

THE TRADING (AMENDMENT) ACT, 1970

No. 39



of 1970.

AN ACT TO AMEND THE TRADING ACT, 1966

Date of Assent: 14.8.1970

Date of Commencement: 26.8.1970

ENACTED by the Parliament of Botswana:

Short Title

1. This Act may be cited as the Trading (Amendment) Act, 1970.

Amendment of Section 4 of Act No. 6 of 1966

2. Section 4(1) of the Trading Act, 1966, (hereinafter referred to as the principal law) is amended by the insertion immediately after the words "Banker licence" wheresoever they appear therein of the words "or travel agent licence".

Amendment of section 9 of Act No. 6 of 1966

3. Section 9(2) of the principal law is amended by the addition immediately after the words "as may be prescribed" appearing therein of the words "and, in the case of an application for a speciality licence, shall specify the goods in which the applicant wishes to trade".

Amendment of section 10 of Act No. 6 of 1966

4. Section 10 of the principal law is amended as follows —

- (i) in subsection (1) thereof by the addition immediately after subparagraph (b) thereof of a new subparagraph as follows —

"(c) that in the case of a licence for a restaurant adequate seating accommodation and facilities for preparing cooked meals or refresh-

ment are provided suitable to the place where such restaurant is to be situated.”; and

- (ii) by the addition immediately after subsection (4) thereof of a new subsection as follows —

“(5) Notwithstanding anything contained elsewhere in this section where an application is made for a certificate authorising the issue of a speciality licence the licensing authority may, where it is of the opinion that it is not in the public interest to issue a certificate for all the goods in which the applicant wishes to trade but that it is in the public interest to issue a certificate in respect of some of the goods in which he wishes to trade, issue a certificate authorising the issue of a licence in respect of the goods specified in such certificate.”.

Amendment of Schedule to Act No. 6 of 1966

5. The First Schedule to the principal law is amended as follows —

- (i) in paragraph 8(1) (b) thereof by the deletion of the words “paragraphs 10(1) and 13(1)” appearing therein and by the substitution therefor of the words “paragraph 13(1)”;
- (ii) by the deletion of paragraph 10 thereof;
- (iii) in paragraph 14(2) thereof by the deletion of the words “and foods, other than fresh meat, which may be used for human consumption without further preparation” and by the substitution therefor of the words “and foods which may be used for human consumption other than fresh meat and fresh vegetables.”;
- (iv) by the deletion of subparagraph (1) of paragraph 17 and by the substitution therefor of a new subparagraph as follows —

“(1) Subject to the provisions of section 45 the holder of a speciality licence may trade in the goods specified in his licence but no such licence may specify —

- (a) those goods for which a chemist, fresh produce, petrol filling station, producer buyer or restaurant licence is required; or
- (b) foodstuffs (including tinned and frozen foods, flour and meal) soaps, washing powders, household detergents, paraffin, methylated spirits and household cleaning materials.”.

Passed by the National Assembly this day, the 9th July, 1970.

G.T. MATENGE,
Clerk of the National Assembly