

THE STAMP DUTIES AND FEES (AMENDMENT AND SUPPLEMENTARY PROVISIONS) ACT, 1968

No. 58



of 1968

AN ACT TO AMEND THE STAMP DUTIES AND FEES PROCLAMATION (CHAPTER 91) AND TO VALIDATE CERTAIN PAST PAYMENTS OF STAMP DUTY.

Date of Assent: 30.12.68.

Date of Commencement: 31.12.68.

ENACTED by the Parliament of Botswana.

Short Title

1. This Act may be cited as The Stamp Duties and Fees (Amendment and Supplementary Provisions) Act, 1968.

Amendment of Schedule to Stamp Duties and Fees Proclamation (Chapter 91)

2. The Schedule to the Stamp Duties and Fees Proclamation (Chapter 91) (hereinafter referred to as "the principal law") is hereby amended by the insertion therein of the following items immediately after item 18, the present item 19 becoming item 22 —

"19. *Mortgage Bonds* — Notwithstanding anything contained in item 18, any mortgage bond shall be subject to duty in accordance with the following tariff:

Amount secured not exceeding	R 20	.....	20c
Exceeding R20 and not "	R 40	.....	30c
Exceeding R40 " " "	R 60	.....	50c
Exceeding R60 " " "	R 100	.....	75c
Exceeding R100 " " "	R 200	.....	R 1.00

Exceeding R200	'' '' ''	R 300	.....	R 1.50
Exceeding R300	'' '' ''	R 400	.....	R 2.00
Exceeding R400	'' '' ''	R 600	.....	R 2.50
Exceeding R600	'' '' ''	R 800	.....	R 3.00
Exceeding R800	'' '' ''	R1000	.....	R 4.00
Exceeding R1000	'' '' ''	R1200	.....	R 5.00
Exceeding R1200	'' '' ''	R1400	.....	R 6.00
Exceeding R1400	'' '' ''	R1600	.....	R 7.00
Exceeding R1600	'' '' ''	R1800	.....	R 8.00
Exceeding R1800	'' '' ''	R2000	.....	R10.00

And for every additional R200 or fraction thereof 60c

For the purpose of this item "mortgage bond" bears the meaning assigned to it in the Deeds Registry Proclamation, 1960 (No. 36 of 1960).

20. *Notarial Bonds* - Notwithstanding anything contained in item 18. any notarial bond shall be subject to duty in accordance with the following tariff:

Amount secured not exceeding	R 20	.....	10c
Exceeding R20 and not	R 40	.....	15c
Exceeding R40	R 60	.....	25c
Exceeding R60	R 100	.....	40c
Exceeding R100	R 200	.....	50c
Exceeding R200	R 300	.....	75c
Exceeding R300	R 400	.....	R1.00
Exceeding R400	R 600	.....	R1.25
Exceeding R600	R 800	.....	R1.50
Exceeding R800	R1000	.....	R2.00
Exceeding R1000	R1200	.....	R2.50
Exceeding R1200	R1400	.....	R3.00
Exceeding R1400	R1600	.....	R3.50
Exceeding R1600	R1800	.....	R4.00
Exceeding R1800	R2000	.....	R5.00

And for every additional R200 or fraction thereof 30c

For the purpose of this item "notarial bond" bears the meaning assigned to it in the Deeds Registry Proclamation, 1960 (No. 36 of 1960).

21. *Deeds of Transfer* - The stamp duty payable on deeds of transfer shall be 5 cents for every R20 or part thereof if the value of the property transferred is under R7,000, and 15 cents for every R20 or part thereof if the value of the property transferred is R7,000 or more."

Validity of Past Payments of Duty

3. Any stamp duties paid and collected in respect of bonds, whether notarial or mortgage, before the date of the commencement of this Act in accordance with

the tariff set out in item 19 of the Schedule to the principal law as hereby amended, and any stamp duties paid and collected before the said date in respect of deeds of transfer in accordance with the rate stated in item 21 of the said Schedule as hereby amended shall notwithstanding anything contained in any other law be deemed to have been validly paid and collected.

Repeal of Section 28(2) of Stamp Duties and Fees Proclamation (Chapter 91)

4. Subsection (2) of section 28 of the principal law is deleted.

Passed by the National Assembly this day, the 12th December, 1968.

G. T. MATENGE,
Clerk of the National Assembly