

CHAPTER 17:02 - CENSUS: SUBSIDIARY LEGISLATION
INDEX TO SUBSIDIARY LEGISLATION

Census Regulations

CENSUS REGULATIONS

(under section 11)

(24th May, 1991)

ARRANGEMENT OF REGULATIONS

REGULATION

1. Citation
2. Duties of census officers
3. Duty of persons enumerated to give information concerning other members of household
4. Persons who may be required to give information
5. Schedule prescribed
6. Offences

Schedule - Information to be Obtained by Census Officer in respect of any Person

S.I. 63, 1991,
S.I. 29, 2001.

1. Citation

These Regulations may be cited as the Census Regulations.

2. Duties of census officers

The duties of officers appointed to be census officers shall be-

- (a) to enumerate persons within Botswana during the period the census is to be taken at such times, other than the periods between 10 p.m. and 6 a.m, and at such places as may be expedient;
- (b) to ask such questions of any persons so enumerated as may be necessary in order to obtain, in respect of that person and, where expedient, in respect of any other person such as is referred to in regulation 4, the information specified in the Schedule hereto; and
- (c) to map inhabited areas of Botswana and to include in the maps, among other things, all arable land and cattle post areas.

3. Duty of persons to give information concerning other members of household

Every person questioned by a census officer in or within the precincts of any house or dwelling shall, if so required by such census officer-

- (a) give to the best of his knowledge and belief the information referred to in the Schedule in respect of any member of the household who is absent from the house or other dwelling at the time of such questioning;
- (b) give such information as he may possess as to how long any member of the household who is absent from Botswana has been so absent; and
- (c) give to the best of his knowledge and belief, the information referred to in the Schedule in respect of any other person who spent the preceding night at the house or other dwelling.

4. Persons who may be required to give information

A census officer may require any person who has attained the age or apparent age of 12 years to give any information required by or under these Regulations.

5. Forms to be used

Forms to be used for purposes of section 6, 7 and 9 of the Act shall be such forms as may be approved therefor by the Minister.

6. Offences

(1) Any person who, without reasonable cause-

- (a) fails to give any information which he is required by or under these Regulations to give;
- (b) for purposes of the census, gives to any census officer any information which he knows to be false or does not believe to be true; or
- (c) wilfully hinders or obstructs any census officer in the exercise of the powers or the performance of the duties conferred or imposed on him by the Act or these Regulations,

shall be guilty of an offence and liable to a fine of P500 and to imprisonment for 6 months.

(2) In any proceedings for an offence under subregulation (1), the court shall presume that the accused person acted without reasonable cause unless the contrary is proved.

SCHEDULE **INFORMATION TO BE OBTAINED BY CENSUS OFFICER IN RESPECT OF ANY PERSON***(reg. 2(b))*

Name
Serial number
Relationship to the head of the household
Sex
Age
Citizenship
Place of birth
Place of usual residence
Parental survival
Language
Religion
Education
Training (institutions of higher learning or trade schools)
Marital status
Economic activity
Employment status
Occupation
Industry
Number of children alive
Births 12 months prior to census
Number of children who have died
Household member outside Botswana
Any disability of member of household
Death in the household 12 months prior to the census
Ownership of livestock
Agricultural activity and ownership of agricultural land
Source of household income
Type of housing unit
Method of acquisition of housing unit
Duration of occupation of housing unit
Number of rooms in housing unit
Material of construction of housing unit
Water supply to the household
Type of toilet facility of the household
Energy source for lighting, heating and cooking
Refuse disposal
Ownership of durable goods
Home-based care

CHAPTER 21:07 - CONTROL OF SECURITY GUARD SERVICES: SUBSIDIARY LEGISLATION

INDEX TO SUBSIDIARY LEGISLATION

Control of Security Guard Services Regulations
Reservation of Security Guard Services for Citizens Order

CONTROL OF SECURITY GUARD SERVICES REGULATIONS

(under section 20(1))

(4th May, 1990)

ARRANGEMENT OF REGULATIONS

REGULATION

1. Citation
2. Application for licence
3. Issue of licence
4. Period of validity of licence
5. Renewal of licence
6. Restriction on transfer of licence
7. Display of licence
8. Maintenance of records and annual returns
9. Inspection of records
10. Display of identity cards
11. Employment of security guards with convictions
12. Control of advertisements
13. Cancellation and surrender of licences
14. Appeals
15. Fees
16. Offences and penalties

Schedule - Forms

S.I. 31, 1990.

1. Citation

These Regulations may be cited as the Control of Security Guard Services Regulations.

2. Application for licence

(1) An application for a security guard licence shall be made to the Controller in a form that may be prescribed and shall contain all the information specified in section 5 of the Act.

(2) An applicant or his representative shall, if requested by the Controller to do so, furnish in writing any further information that the Controller may require, or, where the Controller seeks to interview him or his representative, attend such interview.

3. Issue of licence

(1) The Controller shall, after consideration of an application made under regulation 2, issue the applicant with a licence upon payment by the applicant of the fee prescribed in regulation 15.

(2) The Controller shall, in writing inform the applicant of his decision regarding his application for a licence in a manner that may conform in substantial detail to a form that may be prescribed.

4. Period of validity of licence

A licence issued under these Regulations shall, unless previously cancelled or surrendered, be valid for 12 months from the date on which it was issued.

5. Renewal of licence

(1) A licence may, upon its expiry, be renewed by application to the Controller in a form that may be prescribed, and every such application shall be accompanied by the fee prescribed in regulation 15.

(2) Every application for the renewal of a licence shall be made not later than 2 months before the licence expires.

(3) The Controller shall, in writing, inform the applicant of his decision regarding his application for renewal of a licence in a form that may be prescribed.

6. Restriction on transfer of licence

No person who has been issued with a licence shall transfer such licence to any other person without first obtaining the written consent of the Controller.

7. Display of licence

Every licensee shall display his licence in a conspicuous place in his business premises.

8. Maintenance of records and annual returns

(1) Every licensee shall maintain a record of names of his employees, dates of their employment, dates of termination of their services and the reasons for such termination.

(2) Every licensee shall submit to the Controller not later than 60 days after the end of the calendar year in which his licence was issued or renewed, an annual return in respect of his employees giving the number and names of his employees, and the names of employees dismissed from his employ.

9. Inspection of records

Every licensee shall make available for inspection by the Controller or a police officer upon demand his licence or any record in respect of his employees.

10. Display of identity cards

(1) Every licensee shall ensure that whenever a security guard is on duty such security guard displays on his person an identity card which shall be in a form that may be prescribed.

(2) It shall be an offence for a security guard not to display his identity card on his person whenever he is on duty.

(3) Any person who contravenes the provisions of subregulation (2) of this regulation shall be guilty of an offence and liable to a fine of P50 or to imprisonment for 3 months in default of payment.

11. Employment of security guards with convictions

No licensee shall employ (from within or outside Botswana) as a security guard any person who has been convicted of an offence involving moral turpitude or against whom criminal proceedings are pending.

12. Control of advertisements

(1) No licensee shall display or cause to be displayed any advertisement which is indecent or in any way objectionable, or which does not relate to the services which he offers or renders.

(2) Any person who contravenes the provisions of this regulation shall be guilty of an offence and shall be liable to a fine of P50 or to imprisonment for 3 months in default of payment.

13. Cancellation and surrender of licences

(1) Where the Controller has decided to cancel or suspend a licence in accordance with section 11 of the Act the licensee shall surrender such licence for endorsement or cancellation or suspension as the case may be to the Controller, within the period specified by the Controller.

(2) The Controller shall give his decision to cancel or suspend a licence in a form that may be prescribed.

14. Appeals

Any person aggrieved by the decision of the Controller not to issue him with a licence or renew his licence may appeal to the Minister.

15. Fees

The following fees shall be payable to the Controller:-

- (a) P300 in respect of an application for the issue of a licence;
- (b) P200 in respect of an application for renewal of a licence;

(c) P100 in respect of an appeal to the Minister against the decision of the Controller.

16. Offences and penalties

Any person who contravenes any provision of these Regulations, for which no other penalty is prescribed, shall be guilty of an offence and liable on conviction to a fine of P1 000 or to imprisonment for 6 months in default of payment.

SCHEDULE
Form A
APPLICATION FOR LICENCE/RENEWAL OF LICENCE
(Regulation 2)

1. Applicant
(in block capitals)

2. Address of Applicant.....
.....
.....

3. Directors of Applicant:

Name	Address	Nationality
1.		
2.		
3.		
4.		

Beneficial share holders of the applicant			
Name	Address	Nationality	No. of Shares held
1.			
2.			
3.			
4.			

4. If this is your first application please answer the questions that follow, if not, give the number of your licence and the date of last renewal

5. Has any application for a licence made by you ever been rejected, cancelled or surrendered? If so please give full details

6. Number of persons presently in your employ

7. Location of security guard service

Plot No. Town

Street Name Submitted by

Signature

Date: in my capacity as

Form B
SECURITY GUARD SERVICE LICENCE
(Regulation 3)

(NAME OF LICENSEE) is hereby licensed to engage in or carry on the business of providing security guards and to advertise himself as a person engaged in or carrying on such business, subject to the following conditions:

2.
.....

- 3.
- 4.
- 5.

Date of issue
 Fee paid
 Receipt Number

Name:

.....
Signature

Form C
STATUTORY DECLARATION BY APPLICANT/DIRECTOR/SHARE HOLDERS
(CONFIDENTIAL)

(Regulation 2)

- 1. Full Name of applicant/ Director/Shareholders
 (Name in block capitals)
- 2. Address
- 3. Capacity of applicant in security guard service
 (whether proprietor, partner, director, etc.)
- 4. Name of security guard service of which you are proprietor, shareholder, partner, director, etc.
- 5. Have you ever been convicted of any offence? If yes, please give the following details:
 - (a) Nature of offence with which you were charged
 - (b) Nature of sentence
 (whether fine or imprisonment)
 - (c) If fine, please specify the amount, if imprisoned, please specify length of term
 - (d) Country in which you were convicted
 - (e) Date of conviction

- 6. Are there any criminal proceedings pending against you? If yes, please give the following details:
 - (a) Nature of offence with which you are charged
 - (b) Date charged
 - (c) Country in which the proceedings are pending

I swear that this declaration was made in good faith and that the contents thereof are to the best of my knowledge, true and correct. I am aware of the consequences of making a false statement; and that this information may be used in evidence in legal proceedings against me.

Date

.....
 Signature or thumb print

Thus signed and sworn before me this day of 20.....

.....
Commissioner of Oaths

Form D

NOTICE OF REFUSAL TO ISSUE/RENEW LICENCE

(Regulations 3 and 5)

TO:
(Name of applicant)

Address of applicant
.....
.....

Your application for a security guard licence/renewal of a security guard licence is hereby refused on the following grounds:

.....
.....
.....
.....

You may, within 30 days of being served with this notice, lodge with the Minister a written notice of appeal setting out the grounds thereof and the submissions made in relation thereto, and shall, at the same time, lodge a copy of such appeal with me.

Date

Name

Signature.....

Controller of Security Guard Services

Form E

NOTICE OF SUSPENSION/CANCELLATION OF LICENCE

(Regulation 13)

TO:
.....

(Name of applicant)

Address of applicant
.....
.....

Your security guard licence is hereby suspended/cancelled with effect from on (date) the following grounds:

.....
.....
.....
.....

Date

Name

Signature

Controller of Security Guard Services

Form F

IDENTITY CARD

(Regulation 10)

Emblem of Security
Guard Service

Name of Employer:

Identity No.

Name of holder

Address of holder

.....

Photograph
of
holder



Signature

The holder of this Card is an employee of

.....
Date

.....
Name of Employer

Signature

RESERVATION OF SECURITY GUARD SERVICES FOR CITIZENS ORDER

(under section 21)

(24th July, 1998)

ARRANGEMENT OF PARAGRAPHS

PARAGRAPHS

1. Citation
2. Reservation of security guard services

S.I. 58, 1998.

1. Citation

This Order may be cited as the Reservation of Security Guard Services for Citizens Order.

2. Reservation of security guard services

Only persons who are citizens of Botswana or companies which are wholly owned by citizens of Botswana shall be issued with licences in terms of the provisions of the Control of Security Guard Services Act.