

**GABORONE WATER AND ELECTRICITY PROJECT FUND
(DISSOLUTION) ACT, 1970**

No. 81



of 1970

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AN ACT TO PROVIDE FOR THE DISSOLUTION OF THE GABORONE WATER AND ELECTRICITY PROJECT FUND AND THE DISPOSAL OF MONEYS AND CLAIMS THEREOF.

Date of Assent: 29.12.1970

Date of Commencement: 31.12.1970

ENACTED by the Parliament of Botswana.

Short Title and Commencement

1. This Act may be cited as the Gaborone Water and Electricity Project Fund (Dissolution) Act, 1970, and save as provided in sections 5, 6 and 7 shall come into operation on publication in the *Gazette*.

Interpretation

2. In this Act —

“Botswana Power Corporation” means the Corporation established by the Botswana Power Corporation Act, 1970;

“Fund” means the Gaborone Water and Electricity Project Fund continued in existence by section 24 (1) of the Finance and Audit Act, 1969;

“public officer” means the public officer responsible for the Fund in terms of regulation 5 of the Gaborone Water and Electricity Project Fund Regulations, 1970;

“Unit” means the organisation established by the Government under the name Gaborone Water and Electricity Unit to carry on the business of supplying water and electricity in Gaborone and elsewhere and business related thereto;

“Water Utilities Corporation” means the Corporation established by the Water Utilities Corporation Act, 1970.

Payment of Moneys to Corporations

3. (1) All moneys remaining in the Fund as at the close of business on the 31st December, 1970, including cash received but not deposited in the bank account of the Fund but not including the amounts of any negotiable instruments drawn, made and issued by the Fund but not then paid or any amounts necessary to meet any outstanding claims against the Unit or the Fund, shall —

(a) in so far as they are derived from or concern or relate to the water undertakings of the Unit, be transferred to the Water Utilities Corporation by the public officer on terms and conditions agreed to by the said Corporation and the Minister of Commerce, Industry and Water Affairs with the concurrence of the Minister responsible for Finance; and

(b) in so far as they are derived from or concern or relate to the electricity undertakings of the Unit, be transferred to the Botswana Power Corporation by the public officer on terms and conditions agreed to by the said Corporation and the Minister of Works and Communications with the concurrence of the Minister responsible for Finance.

(2) Payment in terms of subsection (1) shall be completed not later than the 31st August, 1971.

Vesting of Certain Moneys, Claims, etc. in Corporations

4. (1) Any moneys accruing to, or claims to money subsisting in favour of, the Fund on or after the 1st January, 1971, may —

- (a) in so far as they are derived from or concern or relate to the water undertakings of the Unit, be vested in the Water Utilities Corporation in accordance with section 22 of the Water Utilities Corporation Act, 1970, as assets or rights of the Government; and
- (b) in so far as they are derived from or concern or relate to the electricity undertakings of the Unit, be vested in the Botswana Power Corporation in accordance with section 21 of the Botswana Power Corporation Act, 1970, as assets or rights of the Government.

(2) Vesting in terms of subsection (1) shall not be effected later than the 31st August, 1971.

Dissolution of Fund

5. (1) This section shall come into operation on the 1st September, 1971.

(2) The Fund is dissolved.

Amendment of Second Schedule to Act No. 2 of 1970, Repeal of Act No. 6 of 1969 and Revocation of Statutory Instrument No. 30 of 1970

6. (1) This section shall come into operation on the 1st September, 1971.

(2) The Second Schedule to the Finance and Audit Act, 1969, is amended by the deletion of all reference to the Fund.

(3) The Gaborone Water and Electricity Project Fund (Transfer of Moneys) Act, 1969, is repealed.

(4) The Gaborone Water and Electricity Project Fund Regulations, 1970, are revoked.

Amendment of Statutory Instrument No. 30 of 1970

7. (1) This section shall come into operation on the 1st January, 1971.

(2) The Gaborone Water and Electricity Project Fund Regulations, 1970, are amended by the deletion of regulations 7 and 8.

Passed by the National Assembly this day, the 18th December, 1970.

G.T. MATENGE,
Clerk of the National Assembly