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No.	Index	Page	No.	Dikateng	Leqephe						
PROVINCIAL NOTICE			TSEBISO YA PROVENSE								
<u>FOR GENERAL INFORMATION:</u>			<u>TSEBISO YA KAKARETSO:</u>								
28	FREE STATE TRADITIONAL LEADERSHIP AND GOVERNANCE RECONSTITUTION OF TRADITIONAL COUNCILS REGULATIONS, 2013	2	28	BOETAPELE LE PUSO YA SETSO FOREISETATA HO ETSWA BOTJHA HA MELAWANA YA MAKGOTLA A SETSO, 2013	3						

PROVINCIAL NOTICE

[No. 28 of 2013]

**FREE STATE TRADITIONAL LEADERSHIP AND GOVERNANCE
RECONSTITUTION OF TRADITIONAL COUNCILS REGULATIONS, 2013**

Notice is hereby given that the Premier, ES Magashule, has approved a formula for the establishment and recognition of traditional councils in accordance with the provisions of section 3(2)(a) of the Traditional Leadership and Governance Act, 2003 (Act No. 41 of 2003).

The approved formula is set out in the Schedule hereunder, for general instruction.

TSEBISO YA PROVENSE

[Ya Nomoro ya 28 ya 2013]

BOETAPELE LE PUSO YA SETSO FOREISETATA HO ETSWA BOTJHA HA MELAWANA YA MAKGOTLA A SETSO, 2013

Tonakgolo ya Mmuso wa Provense ya Freisetata ES Magashule o etsa tsebiso ya hore o ananetse fomula ya ho thehwa le ho ananelwa ha makgotla a setso ho ya ka dikateng tsa karolo 3(2)(a) ya Molao wa Moralo wa Boetapele ba Botjhaba le Puso, 2003 (Molao wa Nomoro ya 41 wa 2003).

Fomula e ananetsweng e hokelletsweng tsebisong e le shejulu bakeng sa taelo e akaretsang.

SCHEDULE

GUIDELINES FOR DETERMINATION OF NUMBER OF MEMBERS OF TRADITIONAL COUNCILS

Guidelines

1. (1) The following guidelines were issued by the then Acting Minister in terms of section 3(2) of the Traditional Leadership and Governance Framework Act, 2003 (Act No. 41 of 2003) and they were published in Government Notice No. 354 of *Government Gazette* No. 34242 dated 21 April 2011:

No. of recognized headmen / women	Selected members (SM) = 60% total number of members				Elected Members (EM) = 40% of total number of members	Total number of members = 100%
	Community Members (CM)	Headmen/ Headwomen	STL	Total SM	Total EM	
7 or less	*	*	1	11	7	18
8-14	*	*	1	15	9	24
15-24	*	*	1	20	12	32
25-50	*	*	1	25	17	42
51 and more	*	*	1	30	20	50

- (2) (a) The guidelines as well as its alternative serve as examples from which provinces could develop their own formula(e) that is customised according to the peculiar needs and circumstances of the Province.
- (b) The customised provincial formula is set out and tabulated in section 2(1).
- (3) Subject to paragraphs 3, 4 and 5 below, the selection process of members indicated in the above table must be done by the senior traditional leader (who is an ex officio member of the selected members) in terms of section 3(2)(c) of the Traditional Leadership and Governance Framework Act, 2003.
- (4) Subject to paragraph 4, the composition of the selected members is subject to the following:
- (a) Community Members (CM) consist of ordinary community members and royal family members (RFM);
- (b) CM may not exceed 30% of the total number of selected members;
- (c) RFM members may not be less than 40% and may not exceed 60% of the total number of CM;

SHEJULU

DITATAISO BAKENG SA HO BEA LENANE LA DITHO TSA MAKGOTLA A SETSO

Ditataiso

1. (1) Ditataiso tse latelang di ne di ntshuwe ke Letona la Mehlang le neng le Tshwere Mokobobo ho ya ka karolo ya 3(2) ya Molao wa Moralo wa Puso le Boetapele ba Setso, 2003 (Molao wa 41 wa 2003) mme di ne di phatlalatswe ho Tsebiso ya Mmuso ya 354 ya *Koranta ya Mmuso (Government Gazette)* la 34242 la mohlala 21 Mmesa 2011:

Len. la banna/basa di ba baetapele ba tsejwang	Ditho tse thonngweng (DT) = 60% ya lenane lohle la ditho				Ditho tse Kgethilweng (DK) = 40% ya lenane lohle la ditho	Lenane lohle la ditho = 100%
	Ditho tsa Setjhaba (DS)	Banna/Basad i ba baetapele	STL	Lenane Lohle la DT	Lenane Lohle la DK	
7 kapa ka tlase	*	*	1	11	7	18
8-14	*	*	1	15	9	24
15-24	*	*	1	20	12	32
25-50	*	*	1	25	17	42
51 kapa ho feta	*	*	1	30	20	50

- (2) (a) Ditataiso esitana le tse di emelang di sebetsa jwaloka mohlala oo ho ona diprovense di ka thehang difomula tsa tsona tse hlophisitsweng ho ya ka ditlhoko tse ikgethang le maemo a Provense eo.
- (b) Fomula e hlophiseditsweng provense e thehilwe le ho ralwa ho karolo 2(1).
- (3) Ho itshetlehilwe ho diratswana tsa 3, 4 le 5 ka tlase mona, mokgwatsamaiso wa ho thonya ditho o bontshitsweng ka theiboleng e ka hodimo mona o lokela ho etswa ke moetapele wa setso ya ka sehloohong (eo e leng setho se se nang tokelo ya ho kgetha ho ditho tse thontsweng) ho ya ka karolo ya 3(2)(c) ya Molao wa Moralo wa Puso le Boetapele ba Setso, wa 2003.
- (4) Ho ya ka seratswana sa 4, popo ya ditho tse thontsweng e laolwa ke tse latelang:
- (a) Ditho tsa Setjhaba (DS) di na le ditho tse tlwaelehileng tsa setjhaba le ditho tsa lelapa la borena (DLB);
- (b) DS ha di a lokela ho feta 30% ya lenane lohle la ditho tse thontsweng;
- (c) Ditho tsa DLB ha ba a lokela ho ba ka tlase ho 40% mme ha ba a lokela ho feta 60% ya lenane lohle la DL;

- (d) in the event that the number of headmen/head women exceeds the number of headmen/headwomen to serve as selected members the senior traditional leader, may require the headmen/ headwomen to elect the required number of headmen/headwomen from amongst themselves to serve as selected member.
- (5) Before the selection process contemplated in paragraph 3(a) –
- (a) the senior traditional leader may request the royal family to designate from amongst its members, a forum of not less than three not more than five members to assist with selection; and
- (b) If the senior traditional leader has made the request contemplated in paragraph (a), the selection of the senior traditional leader is subject to the concurrence of the forum referred to in paragraph (a).
- (6) In calculating 3(b) and (c), if the decimal is .5, the figure must be rounded off upwards.

FORMULA FOR DETERMINATION OF NUMBER OF MEMBERS OF EACH TRADITIONAL COUNCIL

Customised Provincial Formula

2. (1) The following table is a customised provincial formula that is used to establish various traditional councils in the Province:

	Traditional Council	No. of recognized headmen / women	Selected members (SM) = 60% total number of members					Elected Members (EM) = 40% of total number of members	Total number of member = 100%
			Community Members (CM)		Headmen/ Headwomen	STL	Total SM	Total EM	
			RFM	CM					
1.	Thaba Bosiu	5	3	2	5	1	11	7	18
2.	Bolata	5	3	2	5	1	11	7	18
3.	Dinkoeng	5	3	2	5	1	11	7	18
4.	Thaba Tsoeu	6	3	1	6	1	11	7	18
5.	Monontsha	6	3	1	6	1	11	7	18
6.	Thibella	6	3	1	6	1	11	7	18
7.	Makgolokoe	6	3	1	6	1	11	7	18
8.	Mabolela	8	4	2	8	1	15	9	24
9.	Matsieng	9	3	2	9	1	15	9	24
10.	Phomolong	9	3	2	9	1	15	9	24
11.	Namahali	9	3	2	9	1	15	9	24
12.	Barolong	37	4	3	17	1	25	17	42

- (d) Ha ho ka etsahala hore lenane la banna/basadi ba baetapele le feta lenane la banna/basadi ba baetapele ba sebetsang jwaloka ditho tse thonngweng, moetapele ya ka sehloohong wa setso, a ka kopa banna le basadi ba baetapele ho kgetha lenane le hlokehang la banna/basadi ba baetapele ho tswa ho bona bakeng sa ho sebetsa jwaloka ditho tse thonngweng.
- (5) Pele ho mokgwatshebetso o lebelletsweng seratswaneng sa 3(a) –
- (a) moetapele ya ka sehloohong wa setso a ka kopa lelapa la borena ho kgetha mahareng a ditho tsa lona, foramo e seng ka tlase ho ditho tse tharo e seng ka hodimo ho ditho tse hlano ho thusa ka dithonyo; mme
- (b) Haeba moetapele wa setso ya ka sehloohong a entse kopo e lebeletsweng seratswang sa (a), ho thonngwa ha moetapele wa setso ya ka sehloohong ho itshetlehile ho kutlwano ya foramo e boletsweng seratswaneng sa (a).
- (6) Ha ho sebetswa palo ya 3(b le (c). haeba desimale e le .5, palo eo e lokela ho akaretswa ho ya nomorong e ka hodimo.

FOMULA BAKENG SA HO FUMANA PALO YA DITHO TSA LEKGOTLA KA LENG LA SETSO

Fomula e Hlophisitsweng ya Provense

2. (1) Theibole e latelang ke fomula e hlophisitsweng ya provense e sebediswang ho theha makgotla a setso a fapaneng ka hara Provense:

	Lekgotla la Setso	Len. La Banna/basadi ba baetapele ba tsejwang	Ditho tse thontsweng (DT) = 60% lenane lohle la ditho				Ditho tse Kgethilweng (DK) = 40% ya lenane lohle la ditho	Lenane lohle la ditho = 100%	
			Ditho tsa Setjhaba (DS)	Banna/Basadi ba baetapele	MSS	Lena ne lohle la DT	Lenane lohle la DK		
			RFM	DS					
1.	Thaba Bosiu	5	3	2	5	1	11	7	18
2.	Bolata	5	3	2	5	1	11	7	18
3.	Dinkoeng	5	3	2	5	1	11	7	18
4.	Thaba Tsoeu	6	3	1	6	1	11	7	18
5.	Monontsha	6	3	1	6	1	11	7	18
6.	Thibella	6	3	1	6	1	11	7	18
7.	Makgolokoe	6	3	1	6	1	11	7	18
8.	Mabolela	8	4	2	8	1	15	9	24
9.	Matsieng	9	3	2	9	1	15	9	24
10.	Phomolong	9	3	2	9	1	15	9	24
11.	Namahali	9	3	2	9	1	15	9	24
12.	Barolong	37	4	3	17	1	25	17	42

- (2) The number of members of each of the traditional councils established in terms of this formula must comply with the provision of section 6 of the Traditional Leadership and Governance Framework Act, 2003 (Act No. 41 of 2003).

- (2) Palo ya ditho tsa lekgotla ka leng la setso le thehilweng ho ya ka fomula ena e lokela ho ikamahanya le dipehelo tsa karolo ya 6 ya Molao wa Moralo wa Puso le Boetapele wa Setso, wa 2003 (Molao wa 41 wa 2003).

PROVINCIAL GAZETTE
(Published every Friday)

All correspondence, advertisements, etc. must be addressed to the Officer in charge of the Provincial Gazette, P.O. Box 517, Bloemfontein, Tel.: (051) 403 3139. Free Voucher copies of the Provincial Gazette or cuttings of advertisements are NOT supplied.

Subscription Rates (payable in advance)

The subscription fee for the Provincial Gazette (including all Extraordinary Provincial Gazettes) are as follows:

SUBSCRIPTION: (POST)

PRICE PER COPY	R 19.80
HALF-YEARLY	R495.00
YEARLY	R989.90

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PRICE PER COPY	R 11.70
HALF-YEARLY	R 293.00
YEARLY	R 586.00

Stamps are not accepted

Closing time for acceptance of copy

All advertisements must reach the Officer in Charge of the Provincial Gazette not later than 16:00, three working days prior to the publication of the Gazette. Advertisements received after that time will be held over for publication in the issue of the following week, or if desired by the advertiser, will be inserted in the current issue as a "Late Advertisement". In such case the advertisement must be delivered to the Officer in Charge not later than 08:00 on the Tuesday preceding the publication of the Gazette and double rate will be charged for that advertisement.

A "Late Advertisement" will not be inserted as such without definite instructions from the advertiser.

Advertisement Rates

Notices required by Law to be inserted in the Provincial Gazette: R27.90 per centimeter or portion thereof, single column.

Advertisement fees are payable in advance to the Officer in charge of the Provincial Gazette, P.O. Box 517, Bloemfontein, 9300, Tel.: (051) 403 3139.

NUMBERING OF PROVINCIAL GAZETTE

You are hereby informed that the numbering of the Provincial Gazette /Tender Bulletin and notice numbers will from 2010 coincide with the relevant financial year. In other words, the chronological numbering starting from one will commence on or after 1 April of every year.

Printed and published by the Free State Provincial Government

PROVINSIALE KOERANT
(Verskyn elke Vrydag)

Alle korrespondensie, advertensies, ens. moet aan die Beampte Belas met die Provinsiale Koerant, Posbus 517, Bloemfontein, Tel.: No. (051) 403 3139 geadresseer word. Gratis eksemplare van die Provinsiale Koerant of uitknipsels van advertensies word NIE verskaf nie.

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Die intekengeld vir die Provinsiale Koerant (insluitend alle Buitengewone Provinsiale Koerante) is soos volg:

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Alle advertensies moet die Beampte Belas met die Provinsiale Koerant bereik nie later nie as 16:00 drie werksdae voordat die Koerant uitgegee word. Advertensies wat na daardie tyd ontvang word, word oorgehou vir publikasie in die uitgawe van die volgende week, of as die adverteerder dit verlang, sal dit in die Koerant wat op die pers is as 'n "Laat Advertensie" geplaas word. In sulke gevalle moet die advertensie aan die Beampte oorhandig word nie later nie as 08:00 op die Dinsdag voordat die Koerant gepubliseer word en dubbeltarief sal vir dié advertensie gevra word.

'n "Laat Advertensie" sal nie sonder definitiewe instruksies van die Adverteerder as sodanige geplaas word nie.

Advertensietariewe

Kennigewings wat volgens Wet in die Provinsiale Koerant geplaas moet word: R27.90 per sentimeter of deel daarvan, enkel-kolom.

Advertensiegeelde is vooruitbetaalbaar aan die Beampte belas met die Provinsiale Koerant, Posbus 517, Bloemfontein 9300, Tel.: (051) 403 3139.

NOMMERING VAN PROVINSIALE KOERANT

U word hiermee in kennis gestel dat die nommering van die Provinsiale Koerant / Tender Bulletin en kennisgewingnommers vanaf 2010 met die betrokke boekjaar sal ooreenstem. Met ander woorde, die kronologiese nommering beginnende met een, sal op of na 1 April van elke jaar begin.

Gedruk en uitgegee deur die Vrystaatse Provinsiale Regering