

**BOTSWANA DEFENCE FORCE ACT  
(Cap 21:05)**

**DEFENCE FORCE (REGULAR FORCE) (OTHER RANKS) (AMENDMENT)  
REGULATIONS, 1993  
(Published on 16th April, 1993)**

**ARRANGEMENT OF REGULATIONS**

**REGULATION**

1. Citation
2. Amendment of regulation 5 (4)
3. Amendment of regulation 10
4. Replacement of regulation 11
5. Amendment of regulation 12 (2)
6. Addition of new section 12A
7. Amendment of regulation 14 (2)
8. Amendment of regulation 15
9. Amendment of regulation 18
10. Amendment of regulation 19
11. Addition of new regulation 20A
12. Amendment of regulation 24 (1)
13. Replacement of regulation 28
14. Amendment of regulation 47 (1) (a)

IN EXERCISE of the powers conferred by section 178 of the Botswana Defence Force Act, the President hereby makes the following Regulations —

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| 1. These Regulations may be cited as the Defence Force (Regular Force) (Other Ranks) (Amendment) Regulations, 1993.  | Citation                         |
| 2. Regulation 5 of the Defence Force (Regular Force) (Other Ranks) Regulations, hereinafter referred to as "the Regulations", is amended by substituting for subregulation (4) thereof the following new subregulation —<br>“(4) A member who resigns from the Force during the first ten years of his period of engagement, shall be liable to repay to the Government such sum, calculated in accordance with the number of years served by such member, as may be determined by the Defence Council.”.                            | Amendment<br>of<br>regulation 5  |
| 3. Regulation 10 of the Regulations is amended by —<br>(a) in subregulation (1) by substituting for all the words after the word “paid” the words “such salary corresponding to his rank, or class if any, as may be determined by the Defence Council”;<br>(b) in subregulation (2) by substituting for the words “of P1 per day” the words “at such rate as may be determined by the Defence Council”.   | Amendment<br>of<br>regulation 10 |
| 4. The Regulations are amended by substituting for regulation 11 thereof the following regulation —<br>“Acting<br>appointment      11. (1) Where a member is temporarily appointed to act in an appointment for which a higher rank, or a higher class within his existing rank, is required, he shall, during the subsistence of such temporary appointment, be paid an acting allowance of the difference between his substantive salary and the minimum of the scale applicable to that higher rank or class, as the case may be. | Amendment<br>of<br>regulation 11 |

(2) No acting allowance shall be paid to a member in terms of subregulation (1) if his acting appointment subsists for a period of less than 28 consecutive days.

(3) If a member acts continuously in terms of subregulation (1) for a period of 28 consecutive days or more, and then reverts to his substantive appointment, and if he is then, within 14 days thereafter, appointed to act in the same appointment, he shall be entitled to be paid the acting allowance, whether or not he so acts for a further period of 28 days.”

Amendment  
of regulation  
12 (2)

5. Regulation 12 (2) of the Regulations is amended by substituting for the words “the rate prescribed in the Second Schedule” the words “such rate as may be determined by the Defence Council”.

Addition  
of new regula-  
tion 12A

6. The Regulations are amended by inserting immediately after regulation 12 the following new regulation —

“General 12A. A member may be paid, in addition to his salary, such allowances allowances as may be determined by the Defence Council.”

Amendment  
of regula-  
tion 14

7. Regulation 14 of the Regulations is amended by substituting for subregulation (2) thereof the following new subregulation —

“(2) Such special marriage allowance shall be paid in respect of his wife and a maximum of four children at such rate as may be determined by the Defence Council.”

Replace-  
ment of  
regulation  
15

8. The Regulations are amended by substituting for regulation 15 thereof the following new regulation —

“Allowances 15. (1) A member who is posted on transfer not at his own request payable on shall be entitled to free travel facilities to his new station for himself, his wife and his dependants, and to subsistence allowance at such rate as may be determined by the Defence Council, and, where he is a householder and is obliged to transfer his household effects, he shall be entitled to such allowances therefor as may be determined by the Defence Council.

(2) A member who is posted on transfer at his own request shall be entitled to free travel facilities to his new station for himself, his wife and his dependants, to subsistence allowance at half the rate payable under subregulation (1), and where he is a householder and is obliged to transfer his household effects, to half of the allowances payable therefor under subregulation (1).

(3) A commanding officer may authorize a member who is posted on transfer to use his own motor vehicle, and where the member is transferred otherwise than at his own request he shall be entitled to full motor vehicle mileage allowances at the rates payable to public officers. If, due to the nature of the motor vehicle concerned, it is not possible for the member to take with him all the members of his family eligible under subregulation (1), those eligible family members who cannot travel with the member may travel by military transport, or by such other means as may be decided by the commanding officer, at Government expense.

(4) Where a member is permitted to use his own motor vehicle, and he also qualifies for any subsistence allowance under subregulation (1), allowance shall be paid only in respect of those nights necessarily spent in transit:

Provided that such allowance shall only be payable in respect of such nights where the member has travelled not less than 320 km. during the preceeding day.”

<p>9. Regulation 18 of the Regulations is amended by adding at the end thereof the following new paragraph —</p>	<p>“(g) unpaid leave.”</p>	<p>Amendment of regulation 18</p>	
<p>10. Regulation 19 of the Regulations is amended —</p>	<p>(a) in subregulation (1) by inserting immediately after the word “Commander” the words “or an officer so authorized by the Commander”; and</p> <p>(b) in subregulation (2) by substituting for all the words after the word “leave” the words “under paragraphs (a), (b), (d), (e), (f) and (g) of regulation 18, but may not grant compassionate leave unless authorized to do so under subregulation (1).”.</p>	<p>Amendment of regulation 19</p>	
<p>11. The Regulations are amended by inserting immediately after regulation 20 the following new regulation —</p>	<p>“Leave without pay</p>	<p>20A. (1) Leave without pay may be granted to a member who has no leave due to him, or insufficient leave to cover the period of leave requested, for urgent private affairs, for study purposes or such other purposes as the Commander may, at his discretion, approve.</p> <p>(2) Leave without pay shall not earn leave and shall not count as qualifying service in the calculation of a pension or gratuity.</p> <p>(3) Notwithstanding the provisions of subregulations (1) and (2), where the Commander is satisfied that a course of study may be of value to the Force, he may grant leave for such study purposes with full pay or with such portion of full pay as may, in the circumstances, be determined in accordance with directions issued by the Defence Council.”.</p>	<p>Addition of new regulation 20A</p>
<p>12. Regulation 24 (1) of the Regulations is amended by inserting immediately after the word “Commander” the words “or any officer so authorized by the Commander”.</p>		<p>Amendment of regulation 24 (1)</p>	
<p>13. The Regulations are amended by substituting for regulation 28 thereof the following new regulation —</p>	<p>“Travelling facilities on leave</p>	<p>28. (1) In respect of any leave accruing to a member in accordance with regulation 21, he shall, once in every two years from the date of his engagement, be granted free travelling facilities from his place of duty to his leave destination, and vice versa, as the Defence Council may determine, for himself, his wife and any dependant children:</p> <p>Provided that, if his leave destination is outside Botswana, such facilities shall only be granted to and from the point on the borders of Botswana nearest to his leave destination.</p> <p>(2) A member who has been granted —</p> <p>(a) embarkation leave;</p> <p>(b) disembarkation leave; or</p> <p>(c) compassionate leave,</p>	<p>Replacement of regula- tion 28</p>
		<p>may be granted free travelling facilities to and from his leave destination, on one occasion per year, or the equivalent in money, at the discretion of the commanding officer:</p>	
		<p>Provided that if his leave destination is outside Botswana, such facilities shall only be granted to and from the point on the borders of Botswana nearest to his leave destination.”.</p>	

Amendment .  
of regulation  
47 (1) (a)

14. Regulation 47 (1) (a) of the Regulations is amended of by substituting for "of P25" the words "at such rate as may be determined by the Defence Council".

MADE this 6th day of April, 1993.

Q.K.J. MASIRE,  
*President of Botswana.*

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