

No. 53385*

**South Africa
and
Botswana**

Agreement between the Government of the Republic of South Africa and the Government of the Republic of Botswana regarding the road and bridge infrastructure development initiative. Pretoria, 7 July 2014

Entry into force: *7 July 2014 by signature, in accordance with article 14*

Authentic text: *English*

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**Afrique du Sud
et
Botswana**

Accord entre le Gouvernement de la République sud-africaine et le Gouvernement de la République du Botswana concernant l'initiative de développement de l'infrastructure des ponts et chaussées. Pretoria, 7 juillet 2014

Entrée en vigueur : *7 juillet 2014 par signature, conformément à l'article 14*

Texte authentique : *anglais*

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[ENGLISH TEXT – TEXTE ANGLAIS]

AGREEMENT

BETWEEN

**THE GOVERNMENT OF THE
REPUBLIC OF SOUTH AFRICA**

AND

**THE GOVERNMENT OF THE
REPUBLIC OF BOTSWANA**

REGARDING

THE ROAD AND BRIDGE INFRASTRUCTURE

DEVELOPMENT INITIATIVE

PREAMBLE

The Government of the Republic of South Africa and the Government of the Republic of Botswana (hereinafter jointly referred to as the "Parties" and separately as a "Party");

RECOGNISING the need to upgrade the road and bridge infrastructure at points of entry between the countries to ensure effective and efficient border control;

APPRECIATING the advantages of regional development;

ACKNOWLEDGING that co-operation between the Parties with regard to the development of mutual projects in respect of road and bridge infrastructure will significantly contribute towards their economic prosperity and the welfare of their people and that of the Southern African region in general; and

WISHING to promote the traditions of good neighbourly relations and peaceful co-operation between the Parties;

HEREBY AGREE as follows:

ARTICLE 1 DEFINITIONS

In this Agreement, hereinafter referred to as "Agreement" unless the context otherwise indicates—

"Competent Authorities" means the competent authorities referred to in Article 3;

"Annexure" means any Annexure contemplated in Article 4(2) that shall be added to this Agreement and which shall form an integral part of this Agreement

"Point of entry" means any official land route that crosses the border between the countries and that has been designated as a point of entry by the Parties;

"Projects" means all improvements, upgrades and related work identified by the Parties and the Task Team in order to achieve the Objectives of the Upgrade of the Road and Bridge Infrastructure Development Initiative including the design, construction, financing, rehabilitation, maintenance and, if required, the upgrading of the road network at a point of entry, as well as associated facilities; and

"Task Team" means the group established in terms of Article 5.

**ARTICLE 2
PURPOSE AND OBJECTIVES**

- (1) The purpose of this Agreement is to enable the Parties to identify the points of entry on roads and bridges at the border between their countries as a development initiative for designing, constructing, financing, rehabilitating, maintaining and upgrading those points of entry.
- (2) The objectives of the Parties with respect to the Agreement are to—
 - (a) stimulate and promote economic investment and social development within their territories;
 - (b) ensure that development occurs in an environmentally sustainable manner; and
 - (c) upgrade the existing road network and bridges at designated commercial points of entry.

**ARTICLE 3
COMPETENT AUTHORITIES**

The Competent Authorities responsible for the implementation of this Agreement shall be—

- (a) in the case of the Republic of South Africa, the Minister of Transport; and
- (b) in the case of the Republic of Botswana, the Minister of Transport and Communications.

**ARTICLE 4
IMPLEMENTATION AND PROJECT PLAN**

- (1) The Parties shall, through the Competent Authorities and Task Team, identify specific Projects for the development of the road and bridge infrastructure.
- (2) Each Project contemplated in sub-Article (1) shall be elaborated on in a detailed Project Plan which must be approved by the Parties and which shall thereafter be annexed to this Agreement.
- (3) The Project Plan contemplated in sub-Article (2) shall specify all the details necessary for the successful implementation of the Project concerned, including but not limited to the following:
 - (a) the appointment of consulting services and contractors;
 - (b) tender procedures that shall be followed;