

LOCAL GOVERNMENT ACT  
(ACT No. 18 of 2012)

LOCAL GOVERNMENT (VILLAGE OR WARD DEVELOPMENT  
COMMITTEE) REGULATIONS, 2014  
(Published on 31st December, 2014)

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IN EXERCISE of the powers conferred on the Minister of Local Government and Rural Development by section 81 (1) of the Local Government Act, the following Regulations are hereby made —

1. These Regulations may be cited as the Local Government (Village or Ward Development Committee) Regulations, 2014. Citation
2. In these Regulations, unless the context otherwise requires — Interpretation  
“Committee” means a village or ward development committee established under regulation 3; and  
“Umbrella Committee” means a committee established under regulation 15.
3. There is hereby established a Committee to be known as the Village or Ward Development Committee. Establishment of Committee

Membership of  
Committee

4. The Committee shall consist of —
- (a) 10 members appointed by the Council;
  - (b) the following executive members elected by the Committee —
    - (i) the Chairperson;
    - (ii) the Vice-Chairperson;
    - (iii) the Secretary;
    - (iv) the Vice-Secretary;
    - (v) the treasurer; and
    - (vi) five additional members, and
  - (c) the following *ex-officio* members who shall not have voting rights —
    - (i) a Councilor and a *Kgosi*;
    - (ii) a *Moemela Kgosi*; or
    - (iii) a *Kgosana*.

Powers and  
functions of  
Committee

5. The Committee shall —
- (a) develop strategic and annual plans for their community;
  - (b) mobilise the community to identify projects;
  - (c) solicit the assistance of donors and other development agencies or partners through the assistance of the Council;
  - (d) provide a forum of contact between and among community representatives, local leaders, politicians, district or urban authorities, community-based organisations and non-governmental organisations to enhance the flow of development information;
  - (e) represent the community in development matters and to act as a reference point in matters pertaining to community development;
  - (f) coordinate the development activities of community voluntary organisations and local agencies to enhance effective planning and implementation and monitoring of projects ; and
  - (g) coordinate national activities in collaboration with respective departments in their areas.

Tenure of office

6. Subject to regulation 12, a member shall hold office for a term of three years and shall be eligible for re-election for a term of three years at the expiry of his or her term of office.

Qualification  
for membership  
of Committee

7. A person shall not qualify to be a member of the Committee unless he or she —
- (a) is able to read and write in Setswana or English;
  - (b) is 18 years of age and above;
  - (c) is a citizen of Botswana;
  - (d) has a residence permit; and
  - (e) has been a resident of the village or ward for at least two years.

Procedure for  
election

8. The Council shall, in consultation with a *Kgosi* or District Commissioner in urban areas, arrange for a meeting for the election of members by secret ballot, 30 days before the expiry of the term of the outgoing members elected under regulation 4 (a).

9. (1) A person shall not be appointed or elected to be a member or be qualified to hold office if the person —

- (a) has in terms of a law in any country —
  - (i) been adjudged or otherwise declared bankrupt or insolvent and has not been discharged, or
  - (ii) made an assignment, arrangement or composition with his or her creditors which has not been rescinded or set aside;

(b) has within a period of 10 years immediately preceding the date of his or her proposed date of appointment, been convicted —

(i) in Botswana, of a criminal offence; and

(ii) outside Botswana, of an offence which when committed in Botswana, would be a criminal offence,

and sentenced by a court of competent jurisdiction to imprisonment for six months or more without an option of a fine, whether that sentence has been suspended or not, and for which he or she has not received a free pardon; or

(c) is a member of the National Assembly, a Councilor in a local authority or the holder of an office in a political party.

(2) The Council may, by notice in writing, remove a member from office where the member —

(a) is absent without reasonable cause from three consecutive meetings of the Committee of which he or she had had notice;

(b) has been found to be physically or mentally incapable of performing his or her duties efficiently, and his or her medical doctor has issued a certificate to that effect; or

(c) contravenes a provision of these Regulations or otherwise misconducts himself or herself to the detriment of the objectives of the Committee.

(3) A member may resign from office by giving 30 days notice in writing to the Council.

(4) A treasurer shall, in the event of his or her resignation, prepare and submit a financial report to the Committee 30 days before vacating office.

**10.** (1) The Council shall, on being notified by the Committee in writing of a death or vacation of office of an elected member, elect within such period being not less than 30 days from the date of the notification, a member to fill the vacancy, and the member being so elected shall hold the office for the remainder of the period for which the former member would, but for his or her death or the vacation of his or her office, have continued in office.

Filling of vacancies

(2) Subregulation (1) shall not apply where the remainder of the period for which the member whose office has been vacated would otherwise have held office is less than six months.

(3) A member who resigns or vacates his or her office before the expiry of his or her term of office shall not be eligible to be re-appointed as a member of the Committee until the expiry of one term of office after his or her resignation.

**11.** The Committee may co-opt a member to temporarily fill a vacancy —

Co-opted members

(a) arising from the absence of a member who has been granted leave of absence by the Committee; or

(b) where technical advice and skills may be needed by the Committee in the execution of its mandate.

**12.** (1) At the first meeting of the Committee, the members shall elect from among their number —

Election of Chairperson, Vice-Chairperson, etc.

(a) a Chairperson;

(b) a Vice-Chairperson;

(c) a Secretary;

(d) a Vice-Secretary; and

(e) a treasurer

who shall hold office for such a period, being not less than 12 months as the Council may from time to time determine, unless he or she ceases to be a member.

(2) At the expiry of the term of office of the Chairperson and the Vice-Chairperson or where the Chairperson or Vice-Chairperson vacates his or her office, the new Chairperson and Vice-Chairperson shall be elected by the members from among their number at the next meeting of the Committee or as soon thereafter as may be convenient.

Meetings of  
Committee

**13.** (1) The quorum at any meeting of the Committee shall be one half of the members.

(2) There shall preside, at any meeting of the Committee —

- (a) the Chairperson;
- (b) in the absence of the Chairperson, the Vice-Chairperson; or
- (c) in the absence of the Chairperson and the Vice-Chairperson, such member as the members present may elect from among their number for purposes of the meeting.

(3) A decision of the Committee on any question shall be by a majority of the members present and voting at the meeting, in the event of an equality of votes, the person presiding shall vote in addition to that person's deliberative vote.

(4) The Secretary or Vice-Secretary of the Committee shall attend all meetings of the Committee and shall be responsible for the accurate and complete recording of the Committee's proceedings and meetings.

(5) The Committee may from time to time invite persons whose technical advice and skills may be needed by the Committee in the execution of its mandate.

Revenues of  
Committee

**14.** (1) The revenues of the Committee shall consist of —

- (a) fees that the Committee may charge for the services it may render;
- (b) income that the Committee may receive from rentals of buildings; and
- (c) grants and donations that the Committee may receive.

(2) The Committee shall use the funds acquired under subregulation (1) to meet the costs incurred in its operations and shall use any surplus accrued for the development of the village or ward for such purpose as it may determine.

Umbrella  
Committee

**15.** (1) There shall be established an Umbrella Committee where there are five or more Committees in a village or ward.

(2) The Umbrella Committee shall consist of Chairpersons from the various Committees and shall be responsible for coordinating the activities of the Committees and reporting to the Council.

(3) At the first meeting of the Umbrella Committee, the members shall elect from among their number —

- (a) a Chairperson;
- (b) a Vice-Chairperson;
- (c) a Secretary;
- (d) a Vice-Secretary; and
- (e) a treasurer

who shall hold office for such a period, being not less than 12 months as the Council may from time to time determine, unless he or she ceases to be a member.

(4) The Umbrella Committee shall hold its meetings on a quarterly basis.

(5) The Chairperson shall call the meetings of the Umbrella Committee.

Remuneration  
and  
allowances

**16.** A member shall be paid out of the funds of the Council, such remuneration and allowance, if any, as the Minister may from time to time determine.

**17.** The financial year of the Committee shall be from 1st April to 31st March in the following year. Financial year

**18.** (1) The Committee shall keep and maintain proper books of accounts and records relating to the assets, liabilities, income and expenditure of the Committee, and shall prepare in each financial year, a statement of accounts. Accounts and audit

(2) The Committee shall open and maintain a bank account at a registered financial institution.

(3) The accounts of the Committee in respect of each financial year, shall within three months of the end thereof, be audited by an auditor appointed by the Council and the auditor shall submit such report to the Committee.

**19.** The Chairperson of the Committee shall, in consultation with the Council, call for a public meeting on a quarterly basis to update the community on the activities and progress of the Committee. Quarterly reports

**20.** (1) The Council shall from time to time submit to the Minister, reports with regard to matters relating to the activities of the Committee which, in the opinion of the Council, shall be brought to the notice of the Minister. Reports to Minister

(2) The Committee shall, when so requested by the Council, furnish the Council with information in connection with the management, supervision and control of the funds and assets of the Committee acquired by it in the course of its duties and on matters regarded by it as being of public importance.

MADE this 15th day of December, 2014.

**SLUMBER TSOGWANE,**  
*Minister of Local Government and Rural  
Development.*