

AQUATIC WEEDS (CONTROL) REGULATIONS

S.I. 12, 1974.

(Under section 7)

ARRANGEMENT OF REGULATIONS

REGULATION

1. Citation
2. Interpretation
3. Entry of boats etc. by road
4. Entry of boats etc. by rail
5. Entry of boats etc. by air
6. Inspection by Customs officers
7. Movement of boats etc. from surface water
8. Movement of boats ect. from infested waters
9. Certificate to be produced on demand by authorized officer
10. Fees
11. Penalties

First Schedule
 Second Schedule
 Third Schedule
 Fourth Schedule

1. These Regulations may be cited as the Aquatic Weeds (Control) Regulations.

2. In these Regulations, unless the context otherwise requires — Inter-pretation
 "aquatic apparatus" includes outboard motors, fishing nets, keep nets, fishing bags, oars, sails, masts and rigging but does not include fishing rods and lines;

"authorized officer" means a public officer to whom the Minister has in writing either generally or specially assigned duties under these Regulations;

"movement certificate" means a movement certificate issued by a Customs officer or an authorized officer enabling the holder thereof to move the boat or aquatic apparatus to which it relates within Botswana.

3. Boats and aquatic apparatus may be brought into Botswana by road only through the designated road ports of entry listed in the First Schedule. Entry of boats etc. by road

4. Boats and aquatic apparatus brought into Botswana by rail may be unloaded from rail trucks only at the rail depots listed in the Second Schedule. Entry of boats etc. by rail

5. Boats and aquatic apparatus may be brought into Botswana by air only through the airports of entry listed in the Third Schedule. Entry of boats etc. by air

6. (1) When any boat or aquatic apparatus is imported into Botswana by road, rail or air the owner or person in charge of such boat or aquatic apparatus shall, immediately after it has been brought in or unloaded, as Inspection by Customs officers

Aquatic Weeds (Control) Regulations

the case may be, present such boat or aquatic apparatus for inspection to a Customs officer.

(2) The Customs officer to whom the boat or aquatic apparatus has been presented shall, if he is satisfied that the owner or person in charge of the boat or aquatic apparatus will comply with the directions given to him, issue a movement certificate in the form set out in the Fourth Schedule directing the owner or person in charge of the boat to remove the boat or aquatic apparatus directly to such place as may be stated in the movement certificate for examination thereat by an authorized officer.

(3) An authorized officer to whom a boat or aquatic apparatus is submitted for inspection shall examine the boat or aquatic apparatus for the purpose of discovering whether it may have collected or been exposed to aquatic weed or infested waters.

(4) If upon examination any boat or aquatic apparatus is found to have any aquatic weed thereon the boat or aquatic apparatus shall be treated at the expense of the owner or person in charge thereof, in the manner prescribed by, and to the satisfaction of, the examining authorized officer, so as to eradicate the aquatic weed.

(5) The owner or person in charge of the boat or aquatic apparatus shall afford the examining authorized officer every facility for conducting the examination and treatment thereof.

(6) Whenever in respect of any boat or aquatic apparatus an authorized officer is satisfied that the provisions of these Regulations have been complied with, he shall, at the request of the owner or person in charge thereof and after receiving the fees due, deliver or transmit to him a certificate to that effect in the form prescribed in the Fourth Schedule.

Movement
of boats etc.
from surface
water

7. No person shall move or transport any boat or aquatic apparatus from any surface water to any place in Botswana except under and in accordance with the provisions of a movement certificate.

Movement
of boats etc.
from infested
waters

8. No person shall move or transport any boat or aquatic apparatus from any infested waters to any other surface waters in Botswana without prior inspection and except under and in accordance with the provisions of a movement certificate, and upon completion of his journey shall present his movement certificate to an authorized officer before placing his boat or aquatic apparatus on any other surface water:

Provided that in the case of outboard motors a movement certificate may be issued by an authorized officer after inspection, cleaning and treatment including the running of the outboard motor in a tank of disinfectant under the supervision of the officer. Before issuing the movement certificate the authorized officer must be satisfied that the treatment has been effective in eradicating any aquatic weed.

Certificate to
be produced
on demand by
authorized
officer

9. Any person who moves or transports any boat or aquatic apparatus from infested waters or from any surface water to any other part of Botswana shall be required to produce a movement certificate on demand by any authorized officer.

Aquatic Weeds (Control) Regulations

10. (1) The fees payable for the issue of a movement certificate under Fees these Regulations shall be fifty cents.

(2) The fee for treating a boat or aquatic apparatus shall be the actual cost of such treatment subject to a minimum of R2 and a maximum of R5.

11. Any person who contravenes any of the provisions of these regulations Penalties shall be guilty of an offence and liable to a fine of R1 000 and to imprisonment for 12 months.

FIRST SCHEDULE

(reg. 3)

Places of entry of boats by road:

Kazungula (Ferry)
Kazungula (Road)
Mamono
Martin's Drift
Ngoma Bridge
Pioneer Gate
Ramatlabama
Ramokgwebana
Tlokweg Gate

Note: (a) Persons importing boats or aquatic apparatus through Ngoma must proceed direct to Kasane.

(b) Persons importing boats or aquatic apparatus through Mamono must proceed to Maun before placing their boats or aquatic apparatus on any waters in Botswana.

SECOND SCHEDULE

Places of entry of boats by rail:

Francistown
Gaborone
Lobatse

THIRD SCHEDULE

(reg. 5)

Places of entry of boats by air:

Francistown
Gaborone
Kasane
Maun
Selebi-Pikwe

Aquatic Weeds (Control) Regulations

FOURTH SCHEDULE

orig/dup/trip. No.

INSPECTION AND MOVEMENT CERTIFICATE

Pursuant to the Aquatic Weeds (Control) Regulations, the boat/aquatic apparatus in the possession of (name)

(permanent address)

and transported in or on (registration of vehicle or mode of transportation)

.....has been examined,

Part I and (a)* found to be free of aquatic weeds listed in the Schedule to the Act;

(b)* found to require further examination by (authorized officer);

(c)* treated with

Part II and approved for movement between (place)

and (place)

by (route)

within (date)and (date)

On arrival the duplicate copy of this movement certificate must be presented to (authorized officer)..... by the later date shown above before the boat/aquatic apparatus may be placed in or on a surface water in Botswana.

Stamp and signature of issuing officer.

*delete as necessary

Note: A movement certificate is not valid unless both Parts I and II of the certificate have been completed. An inspection certificate should have Part II overwritten "Not applicable" and only the original issued to the certificate holder.

This certificate must be retained and produced on request to a public officer of the Botswana Government. It is an offence under the Act to withhold or misrepresent information required for the completion of this certificate.