

**THE LOCAL COUNCILS' EMPLOYEES  
PROVIDENT FUND LAW, 1966**



No. 38



1966

I assent,

14th September, 1966

H.S. Norman-Walker,  
Her Majesty's Commissioner.

**A LAW TO PROVIDE FOR THE ESTABLISHMENT, ADMINISTRATION AND MANAGEMENT OF A PROVIDENT FUND FOR THE BENEFIT OF EMPLOYEES OF LOCAL COUNCILS AND FOR MATTERS INCIDENTAL THERETO**

(1st January, 1967)

ENACTED by the Legislature of Bechuanaland.

**Short Title and Commencement.**

1. This Law may be cited as the Local Councils' Employees Provident Fund Law, 1966, and shall come into operation on 1st January, 1967.

### Interpretation.

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

“auditor” means an auditor approved by the Minister.

“depositor” means an employee who has any sum of money to his credit in the Fund;

“district council” means a district council established under the provisions of the Local Government (District Councils) Law, 1965 (No. 35 of 1965);

“employee” means any person other than a teacher employed by a local council but does not include a member of a local council;

“employer” means a local council;

“Fund” means the Fund which may be established under section 3;

*or any other township authority constituted under regulations made under section 2*  
“local council” means a district council or a town council;

“member of a local council” means a person appointed or elected to a local council and includes the Chairman;

“town council” means a town council established under the provisions of the Town Council Regulations, 1966 (Legal Notice No. 37 of 1966).

### Regulations.

*Ln 84/66*

*The President*  
3. (1) Her Majesty's Commissioner may, by notice in the Gazette, make regulations for the establishment, maintenance and management of a provident fund for employees of local councils.

(2) Such regulations may provide —

- (a) for the establishment, duties and functions of a Board of Management of the Fund;
- (b) for the amounts which employees shall be required to deposit in the Fund;
- (c) for the amounts which the employers shall be required to contribute to the Fund;
- (d) for the manner in which moneys of the Fund shall be invested;
- (e) for the manner in which interest derived from investments shall accrue to the Fund;

- (f) for the rate of interest which shall accrue to each depositor and the manner in which accrued interest shall be credited to various depositors' accounts ;
- (g) for the procedure to be followed with regard to the disposal of amounts standing to the credit of depositors in the event of their death, termination of service, resignation or dismissal ;
- (h) for the disposal of amounts standing to the credit of depositors who have failed to claim the same within a prescribed period ; and
- (i) generally, for carrying out and giving effect to the purposes of this Law.

#### **Compulsory Deductions.**

4. (1) Any amounts which a depositor is at any time required to deposit in the Fund shall be deducted from the next payment of his salary and paid into the Fund by his employer.

(2) A deduction made in terms of sub-section (1) shall be deemed to have been paid into the Fund on the last day of the month in respect of which the payment of salary, from which the deduction is made, is due.

#### **Audit and Publication of Accounts of the Fund.**

5. The accounts of the Fund shall be audited annually by an auditor and shall be published in the *Gazette* within one month of the date of such audit.

#### **Amounts in Fund not Assignable or Liable to Attachment.**

6. (1) No amount credited to the account of a depositor shall be assignable or liable to be attached, sequestered or levied upon, for or in respect of any debt or claim other than as provided for in sub-section (2).

(2) Any sum due by a depositor to his employer may be deducted from the amount standing to his credit in the Fund on closure of his account.

Passed by the Legislative Assembly this day,

the 23rd August, 1966.

G.T. MATENGE,  
Clerk of the Legislative Assembly.