

## CHAPTER 36:01 CONTROL OF LIVESTOCK INDUSTRY

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**An Act to make provision for the control of livestock.**

*[Date of Commencement: 19th December, 1941]*

**PART I**  
***Preliminary (ss 1-2)***

**1. Short title**

This Act may be cited as the Control of Livestock Industry Act.

## **2. Interpretation**

For the purposes of this Act, the expression-

"**Chief**" has the meaning assigned to it under the Bogosi Act;

"**export slaughter house**" means a slaughter house licensed as an export slaughter house under section 29;

"**livestock**" includes cattle, sheep and goats;

"**non-tribal area**" means any area which is not a tribal area as defined in this section;

"**slaughter house**" means a place where livestock are slaughtered for human consumption;

"**tribal area**" means the area known as the Barolong Farms, as described in Schedule B to the Botswana Boundaries Act, and the Bamangwato, Batawana, Bakgatla, Bakwena, Bangwaketse, Bamalete and the Batlokwa Tribal Territories, as defined in the Tribal Territories Act, or any area which may be added thereto by law.

## **PART II**

### ***Purchases of Livestock (ss 3-17)***

## **3. Permits for sale or disposal by persons subject to any Botswana customary law**

There shall be established in each tribal area a system of Chief's permits in a form approved by the President and in each non-tribal area a system of District Commissioner's permits in a form approved by the President to authorize the sale or disposal of livestock by a person subject to any customary law of Botswana to any person other than a person subject to any customary law of Botswana domiciled in the same area.

## **4. Purchase or acquisition of livestock**

No person shall purchase or otherwise acquire for the purpose of trade within Botswana any livestock unless he is the holder of a current licence issued under this Part and no person shall purchase or otherwise acquire from a person subject to customary law any livestock unless that person is in possession of a Chief's or District Commissioner's permit authorizing such transaction:

Provided that any person who is subject to any customary law in Botswana and is domiciled in Botswana may, without obtaining a licence under this Part, purchase or otherwise acquire livestock within his own tribal area or within his own non-tribal area, as the case may be, for his own use or for disposal within that area to any other such person so domiciled.

## **5. Sale or disposal of livestock**

No person subject to any customary law of Botswana shall sell or otherwise dispose of livestock to a person other than a person subject to a customary law of Botswana and domiciled in the same tribal or non-tribal area, as the case may be, unless he is in possession

of a Chief's or District Commissioner's permit authorizing such transaction.

(2) Subject to the provisions of subsection (1), no person shall sell or otherwise dispose of livestock within Botswana to any person other than the holder of a current licence issued under this Part:

Provided that any person licensed under this Part may barter or exchange livestock with a person subject to any customary law of Botswana who is in possession of a Chief's or District Commissioner's permit.

## **6. Licences and fees**

(1) Licences under this Part are as follows-

- (a) a livestock buyer's licence;
- (b) a livestock buyer's agent's licence.

(2) Every licence issued under this Part shall expire on the 31st day of December next following the date of issue, and subject to the provisions of section 9 there shall be payable in respect of each such livestock buyer's licence the sum of P70 for an annual licence, and P52,50 for a licence issued after the 30th day of June in any year, and in respect of each such livestock buyer's agent's licence the sum of P50 for an annual licence, and P32,50 for a licence issued after the 30th day of June in any year.

(3) Every licence under this Part shall be issued subject to such conditions as the President may impose, and any such conditions shall be endorsed on the licence:

Provided that any endorsement restricting the area within which the purchase or acquisition of livestock may be effected shall not apply to any place appointed in terms of section 17 for the public sale of livestock.

(4) No livestock buyer's licence issued under this Part shall be transferable.

(5) No livestock buyer's licence shall be issued under this Part unless the person applying therefor has produced to the officer authorized to issue the same a certificate under the hand of the Registrar of Brands that the applicant has been registered under the provisions of the Branding of Cattle Act as the proprietor of a brand.

(6) The person to whom a livestock buyer's licence has been issued shall be entitled to nominate one agent or employee to purchase or otherwise acquire livestock on his behalf, and, if approved, he shall be issued with a livestock buyer's agent's licence on payment of the fee prescribed in subsection (2):

Provided that where the holder of a general trading licence is issued under this Part with a free livestock buyer's licence, any employee of such general trader may purchase or otherwise acquire livestock under the said free livestock buyer's licence on behalf of such general trader, at the licensed premises only.

(7) A livestock buyer's licence may be transferred with the approval of the authorized officer and provided the name of the transferee is substituted by the authorized officer for that already endorsed on the licence.

(8) The issue or renewal of any licence under this Part or the alteration of the endorsement on any such licence may be refused by the President or any officer authorized to issue licences, without any reason being given for such refusal.

## **7. Fees for permits**

(1) The President may make regulations prescribing the fees which may be charged on the issue of a Chief's or District Commissioner's permit for each head of livestock covered by such permit.

(2) Without prejudice to the generality of subsection (1), such regulations may prescribe-

- (a) different fees for different types of livestock; and
- (b) different fees for different tribal and non-tribal areas.

## **8. Deposit or security required on issue of livestock buyer's licence**

(1) Every applicant for a livestock buyer's licence under this Part shall, except as specially exempted under section 9, upon first obtaining a livestock buyer's licence, either deposit with the President or other authorized officer issuing the same the sum of P200 or find security to the like amount to the satisfaction of the President or other authorized officer, and shall fix a *domicilium citandi et executandi* within Botswana.

(2) Such deposit or other security shall remain and be kept up to the full value of P200 as long as the person making or finding the same continues to hold a livestock buyer's licence issued under this Part, and if such deposit or security shall at any time fall short of the said value and the holder of the livestock buyer's licence neglects or refuses to make up the deficiency, it shall be lawful for the President to cancel such licence.

(3) Any deposit or security made or found under this section may be taken in execution in whole or in part for the purpose of satisfying the judgment of any competent court within Botswana, whereby the person who made such deposit or found such security shall be required to pay-

- (a) any sum, whether by way of debt, damages, costs or otherwise, to any person resident within Botswana in respect of a transaction involving the purchase or acquisition of livestock in terms of section 4; or
- (b) any fine, compensation or award in respect of a contravention of any of the provisions of this Act.

(4) In case of cancellation of a livestock buyer's licence, or in case such a licence is not renewed upon the expiration thereof, the deposit or other security made or found in connection

therewith, in so far as the same has not been appropriated under subsection (3), shall, within three months after such cancellation or expiration, be delivered back by the President or other authorized officer upon due application being made therefor.

## **9. Free licences**

- (1) Licences under this Part may be issued free of charge to-
- (a) the holder of a fresh produce licence to purchase or otherwise acquire a specified number of livestock required for slaughter for the purpose of his business during the year;
  - (b) a farmer, on first acquiring and wishing to stock a farm, provided that the licence shall not authorize the purchase or acquisition of livestock which would exceed the maximum carrying capacity of the farm, as assessed by the Director of Veterinary Services;
  - (c) a farmer, for the purchase of 50 head of livestock per annum;
  - (d) the holder of a general trading licence to purchase or otherwise acquire livestock at his licensed store:

Provided that he may buy livestock at public sales, as defined in section 17, within the district in which his licensed store is situated;

- (e) such other person or class of persons, for such purposes and under such conditions as the Director of Veterinary Services may decide.

(2) Applications for free licences shall be submitted on the forms set out in the Schedule.

(3) Any person to whom a free licence is issued shall be exempted from the provisions of section 8.

## **10. Licences to be carried and produced**

Every person licensed under this Part to purchase or otherwise acquire livestock shall be required to carry his licence with him, and to produce it on request.

## **11. Touts**

(1) Any person who employs a tout and any person acting as a tout shall be guilty of an offence.

(2) For the purposes of this section a "tout" means any employee, other than an approved agent, who uses his influence to persuade prospective sellers to dispose of their cattle to his employer.

## **12. Returns**

(1) Every holder of a licence under this Part shall within 15 days after the end of each month render to the Director of Veterinary Services a return, in the form set out in the Schedule, showing all purchases, acquisitions, sales, exchange or other disposals of livestock; where no transactions are effected during the month a *nil* return shall be rendered, and any such holder who neglects or refuses to render such return or who renders a return which is false in any material particular shall be guilty of an offence:

Provided that the President may if he thinks fit, by order published in the *Gazette*, suspend or vary the operation of this subsection, and may, in his discretion, exempt certain licence holders from its requirements.

(2) A certificate under the hand of the Director of Veterinary Services or other officer authorized by him shall in any proceedings under this section be *prima facie* evidence of the facts stated therein, and it shall not be necessary to bring oral evidence of such facts unless the court before which such proceedings are heard specially directs, in which case a postponement may be allowed to enable the officer whose presence is required to attend.

### **13. All livestock to be branded after purchase or acquisition**

(1) It shall be the duty of every person licensed under this Part within 72 hours after purchasing or otherwise acquiring any livestock and before removal of such livestock from the place of purchase or acquisition, to affix to each animal purchased or otherwise acquired the brand of which he is the registered proprietor, and for the purposes of this section the expression "brand" shall have the meaning assigned to it in section 2 of the Branding of Cattle Act:

Provided that the President may exempt persons licensed under section 9(1)(e) from the requirements of this section, and from the requirements of section 6(5).

(2) Any person who fails to comply with any of the requirements of this section shall be guilty of an offence.

### **14. Sale, purchase or other disposal of hypothecated cattle**

(1) No person shall purchase or otherwise acquire any bull, ox, cow, heifer or calf upon which is imprinted any brand of the National Development Bank registered under section 13 of the Branding of Cattle Act or any AC brand as defined in section 2 of that Act, or any unweaned calf of any cow upon which is imprinted any such brand, unless such person-

- (a) is a buyer in terms of section 7 of the Agricultural Charges Act or section 6 of the Hypothecation Act; or
- (b) has obtained from the National Development Bank or the proprietor of the AC brand, as the case may require, written authority to make such purchase or acquisition on such conditions as may be specified in such authority.

(2) A person who sells or otherwise disposes of any bull, ox, cow, heifer or calf upon which none of the brands specified in subsection (1) is imprinted shall at the time of sale or disposal,

and if so requested by the purchaser or person to whom such animal is disposed of, give to such purchaser or person a certificate in such form as may be prescribed certifying that such animal is not the subject of a certificate of indebtedness under the Agricultural Charges Act or an hypothec under the Hypothecation Act.

#### **15. Offences**

Any person who, whether on his own behalf or on behalf of any other person, directly or indirectly purchases or otherwise acquires or sells or disposes of any livestock within Botswana in contravention of any of the provisions of this Part or in violation of the conditions of his licence shall be guilty of an offence.

#### **16. Onus on accused persons**

In any prosecution for an offence under this Part-

- (a) any livestock proved to have been purchased or otherwise acquired by any person within Botswana shall be deemed to have been purchased or acquired by such person in contravention of the provisions of this Part unless the contrary is proved by such accused person; and where any livestock proved to have been in the possession of an accused person or persons cannot be accounted for by such accused person or persons to the satisfaction of the court, such livestock may be deemed to have been disposed of illegally by such person or persons in contravention of section 5(2);
- (b) any person required by this Part to have a licence shall be deemed to be without such licence, unless he produces the same on demand to any administrative officer, veterinary officer, stock inspector or police officer or the court or gives other satisfactory proof of possessing the same.

#### **17. Public sales of livestock**

(1) It shall be lawful for the President to appoint places in Botswana where public sales of livestock may take place subject to such conditions as he may impose.

(2) Public sales of livestock may not be held within Botswana without the written approval of the President.

### **PART III**

#### ***Export of Livestock (ss 18-22)***

#### **18. Export by registered exporters and registered producers only on export permit**

No person shall export or cause or permit to be exported from Botswana any livestock unless he is the holder of a current certificate that he is a registered exporter or a registered producer, and is in possession of an export permit issued by the Director of Veterinary Services or an officer authorized by him, subject to such conditions as the President may deem necessary.



## **19. Restriction on export of breeding stock**

No person shall export from Botswana any male or female horned cattle, sheep, goats, horses, donkeys or pigs suitable for breeding except under authority of a permit issued by the Director of Veterinary Services or an officer authorized by him.

## **20. Application for registration as exporter or producer**

(1) Any person, corporation or association shown on the Government Stock Registers to be in possession of a minimum of 10 head of cattle suitable for export or of 20 head of female breeding cattle or who is the holder of a licence issued under Part II may make application to be registered as an exporter.

(2) He shall give such information concerning his livestock as may be deemed necessary by the Director of Veterinary Services, and the Director of Veterinary Services or any officer authorized by him may issue to such applicant a certificate that he is a registered exporter.

(3) Any person who combines the business of breeding, rearing and maturing cattle for export may make application to be registered as a producer.

(4) He shall give such information concerning his livestock as may be deemed necessary by the Director of Veterinary Services, and the Director of Veterinary Services or any officer authorized by him may issue to such applicant a certificate that he is a registered producer.

(5) Certificates issued under this section shall expire on the 31st day of December next following the date of issue.

## **21. Information to be furnished on demand**

Every person shall, on demand by the Director of Veterinary Services or any officer authorized by him, give such information concerning the livestock in his possession or which has been in his possession as may be deemed necessary by the Director of Veterinary Services.

## **22. Offences**

(1) Any person who exports any livestock in contravention of any of the provisions of this Part shall be guilty of an offence.

(2) Any person who gives false information to the Director of Veterinary Services or his authorized officer shall be guilty of an offence.

### **PART IV**

#### ***Levy on Cattle Exported (ss 23-28)***

## **23. Levy on cattle exported**

(1) Upon every head of cattle exported from Botswana to the Johannesburg quarantine market or for realization on the Johannesburg quarantine market or any such other market as

may, by order published in the *Gazette*, be specified by the President there shall be imposed a levy of 50 thebe or such other sum as the President may from time to time by notice in the *Gazette* determine.

(2) Notwithstanding the provisions of subsection (1) any person who holds a current certificate issued under Part III that he is a registered producer shall be entitled to a refund of the levy paid by him on any number of cattle bred, reared and matured by him, not exceeding 50 in each calendar year, equivalent to half the number of his female breeding cattle at the commencement of such calendar year.

#### **24. Manner of payment**

The levy imposed by section 23 shall be payable to any administrative officer, veterinary officer, stock inspector, police officer or any other person authorized in writing by the President to receive such levy, and such officer or other person shall give his receipt for the same; the production of which receipt at the port of exit shall be full and sufficient proof of payment of the levy on the said cattle.

#### **25. Cattle export levy fund**

(1) The moneys derived from the levy on cattle exported under the Cattle Export Tax Act, shall be paid into a Fund to be established by the President and shall be used for the general benefit of the livestock industry in Botswana.

(2) Any surplus moneys in such Fund may be invested on such terms and conditions as the President may decide.

(3) The President shall appoint an Advisory Committee to advise him on all matters affecting the Fund, its investment and disbursement.

#### **26. Offence to export without having paid levy**

Any person not being a registered producer exporting under the provisions of section 23 who exports or attempts to export any cattle from Botswana for realization on the Johannesburg quarantine market or other specified market without having first paid thereon the levy imposed by section 23 shall be guilty of an offence.

#### **27. Sufficiency of proof of non-payment of levy**

In any prosecution for exporting or attempting to export any cattle without having first paid the levy imposed by section 23, proof that the accused person or any agent of the accused person who had charge of the cattle at the time of exportation or attempted exportation failed, on demand made by any member of the police force or by any of the officers or persons mentioned in section 24 to produce the receipt for such levy, shall be sufficient evidence that such levy has not been paid, unless the contrary is proved.

#### **28. Suspension of levy**

The President may by order suspend the operation of this Part, and may by similar order revoke any such suspending order and declare that this Part shall again have force and take effect:

Provided that any such suspension shall not affect the validity of any act done or any proceedings pending at the date of such order or the recovery of any levy or penalty payable at such date.

## **PART V**

### ***Exports of the Products of the Slaughtering of Livestock and the Licensing, etc., of Export Slaughter Houses (ss 29-31)***

#### **29. Export of meat to be from export slaughter house or under permit**

(1) No person shall export or cause or permit to be exported from Botswana any meat or other product (excluding any hide or skin) of the slaughtering of livestock unless-

- (a) the meat or product is derived from livestock slaughtered at an export slaughter house and the exportation takes place directly from that export slaughter house; or
- (b) the Director of Veterinary Services has given permission in writing therefor.

(2) No person shall carry on the business of slaughtering livestock for export otherwise than at an export slaughter house.

(3) The President on application and at his discretion may licence any slaughter house as an export slaughter house and at his discretion at any time may revoke a licence so granted, and shall not be obliged to assign any reason for refusing to grant or revoking of any such licence.

(4) In considering any application for the grant of a licence in terms of subsection (3), the President shall have regard *inter alia* to whether the slaughter house, together with any place used in connection therewith for keeping or subjecting products of the slaughtering of livestock to any treatment or process, has been constructed or adapted in conformity with the provisions of any relevant law for the time being in force in Botswana or with any conditions attached to the President's consent to construct or adapt the slaughter house given under section 31(2) and may cause the slaughter house together with any place as aforesaid to be inspected by an officer of the public service of Botswana for the purpose of ascertaining its suitability as an export slaughter house.

(5) Any person who wilfully contravenes any of the provisions of subsection (1) or (2) shall be guilty of an offence and liable to a fine not exceeding P1000, or to imprisonment for a term not exceeding two years, or to both.

#### **30. Supplying livestock to an export slaughter house**

(1) No person shall supply any livestock to an export slaughter house unless-

- (a) he is registered as an export slaughter house supplier in terms of subsection (3); and
- (b) he has received a quota allocation from the Director of Veterinary Services authorizing him to supply livestock to the particular export slaughter house in question.

(2) No person registered under subsection (3) shall supply any livestock to an export slaughter house otherwise than in accordance with the terms of his quota.

(3) Any person qualified, in terms of section 20(1) or (2), to be registered as an exporter or producer, may make application to the Director of Veterinary Services to be registered as an export slaughter house supplier and the Director of Veterinary Services if satisfied as to that qualification shall register the applicant accordingly and shall issue him with a certificate to that effect.

(4) The Director of Veterinary Services may at any time cancel the registration of an export slaughter house supplier who in his opinion is no longer qualified to be registered, and the President, by order published in the *Gazette*, may at any time order the cancellation of all registrations for the purpose of requiring fresh applications for registration to be made.

(5) Any person who wilfully contravenes any of the provisions of this section shall be guilty of an offence and liable on conviction to a fine not exceeding P100, or to imprisonment for a term not exceeding three months, or to both.

(6) Any person who wilfully gives or causes to be supplied to the Director of Veterinary Services any false information in connection with an application for registration as an export slaughter house supplier in terms of this section shall be guilty of an offence and liable to a fine not exceeding P200, or to imprisonment for a term not exceeding six months, or to both.

### **31. Construction of slaughter house capable of use for the export trade**

(1) For the purposes of this section a slaughter house which, together with any place used in connection therewith for keeping or subjecting products of the slaughtering of livestock to any treatment or process, has a total floor space exceeding 92 m<sup>2</sup>, shall be deemed to be a slaughter house capable of use for the export trade.

(2) No person shall construct or adapt any building or premises as a slaughter house capable of use for the export trade except in accordance with the prior written consent of the President and in accordance with such terms and conditions as the President may deem fit to impose.

(3) Where an application is made for the construction of slaughter houses-

- (a) the President, in considering any application for the grant of his consent in terms of subsection (2) may require the applicant to produce to the President such site plans, construction plans, and specifications relating to the proposed slaughter house as he may prescribe;

- (b) a person engaged in the construction or adaptation of a slaughter house capable of use for the export trade shall furnish the District Commissioner with not less than 24 hours' notice, in writing-
- (i) of the date and time at which operations will be commenced; and
  - (ii) before the covering up of any drain, private sewer, concrete or other material laid over a site, foundation, or damp-proof course,

and if such person neglects or refuses to give any such notice, he shall comply with any notice, in writing, of the President requiring him within a reasonable time to cut into, lay open or pull down so much of the slaughter house, its works or fittings as prevents the President from ascertaining whether any of the conditions attached to his consent given under subsection (2) have been observed; and

- (c) a person engaged in the construction or adaptation of a slaughter house capable of use for the export trade shall permit any officer of the public service authorized in writing for such purpose by the President to enter upon and inspect operations at all reasonable times and to take such samples of the materials to be used in the construction or adaptation or in the installation of fittings as may be necessary in order to ascertain whether the conditions attached to the President's consent given under subsection (2) are being observed.

(4) Any person who contravenes the provisions of subsection (2) shall be guilty of an offence and liable to a fine not exceeding P1000 or to imprisonment for a term not exceeding two years, or to both.

(5) In any prosecution under this section the onus of proving that a building or premises in course of construction or adaptation is not being constructed or adapted as a slaughter house capable of use for the export trade shall be upon the accused.

## **PART VI**

### ***General (ss 32-34)***

#### **32. Refusal of removal permits or the imposition of conditions**

When the President deems it necessary in the interest of the control of the livestock industry to do so, he may direct the refusal of, or the imposition of conditions on the issue of, any permit for the removal of livestock issued under the Diseases of Animals Act for reasons other than for the prevention of disease of livestock.

#### **33. Power to make regulations**

(1) The President may, by statutory instrument, make regulations respecting the issue of licences for the purchase or acquisition of livestock, the sale or disposal of livestock, the export of livestock and the imposition of any levy thereon, and the payment of any bounty, premium or subsidy on livestock exported to the United Kingdom or other market, and generally for the

better carrying out of the provisions of this Act.

(2) Regulations made under this section may amend the Schedule to this Act.

### **34. Penalties**

(1) Any person who contravenes or commits an offence under section 10, 11, 12, 16, 22(2) or 26, or who fails to comply with the requirements of section 21 shall be liable to a fine not exceeding P50, or, in default of payment, to imprisonment for a term not exceeding three months, or to both.

(2) Any person who contravenes or commits an offence under section 15, or who contravenes or fails to comply with any of the provisions of this Act in respect of which no penalty is otherwise provided, shall be liable to a fine not exceeding P500 or to imprisonment for a term not exceeding two years, or to both.

(3) Any person who commits an offence under section 15 or 22(1) shall, in addition to any other penalty, be liable to suffer cancellation of his licence.

## **PART VII**

### ***Purchase of Livestock Produce (ss 35-39)***

### **35. Licence to purchase or acquire produce for the purpose of trade**

(1) In this section "livestock produce" means bones, ostrich feathers, horns, riems, biltong, hair, hippo strips, animal fats, strops, poultry (including domestic fowls, ducks, geese, pigeons and turkeys) and the eggs thereof.

(2) No person shall, by himself or through any other person, purchase or otherwise acquire for the purpose of trade any livestock produce within Botswana unless he is in the possession of a licence, issued by the District Commissioner of the district in which such person desires to operate, authorizing him to do so:

Provided that-

- (i) except with the prior approval of the President, no licence under this subsection shall be issued to any person not domiciled in Botswana;
- (ii) no licence under this subsection shall be issued to any person authorizing him to purchase or otherwise acquire livestock produce within a tribal area, except from a general trader, without the prior written permission of the Chief of such tribal area, and such permission shall be endorsed by the District Commissioner upon the licence.

(3) This section shall not apply to-

- (a) any person who is the holder of a general trading licence in respect of any transaction at his licensed place of business;
- (b) any butcher who is the holder of a fresh produce licence in respect of any transaction

relating to poultry (including domestic fowls, ducks, geese, pigeons and turkeys) and the eggs thereof, or sheep, goats and pigs required for his butchery:

Provided that in districts other than the district in which his butchery is situated, he shall first obtain the written permission of the District Commissioner of the district concerned;

- (c) any farmer who purchases or otherwise acquires livestock produce for the purpose of farming operations *bona fide* conducted by him within Botswana:

Provided that in districts other than the district in which his farm is situated, he shall first obtain the written permission of the District Commissioner of the district concerned;

- (d) any person subject to a Botswana customary law and is domiciled in Botswana who purchases livestock produce for disposal to any other such person so domiciled;
- (e) such other person or class of persons for such purposes, and under such conditions, as the Director of Veterinary Services may direct.

### **36. Extension of licence**

Any person having obtained a licence under section 35(2) who wishes to operate in any district other than that in which his licence was issued shall first obtain the permission of the District Commissioner of such other district, and such permission shall be endorsed by the District Commissioner upon the licence.

### **37. Endorsement of conditions on licences**

The District Commissioner may cause to be endorsed on licences issued under this Part any conditions which he may consider necessary, and any condition so endorsed shall be deemed to be a condition of the licence.

### **38. Licence fees**

There shall be paid for such licence, by a person domiciled in Botswana, the sum of P6 in respect of each calendar year or P3 in respect of a licence taken out after the 30th day of June in any one year, and by a person not domiciled in Botswana, the sum of P6 for three months or any lesser period.

### **39. Penalties and onus of proof**

(1) Any person who contravenes any provision of section 35 or who fails to comply with any provision of section 36 or who contravenes or fails to comply with any condition endorsed on his licence under section 37 shall be guilty of an offence and liable to a fine not exceeding P100 or to imprisonment for a term not exceeding six months, and if he is the holder of a licence under this Part the court may, in addition to or in lieu of any other penalty, order the

cancellation of such licence.

(2) In any prosecution under this section the onus of proving that any purchase or other acquisition of livestock produce was effected not for the purpose of trade but for private use shall be upon the accused.

## **SCHEDULE**

### **APPLICATION FOR FREE LICENCE BY A BUTCHER**

I certify that I am the holder of Fresh Produce Licence No. .... issued in the ..... District. I hereby apply for a free licence to purchase or acquire the following livestock for slaughter and sale as meat etc., within Botswana:

.....  
.....

### **APPLICATION FOR FREE LICENCE BY A HAWKER**

I certify that I am the holder of Hawker's Licence No. .... issued in the ..... District. I hereby apply for a free licence to purchase or acquire the following livestock for the period permitted by my licence within the area or areas specified below:

### **APPLICATION FOR A FREE LICENCE BY A FARMER**

I certify that I am farming at ..... in the ..... District. I hereby apply for a free licence to purchase or acquire within the District or Districts set out below the following livestock for the purposes stated:

<i>Cattle</i>	<i>No.</i>	<i>Purpose</i>	<i>District or Districts in which livestock to be acquired</i>
Breeding stock .....			
Tollies and Weaners .....			
Treks .....			
Stores .....			
Feeders .....			
Slaughter .....			
cattle			



**APPLICATION FOR A FREE LICENCE BY A GENERAL TRADER**

I certify that I am the holder of General Trading Licence No. .... issued in the ..... District. I hereby apply for a free licence to purchase or acquire livestock for the currency of the above licence within the ..... District in which my business premises are situated and in the following District or Districts for the reasons stated below:

.....  
.....

**RETURN OF STOCK PURCHASES, SALES, ETC. UNDER SECTION 12**

I hereby notify that during the month of ..... the following purchases, acquisitions, sales, exchanges or other disposals of stock were effected by me or on my behalf:

<i>Date</i>	<i>Place</i>	<i>Species No.</i>	<i>Sold to or exchanged with</i>	<i>Purchased or acquired from</i>	<i>Permit No</i>
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When transactions with persons subject to any Botswana customary law are recorded the Chief's or District Commissioner's permit number must be recorded.