

CHAPTER 60:01
BOTSWANA NATIONAL SPORTS COUNCIL
ARRANGEMENT OF SECTIONS

SECTION

1. Short title
2. Interpretation
3. Botswana National Sports Council
4. Objects of Council
5. Powers of Council
6. Schedule to have effect in respect of Council
7. Membership of Council
8. Authority of Council
9. Meetings of Council
10. Establishment of Executive Committee of Council
11. Council's office bearers and constitution of Executive Committee
12. Terms of office of Council's office bearers
13. Functions of Executive Committee
14. Prohibition of certain persons acting as delegates
15. Financial affairs of Council
16. Establishment and constitution of Appeals Board
17. Settlement of disputes
18. Machinery for remedying mismanagement by executive committee of member of Council
19. Restrictions on certain sporting activities
20. Power of Council to make rules
21. Power of Minister to make regulations
22. Declaration for removing doubts

Schedule - Provisions to have effect in respect of Council

Act 4, 1981,
S.I. 59, 1982,
Act 5, 1983,
S.I. 48, 2003.

An Act to repeal and replace the Botswana National Sports Council Act, to continue in existence the Botswana National Sports Council, to provide it with a new constitution and to provide for matters incidental thereto and connected therewith.

[Date of Commencement: 1st July, 1982]

1. Short title

This Act may be cited as the Botswana National Sports Council Act.

2. Interpretation

In this Act, unless the context otherwise requires-

"**annual meeting of the Council**" means the annual meeting of the Council prescribed by section 9(1);

"**Appeals Board**" means the Appeals Board for the Council established under section 16(1);

"**Chairman of the Council**" includes the Vice-Chairman of the Council where the Chairman of the Council is unable or not readily available to perform the functions of his office as such;

"**Council**" means the Botswana National Sports Council referred to in section 3;

"Council's rules" means rules made by the Council under section 20;

"delegate" means a delegate from and representing a member of the Council;

"Executive Committee" means the Executive Committee of the Council established under section 10;

"executive committee", in relation to a member of the Council, means the subordinate body of that member having the management of the member's affairs as a whole between meetings of the body in which the ultimate authority of the member is vested;

"financial year" means the financial year of the Council prescribed by section 15;

"meeting of the Council" means the annual meeting or an ordinary or special meeting of the Council;

"ordinary meeting of the Council" means an ordinary meeting of the Council prescribed by section 9(2);

"prescribed" means prescribed by the Council's rules or by regulations made by the Minister under section 21;

"Secretary of the Council" includes the Vice-Chairman of the Council where the Secretary of the Council is unable or not readily available to perform the functions of his office as such;

"special meeting of the Council" means a special meeting of the Council called by the Chairman of the Council under or in accordance with section 9(3) or (4).

3. Botswana National Sports Council

There shall continue to be the National Sports Council as a body corporate in conformity with the provisions of this Act.

4. Objects of Council

The objects of the Council shall be to promote sport within Botswana and participation in sport outside Botswana.

5. Powers of Council

The Council may do all such lawful acts as are necessary or expedient for the furtherance of the objects of the Council prescribed by section 21 and, without prejudice to the generality of the foregoing, may-

- (a) institute and defend suits and other legal proceedings in its corporate name;
- (b) acquire, hold, charge and dispose of property of any kind;
- (c) enter into contracts; and
- (d) borrow and lend money with or without giving or taking security.

6. Schedule to have effect in respect of Council

(1) The provisions of the Schedule shall have effect in respect of the Council.

(2) The Minister may, by order published in the *Gazette*, amend the Schedule in order to give effect, to such extent as he considers desirable, to a resolution of the annual meeting or of an ordinary or special meeting of the Council that the Schedule be amended.

7. Membership of Council

(1) All those bodies which were members of the Council immediately before the commencement of this Act shall continue to be members of the Council.

(2) Any body of persons claiming to represent the majority of clubs, associations or other bodies of persons or individuals engaged or interested in any sport in Botswana may apply, in such manner as may be prescribed, to the Council for membership thereof and thereafter the annual meeting or an ordinary or special meeting of the Council may, if it is satisfied that such claim is well-grounded, elect the body to be a member of the Council.

(3) Where the Minister is satisfied that a body of persons, not being a member of the Council, represents the majority of clubs, associations or other bodies of persons or individuals engaged or interested in any sport in Botswana and that it is in the public interest for that body of persons to be a member of the Council, the Minister may, by order published in the *Gazette*, provide that that body shall be a member of the Council.

(4) Notwithstanding any provision contained in the constitution, rules, regulations or bye-laws of a body of persons to which an order under subsection (3) applies, that body of persons shall, at the commencement of the order, become a member of the Council and as such shall thereafter be bound by and subject to this Act and the Council's rules in all respects.

(5) Where the Minister is satisfied that a club, association or other body of persons, not being a member of a member of the Council, is principally engaged or interested in a sport in Botswana in respect of which a member of the Council represents the majority of clubs, associations or other bodies of persons engaged or interested in that sport and that it is in the public interest for that club, association or other body of persons to be a member of that member of the Council, the Minister may, by order published in the *Gazette*, provide that that club, association or other body of persons shall be a member of that Council.

(6) Notwithstanding any provision contained in the constitution, rules, regulations or bye-laws of a club, association or other body of persons to which an order under subsection (5) applies, that club, association or other body of persons shall, at the commencement of the order, become a member of the member of the Council specified in the order and as such shall thereafter be bound by and subject to the constitution, rules, regulations and bye-laws of that member of the Council in all respects.

(7) Any body of persons to which an order under subsection (3) applies or any club, association or other body of persons to which an order under subsection (5) applies or any member of a member of the Council specified in an order under subsection (5) which fails to take every reasonable step to give effect to the order or any other person who is knowingly a party to such a failure shall be guilty of an offence and liable to a fine not exceeding P500 or to imprisonment for a term not exceeding six months, or to both.

8. Authority of Council

The ultimate authority of the Council shall be exercised by a meeting of the Council.

9. Meetings of Council

(1) The Council shall hold a meeting, to be called the annual meeting of the Council, in July of every year.

(2) The Council shall hold a meeting, to be called an ordinary meeting of the Council, in March of every year and a further such meeting in November of every year.

(3) Where the Chairman of the Council is of the opinion that a matter concerning the Council ought to be considered by a meeting of the Council before the next annual or ordinary meeting of the Council, he may call a special meeting of the Council for that purpose.

(4) Where the Chairman of the Council is informed in writing by a majority of the members of the Council that they wish a matter concerning the Council to be considered by a meeting of the Council before the next annual or ordinary meeting of the Council, he shall call a special meeting of the Council for that purpose.

(5) The following persons shall be entitled to take part in the proceedings of the annual meeting or of an ordinary or special meeting of the Council-

- (a) the members of the Executive Committee; and
- (b) two delegates from and representing each member of the Council.

(6) No meeting of the Council shall be held otherwise than as provided by this section.

10. Establishment of Executive Committee of Council

There is hereby established a committee of the Council, to be called the Executive Committee of the Council, which shall be constituted in accordance with section 11.

11. Council's office bearers and constitution of Executive Committee

(1) Each annual meeting of the Council shall, as a late item of business conducted by the meeting, proceed to elect any three persons whom it considers to be suitably qualified to be, respectively-

- (a) the Vice-Chairman of the Council and a member of the Executive Committee;
- (b) the Treasurer of the Council and a member of the Executive Committee; and

(c) an additional member of the Executive Committee.

(2) Immediately after the election prescribed by subsection (1), the Minister shall appoint any person whom he considers to be suitably qualified to be the Chairman of the Council and a member of the Executive Committee.

(3) Where the Minister appoints as the Chairman of the Council and a member of the Executive Committee a person already elected in accordance with subsection (1), that person's election shall thereupon be rendered null and void and the annual meeting of the Council shall forthwith proceed to elect any other person whom it considers to be suitably qualified in his place.

(4) The Minister shall, from time to time, designate for the purposes of this section a public officer directly subordinate to the Director of Sports and Cultural Activities and the officer for the time being so designated shall be the Secretary of the Council and a member of the Executive Committee.

(5) The Minister for the time being responsible for education shall, from time to time, designate for the purposes of this section a public officer specially concerned with physical education throughout Botswana and the officer for the time being so designated shall be a member of the Executive Committee.

(6) Where a delegate to the annual meeting of the Council is elected or appointed in accordance with this section, he shall thereupon cease to be a delegate.

12. Terms of office of Council's office bearers

(1) The Chairman of the Council shall hold office as such and remain a member of the Executive Committee until the appointment by the Minister, after the election prescribed by section 11(1), of a new Chairman of the Council at the next or any subsequent annual meeting of the Council.

(2) The Vice-Chairman and Treasurer of the Council shall each hold office as such and remain a member of the Executive Committee until the election of a new Vice-Chairman or Treasurer, as the case may be, at the next or any subsequent annual meeting of the Council.

(3) Where the office of the Chairman, Vice-Chairman or Treasurer of the Council becomes vacant for any reason, he shall immediately cease to be a member of the Executive Committee.

(4) Notwithstanding subsections (1) and (2), the office of the Chairman, Vice-Chairman or Treasurer of the Council shall immediately become vacant on-

(a) his resignation from the office; or

(b) the passing, by an ordinary or special meeting of the Council, of a resolution of no confidence in him.

(5) If the office of the Chairman of the Council becomes vacant between annual meetings of the Council, the Minister may appoint any person whom he considers to be suitably qualified to fill the vacancy and be a member of the Executive Committee.

(6) If the office of the Vice-Chairman or Treasurer of the Council becomes vacant between annual meetings of the Council, the Executive Committee may appoint any person whom it considers to be suitably qualified to fill the vacancy and be a member of the Executive Committee:

Provided that, where the office becomes vacant in consequence of a resolution of no confidence passed by an ordinary or special meeting of the Council, the meeting shall forthwith proceed to elect any person whom it considers to be suitably qualified to fill the vacancy and be a member of the Executive Committee.

(7) Where a delegate to an ordinary or special meeting of the Council is elected in accordance with the proviso to subsection (6), he shall thereupon cease to be a delegate.

(8) The provisions of subsections (2), (4), (6) and (7) shall apply, with all necessary modifications, to the office of the additional member of the Executive Committee referred to in section 11(1)(c).

13. Functions of Executive Committee

The Executive Committee shall manage the day-to-day affairs of the Council and, for this purpose, may exercise any power and shall perform every duty conferred or imposed on the Council by this Act, other than a power or duty specifically conferred or imposed on the annual meeting or on an ordinary or special meeting of the Council, in conformity with the Council's rules and with such directions, conditions, exceptions or qualifications as the annual meeting or an ordinary or special meeting of the Council may, from time to time, give or specify.

14. Prohibition of certain persons acting as delegates

No member of the Executive Committee shall be eligible to be a delegate to the annual meeting or to an ordinary or special meeting of the Council.

15. Financial affairs of Council

(1) The financial year of the Council shall be the period of 12 months ending on 31st December in every year.

(2) The Treasurer of the Council shall cause to be kept proper books and records of account of the Council's income, expenditure, assets and liabilities.

(3) The Treasurer of the Council shall, within eight weeks immediately after the end of each financial year, prepare and submit to the Council's auditor a financial statement in respect of that financial year (which statement is hereinafter referred to as "the annual financial statement").

(4) The annual financial statement shall consist of-

- (a) a statement of the Council's income and expenditure during the financial year to which it relates; and
- (b) a statement of the Council's assets and liabilities on the last day of that financial year.

(5) After receipt of the annual financial statement, the Council's auditor shall audit the Council's accounts in respect of the year to which it relates and shall, not later than 30th April immediately following such receipt, submit to the Treasurer of the Council his written report thereon (which report is hereinafter referred to as "the auditor's annual report").

(6) The auditor's annual report shall state whether, in the opinion of the Council's auditor-

- (a) proper books and records of account have or have not been kept by the Council; and
- (b) the annual financial statement-

- (i) was or was not prepared on a basis consistent with that of the financial year immediately preceding the financial year to which it relates and is or is not in agreement with the Council's books and records of account; and

- (ii) in the case of the income and expenditure statement, gives or does not give a true and fair view of the Council's income and expenditure for the financial year to which it relates.

(7) The Treasurer of the Council shall, not later than 31st May in every year, transmit to the Minister a certified true copy of the annual financial statement in respect of the immediately preceding financial year together with a certified true copy of the auditor's annual report on the Council's accounts in respect of that year.

(8) The Treasurer of the Council shall, not later than 31st May in every year, prepare estimates of the Council's revenue and expenditure in respect of the immediately following financial year (which estimates are hereinafter referred to as "the annual estimates").

(9) The annual estimates shall be approved by the annual meeting of the Council to which they are presented in accordance with subsection (10).

(10) The Treasurer of the Council shall present or cause to be presented to the annual meeting of the Council-

- (a) the annual financial statement in respect of the immediately preceding financial year or a certified true copy thereof together with the auditor's annual report on the Council's accounts in respect of that year or a certified true copy thereof; and

(b) the annual estimates in respect of the immediately following financial year.

16. Establishment and constitution of Appeals Board

(1) There is hereby established a tribunal, to be called the Appeals Board for the Council, which shall consist of four members appointed by the Minister from among those persons whom he considers to be suitably qualified.

(2) In respect of any appeal to the Appeals Board, the Minister may appoint, for the purpose of hearing and determining that appeal alone, an additional member of the Appeals Board who shall be a person having, in the Minister's opinion, special knowledge and experience of the sport connected with the appeal.

(3) Every member of the Appeals Board appointed in accordance with subsection (1) shall remain a member of the Appeals Board for such period as the Minister shall determine and that period shall be specified at the time of the member's appointment to the Appeals Board.

(4) Every member of the Appeals Board appointed in accordance with subsection (1) shall be eligible for reappointment as a member thereof at the expiry of the term of his membership.

(5) The Minister shall appoint, from among the members of the Appeals Board appointed in accordance with subsection (1), a Chairman and a Vice-Chairman of the Appeals Board, each of whom shall hold office as such until he ceases to be a member of the Appeals Board.

(6) The Chairman or in his absence the Vice-Chairman of the Appeals Board shall preside at the hearing and determination of every appeal to the Appeals Board.

(7) The presence of the Chairman or Vice-Chairman of the Appeals Board and of two other members thereof appointed in accordance with subsection (1) (including the Vice-Chairman if the Chairman is present) shall constitute a quorum of the Appeals Board:

Provided that, where an additional member of the Appeals Board has, in respect of any appeal, been appointed under subsection (2), no quorum of the Appeals Board shall be constituted for the purpose of hearing and determining that appeal unless that additional member is also present.

(8) Subject to this Act, the Appeals Board shall regulate its own procedure.

17. Settlement of disputes

(1) Subject to subsection (2), each member of the Council shall make adequate and effective provision for the settlement of disputes within the member.

(2) Where, in the event of a dispute arising within a member or between members of the Council, all procedures for the settlement of such a dispute prescribed by the member concerned or by the Council's rules, as the case may be, have been exhausted, any party to the dispute may appeal to the Appeals Board whose decision thereon shall be final.

18. Machinery for remedying mismanagement by executive committee of member of Council

(1) Where the Executive Committee is satisfied that the executive committee of a member of the Council-

(a) is, by the manner in which it is conducting the affairs of that member, bringing discredit to the sport with which the member is connected or disregarding or prejudicing the proper interests of persons engaged or interested in that sport; or

(b) is not properly carrying out its functions under the member's constitution, the Executive Committee may take all reasonable steps open to it to persuade that member's executive committee forthwith to remedy its behaviour.

(2) Where the Executive Committee is satisfied that it has, in terms of subsection (1), taken all reasonable steps but has failed to persuade the executive committee in question forthwith to remedy its behaviour, it may submit a written report to the Minister, setting out the state of affairs, as seen by the Executive Committee, and steps taken by it under subsection (1), together with its recommendation that the Minister intervene in terms of this section.

(3) After considering the report and recommendation submitted to him under subsection (2), the Minister may, if he accepts the recommendation of the Executive Committee, by order published in the *Gazette*, dissolve the executive committee of the member of the Council in question and vest all the functions of that executive committee in a committee (hereinafter referred to as "the interim committee") appointed by the Minister for the purposes of this section.

(4) No appeal shall lie from the order of the Minister under subsection (3) nor shall the order be subject to review by any court.

(5) The interim committee shall consist of such number of members not exceeding nine as the Minister shall determine, each of whom shall be appointed by the Minister in writing from among persons he considers suitably qualified to take part in carrying out the functions vested in the interim committee by his order under subsection (3).

(6) The interim committee shall carry out the functions vested in it by the Minister's order under subsection (3) to the exclusion of any other body or person.

(7) The interim committee shall, as soon as it is reasonably practicable to do so, and thereafter at least once in every three months, submit a written report to the Executive Committee on the conduct of the affairs of the member of the Council in question, and the Executive Committee shall forthwith advise the Minister in writing as to the status of that conduct and where, in consequence of any such advice, the Minister is satisfied that the reconstitution of the member's executive committee is unlikely to prejudice the proper conduct of the member's affairs, he shall direct the interim committee to make the necessary arrangements for the reconstitution of the executive committee in accordance with the member's constitution and the interim committee shall forthwith comply with the direction:

Provided that, notwithstanding the member's constitution, the reconstruction of its executive committee shall be effected under the supervision of the interim committee and for the purposes thereof the interim committee shall have all necessary powers.

(8) As soon as the executive committee of the member of the Council in question is reconstituted in terms of this section, it shall assume the functions thereof to the exclusion of the interim committee and the Minister's order under subsection (3) shall be deemed to be revoked.

(9) The Permanent Secretary shall cause to be published in the *Gazette* the reconstitution of the executive committee of the member of the Council in question in terms of this section and its assumption of the functions thereof.

(10) Any person who was a member of the executive committee of the member of the Council in question immediately before the Minister's order under subsection (3) came into operation or any officer, member or employee of that member who fails, while that order is in operation, to give the interim committee all assistance that he or it is reasonably able to give to enable it to carry out the functions vested in it by that order and any person who is knowingly a party to the failure shall be guilty of an offence and liable to a fine not exceeding P500 or to imprisonment for a term not exceeding six months, or to both.

(11) Any person, other than a member of the interim committee, who purports, while the Minister's order under subsection (3) is in operation, to carry out a function vested in the interim committee by that order shall be guilty of an offence and liable to a fine not exceeding P60 and, in the case of a continuing offence, to a further fine not exceeding P20 for every day the offence continues.

19. Restrictions on certain sporting activities

(1) No member of the Council shall, without the written consent of the Executive Committee, permit, encourage or in any way assist any team or group of two or more individuals or any individual to tour outside Botswana for the purposes of sport or in any way participate in sport outside Botswana or, while touring within or outside Botswana for the purposes of sport or in any way participating in sport within or outside Botswana-

- (a) in the case of a team or group of two or more individuals, to describe themselves or permit themselves to be described as a national team or in any way representing

- Botswana; or
- (b) in the case of an individual, to describe himself or permit himself to be described as in any way representing Botswana.

(2) No team or group of two or more individuals and no individual shall, without the written consent of the Executive Committee, tour within or outside Botswana for the purposes of sport or in any way participate in sport within or outside Botswana and, while so touring or participating-

- (a) in the case of a team or group of two or more individuals, describe themselves or permit themselves to be described as a national team or in any way representing Botswana; or
- (b) in the case of an individual, describe himself or permit himself to be described as in any way representing Botswana.

(3) No member of the Council shall, without the written consent of the Executive Committee, invite any team or group of two or more individuals or any individual from outside Botswana to tour within Botswana for the purposes of sport or in any way participate in sport within Botswana.

(4) Any member of the Council or other person who contravenes or is knowingly a party to a contravention of this section shall be guilty of an offence and liable to a fine not exceeding P500.

20. Power of Council to make rules

(1) The annual meeting or an ordinary or special meeting of the Council may make rules for the regulation of the Council and, without prejudice to the generality of the foregoing, such rules may provide-

- (a) for the settlement of disputes between members of the Council; and
- (b) for the imposition on a member of the Council, by the annual meeting or by an ordinary or special meeting of the Council or by the Executive Committee, of a fine not exceeding P1 000 where the annual meeting or an ordinary or special meeting of the Council or the Executive Committee, as the case may be, is satisfied that the member is guilty of a breach thereof.

(2) Where a fine is imposed on a member of the Council under the Council's rules, no delegate from that member shall take part in the proceedings of the annual meeting or of an ordinary or special meeting of the Council until the fine is paid to the Council.

(3) The proceeds of all fines imposed on members of the Council under the Council's rules shall belong to the Council.

21. Power of Minister to make regulations

The Minister may make regulations for the better carrying into effect of the purposes and provisions of this Act and, without prejudice to the generality of the foregoing, such regulations may prescribe-

- (a) the circumstances in which the Executive Committee may give its consent for the purposes of section 19 and the conditions to be attached thereto; and
- (b) the conditions subject to which financial assistance may be provided by the Council to a member thereof and the procedure to be followed for providing such assistance.

22. Declaration for removing doubts

For removing doubts, it is hereby declared that, in the event of a conflict between the Council's rules and regulations made by the Minister under section 21, the regulations shall, to the extent of the conflict, prevail.

SCHEDULE

PROVISIONS TO HAVE EFFECT IN RESPECT OF COUNCIL

(Section 6)

1. Membership subscription

- (1) Each member of the Council shall pay to the Council, on or before 31st January in every year, such

annual subscription as the annual meeting or an ordinary or special meeting of the Council shall, from time to time, determine.

(2) The Treasurer of the Council shall report to the first meeting of the Executive Committee held after 31st January in every year the names of all those members of the Council whose annual subscriptions to the Council remained unpaid on 31st January in that year and the Executive Committee shall take such action on the report as it thinks appropriate.

(3) No delegation from a member of the Council which fails to pay its annual subscription to the Council by 31st January in any year shall take part in the proceedings of the annual meeting or of an ordinary or special meeting of the Council until that subscription is paid to the Council.

2. Supplementary provisions relating to meetings of Council

(1) The annual meeting or an ordinary meeting of the Council shall be held at such place and, subject to section 9, commence on such day as the Executive Committee shall determine.

(2) A special meeting of the Council shall be held at such place and commence on such day as the Chairman of the Council shall determine.

(3) The Secretary of the Council shall take every reasonable step to give to each member of the Council, in such manner as the Council's rules may prescribe, not less than 14 days' notice of each meeting of the Council and such notice shall-

- (a) in the case of the annual meeting of the Council, be accompanied by the agenda for the meeting together with a copy of the annual financial statement in respect of the immediately preceding financial year, a copy of the auditor's annual report on the Council's accounts in respect of that year and a copy of the annual estimates in respect of the immediately following financial year;
- (b) in the case of an ordinary meeting of the Council, be accompanied by the agenda for the meeting; and
- (c) in the case of a special meeting of the Council, indicate the matters to be considered by the meeting.

(4) Notwithstanding subparagraph (3), where the Chairman of the Council informs the Secretary of the Council that he is calling a special meeting of the Council as a matter of urgency, the Secretary shall take every reasonable step to give to each member of the Council, in such manner as he shall determine, not less than 72 hours' notice of the meeting.

(5) The presence of the Chairman or Vice-Chairman of the Council and of one delegate from each of two-thirds of the members of the Council shall constitute a quorum for the annual meeting or for an ordinary or special meeting of the Council.

(6) The annual meeting or an ordinary or special meeting of the Council may appoint any persons to constitute committees of the Council for such purposes as the meeting shall specify.

(7) The business to be conducted at each annual meeting of the Council shall include-

- (a) a roll-call of the members of the Council and an examination of the credentials of the delegates present;
- (b) the presentation and discussion of the Executive Committee's annual report on the activities of the Council;
- (c) the presentation and discussion of the annual financial statement in respect of the immediately preceding financial year together with the auditor's annual report on the Council's accounts in respect of that year;
- (d) the presentation, discussion and approval of the annual estimates in respect of the immediately following financial year;
- (e) the consideration of any pending applications for membership of the Council;
- (f) the conduct of the election prescribed by section 11(1) and of any election which may be required by section 11(3); and
- (g) the consideration of motions.

3. Supplementary provisions relating to meetings of both Council and Executive Committee

(1) The Chairman or in his absence the Vice-Chairman of the Council shall preside at every meeting of the Council or Executive Committee.

(2) At a meeting of the Council, each member of the Executive Committee and delegate present shall have one vote and, at a meeting of the Executive Committee, each member thereof present shall have one vote:

Provided that the Chairman or Vice-Chairman of the Council shall, when presiding at a meeting of the Council or Executive Committee, have both an original and a casting vote.

(3) At a meeting of the Council or Executive Committee, voting shall be by show of hands:

Provided that, where the majority of the delegates present at a meeting of the Council or the majority of the members of the Executive Committee present at a meeting of the Executive Committee so requires, the voting on a particular question shall be by secret ballot conducted by the person presiding at the meeting.

4. Supplementary provisions relating to meetings of Executive Committee alone

(1) The Executive Committee shall meet when and as often as the Chairman of the Council directs:

Provided that the Chairman of the Council shall ensure that the Executive Committee meets at least once in every four weeks.

(2) The presence of the Chairman or Vice-Chairman of the Council and of three other members of the Executive Committee (including the Vice-Chairman if the Chairman is present) shall constitute a quorum of the Executive Committee.

5. Supplementary powers and duties of Executive Committee

(1) The Executive Committee may-

- (a) from time to time and for such period as it shall in each case determine, co-opt any person whose advice or other assistance it requires; but no such person shall vote on any question before a meeting of the Council or Executive Committee nor shall such a person count for the purpose of constituting a quorum of the Executive Committee;
- (b) appoint any persons to constitute sub-committees of the Executive Committee for such purposes as the Executive Committee shall specify;
- (c) where it is of the opinion that the interests of the Council so require, delegate to the Chairman, Vice-Chairman, Treasurer or Secretary of the Council or to any sub-committee of the Executive Committee the exercise of any power and the performance of any duty conferred or imposed on the Executive Committee by this Act (including any power or duty conferred or imposed on the Executive Committee by section 13), subject to such conditions, exceptions or qualifications as the Executive Committee may, from time to time, specify, and, thereupon or from such date as the Executive Committee may specify, the Chairman, Vice-Chairman, Treasurer or Secretary of the Council or the subcommittee in question, as the case may be, may exercise that power and shall perform that duty in conformity with any conditions, exceptions or qualifications so specified; and
- (d) employ such staff of the Council as it considers necessary for the proper running of the Council, on such terms and subject to such conditions as it shall determine.

(2) The Executive Committee shall-

- (a) appoint a duly qualified person to be the Council's auditor;
- (b) cause to be kept a register of all sporting clubs, associations and other bodies of persons within Botswana, their colours, insignia and addresses; and
- (c) cause to be prepared and presented to the annual meeting of the Council the Executive Committee's annual report on the activities of the Council.

6. Supplementary provisions relating to financial affairs of Council

(1) The Treasurer of the Council shall take every reasonable step to ensure that all moneys received for and on behalf of the Council are paid forthwith into a bank account in the name of the Council.

(2) Every cheque drawn on a bank account in the name of the Council shall be signed by any two among the Chairman, Vice-Chairman, Treasurer and Secretary of the Council.

7. Supplementary provisions relating to legal matters

(1) Subject to paragraph 6(2), all documents made on behalf of the Council and all decisions of the Council shall be signified under the hand of the Chairman, Vice-Chairman, Treasurer or Secretary of the Council.

(2) Where, in the event of legal proceedings, whether civil or criminal, being instituted against any office bearer, servant or agent of the Council in respect of anything done or omitted to be done by him, the Executive Committee is of the opinion that that thing was done or omitted to be done by him in good faith and in the proper and reasonable discharge of his duty as such officer bearer, servant or agent, that person shall be defended at the expense of the Council and the Council shall indemnify him from all damages, costs and other expenses directly resulting from the legal proceedings.