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Bill No. 10 of 1986

CUSTOMS AND EXCISE DUTY (AMENDMENT) BILL, 1986

(Published on 9th July, 1986)

MEMORANDUM

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

2. Under the existing enactment, the Minister is the authority empowered to appoint warehouses approved by him for the storage dutiable imported or dutiable locally produced goods. Under section 19 of the Customs and Excise Act of 1964 of the Republic of South Africa the corresponding authority is the Secretary for Customs and Excise.

3. The object of the Bill, therefore, is to amend section 18 of the Customs and Excise Duty Act by substituting the Director of Customs and Excise for the Minister as the authority to license customs and excise warehouses, in order to bring it in line with the Customs and Excise Act of 1964 of the Republic of South Africa in accordance with our treaty obligations under Article 10 of the Customs Union Agreement.

P.S. MMUSI,
*Vice-President and Minister of
Finance and Development Planning.*

ARRANGEMENT OF SECTIONS

SECTION

1. Short title
2. Amendment of section 18 of Cap. 50:01

A BILL

—entitled—

An Act to amend the Customs and Excise Duty Act

Date of Assent:

Date of Commencement:

ENACTED by the Parliament of Botswana.

1. This Act may be cited as the Customs and Excise Duty Short title
(Amendment) Act, 1986.

2. Section 18 of the Customs and Excise Duty Act is hereby Amendment
amended by substituting for the word "Minister" which appears of section
in subsection (1) thereof, the word "Director". 18 of
Cap. 50:01

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Bill No. 11 of 1986

NATIONAL ASSEMBLY (SALARIES AND ALLOWANCES) BILL, 1986

(Published on 9th July, 1986)

MEMORANDUM

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

2. The main object of the Bill is to re-enact the National Assembly (Salaries and Allowances) Act by increasing the salaries and allowances of Members of Parliament based on the recent recommendations made by the Parliamentary and Local Authorities Salaries and Allowances Structure Commission.

3. The opportunity has also been taken to incorporate in the proposed Bill all previous amendments effected to the Act.

P.H.K. KEDIKILWE,
*Minister of Presidential Affairs
and Public Administration.*

ARRANGEMENT OF SECTIONS

SECTION

1. Short title and commencement
2. Interpretation
3. Salary and allowances of Speaker and Deputy Speaker
4. Salaries and allowances of Members
5. Payment of pension to spouse of deceased President
6. Allowances exempt from income tax
7. Saving in respect of other allowances
8. Repeal of Cap. 02:04

SCHEDULE

A BILL

—entitled—

An Act to re-enact with amendments the National Assembly (Salaries and Allowances) Act

Date of Assent:

Date of Commencement:

ENACTED by the Parliament of Botswana.

1. This Act may be cited as the National Assembly (Salaries and Allowances) Act, 1986, and shall be deemed to have come into operation on 1st April, 1986.

2. In this Act, unless the context otherwise requires, —

“Assembly” means the National Assembly;

“Leader of the Opposition” means the person designated by the Speaker of the Assembly as Leader of the Opposition;

Short title
and
commen-
cement
Interpret-
ation

	<p>“Member” has the meaning assigned to it under section 58 of the Constitution.</p>
Salary and allowances of Speaker and Deputy Speaker	<p>3. (1) The Speaker and Deputy Speaker of the National Assembly shall each be paid, from moneys appropriated by law for such purpose, the appropriate salary payable in terms of section 4.</p> <p>(2) The Speaker and Deputy Speaker shall, in addition, receive the allowance specified in paragraph 8 of the Schedule and shall be eligible to receive the allowances payable to Members under paragraphs 2 and 3 of the Schedule.</p>
Salaries and allowances of Members	<p>4. (1) Members shall be paid, from moneys appropriated by law for such purpose, the salaries and allowances prescribed in the Schedule.</p> <p>(2) The President may, by order published in the Gazette amend paragraph 4 of the Schedule —</p> <p>(a) by varying the allowances prescribed therein in relation to any constituency; or</p> <p>(b) by reclassifying any constituency, that is to say, by removing a constituency from one group to another group of constituency specified in the said paragraph.</p>
Payment of pension to spouse of deceased President	<p>5. (1) The surviving spouse of a President who dies in office shall be paid, from moneys appropriated for such purpose, on the pension specified in the Schedule.</p> <p>(2) A pension paid under this section shall be exempt from income tax.</p>
Allowances exempt from income tax	<p>6. The allowances payable or benefits granted in terms of this Act shall be exempt from income tax.</p>
Saving in respect of other allowances	<p>7. Nothing in this Act shall be deemed to prohibit the payment to any member of any subsistence or other allowance in respect of the performance by him of duties as a Minister or Assistant Minister, or as a member of any board or committee appointed to advise any Minister, or for any other purpose.</p>
Repeal of Cap. 02:04	<p>8. The National Assembly (Salaries and Allowances) Act is hereby repealed.</p>

SCHEDULE

(ss. 3 and 4)

Salary	<p>1. (1) Each Member shall receive a salary calculated, in the case of —</p> <p>(a) the President, at the rate of P38 004 per annum;</p> <p>(b) the Vice-President, at the rate of P28 044 per annum;</p> <p>(c) any other Minister, other than an Assistant Minister, at the rate of P21 876;</p> <p>(d) an Assistant Minister, at the rate of P19 608 per annum;</p> <p>(e) the Speaker, at the rate of P14 292 per annum;</p> <p>(f) the Leader of the Opposition, at the rate of P14 292 per annum;</p> <p>and</p>
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(g) any other member, including the Deputy Speaker, at the rate of P12 852 per annum.

(2) A surviving spouse of a President who dies in office shall receive a pension at the rate of P17 376 per annum.

2. Every Member, other than a Minister or an Assistant Minister, shall receive an allowance at the rate of P55 for every day or part thereof exceeding four hours that he is necessarily absent from home in attending any meeting of the Assembly or of any committee thereof. Subsistence allowance

3. (1) Every Member, other than a Minister or an Assistant Minister, shall receive an allowance, calculated in accordance with the provisions of subparagraph (2), in respect of one return journey undertaken by him by the shortest convenient route in his own motor vehicle or by a public road, rail or air service — Transport allowance

(a) from his home to any meeting of the Assembly, or to any committee thereof of which he is a member held while the Assembly is not sitting; and

(b) from any such meeting to his home during any adjournment of such meeting of three clear days or longer.

(2) Such allowance shall be —

(a) where the journey or any part thereof is performed in the Member's own vehicle, at the rate for the time being applicable to public officers;

(b) where the journey or any part thereof is performed by any public road, rail or air service, a sum equal to the fare actually paid up to a maximum of the ordinary first class fare payable on such service.

4. Every Member shall receive an allowance, calculated as follows — Constituency allowance

(a) for a Member representing one of the following constituencies —

Gaborone South
Gaborone North
Selebi-Phikwe
Specially Elected Member

at the rate of P1 716 per annum;

(b) for a Member representing one of the following constituencies —

Francistown
Ramotswa

at the rate of P1 980 per annum;

(c) for a Member representing one of the following constituencies —

Nkange
Tonota
Mmadinare
Tswapong North
Tswapong South
Mahalapye
Kgatleng and Tlokwen
Kweneng East
Kweneng South
Ngwaketse South
Kanye
Moshupa
Lobatse/Barolong

Mochudi
Molepolole
Serowe South

at the rate of P3 696 per annum;

(d) for a Member representing one of the following constituencies —

Serowe North
Sebina and Gweta
North East
Shoshong
Bobirwa

at the rate of P4 524 per annum;

(e) for a Member representing one of the following constituencies —

Ngami
Ghanzi
Boteti
Maun and Chobe
Kweneng West
Ngwaketse West

at the rate of P5 508 per annum;

(f) for a Member representing one of the following constituencies —

Kgalagadi
Okavango

at the rate of P6 804 per annum;

Duty
allowance

5. Every Member shall receive an allowance of P20 for every sitting of the Assembly during the whole of which he presides in place of the Speaker or the Deputy Speaker.

Termination
allowance

6. (1) Subject to the provisions of subparagraphs (2), (3) and (4), every Member shall, on ceasing to be a Member, receive a termination allowance at the rate of 30% of the aggregate basic salary drawn by him while he was a Member.

(2) No termination allowance shall be payable to a Member who ceases to hold office by virtue of section 68 (1) (b) or (c) of the Constitution.

(3) If a Minister or Assistant Minister ceases to hold office as such, that proportion of the allowance attributable to the difference between his salary as Minister or Assistant Minister, as the case may be, and the salary paid to a Member under paragraph 1 (g) may be withheld, in whole or in part, at the discretion of the President.

(4) There shall be deducted from the terminal allowance payable to a Member any sums due to the Government.

Entertain-
ment
allowance

7. Every Member, other than a Minister or an Assistant Minister, shall receive an entertainment allowance at the rate of P660 per annum and shall, in addition, when he is necessarily absent from Botswana attending a conference, seminar or similar function approved by the President, receive an entertainment allowance at the rate of P22, together with subsistence allowance at the rates payable to public officers, for every day or part thereof.

Allowances
for Speaker
and Deputy
Speaker

8. (1) The Speaker shall receive an allowance calculated at the rate of P2 184.

(2) The Deputy Speaker shall receive an allowance calculated at the rate of P876 per annum.

9. Ministers and Assistant Ministers shall receive such housing, transport, entertainment allowances and other benefits as the President may from time to time determine.

Allowances
for Ministers
and Assistant
Ministers

L2/4/515

Bill No. 12 of 1986

**HOUSE OF CHIEFS (SALARIES AND ALLOWANCES)
BILL, 1986**

(Published on 9th July, 1986)

MEMORANDUM

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

2. The object of the Bill is to re-enact with amendments the House of Chiefs (Salaries and Allowances) Act by incorporating in the Act the amendments which have been previously made to the Act and also to increase the salaries and allowances payable to Members of House of Chiefs based on the recent recommendations made by the Parliamentary and Local Authorities Salaries and Allowances Structure Commission.

P.H.K. KEDIKILWE,
*Minister of Presidential Affairs
and Public Administration.*

ARRANGEMENT OF SECTIONS

SECTION

1. Short title and commencement
2. Interpretation
3. Salary of Chairman and Vice-Chairman
4. Salary of Members
5. Allowances of Chairman and Members
6. Allowances exempt from income tax
7. Repeal of Cap. 02:06

SCHEDULE

A BILL

—entitled—

An Act to re-enact with amendments the House of Chiefs (Salaries and Allowances) Act

Date of Assent:

Date of Commencement:

ENACTED by the Parliament of Botswana.

Short title
and
commence-
ment

1. This Act may be cited as the House of Chiefs (Salaries and Allowances) Act, 1986, and shall be deemed to have come into operation on 1st April, 1986.

Inter-
pretation

2. In this Act, unless the context otherwise requires, —

“Chairman” means the Chairman of the House;

“House” means the House of Chiefs.

Salary of
Chairman
and Vice-
Chairman

3. The Chairman and the Vice-Chairman shall be paid from moneys appropriated by law for such purpose a salary at the rate of P3 744 and P3 372 respectively a year.

Salary of
Members

4. (1) Every Member who has taken his seat in the House shall be paid from moneys appropriated by law for such purpose a salary at the rate of P2 820 a year.

(2) If a Member is absent from any sitting of the House such salary shall not be paid in respect of the period commencing on the day of such absence and terminating immediately before the day on which he next attends a sitting of the House.

(3) For the purposes of the preceding subsection a Member who is absent from any sitting of the House with the leave of the Chairman shall be deemed to have attended such sitting.

Allowances
of Chairman
and
Members

5. The Chairman and Members shall be paid from moneys appropriated by law for such purpose the allowances prescribed in the Schedule.

Allowances
exempt from
income tax

6. The allowances payable in terms of this Act shall be exempt from income tax.

Repeal of
Cap. 02:06

7. The House of Chiefs (Salaries and Allowances) Act is hereby repealed.

SCHEDULE

(s. 5)

1. The Chairman and any Member shall receive an allowance at the rate of P55 for every day or part thereof exceeding four hours that he is necessarily absent from home in attending any meeting of the House or any committee thereof. Subsistence allowance
2. (1) The Chairman and any Member shall receive an allowance, calculated in accordance with the provisions of subparagraph (2), in respect of one return journey undertaken by him by the shortest route in his own motor vehicle or by any public road, rail or air service — Transport allowance
 - (a) from his home to any meeting of the House, or of any committee thereof of which he is a member held while the House is not sitting; and
 - (b) from any such meeting to his home during any adjournment of such meeting of three clear days or longer.
- (2) Such allowance shall be —
 - (a) where the journey or part thereof is performed in the Member's own motor vehicle, at the rate for the time being applicable to public officers;
 - (b) where the journey or any part thereof is performed by any public road, rail or air service, a sum equal to the fare actually paid up to a maximum of the ordinary first class fare payable on such service.
3. Every Member shall receive an allowance of P7 for every sitting of the House during the whole of which he presides in place of the Chairman. Duty allowance
4. (1) Subject to the provisions of subparagraph (2), a member, other than one who is in receipt of other emoluments from public funds exceeding in amount the salary payable to him under this Act, shall on ceasing to be a member, receive a termination allowance at the rate of twenty per centum of the aggregate basic salary drawn by him while he was a member. Termination allowance
 - (2) There shall be deducted from the terminal allowance payable to a member any sums due to Government.
5. Every Member shall receive an entertainment allowance at the rate of P28, together with a subsistence allowance at rates payable to public officers, for every day or part thereof that he is necessarily absent from Botswana attending a conference, seminar or similar function approved by the President. Entertainment and subsistence allowances when abroad
6. The Chairman shall receive an entertainment allowance at the rate of P660 per annum which shall be in addition to any entertainment allowance to which he may be entitled by virtue of paragraph 5. Entertainment allowance for Chairman

L2/4/662 I