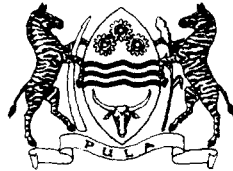


THE WATER UTILITIES CORPORATION (AMENDMENT) ACT, 1970

No. 67



of 1970

AN ACT TO AMEND THE WATER UTILITIES CORPORATION ACT, 1970, BY REDEFINING THE CORPORATION'S FINANCIAL YEAR, BY PROVIDING FOR THE APPOINTMENT OF ALTERNATE MEMBERS, BY REDEFINING THE QUALIFICATIONS OF THE CHIEF EXECUTIVE OFFICER BY MAKING MORE SPECIFIC PROVISION FOR DELEGATION OF FUNCTIONS BY THE CORPORATION, BY LIMITING CERTAIN AMOUNTS TO BE PAID BY THE CORPORATION TO THE GOVERNMENT, BY EXEMPTING THE CORPORATION FROM INCOME TAX AND BY MAKING CERTAIN INCIDENTAL AMENDMENTS

Date of Assent: 25.11.70.

Date of Commencement: 14.12.1970

ENACTED by the Parliament of Botswana.

Short Title

1. This Act may be cited as the Water Utilities Corporation (Amendment) Act, 1970.

Amendment of Section 2 of Act No. 24 of 1970

2. Section 2 of the Water Utilities Corporation Act, 1970 (hereinafter referred to as the principal law), is amended in the definition of "financial year" by the deletion of "30th June" and the substitution therefor of "31st March".

Amendment of Section 7 of Act No. 24 of 1970

3. Section 7 of the principal law is amended —

(a) by the deletion of the heading and the substitution therefor of "*Temporary and Alternate Members*";

(b) by the addition of the following subsection, the present section becoming subsection (1) —

"(2) The Minister may appoint some fit person, being a public servant, as an alternate member to any substantive member who is a public servant, and any such alternate member may attend any meeting of the Corporation which the member to whom he is alternate is unable to attend and when so attending shall be deemed for all purposes to be a member of the Corporation:

Provided that an alternate member shall not be deemed by virtue of his alternate membership to be Chairman or Vice-Chairman".

Amendment of Section 12 of Act No. 24 of 1970

4. Section 12 of the principal law is amended in subsection (3) by the deletion of paragraph (a) and the substitution of —

"(a) be a person who is qualified by experience and training and has satisfied the Corporation and the Minister that he is competent to manage and operate an undertaking."

Amendment of Section 14 of Act No. 24 of 1970

5. Section 14 of the principal law is amended —

(a) by the deletion in paragraph (a) of "to such water authorities, bulk users or other persons or classes of person and";

(b) by the addition of the following subsection, the present section becoming subsection (1) —

"(2) The Corporation may delegate all or any of the functions specified in subsection (1) provided that no such delegation shall be made to any person other than the Government without the consent of the Minister."

Amendment of Section 15 of Act No. 24 of 1970

6. Section 15 of the principal law is amended in subsection (2) by the deletion of paragraphs (b) and (c).

Amendment of Section 20 of Act No. 24 of 1970

7. Section 20 of the principal law is amended by the deletion of subsection (2).

Amendment of Section 22 of Act No. 24 of 1970

8. Section 22 of the principal law is amended in subsection (3) —

(a) by the deletion in subparagraphs (i) and (ii) of paragraph (b) of

“all” and the substitution therefor of “any”;

(b) by the addition of the following paragraph —

“(c) Any amount to be paid in terms of paragraph (b) in respect of any property transferred in accordance with subsections (1) and (2) shall not exceed the current replacement cost, less an appropriate allowance for depreciation, of such property.”

Amendment of Section 24 of Act No. 24 of 1970

9. Section 24 of the principal law is amended by the deletion of “Nothing in this Act shall exempt the Corporation from any tax,” and the substitution therefor of “The Corporation shall not be liable to pay any tax on income but, save as aforesaid, nothing in this Act shall exempt the Corporation from any”.

Passed by the National Assembly this day, 3rd November, 1970.

G.T. MATENGE,
Clerk of the National Assembly