

LOCAL GOVERNMENT (DISTRICT COUNCILS) ACT
(Cap. 40:01)

KGALAGADI DISTRICT COUNCIL (BARBER) BYE-LAWS, 1998
(Published on 4th December, 1998)

ARRANGEMENT OF BYE-LAWS

BYE-LAW

1. Citation
2. Interpretation
3. Application for licence
4. Licence required to carry on business of barber
5. Renewal of licence
6. Premises
7. Licence to be produced for inspection
8. Licence not transferable
9. Sanitary conditions
10. Powers of entry
11. Closure of licenced premises
12. Offences and penalties

IN EXERCISE of the powers conferred by section 29 as read with section 30 of the Local Government (District Councils) Act, and with the approval of the Minister of Local Government, Lands and Housing, the Kgalagadi District Council hereby makes the following Bye-Laws —

- | | |
|---|---|
| Citation | 1. These Bye-Laws may be cited as the Kgalagadi District Council (Barber) Bye-Laws, 1998. |
| Interpretation | 2. In these Bye-Laws, unless the context otherwise requires —
“authorised official” means any person authorised by the Council for the purpose of giving effect to these Bye-Laws;
“barber” means any person who carries on or assists in carrying on the business of trimming, or cutting the hair or beard of people, as well as carry out manicure, pedicure or other similar beauty treatments;
“Council” means the Kgalagadi District Council;
“council area” means the area within the jurisdiction of the Council;
“premises” means the place of business of a barber and shall include tent, booth, shed, stall or similar structure as the Council may approve. |
| Licence required to carry on business of a barber | 3. (1) No person shall carry on a business of a barber within the Council area, unless —
(a) such person is a citizen of Botswana;
(b) such person has attained the age of 16 years;
(c) such person is duly licenced; and
(d) the premises upon which the business is being carried on are licenced. |

4. (1) Any person wishing to carry on a business as a barber shall make an application on the form set out in the First Schedule, to the Council, supplying such information in relation thereto as the Council may require, which information shall include the — (a) number, identity and qualifications (or experience) of barbers to be employed; (b) number of apprentices to be employed, if any; and (c) number and type of scissors, clippers and other hair equipment available for use.	Application for licence
(2) The Council may, if it is satisfied that the requirements of these Bye-Laws are met, and on payment of a fee of P20, issue a barber licence as set out in the Second Schedule, valid until 31st December of the year of issue. 5. On application made in terms of bye-law 4 and upon payment of a fee of P10, the Council may endorse such renewal on the form set out in the Third Schedule and may attach such conditions to the renewal as it may determine:	Renewal of licence
Provided that the application for renewal is in respect of the premises in the original licence. 6. (1) Premises used for the business of a barber shall — (a) be approved by the Council in writing; (b) be of a temporary structure erected using iron sheets, wooden planks or any other material approved by the Council. (c) be used solely for the business of a barber; (d) be within a radius of not less than 30 metres from the nearest residential or commercial plots as may be approved by the Council; (e) have adequate lighting and ventilation; (f) have constant supply of wholesome water; (g) be maintained at all times in clean and sanitary conditions both inside and the surroundings; (h) be at all times maintained in good repair; (i) be not less than 7.5 square metres in size; and (j) be not located near food premises unless circumstances are such that it would not pose any threat or danger to public health.	Premises
7. A licence issued under these Bye-Laws shall be produced on demand to any authorised official or to any member of the Police Force for inspection.	Licence to be produced for inspection
8. (1) A licence issued under these Bye-Laws shall not be transferrable without the consent of the Council, and may be revoked by the Council if — (a) the holder thereof transfers it without the consent of the Council; (b) the holder thereof is convicted of an offence under these Bye-Laws; and (c) it is in the interest of the public to do so.	Licence not transferable
9. (1) The holder of a licence issued under these Bye-Laws shall — (a) ensure that all utensils, vessels, containers, hair clippers, scissors, linen, towels, cloths and other articles used in the conduct of the business are maintained in clean and sanitary conditions by washing them with soap and clean water and the use of approved means of disinfection or sterilisation, as the Council may direct; (b) use disposable hand gloves and musks where necessary; (c) take all reasonable steps to ensure that clean, disinfected or sterilized articles are kept separate from those which have not been washed, disinfected or sterilized;	Sanitary conditions

- (d) ensure that at all times there are sufficient receptacles of galvanized iron or other non-absorbent material, with close fitting covers available for collecting, storing and disposing of all refuse;
- (e) remove and dispose of any hair trimmings within the premises and the surroundings at the close of each working day; and
- (f) ensure that adequate toilet facilities are available for all working staff and patrons.

Powers
of entry

10. An authorised official or a police officer may at any reasonable time enter and inspect the premises used for the business of a barber for the purpose of ensuring that the condition of the premises and the operation of the business complies with the provisions of these Bye-Laws and the conditions of the licence in respect thereof.

Closure of
licenced
premises

11. Where in the opinion of the Council, premises licenced under these Bye-Laws, are such as are likely to constitute a threat or pose a danger to public health, the Council may direct the closure of such premises until it is satisfied that the threat or danger has been remedied.

Offences and
penalties

12. Any person who contravenes the provisions of these Bye-Laws commits an offence and shall be liable upon conviction, for a first offence, to a fine not exceeding P200.00 and for a second or subsequent offence to a fine not exceeding P 30.00 for every day that the offence is being committed.

FIRST SCHEDULE
(bye-law 4 (1))

APPLICATION FOR A BARBER LICENCE

(Attach two copies of a passport size photograph, approximately 5 cm x 4 cm)

Full name of applicant
(*Surname first (in block letters)*)

Place of abode and postal
address
.....

Nationality National Identity No.

I wish to apply for a barber licence as follows ;

(1) Location of premises;

(2) Number of barbers (if any) and their qualifications (or experience);

.....

(3) Number of apprentices;

Date
Signature of applicant

FOR OFFICIAL USE ONLY

Date on which application was received by Licensing officer

Proposed hearing of application

Date of approval/rejection of application

.....
Licensing officer.

SECOND SCHEDULE
(bye-law 4(2)).

Barber licence

NOT TRANSFERABLE

Licence No.

Name is hereby licenced in accordance with the
Kgalagadi District Council (Barber) Bye-Laws to carry on the business of a barber in the
following area/s:

.....

.....

Conditions applicable:

.....
Signature of holder
or

.....
Right thumb print of holder

Date of issue: Fee paid O/R No.

Date on which application was received by Licencing officer

.....
Licencing officer.

THIRD SCHEDULE
(bye-law 4(3))

RENEWAL OF APPLICATION

- (1) Applicant for renewal to complete the following;
 (a) location of premises;
 (b) employees or barbers;
(2) Conditions applicable:

Date

.....
Licencing officer.

MADE this 23rd day of November, 1998.

.....
*Chairman,
Kgalagadi District Council.*

APPROVED this 23rd day of November, 1998.

.....
*Minister of Local Government,
Lands and Housing.*

L2/8/20 IV.