

CHAPTER 21:01 - POLICE: SUBSIDIARY LEGISLATION
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BOTSWANA POLICE MEDAL FOR MERITORIOUS SERVICE REGULATIONS

(under section 65)

(20th June, 1975)

ARRANGEMENT OF REGULATIONS

REGULATION

1. Citation
2. Eligibility for award
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S.I. 72, 1975.

1. Citation

These Regulations may be cited as the Botswana Police Medal for Meritorious Service Regulations.

2. Eligibility for award

The President may award the Botswana Police Medal for Meritorious Service to a serving member of the Botswana Police Service as a reward for valuable and meritorious service.

3. Conditions of award

A candidate for award of the medal must have served at least 12 years in the Service and must have set a high example by his conduct and diligence.

4. Recommendation

The Commissioner shall be the sole judge as to whether the service and character of a candidate shall merit recommendation for the award.

BOTSWANA POLICE LONG SERVICE AND GOOD CONDUCT MEDAL REGULATIONS

(under section 65)

(20th June, 1975)

ARRANGEMENT OF REGULATIONS

REGULATION

1. Citation
2. Eligibility for award
3. Conditions of award
4. Service in other Forces
5. Recommendation

S.I. 73, 1975.

1. Citation

These Regulations may be cited as the Botswana Police Long Service and Good Conduct Medal Regulations.

2. Eligibility for award

The President may award the Botswana Police Long Service and Good Conduct Medal to a serving member of the Botswana Police Service who has completed 18 years continuous

service in accordance with these Regulations and who has, by his conduct and character throughout his service, shown worthiness for such reward.

3. Conditions of award

(1) A candidate for the award of the medal shall be required to fulfil the conditions hereinafter prescribed as requisite for an exemplary character-

- (a) he has not been convicted of an offence involving moral turpitude;
- (b) he has not been frequently guilty of minor disciplinary offences;
- (c) he has, in the opinion of the Commissioner, set a good example by his general conduct.

(2) A candidate shall be ineligible for the Long Service and Good Conduct Medal if he has-

- (a) been convicted of any offence of a nature deemed to bring the name of the Botswana Police Service into disrepute;
- (b) incurred more than six convictions against discipline during the last 16 years of service:
Provided that the award of a commendation by the Commissioner shall be considered to diminish by one the number of convictions referred to in this paragraph but shall not affect the candidate's eligibility or ineligibility for the medal in any other respect;
- (c) been drunk on duty or, having been warned for duty, rendered himself unfit for such duty through drink.

4. Service in other Forces

Service in the civil Police Forces of other countries may, in the discretion of the Commissioner, be allowed to count towards the 18 years required period of qualifying service for the Botswana Police Long Service and Good Conduct Medal:

Provided that-

- (i) where services have been rendered in the Botswana Police Service and in one or more other Police Forces, approved by the Commissioner, an interval not exceeding 12 months between any two such periods of service shall not be regarded as breaking the continuity of such service; and
- (ii) no more than eight years continuous service in another Service shall be counted towards the 18 years service total required as qualifying for the award of the medal.

5. Recommendation

Subject only to the requirements of regulations 3 and 4, the Commissioner shall be the sole judge as to whether the conduct of a candidate merits recommendation for the award.

POLICE (SPECIAL CONSTABLES) REGULATIONS

(under section 65)

(25th June 2004)

ARRANGEMENT OF REGULATIONS

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S.I. 50, 2004

1. Citation

These Regulations may be cited as the Police (Special Constables) Regulations.

2. Interpretation

In these Regulations, unless the context otherwise requires-

"**Police Council**" means the Police Council established in terms of section 62 of the Act;

"**Service**" means the Botswana Police Service;

"**Service Standing Orders**" means orders issued or approved by the Commissioner in terms of section 4(2) of the Act;

3. Appointment of special constables

(1) The Commissioner may appoint fit and proper persons to be special constables.

(2) A person may be appointed as a special constable for a period not exceeding 6 months and shall be eligible for re-appointment.

(3) When appointing special constables, the Commissioner may give preference to persons who have previously served as members of the Police Service, or as members of the Botswana Defence Force or as special constables.

4. Age of special constable

No person shall be appointed as a special constable unless he is over the age of 18 years and under the age of 60 years.

5. Special constables not eligible for promotion

Special constables shall not be eligible for promotion.

6. Powers of special constable

A special constable shall exercise the powers and duties of a police officer as stated in Part IV of the Act only within an area which shall be specified by the Commissioner during such hours and on such days as the Commissioner may direct.

7. Declaration on attestation

(1) Every person shall, on appointment as a special constable, make and sign a special declaration before a senior officer in such form as may be prescribed.

(2) Every person shall, before making a declaration in terms of subregulation (1), answer truly any questions put to him as to his previous career and employment and as to whether he has at any time been convicted of any offence punishable by the laws of Botswana or by the laws of any other country.

(3) Any person who makes a false statement in reply to any question put to him under subregulation (2) to obtain or to attempt to admission to the Service shall be guilty of an offence liable to a fine not exceeding P500 or to imprisonment for a term not exceeding six months or to both.

(4) The Commissioner may dismiss any special constable who contravenes subregulation (2).

8. Remuneration

Special constables shall be paid at such rate as the Minister may determine from time to

time.

9. Stoppage of pay

Where a special constable is surcharged under the Finance and Audit Act, the amount thereof may be recovered by stoppages from his or her pay.

10. Withholding pay

(1) A special constable shall not receive any pay in respect of any period during which he or she is absent without leave.

(2) Where a special constable is absent from duty through illness or injury and the Commissioner is satisfied that such illness or injury was occasioned or significantly aggravated by the special constables own misconduct or negligence, the Commissioner may order that the special constables pay shall be withheld, wholly or in part, in respect of the period during which he is so absent.

11. Stoppage of pay

The Commissioner may authorize the deduction from the pay due to a special constable of-

- (a) any liquidated amount which the special constable is liable to pay the Government or to any mess or institution of police officers within the Service; or
- (b) any amount which the special constable has previously been paid in pay or allowances in excess of the amount due to him.

12. Identity cards

Special constables shall be issued with and at all times while on duty shall carry identity cards which identify them as special constables.

13. Uniform and equipment

(1) Special constables shall be provided with free basic uniform and equipment, which shall remain the property of the Government.

(2) At the end of a special constable's period of appointment, he or she shall deliver up to the person appointed by the Commissioner for the purpose, or to the officer in charge of police where he or she was deployed, all uniform and other equipment.

(3) Special constables shall wear uniform at all times while on duty.

14. Place, date and time for special constable to report for duty

The Commissioner shall indicate to a newly appointed special constable the place, date and time for him or her to report for duty.

15. Discipline

Any offence committed by a special constable in regard to which proceedings are not instituted in a criminal court may be dealt with in accordance with Part V and Part VI of the Act with right of appeal to the Police Council in the same manner *mutatis mutandis* as a member of the Service.

16. Supplementary provisions relating to appeals

An appeal shall lie to the Police Council and shall be dealt with under Part 6 of the Act in like manner as an appeal by a constable in the Service.

17. Classification of leave

(1) Leave for special constables shall be classified as follows-

- (a) vacation leave
- (b) sick leave
- (c) compassionate leave; or
- (d) leave without pay.

(2) No special constable shall be absent during his or her hours of duty.

18. Accrual of vacation leave

Commencing on the date on which a special constable makes and signs the declaration prescribed in regulation 7, vacation leave shall accrue to him or her at such monthly rate as the Commissioner may direct.

19. Sick leave

(1) Where a formation, unit or station commander in the Service is satisfied that a special constable under his or her command is unable to work because of illness or injury, the commander may, if a Government medical officer or some other acceptable medical practitioner is not readily accessible to him or her, permit the special constable to be absent from duty, so long as he or she remains at his duty station, for any period not exceeding 48 hours and such absence shall be deemed, to be sick leave.

(2) Where a special constable is absent from duty in terms of subregulation (1), his or her formation, unit or station commander, as the case may be, may if a Government medical officer or some other medical practitioner is not readily accessible, extend the period of absence from duty, so long as the special constable remains at his or her duty station, to a maximum of seven days and absence from duty for such extended period shall be deemed, for the purposes of this Part, to be sick leave.

(3) No special constable shall be absent from duty on the ground that he or she is unable to work because of illness or injury, except in terms of subregulation (1) or (2), unless he or she has been granted sick leave by a medical practitioner who shall normally be a Government medical officer, and produces the certificate of the medical practitioner certifying the practitioner's opinion that the special constable is unable to work because of illness or injury.

(4) Sick leave granted in terms of subregulation (3) shall not permit the special constable in question to be absent from his or her duty station unless the certificate of the medical practitioner granting the sick leave expressly states that the necessary treatment, in the practitioner's opinion, requires such absence.

20. Compassionate leave

(1) Where a special constable wishes to absent himself or herself from duty on compassionate grounds and-

- (a) no vacation leave has accrued to him or her; or
- (b) the vacation leave that has accrued to him or her is insufficient for the purpose for which he or she wishes to absent himself or herself from duty, the Commissioner may grant him or her compassionate leave with pay for such period as the Commissioner may determine.

(2) Where a special constable is granted compassionate leave he or she shall take any vacation leave due to him or her together with the compassionate leave which shall be offset by future earned leave.

(3) No compassionate leave shall be granted in excess of an aggregate of 5 days in one month.

21. Special constable not entitled to accommodation

A special constable shall not be entitled to accommodation provided by Government.

POLICE REGULATIONS

(under section 63)

(19th September, 1988)

ARRANGEMENT OF REGULATIONS

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S.I. 100, 1988,
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PART I
Preliminary (regs 1-2)

1. Citation

These Regulations may be cited as the Police Regulations.

2. Interpretation

In these Regulations, unless the context otherwise requires-

"appointing authority" means the appropriate authority in terms of section 8 of the Act;

"approved leave destination", in relation to a police officer, means the place within Botswana approved by the Commissioner as the officer's destination for the purpose of any official leave granted to the officer;

"Association" means the Botswana Police Association established by regulation 49(1);

"dependant", in relation to a deceased police officer, means a spouse, dependant children and aged or disabled parents;

"last day of active duty", in relation to a police officer, means the day on the expiration of which he ceases to be a police officer:

Provided that, where that day falls on a day on which the officer is on leave, including travelling leave, in consequence of his departing the Service, the expression means the day immediately preceding the first day of that leave;

"minor child", in relation to a police officer, means an unmarried minor child of the officer who is financially dependent on the officer, and who is under the age of 21 years;

"police officer" or **"officer"** means a police officer who is a member of the Service;

"Service" does not include special Constables or the Police Reserve;

"Service Standing Orders" means orders issued or approved by the Commissioner in terms of section 4(2) of the Act;

"temporary transfer", in relation to a police officer, means a transfer where the period of absence from the officer's substantive duty station is not less than 30 days and not more than 90 days.

PART II

Enlistment, Promotion, Acting Ranks and Seniority (regs 3-5)

3. Enlistment

(1) No person shall be appointed a police officer unless he is over the age of 18 years and under the age of 30 years:

Provided that-

- (i) where the President has directed, in terms of paragraph (i) of the proviso to section 8(1)(b) of the Act, that a person who is not a serving member of the Service may be appointed a senior officer; or
- (ii) where the Commissioner is satisfied, in respect of a particular appointment to be made by him, that exceptional circumstances exist and that it is in the interest of the Service to do so,

the President, or the Commissioner, as the case may be, may extend the upper age limit prescribed by this subregulation.

(2) At the end of a police officer's period of probationary service on first appointment, the appointing authority shall immediately confirm the officer's appointment unless the appointment has been terminated under section 14 of the Act.

(3) Where he has any doubt as to the efficiency or acceptability of the behaviour of a police officer serving on probation on first appointment, the appointing officer may from time to time extend or further extend the period of 2 years' probationary service prescribed by paragraph (ii) of the proviso to section 8(1)(b) of the Act:

Provided that a police officer's period of probationary service on first appointment shall in no case exceed four years.

4. Promotions

(1) Every promotion of a police officer shall be from the substantive rank currently held by him to a superior rank specified in the Schedule to the Act.

(2) No police officer serving on probation on first appointment shall be promoted: Provided that a Constable so serving may be promoted, in accordance with such conditions as the Commissioner may from time to time establish, to any one of the cadet ranks specified in the Schedule to the Act.

(3) Where the appointing authority so directs, an appointment to a superior rank on promotion shall be a probationary appointment for such period, not exceeding two years, as the appointing authority shall specify at the time of the appointment.

(4) Where, in terms of subregulation (3), the appointing authority has specified a probationary period of less than two years, the authority may from time to time extend or further extend that period to a maximum period of two years.

(5) Where an appointment to a superior rank on promotion is a probationary appointment, the appointing authority may, at any time during the probationary period, and shall, at the conclusion thereof-

- (a) confirm the appointment, if the authority is satisfied that the police officer in question has conducted himself efficiently and in every way satisfactorily in the new rank; or
- (b) direct that the police officer in question shall revert to his former rank, if the authority is not so satisfied, whereupon the officer shall so revert.

5. Acting ranks

(1) Where there is a deficiency in the numbers of a rank or the substantive holder of a rank is not readily available for duty, the appointing authority may appoint a police officer of a lower rank to act therein:

Provided that a police officer shall not be appointed to act in a superior rank-

- (i) in order to meet a deficiency in the numbers thereof, unless that rank is immediately superior to his substantive rank; or
- (ii) in order to replace a substantive holder thereof who is not readily available for duty, unless that rank is not more than two ranks superior to his substantive rank.

(2) The appointment of a police officer to act in a vacant rank superior to his or her substantive rank shall be for such period, not exceeding 12 months, as the appointing authority shall determine and, at the conclusion of that period, the police officer shall revert to his substantive rank unless he or she is then appointed again to act in the same or some other vacant rank superior to his or her substantive rank or appointed to the superior rank on promotion.

(3) Where a police officer ceases to act in a rank which is superior to his or her substantive rank, he or she shall revert to his or her substantive rank unless he or she is then appointed to that superior rank or some other superior rank on promotion.

(4) Where a police officer is, while acting in a rank superior to his substantive rank, appointed to the superior rank on promotion and the appointment is a probationary one, service in the superior rank immediately prior to the appointment shall count as part of the probationary period.

PART III

Miscellaneous Matters relating to Retirement, Dismissal, Resignation and Termination of Appointment (regs 6-12)

6. Procedure relating to compulsory retirement, dismissal and termination of appointment

(1) Where a police officer is retired under section 15(1) of the Act (other than under paragraph (c) (iv) thereof the appointing authority shall cause to be served on him, on or before the officer's last day of active duty or if that is not reasonably practicable, as soon after that day as is reasonably practicable, a statement in writing setting out the grounds of the retirement:

Provided that no police officer shall be retired under section 15(1)(a) or (b) of the Act

unless the appointing authority has caused to be served on him, at least three months immediately before the officer's last day of active duty notice in writing of the authority's intention to do so.

(2) Subject to section 37 of the Act, where the appointing authority retires or dismisses a police officer from the Service and the officer wishes to appeal to the Police Council under that section against the retirement or dismissal, the appellant shall lodge the grounds for his appeal with the Commissioner within 14 days immediately after being informed of his retirement or dismissal and the Commissioner shall forthwith forward those grounds to the Police Council.

7. Supplementary provision in relation to termination of appointment on probation on first appointment

Where the appointing authority, under section 14 of the Act, terminates the appointment of a police officer serving on probation on first appointment, the authority shall give him or her 30 days notice of the authority's intention to do so.

8. Resignation

(1) The appointing authority shall not permit a police officer to resign from the Service unless the officer has given the appointing authority at least three months' notice in writing of his wish to do so:

Provided that the appointing authority may permit a police officer to resign from the Service if he or she has given the authority at least one month's notice in writing of his or her wish to do so and, except in the case of an officer on probation, paid the Government one month's basic pay, including any police allowance he or she may have received.

(2) Where the appointing authority is the Permanent Secretary, a notice under this regulation shall be lodged with the Commissioner who shall forthwith forward the same to the Permanent Secretary.

9. Voluntary retirement

(1) Where a police officer has attained the age of 45 years and completed 10 years' continuous service as a police officer, he may, subject to regulation 10, retire from the Service at any time.

(2) Where a police officer, immediately before the commencement of these Regulations, was eligible for early retirement from the Service by reason of the conditions of service then applicable to him, he shall retain the same eligibility.

(3) No police officer shall be at liberty to retire from the Service under or by virtue of this regulation unless he has given the Commissioner at least 3 month's notice in writing of his intention to do so.

10. Compulsory retirement

(1) A police officer shall retire from the Service on attaining the age of 60 years.

(2) Notwithstanding subregulation (1), the appointing authority may, if he considers it to be in the interest of the Service, permit a police officer to remain in the Service on attaining the age of 60 years for such period as the appointing authority may determine.

(3) The appointing authority may retire any police officer from the Service who has attained the age of 45 years.

11. Further restriction on resignation and retirement

In addition to the restrictions imposed by sections 11 and 12 of the Act, the appointing authority may postpone the resignation or retirement from the Service of any police officer who is the subject of disciplinary proceedings.

12. Leave on departing from the Service

(1) Where the appointment of a police officer serving on probation on first appointment is terminated or a police officer is retired or dismissed or retires or resigns from the Service, he shall, with effect from the day immediately following his last day of active duty or, in the case of retirement, if he is granted any travelling leave, from the day immediately following the last or only day of such leave, be granted all such vacation leave as may have accrued to him.

(2) Vacation leave granted in accordance with this regulation shall be on full pay.

(3) Vacation leave granted in accordance with this regulation on retirement from the Service shall, for the purposes of this Part and of Part IV, count as part of the officer's continuous service as a police officer or as a member of the public service.

(4) A police officer on interdiction shall not earn vacation leave during the period of interdiction.

PART IV

Pensions and Gratuities on Retirement (regs 13-19)

13. Pensions

(1) Every police officer who retires from the Service under regulation 9(1) may be granted a pension.

(2) Where a police officer retires from the Service by virtue of regulation 9(2) or in terms of regulation 10(1) or is retired from the Service under section 15(1)(a), (b) or (f) of the Act or under regulation 10(3) and, at the time of his retirement, has been in the public service for a continuous period of at least 10 years, he may be granted a pension.

(3) A pension payable under this regulation shall be at the annual rate of-

- (a) in case of a police officer who entered the Service before 1st October, 1970, one six hundredth of the annual pensionable emoluments payable to the police officer at the time of his retirement multiplied by the number of completed months of his continuous pensionable service at that time as a member of the Police Service;
- (b) in the case of a police officer who entered the Service on or after 1st October, 1970, one seven hundred and twentieth of the annual pensionable emoluments payable to the police officer at the time of his retirement multiplied by the number of completed months of his continuous service at that time as a member of the Police Service.

14. Gratuities

(1) Where a police officer retires from the Service by virtue of regulation 9(1) or in terms of regulation 10(1) or is retired from the Service under section 15(1)(a) or (b) of the Act or under regulation 10(3) but does not qualify for a pension under regulation 13(2) by reason only of his not having been in the public service for a continuous period of at least 10 years, he may be granted a gratuity.

(2) Where a police officer is retired from the Service under section 15(1)(c)(iv), (d) and (e) and, at the time of his retirement, has been in the public service for a continuous period of at least 10 years, he may be granted a gratuity.

(3) Where a Police Officer resigns from the Service after he has served a minimum of 20 years continuous service but does not qualify for pension under regulation 13 because he has not reached the age of 45 years at the time of his resignation, he may nevertheless be entitled to a gratuity equivalent to five weeks salary for every completed year of service subject to a maximum of two years salary.

(4) A gratuity paid under subregulation (1) shall not exceed five times the annual rate of the pension for which the police officer in question would have been eligible under regulation 13 did that provision not prescribe a qualifying period of service.

(5) A gratuity paid under subregulation (2) shall not exceed five times the annual rate of the pension for which the police officer in question would have been eligible under regulation 13 had he been retired from the Service under one of the provisions therein specified and did regulation 13 not prescribe a qualifying period of service.

(6) Notwithstanding subregulation (1), where a police officer is retired from the Service under section 15(1)(a) of the Act, following a finding by a board of Government medical officers that he is unfit mentally or physically for further service, and the board or, if injury arising from an accident is involved, the Commissioner is satisfied that his condition was occasioned or significantly aggravated by the officer's own serious misconduct or negligence, he shall not be granted a gratuity under that subregulation.

(7) Where a female police officer, after completing five years' continuous service as a police officer, resigns from the Service in order to marry or because she has recently married, she may, on production to the Commissioner, within six months immediately after her resignation or within such longer period as the Commissioner may in any case allow, of satisfactory evidence of her marriage be granted a gratuity.

(8) A gratuity granted under subregulation (7) shall not exceed-

- (a) the annual pensionable emoluments payable to the police officer in question at the time of her resignation; or
- (b) five times the annual rate of the pension for which the police officer would have been eligible under regulation 13 had she retired from the Service under one of the provisions therein specified and did regulation 13 not prescribe a qualifying period of service, whichever amount is the smaller.

15. Reduced pension and gratuity

(1) Where a police officer is granted a pension under regulation 13, he may, in lieu of a pension calculated in accordance with that regulation, opt to be paid a pension at the annual rate of not less than three-fourths of the annual rate of a pension so calculated together with a gratuity equal to 12-and-a-half times the amount by which the annual rate of his pension so calculated is thereby reduced.

(2) Every option under this regulation shall-

- (a) be exercised and, if exercised, may be revoked on or before the date of retirement of the police officer in question or, at any time after that date and before the date of the final award of the pension granted to the officer under these Regulations;
- (b) be exercised or revoked by notice in writing addressed to the Commissioner; and
- (c) be deemed, for all purposes, to have been exercised or revoked on the date on which such notice was received by the Commissioner.

16. Declaration to remove doubt in relation to previous service

For removing doubts, it is hereby declared that, with regard to every police officer who is a member of the Service at the commencement of these Regulations, any previous continuous service as a police officer immediately prior to such commencement shall be deemed, for the purposes of this part, to be part of his continuous service as a police officer at such commencement.

17. Pensionable service

A police officer's continuous service as a police officer shall be deemed, for the purposes of this Part, to end on the expiration of the day on which he ceases to be a police officer.

18. Widow's and dependant's gratuity.

(1) Upon the death of a police officer the Commissioner shall authorize the payment to his legal personal representative of a gratuity which shall not exceed-

- (a) the annual pensionable emoluments payable to the officer at the time of his death; or
- (b) the largest gratuity which the officer could have opted to be paid under regulation 15 had he retired from the Service at the time of his death and been granted a pension under regulation 13 as if that provision did not prescribe a qualifying period of service, whichever amount is the larger.

(2) A pension payable in accordance with this regulation shall be at the annual rate of one-half of such percentage of the annual rate of the pension payable to the officer in question under regulation 13 or for which he would have been eligible under that regulation did it not prescribe a qualifying period of service, as the case may be, as is equal to the percentage of physical or mental unfitness for further service attributable, in the opinion of the Commissioner, to the discharge of the officers' duties as a police officer.

(3) Mental or physical unfitness for further service shall be deemed, for the purposes of this regulation, to be occasioned or aggravated in and by the discharge of his duties as a police officer if it is occasioned or aggravated by injury caused while the officer is-

- (a) participating in any recreational or athletic training organized by the Service or held under its auspices or in any sporting occasion, display, competition or similar event run or produced by the Service or held under its auspices or in which police officers are participating as official representatives of the Service;
- (b) for the purpose of proceeding on or returning from leave, other than casual leave, travelling by any reasonable means by the most reasonably practicable direct route between his current place of duty and his approved leave destination;
- (c) travelling by any reasonable means directly to or from any duty;
- (d) travelling by any reasonable means directly to or from any place he is required to attend for the purpose of training for his secondment;
- (e) attending training in a foreign country; or
- (f) engaging in any other activity which the Commissioner may approve for the purpose of this subregulation.

19. Medical examination and treatment of pensioners

(1) Where a police officer is retired from the Service under section 15(1)(a) of the Act, following a finding by a board of Government medical officers that he is unfit mentally or physically for further service and is granted a pension in terms of this Part, the Commissioner may at any time require him to submit to a medical examination by a board of Government medical officers or to undergo medical or surgical treatment involving no appreciable risk to his life or health and subsequently submit to such an examination.

(2) Where a pensioner fails to comply with a requirement made of him by the Commissioner under this regulation, his right to the pension granted him in terms of this Part shall thereupon cease:

Provided that his right to such pension shall revive upon his subsequently complying with the Commissioner's requirement; but no right so revived shall have retrospective effect.

(3) A certificate signed by a majority of the members of a board of Government medical officers to the effect that any medical or surgical treatment a pensioner is required to undergo under this regulation does or does not involve appreciable risk to his life or health shall, for the purpose of this regulation, be conclusive as to the matter so certified.

PART V

Supplementary Provisions relating to Appeals (reg 20)

20. Supplementary provisions relating to appeals

(1) Where an appeal is considered by the Police Council under Part VI of the Act, the Council shall-

- (a) inform the appellant of the date and time of the hearing and the place at which the appeal is to be heard; and
- (b) allow the Commissioner or his or her representative to appear at the hearing and make oral or written submissions to the Council.

(2) The Council may-

- (a) require the appellant to appear before it in person; and
- (b) give the appellant the opportunity to address the Council orally and shall, in every case, give him or her the opportunity to make a written submission to the Council.

(3) Where the Council requires the appellant to appear before it in terms of subsection (2), the appellant may, at his or her own expense, be defended by a legal representative of his or her own choice.

(4) Where the Council is satisfied that the grounds for an appeal, as indicated to the Council in writing in accordance with section 37 of the Act are without substance, the Council may summarily dismiss the appeal.

(5) The result of an appeal to the Police Council and the reasons therefor shall be notified to the appellant in accordance with section 37 of the Act within 30 days of the Police Council reaching such result.

PART VI

Pay and Related Matters (regs 21-25)

21. Pay

(1) Subject to the other provisions of this Part, every police officer shall receive pay in accordance with his rank at such rate as the President may from time to time determine.

(2) A police officer's pay shall be paid monthly in arrears in respect of each month.

(3) The pay of a police officer for any period less than a month shall be calculated by dividing his current monthly pay by the number of days in the month in question and multiplying the figure thereby obtained by the number of days in the period under consideration.

(4) As regards the pay of a police officer newly appointed a member of the Service, the appointing authority may forthwith grant an increment or increments to take account of relevant previous experience on the basis of one increment for each year of such experience:

Provided that no more than eight increments shall thus be granted and in no case shall the maximum pay for the officer's rank there by be exceeded.

22. Incremental date

Increments of pay within the Service shall become due on 1st April in every year:

Provided that a police officer appointed a member of the Service or promoted on or after 1st October in any year and before the immediately following 1st April shall receive increment on his new pay scale, on 1st April immediately following the completion of one year's service or of one year's service in the new rank, as the case may be.

23. Stoppage of pay

Where a police officer is surcharged under the Finance and Audit Act, the amount thereof may be recovered by stoppages from his pay.

24. Withholding pay

(1) A police officer shall not receive any pay or allowances in respect of any period during which he is absent without leave.

(2) Where a police officer is absent front duty through illness or injury and the Commissioner is satisfied that the same was occasioned or significantly aggravated by the officer's own serious misconduct or negligence, the Commissioner may order that the officer's pay and allowances shall be withheld, wholly or in part, in respect of the period during which he is so absent.

25. Deductions from pay and allowances

The Commissioner may authorize the deduction from the pay and allowance due to a police officer of-

- (a) any liquidated amount which the officer is liable to pay the Government or to any mess, institution of police officers within the Service; or
- (b) any amount which the officer has previously been paid in pay or allowances in excess of the amount due to him.

PART VII

Transfers, Transport, Travel and Related Allowances (regs 26-37)

26. Transfers within and outside the Service

(1) Dependent upon the exigencies of the Service, every police officer may be transferred at any time within a station, unit or formation of the Service or from such a station, unit or formation to some other station, unit or formation of the Service.

(2) Before a police officer takes up an appointment in the public service outside the Service, he shall resign from the Service.

(3) Where an officer resigns in terms of subsection (2) and his appointment in the public service is considered to be in the national interest, the officer's service in the Service shall be taken into account for the purpose of his pension as if the officer is transferring from office within the public service.

27. Transfer expenses

(1) Subject to subregulation (2) and the Service Standing Orders for the time being in operation, where the transfer of a police officer reasonably requires the packing of the officer's household effects or those of the police officer's spouse or minor children accompanying the officer on transfer, other than clothing and other equipment issued to the officer by the Service, the cost thereof, may be met by the Government at the rate which shall be determined from time to time.

(2) Where a police officer is required to proceed on temporary transfer within the Service, subregulation (1) shall not apply unless the Commissioner has expressly authorized the officer's spouse or minor children to accompany him on transfer and he is so accompanied.

28. Travel on transfer

(1) Where a police officer is transferred within the Service, he may be required to travel by Service or public transport.

(2) Where a police officer's spouse or minor children are accompanying the police officer on transfer within the Service, they may be permitted to travel by Service transport or required to travel by public transport:

Provided that where they have permission to travel by Service transport, they may opt to travel by public transport if that is more to their convenience.

(3) All travel undertaken in terms of this regulation and the related conveyance of the personal household effects and baggage, both of the police officer in question and of the police officer's spouse or minor children if they are accompanying him on transfer, shall be free of charge and the cost thereof shall be met by the Government.

29. Travel by air on transfer

Where a police officer is transferred within the Service and is required to travel by public transport, the Commissioner may direct that he shall travel by air.

30. Travel by own vehicle on transfer

Where a police officer is transferred within the Service and is the owner of a motor vehicle in respect of which he may claim the motor vehicle allowance, he may use the vehicle to effect the transfer and may thereafter be paid that allowance in respect of a single journey from his immediately former duty station to his new duty station by such route as shall be duly authorized.

31. ...

32. Transport, etc., on retirement

(1) On retirement or dismissal from the Service-

- (a) a police officer and the spouse and minor children of the officer, together with their personal baggage, shall, at any time within 90 days immediately after the officer's last day of active duty, be entitled to travel free of charge from the officer's last duty station to his home within Botswana and the cost thereof shall be met by the Government;
- (b) the reasonable cost of packing the officer's personal household effects and those of spouse or minor children, other than clothing, may be met by the Government; and
- (c) the conveyance of such personal household effects from the officer's last duty station to his home within Botswana shall be free of charge and the cost thereof shall be met by the Government.

(2) Where a police officer or spouse or minor children are entitled to the concession granted by subregulation (1)(a)-

- (a) the Commissioner may, as he thinks fit, authorize road transport or rail transport; and
- (b) if neither road nor rail transport is available for the public or the whole or any part of the journey cannot conveniently be completed by public transport, the Commissioner may authorize the use of Service transport or the use of the officer's own motor vehicle.

(3) Where the Commissioner authorizes the use of a police officer's own motor vehicle under this regulation-

- (a) the journey to the officer's home shall be by the most direct route reasonably practical

- given the nature of the vehicle; and
- (b) the officer may, after the completion of the journey, be paid the motor vehicle allowance in respect of the journey.

33. Transport on first appointment

The rates applicable to the costs of transport of a police officer on first appointment and on first posting to duty station on completion of recruit training shall be determined by the Government.

34. Transport of officer's employee

In no circumstances shall an employee of a police officer be entitled under this Part to free or subsidized travel at the Government's expenses.

35. Travel warrants

Travel at the Government's expense by any form of public transport shall be subject to the issue of an appropriate travel warrant:

Provided that a cash payment in lieu of a warrant may be made-

- (i) in the case of the transfer of a police officer within the Service, on completion of the transfer; or
- (ii) in the case of leave, on completion of the leave period,
- and, in each case, on completion of the journey in respect of which a warrant would otherwise have been issued.

36. Travel by rail

Travel by rail by police officers and their spouses or minor children shall be on such classes as may be determined by the Government.

37. Railway baggage allowance

Notwithstanding the other provisions of this Part, no conveyance by rail of personal effects or baggage shall be free of charge at the expense of the Government by virtue of this Part to the extent that the aggregate amount thereof belonging to the police officer in question and to spouse and children, if any, exceeds-

- (a) where the officer is entitled to free travel by first class in terms of regulation 36-
- (i) 200 kg in the case of conveyance by passenger train; or
- (ii) a weight calculated at the rate of 500 kg each for the officer and his spouse and 250 kg for each of his minor children in the case of conveyance by goods train; or
- (b) where the officer is entitled to free travel by second class in terms of regulation 36-
- (i) 100 kg in the case of conveyance by passenger train; or
- (ii) a weight calculated at the rate of 250 kg each for the officer and his spouse and 125 kg for each of his minor children in case of conveyance by goods train.

PART VIII

Leave (regs 38-46)

38. Classification of leave

(1) Leave for police officers shall be classified as follows-

- (a) vacation leave;
- (b) sick leave;
- (c) compassionate leaves;
- (d) maternity leave; or
- (e) leave without pay.

(2) No police officer shall be absent from his duties except during a period of leave granted to him in terms of this Part.

39. Accrual of vacation leave

(1) Commencing on the date on which a police officer makes and signs the declaration prescribed by section 9 of the Act, vacation leave shall accrue to him at such monthly rate as the Commissioner shall, with the consent of the President, from time to time direct.

(2) A police officer shall not accrue vacation leave in excess of two years' entitlement

unless the Commissioner consents thereto.

(3) A police officer may be granted vacation leave with pay for any period not in excess of that which has accrued to him in terms of this regulation.

40. Sick leave

(1) Where a formation, unit or station commander in the Service is satisfied that a police officer subordinate to him is unable to work because of illness or injury, the commander may, if a Government medical officer or some other acceptable medical practitioner is not readily accessible, permit the officer to be absent from duty, so long as he remains at his duty station, for any period not exceeding 48 hours and such absence shall be deemed, for the purposes of this Part, to be sick leave.

(2) Where a police officer is absent from duty in terms of subregulation (1), his formation, unit or station commander, as the case may be, may if a Government medical officer or some other acceptable medical practitioner is still not readily available, extend the period of absence from duty, so long as the officer remains at his duty station, to a maximum of seven days and absence from duty for such extended period shall be deemed, for the purposes of this Part, to be sick leave.

(3) No police officer shall be absent from duty on the ground that he is unable to work because of illness or injury, except in terms of subregulation (1) or (2), unless he has been granted sick leave by a medical practitioner who shall normally be a Government medical officer, and produces the certificate of the medical practitioner certifying the practitioner's opinion that the officer is unable to work because of illness or injury and the nature of the illness or injury.

(4) Sick leave granted in terms of subregulation (3) shall not permit the officer in question to be absent from his duty station unless the certificate of the medical practitioner granting the sick leave expressly states that the necessary treatment, in the practitioner's opinion, requires such absence.

(5) Where a police officer is granted sick leave or is absent from duty because of illness or injury for a greater period than 365 consecutive days, he shall be examined by a board of Government medical officers for the purposes of section 15(1) of the Act.

(6) Where a police officer is granted sick leave in excess of 90 consecutive days or whose sick leave is likely to exceed 90 consecutive days, the Commissioner may require to be furnished, at the end of each 30 days' period of the sick leave, with the certificate of a medical practitioner, who shall normally be a Government medical officer, as to the officer's fitness for duty.

(7) The first 180 days of any continuous period of sick leave shall be on full pay and, at any time thereafter, the pay of the police officer concerned shall be reduced by half.

(8) After 365 days of any continuous period of sick leave, the police officer in question shall not receive any pay:

Provided that, where, in the opinion of the appointing authority, the officer's illness or injury was or was likely to have been caused or significantly aggravated in and by the discharge of his duties as a police officer (as the same is construed for the purpose of regulation 19) without serious misconduct or negligence on his part, the appointing authority may extend the period during which he shall be entitled to pay, the date of his retirement from the Service or return to duty, as the case may be.

(9) The pay to which a police officer shall be entitled in terms of the proviso to subregulation (8) shall be half pay in every case.

(10) Where a police officer is granted sick leave or is detained in hospital and the Commissioner is satisfied that this arose from the officer's own serious misconduct or negligence, the Commissioner may direct that the period of absence from duty be deducted from any vacation leave accrued to the officer or be treated as unpaid leave.

(11) Where a medical practitioner, who shall normally be a Government medical officer,

certifies that, in his opinion, a police officer is in urgent need of medical, dental or specialist treatment and the treatment is not available at the officer's duty station, his formation, unit or station commander as the case may be may, unless, in the opinion of the commander, the need for such treatment arose from the officer's own serious misconduct or negligence, grant him sick leave for the purpose of receiving that treatment.

41. Compassionate leave

(1) Where a police officer wishes to absent himself from duty on compassionate grounds and-

- (a) no vacation leave has accrued to him; or
- (b) the vacation leave that has accrued to him is insufficient for the purpose for which he wishes to absent himself from duty,

the Commissioner may grant him compassionate leave with pay for such period as the Commissioner shall determine.

(2) Where a police officer is granted compassionate leave and has vacation leave accrued to him, he shall take all that vacation leave together with the compassionate leave, which shall be offset by future earned leave.

(3) No compassionate leave shall be granted in excess of an aggregate of 30 days in any one year.

42. Maternity leave

(1) Where a police officer is pregnant the Commissioner shall grant her maternity leave.

(2) The period of maternity leave shall be 84 days irrespective of when the leave began.

(3) Where a police officer is granted maternity leave and has vacation leave accrued to her, she may, if she so wishes, take all or part of that vacation leave together with the maternity leave.

(4) Maternity leave shall be paid at the rate determined by the Government from time to time.

(5) A police officer shall not resume duty after taking maternity leave unless she produces a certificate of a Government medical officer certifying her fitness for duty.

43. Leave without pay

(1) Where a police officer wishes to absent himself from duty to attend, to urgent private affairs, to pursue a course of study or for any other reasonable purpose and-

- (a) no vacation leave has accrued to him; or
- (b) the vacation leave that has accrued to him is insufficient for the purpose for which he wishes to absent himself from duty,

the Commissioner may grant him leave without pay for such period and subject to such conditions as the Commissioner may determine.

(2) Vacation leave shall not accrue in respect of any period of unpaid leave.

(3) Where a police officer is granted unpaid leave and has vacation leave accrued to him, he shall take all that vacation leave together with the unpaid leave.

(4) Where a police officer is granted unpaid leave to pursue a course of study, the Commissioner may authorize or require him to resume duty under normal conditions of service during any vacation from such course of study.

44. Authority to grant leave

Subject to the other provisions of this part, authority to grant leave shall be in accordance with such directions as the Commissioner may from time to time give.

45. Limitation on grant of leave

No leave, other than sick leave, shall be granted to a police officer to be taken, either wholly or in part, during the first six months of his service as a police officer.

46. Commutation of leave

Where a police officer dies and, at the time of his death, has vacation leave accrued to him, his widow or dependants shall be paid a sum equal to the amount of pay, including any

increment, he would have received had he lived and taken the accrued leave from the day immediately following the day of his death.

PART IX **Medical (reg 47)**

47. Medical examination and treatment

(1) The Commissioner may, at any time, order a police officer to present himself for and submit to a medical examination by-

- (a) a Government medical officer;
- (b) some other medical practitioner; or
- (c) a board of Government medical officers.

(2) The Commissioner may, on the application of a police officer, arrange for him to be examined by a board of Government medical officers.

(3) Where a police officer receives medical treatment while on duty outside Botswana and a duly qualified medical practitioner of the country in question certifies his opinion that the treatment was urgently required, the proven cost thereof, including the cost of any hospitalisation, shall, unless it was provided free of charge, be met by the Government:

Provided that this subregulation shall not apply where-

- (i) there are, in the opinion of the Commissioner, reasonable grounds to believe that the officer was aware of the illness or injury for which the treatment was received or of the symptoms thereof prior to his departure from Botswana and failed to inform the authority detailing him for duty outside Botswana thereof;
- (ii) there was nothing, in the opinion of the Commissioner, to prevent the officer forthwith returning to Botswana to obtain the same treatment without appreciable risk to his life or health;
- (iii) such illness or injury, in the opinion of the Commissioner, was or was likely to have been caused or significantly aggravated by the officer's own serious misconduct or negligence.

PART X **Accommodation (reg 48)**

48. Accommodation

(1) Every police officer shall be required to occupy official quarters which shall be free of charge:

Provided that the Commissioner may, in any case, authorize or direct such departure from this subregulation as he considers appropriate in all the circumstances.

(2) A senior officer occupying quarters appropriate to his rank shall be provided with furniture on the scale applicable to the public service generally.

48A. Service transport

Service transport may be provided to police officers travelling to and from their place of work in circumstances determined by the Commissioner.

48B. Packing allowance

A permanent and pensionable police officer who resigns from the service shall be paid a packing allowance equal to the transfer allowance that is paid to public officers.

48C. Meals to be live provided

A police officer who is required to live in tented accommodation or communal quarters shall be provided with meals at Government expense.

PART XI **Botswana Police Association (regs 49-64)**

49. Establishment of Association

(1) There is hereby established the Botswana Police Association.

(2) The object of the Association shall be to enable police officers representative of the various ranks of the Service to meet in order to consider and bring to the notice of the

Commissioner their views on matters relating to the general welfare, including conditions of service, and efficiency of the Service and other matters for which provision is made by the Act or these Regulations.

(3) The Association shall be independent of and not associated with any association or other body outside the Service.

(4) No person other than a police officer shall be a member of the Association in any capacity whether honorary or otherwise.

50. ...

51. Constables' Branch Boards

(1) The Commissioner may, for the purposes of this regulation, from time to time designate any formation, unit or station within a Division and for every formation, unit or station for the time being so designated there shall be established a Constables' Branch Board, of which all Constables for the time being serving with the formation, unit or station shall be members.

(2) For every District, or for every such combination of Constables' Branch Boards within a Division as the Commissioner may from time to time direct, there is hereby established a Constables' Joint Branch Board, to represent every Constables' Branch Board within that District or belonging to that combination.

(3) Every Constables' Joint Branch Board shall consist of delegates elected by the Constables' Branch Boards within the District or belonging to the combination for which the Constables' Joint Branch Board is established.

52. Sergeants' Branch Boards

For every District, or every such combination of formations or units within a Division as the Commissioner may from time to time direct, there is hereby established a Sergeants' Branch Board, of which all Sergeants for the time being serving in the District, or with a formation or unit belonging to the combination shall be members.

53. Inspectors' Branch Boards

For every District, or every such combination of formations or units within a Division as the Commissioner may from time to time direct, there is hereby established an Inspectors' Branch Board, of which all members of the inspectorate for the time being serving in the District, or with a formation or unit belonging to the combination, shall be members.

54. Senior Officers' Branch Boards

For every Division, or for every such combination of Districts or of formations or units within a Division as the Commissioner may from time to time direct, there is hereby established a Senior Officers' Branch Board, of which all senior officers, other than officers of or above the rank of Assistant Commissioner, for the time being serving in the Division, or in a District or with a formation or unit belonging to the combination, shall be members.

55. Divisional Joint Branch Boards

For each Division there is hereby established a Divisional Joint Branch Board, which shall consist of delegates from the Boards established in accordance with regulations 51(2), 52, 53 and 54 respectively within or for the Division for which the Divisional Joint Branch Board is established.

56. Central Joint Committee

As the governing body of the Association, there is hereby established a Central Joint Committee which shall consist of delegates from the Divisional Joint Branch Boards.

57. Convening of meetings of Branch Boards and Central Joint Committee

(1) Every Branch Board and the Central Joint Committee shall hold only one meeting in each year, in accordance with this regulation.

(2) In respect of every formation, unit or station designated by the Commissioner under regulation 51(1), a member of the inspectorate serving with the unit or formation appointed for the purpose by a senior officer having responsibility for the formation or unit or, in the case of a

station, the station commander shall, during January of each year, convene and chair a meeting of the Constables' Branch Board established for the formation, unit or station.

(3) Every District Commander or, in the case of a combination of Constables' Branch Boards directed by the Commissioner under regulation 51(2), a senior officer serving at Service Headquarters shall, during February of each year, convene and chair a meeting of the Constables' Joint Branch Board established for the District or combination.

(4) Every District Commander or, in the case of a combination of formations or units directed by the Commissioner under regulation 52, a senior officer serving with a formation or unit belonging to the combination appointed by his Divisional Commander or by the Commissioner shall, during February of each year, convene and chair a meeting of the Sergeants' Branch Board established for the District or combination.

(5) Every District Commander or, in the case of a combination of formations or units directed by the Commissioner under regulation 53, a senior officer serving with a formation or unit belonging to the combination appointed by his Divisional Commander or by the Commissioner shall, during March of each year, convene and chair a meeting of the Inspectors' Branch Board established for the District or combination.

(6) Each Divisional Commander or, in the case of Headquarters Division or of a combination of Districts or of formations or units directed by the Commissioner under regulation 54, a senior officer serving at Service Headquarters shall, during April of each year, convene and chair a meeting of the Senior Officers' Branch Board established for the Division or combination.

(7) Each Divisional Commander or in the case of Headquarters Division, a senior officer serving at Service Headquarters of or above the rank of Assistant Commissioner shall, during May of each year convene and chair a meeting of the Divisional Joint Branch Board established for the Division.

(8) The Commissioner shall, during June of each year, convene a meeting of the Central Joint Committee which shall be chaired by a senior officer of or above the rank of Assistant Commissioner for that purpose.

(9) Notwithstanding the other provisions of this regulation, the Commissioner may, in any year, vary the months during which meetings shall be convened in accordance therewith.

58. Constitution of Joint Branch Boards and Central Joint Committee

(1) At its yearly meeting, each Constables' Branch Board shall elect from among its members one delegate for every 20 members to be a member of the Constables' Joint Branch Board by which it is or is to be represented.

(2) At its yearly meeting, each Constables' Joint Branch Board, Sergeants' Branch Board or Inspectors' Branch Board shall elect from among its members one delegate to be member of the Divisional Joint Branch Board for the Division within which the Constables' Joint Branch Board, Sergeants' Branch Board or Inspectors' Branch Board is established.

(3) At its yearly meeting, each Senior Officers' Branch Board shall elect from among its members two delegates to be members of the Divisional Joint Branch Board for the Division or within which the Senior Officers' Branch Board is established.

(4) At its yearly meeting, each Divisional Joint Branch Board shall elect from among its members four delegates to be members of the Central Joint Committee, which delegates shall consist of one Constable, one Sergeant, one member of the inspectorate and one senior officer.

(5) Every election prescribed by this regulation shall be by secret ballot.

(6) Every person elected a delegate in terms of this regulation shall be eligible for re-election as a delegate at the next yearly meeting of the Branch Board in question unless he has ceased to be a member of that Branch Board.

59. Business of meetings of Branch Boards and Central Joint Committee

(1) A meeting of a Branch Board or the Central Joint Committee may consider any matter permitted in terms of regulation 49 raised by a member of the Board or by the chairman

thereof and, in the case of a Joint Branch Board or the Central Joint Committee, shall consider every resolution submitted to it in terms of this regulation.

(2) A meeting of a Branch Board may, in relation to any matter such as is referred to subregulation (1), submit a written resolution-

- (a) in the case of a Constables' Branch Board, to the Constables' Joint Branch Board by which it is or is to be represented;
- (b) in the case of a Constables' Joint Branch Board, Sergeants' Branch Board, Inspectors' Branch Board or Senior Officers' Branch Board, to the Divisional Joint Branch Board by which it is or is to be represented; or
- (c) in the case of a Divisional Joint Branch Board, to the Central Joint Committee.

(3) The chairman of a meeting of a Branch Board or the Central Joint Committee shall rule out of order any matter raised for consideration which, in his opinion, is not permitted in terms of regulation 49.

60. Resolutions and minutes of meetings of Branch Boards and Central Joint Committee

(1) The chairman of a meeting of a Branch Board shall, under his own signature and the signature or signatures of the delegate or delegates elected by the Board at that meeting, forward to the chairman of the next meeting of the Board of which the delegates are members or, in the case of a Divisional Joint Branch Board, to the chairman of the next meeting of the Central Joint Committee a copy of every resolution passed at the meeting.

(2) The chairman of a meeting of a Divisional Joint Branch Board or the Central Joint Committee shall forward to the Commissioner a copy of the minutes of the meeting and of every resolution passed at the meeting.

(3) The duty imposed on the chairman of a meeting of a Divisional Joint Branch Board by subregulation (2) shall be in addition to the duty imposed on him by subregulation (1).

(4) No resolution shall be treated as passed at a meeting of a Branch Board or the Central Joint Committee unless it receives an affirmative majority of the votes cast on the resolution and the voting thereon is by show of hands alone.

61. Commissioner's response

Where the Commissioner decides to respond to any resolution passed at a meeting of the Central Joint Committee, a copy of which has been forwarded to him in terms of regulation 60, he shall do so by way of written or oral communication to all formations, units and stations within the Service.

62. Voting at meetings of Branch Boards and Central Joint Committee

(1) Subject to subregulation (2), at a meeting of a Branch Board or the Central Joint Committee, each member thereof present shall have one vote on every question put to the vote at the meeting.

(2) The chairman of a meeting of a Branch Board or the Central Joint Committee shall not have an original vote but shall have a casting vote alone.

63. Quorum for meetings of Branch Boards and Central Joint Committee

The presence of the chairman of a meeting of a Branch Board or the Central Joint Committee, together with that of at least two-thirds of the members thereof, excluding the chairman if he is a member, shall constitute a quorum for a meeting of the Board or Committee.

64. Attendance at meetings of Branch Board and Central Joint Committee to be facilitated

Where a police officer is a member of a Branch Board or the Central Joint Committee, he shall, unless there are special circumstances in which he is required for duty for which no substitute is readily available, be given official permission to attend a meeting of the Board or Committee and, where he does so attend with official permission, he shall be deemed to do so in performance of his duty as a police officer.

PART XII

Miscellaneous (regs 65-68)

65. Training accommodation

Where a police officer attends a training course within Botswana by official direction, he shall, during the entire period of the course, be provided with free board and accommodation.

66. Mess, etc., subscriptions

Where a mess or similar institution, organisation or association of police officers is created within the Service, the Commissioner may direct that such officers as he shall specify shall be members thereof and require them to pay such subscriptions thereto as may from time to time be laid down.

67. Botswana Police Relief Fund

(1) There is hereby established a Botswana Police Relief Fund (hereinafter called "the Fund") to which any member of the Service shall be entitled to be a contributor.

(2) Where any member of the Service becomes a contributor to the Fund he may, if he wishes his dependants to receive a relief grant on his death, continue to so contribute until his death, whether or not he has retired from the Service.

(3) Contributions to the Fund shall be such monthly or other regular payments as the Commissioner may, after such consultations as he considers necessary or desirable, determine, and may be made by the police officer concerned authorizing appropriate deductions from his pay, or, if he has retired, from his pension.

(4) Payments from the Fund may be made-

- (a) to the dependants of a deceased officer, provided that he was a contributor at the time of his death; or
- (b) to an officer in the event of the death of his spouse, provided that he was a contributing member at the time of the spouse's death.

(5) There is hereby established an Accounts Committee consisting of such number of contributors to the Fund, of all ranks, as may be determined by the Commissioner, and appointed by the Commissioner.

(6) It shall be the responsibility of the Accounts Committee to advise the Commissioner on who shall be qualified for a relief grant under this regulation.

(7) In ascertaining the relief grant payable to dependants of a deceased contributor to the Fund, regard shall not be given to the rank, salary, number of years of service, or the number of dependants of such contributor.

(8) The Commissioner shall, on the recommendation of the Accounts Committee, determine who shall be qualified for a relief grant under this regulation.

68. Botswana Police Savings and Loan Guarantee Scheme

(1) There is hereby established the Botswana Police Savings and Loan Guarantee Scheme (hereinafter called "the Scheme") whose principal objectives shall be to-

- (a) enable regular savings by officers in the course of their employment in order to maximise their financial security at the end of their service;
- (b) allow officers to use the appropriate and recognised financial institutions for financial assistance;
- (c) enhance credit worthiness of officers so that they can qualify for loans to purchase property;
- (d) promote investment culture among members of the Service;
- (e) enhance commitment of members of the Service towards service for a long time in view of accrual returns at the end of the service; and
- (f) enhance motivation of officers at work knowing that they are financially secure.

(2) Subject to sub-regulation (3) the Commissioner shall act on behalf of the Scheme in all matters concerned with the efficient administration and management of the Scheme and may delegate such functions of concern thereof as he may determine to certain officers or committees.

(3) The monies of the Scheme shall be deposited in a bank account and be administered in accordance with the terms of a contract of surety that the Commissioner shall, on behalf of the Scheme, conclude with the bank, and copies of such contract shall be made available to contributors to the Scheme.

(4) Contributions to the Scheme shall be such monthly or other regular payments as the Commissioner may, after such consultations as he considers necessary or desirable, determine.

(5) There shall be paid into the Scheme-

- (a) minimum monthly contributions payable by each contributor to the Scheme;
- (b) donations from persons and organisations; and
- (c) any moneys accruing or realised from any investments made from the moneys of the Scheme.

(6) There shall be paid from the Scheme-

- (a) such moneys that may have accrued to a contributor as a result of his continuous contributions;
- (b) such other sums of money that may have accrued as interest on the contributions received into the Scheme; and
- (c) all the relevant expenses incurred in the administration of the Scheme.

(7) The Commissioner may authorise payments from the Scheme to be made to the dependants of a deceased contributor or to the contributor in the event he no longer wishes to be a contributor to the Scheme.

(8) The Commissioner shall keep and maintain or cause to be kept and maintained proper accounts and records in respect of the Scheme and shall, in respect of each financial year, prepare a statement of all receipts and payments out, in a form approved by the Accountant-General.

(9) Membership to the Scheme is open to any serving or retired member of the Police Service.

(10) An application for membership to the Scheme shall be made to the Commissioner in a written format to be determined by the Commissioner.

(11) A contributor to the Scheme shall make such monthly contributions as may be determined by the Commissioner authorising appropriate deductions from his pay or if he has retired, from his pension.

(12) A contributor to the Scheme may make an application to the Commissioner for a loan from a bank in a written format to be determined by the Commissioner.

(13) Upon an application being made under sub-regulation (12), the Commissioner shall consider whether the applicant qualifies for a loan, in consultation with the bank which the application is directed to.

(14) The Commissioner shall make recommendations to the bank with respect to the application under sub-regulation (12).

(15) If the application made under sub-regulation (12), is approved and the loan application is granted by the bank, the Scheme shall guarantee such loan up to an amount that would from time to time be determined by the Commissioner in consultation with the bank.

(16) Recovery of the loan in default of payment shall be made by the bank that is party to the contract of surety as provided for under sub-regulation (3), in accordance with the terms of such contract.

(17) An officer ceases to be a contributor to the Scheme at the time of his death, dismissal or resignation from the Service.

(18) Any contributor to the Scheme who intends to discontinue his membership to the Scheme shall give 30 days written notice to the Commissioner of his intention to do so, and his contribution together with any interest payable, calculated at a rate to be determined periodically by the Commissioner, less any administrative expenses, shall be paid to him within a period of 60 days.