

THE MAKALAMABEDI STOCK ROUTE ACT, 1969

No. 46



of 1969

AN ACT TO PROVIDE FOR THE ESTABLISHMENT OF A STOCK ROUTE BETWEEN MAKALAMABEDI AND FRANCISTOWN AND FOR MATTERS INCIDENTAL THERETO OR CONNECTED THEREWITH

Date of Assent: 22.8.69

Date of Commencement: 22.8.69

ENACTED by the Parliament of Botswana.

Short Title and Commencement

1. This Act may be cited as the Makalamabedi Stock Route Act, 1969, and shall come into operation on a date to be appointed by the Minister by notice in the *Gazette*.

Interpretation

2. In this Act unless the context otherwise requires -

“Department” means the Department of Veterinary Services;

“livestock” includes horses, cattle and sheep;

“Route” means the Makalamabedi Stock Route to be established in pursuance of the provisions of section 3;

“trekpath” means a right of way along which livestock may be driven or conveyed and within the limits of which such livestock may be depastured as they go.

Establishment of Makalamabedi Stock Route

3. (1) Subject to the provisions of this section, the President, by order in the *Gazette*, may establish a trekpath to be known as the Makalamabedi stock route between Makalamabedi and Francistown, and shall define the course and width of the trekpath in such order.

(2) The stock route shall not be established over any land, other than State Land or land established as a public road, without the consent of the owner thereof.

(3) The President, subject to the provisions of subsection (2), may by order in the *Gazette* from time to time vary the course and width of the trekpath as may appear to him necessary.

Movement Permits

4. (1) No person shall use the route or any part thereof for the movement of livestock save in accordance with a movement permit in the prescribed form issued and signed by an officer of the Department.

(2) Such permit may prescribe the terms and conditions on which the holder may use the route for the movement of livestock.

(3) The terms and conditions of a permit may include the dates on which the livestock shall enter and leave quarantine camps on the route:

Provided that the maximum period for which livestock on the route may be required to remain in any such quarantine camp shall have been specified by the Director of Veterinary Services by notice published in the *Gazette*.

(4) A person holding a movement permit issued under this section in accordance with which livestock may be moved from or within any area shall not require a permit under regulation 56 of the Diseases of Stock Regulations for the removal of such livestock from or within that area.

Regulations

5. The President may make regulations generally as to the use of the route, and in particular providing –

- (a) for the conservation of water supplies;
- (b) for the control of grazing;
- (c) for the prevention of trespass on or damage to adjacent land by persons using the route;
- (d) for the payment of fees in respect of watering, grazing and passage;
- (e) for restricting or prohibiting the driving of livestock on the carriageway of public roads adjacent to or forming part of the route;
- (f) for the distinctive branding of livestock about to enter the route;

- (g) for the separation of different types of livestock and the control of livestock on the route;
- (h) for the presentation of livestock for prophylactic or curative treatment and their subjection to quarantine and inspection;
- (i) for the movement of livestock by motor transport over the whole or any part of the route at periods determined by the Director of Veterinary Services;
- (j) for the form of movement permits required for the use of the route and the manner of obtaining the same.

Penalties

6. The regulations may provide for the punishment by means of a fine not exceeding R1,000 or, in default of payment, by imprisonment for a period not exceeding 12 months, of any person guilty of an offence against the regulations, and any person contravening section 4 or the terms and conditions of a permit issued under that section shall be guilty of an offence and liable to the same penalties.

Passed by the National Assembly this day, 18th August, 1969.

G.T. MATENGE,
Clerk of the National Assembly.

CERTIFICATE

I, GAEFALALE GAOLEBALE SEBESO, Deputy Speaker of the National Assembly, hereby certify that the National Assembly did not proceed on the Makalamabedi Stock Route Bill until a copy had been referred to the House of Chiefs after the Bill had been introduced in the National Assembly and a period of thirty days elapsed from the date when the Bill was referred to the House of Chiefs before the National Assembly proceeded on the Bill.

Date: 20th August, 1969.

G.G. SEBESO,
Deputy Speaker.