

The local government system in

# Botswana



## Key facts

**POPULATION (2001 Census):** 1,680,863  
**AREA:** 582 000 sq km  
**CAPITAL:** Gaborone  
**LOCAL GOVERNMENT CONTRIBUTION TO GDP:** -  
**CURRENCY:** pula (BWP)  
**HEAD OF STATE AND GOVERNMENT:** President Ian Khama  
**FORM OF GOVERNMENT:** republic  
**PARLIAMENTARY SYSTEM:** bicameral  
**STATE STRUCTURE:** unitary  
**LANGUAGES:** English, Setswana (official)  
**NATIONAL ELECTIONS:** last: 2009; turnout: 76.71%; next: 2014  
**LOCAL ELECTIONS:** last: 2009; turnout: 76.5%; next: 2014

### SUMMARY

Botswana is a democratic republic with a two-tier system of government: central government headed by the president and local government headed by a mayor in towns and a council chairperson in districts. There is no constitutional provision for local government but the main legislative texts are the Local Government (District Councils) Act 1965 and the Townships Act 1965. The Ministry of Local Government (MLG) is charged with providing policy direction and guidance for socio-economic development at local level. Local government comprises ten district councils, six urban councils and 19 newly formed sub-districts. There is also a traditional system of village leadership which works cooperatively with the district councils. Although councils have legal powers to collect certain taxes, levies and fees, central government provides

over 90% of its total revenue. Statutory council functions include provision of primary education, primary healthcare, tertiary and access roads, and village water supplies.

### 1. CENTRAL GOVERNMENT

Botswana is a democratic republic with a bicameral parliament made up of the elected National Assembly and the hereditary, advisory House of Chiefs. The president is head of state and government and is indirectly elected by the members of the National Assembly for a maximum of two five-year terms. Fifty-seven of the 63 National Assembly members are directly elected by universal adult suffrage under the first-past-the-post system from single-member constituencies. Four are appointed by the president and the president and the attorney general make up the other two and are ex-officio. The House of Chiefs, which has only

advisory and not legislative powers, has a total of 35 members: the chiefs of the eight principal tribes, 22 members indirectly elected by the House and a further five appointed by the president. The president appoints a cabinet of ministers from among members of the National Assembly. Non-elected persons can be appointed to cabinet but they have to be elected to parliament within a specified period of time.

### 2. LEGAL BASIS FOR LOCAL GOVERNMENT

#### 2.1 Constitutional provisions:

There is no constitutional provision for local government in Botswana.

#### 2.2 Main legislative texts:

The main legislative texts are:

- Local Government (District Councils) Act 1965
- Townships Act 1965

**Table 1.** Distribution of councils and population (2001 Census)

District	Sub-districts	Population
Central	6	501,381
Ghanzi	2	33,170
Kgalagadi	2	42,049
Kgatleng	0	75,507
Kweneng	2	230,335
North-East	0	49,399
North-West	2	124,712
South-East	2	60,623
Southern	3	171,652
Chobe	0	18,258
<b>Urban</b>		
Gaborone		186,007
Lobatse		29,689
Selibe Phikwe		49,849
Sowa		2,879
Jwaneng		15,179
Francistown		83,023
<b>TOTAL</b>	<b>16</b>	<b>1,680,863</b>

Source: Botswana Central Statistics Office<sup>1</sup>

Other relevant Acts include:

- The Unified Local Government Service Act 1973,
- The Township Act 1955 and,
- The Town Country Planning Act 1980.

### 3. STRUCTURE OF LOCAL GOVERNMENT

#### 3.1 Local government within the state:

Botswana is a unitary state that operates a two-tier system of government. The central government forms the first tier, headed by the president, and councils, headed by a mayor in towns and a council chairperson in districts.

#### 3.2 Ministerial oversight:

The Ministry of Local Government (MLG) is charged with providing policy direction and guidance for socio-economic development at

local level and with contributing to the formulation and implementation of policy related to local government. The MLG has certain powers to direct and control councils and is empowered by legislation to nominate some members of every council. To date, there has been no case of suspension of an elected councillor. The ministry has responsibility for:

- Providing basic physical and social infrastructure
- Ensuring efficient operation of the local authorities
- Serving as the central government's focal point for local government policy and operational matters
- Coordinating the activities of central government at district level

- Mobilising social welfare and community resources to facilitate community participation in the development process.

#### 3.2 Council types:

Local government comprises three types of local administration: ten district councils, six urban councils (three town councils, two city councils and one township authority) and 19 newly formed sub-districts. There is also a traditional system of village leadership which works cooperatively with the district councils. Councils do not have executive committees or cabinets and operate through sub-committees which report to the full council and have delegated authority to make decisions. Councils have powers to make by-laws and raise revenue. Every council must have a finance committee and an education committee they also have discretion to establish other committees most councils have committees for staff, health, works, licensing, and social and community development.

**3.2.1 District councils:** Each council is headed by an indirectly elected non-executive chairperson.

**3.2.2 Sub-districts:** The 19 sub-districts were created in 2009 as a second tier of local government within the district councils.

**3.2.3 Urban district councils (UDCs)** manage the urban development planning process. Each council is headed by a directly elected non-executive mayor.

**3.2.4 Traditional leadership:** Botswana's institution of traditional village leadership, called bogosi, serves a variety of functions. Dikgosi (Chiefs) have traditional responsibility for the governance of the affairs of their merafhe

**Table 2.** Aggregate revenue and expenditure, broken down by type and by sector for local government, 2009

Revenue (BWP m)		Expenditure (BWP)	
Government transfers	3,557.6	Broken down by expenditure type	
Locally raised revenue	n/a	Personal emoluments	2,074.7
		Running expenses	615.4
		Establishment expenses	226.1
<b>TOTAL</b>	<b>n/a</b>	<b>TOTAL</b>	<b>2,916.2</b>
<b>Expenditure broken down by sector</b>		Primary health facilities	183.2
Village water supply & sewage	303.7	Labour-intensive public works	325.6
Village infrastructure	636.7	infrastructure maintenance	121.7
Municipal services	82.7	Social welfare & development	9.4
Urban land servicing	178.0	Customary courts	28.2
District and urban roads	477.0	Primary schools	426.8
Other	143.1	<b>Grand total</b>	<b>2,916.2</b>

(tribes). Their place of work is the kgotla, which is the traditional social and consultative centre of a village. In addition to their traditional roles, dikgosi now occupy an appointed position within the central government's Tribal Administration Department, carrying out specific functions under the Bogosi Act, including:

- Presiding over open kgotla meetings, which serve as public forums for the consultation process – a key element of the traditional social compact that permeates all governance
- Presiding over customary courts that adjudicate over limited civil and criminal matters;
- Facilitating the establishment of village/ward development committees (VDCs/WDCs)
- Promoting the welfare of the tribe and carrying out ceremonial duties
- Serving as a nominated member of the district council, if so designated by the minister.

#### 4. ELECTIONS

##### 4.1 Recent local elections:

The last local elections were held in October 2009, with a turnout of 76.5%, the next elections are scheduled for 2014.

##### 4.2 Voting system:

Most councillors are elected, with some appointed by the Minister of Local Government. Elections take place every five years by universal adult suffrage using the first-past-the-post system. The local elections take place at the same time as the national elections. The country is divided into 16 districts, six of which are urban. Some districts are further divided into sub-districts and administrative authorities. These include villages which are further divided into wards. Each council is divided into several wards and each ward elects one councillor.

##### 4.3 Elected representatives:

In the 2009 elections, a total of 489 councillors were elected from the single-member wards and another 113 were nominated. The chairperson/mayor is indirectly elected from among the councillors for half the term of the council (ie two and a half years).

##### 4.4 Women's representation:

In the 2004 local elections, out of a total of 591 councillors (490 elected and 101 nominated), 116 or 19.6% were women (78 elected and 38 nominated). Out of 16 council mayors/chairpersons, three were women (18.75%).

#### 5. SYSTEMS FOR COMMUNITY INVOLVEMENT

##### 5.1 Legal requirement:

There is no legal requirement for community involvement in local decision-making.

##### 5.2 Implementation:

Local government in Botswana works with participative structures such as the kgotla (village assembly) and village development committees (VDCs). Members of the Kgotla are able to participate in the formulation and implementation of development plans and projects through such forums as district development committees (DDCs) and VDCs.

##### 5.3 E-government:

There is no e-government strategy in place.

#### 6. ORGANISED LOCAL GOVERNMENT

##### 6.1 National local government association:

The Botswana Association of Local Authorities (BALA) is composed of the mayors and chairpersons of city, town and district councils, and their chief executive officers. BALA is a voluntary organisation established in 1983 after a conference of local authorities. 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 in relation to central government. BALA is not recognised in law or by the constitution. Its main funding is from the Ministry of Local Government. Some donor agencies have also provided modest support.

#### 7. INTERGOVERNMENTAL RELATIONS

Good intergovernmental relations are promoted through various mechanisms such as national and local-level forums. BALA also helps promote good relations between central and local government. Each of the 16 districts has an administration headed by a district commissioner (DC) appointed by the permanent secretary to the president. Each DC has development programme coordination authority over all central government agencies in his/her district and is chair of the local DDC as well as, in cities and towns, the districts and urban development committee (UDC), which manages the district/urban development planning process. The DC, council secretaries and heads of department for central government provide effective communication linkages with government ministries at headquarters.

Botswana does not have a specific parliamentary

committee on local government, but the ministry is well represented in cabinet with two assistant ministers as well as the minister.

Finally, a joint consultative forum has been established as an internal twinning arrangement between local authorities to enhance development projects of common benefit along district borders. The forum facilitates resource-sharing and cost savings when implementing projects. For instance, five districts (Central, Kgatleng, Kweneng, South East and Gaborone City Council) have formed a forum for coordinating their development activities and to share resources.

#### 8. MONITORING SYSTEMS

A number of independent scrutiny mechanisms ensure the accountability of local authorities:

- The Auditor General's Department is a statutory authority and audits 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
- The ombudsman deals with complaints of maladministration
- There is a Directorate on Economic Crime and Corruption which 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.

#### 9. FINANCE, STAFFING AND RESOURCES

##### 9.1 Locally raised revenue:

Councils have legal powers to collect certain taxes, levies and fees to cover their operating expenses. Local sources of revenue include rates, service levies and user charges including clinic and abattoir fees, trade licences, beer levy, interest on investments, housing rents, and any other alternative sources of revenue as determined from time to time'. Property tax and business tax apply also in urban councils.

##### 9.2 Transfers:

Central government provides 90% and 80% of district and urban councils' recurrent budgets, respectively; and 100% of their capital budgets. Councils also receive development grants from central government. In 2008/2009, the Ministry of Local Government received from the central government BWP3.5bn (US\$428m), representing 12% of the recurrent expenditure estimates. This was the second largest share of any

ministry. It also received BWP2.2bn (US\$269m) or 18% of the total development budget estimates for the same financial year, the largest share of any ministry.

### 9.3 Local authority staff:

The Local Government Management Service, headed by an 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 town and city councils is the town or city clerk and in district councils it is the council secretary. Staff are graded according to their job. Councils are organised into departments such as treasury, education, health, engineering, social and community development and planning.

Mayors and chairpersons receive remuneration determined by the central government.

## 10. DISTRIBUTION OF SERVICE DELIVERY RESPONSIBILITY

Councils have jurisdiction over their own area, but their activities and plans are coordinated through various mechanisms and forums organised by central government. 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, 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 law and as advised by the Ministry of Local Government. Because of their limited administrative capacities, councils receive considerable assistance from central government. For example, the provision of services and civic and community facilities is guided by district physical development plans and by town/village or city physical development plans prepared by the Minister of Lands and Housing through the Department of Town and Regional Planning. However, the Ministry of Local Government continues to build capacity and it is expected that local councils will be able to prepare and implement their own physical development plans which reflect local aspirations.

### References and useful websites

1. Botswana Central Statistics Office [www.cso.bw](http://www.cso.bw)  
Census 2001  
[www.statssa.gov.za/census01/html/default.asp](http://www.statssa.gov.za/census01/html/default.asp)
2. UN statistics  
<http://unstats.un.org/unsd/demographic/products/dyb/dyb2008/Table03.pdf>
3. IMF statistics [www.imf.org/external/data.htm](http://www.imf.org/external/data.htm)
4. Ministry of Local Government [www.mlg.gov.bw](http://www.mlg.gov.bw)
5. National government portal [www.gov.bw](http://www.gov.bw)
6. UNDP Human Development Report 2010  
[www.hdr.undp.org](http://www.hdr.undp.org)
7. Local Government Association website  
[www.bala.org.bw](http://www.bala.org.bw)

## Annex A. Summary of service provision in different spheres of government

Service	Delivering authority		Remarks
	Central	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		■	
Water supply	■		
Electricity	■	■	
<b>ECONOMIC</b>			
Agriculture, forests and fisheries	■		
Economic promotion	■	■	
Trade and industry	■		
Tourism	■		