

Statutory Instrument No. 70 of 1969

THE MATIMELA ACT, 1968
THE MATIMELA REGULATIONS, 1969

(Published on 27th June, 1969)

In the exercise of the powers vested in him by section 25 of the Matimela Act, 1968 (No. 25 of 1968), the Minister of Local Government and Lands, after consultation with the appropriate District Councils, has made the following Regulations for the tribal territories as defined in section 2 of the Chieftainship Law, 1965 (No. 29 of 1965) —

Citation

1. These Regulations may be cited as The Matimela Regulations, 1969.

Driving Fees

2. The rate at which a person delivering Matimela to a Matimela Kraal shall be entitled for the purposes of section 8 of the Act, to receive a driving fee shall be 50 cents per day for one animal and 10 cents per day for every additional animal.

All Matimela to be delivered at one time

3. Any person having Matimela in his possession, unless he delivers such Matimela to a person collecting the same in terms of section 5 of the Act, shall deliver all such Matimela to the nearest Matimela Master at one and the same time.

Declaration to be made by person delivering Matimela

4. (1) Any person, other than a person employed under the provisions of section 5 of the Act, who delivers Matimela at a Matimela Kraal shall make and sign before the Matimela Master a declaration in Form A in the First Schedule stating —

- (a) that the animals are in truth Matimela;
- (b) where they were found;
- (c) that the animals delivered are all the Matimela in his possession;
- (d) how long he has taken to drive the Matimela to the Matimela Kraal.

- (2) Should the declarant be unable to fill in the declaration form himself, the Matimela Master shall fill it in on his behalf, and the declarant shall then sign it with his name or his mark.

False Declaration an Offence

5. Any person who contravenes Regulation 3 or who makes a declaration for the purpose of Regulation 4 which is wilfully or negligently false in any material particular shall be guilty of an offence and liable on conviction to a fine of R50 or to imprisonment for a period not exceeding three months or to both such fine and such imprisonment.

Manner of claiming animals from Matimela Kraal

6. The owner of an animal placed in a Matimela Kraal may claim such animal verbally or in writing and shall state the grounds on which he claims to be the owner thereof.

Fees to be paid by owner on claiming animal

7. (1) The fees on payment of which the owner of an animal placed in a Matimela Kraal may claim such an animal shall be —

	Handling Cents per head	Sustenance Cents per diem
Cattle	50	2
Other animals	25	1

(2) The fees above prescribed shall be payable irrespective of whether the Matimela were placed in the Matimela Kraal by a person employed by a District Council in terms of section 5 of the Act or were delivered to the Matimela Kraal by any other person in terms section 7 of the Act.

Form of Notice of Sale and manner of Publication

8. (1) A notice advertising the sale of Matimela shall be in Form B in the First Schedule and shall be published once in a newspaper circulating in Botswana not more than twenty-eight days and not less than fourteen days before the advertised date of sale.

(2) A notice specifying the type and breed, colour, sex, apparent age or size, brand, earmark, deformity and any other distinguishing feature likely to aid in the identification of every animal to be sold shall be in Form C in the First Schedule and shall be posted on a notice board prominently open to public inspection at the offices of the Council directing the sale and be despatched not less than twenty-eight days before the advertised date of sale to the Secretary of every other District Council for the purpose of being posted on a notice board prominently open to public inspection at the offices of such Council.

(3) On receipt of a notice mentioned in subregulation (2) every such Secretary shall forthwith cause it to be posted as aforementioned for a period up to and including the advertised date of sale.

Form of Brand to be used in Marking Matimela

9. (1) When a Matimela Master causes any Matimela to be marked by means of a brand under the provisions of section 16(1) of the Act, the form of brand to be used shall in each District Council area be the brand specified for that area in the Second Schedule.

(2) When an animal which has been branded as aforesaid is claimed under the provisions of section 11 or sold under the provisions of section 12, such brand shall be cancelled by the Matimela Master by reversing the branding iron and branding over such brand.

FIRST SCHEDULE

FORM A

THE MATIMELA ACT, 1968

THE MATIMELA REGULATIONS, 1969

DECLARATION BY PERSON DELIVERING MATIMELA

(Regulation 4)

I,.....

of.....
do hereby declare —

- (a) that the following animals delivered by me this day at the.....
Matimela Kraal, namely (specify).....
.....
are all in truth Matimela;
- (b) that they were found (specify place or places).....
.....
- (c) that the animals detailed above are all the Matimela that I have in my possession;
- (d) that I have taken..... to drive the above Matimela to the Matimela
Kraal.

Signed.....

Before me this..... day of.....19.....

.....
Matimela Master

..... Matimela Kraal

FORM B

THE MATIMELA ACT, 1968
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NOTICE OF SALE OF MATIMELA
(Section 12 and Regulation 8)

Notice is hereby given that at(specify time) on.....
(specify date) at.....(specify place) at the direction of the.....
District Council I shall sell.....(specify number of head) Matimela by
.....(specify whether by public auction or to the Botswana
Meat Commission or in what other manner the Matimela is to be sold).

2. A notice giving particulars of the individual animals included in the sale is displayed at the Council's offices at..... Copies of such notice have been sent to all District Councils for public display.

MATIMELA MASTER,
(Specify name of Matimela Kraal)

Date.....

FORM C

THE MATIMELA ACT, 1968
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PARTICULARS OF MATIMELA TO BE SOLD
(Section 12 and Regulation 8)

At.....(specify time) on.....(specify
date) at.....(specify place) at the direction of the.....
District Council I shall sell by.....(specify whether by
public auction or to the Botswana Meat Commission or in what other manner the Matimela
is to be sold).....(specify number of head) Matimela consisting of
.....(specify in relating to each animal its type and breed, colour, sex,
apparent age or size, brand, earmark, deformity any other distinguishing feature likely to
aid in its identification).

MATIMELA MASTER,
(Specify name of Matimela Kraal)

Date.....

SECOND SCHEDULE

MATIMELA BRANDS TO BE USED IN DISTRICT COUNCIL AREAS

(Regulation 9)

Kgatleng District Council	2 D C
Ngwaketse District Council	3 D C
Ghanzi District Council	4 D C
North West District Council	5 D C
North East District Council	6 D C
Kgalagadi District Council	7 D C
South East District Council	8 D C
Kweneng District Council	9 D C
Central District Council	C D 3

M.T.M. KGOPO,
Permanent Secretary

Ministry of Local Government and Lands,
GABERONES.
3rd June, 1969.
L2/7/154.