



REPUBLIC OF BOTSWANA

GOVERNMENT GAZETTE EXTRAORDINARY

Vol. LVIII, No. 49

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20th May, 2020

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Government Notice No. 193 of 2020

EMERGENCY POWERS ACT
(Cap. 22:04)

EMERGENCY POWERS (COVID-19) REGULATIONS
(Cap. 22:04 (Sub. Leg.))

Lifting of Road Transport Restrictions

FOLLOWING CONSULTATION with His Excellency the President in accordance with regulation 30G of the Emergency Powers (COVID-19) Regulations, 2020, Notice is hereby given that road transport restrictions imposed by the Regulations are lifted with effect from the 21st May, 2020. The following road transport services shall operate —

- (a) taxis;
- (b) combis;
- (c) call cabs;
- (d) buses;
- (e) school buses;
- (f) tour operation;
- (g) staff buses; and
- (h) own account:

Provided they adhere to the following conditions —

- (i) abide with Covid-19 protocols,
- (ii) public transport associations to certify readiness of vehicles to operate as per the Covid-19 protocols,
- (iii) clean the interior and exterior of the vehicles with water and soap or sanitize 2 to 3 times a day, or after every trip for long distance routes,
- (iv) a person shall not be allowed to use public transport without wearing a face mask,
- (v) loading capacity for mini bus shall be 70 per cent of seating capacity with social distancing,
- (vi) loading capacity for midi-bus shall be 70 per cent of seating capacity with social distancing,
- (vii) a mini bus licensed to carry 16 passengers is limited to carry a maximum of 10 passengers, including the driver,
- (viii) loading capacity for taxi services shall be on special or 60 per cent of seating capacity,
- (ix) a five seater vehicle is allowed to carry three passengers and a driver,
- (x) loading capacity for bus shall be 60 per cent of seating capacity with social distancing,
- (xi) a midi-bus permitted to carry a maximum of 22 passengers shall be limited to carry a maximum of 15 passengers including the driver,
- (xii) a bus permitted to carry a maximum of 65 and above passengers shall be limited to carry a maximum of 40 passengers including the driver, and
- (xiii) public transport operators shall keep a register of all passengers on board which shall be open for inspection by the Director of Health Services or a law enforcement officer.

Government Notice No. 185 of 2020 is hereby revoked.

DATED this 20th day of May, 2020.

DR. MALAKI TSHIPAYAGAE,
Director of Health Services.

Statutory Instrument No. 79 of 2020

INDUSTRIAL DEVELOPMENT ACT
(Act No. 23 of 2019)

**INDUSTRIAL DEVELOPMENT ACT (DATE OF
COMMENCEMENT) ORDER, 2020**
(Published on 20th May, 2020)

ARRANGEMENT OF PARAGRAPHS

PARAGRAPH

1. Citation
2. Commencement of Act No. 23 of 2019

IN EXERCISE of the powers conferred on the Minister of Investment, Trade and Industry by section 1 of the Industrial Development Act, 2019, the following Order is hereby made —

1. This Order may be cited as the Industrial Development Act (Date of Citation Commencement) Order, 2020.
2. The Industrial Development Act, shall come into operation on 1st June, 2020. Commencement of Act No. 23 of 2019

MADE this 14th day of May, 2020.

PEGGY O. SERAME,
Minister of Investment, Trade and Industry.

Statutory Instrument No. 80 of 2020

TRADE ACT
(Act No. 25 of 2019)

TRADE ACT (DATE OF COMMENCEMENT) ORDER, 2020
(Published on 20th May, 2020)

ARRANGEMENT OF PARAGRAPHS

PARAGRAPH

1. Citation
2. Commencement of Act No. 25 of 2019

IN EXERCISE of the powers conferred on the Minister of Investment, Trade and Industry by section 1 of the Trade Act, 2019, the following Order is hereby made —

Citation **1.** This Order may be cited as the Trade Act (Date of Commencement) Order, 2020.

Commencement
of Act No. 25 of
2019 **2.** The Trade Act, shall come into operation on 1st June, 2020.

MADE this 14th day of May, 2020.

PEGGY O. SERAME
Minister of Investment, Trade and Industry.

Statutory Instrument No. 81 of 2020

INDUSTRIAL DEVELOPMENT ACT
(Act No. 23 of 2019)

INDUSTRIAL DEVELOPMENT REGULATIONS, 2020
(Published on 20th May, 2020)

ARRANGEMENT OF REGULATIONS

REGULATION

Part I — *Preliminary*

1. Citation
2. Interpretation

Part II — *Industrial Licences*

3. Industrial licences reserved for citizens
4. Industrial licence application and fee
5. Application to manufacture new or different product
6. Application to change location of manufacturing enterprise
7. Application to operate from additional premises
8. Notice to change the business name of manufacturing enterprise
9. Application to transfer an industrial licence

PART III — *Registration Certificates*

10. Micro and small manufacturing enterprises exempted from obtaining registration certificate
11. Registration certificates reserved for citizens
12. Registration certificate and fee
13. Application to transfer registration certificate
14. Revocation of S.I. No. 25 of 2008

SCHEDULES

IN EXERCISE of the powers conferred on the Minister of Investment, Trade and Industry by section 38 of the Industrial Development Act, the following regulations are made —

PART I — *Preliminary*

1. These regulations may be cited as Industrial Development Regulations, 2020. Citation
2. In these regulations — Interpretation
 - “certificate holder” has the same meaning assigned to it under the Act;
 - “Director” has the same meaning assigned to it under the Act;
 - “industrial licence” has the same meaning assigned to it under the Act;
 - “licensee” has the same meaning assigned to it under the Act;

“manufacturing enterprise” has the same meaning assigned to it under the Act;

“micro manufacturing enterprise” means a business entity as defined under regulation 10 (1) (a);

“registration certificate” has the same meaning assigned to it under the Act;

“small manufacturing enterprise” means a business entity as defined under regulation 10 (1) (b); and

“the Act” means the Industrial Development Act.

PART II — *Industrial Licences*

Industrial licences reserved for citizens

3. An industrial licence to operate any of the following manufacturing enterprises shall be reserved for citizens in terms of section 5 (5) (a) of the Act —

- (a) bread and confectionery;
- (b) ice making;
- (c) meat processing;
- (d) peanut butter;
- (e) purification and bottling of water;
- (f) traditional sour milk; and
- (g) sorghum;

Industrial licence application and fee

4. (1) An application to the Director for an industrial licence under section 6 of the Act shall be made in Form AIL 1 as set out in Schedule 1.

(2) An industrial licence issued under section 9 (1) of the Act shall be in Form AIL 2 as set out in Schedule 1.

(3) The fee payable for the issue of an industrial licence under section 9 (1) of the Act is P500.

(4) The annual licence fee payable under section 9 (3) (b) of the Act is P500.

Application to manufacture new or different product

5. (1) An application to the Director by a licensee under section 10 (1) of the Act to manufacture a new or different product shall be made in Form AIL 3 as set out in Schedule 1.

(2) The fee payable under section 10 (2) of the Act by a licensee for the issue of an industrial licence to manufacture a new or different product is P250.

Application to change location of manufacturing enterprise

6. (1) An application to the Director by a licensee under section 10 (3) of the Act to change the location of a manufacturing enterprise shall be made in Form AIL 4 as set out in Schedule 1.

(2) The fee payable by a licensee for the change of location of a manufacturing enterprise is P500.

Application to operate from additional premises

7. (1) An application to the Director by a licensee under section 10 (3) of the Act to operate from additional premises shall be made in Form AIL 5 as set out in Schedule 1.

(2) The fee payable by a licensee to operate from additional premises is P500.

Notice to change the business name of manufacturing enterprise

8. A notice by the licensee of a change of the business name of a manufacturing enterprise under section 10 (7) of the Act shall be in Form AIL 6 as set out in Schedule 1.

Application to transfer an industrial licence

9. (1) An application to the Director by a licensee under section 12 of the Act to transfer an industrial licence to another person shall be made in Form AIL 7 as set out in Schedule 1.

(2) The fee payable for the transfer of an industrial licence to a person other than the licensee or for the transfer of an industrial licence to another person is P500.

PART III — *Registration Certificates*

10. (1) Subject to subregulation (2), the following types of manufacturing enterprises are exempted from the requirement to be registered in terms of section 15 (3) of the Act —

Micro and small manufacturing enterprises exempted from obtaining registration certificate

- (a) a micro manufacturing enterprise which —
 - (i) employs less than 6 people including the owner, and
 - (ii) has an annual turnover of not exceeding P100 000; and
- (b) a small manufacturing enterprise which —
 - (i) employs less than 25 people including the owner, and
 - (ii) has an annual turnover over P100 000 but not exceeding P1 500 000.

(2) An application for an exemption from the requirement to obtain a registration certificate in terms of section 15 (3) of the Act shall be made in Form IRC 1 as set out in Schedule 2.

11. A registration certificate to operate any of the following manufacturing enterprises shall be reserved for citizens in terms of section 16 (2) (a) of the Act —

Registration certificates reserved for citizens

- (a) bricks;
- (b) burglar bars, gates and windows;
- (c) candles;
- (d) fencing materials excluding gum poles;
- (e) floor polish;
- (f) packaging;
- (g) protective clothing;
- (h) roof trusses;
- (i) school furniture;
- (j) school uniforms;
- (k) screen printing and embroidery;
- (l) signage, including electronic signage;
- (m) traditional crafts; and
- (n) traditional leather products.

12. (1) An application to the Director for a registration certificate under section 17 (1) of the Act shall be made in Form IRC 2 as set out in Schedule 2.

Registration certificate and fee

(2) The annual registration fee payable for the issue of a registration certificate under section 18(1) of the Act is P500.

(3) A registration certificate issued under section 18 (1) of the Act shall be in Form IRC 3 as set out in Schedule 2.

13. (1) An application to the Director by a certificate holder under section 20 of the Act to transfer a registration certificate to another person shall be made in Form IRC 4 as set out in Schedule 2.

Application to transfer registration certificate

(2) The fee payable for the transfer of a registration certificate is P500.

14. The Industrial Development Regulations are hereby revoked.

Revocation of S.I. No. 25 of 2008

C.300



REPUBLIC OF BOTSWANA

FORM AIL 1

APPLICATION FOR INDUSTRIAL LICENCE

(INDUSTRIAL DEVELOPMENT ACT)

(reg. 4 (2))

1. PARTICULARS OF APPLICANT(S)

Name of Applicant/Enterprise
(In block letters)

Trading Name (if other than enterprise name).....

Company Registration No..... Date:

a) Ownership:

Particulars of Shareholders:

<i>Names</i>	<i>Nationality</i>	<i>Omang/ Passport No.</i>	<i>No. of Shares</i>	<i>Date of Birth</i>	<i>Gender</i>	<i>Disability(yes/no)</i>
1.....
2.....
3.....
4.....

b) Management:

Particulars of Directors:

<i>Names</i>	<i>Nationality</i>	<i>Omang/Passport No.</i>	<i>Designation</i>
1.....
2.....
3.....
4.....

2. LOCATION OF MANUFACTURING ESTABLISHMENT:

Plot No..... City/Town/Village.....
 Ward Name.....

3. COMMUNICATION ADDRESS (for the applicant)

Postal Address:

Telephone No: Fax:.....

Mobile No:

Consultants: (if any)

Name:

Postal Address:

Telephone: Mobile No: E-mail:

4. PRODUCTS TO BE MANUFACTURED: (PLEASE GIVE DETAILS)

.....

5. PROJECTED EMPLOYMENT:

a) Cadre	Citizens	F	M	Non-Citizens	F	M
Total						
Managers/Supervisors
Skilled Staff
Unskilled Workers
Others
Total

6. TECHNICAL KNOW-HOW:

Names	Experience (professional/academic)
.....
.....
.....
.....

C.302

7. PROCUREMENT OF MACHINERY AND RAW MATERIAL:

a) Raw Material:

Details of Raw Materials	QUANTITY				VALUE (BWP)
	Local	Imported	Source (Country)	Total	
.....
.....
.....
.....
Total.....

b) Machinery:

Details of Machinery	SOURCE OF SUPPLY			VALUE (BWP)
	Local	Imported	Country	
.....
.....
.....
.....
Total.....

8. MARKETING:

(a). Local Buyers (tick where appropriate)

- Government
- Parastatals
- Private entities
- Individuals
- Other (specify)

(b). If you have buyers in other countries,
name the country/s:

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

9. SALES

Projected Sales for Next Year:

PRODUCTS	QUANTITY				VALUE (BWP)
	Local	Export	Destination (Country)	Total	
.....
.....
.....
.....

10. INVESTMENT

.....

11. OTHER INFORMATION:

a) Has any director or shareholder been convicted within or outside Botswana of any serious criminal offence involving dishonesty?

If so, give details:

.....

b) Has any director or shareholder been sequestered or declared bankrupt within or outside Botswana?

If so, give details:

.....

.....

c) When do you expect to commence your manufacturing operations?

Give expected date.....

12. DECLARATION:

I solemnly declare that information given in the application is correct to the best of my knowledge and I have not tried to conceal anything.

Name of authorised representative:

Signature: Date:

ID/Passport No.....

Telephone No:

Mobile No:

For official use only

(The applicant must be issued with an acknowledgement letter upon receiving the application)

1. Receipt of Application:

Date: Application fee Receipt No:

Signature of Licensing Officer:

2. Verification of the application:

Officer's Name:

Remarks:

.....

.....

Signature: Date:

C.304

3. Decision of the Director:

Signature of the Director: Date:

4. Communication of Decision (where applicable):

Letter Ref:

5. Licence No: Date:



REPUBLIC OF BOTSWANA

FORM AIL 2

INDUSTRIAL LICENCE
INDUSTRIAL DEVELOPMENT ACT
(reg. 4 (2))

Licence No.

A licence is hereby granted to

.....
.....

Location:

At Plot No/Ward:

For purpose of manufacturing the following products:

.....
.....

subject to payment of an annual fee during the month of:

The Licence is valid for an indefinite period subject to compliance with the conditions upon which it is issued.

.....
.....

.....

Licensing Officer

Station:.....

C.306



REPUBLIC OF BOTSWANA

FORM AIL 3

APPLICATION TO MANUFACTURE ADDITIONAL (NEW OR DIFFERENT) PRODUCTS
INDUSTRIAL DEVELOPMENT ACT
(reg. 5 (1))

1. PARTICULARS OF APPLICANT(S)

Name of Applicant/Enterprise
(In block letters)

Trading Name (if other than enterprise name).....

Enterprise Registration No: Date:

2. LOCATION OF MANUFACTURING ESTABLISHMENT:

Plot No..... Town/Village.....

Ward Name.....

3. NEW OR ADDITIONAL PRODUCT(S) TO BE MANUFACTURED: (PLEASE GIVE DETAILS)

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

4. REASONS FOR ADDITIONAL PRODUCT/S:

.....
.....

Name of authorised representative:

Signature: Date:

ID/Passport No.....

Telephone No:

Mobile No:

For official use only*(the applicant must be issued with an acknowledgement letter upon receiving the application)*

1. Receipt of Application:

File No.

Date: Application fee Receipt No:

Signature of Licensing Officer:

2. Verification of the application:

Officer's Name:

Remarks:

.....

.....

Signature: Date:

5. Decision of the Director.....

Signature of the Director:

1. Communication of Decision:

Letter Ref: Date:

Licence No: Date:

C.308



REPUBLIC OF BOTSWANA

FORM AIL 4

APPLICATION TO CHANGE THE LOCATION OF A MANUFACTURING ENTERPRISE
INDUSTRIAL DEVELOPMENT ACT
(reg. 6 (1))

Name of Enterprise:

Location:

Licence No:

Issued on the.....

Products being manufactured under this licence:

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

Additional place will be at Plot No:

Reasons for the application:

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

PROJECTED EMPLOYMENT:

Cadre	Citizens	F	M	Non-Citizens	F	M
Total						
Managers/Supervisors
Skilled Staff
Unskilled Workers
Others
Total

PROCUREMENT OF MACHINERY AND RAW MATERIALS:

a) Raw Material:

Details of Raw Materials	QUANTITY				VALUE (BWP)
	Local	Imported	Source (Country)	Total	
.....
.....
.....
.....
Total.....

b) Machinery:

Details of Machinery	SOURCE OF SUPPLY			VALUE (BWP)
	Local	Imported	Country	
.....
.....
.....
.....
Total.....

Name of authorised representative:

Signature: Date:

ID/Passport No:

Telephone No:

Mobile No:

For official use only

(the applicant must be issued with an acknowledgement letter upon receiving the application)

1. Receipt of Application:

File No.....

Date: Application fee Receipt No:

Signature of Licensing Officer:

2. Verification of the application:

Officer's Name:

Remarks:

.....

.....

Signature: Date:

5. Decision of the Director.....

Signature of the Director:

1. Communication of Decision:

Letter Ref: Date:

Licence No: Date:

C.310



REPUBLIC OF BOTSWANA

FORM AIL 5

**APPLICATION TO MANUFACTURE FROM ADDITIONAL PREMISES
INDUSTRIAL DEVELOPMENT ACT
(reg. 7 (1))**

Name of Enterprise:
Location: Licence No:
..... Issued on the..... Products being manufactured
under this licence:
.....
.....
..... New premises will be at
..... Plot No:
Ward:
Reasons for the relocation:
.....
.....
.....
Name of authorised representative:
Signature: Date:
ID/Passport No:.....
Telephone No:
Mobile No:

For official use only

(the applicant must be issued with an acknowledgement letter upon receiving the application)

1. Receipt of Application:

File No.....
Date: Application fee Receipt No:
Signature of Licensing Officer:

2. Verification of the application:

Officer's Name:

Remarks:

.....

.....

Signature: Date:

5. Decision of the Director.....

Signature of the Director:

6. Communication of Decision:

Letter Ref: Date:

Licence No: Date:

C.312



REPUBLIC OF BOTSWANA

FORM AIL 6

NOTIFICATION TO CHANGE OF NAME

(INDUSTRIAL DEVELOPMENT ACT, 2019)

(reg. 8)

Name of Enterprise:

Location:.....Licence No:

..... Issued on the..... Products being
manufactured under this licence:

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

New name

Trading Name:

Name of authorised representative:

Signature: Date:

ID/Passport No.....

Telephone No:

Mobile No:



REPUBLIC OF BOTSWANA

FORM AIL 7

 APPLICATION TO TRANSFER AN INDUSTRIAL LICENCE
 INDUSTRIAL DEVELOPMENT ACT
 (reg. 9(1))

Name of Enterprise: Location:

 Licence No: Issued on the Products being
 manufactured under this licence:

 Licence to be transferred
 to

 Reasons for the application:

Name of authorised representative:

Signature: Date:

ID/Passport No:

Telephone No:

Mobile No:

For official use only
(the applicant must be issued with an acknowledgement letter upon receiving the application)
1. Receipt of Application:

File No:

Date: Application fee Receipt No:

Signature of Licensing Officer:

2. Verification of the application:

Officer's Name:

C.314

Remarks:
.....
.....

Signature: Date:

3. Decision of the Director.....

Signature of the Director:

4. Communication of Decision:

Letter Ref: Date:

Licence No: Date:



REPUBLIC OF BOTSWANA

FORM IRC 1

APPLICATION FOR EXEMPTION OF MICRO & SMALL ENTERPRISES

INDUSTRIAL DEVELOPMENT ACT

(reg. 10 (2))

Note: This form is to be completed in **BLOCK LETTERS**, and the relevant documents should be attached as per application check list.

- a) Name of Applicant (**Citizen only**): ID No.
- b) Business Name/Company
- c) Names of Shareholders: (1) (2)
- d) Postal Address: Contact Number/s:
- e) Business Location: Plot: Ward: Town/City/Village:
- f) List of products to be manufactured/services provided/line of trade:
-
-
-
- g) Name the raw materials to be used to manufacture the above products/services:
-
-
-
- h) Number of employees: (**Citizens only**)
- i) Annual turnover: P..... (**Total sales for the whole year**)

Declaration

I solemnly declare that the information given in the application is correct to the best of my knowledge.

Signature:

Date:



REPUBLIC OF BOTSWANA

FORM IRC 2

APPLICATION FOR REGISTRATION CERTIFICATE

INDUSTRIAL DEVELOPMENT ACT
(reg. 12 (1))**1. PARTICULARS OF APPLICANT(S)**Name of Applicant/Enterprise
(In block letters)Trading Name (if other than enterprise name).....
Company Registration No..... Date:**a) Ownership:**

Particulars of Shareholders:

Names Disability(yes/no)	Nationality	Omang/. Passport No	No. of Shares	Date of Birth	Gender
1.....
2.....
3.....
4.....

b) Management:

Particulars of Directors:

Names	Nationality	Omang/Passport No.	Designation
1.....
2.....
3.....
4.....

2. LOCATION OF MANUFACTURING ESTABLISHMENT:Plot No..... City/Town/Village.....
Ward Name.....

3. COMMUNICATION ADDRESS (for the applicant)

Postal Address:

Telephone No: Fax:

Mobile No:

Consultants: (if any)

Name:

Postal Address:

Telephone: Mobile No: E-mail:

4. PRODUCTS TO BE MANUFACTURED: (PLEASE GIVE DETAILS)

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

5. PROJECTED EMPLOYMENT:

b) Cadre	Citizens	F	M	Non-Citizens	F	M
Total						
Managers/Supervisors
Skilled Staff
Unskilled Workers
Others
Total

6. TECHNICAL KNOW-HOW:

Names	Experience (professional/academic)
.....
.....
.....
.....

7. PROCUREMENT OF MACHINERY AND RAW MATERIAL:**a) Raw Material:**

Details of Raw Materials	QUANTITY				VALUE (BWP)
	Local	Imported	Source (Country)	Total	
.....
.....
.....
.....
Total.....

b) Machinery:

Details of Machinery	SOURCE OF SUPPLY			VALUE (BWP)
	Local	Imported	Country	
.....
.....
.....
.....
Total.....

8. MARKETING:

(a). Local Buyers (tick where appropriate)

- Government
- Parastatals
- Private entities
- Individuals
- Other (specify)

(b). If you have buyers in other countries,
name the country/s:

.....

.....

9. SALES

Projected Sales for Next Year:

PRODUCTS	QUANTITY				VALUE (BWP)
	Local	Export	Destination (Country)	Total	
.....
.....
.....
.....

10. INVESTMENT

.....

11. OTHER INFORMATION:

d) Has any director or shareholder been convicted within or outside Botswana of any serious criminal offence involving dishonesty?

If so, give details:

.....

e) Has any director or shareholder been sequestered or declared bankrupt within or outside Botswana?

If so, give details:

.....

.....

f) When do you expect to commence your manufacturing operations?

Give expected date.....

12. DECLARATION:

I solemnly declare that information given in the application is correct to the best of my knowledge and I have not tried to conceal anything.

Name of Applicant:

Signature of Applicant: Date:

ID/Passport No:

Telephone No:

Mobile No:

C.320

For official use only

(The applicant must be issued with an acknowledgement letter upon receiving the application)

1. Receipt of Application:

Date: Application fee Receipt No:

Signature of Licensing Officer:

2. Verification of the application:

Officer's Name:

Remarks:

.....

.....

Signature: Date:

3. Decision of the Director:

Signature of the Director: Date:

4. Communication of Decision (where applicable):

Letter Ref:

5. Licence No: Date:



REPUBLIC OF BOTSWANA

FORM IRC 3

**REGISTRATION CERTIFICATE
INDUSTRIAL DEVELOPMENT ACT
(reg. 12 (3))**

Certificate No.

Certificate is hereby granted to

Location:

At Plot No/Ward:

For purpose of manufacturing the following products:
.....

subject to payment of an annual fee during the month of:

The Certificate is valid for an indefinite period subject to compliance with the conditions upon which it is issued.

.....
Licensing Officer

Station:.....

C.322



REPUBLIC OF BOTSWANA

FORM IRC 4

APPLICATION FOR TRANSFER OF REGISTRATION CERTIFICATE
INDUSTRIAL DEVELOPMENT ACT
(reg. 13 (1))

Name of Enterprise: Location:
.....

Licence No: Issued on the..... Products being
manufactured under this licence:

.....
.....
.....Licence to be transferred
to.....

Reasons for the application:

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

Name of authorised representative:

Signature: Date:

ID/Passport No:.....

Telephone No:

Mobile No:

For official use only

(the applicant must be issued with an acknowledgement letter upon receiving the application)

1. Receipt of Application:

File No.....

Date: Application fee Receipt No:

Signature of Licensing Officer:

2. Verification of the application:

Officer's Name:

Remarks:

.....

.....

Signature: Date:

3. Decision of the Director.....

Signature of the Director:

4. Communication of Decision:

Letter Ref: Date:

Licence No: Date:

C.324

MADE this 11th day of May, 2020.

PEGGY O. SERAME,
Minister of Investment, Trade and Industry.

Statutory Instrument No. 82 of 2020

TRADE ACT
(Act No. 25 of 2019)

TRADE REGULATIONS, 2020
(Published on 20th May, 2020)

ARRANGMENT OF REGULATIONS

REGULATION

1. Citation
2. Interpretation
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4. Amusement arcade business registration certificate
5. Auctioneer's business registration certificate
6. Cleaning services business registration certificate
7. Commercial hardware business registration certificate
8. Curio shop business registration certificate
9. Department store business registration certificate
10. Distributor's business registration certificate
11. Driller's business registration certificate
12. Dry clean business registration certificate
13. Dry-clean depot business registration certificate
14. Florist or plant nursery business registration certificate
15. General dealer business registration certificate
16. General hire service business registration certificate
17. Industrial hardware business registration certificate
18. Laundromat business registration certificate
19. Plant hire service business registration certificate
20. Sunglass shop business registration certificate
21. Supermarket business registration certificate
22. Wholesale business registration certificate
23. Workshop business registration certificate
24. Business registration certificates reserved for citizens
25. Licences and business registration certificates restricted to fixed premises
26. Trades or businesses to be licensed
27. Agricultural shop licence
28. Fresh produce licence
29. Funeral parlour licence
30. Gymnasium licence
31. Optician shop licence
32. Pharmacy or chemist licence
33. Restaurant licence
34. Takeaway licence
35. Licences reserved for citizens
36. Application for licence or business registration certificate
37. Issue of licence or business registration certificate

38. Payment of annual licence or business registration certificate fee
39. Conditions attached to licence or business registration certificate
40. Notice of licence or business registration certificate transfer
41. Application for transfer of licence or business registration certificate
42. Application for duplicate licence or business registration certificate
43. General penalty
44. Saving
45. Revocation of S.I. No. 69 of 2011

SCHEDULES

IN EXERCISE of the powers conferred on the Minister of Investment, Trade and Industry by section 44 of the Trade Act, the following Regulations are hereby made —

- | | |
|----------------|---|
| Citation | 1. These Regulations may be cited as the Trade Regulations, 2020. |
| Interpretation | <p>2. In these Regulations, unless the context otherwise requires —</p> <p>“agent” means a business which supplies goods for sale but does not keep any stock;</p> <p>“agricultural shop” means a business selling stock feed, scheduled and unscheduled veterinary medicines, farming implements and farm wear, but not vehicles;</p> <p>“amusement arcade” means a business which lets out, for use on the premises, computer games, pool and snooker tables, darts or any other related games;</p> <p>“auctioneer” means a business which sells goods by public auction;</p> <p>“baby shop” means a business selling a wide range of baby products, clothes, toys and related accessories;</p> <p>“bookshop” means a business selling stationery, computer and computer accessories, books or other reading materials;</p> <p>“car wash” means a business which washes motor vehicles and household goods, such as carpets and sofas, either manually or using an auto mechanical system;</p> <p>“cellphone shop” means a business selling cellphones and related accessories, including cordless phones;</p> <p>“cleaning services” means a business which renders the service of general cleaning of premises such as shops, offices and residential property, including office and household goods such as carpets, sofas and curtains;</p> <p>“commercial hardware” means a business which sells small scales tools and equipment, together with building materials, in small quantities;</p> <p>“cosmetics shop” means a business selling cosmetics, make-up, fragrances, beauty products and other related items;</p> <p>“curio shop” means a business selling handicrafts, trophies, antiques and ornaments;</p> <p>“department store” means a store which sells different categories of goods in different departments under one roof;</p> <p>“distributor” means a business which distributes goods from a warehouse, at a wholesale scale but does not include imported pre-owned motor vehicles, imported pre-owned earth moving equipment, imported pre-owned heavy duty machinery, imported pre-owned tractors, imported pre-owned motor-cycles;</p> <p>“driller” means a business which drills for water and may include the installation of drilling equipment;</p> |

- “dry-clean” means a business which is engaged in washing with chemicals, drying and ironing of clothes and textile materials;
- “dry-clean depot” means a business which receives and collects goods for dry cleaning;
- “electronics or electrical shop” means a business selling a wide range of electrical goods, electrical appliances, video games and related accessories;
- “florist or plant nursery” means a business selling flowers, live plants, dry seeds, treated soil, aquaria and other related gardening accessories, including vases, flower pots and garden ornaments;
- “fresh produce” means a business that primarily sells dairy products, fruits and vegetables, bread, meat and meat products, poultry and poultry products, seafood, seasoning and spices;
- “funeral parlour” means an establishment which is engaged in the business of funeral undertaking, and may sell coffins, wreaths, flowers, grave covers and tombstones;
- “furniture shop” means a business selling moveable household and office furnishing, electronics and electrical appliances, carpets, bedding, linen and other related goods;
- “general clothing” means a business which sells clothes, shoes and other accessories;
- “general dealer” means a business selling a wide range of groceries and general merchandise, including unscheduled medicines or drugs;
- “general hire service” means a business which lets out small machinery, tools and equipment, together with domestic and office implements;
- “gymnasium” means a business which provides fitness and body-building services through the use of related equipment and machinery and fitness lessons;
- “haberdashery” means a business selling fabrics, sewing machines and related accessories;
- “hair or beauty parlour” means a business in which a person’s hair is cut and arranged, the services of pedicure, manicure, body massage, facial treatment and other related services are carried out, and which may sell hair and beauty products;
- “household shop” means a business selling a wide range of home and household items, including curtains, sheets, cutlery, crockery and gardening accessories;
- “imported pre-owned motor dealer” means a business that sell imported pre-owned motor vehicles, imported pre-owned earth moving equipment, imported pre-owned heavy duty machinery, imported pre-owned tractors, imported pre-owned motor-cycles including new or used motor spare parts, new tyres, lubricants and motor vehicle accessories;
- “industrial hardware” means a business which sells large-scale tools and equipment, together with building materials in large quantities;
- “internet café or copy shop” means a business which renders the services of document printing, typing, faxing, laminating, photocopying, internet and other related services, and which may sell printing and photocopying paper, recordable compact disks, recordable cassettes, memory sticks, computer ink cartridges and toner;

- “jewellery shop” means a business selling a wide range of jewellery and related accessories;
- “laundromat” means a business which is engaged in the washing, drying and ironing of clothes;
- “local pre-owned” means a motor vehicle, earth moving equipment, heavy duty machinery, tractors, and motor cycles which were bought new locally or imported new;
- “money’s worth” means a token or related item representing money or an article of value;
- “optician shop” means a business specializing in sight testing and selling contact lenses, spectacles, sunglasses and related accessories;
- “pharmacy or chemist” means a business which sells medicines or drugs, cosmetics, chemicals, chemical preparations, surgical goods, jewellery, goods for invalids, optical goods and infant food and products;
- “plant hire service” means a business which lets out heavy plant machinery, tools and equipment;
- “restaurant” means a business that prepares and sells meals, refreshments and alcoholic beverages for consumption on the premises;
- “specialised motor dealer” means a business that sells new and local pre-owned motor vehicles, new and local pre-owned earth moving equipment, new and local pre-owned heavy duty machinery, new and local pre-owned tractors, new and local pre-owned motor cycles including new motor spare parts, new tyres, lubricants and motor vehicle accessories;
- “sunglass shop” means a business selling sunglasses and related fashion accessories;
- “supermarket” means a self-service store which sells a wide range of food items, household goods and wines, but does not sell beer and spirits;
- “takeaway” means a business that prepares and sells meals, refreshments and non-alcoholic beverages, for consumption off the premises;
- “toy shop” means a business selling a wide range of toys and other related items;
- “wholesale” means a store which sells goods in bulk per product or line item but does not include imported pre-owned motor vehicles, imported pre-owned earth moving equipment imported pre-owned heavy duty machinery, imported pre-owned tractors, imported pre-owned motor-cycles; and
- “workshop” means a business that maintains and repairs motor vehicles and other machinery or equipment.

Trades or
businesses to
be registered

- 3.** The Director shall register the following trades or businesses —
- (a) agent;
 - (b) amusement arcade;
 - (c) auctioneer;
 - (d) baby shop;
 - (e) bookshop;
 - (f) car wash;
 - (g) cellphone shop;
 - (h) cleaning services;
 - (i) commercial hardware;

- (j) curio shop;
 - (k) department store;
 - (l) distributor;
 - (m) driller;
 - (n) dry-clean;
 - (o) dry-clean depot;
 - (p) electronics or electrical shop;
 - (q) florist or plant nursery;
 - (r) furniture shop;
 - (s) general clothing;
 - (t) general dealer;
 - (u) general hire service;
 - (v) haberdashery;
 - (w) household shop;
 - (x) imported pre-owned motor dealer;
 - (y) industrial hardware;
 - (z) internet café or copy shop;
 - (aa) jewellery shop;
 - (bb) laundromat;
 - (cc) plant hire service;
 - (dd) specialised motor dealer;
 - (ee) sunglass shop;
 - (ff) supermarket;
 - (gg) toy shop;
 - (hh) wholesale; and
 - (ii) workshop.
- 4.** A holder of an amusement arcade business registration certificate shall not —
- (a) provide any game of chance for money or money's worth on the registered business premises; or
 - (b) allow any alcoholic beverages to be taken into the business premises.
- 5.** (1) A person shall not, whether on his or her own account or as an employee of any other person, conduct a public auction sale, unless he or she has, prior to such auction sale, obtained an auctioneer's business registration certificate.
- (2) The provisions of subregulation (1) shall not apply to —
- (a) a deputy sheriff;
 - (b) a Government department; or
 - (c) any employee of the holder of an auctioneer's business registration certificate whose name is endorsed on such business registration certificate, in respect of any sale under subregulation (1) carried out on behalf of the holder of the business registration certificate.
- 6.** A holder of a cleaning services business registration certificate may deliver services at a customer's business or residence.
- 7.** The Director shall not issue a commercial hardware business registration certificate to an applicant who intends to sell liquefied petroleum gas, unless such applicant has adhered to the safety standards of the Botswana Bureau of Standards for the storage and handling of liquefied petroleum gas.

Amusement
arcade business
registration
certificate

Auctioneer's
business
registration
certificate

Cleaning
services
business
registration
certificate

Commercial
hardware
business
registration
certificate

C.330

Curio shop business registration certificate Cap. 42:09	<p>8. A holder of a tourism enterprise licence or permit issued under the Tourism Act shall not require a curio shop business registration certificate to operate a curio shop in the licenced premises.</p>
Department store business registration certificate	<p>9. (1) A holder of a department store business registration certificate shall not sell motor vehicles, petrol, diesel, paraffin or liquefied petroleum.</p> <p>(2) A holder of a business registration certificate or a licence reserved for a citizen under regulation 24 or 36, in respect of a reserved trade or business, may carry out such trade or business within a department store owned by a non-citizen.</p>
Distributor's business registration certificate	<p>10. (1) A holder of a distributor's business registration certificate shall carry out his or her business from a warehouse of at least 75 square metres.</p> <p>(2) Notwithstanding the provisions of subregulation (1), the holder of a distributor's business registration certificate may distribute goods anywhere in Botswana.</p>
Driller's business registration certificate	<p>11. The Director shall not issue a driller's business registration certificate unless an applicant for such a business registration certificate has obtained permission, in writing, from the Department of Water Affairs.</p>
Dry-clean business registration certificate	<p>12. The Director shall not issue a dry-clean business registration certificate unless the proposed premises to be used by an applicant for such a business registration certificate has a functional drainage system.</p>
Dry-clean depot business registration certificate	<p>13. A holder of a dry-clean depot business registration certificate under regulation 12 shall not require a dry-clean depot business registration certificate.</p>
Florist or plant nursery business registration certificate Cap. 35:09	<p>14. (1) A holder of a florist or plant nursery business registration certificate may sell agrochemicals if he or she is licenced to do so under the Agrochemicals Act.</p> <p>(2) A holder of a plant nursery business registration certificate shall not require a florist business certificate provided that he or she sells products directly from a nursery.</p>
General dealer business registration certificate	<p>15. (1) A holder of a general dealer business registration certificate shall not sell —</p> <p>(a) groceries and general merchandise for which a fresh produce licence, specialised motor dealer's business registration certificate or takeaway licence is required; and</p> <p>(b) goods for which a petrol filling station licence is required under the Botswana Energy Regulatory Authority Act, except for paraffin, liquefied petroleum gas, lubricants and motor vehicle accessories.</p> <p>(2) The Director shall not issue a general dealer business registration certificate to an applicant who intends to sell liquefied petroleum gas unless such applicant has adhered to the safety standards of the Botswana Bureau of Standards, for the storage and handling of liquefied petroleum gas.</p>
Cap. 74:11	
General hire service business registration certificate	<p>16. A holder of a general hire service business registration certificate may deliver goods or services at a customer's business or residence.</p>

- 17.** The Director shall not issue an industrial hardware business registration certificate to an applicant who intends to sell liquefied petroleum gas unless such applicant has adhered to the safety standards of the Botswana Bureau of Standards, for the storage and handling of liquefied petroleum gas. Industrial hardware business registration certificate
- 18.** The Director shall not issue a laundromat business registration certificate unless the proposed premises to be used by an applicant for such a business registration certificate has a functional drainage system. Laundromat business registration certificate
- 19.** A holder of a plant hire service business registration certificate may deliver goods or services at a customer's business or residence. Plant hire service business registration certificate
- 20.** A holder of a sunglass shop business registration certificate shall not sell any optical items that would require sight testing or the expertise of an optician. Sunglass shop business registration certificate
- 21.** (1) A holder of a supermarket business registration certificate who has been issued with a bottle store liquor licence under the Liquor Act shall —
 (a) restrict access to the section of the premises where liquor is kept ; and
 (b) comply with the conditions set out in the Liquor Act in respect of the bottle store liquor licence. Supermarket business registration certificate Cap. 43:11
- (2) A holder of a supermarket business registration certificate shall carry out his or her business from a store of at least 1000 square metres.
- 22.** A holder of a wholesale business registration certificate shall carry out his or her business from a store of at least 1500 square metres. Wholesale business registration certificate
- 23.** (1) A holder of a workshop business registration certificate may, in maintaining and repairing motor vehicles, carry out the servicing, panel-beating and maintenance of such motor vehicles. Workshop business registration certificate
- (2) The Director shall not issue a workshop business registration certificate to an applicant unless such applicant's premises has —
 (a) an oil or water separator trap; and
 (b) a wash bay.
- 24.** The following business registration certificates shall be reserved for citizens or for companies wholly owned by citizens —
 (a) agent's business registration certificate;
 (b) auctioneer's business registration certificate;
 (c) car wash business registration certificate;
 (d) cellphone shop business registration certificate;
 (e) cleaning services business registration certificate;
 (f) curio shop business registration certificate;
 (g) dry-clean depot business registration certificate;
 (h) florist business registration certificate;
 (i) general dealer business registration certificate;
 (j) general hire service business registration certificate;
 (k) imported pre-owned motor dealer business registration certificate;
 (l) internet café or copy shop business registration certificate; and
 (m) laundromat business registration certificate. Business registration certificates reserved for citizens

Licences and business registration certificates restricted to fixed premises	25. A licence or a business registration certificate issued by the Director shall be restricted to fixed premises specified in the licence or business registration certificate.
Trades or businesses to be licensed	26. The Director shall licence the following trades or businesses — <ul style="list-style-type: none"> (a) agricultural shop; (b) cosmetic shop; (c) fresh produce; (d) funeral parlour; (e) gymnasium; (f) hair and beauty parlour; (g) optician shop; (h) pharmacy or chemist; (i) restaurant; or (j) takeaway.
Agricultural shop licence	27. An agricultural shop licensee shall not sell any scheduled veterinary medicines unless such medicines have been issued by a veterinary surgeon registered under the Veterinary Surgeons Act.
Cap. 61:04	
Fresh produce licence	28. A person who owns a farm shall not require a fresh produce licence to sell fresh farm produce.
Funeral parlour licence	29. A funeral parlour licensee may prepare corpses for burial or cremation.
Gymnasium licence	30. A gymnasium licensee may sell non-alcoholic beverages, sportswear and energy supplements.
optician shop licence	31. (1) An optician shop licensee shall not carry out any sight testing or sell any contact lenses, spectacles, sunglasses and related accessories unless the optician shop has, in its employ, an optician registered as a member of an allied health profession under the Health Professions Act. (2) An optician registered as a member of an allied health profession under the Health Professions Act who wishes to sell any of the items under subregulation (1) at his or her practice shall not require an optician shop licence.
Cap. 61:02	
Pharmacy or chemist licence	32. The Director shall not issue a pharmacy or chemist licence to an applicant unless such applicant has obtained, from the Ministry responsible for health, a letter stating that the pharmacy or chemist is operated by a qualified pharmacist or chemist.
Restaurant licence	33. (1) A restaurant licensee may serve liquor in an unsealed container, to a person who takes a meal in the licenced premises, for consumption on the premises: Provided that the provisions of section 32 of the Liquor Act shall apply to the licensee as if he or she is a licensee under the Liquor Act. (2) The Director shall not issue a restaurant licence to an applicant unless the applicant's premises has — <ul style="list-style-type: none"> (a) a kitchen and sitting facilities; and (b) an oil and water separator trap.
Takeaway licence	34. The Director shall not issue a takeaway licence to an applicant unless such applicant's premises has — <ul style="list-style-type: none"> (a) an oil and water separator trap; and (b) a kitchen facility.

- 35.** The following licences shall be reserved for citizens or for companies wholly owned by citizens —
- (a) fresh produce licence;
 - (b) funeral parlour licence;
 - (c) hair or beauty parlour licence; and
 - (d) takeaway licence.
- 36.** (1) A person who makes an application for a licence or a business registration certificate specified under regulation 3 and regulation 26 shall do so in Form 1 or Form 2 as set out in Schedule 1.
- (2) An application under subregulation (1) shall be accompanied by a non-refundable application fee of P200.
- (3) A person whose application for a licence or a business registration certificate has been approved by the Director shall pay a licence or a business registration certificate fee specified against the licence or business registration certificate he or she applies for as set out in Schedule 2.
- 37.** The Director shall, under section 9 and section 14 of the Act, issue to an applicant, a licence or a business registration certificate in Form 3 or Form 4 as set out in Schedule 1.
- 38.** (1) A licensee or a holder of a business registration certificate shall pay an annual licence fee or business registration certificate fee as set out in the Schedule 2.
- (2) A licensee or a holder of a business registration certificate referred to in subregulation (1) who pays for an annual licence fee or business registration certificate fee shall, at the time of paying the fee, submit Form 5 as set out in Schedule 1.
- (3) A licensee or a holder of a business registration certificate who fails to pay an annual licence fee under this regulation shall be liable to a fine of P500, or to imprisonment for a term not exceeding one month, or to both, and for a second or subsequent offence, to a fine not exceeding P100 for every month the offence continues for a period of 24 months.
- 39.** A licensee or a holder of a business registration certificate shall ensure that the licensed or the registered premises are maintained according to the conditions attached to his or her licence or business registration certificate.
- 40.** (1) A licensee or a holder of a business registration certificate shall give notice to the Director —
- (a) of his or her intention to transfer a licence or a business registration certificate to another person; and
 - (b) of his or her intention to transfer a licence or a business registration certificate from the licensed or registered premises to other premises.
- (2) A notice under subregulation (1) shall be made in Form 6 as set out in Schedule 1.
- 41.** (1) An application for a transfer of a licence or a business registration certificate under section 10 (1) of the Act shall be in Form 7 as set out in Schedule 1 and shall be accompanied by a non-refundable application fee of P200.
- (2) A licensee or a holder of a business registration certificate shall transfer a licence or a business registration certificate referred to in regulations 24 and 36, to a citizen or to a company wholly owned by a citizen.

Licences reserved for citizens

Application for licence or business registration certificate

Issue of licence or business registration certificate

Payment of annual licence or business registration certificate fee

Conditions attached to licence or business registration certificate

Notice of licence or business registration certificate transfer

Application for licence or business registration certificate

C.334

	<p>(3) A licensee or a holder of a business registration certificate whose application under subregulation (1) has been approved by the Director shall pay a transfer fee of P500.</p>
Application for transfer of licence or business registration certificate	<p>42. (1) An application for a duplicate licence or a business registration certificate under section 19 of the Act shall be in Form 8 as set out in Schedule 1 and shall be accompanied by a non-refundable application fee of P200.</p> <p>(2) A licensee or a holder of a business registration certificate whose application under subregulation (1) has been approved by the Director shall pay a duplicate copy fee of P500.</p>
General penalty	<p>43. Any person who contravenes the provisions of these Regulations commits an offence and is liable to a fine not exceeding P5 000, or to imprisonment for a term not exceeding six months, or to both.</p>
Saving	<p>44. The licences issued by a licensing committee before the coming into force of these Regulations shall remain valid until such a date that their annual licence fees are due.</p>
Revocation of S.I. No. 69 of 2011	<p>45. The Trade Regulations are hereby revoked.</p>

SCHEDULE 1
FORM 1
 TRADE ACT
(reg. 36 (1))

LICENCE APPLICATION FORM

A. PROPOSED BUSINESS

Type of business licence _____

Location of proposed business _____

B. PARTICULARS OF APPLICANT

1. For Business names

Name and Address

Business Name

b. Unique Identification Number (UIN) : _____

c. Contact Number _____ Email _____

2. For companies

a. Registered name of Company _____

b. Trading name of company if different from (a) _____

c. UIN: _____

d. Contact Number _____ Email _____

e. Percentage share of citizen equity holding _____

f. Particulars of all shareholders:

Name	Nationality	Address	% Share in Equity holding
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

C.336

5. Level of Investment (Capital to be invested in the business)

(a) Capital Investment P _____

(b) Assets P _____

6. Anticipated number of employees: _____

C. PARTICULARS OF LAND PREMISES

1. Plot No. or Land Board Certificate No. _____

2. Is the plot zoned Commercial or Industrial _____

3. If the premises are leased, state the name of the owner _____

4. Size of premises (square metres of floor space) _____

5. Have your premises been inspected and certified suitable by the Environmental Health Unit of the Council.

Yes _____

No _____

D. GENERAL INFORMATION

1. Have you ever been convicted in the last 2 years, of any offence involving dishonesty?

2. If so, give particulars of each conviction

I certify that the information supplied in my application is true to the best of my knowledge and belief.

Names: _____

Date: _____ Applicant's Signature _____

C.337

For Official Use Only

Application received by: _____

Signature: _____

Date: _____

Decision by of the Licensing Officer

Name of the Issuing officer _____

Issuing officer's signature _____

Date: _____

Station: _____

Stamp: _____

The applicant must submit the following with the application form for a trading licence –

1. Proof of company incorporation and the latest form of annual return (where applicable).
2. Proof of availability of premises (written undertaking lease in *lieu* of agreement or title deed).
3. Certified copy of passport for non-citizens and identity card for citizens.
4. Non-refundable licence application fee of P200.
5. Satisfactory Environmental health Inspection report for the premises.
6. Satisfactory Zoning Report.
7. Payment of appropriate licence fee upon approval.

FORM 2
TRADE ACT
(reg. 36 (1))

BUSINESS REGISTRATION APPLICATION FORM

A. PROPOSED BUSINESS

Type of business registration certificate _____

Location of proposed business _____

B. PARTICULARS OF APPLICANT

1. For Business names

a. Name and Address

Business Name

b. Unique Identification Number (UIN): _____

c. Contact Number _____ Email _____

2. For companies

a. Registered name of Company _____

b. Trading name of Company if different from (a) _____

c. Unique Identification Number (UIN): _____

d. Contact Number _____ Email _____

e. Percentage share of citizen equity holding _____

f. Particulars of all shareholders:

Name	Nationality	Address	% Share in Equity holding
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

C.339

5. Level of Investment (Capital to be invested in the business)

(a) Capital Investment P _____

(b) Assets P _____

6. Anticipated number of employees: _____

C. PARTICULARS OF LAND PREMISES

1. Plot No. or Land Board Certificate No. _____

2. Is the plot zoned Commercial or Industrial _____

3. If the premises are leased, state the name of the owner _____

4. Size of premises (square metres of floor space) _____

D. GENERAL INFORMATION

1. Have you ever been convicted in the last 2 years, of any offence involving dishonesty?

2. If so, give particulars of each conviction

I certify that the information supplied in my application is true to the best of my knowledge and belief.

Names: _____

Date: _____

Applicant's Signature _____

For Official Use Only

Application received by: _____

Date: _____ Signature: _____

Decision by Registration Officer: _____

Name of the Issuing officer _____

Issuing officer's Signature _____

Date: _____

Station: _____

Stamp: _____

The applicant must submit the following with the application form for a registration certificate—

1. Proof of company incorporation and the latest form of annual return (where applicable).
2. Proof of availability of premises (written undertaking lease in *lieu* of agreement or title deed).
3. Certified copy of passport for non-citizens and identity card for citizens.
4. Non-refundable registration certificate application fee of P200.
5. Payment of appropriate business registration certificate fee upon approval.

C.341

FORM 3

TRADE ACT
(reg. 37)

TRADE LICENCE

Licence No. : Issued on: under the
provisions of the Trade Act and the Regulations made thereunder.

To: (Business/company name) whereas
the said licence holder is hereby licensed to carry on the business of

.....

and trade in the following goods and/or services:

.....

.....

At.....

This licence is valid for an indefinite period subject to the payment of annual licence fee and
compliance with the conditions upon which it is issued.

Name of the Licensing officer:

Date: Licensing officer's signature:

Station:

Stamp:

C.342

FORM 4

TRADE ACT

(reg. 37)

BUSINESS REGISTRATION CERTIFICATE

Certificate No. : Issued on: under the
provisions of the Trade Act and the Regulations made thereunder.

To: (Business/Company name) whereas
the said business registration certificate holder is registered to trade in the following goods and
/or services:

.....
.....

This business registration certificate is valid for an indefinite period subject to the payment of
annual registration fee and compliance with the conditions upon which it is issued.

Name of the Registration officer:

Date: Registration officer's signature:

Station:

Stamp.....

FORM 5

TRADE ACT
(reg. 38)

**TRADE LICENCE OR BUSINESS REGISTRATION CERTIFICATE ANNUAL FEES –
PAYMENT FORM**

1. Business Name or Company Name.....
2. Trading Name:
3. Location of Business:
4. Postal Address of business:
5. Type of Licence/Business registration Certificate:
6. Last date of payment of annual licence or business registration fees:
7. Details of Directors and shareholders (For Companies):

Name	Nationality	% Shareholding
.....
.....
.....
.....
.....

Documents to be submitted with this form:

1. Latest Company Annual Returns forms (*only where applicable)
2. Certified copy of omang/passports for directors and shareholders (*only if there have been changes to directorship or shareholding).
3. Valid Lease agreement (where applicable)

C.344

FOR OFFICIAL USE ONLY

Date application received:

Due date:

Amount payable:

Receipt No:

Authorizing Officer:

Revenue Officer:

Signature

C.345

FORM 6

TRADE ACT
(reg. 40)

**NOTICE OF INTENTION TO TRANSFER TRADE LICENCE OR BUSINESS REGISTRATION
CERTIFICATE**

PART A (Transfer between businesses)

I/We have disposed of my/our entire interest in
carrying on the business of to
..... who will continue to trade at the same
premises and under the same type of business of a

PART B (Change of Location)

I/We intend to transfer my/our business of
..... from to
..... and will continue to trade under the same name of
..... and under the same type of business.

NOTE: fill the part that is applicable to you

Form 7

TRADE ACT
(reg. 41(1))

APPLICATION FOR TRANSFER OF TRADE LICENCE OR BUSINESS REGISTRATION CERTIFICATE**Part A: (Transfer between businesses)****1. Particulars of Transferor**

- a. Name of Business
- b. Citizen-owned ☐ Non-citizen owned ☐ Joint Venture ☐
- c. Nationality of the owner (s).....
- d. Physical address
- e. Postal address
- f. Tel/cell
- g. Email address
- h. Type of Licence /Business Registration Certificate:
- i. Licence /Business Registration Certificate No:
- j. Presented by: (Full names).....
- k. Applicant's signature:
- l. Date of application:

2. Particulars of Transferee:

- a. Name of Business
- b. Citizen-owned ☐ Non-citizen owned ☐ Joint Venture ☐
- c. Nationality of the owner (s).....
- d. Physical address
- e. Postal address
- f. Tel/cell
- g. Email
- h. Type of Licence /Business Registration Certificate:
- i. Licence /Business Registration Certificate No:

- j. Presented by: (Full names).....
- k. Applicant's signature:
- l. Date of application:

Part B (Transfer from one premises to another)

1. Particulars of Applicant:

- a. Name of Business
- b. Physical address
- c. Postal address
- d. Tel/cell
- e. Email
- f. Type of Licence /Business Registration Certificate:
- g. Licence /Business Registration Certificate No:
- h. Presented by: (Full names).....
- i. Applicant's signature:
- j. Date of application:

Transferor should submit the following documents:

- 1. Notice of intention to transfer trade licence/ business registration certificate.
- 2. Certified copy of omang/passports for directors and shareholders.
- 3. Satisfactory health inspection report
- 4. Lease agreement
- 5. P200 application fee
- 6. Transfer fee of P500 upon approval

C.348

FOR OFFICIAL USE ONLY

Date application received: Authorizing Officer:

Signature

Station.....

Stamp.....

C.349

FORM 8

TRADE ACT
(reg. 42 (1))

**APPLICATION FOR DUPLICATE TRADE LICENCE/BUSINESS REGISTRATION
DUPLICATE CERTIFICATE**

Name and address of licensee/holder of business registration certificate

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.....

Type of licence or business registration
certificate.....

Date of issue.....

How was the licence/business registration certificate lost?

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.....
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Date of application.....

Signature of applicant.....

To apply for a duplicate licence or business registration certificate, submit a copy of a police report.

SCHEDULE 2

Business Registration Certificate fees:

NO.	TYPE OF BUSINESS REGISTRATION CERTIFICATE	BUSINESS REGISTRATION CERTIFICATE FEE	NO.	TYPE OF BUSINESS REGISTRATION CERTIFICATE	BUSINESS REGISTRATION CERTIFICATE FEE
1.	Agent	P 1000	19.	General Clothing	P 750
2.	Amusement Arcade	P 500	20.	General Dealer	P 250
3.	Auctioneer's	P 1200	21.	General Hire Service	P 500
4.	Baby Shop	P 1000	22.	Haberdashery	P 750
5.	Bookshop	P 750	23.	Household Shop	P 1500
6.	Car Wash	P 150	24.	Imported Pre owned Motor Dealer	P 1500
7.	Cellphone Shop	P 1000	25.	Industrial Hardware	P 1000
8.	Cleaning Services	P 200	26.	Internet Café or Copy Shop	P 500
9.	Commercial Hardware	P 1000	27.	Jewellery Shop	P 1000
10.	Curio Shop	P 500	28.	Laundromat	P 100
11.	Department Store	P 2000	29.	Plant Hire Service	P 500
12.	Distributor	P 1500	30.	Specialized Motor Dealer	P 1500
13.	Driller's	P 1000	31.	Sunglass Shop	P 1000
14.	Dry-clean	P 1500	32.	Supermarket	P 1500
15.	Dry-clean Depot	P 500	33.	Toy Shop	P 1000
16.	Electronics or Electrical Shop	P 1000	34.	Wholesale	P 1500
17.	Florist or Plant nursery	P 250	35.	Workshop	P 1500
18.	Furniture Shop	P 1500			

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Licence fees:

NO.	TYPE OF LICENCE	LICENCE FEE
1.	Agricultural Shop	P 1000
2.	Cosmetics Shop	P 1000
3.	Fresh Produce	P 250
4.	Funeral Parlour	P 1500
5.	Gymnasium	P 1000
6.	Hair or Beauty Parlor	P 750
7.	Optician Shop	P 1000
8.	Pharmacy or chemist	P 750
9.	Restaurant	P 1000
10.	Takeaway	P 1000

MADE this 14th day of May, 2020.

PEGGY O. SERAME,
*Minister of Investment, Trade and
Industry.*

