

# Restraining Orders - Magistrate's Court

## Overview

Any aggrieved party who feels there is a justifiable reason to issue restrain or block another party from being permitted to take a specific course of action may apply to the Magistrates Court for a restraining order.

## Who is eligible?

All members of the public are eligible to apply for a restraining order.

## How do I get this service?

- Applicants must file an application to the clerk of their local Magistrate's Court.
- After the application has been filed, it is allocated a case number. The matter is then assigned to a magistrate who will then allocate a date of the hearing.
- Applicants are notified at the contact information provided on their application of the success or rejection of their restraining order application. It is the responsibility of the applicant to serve or pay for the serving of the restraining order to the other party.
- In cases of domestic violence, police officers may be asked to serve the restraining order to the other party.
- Approved restraining orders are available for pickup at the civil registry at the Magistrates Court where the application was filed.

## What supporting documents are required?

Submit the following documents to the clerk of the court at the Magistrates Court:

- A written **affidavit** (The Founding Affidavit) requesting a restraining order and a description of the circumstances and reasons for the order. This affidavit must be commissioned at the nearest police station.
- **Notice of Motion (Form 4)** completed, describing the request for a restraining order.
- A Certificate of Urgency can be attached if the matter is particularly time-sensitive (e.g. cases of spousal abuse) in order to be processed faster. (NOTE: A certificate of urgency is any written document outlining the reason for treating the matter as urgent).

## How long will this service take?

- The processing of a restraining order application without a Certificate of Urgency typically takes about a week.
- A restraining order application accompanied by a Certificate of Urgency typically takes one to two days.

## How much does it cost?

A court fee of BWP60.00 applies

## Where can I obtain this service?

Kindly contact one of the offices listed below:

Court of Appeal Private Bag 00316 Gaborone Botswana Tel: (+267) 371 8000	Gaborone High Court P O Box 00220 Gaborone Botswana Tel: (+267) 3718000 Fax: (+267) 3915119	Francistown High Court Private Bag F13 Francistown Botswana Tel: +267 241 2125 Fax. (+267) 2416378
Lobatse High Court Private Bag 001 Lobatse Botswana Tel: +267 5338000 Fax: (+267) 5332317	Regional Magistrate Court-North Private Bag F149 Francistown Botswana Tel: (+267) 2410624	Regional Magistrate Court- South Private Bag BR293 Gaborone Botswana Tel: (+267) 3956339
Gaborone - Village Private Bag X10 Gaborone Botswana Tel. (+267) 3956381	Broadhurst Private Bag BR 122, Gaborone Botswana Tel. (+267) 3956381	Extension II Private Bag X10 Gaborone Botswana Tel. (+267) 3956381
Lobatse Private Bag 16 Lobatse Botswana Tel. (+267) 5330540	Kanye Private Bag 17 Kanye Botswana Tel. (+267) 5440276/ 78	Jwaneng Private Bag 10 Jwaneng Botswana Tel. (+267) 5880628
Mochudi Private Bag 029 Mochudi Botswana Tel. (+267) 5777601	Molepolole Private Bag 0022 Molepolole Botswana Tel. (+267) 5920402	Tsabong Private Bag 359 Tsabong Botswana Tel. (+267) 6540277
Gantsi P. O. Box 206 Gantsi Botswana Tel. (+267) 6596352	Maun Private Bag 0271 Maun Botswana Tel. (+267) 6860370	Francistown Private Bag F19 Francistown Botswana Tel. (+267) 2413793

Masunga Private Bag 11 Masunga Botswana Tel. (+267) 2489277	Lethakane Private Bag 32 Lethakane Botswana Tel. (+267) 2976666	Selibe Phikwe Private Bag 003 Selibe Phikwe Botswana Tel. (+267) 2610321
Serowe Private Bag 14 Serowe Botswana Tel. (+267) 4630386	Palapye Private Bag 15 Palapye Botswana Tel. (+267) 4920401	Mahalapye P. O. Box 22 Mahalapye Botswana Tel. (+267) 4710326
Kasane Private Bag K5 Kasane Botswana Tel. (+267) 6250337	Hukuntsi Private Bag 10 Hukuntsi Botswana Tel. (+267) 6510148	Bobonong Private Bag 003 Selibe Phikwe Botswana Tel. (+267) 2629790
Gumare P. O. Box 35 Gumare Botswana Tel. (+267) 6874511		

Opening hours are 07:30 to 12:45 and 13:45 to 16:30, Monday to Friday, except public holidays.

## Where can I get more information on this Service

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