

EMPLOYMENT OF NON CITIZENS ACT
(Cap. 47:02)

EMPLOYMENT OF NON CITIZENS (AMENDMENT) REGULATIONS, 2001
(Published on 30th November, 2001)

ARRANGEMENT OF REGULATIONS

REGULATION

1. Citation
2. Amendment of Cap. 47:02 (Sub. Leg)
3. Amendment of Schedule to the Regulations

IN EXERCISE of the powers conferred on the Minister of Labour and Home Affairs by section 22 of the Employment of Non Citizens Act, the following Regulations are hereby made—

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|---|---|
| 1. These Regulations may be cited as the Employment of Non Citizens (Amendment) Regulations, 2001. | Citation |
| 2. The Employment of Non Citizens Regulations (hereinafter referred to as “the Regulations”) are hereby amended by substituting, for regulation 2(a) and (b) thereof, the following new regulation —
“2. (1) An application for the issue or renewal of a work permit shall be in Form 1.” | Amendment
of Cap. 47:02
(Sub. Leg) |
| 3. The Schedule to the Regulations is amended by substituting, for Form 1(a) and (b) thereof, the following Form 1— | Amendment
of Schedule
to the
Regulations |

“Form 1

APPLICATION FOR WORK PERMIT
(sec 5 (1) and reg 2)

NOTES AND INSTRUCTIONS

1. This form shall be completed in English and the contents thereof declared before a Commissioner of Oaths.
2. The following documents shall be attached to the application-
 - (a) two identical passport size photographs of each person (taken at the time of his application) on which his features are clearly and correctly depicted. One photograph to be certified on the reverse side by a Commissioner of Oaths;
 - (b) in the case of an employee certified copies of the applicant’s certificates and references or testimonials and proof of efforts to recruit citizens;
 - (c) in the case of an investor/self-employed person, certified copies of the company’s certificate of incorporation, applicant’s share certificate and proof of investment;
 - (d) such other documents as in the special circumstances of the applicant are required to be attached/provided; and

- (e) applications for renewal should be submitted three (3) months before the expiry of the permits. The original permits should accompany the application.

NB: Any application not accompanied by all required documents is incomplete and will not be accepted. However, where the applicant for this permit is also applying for, or has applied for, a residence permit, and has supplied all documents required to be supplied with the application for the work permit, he need not provide those documents which he has already supplied, which are also required for this application.

PART I

To be completed by employee

1. If applying for renewal of work permit give details of existing permit

- (a) Permit number
- (b) Issued on (date)
- (c) Place of issue
- (d) Expiry date

2. State the job that has been offered to you.

.....

.....

3. Do you have a Degree, Diploma or Certificate?

Yes/No please specify

Degree

Diploma

Certificate

4. For how many years did you attend formal full time education? Give the total of primary, secondary and full time tertiary education if any.

..... years of full time education.

5. For how many years have you carried out work which is relevant to the proposed employment?

Years of relevant work experience

(attach references)

PART II

To be completed by the employer

1. (a) Full business name and address.....
.....
.....
(b) Telephone No.....
(c) Fax No.....
(d) Type of goods or services provided by the business
.....
.....

2. Details of position to be filled by applicant
(a) Job title.....
(b) Job description.....
(c) Basic qualification required for this job.....
(d) Work experience required.....
(e) Location of business: Village/Town.....
Plot No..... District.....

3. Remuneration
(a) Basic pay.....
(b) Inducement allowance.....
(c) Settlement expense.....
(d) Housing subsidy.....
(e) Water/electricity subsidy.....
(f) Transport subsidy.....
(g) Bonus.....
(h) Education allowance.....
(i) Leave expenses.....
(j) Medical Aid.....
(k) Pension.....
(l) Gratuity.....
Other.....

4. Period for which work permit is sought.....
5. (a) Has the vacancy been advertised? Yes/No
(b) If yes, please attach a copy of the advertisement.

6. Have you furnished the Commissioner of Labour with your manpower
development, training and localization programmes?
Yes/No, please explain
.....
.....

7. (a) Details of trainee(s)

Names of Trainee	Educational qualification	Job experience

- (b) Name of trainee most likely to take over
- (i) at the expiration of this Permit
 - (ii) in the long term
 - (iii) date of localization

8. State the time required to have trainee fully trained

9. In case of renewal briefly and factually state reasons why trainee cannot take over

10. What are your main difficulties in securing local recruitment for this post

11. Have you made enquiries with the Labour Department on the availability of a suitable citizen for the job you are offering to a non-citizen?

12. State number of locals or Botswana nationals in your establishment.

I declare that the information furnished by me in this application is true and correct.

Date Signature

Position or occupation

Declared before me at this day

of 200..... time

.....
Commissioner of Oaths

PART III

To be completed by investor/self employed person

1. If applying for renewal of work permit give details of existing permit:

- Work Permits Residence Permit
- (a) Permits number:
 - (b) Place of issue:
 - (c) Date of issue:
 - (d) Expiry date:

Work Permits	Residenc Permit

2. Name of company Tel No.
 Fax No.
3. Location of company/business (i.e. plot no. street no. and town/village name)

- 4 Attach proof of capital invested in the company/business
- 5 What services/products does your company provide.....

6. Capacity in which you will be employed
7. (a) Will you draw a salary? Yes/No
- (b) If yes state salary per annum
- (c) If no explain why

I declare that the information furnished
 by me in this application is true and correct.

Date..... Signature

declared before me at this

Day of 200 time.....

.....
Commissioner of
Oaths Supplement C —
Botswana Government
Gazette dated 30th Novem-
ber, 2001

FOR OFFICIAL USE ONLY

IMMIGRATION

Fee of Collected by

General Receipt No Dated

LABOUR

Fee of Collected by

General Receipt No Dated

Comments and recommendations:

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Signature Designation

Date

MADE this 20th day of November, 2001.

D.K. KWELAGOBE,
Minister of Labour and Home Affairs.