

**BOTSWANA ENERGY REGULATORY AUTHORITY  
(AMENDMENT) ACT, 2022**

No. 30



of 2022

ARRANGEMENT OF SECTIONS

SECTION

1. Short title and commencement
2. Amendment of section 2 of Cap. 74:11
3. Insertion of section 72A in the Act

**An Act to amend the Botswana Energy Regulatory Authority Act.**

*Date of Assent:* 09.09.2022

*Date of Commencement:* ON NOTICE

ENACTED by the Parliament of Botswana.

1. This Act may be cited as the Botswana Energy Regulatory Authority (Amendment) Act, 2022, and shall come into operation on such date as the Minister may, by Order published in the *Gazette*, appoint.

Short title and commencement

2. The Botswana Energy Regulatory Authority Act (referred to as “the Act”) is amended in section 2 by inserting the following new definitions in their correct alphabetical order —

Amendment of section 2 of Cap. 74:11

“commercial trading stocks” means petroleum products sourced for purposes of ongoing daily national consumption;”

“public body” means an organisation, establishment or body created by or under any enactment and includes any company in which Government has equity shares or any organisation or body where public moneys are used;” and

“strategic petroleum reserves” means petroleum products stockpiled to supplement daily national consumption during periods of supply disruptions or emergencies, for purposes of ensuring security of supply.”.

3. The Act is amended by inserting immediately after section 72, the following new section —

Insertion of section 72A in the Act

“Power of Minister to authorise public body for petroleum reserves”  
72A. (1) The Minister may, by Order, after consultation with the Authority authorise a public body to —

(a) import, maintain and manage strategic petroleum reserves; and

(b) consolidate, import and supply commercial trading stocks.

(2) The Order made under subsection (1) may provide for the establishment of such percentage, as may be prescribed, of the import quantity to be known as the petroleum products quota allocation, to be imported by the public body.

(3) The Minister may, after consultation with the Authority, make regulations imposing restrictions on importation of petroleum products, as he or she may deem necessary on licences issued to other regulated entities, except for regulated entities that are majority citizen owned companies, to give effect to the quota allocation granted to the public body.”.

PASSED by the National Assembly this 19th day of August, 2022.

BARBARA N. DITHAPO,  
*Clerk of the National Assembly.*