

MATIMELA (AMENDMENT) ACT, 2004

No. 20



of 2004

ARRANGEMENT OF SECTIONS

SECTION

1. Short title
2. General amendment of Cap. 36:06
3. Amendment of the long title to the Act
4. Amendment of section 5 of the Act
5. Amendment of section 6 of the Act
6. Amendment of section 7 of the Act
7. Amendment of section 8 of the Act
8. Amendment of section 10 of the Act
9. Amendment of section 11 of the Act
10. Amendment of section 17 of the Act
11. Amendment of section 23 of the Act
12. Amendment of section 25 of the Act

An Act to amend the Matimela Act.

Date of Assent: 14th May, 2004.

Date of commencement: On publication.

ENACTED by the Parliament of Botswana.

1. This Act may be cited as the Matimela (Amendment) Act, 2004
2. The Matimela Act (hereinafter referred to as "the Act") is amended by substituting for the words —
 - (a) "matimela master" the words "matimela officer" wherever they appear in the Act and the Regulations made thereunder; and
 - (b) "National Development Bank" the words "financial institution" wherever they appear in the Act and the Regulations made thereunder.
3. The long title to the Act is amended by substituting for the words "tribal territories" which appear therein, the word "districts".
4. Section 5 of the Act is amended in subsection (1), by substituting, for the word "twice" which appears therein, the word "thrice."

Short title

General amendment of Cap. 36:06

Amendment of the long title to the Act

Amendment of section 5 of the Act

Amendment of section 6 of the Act

5. Section 6 of the Act is amended by —

- (a) renumbering subsection (3) as subsection (5); and
- (b) inserting, immediately after subsection (2) thereof, the following new subsections —

“(3) A matimela officer shall, upon receipt of a report about the presence of matimela made in terms of subsection (1), submit such a report to a council. and

(4) The council shall, within 30 days of receiving a report in terms of subsection (3), collect the matimela.”

Amendment of section 7 of the Act

6. Section 7 of the Act is amended in the proviso thereto by deleting the words “has previously had the opportunity of and” which appear therein.

Amendment of section 8 of the Act

7. Section 8 of the Act is amended, in subsection (2) thereof, by substituting, for paragraph (c) thereof, the following new paragraph —
“(c) an officer of the High Court acting in execution of a court order, or a local police officer acting in execution of an order of a subordinate court, or of customary court of competent jurisdiction, in respect of such matimela; or”

Amendment of section 10 of the Act

8. Section 10 of the Act is amended, in subsection (3) thereof, by substituting, for the figure “12” which appears therein, the figure “6”.

Amendment of section 11 of the Act

9. Section 11(1)(a) of the Act is amended by substituting, for the figure “12” which appears therein, the figure “6”.

Amendment of section 17 of the Act

10. Section 17 of the Act is amended by deleting subsection (6) thereof.

Amendment of section 23 of the Act

11. Section 23 of the Act is amended by deleting the proviso thereof.

Amendment of section 25 of the Act

12. Section 25 of the Act is amended —

- (a) in subsection (1) thereof, by substituting for the words “P200” which appear therein, the words “P500”; and
- (b) in subsection (2) thereof, by substituting for the words “P100” which appear therein, the words “P400”.

PASSED by the National Assembly this 29th day of March, 2004.

A. MATLHAKU,
Clerk of the National Assembly.