

**JUDGES (MISCELLANEOUS PROVISIONS)
(AMENDMENT) ACT, 2013**

No. 2



of 2013

ARRANGEMENT OF SECTIONS

SECTION

1. Short title and commencement
2. Amendment of section 2 of Cap. 04:03
3. Amendment of section 3 of the Act
4. Amendment of section 4 of the Act
5. Amendment of section 5 of the Act
6. Amendment of section 7 of the Act

An Act to amend the Judges (Miscellaneous Provisions) Act.

Date of Assent: 03.06.13

Date of Commencement: 01.10.12

ENACTED by the Parliament of Botswana.

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| <p>1. This Act may be cited as the Judges (Miscellaneous Provisions) (Amendment) Act, 2013, and shall be deemed to have come into operation on 1st October, 2012.</p> | <p>Short title and commencement</p> |
| <p>2. Section 2 of the Judges (Miscellaneous Provisions) Act (referred to in this Act as “the Act”) is amended —</p> <p>(a) in subsection (1), by substituting for the words “P550 170” in paragraph (a), the words “P566 675.10”;</p> <p>(b) in subsection (2), by substituting for the words “P526 728” in paragraph (a), the words “P542 529.84”; and</p> <p>(c) in subsection (5), by substituting for the words —</p> <p style="padding-left: 20px;">(i) “P7 100” in paragraph (a), the words “P7 313”, and</p> <p style="padding-left: 20px;">(ii) “P5 920” in paragraph (b), the words “P6 097.60”.</p> | <p>Amendment of section 2 of Cap. 04:03</p> |
| <p>3. Section 3 of the Act is amended in paragraph (a), by substituting for the words “P573 612”, the words “P590 820.36”.</p> | <p>Amendment of section 3 of the Act</p> |
| <p>4. Section 4 of the Act is amended in paragraph (a), by substituting for the words “P503 184”, the words “P518 279.52”.</p> | <p>Amendment of section 4 of the Act</p> |

Amendment of section 5 of the Act

5. Section 5 of the Act is amended by substituting for the section, the following new section —

“Non-pensionable appointment eligible for pension

5. Without prejudice to the provisions of sections 3 (*b*) and 4 (*b*), a person, otherwise eligible to be appointed to the office of President of the Court of Appeal, Chief Justice, Justice of Appeal or a judge of the High Court on pensionable terms, may be appointed on such other terms and conditions as may be determined by the President.”.

Amendment of section 7 of the Act

6. Section 7 of the Act is amended by substituting for the section, the following new section —

“Calculation of gratuity

7. A gratuity accruing and payable in accordance with the provisions of section 6 shall be calculated on the basis of the salary payable to the judge (which expression shall hereinafter include the President of the Court of Appeal, Chief Justice and Justices of Appeal) in accordance with section 2 (1), 2 (2), 3 (*a*) or 4 (*a*), as the case may be.”.

PASSED by the National Assembly this 29th day of April, 2013.

BARBARA N. DITHAPO,
Clerk of the National Assembly.