

# PUBLIC SERVICE (AMENDMENT) ACT, 2000

No. 14



of 2000

## ARRANGEMENT OF SECTIONS

### SECTION

1. Short title
2. Amendment of section 2 of Act No. 13 of 1998
3. Amendment of section 6 (1) (a) of the Act
4. Amendment of section 31 of the Act
5. Insertion of section 31A in the Act

### **An Act to amend the Public Service Act.**

*Date of Assent: 29.9.2000.*

*Date of Commencement: 6.10.2000.*

ENACTED by the Parliament of Botswana.

1. This Act may be cited as the Public Service (Amendment) Act, 2000.

Short title

2. The Public Service Act (in this Act referred to as "the Act") is amended in subsection (2) thereof, by adding at the end of the subsection to include in the definition of "Permanent Secretary", the post, of "the Director of Directorate on Corruption and Economic Crime."

Amendment of section 2 of Act No. 13 of 1998

3. Paragraph (a) of section 6 (1) is amended by substituting the words "E2" for the words "D 1" which appear in the said paragraph.

Amendment of section 6 (1) (a) of the Act

4. Section 31 of the Act is amended by adding at the end of paragraph (e) thereof, the following new paragraphs —

Amendment of section 31 of the Act

(f) who is an appointing authority, to appoint or promote any person to a post in the public service or send any person on a course of training on the basis of consanguinity, affinity, amity, amorous relationship, tribe, favouritism, or on any other consideration other than on merit based on fair and open competition;

(g) to conduct himself or herself in a disgraceful, improper or un-becoming manner, or, while on duty is grossly discourteous to members of the public or any person whatsoever."

5. The Act is amended by inserting, immediately after section 31 thereof, the following new section —

Insertion of section 31A in the Act

"Sexual Harassment

31A (1) Notwithstanding the provisions of sections 30 and 31, the sexual harassment of one public officer by another, or by a person in authority over another in the public service, shall constitute misconduct.

**(2) for the purposes of this section, ‘sexual harassment’ means any unwanted, unsolicited or repeated verbal or sexual advance, sexually derogatory statement or sexually discriminatory remark made by a public officer to another, or by a person in authority over another in the public service, whether made in or outside the workplace, which is offensive, or objectionable to the recipient, which causes the recipient discomfort or humiliation, or which the recipient believes interferes with the performance of his job security or prospects, or creates a threatening or intimidating work environment.”**

**PASSED by the National Assembly this 3rd day of August, 2000.**

**C.T. MOMPEI,**  
*Clerk of the National Assembly,*