

**CHAPTER 43:01 - INDUSTRIAL DEVELOPMENT: SUBSIDIARY LEGISLATION
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Industrial Development Regulations

Industrial Development Act (Size of Enterprises) Order

INDUSTRIAL DEVELOPMENT REGULATIONS

(section 33)

(31st March, 2008)

ARRANGEMENT OF REGULATIONS

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Schedule

S.I. 4, 1989,
S.I. 53, 1993,
S.I. 25, 2008,
S.I. 30, 2008.

1. Citation

These Regulations may be cited as the Industrial Development Regulations.

2. Interpretation

In these Regulations unless the context otherwise requires—

"additional premises" shall include additions to or extensions of existing premises; and

"industrial licence" means a licence to carry on a manufacturing enterprise.

3. Application for industrial licence

(1) An application for an industrial licence shall be made in Form AIL 1 as prescribed in Part 1 of the Schedule to these Regulations and shall be made to the Secretariat of a licensing committee or the Secretary of the Industrial Licensing Authority.

(2) A copy of such application shall also be forwarded to the Government Statistician.

4. Application to produce new products

When a licence holder wishes to manufacture new products additional to those indicated on his or her licence, application shall be made in the Form AIL 2 as prescribed in Part 1 of the Schedule.

5. Application to manufacture on additional premises

Where a licence holder wishes to manufacture goods on an additional premises, application shall be made to a licensing committee or the Industrial Licensing Authority in Form AIL 3 as prescribed in Part 1 of the Schedule.

6. Application to manufacture on new location

Where a licence holder wishes to move his or her manufacturing enterprise to a new

location, application shall be made to a licensing committee or the Licensing Authority in Form AIL 4 as prescribed in Part 1 of the Schedule.

7. Application to transfer a licence

Where a licence holder wishes to transfer a licence to another person, application shall be made to a licensing committee or the Licensing Authority in Form AIL 5 as prescribed in Part 1 of the Schedule.

8. Form of licence

A licence to be issued under these Regulations shall be in Form IL as prescribed in Part 1 of the Schedule.

9. Registration of micro and small enterprises

The registration of micro and small enterprises exempt from the Act shall be in Form AIL 6 as prescribed in Part 1 of the Schedule.

10. Failure to commence or recommence operation

If a licence holder fails to commence his or her manufacturing enterprise within two years after the date of issue of his or her licence, or if a licence holder fails to recommence his or her operations within two years after a temporary closure, the licence shall automatically cease, and a fresh application must be made before operations can commence or recommence, as the case may be.

11. Failure to pay annual licence fee

A licence holder who fails to pay an annual licence fee shall be liable to a fine of P100.

12. Fees

The fees payable for the issuance of licences and for other administrative services rendered to the public by a licensing committee or the Industrial Licensing Authority shall be as prescribed in Part II of the Schedule.

13. Reservation of enterprises for Botswana citizens

(1) The following types of small scale manufacturing enterprise shall be reserved for Botswana citizens or companies wholly owned by Botswana citizens—

- (a) the manufacture of school uniforms;
- (b) the manufacture of school furniture;
- (c) the manufacture of burglar bars;
- (d) the manufacture of protective clothing;
- (e) the milling of sorghum;
- (f) the manufacture of cement bricks and baked earth (mud) bricks;
- (g) the baking of bread and confectionery;
- (h) manufacture of peanut butter;
- (i) bottling of water;
- (j) the production of traditional sour milk;
- (k) packaging;
- (l) the manufacture of floor polish;
- (m) the manufacture of traditional leather products;
- (n) the manufacture of traditional crafts;
- (o) signage, including electronic signage;
- (p) fencing materials excluding gum poles;
- (q) the manufacture of candles;
- (r) ice making;
- (s) meat processing;

Provided that any person engaged in the manufacturing enterprises referred to above and who is so engaged at the date of commencement of these Regulations shall be permitted to continue such manufacturing subject to compliance with other requirements of these Regulations.

SCHEDULE

**Part 1
Forms**
(regs 3, 4, 5, 6, 7, 8 and 9)
FORM AIL 1
Application for Industrial Licence



REPUBLIC OF BOTSWANA

APPLICATION FOR INDUSTRIAL LICENCE

(INDUSTRIAL DEVELOPMENT ACT)

The Secretary
Licensing Committee/Industrial Licensing Authority
P/Bag, Gaborone
Botswana

Application is hereby made for Industrial Licence:

1. PARTICULARS OF APPLICANT(S)

Name of Applicant/ Company.....
(In block letters)
Trading Name *(if other than company's name)*
Company Registration No.....Date:.....

(a) Ownership:

Particulars of Shareholders:

	Names	Nationality	Oman/ Passport No.	No. of Shares
1.
2.
3.
4.

(b) Management:

Particulars of Directors:

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

(c) Consultants:

Particulars of company's secretary/attorney (if any):

Name:.....
Postal Address:.....
Telephone:.....E-mail :.....

2. LOCATION OF MANUFACTURING ESTABLISHMENT:

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

3. COMMUNICATION ADDRESS:

Postal Address:.....
Telephone No:.....Fax:.....E-mail.....

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

1.
2.
3.
4.
5.
6.
7.
8.
9.
10.
11.
12.

5. PROJECTED EMPLOYMENT:

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

(b)	Projected Salaries/Wages:			
	Year	Citizens	Non Citizens	Total

6. TRAINING PLANS:

- (a) Plans for on the job training:.....
.....
.....
- (b) Plans for off the job training:.....
.....
- (c) Estimated cost of external training:.....
- (d) Fields of external training:.....
.....
- (e) Duration of training:.....
- (f) Proposed venue(s) of training:.....

7. TECHNICAL KNOW-HOW:

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

8. PROCUREMENT OF MACHINERY AND RAW MATERIAL:

(a) Raw Material:

Details of Raw materials	Quantity		Source (Country)	Total	Value		Total	Tariff Code
	Local	Imported			Local	Imported		
.....
.....
.....
.....
.....
Total:.....

(b) Machinery:

Details of Machinery	Source of Supply		Country	Value In 000 pula
	Local	Imported		
.....
.....
.....
.....

9. MARKETING:

(a) Local Buyers/Traders' Names with Addresses:

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

(b) Buyers in other Countries with Addresses:

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

10. SALES

(a) Projected Sales for Next Year:

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

11. ENERGY CONSUMPTION:

DETAILS	QUANTITY		VALUE	
	Local	Total	Local	Total
Electricity (000kwh)
Water (000litres)
Gas (cut/fit)
Fuels
Solid (tonnes)
Liquid (000 l)
Transport (tonnes)
Others

12. INVESTMENT

(a) Fixed Assets:

DETAILS	UNIT	QUANTITY	VALUE
Land	Hectares	.....	.....
Building (industrial)	Sq. Metres	.....	.....
Plant/Machinery	Number	.....	.....
Vehicles	Number	.....	.....
Others	.....	.....	.....

(b) Working Capital:

DETAILS	VALUE
Stocks of Raw Material
Cash and other Liquid Assets
Gross Working Capital: (i)
Amount Owing to Creditors: (ii)
Net working capital (deduct (i) from (ii))
Total Assets (for a+ b)

(c) Sources of Funds:

DETAILS	VALUE
Personal Capital
Private Borrowing in Botswana
Loans from Commercial Banks
Advances from Banks
Credit from Suppliers
Loan from National Development Bank
Botswana Development Corporations Loan/Equity
Grant under Government Scheme
Other (Specify)
Total
Total Funds Available (= a + b)

13. 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:.....

14. 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.

Date of Application:..... Signature of Applicant:.....
Name:.....
Id/Passport No.....
Tel:

For official use only

- 1. Receipt of Application:
File No.....
Date:.....Application fee Receipt No:
- Signature of Licensing Officer:.....
- 2. Review of Application:
Officer's Name:.....
Remarks:.....
Signature:..... Date:.....
- 3. Date of Licensing Committee/Industrial Licensing Authority Meeting:.....
- 4. Decision of the Licensing Committee/Industrial Licensing Authority:.....
Signature of the Chairperson of Licensing Committee/Industrial Licensing Authority:.....
- 5. Communication of Decision:
Letter No: Date:.....
- 6. Licence No:..... Date:.....

FORM AIL 2
Application to Manufacture New Product(s)



REPUBLIC OF BOTSWANA

**APPLICATION TO MANUFACTURE NEW PRODUCT(S)
(INDUSTRIAL DEVELOPMENT ACT)**

The Secretary,
Licensing Committee/Industrial Licensing Authority
Private Bag
Gaborone

Name of Company:

Location:.....

Licence No..... Issued on the.....

Products being manufactured under this licence

.....

Additional products being applied for:

.....

Reasons for the application:.....

.....

.....

.....

.....
Date of application

.....
Signature of Applicant

or a Duly Authorised Representative

Name:

Designation:

Address:

Telephone:

**FORM AIL 3
Application to Manufacture at an Additional Place**



REPUBLIC OF BOTSWANA

APPLICATION TO MANUFACTURE AT AN ADDITIONAL PLACE
(INDUSTRIAL DEVELOPMENT ACT)

The Secretary,
Licensing Committee/Industrial Licensing Authority
Ministry of Trade and Industry
Private Bag
Gaborone

Name of Company :.....
Location:.....
Licence No. Issued on the
Products being manufactured under this licence:

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

Additional place will be at..... Plot No:.....
Reasons for the application:.....
.....
.....
.....

.....
Date of application

.....
Signature of Applicant
or a Duly Authorised Representative
Name:
Designation:
Address:
Telephone:

FORM AIL 4
Application to Change Location



REPUBLIC OF BOTSWANA

APPLICATION TO CHANGE LOCATION

(INDUSTRIAL DEVELOPMENT ACT)

The Secretary,
Licensing Committee/Industrial Licensing Authority
Private Bag
Gaborone

Name of Company :

Location:.....

Licence No.Issued on the

Products being manufactured under this licence:

.....

.....

.....

.....

New place will be at..... Plot No:.....

Reasons for relocation:.....

.....

.....

.....

.....

.....
Date of application

.....
Signature of Applicant
or a Duly Authorised Representative
Name:
Designation:
Address:
Telephone:

FORM AIL 5
Application to Transfer Industrial Licence



REPUBLIC OF BOTSWANA

APPLICATION TO TRANSFER INDUSTRIAL LICENCE

(INDUSTRIAL DEVELOPMENT ACT)

The Secretary,
Licensing Committee/Industrial Licensing Authority
Private Bag
Gaborone

Name of Company :.....

Location:.....

Licence No.Issued on the

Products being manufactured under this licence:

.....

.....

.....

.....

.....

Licence to be transferred to.....

Reasons for the application:.....

.....

.....

.....

.....

.....

.....

Date of application

.....
Signature of Applicant

or a Duly Authorised Representative

Name:

Designation:

Telephone:

Address:

**FORM AIL 6
Registration Certificate**



REPUBLIC OF BOTSWANA

REGISTRATION CERTIFICATE

(INDUSTRIAL DEVELOPMENT ACT)

Business Registration No:..... issued at.....
under the provisions of the Industrial Development Act and the Regulations.

To:
(Name of business)

Trading at

Address

Products being manufactured under this Certificate:.....

.....

.....

.....

.....

At Plot No./ WardTown/City/Village

for the period from to

unless renewed.

Amount paidReceipt No.....

.....
Registration Officer

FORM IL



REPUBLIC OF BOTSWANA

No.

Date of issue:

INDUSTRIAL LICENCE

(INDUSTRIAL DEVELOPMENT ACT)

A licence is hereby granted to

.....

At Plot No/Ward.....

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

.....

.....

.....

Subject to the payment of an annual licence fee and compliance with the following conditions:

.....

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

.....
Licensing Officer

.....
Station

Industrial Licence

Part 2
Fees
(reg 11)

The following fees shall be payable —

	P
1. On the issue of an industrial licence	200
2. Annual fee for an industrial licence	200
3. On the issue of a licence to manufacture at an additional place	200
4. On the issue of a licence to change location	200
5. On the issue of transfer of a licence	200
6. On the issue of a licence to manufacture a new product	100
7. On the issue of a duplicate licence	100
8. Administration fee	50
9. Registration certificate	10