

**CORRUPTION AND ECONOMIC CRIME ACT**  
(Cap. 08:05)

**CORRUPTION AND ECONOMIC CRIME (DIRECTORATE ON CORRUPTION  
AND ECONOMIC CRIME ASSOCIATION AND SAVINGS AND LOAN  
GUARANTEE SCHEME) REGULATIONS, 2020**  
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**ARRANGEMENT OF REGULATIONS**

**REGULATION**

**Part I — Preliminary**

1. Citation
2. Interpretation

**Part II — Directorate on Corruption and Economic Crime Association**

3. Establishment of Directorate on Corruption and Economic Crime Association
4. Board I
5. Board II
6. Board III
7. Regional Joint Board
8. Central Joint Committee
9. Convening of meetings of Boards and Central Joint Committee
10. Constitution of Joint Boards and Central Joint Committee
11. Business of meetings of Boards and Central Joint Committee
12. Resolutions and minutes of meetings of Boards and Central Joint Committee
13. Director-General's response
14. Voting at meetings of Boards and Central Joint Committee
15. Quorum for meetings of Boards and Central Joint Committee
16. Attendance at meetings of Board and Central Joint Committee to be facilitated

**Part III — Directorate on Corruption and Economic Crime Savings and  
Loan Guarantee Scheme**

17. Directorate on Corruption and Economic Crime Savings and Loan Guarantee Scheme
18. Powers of Director-General
19. Transitional and savings provisions

IN EXERCISE of the powers conferred on the President by section 47 of the Corruption and Economic Crime Act, the following Regulations are hereby made —

**Part I — Preliminary**

**1.** These Regulations may be cited as the Corruption and Economic Crime <sup>Citation</sup> (Directorate on Corruption and Economic Crime Association and Savings and Loan Guarantee Scheme) Regulations, 2020.

- Interpretation      2. In these Regulations, unless the context otherwise requires —  
 “Association” means the Directorate on Corruption and Economic Crime Association established under regulation 3 (1);  
 “dependant” in relation to a deceased officer, means spouse, children and parents;  
 “division” includes Investigations Division, Corruption Prevention Division, Public Education Division; Legal Division, Intelligence Division and Corporate Services Division;  
 “formation” includes any unit or office that does not fall under or within a division;
- Cap. 46:01      “insurer” has the same meaning assigned to it under the Insurance Industry Act;  
 “officer” includes any person —  
 (a) in senior management position, Chief Anti-Corruption Officer, Principal Anti-Corruption Officer, Senior Anti-Corruption Officer, Anti-Corruption Officer I, Anti-Corruption Officer II, Anti-Corruption Officer III and their Assistants,  
 (b) who is a member of the Directorate on Corruption and Economic Crime Savings and Loan Guarantee Scheme, and  
 (c) registered as a member of the Association in terms of regulation 3 (6);  
 “region” means the Northern and Southern part of Botswana; and  
 “senior officer” means an officer at E2 scale or above.

*Part II — Directorate on Corruption and Economic Crime Association*

- Establishment of Directorate on Corruption and Economic Crime Association
3. (1) There is hereby established the Directorate on Corruption and Economic Crime Association.  
 (2) The object of the Association shall be to enable officers of the Directorate on Corruption and Economic Crime (hereinafter referred to as “the Directorate”) representative of the various ranks of the Directorate to meet to consider and bring to the notice of the Director-General their views on matters relating to the general welfare, including conditions of service, and the efficiency of the Directorate and other matters for which provision is made by the Act or these Regulations.  
 (3) The Association shall be independent of and not associated with any association or other body outside the Directorate.  
 (4) No person other than an officer of the Directorate shall be a member of the Association in any capacity whether honorary or otherwise.  
 (5) Notwithstanding the provisions of subregulation (4), any member of the support staff who wishes to be a member of the Association may apply to Director-General, in writing, to be a member of the Association.  
 (6) The Director-General may, where satisfied with the application in subregulation (5), register the applicant as a member of the Association.  
 (7) Where the Director-General is not satisfied with the application in subregulation (5), he or she shall reject the application and notify the applicant in writing, stating the reasons for the rejection.
- Board I
4. (1) The Director-General may, for the purposes of this regulation, designate any division or formation within a Region.  
 (2) There shall be established for every division or formation designated under subregulation (1), a Board I, which shall consist of officers of C1 scale and below for the time being serving within a division or formation.

(3) There shall be established a Joint Board I for every Region which shall consist of delegates elected by a Board I within the Region for which the Board I is established.

5. There shall be established a Board II for every Region which shall consist of officers of D1, D2, D3 and D4 scale for the time being serving within the Region.

Board II

6. There shall be established a Board III which shall consist of senior officers.

Board III

7. There shall be established for every Region, a Regional Joint Board, which shall consist of delegates from the Boards established in accordance with regulations 4(3), 5 and 6 respectively within or for the Region for which the Regional Joint Board is established.

Regional Joint Board

8. There shall be established a Central Joint Committee which shall be the governing body of the Association and shall consist of delegates from the Regional Joint Boards.

Central Joint Committee

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

Convening of meetings of Boards and Central Joint Committee

(2) A member of a Board I, elected by members of the said Board I, shall in respect of every division or formation designated by the Director-General under regulation 4 (1), convene and chair a meeting of the Board I at the beginning of each calendar year.

(3) A Head of Office or in the case of the Directorate Headquarters, a senior officer serving at the Directorate Headquarters, shall, in February each year, convene and chair a meeting of the Joint Board I established for the Region.

(4) A Deputy Director-General shall, in April each year, convene and chair a meeting of the Board III.

(5) A Head of Office or in the case of the Directorate Headquarters, a senior officer serving at the Directorate Headquarters, shall, in April each year, convene and chair a meeting of the Board II established for the Region.

(6) A Head of Office, or in the case of the Directorate Headquarters, a senior officer serving at Directorate Headquarters shall, in May each year convene and chair a meeting of the Regional Joint Branch Board established for the Region.

(7) The Director-General shall, in June each year, convene a meeting of the Central Joint Committee which shall be chaired by a senior officer.

(8) Notwithstanding the provisions of this regulation, the Director-General may, in any year, vary the months during which meetings may be convened.

10. (1) A Board I shall, at its yearly meeting, elect from among its members one delegate for every 10 members to be a member of the Joint Board I by which it is or is to be represented.

Constitution of Joint Boards and Central Joint Committee

(2) A Joint Board I or Board II shall, at its yearly meeting, elect from among its members one delegate to be a member of a Regional Joint Board for the Region within which the Joint Board I or Board II is established.

(3) A Regional Joint Board shall, at its yearly meeting, elect from among its members three delegates to be members of a Central Joint Committee, which delegates shall consist of a member from Joint Board I, Board II and Board III.

(4) Elections under this regulation shall be by secret ballot.

(6) A person elected in terms of this regulation shall be eligible for re-election at the next yearly meeting of a Board in question unless he or she has ceased to be a member of such Board.

Business of meetings of Boards and Central Joint Committee

**11.** (1) A meeting of a Board or the Central Joint Committee may consider any matter permitted in terms of regulation 3 raised by a member of the Board or by the Chairperson thereof and in the case of a Joint Board or the Central Joint Committee, shall consider every resolution submitted to it in terms of this regulation.

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

- (a) in the case of a Board I, to the Joint Board I by which it is or is to be represented;
- (b) in the case of a Joint Board I or a Board II, to the Regional Joint Branch Board by which it is or is to be represented;
- (c) in the case of a Board III, to the Central Joint Committee; or
- (d) in the case of a Regional Joint Branch Board, to the Central Joint Committee.

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

Resolutions and minutes of meetings of Boards and Central Joint Committee

**12.** (1) The Chairperson of a meeting of a Board shall, under his or her own signature and the signature or signatures of the delegate or delegates elected by the Board at the meeting, submit to the Chairperson of the next meeting of the Board of which the delegates are members or, in the case of a Regional Joint Branch Board, to the Chairperson of the next meeting of the Central Joint Committee a copy of every resolution passed at the meeting.

(2) The Chairperson of a meeting of a Regional Joint Board or the Central Joint Committee shall submit to the Director-General a copy of the minutes of the meeting and of every resolution passed at the meeting.

(3) A duty imposed on the Chairperson of a meeting of a Regional Joint Board under subregulation (2) shall be in addition to the duty imposed on him or her under subregulation (1).

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

Director-General's response

**13.** Where the Director-General decides to respond to any resolution passed at a meeting of the Central Joint Committee, and a copy of which has been submitted to him or her in terms of regulation 12, he or she shall inform all formations and units by way of written or oral communication.

Voting at meetings of Boards and Central Joint Committee

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

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

Quorum for meetings of Boards and Central Joint Committee  
Attendance at meetings of Board and Central Joint Committee to be facilitated

**15.** The quorum at any meeting of a Board or a Central Joint Committee shall be two-thirds of the members.

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

*Part III – Directorate on Corruption and Economic Crime  
Savings and Loan Guarantee Scheme*

17. (1) The Directorate on Corruption and Economic Crime Staff Welfare Fund (hereinafter referred to as “the Staff Welfare Fund”) established administratively at the Directorate on Corruption and Economic Crime is hereby continued under the new name Directorate on Corruption and Economic Crime Savings and Loan Guarantee Scheme (hereinafter called “the Scheme”), as if established under these Regulations.

Directorate on  
Corruption and  
Economic Crime  
Savings and  
Loan Guarantee  
Scheme

(2) The principal objectives of the Scheme shall be to —

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

(3) Subject to subregulation (4) the Director-General shall act on behalf of the Scheme in all matters concerned with the efficient administration and management of the Scheme and may delegate such functions of concern thereof as he or she may determine to certain officers or committees.

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

(5) Contributions to the Scheme shall be made monthly or by other regular payments as the Director-General may, after consultations with officers, consider necessary.

(6) There shall be paid into the Scheme —

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

(7) There shall be paid from the Scheme —

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

(8) The Director-General may authorise payments from the Scheme to be made to the dependants of a deceased contributor or to the contributor in the event he or she no longer wishes to be a contributor to the Scheme.

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

Powers of  
Director-  
General  
  
Transitional  
and Savings  
Provisions

(10) Membership to the Scheme shall be open to any serving or retired officer of the Directorate.

(11) An application for membership to the Scheme shall be made to the Director-General in a written format to be determined by the Director-General.

(12) A contributor to the Scheme shall make such monthly contributions as may be determined by the Director-General authorising appropriate deductions from his or her pay or if he or she has retired, from his or her pension.

(13) A contributor to the Scheme may make an application to the Director-General for a loan from a bank in a written format to be determined by the Director-General.

(14) Upon an application being made under subregulation (13), the Director-General shall consider whether the applicant qualifies for a loan, in consultation with the bank which the application is directed to.

(15) The Director-General shall make recommendations to the bank with respect to the application under subregulation (13).

(16) If the application made under subregulation (13) is approved and the loan application is granted by the bank, the Scheme shall guarantee such loan up to an amount that would from time to time be determined by the Director-General in consultation with the bank.

(17) Recovery of the loan in default of payment shall be made by the bank that is party to the contract of surety as provided for under subregulation (4), in accordance with the terms of such contract.

(18) An officer shall cease to be a contributor to the Scheme at the time of his or her death, dismissal, termination of contract or resignation from the Directorate.

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

18. The Director-General may, for the purposes of giving long or short term relief to officers or their dependants, and after consultation with the members of the Association, negotiate and arrange insurance policies with any insurer.

19. (1) All the monies which have accrued to the Staff Welfare Fund, shall upon the coming into operation of these Regulations, pass and accrue to and be dealt with in accordance with the provisions of these Regulations.

(2) All the decisions, actions and transactions under the Staff Welfare Fund which immediately before the coming into operation of these Regulations were existing or pending shall continue as if made under these Regulations.

MADE this 20th day of March, 2020.

DR. MOKGWEETSI ERIC KEABETSWE MASISI,  
*President.*