

**NATIONAL ASSEMBLY (SALARIES AND ALLOWANCES) ACT,
1980**

No. 21



of 1980

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

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

Date of Assent: 5.9.80

Date of Commencement: 1.4.80

ENACTED by the Parliament of Botswana.

1. This Act may be cited as the National Assembly (Salaries and Allowances) Act, 1980, and shall be deemed to have come into operation on 1st April, 1980.

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” means an Elected or Specially Elected Member of the Assembly.

Short title
and
commence-
ment
Inter-
pretation

Salary and allowances of Speaker and Deputy Speaker

3. (1) The Speaker and Deputy Speaker of the Assembly shall each be paid, from moneys appropriated by law for such purpose, the salary payable in terms of section 4 to any Member, other than a Minister or an Assistant Minister.

(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.

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 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
Saving in respect of other allowances

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

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 Cap. 02:04

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 The National Assembly (Salaries and Allowances) Act is hereby repealed.

SCHEDULE

(ss. 3 and 4)

Salary

1. (1) Every Member shall receive a salary calculated, in the case of –

- (a) the President, at the rate of P15 840 per annum;
- (b) the Vice-President, at the rate of P12 480 per annum;
- (c) any other Minister, not being an Assistant Minister, at the rate of P9 240 per annum;
- (d) an Assistant Minister, at the rate of P8 880 per annum;
- (e) the Leader of the Opposition, at the rate of P5 580 per annum; and
- (f) any other Member, at the rate of P5 280 per annum.

(2) A surviving spouse of a President who dies in office shall receive a pension at the rate of P12 000 per annum.

Subsistence allowance

2. Every Member, other than a Minister or an Assistant Minister, shall receive an allowance at the rate of P40 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.

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 motor vehicle, at the rate of 35t per kilometre;
- (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, other than a Minister or an Assistant Minister, shall receive an allowance, calculated as follows —

Constituency allowance

- (a) for a Member representing the following constituency —
Gaborone

at the rate of P900 per annum;

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

Francistown
Ramotswa

at the rate of P1 044 per annum;

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

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

at the rate of P1 944 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 P2 394 per annum;

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

Ngami
Ghanzi
Boteti
Maun and Chobe
Kweneng West
Ngwaketse/Kgalagadi

at the rate of P2 916 per annum;

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

Kgalagadi
Okavango

at the rate of P3 600 per annum; and

(g) for a Specially Elected Member, at the rate of P900 per annum.

Duty
allowance

5. Every Member shall receive an allowance of P6 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 (f) 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 P240 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 P20, together with a subsistence allowance at the rates payable to public officers, for every day or part thereof.

8. (1) The Speaker shall receive an allowance calculated at the rate of P1 500 per annum.

Allowance
for Speaker
and
Deputy
Speaker

(2) The Deputy Speaker shall receive an allowance calculated at the rate of P600 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

10. The Speaker shall receive sitting, housing, garden and water allowances at such rates as may be applicable to the Ministers and Assistant Ministers from time to time in accordance with paragraph 9.

Other
allowances
for Speaker

PASSED by the National Assembly this 3rd day of September, 1980.

I.P. GONTSE,
Clerk of the National Assembly.