



Republic of Botswana

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Government Requirements

Government requires its staff to behave ethically, and those involved in contractual and management processes must abide by written codes of behavior. The government is also concerned that business enterprises and their employees maintain similarly high standards of ethical conduct in all their dealings with government.

An accepted code of ethical behavior might assist everyone to have a fair and productive relationship with each other. Such a code should enable service providers to promote their interests constructively, and avoid unproductive and potentially questionable or unlawful activities. Suppliers should also benefit from assurance that their competitors are behaving ethically, according to a known set of business conventions.

In some circumstances under this ethical regime, administrative processes may need to be established which are able to identify and quickly resolve real or perceived conflicts of interest, cater for changing project requirements, and handle privileged information. Similarly, where one supplier's dealing's with other suppliers and with government could lead to conflict of interest, the supplier may need to segregate its activities to avoid any such conflicts arising.

The government expects that those conducting business with it, will maintain a relationship with civil servants that is based on mutual trust. And which will stand up to disclosure and public scrutiny. Suppliers should expect relationships with the government to be cordial and conducive to prompt and proper handling of any business matters that may arise. Suppliers therefore should gain an understanding of codes of behavior embraced by government employees, and ensure that their own practices do not put pressure on government officers to depart from those codes but rather, provide a supportive environment.

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Codes of Behavior

In summary, the government requires its employees to:

- Be equitable in their treatment of all tenderers for the supply of goods and the services;
- Seek to minimize the cost to suppliers of participation in the purchasing process
- Protect the commercial-in-confidence information and intellectual property;
- Deal honestly with suppliers and be timely in paying accounts;
- Meet public interest and accountability standards;

- Avoid situations where the private interests conflict with public duty;
- Abstain from soliciting or accepting remuneration or other benefits from supplier for the neglect or discharge of official duties;
- Respond promptly to reasonable requests for advice and information; and
- Promote fair and open competition and seek value for money for the taxpayer.

These requirements are contained within several administrative documents and statutory provisions, including the corruption and economic crime Act.

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Expectations from the government workers

The government expects it's the consultants, contractors, suppliers and their agents alike to respect the obligations placed on government personnel to abide by government policy, and similarly to undertake to:

- Adopt equitable employment practices;
- Abstain from collusive practices
- Disclose beneficial interests in contracts wherever appropriate;
- Prevent the unauthorized the release of privileged information, including commercial-in-confidence and security classified information;
- Refrain from offering organizations and individuals financial or other inducements in order to gain unfair advantage dealings;
- Develop, promote and apply employment guidelines no less stringent than those applicable to government employees when engaged in government work; and
- Observe the government's post – separation employment guidelines.

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Specific Guidelines

One set of rules cannot be applied cannot be applied supplied to all situations, which may vary from that of consultant to prime contractor. Industry sectors must therefore develop and develop implement the foregoing principles in the manner most appropriate to their operational needs.

Situations in which government employees and suppliers must exercise particular care include:

- **Gifts** - There should be no expectation of any gift, and gifts should not be given to any person in the expectation of reciprocation or granting of favors. If supplier wishes to provide a personal gift, it should be of nominal value only (such as souvenir or diary), and should be offered only on festive occasions (such as Christmas) which have no connection with evaluation of tenders or the negotiation of contracts. If a supplier wishes to provide a gift such as a model sample of more nominal value, this should be to the relevant department or agency rather than to an individual; gifts of this kind are then recorded in accordance with establishment procedures.
- **Entertainment** - Government are rarely entitled to use government funds to pay for entertainment.

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