

Statutory Instrument No. 106 of 2025**BANKING ACT**
(Act No. 8 of 2023)**BANKING (APPEALS TRIBUNAL) REGULATIONS, 2025**
(Published on 15th August, 2025)**ARRANGEMENT OF REGULATIONS****REGULATION****Part I — *Preliminary Provisions***

1. Citation
2. Interpretation

PART II — *Establishment and Membership of Tribunal*

3. Establishment of Tribunal
4. Disqualification, removal or resignation of member
5. Filling of vacancies
6. Appointment of Secretary

PART III — *Meetings of Tribunal*

7. Sittings of Tribunal
8. Co-option of members
9. Declaration of interest
10. Confidentiality

PART IV — *Application for Review*

11. Application for review and review notice
12. Statement of case
13. Applicant's reply
14. Withdrawal of application for review

PART V — *Procedure of Inquiry*

15. Notice of hearing
16. Hearings by Tribunal
17. Issue of summons
18. Power to direct proceedings
19. Determination of procedure
20. Extension of time
21. Filing of documents
22. Service of documents

PART VI — *Determination of Application for Review*

- 23. Determination of review without hearing
- 24. Determination of Tribunal by majority decision
- 25. Power of Tribunal in case of non-compliance

PART VII — *Costs of Proceedings Before Tribunal*

- 26. Order as to costs
- 27. Costs of Tribunal

PART VIII — *Miscellaneous Provisions*

- 28. Report of Tribunal
- 29. Legal representation
- 30. Indemnity
- 31. Rules of Tribunal
- 32. Offence and penalty

SCHEDULE

IN EXERCISE of the powers conferred on the Minister responsible for finance by section 109 of the Banking Act, the following Regulations are hereby made –

PART I — *Preliminary*

- | | |
|----------------|---|
| Citation | 1. These Regulations may be cited as the Banking (Appeals Tribunal) Regulations, 2025. |
| Interpretation | <p>2. In these Regulations, unless the context otherwise requires –</p> <p>“applicant” means a person who, in terms of section 93 of the Act, is aggrieved by a decision of the Central Bank;</p> <p>“Chairperson” means a person appointed as the Chairperson of the Tribunal under section 92 (2) (a) of the Act;</p> <p>“electronic hearing” means a hearing held by telephone conference or some other form of electronic technology or digital platform allowing persons to hear one another;</p> <p>“filing” means the effective delivery of a document to and its receipt by the Tribunal;</p> <p>“member” means a member of the Tribunal appointed under section 92 of the Act;</p> <p>“review notice” means an application for review of a decision by the Central Bank or a notice given by the Tribunal to prepare for a hearing;</p> <p>“Secretary” means the person appointed as Secretary to the Tribunal under regulation 4 (1); and</p> <p>“Tribunal” means the Appeals Tribunal established under section 92 of the Act.</p> |

PART II — *Establishment and Membership of Tribunal*

3. There is hereby established an Appeals Tribunal (herein referred to as the "Tribunal") for the banking sector.

Establishment
of Tribunal

4. (1) A person shall not be appointed a member of the Tribunal, if the person —

Disqualification,
removal or
resignation of
member

- (a) is a member of the National Assembly, a member of the Ntlo ya Dikgosi, a councillor or the holder of an office in a political party;
- (b) is an executive officer, director, an employee or secretary of a bank or deposit-taking institution;
- (c) has previously been convicted of an offence in or outside Botswana involving acts of dishonesty for which he or she was sentenced to imprisonment without the option of a fine;
- (d) is insolvent or has been declared bankrupt and has not been rehabilitated;
- (e) has been disqualified or suspended by a competent authority from practising their profession on the grounds of misconduct;
- (f) has been disqualified in or outside Botswana from acting as a director or executive officer of a body corporate under a law relating to corporations or to the provision of financial services;
- (g) is an employee or board member of the Central Bank;
- (h) has previously been an employee of the Central Bank, and the period between the date of his or her separation from the Central Bank and the date of their appointment to serve on the Tribunal is less than two years; or
- (i) has been convicted of an anti-money laundering and combating financing of terrorism and proliferation offence or has been convicted of any financial crime.

(2) The Minister may terminate a member's appointment to the Tribunal, where the member —

- (a) is absent without reasonable cause from three consecutive meetings of the Tribunal of which he or she has had notice;
- (b) has been found to be physically or mentally incapable of performing his or her duties efficiently and a medical doctor has issued a certificate to that effect;
- (c) contravenes a provision of these Regulations or otherwise misconducts himself or herself to the detriment of the objects of the Tribunal; or
- (d) has failed to comply with the provisions of regulations 9 and 10.

(3) The Chairperson may resign his or her membership by giving a three-month notice, in writing to the Minister.

(4) A member appointed under section 92 (2) (b) of the Act may resign his or her membership by giving one-month notice, in writing, to the Minister.

5. (1) The Minister shall, on being notified by the Central Bank, in writing of the death of, or vacation of office by, a member, within 60 days of receiving notification, appoint a member to hold office for the remainder of the period of office of such deceased or vacating member.

Filling of
vacancies

(2) Subregulation (1) shall not apply where the remainder of the period for which the member whose office has been vacated would otherwise have held office is less than three months.

Appointment of
Secretary

6. (1) There shall be a Secretary for the Tribunal appointed by the Minister, who shall provide secretarial and administrative services to the Tribunal.

(2) The Secretary shall be appointed for a term not exceeding five years and upon such conditions as the Minister shall state in the letter of appointment.

(3) The Secretary shall —

- (a) register all orders or decisions made by the Tribunal;
- (b) maintain and keep a proper record of all proceedings and correspondence of the Tribunal;
- (c) have custody and keep an account of all awards payable or paid into the Tribunal and of all moneys paid into or out of the Tribunal and keep proper accounts;
- (d) compile and register statistics of all adjudicated cases;
- (e) carry out such other duties as the Minister may, from time to time, determine; and
- (f) attend meetings of the Tribunal but shall have no right to vote.

PART III — *Meetings of Tribunal*Sittings of
Tribunal

7. (1) Subject to the provisions of these Regulations, the Tribunal may regulate its own proceedings.

(2) The Tribunal shall sit at such times as shall be determined by the Chairperson, upon the giving of not less than 30 days' notice.

(3) The Chairperson may call for a sitting of the Tribunal by giving notice of less than 30 days where the urgency of a particular matter does not permit the giving of notice in accordance with subregulation (2).

(4) At any sitting of the Tribunal any three members, including the Chairperson, shall constitute a quorum.

(5) A member appointed under regulation 5 shall not count towards the constitution of the quorum and shall not be entitled to vote.

Co-option of
members

8. The Tribunal may, for purposes of reviewing a matter for which specialised knowledge is required, co-opt not more than two additional persons with specialist qualification and knowledge on the matter, to be members of the Tribunal only with respect to the sittings of the Tribunal convened for the review of such matter.

Declaration of
interest

9. (1) A member of the Tribunal shall disclose, in writing, to the Minister, all interests that the member has that could conflict with the proper performance of the functions of the member's office, whether the interests were acquired before or after appointment.

(2) A disclosure in terms of subregulation (1) shall be given as soon as practicable after the member becomes aware of the interest.

(3) The Secretary shall record all disclosures made in terms of this regulation.

(4) A member who has an interest that could conflict with the proper performance of the functions of his or her office in relation to a particular matter shall disclose, in writing, to the Minister.

(5) For the purposes of subregulations (1) and (4), it does not matter whether the interest is direct, indirect, pecuniary or non-pecuniary, nor when the interest was acquired.

(6) For the purpose of this regulation, if —

- (a) a related party of a member has an interest; and
- (b) the member had the interest, and it could conflict with the proper performance of the functions of the member's office, the member is taken to have an interest, and this regulation applies accordingly.

(7) In subregulation (6), “related party” means any of the following —

- (a) an immediate family member includes a spouse, son daughter, sibling or a parent;
- (b) a person in accordance with whose directions, instructions or wishes the member is accustomed to act or is under an obligation, formal or informal, to act;
- (c) a person who is accustomed to act, or is under an obligation, whether formal or informal, to act, in accordance with the direction, instructions or wishes of the member;
- (d) a company of which the member is a director or executive officer, and a subsidiary of such a company;
- (e) a company of which the member, close relative, is a director or executive officer; or
- (f) a company, if its directors are accustomed or under obligation, whether formal or informal, to act in accordance with the directions, instructions or wishes of the member.

(8) Where a member fails to disclose his or her interest in accordance with this regulation and a decision by the Tribunal is made benefitting such member, such decision shall be void.

(9) A member of the Tribunal who fails to comply with provisions of subregulation (1), commits an offence and is liable to a fine not exceeding P5 000, or to imprisonment for a term not exceeding six months, or to both.

10. (1) A member and any other person assisting the Tribunal shall observe and preserve the confidentiality of all matters coming before the Tribunal, and such confidentiality shall subsist even after the termination of their terms of office or their mandates.

Confidentiality

(2) Any member or any person to whom confidential information is revealed through working with the Tribunal shall not disclose that information to any other person, unless he or she is required to do so in terms of any written law or for purposes of any judicial proceedings.

(3) Any member or any other person who contravenes the provisions of this regulation commits an offence and is liable to a fine not exceeding P5 000, or to imprisonment for a term not exceeding six months, or to both.

PART IV — *Application for Review*

11. (1) A person aggrieved by a decision of the Central Bank shall make an application for review of the decision in Form 1 set out in the Schedule, and shall be accompanied by a non-refundable fee of —

Application
for review and
review notice

- (a) P50 000, for banks; and
- (b) P30 000, for deposit taking institutions.

(2) An applicant shall lodge a review notice within 30 days from the date on which the decision of the Central Bank is received by the applicant.

(3) The applicant shall attach a copy of the decision of the Central Bank to which the review notice relates and the notice shall state —

- (a) the name and address of the applicant;
- (b) the name and address of the applicant’s representative; and
- (c) the issues concerning the decision of the Central Bank that the applicant wishes the Tribunal to consider.

- (4) Upon receiving a review notice, the Secretary shall —
- (a) enter particulars of the review notice in a register kept for that purpose; and
 - (b) inform the parties, in writing —
 - (i) that the review notice has been lodged,
 - (ii) of the date when the review notice was lodged with the Tribunal, and
 - (iii) of the Tribunal's decision on any application made, for directions.
- Statement of case**
- 12.** (1) Where an application has been filed against the Central Bank, the Central Bank shall file a statement of case in support of the decision referred to in the application for review not later than 30 days after the date on which the Central Bank received the information sent by the Secretary under subregulation 11 (4).
- (2) The statement of case shall be in Form 2, set out in the Schedule, and it shall —
- (a) specify the provisions of the law providing for the Central Bank's decision referred to in the application;
 - (b) specify the reasons for the decision;
 - (c) set out all the matters and facts upon which the Central Bank relied to support its decision; and
 - (d) specify the date on which the statement of case is filed.
- (3) The statement of the case shall be accompanied by a list of —
- (a) the documents on which the Central Bank relied in support of the decision; and
 - (b) any additional documents and material which, in the opinion of the Central Bank, would further assist the Tribunal.
- (4) The Central Bank shall send the applicant a copy of the statement of case, the documents and material in the list under subregulation (3) at the same time that it files the statement of case.
- Applicant's reply**
- 13.** (1) An applicant shall file a written reply with the Tribunal not later than 30 days after the date on which the applicant has received a copy of the —
- (a) Central Bank's statement of case; or
 - (b) amended statement of case from the Central Bank.
- (2) The reply shall —
- (a) state the grounds on which the applicant relies;
 - (b) set out all matters contained in the statement of case which are disputed by the applicant;
 - (c) state the applicant's reasons for disputing them; and
 - (d) specify the date on which the applicant's reply is filed.
- (3) The reply shall be accompanied by all documents on which the applicant relies in support of its case.
- (4) The applicant shall send to the Central Bank, a copy of the reply at the same time as it is sent to the Tribunal.
- Withdrawal of application for review**
- 14.** (1) An applicant may withdraw a review notice —
- (a) any time before the hearing of the review, by filing a notice to withdraw; or
 - (b) at the hearing of the review, with the Tribunal's permission.
- (2) The Central Bank may state that it does oppose the review or withdraw the decision to oppose the review —
- (a) at any time before the hearing of the review, without permission, by filing a notice to that effect; or
 - (b) at the hearing of the review, with the Tribunal's permission.

(3) The Tribunal may determine the review by holding of a hearing under regulation 16 where —

- (a) the Central Bank makes a statement as provided for under subregulation (2) (a);
- (b) the Central Bank does not file a statement of case within the time limit imposed by regulation 12 (1), or an extension in accordance with regulation 20; or
- (c) the applicant does not file a reply within any time limit as provided in regulation 13 (1) or file a request for an extension in accordance with regulation 20.

PART V — *Procedure of Inquiry*

15. (1) The Tribunal shall provide, or direct the giving of, a written notice of hearing, as set out in Form 3 of the Schedule, to the parties and other persons as the Tribunal may determine or require.

Notice of
hearing

(2) A notice of hearing shall include —

- (a) a statement of the dates, time and the purpose of the hearing;
- (b) a statement that if a party does not attend or participate at the hearing, the Tribunal may proceed in the party's absence and the party will not be entitled to any further notice in the proceeding; and
- (c) any other information that the Tribunal considers necessary for the proper conduct of the hearing.

16. (1) The Tribunal may hold —

- (a) a preliminary hearing;
- (b) an oral hearing;
- (c) a written hearing;
- (d) an electronic hearing; or
- (e) a hearing that combines one or more of the above formats.

Hearings by
Tribunal

(2) A party who has not consented to any format of hearing referred to under subregulation (1) may object by filing and serving an objection within 14 days after the notice of hearing is given.

(3) Upon receiving the objection in subregulation (2), the Tribunal may cancel the hearing and replace it with another format, or it may proceed with the original format, and should it proceed with the original format it shall state its reasons for doing so.

(4) A hearing before a Tribunal shall be open to the public, unless the Tribunal directs otherwise.

(5) The Tribunal shall set the hearing dates and determine its own procedure for the hearing and the location of the hearing.

17. (1) The Tribunal may, by summons set out in Forms 4(A) and 4(B) of the Schedule, require any person to —

Issue of
summons

- (a) attend, at such time and place as is specified in the summons, to give evidence as a witness;
- (b) file, within the time specified in the summons, any document in his or her custody or under his or her control which the Tribunal considers necessary to examine; or
- (c) attend and file in accordance with subparagraphs (a) and (b).

(2) A witness summons shall be sent so as to be received by the person to whom it is addressed not less than 14 days before the time specified in the summons.

(3) The Tribunal may, upon the application of the person to whom the witness summons is addressed, direct that the witness summons be set aside or varied.

Power to direct proceedings

18. (1) For the purposes of reviewing a decision, the Tribunal may —

- (a) require a person appearing, before the Tribunal to give evidence either on oath, affirmation or declaration, and the Tribunal shall administer such oath, affirmation or declaration;
- (b) proceed in the absence of a party who, by notice, has been given a reasonable period to attend the proceedings; or
- (c) from time to time adjourn the proceedings.

(2) The Tribunal may direct that any question of fact or law which appears to be an issue in relation to the review should be determined at a preliminary hearing.

(3) If, in the opinion of the Tribunal, the determination of a question substantially disposes of the review, the Tribunal may treat the preliminary hearing as the hearing of the review and may make such order by way of disposing of the review as it deems fit.

(4) Subject to regulation 16, if the parties so agree in writing, the Tribunal may determine the question without an oral hearing, but, in any such case, the Tribunal may not at the same time dispose of the review, unless the parties have agreed, in writing, that it may do so.

Determination of procedure

19. (1) The Tribunal may, where the procedure set out under these Regulations is found, after due consideration, not to be appropriate for the hearing or other consideration of any particular matter, determine the procedure to apply to that matter, in accordance with the requirements for procedural fairness.

(2) A defect in form or other technical breach in a proceeding will not render the proceeding or the step, document or order in the proceeding invalid.

Extension of time

20. (1) Where a party cannot meet a time limit prescribed by these Regulations, the party shall, not less than three days before the deadline, file a request to the Tribunal for an extension of time, accompanied by reasons in support of the request.

(2) The number of extensions that a party may be granted under subregulation (1) shall not exceed three.

(3) The Tribunal shall have the sole discretion to determine whether to grant an extension of time as requested.

Filing of documents

21. (1) All documents shall be filed in five copies and shall be in a legible form.

(2) The Tribunal may, subject to such conditions as may determine, direct that a document be filed by —

- (a) hand delivery;
- (b) courier service;
- (c) registered mail;
- (d) facsimile;
- (e) electronic transmission; or
- (f) any other means.

(2) Where documents are filed by facsimile or other electronic transmission, the original copies shall be delivered within 48 hours, unless the Chairperson otherwise directs.

22. (1) The Tribunal may subject to such conditions as may determine, direct that service of documents be made by —

Service of documents

- (a) hand delivery;
- (b) courier service;
- (c) registered mail;
- (d) facsimile;
- (e) electronic transmission; or
- (f) any other means.

PART VI — *Determination of Application for Review*

23. The Tribunal may determine the application for review without an oral hearing if the parties agree to this, in writing.

Determination of review without hearing

24. (1) An application for review before the Tribunal shall be determined by the decision of any three members, including the Chairperson of the Tribunal.

Determination of Tribunal by majority decision

(2) Any determination of the Tribunal shall be, in writing and shall include the reasons for the determination, a statement of its findings on material questions of fact and a reference to the evidence or other material on which the findings are based.

(3) The Tribunal shall cause its determination to be served on each party to the proceedings.

(4) Unless specified otherwise, a determination of the Tribunal shall come into operation on the date of the determination.

(5) Any determination of the Tribunal shall be published in such form and manner as the Tribunal deems fit, except that the names of the parties and any information which the Tribunal considers to be sensitive shall be omitted.

25. (1) Where a party fails without reasonable excuse, to comply with a direction given under these Regulations or fails to comply with a provision of these Regulations, the Tribunal may —

Power of Tribunal in case of non-compliance

- (a) award costs against that party;
- (b) where that party is the applicant, dismiss the whole or part of the review and direct the party as to any action to be taken by the party; or
- (c) where that party is the Central Bank, strike out the whole or part of the statement of case and, where appropriate direct the Central Bank to be debarred from contesting the review.

(2) The Tribunal shall, before taking steps under subsection (1), give a party 30 days to make representations.

(3) Any person who fails to comply with steps taken under subregulation (2), commits an offence and shall be liable to penalties provided under regulation 32.

(4) Non-compliance with the provisions of any rule of practice for the time being in force or of any of these Regulations shall not render the proceedings of the Tribunal void.

PART VII — *Costs of Proceedings Before Tribunal*

26. (1) The Tribunal may, after considering submissions from a party for an award of costs, order the costs of a party be paid by another party.

Order as to costs

(2) The Tribunal may, in its discretion, order costs —

- (a) in a fixed amount;
- (b) to be assessed according to a specified tariff of costs; or
- (c) to be assessed after receiving a statement of costs and submissions from the parties.

(3) The Tribunal shall, when determining whether a party is liable to pay the costs of another party, or of the Tribunal as provided under regulation 27, consider —

- (a) whether the party is engaged in conduct which is clearly unreasonable;
- (b) whether the party's conduct unreasonably delayed or prolonged the proceedings, including failure to comply with any undertakings or directions;
- (c) whether the party's participation assisted the Tribunal in understanding the issues;
- (d) the failure by a party to co-operate with other parties during preliminary proceedings or at the hearing;
- (e) the failure by a party to attend a hearing or other proceedings, or to send a representative, despite notices being provided;
- (f) the party's degree of success in the proceedings; and
- (g) any other matter it considers relevant.

Costs of
Tribunal

27. (1) The Tribunal may, either in addition to costs it may award under regulation 26 or without such an award, make an order as to costs of the Tribunal against any one or all of the parties to the review.

(2) The costs of the Tribunal shall consist of the expenses that the Tribunal incurs in connection with the proceedings of the review.

(3) Where the Tribunal directs that its costs be paid, the Tribunal shall —

- (a) fix the costs of the Tribunal; and
- (b) indicate by whom the costs shall be paid and in what proportion.

PART VIII — *Miscellaneous Provisions*

Report of
Tribunal

28. (1) The Tribunal shall produce an annual report on the discharge of its functions to the Minister and may at any time report to the Minister any matter relating to the functions of the Tribunal.

(2) The Minister shall, within 30 days of receiving the Tribunal's report, table such report before the National Assembly.

Legal
representation

29. (1) A party to proceedings before the Tribunal may be represented by a legal practitioner or a representative duly authorised by the party, who shall be allowed reasonable opportunity to present the case and, in particular to inspect documents which the Tribunal proposes to consider in determining the case.

(2) The Tribunal may at its discretion, refuse to permit a particular person to assist or represent a party at the hearing and in such instances the Tribunal shall disclose the reasons for its refusal.

Indemnity

30. No matter or thing done or omitted to be done by a member or staff of the Tribunal shall, if the matter or thing is done or omitted to be done in good faith in the course of the performance of the functions of the Tribunal, render that member or staff personally liable to an action, claim or demand.

31. For the better carrying out of the provisions of these Regulations, the Tribunal make rules with respect to matters related to —

Rules of
Tribunal

- (a) applications for reviews;
- (b) statements of case in support of a decision of the Central Bank;
- (c) hearings under the formats of hearings provided under regulation 16;
- (d) the giving of evidence;
- (e) witnesses and summoning of witnesses;
- (f) fees payable with respect to the lodgement or filing of documents; and
- (g) such other matters as the Tribunal shall consider necessary to facilitate its proceedings.

32. (1) Any person who contravenes the provisions of these Regulations commits an offence and is liable to a fine not exceeding P500 000 or to imprisonment for a period not exceeding five years, or to both.

Offence and
penalty

(2) Any person who, for purposes of any matter before the Tribunal, knowingly hinders or prevents compliance with a direction, order or requirement given under these Regulations, commits an offence and shall be liable to a fine not exceeding P500 000 or to imprisonment for a term not exceeding five years, or to both.

SCHEDULE

Form 1

REVIEW NOTICE
(reg. 11)

To appeal a decision or order of the Central Bank, a person must complete and file this form with the Secretary, Ministry of Finance, Private Bag 008, Gaborone.

Applicant's name and address

Dr ☐ Mr ☐ Mrs ☐ Ms ☐ Other ☐ Last Name First Name.....

.....

Name of applicant

.....

Street Address

.....

City/village

Phone No.

.....

Email Address

Fax No.

.....

Applicant's representative (if any)

Dr ☐ Mr ☐ Mrs ☐ Ms ☐ Other ☐ Last Name First Name.....

Name of applicant

.....

Street address

.....

City /Village

Phone No.

.....

Email Address

Fax No.

.....

Section of the Banking Act

Section under which the hearing is brought

.....

Central Bank's decision or order

Additional sheets attached

.....

.....

.....

Date of decision or order of the Central Bank

.....

Relief sought

• Order or relief sought

.....

.....

Parties before the Appeals Tribunal

.....

☐ Additional sheets attached

Additional sheets attached

Other Persons who may have an interest in the matter

.....

.....

.....

.....

.....

C.1096

Documents

I am relying on the following documents for the reference

.....
.....
.....
.....

Name (please print)

Title:

.....

Applicant

Representative

Date:

.....

Signature:

Form 2

STATEMENT OF CASE
(reg. 12)

The Central Bank shall complete and file this form with the Secretary, Ministry of Finance, Private Bag 008 Gaborone if it seeks to respond to a review notice lodged by an applicant

Applicant's name and address

Dr ☐ Mr ☐ Mrs ☐ Ms ☐ Other ☐ Last Name First Name.....

Name of applicant

.....

Street Address

.....

City/village

Phone No.

.....

Email Address

Fax No.

.....

Applicants' representatives

.....

Respondent's representative (if any)

Dr ☐ Mr ☐ Mrs ☐ Ms ☐ Other ☐ Last Name First Name.....

Name of company or organisation:

Street Address

.....

City/village

Phone No.

.....

Email Address

Fax No

.....

C.1098

Other persons who may have an interest in the matter

Brief of the Facts:

.....

.....

.....

.....

.....

.....

.....

.....

.....

.....
(additional sheets attached)

Decision reached by the Central Bank:

.....

.....

.....

.....

.....

.....

(additional sheets attached)

Reason(s) for the Decision:

.....
.....
.....
.....
.....
.....
(additional sheets attached)

Section(s) relied upon to reach decision

.....
.....
.....
.....
.....
.....

Relief sought

Order of relief sought

.....
.....
.....

Documents

The following documents are attached for reference purposes

DATED AT GABORONE THIS.....DAY OF20.....

Signature.....

Form 3

NOTICE OF HEARING
(reg:15)

Particulars of the Parties

Applicant.....

Respondent.....

PLEASE NOTE that a hearing in terms of Section..... of the Banking Act shall be held before the Appeals Tribunal on theday of20 athours or soon thereafter as may be heard for the purposes

.....

Documents

The following documents are attached for reference purposes

Where a relevant cited party does not attend or participate at the hearing, the Appeals Tribunal may proceed in the party's absence and the party will not be entitled to any further notice in the proceeding.

DATED at Gaborone thisday of 20.....

Signature

Form 4(A)

SUMMONS TO A WITNESS
(reg. 17)

Regarding

And

SUMMONS TO A WITNESS BEFORE the Appeals Tribunal

TO: (name)
(address)

YOU ARE REQUIRED TO ATTEND TO GIVE EVIDENCE at the hearing of this proceeding

on.....at.....hours at.....

.....

.....

and to remain until your attendance is no longer required.

YOU ARE REQUIRED TO BRING WITH YOU and produce at the hearing the following documents and things: all books, papers, letters, notes or copies thereof and any other writings, and documents in your possession or power containing any entry, memorandum or minutes relating to this matter (whether they are electronic format or hard copy).

.....

.....

.....

IF YOU FAIL TO ATTEND OR TO REMAIN IN ATTENDANCE AS THIS SUMMONS REQUIRES, YOU SHALL HAVE COMMITTED AN OFFENCE UNDER SECTION 108 OF THE BANKING ACT AND SHALL BE CHARGED WITH AN OFFENCE UNDER THE ACT.

DATE.....

.....

Signature on behalf of the Appeals Tribunal

C.1102

Form 4 (B)

SUMMONS TO A WITNESS
(reg. 17)

Regarding

And

SUMMONS TO A WITNESS BEFORE the Appeals Tribunal

TO: (name)
(address)

YOU ARE REQUIRED TO PARTICIPATE IN AN ELECTRONIC HEARING

on.....At.....

.....

.....

.....

**IF YOU FAIL TO PARTICIPATE IN THE HEARING IN ACCORDANCE WITH THE
SUMMONS, YOU SHALL HAVE COMMITTED AN OFFENCE UNDER SECTION 108
OF THE BANKING ACT AND SHALL BE CHARGED WITH AN OFFENCE UNDER
THE ACT.**

DATE

Signature on behalf of the Appeals Tribunal

MADE this 31st day of July, 2024.

NDABA N. GAOLATHE,
Minister of Finance.