

CHAPTER 22:05
ESSENTIAL SUPPLIES AND SERVICES

ARRANGEMENT OF SECTIONS

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Act 22, 1973.

An Act to empower the President to make regulations to provide for the control and maintenance of essential supplies and services.

[Date of Commencement: 23rd November, 1973]

1. Short title

This Act may be cited as the Essential Supplies and Services Act.

2. Interpretation

In this Act, unless the context otherwise requires-

"essential supplies and services" means such supplies and services as are, in the opinion of the President, essential to the life and well-being of the community.

3. Regulations

(1) If at any time it appears to the President that any supplies and services essential to the life and well-being of the community are in jeopardy he may make such regulations as to him appear to be necessary or expedient for the control and maintenance of such supplies and services.

(2) Without prejudice to the generality of subsection (1), regulations made thereunder may-

- (a) make provision for the control or rationing of such supplies or the maintenance of such services and their availability at fair prices;
- (b) restrict or prohibit the sale, distribution or use of any essential supplies or the provision of any services;
- (c) regulate, restrict or prohibit the use of any motor vehicle, motor boat, aircraft, plant, equipment or appliance;
- (d) apply to any area within or to the whole of Botswana;

- (e) apply to all persons, to any group of persons or to individual persons;
- (f) provide for the apprehension, trial and punishment of any person offending against the regulations;
- (g) empower such authorities or persons as may be specified in the regulations to exercise such control and authority as may be so specified;
- (h) provide for charging in respect of the grant or issue of any licence, permit, certificate or other document for the purposes of the regulations, such fee as may be prescribed by or under the regulations.

4. Penalties

Regulations made under section 3 may provide in respect of any contravention thereof or failure to comply therewith that the offender shall be liable to a fine not exceeding P2000 or to imprisonment for a term not exceeding one year, or to both.

5. Repugnancy with other written laws

Regulations made under section 3 shall have effect notwithstanding anything inconsistent therewith contained in any other written law; and any provision of any other written law which may be inconsistent with any regulation made under section 3 shall, to the extent of such inconsistency, have no effect so long as such regulation remains in force.

6. Proof of documents

Every document purporting to be an instrument made or issued by the President or other authority in pursuance of this Act or of any regulation made under section 3, and to be signed by the President or such other authority or person, shall be received in evidence and shall, until the contrary is proved, be deemed to be an instrument made or issued by the President or that authority or person.