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Act 9, 2016,
S.I. 140, 2016.

An Act to provide for the manner in which a person may disclose conduct adverse to the public interest; to provide for the manner of reporting and investigations of disclosures of impropriety; and the protection against victimisation of persons who make the disclosures; and to provide for related matters.

[Date of Commencement: 9th December, 2016.]

PART I

Preliminary (ss 1-2)

1. Short title

This Act may be cited as the Whistleblowing Act.

2. Interpretation

In this Act, unless the context otherwise requires-

"Auditor General" means a public officer whose office is created under section 124 of the Constitution;

"authorised person" means a person authorised under section 8 to receive a disclosure of impropriety;

"Botswana Defence Force" means the Botswana Defence Force established under the Botswana Defence Force Act;

"Botswana Police Service" means the Botswana Police Service established under the Police Act;

"Botswana Prisons Services" means Botswana Prisons Services established under the Prisons Act;

"Botswana Unified Revenue Service" means the Botswana Unified Revenue Service established under the Botswana Unified Revenue Service Act;

"Competition Authority" means the Competition Authority established under the Competition Authority Act;

"Directorate of Intelligence and Security" means the Directorate of Intelligence and Security established under the Intelligence and Security Service Act;

"Directorate on Corruption and Economic Crime" means the Directorate on Corruption and Economic Crime established under the Corruption and Economic Crime Act;

"disclosure of impropriety" means any declaration of information made by a whistleblower with regard to the conduct of one or more persons where the whistleblower has reason to believe that the information given shows or tends to show an impropriety;

"employee" means any person who has entered into a contract of employment for the hire of his or her labour in terms of the Public Service Act, Employment Act, Botswana Defence Force Act, Police Act or Prisons Act, and includes-

(a) any person who provides a service for reward to a public body; and

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