

*Statutory Instrument No. 55 of 2023*

**PUBLIC FINANCE MANAGEMENT ACT**  
(Cap. 54:01)

**PUBLIC FINANCE MANAGEMENT (ROAD TRAFFIC FINES)**  
**FUND ORDER, 2023**  
(Published on 28th April, 2023)

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**PARAGRAPH**

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IN EXERCISE of the powers conferred on the Minister of Finance by section 38 of the Public Finance Management Act, the following Order is hereby made —

1. This Order may be cited as the Public Finance Management (Road Traffic Fines) Fund Order, 2023. Citation
2. In this Order, unless the context otherwise requires — Interpretation
  - “Accounting Officer” means the Commissioner appointed as such under paragraph 5;
  - “Commissioner” has the same meaning assigned to the term under the Police Act; Cap. 21:01
  - “Committee” means a Management Committee appointed under paragraph 6 (1);
  - “detecting device” has the same meaning assigned to the term under the Road Traffic Act; Cap. 69:01
  - “Fund” means the Public Finance Management (Road Traffic Fines) Fund continued under paragraph 3;
  - “road traffic fine” means a fine imposed for the contravention of the Road Traffic Act; and
  - “Service” has the same meaning assigned to the term under the Police Act.
3. The Road Traffic Fines Fund established under the Road Traffic Fines Fund Order by section 38 (1) of the Act, is hereby continued under a Special Fund known as the Public Finance Management (Road Traffic Fines) Fund and shall continue to exist as if established by this Order. Continuation of Fund established under S.I. No. 40 of 2009
4. The purpose of the Fund is to receive and administer the road traffic fines imposed under the Road Traffic Act. Purpose of Fund

Administration  
of Fund

**5. (1)** The Commissioner shall be the Accounting Officer and he or she shall be responsible for the administration of the Fund.

(2) The Accounting Officer may exercise such power and perform such duties as may be required to be exercised or performed for the proper discharge of his or her duties.

(3) The Accounting Officer may, in writing, authorise any other public officer to exercise or perform all or any of the powers or duties required of the Accounting Officer.

Management of  
Fund

**6. (1)** The Minister responsible for defence and security shall, after consultation with the Accounting Officer, appoint a Management Committee for the Fund.

(2) The Committee shall be responsible for —

(a) determining the disbursement procedures and investment strategy of the Fund in accordance with the Act;

(b) ensuring compliance with this Order;

(c) monitoring the collection of revenue into the Fund;

(d) analysing the requests for funding and thereafter making recommendations to the Accounting Officer for approval;

(e) monitoring the implementation of strategies geared towards eliminating duplication of payments by clients;

(f) producing quarterly reports on both collection and disbursements for management decision; and

(g) advising the Accounting Officer on the performance of the Fund.

(3) The Committee appointed under subparagraph (1), shall consist of the following —

(a) the Deputy Commissioner of Police, Support Services, who shall be the Chairperson of the Committee;

(b) the Director of Development and Finance from the Service, who shall be the Vice-Chairperson of the Committee;

(c) the Director of Traffic;

(d) the Head of Legal Services from the Service; and

(e) the Head of Finance from the Service who shall provide secretarial services to the Committee.

(4) The members of the Committee shall be appointed for a period not exceeding five years, and shall be eligible for re-appointment for a further term, not exceeding five years.

(5) The quorum at any meeting of the Committee shall be a simple majority of the members.

Receipts into  
Fund

**7.** There shall be paid into the Fund —

(a) road traffic fines;

(b) donations from persons and organisations as the Minister may approve; and

(c) any monies accruing or realised from any investment made from monies in the Fund in accordance with paragraph 10.

Disbursements  
from Fund

**8.** There shall be paid from the Fund such sums of money for —

(a) the purchase and maintenance of detecting devices;

(b) public and school education campaigns on road safety;

(c) advocating for accident free roads;

(d) collaborating with other institutions to promote road safety;

- (e) the purchase of specialised gadgets and equipment to complement law enforcement measures;
- (f) the purchase of motor vehicles and motor vehicle accessories for road traffic and safety related duties; and
- (g) the purchase of unmanned aerial vehicle technology and ancillary equipment for highway surveillance and patrol.

**9.** If the Fund is in surplus at the end of a financial year, such surplus shall remain as part of the Fund balance and carried forward into the following financial year. Surplus in Fund

**10.** Any monies accruing to the Fund which is not required for immediate use shall be invested in Botswana in accordance with the objects of the Fund as the Accountant-General may direct and interest from such investment shall accrue to the Fund. Investment of Fund monies

**11.** The Accounting Officer shall — Accounts of Fund

- (a) keep and maintain or cause to be kept and maintained, proper books of accounts and records of all financial transactions, assets and liabilities of the Fund in respect of each financial year;
- (b) maintain an account into which all receipts into the Fund and all disbursements from the Fund shall be recorded and the monthly reconciliation for the Fund accounts shall be carried out; and
- (c) prepare, sign and transmit to the Accountant-General and Auditor-General a statement of income and expenditure and a balance sheet of the Fund in respect of the financial year, containing such information in the manner that the Minister in consultation with the Accountant-General may direct, within a period of two months after the close of each financial year.

**12.** The Road Traffic Fines Fund Order is hereby revoked.

Revocation of  
S.I. No. 40 of  
2009

MADE this 4th day of April, 2023.

PEGGY O. SERAME,  
*Minister of Finance.*