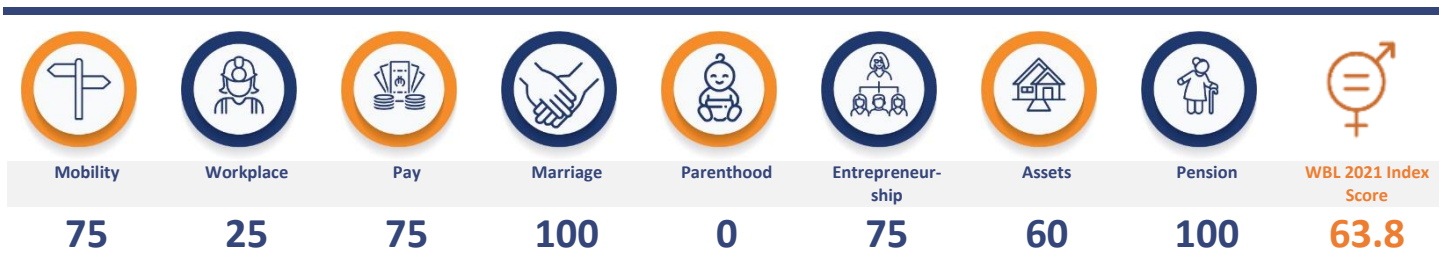


Botswana

Women, Business and the Law 2021 presents an index covering 190 economies and structured around the life cycle of a working woman. In total, 35 questions are scored across the eight indicators. Overall scores are then calculated by taking the average of each indicator, with 100 representing the highest possible score. Data refer to the laws and regulations that are applicable to the main business city (Gaborone). Different rules may apply in other jurisdictions so local legislation should be reviewed. Based on this approach, **Botswana scores 63.8 out of 100**. The overall score for Botswana is lower than the regional average observed across Sub-Saharan Africa (71). Within the Sub-Saharan Africa region, the maximum score observed is 91.9 (Mauritius).

Botswana - Scores for Women, Business and the Law 2021



Relative Strengths

When it comes to constraints related to marriage, and laws affecting the size of a woman's pension, Botswana gets a perfect score.

Areas for Improvement

However, when it comes to constraints on freedom of movement, laws affecting women's decisions to work, laws affecting women's pay, laws affecting women's work after having children, constraints on women's starting and running a business, and gender differences in property and inheritance, Botswana could consider reforms to improve legal equality for women.

For example, one of the lowest scores for Botswana is on the indicator related to laws affecting women's work after having children (the WBL2021 Parenthood Indicator). To improve on the Parenthood Indicator, Botswana may wish to consider making paid leave of at least 14 weeks available to mothers, making the government administer 100% of maternity leave benefits, making paid leave available to fathers, making paid parental leave available, and prohibiting the dismissal of pregnant workers.

Recent Reforms

No reforms were observed during the past year.



Further data details for Botswana are available at:
<https://wbl.worldbank.org/en/data/exploreconomies/botswana/2021>

	QUESTION	ANSWER	LEGAL BASIS
Mobility	Can a woman choose where to live in the same way as a man?	Yes	Abolition of Marital Power Act, Arts. 4, 5 and 16
	Can a woman travel outside her home in the same way as a man?	Yes	Abolition of Marital Power Act of 2004, Arts. 4 and 5
	Can a woman apply for a passport in the same way as a man?	No	Passport application form
	Can a woman travel outside the country in the same way as a man?	Yes	No restrictions could be located
Workplace	Can a woman get a job in the same way as a man?	Yes	Abolition of Marital Power Act of 2004, Arts. 4 and 5
	Does the law prohibit discrimination in employment based on gender?	No	No applicable provisions could be located
	Is there legislation on sexual harassment in employment?	No	No applicable provisions could be located
	Are there criminal penalties or civil remedies for sexual harassment in employment?	No	<i>Criminal:</i> No applicable provisions could be located <i>Civil:</i> No applicable provisions could be located
Pay	Does the law mandate equal remuneration for work of equal value?	No	No applicable provisions could be located
	Can a woman work at night in the same way as a man?	Yes	No restrictions could be located
	Can a woman work in a job deemed dangerous in the same way as a man?	Yes	No restrictions could be located
	Can a woman work in an industrial job in the same way as a man?	Yes	No restrictions could be located
Marriage	Is there no legal provision that requires a married woman to obey her husband?	Yes	No applicable provisions could be located
	Can a woman be head of household in the same way as a man?	Yes	Abolition of Marital Power Act of 2004, Arts. 4 and 5
	Is there legislation specifically addressing domestic violence?	Yes	Domestic Violence Act, 2008
	Can a woman obtain a judgment of divorce in the same way as a man?	Yes	No restrictions could be located
Parenthood	Does a woman have the same rights to remarry as a man?	Yes	No restrictions could be located
	Is paid leave of at least 14 weeks available to mothers?	No	Employment Act, Sec. 113
	Does the government pay 100% of maternity leave benefits?	No	Employment Act, Secs. 113-114
	Is paid leave available to fathers?	No	No applicable provisions could be located
	Is there paid parental leave?	No	No applicable provisions could be located
Entrepreneur.	Is dismissal of pregnant workers prohibited?	No	No applicable provisions could be located
	Does the law prohibit discrimination in access to credit based on gender?	No	No applicable provisions could be located
	Can a woman sign a contract in the same way as a man?	Yes	Abolition of Marital Power Act of 2004, Arts. 4 and 5
	Can a woman register a business in the same way as a man?	Yes	Abolition of Marital Power Act of 2004, Arts. 4, 5 and 11; Companies Act of 2004
Assets	Can a woman open a bank account in the same way as man?	Yes	Abolition of Marital Power Act of 2004, Arts. 4, 5 and 11
	Do men and women have equal ownership rights to immovable property?	Yes	Abolition of Marital Power Act, Arts. 4 and 5
	Do sons and daughters have equal rights to inherit assets from their parents?	No	Succession Act, Ch. 31:03, Art. 6
	Do female and male surviving spouses have equal rights to inherit assets?	Yes	Succession Act, Ch. 31:03, Art. 4
	Does the law grant spouses equal administrative authority over assets during marriage?	Yes	Married Persons Property Act, Art. 4(1)
Pension	Does the law provide for the valuation of nonmonetary contributions?	No	Married Persons Property Act, Art. 4(1)
	Is the age at which men and women can retire with full pension benefits the same?	Yes	Women: Universal Pension and Orphan Care Act 1996 Men: Universal Pension and Orphan Care Act 1996
	Is the age at which men and women can retire with partial pension benefits the same?	Yes	Women: No applicable provisions could be located Men: No applicable provisions could be located
	Is the mandatory retirement age for men and women the same?	Yes	Women: No applicable provisions could be located Men: No applicable provisions could be located
	Are periods of absence due to child care accounted for in pension benefits?	Yes	Universal Pension and Orphan Care Act 1996