

Statutory Instrument No. 112 of 1971

THE DAIRIES AND DAIRY PRODUCE PROCLAMATION, CHAPTER 129

**THE DAIRIES AND DAIRY PRODUCE (AMENDMENT)
REGULATIONS, 1971**

(Published on the 15th October, 1971)

ARRANGEMENT OF REGULATIONS

REGULATION

1. Citation
2. Revocation of regulation 63 (10) of G.N. 62 of 1953
3. Revocation and replacement of regulation 64 of G.N. 62 of 1953
4. Revocation of regulation 65 of G.N. 62 of 1953
5. Revocation and replacement of regulation 67 of G.N. 62 of 1953

Regulations made by His Excellency the President in exercise of the powers conferred upon him by section 1 (2) of the Dairies and Dairy Produce Proclamation and of all other powers thereunto him enabling.

1. These Regulations may be cited as the Dairies and Dairy Produce (Amendment) Regulations, 1971. Citation

2. Regulation 63 (10) of the Dairies and Dairy Produce Regulations, hereinafter referred to as the principal Regulations, is revoked. Revocation of regulation 63 (10) of G.N. 62 of 1953

3. Regulation 64 of the principal Regulations is revoked and replaced with a new regulation as follows — Revocation and replacement of regulation 64 of G.N. 62 of 1953

64. (1) The Dairy Industry Special Fund named in the Second Schedule to the Finance and Audit Act, 1969, (Act 2 of 1970) and established prior to the date of commencement of the Dairies and Dairy Produce (Amendment) Regulations, 1971, in terms of paragraph (c) of regulation 64 (c) of the Dairies and Dairy Produce Regulations (hereinafter called the Fund) shall continue in existence and shall comprise —

- (a) all monies in such Fund at such date;
- (b) all amounts derived from payments made in terms of regulation 67, being the proceeds raised on exported butter-fat;
- (c) all monies received from the Dairy Industry Control Board of the Republic of South Africa to Botswana as a winter premium on butter-fat;
- (d) any other monies received from the Dairy Industry Control Board of the Republic of South Africa in respect of butter-fat received from Botswana producers; and

(e) any monies collected through the imposition of a levy under regulation 63 (1).

(2) The purposes of the Fund shall be the improvement and special development of the dairy industry.

(3) Any monies held in the Fund which are not required for immediate use may be invested in the same manner as money at the credit of the Consolidated Fund may be invested under section 7 of the Finance and Audit Act, 1969.

(4) The Fund shall be kept in separate accounts by the Permanent Secretary, Ministry of Agriculture, who shall be the public officer responsible for the administration of the Fund.

(5) There is hereby established a Board of Management of the Fund, to be known as the Dairy Industry Special Fund Board of Management (hereinafter referred to as the Board), whose function it shall be to submit to the Minister of Agriculture proposals for the use and application of the monies in the Fund.

(6) The members of the Board shall be the Permanent Secretary, Ministry of Agriculture, who shall be the Chairman and four other persons appointed by the President.

(7) The Board shall hold meetings at such times as the Chairman may determine.

(8) All matters to be decided at meetings of the Board shall be decided by the vote of the majority of the members present and voting:

Provided that in case of an equality of votes the Chairman shall have a casting as well as a deliberative vote.

(9) Three members present at any meeting shall constitute a quorum".

Revocation of Regulation 65 of G.N. 62 of 1953

Revocation and replacement of regulation 67 of G.N. 62 of 1953

4. Regulation 65 of the principal Regulations is revoked.

5. Regulation 67 of the principal Regulations is revoked and replaced with a new regulation as follows —

"67. (1) The President may impose by notice in the Gazette a levy on butter-fat exported from Botswana at such rate as he may determine. All payments made in terms of such levy shall be paid into the Fund.

(2) The levy on exported butter-fat imposed by Government Notice No. 185 of 1964 shall with effect from the date of commencement of the Dairies and Dairy Produce (Amendment) Regulations, 1971, be deemed to have been imposed in terms of this regulation."

A. MOGWE,
*Permanent Secretary,
Office of the President.*

Office of the President, GABORONE.
5th October, 1971.
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