

**PRECIOUS AND SEMI-PRECIOUS STONES (PROTECTION)
(AMENDMENT) ACT, 1981**

No. 14



of 1981

ARRANGEMENT OF SECTIONS

SECTION

1. Short title
2. Substitution of new section 22 of Cap. 66:03

An Act to amend the Precious and Semi-Precious Stones (Protection) Act

Date of Assent: 16.9.81.

Date of Commencement: 25.9.81.

ENACTED by the Parliament of Botswana.

1. This Act may be cited as the Precious and Semi-Precious Stones (Protection) (Amendment) Act, 1981. Short title

2. The Precious and Semi-Precious Stones (Protection) Act is amended by substituting for section 22 thereof the following new section: *Substitution of new section 22 of Cap. 66:03

22. In any proceedings for an offence under this Part or for attempting or conspiring with another person to commit such an offence —

*Evidential presumptions in proceedings for or in connexion with offences under this Part

(a) a certificate purporting to be signed by a Government geologist or by some other qualified geologist to the effect that any article or substance, the subject of the proceedings, is a rough or uncut precious stone shall be admissible in evidence without further proof thereof and the court shall presume that the facts stated therein are true unless the contrary is proved;

(b) where it is proved that any article or substance, the subject of the proceedings, is a rough or uncut precious stone, the court shall presume that any person accused in the proceedings knew, at all material times, the article or substance to be a rough or uncut precious stone unless the contrary is proved; and

(c) the court shall presume that any person accused in the proceedings was not, at any material time, licensed, authorized or otherwise entitled by or under this Act to buy, deal in, receive by way of barter, pledge or otherwise, sell, offer or expose for sale, barter, pledge or otherwise, dispose of or deliver for the purpose of trade or have in his

possession rough or uncut precious stones or any particular rough or uncut precious stone unless the contrary is proved.””

PASSED by the National Assembly this 21st day of August, 1981.

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