



Treaty Series No. 5 (1967)

# Agreement

between the Government of the  
United Kingdom of Great Britain and Northern Ireland  
and the Government of Botswana

regarding the Status of the Armed Forces  
of the United Kingdom in Botswana

Gaberones, 30 September 1966

[The Agreement entered into force on signature]

*Presented to Parliament by the Secretary of State for Commonwealth Affairs  
by Command of Her Majesty  
February 1967*

LONDON  
HER MAJESTY'S STATIONERY OFFICE

EIGHTPENCE NET

**AGREEMENT**  
**BETWEEN THE GOVERNMENT OF THE UNITED KINGDOM OF**  
**GREAT BRITAIN AND NORTHERN IRELAND AND THE**  
**GOVERNMENT OF BOTSWANA REGARDING THE STATUS OF**  
**THE ARMED FORCES OF THE UNITED KINGDOM IN**  
**BOTSWANA**

The Government of the United Kingdom of Great Britain and Northern Ireland and the Government of Botswana;

Desiring to make provision regarding the status of the Armed Forces of the United Kingdom in Botswana;

Have agreed as follows:

**ARTICLE 1**

**Jurisdiction**

(1) The Military Authorities of the Armed Forces of the United Kingdom shall have the right to exercise, in Botswana, all criminal and disciplinary jurisdiction conferred on them by the law of the United Kingdom over persons who are subject to the military law of the United Kingdom and who are not citizens of Botswana.

(2) The Courts of Botswana shall not exercise jurisdiction over a member of the Armed Forces of the United Kingdom in any case where the alleged offence is an offence—

(a) against the security of the United Kingdom;

(b) against the property of the Government of the United Kingdom;

(c) against the property or person of another member of such Armed Forces; or

(d) arising out of and in the course of his duty as a member of such Armed Forces.

(3) If the Courts of Botswana are to exercise jurisdiction over a member of the Armed Forces of the United Kingdom, the Military Authorities of the United Kingdom in Botswana shall have the right to take custody of such member until he is brought to trial by the Courts of Botswana and, in any such case the Military Authorities of the Armed Forces of the United Kingdom shall present such member to those Courts for investigatory process and trial when required.

**ARTICLE 2**

**Claims**

The Government of the United Kingdom shall pay just and equitable compensation where, in accordance with the law of Botswana, there is liability for damage caused by an act or omission in Botswana of a member of the Armed Forces of the United Kingdom arising out of or in the course of his duties as a member of such Armed Forces, and a member of such Armed Forces shall not be subject to the civil jurisdiction of the Courts and Authorities of Botswana in respect of any such act or omission.

ARTICLE 3

**Imports**

The Government of the United Kingdom may import either directly or through its agents free of duty and without licence or other permit into Botswana equipment and supplies required for the Armed Forces of the United Kingdom and reasonable quantities of provisions, supplies and other goods for the exclusive use or consumption of the members thereof.

ARTICLE 4

**Entry and Exit**

No restriction shall be placed on the movement of members of the Armed Forces of the United Kingdom within Botswana or on their entry into and departure from Botswana.

ARTICLE 5

**Exchange Control**

Remittances between the United Kingdom and Botswana shall be freely permitted for the official funds of the Armed Forces of the United Kingdom and funds derived by the members thereof from their pay and other emoluments.

ARTICLE 6

**Taxation**

Members of the Armed Forces of the United Kingdom shall be exempt from taxation by the Government, or other authority, of Botswana on their pay and other emoluments and shall be exempt from any other form of direct taxation.

ARTICLE 7

**Interpretation**

In this Agreement, the expression "members of the Armed Forces of the United Kingdom" shall be construed as including such civilians as are authorised by the Military Authorities of the United Kingdom to accompany such Armed Forces in Botswana.

ARTICLE 8

**Entry into Force**

This Agreement shall come into force on the date of signature.

Done in duplicate at Gaborones this thirtieth day of September, 1966.

For the Government of the United Kingdom of Great Britain and Northern Ireland:

For the Government of Botswana:

J. S. GANDEE

SERETSE M. KHAMA

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