

Statutory Instrument No. 128 of 2022

PUBLIC FINANCE MANAGEMENT ACT
(Cap. 54:01)

PUBLIC FINANCE MANAGEMENT (DEFENCE FORCE REWARDS
AND FINES FUND) ORDER, 2022
(Published on 29th September, 2022)

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IN EXERCISE of the powers conferred on the Minister of Finance by section 38 of the Public Finance Management Act, as read with section 346 of the Botswana Defence Force Act, the following Order is hereby made –

1. This Order may be cited as the Public Finance Management (Defence Force Rewards and Fines) Fund Order, 2022. Citation
2. In this Order, unless the context otherwise requires – Interpretation
 - “Accounting Officer” means the Commander appointed as such under paragraph 5;
 - “Commander” has the same meaning assigned to the term under the Botswana Defence Force Act; Cap. 21:05
 - “Committee” means Management Committee appointed under paragraph 6;
 - “Defence Force” has the same meaning assigned to the term under the Botswana Defence Force Act;
 - “fines” means fines imposed under the Botswana Defence Force Act for any offence against discipline;
 - “Fund” means the Public Finance Management (Defence Force Rewards and Fines Fund) continued under paragraph 3; and
 - “special services” means any other service which is not under the mandate of the Defence Force.
3. The Defence Force Rewards and Fines Fund established under section 346 of the Botswana Defence Force Act, is hereby continued under a Special Fund known as the Public Finance Management (Defence Force Rewards and Fines) Fund and shall continue to exist as if established by this Order. Continuation of Fund established under section 346 of the Botswana Defence Force Act

- Purpose of Fund**
- 4. The monies collected under paragraph 7 shall be used —**
- (a) for the benefit of the members of the Defence Force through payment of grants;
 - (b) to provide financial assistance to the spouses and families of deceased soldiers;
 - (c) to assist any soldier discharged from Defence Force as medically unfit for further service;
 - (d) to reward soldiers for meritorious acts of service in the execution of duty provided that no payment shall be made to any soldier who has received any other reward from Government revenue;
 - (e) to finance the procuring of any comforts, conveniences or advantages to members of the Defence Force which are not chargeable to general revenue;
 - (f) for the granting of loans in special circumstances to soldiers repayable by installments;
 - (g) for prizes for competitions limited to members of the Defence Force; and
 - (h) for the payment of claims towards any damage to the Defence Force barracks due to fire or any natural disaster.
- Administration of Fund**
- 5. (1) The Commander shall be the Accounting Officer and he or she shall be responsible for the administration of the Fund.**
- (2) The Accounting Officer may exercise such power and perform such duties as may be required to be exercised or performed for the proper discharge of his or her duties.
- (3) The Accounting Officer may, in writing, authorise any other public officer to exercise or perform all or any of the powers or duties required of the Accounting Officer under this Order.
- Management of Fund**
- 6. (1) The Minister responsible for defence and security shall, after consultation with the Accounting Officer, appoint a Management Committee.**
- (2) The Committee shall be responsible for —
- (a) overseeing the management of the Fund;
 - (b) advising the Accounting Officer with respect to the Fund; and
 - (c) determining the disbursement procedures and investment strategy of the Fund in accordance with the Act.
- (3) The Committee appointed under subparagraph (1) shall consist of the following persons from the Defence Force
- (a) the Deputy Commander, who shall be the Chairperson of the Committee;
 - (b) a representative from the human resources management office;
 - (c) the deputy Director of Financial Resources Management;
 - (d) a representative from the legal office;
 - (e) a representative from the Air Arm Command;
 - (f) a representative from the Defence Logistics Command; and
 - (g) a representative from the Ground Forces Command.
- (4) The members of the Committee shall be appointed for a period not exceeding three years and shall be eligible for re-appointment for a further term not exceeding three years.
- Receipts into Fund**
- 7. There shall be paid into the Fund —**
- (a) all fines imposed on offences against discipline;
 - (b) fees paid or donations made in respect of any special services provided by the Defence Force; and
 - (c) interest accrued from investments of monies of the Fund in accordance with paragraph 10.

- 8.** There shall be paid from the Fund such —
- (a) payment as may be required to carry out the purposes set out in paragraph 4;
 - (b) amount as shall be required for the purpose of investment in accordance with paragraph 10; and
 - (c) other sums as the Accounting Officer may, in writing, approve:

Provided that such disbursements qualify as reasonable expenses incurred in the performance of duties consistent with the objects of the Fund.
- 9.** If the Fund is in surplus at the end of the financial year, such surplus shall remain as part of the Fund balance and shall be carried forward into the following financial year.
- 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.
- 11.** The Accounting Officer shall —
- (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 the 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 the Accountant-General may direct, within a period of two months after the close of each financial year.

Disbursements
from Fund

Surplus in Fund

Investment of
Fund monies

Accounts of
Fund

MADE this 19th day of September, 2022.

PEGGY O. SERAME,
Minister of Finance.