

*Statutory Instrument No. 6 of 2021*

**PUBLIC FINANCE MANAGEMENT ACT**  
(Cap. 54:01)

**PUBLIC FINANCE MANAGEMENT (SIR SERETSE KHAMA MEMORIAL  
FUND FOR PEOPLE WITH DISABILITIES) FUND ORDER, 2021**  
(Published on 5th February, 2021)

**ARRANGEMENT OF PARAGRAPHS**

**PARAGRAPH**

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IN EXERCISE of the powers conferred on the Minister of Finance and Economic Development by section 38 of the Public Finance Management Act, the following Order is hereby made —

1. This Order may be cited as the Public Finance Management (Sir Seretse Khama Memorial Fund for People with Disabilities) Fund Order, 2021. Citation
2. In this Order, unless the context otherwise requires — Interpretation
  - “Accounting Officer” means the Permanent Secretary in the Ministry responsible for presidential affairs, governance and public administration appointed as such under paragraph 5;
  - “Board of Trustee” means a Board of Trustee appointed under paragraph 6;
  - “Fund” means the Public Finance Management (Sir Seretse Khama Memorial Fund for People with Disabilities) Fund continued under paragraph 3; and
  - “people with disabilities” includes people who have long-term physical, mental, intellectual and sensory impairments which in interaction with attitudinal, environmental and various barriers may hinder the full and effectiv participation in society on an equal basis with others.
3. The Sir Seretse Khama Memorial Fund for the Handicapped Fund established under the Sir Seretse Khama Memorial Fund for the Handicapped Order by section 38 (1) of the Act, is hereby continued under a Special Fund known as the Public Finance Management (Sir Seretse Khama Memorial Fund for People with Disabilities) Fund (hereinafter referred to as “the Fund”) and shall continue to exist as if established by this Order. Continuation of Fund established under S.I. No. 60 of 1981
4. The purpose of the Fund is to assist people with disabilities by providing for their needs. Purpose of Fund

Administration of Fund	<p><b>5. (1)</b> The Permanent Secretary in the Ministry responsible for presidential affairs, governance and public administration shall be the Accounting Officer and he or she shall be responsible for the administration of the Fund in accordance with the provisions of this Order.</p> <p>(2) The Accounting Officer may exercise such powers and perform such duties as may be required to be exercised or performed for the proper discharge of his or her functions under this Order.</p> <p>(3) The Accounting Officer may, in writing, authorise any other public officer to exercise or perform all or any of the duties required of the Accounting Officer.</p>
Management of Fund	<p><b>6. (1)</b> The Minister responsible for presidential affairs, governance and public administration shall, after consultation with the Accounting Officer, appoint a Board of Trustee for the Fund.</p> <p>(2) The Board of Trustee shall be responsible for —</p> <ul style="list-style-type: none"> <li>(a) determining the investment strategies;</li> <li>(b) disbursement procedures of the Fund in accordance with the Act; and</li> <li>(c) approval of the requests.</li> </ul> <p>(3) The Board of Trustee appointed under subparagraph (1) shall consist of —</p> <ul style="list-style-type: none"> <li>(a) the Deputy Permanent Secretary or a representative at Director level in the Ministry responsible for presidential affairs, governance and public administration, who shall be the Chairperson of the Board of Trustee;</li> <li>(b) the Deputy Permanent Secretary or a representative at Director level from the Ministry responsible for health and wellness;</li> <li>(c) the Director or representative from the Coordinating Office responsible for people with disabilities;</li> <li>(d) a representative from Rehabilitation and Mental Health Division in the Ministry responsible for health and wellness;</li> <li>(e) the Commissioner of Labour and Social Security or a representative at Director level from the Ministry responsible for employment labour and skills development;</li> <li>(f) a representative from the Department of special support services in the Ministry responsible for basic education;</li> <li>(g) the Director or a representative from Social Protection in the Ministry responsible for local government and rural development;</li> <li>(h) the Director or a representative from Gender Affairs in the Ministry responsible for nationality, immigration and gender affairs; and</li> <li>(i) the coordinating office responsible for people with disabilities shall serve as Secretariat.</li> </ul> <p>(4) The members of the Board of Trustee shall be appointed for a period of three years and shall be eligible for re-appointment for a further term not exceeding three years.</p>
Receipts into Fund	<p><b>7.</b> There shall be paid into the Fund —</p> <ul style="list-style-type: none"> <li>(a) such monies as may from time to time be appropriated by the National Assembly for the purposes of the Fund;</li> <li>(b) grants and donations from persons and organisations as the Minister may approve; and</li> <li>(c) monies accruing or realised from any investment made from monies in the Fund in accordance with paragraph (10) plus the interest accrued in the Fund.</li> </ul>
Disbursements from Fund	<p><b>8.</b> There shall be paid from the Fund —</p> <ul style="list-style-type: none"> <li>(a) expenses incurred in the provision of assistance to people with disabilities;</li> <li>(b) such sums of money for the provision of facilities for people with disabilities; and</li> <li>(c) administrative costs related to the management and auditing of the Fund.</li> </ul>

- 9.** If the Fund is in surplus at the end of the financial year, such surplus shall remain as part of Fund balance and shall be carried forward to the next financial year. Surplus in Fund
- 10.** Any monies accruing to the Fund which is not required for immediate use shall be invested in Botswana in accordance with the objects of the Fund as the Accountant-General may direct and interest from such investment shall accrue to the Fund. Investment of Fund monies
- 11.** The Accounting Officer shall — Accounts of Fund
- (a) keep and maintain or cause to be kept and maintained, proper books of accounts and records of all financial transactions, assets and liabilities of the Fund in respect of each financial year;
  - (b) maintain an account into which all receipts into the Fund and all disbursements from the Fund shall be recorded and the monthly reconciliation for the Fund accounts shall be carried out; and
  - (c) prepare, sign and transmit to Accountant-General and Auditor-General a statement of income and expenditure and a balance sheet of the Fund in respect of the financial year, containing such information in the manner that the Minister in consultation with Accountant-General may direct, within a period of two months after the close of each financial year.
- 12.** The Sir Seretse Khama Memorial Fund for the Handicapped is hereby revoked. Revocation of S.I. No 60 of 1981

MADE this 18th day of January, 2021.

**DR. THAPELO MATSHEKA,**  
*Minister of Finance and Economic  
Development.*