

MISCELLANEOUS AMENDMENTS ACT, 1973

No. 30



of 1973

ARRANGEMENT OF SECTIONS

SECTION

1. Short title and commencement
2. Amendment of section 2 of Cap. 18
3. Amendment of section 5 of Cap. 158
4. Amendment of section 6 of Law 13 of 1963
5. Amendment of section 7 of Law 29 of 1966
6. Amendment of Act 19 of 1971
7. Amendment of section 3 of Cap. 153
8. Amendment of section 14 of Act 6 of 1966

An Act to make sundry minor amendments in the Laws of Botswana

Date of Assent: 13.12.73

Date of Commencement: sections 1, 2, 3, 4 and 5 – on publication in the Gazette
section 6 – 10th August, 1972.

ENACTED by the Parliament of Botswana.

1. (1) This Act may be cited as the Miscellaneous Amendments Act, 1973.

Short title
and
commence-
ment

(2) Section 6 of this Act shall be deemed to have come into operation on the 10th August, 1972.

(3) Section 7 of this Act shall be deemed to have come into operation on the 1st January, 1964.

- Amendment of section 2 of Cap. 18
- 2.** Section 2 of the Criminal Procedure and Evidence Proclamation is amended by substituting for the words "in any part of Botswana", which appear therein, the words "according to the laws of Botswana".
- Amendment of section 5 of Cap. 158
- 3.** Section 5 of the Shop Hours Proclamation is amended by substituting for subsection (1) thereof the following new subsection –
- "(1) The Minister may, by notice published in the Gazette, allow certain types of shops or shops in respect of which particular types of licences have been issued under the Trading Act, 1966, to open for the sale of such goods on such days, including Sundays and public holidays, and during such hours outside normal hours in such areas as are specified in the notice."
- 6 of 1966
- Amendment of section 6 of Law 13 of 1963
- 4.** Section 6(3) of the National Development Bank Law, 1963, is amended by substituting for the words "and published in the Gazette", which appear therein, the words "and the Bank shall publish the same in such manner as the President may specify".
- Amendment of section 7 of Law 29 of 1966
- 5.** Section 7(3) of the State Land Law, 1966, is amended by inserting at the end thereof a further proviso as follows –
- "Provided further that a resolution of the National Assembly shall not be required for a refund on reacquisition of State Land in terms of section 43A of the Deeds Registry Proclamation 1960."
- 36 of 1960
- Amendment of Act 19 of 1971
- 6.** The Casino Act, 1971, is amended –
- (a) in section 2 thereof by substituting for the definition "deemed gaming expenses", which appears therein, the following new definition –
- " "deemed gaming expenses" means a sum determined by the Board at the end of every year during which a licence subsists as representing expenses which, in the opinion of the Board, were incurred by the licensee in that year wholly, exclusively and necessarily in producing gaming revenue, but shall not include any sums paid or payable as licence levy under section 23 or licence fees under section 22 except to the extent that the Minister may, by regulations made under section 35, permit the amount of any licence fees paid or payable to be included in "deemed gaming expenses" for the purpose of calculating the amount of the licence levy payable by any particular licensee;"; and
- (b) in section 35, by renumbering it as subsection (1) thereof and by adding the following new subsection –
- "(2) The Minister may make different regulations applicable to different casinos or casino licences."

7. Section 3 of the Trade Marks Proclamation is amended by substituting for the words "or any amendment thereof", which appear therein, the words "or any Act amending or substituted for that Act."

Amendment
of section 3
of Cap. 153

8. Section 14 of the Trading Act, 1966, is amended —

Amendment
of section 14
of Act 6 of
1966

(a) in paragraph (c) thereof by inserting immediately after the word "under", which appears therein, the words "the Companies Proclamation, 1959,"; and

(b) by inserting immediately after paragraph (c) thereof the following new paragraph —

"(d) of an offence under the Price Control Law, 1962, the Shop Hours Proclamation, or any other written law relating to the control or regulation of trading establishments."

Passed by the National Assembly this 5th day of December, 1973.

R.J. CHILUME,
Acting Clerk of the National Assembly.