

# BOTSWANA



## 2 POLITICAL AND ORGANISATIONAL STRUCTURE OF BOTSWANA

### 2.1 Position of local government in the state

Botswana adopted the multi-party system of parliamentary democracy after independence in 1966. Elections have been held for national parliament as well as urban and rural councils every five years based on universal adult franchise.

The most recent elections were held in October 2004 with the ruling Botswana Democratic Party winning 44 seats, the Botswana National Front 12 seats and the Botswana Congress Party one. The next elections are due in 2009.

The government has expressed commitment to and promoted decentralisation through a number of measures.

Local authorities are statutory, established by various Acts of Parliament – the Government (District Councils) Act 1965, Townships Act 1955, Unified Local Government Service Act 1973, and the Town and Country Planning Act 1980.

The president, cabinet, parliament, Minister of Local Government and the Ministry all have some responsibility for the administration of Acts governing local authorities. They also contribute to the formulation and implementation of public policies related to local government. The Minister of Local Government has certain powers to direct and control councils and is empowered by legislation to nominate some members in every council. There has been no case of suspension of an elected councillor.

## 1 INTRODUCTION

The Republic of Botswana is a landlocked country in southern Africa. It has a population of 1,815,508<sup>1</sup> and covers 582,000 sq km.

Botswana is a democratic republic with a unicameral parliament, the National Assembly, that sits in the capital Gaborone. General elections take place every five years with MPs directly elected by universal adult franchise with the first-past-the-post system. The president is head of state and indirectly elected: following the elections, the presidential candidate of the party with a majority of elected members assumes office.

The president appoints a cabinet of ministers from among members of parliament. Non-elected persons can be appointed to cabinet but they have to be elected to parliament within a specified period of time.

A second body, the Ntlo ya Dikgosi (House of Chiefs), comprises traditional leaders and is an advisory body, advising the National Assembly on matters of concern to their tribes. Established by the Constitution of Botswana, the Ntlo ya Dikgosi serves as a source of honour and discussion forum.

Botswana has no provinces or states. Following independence in 1966, local government was introduced across the country, comprising 10 district councils, three town councils, two city councils and one township authority.

## 3 LEGAL BASIS FOR LOCAL GOVERNMENT

### 3.1 Constitutional provisions

The Constitution of Botswana does not establish councils.

### 3.2 Main legislative texts

The main legislation governing local government is:

Table 1. Largest and smallest authorities

	No. of councils	Largest by population	Smallest by population
District councils	10	510,532	32,481
City councils	2	n/a	n/a
Town councils	3	n/a	n/a
Township	1	n/a	n/a

- Local Government (District Councils) Act 1965
- Townships Act 1955
- Unified Local Government Service Act 1973
- Town and Country Planning Act 1980.

#### 4 LOCAL GOVERNMENT ORGANISATIONAL STRUCTURE

##### 4.1 Main divisions

Local government is single-tiered, comprising both urban and rural councils.

There are 10 district councils in the rural areas and two city councils, three town councils, and one township authority in the urban areas.

##### 4.2 Distribution of local governments and population

The district council with the largest population is Central District Council, which has a population of 510,532, and the smallest is Ghanzi District Council with a population of 32,481. Central District Council also covers the largest land area – 142,669 sq km – while the South East District Council covers the smallest land area – 1,492 sq km.

54% of the population lives in urban areas.<sup>2</sup>

#### 5 DEMOCRATIC AND POLITICAL STRUCTURES IN LOCAL GOVERNMENT

Most councillors are elected; the Minister of Local Government appoints some councillors. Elections take place every five years by universal adult suffrage using the first past the post system. Each council is divided into several wards and each ward elects one councillor. This system is uniform across all types of local government.

Councils operate through committees that report to the full council and have delegated authority to make decisions. They have powers to make by-laws or raise revenue. Every council must have a finance committee and an education committee. Councils have discretion to establish other committees; most have committees for staff, health, works, licensing, and social and community development.

Leaders of urban councils are called mayors, and those of district councils are called chairpersons. Mayors and chairpersons are not directly elected but generally are elected every year by the councillors in their authority. Mayors and chairpersons receive remuneration determined by the central government.

Councils do not have executive committees or cabinets.

Out of 591 councillors - 490 elected and 101 nominated - 116 are women (19.6%): 78 elected and 38 nominated.

##### 5.1 Local government staffing

The Local Government Management Service,

headed by the Establishment Secretary and based in central government, is responsible for recruitment, postings, transfers, promotions, training, discipline and conditions of service of staff in all local authorities. Recently, recruitment of some lower grades has been devolved to local authorities.

The head of paid service in the city councils is the city clerk, in town councils it is the town clerk and in district councils it is the council secretary. Staff are graded according to their job. Councils are organised in departments such as treasury, education, health, engineering, social and community development and planning.

##### 5.2 Community structures

Local government in Botswana works with participative structures such as kgotla (village assembly) and village development committees (VDCs). Kgotla is a traditional institution for two-way communication between the government and the community. It is presided over by the chief of the area. Members of the VDCs are elected by kgotla and undertake self-help activities.

##### 5.3 Independent scrutiny

There are a number of independent scrutiny mechanisms to ensure the accountability of local authorities:

- The Auditor General’s Department is a statutory authority set up by parliament to audit the accounts of all councils annually
- The Local Authorities Public Accounts Committee, appointed by the Minister of Local Government, examines the accounts of local authorities periodically and reports

to the Minister of Local Government.

- The Ombudsman deals with complaints of maladministration
- The Directorate on Economic Crime and Corruption deals with complaints related to corruption.

These organisations derive their authority from the constitution and from Acts of Parliament such as the Ombudsman Act, the Corruption and Economic Crime Act and the Accounts and Audit Act.

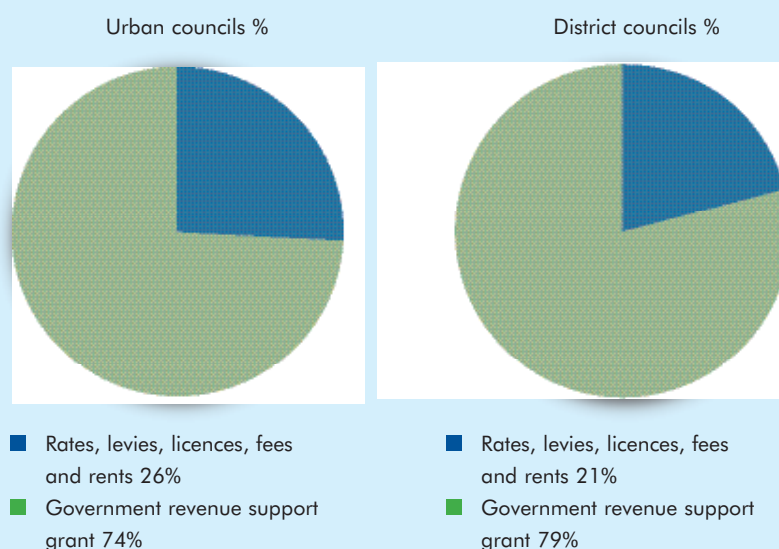
#### 6 DISTRIBUTION OF SERVICE DELIVERY COMPETENCE

Statutory functions of the councils include provision of primary education, primary healthcare, tertiary and access roads, and village water supplies. These responsibilities cover related items, such as sanitation services, social welfare and community development and remote area development, as well as administering Self-help Housing Agencies (SHHA), municipal abattoirs and markets. Urban areas deal with the administration of rates on properties. Some functions, such as remote area development, are only relevant to the district councils.

Councils can undertake other functions related to those specified by the statutes and as advised by the Ministry of Local Government. Because of their limited administrative capacities, councils receive considerable assistance from central government.

Councils have their own jurisdiction but their activities and plans are coordinated through various mechanisms and forums organised by central government.

Figure 1. Local authority revenue in Botswana 2007/2008



## 7 FINANCE

### 7.1 Revenue

Councils' own independent sources of revenue are extremely limited and so they depend heavily on central government revenue support grants.

In 2007/2008, the revenue support grant from the central government represented 74% and 79% of the recurrent income of urban councils and district councils respectively. The main sources of councils' own revenue include: property rates and service levies, sanitation fees, staff housing rentals, matimela (stray cattle) fees, domestic water fees, sewerage fees and interest on deposits.

Councils are responsible for raising and collecting taxes and user fees levied by them. In the drive for cost recovery, councils have a number of proposed other charges and fees that are yet to be adopted.

### 7.2 Revenue-sharing

Councils also receive development funds in the form of 100% grants from central government.

The Ministry of Local Government receives a large proportion of central government's annual budgeted expenditure in both revenue and development funds. In 2007/2008, it received from the central government Pula 2.8bn (US\$561m)<sup>3</sup> representing 15.9% of the recurrent expenditure estimates, the second largest share of any department; and Pula 990m (US\$198m) or 14% of the total development budget estimates for the same financial year, the largest share of any department.<sup>4</sup>

### 7.3 Expenditure

The main items of expenditure of councils are:

- Personnel emoluments (staff salaries and allowances)
- Operating costs of clinics and primary schools
- Maintenance of water supplies, roads, buildings and other physical infrastructure
- Maintenance costs of transport, social and community development
- Remote area development
- Computer hardware and software maintenance.

Teachers' salaries are paid directly by central government.

The Ministry of Local Government must give final approval to councils' budget proposals. It advises councils to balance their budgets but, in practice, especially in recent years, the councils are experiencing deficits due to various factors, chief among them being a backlog of maintenance of physical infrastructure.

## 8 ORGANISATIONS OF LOCAL GOVERNMENT

The Botswana Association of Local Authorities (BALA) is composed of mayors of city and town councils, chairpersons of district councils and chief executive officers of all councils. BALA is a voluntary organisation established in 1983 after a conference of local authorities.

Due to its limited capacity, BALA's operations have been limited. Its primary role is to consider, recommend and undertake measures to strengthen local authorities and promote better relations between central and local government. It provides a forum for the chief political and executive authorities of all the councils to come together to raise matters of common concern and operate as a pressure group towards the central government. BALA is not recognised in law or by the constitution.

BALA's main funding is from the Ministry of Local Government. Some donor agencies have also given modest support.

## 9 INTERGOVERNMENTAL RELATIONS

The relations between central and local government are governed by the legislation that lays down the functions, powers and limitations of local authorities as well as the role and powers of the central government.

Intergovernmental relations are promoted by mechanisms such as national and local level decentralised development planning and forums such as the National District Development Conferences held periodically. BALA also helps promote good relations between central and local government.

## 10 E-GOVERNMENT

Botswana has a national e-government strategy to increase the use of electronic means in the country's governance at both central and local government levels. Central and local government offices are equipped with computers. Central and local government are increasing computerisation of personnel and financial management. A Ministry of Information, Science and Technology was established recently to put the commitment of government to e-government into practice.

Local authorities are following the lead of central government in increasing computerisation. Senior staff in central government ministries and local authorities are well resourced with computers, email and internet facilities. However, these facilities are not yet available to the elected councillors.

In 2002 there were an estimated 60,000 internet users in Botswana representing 3.6% of the population.<sup>5</sup>

## 11 ENVISAGED REFORMS

The government of Botswana has given a commitment to strengthening local government. A presidential commission (the Venson Commission) was appointed to report measures for strengthening local government structures. Following the Commission's report in 2001, the government issued a White Paper in 2004 indicating its intentions to strengthen local government.

## 12 MISCELLANEOUS

### 12.1 Role of traditional leaders

Traditional leaders (chiefs) continue to enjoy respect in the rural communities and have been integrated into the modern public administration set-up in Botswana. As chairpersons of customary courts they handle about 90% of civil and criminal cases in the country. The chiefs continue to preside over *kgotla* (a traditional form of village assembly) where matters of concern to tribesmen are discussed. At the local level they collaborate with councils and district commissioners in the formulation and implementation of local development plans.

## 13 SUMMARY

Local government is becoming firmly established in the democratic political set-up of Botswana. Although the capacities of local authorities in Botswana have been limited and they depend heavily on the central government for financial and human resources, they have grown in strength over time. Local authorities have a fairly wide remit over local services, but depend on the support of central government to deliver these services. Current proposed reforms will help to give local authorities greater autonomy and strengthen their capacity and structures.

### References

- 1 CIA World Factbook 2007
- 2 Census 2001
- 3 Pula 4.6051 = US\$1, *Financial Times*, 25 October 2004
- 4 Annual Economic Report 2001
- 5 CIA World Factbook 2007.

Service	Delivering authority		Remarks
	Central government	Local government	
<b>GENERAL ADMINISTRATION</b>			
Police	●	●	
Fire protection		●	
Civil protection	●		
Criminal justice	●		
Civil justice	●		
Civil status register	●		
Statistical office	●		
Electoral register	●		
<b>EDUCATION</b>			
Pre-school		●	
Primary		●	
Secondary	●		
Vocational and technical	●		
Higher education	●		
Adult education	●		
Other	●		
<b>SOCIAL WELFARE</b>			
Kindergarten and nursery		●	
Family welfare services	●	●	
Welfare homes	●		
Social security	●		
<b>PUBLIC HEALTH</b>			
Primary care	●	●	
Hospitals	●		
Health protection	●	●	
<b>HOUSING AND TOWN PLANNING</b>			
Housing	●	●	
Town planning	●	●	
Regional planning	●		
<b>TRANSPORT</b>			
Roads	●	●	
Transport	●		
Urban roads	●	●	
Urban rail		●	
Ports		●	
Airports	●		
<b>ENVIRONMENT AND PUBLIC SANITATION</b>			
Water and sanitation	●	●	
Refuse collection and disposal		●	
Cemeteries and crematoria	●	●	
slaughterhouses	●	●	
Environmental protection	●	●	
Consumer protection	●	●	
<b>CULTURE, LEISURE AND SPORTS</b>			
Theatre and concerts	●	●	
Museums and libraries	●	●	
Parks and open spaces	●	●	
Sports and leisure	●	●	
Religious facilities	●	●	
<b>UTILITIES</b>			
Gas services		●	
District heating		●	
Electricity	●		
Water supply	●	●	
<b>ECONOMIC</b>			
Agriculture, forests and fisheries	●		
Economic promotion	●	●	
Trade and industry	●		
Tourism	●		