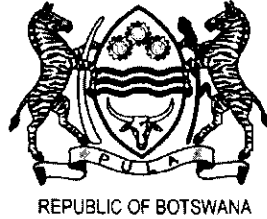


TELEPHONE: 3718000
FASCIMILE: 3915119
REFERENCE:



The Office of the Registrar & Master
The High Court of Botswana
Private Bag 00220
Gaborone
BOTSWANA

ADMINISTRATION OF JUSTICE

PRESS RELEASE

TO: ALL MEDIA HOUSES

TRUST PROPERTY CONTROL ACT, NO. 11 OF 2018

1. The Public is hereby informed that the Trust Property Control Act, No. 11 of 2018 which is designed to regulate the control of Trusts and to provide for matters related thereto commenced on 29 June 2018.
2. The Public is further informed that the Master's Office based at the Francistown and Gaborone Division of the High Court is tasked with the responsibility of administering the Trust Property Control Act, No. 11 of 2018 and the registration of the Trust Instruments. All the forms required for the registration of Trust Instruments are obtainable in hard copy format from the two aforesaid High Court Divisions.
3. Trust refers to an arrangement for the bequeathment of ownership in property, be it moveable, immovable, money, corporeal or incorporeal within or outside Botswana through a Trust Instrument.

Documents deemed to be Trust Instruments are written agreement, testamentary writing, court order or notarial deed. These documents are not confined to only those prepared by Legal Practitioners but even self actors.

4. In terms of the Trust Property Control Act, No. 11 of 2018, Section 26 thereof requires that a person appointed as a Trustee pursuant to a Trust Instrument executed prior to the commencement of the Act shall lodge the same with the Master

for registration on the register within a period of six (6) months after commencement of the Act.

- 4.1 Cognisant of the fact that the prescribed six (6) months, period lapses on 28 December 2018 contingent arrangements have been put in place at the Master's Office at the Francistown and Gaborone Division of the High Court to register the Trust Instruments for validation with effect from **05 December 2018 on Mondays to Fridays from 07:30 am to 6 pm and on Saturdays and Sundays from 07:30 am to 1 pm.**
- 4.2 The Master's fee payable prior to registration is **P250.00** and is payable at the Accounts Unit at the Master's Office at the Francistown and Gaborone Division of the High Court.
5. The Public is advised that failure to register the Trust Instrument, renders it of no force and effect and that there are also other consequences in the form of offences and penalties, for purporting to act as a Trustee without authority and in contravention of the provisions of the Act.
6. For any further clarification or additional information, the Public is advised to **contact the Master's Office Registry at High Court Division, Gaborone at 3718343/3718003/378268 and High Court Division, Francistown at 2419248/2423810/2423832.**

DATED AT GABORONE ON THIS 29TH DAY OF NOVEMBER 2018.



Michael L. Motlhabi

REGISTRAR AND MASTER OF THE HIGH COURT

