

CHAPTER 47:02 - EMPLOYMENT OF NON-CITIZENS: SUBSIDIARY LEGISLATION
INDEX TO SUBSIDIARY LEGISLATION

Employment of Non-Citizens Regulations
Non-Citizens (Declaration of) Regulations
Non-Citizens (Exemption) Order

EMPLOYMENT OF NON-CITIZENS REGULATIONS

(under section 22)

(1st June, 1983)

ARRANGEMENT OF REGULATIONS

REGULATION

1. Citation
2. Application for work permit
3. Issue of work permit
4. Variation of work permit
5. Appeals to National Immigrants Selection Board
- 5A. Appeals to Minister
6. Application for exemption
7. Issue of certificate of exemption
8. Appeal by aggrieved person
9. Replacement of work permit, etc.
10. Returns by employers
11. Registers
12. Application for exemption by Commissioner

Schedule - Forms

S.I. 57, 1983,
S.I. 59, 1983,
S.I. 25, 1985,
S.I. 22, 2000,
S.I. 74, 2001,
S.I. 47, 2004.

1. Citation

These Regulations may be cited as the Employment of Non-Citizens Regulations.

2. Application for work permit (1) An application for the issue or renewal of a work permit shall be in Form 1 as set out in the Schedule.

(2) An application under subregulation (1) shall be made in duplicate and shall be delivered to the Authorised Officer who shall submit it to the Commissioner of Labour for presentation to the Regional Immigrants Selection Board.

(3) An application for the issue or renewal of a work permit, for any person who is not self-employed, shall be accompanied by a fee of-

- (a) P600, in the case of an application for a work permit; and
- (b) P300, in the case of an application for renewal of a work permit.

(4) An application for the issue or renewal of a work permit, for any person who is self-employed, shall be accompanied by a fee of-

- (a) P1000, in the case of an application for a work permit; and
- (b) P500, in the case of an application for renewal of a work permit.

3. Issue of work permit

A work permit issued, renewed or varied in accordance with section 6 of the Act shall be in the form as set out in Form 2 in the Schedule and shall have firmly affixed thereto by an adhesive substance a recent passport size photograph of the holder.

4. Variation of work permit An application for a variation of the terms of a work permit or the conditions attached thereto shall be accompanied by a fee of P150, and shall be-

- (a) in the case of a person who is not self-employed, in the form as set out in Form 3(a) in the Schedule; and
- (b) in the case of a self-employed person, in the form as set out in Form 3(b) in the Schedule.

5. Appeals to National Immigrants Selection Board An appeal to the National Immigrants Selection Board by any person aggrieved by a decision of the Regional Immigrants Selection Board-

- (a) rejecting his application for a work permit or a renewal of a work permit;
- (b) as to any condition attached to his work permit; or
- (c) varying a condition or a refusal to vary a condition attached to his work permit;

may be made on payment of a fee of P200.

5A. Appeals to Minister An appeal to the Minister by any person aggrieved by a decision of the National Immigrants Selection Board-

- (a) rejecting his application for a work permit or renewal of a work permit;
- (b) as to any condition attached to his work permit; or
- (c) varying a condition or a refusal to vary a condition attached to his work permit;

may be made on payment of a fee of P200.

6. Application for exemption An application for the issue of a certificate of exemption under section 10 of the Act shall be in the form as set out in Form 4 in the Schedule and shall be accompanied by a fee of P500.

7. Issue of certificate of exemption

A certificate of exemption issued under section 10 of the Act shall be in the form as set out in Form 5 in the Schedule.

8. Appeal by aggrieved person An appeal for a certificate of exemption by an applicant who is aggrieved by a decision rejecting his application may be made on payment of a fee of P100.

9. Replacement of work permit, etc.

An application for a duplicate of a work permit or certificate of exemption under section 17 of the Act shall be in the form as set out in Form 6 in the Schedule and the duplicate shall be issued on payment of a fee of P100.

10. Returns by employers

The returns required to be made by employers of holders of work permits or certificates of exemption in their employment under section 18 of the Act shall be in the form as set out in Form 7 in the Schedule.

11. Registers

The registers required to be kept by the Commissioner of Labour under section 19 of the Act shall be in the forms as set out in Forms 8 and 9 in the Schedule.

12. Application for exemption by Commissioner An application for exemption by the Commissioner of Labour in terms of section 23 of the Act shall be in Form 10 as set out in the Schedule and shall be accompanied by a fee of P100.

SCHEDULE

FORMS Form 1

APPLICATION FOR WORK PERMIT (s 5(1) and reg 2)

NOTES AND INSTRUCTIONS

1. This form shall be completed in English and the contents thereof declared before a Commissioner of Oaths.
2. The following documents shall be attached to the application-
 - (a) two identical passport size photographs of each person (taken at the time of his application) on which his features are clearly and correctly depicted. One photograph to be certified on the

- (b) reverse side by a Commissioner of Oaths;
- (b) in the case of an employee certified copies of the applicant's certificates and references or testimonials and proof of efforts to recruit citizens;
- (c) in the case of an investor/self-employed person, certified copies of the company's certificate of incorporation, applicant's share certificate and proof of investment;
- (d) such other documents as in the special circumstances of the applicant are required to be attached/provided; and
- (e) applications for renewal should be submitted three (3) months before the expiry of the permits. The original permits should accompany the application.

NB. Any application not accompanied by all required documents is incomplete and will not be accepted. However, where the applicant for this permit is also applying for, or has applied for, a residence permit, and has supplied all documents required to be supplied with the application for the work permit, he need not provide those documents which he has already supplied, which are also required for this application.

PART I

To be completed by employee

1. If applying for renewal of work permit give details of existing permit:
 - (a) Permit number
 - (b) Issued on (date)
 - (c) Place of issue
 - (d) Expiry date
2. State the job that has been offered to you.
.....
.....
3. Do you have a Degree, Diploma or Certificate?
Yes/No (please specify)
Degree
- Diploma
- Certificate
4. For how many years did you attend formal full time education? Give the total of primary, secondary and full time tertiary education if any.
..... years of full time education.
5. For how many years have you carried out work which is relevant to the proposed employment?
Years of relevant work experience.....
(attach references)
6. Previous Botswana employment record (if applicable)

EMPLOYER	OCCUPATION	DURATION OF CONTRACT	NAMES OF TRAINEES

PART II

To be completed by the employer

1. (a) Full business name and address.....
.....
.....
- (b) Telephone No.....
- (c) Fax No.....
- (d) Type of goods or services provided by the business
.....
.....
2. Details of position to be filled by applicant
 - (a) Job title
 - (b) Job description

- (c) Basic qualification required for this job.....
- (d) Work experience required.....
- (e) Location of business: Village/Town
- Plot No..... District

3. Remuneration

- (a) Basic pay
- (b) Inducement allowance.....
- (c) Settlement expense
- (d) Housing subsidy
- (e) Water/electricity subsidy.....
- (f) Transport subsidy
- (g) Bonus
- (h) Education allowance
- (i) Leave expenses
- (j) Medical Aid
- (k) Pension
- (l) Gratuity
- Other

4. Period for which work permit is sought

- 5. (a) Has the vacancy been advertised? Yes/No
- (b) If yes, please attach a copy of the advertisement.

6. Have you furnished the Commissioner of Labour with your manpower development, training and localization programmes?

Yes/No:
please explain:

.....
.....

7. (a) Details of trainee(s)

Names of Trainee	Educational qualification	Job experience

(b) Name of trainee most likely to take over:

- (i) at the expiration of this Permit
- (ii) in the long term
- (iii) date of localization

8. State the time required to have trainee fully trained

9. In case of renewal briefly and factually state reasons why trainee cannot take over:

.....

10. What are your main difficulties in securing local recruitment for this post?

.....

11. Have you made enquiries with the Labour Department on the availability of a suitable citizen for the job you are offering to a non-citizen?

.....

12. State number of locals or Botswana nationals in your establishment:

.....
.....

I declare that the information furnished by me in this application is true and correct.

Date Signature

Position or occupation
Declared before me at this day
of 200..... time.....

Commissioner of Oaths

PART III

To be completed by investor/self employed person

1. If applying for renewal of work permit give details of existing permit:

- (a) Permit number:
- (b) Place of issue:
- (c) Date of issue:
- (d) Expiry date:

Work Permit	Residence Permit

- 2. Name of company Tel No.....
Fax No.....
- 3. Location of company/business (i.e. plot no. street no. and town/village name)
.....
- 4. Attach proof of capital invested in the company/business
- 5. What services/products does your company provide.....
- 6. Capacity in which you will be employed
- 7. (a) Will you draw a salary? Yes/No
- (b) If yes state salary per annum
- (c) If no explain why

I declare that the information furnished by me in this application is true and correct.

Date..... Signature
declared before me at this
Day of 200time.....

Commissioner of Oaths

FOR OFFICIAL USE ONLY

IMMIGRATION

Fee of Collected by
General Receipt No Dated

LABOUR

Fee of Collected by
General Receipt No Dated

Comments and recommendations:

Signature Designation
Date

Form 1(c)
REMINDER RE: WORK PERMIT RENEWAL



REPUBLIC OF BOTSWANA

Department of Labour,
and Social Security
Private Bag 0072,
GABORONE,
Botswana

Four empty rectangular boxes for stamping or marking.

You will be aware that your work permit will expire in the near future. Should you wish to renew your permit, please complete four copies of Form No. 1(b) available from the Department of Labour and Social Security. The completed forms should be returned together with your work permit and renewal fee of P50. 00.

Should you wish your work permit to lapse, please do not forget to return the permit to the Commissioner of Labour when it expires or before your departure from Botswana (whichever is sooner).

Thank you for your co-operation in this matter.

COMMISSION OF LABOUR

Form No. 2
NON-CITIZEN'S WORK PERMIT
REPUBLIC OF BOTSWANA
EMPLOYMENT OF NON-CITIZENS ACT
(Cap. 47:02)
EMPLOYMENT OF NON-CITIZENS REGULATIONS
(reg. 3)

[Empty rectangular box]

No.

This permit authorises:

.....
to obtain employment with
.....
From to

Renewed:

From to

Nationality

OFFICIAL STAMP

[Official stamp box]

Passport No.
 Employer
 Name of trainee most likely to take over: TYPE OF EMPLOYMENT

.....
 (a) At the expiration of this permit

 (b) In the long term

Conditions

Variation of conditions

.....
 Commissioner of Labour

Note: This permit is non-transferable, remains the property of the Botswana Government and must be returned to the Commissioner of Labour when it expires.

Form No. 3(a)
APPLICATION FOR VARIATION OF TERMS
AND CONDITIONS OF A WORK PERMIT (FOR AN
EMPLOYEE ONLY)



REPUBLIC OF BOTSWANA

Four copies to be submitted to the Commissioner of Labour, Private Bag 0072, Gaborone, with a fee of P50.00. Applications to vary a permit for a self-employed person should be made on Form 3(b).

NOTE: This form should be used only if the employee continues to work for the same employer. If changing employer, please use Form No. 1(a) and apply for a new permit.

1. NAME OF APPLICANT:

SURNAME/FAMILY NAME: (one letter per box)

--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--

FIRST NAMES: (one letter per box)

--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--

2. Details of existing permit

(a) Permit number

(b) Issued on (date)

(c) Expiry date:

3. Present employer

CSO USE ONLY

Type

3

← 2 - 16

← 17 - 31

--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--

22 - 37

--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--

--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--

4. Capacity in which presently employed:

5. Is variation sought to work for the same employer Yes/No If No do not complete this form. See Note above.

6. State position for which this variation is sought

7. What is the situation regarding your understudies?

Use extra sheet for additional information.

Signature: Date
 Counter Signature (employer): Date

FOR OFFICIAL USE ONLY

1. Comments by District Labour Officer:

2. Comments by Head of Unit:

3. Comments by Commissioner of Labour:

old		
49 - 51		

new		
52 - 54		

Form No. 3(b)
APPLICATION FOR VARIATION OF TERMS AND
CONDITIONS OF A WORK PERMIT (FOR A SELF-EMPLOYED PERSON ONLY)



Four copies to be submitted to the Commissioner of Labour,
 Private Bag 0072, Gaborone, with a fee of P50. 00.

CSO USE ONLY

1. NAME OF APPLICANT:

SURNAME/FAMILY NAME: (one letter per box)

--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--

FIRST NAMES: (one letter per box)

--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--

Type

4

2 - 31

2. Details of existing permit:

(a) Permit number

(b) Issued on (date)

(c) Expiry date:

3. Name of the company/companies for which the current permit is held:

4. Name of the proposed new company/business for which the variation is sought:

5. Location of new business/company (i.e. plot no., street,

town/village):

6.(a) Does this new company/business have its own separate business premises ? Yes/No

(b) If No please explain:

7. What service does the new company/business provide?

8. Capacity in which you will be employed:

9. Will you draw a salary? Yes/No

If Yes, state salary per annum from this company/business:

Pula per annum

10. Number of persons to be employed by the new company/business (if any)?

..... employees

11.Details of subscribers (if any):

Full name and address

(a)

(b)

(c)

12. When was the company registered?

(Attach a photocopy of Certificate of Incorporation.)

13. If the company/business is currently manned by yourself only, give your man-power projections over the next five years:

32 - 37

32 - 37

38 - 43

38 - 43

44 - 48

44 - 48

Loc

49 - 50

49 - 50

Ind

51 - 53

51 - 53

Emp

54 - 56

54 - 56

Occupation

-
14. Amount invested in company/business: Pula
15. Has initial capital been raised locally or from financial institutions outside the country?
.....
16. State names and addresses of financial institutions which provided the initial capital:
.....
.....
.....
17. I declare that the information provided in this form is to the best of my knowledge and belief true and correct.
- Signed Date
- FOR OFFICIAL USE ONLY**
1. Comments by District Labour Officer:
-
-
2. Comments by Head of Unit:
-
-
3. Comments by Commissioner of Labour:
-
-
-
-

Form No. 4
APPLICATION FOR AN EXEMPTION CERTIFICATE
 REPUBLIC OF BOTSWANA
 EMPLOYMENT OF NON-CITIZENS ACT
 (Cap. 47:02)
 EMPLOYMENT OF NON-CITIZENS REGULATIONS
 (reg. 6)

1. Full names of applicant
-
2. Name of business/undertaking/organization
-
-
3. Address
-
-
-
4. Capacity in which employed
5. Qualification and/or experience
-
-
6. State proposed period of engagement
-
-
7. I hereby declare that I am a person/a member of a class of persons ^{i*} exempted by the Minister from the requirements of a work permit.
- Signed Date

Form No. 5
EXEMPTION CERTIFICATE
 REPUBLIC OF BOTSWANA

EMPLOYMENT OF NON-CITIZENS ACT
(Cap. 47:02)
EMPLOYMENT OF NON-CITIZENS REGULATIONS
(reg. 7)

[]

Certificate No.

Place of birth

Date of issue

Date of birth

File No.

Nationality (state name of country)

This Exemption Certificate authorises

..... who is
exempted in terms of section 10(1) of the Act from obtaining a work
permit to work in Botswana while he is a member of, is sponsored
by, or is employed by

(Specify the class to which holder belongs)

Date

Commissioner of Labour

EXTENSIONS

Validity of Exemption Certificate extended from

to

20.....

Date

Commissioner of Labour

This Exemption Certificate may be cancelled in any of the following
circumstances:

- (a) if the purpose for which it was issued ceases;
- (b) if the passport of its holder expires;
- (c) if its holder becomes a prohibited immigrant and is liable
to be deported from Botswana;
- (d) if its holder obtains a residence permit for the purpose of
remaining in Botswana under a different engagement or
arrangement other than for which the Certificate is
issued; or
- (e) if its holder leaves Botswana at the end of his tour, when

the Certificate shall be surrendered.

Form No. 6
APPLICATION FOR DUPLICATE WORK PERMIT/EXEMPTION CERTIFICATE

REPUBLIC OF BOTSWANA
 EMPLOYMENT OF NON-CITIZENS ACT
 (Cap. 47:02)
 EMPLOYMENT OF NON-CITIZENS REGULATIONS
 (reg. 9)

I declare
 that I was issued with Work Permit/Exemption ^{ii*} Certificate on
 which has since been lost/accidentally destroyed. ^{iii*}
 I accordingly apply for an issue of a duplicate Work Permit/Exemption Certificate ^{iv*} and
 enclose a fee of P5. 00
 Signed Date

Form No. 7
 REPUBLIC OF BOTSWANA
 EMPLOYMENT OF NON-CITIZENS ACT
 (Cap. 47:02)
 EMPLOYMENT OF NON-CITIZENS REGULATIONS
PART I
Training and Localization Annual Returns

1. Name and address of company
2. Type of undertaking
3. Name of Manager Tel. No.
4. Staff Complements:

Male	Female	Total	Top Administration Posts	Professional Posts	Management Posts	Technical Subprofessional Posts	Skilled Manual Crafts	Foremen Supervisors of Skilled Craftsman	Skilled Office Workers Clerical Sales Staff
Locals									
Expatriates									
Total									

5. (a) Number employed as at 31st December (all told)
- (b) Number employed previous year
- (c) Percentage (increase/decrease)
- (d) Number of citizens sponsored for training abroad
- (e) Number of citizens sponsored for training locally
- (f) Number of locals (dismissed/deserted/resigned) as at 31st December

.....
 (Delete whichever is inapplicable)
 (g) Main cause of dismissals

Resignations

Desertions

- (h) Percentage of staff turnover among expatriates
- (i) Percentage of staff turnover among locals

PART II
Breakdown of Citizens being Trained for Senior Posting and others

Name of Trained Local	UPGRADING AND PROMOTION					
	Form of Certificate or Testimonial	Previous Post	Present Post	Wages Before Training	Wages During Training	Present Wages

PART III
Breakdown of Non-Citizens Employers

Name of Non-Local	Occupation	Residence Permit Details Validity			Work Permit Details Validity		
		Number	Issued	Expires	Number	Issued	Expires

6. What are your plans for localisation of these posts?

.....

.....

.....

.....

.....

.....

.....

.....

.....

7. I certify that the above information is true in all respects:

Signature of the Manager Date

NB. Completed forms must reach this office on or before

.....
Commissioner of Oaths

FOR OFFICE USE ONLY:

.....

.....

.....

.....

.....

**Form No. 8
REGISTER OF WORK PERMITS**

REPUBLIC OF BOTSWANA
EMPLOYMENT OF NON-CITIZENS ACT
(Cap. 47:02)
EMPLOYMENT OF NON-CITIZENS REGULATIONS
(reg. 11)

Name of Applicant	Employer Company	Occupation	Renewal or Application	Date Received by Authorized Officer	Date Received by Commissioner of Labour	Date Placed before the Board	Work Permit Number	Date Renewed or Issued	Expiry Date	Trainer Counterpart	Location

**Form No. 9
REGISTER OF CERTIFICATES OF EXEMPTION**

REPUBLIC OF BOTSWANA
EMPLOYMENT OF NON-CITIZENS ACT
(Cap. 47:02)

**EMPLOYMENT OF NON-CITIZENS REGULATIONS
(reg. 11)**

Name of Applicant	Employer Company	Renewal or New Application	Certificate Number	Date Issued or Renewed	Expiry Date	Date Despatched to Applicant	Forwarding Address	Forwarding Officer's Signature

**Form No. 10
APPLICATION FOR EXEMPTION BY COMMISSIONER OF LABOUR**



**REPUBLIC OF BOTSWANA
LABOUR DEPARTMENT**

I hereby apply for an exemption by the Commissioner of Labour on my behalf/on behalf of my prospective employee in terms of section 23 of the Employment of Non-Citizens Act (Cap. 47:02), to meet the demand of an emergency in my Company/Establishment.

1. Nature of Emergency
2. Full Name of Applicant
Occupation
3. Job Requirements

Please attach supporting documents (e.g. certificates, C.V., references, licenses, company registration certificates, bank statements) as is appropriate.

4. Nationality Nationality of Passport
- Passport No Date of Expiry
5. Address in Botswana
- Telephone No
6. Name and Address of Company that Employs Him/Her

7. What Products/Services does Company Provide

8. Do you have the Chief Immigration Officer's Authority/Waiver to await the outcome of your application for a resident permit in Botswana? Yes/No. If yes attach a Certified Copy^{v*}

Signature..... Capacity

Date

FOR OFFICE USE ONLY

Approved/Rejected by: Name Signature

Reason(s) for Rejection/Approval

N.B: To be completed in duplicate. Include two identical passport size photos (of the applicant

taken at the time of this application)

NON-CITIZENS (DECLARATION OF) REGULATIONS

(section 22)

(22nd July, 1983)

ARRANGEMENT OF REGULATIONS

REGULATION

1. Citation
2. Declaration of non-citizens
3. Non-application of Regulations

Schedule

S.I. 80, 1983,
S.I. 150, 1984,
S.I. 97, 1985,
S.I. 114, 1987,
S.I. 128, 1987,
S.I. 67, 1990,
S.I. 9, 1993,
S.I. 103, 2008,
S.I. 8, 2009,
S.I. 70, 2009,
S.I. 76, 2009.

1. Citation

These Regulations may be cited as the Non-Citizens (Declaration of) Regulations.

2. Declaration of non-citizens

The persons listed in the Schedule hereto are hereby declared not to be non-citizens for the purposes of the Act.

3. Non-application of Regulations

These Regulations shall not apply to a spouse or a dependant of any person specified in the Schedule hereto except in respect of persons specified in item 1 of the Schedule, from countries where the Minister is satisfied that reciprocal provisions are made in respect of Botswana citizens.

SCHEDULE

1. Members of the Diplomatic Service who are recruited from their countries for service in a Botswana Mission.
2. Public Service employees.
3. Persons recruited abroad for service in the Public Service of Botswana.
4. Non-resident employees of the Botswana Railways.
5. Non-resident aircraft pilots of foreign airlines and air charters.
6. Non-resident airhostesses of foreign airlines.
7. Non-resident consultant and supervising engineers on works and projects in Botswana.
8. Persons recruited abroad for service under a voluntary service programme.
9. Persons recruited abroad for service in Botswana by the United Nations (U.N.) or its agencies.
10. Teachers employed by the Unified Teaching Service.
11. Persons recruited abroad for service in Botswana by:
 - (a) Canadian International Development Agency.
 - (b) United States Agency for International Development.
 - (c) Swedish International Development Agency.
 - (d) Norwegian Agency for International Development.

- (e) Danish International Development Agency.
 - (f) Special Commonwealth African Assistance Programme.
 - (g) ...
12. Persons recruited by Williams College under the economic consultancy project.
 13. All non-resident directors of companies registered or incorporated in Botswana.
 14. Persons recruited abroad for service in Botswana by the United Nations High Commission for Namibia.
 15. Employees of the Unified Local Government Service.
 16. Volunteer consultants of the British Executive Service Overseas.
 17. Experts supplied under Federal Republic of Germany Technical Assistance Agreement.
 18. All expatriate doctors and nurses employed by the following hospitals-
Bamalete Lutheran Hospital;
Bamangwato Concessions Ltd. Mine Hospital;
Deborah Retief Hospital;
Gaborone Private Hospital;
Jwaneng Mine Hospital;
Orapa Hospital;
Seventh Day Adventist Hospital, Kanye.
 19. Management, professional employees and the technical staff of companies, organisations and institutes registered to operate in Botswana Innovation Hub (BIH).
 20. Management, professional and technical employees of the Diamond Cutting and Polishing Companies and Related Services registered with the Diamond Hub/Centre.

NON-CITIZENS (EXEMPTION) ORDER

(section 10(1))

(22nd July 1983)

ARRANGEMENT OF PARAGRAPHS

PARAGRAPH

1. Citation
2. Exempted Persons

S.I. 81, 1983,
S.I. 14, 1987,
S.I. 113, 1987,
S.I. 129, 1987,
S.I. 81, 1989,
S.I. 111, 1990,
S.I. 9, 1991,
S.I. 134, 1991,
S.I. 69, 1994,
S.I. 31, 1995,
S.I. 28, 1997,
S.I. 88, 1997,
S.I. 96, 1997,
S.I. 67, 2000,
S.I. 2, 2002,
S.I. 5, 2002,
S.I. 17, 2002,
S.I. 55, 2002,
S.I. 64, 2002,
S.I. 4, 2003,
S.I. 5, 2003,

S.I. 65, 2003,
S.I. 12, 2004,
S.I. 19, 2004,
S.I. 83, 2004,
S.I. 1, 2005,
S.I.14, 2005,
S.I. 5, 2006,
S.I. 41, 2006,
S.I. 42, 2006,
S.I. 53, 2006,
S.I. 31, 2007,
S.I. 41, 2007,
S.I. 6, 2008,
S.I. 15, 2008,
S.I. 73, 2008,
S.I. 38, 2009,
S.I. 61, 2009,
S.I. 69, 2009.

1. Citation

This Order may be cited as the Non-Citizens (Exemption) Order.

2. Exempted Persons

The persons or class of persons or organisations listed in the Schedule hereto are exempted from the provisions of section 4(1)(a) of the Act.

SCHEDULE

1. The Expatriate employees of the parastatal bodies listed in this paragraph for so long as they remain so employed:
 - (a) Air Botswana
 - (b) Bank of Botswana
 - (c) Botswana Agricultural Marketing Board
 - (d) Botswana Development Corporation
 - (e) Botswana Housing Corporation
 - (f) Botswana Livestock Development Corporation
 - (g) Botswana Meat Commission
 - (h) Botswana Postal Services
 - (i) Botswana Power Corporation
 - (j) Botswana Railways
 - (k) Botswana Telecommunications Corporation
 - (l) Botswana Vaccine Institute
 - (m) Botswana Water Utilities Corporation
 - (n) National Development Bank
2. Non-resident attorneys and advocates admitted to practise in Botswana by the High Court of Botswana.
3. Non-resident medical practitioners registered by the Ministry of Health.
4. United Nations Association.
5. University Overseas Population Internship Programme.
6. ...
7. Employees of the Institute of Development Management of Botswana, Lesotho and Swaziland.
8. ...
9. Volunteer consultants of the British Executive Service Overseas.
10. Experts supplied under Federal Republic of Germany Technical Assistance Agreement.
11. Employees of the Rural Industries Promotions (Botswana).
12. Investors who have been granted permanent residence status.
13. Employees of the Botswana Telecommunications Authority.

14. Expatriate employees of the Botswana Bureau of Standards.
15. Volunteers for the Botswana National Youth Council.
16. Expatriate employees of Debswana Mining Company, who hold:
 - (a) Paterson graded positions of D Upper or above, namely–
 - Grade D3**
 - Group Management Accountant
 - Information Services Manager
 - Dental Officer
 - Chief Surveyor
 - Community Services Manager
 - Medical Officer
 - Plant Superintendent - Projects
 - Section Engineer
 - Section Mining Superintendent
 - Education Manager
 - Materials Manager
 - Training & Development Manager
 - Audit Services Manager
 - Investment Manager (DPF)
 - Strategic Plan Co-ordinator
 - Pension Fund Administrative Manager
 - Accountancy Training Centre Manager
 - Business Services Manager
 - Plant Manager
 - Senior Mine Geologist
 - Human Resources Services Manager
 - Industrial Relations & Communications Manager
 - Financial Accountant
 - Management Accountant
 - Purchasing and Procurement Manager
 - HR Services Manager
 - Grade D4**
 - Senior Medical Officer
 - Divisional Engineer
 - Group Financial Accountant
 - Plant Manager
 - Divisional Geologist
 - Management Accountant
 - Security Manager
 - Group Management Accountant
 - Corporate Communications Manager
 - Group Environmental Co-ordinator
 - Projects Development Manager
 - HR Development Manager
 - Section Manager
 - Grade E1**
 - Financial Manager
 - Engineering Manager/ Technical Services Manager
 - Group Secretary
 - Chief Medical Officer
 - Human Resources Manager
 - Group Security Manager
 - Treatment Manager
 - Chief Geologist
 - Manager - LM
 - Mining Manager

Mineral Reserve Manager
Projects Manager
Deputy Group HR Manager
Group Supply Chain Manager

Grade E2

Group Financial Manager
Assistant General Manager
Group Human Resources Manager
Group Mineral Resource Manager
Group Secretary
Projects Manager

Grade E3

Consulting Mechanical and Electrical Engineer
Consulting Metallurgist
General Manager

Grade F

Managing Director
Deputy Managing Director

(b) the following Paterson graded positions of D Lower or below, namely—

Grade C1

Nurse

Grade C2

Draughtsman
Artisan (All trades)
Health Officer
First Officer
Mechanician

Grade C3

Planning Officer
Chargehand (All trades)
Senior Surveyor
Instrument Technician
Laboratory Technologist
Design Draughtsman
Physiotherapist
Medical Technologist
Speech and Hearing Therapist
Theatre Nurse/ Sister
Teacher
Senior Teacher
Senior First Officer
Buyer

Grade C4

Mine Foreman
Engineering Planning Foreman
Section Surveyor
Senior Plant Metallurgist
Engineering Foreman (All trades)
Clerk of Works
Senior Physiotherapist
Senior Radiographer/ Ultra sonographer
Hearing Therapist
Senior Medical Technologist
Theatre Nurse/ Sister
Senior Training Officer (non technical)
Teacher

Senior Teacher
User Support Co-ordinator
Analyst Programmer
SHER Officer

Grade D1

General Engineering Supervisor (Projects, CARP, Base Workshop)
Mineral Processing Engineer
Systems Technician
Mine Geologist
Internal Auditor
Pharmacist
Chief Training Officer (non technical)
Chief Training Officer (technical)
Senior Training Officer (technical)
Systems Analyst/ Administrator
Network Administrator
Chief Pilot
Materials Controller

Grade D2

Mining engineer
Assistant Plant Superintendent
Systems Analyst/ Administrator
Systems Manager
Facilities Manager
Captain
Accountant (Production, Cost)
SHR Co-ordinator
Environmental Co-ordinator
Hospital Administrator
HR Superintendent

17. Employees of approved International Financial Services Centre companies, who hold the position of—
 - (a) Chief Executive Officer;
 - (b) Head of Treasury;
 - (c) Head of the Accounting Department;
 - (d) Head of the Risk Department; or
 - (e) such other position as the Chief Executive Officer of a company, after satisfying the IFSC Division of Botswana Development Corporation, considers appropriate, taking into account the experience or qualification requirements for the positions.
18. Expatriate Volunteers of Mokolodi Wildlife Foundation.
19. Technical and professional expatriate employees of Parc Botswana (Pty) Ltd who are to be attached to the Government of Botswana.
20. Technical and professional expatriate employees of Botswana Accountancy College.
21. Expatriate employees of the Public Procurement and Asset Disposal Board.
22. Expatriate employees of the Public Enterprise Evaluation and Privatisation Agency.
23. Investors approved by the Botswana Export Development and Investment Agency, or the Ministry of Trade and Industry.
24. Expatriate personnel employed by Africa Comprehensive HIV/AIDS Programme (ACHAP).
25. Expatriate personnel employed by the Botswana College of Distance and Open Learning (BOCODOL).
26. Expatriate personnel employed by the Botswana Training Authority (BOTA).
27. Expatriate part-time lecturers at the Botswana Centre for Accounting Studies
28. Expatriate staff at the Botswana National Productivity Centre for Accounting Studies
29. Expatriate staff and long- term consultants of the Botswana Institute for Development Policy Analysis.
30. Expatriate personnel employed by the Botswana Harvard Aids Institute

31. Expatriate Chinese and Cuban medical personnel employed by the Ministry of Health.
32. Expatriate employees of the Southern African Trade Union Coordination Council (SATUCC).
33.
 - (a) Japan International Cooperation Agency (JICA);
 - (b) Japan Overseas Cooperation Volunteers (JOCV);
 - (c) The World Conservation Union (IUCN);
 - (d) Southern African Development Community (SADC) and
 - (e) African Management Services Company (AMSCO).
34. Expatriate employees of the Botswana Stock Exchange.
35. Persons employed by Botswana Unified Revenue Service.
36. Expatriate employees of the Construction Industry Trust Fund (CITF).
37. Expatriate employees of the Clinton Foundation HIV/Aids Initiative.
38. Expatriate employees of the Botswana-Baylor Children's Clinical Centre.
39. Expatriate employees of the Permanent Okavango River Basin Water Commission.
40. Expatriate employees of companies recommended by Botswana Export Development and Investment Authority, holding the following positions-
 - (a) Chief Executive Officer;
 - (b) Production Manager;
 - (c) Technical Manager;
 - (d) Operations Manager;
 - (e) Sales and Marketing Manager;
 - (f) Financial Manager.
41. Expatriate employees of the Bokamoso Private Hospital holding the following positions-
 - (a) Medical Doctors and Specialists
 - (b) Nursing Staff
 - (c) Medical Laboratory Director, Technologist and Technicians
 - (d) Pharmacy Director, Pharmacist and Pharmacy Technicians
 - (e) Occupational Therapists
 - (f) Physiotherapists
 - (g) Radiographers
 - (h) Biomedical Engineers and Technicians
 - (i) Hospital Information Technology Director, Manager, Analysts and Programmers
 - (j) Dietary Manager and Dieticians
 - (k) Chief Executive Officer
 - (l) Chief Operations Officer
 - (m) Chief Finance Officer
 - (n) Facilities Manager
 - (o) Plant Operations Manager.

ⁱDelete whichever is not applicable

ⁱⁱDelete whichever is not applicable

ⁱⁱⁱDelete whichever is not applicable

^{iv}Delete whichever is not applicable

^vTo be completed by those who intend to apply for a resident permit.