.O. Box 30551, Tlokweng.	Seithamo Kgotella Phakedi Makhumalo John Pheresi Pheresi Kgalo Mack Popo Lebani Molefhi Mokongwa Molefhi Molefhi
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DATED this 3rd day of August, 1999.

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

Government Notice No. 314 of 1999

MARRIAGE ACT
(Cap. 29:01)

Appointment of Marriage Officers

NOTICE IS HEREBY given that in accordance with section 7 of the Marriage Act, the Minister of Labour and Home Affairs has appointed the following persons to be Marriage Officers with effect from the date specified in relation thereto —

<i>Name</i>	<i>Date of Appointment</i>
Michael Ndlovu	15th June, 1999
Center Babe Botana	15th June, 1999
Gaolatlhe Naganeng	15th June, 1999
Zose Masalila	17th June, 1999

DATED this 23rd day of July, 1999.

B.K. TEMANE,
Minister of Labour and Home Affairs.

L2/7/92 III

Government Notice No. 315 of 1999

PRISONS ACT
(Cap. 21:03)

Confirmation of Appointments

IT IS HEREBY NOTIFIED for general information that the appointments of the following Prison Officers have been confirmed as indicated hereunder —

<i>SERVICE NO.</i>	<i>NAME</i>	<i>RANK</i>	<i>DATE OF APPOINTMENT</i>	<i>DATE OF CONFIRMATION</i>
2174	Tibale R. Lebengwa	Warder	01-06-96	01-06-98
2177	Raymond M. Batsalelwang	Warder	01-06-96	01-06-98
2178	Leina Odirile	Warder	01-06-96	01-06-98
2179	Meshack Manglazi	Warder	01-06-96	01-06-98
2228	Monde Ntwana	Warder	01-06-97	01-06-99
2119	Baitshepi Ntlaleng	Office- cleaner	15-11-95	15-11-97
2230	Joseph Loeto	Warder	01-06-97	01-06-99
2232	Antebanye Kelopetswe	Warder	01-06-97	01-06-99
2234	Edwin Imanga	Warder	01-06-97	01-06-99
2238	Kenneth Oageng	Warder	01-06-97	01-06-99
2246	Ishmael Teseletso	Warder	01-06-97	01-06-99
2248	David Mampane	Warder	01-06-97	01-06-99
2251	James Lebolokilwe	Warder	01-06-97	01-06-99
2255	Leatile Montlhe	Warder	01-06-97	01-06-99
2261	Kebonye Kelebogang	Warder	01-06-97	01-06-99
2262	Kenewang Ramontsho	Warder	01-06-97	01-06-99
2266	Kebanyatse H. M. Tshole	Wardress	01-06-97	01-06-99

DATED this 13th day of July, 1999.

J.D.M. OREBOTSE,
Commissioner of Prisons and Rehabilitation.

L2/7/37 IV

Government Notice No. 316 of 1999

POLICE ACT
(Cap. 21:01)

Confirmation of Appointments

IN PURSUANCE of the provisions of section 8(2) of the Police Act, it is hereby notified for public information that the following Police Officers have been confirmed as indicated —

<i>SERVICE NO.</i>	<i>NAME</i>	<i>RANK</i>	<i>DATE OF APPOINTMENT</i>	<i>DATE OF CONFIRMATION</i>
9516	R. Makuku	Cst	03.11.93	02.11.95
9616	M. Sambandawe	"	05.11.93	04.11.95
10548	D. Mabala	"	26.07.96	25.07.98
10790	P. M. Makwaeba	C/Insp	14.10.96	13.10.98

DATED this 3rd day of August, 1999.

E. BATSHU,
Acting Commissioner of Police.

L2/7/182 V

Government Notice No. 317 of 1999

PRECIOUS AND SEMI-PRECIOUS STONES (PROTECTION) ACT
(Cap. 66:03)

Designation of Authority to Issue Permits and Powers of Search

NOTICE IS HEREBY given that in accordance with section 26 (3) and 37 (1) of the Precious and Semi Precious Stones (Protection) Act, the Minister of Minerals, Energy and Water Affairs has designated to the following person authority to issue permits and accorded to him powers of search within the Orapa House Precious Stones Security Area, with effect from the 1st July, 1999.

OTSILE MOKOBELA

DATED this 2nd day of August, 1999.

M.N. NASHA,
*Minister of Minerals, Energy and
Water Affairs.*

L2/7/167

Government Notice No. 318 of 1999

COMPANIES ACT
(Cap. 42:01)

Companies Struck off the Register

IT IS HEREBY NOTIFIED that in accordance with the provisions of section 276(6) of the Companies Act, that the companies listed in the schedule below have been struck off the register and are hereby dissolved.

SCHEDULE

COMPANY NO.	NAME OF COMPANY
2906	Tshwaragano Enterprises (Proprietary) Limited
3699	Anderson Steel Structures (Proprietary) Limited
5264	Cap Investments (Proprietary) Limited
5571	Secoroc Botswana (Proprietary) Limited
87/6	I A Enterprises (Proprietary) Limited
87/313	Sicino Leather Skins (Proprietary) Limited
87/731	Botswana Safaris (Proprietary) Limited
87/1100	Benses and Sons (Proprietary) Limited
87/1741	Commercial Vehicle Engineering (Proprietary) Limited
88/642	Gem Resources (Botswana) (Proprietary) Limited
88/716	Blooms Plant Hire (Proprietary) Limited
88/1066	Goldstein (Botswana) (Proprietary) Limited
88/1307	Road Star (Proprietary) Limited
89/685	Societe Internationale de Telecommunication (Proprietary) Limited
89/886	Darchem (Proprietary) Limited
89/1130	Yane Holdings (Proprietary) Limited
90/255	NKP Investments (Proprietary) Limited
90/281	Rizko Motors (Proprietary) Limited
90/1565	Kamozi Brick Parlour (Proprietary) Limited
90/2035	Raubenheimer & Partners (Botswana) (Proprietary) Limited
91/74	Maribe Investments (Proprietary) Limited
91/148	Spectra Botswana (Proprietary) Limited
91/382	Tepo Enterprises (Proprietary) Limited
91/566	Treasury Consultants (Proprietary) Limited
91/962	Esemen Enterprises (Proprietary) Limited
91/1442	I.K. & Sons (Proprietary) Limited
91/1557	Zee Holdings (Proprietary) Limited
91/1635	N.M. Transport (Proprietary) Limited
91/2137	Tracks & Loaders (Proprietary) Limited
92/133	The Ngami Centre (Proprietary) Limited
92/476	Striker Resources (Botswana) (Proprietary) Limited
92/825	Gasfer (Proprietary) Limited
92/1173	Express Auto (Botswana) (Proprietary) Limited
92/1182	Sabo Industrial Suppliers (Proprietary) Limited
92/1551	Professional Projects (Proprietary) Limited
93/281	Plant Sales Botswana (Proprietary) Limited
93/284	Hitec Sports Distributors (Proprietary) Limited
93/1447	Jimsam Investments (Proprietary) Limited
93/1470	Cilla Wilson Academy (Proprietary) Limited
93/1737	Cli-De Construction (Proprietary) Limited
93/1750	W. Johnson (Proprietary) Limited
93/1759	Futa's Farm (Proprietary) Limited
93/1780	Tailoring Services & Salon (Proprietary) Limited
93/1785	Direlang Defensive Driving School (Proprietary) Limited
93/1794	Rejays Investments (Proprietary) Limited
93/1813	Nakedi Enterprises (Proprietary) Limited
93/1821	M & E Projects (Proprietary) Limited
93/1845	Gume Construction & Maintenance (Proprietary) Limited
93/1866	Elarpee Enterprises (Proprietary) Limited

93/1886	JR Five Investment (Proprietary) Limited
93/1924	ZAF Holdings (Proprietary) Limited
93/1942	Senwelo Plumbing & General Services (Proprietary) Limited
93/2028	Mabalani Enterprises (Proprietary) Limited
93/2060	Hut Earthing & Lighting (Proprietary) Limited
93/2093	Tezmo Marketing Services (Proprietary) Limited
94/954	Bana-ba-Ngwale Investments (Proprietary) Limited
94/1066	Dintwa Building Construction (Proprietary) Limited
94/1235	Ndzimuawuda Painting & Building (Proprietary) Limited
94/1254	Portion No.75 Mokolodi Sanctuary (Proprietary) Limited
94/1347	Sielohette Holding (Proprietary) Limited
94/1416	Uitsig Botswana (Proprietary) Limited
94/1464	Affixpo Merchants (Proprietary) Limited
94/1669	King of Clubs (Proprietary) Limited
94/1673	Keone Investments (Proprietary) Limited
94/1702	New Yard Products (Proprietary) Limited
94/1742	Norson Construction (Proprietary) Limited
94/1753	Vicmic (Proprietary) Limited
94/1847	Mambo Projects (Proprietary) Limited
95/60	Mono Holdings (Proprietary) Limited
95/251	Plot Two Two Zero Three Three (Proprietary) Limited
95/455	Slip Form Concrete Consultants (Proprietary) Limited
96/115	Morupisi Investments (Proprietary) Limited
96/1660	Franco Publishers (Proprietary) Limited
98/3023	Lembadi & Sons (Proprietary) Limited

DATED at Gaborone this 5th day August, 1999.

U. MSUYA,
Acting Registrar of Companies.

Government Notice No. 319 of 1999

BOTSWANA ELECTIONS

ELECTORAL ACT (Cap. 02:07)

Notice of Publication of Supplementary (Continuous) Voters' Rolls

NOTICE IS HEREBY given that in accordance with section 13 (b) of the Electoral Act, the voter's rolls specified in the first column of the schedule hereto of the voters registered during the period set forth in the second column thereof in the Constituency stated in the third column thereof have been completed. Copies are available for inspection at the office of the Secretary to the Independent Electoral Commission (7th Floor, Block 8, Government Enclave) and at the office of the Principal Registration Officer for the said Constituency and at the places set forth in the fourth column of the said schedule in respect of each of the said Constituencies.

Any person who is registered as a voter in one of the said Constituencies who wishes to object to the inclusion in the roll for the Constituency of any person's name should send or deliver his/her objection to the Principal Registration Officer of that Constituency at the address specified in the fifth column of the said schedule so as to reach him not later than 21 days after publication. Objections must be made on the prescribed form and must be accompanied by a deposit of one pula (P1).

<i>First Column (Voters' Rolls)</i>	<i>Second Column (Period)</i>	<i>Third Column (Constituency)</i>	<i>Fourth Column (Place where copies are available)</i>	<i>Fifth Column (Address of Principal Registration Officers)</i>
(1) 2	3rd May, 1999 to 30th June, 1999	Maun/Chobe	District Commissioner's Office, Maun Council Secretary's Office, Maun	P.O. Box 4, Maun

- | | | | | |
|------|---|--------------|--|----------------------------|
| | | | District Commissioner's Office, Kasane | P.O. Box 2, Kasane |
| (2) | 1 | Okavango | District Officer's Office, Gumare | P. O. Box 153, Gumare |
| | | | Assistant Council Secretary's Office, Gumare | |
| (3) | 1 | Ngami | District Commissioner's Office, Maun | P. O. Box 4, Maun |
| | | | Council Secretary's Office, Maun | |
| (4) | 1 | North East | District Commissioner's Office, Masunga | Private Bag 001, Masunga |
| | | | Council Secretary's Office, Masunga | |
| (5) | 1 | Sebina/Gweta | District Officer's Office, Sowa | Private Bag SOW2, Sowa |
| | | | Chief Executive Officer's Office, Sowa | |
| (6) | 1 | Nkange | District Officer's Office, Tutume | P. O. Box 39, Tutume |
| | | | Assistant Council Secretary's Office, Tutume | |
| (7) | 1 | Tonota | District Officer's Office, Tutume | P. O. Box 39, Tutume |
| | | | Assistant Council Secretary's Office, Tutume | |
| (8) | 1 | Boteti | District Officer's Office, Letlhakane | Private Bag 20, Letlhakane |
| | | | Assistant Council Secretary's Office, Letlhakane | |
| (9) | 1 | Serowe North | District Commissioner's Office, Serowe | P. O. Box 93, Serowe |
| | | | Council Secretary's Office, Serowe. | |
| (10) | 1 | Serowe South | District Commissioner's Office, Serowe | P. O. Box 93, Serowe |
| | | | Council Secretary's Office, Serowe. | |

(11)	1	Palapye	District Officer's Office, Palapye Council Secretary's Office, Serowe.	Private Bag 44, Palapye
(12)	1	Tswapong North	District Officer's Office, Palapye Council Secretary's Office, Serowe.	Private Bag 44, Palapye
(13)	1	Mmadinare	District Officer's Office, Selebi-Phikwe Town Clerk's Office, Selebi-Phikwe	P. O. Box 60, Selebi-Phikwe
(14)	1	Bobirwa	District Officer's Office, Bobonong Assistant Council Secretary's Office, Bobonong	P. O. Box 595, Bobonong
(15)	1	Tswapong South	District Officer's Office, Mahalapye Assistant Council Secretary's Office, Mahalapye	P. O. Box 59, Mahalapye
(16)	1	Mahalapye	District Officer's Office, Mahalapye Assistant Council Secretary's Office, Mahalapye	P. O. Box 59, Mahalapye
(17)	1	Shoshong	District Officer's Office, Mahalapye Assistant Council Secretary's Office, Mahalapye	P. O. Box 59, Mahalapye
(18)	2	Kgatlang West	District Commissioner's Office, Mochudi Council Secretary's Office, Mochudi	Private Bag 1, Mochudi
(19)	1	Kgatlang East	District Commissioner's Office, Mochudi Council Secretary's Office, Mochudi	Private Bag 1 Mochudi
(20)	1	South East	District Commissioner's Office, Ramotswa Council Secretary's Office, Ramotswa District Officer's Office, Tlokweng	P. O. Box 137, Ramotswa
(21)	1	Molepolole	District Commissioner's Office, Molepolole	Private Bag 3, Molepolole

			Council Secretary's Office, Molepolole	
(22)	1	Mogoditshane	District Commissioner's Office, Molepolole	Private Bag 3, Molepolole
			Council Secretary's Office, Molepolole	
(23)	1	Thamaga	District Commissioner's Office, Molepolole	Private Bag 3, Molepolole
			Council Secretary's Office, Molepolole	
(24)	1	Lentsweletau	District Commissioner's Office, Molepolole	Private Bag 3, Molepolole
			Council Secretary's Office, Molepolole	
(25)	1	Letlhakeng	District Officer's Office, Letlhakeng	P. O. Box 80, Letlhakeng
			Assistant Council Secretary's Office, Letlhakeng	
(26)	1	Ngwaketse West	District Officer's Office, Jwaneng	P. O. Box 2, Jwaneng
			Assistant Council Secretary's Office, Mabutsane	
			Town Clerk, Jwaneng	
(27)	1	Moshupa	District Commissioner's Office, Kanye	Private Bag 1, Kanye
			Council Secretary's Office, Kanye	
(28)	1	Kanye	District Commissioner's Office, Kanye	Private Bag 1, Kanye
			Council Secretary's Office, Kanye	
(29)	1	Ngwaketse South	District Commissioner's Office, Kanye	Private Bag 1, Kanye
			Council Secretary's Office, Kanye	
(30)	1	Barolong	District Officer's Office, Goodhope	P. O. Box 142, Goodhope
			Assistant Council Secretary's Office, Goodhope	
(31)	2	Kgalagadi	District Commissioner's Office, Tsabong	P. O. Box 1, Tsabong
			Council Secretary's Office, Tsabong	
			District Officer's Office, Tsabong	

			Assistant Council Secretary's Office, Hukuntsi	
(32)	1	Ghanzi	District Commissioner's Office, Ghanzi	P. O. Box 13, Ghanzi
			Council Secretary's Office Ghanzi	
			District Officer's Office, Charleshill	
(33)	1	Francistown West	District Commissioner's Office, Francistown	Private Bag 34, Francistown
			City Clerk's Office, Francistown	
(34)	1	Francistown East	District Commissioner's Office, Francistown	Private Bag 34, Francistown
			City Clerk's Office, Francistown	
(35)	1	Selebi-Phikwe	District Officer's Office, Selebi-Phikwe	P. O. Box 60, Selebi-Phikwe
			Town Clerk's Office, Selebi-Phikwe	
(36)	1	Gaborone West	District Commissioner's Office, Gaborone	P. O. Box 10003, Gaborone
			City Clerk's Office, Gaborone	
(37)	1	Gaborone North	District Commissioner's Office, Gaborone	P. O. Box 10003, Gaborone
			City Clerk's Office Gaborone	
(38)	1	Gaborone South	District Commissioner's Office, Gaborone	P. O. Box 10003, Gaborone
			City Clerk's Office, Gaborone	
(39)	1	Gaborone Central	District Commissioner's Office, Gaborone	P. O. Box 10003, Gaborone
			City Clerk's Office, Gaborone	
(40)	1	Lobatse	District Officer's Office, Lobatse	Private Bag 2, Lobatse
			Town Clerk's Office, Lobatse	

DATED this 10th day of August, 1999.

T.G.G. SEELETSO,
Secretary,
Independent Electoral Commission.

Government Notice No. 320 of 1999

BOTSWANA ELECTIONS

ELECTORAL ACT (Cap. O2: 07)

Appointment of Returning and Assistant Returning Officers for the 1999 General Elections

IN EXERCISE of the powers conferred on the Secretary of the Independent Electoral Commission by Section 4 (2) of the Electoral Act, the person and persons named in the second and third columns of the Schedule are here appointed as Returning Officer and Assistant Returning Officers respectively for the corresponding Constituency specified in the first column of the Schedule.

SCHEDULE

<i>CONSTITUENCY</i>	<i>RETURNING OFFICER</i>	<i>ASSISTANT RETURNING OFFICERS</i>
1. Maun/Chobe	Council Secretary Maun	A: MAUN 1. B. Motlhabani 2. D. Jibajiba
	District Commissioner Kasane	B: CHOBE 1. S. Smarts 2. M. Chilimba 3. O. Mbaiwa 4. C. Limbo 5. T. D. Kgokong 6. R. Pickup 7. B. Ram 8. M. S. Lephephe
2. Okavango	District Officer Gumare	1. S. Bojosi 2. D. Bethia 3. S. Nkwane 4. B. Madandume 5. M. Raditsi
3. Ngami	District Commissioner Maun	1. A. Pitse 2. U. M. Maswibilili 3. D.O (Admin) Maun 4. D.O. (Dev) Maun
4. North East	District Commissioner Masunga	1. I. L. M. Phatshwane 2. M. V. Valela 3. J. Mpetsane 4. W. Basoli 5. J. D. Maphane 6. T. Stephen 7. U. Chilume 8. M. Mogotsi 9. M. Loaneka 10. J.K. Ragalase
5. Sebina/Gweta	District Officer Sowa	1. S. Pharo 2. F. Ookeditse
6. Nkange	District Officer Tutume	1. M. Chepete 2. A. A. Dintwa

7. Tonota	M. Segwabe	1. G. Macha 2. K. Mothibi
8. Boteti	District Officer Letlhakane	1. M. M. Maloiso 2. T. A. Kooagile
9. Serowe North	District Commissioner Serowe	1. S. B. Tambula 2. J. Kaunda 3. A. P. Kuswane
10. Serowe South	Council Secretary Serowe	1. J. Sethaba 2. T. Gando 3. M. M. Dipao 4. J. Nsala
11. Palapye	District Officer Palapye	1. P. L. Kgati 2. M. Mosweu
12. Tswapong North	District Officer	1. S. Phiri 2. T. G. Mongatane
13. Mmadinare	District Officer Selebi-Phikwe	1. M. Mphale 2. S. Leero 3. J. Mmolawa
14. Bobirwa	District Officer Bobonong	1. G. K. M. Maano 2. O. Makhandlela 3. K. Mathala 4. M. N. Keipidile 5. H. Tshabangu 6. W. Sephatla
15. Tswapong South	A. E. Phama	1. F. B. Mpetsane 2. K. K. Mogasha
16. Mahalapye	District Officer Mahalapye	1. C. M. Gaotshetse 2. K. Mogaetsho
17. Shoshong	G. T. Ramokapane	1. L. Plaatjie 2. E. O. Mathumo
18. Kgatleng West	District Commissioner Mochudi	1. S. Mabiletsa 2. J. K. Mooketsi 3. L. Keganne 4. L. Lekote 5. N. Molefe 6. M. Ramphaleng 7. B. Magogodi 8. M. Molomo
19. Kgatleng East	Council Secretary Mochudi	1. K. L. Balosang 2. B. M. Batsweleng 3. D. S. Mogatle 4. M. S. Keaja 5. K. Rutherford 6. K. B. Sedie 7. N. K. Mosimakoko 8. K. Rammidi
20. South East	District Commissioner Ramotswa	1. P. Modisenyane 2. D. Mmualefe 3. A. Seragi 4. N. Habangana

21. Molepolole	District Commissioner Molepolole	<ol style="list-style-type: none"> 1. H. Ramogae 2. M. G. Mathwanye 3. B. C. Kgomotso 4. L. T. Moklake 5. T. A. Arabang 6. B. G. Morwaeng
22. Mogoditshane	M. Mbaakanyi	<ol style="list-style-type: none"> 1. M. Ramashaba 2. P. B. Ntseane 3. O. Mathake 4. L. Matshaba 5. L. Mongwa
23. Thamaga	Council Secretary Molepolole	<ol style="list-style-type: none"> 1. Z. M. Letshoo 2. C. K. Baoke 3. B. W. Pitso 4. M. Lenkokile 5. N. Malibala
24. Lentsweletau	S. N. Makgasa	<ol style="list-style-type: none"> 1. L. D. Sebeo 2. P. M. Letsholo 3. K. N. Relaeng 4. O. Beleme 5. K. Ralefala
25. Letlhakeng	District Officer Letlhakeng	<ol style="list-style-type: none"> 1. L. P. Mbayi 2. T. L. Moloko 3. O. Makhula 4. L. Leepile
26. Ngwaketse West	District officer Mabutsane	<ol style="list-style-type: none"> 1. L. M. Kalane 2. K. Mpedi 3. J. B. Molebatsi
27. Moshupa	T. Kutuse	<ol style="list-style-type: none"> 1. G. Rammidi 2. S. Bakwena 3. O. Modongo
28. Kanye	N. Lucas	<ol style="list-style-type: none"> 1. N. Kefhilwe 2. T. Omphithetse 3. D. Mmerekhi 4. O. M. S. Tsimanyane
29. Ngwaketse South	P. M. Manopole	<ol style="list-style-type: none"> 1. B. F. Modisenyane 2. B. Tsalaile 3. F. R. Kealotswe 4. G. K. Watshipi 5. K. P. Mabille
30. Borolong	District Officer Goodhope	<ol style="list-style-type: none"> 1. C.D. Kgari 2. K. Lebalang 3. P.W. Wadikgosi
31. Kgalagadi	District Commissioner Tsabong	<ol style="list-style-type: none"> 1. C. Modise 2. S. D. Makgatlhe 3. M. Khuduego 4. N. Ndlovu 5. E. S. Monare 6. K. Balogi

32. Ghanzi	District Commissioner Ghanzi	<ol style="list-style-type: none"> 1. S. S. Kooitsiwe 2. I. M. Mabechu 3. B. J. Tshitlho 4. P. S. Rampete 5. M. G. Mochanang 6. D. S. Nkete 7. G. G. Tshosa 8. C. Kebarakile 9. D. M. Mogorosi
33. Francistown West	D. Valela	<ol style="list-style-type: none"> 1. M. Mudongo 2. P. Motshwaedi 3. N. P. Moremi
34. Francistown East	District Commissioner Francistown	<ol style="list-style-type: none"> 1. G. Gaaswediwe 2. S. O. Rapinyane 3. M. D. Sechele
35. Selebi-Phikwe	Town Clerk Selebi-Phikwe	<ol style="list-style-type: none"> 1. W. Reikeletseng 2. M. Segaetsho 3. M. G. Mathe
36. Gaborone West	K. C. Koma	<ol style="list-style-type: none"> 1. M. E. K. Mokhurutshe 2. M. Makunga 3. D. D. Batshogile 4. G. Motshabi 5. B. S. Mokhware
37. Gaborone North	R. J. Motswakae	<ol style="list-style-type: none"> 1. K. N. Sedisa 2. P. L. Sechele 3. J. Mawela 4. M. Habangana 5. M. Malala
38. Gaborone South	District Commissioner Gaborone	<ol style="list-style-type: none"> 1. A. John 2. N. B. Seitshiro 3. M. N. Sephuma 4. K. Pule 5. F. Letamo 6. W. P. Ulaula
39. Gaborone Central	D. R. Tau	<ol style="list-style-type: none"> 1. M. W. Ntsabane 2. A. Mfolwe 3. M. Babitseng 4. M. George 5. M. Kontle
40. Lobatse	District Officer Lobatse	<ol style="list-style-type: none"> 1. G. G. Pule 2. G. Senai

DATED this 16th day of August, 1999.

T. G. G. G. SEELETSO,
*Secretary,
Independent Electoral Commission.*

PUBLIC NOTICES

Republic of Botswana — Tender No. TB 9/8/12/99-2000

TRAINING OF SAFETY STAFF IN MOTOR VEHICLE ACCIDENT INVESTIGATIONS

TENDERS ARE INVITED for the training of safety staff at Central Transport Organisation, in Motor Vehicle Accident Investigations in Gaborone.

Tender documents and any other information related to this tender may be obtained from Mr J.H.M. Chibanga, Room 7, ground floor, at CTO Headquarters, Telephone 356394 or Fax 306404, Private Bag X048, Gaborone, Botswana.

Tenders marked: "TB 9/8/12/99-2000 — Motor Accident Investigations Training" in sealed envelopes should be sent to the Secretary, Central Tender Board, Private Bag 0058, Gaborone, Botswana or delivered by hand to the Secretary, Room 202, Ministry of Finance and Development Planning building, Gaborone and must be received not later than 10.00 a.m. on Wednesday 22nd September, 1999.

Late, telephonic, telegraphic, telex, fax or e-mail tenders will not be accepted. The Government of Botswana is not bound to accept the lowest tender or any tender nor to assign any reason thereof.

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

Republic of Botswana — Tender No. TB 10/3/7/99-2000

ENVIRONMENTAL IMPACT ASSESSMENT FOR THE DETAILED DESIGN AND CONSTRUCTION OF LOWER SHASHE DAM

THE GOVERNMENT OF BOTSWANA invites tenders from Citizen Consultants registered with the Central Tender Board for the Environmental Impact Assessment for the detailed design and construction of Lower Shashe Dam on the Shashe River.

Details on the tender and tender documents can be obtained from the office of the Chief Hydrological Engineer, Department of Water Affairs, Gaborone.

Tenders shall be delivered to the Director, Central Tender Board, Private Bag 0058, Gaborone or handed to him personally in his office No. 202, Ministry of Finance and Development Planning building not later than 10.00 a.m. on Wednesday 22nd September, 1999 when tenders will be opened in the presence of tenderers wishing to attend. Telegraphic, telephonic and telex tenders will not be considered.

Notwithstanding anything contained in the foregoing, the Government of the Republic of Botswana is not bound to accept the lowest tender or to incur any expenses in the preparation thereof, or give any reasons for any decisions taken.

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

Republic of Botswana — Tender No. TB 5/1/9/99-2000

DESIGN, SUPPLY AND IMPLEMENTATION OF THE LIVESTOCK IDENTIFICATION AND TRACE-BACK SYSTEM (LITS) FOR THE MINISTRY OF AGRICULTURE

TENDERS ARE INVITED for the design, supply and implementation of the Livestock Identification and Trace-back System (LITS) and the Associated Services for the Ministry of Agriculture. Companies must tender for all of the items specified in the tender document.

Preference will be given to companies who can offer a total solution to the tendered services and also demonstrate the commitment to meet the expectations of the Ministry.

Tender documents can be obtained from the Ministry of Agriculture Headquarters Building, Floor 3, Room 335 with effect from Monday 30th August, 1999. The tender will also be published on the Government of Botswana Website <http://www.gov.bw/business/tender.html>.

Further details can be obtained from Mr John Mangondo, Tel: 350564/71301335 or Ms Finah Joubert on 350564.

Tenders in eight (8) copies, are to be delivered to the Central Tender Board, Private Bag 0058, Gaborone, Room 202, Ministry of Finance and Development Planning building not later than 10.00 a.m. on Wednesday 6th October, 1999. The envelope must be clearly marked: "TB 5/1/8/99-2000 — Design, Supply and Implementation of LITS and the Associated Services for the Ministry of Agriculture".

Tenders received after the closing date and time or telephone, telegraphic, telex and facsimile tenders will not be considered. The lowest or any tender will not necessarily be accepted.

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

Republic of Botswana — Tender No. TB 8/1/13/99-2000

**INFORMATION SYSTEM SOLUTION FOR HUMAN RESOURCES/PAYROLL FUNCTIONS AT
DEPARTMENT OF LOCAL GOVERNMENT SERVICE MANAGEMENT AND
THE LOCAL AUTHORITIES**

TENDERS ARE INVITED from suitably qualified Information Systems Solutions Providers to provide a software solution for the Human Resources/Payroll functions of the Department of Local Government Service Management (DLGSM) and 27 Local Authorities across Botswana.

The suppliers should be able to provide the solution tendered for within four weeks of receipt of order, and to an agreed schedule. Full details of the proposed solution, implementation approach, resources to be used, together with full costings must be provided.

Tender documents can be obtained from Room E8/07, DLGSM, Government Enclave, Block 8 building, 8th Floor, with effect from 1st September, 1999. This tender will also be published on the Government of Botswana Website <http://www.gov.bw/business/tenders.html>.

Further details may be obtained from: Mrs T. Selaolo, Tel. 584222/71305765 or Mrs G. Mazonde, Tel. 3612825/800.

Tenders in eight (8) copies are to be delivered to the Secretary, Central Tender Board, Private Bag 0058, Gaborone, Room 202, Ministry of Finance and Development Planning building not later than 10.00 a.m. on Wednesday 13th October, 1999 in an envelope marked: "TB 8/1/13/99-2000 — Information Systems Solution for the Human Resources Payroll Functions of the Department of Local Government Service Management and the 27 Local Authorities across Botswana".

Tenders received after the closing date and time will not be considered. Telephonic, telegraphic, telex or facsimile tenders will not be considered. The lowest or any tender will not necessarily be accepted.

M.T. RAPULENG,
for Director,
Central Tender Board.

Republic of Botswana — Tender No. 11/1/25/99-2000

SUPPLY OF MEDICAL EQUIPMENT

MINISTRY OF HEALTH invites tenders for the supply of Medical Equipment as listed below:

Haematology Analyser	x 5
Infusion Pump	x 2
ECG Machine (Recorder) on Trolley	x12
ECG Monitor/Defibrillator (combined)	x 4
Ultrasound Machine colour Doppler	x 3
Ultrasound Machine black and white	x 2

Where possible tenderers should avail very clear and visible brochures. Tenders should be submitted in a sealed envelope clearly marked: "Tender No. 11/1/25/99-2000 — Supply of Medical Equipment."

Tender documents can be either posted or hand delivered to the following addresses:

<i>For Posting:</i>	<i>For Hand delivery:</i>
The Director	The Director
Central Tender Board	Central Tender Board
Private Bag 0058	Ministry of Finance and Development Planning
Gaborone, Botswana	Room No. 201, Gaborone, Botswana.

Enquiries or requests are to be directed to the Assistant Director of Supplies, Ministry of Health, Private Bag 0038, Gaborone, Botswana. Tender documents, specifications, Y2K year 2000 complaint letter and an MEQ1 questionnaire form can be obtained from, Ministry of Health, Medlass Building, Bontleng, Gaborone, Telephone 305169, Fax No. 314697.

Tenders should reach the Central Tender Board not later than 10.00 a.m. on Wednesday 8th September, 1999 which will be the closing time. Tenders will be opened immediately after the closing time and willing tenderers may be present at the opening at their own cost.

Ministry of Health is not bound to accept the lowest or any tender nor to reimburse any expenses incurred in the preparation thereof.

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

Republic of Botswana — Tender No. TB 9/8/16/99-2000

SUPPLY OF WORKSHOP EQUIPMENT TO THE GOVERNMENT OF BOTSWANA

TENDERS ARE INVITED for the supply of Workshop Equipment to the Government of Botswana. This tender closes at 10.00 a.m. on Wednesday 22nd September, 1999 and any tenders received after the above time and date will not be considered nor will any telephonic, telegraphic or telex submissions. Tenders are to be submitted in duplicate in sealed envelopes to the Director, Central Tender Board, Private Bag 0058, Room 201, Ministry of Finance and Development Planning building, Gaborone, Botswana. The above tender number and description should be clearly endorsed on the envelopes.

TERMS AND CONDITIONS:

The details regarding the terms and conditions, specifications, etc. are available on request from the office of the Principal Mechanical Engineer 1, Room 5, First Floor, Central Transport Organisation, Private Bag X048, Gaborone, Botswana. Telephone 356391, Fax 306404, Telex. 2247 BD.

The Government of Botswana reserves the right to reject any tender, whether or not the lowest, without divulging reasons.

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

Lost Memorandum of Agreement of Lease

NOTICE IS HEREBY GIVEN that the undersigned intends applying for a certified copy of Memorandum of Agreement of Grant of Lease No. 260/95 dated 2nd August, 1995 in respect of the following property:

CERTAIN:	piece of land being Tribal Lot 1, Marapong;
SITUATE:	at Marapong Village in the Ngwato Tribal Territory;
MEASURING:	1600 square metres (one thousand six hundred square metres);
HELD UNDER:	Memorandum of Agreement of Lease No. 260/95 dated 2nd August, 1995 made in favour of Vincent Mosweu.

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

DATED at Gaborone this 13th day of August, 1999.

VINCENT MOSWEU, P.O. Box 2002, GABORONE.

Notice to Debtors and Creditors

IN THE ESTATE of the late Ernest Obuseng Orapeleng who died at Gaborone on the 17th day of January, 1997.

NOTICE IS HEREBY given that Debtors and Creditors in the above Estate are hereby called upon to file their claims and pay their debts to the undersigned within a period of 30 days from the date of publication hereof.

LESETEDI AND COMPANY, *Executor's Attorneys*, Plot No. 3267, Sechaba Close Extension 12,
Private Bag 00201, GABORONE.

IN THE HIGH COURT OF BOTSWANA
HELD AT FRANCISTOWN

Misc Application No. F113 of 1999

In the matter between:

JOSIAH JACOB
and
ARCHITECTURAL SERVICES (PTY) LTD

Petitioner

Respondent

ORDER

Before the Honourable Mr Justice Mosojane at Francistown on the 29th day of June, 1999.
UPON HEARING Attorney Mr K. Yoganathan for the Applicant and having read the documents filed of record. It is ordered that:

1. The matter be heard as urgent dispensing with all the rules relating to time and service in terms of Order 12 Rule 13.
2. The respondent be placed under Provisional Liquidation.

3. The matter be called on Friday 3rd September, 1999 for hearing of any opposition for final winding up by interested parties.
4. The Master to consider the appointment of Mr Siva Sangarapillai, a Public Accountant of the Botswana Institute of Accountant whose domicilium citandi is:
Plot 6143, Suite No. 8, P.O. Box 10705, Tel. 216322, SWAP Complex, Francistown.
As provisional Liquidator who has agreed to accept such appointment.
5. A copy of this order placing the respondent under Provisional Liquidation be served on:
 - (a) the Master of the High Court.
 - (b) Registrar of Companies and
 - (c) The respondent at its registered office
6. A copy of this order be published in the Government Gazette and in a News Paper circulating in Francistown not later than 2 weeks before 3rd September, 1999.
7. All interested parties to appear on the 3rd September, 1999 and show cause, why the respondent should not be placed under final winding up and costs of this application be not costs in the winding up.

BY THE COURT,
Deputy Registrar and Master.

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

Case No. 2044/98

In the matter between:

CASHWHEELS (PTY) LTD	<i>Plaintiff</i>
and	
MOTSHEREGANYE MOLATLHIWA	<i>Defendant</i>

NOTICE OF SALE IN EXECUTION

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

DATE OF SALE:	27th August, 1999
TIME:	10.00 a.m.
VENUE:	Next to Kerekang, Woodhall Industrial
PROPERTY TO BE SOLD:	1 x dressing table, 1 x base bed, 1 x electric fridge
TERMS OF SALE:	Cash or bank guaranteed cheques.

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

DEPUTY SHERIFF E.M. LENONG, t/a LENONG & ASSOCIATES,
P.O. Box 744, LOBATSE.

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

Case No. L2330/98

In the matter between:

CASHWHEELS (PTY) LTD	<i>Plaintiff</i>
and	
MACHACHA BAITSHINYETSI	<i>Defendant</i>

NOTICE OF SALE IN EXECUTION

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

DATE OF SALE:	27th August, 1999
TIME:	10.00 a.m.
VENUE:	Next to Kerekang, Woodhall Industrial
PROPERTY TO BE SOLD:	1 x wardrobe, 1 x 19kg gas cylinder, 1 x 2 burner stove
TERMS OF SALE:	Cash or bank guaranteed cheques.

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

DEPUTY SHERIFF E.M. LENONG, t/a LENONG & ASSOCIATES,
P.O. Box 744, LOBATSE.

Ngwato Land Board — Tender No. NLB/7/99

TENDERS ARE INVITED by Ngwato Land Board from qualified registered companies for execution of the following works:

TENDER NO: NLB/7/99/1

- Installation of Photovoltaic System to Land Board Office Rakops
- Installation of Photovoltaic System to staff house type S1 Rakops

TENDER NO: NLB/7/99/2

- Installation of 200 l Solar Water Heaters to 3 No type Daewoo Design Houses
- Installation 200 l Solar Water Heaters to 3 No type S3 houses Serowe

TENDER NO: NLB/7/99/3

- Installation of Kitchen Unit 6 No. Staff Houses Serowe

TENDER NO: -NLB/7/99/4

- Renovation of Main Land Board office Serowe

TENDER NO: -NLB/7/99/5

- Alteration of S.I Staff Land Board office Nata

Tender documents should be collected in person from Buildings Department, Ngwato Land Board in Serowe S.T.O. (B)'s office first floor; during working hours on payment of a non-refundable fee of P50.00 (Fifty Pula) at Serowe Main Land Board from 0745 to 1230 hours and 1345 to 1600 hours. Tendering companies should include certified copies of Certificate of Incorporation.

Documents will be available from 9th August to 15th September© 1999. Tenders must be enclosed in plain sealed envelope addressed to The Board Secretary, Ngwato Land Board, Private Bag 12, Serowe, and boldly marked "Tender No. NLB/7/99".

Tenders must be received by the office of the Land Board Secretary not later than 1230 hours on the 15th September, 1999.

PLEASE NOTE:

- (a) Faxed or telephone applications will not be considered.
- (b) Posted documents which will arrive after closing hours will not be considered.
- (c) Tenders will be opened at 1430 hours and winning tenderers may be present at the time of opening.
- (d) Land Board does not bind itself to accept the lowest or any tender or assign any reason thereof.

S. BUSWANE,
for Board Secretary.

Second Publication

Lobatse Town Council — Re-Tender No. LTC/10/99**CONSTRUCTION OF FOOD STORES FOR 3 EXISTING CLINICS**

TENDERS ARE INVITED by Lobatse Town Council from contractors registered with Central Tender Board in OC Grade and Grade A for the construction of a food store each in 3 existing council clinics. This is in three packages as follows:

- PACKAGE (a) Construction of a food store at Woodhall Clinics.
- PACKAGE (b) Construction of a food store at Peleng East Clinics.
- PACKAGE (c) Construction of a food store at Peleng Central Clinics.

Tender documents are available at the office of the Town Architect, Lobatse Town Council by payment of a non-refundable fee of P50,00. Prices quoted shall remain valid for sixty days after the closing date of tender. Tenders must be enclosed in a plain sealed envelope addressed to the Town Clerk, Lobatse Town Council,

Private Bag 0028, Lobatse and boldly marked "Re-Tender No. LTC/10/99". Tenders must be received in the office of the Town Clerk, Lobatse Town Council not later than 14.00 hours on Friday the 24th September, 1999. Tenders will be opened immediately after the closing time and willing tenderers may be present at the time of opening. The Council does not bind itself to accept the lowest or any tender or assign any reasons thereof.

H.N. PERERA,
for Town Clerk.

Second Publication

Lobatse Town Council — Tender No. LTC/12/99

SECURITY SERVICES FOR COUNCIL BUILDINGS

TENDERS ARE INVITED by the Lobatse Town Council for the Security services required at the following Council premises.

- (a) VRTC Hostel at Tsopeng
- (b) Day Care Centre at Peleng
- (c) Woodhall Community Centre
- (d) Peleng Community Centre
- (e) Ipeleng Primary School
- (f) Newlook Primary School
- (g) Maitlamo Primary School
- (h) Bothakga Primary School
- (i) Hill School
- (j) Peleng West Primary School
- (k) Peleng East Clinic
- (l) Woodhall Clinic
- (m) Peleng Central Clinic
- (n) Tsopeng Clinic
- (o) Lobatse Land fill
- (p) Old Sanitation Depot
- (q) Civic Centre
- (r) Building Maintenance Depot at Tsopeng
- (s) New Sanitation Depot at Tsopeng
- (t) Electrical Depot at Tsopeng
- (u) Mechanical workshop

TENDERERS MUST MEET THE FOLLOWING REQUIREMENTS:

- (a) Rates per hour, per day, and per month.
- (b) Rates for holidays and weekends.
- (c) Equipments used.
- (d) Supervision and monitoring criteria.
- (e) Insurance policy cover.

Successful tenderer will be awarded the tender for 2 consecutive years of running contract and prices quoted shall remain valid for the whole period from the date of award, which shall be made within 60 days from closing of tender.

Tenders to be submitted in a plain sealed envelopes marked "Tender No. LTC/12/99 — Security Services for Council Buildings", addressed to Town Clerk, Lobatse Town Clerk, Private 28, Lobatse on or before 10th September, 1999 — Friday 2.00 p.m. Tenders will be opened immediately after the closing time and interested tenderers are free to attend the tender opening.

Lobatse Town Council is not bound to accept the lowest or any tender nor assign any reasons for non-acceptance of the tender.

H.N. PERERA,
for Town Clerk.

Second Publication

Kgatlang District Council — Tender No. KG 30 of 1999

CONSTRUCTION OF EDUCATION FACILITIES AT ODI PRIMARY SCHOOL

KGATLENG DISTRICT COUNCIL invites tenders for the construction of following facilities at Odi Primary School:

- 3 Classroom Block
- 2 Teachers Quarters
- 1 W.C. Block

Tender documents can be obtained from Kgatlang District Council, Works Department, Room 51 at the Rural Administration Centre, Mochudi, during normal working hours on payment of a non-refundable tender fee of P50,00. Tenders shall be considered from building contractors registered with Central Tender Board in Category A & B only. Contractors must familiarize themselves with site conditions before tendering.

Tenders forms duly completed must be submitted in a plain sealed envelope clearly marked "Tender No. KG 30 of 1999 — Construction of Education Facilities at Odi Primary School" and addressed to the Council Secretary, Kgatlang District Council, Private Bag 11, Mochudi or hand delivered in the Council Secretary's office Room No. 26 R.A.C. Mochudi; so as to reach his office not later than 7th September, 1999 at 0900 hours. Tenders received after the stipulated date and time will not be considered. Tenders shall be opened on the 7th September, 1999 at 0900 hours in Council Chamber and interested tenderers are free to attend the official opening at their own costs.

Kgatlang District Council is not bound to accept the lowest or any tender or may award the works in parts, nor give reasons for the non-acceptance of any tender. Kgatlang District Council will not be responsible for the cost thus incurred in the preparation of the tender thereof.

G.D. HINGORANI,
for Council Secretary.

Second Publication

Kgatlang District Council — Tender No. KG 31 of 1999

CONSTRUCTION OF EDUCATION FACILITIES AT RANKOA (MALOLWANE) PRIMARY SCHOOL

KGATLENG DISTRICT COUNCIL invites tenders for the construction of the following facilities at Rankoa (Malolwane) Primary School:

- 2 Classroom Block
- 1 Teachers Quarters
- 1 W.C. Block

Tender documents can be obtained from Kgatlang District Council, Works Department, Room 51 at the Rural Administration Centre, Mochudi, during normal working hours on payment of a non-refundable tender fee of P50,00. Tenders shall be considered from building contractors registered with Central Tender Board in Category A & B only. Contractors must familiarize themselves with site conditions before tendering.

Tenders forms duly completed must be submitted in a plain sealed envelope clearly marked "Tender No. KG 31 of 1999 — Construction of Education Facilities at Rankoa (Malolwane) Primary School" and addressed to the Council Secretary, Kgatlang District Council, Private Bag 11, Mochudi or hand delivered in the Council Secretary's office Room No. 26, R.A.C. Mochudi; so as to reach his office not later than 7th September, 1999 at 0900 hours. Tenders received after the stipulated date and time will not be considered. Tenders shall be opened on the 7th September, 1999 at 0900 hours in Council Chamber and interested tenders are free to attend the official opening at their own costs.

Kgatlang District Council is not bound to accept the lowest or any tender or may award the works in parts, nor give reasons for the non-acceptance of any tender. Kgatlang District Council will not be responsible for the cost thus incurred in the preparation of the tender thereof.

G.D. HINGORANI,
for Council Secretary.

Second Publication

Kgatlang District Council — Tender No. KG 32 of 1999

ADDITIONS AND ALTERATIONS AT RURAL ADMINISTRATION CENTRE, MOCHUDI

KGATLENG DISTRICT COUNCIL invites tenders for the additions and alterations to Council Secretary's office, including construction of offices for Council Secretary and Deputy Council Secretary at Rural Administration Centre, Mochudi.

All tenderers must note that Kgatlang District Council shall supply some of the construction materials to the contractor for use in the construction and that the contractor must anticipate limitations of working both in respect of environment and hours of working and no work shall be permitted to be undertaken during holidays and weekends. Contractors will be permitted to use Council water for the construction works.

Tender documents can be obtained from Kgatlang District Council, Works Department, Room 51 at the Rural Administration Centre, Mochudi; during normal working hours on payment of a non-refundable tender fee of P50,00. Tenders shall be considered from building contractors registered with Central Tender Board in Category A only. Contractors must familiarize themselves with the site conditions before tendering.

Tender forms duly completed must be submitted in a plain sealed envelope clearly marked "Tender No. KG 32 of 1999 — Additions and Alterations to Offices At R.A.C., Mochudi" and addressed to the Council Secretary, Kgatlang District Council, Private Bag 11, Mochudi or hand delivered to the Council Secretary's office Room No. 26 R.A.C. Mochudi; so as to reach his office not later than 7th September, 1999 at 0900 hours. Tenders received after the stipulated date and time will not be considered. Tenders shall be opened on the 7th September, 1999 at 0900 hours in the Council Chamber and interested tenders are free to attend the official opening at their own costs.

Kgatlang District Council is not bound to accept the lowest or any tender or may award the works in parts, nor give reasons for the non-acceptance of any tender. Kgatlang District Council will not be responsible for the cost thus incurred in the preparation of the tender thereof.

G.D. HINGORANI,
for Council Secretary.

Second Publication

Kgatlang District Council — Tender No. KG 33 of 1999

DETAILED DESIGN AND POSSIBLE CONSTRUCTION OF MOCHUDI — MALOTWANA ROAD TO BITUMEN STANDARDS

KGATLENG DISTRICT COUNCIL invites tenders from Consulting Engineers, registered with Central Tender Board for detailed design, preparation of tender documents and possible construction of Mochudi — Malotwana Road to Bitumen Standards.

The work involves road from Mochudi to Malotwana and joining Francistown Road, including construction of access roads to Kgotla, Primary School and Clinic etc. Total road work involved shall be about 12 km only. Construction work shall depend upon availability of funds.

Tender documents/terms of reference can be obtained from Kgatlang District Council, Works Department Room 50 at the Rural Administration Centre, or from Council's Road Department in Mochudi, during normal working hours. For all other clarifications contact the District Engineer, Kgatlang District Council, Rural Administration Centre, Mochudi or Telephone 578037.

Tender forms duly completed must be submitted in a plain sealed envelope clearly marked "Tender No. KG 33 of 1999 of 1999 — Detailed Design of Mochudi-Malotwana Road" and addressed to the Council Secretary, Kgatlang District Council, Private Bag 11, Mochudi or hand delivered in the Council Secretary's office Room No. 26, R.A.C. Mochudi; so as to reach his office not later than the 7th September, 1999 at 0900 hours. Tenders received after the stipulated date and time will not be considered. Tenderers shall be opened on the 7th September, 1999 at 0900 hours in the Council Chamber and interested tenderers are free to attend the official opening at their own costs.

Kgatlang District Council is not bound to accept the lowest or any tender or may award the works in parts, nor give reasons for the non-acceptance of any tender. Kgatlang District Council will not be responsible for the cost thus incurred in the preparation of the tender thereof.

G.D. HINGORANI,
for Council Secretary.

Second Publication

North East District Council — Tender No. NE/18/99**GRAVELLING OF FRANCISTOWN — SHASHE BRIDGE ROAD**

NORTH EAST DISTRICT COUNCIL is inviting 100% Batswana contractors registered with CTB under Civil Engineering Code 03 Sub Codes 01-06, Grade OC to gravel Francistown-Shashe Bridge Road.

Tender documents are available after payment of a non-refundable fee of P50,00 to the North East District Council Revenue. Documents can be obtained at office no. 119 Rural Administration Centre, Masunga during normal office hours. Tenderers are requested to visit the site before tendering.

Completed tender forms must be submitted in plain sealed envelopes clearly marked "Tender No. NE/18/99 — Graveling of Francistown-Shashe Bridge Road" and addressed to the Council Secretary, North East District Council, Private Bag 004, Masunga or hand delivered to the Council Secretary's office No. 55 RAC, Masunga not later than 10.00 a.m. on 26th August, 1999.

Tenders will be opened the same day at 10.00 a.m. in the Council Chamber and interested tenderers are free to attend the tender opening at their own costs.

North East District Council is not bound to accept the lowest or any tender and will not assign any reasons for non-acceptance of any tender. The Council will not be held responsible for any cost incurred in the preparation of this tender. Telegraphic, telephonic or faxed tenders will not be considered.

K. ITISENG,
for Council Secretary.

Second Publication

North East District Council — Tender No. NE/19/99**SUPPLY AND DELIVERY OF CULVERT MATERIALS**

NORTH EAST DISTRICT COUNCIL is inviting registered citizen companies to supply and deliver culvert materials (SABS).

Tender documents and specifications are available after payment of a non-refundable fee of P50,00 to the North East District Council Revenue. Documents can be obtained at office No. 119 Rural Administration Centre, Masunga during normal office hours.

Completed tender forms must be submitted in plain sealed envelopes clearly marked "Tender No. NE/19/99 — Supply and Delivery of Culvert Materials" and addressed to the Council Secretary, North East District Council, Private Bag 004, Masunga or hand delivered to the Council Secretary's office No. 55 RAC, Masunga not later than 10.00 a.m. on 26th August, 1999.

Tenders will be opened the same day at 10.00 a.m. in the Council Chamber and interested tenderers are free to attend the tender opening at their own costs.

North East District Council is not bound to accept the lowest or any tender and will not assign any reasons for non-acceptance of any tender. The Council will not be held responsible for any cost incurred in the preparation of this tender. Telegraphic, telephonic or faxed tenders will not be considered.

K. ITISENG,
for Council Secretary.

Second Publication

North East District Council — Tender No. NW/R/2/99

GRAVELLING OF ROADS

TENDERS ARE INVITED by the North West District Council from locally registered civil contractors with a traceable reference of experience in road construction and registered with Tender Board as road contractors.

The project involves gravelling of roads at the following places:

<i>NAME OF ROAD</i>	<i>DISTANCE INVOLVED (KMS)</i>
1. Maun internal roads	04
2. Pandamatenga internal roads	04
3. Gumare internal roads	03
4. Tarred roads shoulders gravel reinstatement (12 000 M2) - Maun	

Tender documents will be available and could be obtained from Room 117, Council Offices at Maun R.A.C. during normal working hours on payment of a non-refundable fee of P50,00 as from Friday 30th July, 1999 to Friday 3rd September, 1999. Tenders shall be opened at 9.00 a.m. the same day and tenderers are at liberty to attend.

Notwithstanding anything contained in the foregoing, the North West District Council is not bound to accept the lowest or any tender nor assign any reason thereof.

J. MUSONDA,
for Council Secretary.

Second Publication

Ngwato Land Board

PALAPYE LOTSANE COMMERCIAL PLOTS

KITSISO

SECHABA SE ITSISEWE gore gona le ditsha tsa madirelo, tse disenang ditlamelo mo Palapye (Lotsane).

TSE DITLHOKEGANG

- A. Sesupo sa madi kana dithoto ele bosupi jwa gore setsha se tla tlhabololwa e.g. sesupo sa banka sa peo ya madi mo kgwedding tse thataro kana pego e e tlhatlhobilweng ya seemo sa madi, kana tshakatsheko ya seemo sa dithoto e e tlhatlhobilweng ke boitseanape kana palo ya dikgomo e e sekasekilweng ke bakenti kana lokwalo lo lo tswang kwa go ba dithuso tsa madi.
- B. Ditlhabololo: gore di tsamaisewa ka sebopego sefe, palo ya bahiriwa, tshimologo le go wediwa ga ditlhabololo.
- C. Madi a tla dirisewang go tlhabolola.
- D. Sesupo/setlankana sa kwadiso ya lekgotlana fa baikopedi ele komponi kana setlhopha
- E. Seemo sa boagedi fa baikopedi ele batswakwa.

Difomo tsa ikopelo di ka bonwa mo diofosing dingwe le dingwe tsa kabo ditsha mo Botswana le Lephata la Ditsha mo Gaborone. Madi a ikopelo a five Pula (P5,00) a sa busiweng a ka duelwa mo makgotlaneng a latelang a Ngwato: Letlhakane, Palapye, Mahalapye, Tutume, Bobonong le le letona la Ngwato mo Serowe, mme dikopo tsone diisiwa kwa lekgotleng le lebotlana la Palapye. Dikopo tsa mogala le tsa fax fa dina go amogelwa.

Madi ikopelo: five Pula (P5,00) yo o sa busiweng letsatsi la tswalo: 10 September, 1999 ka nako ya bone (16 hours) dikopo di ka romelwa go: Mokwaledi, Palapye Sub-Land Board, P.O. Box 868, Palapye. Kana tsa isiwa kwa diofising tsa lekgotlana la kabo ditsha mo Palapye.

Dikopo tse di posiwang, mme di bo di goroga kwa lekgotleng la Palapye Sub-District Land Board morago ga di 10 September, 1999 ga dina go reediwa.

NOTICE

THE PUBLIC IS HEREBY informed that there are 9 (Nine) Unserviced Commercial Plots available for allocation at Palapye (Lotsane) Ward.

REQUIRMENTS

- A. Financial Statement as proof of financial backing to develop the plot e.g. Bank Statement for six months or Audited Financial Report or certified property valuation report or letter of financial support from a financial institution or number of livestock from latest census.
- B. Project brief: how the project would be executed, employment forecast, commencement and completion dates.
- C. Amount to be invested in the project certified.
- D. Certificate of incorporation/momerandum of association in case of companies.
- E. Residential Status in case of non-citizens. Common Law Application forms can be obtained from any Land Board offices in the country and Department of Lands in Gaborone.

The non-refundable P5,00 fee can be paid at Letlhakane, Palapye, Mahalapye, Tutume, Bobonong Subordinate Offices and Serowe main office but the applications should be submitted at Palapye Sub-Land Board office in Palapye. Faxed or telephoned application would not be accepted. Application fee: P5,00 (Five Pula) non-refundable. Closing date: 10th September, 1999 at (16 hours).

Applications should be addressed to the Secretary, Palapye Sub-Land Board, P.O. Box 868, Palapye or Physical delivered to the Sub-Land Board Offices in Palapye. Posted applications which arrive at Palapye Sub-Land Board after 10th September, 1999 would not be considered.

Second Publication

Ngwato Land Board

PALAPYE NEW INDUSTRIAL EXTENSION PHASE I

KITSISO

SECHABA SE ITSISEWE gore gona le ditsha tsa madirelo di le masome a mararo le boroba bongwe (39), tse di senang di tlamelo mo Palapye mo tseleng Francistown/Gaborone.

TSE DITLHOKEGANG

- A. Sesupo sa madi kana dithoto ele bosupi jwa gore setsha se tla tlhabololwa e.g. sesupo sa banka sa peo ya madi mo kgwedding tse thataro kana pego e e tlhatlhobilweng ya seemo sa madi kana tshekatsheko ya seemo sa dithoto e e tlhatlhobilweng ke boitsaanape kana palo ya dikgomo e e sekasekilweng ke bakenti kana lokwalo lo lo tswang kwa go ba dithuso tsa madi.
- B. Ditlhabololo: gore di tsamaisiwa ka sebopego sefe, palo ya bahiriwa, tshimologo le go wediwa ga ditlhabololo.
- C. Madi a tla dirisiwang go tlhabolola.

- D. Sesupo/setlankana sa kwadiso ya lekgotlana fa baikopedi ele komponi kana setlhopha
- E. Seemo sa boagedi fa moikopedi ele motswakwa.

Difomo tsa ikopelo di ka bonwa mo diofosing dingwe le dingwe tsa kabo ditsha mo Botswana le Lephata la Ditsha mo Gaborone. Madi a ikopelo a five Pula (P5,00) a a sa busiweng a ka duelwa mo makgotlaneng a latelang a Ngwato: Letlhakane, Palapye, Mahalapye, Tutume, Bobonong le le letona la Ngwato mo Serowe, mme dikopo tsone diisiwa tsone kwa lekgotleng le letona la Ngwato, dikopo tsa mogala le tsa fax ga dina go amogelwa.

Madi ikopelo: five Pula (P5,00) yo o sa busiweng letsatsi la tswalo 31 August, 1999 ka nako ya bone (1600), dikopo di ka romelwa go: Mokwaledi, Ngwato Land Board, Private Bag 12, Serowe, kana tsa isiwa kwa Registry Office, diofisi dikgolo tsa kabo ditsha mo Serowe.

Dikopo tse di posiwang, mme di bo di goroga kwa lekgotleng la Palapye Sub-Land Board morago ga 10 September, 1999 ga dina go reediwa.

NOTICE

THE PUBLIC IS HEREBY informed that there are 39 (Thirty-Nine) Unserved Industrial Plots available for allocation at Palapye along the Francistown/Gaborone Road.

REQUIREMENTS

- A. Financial Statement as proof of financial backing to develop the Plot e.g. Bank Statement for six months or Audited Financial Report or certified property valuation report or letter of financial support from a financial institution or number of livestock from latest census.
- B. Project brief: how the project would be executed, employment forecast, commencement and completion dates.
- C. Amount to be invested in the project certified.
- D. Certificate of incorporation/momerandum of association in case of companies.
- E. Residential Status in case of non-citizens.

Common Law Application forms can be obtained from any Land Board Offices in the country and Department of Lands in Gaborone. The non-refundable P5,00 fee can be paid at Letlhakane, Palapye, Mahalapye, Tutume, Bobonong Subordinate offices and Serowe main office. But the applications should be submitted at Ngwato Land Board main office in Serowe. Faxed or telephoned applications would not be accepted. Application fee: P5,00 (Five), non-refundable, closing date: 10th September, 1999 at 1600 hours. Applications should be addressed to: The Land Board Secretary, Ngwato land Board, Private Bag 12, Serowe. or physical delivered to Registry Office, main Land Board in Serowe.

Posted applications which arrive at Palapye Sub Land Board after 10th September, 1999 would not be considered.

Second Publication

Ngwato Land Board

PALAPYE SEROROME COMMERCIAL PLOTS
TRIBAL LOTS 3711-3732 PALAPYE
BANGWATO TRIBAL TERRITORY

KITSISO

SECHABA SE ITSISEWE gore gona le ditsha tsa madirelo, tse di senang ditlamelo mo Palapye (Serorome Commercial) mo tseleng ya Francistown/Gaborone.

TSE DITLHOKEGANG

- A. Sesupo sa madi kana dithoto ele bosupi jwa gore setsha se tla tlhabololwa e.g. sesupo sa banka sa peo ya madi mo kgweding tse thataro kana pego e e tlathlobilweng ya seemo sa madi. Kana tshekatsheko ya seemo sa dithoto e e tlathlobilweng ke boitsanaape kana palo ya dikgomo e e sekasekilweng ke bakenti kana lekwalo lo lo tswang kwa ba dithuso tsa madi.
- B. Ditlhabololo: gore di tsamaisewa ka sebopego sefe, palo ya bahiriwa, tshimologo le go wediwa ga ditlhabololo.
- C. Madi tla dirisiwang go tlhabolola
- D. Sesupo/Setlankana sa kwadiso ya lekgotlana fa baikopedi ele komponi kana setlhopha.
- E. Seemo sa boagedi fa baikopedi ele batswakwa.

Difomo tsa ikopelo dika bonwa mo diofosing dingwe le dingwe tsa kabo ditsha mo Botswana le Lephata la Ditsha mo Gaborone. Madi a ikopelo a five Pula (P5,00) a a sa busiweng a ka duelwa mo makgotlaneng a kabo ditsha a a latelang a Ngwato: Letlhakane, Palapye, Mahalapye, Tutume, Bobonong le le letona la Ngwato mo Serowe, mme dikopo tsone diisiwa kwa lekgotleng le lebotlana la kabo ditsha mo Palapye. Dikopo tsa mogala le tsa fax ga dina go amogelwa.

Madi ikopelo: five Pula (P5,00) yo o sa busiweng, letsatsi la tswalo: 10th September, 1999 ka nako ya bone (16 hours) dikopo dika romelwa go: Mokwaledi, Palapye Sub-Land Board, P.O. Box 868, Palapye. kana tsa isiwa kwa diofising tsa lekgotlana la kabo ditsha mo Palapye.

Dikopo tse di posiwang, mme di bo di goroga kwa lekgotleng la Palapye Sub-Land Board morago ga di 10th September, 1999 ga dina go reediwa.

NOTICE

THE PUBLIC IS HEREBY informed that there are 19 (Nineteen) Unserved Commercial Plots available for allocation at Palapye (Serome Commercial along Francistown/Gaborone Road).

REQUIREMENTS

- A. Financial Statement as proof of financial backing to develop the plot e.g. Bank Statement for six months or Audited Financial Report or letter of financial support from a financial institution or property valuation report or number of livestock from latest census.
- B. Project brief: how the project would be executed, employment forecast, commencement and completion dates.
- C. Amount to be invested in the project certified.
- D. Certificate of incorporation/momerandum of association in case of companies.
- E. Residential Status in case of non- citizens. Common Law Application forms can be obtained from any Land Board offices in the country and Department of Lands in Gaborone.

The non-refundable P5.00 fee can be paid at Letlhakane, Palapye, Mahalapye, Tutume, Bobonong Subordinate Offices and Serowe main office but the applications should be submitted at Palapye Sub-Land Board office in Palapye. Faxed or telephoned applications would not be accepted. Application fee P5.00 (Five Pula) non-refundable closing date: 10th September, 1999 at 1600 hours. Applications should be addressed to the Secretary, Palapye Sub-Land Board, P.O. Box 868, Palapye or Physicial delivered to the Sub-Land Board Offices in Palapye. Posted applications which arrive at Palapye Sub-Land Board after 10th September, 1999 would not be considered.

Second Publication

Ngwato Land Board

M2 COMMERCIAL AREA (MORUPULE PLAY GROUNDS) – PALAPYE

KITSISO

SECHABA SE ITSISIWE gore gona le ditsha tsa kgwebo, tse di senang ditlamelo mo Palapye M2 (Serorome), di le some le motso (11).

TSE DITLHOKEGANG

- A. Sesupo sa madi kana dithoto ele bosupi jwa gore setsha se tla tlhabololwa e.g. sesupo sa banka sa peo ya madi mo kgwedeng tse thataro kana pego e e thatlhobilweng ya seemo sa madi, kana tshekatsheko ya seemo sa dithoto e e thatlhobilweng ke boitsanaape kana palo ya dikgomo e e sekasekilweng ke bakenti kana lokwalo lo lo tswang kwa ba dithuso tsa madi.
- B. Ditlhabololo: gore di tsamaisiwa ka sebopego sefe, palo ya bahiriwa, tshimologo le go wediwa ga ditlhabololo.
- C. Madi a a tla dirisiwang go tlhabolola
- D. Sesupo/setlankana sa kwadiso ya lekgotla fa baikopedi ele komponi kana setlhopha.
- E. Seemo sa boagedi fa baikopedi ele batswakwa.

Difomo tsa ikopelo dika bonwa mo diofosing dingwe le dingwe tsa kabo ditsha mo Botswana le Lephata la Ditsha mo Gaborone. Madi a ikopelo a five Pula (P5,00) a a sa busiweng a ka duelwa mo makgotlaneng a kabo ditsha a a latelang a Ngwato: Letlhakane, Palapye, Mahalapye, Tutume, Bobonong le le letona la Ngwato mo Serowe, mme dikopo tsone diisiwa kwa lekgotleng le lebotlana la kabo ditsha mo Palapye. Dikopo tsa mogala le tsa fax ga dina go amogelwa.

Madi ikopelo: five Pula (P5,00) yo o sa busiweng, letsatsi la tswalo: 10 September, 1999 ka nako ya bone (16 hours) dikopo dika romelwa go: Mokwaledi, Palapye Sub-Land Board, P.O. Box 868, Palapye.

kana tsa isiwa kwa diofosing tsa lekgotlana la kabo ditsha mo Palapye.
Dikopo tse di posiwang, mme di bo di goroga kwa lekgotleng la Palapye Sub-Land Board morago ga di 10th September, 1999 ga dina go reediwa.

NOTICE

THE PUBLIC IS HEREBY informed that there are 11 (Eleven) Unserviced Commercial Plots available for allocation at Palapye M2 (Serorome).

REQUIREMENTS

- A. Financial Statement as proof of financial backing to develop the plot e.g. Bank Statement for six months or Audited Financial Report or letter of financial support from a financial institution or certified property valuation report or number of livestock from latest census.
- B. Project brief: how the project would be executed, employment forecast, commencement and completion dates.
- C. Amount to be invested in the project certified.
- D. Certificate of incorporation/momerandum of association in case of companies.
- E. Residential Status in case of non- citizens.

Common Law Application forms can be obtained from any Land Board offices in the country and Department of Lands in Gaborone.

The non-refundable P5,00 fee can be paid at Letlhakane, Palapye, Mahalapye, Tutume, Bobonong Subordinate Offices and Serowe main office but the applications should be submitted at Palapye Sub-Land Board office in Palapye. Faxed or telephoned applications would not be accepted. Application fee P5,00 (Five Pula) non-refundable closing date: 10th September, 1999 at 1600 hours. Applications should be addressed to the Secretary, Palapye Sub-Land Board, P.O. Box 868, Palapye or Physicial delivered to the Sub-Land Board Offices in Palapye. Posted applications which arrive at Palapye Sub-Land Board after 10th September, 1999 would not be considered.

Second Publication

Notice of Intention to Dispose Trading/Liquor Licence

NOTICE IS HEREBY GIVEN in terms of section 23 (1) (c) of the Trade and Liquor Act, (Cap. 43:02) that I, Elijah Kahuma have disposed of my entire interest in carrying on the business of a Liquor Restaurant to K3 Agencies who will continue to trade at the same premises and under the same style of a Liquor Restaurant licence, the Kweneng District Council has determined to hear the application on the 11th August, 1999.

ELIJAH KAHUMA, P. O. Box 1602, MOLEPOLOLE.

Second Publication

Notice of Intention to Dispose Trading/Liquor Licence

NOTICE IS HEREBY GIVEN in terms of section 23 (1) (c) of the Trade and Liquor Act, (Cap. 43:02) that I, George Zulu have disposed of my entire interest in carrying on the business of Specialised Dealer to Patrick Sello who will continue to trade at the same premises and under the style of a Specialised Dealer.

GEORGE ZULU, P. O. Box 455, MOCHUDI.

Second Publication

Notice of Intention to Dispose Trading/Liquor Licence

NOTICE IS HEREBY GIVEN in terms of section 23 (1) (c) of the Trade and Liquor Act, (Cap. 43:02) that I, Queen Gadifele Kwelagobe have disposed of my entire interest in carrying on the business of a Hair Salon to Chandi Keekae who will continue to trade at the same premises and under the same style of a Hair Salon licence, the Kweneng District Council has determined to hear the application on the 11th August, 1999.

QUEEN GADIFELE KWELAGOBÉ, P. O. Box 1401, GABORONE.

Second Publication

Notice of Intention to Dispose Trading/Liquor Licence

NOTICE IS HEREBY GIVEN in terms of section 23 (1) (c) of the Trade and Liquor Act, (Cap. 43:02) that I, Ramadibeng S. Mogotsi have disposed of my entire interest in carrying on the business of Speciality to Christine K.B. Moloi who will continue to trade at the same premises and under the same style of a Speciality.

RAMADIBENG S. MOGOTSI, P. O. Box 98, RAMOTSWA.

Second Publication

Notice of Intention to Dispose Trading/Liquor Licence

NOTICE IS HEREBY GIVEN in terms of section 23 (1) (c) of the Trade and Liquor Act, (Cap. 43:02) that I, Baboneng Tsamai have disposed of my entire interest in carrying on the business of Bottle Store to Goabamang Kofa who will continue to trade at the same premises and under the same style of Bottle Store.

BABONENG TSAMAI, P. O. Box 399, MMADINARE.

Second Publication

Notice of Intention to Dispose Trading/Liquor Licence

NOTICE IS HEREBY GIVEN in terms of section 23 (1) (c) of the Trade and Liquor Act, (Cap. 43:02) that I, Batho Botlhe (Pty) Ltd have disposed of my entire interest in carrying on the business of Specialised Wholesale to Minhaz Wholesalers (Pty) Ltd who will continue to trade at the same premises and under the same style of Specialised Wholesale.

MINHAZ WHOLESALERS (PTY) LTD. Private Bag 23, LOBATSE.

Second Publication

Notice of Intention to Dispose Trading/Liquor Licence

NOTICE IS HEREBY GIVEN in terms of section 23 (1) (c) of the Trade and Liquor Act, (Cap. 43:02) that I, Banyenyi Davids have disposed of my entire interest in carrying on the business of Bar Liquor to Moagi B. Molebatsi who will continue to trade at the same premises and under the same style of Bar Liquor.

BANYENYI DAVIDS, c/o P. O. Box 440, MOCHUDI.

Second Publication

Notice of Intention to Dispose Trading/Liquor Licence

NOTICE IS HEREBY GIVEN in terms of section 23 (1) (c) of the Trade and Liquor Act, (Cap. 43:02) that I, Banyenyi Davids have disposed of my entire interest in carrying on the business of Fresh Produce to Moagi B. Molebatsi who will continue to trade at the same premises and under the same style of Fresh Produce.

BANYENYI DAVIDS, c/o P. O. Box 440, MOCHUDI.

Second Publication

Notice of Intention to Dispose Trading/Liquor Licence

NOTICE IS HEREBY GIVEN in terms of section 23 (1) (c) of the Trade and Liquor Act, (Cap. 43:02) that, Monthand Hair Fashions (Pty) Ltd have disposed of their entire interest in carrying on the business of Specialised Dealers at Plot No. 12579, Extension 18 to Capricorn Holdings (Pty) Ltd who will continue to trade at the same premises and under the name and style of Capricorn Holdings (Pty) Ltd.

MONTHAND HAIR FASHIONS (PTY) LTD, c/o Helfer and Company,
P. O. Box 906, GABORONE.

Second Publication

Notice of Intention to Dispose Trading/Liquor Licence

NOTICE IS HEREBY GIVEN in terms of section 23 (1) (c) of the Trade and Liquor Act, (Cap. 43:02) that I, Goitseone Molapisi have disposed of my entire interest in carrying on the business of Bottle Store to Irene Dineo Mosimanyane who will continue to trade at the same premises and under the same style of Bottle Store.

GOITSEONE MOLAPISI, P. O. Box 160, MAHALAPYE.

Second Publication

Notice of Intention to Dispose Trading/Liquor Licence

NOTICE IS HEREBY GIVEN in terms of section 23 (1) (c) of the Trade and Liquor Act, (Cap. 43:02) that I, William Kefeletse have disposed of my entire interest in carrying on the business of General Dealer to Mokwaledi Omphile who will continue to trade at the same premises and under the same style of General Dealer.

WILLIAM KEFELETSE, P. O. Box 536, MAHALAPYE.

Second Publication

Notice of Intention to Dispose Trading/Liquor Licence

NOTICE IS HEREBY GIVEN in terms of section 23 (1) (c) of the Trade and Liquor Act, (Cap. 43:02) that I, Justin Galazo Otimile have disposed of my entire interest in carrying on the business of General Dealer to Xuanyan (Pty) Ltd who will continue to trade at the same premises and under the different style of Specialised Dealer.

JUSTIN G. OTIMILE, P. O. Box 33, MOPIPI.

Second Publication

Change of Name

PURSUANT TO SECTION 21 (1) of the Companies Act (Cap. 42:01) as amended, notice is hereby given that Chobe Air (Proprietary) Limited will make application to the Registrar of Companies for his written approval to change the name of the company to Air Chobe (Proprietary) Limited after 14 days of the second publication of this advertisement.

for and on behalf of the Company,
PRICEWATERHOUSECOOPERS, (PROPRIETARY) LIMITED.

Second Publication

Notice of Application for Removal of Licence

NOTICE IS HEREBY GIVEN that the undersigned intends to apply for a removal of Specialised Dealers Licence from Plot No. 1533, Light Industrial Area, Francistown to Plot No. 20586, Haskins Street/Francis Avenue, Francistown and that the Local Licensing Authority has determined that the application shall be heard by the Licensing Authority in 1999.

NATRAJ ENTERPRISES (PTY) LTD, c/o M.B.I. (PTY) LTD,
P. O. Box 785, FRANCISTOWN.

Second Publication

Notice of Application for Removal of Licence

NOTICE IS HEREBY GIVEN that the undersigned intends to apply for a removal of Importer and Exporter Licence No. 14388A in respect of premises situated at Plot No. 8914, Mall to Plot No. 22072/3, Unit 32, Tek Industrial Park, Gaborone West and that the National Licensing Board has determined that the application shall be heard by the Licensing Authority in 1999.

FINE WINES (PTY) LTD, c/o P. O. Box 101, GABORONE.

Second Publication

Notice of Intention to Transfer Trading/Liquor Licence

NOTICE IS HEREBY GIVEN that the undersigned intends to transfer Specialised Dealer licence in respect of premises situated at Kang to San Ming (Proprietary) Ltd who will continue to trade at the same premises and under the same style of Specialised Dealer and that the Kgalagadi District Council has determined that the application shall be heard by the Licensing Authority in August, 1999.

J.K. THUKU, P. O. Box 1, KANG.

Second 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 Dealer licence in respect of premises situated at Lot 5646, Extension 16 to Lot 5634, Extension 16 who will continue to trade at the premises and under the same style of a Specialised Dealer and that the Gaborone City Council has determined that the application shall be heard by the Licensing Authority on the 11th August, 1999.

BUSH MILL (PTY) LTD, t/a RACHI ENTERPRISES, P. O. Box 1816, GABORONE.

Second Publication

Notice of Intention to Transfer Trading/Liquor Licence

NOTICE IS HEREBY GIVEN that the undersigned intends to apply for a Certificate in terms of section 9 of the Trade and Liquor Act 1987 to obtain a transfer of Specialised Dealers licence in respect of premises situated at Plot 164, Sebonego Ward, Kanye from Gram Trading Co. (Pty) Ltd to Price Club (Botswana) (Pty) Ltd and the Southern District Council has determined that the application shall be heard by the Sub Licensing Authority on the 17th August, 1999.

GRAM TRADING CO. (PTY) LTD., P. O. Box 92, KANYE.

Second Publication

Notice of Intention to Transfer Trading/Liquor Licence

NOTICE IS HEREBY GIVEN that the undersigned intends to apply for a Certificate in terms of section 9 of the Trade and Liquor Act 1987 to obtain a transfer of General Dealer licence in respect of premises situated at Plot 164, Sebonego Ward, Kanye from Gram Trading Co. (Pty) Ltd to Kealeboga (Pty) Ltd and the Southern District Council has determined that the application shall be heard by the Sub Licensing Authority on the 17th August, 1999.

GRAM TRADING CO. (PTY) LTD., P. O. Box 92, KANYE.

Second Publication

Notice of Intention to Transfer Trading/Liquor Licence

NOTICE IS HEREBY GIVEN that the undersigned intends to apply for a transfer of Speciality licence in respect of premises situated at Lot 17863, Gaborone West to Hua Li Trading (Pty) Ltd who will continue to trade at the premises and under the same style of a Speciality Licence and that the Gaborone City Council has determined that the application shall be heard by the Licensing Authority on the 17th August, 1999.

INVESTOR'S VIEW (PTY) LTD., c/o P.R. EXECUTIVE EMPLOYMENT
AND BUSINESS SERVICES, P. O. Box 2160, GABORONE.

Second Publication

Notice of Intention to Transfer Trading/Liquor Licence

NOTICE IS HEREBY GIVEN that the undersigned intends to apply for a transfer of a Bar and Bottle Store licence in respect of premises situated at lot 17478, Extension 52 to Mrs Menkie Pontsho Makoti who will continue to trade at the same premises and under the same style of a Bar and Bottle Store and that the Gaborone City Council has determined that the application shall be heard by the Licensing Authority in 1999.

MRS MENKIE PONTSHO MAKOTI, P. O. Box 402606, GABORONE.

Second 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 Dealer licence (Boutique) in respect of premises situated at Mphatlalatsane Complex, Tlokweng to Gentle Touch (Pty) Ltd who will continue to trade at the premises and under the same style of a Specialised Dealer (Boutique) and that the South East District Council has determined that the application shall be heard by the Licensing Authority on the 18th August, 1999.

GENTLE TOUCH (PTY) LTD, P. O. Box 2458, GABORONE.

Second Publication

Notice of Intention to Transfer Trading/Liquor Licence

NOTICE IS HEREBY GIVEN that the undersigned intends to apply for a Certificate in terms of section 9 of the Trade and Liquor Act 1987 to obtain a transfer of General Dealer licence in respect of premises situated at Plot No. 179, Kasane from Louis Trading Store to Louis Investments (Pty) Ltd and that the Chobe Sub-District has determined that the application shall be heard by the Sub Licensing Authority in 1999.

DOMINIC D. DIAU, P. O. Box 45, KASANE.

Second Publication

Alteration of Style of Business

NOTICE IS HEREBY GIVEN that the undersigned intends to apply for authority to change Liquor Restaurant licence to Specialised Dealer Licence in respect of premises situated at Kang and that the Kgalagadi District Council has determined that the application shall be heard by the Licensing Authority in August, 1999.

J.K. THUKU, P. O. Box 1, KANG.

Second Publication

Notice to Debtors and Creditors

IN THE ESTATE of the Late Patricia Eileen Amy Crosbie who died at Gaborone in the Republic of Botswana, on the 23rd day of January, 1999.

Notice is hereby given that Debtors and Creditors in the above Estate are hereby called upon to file their claims and pay their debts to the undersigned within 30 (thirty) days from the date of publication hereof.

Dated at Gaborone this 3rd day of August, 1999.

ARMSTRONG, Attorneys, 5th Floor, Barclays House, P. O. Box 1368, GABORONE.

Second Publication

Application for a Lost Title Deed

NOTICE IS HEREBY given that Mogra Investments (Pty) Ltd intends applying for a Certified Copy of Deed of Transfer No. 1800/98 dated 12th day of December, 1998, in respect of the below mentioned property namely:

CERTAIN:	piece of land being Lot No. 6168, Francistown;
SITUATE:	in the Francistown Administrative District;
MEASURING:	1650m ² (One Thousand Six Hundred and Fifty Square Metres)
HELD UNDER:	Deed of Transfer No. 1800/98 dated 15th day of December, 1998 made in favour of the said Mogra Investments (Pty) Ltd.

All persons having objection to the issue of such copy are hereby requested to lodge the same in writing with the Registrar of Deeds, Private Bag 0020, Gaborone within (3) three weeks of the 2nd publication of this notice in a newspaper.

Dated at Francistown this 26th day of July, 1999.

Z. MAKHWADE & CO., 1st Floor, East Wing, Blue Jacket Plaza,
P. O. Box 916, FRANCISTOWN.

Second Publication

Land Control Act (Cap. 32:11) (as amended)

NOTICE IN TERMS OF SECTION 5

NOTICE IS HEREBY given of the following controlled transaction which is proposed to be effected not less than ninety days from the last publication of this notice.

1. Agricultural property affected by the proposed transaction;

CERTAIN:	piece of land being portion 1 called "Takaneng" of the Farm Jagveld No. 26-MR;
SITUATE:	In the Tuli-Block of Botswana;
MEASURING:	2141, 2951 ha (Two Thousand One Hundred and Forty One comma Two Nine Five One Hectares);
WHICH PROPERTY:	is held under Deed of Transfer No. 750/98 dated 12th June, 1998 made in favour of Astral (Proprietary) Ltd.

2. Parties to the controlled transaction;
Dennis Stanley Wright as seller and Christopher John Robert Willis as purchaser

3. Details of proposed controlled transaction:
The sale of 41% of the issued share capital in Astral (Pty) Ltd, which company owns the affected property, by D.S. Wright to C.J.R. Willis, subject to the terms and conditions of a shareholders' agreement a copy of which is available for inspection during office hours at Plot No. 688, Khwai Road, Gaborone.
4. Consideration for proposed controlled transaction:
P2,000.00 payable in cash against transfer of the shares.

The Minister of Local Government Lands and Housing has the discretion to give any citizen of Botswana interested in entering into a similar transaction in respect of the property owning company, the right to receive priority notwithstanding the proposed controlled transaction.

Any person wishing to object to the proposed controlled transaction may give written notice of his objections, with reasons therefor, to the Minister and is requested to lodge a copy of the objection with the undersigned attorneys.

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

MINCHIN & KELLY (BOTSWANA), Attorneys, Plot No. 688, Khwai Road,
P. O. Box 1339, GABORONE.

Second Publication

Public Auction

SALE OF BOARDED VEHICLES AND OTHER UNSERVICEABLE STORES

THE PUBLIC IS NOTIFIED that Lobatse Town Council shall sell by public auction sale boarded vehicles, vehicle tyres, furniture, unused motor spares and other unserviceable items at Lobatse Town Council Stores yard on Saturday 4th September and on Sunday 5th September, 1999, at 09:00 a.m. Items will be sold in lots to the highest bidder

CONDITIONS OF SALE:

1. Payments are strictly in cash or bank certified cheques payable to Lobatse Town Council.
2. Items purchased must be taken from the Council premises within seven (7) days from the date of sale.
3. All items are sold in conditions they are in.
4. An official cash receipt will be produced to the gate keeper as a warrant to pass through with the items.
5. A returnable deposit of P1000.00 will be required at the gate entrance from those wishing to buy vehicles.

E.K. MAKOBO,
for Town Clerk.

Second Publication

Public Auction Sale

MALETE LAND BOARD shall sell by public auction sale of unserviceable items to the highest bidder on the 27th August, 1999.

CONDITIONS OF SALE:

1. Items will be sold in lot numbers to the highest bidder in the condition they stand.
2. Items will be sold by cash or bank guaranteed cheques only.
3. Items must be removed from Land Board premises immediately after payment.
4. Items left within Land Board premises will be at owner's risk.
5. The land Board will repossess items not paid for after seven days.

G.L. SEOGANELENG,
for Board Secretary.

Second Publication

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

Case No. CC 325/98

In the matter between:

BARCLAYS BANK OF BOTSWANA LIMITED
and
ANIKIE KEANOLE MOTSWAGAE

Plaintiff

Defendant

NOTICE OF SALE IN EXECUTION

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

DATE OF SALE: 28th August, 1999
TIME: 10.00 a.m.
VENUE: Broadhurst Police Station
PROPERTY TO BE SOLD: KIC fridge, Phillips music system, Phillips television, head board, Phillips video machine, telephone stand, coffee table and stool.
TERMS OF SALE: Cash or bank guaranteed cheques.

DATED at Gaborone this 4th day of August, 1999.

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

Second Publication

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

Case No. CC 677/98

In the matter between:

BARCLAYS BANK OF BOTSWANA LIMITED
and
JANE MOTSHABA TAU
TOBIAS TAU

Plaintiff

1st Defendant

2nd Defendant

NOTICE OF SALE IN EXECUTION

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

DATE OF SALE: 25th August, 1999
TIME: 10.00 a.m.
VENUE: Broadhurst Police Station
PROPERTY TO BE SOLD: 1 x 4 piece sofas with coffee table, 1 x 1 Telefunken T.V., 1 x 3 piece room unit, 1 x 1 double door fridge, 1 x 1 Sanyo stereo system, 1 x 1 video machine.
TERMS OF SALE: Cash or bank guaranteed cheques immediately after the sale.

DEPUTY SHERIFF D.J. MOYO, c/o M.K. MOESI & CO., *Plaintiff's Attorneys*,
Plot No. 937, African Mall, Extension 2, GABORONE.

Second Publication

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

Civil Case No. 771/94

In the matter between:

ATTORNEY GENERAL OF BOTSWANA
and
ELLIOT MOKOTEDI

Plaintiff

Defendant

NOTICE OF SALE IN EXECUTION

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

DATE OF SALE: 3rd September, 1999
TIME: 11.00 a.m.
VENUE: Gaborone West Police Station
PROPERTY TO BE SOLD: 1 Toyota Hilux 1990 model/cream white in colour Reg. No. B 786 ADX
 Engine No. 2Y9038589
TERMS OF SALE: Cash or bank guaranteed cheques immediately after the sale.

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

DEPUTY SHERIFF, ATTORNEY GENERAL'S CHAMBERS, Government Enclave,
Private Bag 009, GABORONE.

Second Publication

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

Case No. CC 1378/98

In the matter between:

NATIONAL DEVELOPMENT BANK
and
ISAAC DIKGALE

Plaintiff

Defendant

NOTICE OF SALE IN EXECUTION

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

DATE OF SALE: 20th August, 1999
TIME: 10.30 a.m.
VENUE: Leshibitse Customary Court
PROPERTY TO BE SOLD: 12 Goats earmarked Venclap
CONDITIONS OF SALE: Detailed terms and conditions of the sale together with details of the property may be inspected at the Deputy Sheriff's.
TERMS OF SALE: Cash or bank guaranteed cheques immediately after the sale.

DATED at Gaborone this 30th day of July, 1999.

DEPUTY SHERIFF GAELAE RAMATLAPANA (304921), c/o ANGELINA MPE, *Plaintiff's Attorneys*,
National Development Bank, Development House, 2nd Floor, P.O. Box 225, The Mall, GABORONE.

Second Publication

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

Case No. CC 1435/98

In the matter between:

EDWARD SELVAKUMAR
 and
MOEMEDI MODISENYANE

Plaintiff

Defendant

NOTICE OF SALE IN EXECUTION

BE PLEASED TO TAKE NOTICE that pursuant to the judgment and writ of execution of the above Honourable Court, the movable property of the Defendant will be sold in execution by public auction to the highest bidder by Deputy Sheriff T.L. Ketshabile in the manner hereinafter set out:

DATE OF SALE: 21st August, 1999
TIME: 10.00 a.m.
VENUE: Broadhurst Police Station
PROPERTY TO BE SOLD: Technol TV; Quick Start VCR; dish, receiver; 3 piece wall unit; 3 piece sofas; floor mat; wall decorators and electric fridge.
TERMS OF SALE: Cash or bank guaranteed cheques.

DATED at Gaborone this 14th day of July, 1999.

DEPUTY SHERIFF T.L. KETSHABILE, c/o Richard Lyons Attorneys, *Plaintiff's Attorneys*,
 Plot No. 2657, Kgori Close, P.O. Box 160, GABORONE.

Second Publication

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

Case No. CC 45/99

In the matter between:

NATIONAL DEVELOPMENT BANK
 and
MALESELO SORGHUM MILLING (PTY) LTD

Plaintiff

Defendant

NOTICE OF SALE IN EXECUTION

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

DATE OF SALE: 28th August, 1999
TIME: 10.30 a.m.
VENUE: Maleselo Sorghum Milling (Pty) Ltd, Maun.
PROPERTY TO BE SOLD: 2 Dehauler mill, 1 Hippo mill, 1 Harmer mill, 3 channels, 3 morters, 1 scale, 2 x 4 drawers shelves, 1 car Mazda Registration numbers B719 ADG
CONDITIONS OF SALE: Detailed terms and conditions of the sale together with details of the property may be inspected at the Deputy Sheriff's.
TERMS OF SALE: Cash or bank guaranteed cheques immediately after the sale.

DATED at Gaborone this 30th day of July, 1999.

DEPUTY SHERIFF LESH LEPALE (326955), c/o ANGELINA MPE, *Plaintiff's Attorneys*,
 National Development Bank, Development House, 2nd Floor, P.O. Box 225, The Mall, GABORONE.

Second Publication

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

Case No. Misc. 46/99

In the matter between:

NATIONAL DEVELOPMENT BANK
and
TWINE AND CANE (PTY) LTD
AKWASI OKYERE
JOSEPH MONNAWATLA OLEBILE
ALBERT WENI MORUTI
MANGAKA MOTSHOSANE

Plaintiff

1st Defendant
2nd Defendant
3rd Defendant
4th Defendant
5th Defendant

NOTICE OF SALE IN EXECUTION

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

DATE OF SALE:

26th August, 1999

TIME:

10.30 a.m.

VENUE:

Broadhurst Police Station, Gaborone.

PROPERTY TO BE SOLD:

1 Juki sewing machine, 1 button machine, 3 piece lounge suite cane, 5 workshop table, 4 shelves, 1 electric kettle, 1 Atlas Copco Comple compressor, 1 x 5 shelves cupboard steel, 1 steam burner, 3 x 48kg LP gas cylinders, 1 cupboard cane, 1 sun-papering machine, 117 Lovenest stands cane, 1 de walt 7739 radial saw, 1 steel 6 draw table, 1 steel 3 draw table, 1 steel, 6 draw table, 1 x 4 draw steel office cabinet, 1 x 5 draw steel office cabinet, 1 office chair, 3 piece sofas, 1 television, 1 video machine, 1 radio gram with speakers, 1 x 8 drawer display, 2 stands, 3 piece sofas, 1 dinning coffee table, 37 wooden dinning chairs (customers), 2 x 2 seater lounge suite cane, 1 x 3 seater lounge suite, 4 single lounge suite, 7 Lovenest lounge suite cane, 4 x 2 seater rainbow chairs cane, 2 x 3 seater rainbow chairs cane, 11 single beater rainbow chairs cane, 4 garden chairs cane with cushions, 2 dinning chairs cane, 2 bar stools cane, 8 Sun chairs cane, 1 bamboo dinning chair with cushion, 1 sofa bamboo chair with cushion, 2 centre tables cane, 3 lazy chairs wooden, 5 wooden boxes, 1 small perfume box, 1 dog basket, 10 big baskets cane, 24 small baskets cane, 2 flower baskets, 2 drums, 6 cane decorations, 2 pairs wooden half bodies, 2 guitars, 1 wooden mask, 1 cane stand, 1 telephone chair cane, 1 wooden wall decorator, 3 corner shelves cane.

CONDITIONS OF SALE:

Detailed terms and conditions of the sale together with details of the property may be inspected at the Deputy Sheriff's.

TERMS OF SALE:

Cash or bank guaranteed cheques.

DATED at Gaborone this 22nd day of July, 1999.

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

Second Publication

**IN THE MAGISTRATES COURT FOR THE DISTRICT OF FRANCISTOWN
HELD AT FRANCISTOWN**

Case No. CCF 2102/98

In the matter between:

LETSWELETSE MONNAATLALA
and
TIRAFALO MONNAATLALA

Plaintiff

Defendant

NOTICE OF SALE IN EXECUTION

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

DATE OF SALE: 17th August, 1999
TIME: 10.00 a.m.
VENUE: Broadhurst Police Station
PROPERTY TO BE SOLD: 1 x four plate gas stove, 1 x fridge, 1 x base and mattress, 1 x head board and dressing table.
TERMS OF SALE: Cash or bank guaranteed cheques.

DATED at Francistown this 28th day of July, 1999.

DEPUTY SHERIFF D.J. MOYO, c/o Z. MAKHWADE & CO., P.O. Box 916, FRANCISTOWN.

Second Publication

**IN THE MAGISTRATES COURT FOR THE GABORONE DISTRICT
HELD AT GABORONE**

Case No. G 7151/99

In the matter between:

STANDARD CHARTERED BANK OF BOTSWANA LIMITED
and
GAOLATHE OWEN MPAESELE

Plaintiff

Defendant

NOTICE OF SALE IN EXECUTION

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

DATE OF SALE: 27th August, 1999
TIME: 10.30 a.m.
VENUE: Broadhurst Police Station
PROPERTY TO BE SOLD: 51cm TV, 3 piece bedroom suite, stove, KIC fridge, 4 pieces sofas, Toyota Conquest B153 ACW 1.6 white in colour.
TERMS OF SALE: Cash or bank guaranteed cheques will be accepted.

DATED at Gaborone this 5th day of August, 1999.

DEPUTY SHERIFF JOSEPH T. KOKOLETSE, c/o BRISCOE ATTORNEYS, *Plaintiff's Attorneys*,
Plot No. 222, Independence Avenue, P.O. Box 402492, GABORONE.

Second Publication

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

Case No. G 1890/99

In the matter between:

**KEPKA ENTERPRISES (PROPRIETARY) LIMITED
and
JOSEPH GABOBEGWE**

Plaintiff

Defendant

NOTICE OF SALE IN EXECUTION

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

DATE OF SALE: 27th August, 1999
TIME: 10.00 a.m.
VENUE: Kanye Police Station
PROPERTY TO BE SOLD: 3 piece sofas, 4 burner gas stove, Sharp microwave, ironing board.
TERMS OF SALE: Cash or bank guaranteed cheques.

DATED at Gaborone this 28th day of July, 1999.

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

Second Publication

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

Case No. G 1943/98

In the matter between:

**KGALAGADI BREWERIES (PTY) LTD
and
BOITEKO BOTTLE STORE
MPHO LAOLANG
ANNAH LAOLANG**

Plaintiff

1st Defendant

2nd Defendant

3rd Defendant

NOTICE OF SALE IN EXECUTION

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

DATE OF SALE: 20th August, 1999
TIME: 10.00 a.m.
VENUE: Molepolole Police Station
PROPERTY TO BE SOLD: Coffee table, 4 piece sofas, television, floor mat, display unit, music system.
TERMS OF SALE: Cash or bank guaranteed cheques.

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

Second Publication

Licences

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

<i>Name and Address</i>	<i>Type of Licence</i>	<i>Location</i>	<i>Council</i>	<i>Date of Hearing</i>
Simply Stunning (Pty) Ltd, P.O. Box 601105, Gaborone.	General Trading	Plot No. 4921 Extension 21 Gaborone	Gaborone City Council	11.8.99
Polina Agencies (Pty) Ltd, c/o Private Bag BR 45, Gaborone.	Restaurant/Takeaway	Plot No. 10212 Broadhurst, Gaborone	Gaborone City Council	8.9.99
First Office Systems (Pty) Ltd, c/o Rebatho Holdings & Business Services, P.O. Box 2221, Gaborone.	Workshop	Plot No. 715 Extension 2 Gaborone	Gaborone City Council	11.8.99
Gold City Hair Salon, c/o P.R. Executive Employment & Business Services, P.O. Box 2160, Gaborone.	Hair Dresser	Plot No. 5650 Broadhurst Gaborone	Gaborone City Council	11.8.99
Indian Grace (Pty) Ltd, c/o Industrial Management & Accounting Services (Pty) Ltd, P.O. Box 40096, Gaborone.	Specialised Wholesale goods: clothing, leather goods, linen and gifts	Plot No. 4802 Old Industrial Site Gaborone	Gaborone City Council	11.8.99
U.K. Wholesalers (Pty) Ltd, c/o P.R. Executive Employment & Business Services P.O. Box 2160, Gaborone.	Specialised Wholesale	Plot No. 10245 Broadhurst Gaborone	Gaborone City Council	11.8.99
Themba Ngurunyoka, P.O. Box 401518, Gaborone.	Specialised Trading	Plot No. 8884 African Mall	Gaborone City Council	11.8.99
Catwalk (Pty) Ltd, c/o Corporate Business Intelligence (Pty) Ltd, P.O. Box 10127, Gaborone.	Specialised Trading goods: electrical appliances electronics and accessories, cosmetics, jewellery, and men and ladies wear	Plot No. 8884 Shop No. 4 African Mall	Gaborone City Council	11.8.99
Multisoft (Pty) Ltd, P.O. Box 2897, Gaborone.	Specialised Trading good computer related products, stationery and office equipment	Plot No. 17866 2nd Floor, Unit 3 Gaborone West Mall	Gaborone City Council	8.9.99
Chelmsford Investments, P.O. Box 569, Selebi-Phikwe.	Specialised Trading goods: pumps, valves, couplings, drives, piping, manifolds, electric motors, diesel engines and associated equipment, repairs, maintenance and servicing of all of the above	Plot No. 2722 Selebi-Phikwe	Selebi-Phikwe Town Council	.99

Winmus Investments (Pty) Ltd, c/o Rebatho Holdings & Business Services, P.O. Box 2221, Gaborone.	Garage/Workshop	Plot No. 2259 Jwaneng Industrial Site	Jwaneng Town Council	11.8.99
Leungo Molebatsi, P.O. Box 385, Lobatse.	General Trading	Plot No. B48 Peleng	Lobatse Town Council	19.8.99
House of Beauty (Pty) Ltd, Plot No. 1370, Khama 1 Avenue, Lobatse	Beauty Salon	Plot No. 1370 Khama 1 Avenue Lobatse	Lobatse Town Council	19.8.99
F.K. Holdings t/a F.K. Wholesalers, P.O. Box 514, Lobatse.	General Wholesale	Plot No. 242, Woodhall Ind. Lobatse	Lobatse Town Council	19.8.99
Game Discount World (Botswana) (Pty) Ltd, c/o Corporate Services (Pty) Ltd, P.O. Box 406, Gaborone.	Supermarket (Departmental Store)	Lot No. 904 Francistown	Francistown City Council	14.9.99
Spaar Investments (Pty) Ltd, c/o Corporate Services (Pty) Ltd, P.O. Box 406, Gaborone.	Fresh Produce	Lot No. 904 Francistown	Francistown City Council	14.9.99
Spaar Investments (Pty) Ltd, c/o Corporate Services (Pty) Ltd, P.O. Box 406, Gaborone.	Supermarket	Lot No. 904 Francistown	Francistown City Council	14.9.99
Spaar Investments (Pty) Ltd, c/o Corporate Services (Pty) Ltd, P.O. Box 406, Gaborone.	Restaurant/Takeaway	Lot No. 904 Francistown	Francistown City Council	14.9.99
Space Age Electronics (Pty) Ltd, P.O. Box 793, Francistown.	Specialised Trading goods: cellphones, electronic components, t/shirts, jewellery, leather products, C.D. video cassettes, and radio cassettes	Unit No. 53 Barclays Plaza, Francistown	Francistown City Council	10.8.99
Topline (Pty) Ltd, Private Bag 115, Gaborone.	Specialised Trading goods: clothing, jewellery, cosmetics, perfumes, domestic hardware, textile, luggage, accessories and gifts	Plot No. 904 Francistown	Francistown City Council	14.9.99
Meshack Motswagole, P.O. Box M1527, Kanye.	Fresh Produce	Kanye	Southern District Council	17.8.99
Tlamelang Mothabane, P.O. Box 780, Jwaneng.	Fresh Produce	Sese	Southern District Council	17.8.99
Bibi Jaqueline Maboka, P.O. Box 1, Ranaka.	Fresh Produce	Ranaka	Southern District Council	17.8.99

Newlook Holdings (Pty) Ltd, P.O. Box 1, Ranaka.	Fresh Produce	Ranaka	Southern District Council	17.8.99
Suzanne Chambwa, Jordak Enterprises (Pty) Ltd, Private Bag 002, Thamaga.	Speciality Hair-salon and Boutique	Moshupa	Southern District Council	17.8.99
Gomalebane Enterprises (Pty) Ltd, District	17.8.99	Liquor Restaurant, Mokakana Ward	Southern Council	
t/a Highway Liquor Restaurant, General Trading/Fresh Produce P.O. Box 578, Moshupa.	General Trading/Fresh Produce	Moshupa	Council	
Yan's (Pty) Ltd, P.O. Box 320, Kanye.	Specialised Trading goods: clothing, shoes, luggage bags, electronics, bedding, linen, jewellery and bicycles	Lot No. 22 Kanye	Southern District Council	17.8.99
Price Club (Botswana) (Pty) Ltd, P.O. Box 92, Kanye.	Specialised Trading additional items: clothing, footwear, linen, base mattresses, jewellery, bedding and blankets and beads	Plot No. 164, Sebonego Ward Kanye	Southern District Council	17.8.99
Kebitsaone Mohinda, P.O. Box 20257, Maun.	Take-Aways Caravan	Land Board Offices	Maun Local Licensing Authority	17.8.99
Tshepo Gomosie, P.O. Box 212, Maun.	Hair Saloon	Plot No. 318, Boseja	Maun Local Licensing Authority	17.8.99
West Way Motors (Pty) Ltd, P.O. Box 78, Maun.	Motor Trading	Boseja Maun	Maun Local Licensing Authority	17.8.99
Keselipile K. Bogale, P.O. Box 63, Maun.	Specialised Liquor	Makalamabedi Junction	Maun Local Licensing Authority	17.8.99
Sidern Marketing (Pty) Ltd, P.O. Box 501297, Gaborone.	Specialised Trading	Plot No. 30 Ghanzi	Ghanzi District Council	19.8.99
Mohuri S. Montshiwa, P.O. Box 282, Selebi-Phikwe.	General Trading Fresh Produce	Radisele	Serowe/Palapye Sub-District Council	15.8.99
Business Care Services (Pty) Ltd, P.O. Box 10288, Palapye.	Fresh Produce Wholesale	Lot No. 321 Palapye New Industrial Area	Serowe/Palapye and Local Authority	15.8.99
Gaatsalelwe Kgoboge, P.O. Box 10447, Palapye.	Dry Cleaning	Boikago Ward	Serowe/Palapye Sub-District Council	17.8.99
Adolph K. Mukwemba, P.O. Box 10950, Palapye.	Bookshop	R.A. Bailey Premises, Palapye	Serowe/Palapye Sub-District Council	17.8.99
Zennam Holdings (Pty) Ltd, t/a Amby Boutik-Saloon, P.O. Box 970, Serowe.	Specialised Trading and Hair Saloon, clothing, jewellery, leather products, cosmetics, gift items	Setaboswane Complex, Palapye	Serowe/Palapye Sub-District Council	17.8.99

Noko (Pty) Ltd, c/o P.O. Box 778, Gaborone.	Workshop	Plot No. 260 Tlokweng	South East District Council	18.8.99
Nhlanhla Kutiwa, P.O. Box 272, Ramotswa Station.	Salon	Ramotswa Main Mall Complex	South East District Council	18.8.99
Pro Gas Botswana (Pty) Ltd, P.O. Box 179, Ramotswa.	Specialised Wholesale Gas	Plot No. 373 Ramotswa	South East District Council	18.8.99
Noko (Pty) Ltd, P.O. Box 778, Gaborone.	Specialised Trading	Plot No. 260 Tlokweng	South East District Council	18.8.99
Christine K.B. Moloi, P.O. Box 98, Ramotswa.	Specialised Trading	Industrial Area Ramotswa	South East District Council	18.8.99
K3 Agencies, P.O. Box 1602, Molepolole.	Liquor Restaurant	Bokone Ward, Molepolole	Kweneng District Council	11.8.99
James Gaobolae, P.O. Box 20229, Gaborone.	Liquor Restaurant	Thamaga	Kweneng District Council	11.8.99
Bonnie Hair Salon, P.O. Box 4, Thebephatshwa.	Hair Salon	Bokone Ward, Molepolole	Kweneng District Council	21.9.99
Moagi B. Molebatsi, P.O. Box 440, Mochudi.	Fresh Produce and Bar Liquor	Boseja North	Kgatlang District Council	8.99
Patrick S. Mabena, P.O. Box 71, Bokaa.	Specialised Trading goods: tv and radio repairs	Phaphane Ward	Kgatlang District Council	7.9.99
Skenjane Nkobolo, P.O. Box 3, Moroka.	Fresh Produce	Moroka	North East District Council	25.8.99
Edward M. Rakwadi, P.O. Box 2, Gaborone.	Fresh Produce and Butchery	Plot No. 533 Maun	North West District Council	18.8.99
Mokwaledi Omphile, P.O. Box 954, Mahalapye.	General Trading	Herero Ward, Mahalapye	Mahalapye Sub- District Council	17.8.99
Felix B. Kgamane, P.O. Box 600, Shoshong.	Liquor Restaurant	Shoshong	Mahalapye Sub- District Council	15.8.99
Irene D. Mosimanyane, Private Bag 052, Mahalapye.	Bottle Store	Herero Ward, Mahalapye	Mahalapye Sub- District Council	17.8.99
Diklets Investments (Pty) Ltd, Private Bag 63, Mahalapye	Specialised Wholesale	Plot No. 1247 Xhosa II Mahalapye	Mahalapye Sub- District Council	18.8.99
Rose K. Mothusi, P.O. Box 10841, Botshabelo, Selebi-Phikwe.	General Trading	Tobane	Bobirwa Sub- District Council	17.8.99
Zheng Xiao Lin, P.O. Box 1693, Gaborone.	Specialised Trading	Mopipi	Letlhakane Sub- District Council	17.8.99

Elton Motlhabane, Private Bag F67, Francistown.	General Trading	Nswazwi	Tutume Sub- District Council	17.8.99
Maggie Mlambo, Nswazwi Postal Agency, Nswazwi Village.	Bar and General Trading	Nswazwi Village	Tutume Sub- District Council	17.8.99
Luka Rapson, P.O. Box 11798, Tatitown.	Liquor Restaurant	Tutume	Tutume Sub- District Council	17.8.99
Donald Sunshine Ben. P.O. Box 272, Tutume.	Specialised Trading video outlet	Tutume/ Madikwe	Tutume Sub- District Council	17.8.99
Maria Eiman, P.O. Box 279, Goodhope.	Liquor Restaurant and Hair Dresser	Metlojane	Goodhope Sub- District Council	18.8.99
GTM Consultancy, P.O. Box 2438, Gaborone. Represented by/represents GTM Consultancy Kay-Sie Motors (Pty) Ltd, P.O. Box 401444, Gaborone. Represented by: Goal & Goals (Pty) Ltd Thobo (Pty) Ltd., c/o P.O. Box 778, Gaborone. Represented by: Deloitte & Touche Management Services (Pty) Ltd Psion Agencies (Pty) Ltd, P.O. Box 301066, Tlokweng. Represented by/represents Self Dawn Enterprises (Pty) Ltd, P.O. Box 201694, Gaborone. Represented by/represents Thekiso Labour Profession (Pty) Ltd	Agency goods: pony bags, dolphin bags, shoes and accessories	Plot No. 135, Industrial Avenue Gaborone	National Licensing Authority	.99
	Workshop motor repair services	Tlokweng	National Licensing Authority	.99
	Agent new and used motor vehicles	All over Botswana	National Licensing Authority	.99
	Importer/Exporter goods: motor spare parts and accessories	Plot No. 22038 Unit 7 Takatokwane Way Gaborone West	National Licensing Authority	.99
	Import/Export goods: medical lab equipments, chemicals and reagent, distribution of medical staff and medicine, scientific equipments, educational material and stationary	B.B.S. Mall, Broadhurst	National Licensing Authority	.99
P.J. Earle, Redwood Holdings (Pty) Ltd, Private Bag 203, Maun. Represented by/represents P.J. Earle	Auctioneer's licence goods: all second hand goods and property	Maun District and Ngamiland	National Licensing Authority	.99

Licences

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

<i>Name and Address</i>	<i>Type of Licence</i>	<i>Location</i>	<i>Council</i>	<i>Date of Hearing</i>
M.T.K. and Company (Pty) Ltd, c/o Kalego Business Services, P.O. Box 1345, Gaborone.	Speciality goods: sale of earthmoving machinery and plant spare parts ancillary, electronics and electrical appliances, t.v, radios, videos, antenna dishes, security equipment computers software and medical equipment	Lot No. 17479 Extension 52 Gaborone	Gaborone City Council	8.9.99
Excellent Outcomes (Pty) Ltd, t/a Cared Business Services, P.O. Box 403597, Gaborone.	Specialised Trading goods: office accessories, office equipment consummables, stationery, cards, books and computers	Lot No. 1101-6 Queens Road Coop Building Room 15 Main Mall Gaborone	Gaborone City Council	8.9.99
Sarkar & Associates (Pty) Ltd, t/a R & R Electronics Centre, c/o Select Secretarial Agency (Pty) Ltd, Private Bag BR 11, Gaborone.	Specialised Trading goods: computers, cell phones, electronic goods and accessories	Unit No. F2, First Floor, Lot No. 400, Independence Avenue, Gaborone	Gaborone City Council	8.9.99
The Book World Botswana (Pty) Ltd, c/o Industrial Management and Accounting Services (Pty) Ltd, P.O. Box 40096, Gaborone.	Specialised Trading goods: office equipment, machines, medical electronic equipment, books, stationery and consumables	Plot No. 1245, Extension 6, Gaborone	Gaborone City Council	8.9.99
CJ's Investments (Pty) Ltd, Operating as CJ's Hair Salon, Beauty Parlour and Boutique, P.O. Box 402745, Gaborone.	Hairdresser and Specialised Trading boutique	Plot No. 1162- 1168 Suite 4 and 5 Extension 3 Gaborone	Gaborone City Council	8.9.99
Indian Grace (Pty) Ltd, c/o Industrial Management and Accounting Services (Pty) Ltd, P.O. Box 40096, Gaborone.	General Wholesale	Plot No. 4802, Old Industrial Site, Gaborone	Gaborone City Council	8.9.99
Planets Laboratories (Pty) Ltd, P.O. Box 601009, Gaborone.	Specialised Trading	Plot No. 17503 Broadhurst	Gaborone City Council	8.9.99
C.B.A.V. (Pty) Ltd., t/a The Boma P.O. Box 336, Gaborone.	Restaurant coffee shop	Plot No. 5640 Extension 16 Unit 17/8 Gaborone	Gaborone City Council	8.9.99
St. Johns Fashion (Pty) Ltd, P.O. Box 40378, Gaborone	Wholesale	Plot No. 20613, Unit 3, Gaborone	Gaborone City Council	8.9.99

Premeji Investments (Pty) Ltd, c/o Corporate Services (Pty) Ltd, P.O. Box 406, Gaborone	Garage and Workshop	Lot No. 10202, Extension 16, Broadhurst Industrial Site	Gaborone City Council	15.9.99
Premeji Investments (Pty) Ltd, c/o Corporate Services (Pty) Ltd, P.O. Box 406, Gaborone	Specialised Trading sales of tyres, exhausts systems and shock absorbers	Lot No. 10202, Extension 16, Broadhurst Industrial Site	Gaborone City Council	15.9.99
Premeji Investments (Pty) Ltd, c/o Corporate Services (Pty) Ltd, P.O. Box 406, Joyce Moenda, P.O. Box 256, Ramotswa Station	Motor Trading	Lot No. 10202, Extension 16, Broadhurst	Gaborone City Council	15.9.99
Motlatsi Mooketsi, P.O. Box 1459, Mochudi.	Special Liquor	Otse Police College	South East District Council	18.8.99
E. Khan, t/a Bokaa Trading Store, P.O. Box 1 48, Bokaa.	General Trading	Makakatlela	Kgatleng District Council	7.9.99
Setlhare & Sons Engineering (Pty) Ltd, P.O. Box 772, Gaborone.	General Trading	Bokaa Village	Kgatleng District Council	7.9.99
Ipuso Kobe, P.O. Box 610, Mochudi.	Specialised Trading motor repair workshop	Pilane	Kgatleng District Council	7.9.99
Pie City (Pty) Ltd, c/o M.B.I. (Pty) Ltd, Private Bag BR 45, Gaborone.	General Trading	Ramotlabaki,	Kgatleng District Council	7.9.99
Ditsele-Kofa, P.O. Box 403539, Gaborone.	Restaurant/Takeaway as per Franchise Agreement	Plot No. 2530, Shop 5, Mochudi	Kgatleng District Council	7.9.99
Kegaisamang Machinya, P.O. Box 40772, Gaborone.	Bar Liquor Bottle Store and Restaurant Take-Away	Pilane Village	Kgatleng District Council	7.9.99
Brian Lyn (Pty) Ltd, P.O. Box 60685, Gaborone.	Restaurant Take-away	Artesia	Kgatleng District Council	7.9.99
Thasha Hair Salon, P.O. Box 1234, Mogoditshane.	General Trading	Mogoditshane	Kweneng District Council	21.9.99
Edson M. Mochudi. P.O. Box 401824, Gaborone.	Hair Salon	Mogoditshane	Kweneng District Council	21.9.99
Moakanyetsi M. Keoneeng, P.O. Box 10407, Kanye.	Fresh Produce	Moshupa	Southern District Council	9.9.99
Itumeleng Dikgomo, P.O. Box 248, Moshupa.	Fresh Produce and Bar	Sesung	Southern District Council	8.99
Modiri Bagwasi, P.O. Box 81, Jwaneng.	Fresh Produce	Lotlhakane West	Southern District Council	9.9.99
	Fresh Produce	Sese	Southern District Council	17.8.99

Agatha P.T. Mochotlhi, Private Bag MK17, Kanye.	Liquor Restaurant	Ranaka	Southern District Council	9.9.99
E.O. Moumakwa, P.O. Box 1277, Lobatse.	Special Liquor	Plot No. 441/3 Thema, Lobatse	Lobatse Town Council	16.9.99
Padma Enterprises (Pty) Ltd, P.O. Box 201372, Gaborone.	Specialised Trading	Plot No. 433, Thema Township Lobatse	Lobatse Town Council	16.9.99
Edward G. Evans, P.O. Box 8, Mabule.	General Trading	Leporong	GoodHope Sub- District Council	18.8.99
Leach R. Lekula, P.O. Box 1025, Lobatse	Bar	Majaalela	GoodHope Sub- District Council	18.8.99
Bathonote Matlhare, P.O. Box 69, Mahalapye.	General Trading	Bokaa Ward Mahalapye	Mahalapye Sub- District Council	17.8.99
Ampech Auto Clinic, P.O. Box 20233, Madiba, Mahalapye.	Workshop	Mahalapye Industrial Site	Mahalapye Sub- District Council	.99
Gaboutwelwe Malepa, P.O. Box 1897, Serowe.	General Trading	Tshikinyega Ward, Mahalapye	Mahalapye Sub- District Council	.99
Olathamang D. Masautha, Private Bag 63, Mahalapye.	Butchery & Fresh Produce	Plot No. 1247 Xhosa II Mahalapye	Mahalapye Sub- District Council	30.8.99
Khowa Baouki, P.O. Box 264, Serowe.	General Trading & Fresh Produce	Moreomabele	Serowe/Palapye Local Authority	20.9.99
Mbako K. Mongwa, P.O. Box 345, Palapye.	Specialised Trading goods: electrical appliances, audio and video, accessories, toys, gifts	Serorome Ward Palapye	Serowe/Palapye Local Authority	17.8.99
Raps Motors (Pty) Ltd, c/o Page Alliance Services (Pty) Ltd, P.O. Box 10288, Palapye.	Garage Workshop	Palapye Old Industrial Site	Serowe/Palapye Local Authority	8.99
Club XXL, P.O. Box 11667, Tatitown.	Liquor Restaurant	Plot No. 305 Haskins Street Francistown	Francistown City Council	14.9.99
Club XXL, P.O. Box 11667, Tatitown.	Bar	Plot No. 305 Haskins Street Francistown	Francistown City Council	14.9.99
Club XXL, P.O. Box 11667, Tatitown.	Special Liquor	Plot No. 305 Haskins Street Francistown	Francistown City Council	14.9.99
Rossie (Pty) Ltd t/a Carnival Furnishers, Private Bag BR 257, Gaborone.	Speciality furniture	Plot No. 904 Game Centre Francistown	Francistown City Council	14.9.99
Sydney Mooketsi, P.O. Box 206, Mathangwane.	Liquor Restaurant	Tati Siding	North East District Council	25.8.99
Thokozile Sesinye, P.O. Box 717, Francistown.	Caravan Takeaway	Masunga	North East District Council	25.8.99
Motsetsela Investment (Pty) Ltd, P.O. Box 2266, Gaborone.	Garage Workshop	Maun Industrial Site	North West District Council	9.99

Tiroyamodimo C. Samoyanaro, P.O. Box 20322, Maun.	Take-Away Caravan	Letsholathebe Primary School	Maun Local Licensing Authority	17.8.99
Ophaketse Motokwane, P.O. Box 107, Mabutsane.	Fresh Produce	Mabutsane	Mabutsane Sub- Sub-District Licensing Committee	18.8.99
Patikego Ringo Lenkoipanis, P.O. Box 85, Lehututu.	Specialised Trading selling coffins, caskets, wreaths etc	Lehututu	Hukuntsi Sub- District Council	1.9.99
Nelson Hambira, P.O. Box 96, Werda.	General Trading	Makopong	Kgalagadi District Council	24.8.99
Nelson Hambira, P.O. Box 96, Werda.	Restaurant	Makopong	Kgalagadi District Council	24.8.99
Nelson Hambira, P.O. Box 96, Werda.	Fresh Produce	Makopong	Kgalagadi District Council	24.8.99
Kgopolo Kaketso, P.O. Box 10, Tsabong.	Garage/Workshop	Tsabong	Kgalagadi District Council	24.8.99
Motswedi Drillers (Co.) P.O. Box 62, Letlhakane.	Drilling goods: drilling boreholes	Letlhakane	National Licensing Authority	.99
Represented by/represents Abel Modungwa Narusha Enterprises (Pty) Ltd, c/o Business Package Consultants (Pty) Ltd, P.O. Box 148, Selebi-Phikwe.	Agency goods: leather products, plasticware, African prints, domestic hardware, cosmetics, hair products, domestic chemicals	Maunatlala	National Licensing Authority	.99
Represented by/represents Business Package Consultants (Pty) Ltd, P.O. Box 148, Selebi-Phikwe.				
Kay-An Enterprises, P.O. Box 1345, Gaborone.	Agency goods: stationery, office equipment, food, beverages	Throughout Botswana	National Licensing Authority	.99
Represented by/represents Kalego Business Services Planets Laboratories (Pty) Ltd, P.O. Box 601009, Gaborone.	Agent goods: bio-medical, laboratory, education hospital, safety refrigeration, air conditioning computers equipment and sundries	Plot No. 17503 Kilimajaro Mall	National Licensing Authority	.99
Represents by/represents Paul Mambwe				

South East District Council — Tender No. SE/PSF/21 of 1999

SUPPLY OF PRIMARY SCHOOL FURNITURE

TENDERS ARE INVITED by South East District Council for supply of the below listed Primary School Furniture.

<i>ITEM</i>	<i>QUANTITY</i>	<i>DESCRIPTION</i>
A (i)	400	Pupils' trapezoid tables (medium).
B (ii)	400	Pupils' chairs (medium).
C (iii)	10	Teachers' tables with two drawers.
D (iv)	10	Teachers' chairs with arms.
E (v)	10	Four drawers steel cabinets.

Details and specifications relating to the above furniture can be obtained from Council Education Secretary's Office, Ramotswa, during normal working hours. A non-refundable tender fee of P50,00 only should be paid to Council Revenue Office.

Tenders should be submitted in a plain sealed envelope clearly marked "Tender No. SE/PSF/21 of 1999 — Supply of Primary School Furniture" and be addressed to Council Secretary, South East District Council, Private Bag 002, Ramotswa and to arrive not later than 9.00 am, on the 6th September, 1999, and be delivered at new Council offices.

The official tender opening shall commence on the same day immediately after tender closing time, in the Council Chamber at the new Offices and tenderers are free to attend the opening session.

TENDERERS ARE STRONGLY REQUESTED TO ADHERE TO THE FOLLOWING CONDITIONS:

- (a) Enclose catalogue of furniture intending to supply (not photocopies).
- (b) All prices should be in Botswana currency.
- (c) Should state validity of tender prices.
- (d) State possible period of delivery.
- (c) Indicate discount if any.

Any tender reflecting the name of the company on the outside of the envelope shall simply be rejected. Notwithstanding anything contained in the foregoing, South East District Council is not bound to accept the lowest or any tender nor assign reasons for rejection or to incur any expenses in the preparation thereof.

M.N. MODISENYANE,
for/Council Secretary.

First Publication

Southern District Council — Tender No. SDC/28-99

GRAVELLING AND MAINTENANCE OF COUNCIL ROADS

SOUTHERN DISTRICT COUNCIL invites tenders for the gravelling and of Council Roads. Only 100% citizen Civil Engineering Contractors registered with the Central Tender Board in Categories OC and A will be considered for the award of the tender. Preference will be given to contractors with past experience in similar work. Tenders must be accompanied by copies of Registration Certificates and Information on any similar work undertaken.

The roads to be maintained/gravelled are:

- PACKAGE 1:** Ramatea Road in Kanye village (maintenance of a 200 m concrete section)
- PACKAGE 2:** Junction A2 — Kokong village (Gravelling of 20 km)

Tender documents may be obtained from the office of Chief Technical Officer (Roads), Southern District Council, Kanye on payment of a non-refundable fee of P50,00 at the Council Revenue Office located within the Rural Administration Centre.

A site visit has been arranged for Thursday 2nd September, 1999. The visit will begin with the Ramatea Road in Kanye and then proceed to the Kokong road in Mabutsane Sub-District. Tenderers who wish to participate in the site visit should report at the office of the Chief Technical Officer (Roads) in Kanye at 08:00 hours. Tenderers are strongly advised to participate in the site visit so as to familiarise themselves with the prevailing conditions. Participation on the site visit should be confirmed with the Chief Technical Officer (Roads) on telephone number 342542 not later than 30th August, 1999. Tenderers are advised to make their own transport arrangements for the visit. The Council will not provide transport for the tenderers.

Tenders should be submitted in plain and sealed envelopes clearly marked "Tender No. SDC/28-99 — Gravelling and Maintenance of Council Roads" and addressed to: The Council Secretary, Southern District Council, Private Bag, 002 Kanye so as to reach his office not later than 09:00 hours, on 24th September, 1999. Tenders may also be delivered sealed and marked as above to the Council Secretary, office 020 at Rural Administration Centre in Kanye.

The tenders will be opened in public in the Council Chamber soon after the closing time. Companies who have submitted a tender may attend the tender opening if they wish.

The Southern District Council is not bound to accept the lowest or any tender, nor to provide reasons for accepting or rejecting any tender. The Council shall not be responsible for any costs incurred in the preparation of the tender. Tenders sent by telephone, telex or facsimile will not be considered.

A. M. CHIKAHA,
for/Council Secretary.

First Publication

Kweneng Land Board — Tender No. 2 of 1999

SUPPLY OF A MOTOR VEHICLE

KWENENG LAND BOARD invites motor dealers for the Supply of a Vehicle with the following accessories.

- (1) One 3 tonner truck powered by 4/6 cylinder diesel/petrol engine.

ACCESSORIES:

1. Radio Tape
2. Air conditioner
3. Bush Guard
4. 200 Litres reserve tank
5. 50 Litres water tank
6. Hand Pump (Heavy Duty)
7. Rails and tent to cover rails

This tender is subject to variation in the number of items by the Land Board committee due to their financial position.

GENERAL CONDITIONS OF THE SUPPLY UNDER THIS TENDER:

1. Delivery period from the date of firm order shall be indicated and tender price shall be up to the date of supply of vehicles from the date of closing the tender.
2. Cost of associated accessories as listed shall be priced separately and the price of the vehicle shall include the spare wheel and a set of tools.
3. Any change in the condition of supply may disqualify the tender without notice.
4. The tenders are to price the cost of third party insurance, registration and number plates.
5. Warranty from the respective manufacturer shall be provided.
6. Any information deemed necessary shall be confirmed prior to the submission of the tender.
7. Any tender by telegraph/telex/fax or post shall not be accepted.
8. Kweneng Land Board is not bound to accept the cost of any tender or post thereof nor to give reason for non-acceptance to or incur any expenses in the preparation thereof.

Tenders should be posted in the tender box at the office of the: Land Board Secretary, Kweneng Land Board, Private Bag 006, Molepolole in a plain positively sealed envelope clearly marked "Tender No. 2 of 1999 — Supply of Motor Vehicle", not later than 9.00 a.m. on Monday 6th September, 1999.

C. MOSALAGAE,
for/Board Secretary.

First Publication

Kweneng District Council — Tender No. 28 of 1999**SUPPLY OF A MOTOR VEHICLE**

KWENENG DISTRICT COUNCIL invites motor dealers for the supply of a motor vehicle as listed below with detached accessories.

1 x 1 tonner Double Cab pick-up 4 x 4 powered by 4 cylinder petrol engine.

The vehicle shall be white in colour and quote for Kweneng District Council identification colour (Sherwood green) Code No. M122 on both fenders of the vehicle.

Drawn specifications and conditions of the supply of the above mentioned tender number can be collected from the Chief Technical Officer (Auto) at the Council Workshop in Molepolole during working hours (07:30 a.m.-16:30 p.m.) upon payment of P50,00, non-refundable fee at Rural Administration Centre (Revenue Office) prior to the collection of the tender specifications.

Tenders should reach the office of the Council Secretary and shall be registered by the Personal Secretary to the Council Secretary before being slotted into the tender box, not later than 09:00 hours on Friday 24th September, 1999 at which time and date they will be opened to the public in the Council Chamber. Kweneng District Council is not bound to accept the lowest or any bid or part thereof.

Council Secretary Kweneng District Council, Private Bag 005, Molepolole. Bids must be submitted in a sealed envelope clearly marked "Tender No. 28 of 1999 — Supply of a Motor Vehicle" not later than Friday 24th September, 1999. The tender opening will be conducted in the Council Chamber at the same time, all bidders are welcome.

M.R.M. MOSWETE,
for/Council Secretary

First Publication

City of Francistown — Tender No. COF/33/99**COMPLETION OF EXTENSIONS TO AERODROME PRIMARY SCHOOL**

CITY OF FRANCISTOWN COUNCIL invites tenders from contractors registered with the Central Tender Board in Grade C to carry out the remainder of the works for the Erection, Completion and Maintenance of Extensions to Aerodrome Primary School in Francistown comprising of 1 No. double storey classroom block and 1 No. double storey house, and Associated External Works and Services.

Tender documents shall be available during working hours from the Projects Office, Room 599, Architecture and Building Department, Civic Centre, Blue Jacket Street, Francistown, or on application to the City Clerk, Private Bag 40, Francistown, upon payment of a non-refundable fee of P50,00 (Fifty Pula) as from 16th August, 1999.

Tenderers are advised to visit the sites and acquaint themselves with the nature of the works. Tenders in plain sealed envelopes clearly marked "Tender No. COF/33/99 — Completion of Extensions to Aerodrome Primary School" should reach the office of the City Clerk not later than 8.00 a.m. on 17th September, 1999. Tenders shall be opened on the same day at 9.00 a.m. in the old Council Chamber in the presence of those tenderers wishing to attend.

Tenders delivered after the deadline date and time will not be considered, nor will any telephonic, telex, telegraphic or computer printout submissions.

Notwithstanding anything contained in the foregoing, City of Francistown Council is not bound to accept the lowest or any tender nor assign reasons for any decision taken. City of Francistown Council shall not reimburse any tenderer or be held responsible for any expenses incurred in the preparation of the tender.

D. SICHOMBO,
for City Clerk.

First Publication

City of Francistown — Tender No. COF/34/99

COMPLETION OF EXTENSIONS TO NYANGABGWE PRIMARY SCHOOL

CITY OF FRANCISTOWN COUNCIL invites tenders from contractors registered with the Central Tender Board in Grade C to carry out the remainder of the works for the Erection, Completion and Maintenance of Extensions to Nyangabgwe Primary School in Francistown comprising of 1 No. double Storey House and 1 No. Single Storey Library, and Associated External Works and Services.

Tender documents shall be available during working hours from the Projects Office., Room 599, Architecture and Building Department, Civic Centre, Blue Jacket Street, Francistown, or on application to the City Clerk, Private Bag 40, Francistown, upon payment of a non-refundable fee of P50,00 (Fifty Pula) as from 16th August, 1999.

Tenderers are advised to visit the sites and acquaint themselves with the nature of the works. Tenders in plain sealed envelopes clearly marked "Tender No. COF/34/99—Completion of Extensions to Nyangabgwe Primary School" should reach the office of the City Clerk not later than 8.00 a.m. on 17th September, 1999. Tenders shall be opened on the same day at 9.00 a.m. in the old Council Chamber in the presence of those tenderers wishing to attend.

Tenders delivered after the deadline date and time will not be considered, nor will any telephonic, telex, telegraphic or computer printout submissions.

Notwithstanding anything contained in the foregoing, City of Francistown Council is not bound to accept the lowest or any tender nor assign reasons for any decision taken. City of Francistown Council shall not reimburse any tenderer or be held responsible for any expenses incurred in the preparation of the tender.

D. SICHOMBO,
for City Clerk.

First Publication

City of Francistown — Tender No. COF/35/99

COMPLETION OF EXTENSIONS TO IKHUTSENG PRIMARY SCHOOL

CITY OF FRANCISTOWN COUNCIL invites tenders from contractors registered with the Central Tender Board in Grade C to carry out the remainder of the works for the Erection, completion and Maintenance of Extensions to Ikhutseng Primary School in Francistown comprising of 1 No. new Double Storey classroom block and completion of the remaining works to 1 No. Double Storey House, and Associated External Works and Services.

Tender documents shall be available during working hours from the Projects Office, Room 599, Architecture and Building Department, Civic Centre, Blue Jacket Street, Francistown, or on application to the City Clerk, Private Bag 40, Francistown, upon payment of a non-refundable fee of P50,00 (Fifty Pula) as from 16th August, 1999.

Tenderers are advised to visit the sites and acquaint themselves with the nature of the works. Tenders in plain sealed envelopes clearly marked "Tender No. COF/35/99 — Completion of Extensions to Ikhutseng Primary School" should reach the office of the City Clerk not later than 8.00 a.m. on 17th September 1999. Tenders shall be opened on the same day at 9.00 a.m. in the old Council Chamber in the presence of those tenderers wishing to attend.

Tenders delivered after the deadline date and time will not be considered, nor will any telephonic, telex, telegraphic or computer printout submissions.

Notwithstanding anything contained in the foregoing, City of Francistown Council is not bound to accept the lowest or any tender nor assign reasons for any decision taken. City of Francistown Council shall not reimburse any tenderer or be held responsible for any expenses incurred in the preparation of the tender.

D. SICHOMBO,
for City Clerk.

First Publication

City of Francistown — Tender No. COF/38/1999

SUPPLY OF CONCRETE PRODUCTS AND AGGREGATES

TENDERS ARE INVITED by City of Francistown Council from companies registered in Botswana for the supply of Concrete Products and Aggregates for construction of paved walk ways, kerbing, drains, slabs and associated items. Tendered items will be quoted as delivered to the Council Works Depot in the Light Industrial Area, Francistown, as follows :

- (a) **CONCRETE PRODUCTS:** Items required include concrete slabs, concrete blocks (6 and 9 inches), interlocking pavers, kerbs (non-mountable, semi-mountable and mountable). Tenderers must supply all necessary technical information including shape, dimensions, strength etc. Delivery period should be stated in clear terms from the date of order. Rates quotes must be binding up to 30th May, 2000.
- (b) **AGGREGATES:** The item required is 19 mm stone aggregates for concrete works. Tenderers should furnish information on the rates, type aggregates, grade. Delivery period should be stated in clear term from the date of order. Rates quotes must be binding up to 30th May, 2000.

In case of need for any clarification tenderers may contact the City Engineer at Telephone No. 21 1050, Extension 405 or Chief Technical Officer (Roads) at Telephone No. 21 1050, Extension 511 during working hours. There are no tender documents issued for this tender.

Tenders should be submitted in a plain sealed envelope marked "Tender No. COF/38/1999— Supply of Concrete Products and Aggregates" to the City Clerk, Civic Centre, Francistown not later than 8.00 a.m. on Friday 17th September, 1999.

Tenders shall be opened on the same day at 9.00 a.m. in the Old Council Chamber in the presence of tenderers who may wish to be present. City of Francistown Council does not bind itself to accept the lowest tender, or any tender nor to assign any reason thereof.

C. CHONGO,
for City Clerk.

First Publication

City of Francistown — Tender No. COF/39/1999

SUPPLY OF COLD PREMIX, BITUMEN EMULSION AND ROAD PAINTS

TENDERS ARE INVITED by City of Francistown council from companies registered in Botswana for the supply of Cold Premix, Bitumen Emulsion, and Road Paints to be used in road maintenance works in the City. Tendered items will be quoted as delivered to the Council Works Depot in the Light Industrial Area, Francistown, as follows:

- (a) **COLD PREMIX:** These items should be supplied in 40 or 50 kg bags. Tenderers must supply all necessary technical information including literature and samples. Delivery period and terms should be clearly stated from the date of order. Rates quoted must be binding up to 30th May, 2000.
- (b) **BITUMEN EMULSION:** This item is required the supply of KRS 60 Bitumen Emulsion in 210 litre drums. Tenderers should furnish information on the rates, and delivery period from date of order. Rates quoted must be binding up to 30th May, 2000.
- (c) **ROAD PAINT:** The required supply of (i) Road Marking Paint - Yellow, (ii) Road Marking Paint - White (iii) High Gloss Enamel - Black, (iv) High Gloss - Yellow. Tenderers must quote rates per 20 litre container. All necessary technical information on the paint quality must be furnished to include delivery period from date of order. Rates quoted must be binding up to 30th May, 2000.

In case of need for any clarification tenderers may contact the City Engineer at Telephone No. 21 1050 Extension 405 or Chief Technical Officer (Roads) at Telephone No. 21 1050 Extension 511

during working hours. There are no tender documents issued for this tender.

Tenders should be submitted in a plain sealed envelope clearly marked "Tender No. COF/39/1999 — Supply of Cold Premix, Bitumen Emulsion and Road Paints" to the City Clerk, Civic Centre, Francistown not later than 8.00 a.m. on Friday 17th September, 1999.

Tenders shall be opened on the same day at 9.00 a.m. in the Old Council Chamber in the presence of tenderers who may wish to be present. City of Francistown Council does not bind itself to accept the lowest tender, or any tender nor to assign any reason thereof.

C. CHONGO,
for City Clerk.

First Publication

City of Francistown — Tender No. COF/40/1999

SUPPLY OF ROAD NAMES AND SIGNS

TENDERS ARE INVITED by City of Francistown Council from companies registered in Botswana for the supply of Street Names and Road Signs to be used throughout the city. Road signs shall be as per Botswana Road Design Manual and Traffic Act. Street names will be tendered based on 15-20 letters each, and tenderers must provide samples. Tendered items will be quoted as delivered to the Council Works Depot in the Light Industrial Area, Francistown.

Tender documents can be obtained from the City Engineer's office at Civic Centre, Room 405, Telephone No. 211050 or on application to the City Clerk, City of Francistown, Private Bag 40, Francistown on payment of a non-refundable tender document fee of P20.00. No document will be dispatched via fax or e-mail.

In case of need for any clarification, tenderers may contact the City Engineer at Telephone No 211050, Extension 405 or the Chief Technical Officer (Roads) at Telephone No 211050 Extension 511 during working hours.

Tenders should be submitted in a plain sealed envelope marked "Tender No. COF/40/99 — Supply of Road Signs and Names" to the City Clerk, Civic Centre, Francistown not later than 8.00 a.m. on Friday 17th September, 1999.

Tenders shall be opened on the same day at 9.00 a.m. in the old Council Chamber in the presence of tenderers who may wish to present. City of Francistown Council does not bind itself to accept the lowest tender, or any tender nor to assign any reason thereof.

C. CHONGO,
for City Clerk.

First Publication

City of Francistown — Tender No. COF/41/1999

SUPPLY OF ELECTRICAL MAINTENANCE MATERIALS

TENDERS ARE INVITED by City of Francistown Council from registered Botswana companies for the bulk supply of Electrical Maintenance Materials to be delivered to the Council Depot. Tenderers should clearly state in each case the delivery period, the manufacturer, the cost inclusive of customs and any taxes for the following materials :

A. 11.5 METRE GALVANISED STEEL POLE

QUANTITY: 40

These should be Sectional Poles type or equivalent of continuous seamless tapered hollow fabrication complete with base, anti-rust treated, 2 metre bottom section and 2.5 metre outreach.

- B. 10.00mm² **ARMoured CABLE** *QUANTITY* : 1,000 Metres
The required cable should be 10 millimetre squared stranded copper in Poly Vinyl-Chloride Steel Wire Armoured Poly Vinyl-Chloride (PVC SWA PVC) sheathing, up to 1000V capacity type. To be supplied on 500 metre drums.
- C. 150 Watts **HPS SIDE ENTRY STREET LIGHT FITTINGS** *QUANTITY* : 60
Fittings must conform to IP 65 and IP 23 Protection Class or better. Tenderers must supply supporting literature. Fittings must be supplied complete with lamps.
- D. 125 Watts **MV SIDE ENTRY STREET LIGHT FITTINGS** *QUANTITY*: 40
Fittings must conform to IP 65 and IP 43 Protection Class or better. Tenderers must supply supporting literature. Fittings must be supplied complete with lamps. There are no tender documents issued.

Tenders stating the cost in each category, delivery period and any relevant information should be submitted in a sealed envelope marked "Tender COF/41/99 — Supply of Electrical Maintenance Materials." to the City Clerk, Private Bag 40, Francistown not later 8.00 a.m. on Friday 17th September, 1999.

Tenders will be opened on the same day at 9.00 a.m. in the presence of tenderers who may wish to be present. The City of Francistown Council does not bind itself to accept lowest tender, or any tender nor to assign any reason thereof.

C. CHONGO,
for City Clerk.

First Publication

City of Francistown — Tender No. COF/42/99

DEVELOPMENT OF LOCAL CENTRES AT MONARCH EAST AND AREA S

CITY OF FRANCISTOWN COUNCIL has a programme to develop Local Centres at Riverside South and Somerset West within the low cost housing areas of the city. These centres are partially developed since a number of shops are already established at each centre. City of Francistown Council is now upgrading these centres with provision of infrastructural services (tarred access roads, paved car parking, kerbing, stormwater drainage systems, etc). Tenders are therefore invited by the Council for the above works from Roads and Civil Engineering Contractors registered with the Central Tender Board.

Tender documents together with details may be obtained from the City Engineer's office, at Civic Centre, Francistown or on application to the City Clerk, City of Francistown, Private Bag 40, Francistown on payment of 50,00 Pula non-refundable tender fee.

Tenderers are requested to attend a compulsory briefing meeting on the project at 2 p.m. on 3rd September, 1999 at City Engineer's office, in Civic Centre, Francistown Council. Tenderers will be taken on a site visit after the meeting. Sale of tenders will stop after the compulsory briefing meeting and site visit.

Tenders in a plain sealed envelope marked "Tender No. COF/42/99 — Development of Monarch East, Area S Local Centres" should be sent to the City Clerk, Private Bag 40, Francistown not later than 8.00 a.m. on Friday 17th September, 1999. Tenders will be opened in the presence of tenderers wishing to attend at 9.00 a.m. on the same day in the old Council Chamber.

Notwithstanding anything contained in the foregoing, City of Francistown Council is not bound to accept the lowest or any tender nor to assign reason for rejection or to incur any expenses in the preparation thereof.

C. CHONGO,
for City Clerk.

First Publication

North West District Council — Tender No. NWDC/CTU/7-99**SUPPLY OF NEW VEHICLES**

TENDERS ARE INVITED by the North West District Council for the supply of new vehicles as specified below:

1 x 4 x 4 station wagon 6 cylinder petrol engine vehicle supplied with air conditioner and bush guard.

1 x 4 x 4 double cab 4 cylinder petrol engine vehicle. Supplied with air conditioner, bush guard, canopy and 150 litre fuel tank and rear bumper. Vehicles be must supplied in white colour only. All quotes are to be in Pula currency and held firm for 90 days. Any currency fluctuation anticipated must be clearly stated and the delivery period for which vehicles are likely to be supplied. Tenders must be accompanied by the technical brochures.

Tenders in plain sealed envelopes clearly marked " tender No NWDC/CTU/7-99 — Supply of New Vehicles" must reach the office of the Council Secretary, North West District Council, Private Bag 01, Maun, not later than 9.00 a.m. on the 15th September, 1999 the time at which tenders shall be opened.

The Council is not obliged to accept the lowest or any tender nor to give reasons for rejection of any tender.

B. LESHAGA,
for Council Secretary .

First Publication

Tawana Land Board — Tender No. TLB/2/99**SUPPLY OF VEHICLE**

TAWANA LAND BOARD invites tenders for the supply of vehicles as follows:-

1. 2 No, Land Rover Defender 110 2.8 L Station Wagon
2. 1 No. Land Cruiser 4.5 Station Wagon
3. 1 No. 4 x 4 Toyota Hilux Double Cab.

THE VEHICLES MUST BE FITTED WITH THE FOLLOWING EXTRAS:

- Front bumper (bush guard)
- Rear bumper
- Roof rack
- 100 litres reserve tank
- Spare wheel carrier
- Radio tape and air conditioner

Tenders should be submitted in plain sealed envelopes clearly marked "Tender No. TLB/2/99 — Supply of Vehicles" not later than 7th September, 1999, at 4:30 p.m.

Tenders are to be sent to: The Board Secretary, Tawana Land Board, P.O. Box 134, Maun.

GENERAL CONDITIONS OF SALE:

Tenders should state the Validity the price, Delivery period after receiving the Local Purchase Orders.

Notwithstanding anything contained in the foregoing, Tawana Land Board is not bound to accept the lowest or any tender nor give any reasons thereof.

M. MOSEKI,
Board Secretary.

First Publication

Ghanzi District Council — Tender No. GDC/21/99**SUPPLY OF FOOD COMMODITIES**

GHANZI DISTRICT COUNCIL invites tenders from interested suppliers for supply of food commodities for Remote Area Dwellers hostel (Kuke, D'kar, Kanagas, Metsimantsho) and Pre-schools (Bere, New-Xade, Groot-laagte, East Hanahai, West Hanahai, New Kanagas and D'kar). Delivery should be done at Council Depots at Ghanzi and Charleshill.

Tender documents can be obtained from Remote Area Development Programme (RADP) office in Ghanzi, signed documents indicating food prices shall remain firm for 12 calendar months (a year) from the date of closing of the tender which is the 2nd September, 1999.

The same tender should remain valid for 12 calendar months. The completed tender documents shall be submitted in plain sealed envelopes and clearly marked "Tender No. GDC/21/99 — Supply of Food Commodities" and addressed to the: Council Secretary, Ghanzi District Council, Private Bag 0015, Ghanzi.

The completed tender documents should be posted in the tender box in the Council Secretary's Office not later than 09.00 a.m. on 2nd September, 1999. The public tender opening shall commence in the Council Chamber at 9.00 am on the same day, 2nd September 1999.

Ghanzi District Council is not obliged to accept the lowest of any tender nor give reasons for rejection of any tender. Ghanzi District Council shall not be responsible for any expenses incurred in the preparation of the tender.

Any person wishing to attend may do so. Telephonic or faxed tenders will not be accepted.

I. SEROLE,
for Council Secretary.

First Publication

Rolong Land Board**TRIBAL LOT 1388 — 1419 PITSANE
BAROLONG TRIBAL AREA**

THE PUBLIC IS INFORMED that there are eight (8) Light Industrial and seventeen (17) Commercial plots available for allocation in Pitsane along Lobatse-Ramatlabama highway. Common Law application forms can be obtained from any Land Board office in the country and a non-refundable fee of P5,00 is to be paid on submission of the application form.

REQUIREMENTS:

- (a) Financial statement/asset as proof of financial backing to develop the plot e.g Bank statement for the last six (6) months or audited financial report or certified property valuation report or letter of financial support from a financial institution.
- (b) Project brief: how the project will be executed, number of people to be employed, commencement and completion date of the project etc.
- (c) Certificate of Incorporation/Memorandum of Association in case of companies.
- (d) Production of Omang, or residential status or work permit in case of non-citizens.

Applications should be addressed to: The Board Secretary, Rolong Land Board, Private Bag 001, Goodhope. All required information to reach the office not later than 3rd September, 1999, 4:30 p.m.

KITSISO

SECHABA SE ITSISIWE gore gone le ditsha tsa madirelo a mabotlana di fera bobedi (8) le tsa dikgwebo di le lesome le bosupa (17) tse di ka abelwang batho mo Pitsane fa thoko ga tsela-kgolo ya Lobatse-Ramatlabama. Difomo tsa ikopelo di ka bonwa mo di ofising dingwe le dingwe tsa Kabo-Ditsha mo Botswana. Difomo di dulewa P5,00 pele ga di ka amogelwa ko di ofising tsa Kabo-Ditsha mme P5,00 yoo ga a duelwe.

TSE DI TLHOKWANG:

- (a) Sesupo sa banka sa dikgwedi tse thataro tse difitileng, kana dibuka tsa madi tse di thatlhobilweng, kana dithoto tsa tlhwatlhwa e e kanokilweng ke boitsenape kana lokwalo go tswa ko makgotleng a a adimang madi.
- (b) Ditlhabololo: Gore di tsamaisiwa ka tsela efe: palo ya batho ba o ka ba firang: tshimologo le go wediwa ga tlhabololo ya setsha, madi a a tla dirisiwang go tlhabolola, jalo jalo.
- (c) Sesupo/setlankana sa kwadiso ya lekgotla fa baikopedi e le kompone kgotsa setlhopa.
- (d) Karata ya Omang kana sesupo ya boagedi kana sa mmereko fa moikopedi e se Motswana.

Dikopo tsotlhe di romelwe go: Mokwaledi, Rolong Land Board, Private Bag 001, Goodhope. Dikopo di tla tswalelwa kgwedi ya Lwetse e tlhola malatsi a le mararo ka nako ya masome a mararo go tlogela nako ya bone mo maitsiboeng.

First Publication

North East District Council

BE PLEASED TO TAKE notice that the North East Licensing Authority has coopted two members in the Licensing committee.

- 1. Mr Justice Balule — Retailers Representative
- 2. Mrs Uyapo Showa — Consumer Representative

L. MOROLONG,
for/Council secretary.

First Publication

Jwaneng Town Council — Notice No. 4 of 1999**AUCTION SALE OF IMPOUNDED ANIMALS**

THE PUBLIC IS informed that in accordance with section 45 (2) of the Pound Act (Cap. 36:05) the Jwaneng Town Council shall sell by public auction mixed cattle and donkeys at the pound Kraal Jwaneng on Friday 27th August, 1999 at 10.00 a.m.

Sechaba se itsisiwe gore ka Temana ya 45 (2) ya melawana ya pound, Khansele ya Toropo ya Jwaneng e tla a rekisa ka palabalo dikogomo le ditonki tse di neng di tshwerwe ko marakeng a Khansele ka Labotlhano 27 Phatwe, 1999. Nako ya lesome mo mosong 10:00 a.m.

TERMS: Cash or bank guaranteed cheques only.
Madi kgotsa cheke e e tlhomamisitsweng ke banka fela.

A.O.M. NTLHAILE,
for Town Clerk.

First Publication

Notice of Intention to Dispose Trading/Liquor Licence

NOTICE IS HEREBY GIVEN in terms of section 23 (1) (c) of the Trade and Liquor Act (Cap. 43:02) that We, Guang-Da-Trading (Pty) Ltd have disposed of our entire interest in carrying on the business of Specialised Dealer to E. Khan who will continue to trade at the same premises and under the same style of a General Dealer.

GUANG-DA-TRADING, GABORONE.

First Publication

Notice of Intention to Dispose Trading/Liquor Licence

NOTICE IS HEREBY GIVEN in terms of section 23 (1) (c) of the Trade and Liquor Act (Cap. 43:02) that I, Barbara Badimela-Tim have disposed of my entire interest in carrying on the business of General Dealer to Motlatsi Mooketsi who will continue to trade at the same premises and under the style of a General Dealer.

BARBARA BADIMELA-TIM, P. O. Box 20027, GABORONE.

First Publication

Notice of Intention to Dispose Trading/Liquor Licence

NOTICE IS HEREBY GIVEN in terms of section 23 (1) (c) of the Trade and Liquor Act (Cap. 43:02) that I, Bampoloki Rantsudu have disposed of my entire interest in carrying on the business of a Liquor Restaurant to Sydney Mooketsi who will continue to trade at the same premises and under the same style of a Liquor Restaurant licence, The North East District Council has determined to hear the application on the 25th August, 1999.

BAMPOLOKI RANTSUDU, P. O. Box 10789, FRANCISTOWN.

First Publication

Notice of Intention to Dispose Trading/Liquor Licence

NOTICE IS HEREBY GIVEN in terms of section 23 (1) (c) of the Trade and Liquor Act (Cap. 43:02) that I, Shaikh Osman Kablay have disposed of my entire interest in carrying on the business of a Fresh Produce to Salim Altaf Kably who will continue to trade at the same premises and under the same style of a Fresh Produce licence. The Kweneng District Council has determined to hear the application on the 21st September, 1999.

SHAIKH OSMAN KABLAY, P. O. Box 14, MOLEPOLOLE.

First Publication

Notice of Intention to Dispose Trading/Liquor Licence

NOTICE IS HEREBY GIVEN in terms of section 23 (1) (c) of the Trade and Liquor Act (Cap. 43:02) that I, Shabber Moorad have disposed of my entire interest in carrying on the business of Butcher at Boribamo Ward in Molepolole.

SHABBER MOORAD, P. O. Box 540, MOLEPOLOLE.

First Publication

Notice of Intention to Dispose Trading/Liquor Licence

NOTICE IS HEREBY GIVEN in terms of section 23 (1) (c) of the Trade and Liquor Act (Cap. 43:02) that We, Al-Amin Investments have disposed of our entire interest in carrying on the business of Specialised Dealer to Padma Enterprises (Pty) Ltd who will continue to trade at the same premises and under the same style of a Specialised Dealer.

AL-AMIN INVESTMENTS (PTY) LTD, P. O. Box 186, LOBATSE.

First Publication

Notice of Application for Removal of Licence

NOTICE IS HEREBY GIVEN that the undersigned intends to apply for a removal of a Speciality Licence in respect of premises situated at Plot No. 406, Extension 4, Gaborone to Plot No. 17982, Gaborone West. The Gaborone City Council has determined that the application shall be heard by the Licensing Authority on the 15th September, 1999.

RADIO ACTIVE BOTSWANA (PTY) LTD, c/o E.K. MASALILA (PTY) LTD,
P. O. Box 945, GABORONE.

First Publication

Notice of Application for Removal of Licence

NOTICE IS HEREBY GIVEN in terms of section 23 (3) (a) of the Trade and Liquor Act (Cap. 43:02) that the undersigned intends to apply for a removal of a Specialised Dealer Licence from Maria Woto's premises to Phemelo Moleoy's premises, next to Come Again Supermarket (Masunga) and that the North East District Council has determined that the application shall be heard by the Licensing Authority on the 25th August.

SHREE PASHWA ENTERPRISES, P. O. Box 106, MASUNGA.

First Publication

Notice of Intention to Transfer Trading/Liquor Licence

NOTICE IS HEREBY GIVEN that the undersigned intends to transfer a Fresh Produce licence in respect of premises situated at Makopong to Nelson Hambira who will continue to trade at the same premises and under the same style of Fresh Produce. The Kgalagadi District Council has determined that the application shall be heard by the Licensing Authority on the 24th August, 1999.

NELSON HAMBIRA, P. O. Box 96, WERDA.

First Publication

Notice of Intention to Transfer Trading/Liquor Licence

NOTICE IS HEREBY GIVEN that the undersigned intends to transfer a General Dealer licence in respect of premises situated at Makopong to Nelson Hambira who will continue to trade at the same premises and under the same style of General. The Kgalagadi District Council has determined that the application shall be heard by the Licensing Authority on the 24th August, 1999.

NELSON HAMBIRA, P. O. Box 96, WERDA.

First Publication

Change of Company Name

PURSUANT TO SECTION 21 (1) of the Companies Act (Cap. 42:01) as amended, notice is hereby given that Tyre Road (Pty) Ltd will make application to the Registrar of Companies for his written approval to change the name of the Company to E & J Investments (Pty) Ltd after fourteen days have elapsed from the second publication of this advertisement.

for and on behalf of

TYRE ROAD (Pty) Ltd, Private Bag 23, LOBATSE.

First Publication

A Resolution for Reducing Share Capital

PURSUANT TO SECTION 66 of the Companies Act (Cap. 42:01) as amended, notice is hereby given that Loapi Holdings (Proprietary) Limited will make application to the Registrar of Companies for his written approval to reduce the issued shares of the company from 9,999 shares of P1 (one) each to 8,091 shares of P1 (one) each after 14 days have elapsed from the second publication of this notice.

BDO SPENCER STEWARD, P. O. Box 1839, GABORONE.

First Publication

**Notice Inviting Objections Against Valuations
Township Act (Cap. 40:02),
Town Council Regulations (Cap. 40:02 Sub.Leg)**

JWANENG TOWN COUNCIL VALUATION ROLL

NOTICE IS HEREBY GIVEN in terms of the Town Council Regulation 66 (2) that the Jwaneng Town Council Valuation Roll has been completed by the valuation officer and a copy, thereof lays in the office of the Town Clerk for inspection by every rate payer or his duly authorized representative.

Rate payers are now called upon to lodge in writing with the Town Clerk and the Clerk of the Valuation Court any objections they may have against the valuation of any land or in respect of any error or omission in relation to such land within twenty one days from the date of publication of this notice.

Dated at Jwaneng this 4th day of August, 1999.

First Publication

Lost Title Deed

NOTICE IS HEREBY given that the undersigned intends applying for a Certified Copy of Deed of Transfer No. 16/98 dated 8th January, 1998 in respect of the following property:

CERTAIN:	piece of land being 31980, Gaborone (formerly Portion 758, Content Farm No. 1-KO) Portion of Portion 206, Content Farm No. 1-KO;
SITUATE:	in the Gaborone Township Extension 64;
MEASURING:	5 2226 Ha. (Five Comma Two Two Two Six Hectares);
HELD UNDER:	Deed of Transfer No. 16/98 dated 8th January, 1998 made in favour of Harpi Investments (Proprietary) Limited.

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

Dated at Gaborone this 12th day of August, 1999.

MODIMO TOTENG & ASSOCIATES, *Applicants Attorneys*,
Botswana Building Society House, 2nd Floor, BBS Mall, P. O. Box 201145, GABORONE.

First Publication

Lost Title Deed

NOTICE IS HEREBY given that we intend applying for a Certified Copy of Memorandum of Agreement of Lease No. 304/90 dated 10th September, 1991 and made in favour of Uma Enterprises (Pty) Ltd and Subsequent Notarial Deed of Cession No. 15/91 dated 8th May, 1991 made in favour of Dumela Enterprises (Proprietary) Limited in respect the following:

CERTAIN:	piece of land being Lot 13, Tlokweng
SITUATE:	at Tlokweng in the Batlokwa Tribal Territory
MEASURING:	991m ² (Nine Hundred and Ninety One Square Metres)

Any person having objection to the issue of such copy, is hereby requested to lodge same in writing with the Registrar of Deeds, Private Bag 0020, Gaborone within 14 days from the second publication of this notice.

Dated at Gaborone this 16th day of July, 1999.

ATTORNEY KAELO BIKI RADIRA, c/o National Development Bank,
Development House, 2nd Floor, P. O. Box 225, GABORONE.

First Publication

Application for Certified Copy of Lost Mortgage Bond

NOTICE IS HEREBY GIVEN that the undersigned intends applying for a Certified Copy of lost Mortgage Bond No. 207/94;

DATED: 10th February, 1994;
PASSED BY: George Harold Lee;
IN FAVOUR OF: Stanbic Bank Botswana Limited;

Any person having objection to the issue of such copy are hereby required to lodge their objections with the Registrar of Deeds for Botswana at Gaborone within three (3) weeks of the date of the second publication of this notice.

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

First Publication

Application for Certified Copy of Lost Title Deed

NOTICE IS HEREBY given that the undersigned intends applying for a Certified Copy of Deed of Transfer No. 519/96 dated 18th July, 1996 in favour of Colin Patison Dixon-Warren and Margaret Elizabeth Dixon-Warren in respect of the following;

CERTAIN: piece of land being Lot 8501, Gaborone;
SITUATE: in Gaborone Extension 26;
MEASURING: 1490m² (One Thousand Four Hundred and Ninety Square Metres)

Any person having objection to the issue of such copy, are hereby required to lodge their objections with the Registrar of Deeds for Botswana at Gaborone within three (3) weeks of the date of the second publication of this notice.

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

First Publication

Application for Certified Copy of Lost Mortgage Bond

NOTICE IS HEREBY GIVEN that the undersigned intends applying for a Certified Copy of lost Mortgage Bond No. 342/96 dated 17th April, 1996 passed by Octosol (Proprietary) Limited in favour of Tswelelo (Proprietary) Limited over:

CERTAIN: piece of land being Tribal Lot 166, Molepolole;
SITUATE: at Molepolole in the Bakwena Tribal Territory;
MEASURING: 3625m² (Three Thousand Six Hundred and Twenty Five Square Metres);

Any person having objecting to the issue of such copy, are hereby requested to lodge such objection in writing to the Registrar of Deeds for Botswana at Gaborone within 3 (three) weeks of the date of the second publication of this notice.

Dated at Gaborone this 30th day of July, 1999.

LETSIDIDI & SEEMA, *Applicant's Attorneys*, Plot No. 465, Mathangwane Lane, Extension 4,
P. O. Box 1141, GABORONE.

First Publication

Application for Certified Copy of Notarial Deed of Cession

NOTICE IS HEREBY GIVEN that the undersigned intends applying for a Certified Copy of lost Notarial Deed of Cession No. MA 116/95 dated 9th day of November, 1995 registered in favour of Octosol (Proprietary) Limited over:

CERTAIN: piece of land being Tribal Lot 166, Molepolole;
SITUATE: at Molepolole in the Bakwena Tribal Territory;
MEASURING: 3625m² (Three Thousand Six Hundred and Twenty Five Square Metres);

Any person having objection to the issue of such copy are hereby requested to lodge such objection in writing to the Registrar of Deeds for Botswana at Gaborone within 3 (three) weeks of the date of the second publication of this notice.

Dated at Gaborone this 30th day of July, 1999.

LETSIDIDI & SEEMA, *Applicant's Attorneys*, Plot No. 465, Mathangwane Lane, Extension 4,
 P. O. Box 1141, GABORONE.

First Publication

IN THE SUBORDINATE COURT OF THE FIRST CLASS FOR THE GABORONE MAGISTERIAL DISTRICT

Case No. G 4681/96

In the matter between:

LEPHOI D. MOSESANE
 and
 HARRY MOSWEU

Plaintiff

Defendant

NOTICE OF SALE IN EXECUTION

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

DATE OF SALE: 3rd September, 1999
TIME: 10.30 a.m.
VENUE: Broadhurst Police Station
PROPERTY TO BE SOLD: 1 x 6 piece sofas with coffee table,
 1 x 1 deep freezer.
 1 x 3 piece bed set
TERMS OF SALE: Cash or bank guaranteed cheques.

DATED at Gaborone this 5th day of August, 1999.

DEPUTY SHERIFF D.J. MOYO, c/o LERUMO MOGOBE LEGAL PRACTITIONERS,
Plaintiff's Attorneys, Private Bag BO 249, GABORONE.

First Publication

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

Case No. 190/99

In the matter between:

GASEITSIWE CHALAOMANE	<i>Plaintiff</i>
and	
GOHETAKWENA KGOSIDINTSI	<i>Defendant</i>

NOTICE OF SALE IN EXECUTION

BE PLEASED TO TAKE NOTICE that pursuant to the judgment of the above Honourable Court, the following will be sold by Public Auction by Deputy Sheriff K. Motlhalo to the highest bidder as follows:

DATE OF SALE:	25th August, 1999
VENUE:	Molepolole Police Station
TIME:	1700 hours (5:00pm)
PROPERTY TO BE SOLD:	Toyota Hilux Registered B 886 ABJ
TERMS OF SALE:	Cash only.

DATED at Molepolole this 11th day of August, 1999.

DEPUTY SHERIFF K. MOTLHALE, Private Bag 0022, MOLEPOLOLE.

First Publication

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

Case No. CC 929/95

In the matter between:

KGALAGADI BREWERIES (PTY) LIMITED t/a SEGWANA	<i>Plaintiff</i>
and	
MILDRED MPUCHANE	<i>Defendant</i>

NOTICE OF SALE IN EXECUTION

BE PLEASED TO TAKE NOTICE that pursuant to a judgment of the above Honourable Court, the movable property of the abovenamed Defendant will be sold in execution by Deputy Sheriff Louis Ketshabile in the manner herein after set out:

DATE OF SALE:	Saturday 28th August, 1999
VENUE:	Broadhurst Police Station
TIME OF SALE:	10:00 am
PROPERTY TO BE SOLD:	3 piece lounge suite, floor mats, television, Samsung VCR, electric fridge, Toyota Corolla (red in colour) bearing registration numbers and letters B 869 ABA
TERMS OF SALE:	Cash or bank guaranteed cheques.

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

DEPUTY SHERIFF LOUIS KETSHABILE c/o COLLINS NEWMAN & CO., *Plaintiff's Attorneys*,
Dinatla Court, P. O. Box 882, GABORONE.

First Publication

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

Case No. CC 1865/98

In the matter between:

**BOTSWANA DEVELOPMENT CORPORATION
and
SUNRISE POULTRY (PTY) LTD**

Plaintiff

Defendant

NOTICE OF SALE IN EXECUTION

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

DATE OF SALE: 3rd September, 1999
VENUE: Tribal Lots 99 and Lot 408, Maun
TIME: 10:00am
PROPERTY TO BE SOLD: Piece of land being tribal lot 99, Maun in Batawana Tribal Territory, measuring 2080m held under agreement of Lease No. 159/94, piece of land being Tribal Lot 408, Maun in Batawana Tribal Territory measuring 9,3935 hectares
RESERVED PRICES: Tribal Lot 99 P150,000.00
 Tribal Lot 408 P200,000.00
TERMS OF SALE: Cash or bank guaranteed cheques immediately after sale.

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

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

First Publication

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

Case No. CC 379/99

In the matter between:

**AGROTRENDS (PTY) LTD
and
A.R. RUKAMBA**

Plaintiff

Defendant

NOTICE OF SALE IN EXECUTION

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

DATE OF SALE: 3rd September, 1999
TIME: 10:30 am;
VENUE: Broadhurst Police Station
PROPERTY TO BE SOLD: 1 x 3 piece suite (white), 1 x 2 wardrobes, 1 x 4 burner gas stove, 2 x 1 48kg gas cylinder, 1 x radio recorder.
TERMS OF SALE: Cash or bank guaranteed cheque.

DATED at Gaborone this 5th day of August, 1999.

DEPUTY SHERIFF C. MOGOROSI, c/o LERUMO MOGOBE LEGAL PRACTITIONERS,
Plaintiff's Attorneys, Private Bag BO 249, GABORONE.

First Publication

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THE SECTIONAL TITLES ACT, 1999

No. 7



of 1999

ARRANGEMENT OF SECTIONS

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SECTION

1. Short title and commencement
2. Interpretation
3. Registers

PART II — *Concept of Sectional Ownership of Buildings*

4. Sectional ownership of buildings
5. Application of Cap. 33:02

PART III — *Preparation of Development Schemes*

6. Application to Director for approval of sectional plan
7. Manner of preparing sectional plan
8. Duties of land surveyors and architects and non-liability of State
9. Approval of sectional plan by Director
10. Improper conduct of land surveyors and architects
11. Restriction on sale of units occupied by tenants
12. Application for registration of sectional plan and opening of sectional title registers
13. Registration of sectional plans and opening of sectional title registers
14. Effect of registration of sectional plans
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An Act to provide for the division of buildings into sections and common property for the acquisition of separate ownership of sections coupled with joint ownership of common property; the control of certain incidents attaching to separate ownership of sections and joint ownership of common property; the transfer of ownership of sections and the registration of sectional mortgage bonds over, and real rights in sections; the conferring and registration of rights in and the disposal of common property; and other matters connected therewith or incidental thereto.

Date of Assent: 10th August, 1999.

Date of Commencement: On Notice.

ENACTED by the Parliament of Botswana.

PART I — Preliminary

1. This Act may be cited as the Sectional Titles Act, 1999, and shall come into operation on such day as the Minister may by order made by statutory instrument appoint. Short title and commencement
2. (1) In this Act, unless the context otherwise requires — Interpretation
- “architect” means a person holding a professional qualification recognised by Architects Association of Botswana;
- “association”, in relation to a building and the land on which the building is situated, means the association of that building formed in terms of section 39(1);
- “building” means a structure of a permanent nature erected or to be erected and which is shown on a sectional plan as part of a scheme;
- “common property”, in relation to a scheme, means —
- (a) the land included in the scheme;
 - (b) such parts of the building as are not included in a section; and
 - (c) land referred to in section 28;
- “conveyancer” has the meaning assigned to it under the Legal Practitioners Act; Act No. 13 of 1996
- “court” means a court of competent jurisdiction;
- “Deeds Registry” means the Deeds Registry established under the Deeds Registry Act; Cap. 33:02
- “developer” means a person who is the registered owner of land, situated within the area of jurisdiction of a local authority, on which is situated or to be erected a building which he has divided or proposes to divide into two or more sections in terms of a scheme, or the holder of the right referred to in section 27 to extend a scheme, or his successor in title, and includes —
- (a) for the purposes of sections 11 and 18 (3) (c), also the agent of any such person or his successor in title, or any other person acting on behalf of any of them; and
 - (b) for the purposes of rebuilding any building that is deemed to have been destroyed, as specified in section 51, the association concerned;
- “development scheme” means a plan in respect of which a building situated or to be erected on land within the area of jurisdiction of a local authority is, for the purposes of selling, letting or otherwise dealing therewith, to be divided into two or more sections;
- “Director” means the Director of Surveys and Mapping appointed under the Land Survey Act; Cap. 33:01
- “exclusive use area” means a part or parts of the common property for the exclusive use by the owners of one or more sections, as mentioned in section 29;
- “land” means the land comprised in a scheme as shown on a sectional plan;
- “land surveyor” has the meaning assigned to it under the Land Survey Act; Cap. 33:01

Act No. 13 of
1996

“lease” for the purposes of section 20(1) means a lease which —

- (a) was entered into for a period of not less than 10 years;
- (b) was entered into for the natural life time of the lessee or any other person mentioned in the lease; or
- (c) is renewable from time to time at the will of the lessee indefinitely or for periods which, together with the first period, amount in all to not less than 10 years;

“notary public” has the meaning assigned to it under the Legal Practitioners Act;

“owner” means, in relation to —

- (a) immovable property, subject to paragraph (b), the person registered as owner or holder thereof and includes the trustee in an insolvent estate, or the liquidator of a company or close corporation which is an owner, and the executor of an owner who has died, or the representative, recognised by law, of an owner who is a minor or of unsound mind or is otherwise under a disability, if such trustee, liquidator, executor or representative is acting within the scope of his authority;
- (b) immovable property, real rights in immovable property and notorial bonds —
 - (i) registered in the names of both spouses in a marriage in community of property, either one or both of the spouses,
 - (ii) registered in the name of only one spouse and forming part of the joint estate of both spouses in a marriage in community of property, either one or both of the spouses; and

“owned” and “ownership” have a corresponding meaning;

“participation quota”, in relation to a section or the owner of a section, means the percentage determined in accordance with the provisions of section 35 (1) or (2) in respect of that section for the purposes referred to in section 35 (3) and shown on a sectional plan in accordance with the provisions of section 7 (3) (g);

“quota”, in relation to a section or the owner of a section, means the participation quota of that section;

“registrable” means capable of being registered in terms of the Deeds Registry Act;

Cap. 33:02

“Registrar” means the Registrar of Deeds appointed under the Deeds Registry Act;

“scheme” means a development scheme;

“section” means a section shown as such on a sectional plan;

“sectional mortgage bond” means a mortgage bond hypothecating —

- (a) a unit or an undivided share in a unit or land held under a separate sectional title deed; or
- (b) a registered lease or sub-lease of any such unit or undivided share in a unit or land; or

- (c) any other registered real right in or over any such unit or undivided share in a unit or common property or the rights referred to in sections 27 and 29;

“sectional plan”, in relation to a scheme, means a plan approved by the Director —

- (a) which is described as a sectional plan;
- (b) which shows the building and the land comprised in the scheme, as divided into two or more sections and common property; and
- (c) which complies with the requirements of section 7, and includes a sectional plan of a subdivision, consolidation or extension as provided for in this Act;

“sectional title deed” means a certificate of registered sectional title or a deed of transfer in respect of a sectional title;

“sectional title register” means the register referred to in sections 3 and 13 (1) (b) and includes any sectional plan registered under this Act, and the Deeds Registry’s duplicate of any certificate of registered sectional title deemed to be incorporated in such register;

“special resolution” means, subject to subsection (2), a resolution passed by a majority of not less than three-fourths of the votes (reckoned in value) and not less than three-fourths of the votes (reckoned in number) of members of an association who are present or represented by proxy or by a representative recognized by law at a general meeting of which at least 30 days written notice, specifying the proposed resolution, has been given, or a resolution agreed to in writing by at least 75 per cent of all the members of the association (reckoned in number) and at least 75 per cent of all such members (reckoned in value) personally or by proxy or by a representative of any such member recognized by law:

Provided that in circumstances determined in the rules, a meeting of the association may be convened for a date 30 days or less after notice of the proposed resolution has been given to all the members of the association;

“unanimous resolution” means subject to subsection (3), a resolution —

- (a) passed unanimously by all the members of an association who are present or represented by proxy or by a representative recognized by law at a general meeting of the association of which at least 30 days’ written notice, specifying the proposed unanimous resolution, has been given, and at which meeting at least 80 per cent of all the members of an association (reckoned in number) and at least 80 per cent of all the members (reckoned in value) are present or so represented:

Provided that in circumstances determined in the rules, a meeting of the association may be convened for a date 30 days or less after notice of the proposed resolution has been given to all the members of the association; or

- (b) agreed to in writing by all the members of the association personally or by proxy or by a representative of any such member recognized by law;
- “undivided share in common property”, in relation to an owner, means an undivided share of that owner in common property as determined in accordance with the quota of the section of which he is the owner and, in relation to a section, means an undivided share in common property apportioned to that section in accordance with the quota of the section;
- “unit” means a section together with its undivided share in common property apportioned to that section in accordance with the quota of the section.
- (2) For the purposes of the definition of “special resolution” in subsection (1), a notice referred to in that definition shall be deemed adequate if —
 - (a) it has been delivered by hand to a member not less than 30 days prior to the relevant general meeting; or
 - (b) it was despatched by prepaid registered post not less than 30 days prior to such meeting to the address of a member’s unit in the relevant scheme, or to such other address as a member may have indicated in writing for the purposes of such notice.
- (3) For the purposes of the definition of “unanimous resolution” in subsection (1) —
 - (a) a notice referred to in that definition shall be deemed adequate if it has been delivered to, or despatched to the address of, a member, referred to in paragraphs (a) and (b) respectively of subsection (2);
 - (b) a member present or represented at a meeting referred to in that definition, who himself, or through a proxy or representative, as the case may be, abstains from voting on the resolution in question, shall be regarded as having voted in favour of the resolution; and
 - (c) where the resolution in question adversely affects the proprietary rights or powers of any member as owner, the resolution shall not be regarded as having been passed unless such member consents in writing thereto.

Registers

- 3. There shall be kept in the Deeds Registry by the Registrar —
 - (a) a register for the registration of sectional plans; and
 - (b) a register for the registration of sectional titles.

PART II — *Concept of Sectional Ownership of Buildings*Sectional
ownership
of buildings

- 4. (1) Notwithstanding anything to the contrary in any law —
 - (a) a building comprised in a scheme and the land on which the building is situated, may be divided into sections and common property in accordance with the provisions of this Act;

- (b) separate ownership of the sections or an undivided share thereof may be acquired in accordance with the provisions of this Act;
 - (c) the owners of the sections shall own the common property in undivided shares in accordance with the provisions of this Act;
 - (d) any real right may be acquired in or over any such section or an undivided share therein or common property in accordance with the provisions of this Act; and
 - (e) the Registrar may, in accordance with the provisions of this Act register in the Deeds Registry a title deed whereby ownership in, or any lease of, or any other real right in or over, any such section or an undivided share therein or common property is acquired.
- (2) Subject to subsection (3), a scheme may relate to more than one building erected or to be erected on the same piece of land, or more than one piece of land, whether contiguous or non-contiguous.

(3) The building to be divided into sections shall be situated only on one such piece of land or on two or more such contiguous pieces of land registered in the name of the same person and in respect of which a certificate of consolidation of title has been registered.

5. (1) Except as is otherwise provided in this Act or any other enactment, the provisions of the Deeds Registry Act shall, with such adaptation as may be necessary, apply in relation to all documents registered or filed or intended to be registered or filed in the Deeds Registry in terms of this Act.

Application of
Cap. 33:02

(2) The Registrar may reproduce or cause to be reproduced any document referred to in subsection (1) by means of microfilming or any other process which in his opinion accurately and durably reproduces any such document, and may preserve or cause to be preserved such reproduction, in lieu of such document.

(3) A reproduction referred to in subsection (2) shall, for the purposes of the Deeds Registry, be deemed to be the original document, and a copy obtained by means of such reproduction and which has been certified by the Registrar as a true copy of such reproduction, shall be admissible in evidence and shall have effect as the original document.

(4) A unit shall be deemed to be land.

PART III — *Preparation of Development Schemes*

6. (1) Where a developer intends to carry out a development scheme, he shall cause to be prepared by a land surveyor or an architect, a sectional plan in accordance with the provisions of section 7 to be submitted to the Director in terms of section 9.

Application to
Director for
approval of
sectional plan

(2) Where an existing building, which is to be converted into a development scheme, is a residential building occupied by tenants under a tenancy agreement, no application shall be made by a developer to the Director under subsection (1) unless the developer —

- (a) has, prior to the making of the application, notified, every tenant, in writing by a letter delivered either personally or by registered post, of a meeting of all tenants in possession to be held at a date, at least 14 days after the delivery of the letter, in the building or such other building as may be specified in the letter which is within a reasonable distance from the building in question and is located within the area of jurisdiction of the local authority;
 - (b) has, by himself or his agent at the meeting, furnished the tenants with full particulars of the proposed development scheme;
 - (c) has given every tenant the option to acquire the unit he occupies in accordance with the provisions of section 11; and
 - (d) has attached to his application, a certificate in the prescribed form that he has complied with the provisions of paragraphs (a) - (c).
- (3) For the purposes of subsection (2), "tenant" means a tenant who is a party to a tenancy agreement entered into with the developer or any of his predecessors in title.

(4) Notwithstanding the provisions of subsection (2), a developer may submit his application to the Director if all the tenants have stated in writing that they do not wish to acquire the proposed units which they occupy and a conveyancer has certified in writing that all such statements have been received in respect of all the units in question.

(5) If any sectional plan relates to a building which is in the process of being erected, the developer shall cause the relevant documents to be submitted in terms of section 9 if such building —

- (a) is sufficiently completed for the measurements referred to in section 8 (1) to be undertaken, and
- (b) whilst the erection thereof is not yet completed, complies with the provisions of the Town and Country Planning Act, and the Building Control Act and the regulations made thereunder.

7. (1) Subject to subsection (2) a sectional plan shall be prepared and signed by a land surveyor or an architect in accordance with the provisions of this section.

(2) Any delineation of an exclusive use area of which the boundaries are not represented by physical features of a permanent nature shall be prepared by a land surveyor and signed by him.

- (3) A sectional plan shall —
 - (a) delineate the boundaries of the land in accordance with the relevant diagram or general plan and the location of the relevant building or buildings in relation thereto;
 - (b) indicate the name of the scheme;
 - (c) include a plan to scale of each storey in the building shown thereon;
 - (d) subject to subsections (4) and (5), define the boundaries of each section in the building and distinguish each section by a number;

Cap. 32:09
Cap. 65:02

Manner of
preparing
sectional plan

- (e) show the floor area to the median line of the boundary walls of each section, correct to the nearest square metre, and the total of the floor areas of all the sections;
- (f) delineate in the prescribed manner any exclusive use area;
- (g) have endorsed upon or annexed to it a schedule specifying the quota of each section in accordance with section 35 (1) or (2) and the total of the quotas of all sections shown thereon; and
- (h) be drawn in such manner and contain such other particulars as may be prescribed.

(4) The common boundary between any section and another section or common property shall be the median line of the dividing floor, wall or ceiling, as the case may be.

(5) For the purposes of subsection (3) (d) the boundaries of a section shall be defined —

- (a) by reference to the floors, walls and ceilings thereof, or as may be prescribed; and
- (b) in respect of a part of a section (such as a stoop, porch, balcony, atrium or projection) of which the boundaries cannot be defined in terms of paragraph (a) but being appurtenant to a part of that section which can be defined in terms of that paragraph, in the manner prescribed.

(6) A section may consist of non-contiguous parts of a building.

8. (1) A land surveyor or architect preparing a sectional plan shall prepare the sectional plan from an actual measurement undertaken by him or under his direction in such manner as will ensure accurate results, in accordance with the provisions of this Act.

Duties of land
surveyors and
architects and
non-liability
of State

(2) The State, any officer or employee in the service of the State shall not be liable for any defective measurement or work done or performed in relation to any sectional plan by a land surveyor or architect, notwithstanding the fact that such sectional plan has been approved by the Director.

9. (1) When a sectional plan is prepared in terms of section 7 (1), the land surveyor or architect, as the case may be, shall on behalf of the developer submit to the Director, for his approval, the prescribed number of copies of the sectional plan.

Approval of
sectional plan
by Director

(2) The submission of the sectional plan to the Director shall be accompanied by —

- (a) a certificate issued by an architect or a land surveyor stating that —
 - (i) the proposed division into sections and common property complies with the provisions of the Town and Country Planning Act and the Building Control Act and the regulations made thereunder;
 - (ii) the building to which the scheme relates, was erected in accordance with approved building plans;

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- (b) where the application is signed by a person authorised to sign on behalf of the developer, a written authority by such developer in which the person concerned is authorised to sign the application on behalf of the developer;
 - (c) in the case of an application in respect of a building referred to in section 6 (5), a certificate from the architect or the land surveyor concerned to the effect that the building and the land comply with all the applicable requirements mentioned in this subsection;
 - (d) if section 6 (2) applies to the scheme —
 - (i) an affidavit by the developer stating that that section has been complied with;
 - (ii) a copy of the notice referred to in section 6 (2) (a) and the certificate referred to in section 6 (2) (d); and
 - (iii) where applicable, a certificate from a conveyancer in terms of section 6 (4);
 - (e) if section 6 (4) does not apply to the scheme, an affidavit by the developer to that effect.
- (3) The manner of submission of the sectional plan and other documents shall be prescribed.
- (4) The Director shall not be responsible for investigating the correctness or accuracy of any document submitted to him in terms of subsection (2) or section 23, 26 or 27.
- (5) The Director shall not approve a sectional plan, unless the applicable documents have been submitted to him in terms of subsection (2) and such plan has been prepared in accordance with this Act.

Improper
conduct of
land surveyors
and architects

- 10.** A land surveyor or architect shall be guilty of an offence if he —
- (a) signs, except as provided in such circumstances as may be prescribed, a sectional plan or any other plan referred to in this Act, required in connection with the registration thereof, and in respect of which he has not carried out or supervised the measurements, and has not carefully examined and satisfied himself of the correctness of the entries in any records and of the calculations in connection therewith which may have been made by any other person;
 - (b) signs any defective plan knowing it to be defective;
 - (c) makes an entry in a field record, a copy of a field record or other document which purports to have been derived from actual measurement in the field, when it was in fact not so derived;
 - (d) supplies erroneous information to the Director in connection with any scheme, knowing it to be erroneous; or
 - (e) contravenes any provisions of this Act,
- shall be guilty of an offence and liable on conviction to a fine not exceeding P2 000 or to a term of imprisonment not exceeding 12 months, or to both.

11. (1) Subject to the provisions of this section, no developer shall sell any unit in a development scheme which is occupied by a tenant to a person other than the tenant in possession unless —

- (a) he has, first made an offer to sell the unit to the tenant in possession by a letter delivered either personally or by registered post;
- (b) he has given the tenant three months' notice within which to consider the offer; and
- (c) the tenant has either refused to accept the offer or failed to accept the offer within the period specified in paragraph (b).

(2) Where a tenant refuses an offer or fails to accept an offer within the period specified in subsection (1) (b), the developer shall not, within a period of six months from the date on which the tenant refused to take the offer or failed to accept the offer, as the case may be, offer for sale or sell the unit to any person other than the tenant in possession at a price lower than the price at which it was offered to the tenant in possession unless —

- (a) the developer has again offered the unit at that lower price for sale to the tenant in possession; and
- (b) the tenant has refused the offer within a period of three months from the date thereof, or has failed to accept the offer on the expiry of the three months.

(3) Before the expiry of the periods of three months or six months, as the case may be, specified in subsections (1) and (2), a developer shall not within either of those periods —

- (a) require or permit any tenant in possession to pay an amount of rent higher than the amount payable by the tenant at the time of his refusal or failure to accept the offer of sale made in accordance with the provisions of subsection (1) or (2);
- (b) require the tenant to vacate the unit unless the tenant has been guilty of non-payment of rent, or has done material damage to the unit, or has been guilty of conduct which is a nuisance to occupiers of other units in the building.

(4) Any contract of purchase and sale entered into contrary to the provisions of this section shall be void.

(5) A developer or any person who has performed partially or fully in terms of a contract which is void by virtue of subsection (4) shall have a claim against the other party to the extent of such performance.

(6) A developer may in addition claim from any such person —

- (a) reasonable compensation for the use which the person may have had of the building and land in question or any part thereof; and
- (b) compensation for any damage caused to that building or land or any part thereof by the person, or any other person for whose acts or omissions such person is delictually liable.

(7) A person to whom an option has been granted or a purchaser may in addition claim from the developer —

- (a) interest at the prescribed rate on any payment made in terms of the contract, from the date of payment to the date of recovery thereof;
- (b) reasonable compensation for any expenses incurred by him with or without the authority of the developer for the preservation of the building or land, or part thereof, or in respect of any improvements which enhance the market value thereof and which were effected by him with the express or implied consent of the developer; and
- (c) compensation for any damage or loss suffered by him which he would otherwise have been entitled to claim from the developer on the ground of breach of contract had the contract not been void and had the developer failed to effect any transfer in accordance with the contract.

(8) A developer who fails to comply with the provisions of subsections (1) to (3) shall be guilty of an offence, and liable on conviction to a fine not exceeding P2 000, or to imprisonment for a term not exceeding 12 months, or to both.

Application
for registration
of sectional
plan and
opening of
sectional title
registers

12. (1) A developer may, after approval of a sectional plan by the Director, apply to the Registrar for the registration of the sectional plan, and for the opening of a sectional title register in respect of the land and building thereon.

(2) When making application for the registration of the sectional plan and for the opening of a sectional title register, a developer may in the schedule referred to in subsection (3) (b) impose registrable conditions.

(3) An application in terms of subsection (1) shall be accompanied by —

- (a) two copies of the sectional plan;
- (b) a schedule certified by a conveyancer setting out the servitudes and conditions of title burdening or benefiting the land and the other registrable conditions imposed by the developer in terms of subsection (2), as well as such other particulars as may be prescribed;
- (c) the title deed of the land in question;
- (d) any mortgage bond to which the land may be subject, together with the consent of the mortgagee to the opening of the sectional title register and to the endorsement of such bond to the effect that it attaches to —
 - (i) the sections and common property shown on the sectional plan,
 - (ii) the certificate of real right in respect of a right reserved by him in terms of section 27 (1), and
 - (iii) the certificate of real right in respect of a right of exclusive use referred to in section 29 (1):

Provided that section 38 (5) and (6) of the Deeds Registry Act shall apply with the necessary changes to any bond which is registered against one or more pieces of land shown on the sectional plan;

- (e) a certificate by a conveyancer stating that the rules prescribed in terms of section 38 (2) are applicable, and containing the other rules (if any) substituted by the developer for those rules mentioned in that section;
- (f) certificates of registered sectional title in the prescribed form in respect of each section and its undivided share in the common property, made out in favour of the developer; and
- (g) such other documents and particulars as may be prescribed.

13. (1) When the requirements of the preceding provisions of this Act have been complied with the Registrar shall —

- (a) register the sectional plan and allot a distinctive number to it;
- (b) open a sectional title register in respect of the land and building thereon in the prescribed manner;
- (c) keep by means of a computer or in any other manner such registers containing such particulars as are necessary for the purpose of carrying out the provisions of this Act and of maintaining an efficient system of registration calculated to afford security of title and ready reference to any registered deed;
- (d) simultaneously with the opening of the sectional title register, issue to the developer in the prescribed form a certificate of registered sectional title in respect of each section and its undivided share in the common property, subject to any mortgage bond registered against the title deed of the land;
- (e) issue to the developer, in the prescribed form, a certificate of real right in respect of any reservation made by him in terms of section 27 (1), subject to any mortgage bond registered against the title deed of the land;
- (f) issue to the developer, in the prescribed form, a certificate of real right in respect of a right of exclusive use referred to in section 29 (1), subject to any mortgage bond registered against the title deed of the land;
- (g) make the necessary endorsements on the title deed, any mortgage bond or other document, or in his records.

(2) The Registrar shall notify the Director of the registration of the sectional plan.

14. (1) Upon the registration of a sectional plan the building and the land shown thereon shall, subject to the provisions of this Act, be deemed to be divided into sections and common property as shown on the sectional plan.

Registration of sectional plans and opening of sectional title registers

Effect of registration of sectional plans

(2) A sectional plan, together with the schedule of servitudes and conditions referred to in section 12 (3) (b), shall upon the registration of such plan be deemed to be part of the sectional title deed, and an owner's title to his section and his undivided share in the common property shall be subject to or shall be benefited by the servitudes, other real rights or conditions (if any) which burden or benefit the land shown on the sectional plan, and shall also be subject to any registrable condition imposed by a developer in terms of section 12 (2).

(3) Upon the registration of a sectional plan, any mortgage bond, lease, other real right or condition then registered against or affecting the land shown on the sectional plan, shall be deemed to be converted into a bond, lease, other real right or condition registered against or affecting the sections and common property shown on the sectional plan.

15. (1) The Director may require a land surveyor or architect who has prepared a registered sectional plan to amend, or the developer or the association to cause to be amended, any registered sectional plan found to be incorrect, or to substitute another sectional plan for the incorrect sectional plan.

(2) The association may recover the costs incurred as a result of an amendment to a sectional plan, or the substitution thereof, in terms of subsection (1), from the developer, land surveyor or architect concerned.

(3) If in the opinion of the Director any person is likely to be prejudiced by an incorrect sectional plan, he shall advise the Registrar as to which sections are affected by any such defect in question, and thereafter no transfer of such section and its undivided share in the common property or the registration of a real right therein shall be registered until the defect in the sectional plan has been rectified, unless the Registrar is satisfied that the delay in causing the defective sectional plan to be rectified will cause undue hardship and the person in whose favour transfer of the section and its undivided share in the common property or of a real right therein is to be registered, consents in writing to the transfer or other registration being effected prior to the rectification of the defect.

(4) The formalities for the amendment of a sectional plan in terms of subsection (1), shall be prescribed.

(5) The Director shall advise the Registrar of any amendment of a sectional plan in terms of subsection (1) which affects the description or extent of any section, and thereupon the Registrar shall make the necessary endorsements indicating any change of description or extent upon the Deeds Registry copy of the sectional title deed and upon any other registered document affected by such change, and shall likewise endorse the owner's or holder's copy of that sectional title deed or any such other registered document whenever subsequently lodged at the Deeds Registry for any purpose.

(6) The Registrar may on application by a developer, which application shall be accompanied by a certificate by a conveyancer in which he certifies —

- (a) that all the units of a scheme are registered in the developer's name;
 - (b) that, if applicable, the developer is the holder of a right referred to in section 27 or 29; and
 - (c) that no unit or right referred to in section 27 or 29 is encumbered by a sectional mortgage bond or a lease or in any other way,
- close the sectional title register, and notify the Director that the sectional title register has been closed, whereupon the Director shall cancel the original sectional plan and the Deeds Registry copy thereof.

(7) Whenever a sectional title register has been closed under subsection (6), the Registrar shall make all such amendments, endorsements and entries on the developer's sectional title deeds and in the registers and records kept by him, as may be necessary to record such cancellation and the reversion of the land in question to the applicable land register, and shall in the manner prescribed cause the developer's title deed referred to in section 12 (3) (c) to be revived, or shall issue to the developer a certificate of registered title in the form prescribed under the Deeds Registry Act for the land in question, subject or entitled to such servitudes, other real rights and conditions (if any) as are still applicable to or in respect of such land.

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(8) A registered sectional plan shall, subject to the provisions of subsection (6) and section 20 (15), only be cancelled by an order of court, and the Registrar shall give effect to any such cancellation by making the necessary endorsements and entries in his records, and shall notify the Director, who shall cancel the original sectional plan and the Deeds Registry copy thereof.

PART IV — *Registration and Common Property*

16. Subject to the provisions of this Act or any other enactment, the Registrar shall not attest, execute or register any deed of transfer, sectional mortgage bond, certificate of title or certificate of registration of any kind whatsoever, unless it has been prepared by a conveyancer admitted and enrolled in terms of the Legal Practitioners Act and practising in Botswana.

Preparation of
deeds by
conveyancer

17. (1) A conveyancer or any person other than a conveyancer who is authorised thereto by or under any law, who prepares a deed or other document for the purposes of registration or filing in the Deeds Registry, and who signs a prescribed certificate on such deed or document, accepts by virtue of such signing the responsibility, to the extent prescribed by regulations for the purposes of this section, for the accuracy of the facts mentioned in such deed or document or which are relevant in connection with the registration or filing thereof, and which are prescribed by regulations.

Proof of
certain facts
in connection
with deeds and
documents by
means of
certain
certificates

(2) Subject to subsection (3), the Registrar shall accept during the course of his examination of a deed or other document in accordance with the provisions of this Act, that the facts referred to in subsection (1) in connection with the registration or filing of a deed or other document in respect of which a certificate referred to in the said subsection (1) has been signed, have for the purposes of such examination been conclusively proved.

(3) The provisions of subsection (2) shall not derogate from the obligation of the Registrar to give effect to any order of court or any other notification recorded in the Deeds Registry in terms of this Act or a provision in any other law contained and which affects the registration or filing of such deed or other document.

18. (1) When a sectional plan has been registered and the sectional title register has been opened —

- (a) ownership in any unit or land, or any undivided share in such unit or land, held under a sectional title deed shall, subject to the provisions of this Act or any other law, be transferred by means of a deed of transfer signed or attested by the Registrar, so however that where the State acquires all the units or land held under any sectional title deed, the Registrar shall make such alterations and entries in his registers and such endorsements on any such title deed as may be necessary to register transfer to the State of the property;
- (b) the Registrar shall register any notarial lease of a unit or an undivided share in a unit and any notarial cancellation or modification of such a lease by means of an endorsement made by him on the sectional title deed, and he shall register any notarial sub-lease and any notarial cession of such a lease or sub-lease and any notarial cancellation or modification of such a sub-lease by means of an endorsement made by him on the lease in question, so however that if any such lease or sub-lease has lapsed by effluxion of time, the Registrar shall cancel the registration on production of proof that the lease or sub-lease has so lapsed;
- (c) the Registrar shall register any sectional mortgage bond by which a unit or an undivided share in a unit or land held under a sectional title deed, or a registered lease or sub-lease of a unit or an undivided share in a unit or such land, or any registered real right in or over any such unit or undivided share in a unit or land, is hypothecated, and any cession, cancellation or modification of such bond, by means of an endorsement made by him on the sectional title deed or on the registered lease or sub-lease or bond or other deed; and

- (d) the Registrar shall, except in the case of any real right which has elapsed, register any other real right (which is incorporated in a notarial deed) in or over a unit or an undivided share in a unit or land held under a sectional title deed, and any notarial cancellation or modification of such a real right, by means of an endorsement made by him on the sectional title deed.
- (2) Notwithstanding anything to the contrary in any other law contained, it shall not be necessary to annex a diagram to any sectional title deed under which a unit or an undivided share in a unit is held, if reference is made in such deed to the registered sectional plan.
- (3) The Registrar shall not register a transfer of a unit or of an undivided share therein, unless there is produced to him —
 - (a) a conveyancer's certificate confirming, that as at the date of registration —
 - (i) the association deemed to be formed in terms of section 39 (1), has certified that all moneys due to it by the transferor in respect of the unit have been paid, or that provision has been made to the satisfaction of the association for the payment thereof, or in the case where no association has been formed that no moneys are payable;
 - (ii) that no real right of extension of a scheme referred to in section 27 is registered in favour of a developer or the association or, if such right is so registered, that it is disclosed in the deed of sale to the transferee referred to in section 27 (16) or, if it is not so disclosed, that the transferee after the conclusion of the deed of sale has in writing exercised his option in terms of section 27 (17), and that he has elected not to annul the sale on the ground of the defect;
 - (b) a clearance certificate from the local authority that all rates and moneys due to such local authority in terms of any law in respect of the land and buildings of the scheme have been paid if —
 - (i) provision is made by law for the separate rating of units; or
 - (ii) the transfer will result in the formation of an association in terms of section 39;
 - (c) if the transferor is a developer, an affidavit by the developer in which it is declared whether the relevant unit is a unit to which the provisions of section 11 apply or not and, if those provisions so apply, that the transfer is effected in terms of a contract which is not contrary to any provision of that section.
- (4) A unit shall be capable of being held by two or more persons in joint ownership.

(5) Any person who is the joint owner of a unit held by such person and one or more other persons under one sectional title deed may, upon application to the Registrar in the prescribed manner, obtain a certificate of registered sectional title in the prescribed form in respect of his undivided share in such unit, and no transfer of a fraction only of his undivided share in such unit and no hypothecation or lease of the whole or any fraction of his undivided share in such unit shall be registered in the Deeds Registry, unless a certificate of registered sectional title in the prescribed form in respect of such undivided share is produced to the Registrar.

Ownership of
common
property

19. (1) The common property shall be owned by owners of sections jointly in undivided shares proportionate to the quotas of their respective sections as specified on the sectional plan.

(2) A sectional title deed in respect of a section shall, in a separate paragraph, describe the undivided share in the common property of the owner of the section as an undivided share in the common property apportioned to the section in accordance with the quota of the section.

(3) A section and its undivided share in the common property shall together be treated as one unit, and no section shall be disposed of or be otherwise dealt with apart from its appurtenant undivided share in the common property nor, subject to section 20, shall an undivided share in the common property be disposed of or be otherwise dealt with apart from the section to which it is appurtenant.

(4) Any insurance of a section shall be deemed also to insure the undivided share in the common property of the owner of the section, even if no express reference is made to such share.

Dealings with
common
property

20. (1) The owners and the holders of a right of extension referred to in section 27 may by unanimous resolution direct the association on their behalf to transfer common property or any part thereof, or to let common property or any part thereof under a lease, and thereupon the association shall, notwithstanding any provision of section 20 of the Deeds Registry Act, but subject to compliance with any enactment relating to the subdivision of land or to the letting of a part of land, as the case may be, have power to deal with such common property or such part thereof in accordance with the direction, and to execute any deed required for the purpose:

Provided that if the whole of the right referred to in section 27 is affected by the sale of common property, such right shall be cancelled by the Registrar with the consent of the holder thereof on submission of the deed of transfer of the right.

(2) Any transaction in pursuance of a resolution referred to in subsection (1) shall be accompanied by a copy of the relevant resolution, certified by two trustees of the association.

(3) Where the transaction in question requires to be notarially executed, such resolution so certified shall be produced to the notary public concerned and be retained by him in his protocol.

(4) The Registrar shall —

- (a) register the transfer of the land comprised in the common property, and thereupon the land shall revert to the land register and the Registrar shall make an appropriate endorsement and entry on such title deed and in his records to give effect thereto:

Provided that if a portion only of the land comprised in the common property and on which no section or part of a section is erected, is so transferred, no endorsement thereof shall be made on the sectional title deeds of the owners of units:

Provided further that in such a case where a portion only of the land comprised in the common property is transferred, a diagram of such portion approved by the Director in terms of the Land Survey Act, shall be annexed to the title deed;

- (b) notify the Director and the local authority of any reversion of any land to the land register under paragraph (a), and upon receipt of such notification the Director shall make an appropriate endorsement on the original sectional plan and the Deeds Registry copy thereof; and
- (c) register a notarial lease of land comprising common property by making an appropriate endorsement against the schedule of conditions referred to in section 12 (3) (b), and no endorsement thereof shall be made on the sectional title deeds of the units:

Provided that where a lease is registered over a portion only of the land comprised in the common property, a diagram of such portion approved in terms of the Land Survey Act shall be annexed to the deed of lease.

(5) Where, pursuant to subsection (1), it is sought to sell a portion of the common property on which a section is erected, the Registrar shall not register the transfer unless the registration of the section in question has been cancelled with the written consent of the owner.

(6) Where pursuant to subsection (1) it is sought to let land which forms part of the common property or a portion thereof on which a section or part of a section is erected, the Registrar shall not register the lease, unless it is made subject to any right which the owner of the section or part of the section may have.

(7) When the registration of a section is cancelled under subsection (5), the quota of the section shall lapse and the quotas of the remaining sections shall be proportionately adjusted.

(8) The Registrar shall notify the Director and the local authority whenever the registration of a section has been cancelled under subsection (5), and upon receipt of such notification the Director shall effect the necessary amendments to the original sectional plan, the Deeds Registry copy of the sectional plan and the schedule thereto specifying the quota of each section.

(9) Where part of a section is erected on a portion of the common property the unaffected part of the section in the scheme shall be substituted in accordance with an amended participation quota schedule, which shall be referred to the Director for approval.

(10) The Director shall notify the Registrar of a change or amendment of a sectional plan in terms of subsection (9) which affects the description or extent of a section, and thereupon the Registrar shall, simultaneously with the registration of the transfer of the part of the land included in the scheme, make the necessary endorsement against the title deeds in question :

Provided that the Registrar shall not register the transfer of the common property, unless the sectional title deed of the affected section is endorsed with the new extent as reflected in the amended participation quota schedule.

(11) The Registrar shall notify the Director and the local authority whenever an endorsement has been made in terms of subsection (10), and on receipt of such notice the Director shall make the necessary amendments on the original sectional plan, the Deeds Registry copy of the sectional plan and the schedule thereto specifying the quota of each section.

(12) Where in terms of subsection (1) it is sought to sell a portion of land on which an exclusive use area or part thereof is registered, the Registrar shall not register the transfer, unless the registration of the exclusive use area or part thereof has been cancelled with the written consent of the holder.

(13) The Registrar shall notify the Director and the local authority when the registration of an exclusive use area or part thereof has been cancelled in terms of subsection (12), and on receipt of such a notice the Director shall make the necessary amendments on the original sectional plan and on the Deeds Registry copy of the sectional plan.

(14) When the whole of the land comprised in the common property shown on the sectional plan is transferred by the association pursuant to this section, the sectional title deeds of the owners of units and the title deeds of the holders of any registered real right in the units, and the title deeds of the holders of exclusive use areas shall be surrendered to the Registrar for cancellation, and the title deed of any other registered real right in the land, excluding mineral rights, shall be surrendered to the Registrar for endorsement, and the Registrar shall close the sectional title register and notify the Director and the local authority that the sectional title register has been closed.

(15) Upon receipt of the notification referred to in subsection (14), the Director shall cancel the original sectional plan and the Deeds Registry copy of the sectional plan.

21. The provisions of sections 54 and 55 of the Deeds Registry Act shall have effect with reference to the transfer of any mortgaged unit or undivided share in a unit, the cession of any mortgaged lease of a unit or undivided share in a unit, the cession of any mortgaged real right in or over a unit or an undivided share in a unit, and the transfer under section 20 of any mortgaged common property or land or an undivided share therein.

Transfer of
mortgaged
unit, etc.

22. (1) Whenever the whole or any part of, or any right in, the common property is compulsorily acquired under the provisions of any law, service of a notice of acquisition on the association shall be deemed to be service thereof on the registered owner of every section in the building, and each such owner shall be deemed to have appointed the trustees of the association as his duly authorized agents and representatives —

Compulsory acquisition of common property or rights therein

- (a) to negotiate and settle the compensation payable to him, and to that end to employ attorneys, advocates and other experts; and
- (b) on his behalf to receive and give valid acquittance for any compensation moneys paid.

(2) Any compensation moneys received by the trustees on behalf of the owners in terms of subsection (1), shall be paid to the owners in accordance with their participation quotas after they have received notice of such distribution in writing, so however that an owner may notify the trustees before such moneys are so distributed that he considers such a distribution inequitable, in which event the compensation moneys shall be distributed —

- (a) in accordance with a division approved by unanimous resolution; or
- (b) in accordance with a division approved by an arbitrator, being a practising advocate of not less than 10 years' standing or a practising attorney of not less than 10 years' standing, nominated by the trustees.

(3) The provisions of section 20 (4) (a) and (b) shall apply to a transfer pursuant to an acquisition of land or a servitude or other real right in land comprising common property.

(4) When land comprising common property on which a section or a part of a section is erected is transferred pursuant to an acquisition, the Registrar shall cancel the registration of such section in his records and shall endorse the Deeds Registry copy of the title and any bond, lease or other registered document affected, to reflect the cancellation of the section, and shall in like manner endorse the owner's copy of the title deed or the holder's copy of the bond, lease or other document whenever subsequently lodged at the Deeds Registry for any purpose.

(5) The provisions of section 20 (6), (7), (9) – (14), shall apply to the cancellation of a section in terms of subsection (4).

PART V — *Subdivision, Consolidation and Extension of Sections*

23. (1) If an owner of a section proposes to subdivide his section or to consolidate two or more sections registered in his name, he shall with the consent of the trustees of the association, which consent shall not unreasonably be withheld, cause the land surveyor or architect concerned to submit the sectional plan of the subdivision or consolidation, as the case may be, to the Director for approval.

Approval of plan of subdivision or consolidation by Director

(2) The submission of the sectional plan of subdivision or consolidation to the Director shall be accompanied by —

- (a) the documents referred to in section 9 (2);
- (b) in the case of a subdivision, a schedule specifying in the manner prescribed, the apportionment of the participation quota of the section between the new sections created;
- (c) in the case of a consolidation, a schedule specifying in the manner prescribed, the participation quota of the new section created being the aggregate of the quotas of the sections that are to be consolidated.

(3) The provisions of section 9 (3) and (5) shall apply to the preparation and submission of a sectional plan of a subdivision or consolidation to the Director.

24. (1) An owner may, after approval of a sectional plan of a subdivision of a section, apply to the Registrar to register the sectional plan of the subdivision.

- (2) An application under subsection (1) shall be accompanied by —
 - (a) two copies of the sectional plan of the subdivision;
 - (b) the sectional title deed in respect of the section to be subdivided;
 - (c) any sectional mortgage bond to which the section may be subject, together with the consent of the mortgagee to the cancellation of the bond or to the release of the section from the bond or to the subdivision and substitution of the new sections in lieu of such section as security under the bond;
 - (d) certificates of registered sectional title in the prescribed form for each of the new sections and their undivided shares in the common property created by the subdivision, made out in favour of the owner or, in the case of a partition, in favour of the persons entitled thereto in terms of the partition agreement;
 - (e) the partition agreement (if any), if the section is owned by more than one owner; and
 - (f) such other documents and particulars as may be prescribed.

(3) When the requirements of this section and any other enactment have been complied with, the Registrar shall register the sectional plan of the subdivision referred to in subsection (1), furnish a copy of the sectional plan of the subdivision to the local authority and shall notify the Director of the registration of the sectional plan of the subdivision, and thereupon the Director shall amend the original sectional plan and the Deeds Registry copy of the sectional plan to reflect such subdivision.

(4) Upon registration of the sectional plan of a subdivision, the portions in question shall be deemed to be separated from one another and shall each be deemed to be a separate section.

(5) On the registration of the sectional plan of a subdivision the Registrar shall, in lieu of the sectional title deed referred to in subsection (2) (b), issue the certificates of registered sectional title referred to in subsection (2) (d), and make such endorsements on the superseded and newly issued certificates of registered

sectional title, any sectional mortgage bond, lease or other deed embodying any other real right registered against the section at the time of the subdivision, and entries in the Deeds Registry records, as he may deem necessary to give effect to the provisions of this section.

(6) A sectional plan of a subdivision shall upon the registration thereof be deemed to be incorporated in the sectional plan registered in terms of section 13 (1) (a) and the provisions of section 14 (2) shall apply to such plan and the certificates of registered sectional title issued in terms of subsection (5).

25. (1) An owner may, after approval of a sectional plan of consolidation of two or more sections, apply to the Registrar to register the sectional plan of the consolidation.

Registration of
consolidation
of sections

(2) An application under subsection (1) shall be accompanied by —

- (a) two copies of the sectional plan of the consolidation;
- (b) the sectional title deeds of the sections to be consolidated;
- (c) any sectional mortgage bond registered against the sections, together with the consent of the mortgagee to the registration of the sectional plan of consolidation;
- (d) a certificate of registered sectional title in the prescribed form in respect of the new section as shown on the sectional plan of consolidation, and its undivided share in the common property, made out in favour of the owner of the sections to be consolidated; and

(e) such other documents and particulars as may be prescribed.

(3) When the requirements of this section and any other enactment have been complied with, the Registrar shall register the sectional plan of the consolidation referred to in subsection (1), furnish a copy of the sectional plan of consolidation to local authority and notify the Director of the registration of the sectional plan of the consolidation and thereupon the Director shall amend the original sectional plan and the Deeds Registry copy of the sectional plan to show such consolidation.

(4) Upon registration of the sectional plan of the consolidation, the sections in question shall be deemed to be consolidated into a single section as depicted on the sectional plan of the consolidation.

(5) Simultaneously with the registration of the sectional plan of the consolidation, the Registrar shall, in lieu of the sectional title deeds referred to in subsection (2) (b), issue the certificate of registered sectional title referred to in subsection (2) (d), and thereupon the provisions of subsection (5) of section 24 relating to the endorsements and entries to be made in the Deeds Registry records, and of subsection (6) of that section, shall apply.

(6) The provisions of section 38 (5) and (6) of the Deeds Registry Act shall apply with reference to any mortgage bond registered over one or more component sections of the section represented on the sectional plan of the consolidation.

26. (1) If an owner of a section proposes to extend the limits of his section, he shall with the approval of the association, authorized by a unanimous resolution of its members, cause the land surveyor or architect concerned to submit a sectional plan of the extension to the Director for approval.

(2) The submission of the sectional plan of the extension of a section to the Director shall be accompanied by —

(a) the documents referred to in section 9 (2); and

(b) in the case of the floor area of the section in question being increased by the extension, a revised schedule, reflecting the participation quotas of all the sections as modified after taking the increased floor area of the section in question into account.

(3) The provisions of section 9 (3) and (5) shall apply to the preparation and submission of a sectional plan of the extension of a section to the Director, and to the approval of such plan by him.

(4) An application to the Registrar for the registration of a sectional plan of an extension of a section, shall be accompanied by —

(a) two copies of the sectional plan of the extension of a section;

(b) the sectional title deed in respect of the section to be extended;

(c) any sectional mortgage bond to which the section may be subject, together with a certificate by a conveyancer stating that there is not a deviation of more than five per cent in the participation quota of a section as a result of a subdivision, or if there is a deviation of more than five per cent that all the mortgagees have consented to the registration of the sectional plan of extension of a section; and

(d) such other documents and particulars as may be prescribed.

(5) When the requirements of this section and of any other relevant enactment have been complied with, the Registrar shall register the sectional plan of the extension of a section, and shall make an appropriate endorsement on the title deed referred to in subsection (4) (b), if the floor area of the section is increased by the extension, and such consequential endorsements against any deed registered against the title deed as may be necessary, and he shall furnish a copy of the sectional plan of the extension to the local authority and notify the Director of the registration of the sectional plan of the extension, and thereupon the Director shall amend the original sectional plan and the Deeds Registry copy of the sectional plan to reflect such extension of a section.

(6) A sectional plan of an extension of a section shall upon the registration thereof be deemed to be incorporated in the sectional plan registered in terms of section 13 (1) (a), and the provisions of section 14 (2) shall apply to such plan.

PART VI — *Extension of Schemes*

27. (1) A developer may, subject to the provisions of section 4 (2) and (3) in his application for the registration of a sectional plan, reserve, in a condition imposed in terms of section 12 (2), the right to erect and complete from time to time, but within a period stipulated in such condition, for his personal account —

- (a) a further building or buildings;
- (b) a horizontal extension of an existing building;
- (c) a vertical extension of an existing building,

on a specified part of the common property, and to divide such building into a section or sections and common property and to confer the right of exclusive use over parts of such common property upon the owner or owners of one or more sections.

(2) In the event of a reservation made in terms of subsection (1), the application for the registration of the sectional plan shall, in addition to the documents referred to in section 12 (3), be accompanied by —

- (a) a plan to scale of the building to be erected and on which —
 - (i) the part of the common property affected by the reservation;
 - (ii) the siting, height and coverage of all buildings;
 - (iii) the entrances and exits to the land;
 - (iv) the building restriction areas, if any;
 - (v) the parking areas; and
 - (vi) the typical elevation treatment of all buildings, are indicated;
- (b) a plan to scale showing the manner in which the building to be erected is to be divided into a section or sections and any exclusive use areas;
- (c) a schedule indicating the estimated participation quotas of all the sections in the scheme after such section or sections have been added to the scheme;
- (d) particulars of any substantial difference between the materials to be used in the construction of the building to be erected and those used in the construction of the existing building;
- (e) particulars of such applicable expenses as are specified in section 40 (1) (a), which will be borne by the developer from the date of establishment of the association until the sectional plan of the extension is registered;
- (f) the certificate of real right which is to be issued in terms of section 13 (1) (e); and
- (g) such other documents and particulars as may be prescribed.

(3) The developer shall promptly on demand pay any moneys due in terms of subsection (2) (e) to the association.

Extension of
schemes by
addition of
sections

(4) A right reserved in terms of subsection (1) or vested in terms of subsection (6), and in respect of which a certificate of real right has been issued —

- (a) shall for all purposes be deemed to be a right to urban immovable property which admits of being mortgaged; and
- (b) may be transferred by the registration of a notarial deed of cession in respect of the whole, a portion or a share in such right:

Provided that in the case of a cession affecting only a portion of the land comprising the scheme only such portion shall be identified to the satisfaction of the Director.

(5) A right reserved in terms of subsection (1) may be exercised by the developer or his successor in title thereto, even though the developer or his successor in title, as the case may be, has no other interest in the common property.

(6) If no reservation was made by a developer in terms of subsection (1), or if such a reservation was made and for any reason has lapsed, the right to extend a scheme including land referred to in section 28, shall vest in the association which shall be entitled, subject to this section and after compliance with the necessary changes, with the requirements of paragraphs (a), (b), (c), (d), and (g) of subsection (2), to obtain a certificate of real right in the prescribed form in respect thereof:

Provided that the association shall only exercise or sell or transfer such right with the written consent of all the members of the association as well as with the written consent of the mortgagee of each unit in the scheme:

Provided further that a member or mortgagee shall not withhold such approval without good cause in law.

(7) If no reservation has been made by a developer in terms of subsection (1) and the association has not yet been formed, the Registrar may issue a certificate of real right of extension referred to in section 13 (1)(e) on application by the developer accompanied by the sectional mortgage bond and the written consent of any bondholder.

(8) Upon compliance with subsection (7) this Act shall apply with the necessary changes to such real right as if it had originally formed part of the application for the opening of the sectional title register and such certificate of real right shall be issued subject to any sectional mortgage bond against the land.

(9) Subject to the provisions of subsection (10), the provisions of sections 7, 8 and 9 shall apply to the submission of a sectional plan of an extension to the Director in terms of this section and the approval thereof by him.

(10) The sectional plan of an extension submitted to the Director, shall be accompanied by a revised schedule specifying the participation quota of each section in the building depicted on the sectional plan and the sectional plan of an extension, calculated in accordance with the provisions of section 35 as if the plan of the extension formed part of the

sectional plan when it was registered, and the Director shall file such revised schedule with the sectional plan.

(11) A developer or his successor in title to a right reserved in terms of subsection (1), or the association in terms of subsection (6), as the case may be, may, after approval of a sectional plan of an extension by the Director in terms of this section, apply to the Registrar for the registration of such plan of the extension and the inclusion of the additional section in the sectional title register.

(12) An application under subsection (11) shall be accompanied by —

- (a) two copies of the sectional plan of the extension;
- (b) the certificate of real right by which the reservation in terms of subsection (1) or (6) is held, together with any sectional mortgage bond registered against the certificate of real right and the consent of the mortgagee to the substitution of the sections depicted on the sectional plan of the extension and their undivided shares in the common property, as security in lieu of the real right held under the certificate of real right mortgaged under the bond;
- (c) certificates of registered sectional title in the prescribed form in favour of the developer, his successor in title or the association, as the case may be, in respect of each section reflected on the plan of the extension;
- (d) such other documents and particulars as may be prescribed.

(13) When the requirements of this section and of any other enactment have been complied with, the Registrar shall —

- (a) register the sectional plan of the extension;
- (b) extend the sectional title register to include the sections depicted on the plan of the extension;
- (c) on the registration of the sectional plan of the extension, issue to the developer, his successor in title or the association, as the case may be, a certificate of registered sectional title in respect of each section depicted on the sectional plan of the extension and its undivided share in the common property, furnish the local authority with a copy of such plan of extension and notify the Director of the registration of such plan of the extension, and thereupon the Director shall amend the original sectional plan and the Deeds Registry copy of the sectional plan to show such an extension; and
- (d) make such entries in his records and endorsements on the certificates of registered sectional title referred to in paragraph (c), any certificate of real right referred to in subsection (12) (b), and any sectional mortgage bond registered against the certificate of real right, as are necessary to give effect to this section.

(14) Upon registration of a sectional plan of an extension referred to in subsection (13) (a) —

- (a) the owners of sections in the building in the scheme that is being extended, the mortgagees of sectional mortgage bonds and the holders of any real rights registered over such sections, shall be divested of their share or interest in the common property to the extent that an undivided share in the common property is vested in the developer, his successor in title or the association, as the case may be, by the issue of the certificates of registered sectional title referred to in subsection (13) (c);
- (b) a sectional mortgage bond whereby a real right held by a certificate of real right referred to in subsection (12) (b) is mortgaged, shall be deemed to be a sectional mortgage bond over the sections depicted on the sectional plan of the extension and their undivided share in the common property and registered against the certificates of sectional title issued in terms of subsection (13) (c); and
- (c) the sectional plan of an extension shall be deemed to be incorporated in the sectional plan registered in terms of section 13 (1) (a), and thereupon the provisions of section 14 (1) and (2) shall have effect.

(15) A developer or his successor in title who exercises a reserved right referred to in subsection (1), or an association exercising the right referred to in subsection (6), shall be obliged to erect and divide the building into sections strictly in accordance with the documents referred to in subsection (2), due regard being had to changed circumstances which would make strict compliance impracticable, and an owner of a unit in the scheme who is prejudiced by his failure to comply in this manner, may apply to the court, whereupon the court may order proper compliance with the terms of the reservation, or grant such other relief, including damages, as the court may deem fit.

(16) In all cases where a developer or an association has a real right to extend a scheme as mentioned in this section, such right shall be disclosed in the agreement by which the unit is sold conditionally, or disposed of, to every purchaser of a section in the scheme concerned.

(17) An agreement by which a unit is sold conditionally or is disposed of in which a real right has not been disclosed as mentioned in subsection (16), shall be voidable at the option of the purchaser; and it shall be void if the purchaser notifies the seller that he annuls the conditional sale or disposal, and thereupon the provisions of section 11(5) to (7) shall apply.

28. (1) An association, authorized thereto in writing by all of its members, may purchase land to extend the common property.

(2) Land purchased by an association in terms of subsection (1) shall be deemed to be owned by the owners of the sections in the building concerned in the same proportion as their participation quota as reflected on the sectional plan.

(3) The provisions of section 9 (2) (a), (3) and (5) shall, with such necessary adaptation, apply for the preparation and submission to the Director of a plan of an extension of the common property, and the approval of such plan by him.

(4) The Registrar shall register a plan of the extension of the common property in terms of this section by making an endorsement on the title deed to show that the land in question has been incorporated in the sectional plan, shall make such further endorsements and entries in his records as may be necessary to give effect thereto, and shall furnish a copy of the sectional plan of the extension to the local authority and notify the Director of the registration of such plan of the extension, and thereupon the Director shall amend the original sectional plan and Deeds Registry copy of the sectional plan to reflect such extension.

(5) The Registrar shall not register a plan of an extension in terms of this section if the additional land to be incorporated as common property is subject to a mortgage bond.

(6) Upon the registration of a plan of an extension of the common property in terms of this section, such plan shall be deemed to be incorporated in the sectional plan registered in terms of section 13 (1) (a), and the land to which such sectional plan of the extension relates shall be deemed to be incorporated as common property in such registered sectional plan.

PART VII — *Exclusive use of Common Property and Servitudes*

29. (1) If any part of a common property is delineated on a sectional plan in terms of section 7 (3) (f), the developer shall, when making application for the opening of a sectional title register and the registration of the sectional plan, impose a condition in terms of section 12 (2) in the schedule referred to in section 12 (3) (b), by which the right to the exclusive use of the part of the common property delineated for this purpose on the sectional plan, is conferred upon the owner or owners of one or more of the sections, and the Registrar shall not accept for registration a sectional plan on which a part of the common property is so delineated, unless the developer imposes any such condition conferring any such right for a specific purpose on the owner or owners of a section or sections.

Rights of
exclusive
use of parts
of common
property

(2) A developer shall cede the right to the exclusive use of part of the common property to the owner to whom such rights are allocated, by the registration of a unilateral notarial deed in his favour, except that when the developer has transferred the last section in a scheme, he shall cede to the association the right to any exclusive use area still registered in his name free of charge and without any compensation.

(3) Notwithstanding subsection (1), if no reservation was made by a developer in terms of the said subsection (1) and the association has not yet been formed, the Registrar may issue a certificate of real right in respect of a right of exclusive use as referred to in section 13 (1) (f) on application by the developer accompanied by the sectional mortgage bond and the written consent of any bondholder.

(4) Upon compliance with subsection (3), this Act shall apply with the necessary changes to such real right as if it had originally formed part of the application for the opening of the sectional title register and such certificate of real right shall be issued subject to any sectional mortgage bond against the land.

(5) An association, duly authorized thereto by a unanimous resolution of its members, may, subject to the provisions of section 7 (1), request an architect or land surveyor to apply to the Director for the delineation on a sectional plan in the manner prescribed of a part of the common property in terms of section 7 (3) (f) for the exclusive use by the owner of the section; so however that no delineation shall be made on the sectional plan in terms of this subsection if such delineation will encroach upon a prior delineation on the sectional plan of a part of the common property for the exclusive use by one or more of the owners.

(6) The association, duly authorized thereto by a unanimous resolution of its members, shall transfer the right to the exclusive use of a part or parts of the common property delineated on the sectional plan in terms of subsection (5) to the owner on whom such right has been conferred by the association, by the registration of a notarial deed entered into by the parties and in which the association shall represent the owners of all the sections as transferor.

(7) An owner of a section in whose favour the right to the exclusive use of a part of the common property delineated on the sectional plan is registered, may transfer his interest in such right to the owner of another section in the scheme by the registration by the Registrar of a notarial deed of cession entered into by the parties.

(8) A right to the exclusive use of a part of the common property delineated on the sectional plan registered in favour of an owner of a section may with the written consent of the mortgagee of the section be cancelled by the registration by the Registrar of a notarial deed of cancellation entered into by the owner of the section entitled to such right and the association, duly authorized by a special resolution of its members, on behalf of all the owners of sections in the scheme.

(9) A right to the exclusive use of a part of common property registered in favour of an owner of a section, shall for all purposes be deemed to be a right to urban immovable property which can be mortgaged and burdened with a real right.

30. A developer or an association may make rules which confer rights of exclusive use and enjoyment of parts of the common property upon members of the association:

Rules
regarding
exclusive use
areas

Provided that such rules shall —

- (a) not create rights referred to in section 29(9);
- (b) include a layout plan to scale on which is clearly indicated —
 - (i) the locality of the distinctively numbered exclusive use and enjoyment parts; and
 - (ii) the purposes for which such parts may be used;
- (c) include a schedule indicating to which unit each such part is allocated.

31. (1) There shall be implied —

Implied
servitudes

- (a) in favour of each section —
 - (i) a servitude for the subjacent and lateral support of the section by the common property and by any other section capable of affording such support,
 - (ii) a servitude for the passage or provision of water, sewerage, drainage, gas, electricity, garbage, artificially heated or cooled air and other services, including telephone, radio and television services, through or by means of any pipes, wires, cables or ducts existing on or under the land or in the building, to the extent to which such pipes, wires, cables or ducts are capable of being used in connection with the utilization of the section; and
- (b) against each section —
 - (i) a servitude for the subjacent and lateral support of the common property and of any other section capable of enjoying such support,
 - (ii) the servitudes referred to in paragraph (a) (ii) through or by means of any pipes, wires, cables or ducts existing within such section, in favour of the common property and in favour of any other section capable of enjoying such servitudes.
- (2) The servitudes referred to in subsection (1) —
 - (a) shall be deemed to be incorporated in the title deeds of the owners affected thereby; and
 - (b) shall confer on the owners of sections the right, to be exercised by the association, to have access to each section and the exclusive use areas from time to time during reasonable hours to the extent necessary to maintain, repair or renew any part of the building or any pipes, wires, cables or ducts therein, or for making emergency repairs therein necessary to prevent damage to the common property or any other section.

Creation of
servitudes

- 32.** (1) The owners may by special resolution direct the association —
- (a) to execute on their behalf a servitude or restrictive agreement burdening the land shown on the relevant sectional plan;
 - (b) to accept on their behalf a servitude or restrictive agreement benefiting the said land.

(2) Every such servitude or agreement shall be incorporated in a notarial deed and shall be registered by the Registrar by noting such deed on the schedule of servitudes and conditions referred to in section 12 (3) (b) and on the title deeds of any party to such servitude or restrictive agreement whose title deeds are registered in the land register.

(3) If the land to be burdened by a servitude or restrictive agreement is hypothecated, the written consent of every mortgagee to the registration of such servitude or restrictive agreement shall be lodged with the Registrar.

Ancillary
servitudinal
rights

33. All ancillary rights and obligations reasonably necessary to make servitudes effective, shall apply in respect of servitudes implied or created under this Act.

Non-
application
of Deeds
Registry Act
to implied
servitudes

34. The provisions of the Deeds Registry Act shall not apply with reference to servitudes or restrictions as to user implied under this Act, and accordingly such servitudes and restrictions shall take effect and be enforceable immediately upon the formation of the association.

PART VIII — *Participation Quotas and Developers*

Participation
quotas

35. (1) Subject to the provisions of section 51, in the case of a scheme for residential purposes only, the participation quota of a section shall be a percentage expressed to four decimal places, and arrived at by dividing the floor area, correct to the nearest square metre, of the section by the floor area, correct to the nearest square metre, of all the sections in the building comprised in the scheme.

(2) Subject to the provisions of section 51, in the case of a scheme other than a scheme referred to in subsection (1), the participation quota of a section shall be a percentage expressed to four decimal places, as determined by the developer:

Provided that —

- (a) where a scheme is partly residential, the total of the quotas allocated by the developer to the residential sections shall be divided among them in proportion to a calculation of their quotas made in terms of subsection (1);
- (b) where a developer conditionally sold or disposed of a unit in such a scheme before the sectional title register is opened, the total of the quotas allocated to the respective sections and the participation quota of that unit must be disclosed in the agreement by which the unit is conditionally sold or disposed of; and
- (c) where such disclosure is not made, the agreement by which the unit is sold conditionally or disposed of shall be voidable at the option of the purchaser and the provisions of section 27(17) shall apply in respect of any such sale.

(3) Subject to the provisions of subsection (4), the quota of a section shall determine —

- (a) the value of the vote of the owner of the section, in any case where the vote is to be reckoned in value;
- (b) the undivided share in the common property of the owner of the section ; and
- (c) subject to the provisions of section 40 (1) (b), the proportion in which the owner of the section shall make contributions for the purposes of section 40 (1) (a), or may in terms of section 50 (1) be held liable for the payment of a judgment debt of the association of which he is a member.

(4) Subject to the provisions of section 40 (1) (b), the developer may, when submitting an application for the opening of a sectional title register, or the members of the association may by special resolution, make rules under section 38 by which a different value is attached to the vote of the owner of any section, or the liability of the owner of any section to make contributions for the purposes of section 40 (1) (a) or 50 (1) as modified:

Provided that where an owner is adversely affected by such a decision of the association, his written consent must be obtained:

Provided further that no such change may be made by a special resolution of the association until such time as there are owners, other than the developer, of at least 30 per cent of the units in the scheme:

Provided further that, in the case where the developer transfers a unit before submitting an application for the opening of a sectional title register, no exercise of power to make a change conferred on the developer by this subsection shall be valid unless the intended change is disclosed in the deed of sale in question.

(5) The specification in the schedule to a sectional plan of the quota of each section and of the total of the quotas of all the sections in the building comprised in a scheme, shall for all purposes be deemed to be correct in the absence of proof to the contrary.

36. Nothing in this Act or any other enactment shall be construed as preventing a developer from selling certain sections in a building and letting other sections therein or from letting all sections therein.

Sale or
letting of
sections

37. (1) The developer shall be the owner of any section in respect of which the ownership is not held by any other person, and the quota of such section or, if there is more than one such section, the total of the quotas of such sections, shall determine the share of the developer in the common property.

Shares of
developers in
buildings and
land

(2) When the ownership in every section is held by any person other than the developer, the developer shall, subject to the provisions of section 27 (1), cease to have a share or interest in the common property.

(3) When a developer has in one transaction sold the whole of his interest in the land and the building comprised in a scheme, or a share in the whole of such interest, to any other person, the Registrar shall register the transaction by means of a deed of transfer in the case of units and by means of a bilateral notarial deed of cession in the case of rights reserved under sections 27 and 29.

(4) The Registrar shall not register the transfer of a transaction referred to in subsection (3) unless —

- (a) there is produced to the Registrar a clearance certificate of the local authority that —
 - (i) all rates and moneys due to that local authority in respect of the land concerned have been paid up to and including the day of transfer, or
 - (ii) in those cases where an enactment provides for the separate levying of rates in respect of a unit, all such rates due to the local authority in respect of the unit concerned have been paid up to and including the day of transfer; and
- (b) there is produced to the Registrar a certificate by a conveyancer confirming that, an association has been formed in terms of section 39 (1), that the association has certified that all moneys due to the association by the transferor in respect of the units concerned have been paid or provision for the payment thereof has been made to the satisfaction of the association.

PART IX — Rules and Formation of Associations

Rules

38. (1) Subject to the provisions of this section, a scheme shall be governed by means of rules on the formation of an association for the scheme in accordance with the provisions of section 39.

(2) Rules shall be made providing for the control, management, administration, use and enjoyment of the section and the common property.

(3) Rules made under this section shall consist of management rules and conduct rules.

(4) The form of the rules shall be as may be prescribed or as near to that form as circumstances of the scheme admit.

(5) A developer may amend or substitute new rules when he submits an application for the opening of a sectional title register.

(6) The association of a scheme may —

- (a) by unanimous resolution amend or substitute new management rules;
- (b) by special resolution amend or substitute new conduct rules.

(7) Any amendment or substitution effected by a developer or an association —

- (a) shall not be inconsistent or conflicting with the rules; and
- (b) shall be reasonable and apply equally to all the owners of the units in the scheme.

(8) The association shall notify the Registrar in the prescribed form of any amendment made to the rules.

(9) The Registrar shall not be involved in the enforcement or application of the rules referred to in subsection (2) and is not required to examine or note any amendment thereof against any certificate or other document.

(10) An amendment referred to in subsection (8) shall come into operation on the date of filing of the notification referred to in that subsection.

39. (1) There shall be deemed to be formed an association which shall be a body corporate whenever any person other than the developer becomes an owner in a scheme.

Formation of
association as
bodies
corporate

(2) The association shall be called by the name of the scheme referred to in section 7 (3) (b) and shall have as its number, the number allotted to it under section 13 (1) (a).

(3) The association shall, subject to the provisions of this Act, be responsible for the enforcement of the rules referred to in section 38, and for the control, administration and management of the common property for the benefit of all owners.

(4) The provisions of the Companies Act, shall not apply in relation to an association.

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(5) The association shall have perpetual succession and shall be capable of suing and of being sued in its corporate name in respect of —

- (a) any contract made by it;
- (b) any damage to the common property;
- (c) any matter in connection with the land or building for which the association is liable or for which the owners are jointly liable;
- (d) any matter arising out of the exercise of any of its powers or the performance or non-performance of any of its duties under this Act or any rule; and
- (e) any claim against the developer in respect of the scheme if so determined by special resolution.

(6) A developer shall convene a meeting of the members of the association not later than 60 days after the formation of the association, the agenda of the meeting to be as prescribed in the management rules, at which meeting he shall furnish the members with —

- (a) a copy of the sectional plan;
- (b) a certificate from the local authority to the effect that all rates due by the developer up to the date of the formation of the association have been paid; and

(c) proof of revenue and expenditure concerning the management of the scheme from the date of the first occupation of any unit until the date of the formation of the association.

(7) The developer shall refund to the association any residue, if any, by proof referred to in subsection (6) (c).

(8) A developer who fails to comply with any provisions of subsections (6) and (7), shall be guilty of an offence and liable on conviction to a fine not exceeding P1 000.

(9) The developer shall cease to be a member of the association when he ceases to have a share in the common property referred to in section 37 (2), and any other member of the association shall cease to be a member thereof when he ceases to be the owner of a unit in the scheme in question.

40. (1) An association for a scheme shall perform the functions conferred on it by this Act and the rules made thereunder, and shall in addition carry out the following functions —

- (a) establish a fund which shall be used for —
 - (i) defraying administrative expenses,
 - (ii) repairs, upkeep, the control, management and administration of the common property,
 - (iii) payment of rates and taxes,
 - (iv) payment for the supply of amenities and services,
 - (v) payment of insurance premiums, and
 - (vi) the discharge of any duty or obligation of the association;
- (b) require the owners of units in the scheme to contribute to the fund referred to in paragraph (a) in order to satisfy any claim against the association;
- (c) to determine the amount to be raised periodically for the fund;
- (d) to raise the amounts so determined by levying contributions on the owners in proportion to the quotas of their respective sections;
- (e) to open and operate an account or accounts with a banking institution or a building society;
- (f) to insure the building and keep it insured to the replacement value thereof against fire and such other risks as may be prescribed;
- (g) to insure against such other risks as the owners may by special resolution determine;
- (h) subject to the provisions of section 51 and to the rights of the holder of any sectional mortgage bond, forthwith to apply any insurance money received by it in respect of damage to the building, in rebuilding and reinstating the building in so far as this may be effected;
- (i) to pay the premiums on any policy of insurance effected by it;
- (j) properly to maintain the common property (including elevators) and to keep it in a state of good and serviceable repair;

- (k) to comply with any notice or order by any competent authority requiring any repairs to or work in respect of the relevant land or building;
 - (l) to comply with any reasonable request for the names and addresses of the persons who are the trustees of the association in terms of the rules referred to in section 38, or who are members of the association;
 - (m) to notify the Registrar and the local authority concerned of its *domicilium citandi et executandi*, which shall be its address for service of any process;
 - (n) to ensure compliance with any enactment relating to the common property or to any improvement of land comprised in the common property;
 - (o) to keep in a state of good and serviceable repair and properly maintain the plant, machinery, fixtures and fittings used in connection with the common property and sections;
 - (p) subject to the rights of the local authority concerned, to maintain and repair (including renewal where reasonably necessary) pipes, wires, cables and ducts existing on the land and capable of being used in connection with the enjoyment of more than one section or of the common property or in favour of one section over the common property;
 - (q) on the written request of any owner or registered mortgagee of a section, to produce to such owner or mortgagee, or any person authorized in writing by such owner or mortgagee, the policy or policies of insurance effected by the association and the receipt for the last premium in respect thereof; and
 - (r) in general, to control, manage and administer the common property for the benefit of all owners.
- (2) Any contributions levied under any provision of subsection (1), shall be due and payable on the passing of a resolution to that effect by the trustees of the association, and may be recovered by the association by action in a court from the persons who were owners of units at the time when such contributions became due.
- (3) The association shall, on the application of an owner or mortgagee of a unit, or any person authorized by such owner or mortgagee, certify in writing —
- (a) the amount determined as the contribution of that owner;
 - (b) the manner in which such contribution is payable;
 - (c) the extent to which such contribution has been paid by the owner; and
 - (d) the amount of any rates and taxes paid by the association in terms of section 54 and not recovered by it.

(4) The association shall, for the purposes of effecting any insurance under subsection (1) (f), be deemed to have an insurable interest for the replacement value of the building and shall, for the purposes of effecting any other insurance under that subsection, be deemed to have an insurable interest in the subject-matter of such insurance.

41. The association may exercise the powers conferred upon it by or under this Act or the rules made thereunder, and such powers shall include the power —

- (a) to appoint such agents and employees as it may deem fit;
- (b) when essential for the proper fulfilment of its duties, to purchase or otherwise acquire, take transfer of, mortgage, sell, give transfer of, or hire or let units;
- (c) to purchase, hire or otherwise acquire movable property for the use of owners for their enjoyment or protection, or in connection with the enjoyment or protection of the common property;
- (d) where practicable, to establish and maintain on the common property suitable lawns and gardens and recreation facilities;
- (e) to borrow moneys required by it in the performance of its functions or the exercise of its powers;
- (f) to secure the repayment of moneys borrowed by it and the payment of interest thereon, by negotiable instrument or the hypothecation of unpaid contributions (whether levied or not), or by mortgaging any property vested in it;
- (g) to invest any moneys of the fund referred to in section 40 (1) (a);
- (h) to enter into an agreement with the local authority or any other person or body for the supply to the building and the land of electric current, gas, water, fuel and sanitary and other services;
- (i) to enter into an agreement with any owner or occupier of a section for the provision of amenities or services by the association to such section or to the owner or occupier thereof; including the right to let a portion of the common property to any such owner or occupier by means of a lease other than a lease referred to in section 20 (1); and
- (j) to do all things reasonably necessary for the enforcement of the rules and for the control, management and administration of the common property.

42. (1) The functions and powers of an association shall, subject to the provisions of this Act, the rules made thereunder and any restriction imposed or direction given at a general meeting of the owners of sections, be performed and exercised by the trustees of the association holding office in terms of the rules.

(2) For the purposes of an agreement in respect of the beacons and boundaries of the common property required in terms of the Land Survey Act, the trustees shall be deemed to be the owner of the land.

43. (1) Each trustee of an association shall stand in a fiduciary relationship to the association.

(2) Without prejudice to the generality of the expression “fiduciary relationship”, the provisions of subsection (1) shall imply that a trustee -

(a) shall in relation to the association act honestly and in good faith, and in particular -

(i) shall exercise such powers as he may have to manage or represent the association in the interest and for the benefit of the association, and

(ii) shall not act without or exceed the powers conferred on him; and

(b) shall avoid any material conflict between his own interests and those of the association, and in particular -

(i) shall not derive any personal economic benefit to which he is not entitled by reason of his office as trustee of the association, from the association or from any other person in circumstances in which that benefit is obtained in conflict with the interest of the association;

(ii) shall notify every other trustee, at the earliest opportunity practicable in the circumstances, of the nature and extent of any direct or indirect material interest which he may have in any contract of the association.

(3) A trustee of an association whose *mala fide* or grossly negligent act or omission has breached any duty arising from his fiduciary relationship, shall be liable to the association for -

(a) any loss suffered as a result thereof by the association; or

(b) any economic benefit derived by the trustee by reason thereof.

(4) Where a trustee fails to comply with the provisions of subsection (2) (b) (ii) and it becomes known to the association that the trustee has an interest referred to in that subsection in any contract of the association, the contract in question shall, at the option of the association, be voidable; so however that where the association chooses not to be bound, a court may on application by any interested person, if the court is of the opinion that in the circumstances it is fair to order that such contract shall nevertheless be binding on the parties, give an order to that effect, and may make any further order in respect thereof which it may deem fit.

(5) Except as regards his duty referred to in subsection (2) (a) (i), any particular conduct of a trustee shall not constitute a breach of a duty arising from his fiduciary relationship to the association, if such conduct was preceded or followed by the written approval of all the members of the association where such members were cognizant of all the material facts.

Proceedings
on behalf of
associations

44. (1) When an owner is of the opinion that he and the association have suffered damages or loss or have been deprived of any benefit in respect of a matter mentioned in section 39(5), and the association has not instituted proceedings for the recovery of such damages, loss or benefit, or where the association does not take steps against an owner who does not comply with the rules, the owner may initiate proceedings on behalf of the association in the manner prescribed in this section.

(2) Any owner referred to in subsection (1) shall serve a written notice on the association calling on the association to institute such proceedings within one month from the date of service of the notice, and stating that if the association fails to do so, an application to the court under subsection (3) will be made.

(3) If the association fails to institute such proceedings within the period of one month specified in subsection (2), the owner may make an application to the court for an order appointing a *curator ad litem* for the association for the purposes of instituting and conducting proceedings on behalf of the association.

(4) The court may, if after considering the application, it is satisfied —

- (a) that the association has not instituted such proceedings;
- (b) that there are *prima facie* grounds for such proceedings; and
- (c) that an investigation into such grounds and into the desirability of the institution of such proceedings is justified,

appoint a provisional *curator ad litem* and direct him to conduct such investigation and to report to the court on the return day of the provisional order.

(5) The court may on the return day discharge the provisional order referred to in subsection (4), or confirm the appointment of the *curator ad litem* for the association, and issue such directions as it may deem necessary as to the institution of proceedings in the name of the association and the conduct of such proceedings on behalf of the association by the *curator ad litem*.

Powers of
curators ad
litem

45. (1) A provisional *curator ad litem* appointed by the court under section 44 (4) and a *curator ad litem* whose appointment is confirmed by the court under section 44 (5) shall, in addition to the powers expressly granted by the court in connection with the investigation, proceedings and enforcement of a judgment, have such powers as may be prescribed by regulations.

(2) If the disclosure of any information about the affairs of an association to a provisional *curator ad litem* or a *curator ad litem* would in the opinion of the association be harmful to the interests of the association, the court may on an application for relief by that association, and if it is satisfied that the information is not relevant to the investigation, grant such relief.

46. The court may, if it appears that there is reason to believe that an applicant in respect of an application under section 44 (2) and (3) will be unable to pay the costs of the respondent association if successful in its opposition, require sufficient security to be given for those costs and the costs of the provisional *curator ad litem* before a provisional order is made.

Security for costs by applicants for appointment of curators ad litem

PART X — Owners, Administrators and Buildings

47. (1) An owner shall —

Duties of owners

- (a) permit any person authorized in writing by the association, at all reasonable hours on notice (except in case of emergency, when no notice shall be required), to enter his section or exclusive use area for the purposes of inspecting it and maintaining, repairing or renewing pipes, wires, cables and ducts existing in the section and capable of being used in connection with the enjoyment of any other section or common property, or for the purposes of ensuring that the provisions of this Act and the rules made thereunder are being observed;
- (b) forthwith carry out all work that may be ordered by any competent public or local authority in respect of his section, other than such work as may be for the benefit of the building generally, and pay all charges, expenses and assessments that may be payable in respect of his section;
- (c) repair and maintain his section in a state of good repair and, in respect of an exclusive use area, keep it in a clean and neat condition;
- (d) use and enjoy the common property in such a manner as not unreasonably to interfere with the use and enjoyment thereof by other owners or other persons lawfully on the premises;
- (e) not use his section or exclusive use area, or permit it to be used, in such a manner or for such purpose as shall cause a nuisance to any occupier of a section;
- (f) notify the association forthwith of any change of ownership in his section and of any mortgage or other dealing in connection with his section; and
- (g) when the purpose for which a section is intended to be used is shown expressly or by implication on or by a registered sectional plan, not use nor permit such section to be used for any other purpose:

Provided that with the written consent of all owners such section may be used for another purpose.

(2) Any owner who is of the opinion that any refusal of consent of another owner in terms of the proviso to subsection (1) (g) is unfairly prejudicial, unjust or inequitable to him, may within six weeks after the date of such a refusal make an application to the court.

(3) If on considering any application made under subsection (2), it appears to the court that the refusal in question is unfairly prejudicial, unjust or inequitable to the applicant, and if the court considers it just and equitable, the court may with a view to bringing the dispute to an end make such order as it deems fit, including an order that it shall be deemed that the requirement stated in the proviso to subsection (1) (g) is met, an order that the provisions of section 15 which the court deems appropriate, shall be applied with reference to the amendment of the registered sectional plan in question, any other supplementary order as the court deems fit, and an order concerning costs as it deems appropriate.

Insurance by
owners

48. (1) Notwithstanding the existence of a valid policy of insurance effected by an association in accordance with the provisions of section 40 (1) (f), an owner may effect a policy of insurance against any damage to his section arising from risks covered by the policy effected by the association.

(2) Where any damage is done to a section insured in accordance with the provisions of subsection (1), the insurer —

- (a) shall not be liable in terms of the policy of insurance effected by the owner, if the damage is made good by the association in accordance with the provisions of section 40 (1) (h);
- (b) shall be liable in terms of the insurance effected by the owner if the damage is not made good by the association.

(3) Where any damage done to a section is not covered by any policy of insurance effected by the association, the terms and conditions of the policy of insurance effected by the owner shall have effect.

(4) Nothing in this section contained shall limit the rights of an owner to insure against risks other than damage to his section.

Appointment
of
administrators

49. (1) An association, a local authority, judgment creditor of the association for an amount of not less than P500, or any owner or any person having a registered real right in or over a unit, may apply to the court for the appointment of an administrator on the grounds —

- (a) that the affairs of the association are being conducted or the powers of the trustees of the association are being exercised in a manner detrimental to the association; and
- (b) that the association is encountering financial difficulties due to maladministration of the association.

(2) The court may appoint an administrator for an indefinite or a fixed period on such terms and conditions as to remuneration as it deems fit.

(3) The remuneration and expenses of the administrator shall be administrative expenses within the meaning of section 40 (1) (a).

(4) The administrator shall, to the exclusion of the association, have the powers and duties of the association or such of those powers and duties as the court may direct.

(5) The court may, *mero motu*, or on the application of any person referred to in subsection (1) remove from office or replace the administrator or, on the application of the administrator, replace the administrator.

(6) The court may, with regard to any application under this section, make such order for the payment of costs as it deems fit.

50. (1) If a creditor of an association has obtained judgment against the association, and such judgment, despite the issue of a writ, remains unsatisfied, the judgment creditor may, without prejudice to any other remedy he may have, apply to the court which gave the judgment, for the joinder of the members of the association in their personal capacities as joint judgment debtors in respect of the judgment debt.

Recovery of
judgment
debts from
owners

(2) The judgment creditor may recover from the joint judgment debtors the amount of the judgment debt still outstanding from the members on a *pro rata* basis in proportion to their respective quotas or a determination made in terms of section 35 (4):

Provided that any member who is so required to make a payment to a judgment creditor after he has paid to the association any contribution which he was required to pay to that association in respect of the same debt, shall be entitled to obtain a refund from the association of the amount of the payment so made to the creditor.

(3) No debt or obligation arising from any agreement between the developer and any other person shall be enforceable against the association.

51. (1) The building comprised in a scheme shall, for the purposes of this Act, be deemed to be destroyed —

Destruction of
or damage to
buildings

- (a) upon the physical destruction of the building;
- (b) when the owners by unanimous resolution so determine and all holders of registered sectional mortgage bonds and the persons with registered real rights concerned, agree thereto in writing; or
- (c) when the court is satisfied that, having regard to all the circumstances, it is just and equitable that the building shall be deemed to have been destroyed, and makes an order to that effect.

(2) In any case where an order is made under subsection (1) (c), the court may impose such conditions and give such directions as it deems fit for the purpose of adjusting the effect of the order between the association and the owners and mutually among the owners, the holders of registered sectional mortgage bonds and persons with registered real rights.

(3) Where the building is damaged or is destroyed within the meaning of subsection (1), the owners may by unanimous resolution, or the court may by order, authorize a scheme —

- (a) for the rebuilding and reinstatement in whole or in part of the building;
- (b) for the transfer of the interests of owners of sections which have been wholly or partially destroyed, to the other owners.

(4) In the exercise of their powers under subsection (3), the owners may pass such resolution or the court may make such order as may be deemed necessary or expedient to give effect to the scheme, in connection with inter alia —

- (a) the application of insurance moneys received by the association in respect of damage to or the destruction of the building;
- (b) the payment of money by or to the association or by or to the owners or by or to one or more of them;
- (c) an amendment of the sectional plan so as to include in the common property an addition thereto or subtraction therefrom;
- (d) the variation of the quota of any section; or
- (e) the imposition of conditions.

(5) An application may, for the purposes of this section, be made to the court by the association or by any owner or by any holder of a registered sectional mortgage bond or a registered lease or by any insurer who has effected insurance on the building or any section therein, or by the local authority.

(6) Any insurer who has effected insurance on the building or any part thereof (being insurance against destruction of sections or damage to the building) shall, on any application to the court under this section, have the right to intervene in the proceedings.

(7) The court may, on the application of an association or any member thereof or any holder of a registered real right concerned, or any judgment creditor, by order make provision for the winding-up of the affairs of the association; and may by order, declare the association dissolved as from a date specified in the order.

(8) The court may, with regard to any application under this section make such order for the payment of costs as it deems fit.

(9) Where two or more buildings are comprised in a scheme, and only one or part of one of the buildings is damaged or destroyed, the provisions of this section shall apply as if the buildings were one building and part of such building has been damaged or destroyed.

Disposal on
destruction of
buildings

52. (1) When in terms of section 51 the building comprised in a scheme is deemed to be destroyed and the owners have by unanimous resolution resolved not to rebuild the building, the association shall lodge with the Registrar a notification in the prescribed form of such destruction and a copy of the relevant resolution of the owners as certified by two trustees of the association.

(2) Upon receipt of such notification the Registrar shall make an entry thereof in the relevant sectional title register.

(3) When an entry has been made in the relevant sectional title register —

- (a) the owners shall cease to be separate owners of sections but shall, subject to the provisions of section 51(2), remain co-owners of the land in undivided shares proportionate to the quotas of the respective sections previously owned by them;

- (b) any sectional mortgage bond, lease or other real right or condition then registered against or affecting a unit, shall be deemed to be converted into a mortgage bond, lease or other real right or condition registered against or affecting the undivided share in the land which formed part of such unit;
 - (c) the land shall revert to the land register; and
 - (d) the sectional title deeds of units which are thus deemed to be destroyed as well as the title deeds regarding any right to an exclusive use area and any right to the extension of a scheme referred to in section 27, together with any mortgage bond over the rights, shall be surrendered to the Registrar for cancellation.
- (4) Upon the reversion of the land to the land register, the Registrar shall —
- (a) cancel the title deeds referred to in subsection (3) (d);
 - (b) issue to each of the owners of a unit which is thus deemed to be destroyed a certificate of registered title in the form prescribed under the Deeds Registry Act for his undivided share in the land, subject or entitled to such servitudes, mortgage bonds, other real rights and conditions which are applicable to or in respect of such land;
 - (c) make suitable endorsements on any sectional mortgage bond, lease or other real right to reflect the conversion referred to in subsection (3) (b);
 - (d) re-register any sectional mortgage bond, lease or other real right referred to in subsection (3) (b) as a mortgage bond, lease or real right in terms of the Deeds Registry Act;
 - (e) make an endorsement on the schedule referred to in section 12 (3) (b) to reflect the reversion of the land; and
 - (f) notify the Director and the local authority of the reversion of the land.
- (5) Upon receipt of the notification that the whole of the land has reverted to the land register, the Director shall cancel the relevant sectional plan.

53. (1) Where the State or a local authority is the owner of a section in a building which is not encumbered by a mortgage, lease or real right, and such section has been destroyed to give effect to a project or scheme for the benefit of the public, the State or local authority, as the case may be, may, after advising the association of its intention to do so, notify the Registrar to this effect and apply for the cancellation of the relevant sectional title deed.

(2) An application in terms of subsection (1) shall be accompanied by the owner's copy of the relevant sectional title deed.

(3) On receipt of such application, the Registrar shall cancel the Deeds Registry's and owner's copy of the relevant sectional title deed and shall make the necessary consequential entries in his records and notify the Director and the local authority accordingly, and thereupon the

Unencumbered sections destroyed by State or local authority

undivided share in the common property that was held under that sectional title deed shall vest in the owners of the remaining sections in the building proportionately to their respective participation quotas.

(4) On receipt of a notification referred to in subsection (3) and an amended schedule referred to in section 7 (3) (g), prepared by an architect or land surveyor and to be furnished by the State or local authority, as the case may be, the Director shall amend the original plan and the Deeds Registry copy of the sectional plan to give effect to the cancellation of the sectional title deed referred to in the notification.

Valuation of
land and
buildings and
recovery of
rates by local
authorities

54. (1) When a local authority causes land and buildings comprised in a scheme to be valued for any lawful purposes, the land and buildings thereon shall, subject to the provisions of subsection (4), be valued as if they were owned by a single owner, and for the purposes of such valuation and all purposes incidental thereto (including an objection to a valuation), the land and buildings thereon shall be deemed to be owned by the association.

(2) A separate valuation shall be made of the land and the building.

(3) Subject to the provisions of subsection (4), and section 50, the local authority may recover any rates and taxes levied by it from the association.

(4) When by any enactment provision has been made for the separate rating of units, each relevant unit shall for the purposes of valuation and the levying and recovery of rates by a local authority be deemed to be a separate entity.

Appointment
of Sectional
Titles
Regulation
Board

55. (1) Regulations may be made providing for the appointment of a Sectional Titles Regulation Board to make recommendations to the Minister for the efficient implementation of the provisions of this Act.

(2) Regulations made under this section shall specify the number of persons to be appointed to the Board, their remuneration and the period of holding office.

Power to make
rules and
regulations

56. The Minister may by statutory instrument make —

- (a) rules providing for any matter which under this Act is to be provided for by rules or which otherwise relates to the control, management, administration, use and enjoyment of the sections and the common property of a scheme; and
- (b) regulations providing for any matter which under this Act is to be provided for by regulations or is to be prescribed or which may be necessary or expedient for giving effect to the provisions of this Act.

PASSED by the National Assembly this 22nd day of July, 1999

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

Amendment
of section 3
of the Act

(c) in the definition of the word "order", by substituting for the words "an affiliation" the words "a maintenance"; and

(d) by deleting the definition of "single woman" therefrom.

4. Section 3 of the Act is amended by substituting for section 3, the following new section —

"Commencement of action 3. (1) A woman with child, a parent of a child or a person having the care or custody of a child may apply upon complaint to a court for a summons to be served, where the complainant is —

(a) a woman with child, on the man alleged to be the father of the child;

(b) a parent, on the other parent of the child; or

(c) a person having the care or custody of the child, on either or both parents."

(2) A summons served under subsection (1) shall state whether the complainant seeks a paternity order or a maintenance order.

Amendment
of section 4
of the Act

5. Section 4 of the Act is amended —

(a) in subsection (1),

(i) by substituting for the words "A complaint under section 3 may be made" the words "A complainant seeking a paternity order may make an application";

(ii) in paragraph (a) and (c), by substituting for the words "12 months" the words "5 years";

(iii) by inserting immediately after paragraph (c) the following new paragraph —

"(d) at any subsequent time in respect of a child with physical or mental disability preventing him from being independent."; and

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

"(3) A complainant seeking a maintenance order may make an application at —

(a) any subsequent time after obtaining a paternity order under subsection (1), where the defendant is the male parent; or

(b) any time before the child turns 18 years, where the defendant is the female parent".

Amendment
of section 5
of the Act

6. Section 5 of the Act is amended by substituting for Section 5 thereof, the following new section —

"Venue

5. Notwithstanding the provisions of any other Act, a complaint under section 3 shall be made to a court having jurisdiction in the administrative district in which the complainant resides, or in the administrative district in which it is most convenient for the complainant to bring the suit."

7. Section 6 of the Act is amended —

Amendment
of section 6 of
the Act

- (a) by substituting for subsection (1), the following new subsection —

“(1) Where the court is satisfied as to the sufficiency of the evidence adduced, it may, where the defendant —

- (a) is the alleged father of the child, make against him a paternity order or a maintenance order; or
- (b) is the mother of the child, make against her a maintenance order.

- (b) by substituting for subsection (2) the following new subsection —

“(2) An order shall require the parent to pay not less than P100 a month for the maintenance and education of the child:

Provided that the court may order the parent to pay such lesser or greater amount as it considers appropriate taking into account the financial circumstances and ability to pay of the parent.”;

- (c) by substituting for subsection (3), the following new subsection —

“(3) Where a complaint has been made to a magistrate’s court and the parent of the child has no income from which deductions for maintenance and education can be made, the court shall —

- (a) order that a social worker assess his estate or socio-economic standing forthwith to determine how he can contribute to the maintenance and education of the child, and prepare a report thereon; and
- (b) refer the complaint, together with the said report, to a customary court, which shall apply customary law thereto.”;

- (d) by deleting from subsection (4), the words “weekly or” which appear therein; and

- (e) in subsection (6) —

- (i) by substituting for the word “seven” the word “six”; and
- (ii) by deleting the words “weekly or” which appear therein.

8. Section 7 of the Act is amended —

Amendment of
section 7 of
the Act

- (a) in subsection (3), by substituting for the word “she” the word “he”;

- (b) by substituting for subsection (4) thereof, the following new subsection —

“(4) Where there is evidence that the person entitled to any payments to be made under an order is no longer able to receive such payments, or is not using such payments judiciously or for the purpose for which they were intended, the court shall —

- (a) order that a social worker identify and assess another person to whom payments shall be made; and
- (b) upon the satisfactory report of the social worker, appoint such person (with his consent) in place of the parent or other person formerly appointed.”; and

Amendment
of section 9
of the Act
Amendment
of section 10
of the Act

- (c) by inserting immediately after subsection (4) thereof, the following new subsection —

“(4A) (a) The social worker shall monitor the use to which the payments referred to in this section are put and shall keep and maintain a record of those persons who misuse the said payments.

(b) The social worker shall forward or cause to be forwarded to the court every three months, a copy of the record referred to in paragraph (a).”

9. Section 9 of the Act is amended by substituting for the figure “13” which appears therein, and in the side note thereto, the figure “18”.

10. Section 10 of the Act is amended —

- (a) in subsection (1) thereof,

(i) by substituting for the figure “13” which appear therein, the figure “18”;

(ii) by inserting immediately after subsection (1) thereof, the following new subsection —

“(1A) Where it appears to the court that the child has a disability which will prevent him from ever being independent, the court shall order that the parent maintain the child until the death of the parent or that of the child, whichever comes first.”;

- (b) in subsection (2) thereof, by substituting for the figure “16” which appear therein, the figure “21”; and

- (c) in subsection (3) thereof, by inserting immediately after the words “having the” the words “care or”.

11. Section 12 of the Act is amended —

- (a) in paragraph (a),

(i) by substituting for the words

“an illegitimate child” the words “a child”;

(ii) by substituting for the words “putative father” the word “parent”;

- (b) in paragraph (b) thereof, by deleting the words “or to imprisonment for a term not exceeding six months” which appear therein.

Amendment
of section 12
of the Act

PASSED by the National Assembly this 12th day of July, 1999.

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

BOTSWANA HONOURS (AMENDMENT) ACT, 1999

No. 9



of 1999

ARRANGEMENT OF SECTIONS

SECTION

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

An Act to amend the Botswana Honours Act

Date of Assent: 10/08/99.

Date of commencement: 20/08/99.

ENACTED by the Parliament of Botswana.

1. This Act may be cited as the Botswana Honours (Amendment) Act, 1999.

Short title

2. The Act is amended by renumbering section 3 thereof as section 3 (1) and adding the following new subsection —

Amendment
of section 3
of Cap 03:06

“(2) The President may delegate his powers under subsection (1) to any Minister as he deems fit, to present Botswana Honours on the President’s behalf.”

PASSED by the National Assembly this 13th day of July, 1999.

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

**LOCAL GOVERNMENT (DISTRICT COUNCILS)
(AMENDMENT) ACT, 1999**

No. 10



of 1999

ARRANGEMENT OF SECTIONS

SECTION

1. Short title
2. Amendment of section 15 of Cap. 40:01
3. Amendment of section 44 of the Act
4. Amendment of section 45 of the Act
5. Amendment of section 46 of the Act
6. Amendment of section 54 of the Act
7. Insertion of Part VI(A) to the Act

An Act to amend the Local Government (District Councils) Act

Date of Assent: 10/08/99.

Date of Commencement: 20/08/99.

ENACTED by the Parliament of Botswana.

1. This Act may be cited as the Local Government (District Councils) (Amendment) Act, 1999. Short title

2. Section 15 (b) of the Local Government (District Councils) Act (hereinafter referred to as "the Act") is amended by substituting for the figure "21 years" the figure "18 years". Amendment of section 15 of Cap. 40:01

3. Section 44 of the Act is amended — Amendment of section 44 of the Act

(a) by substituting for subsection (2) the following new subsection —

"(2) Within three months from the end of each financial year, every council shall cause its accounts for the preceding financial year to be balanced and an annual statement or abstract of such accounts to be prepared and presented to the Auditor-General.";

(b) by substituting for subsection (3) the following new subsection —

"(3) Such accounts, with all books, vouchers and papers relating thereto, with a copy of such annual statement or abstract shall be audited by the Auditor-General, who shall carry out his duties in accordance with the provisions of section 124 (2) of the Constitution of Botswana, and section 38 of the Finance and Audit Act.";

(c) by inserting immediately after subsection (3), the following new subsection — Cap. 54:01

"(3A) The Auditor-General shall complete the audit of accounts within twelve months of their submission to him.";

- (d) by substituting for subsection (4) the following new subsection —
 “(4) The Auditor-General’s report and the audited statements shall be submitted to the —
 (i) Minister;
 (ii) Minister responsible for finance and development planning; and
 (iii) Chief Executive Officer, who shall cause the report and the audited statement to be tabled before the Full Council.”;
- (e) by inserting immediately after subsection (4), the following new subsection —
 “(4A) The Council shall upon receipt of the report and audited statements, submit them to the Finance and General Purposes Committee which shall, together with the Council Management and Auditor-General, examine them in detail and shall report back with any recommendations to the Full Council.”; and
- (f) in subsections (6) and (8), by substituting for the word “auditor” which appears therein, the words “Auditor-General”.
- Amendment of section 45 of the Act 4. Section 45 of the Act is amended by substituting for the word “auditor’s” which appears therein, the words “Auditor-General’s”.
- Amendment of section 46 of the Act 5. Section 46 of the Act is amended —
 (a) by substituting for the word “auditor” wherever it appears, the words “Chief Executive”; and
 (b) by substituting for the word “Minister” wherever it appears, the words “Permanent Secretary.”
- Amendment of section 54 of the Act 6. Section 54 of the Act is amended by deleting subsection (2) therefrom.
- Insertion of Part VI(A) to the Act 7. The Act is amended by inserting immediately after section 48, the following new Part —

“PART VI (A) — *Establishment of the Local Authorities Public Accounts Committee*

- Establishment of Local Authorities Public Accounts Committee 48A. (1) Subject to the laws governing the public service, the Minister may establish the Local Authorities Public Accounts Committee (hereinafter referred to as “the Committee”).
- (2) The Committee shall be assisted in its functions by a secretariat comprising of such public officers from the ministry as the Minister may direct.
- Functions of the Committee 48B. The functions of the Committee shall be to —
 (a) examine the accounts of every —
 (i) district council established under this Act;
 (ii) city, town and township authority established under the Township Act; and
 (iii) land board established under the Tribal Land Act; which are required by written law to be presented to the Minister;
- Cap. 40:02
 Cap. 32:02

- (b) examine the Auditor-General's report and audited financial statements one month after they have been presented before the Full Council or Board;
- (c) examine such other accounts as may be referred to it by the Minister; and
- (d) report the results of an examination under paragraphs (a), (b) and (c) to the Minister.

Membership
to the
Committee

48C. (1) The Committee shall consist of seven persons appointed by the Minister, two of whom shall be Councillors in the local authorities.

(2) The members of the Committee shall be persons of good standing in the community and who possess substantial knowledge and experience in the areas of accounting and auditing, local authority financial and management systems or in other matters of a nature likely to assist the Committee in the discharge of its functions under the Act.

(3) The Minister shall appoint a Chairperson from among the members.

(4) The tenure of office of a member of the Committee shall be a period of not more than three years from the date of appointment:

Provided that a member shall be eligible for re-appointment at the expiry of the term of office if such re-appointment is in the interest of the service.

Proceedings
of the
Committee

48D. The Committee shall meet at such times and at such places and proceed with such business in such manner as the Minister may direct.

Provision of
evidence and
advice

48E. The Chief Executive shall provide the Committee with such evidence and advice, either documentary, oral or both, as may be required by the Committee.

Auditor-
General and
Director to
attend
meetings"

48F. The Auditor-General and the Director of Local Government and Development shall attend the meetings of the Committee and shall give advice on financial matters as may be required.

PASSED by the National Assembly this 6th day of April, 1999.

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

UNWROUGHT PRECIOUS METALS (AMENDMENT) ACT, 1999

No. 11



of 1999

ARRANGEMENT OF SECTIONS

SECTION

1. Short title
2. Amendment of section 3 of Cap 20:03
3. Deletion of sections 4, 5 and 8 of the Act
4. Amendment of section 9 of the Act
5. Renumbering of sections 7 and 9 of the Act
6. Insertion of new section 6 of the Act

An Act to amend the Unwrought Precious Metals Act

Date of Assent: 10/08/99.

Date of commencement: 20/08/99.

ENACTED by the Parliament of Botswana.

1. This Act may be cited as the Unwrought Precious Metals (Amendment) Act, 1998.

Short Title

2. Section 3 of the Unwrought Precious Metals Act (hereinafter referred to as "the Act") is amended —

Amendment of
section 3 of
Cap. 20:03

(a) by substituting, for subsection (1) (c) thereof, the following new subsection —

"(1) (c) he is a jewellery manufacturer or a jewellery repairer, or otherwise deals in precious metals and holds a permit issued by the Minister responsible for minerals, energy and water affairs (hereinafter referred to as "the Minister") authorising him to have in his possession unwrought precious metals lawfully obtained for the purpose of manufacturing jewellery or repairing jewellery"; and

(b) by substituting, for subsection (2) thereof, the following new subsection —

"(2) Any person who has in his possession any unwrought precious metal, unless —

(a) he is a person excepted under subsection (1); or

(b) he is able to satisfy the court that he came into possession of such metal in a lawful manner,

shall be guilty of an offence and liable to a fine not exceeding P5 000 or to imprisonment for a term not exceeding one year, or to both, and in the case of a second or subsequent conviction, to a fine not exceeding P10 000 or to imprisonment for a term not exceeding two years, or to both."

Deletion of sections 4, 5 and 8 of the Act

3. The Act is amended by deleting sections 4, 5 and 8 therefrom.

Amendment of section 9 of the Act

4. The Act is amended by substituting, for section 9 thereof, the following new section —

“Declaration of metals as precious metals 9. The Minister may, by order, declare such metal as he deems fit to be precious metal for the purposes of this Act.”

Renumbering of sections 7 and 9 of the Act

5. The Act is amended by the renumbering of sections 7 and 9 as sections 4 and 5 respectively.

Insertion of new section 6 of the Act

6. The Act is amended by the insertion at the end thereof of the following new section —

“Regulations 6. The Minister may make regulations for the carrying out of or for giving effect to the provisions of this Act.”

PASSED by the National Assembly this 30th day of June, 1999.

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

Statutory Instrument No. 101 of 1999

HYPOTHECATION ACT
(Cap. 46:05)

**HYPOTHECATION (AUTHORISED CREDITORS) (NO. 2)
REGULATIONS, 1999**

(Published on 20th August, 1999)

ARRANGEMENT OF REGULATIONS

REGULATION

1. Citation
2. Authorised creditors

IN EXERCISE of the powers conferred by section 2 as read with section 14 of the Hypothecation Act, the Minister of Finance and Development Planning hereby makes the following Regulations —

1. These Regulations may be cited as the Hypothecation (Authorised Creditors) (No. 2) Regulations, 1999. Citation
2. The undermentioned is hereby authorised to be an authorised creditor and to take securities by way of hypothec under the provisions of the Hypothecation Act — Authorised
creditors

“Investec Bank (Botswana) Limited”

MADE this 11th day of August, 1999.

P.H.K. KEDIKILWE,
*Minister of Finance and Development
Planning.*

L2/7/249 II

Statutory Instrument No. 102 of 1999

TOWNSHIP ACT
(Cap. 40:02)

GHANZI TOWNSHIP REGULATIONS
(Cap. 40:02) (Sub.Leg.)

GHANZI TOWNSHIP (REFUSE) (AMENDMENT) BYE-LAWS, 1999
(Published on 20th August, 1999)

ARRANGEMENT OF BYE-LAWS

BYE-LAW

1. Citation
2. Amendment of Bye-Law 8 of Cap. 40:02 (Sub.Leg.)
3. Amendment of Bye-Law 10 of the Bye-Laws
4. Insertion of Schedule to the Bye-Laws

IN EXERCISE of the powers conferred by section 6 of the Townships Act, the Ghanzi Township Authority, with the approval of the Minister of Local Government, Lands and Housing, hereby makes the following Bye-Laws —

Citation 1. These Bye-Laws may be cited as the Ghanzi Township (Refuse) (Amendment) Bye-Laws, 1999.

Amendment of
bye-law 8 of
Cap. 40:02
Sub.Leg. 2. Bye-Laws 8 of the Ghanzi township (Refuse) Bye-Laws (hereinafter referred to as “the Bye-laws”) is amended —
(a) by substituting for sub-bye-law (1) thereof, the following new sub-bye-law —

“(1) Subject to sub-bye-law (3), every occupier of premises situated within the township for which a refuse removal service is provided by the Township Authority, shall pay on demand to the Township Authority such fee for that service as is set out in the Schedule.”;

(b) by substituting for sub-bye-law (2) thereof, the following new sub-bye-law —

“(2) The Township Authority may by resolution make such charges for collecting and emptying dustbin and septic tank situated on institutional or private business premises as it may from time to time determine.”

Amendment of
bye-law (10) of
the Bye-Laws 3. Bye-law 10 of the Bye-Laws is amended —

(a) by substituting for sub-bye-law (1) thereof, the following new sub-bye-law —

“(1) Any person who contravenes these Bye-laws, other than Bye-law 9, shall be liable to a fine not exceeding P100, or in default of payment to imprisonment for a term not exceeding three months, or, in the event of a second or subsequent conviction for the same offence, to a fine not exceeding P200, or in default of payment to imprisonment for a term not exceeding six months.”;

(b) by substituting for sub-bye-law (2) thereof, the following new sub-bye-law —

“(2) Any person who contravenes Bye-law 9, shall be liable to a fine not exceeding P150, or in default of payment to imprisonment for a term not exceeding four months, or, in the event of a second or subsequent conviction, to a fine not exceeding P200, or in default of payment to imprisonment for a term not exceeding six months.”;

4. The Bye-laws are amended by the insertion of the following Schedule to the Bye-laws —

Insertion of
Schedule to
the Bye-law

Refuse Bye-Laws

SCHEDULE

(Bye-law 8 (2))

Households

- | | |
|----------------------|--------------|
| (a) Standard dustbin | P1 per month |
| (b) 200 litres drum | P2 per month |
| (c) P30 per load | |

Business Premises

- | | |
|---------------------|----------------|
| (i) Small business | P25 per month |
| (ii) Large business | P30 per month |
| (iii) Bulk removal | P20 per month |
| (iv) Disludging | P30 per months |

MADE this 5th day of March, 1999.

Council Chairman.

APPROVED this 6th day of August, 1999.

D.K. KWELAGOBÉ,
*Minister of Local Government, Lands
and Housing.*

Statutory Instrument No. 103 of 1999

CUSTOMS AND EXCISE DUTY ACT
(Cap. 50:01)

CUSTOMS AND EXCISE DUTY (AMENDMENT) REGULATIONS, 1999
(Published on 20th August, 1999)

IN EXERCISE of the powers conferred on him by Section 6 (1) (k) and 127 of the Customs and Excise Duty Act, the Minister of Finance and Development Planning hereby makes the following Regulations:

Schedule No. 1 to the Act

HEADING	SUB- HEADING	C. D.	ARTICLE DESCRIPTION	STATIS- TICAL UNIT	RATE OF DUTY
29.24			By the substitution for sub-heading No. 2924.29 of the following:		
	"2924.29		--- Other:		
		0	--- Acetaminophenol	kg	10%
		5	--- Other	kg	free"

MADE this 14th day of July, 1999.

P.H.K. KEDIKILWE,
*Minister of Finance and Development
Planning.*

Statutory Instrument No. 104 of 1999

CUSTOMS AND EXCISE DUTY ACT
(Cap. 50:01)

AMENDMENT OF SCHEDULE (NO. 37) NOTICE, 1999
(Published on 20th August, 1999)

IN EXERCISE of the powers conferred on the Minister of Finance and Development Planning by sections 52 and 53 of the Customs and Excise Duty Act, the schedule to the Act are proposed to be amended to the extent set out in the schedule below.

Schedule No. 1 to the Act

HEADING	SUB- HEADING	C. D.	ARTICLE DESCRIPTION	STATIS- TICAL UNIT	RATE OF DUTY
29.36			By the substitution for sub-heading No. 2936.29 of the following:		
	"2936.29	1	-- Other vitamins and their derivatives	kg	free"
			By the substitution for sub-heading No. 3204.17.10 of the following:		
	"10	1	--- Azo pigments of the following description and International Colour Index Numbers: - C.I. Pigment, Yellow 1, No. 11680 - C.I. Pigment, Yellow 3, No. 11710 - C.I. Pigment, Yellow 12, No. 21090 - C.I. Pigment, Yellow 13, No. 21100 - C.I. Pigment, Yellow 14, No. 21095 - C.I. Pigment, Orange 13, No. 21110 - C.I. Pigment, Red 4, No. 12085 - C.I. Pigment, Red 57, No. 15850 - C.I. Pigment, Red 45:2, No. 15865 - C.I. Pigment, Red 48:4, No. 15865	kg	10%
			By the substitution for sub-heading No. 3204.19.10 of the following:		
	"10	2	--- Mixtures based on azo pigments of the following description and International Colour Index Numbers:	kg	10%

HEADING	SUB- HEADING	C. D.	ARTICLE DESCRIPTION	STATIS- TICAL UNIT	RATE OF DUTY
			<ul style="list-style-type: none"> - C.I. Pigment, Yellow 1, No. 11680 - C.I. Pigment, Yellow 3, No. 11710 - C.I. Pigment, Yellow 12, No. 21090 - C.I. Pigment, Yellow 13, No. 21100 - C.I. Pigment, Yellow 14, No. 21095 - C.I. Pigment, Orange 13, No. 21110 - C.I. Pigment, Red 4, No. 12085 - C.I. Pigment, Red 57, No. 15850 - C.I. Pigment, Red 45:2, No. 15865 - C.I. Pigment, Red 48:4, No. 15865 		
32.06			By the substitution for sub-heading No. 3206.20.10 of the following:		
	"10	7	<p>--- Pigments and preparations based on chrome oxide green, lead chromate, zinc chromate, barium chromate or strontium chromate, inorganic pigments of the following description and International Colour Index Numbers:</p> <ul style="list-style-type: none"> - C.I. Pigment, Yellow 34, No. 77603 - C.I. Pigment, Yellow 34, No. 77600 - C.I. Pigment, Red 104, No. 77605 - C.I. Pigment, Red 104 and 48:4, No. 77605 and No. 15865 - C.I. Pigment, Green 15, No. 77603 and No. 77520 - C.I. Pigment, Green 17, No. 77288 - C.I. Pigment, Yellow 32, No. 77839 - C.I. Pigment, Yellow 36, No. 77955 <p>By the substitution for sub-heading No. 3206.43.10 of the following:</p>	kg	10%
	"10	5	<p>--- Inorganic pigments of the following description and International Colour Index Number:</p> <ul style="list-style-type: none"> - C.I. Pigment, Blue 27, No. 77510 	kg	10%
84.26			By the substitution for sub-heading No. 8426.41 of the following:		
	"8426.41		-- On tyres:		
	.10	2	--- Works trucks fitted with a crane and designed for container handling	u	15%
	.90	0	--- Other	u	free"

HEADING	SUB- HEADING	C. D.	ARTICLE DESCRIPTION	STATIS- TICAL UNIT	RATE OF DUTY
84.27			By the substitution for heading No. 84.27 of the following:		
"84.27			Fork-lift trucks; other works trucks fitted with lifting or handling equipment:		
	8427.10	9	- Self-propelled trucks powered by an electric motor	u	free
	8427.20		- Other self-propelled trucks:	u	free
	.10	0	- Of a mass not exceeding 6 000 kg	u	free
	.20	8	- Of a mass not exceeding 6 000 kg	u	15%
	8427.90		- Other trucks:		
	.10	2	- Reach stackers of the boom type and front lift container handling machines, whether or not fitted with attachments	u	15%
	.20	3	- - Manually operated pallet trucks	u	15%
	.90	0	- - Other	u	free"
84.82			By the substitution for sub-heading No. 8482.20 of the following:		
	8482.20		- Tapered roller bearings, including cone and tapered roller assemblies:		
	.02	8	- - Journal roller bearings of the rotating end cover type, commonly used on axles of railway rolling stock or locomotives, of an outside diameter of 170 mm or more but not exceeding 210 mm	u	20%
	.45	1	- - Cone assemblies (excluding single row), of an inside diameter of 119 mm or more but not exceeding 120 mm, or 131 mm or more but not exceeding 132 mm	u	20%
	.90	7	- - Other	u	free%"
			By the deletion of sub-heading No. 8482.99.13		

C.314

HEADING	SUB- HEADING	C. D.	ARTICLE DESCRIPTION	STATIS- TICAL UNIT	RATE OF DUTY
85.01			By the deletion of sub- heading No. 8482.99.31		
			By the substitution for sub- heading No. 8501.51.90 of the following:		
	“.90	3	- - - Other	u	20%
85.03			By the substitution for sub- heading No. 8501.52.90 of the following:		
	“.90	7	- - - Other	u	20%”
			By the substitution for sub- headings Nos. 8503.00.10 and 8503.00.20 of the following:		
	“8503.00.10	3	- Rotors or armatures, with an outside cross-sectional dimension exceeding 57 mm but not exceeding 200 mm	kg	15%
	“.20	0	- Stators or stator packs, with an outside wound, with an inside cross-sectional dimension exceeding 57 mm but not exceeding 200 mm	kg	15%”
96.08			By the substitution for sub- heading No. 9608.20 of the following:		
	“9608.20	3	- Felt tipped and other porous-tipped pens and markers	u	15%

Schedule No. 3 to the Act

REBATE ITEM	TARIFF HEADING	REBATE CODE	C. D.	DESCRIPTION	EXTENT OF REBATE
312.01				By the insertion after rebate code 01.06 to tariff heading No. 6406.099 of the following:	
		“02.06	67	Inserts of stainless steel, for the manufacture of footwear incorporating a protective metal toe-cap	Full duty”

Schedule No. 3 to the said Act is hereby amended, With retrospective effect to 1 January, 1999

REBATE ITEM	TARIFF HEADING	REBATE CODE	C. D.	DESCRIPTION	EXTENT OF REBATE
317				By the substitution for tariff heading No. 87.00 of the following:	
	"87.00	01.02	21	Disassembled for road tractors for semi-trailers of subheading No. 8701.20	Full duty less 18,75%
		02.02	24	Disassembled for motor vehicles for the transport of ten or more persons, including the driver of heading No. 87.02	Full duty less 18,75%
		03.02	29	Disassembled for motor cars (including station wagons) of heading No. 87.03	Full duty less 18,75%
		04.02	23	Disassembled for motor vehicles for the transport of goods of heading No. 87.04	Full duty less 18,75%
		05.02	28	Disassembled chassis fitted with engines of heading No. 87.06, for motor vehicles of headings Nos. 87.01 to 87.05 (excluding those for motor vehicles of subheading No. 8704.10)	Full duty less 18,75%

Part 2a Schedule No. 1 to the Act

TARIFF ITEM	TARIFF HEADING	DESCRIPTION	EXCISE	RATE OF DUTY CUSTOMS
104.30		By the substitution for tariff item 104.30 of the following:		
"104.30	24.02	Cigars, cheroots, cigarillos and cigarettes, of tobacco or of tobacco substitutes:		
.10		Cigars, cheroots and cigarillos, of tobacco or of tobacco substitutes	32 717c/kg net	32 717c/kg net
.20		Cigarettes, of tobacco or of tobacco substitutes	122,5c/10 cigarettes	122,5c/10 cigarettes
"104.35	24.03	Other manufactured tobacco and manufactured tobacco substitutes; "homogenised" or "reconstituted" tobacco; tobacco extracts and essences:		

TARIFF ITEM	TARIFF HEADING	DESCRIPTION	EXCISE	RATE OF DUTY CUSTOMS
.10		Cigarette tobacco and substitutes thereof	4 580c/kg	4 580c/kg
.20		Pipe tobacco and substitutes thereof	2 493,95c/kg net	2 493,95c/kg net"

MADE this 21st day of July, 1999.

P.H.K. KEDIKILWE,
*Minister of Finance and Development
Planning.*