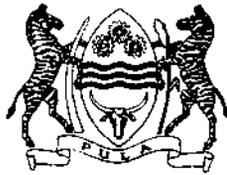


STATE LAND (AMENDMENT) ACT, 1980

No. 4



of 1980

ARRANGEMENT OF SECTIONS

SECTION

1. Short title and commencement
2. Insertion of new sections 4A, 4B, 4C and 4D in Cap. 32:01
3. Application of Act

**An Act to amend the State Land Act**

*Date of Assent: 8.4.80*

*Date of Commencement: 30.9.66*

ENACTED by the Parliament of Botswana

1. This Act may be cited as the State Land (Amendment) Act, 1980, and shall be deemed to have come into operation on 30th September, 1966.

2. The State Land Act is hereby amended by inserting, immediately after section 4 thereof, the following new sections —

“Imposition of service levy”  
4A. (1) Any person authorized under section 4 (1) (hereinafter referred to as an “authorized person”) to grant or to make any disposition of state land or any interest therein may from time to time, by notice published in the Gazette, raise or levy on the occupier of the land such amount (hereinafter referred to as a “service levy”) as may be considered necessary to defray any expenditure incurred, or to be incurred, for the grant of such land and the provision of services and other amenities in connexion with the use of such land.

Short title and commencement  
Insertion of new sections 4A, 4B, 4C and 4D in Cap. 32:01

When levy  
due and  
payable

Grant of  
loan for  
building

Power to  
make  
regulations  
for recovery  
of arrears  
of service  
levy or loan

(2) For the purposes of this section service levy includes the term "service payment" contained in any agreement made consequent upon the grant or any disposition of state land made under this Act.

4B. Any service levy imposed under section 4A shall become due and payable 30 days after publication of the notice thereof.

4C. (1) An authorized person making a grant or disposition of state land or any interest therein to any person under section 4 (1) may grant a loan of money or money's worth, on such terms and conditions as may be determined by the authorized person, to such person for the purpose of the development of such land by the erection of a dwellinghouse thereon or making an extension or improvements to an existing house.

(2) Any person to whom a loan has been granted under subsection (1) shall make repayment in accordance with the terms and conditions determined for the grant of such loan, and, in default of such repayment, proceedings may be instituted against him in accordance with regulations made under this Act.

4D. (1) The Minister may make regulations prescribing the procedure for the enforcement of payment of a service levy imposed or repayment of a loan granted under this Act.

(2) Regulations made under this section may empower an authorized person to apply to a magistrate's court or the High Court, as the case may be, for an order —

(a) to sell any movable property of the defaulter;  
or

(b) to re-enter and repossess the land,  
in satisfaction of the default in payment of a service levy or repayment of a loan.

(3) Notwithstanding any regulations made under subsection (1), in the event of a service levy imposed or a loan granted being unpaid and so remaining unpaid after a notice being sent to the defaulter demanding payment or repayment thereof, then on the expiration of such demand such levy or loan shall, at the suit of the authorized person, be recoverable in a magistrate's court for the district in which the land is situated, whether or not the person liable for the payment or repayment is resident within the jurisdiction of such court."

3. A loan granted under the provisions of this Act to any person for the purpose of developing land by the erection of a dwellinghouse or making an extension or improvements to an existing house, and which is outstanding prior to the commencement of this Act, shall be deemed to have been granted under section 4C; and the procedure for the enforcement of repayment of the loan shall be in accordance with regulations made under this Act. <sup>Application of Act</sup>

PASSED by the National Assembly this 26th day of March, 1980.

I.P. GONTSE,  
*Clerk of the National Assembly.*