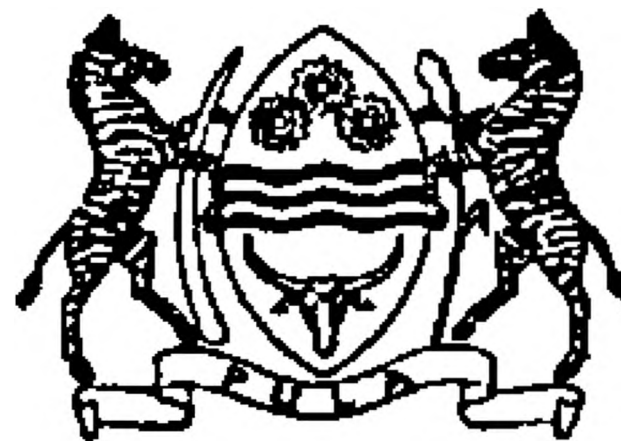


NATIONAL ASSEMBLY (SALARIES AND ALLOWANCES) ACT, 1992

No. 3



of 1992

ARRANGEMENT OF SECTIONS

SECTION

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SCHEDULE

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

Date of Assent: 16.4.92.

Date of Commencement: 1.4.92.

ENACTED by the Parliament of Botswana.

1. This Act may be cited as the National Assembly (Salaries and Allowances) Act, 1992, and shall come into operation on 1st April, 1992.

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;

“Member” has the meaning assigned to it under section 58 of the Constitution.

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.

(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.

Short title
and
commence-
ment
Inter-
pretation

Salaries and
allowances
of Speaker
and Deputy
Speaker

Salaries and allowances of Members

4. Members shall be paid, from moneys appropriated by law for such purpose, the salaries and allowances prescribed in the Schedule.

Payment of pension to spouse of deceased President

5. (1) The surviving spouse of a President who dies in office shall be paid, from moneys appropriated by law for such purpose, the pension specified in the Schedule.

(2) A pension paid under this section shall be exempt from income tax.

Allowances exempt from income tax

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

Saving in respect of other allowances

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.

Repeal of Act No. 6 of 1988

8. The National Assembly (Salaries and Allowances) Act is hereby repealed.

SCHEDULE

(ss. 3 and 4)

Salary

1. (1) Each Member, other than the Attorney-General, shall receive a salary calculated, in the case of—

- (a) the President, at the rate of P74 748 per annum;
- (b) the Vice-President, at the rate of P59 592 per annum;
- (c) any other Minister, other than an Assistant Minister, at the rate of P46 452 per annum;
- (d) an Assistant Minister, at the rate of P41 664 per annum;
- (e) the Speaker, at the rate of P32 532 per annum;
- (f) the Leader of Opposition, at the rate of P30 360 per annum;
- (g) the Deputy Speaker, at the rate of P30 192 per annum;
- (h) any other member, at the rate of P27 312 per annum.

(2) A surviving spouse of a President who dies in office shall receive a pension at the rate of P36 888 per annum.

Sitting allowance

2. (1) Every Member, other than the Attorney-General, who attends a meeting of the Assembly or of a committee of the Assembly shall receive an allowance calculated as follows —

- (a) in the case of a Minister, or Assistant Minister, at the rate of P72,60; and
- (b) in the case of any other Member, at the rate of P107,25,

for every day on which he attends such meeting.

(2) The Attorney-General shall receive an allowance, when he attends a meeting of —

- (a) the Assembly, at the rate of P72,60; and
- (b) a committee of the Assembly, at the rate of P107,25,

for every day on which he attends such meeting.

Transport allowance

3. (1) Every Member, other than a Minister, Assistant Minister and the Attorney-General, 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 —

- (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 —

Constitu-
encies
allowance

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

Gaborone South
Gaborone North
Selebi-Phikwe
Specially Elected Member

at the rate of P13 065 per annum;

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

Francistown
Ramotswa

at the rate of P13 704 per annum;

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

Nkange
Mmadinare
Tswapong North
Tonota
Tswapong South
Mahalapye
Kgatleng and Tlokweng
Kweneng East
Kweneng South
Ngwaketse South
Kanye
Moshupa
Lobatse/Barolong
Mochudi
Molepolole
Serowe South

at the rate of P17 979 per annum;

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

Serowe
Sebina and Gweta
North East
Shoshong
Bobirwa

at the rate of P19 692 per annum;

Ngami
Ghanzi
Boteti

Maun and Chobe
Kweneng West
Ngwaketse West

at the rate of P22 035 per annum;

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

Kgalagadi
Okavango

at the rate of P25 092 per annum.

Duty
allowance

5. Every Member shall receive an allowance of P35,75 for every sitting of the Assembly during the whole or any part 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 by reason of the dissolution of Parliament, resignation or death, receive a termination allowance at the rate of 30 per cent of the aggregate basic salary drawn by him while he was a Member:

Provided that, where he ceases to be a Member by reason of a dissolution of Parliament, he shall be deemed to have continued to be a Member until midnight of the night prior to polling day at the general election.

(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 (1) (h) 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.

Enter-
tainment
allowance

7. (1) Every Member, other than a Minister, an Assistant Minister, and the Attorney-General, shall receive an entertainment allowance at the rate of P2 127 per annum.

(2) Every member, including the Attorney-General, other than a Minister or an Assistant Minister shall, when he is necessarily absent from Botswana attending a conference, seminar or similar function approved by the President, receive an entertainment allowance of P89,10 together with subsistence allowance at the rates payable to public officers, for every day or part thereof.

Allowance
for Speaker
and Deputy
Speaker

8. (1) The Speaker shall receive an allowance calculated at the rate of P4 257 per annum.

(2) The Deputy Speaker shall receive an allowance calculated at the rate of P3 198 per annum.

Allowance
for chairman
of Parlia-
mentary
Committee

9. The Chairman of a Parliamentary Committee shall receive an allowance of P15,95 per day for every day on which the Committee sits which is not a day on which the National Assembly is sitting.

Allowance
for Ministers
and Assistant
Ministers

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

11. The Speaker shall receive entertainment, housing, transport, garden and water allowances at such rates as may be applicable to Ministers and Assistant Ministers from time to time in accordance with paragraph 10. Other allowances for Speaker

12. Every Member, other than the Attorney-General, shall receive a secretarial allowance at the rate of P7 221 per annum. Secretarial allowance

13. Every Member, other than the Attorney-General, shall receive Telephone/Telex allowance at the rate of P1 806 per annum. Telephone Telex allowance

14. There shall be paid to the next-of-kin of a Member, other than that of the Attorney-General, who dies in office a death gratuity equivalent to one year's salary. Death gratuity

PASSED by the National Assembly this 30th day of March, 1992.

C.G. MOKOBI,
Clerk of the National Assembly.