

*Statutory Instrument No. 102 of 2020*

**CONTROL OF GOODS, PRICES AND OTHER CHARGES ACT**  
(Cap. 43:08)

**CONTROL OF GOODS, PRICES AND OTHER CHARGES (RESTRICTION ON  
THE IMPORTATION OF BAKED GOODS) REGULATIONS, 2020**  
(Published on 14th August, 2020)

**ARRANGEMENT OF REGULATIONS**

**REGULATION**

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IN EXERCISE of the powers conferred on the Minister of Investment, Trade and Industry by section 3 of the Control of Goods, Prices and Other Charges Act, the following Regulations are hereby made —

1. These Regulations may be cited as the Control of Goods, Prices and Other Charges (Restriction on the Importation of Baked Goods) Regulations, 2020. Citation
2. In these Regulations, unless the context otherwise requires — Interpretation  
“baked goods” means all types of bread, pies, pastries, rolls, cookies, muffins, scones, cakes, cupcakes and other such baked products usually prepared from flour or meal derived from some form of grain; and  
“Director” means the Director of the Department of International Trade.
3. (1) No person shall import baked goods except with a permit issued under these Regulations. Restrictions on importation of baked goods  
(2) Notwithstanding the provisions of subregulation (1), an import permit shall not be required for the importation, by any person, of an amount not exceeding 2 kg of baked goods per week.
4. (1) A person may apply for an import permit in respect of baked goods, on the grounds that there is a shortage of baked goods in Botswana. Application for import permit  
(2) An application for a permit to import baked goods shall be made to the Director, in Form A set out in the First Schedule, and shall be supported by a valid trading licence and accompanied by an application fee of P100.
5. Where the Director is satisfied that there is a shortage of baked goods in Botswana, the Director shall, within 21 days of receiving an application, issue to the applicant, an import permit in Form B set out in the Second Schedule to the applicant, subject to such conditions as the Director may consider necessary. Issue of import permit

Period of validity of permit	<b>6.</b> An import permit shall be valid for such period as may be specified in the permit, which period shall not exceed six months.
Refusal to grant permit	<b>7.</b> Where an application for a permit is refused, the Director shall notify the applicant, in writing, stating the reasons for refusing the application.
Appeal against refusal to issue permit	<b>8.</b> A person aggrieved by the refusal to issue an import permit under regulation 7 may appeal to the Minister within 30 days of receiving the Director's decision.
Penalties	<p><b>9.</b> Any person who —</p> <ul style="list-style-type: none"> <li>(a) contravenes any provision of these Regulations or a condition contained in a permit issued to him or her; or</li> <li>(b) provides information that is false or misleading in a material particular in his or her application,</li> </ul> <p>shall be liable —</p> <ul style="list-style-type: none"> <li>(i) for a first offence, to a fine not exceeding P200 or to imprisonment for a term not exceeding six months, or to both, and</li> <li>(ii) for a second or subsequent offence, to a fine not exceeding P400 or to imprisonment for a term not exceeding one year, or to both.</li> </ul>
Revocation of S.I. No. 52 of 2003	<b>10.</b> The Control of Goods, Price and Other Charges (Restriction on the Importation of Bread Loaves and Pic Pastries) Regulations are hereby revoked.
Transitional and savings provisions	<b>11.</b> Notwithstanding the revocation effected under regulation 10, any permit issued or applications commenced under the revoked Regulations, shall continue to be valid as though granted in terms of these Regulations.

SCHEDULES

SCHEDULE 1

FORM A – APPLICATION FOR AN IMPORT PERMIT  
(Regulation 4 (2))

1. Full names of applicant

.....

2. Physical address of applicant

.....

3. Postal address of applicant

.....

4. Licence number

.....

5. Permit is requested for importing the following —

Specification of goods

Quantity of goods

Specification of goods	Quantity of goods

6. Purpose for which goods are required

.....

7. Destination of goods

.....

8. Port of entry of goods

.....

I certify that the information furnished in this application is correct in every respect and I undertake to comply with the conditions set out in the permit once issued to me.

Date..... Applicant's signature.....

SCHEDULE 2

FORM B – PERMIT  
(Regulation 5)

Permit number.....  
Permission is hereby granted to.....of (applicant's  
address).....to import –

Specification of goods	Quantity of goods

- 1. Port of entry of goods.....
- 2. Destination of goods.....

Upon expiry or full utilisation of the permit the holder must return this permit to the Director of the Department of International Trade.

Date.....  
For DIRECTOR

The permit is valid for the period commencing..... to .....

FOR OFFICIAL USE BY CUSTOMS AND EXCISE OFFICIALS

Specification	Quantity	Date	Signature of Customs official

MADE this 24th day of July, 2020.

PEGGY O. SERAME,  
Minister of Investment, Trade and Industry.