

Statutory Instrument No. 93 of 1986.

AQUATIC WEEDS (CONTROL) ACT
(Cap. 34:04)

BOAT (IMPORT, REGISTRATION AND MOVEMENT) REGULATIONS, 1986

(Published on 24th October, 1986)

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IN EXERCISE of the powers conferred on the Minister of Mineral Resources and Water Affairs by section 7 of the Aquatic Weeds (Control) Act, the following Regulations are hereby made: —

1. These Regulations may be cited as the Boat (Import, Registration and Movement) Regulations, 1986, and shall be deemed to have come into force on the 1st of October, 1986. Citation

2. In these Regulations, unless the context otherwise requires: — Inter-
“Application for Boat Registration” form means either the Form set out pretation
in the first Schedule hereto or the relevant part of the

- “Application for Boat Registration and Import Permit” form set out in the fifth Schedule**
- “Application for Boat Registration and Import permit” form means the form set out in the fifth Schedule hereto.**
- “Aquatic apparatus” include boat trailers, outboard motors, (if detached), fishing nets, gill nets, keep nets, fishing bags, oars, sails, masts and rigging but does not include fishing rods and lines.**
- “Boat” includes any vessel or craft as defined in the Aquatic Weeds (Control) Act, but excludes “Mokoro” as defined in these Regulations and flying boats, helicopters, microlight, ultralight and any other aircraft fitted with water skis or otherwise adapted to float on water surfaces.**
- “Certificate of Registration form” means the form set out in the Second Schedule hereto.**
- “Import Permit” means a permit in the form set out in the sixth Schedule hereto.**
- “Inspecting Officer” means a public officer or an employee of the Water Utilities Corporation or of a District Council or Town Council to whom the Minister has, in writing either generally or specifically, assigned duties under these Regulations.**
- “Interzonal Movement Permit” means a permit in the form set out in the seventh Schedule hereto.**
- “Mokoro” means a canoe built from the trunk of any tree.**
- “Operate” in relation to a boat or aquatic apparatus means to use or drive, or cause or permit to be used or driven, or permit to be in or on any surface waters whether the person operating is present in person or not.**
- “Owner” in relation to a boat or aquatic apparatus, includes the owner, joint owner or part owner of a boat or aquatic apparatus, and any person who has lawful use of such boat or aquatic apparatus.**
- “Police Officer” means any member of the Botswana Police.**
- “Prescribed” means prescribed by or under any regulation made herein or elsewhere under the Aquatic Weeds (Control) Act.**
- “Register of Boat Registrations” means a book containing forms as set out in the third Schedule hereto.**
- “Registering Officer” means a public officer to whom the Minister has in writing, either generally or specifically, assigned duties under these Regulations.**
- “Treat” in relation to a boat or aquatic apparatus, means to disinfect of aquatic weeds either mechanically, manually or chemically by spraying with herbicide until all parts of such plants are rendered lifeless.**
- “Zone” means either an area prescribed as such under these Regulations or described in the fourth Schedule hereto, and the boundaries of which are shown on Plan No. BP 243 deposited with the Director of Surveys and Lands.**

3. With effect from 1st October, 1986, no boat may be operated on any surface water unless it has been registered as prescribed in these Regulations.

**Requirement
of Boat
Registration**

Procedure
for boat
registration

4. The owner of every boat, shall within the period specified in Regulation 6, submit to the Registering officer of the zone in which such boat is situated an "Application for Boat Registration" form which shall be completed by the owner to the satisfaction of the registering officer. The registering officer shall thereupon assign the boat a set of reference marks consisting of either two or three parts. The first part shall be the letter or letters for the zone as set out in the fourth Schedule. The second part of the reference marks shall be a number consisting of three figures. The first boat to be registered in any zone shall be assigned the number 001 and each boat to be registered subsequently shall be assigned a number one greater than its immediate predecessor in registration. The third part of the set of reference marks shall only be assigned to those special categories of owners or users as set out in the eighth Schedule.

Certificate
of
registration

5. (1) After assignation of a set of reference marks to a boat the registering officer shall enter in the "Register of Boat Registrations" such particulars pertaining to the boat as are set out in the third Schedule and shall complete a certificate of registration which shall be given to the owner.

(2) Certificates of registration shall be issued free for boats already operating in Botswana at the date on which these Regulations come into effect:

Provided that application for registration is made within six months from that date. For all other registration fees shall be payable as set out in the tenth Schedule.

(3) When the ownership of a boat changes or a boat is transferred out of a zone in which it is registered, such boat shall be re-registered by the new owner or in the new zone to which it is transferred. Certificates of registration which become invalidated by change of ownership or interzonal transfer shall be surrendered to the registering officer who carries out the re-registration.

Period
during
which
registration
must be
effected

6. The period during which registration must be effected is prescribed as follows: —

(1) For boats already situated in Botswana at the date from which these Regulations are effective between 1st October 1986 and 31st March, 1987.

(2) For boats which have to be re-registered as a result of change of ownership, within seven days after the change of ownership has been effected.

(3) For boats which have to be re-registered as a result of inter-zonal transfer, within seven days after their arrival in the zone authorised under the Interzonal Movement Permit issued under these Regulations.

Reference
Marks

7. (1) Within seven days of the issuing of a certificate of registration, the owner of a boat shall cause two sets of reference marks assigned to the boat to be painted or otherwise permanently affixed, one on each side of the prow, or foremost part of the boat as close to the top of the hull and front of the boat as possible.

(2) The reference marks shall be coloured black, shall be arranged horizontally on a white background and shall conform to the specifications illustrated in the ninth Schedule.

8. If any registered boat is broken up, destroyed irretrievably lost or becomes permanently useless as a boat or is exported from Botswana, the owner shall forthwith give to the Registering Officer in whose zone the boat is registered notice of its breaking up, destruction, loss, condition or export, as the case may be, and shall deliver to such Registering Officer the certificate of registration and the Registering Officer shall thereupon endorse as cancelled the entry of the boat in the Register of Boat Registrations.

Destruction
or loss
of a
registered
boat

9. (1) When a boat has to be re-registered as a result of change of ownership, the new owner may elect to retain the reference marks assigned to the previous owner and shall advise the Registering Officer accordingly. Thereupon the Registering Officer shall endorse only the change of ownership in the Register of Boat Registrations.

Change of
ownership

(2) In the event that the new owner elects to request new reference marks, all details applicable to the boat under the previous owner must be cancelled out of the Register of Boat Registrations. Irrespective of the reference marks used as a result of a change of ownership, the new owner shall obtain a fresh certificate of registration and shall surrender the old certificate of registration to the Registering Officer.

(3) The option to retain, or not to retain, a boat's old reference marks must be exercised by a new owner at the time of re—registration and will thereafter lapse.

10. When a boat has been re-registered as a result of an interzonal transfer, the Registering Officer carrying out the re-registration shall transmit the invalidated certificate of registration to the Registering Officer of the zone where it was issued. Thereupon the Registering Officer of the zone from which the boat was transferred shall cancel the entry in his Register of Boat Registration.

Interzonal
transfer

11. Whenever the Registering Officer is satisfied that the certificate of registration issued to a boat owner: —

Duplicate
Certificate
of
registration

(a) has been accidentally defaced or rendered illegible in some material particular, and the said certificate of registration is surrendered to him or

(b) has been lost or destroyed

he shall issue a duplicate certificate of registration to the owner with the word "Duplicate" printed across it, and the duplicate so issued shall have the same effect as the original certificate. If at any time thereafter, the lost original certificate is found or its whereabouts are ascertained by the owner, he shall take all reasonable steps to recover possession of it and return it to the same Registering Officer who issued the duplicate, or where he cannot recover the possession of it for reasons beyond his control he shall report the matter to the Registering Officer who issued the duplicate, and the Police. A fee must be paid for the issue of a duplicate certificate of registration as set out in the tenth Schedule thereto.

12. With effect from 1st October, 1986 boats and aquatic apparatus shall be operated only within the zones in which they are situated at that date. No boat or aquatic apparatus may thereafter be transferred from one zone to another unless the owner thereof has obtained an interzonal movement permit as prescribed under these Regulations.

Prohibition
of Interzonal
Movement
without a
Permit

Procedure
for
obtaining
Interzonal
Movement
Permit

13. (1) An interzonal movement permit may be obtained on application to the Registering Officer of the zone in which the boat or aquatic apparatus is registered. The Registering Officer shall upon any application made in any area declared under section 6 of the Act, to be an infested area, required that the boat or aquatic apparatus as the case may be shall be inspected and treated before the issue of the interzonal movement permit.

(2) A Registering Officer issuing an interzonal movement permit may direct the owner of a boat or aquatic apparatus to present such boat or aquatic apparatus for further inspection and treatment at the registering office in the zone to which they are being transferred or at any one or more sites enroute thereto.

(3) The owner or person in charge of a boat or aquatic apparatus shall afford any inspection officer every facility for conducting an inspection or treatment.

Import
Permit

14. With effect from 1st October, 1986 no boat or mokoro or aquatic apparatus may be imported into Botswana unless the owner thereof is in possession of an import permit as prescribed under these Regulations.

Procedure
for
obtaining
Import
Permit

15. (1) An owner wishing to import a boat or aquatic apparatus into Botswana shall submit to the Director of Water Affairs, an application for Boat Registration and Import Permit, which shall be completed by the owner to the satisfaction of the Director of Water Affairs.

(2) The Director of Water Affairs may at his discretion issue an import permit and registration certificate and may make such conditions as to the route to be followed by the boat as he may deem necessary and requiring inspection and treatment to be carried out on such boat or aquatic apparatus:

Provided that any breach of such conditions shall render the permit invalid and the boat or aquatic apparatus subject to confiscation or destruction.

(3) Fees for the issue of an import permit shall be paid as set out in the tenth Schedule hereto.

(4) Where an import permit authorises the movement of a boat or aquatic apparatus through one or more zones, it will not be necessary to obtain an additional interzonal movement permit.

Ports of
entry

16. Only those ports of entry, places of inspection and treatment which are listed in the fourth Schedule hereto may be used for importation of any boat or aquatic apparatus.

Exemption
of boats
and
aquatic
apparatus
in transit

17. Notwithstanding anything contained in these Regulations, any boat or aquatic apparatus that is brought into this country by air or rail in transit to a foreign destination shall be exempt from the application of these Regulations:

Provided that the boat or aquatic apparatus is not at any time removed from the airport or railway premises while in transit.

Inspection

18. (1) A boat or aquatic apparatus and any registration certificate or permit relating thereto may be inspected at any time or place by any Inspecting Officer or Police Officer.

(2) Where upon any such inspection a boat is found not to have been registered as required under these Regulations or not to be in the zone in which it is registered or to be carrying false reference marks such boat and any aquatic apparatus in it may be confiscated forthwith and the owner thereof shall be guilty of an offence.

19. Any applicant who knowingly gives false information on any application for — **Offences**

- (a) boat import permit;
- (b) registration of a boat; or
- (c) an interzonal movement permit,

shall be guilty of an offence.

20. (1) Any person found guilty of an offence under Regulations 18 (2) and (19) shall upon conviction be liable to a fine of P500 and/or imprisonment for six months. **Penalties**

(2) Any person who fails to comply with any other provisions of these Regulations shall be guilty of an offence and be liable to a fine of P250 and/or imprisonment for three months.

21. Notwithstanding anything contained in these Regulations, any owner of a boat or aquatic apparatus may appeal against any decision by the Director of Water Affairs or any other registering officer concerning the issue or refusal to issue an import or interzonal movement permit or registration certificate to the Minister of Mineral Resources and Water Affairs within thirty days and the Minister's decision shall be final. **Appeals**

22. The Aquatic Weeds (Control) Regulations of 1974 are hereby revoked. **Revocation of S.I. No. 12 of 1974**

L2/7/196

FIRST SCHEDULE
(Regulation 4)

APPLICATION FOR BOAT REGISTRATION

To: The Registering Officer forzone

I, residing at the following
(Print name in Full)

address

do hereby declare that I am the owner*/the duly authorised representative of the owner of the boat which bears

reference marks:*/which has not previously been registered*.

I hereby apply for a Certificate of Registration to be issued for the above-mentioned boat in my name*/in the name of the owner*:

.....
(Print owners name in Full)

residing at the following address:

Details of the boat are as follows:

Type:* Yacht/Dinghy/Rowing/Sailing/House/Canoe/Kayak/Raft/Barge/Inflatable/Sailboard/

Catamaran/Punt/Amphibious/Air/Pontoon/Ferry/Other (specify)

Method of Propulsion:* Wind-driven (sail)/hand-driven (Oars, paddles, punting pole)/Inboard engine/

Outboard engine/Towed/Other: (specify).....

If a combination of one or more methods available, specify

Dimensions: Length (from stem to stern)..... metres

Width (greatest, beam) metres

Height (greatest, depth of hull)..... metres

Shape of hull: Conventional, double (Catamaran), other: (specify)

Materials from which hull made: *Steel/Fibreglass/Aluminium/wooden/Other (specify)

(specify)

Colour of hull exterior:
(if painted, state colour of various coats. If more than one colour top coat, specify).

Country of origin: Manufacturers name and address. (If home-built, state makers name and address).....

.....

Date of Manufacture:

Commercial description: Model, code or type:

If the boat has already been registered, state reason for re-registration: because of change in ownership*/because of transfer from another zone.* If because of a change of owner, state previous owners name:

.....
(Print in full name)

and address:
and whether you wish to retain the reference marks of the previous owner:
Yes*/No*

I hereby declare that the particulars set forth above are, to the best of my knowledge and belief, true and correct in all respects.

..... Dated at this day of 19.....
(Signature)

*Delete whichever inapplicable

For use by Registering Officer only:

Registration fee received on: —

Amount received: — Receipt No:.....

Certificate of Registration issued with reference mark:.....

Import Permit reference:.....

Interzonal Movement Permit reference:.....

Date.....
(Registering Officers' signature)

SECOND SCHEDULE
(Regulation 5)

CERTIFICATE OF REGISTRATION

This is to certify that a boat described by the owner as follows: —

Type:

Method of propulsion:

Dimensions: Length (from stem to stern) metres

Width (greatest, beam) metres

Height (greatest, depth of hull) metres

With a hull shaped:, made of

and coloured

Manufactured by

on

Described commercially as

has been allocated the following reference marks:

for use in zone, and has been entered in the

Register of Boat Registration showing the name of the owner as

.....

(Print owners name in full)

residing at the following address:

.....

Date: (Registering Officers' signature)

NOTE: This certificate is not transferrable and is only valid for the zone as shown above.

This certificate must be retained on the boat and produced on demand by an Inspecting Officer or Police Officer.

This certificate must be surrendered to the appropriate Registering Officer when the boat is subjected to a change of ownership or is transferred from the zone shown above or is exported from Botswana or is broken up, destroyed, irretrievably lost or becomes permanently useless as a boat.

THIRD SCHEDULE
(Regulation 5)

Form

REGISTER OF BOAT REGISTRATIONS

Registration Date	Reference Marks Assigned	Full name and address of owner	Details of boat as recorded in owners application form	Cancellation of registration details

FOURTH SCHEDULE
(Regulation 4)
PART 1: ZONES

<i>Zone Title</i>	<i>Zonal Reference Mark</i>	<i>Description of Zone (See note below)</i>	<i>Registering Officer</i>
Kwando/Linyanti	KL	The entire Kwando/Linyanti river system including the Selinda Spillway (or Magweeqana), lying to the East of the Meridian of Eastern longitude of 23° 25' 00" and the Savuti River and marsh and excluding Lake Iyambezi.	Dept. of Water Affairs Private Bag 2, Maun.
Chobe	CH	The entire Chobe river system including Lake Iyambezi.	Dept. of Water Affairs, Kasane.
Okavango	CK	The entire Okavango river system including the whole Okavango Delta, Lake Ngami, the Boteti River, Mababe Marsh and Ntwetwe Pan but excluding the Selinda Spillway (or Magweexana) lying to the East of the Meridian of Eastern longitude 23° 25' 00" and the Savuti River or marsh.	Dept. of Water Affairs Private Bag 2, Maun.
Nata	NS	The entire river systems of the Nata, Sibanini, Maitengwe, Nkange, Tutume, Semowane, Mosetse, Lepashe, Mosope rivers and Sowa Pan.	Dept. of Water Affairs, Francistown.
Limpopo	LP	The entire river systems of tributaries of the Limpopo river lying to the north of the Dibete Quarantine fence between Buffels Drift and Lephepe.	Dept. of Water Affairs, Francistown.
Marico	MR	The entire river systems of tributaries of the Marico river lying to the south of the Dibete Quarantine fence between Buffels Drift and Lephepe.	Dept. of Water Affairs, Gaborone.

NOTE: The exact boundaries of the zones are shown on Survey Plan No. BT. 243 deposited with the Director of Surveys and Lands.

FOURTH SCHEDULE

(Regulation 1)

PART 2: PORTS OF ENTRY, PLACES OF INSPECTION AND TREATMENT

Ports of Entry and Places where inspection and treatment of boats and aquatic apparatus may be carried out:

Ports of Entry (Rail):	Gaborone Francistown
Ports of Entry (Air):	Gaborone Francistown Maun Kasane
Ports of Entry (Road):	Kazungula (Ferry) Kazungula (Road) Martins Drift Ramatlabama Ramokgwebana Tlokweng Gate Pioneer Gate (Lobatse) Ngoma Bridge

Places where inspection and treatment can be carried out:

**Gaborone: Water Affairs Department
Francistown: Water Affairs Department
Maun: Water Affairs Department
Kasane: Water Affairs Department
Lobatse: Water Affairs Department**

FIFTH SCHEDULE
(Regulation 15)

APPLICATION FOR BOAT REGISTRATION AND IMPORT PERMIT

To: The Director of Water Affairs,
Private Bag 0029,
Gaborone,
Botswana.

I
(Print name in full)

of (address).....

.....
do hereby declare that I am the owner of the following boat and aquatic apparatus which I wish to register and import permanently/temporarily* into Botswana.

Boat:

Type:* Yacht/Dinghy/Rowing/Sailing/House/Canoe/Kayak/Raft/Barge/Inflatable/Sailboard/
Catamaran/Punt/Amphibious/Air/Pontoon/Ferry/Other (specify)

Method of Propulsion:* Wind-driven (sail)/hand-driven (Oars, paddles, punting pole)/Inboard engine/
Outboard engine/Towed/Other: (specify).....

Dimensions: Length (from stem to stern)..... metres

Width (greatest, beam) metres

Height (greatest, depth of hull)..... metres

Shape of hull: Conventional, double (Catamaran), other: (specify)

Materials from which hull constructed: *Steel/Fibreglass/Aluminium/wooden/Other
(specify)

Colour of hull exterior:.....
(if painted, state colour of various coats. If more than one colour top coat, specify).

Country of origin: Manufacturer's name and address. (If home-built, state maker's name and address)

Date of Manufacture:.....

Commercial description: Model, code or type:

Aquatic Apparatus:

Specify

.....
(In the case of engines, give manufacturer's name, model, engine no., hp. rating, etc. In the case of nets, specify dimensions, mesh size. In the case of a trailer, specify registration number of the trailer.)

If a temporary import permit is required, state number of days
from to when the boat or aquatic apparatus
(date) — (date)
will be required in Botswana.*

If a temporary import permit is required, state purpose for which the boat or aquatic apparatus is to be operated in Botswana:*

Recreation/Sport or commercial fishing/Private or commercial transport of personnel or goods/Scientific/
Tourism/Commercial demonstration/In transit to another country (specify)

.....

Other (specify)

State whether the boat or aquatic apparatus are in new or used condition:

If in used condition, state in which waters the boat and aquatic apparatus have operated during the past six months

.....

To the best of your knowledge and belief, has the boat or aquatic apparatus been operated in or on any waters which are infested with any aquatic weeds prescribed in the Schedule to the Aquatic Weeds (Control) Act, 1971? Yes/No.

If yes, give particulars

.....

After consulting the list of zones and places of inspection and treatment in the map appended, specify means of transport and route by which it is proposed to import the boat and aquatic apparatus, the zones in which and when it is proposed to operate them and the places where and when they can be submitted for inspection and treatment bearing in mind that inspection/treatment can only be carried out during normal office hours:

.....

I hereby declare that the particulars set forth above are, to the best of my knowledge and belief, true and correct in all respects.

.....

(Signature)

Dated at this day of 19.....

*Delete whichever inapplicable.

NOTE: — Fees will be requested if the application is approved. No money should be enclosed at this stage.

For use by Director of Water Affairs only:

Import permit approved/not approved.

Registration fee received on:

Amount received: Receipt No:

Import permit No. Issued on
- (date)

Boat Reference Mark

Interzonal Movement Permit/s issued:

SIXTH SCHEDULE
(Regulation 14)

IMPORT PERMIT

Permission is hereby granted to.....
(Owner's name in full)

of (address).....

.....
to import into Botswana a boat/and aquatic apparatus described as follows: —

Boat:

Type:

Method of Propulsion:

Dimensions: Length metres

Width metres

Height metres

With a hull:, made of

and coloured

Manufactured by

on

Described commercially as

Aquatic Apparatus:

.....

.....

Mode of transport: Road/Air/Rail

Port of entry to be used:

Places where inspection and treatment, if necessary, to be carried out:

1.

2.

3.

Boat Reference Marks:

Validity of this permit expires on

.....

(Date)

(Director of Water Affairs)

EIGHTH SCHEDULE
(Regulations 4)

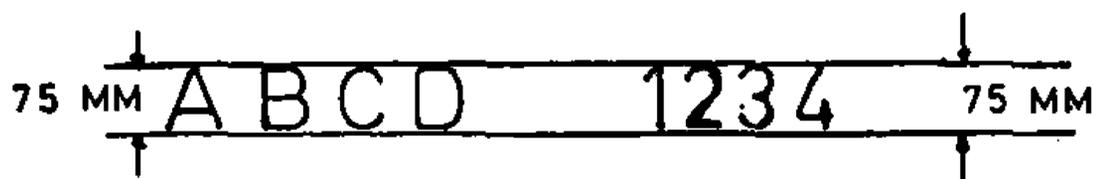
SPECIAL CATEGORIES OF OWNERS OR USERS

Category	Reference Marks
Botswana Government: Fisheries Department	XF
Water Affairs Department	XW
Police	XP
Defence Force	XD
Medical Department	XM
Central Transport Organisation	XC
All other Departments	X
Town/District Councils	Y
Water Utilities Corporation	Z
Diplomatic Corps	CD

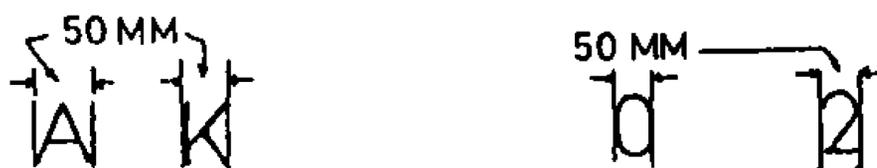
NINTH SCHEDULE
(Regulations 7)

SPECIFICATIONS FOR REFERENCE MARKS
(Not to scale)

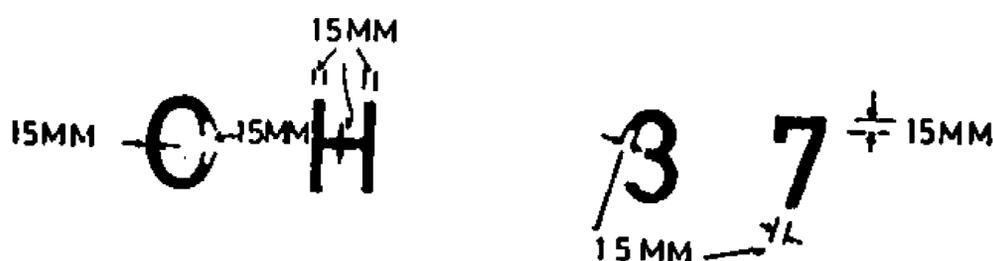
- (1) Total height of a letter of figure: the distance between the top and bottom of all letters and figures must be exactly 75 mm, as follows: —



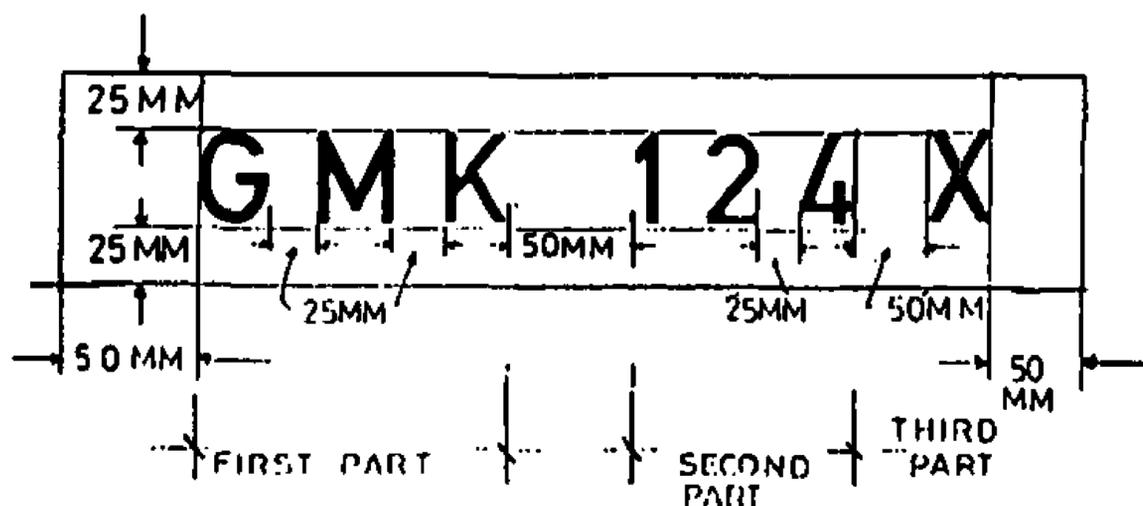
- (2) Total width of a letter of figure: the distance between the left and right hand sides of all letters and figures, excepting I or 1, must be exactly 50 mm as follows: —



- (3) The width of all parts of all letters and figures, and the total width of I or 1, must be 15 mm. Applied as follows:



- (4) The white background must be wide to the left of the first letter and 50 mm wide to the right of the last letter or figure, and must be 25 mm wide above and below the tops and bottoms of each letter of figure respectively. There must be a 25 mm wide space between letters or figures in each part and a 50 mm wide space between each part as follows: —



TENTH SCHEDULE

SCALE OF FEES

Issue of Import Permit	No Charge
Issue of Registration Certificate	P25,00
Issue of duplicate Certificate of Registration	P 2,00
Fee for carrying out all inspections and treatments specified on an Import Permit	P10,00

MADE this 14th day of October, 1986.

A.M. MOGWE,
*Minister of Mineral Resources and
Water Affairs.*