

UNWROUGHT PRECIOUS METALS (AMENDMENT) ACT, 1999

No. 11



of 1999

ARRANGEMENT OF SECTIONS

SECTION

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An Act to amend the Unwrought Precious Metals Act

Date of Assent: 10/08/99.

Date of Commencement: 20/08/99.

ENACTED by the Parliament of Botswana.

1. This Act may be cited as the Unwrought Precious Metals (Amendment) Act, 1998.

2. Section 3 of the Unwrought Precious Metals Act (hereinafter referred to as "the Act") is amended —

(a) by substituting, for subsection (1) (c) thereof, the following new subsection—

"(1) (c) he is a jewellery manufacturer or a jewellery repairer, or otherwise deals in precious metals and holds a permit issued by the Minister responsible for minerals, energy and water affairs (hereinafter referred to as "the Minister") authorising him to have in his possession unwrought precious metals lawfully obtained for the purpose of manufacturing jewellery or repairing jewellery"; and

(b) by substituting, for subsection (2) thereof, the following new subsection —

"(2) Any person who has in his possession any unwrought precious metal, unless —

(a) he is a person excepted under subsection (1); or

(b) he is able to satisfy the court that he came into possession of such metal in a lawful manner,

shall be guilty of an offence and liable to a fine not exceeding P5 000 or to imprisonment for a term not exceeding one year, or to both, and in the case of a second or subsequent conviction, to a fine not exceeding P10 000 or to imprisonment for a term not exceeding two years, or to both."

Short Title

Amendment of
section 3 of
Cap. 20:03

Deletion of sections 4, 5 and 8 of the Act

3. The Act is amended by deleting sections 4, 5 and 8 therefrom.

Amendment of section 9 of the Act

4. The Act is amended by substituting, for section 9 thereof, the following new section —

“Declaration of metals as precious metals 9. The Minister may, by order, declare such metal as he deems fit to be precious metal for the purposes of this Act.”

Renumbering of sections 7 and 9 of the Act

5. The Act is amended by the renumbering of sections 7 and 9 as sections 4 and 5 respectively.

Insertion of new section 6 of the Act

6. The Act is amended by the insertion at the end thereof of the following new section —

“Regulations 6. The Minister may make regulations for the carrying out of or for giving effect to the provisions of this Act.”

PASSED by the National Assembly this 30th day of June, 1999.

C.T. MOMPEI,
Clerk of the National Assembly.