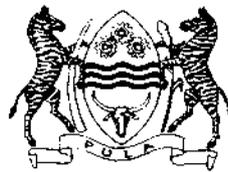


TRIBAL TERRITORIES (AMENDMENT) ACT, 1976

No. 20



of 1976

ARRANGEMENT OF SECTIONS

SECTION

1. Short title
2. Substitution of section 2 of Cap. 68 (1959)
3. Substitution of section 5 of principal Act
4. Deletion of Schedule to principal Act
5. Mineral rights to remain vested in State

An Act to amend the Tribal Territories Proclamation

Date of Assent : 4.8.76

Date of Commencement : 10.8.76

ENACTED by the Parliament of Botswana.

1. This Act may be cited as the Tribal Territories (Amendment) Act, 1976. Short title

2. The Tribal Territories Proclamation (hereinafter referred to as "the principal Act") is amended by substituting for section 2 thereof the new section following — Substitution of section 2 of Cap. 68 (1959)

"2. The boundary of the Bamangwato Tribal Territory is as follows —

Commencing at a point where the Boteti River intersects the eastern boundary of the Batawana Tribal Territory the boundary runs generally eastwards and southwards along the Boteti River to its intersection with latitude 21° south; thence eastwards along the said latitude to where it is intersected by the Boteti River, at longitude 25° 02' east; thence along the river in an easterly direction to a point where the river flows into the Ntshwane Pan, at latitude 21° 01' south, longitude 25° 17' east; thence

generally eastwards and northwards along the eastern edge of the Ntvetwe Pan to approximate latitude 20° 21' south, longitude 25° 35' east, being a point due east of Beacon C of the old Francistown District boundary; thence westwards to Beacon C, approximate latitude 20° 21' south, longitude 25° 10' east; thence northwards along the Ngamiland/Central District boundary to Beacon B of the old Francistown District boundary at approximate latitude 20° 04' south, longitude 25° 11' east; thence in a straight line west-northwestwards to the intersection of latitude 20° south and longitude 25° east, being the southeast corner of Nxai Pan National Park; thence northwards along the eastern boundary of the said National Park to approximate latitude 19° 51' 30", being a point due west of the northwest corner of Farm 1, Nata Farm Block K 31; thence due east to the northwest corner of the aforementioned Farm No. 1; thence in a south-westerly direction down the western boundary of the Farm Block to its intersection with the Nata-Odiakwe road; thence eastwards along the said road to a point where the road is intersected by the cut line at the southeast edge of the Damadamoga Farm Block; thence due east along this cut line and its prolongation for 18 km to approximately 500 metres north of Nekati Pan; thence in a straight line for 15.7 km to latitude 20° 13' S, longitude 26° 13' E, being a point where the Nata River bends south at Chihuku village; thence generally northeastwards along the Nata River to the point where it crosses the Botswana/Rhodesia International Boundary; thence generally southeastwards along the said International Boundary to its intersection with the western boundary of the North-East District at Boundary Pillar No. 1; thence generally southwards and eastwards along the said District Boundary to the Shashe River; thence generally southwards along the Shashe River to its intersection with the eastern boundary of Farm No. 1-NS; thence southwestwards along the said boundary to its intersection with the Tuli Circle; thence along the Tuli Circle boundary to its intersection with the northern boundary of the Tuli Block; thence in a generally southwestwards direction along the boundary of the Tuli Block to its intersection with the Notwane River at Lokala on the northern boundary of the Bakgatla Tribal Territory; thence northwestwards along the said boundary to its point of intersection with the northeastern boundary of the Bakwena Tribal Territory; thence continuing northwestwards along the Bakwena Tribal Territory boundary to the southeastern corner of Farm 2-LO; thence northwestwards along the northeastern boundaries of Farms 2-LO and 1-LO and the Central Kalahari Game Reserve to latitude 21° south, this point being the southeast corner of the Batawana Tribal Territory; thence northwards along the eastern boundary of the Batawana Tribal Territory to the point of commencement, as will more fully appear edged red on Plan BP-182 (d) filed in the Department of Surveys and Lands."

Substitution
of section 5
of principal
Act

3. The principal Act is amended by substituting for section 5 thereof the new section following —

5. The boundary of the Bakwena Tribal Territory is as follows —

"Boundary
of the
Bakwena
Tribal
Territory

Commencing at the southwest beacon of the Farm Crocodile Pools No. 15-KO of the Gaborone Block; the boundary runs in a straight line westnorthwest for 3.7 kilometres to a point where it crosses the Fikeng River in the Phata ya Lefika at latitude 24° 46' 50" south, longitude 25° 40' 48" east; thence in a straight line westnorthwestwards to Dimawe Hill; thence in a straight line northwestwards to a beacon on the Motlhabeng Hills, approximately 600 metres after crossing the Kolobeng River; thence in a straight line northwestwards for approximately 18 kilometres to a point in the middle of the Mahatelo River at latitude 24° 41' 05" south, longitude 25° 26' 33" east; thence in a generally westerly direction up the centre of the said river to its junction with the Kubung River; thence generally northwards up the centre of the Kubung River to a point at latitude 24° 39' 07" south, longitude 25° 19' 37" east, being approximately 500 metres north of the junction of the Mapholeu River with the Kubung River; thence in a straight line westnorthwestwards to the intersection of latitude 24° south with longitude 23° 03' 34" east, which longitude passes 4.8 kilometres west of Kokong Pan in the Southern District; thence due north along this line of longitude to approximate latitude 23° 36' south, this latitude being approximately 6.6 kilometres south of Tsetseng Village; thence due west along this latitude for 9.65 kilometres; thence due north for 17.7 kilometres; thence due east for 9.65 kilometres to longitude 23° 03' 34" east; thence due north along the said longitude to its intersection with the southern boundary of the Kalahari Game Reserve; thence due east along this boundary to the southwest beacon of Farm 1-LO; thence northeastwards along the western boundary of the said farm to its northern beacon, being a point on the southwestern boundary of the Bamangwato Tribal Territory; thence southeastwards along the eastern boundary of the said farm to the northernmost beacon of Farm 2-LO; thence continuing southeastwards along the eastern boundary of Farm 2-LO to its southeastern beacon; thence in an eastsoutheasterly direction along the Veterinary Cordon Fence and its prolongation to Lephepe Pan; thence in a southeastwards direction to latitude 23° 34' 51" south, longitude 26° 01' 57" east, being a point on a hill 5 kilometres west of Ramostlwana Village where the boundaries of the Bamangwato, Bakwena and Bakgatla Tribal Territories intersect; thence in a straight southsouthwestwards line along the western boundary of the Bakgatla Tribal Territory to Trigonometrical Beacon BPS 145 on Kgope Hill, latitude 24° 17' 07" south, longitude 25° 57' 20" east; thence in a straight line due east for approximately 1.3 kilometres to its intersection with the middle of the Kgope River; thence generally southwestwards up the said river to Kgope Wells at latitude 24° 20' 00" south, longitude 25° 56' 32" east; thence in a straight southwestwards line to Kopong Hill, latitude 24° 23' 09" south, longitude 25° 54' 22" east; thence in a straight southwest line for approximately 1.5 kilometres to the source of a stream, being a tributary of the Kopong River, at latitude 24° 23' 25" south, longitude 25° 53' 37" east; thence generally southwards down this stream to the Kopong River; thence generally southwards and eastwards down the Kopong River to its junction with the Metsemotlhaba River; thence in a straight line southeastwards to the northern beacon of the farm Content No. 1-KO of the Gaborone Block; thence southwestwards down the western boundary of the said Gaborone Block to the point of commencement, as will more fully appear edged in red on Plan 182 (c) filed with the Department of Surveys and Lands."

Deletion of
Schedule to
principal Act

4. The principal Act is amended by deleting the Schedule thereto.

Mineral
rights to
remain vested
in State

5. (1) Where by this Act any land is incorporated in a tribal territory, such incorporation shall not affect the ownership of any minerals in such land and the ownership of such minerals shall remain vested in the State.

(2) For the purposes of subsection (1) "mineral" shall mean any substance, whether in solid, liquid or gaseous form, occurring naturally in or on the earth, formed by or subject to a geological process, but excluding public and private water when used for a primary, secondary or tertiary use, as defined in the Water Act, 1967.

40 of 1967

Passed by the National Assembly this 21st day of July, 1976.

I.P. GONTSE,
Clerk of the National Assembly.