

# Botswana

*Women, Business and the Law 2023* (WBL2023) presents an index covering 190 economies and structured around the life cycle of a working woman. In total, 35 questions are scored across 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 (72.6). Within the Sub-Saharan Africa region, the maximum score observed is 95 (Côte d'Ivoire and Gabon).

## Botswana - Scores for Women, Business and the Law 2023



### 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 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 measuring laws affecting women's work after having children (the WBL2023 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 (October 2nd, 2021 – October 1st, 2022).



Further data details for Botswana are available at:  
<https://wbl.worldbank.org/en/data/exploreconomies/botswana/2023>



	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, Art. 16
	Can a woman travel outside her home in the same way as a man?	Yes	No restrictions could be located
	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, Arts. 4, 5 and 11
	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 the law free of legal provisions that require 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, Arts. 4 and 5
	Is there legislation specifically addressing domestic violence?	Yes	Domestic Violence Act
	Can a woman obtain a judgment of divorce in the same way as a man?	Yes	Matrimonial Causes Act 1973, Arts. 7 and 19
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. 117
	Does the government pay 100% of maternity leave benefits?	No	Employment Act, Sec. 117
	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
Entrepreneurship	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, Arts. 4, 5 and 11
	Can a woman register a business in the same way as a man?	Yes	Abolition of Marital Power Act, Arts. 4, 5 and 11
Assets	Can a woman open a bank account in the same way as man?	Yes	Abolition of Marital Power Act, Arts. 4, 5 and 11
	Do men and women have equal ownership rights to immovable property?	Yes	The Deeds Registry Act 1996, Sec. 18(3); 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)
	Does the law provide for the valuation of nonmonetary contributions?	No	Married Persons Property Act, Art. 4(1)
Pension	Is the age at which men and women can retire with full pension benefits the same?	Yes	Universal Pension and Orphan Care Act 1996
	Is the age at which men and women can retire with partial pension benefits the same?	Yes	No applicable provisions could be located
	Is the mandatory retirement age for men and women the same?	Yes	No applicable provisions could be located
	Are periods of absence due to childcare accounted for in pension benefits?	Yes	Universal Pension and Orphan Care Act 1996