

Documents required when claiming from Guardian's Fund:

- 5 certified copies of Omang- national identity card (or passport if a non-citizen) upon initial request
- Bank details with a commercial bank which includes:
 - account name
 - bank name
 - account number
 - branch code
 - branch name

How do you ensure that the money requested by the Guardian is used appropriately?

As proof of payment guardians should submit receipts. There will be no further disbursement before submission of receipts.

How long do I have to wait to receive a response after application of funds?

According to the Accountant General's Service Standards, funds are deposited into the applicant's bank account within 21 working days.

Can I receive a cheque if I don't have a bank account?

A cheque can only be made if the money required is less than P3000. We encourage all guardians to open bank accounts with commercial banks so that the money can be deposited into their accounts. To ensure that you get your money on time a guardian must apply well in advance so that the Master's office can deal with your application and forward it to the Accountant General.

On which days can I come and apply for money if I am a guardian or beneficiary over 21 years?

The Guardian Fund is administered on Mondays and Wednesdays at the Gaborone High Court and Tuesdays and Wednesdays at the Francistown High Court.



For further details contact

REGISTRAR & MASTER
Private Bag 00220 Gaborone
Tel : 3718000 Fax: 3915119

website: www.justice.gov.bw

TOLL FREE NUMBERS

0800 600 922
0800 600 947
0800 601 027

**THE GUADIAN'S
FUND**

The Guardian's Fund is a trust account held and administered by the Master of the High Court on behalf of minor beneficiaries (under 21 years). It also consists of monies received by the Master in trust for unknown persons and people who are not capable of controlling their own affairs. The fund is controlled by the Master of the High Court and administered by the Accountant General.

How is the Fund opened?

The fund is opened as soon as money is received by the Master. The Master is also the Registrar of the High Court. The money could be from any institution or organisation in the country.

On paying money into the Guardian's Fund, the person transmitting the money must give the Master the details of the persons on whose behalf the money is paid. If it is for the benefit of a person whose whereabouts are unknown, the notice must state so.

The details must include, in the case of minors, their names, age and the names of the person(s) in whose custody the minors are in. In the case of an unknown person, the Master requires their names and last known address. If the money received is in relation to a person incapable of managing their own affairs, their names, age, and the name of the appointed curator must be provided.

Whose monies are paid into the Fund?

- All money amounting to P1.00 and upwards remaining unclaimed by the rightful owner for a period of 5 years or more;
- Money intended for the benefit of minor beneficiaries, for example children of a deceased person;
- Money belonging to a person who is not capable of managing his own affairs because of mental incapacity etc;
- Money of persons whose whereabouts are unknown.

The procedure ensures that:

- The interests of minor beneficiaries and people not capable of managing their own affairs are protected;
- The money can only be withdrawn on good and convincing grounds as the Master controls the funds.

Does the money in the Guardian's Fund accrue interest?

Monies deposited in the Guardian Fund accrue an interest of 8% per annum for minors, being persons under the age of 21 years and incapacitated persons.

Can I be allowed to buy a house for minor beneficiaries out of the money held in the Guardian's Fund?

Yes, if the minor beneficiary has sufficient funds the Master may, on application, direct the Accountant General to pay to the person nominated by him to purchase immovable property in Botswana once he is satisfied that the property is for the benefit of the minor. Payment is made on condition that:

- the title deed must be in the name of the child
- if there are a number of joint minor beneficiaries all names must appear in the title deed as joint owners of the property.

Who is a Guardian?

A Guardian is a person who takes care of the minor child and who ensure that the child has all the basic needs including, food, shelter, clothing and adequate care, encouragement and love.

In order to be recognised as a Guardian, one must bring:

- A letter signed by all concerned family members stating that the named person has been chosen as a guardian;
- A confirmatory letter from the Chief and/or District commissioner confirming that such person has been chosen by family to be the guardian;
- If the person nominated in the letter is not the biological parent of the minor then a next of kin meeting shall be held to determine the guardian.

The selected Guardian is the only person who can request for a disbursement on behalf of minor beneficiaries.

Who can apply for the money?

The legal guardian of the minor beneficiaries can apply for the money.

How does the money in the Guardian's Fund assist the minor?

The Guardian's Fund assists in the maintenance of minor beneficiaries by:

- Payment of school fees- a pro-forma invoice or a letter from the school is required. It should state the amount due by the minor. The guardian has an option of paying annually or per term.
- For payment of enrolment in tertiary schools the following are required;
- A copy of BOTA registration certificate & course accreditation certificate.
- A pro-forma invoice
- All payments are made directly to the respective schools.
- Transport fare- the guardian/taxi owner should prepare a daily breakdown and the total amount needed for the term if the minor requires transport to school.
- Payment of medical expenses- an invoice from registered medical practitioners is required.
- Purchase of clothing-school uniform, general clothes- winter and summer clothes.
- Quotations are required when requesting funds for purchasing of clothes.

It is at the discretion of the Master with due regard to the interests of the child whether to approve or disapprove a request for disbursement considering the balance in the fund at that time.

What would you do to a guardian who uses the money on himself instead of for the benefit of the minor beneficiaries?

Any observation of mismanagement of the minor's funds by the Guardian must be immediately reported to the Master for appropriate action including removal of that person as Guardian of the minor child.

We treat the case very seriously and if upon, enquiry the reason given by the guardian is unsatisfactory, then a report is made to the police for investigation and if necessary, legal proceedings are instituted against such guardian.

What is the procedure when applying for the money?

Visit the Master's office to complete the application form. Beneficiaries, upon attaining 21 (twenty-one) years of age must come and claim their remaining shares of monies held in the Guardian's Fund.