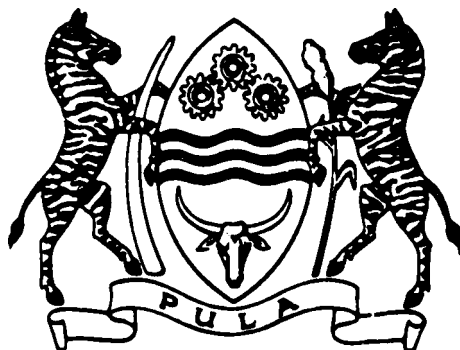


REPUBLIC OF BOTSWANA



GOVERNMENT GAZETTE

EXTRAORDINARY

Vol. XXVIII No. 62

GABORONE

7th December, 1990

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Government Notice No 356 of 1990

COMMISSIONS OF INQUIRY ACT
(Cap 05:02)

Issue of Commission of Inquiry

IN ACCORDANCE with the provisions of section 2 of the Commissions of Inquiry Act, it is hereby notified that the President has issued a Commission of Inquiry which shall be composed of —

THE HON. MR. JUSTICE I.R. ABOAGYE (CHAIRMAN)
MR. N. MMONO
MR. V.R. SANDERS
MR. T. MALEBESWA (SECRETARY).

The Commission shall inquire into the supply of school books and materials to primary schools for the 1990 school year, with particular reference to the selection and performance of IPM (Pty) Ltd as consultants, the selection and effectiveness of successful tenderers, fees paid to and claimed by IPM (Pty) Ltd, whether Government received value for money on this consultancy, and generally to ascertain whether any fault, defect or irregularity was attributable to any person or persons relating to the award or performance of the consultancy contract or of the contracts for the supply of school books and materials as aforesaid.

Public hearings of the Commission shall be held in Gaborone on dates to be announced.

Any person wishing to give evidence before the Commission or to make submissions to the Commission should notify

THE SECRETARY,
IPM COMMISSION OF INQUIRY,
PRIVATE BAG 009,
GABORONE

not later than 10th January, 1991.

DATED this 6th day of December, 1990.

Q.K.J. MASIRE,
President.

Bill No. 26 of 1990

**SPECIFIED OFFICES (SALARIES AND ALLOWANCES)
(AMENDMENT)(NO.2) BILL, 1990**
(Published on 7th December, 1990)

MEMORANDUM

A draft of the above, Bill which it is proposed to present to the National Assembly, is set out below.

The Bill seeks to bring into effect the new salary structure approved by the Government.

M.S. MERAFHE,
*Minister of Presidential Affairs and
Public Administration.*

ARRANGEMENT OF SECTIONS

SECTION

1. Short title and commencement
2. Substitution of new schedule to Cap. 26:04

SCHEDULE

A BILL

—entitled—

An Act to amend the Specified Offices (Salaries and Allowances) Act

Date of Assent:

Date of Commencement:

ENACTED by the Parliament of Botswana.

1. This Act may be cited as the Specified Offices (Salaries and Allowances)(Amendment) Act, 1990, and shall be deemed to have come into operation on 1st November, 1990.

2. The Specified Offices (Salaries and Allowances) Act is amended by substituting for the Schedule thereto the following new Schedule:

Short title
Commence-
ment

Substitu-
tion of new
Schedule to
Cap. 26:04

"SCHEDULE

Office

Chairman of the Public Service Commission — At the rate of P3 396 per annum;

Other Members of the Public Service Commission — At the rate of P2 928 per annum;

Attorney-General — At the rate of P85 728 per annum;

Auditor-General — At the rate of P74 544 per annum;

Supervisor of Elections — At the rate of P74 544 per annum."

L2/4/481 I

Bill No. 27 of 1990

JUDGES (MISCELLANEOUS PROVISIONS) BILL, 1990
(Published on 7th December, 1990)

MEMORANDUM

A draft of the above Bill, which it is proposed to present to the National Assembly, is set out below.

2. The purpose of this Bill is to re-enact the Judges (Miscellaneous Provisions) Act by incorporating in the proposed enactment the new salary structure approved by the Government and also to reflect the changes effected when the Constitution was amended to raise the retiring age of judges to 65. The opportunity has also been taken to clarify the provisions of the First Schedule which were rather obscure.

M.S. MERAFHE,
*Minister for Presidential Affairs and,
 Public Administration.*

ARRANGEMENT OF SECTIONS

SECTION

1. Short title
2. Interpretation
3. Remuneration of Justices of Appeal
4. Remuneration of Chief Justice
5. Remuneration of Puisne Judge
6. Gratuity and allowances to be exempt from income tax
7. Prescribed countries
8. Repeal of Cap. 04:03
 - First Schedule
 - Second Schedule

A BILL

—entitled—

An Act to prescribe the salaries and allowances of Judges of the Court of Appeal and the High Court, to make provision for the appointment of Judges from countries outside the Commonwealth and matters ancillary thereto.

Date of Assent:

Date of Commencement:

ENACTED by the Parliament of Botswana

1. This Act may be cited as the Judges (Miscellaneous Provisions) Act. Short title

2. In this Act, "puisse judge" means any judge of the High Court of Botswana other than the Chief Justice. Interpre-
tation

Remuneration of Justice of Appeal

3. (1) There shall be paid to the President of the Court of Appeal, in addition to the amounts specified in subsection (2), an allowance at the rate of P4 908 a year.

- (2) There shall be paid to every Justice of Appeal —
 - (a) a fee of P432 in respect of every session of the Court of Appeal attended by that judge;
 - (b) a fee of P1080 for each day necessarily occupied by the judge in travelling to the seat of the Court, attending the session of the Court, and returning home after its conclusion;
 - (c) a subsistence allowance of P43,47 per day, or the cost of any hotel accommodation necessarily incurred (whichever is the greater) in respect of each day necessarily occupied in the manner specified in paragraph (b).

Remuneration of Chief Justice

4. The Chief Justice shall be paid —

- (a) a salary at the rate of P98 592 a year;
- (b) in the case of a Chief Justice who is not —
 - (i) a citizen of Botswana, or
 - (ii) in receipt of inducement allowance under the Overseas Service (Botswana) Agreement, 1970, an annual allowance to be determined by the President;
- (c) in the case of a Chief Justice whose service is not by virtue of any law pensionable, a gratuity calculated in the manner prescribed in the First Schedule;
- (d) an entertainment allowance of P1 299 a year.

Remuneration of Puisne Judge

5. A puisne judge shall be paid —

- (a) a salary at the rate of P74 544 a year;
- (b) in the case of a judge who is not —
 - (i) a citizen of Botswana, or
 - (ii) in receipt of inducement allowance under the Overseas Service (Botswana) Agreement, 1970, an annual allowance to be determined by the President;
- (c) in the case of a judge whose service is not by virtue of any law pensionable, a gratuity calculated in the manner prescribed in the First Schedule.

Gratuity and allowances to be exempt from income tax
Prescribed countries

6. Any gratuity or allowance payable under this Act (other than an allowance paid in pursuance of section 4(b) and 5(b)) shall be exempt from income tax.

7. Any country listed in the Second Schedule, being a country outside the Commonwealth, is prescribed for the purposes of section 96(3) and 100(3) of the Constitution.

Repeal of Cap. 04:03

8. Judges (Miscellaneous Provisions) Act is hereby repealed.

FIRST SCHEDULE
(Section 4(c) and 5(c))

1. The gratuity shall be calculated on the basis of the total emoluments payable to the judge (which expression shall hereinafter include the Chief Justice) in accordance with section 4(a) or section 5(a), as the case may be.

2. The gratuity shall be payable at the rate of 25 per cent for the first tour of the judge's service, 27,5 per cent for the second tour, and 30 per cent for the third and any subsequent tour.

3. The gratuity shall accrue and be payable —

- (a) at the end of each tour of service;
- (b) periodically at such period, being not less than two years, from a date beginning with his assumption of office, or since the last payment of gratuity, as the judge may nominate;
- (c) upon vacation of office by the judge consequent upon reaching the retiring age for judges;
- (d) upon vacation of office by the judge on medical grounds; or
- (e) upon the death of the judge whilst holding office.

SECOND SCHEDULE
(section 7)
The Republic of South Africa

L2/7/607 1

Bill No. 28 of 1990

**HOUSE OF CHIEFS (SALARIES AND ALLOWANCES)
(AMENDMENT)(NO.2) BILL, 1990**
(Published on 7th December, 1990)

MEMORANDUM

A draft of the above Bill, which it is proposed to present to the National Assembly, is set out below.

The Bill seeks to bring into effect the new salary structure approved by the Government.

M.S. MERAFFE,
*Minister of Presidential Affairs and
Public Administration.*

ARRANGEMENT OF SECTIONS

SECTION

1. Short title and commencement
2. Amendment of section 3 of Act No. 8 of 1988
3. Amendment of section 4
4. Amendment of Schedule

A BILL

—entitled—

An Act to amend the House of Chiefs (Salaries and Allowances) Act, 1988

Date of Assent:

Date of Commencement:

ENACTED by the Parliament of Botswana.

1. This Act may be cited as the House of Chiefs (Salaries and Allowances)(Amendment) Act, 1990 and shall be deemed to have come into operation on 1st November, 1990.

2. Section 3 of the House of Chiefs (Salaries and Allowances) Act, 1988 (in this Act referred to as "the principal Act") is amended by substituting "P7 212" for "P6 444" and by substituting "P6 516" for "P5 820."

3. Section 4 of the principal Act is amended by substituting "P5 448" for "P4 860".

4. The Schedule to the principal Act is amended —

- (a) in paragraph 1 by substituting "P97,50" for "P87";
- (b) in paragraph 3 by substituting "P11" for "P10";
- (c) in paragraph 5 by substituting "P81" for "P72";
- (d) in paragraph 6(1) by substituting "P1 932" for "P1 725" and
- (e) in paragraph 6(2) by substituting "P540" for "P483".

Short title
and Commence-
ment

Amendme-
ment of
section 3 of
Act No. 8
of 1988

Amend-
ment of
section 4
Amend-
ment of
Schedule

Bill No. 29 of 1990

**NATIONAL ASSEMBLY (SALARIES AND ALLOWANCES)
(AMENDMENT) (NO.2) BILL, 1990**
(Published on 7th December, 1990)

MEMORANDUM

A draft of the above Bill, which it is proposed to present to the National Assembly is set out below.

The Bill seeks to bring into effect the recently announced 12 per cent increase in salaries and allowances as approved by Government.

M.S. MERAFFE,
*Minister of Presidential Affairs and
Public Administration.*

ARRANGEMENT OF SECTIONS

SECTION

1. Short title and commencement
2. Amendment of paragraph 1 of the Schedule to Act No. 6 of 1988
3. Amendment of paragraph 2 of Schedule
4. Amendment of paragraph 4 of Schedule
5. Amendment of paragraph 5 of Schedule
6. Amendment of paragraph 7 of Schedule
7. Amendment of paragraph 8 of Schedule
8. Amendment of paragraph 9 of Schedule
9. Amendment of paragraph 11 of Schedule
10. Amendment of paragraph 12 of Schedule

A BILL
—entitled—

**An Act to amend the National Assembly (Salaries and Allowances)
Act, 1988**

Date of Assent:

Date of commencement:

ENACTED by the Parliament of Botswana

1. This Act may be cited as the National Assembly (Salaries and Allowances) (Amendment) (No.2) Act, 1990, and shall be deemed to have come into operation on 1st November, 1990.

2. (1) Paragraph 1(1) of the Schedule to the National Assembly (Salaries and Allowances) Act, 1988 (hereinafter referred to as the principal Act) is amended —

Short title
and commen-
cement

Amendment
of paragraph
1 of the
Schedule to
Act No. 6
of 1988

- (i) in sub-paragraph (a) by substituting "P67 944" for "P60 660";
- (ii) in sub-paragraph (b) by substituting "P54 168" for "P48 360";
- (iii) in sub-paragraph (c) by substituting "P42 228" for "P37 704";
- (iv) in sub-paragraph (d) by substituting "P37 872" for "P33 816";
- (v) in sub-paragraph (e) by substituting "P29 568" for "P26 400";
- (vi) in sub-paragraph (f) by substituting "P27 600" for "P24 648";
- (vii) in sub-paragraph (g) by substituting "P27 444" for "P24 504", and
- (viii) in sub-paragraph (h) by substituting "P24 828" for "P22 164";

(2) Paragraph 1 (2) of the Schedule to the principal Act is amended by substituting "P33 534" for "P29 940"

Amend-
ment of
paragraph
2 of Schedule

3. Paragraph 2 of the Schedule to the principal Act is amended —

- (i) in sub-paragraph (a) by substituting "P66" for "P59"; and
- (ii) in sub-paragraph (b) by substituting "P97,50" for "P87".

Amend-
ment of
paragraph
4 of Schedule

4. Paragraph 4 of the Schedule to the principal Act is amended —

- (i) in sub-paragraph (a) by substituting "P11 877" for "P10 605";
- (ii) in sub-paragraph (b) by substituting "P12 456" for "P11 121";
- (iii) in sub-paragraph (c) by substituting "P16 344" for "P14 592";
- (iv) in sub-paragraph (d) by substituting "P17 901"; for "P15 984" and "P20 031" for "P17 886"; and
- (v) in sub-paragraph (e) by substituting "P22 809" for "P20 364";

Amendment
of paragraph 5
of Schedule
Amendment
of paragraph
7 of Schedule
Amendment
of paragraph
8 of Schedule

5. Paragraph 5 of the Schedule to the principal Act is amended by substituting "P32,50" for "P29".

6. Paragraph 7 of the Schedule to the principal Act is amended by substituting "P1 932" for "P1 714" and "P81" for "P72".

7. Paragraph 8 of the Schedule to the principal Act is amended in sub-paragraph (1) thereof by substituting "P3 870" for "P3 456" and in sub-paragraph (2) thereof by substituting "P2 907" for "P2 595".

Amendment
of paragraph
9 of Schedule

8. Paragraph 9 of the Schedule to the of principal Act is amended by substituting "P14,50" for "P13".

9. Paragraph 11 of the Schedule to the principal Act is amended by substituting "P6 564 " for "P5 862".

Amend-
ment of
paragraph
11 of Schedule
Amend-
ment of
paragraph
12 of Schedule

10. Paragraph 12 of the Schedule to the principal Act is amended by substituting "P1 641" for "P1 464".

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