

CHAPTER 36:06 - MATIMELA: SUBSIDIARY LEGISLATION
INDEX TO SUBSIDIARY LEGISLATION

Matimela Regulations

Matimela (Variation of Period of Sale) Order

MATIMELA REGULATIONS

(under section 24)

(15th August, 1969)

ARRANGEMENT OF REGULATIONS

REGULATIONS

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First Schedule - Forms

Second Schedule - Matmela Brands to be Used in District Council Areas

S.I. 70, 1969,
S.I. 115, 1977,
Act 20, 2004,
S.I. 72, 2004,
S.I. 86, 2004.

1. Citation

These Regulations may be cited as the Matimela Regulations.

2. Driving fees

The rate at which a person delivering matimela to a matimela kraal shall be entitled for the purposes of section 7 of the Act to receive a driving fee shall be P10 per day for one animal and P3 per day for every additional animal.

3. All matimela to be delivered at one time

Any person having matimela in his possession, unless he delivers such matimela to a person collecting the same in terms of section 5 of the Act, shall deliver all such matimela to the nearest matimela officer at one and the same time.

4. Declaration to be made by person delivering matimela

(1) Any person, other than a person employed under the provisions of section 5 of the Act, who delivers matimela at a matimela kraal shall make and sign before the matimela officer a declaration in Form A set out in the First Schedule stating-

- (a) that the animals are in truth matimela;
- (b) where they were found;
- (c) that the animals delivered are to be matimela in his possession; and
- (d) how long he has taken to drive the matimela to the matimela kraal.

(2) Where the declarant is unable to fill the declaration form himself, the matimela officer shall fill it in on his behalf, and the declarant shall then sign it with his name or his mark.

5. False declaration an offence

Any person who contravenes regulation 3 or who makes a declaration for the purposes of regulation 4 which is wilfully or negligently false in any material particular shall be guilty of an offence and liable to a fine not exceeding P500 or to imprisonment for a term not exceeding six months, or to both.

6. Manner of claiming animals from matimela kraal

The owner of an animal placed in a matimela kraal may claim such animal on the production of his identity card and brand certificate or upon presentation of other proof.

(2) If upon proof of ownership of a matimela by the person who claims to be the owner of a matimela, a matimela officer is satisfied that such person is the owner of a matimela, he shall release the matimela to that person.

7. Fees to be paid by owner on claiming animal

(1) The fees on payment of which the owner of an animal placed in a matimela kraal may claim such an animal shall be-

	<i>Handling per head per day</i>		<i>Sustenance per head per day</i>	
	P	t	P	t
Cattle	1	00	1	50
Other animals	0	50	1	00

(2) The fees prescribed in subregulation (1) shall be payable irrespective of whether the matimela were placed in the matimela kraal by a person employed by a council in terms of section 5 of the Act.

8. Form of notice of sale and manner of publication

(1) A notice advertising the sale of matimela shall be in Form B set out in the First Schedule and shall be published once in a newspaper circulating in Botswana not more than 28 days and not less than 14 days before the advertised date of sale.

(2) A notice specifying the type and breed, colour, sex, apparent age or size, brand, earmark, deformity and any other distinguishing feature likely to aid in the identification of every animal to be sold shall be in Form C set out in the First Schedule and shall be posted on a notice board prominently open to public inspection at the offices of the council directing the sale and be despatched not less than 28 days before the advertised date of sale to the secretary of every other council for the purpose of being posted on a notice board prominently open to public inspection at the offices of such council.

(3) On receipt of a notice mentioned in subregulation (2) every such secretary shall forthwith cause it to be posted as aforementioned for a period up to and including the advertised date of sale.

9. Form of brand to be used in marking matimela

(1) When a matimela officer causes any matimela to be marked by means of a brand under the provisions of section 15(1) of the Act the form of brand to be used shall in each council area be the brand specified for that area in the Second Schedule.

(2) When an animal which has been branded as aforesaid is claimed under the provisions of section 10 of the Act or sold under the provisions of section 11 of the Act, such brand shall be cancelled by the matimela officer by reversing the branding iron and branding over such brand.

10. Management and care of matimela

(1) The matimela officer shall allow the matimela under his custody time to graze between 7.30 a.m. and 5.00 p.m.

(2) The matimela officer shall ensure that the matimela receive, on a regular basis, such veterinary services as he may consider necessary.

FIRST SCHEDULE

FORMS
Form A
DECLARATION BY PERSON DELIVERING MATIMELA
MATIMELA ACT
MATIMELA REGULATIONS
(regulation 4)

I,
of

do hereby declare-

- (a) that the following animals delivered by me this day at the
matimela kraal, namely (specify)
-
are all in truth matimela;
- (b) that they were from (specify place or places)
-
- (c) that the animals mentioned above are all the matimela that I have in my possession;
- (d) that I have takento drive the above matimela to the
matimela kraal.

Signed
Before me this day of 20

.....
Matimela Officer
.....
(Specify name of Matimela Kraal)

Form B
NOTICE OF SALE OF MATIMELA
MATIMELA ACT
MATIMELA REGULATIONS
(Section 11 and Regulation 8)

Notice is hereby given that at (specify time) on
(specify date) at (specify place) at the direction of the
District Council I shall sell (specify number of head)
matimela by (specify whether by public auction or to the
Botswana Meat Commission or in what other manner the matimela is to be sold).

2. A notice giving particulars of the individual animals included in the sale is displayed at the
Council's offices at

Copies of such notice have been sent to all District Councils for public display.

.....
Matimela Officer
.....
(Specify name of Matimela Kraal)
Date

Form C
PARTICULARS OF THE MATIMELA TO BE SOLD
MATIMELA ACT
MATIMELA REGULATIONS
(Section 11 and Regulation 8)

At (specify time) on (specify
date) at (specify place) at the direction of the
District Council I shall sell by (specify whether by
public auction or to the Botswana Meat Commission or in what other
manner the matimela is to be sold) (specify
number of head) matimela consisting of

(specify in relating to each animal its type and breed, colour, sex, apparent age or size, brand, earmark, deformity and any other distinguishing feature likely to aid in its identification).

.....
Matimela Officer

.....
(Specify name of Matimela Kraal)

Matimela Officer

Date

SECOND SCHEDULE **MATIMELA BRANDS TO BE USED IN DISTRICT COUNCIL AREAS**

(regulation 9)

Kgatlang District Council	2 D C
Southern District Council	3 D C
Ghanzi District Council	4 D C
North West District Council	5 D C
North East District Council	6 D C
Kgalagadi District Council	7 D C
South East District Council	8 D C
Kweneng District Council	9 D C
Central District Council	C D 3

MATIMELA (VARIATION OF PERIOD OF SALE) ORDER

(under section 23)

(23rd December, 2005)

S.I. 85, 2005.

1. Citation

This Order may be cited as the Matimela (Variation of Period of Sale) Order.

2. Variation of period of sale

The period within which any animal may be sold in the North East District Council area, under section 11 of the Act is varied to a period within three months from the date on which the animal was placed in a matimela kraal, or within three months from the date on which it is deemed to have been abandoned.