

BECHUANALAND PROTECTORATE.

GOVERNMENT NOTICE No. 22 OF 1948.

It is hereby notified for general information that loans for drilling for water and compensation for blank boreholes may be granted subject to the following conditions:—

(i) All persons desirous of drilling for water and who wish to obtain assistance from Government in the undertaking, shall notify the District Commissioner of their requirements at least two months before beginning drilling operations.

(ii) Assistance will be granted only in cases where drilling is undertaken by a reliable and competent firm of drilling contractors at contract rates approved by Government.

(iii) The contract for the drilling shall be made and entered into by and between the applicant and the drilling contractor, and a certified copy must be rendered to Government through the District Commissioner, for information and record at least two weeks before drilling operations are commenced.

(iv) The Government shall not be liable to the contractor for the payment of any charges of drilling arising out of any contract entered into between contractor and client.

(v) Drilling shall only be undertaken on sites selected or approved by the Government Geologist, or his authorised representative. Government does not guarantee any successful result from boring operations.

(vi) Due notice, in writing, shall be rendered to the District Commissioner of the commencement of drilling operations at any site.

(vii) Drilling shall at all times be subject to inspection by the Government Drill Superintendent and the Government Geologist and/or his representative and shall be carried out to the entire satisfaction of these officers.

(viii) All reasonable facilities shall be accorded to the Drill Superintendent and the Government Geologist or his representative on the occasion of their visits to enable them to carry out their inspections fully, thoroughly and efficiently.

(ix) Where the client or the contractor desires the Drill Superintendent to make a special visit at least seven days' notice in writing must be given through the District Commissioner.

(x) Drilling shall be continued to, or stopped at depths specified by the Government Geologist or his representative or Drill Superintendents acting under his direction.

(xi) Before drilling operations are commenced on any site, the Government Geologist or his representative, or alternatively the Drill Superintendent, shall satisfy himself that the site about to be drilled upon is one actually chosen by the Government Geologist or his representative.

(xii) No claims will be entertained in respect of any borehole abandoned through crookedness of hole or proved fault of the driller or his staff.

(xiii) No claims in respect of any borehole abandoned without the prior knowledge and consent of Government will be entertained.

(xiv) Completion certificates, on forms supplied by Government, furnishing full details in respect of location, formations, drilled depth, yield, etcetera, shall be filled in and signed by the contractors for each borehole. These certificates shall be rendered to Government through the District Commissioner immediately upon completion of a borehole.

(xv) Subject to compliance with the foregoing terms and conditions Government will, in the event of the borehole proving a blank, pay for the contract cost of the hole to the depth at which operations were officially suspended, provided that in no case will Government accept liability for payment at a rate in excess of 30s. per foot of depth drilled.

(xvi) All payments by Government will be made to the farmer, settler or other person with whom the contractor has signed an approved contract and claims for payment must be submitted in writing through the District Commissioner.

(xvii) All claims for payment must be accompanied by sufficient evidence and information fully to substantiate them in respect of the terms and conditions hereinbefore set forth.

(xviii) For the purpose of these regulations, a blank hole shall be defined as a borehole showing a measured yield, after approved test, not exceeding 50 gallons of water per hour, or when the quality of the water is such to render it unusable, or when, in the opinion of the Director of Public Works, it is not considered an economical proposition to insert a deep well pump owing to depth of borehole.

(xix) Testing to determine the measured yield of a borehole shall be carried out continuously over a minimum period of 4 hours, and may be extended for a longer period at the discretion of the Drill Superintendent, who shall satisfy himself that the true maintained yield of the borehole has been established under test.

(xx) In all cases the applicant shall be responsible to the contractor for meeting the costs of drilling.

(xxi) The number of borehole sites selected on any one farm by the Government Geologist or his representative shall be limited to 2 (two) only. Of these two sites, Government shall assume responsibility and pay for one only on the terms and conditions pertaining to blank boreholes.

(xxii) Written application may be made to Government in prescribed form for assistance to pay for successful boreholes by means of a loan under the Land and Agricultural Loan Fund Proclamation, No. 21 of 1929, as amended by Proclamation No. 7 of 1938, and Government Notice No. 12 of 1946. Interest at 4 per cent. is payable on such a loan and repayment must be made within a period of five years.

(xxiii) Disputes arising out of the interpretation of any of the above clauses shall be referred to the Resident Commissioner, whose decision shall be accepted as final and binding.

(xxiv) These regulations shall take effect from the date of their publication in the *Gazette*, and shall not apply to any borehole which has been or is being drilled at that date.

V. F. ELLENBERGER,
Acting Government Secretary.

The Secretariat,
Mafeking, 30th September, 1948.