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NOORDELIKE PROVINSIE
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PROFENSE YA LEBOA
VUNDU LA DEVHULA

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Extraordinary

Ku katsa na Tigazete to
Hlawuleka hinkwato

Go hlakantšhwa le Dikuranta dišele

Buitengewoon

Hu tshi katelwa na
Gazethe dza nyingo

PROVINCIAL NOTICE

OFFICE OF THE PREMIER

No. 5**4 May 1998**

It is hereby notified that the Premier has assented to the following Act which is hereby published for general information:—

No. 7 of 1997: Youth Commission Act, 1997.

ACT

To provide for the establishment, constitution, objects and functions of a Northern Province Youth Commission; and to provide for matters connected therewith

*(English text signed by the Premier)
Assented to on 24 February 1998*

PREAMBLE

SINCE it is necessary to create a united, non-racial, non-sexist and prosperous society, in which the Youth of the Northern Province shall promote provincial reconciliation and unity, build a new patriotism and foster peace, justice and a human rights culture;

AND SINCE it is imperative that the Northern Province recognises the role that the Youth played and will still play in society, and since the Youth in the Northern Province constitutes an energetic, creative and the largest sector of our population, and given the challenges this sector faced and continues to face;

AND SINCE it is necessary to redress the imbalances of the past and to create a provincial youth policy aimed at empowering the Youth and allowing them to realise their full potential through optimal access to opportunities,

THEREFORE BE IT ENACTED by Provincial Legislature of the Northern Province as follows:—

Definitions

1. In this Act, unless the context indicate otherwise—

“Chairperson” means the Chairperson of the Commission designated in terms of section 4(3);

“Commission” means the Northern Province Youth Commission established by section 2;

“Committee” means a committee established under section 6(2);

"Deputy Chairperson" means the Deputy Chairperson of the Commission designated in terms of section 4(3);

"Legislature" means Legislature of the Northern Province;

"member" means a person appointed in terms of section 4(1), and

"Youth" means persons between the ages of 14 and 35.

Establishment and seat of the Youth Commission

2. (1) There is hereby established a commission, to be known as the Youth Commission for the Northern Province, with the powers and duties conferred on or assigned to it by or under this Act or any other law.

(2) The seat of the Commission shall be determined by the Premier.

Objects of the Commission

3. The objects of the Commission shall be—

- (a) to co-ordinate and develop an integrated provincial Youth policy;
- (b) to develop an integrated provincial youth development plan that utilises available resources and expertise for the development of the Youth;
- (c) to develop principles and guidelines and make recommendations to the Legislature regarding such principles and guidelines, for the implementation of an integrated provincial Youth policy;
- (d) to co-ordinate, direct and monitor the implementation of such principles and guidelines as a matter of priority;
- (e) to implement measures to redress the imbalance of the past relating to the various forms of disadvantages suffered by the Youth generally of specific groups or categories of persons among the Youth;
- (f) to promote uniformity of approach by all organs of state, including provincial governments, to matters relating to or involving the Youth;
- (g) to maintain close liaison with institutions, bodies or authorities similar to the Commission in order to foster common policies and practices and to promote co-operation;
- (h) to co-ordinate the activities of the various provincial government institutions involved in Youth matters and to link those activities to the integrated provincial Youth policy;
- (i) to develop recommendations relating to any other matters which may affect the Youth.

Act No. 7, 1997

YOUTH COMMISSION ACT, 1997

Constitution of the Commission

4. (1) The membership of the Commission shall consist of not more than five members selected from a list of nominations received from Youth organisations in the Northern Province and which members shall be appointed by the Premier in consultation with the Legislature and two of the members so appointed shall be full-time members and who shall also be designated by the Premier as Chairperson and Deputy Chairperson.

(2) The members of the Commission appointed in terms of subsection (1) shall be appointed according to the following principles, namely:

- (a) Representation in terms of gender and race;
- (b) ability to initiate and formulate an overall development policy for the Youth in the Northern Province;
- (c) involvement in development programs aimed at needs for training, employment, sports, recreation, or any other matter necessary for Youth development.

(3) The Chairperson shall chair all meetings of the Commission and when the Chairperson is not available the Deputy Chairperson shall perform the functions entrusted to the Chairperson by or under this Act or any other law.

Term of office of members of the Commission

5. (1) The members of the Commission shall hold office for five years: Provided that the Premier may remove any member from office at any time after consultation with the Commission if, in his or her opinion, there are sound reasons for doing so.

(2) Any person whose term of office as a member of the Commission has expired, may be re-appointed.

(3) A member of the Commission may resign from office by submitting at least three months' prior written notice to the Premier.

Committees of the Commission

6. (1) The Commission shall establish strategic task groups consisting of one or more members of the Commission designated by the Commission and if necessary, one or more other persons whom the Commission may appoint for that purpose and for the period determined by it, to ensure the implementation of the provincial Youth policy.

(2) In addition, the Commission may establish one or more committees consisting of one or more members of the Commission designated by the Commission for a particular purpose and for the period determined by it.

(3) The Commission may extend the period of an appointment made by it under subsection (1) or (2) or withdraw any such appointment during a period contemplated in the subsection.

(4) The Commission shall designate a chairperson and, if it deems it necessary, a deputy chairperson, for the strategic task group and for every committee.

(5) A committee shall, subject to the directions of the Commission, perform such functions of the Commission as the Commission may assign to it.

(6) On completion of the functions assigned to it in terms of subsection (5), a committee shall submit a written report thereon to the Commission, whereupon the committee shall dissolve.

(7) The commission may at any time dissolve the strategic task group or any committee.

(8) The provisions of section 10(1) to (5) shall, where applicable, apply *mutatis mutandis* to a meeting of the strategic task group or a committee and for that purpose a reference therein to "the Commission" shall be construed as a reference to "the strategic task group" or "a committee", as the case may be, and a reference therein to "the Premier" shall be construed as a reference to "the Commission".

Commission may approach Premier or Legislature

7. The Commission may, at any time, approach either the Premier or the Legislature with regard to any matter relating to the exercising of its powers or the performance of its duties or the carrying out of its functions.

Powers, duties and functions of Commission

8. In addition to any other duties or functions assigned or entrusted to it by this Act or any other law—

(a) the Commission shall—

- (i) develop and monitor the implementation of a provincial Youth policy;
- (ii) prioritise provincial youth issues and initiate youth programmes in accordance with the provincial Youth policy;
- (iii) link the Legislature to youth organisations and the Youth in general in matters pertaining to Youth development;
- (iv) in consultation with the Legislature prioritise resource allocation to Youth affairs;
- (v) assess new needs of, and opportunities and challenges for, the Youth;

- (vi) maintain close liaison with other institutions, bodies or authorities similar to the Commission in order to foster common policies and practices and to promote co-operation in relation to Youth affairs;
- (vii) carry out or cause to be carried out such studies concerning youth affairs as may be referred to it by the Premier and the Commission shall, as part of its report referred to in section 12(1), also report on the results of each such study together with such recommendations in relation thereto as it considers appropriate;
- (viii) before making any submission to the Premier, as far as possible consult with all interested persons, parties, bodies or institutions, and shall, in its report referred to in section 12(1), mention any objections raised or advice given during the said process of consultation, and set out the Commission's comments thereon;
- (ix) on a quarterly basis report to the Premier on its activities;
- (x) develop and conduct—
 - (aa) information programmes; and
 - (bb) education programmes;to foster public understanding of matters pertaining to the Youth and the role and activities of the Commission;
- (xi) evaluate any Act of the Legislature or any other law in force at the commencement of this Act or any law proposed by the Legislature or any other law in force at the commencement of this Act or any law proposed by the Legislature or any other legislature after the commencement of this Act affecting or likely to affect the implementation of the integrated provincial youth policy and make recommendations to the Legislature;
- (xii) recommend to the Legislature the adoption of new legislation which would promote the implementation of an integrated provincial Youth policy;
- (xiii) prepare and publish reports to the Legislature pertaining to the objects of the Commission;
- (xiv) liaise and interact with any organisation which actively promotes Youth matters and other sectors of civil society to further the objects of the Commission;

- (xv) convene meetings between provincial administrations and offices instituted in the Northern Province, of issues pertaining to the Youth; and
- (xvi) (a) consider such recommendations, suggestions and requests concerning youth matters as it may receive from any source;
- (b) the Commission may—
- (c) carry out or cause to be carried out any investigation that it deems necessary;
- (d) consider such recommendations, suggestions and requests concerning youth affairs as it may receive from any source;
- (e) conduct or cause to be conducted such research as it may deem necessary to achieve its objects.

(2) The Commission may, in order to carry out its duties and perform its functions referred to in subsection (1), make recommendations regarding—

- (a) the involvement of all relevant state departments and, through the mediation of the institutions or offices designated for the purpose by the provincial government, of all provincial departments and other authorities;
- (b) the development of policies aimed at the positive involvement of the Youth in the reconstruction of the provincial society;
- (c) co-operation and co-ordination among the various institutions dealing with matters affecting youth;
- (d) administrative mechanisms to facilitate co-operation and collaboration between the various stake-holders towards integrated planning and inter-sectoral co-operation in matters affecting the youth;
- (e) policy concerning—
 - (i) the recognition of the commonality and uniqueness of gender;
 - (ii) the provisions of equal resources to the genders; and
 - (iii) the principle of gender equity on administrative and other bodies.

All organs of state and of the Northern Province shall afford the Commission such assistance as may be reasonably required for the effective exercise of its powers, performance of its duties and carrying out of its functions.

Vacancy in Commission

9. (1) A vacancy in the Commission occurs—
- (a) when a member's term of office expires;
 - (b) when a member dies;
 - (c) when a member is removed from office in terms of the proviso to section 5(1); or
 - (d) when a member's resignation, submitted in accordance with section 5(3), takes effect.
- (2) A vacancy in the Commission shall—
- (a) not affect the validity of the proceedings or decisions of the Commission; and
 - (b) be filled as soon as practicable in accordance with section 4, and any member so designated shall, where applicable, hold office for the unexpired portion of his or her predecessor's term of office.

Meeting of Commission

10. (1) Meetings of the Commission shall be convened by the Chairperson and such meetings shall be held at least four times every year at such places and times determined by the Commission: Provided that the first meeting shall be held at the time and place determined by the Premier.

(2) If the Chairperson is absent from a meeting of the Commission, the Deputy Chairperson shall act as Chairperson, and if both the Chairperson and Deputy Chairperson are absent from a meeting of the Commission, the members present shall elect one from among their number to preside at that meeting.

(3) The quorum for any meeting of the Commission shall be a majority of the total number of members.

(4) The decision of the majority of the members present at a meeting of the Commission shall be the decision of the Commission, and in the event of an equality of votes concerning any matter, the member presiding shall have a casting vote in addition to his or her ordinary vote.

(5) The Commission shall determine its own procedure and shall keep minutes of its proceedings.

(6) The Commission shall from time to time, by notice in the *Provincial Gazette*, make known the particulars of the procedure which it has determined in terms of subsection (5).

Remuneration and expenses of members of the Commission and committees

11. (1) The remuneration, allowances and other terms and conditions of office and service benefits of the full-time and part-time members of the Commission shall be determined by the Premier in consultation with the Legislature.

(2) A part-time member of the Commission may, for any period during which that member, with the approval of the Commission, performs additional duties and functions, be paid such additional remuneration as may be determined by the Premier in consultation with the Member of the Executive Council responsible for Finance and Expenditure.

(3) Any member of a committee who is not the full-time service of State or the Northern Province, may be paid such remuneration as the Premier may determine in consultation with the member of the Executive Council responsible for Finance and Expenditure.

(4) Any remuneration, allowance or other terms and conditions of office and service benefits of members of the Commission and those of committees shall be in line with those of the National Commission and Committees and those of other provinces.

Reports

12. (1) The Commission shall submit a report to the Premier at least once every year on its activities, and the Premier shall cause such report to be tabled promptly in the Provincial Legislature.

(2) In addition to the report contemplated in subsection (1), the Commission shall submit to the Premier quarterly reports, or at any time as it deems necessary, on its findings in respect of functions and investigations which were performed or conducted by it and the Premier shall table such reports promptly in the legislature.

Secretary and staff of the Commission, finances and accountability

13. (1) The Premier shall, as soon as possible after the appointment of the members of the Commission, in consultation with the Commission, appoint a secretary for the Commission as accounting officer of the Commission who—

- (a) shall be an *ex-officio* member of the Commission;
- (b) shall, in consultation with the Director-General and the member of the Executive Council responsible for Finance and Expenditure and subject to subsection (5), and section 14(1)(c) appoint such staff as may be reasonably necessary to assist him or her with the work incidental to the performance by the Commission of its functions;
- (c) shall be responsible for the management of and administrative control over the staff appointed in terms of paragraph (b), and shall for those purposes be accountable to the Commission;

Vacancy in Commission

9. (1) A vacancy in the Commission occurs—
- (a) when a member's term of office expires;
 - (b) when a member dies;
 - (c) when a member is removed from office in terms of the proviso to section 5(1); or
 - (d) when a member's resignation, submitted in accordance with section 5(3), takes effect.
- (2) A vacancy in the Commission shall—
- (a) not affect the validity of the proceedings or decisions of the Commission; and
 - (b) be filled as soon as practicable in accordance with section 4, and any member so designated shall, where applicable, hold office for the unexpired portion of his or her predecessor's term of office.

Meeting of Commission

10. (1) Meetings of the Commission shall be convened by the Chairperson and such meetings shall be held at least four times every year at such places and times determined by the Commission: Provided that the first meeting shall be held at the time and place determined by the Premier.

(2) If the Chairperson is absent from a meeting of the Commission, the Deputy Chairperson shall act as Chairperson, and if both the Chairperson and Deputy Chairperson are absent from a meeting of the Commission, the members present shall elect one from among their number to preside at that meeting.

(3) The quorum for any meeting of the Commission shall be a majority of the total number of members.

(4) The decision of the majority of the members present at a meeting of the Commission shall be the decision of the Commission, and in the event of an equality of votes concerning any matter, the member presiding shall have a casting vote in addition to his or her ordinary vote.

(5) The Commission shall determine its own procedure and shall keep minutes of its proceedings.

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11. (1) The remuneration, allowances and other terms and conditions of office and service benefits of the full-time and part-time members of the Commission shall be determined by the Premier in consultation with the Legislature.

(2) A part-time member of the Commission may, for any period during which that member, with the approval of the Commission, performs additional duties and functions, be paid such additional remuneration as may be determined by the Premier in consultation with the Member of the Executive Council responsible for Finance and Expenditure.

(3) Any member of a committee who is not the full-time service of State or the Northern Province, may be paid such remuneration as the Premier may determine in consultation with the member of the Executive Council responsible for Finance and Expenditure.

(4) Any remuneration, allowance or other terms and conditions of office and service benefits of members of the Commission and those of committees shall be in line with those of the National Commission and Committees and those of other provinces.

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12. (1) The Commission shall submit a report to the Premier at least once every year on its activities, and the Premier shall cause such report to be tabled promptly in the Provincial Legislature.

(2) In addition to the report contemplated in subsection (1), the Commission shall submit to the Premier quarterly reports, or at any time as it deems necessary, on its findings in respect of functions and investigations which were performed or conducted by it and the Premier shall table such reports promptly in the legislature.

Secretary and staff of the Commission, finances and accountability

13. (1) The Premier shall, as soon as possible after the appointment of the members of the Commission, in consultation with the Commission, appoint a secretary for the Commission as accounting officer of the Commission who—

- (a) shall be an *ex-officio* member of the Commission;
- (b) shall, in consultation with the Director-General and the member of the Executive Council responsible for Finance and Expenditure and subject to subsection (5), and section 14(1)(c) appoint such staff as may be reasonably necessary to assist him or her with the work incidental to the performance by the Commission of its functions;
- (c) shall be responsible for the management of and administrative control over the staff appointed in terms of paragraph (b), and shall for those purposes be accountable to the Commission;

- (d) shall, subject to the Northern Transvaal Exchequer Act, 1994 (Act No. 3 of 1994)—
 - (i) be charged with the responsibility of accounting for all moneys received or paid out for or on account of the Commission;
 - (ii) cause the necessary accounting and other related records to be kept;
- (e) may exercise the powers and shall perform the duties and functions which the Commission may from time to time confer upon or assign to him or her in order to achieve the objects of the Commission, and shall for those purposes be accountable to the Commission.

(2) The records referred to in subsection (1)(d)(ii) shall be audited by the Auditor-General.

(3) The defrayal of expenditure in connection with matters provided for in this Act shall be subject to—

- (a) requests being received *mutatis mutandis* in the form as prescribed for the budgetary processes of departments of state; and
- (b) the provisions of the Northern Transvaal Exchequer Act, 1994, and the regulation and instructions issued in terms thereof, as well as the Auditor-General Act, 1989 (Act No. 52 of 1989).

(4) The Secretary of the Commission shall be appointed on such terms and conditions and shall receive such remuneration, allowances and service benefits as the Commission may determine in accordance with the regulations made under section 14.

(5) The other staff of the Commission shall be appointed on such terms and conditions and shall receive such remuneration, allowances and other service benefits as the Premier may determine in accordance with the regulations made under section 14.

(6) The Commission may, in consultation with the Director-general, in the exercise of its powers or the performance of its duties and functions by or under this act, for specific projects, enter into contracts for the services of persons having technical or specialised knowledge of any matter relating to the work of the Commission and with the concurrence of the Member of the Executive Council responsible for Finance and Expenditure, determine the remuneration, including reimbursement for travelling, subsistence and other expenses, of such persons.

Regulations

14. (1) The Premier may, after the Commission has made a recommendation and after consultation with the Director-General make regulations regarding the following matters in relation to the staff of the Commission:

- (a) (i) The different categories of salaries and scales of salaries which shall be applicable to the different categories of members of staff;
- (ii) the requirements for appointment and the appointment, promotion, discharge and disciplinary steps;
- (iii) the recognition of appropriate qualifications and experience for the purposes of the determination of salaries;
- (iv) the procedure and manner of and criteria for evaluation, and the conditions or requirements for the purposes of promotion;
- (b) the powers, duties, conduct, discipline, hours of attendance and leave of absence, including leave gratuity, and any other conditions of service;
- (c) the creation of posts on the establishment of the Commission;
- (d) the training of staff, including financial assistance for such training;
- (e) a code of conduct to be complied with by staff;
- (f) the provision of official transport;
- (g) the conditions on which and the circumstances under which remuneration for overtime duty, travel, subsistence, climatic, and other allowances, may be paid;
- (h) the legal liability of any member of staff in respect of any act done in terms of this Act or any other law and the legal liability emanating from the use of official transport;
- (i) the circumstances under which and the conditions and manner in which a member of staff may be found guilty of misconduct, or to be suffering from continued ill-health, or of incapacity to carry out his or her duties of office efficiently;
- (j) the procedure for dealing with complaints and grievances of members of staff and the manner in which and time when or period wherein and person to whom documents in connection with requests and communications of such members of staff shall be submitted;

"Komiti" ri vula komiki leyi yi rimekiweke eka xiyenge xa 6(2),

"Mfumo wa Milawu" swi vula Mfumo wa Milawu wu Xifundzankulu xa N'walungu;

"Mutshami wa Xitulu" ri vula Mutshami wa Xitulu wa Khomixini loyi a vekiweke hi ku landza xiyenge xa 4(3);

"Vantshwa" ri vula vanhu lava va nga xikarhi ka malembe ya 14 na 35 hi vukhale;

"Xandla xa Mutshami wa Xitulu" swi vula Xandla xa Mutshami wa Xitulu wa Khomixini loyi a vekiweke hi ku landza xiyenge xa 4(e);

"xirho" ri vula munhu loyi a vekiweke hi ku landza xiyenge xa 4(1),

Ku simekiwa na ntsindza wa Khomixini

2. (1) Ku simekiwa khomixini, leyi yi nga ta tiviwa tani hi khomixini ya Lavantshwa ya xifundzankulu xa N'walungu, yi nga ni matimba na timfanrelo leti yi haverisiweke kumbe yi nyikiweke tona hi kumbe eka Nawu lowu kumbe nawu wihi na wihi wun'wana.

(2) Ntsindza wa Khomixini wu vekiwa hi Holobyenkulu.

Swikongomelo swa Khomixini

3. Swikongomelo swa khomixini i—

- (a) ku hlanganisa no hluvukisa tirhele ra xifundzankulu ra lavantshwa, leri hlanganeke;
- (b) ku hluvukisa pulani ya xifundzankulu ya mahluvukisele ya vantshwa leyi yi hlanganeke leyi yi tirhisaka switirho ni vutshila leswi swi kumekaka ku endlela ku hluvukisa Lavantshwa;
- (c) ku hluvukisa minsinya ni swiletelo ni ku veka swibumabumelo eka Mfumo wa Milawu hi mayelana na minsinya na swiletelo swoleswo, ku endlela ku sungula ku tirhisiwa ka endlele leri hlanganeke ra xifundzankulu ra vantshwa;
- (d) ku hlanganisa, ku fambisa no landzelerisa ku sungula ku tirhisiwa ka minsinya na swiletelo swoleswo tani hi mhaka ya xirhangana;
- (e) ku tirhisa magoza yo lulamisa ku kala ku ringanana ka minkarhi leyi hundzeke hi mayelana na tinxaka to hambana ta ntsandziso lowu wu nga xanisa Vantshwa ngopfu-ngopfu va mintlawu kumbe swiyenge swa karhi swa vanhu exikarhi ka Vantshwa;
- (f) ku tlakusa endlele ro fana hi swirho hinkwaswo swa mfumo, ku katsa na mimfumo ya swifundzankulu, eka timhaka leti ti yelanaka na kumbe ti khumbaka vantshwa;

- (g) ku hlayisa vutirhisani lebyi byi nga kusuhi na mavandla, mintlawwa kumbe vulawuri lebyi yelanaka na khomixini ku endlela ku undla matirhele ni maendlela lama ya fananaka ni ku yisa emahlweni ntirhisano.
- (h) ku hlanganisa migingiriko ya mavandla ya mfumo wa xifundzankulu yo hambana lama ya khumbekaka etimhak-
eni ta lavantshwa ni ku khomanisa migingiriko yaleyo eka
tirhele leri hlanganisiweke ra xifundzankulu ra vantshwa.
- (i) ku hlukisa swiringanyeto leswi swi yelanaka na timhaka
tihi na tihi tin'wana leti ti nga ha khumbaka vantshwa.

Mavumbiwele ya Khomixini

4. (1) Vuxirho bya khomixini byi vumbiwa hi swirho leswi swi nga riki henhla ka ntlhanu leswi swi hlawuriweke hi minhlangano ya lavantshwa ya laha ka Xifundzankulu xa N'walungu no thoriwa hi Holobyenkulu hi ku tsundzuxana na Huvonkulu.

(2) Swirho swa Khomixini leswi thoriwaka hi ku landza xiyengenyana xa (1) swi thoriwa hi ku ya hi minsinya leyi yi landzelaka, ku nga—

- (a) vuyimeri hi tlhelo ra rimbewu ni rixaka;
- (b) vuswikoti byo sungula na ku mpfampfarhuta tirhele ro
hlukisa ro angarhela ra vantshwa eka Xifundzankulu xa
N'walungu.
- (c) ku tinghenisa eka minongonoko yo hlukisa leyi yi
kongomisiweke eka swilaveko swa vuleteri, ku thoriwa,
mintlangu, swihungaso, kumbe mhaka yihi ni yihi yin'wana
leyi yi lavekaka eku hlukisiweni ka lavantshwa.

(3) Mutshami wa Xitulu u fanele ku fambisa tinhlangeletano hinkwato ta Khomixini loko Mutshami wa Xitulu a nga ri kona Xandla xa Mutshami wa Xitulu u fanele ku tirha mintirho leyi havexeriweke Mutshami wa Xitulu hi kumbe ehansi ka Nawu lowu kumbe nawu wihi ni wihi wun'wana.

Nkarhi wo khoma ntirho wa swirho swa Khomixini

5. (1) Swirho swa Khomixini swi khoma ntirho ku ringana nkarhi wa ntlhanu wa malembe: Ku ri leswaku Holobyenkulu a nga ha susa xirho xihi ni xihi entirhweni eka nkarhi wihi ni wihi endzaku ko tsundzuxana na khomixini loko, hi mavonele ya yena, ku ri ni swivangelo swo twala swo endla tano.

(2) Munhu wihi ni wihi loyi nkarhi wa yena wo khoma ntirho tani hi xirho xa Khomixini wu hela, anga ha thoriwa nakambe.

(3) Xirho xa Khomixini xi nga ha tshika ntirho hi xitiviso xo tsariwa xi yisiwa eka Holobyenkulu tin'hweti tinharhu xi nga si tshika ntirho.

"Komiti" ri vula komiki leyi yi rimekiweke eka xiyenge xa 6(2),

"Mfumo wa Milawu" swi vula Mfumo wa Milawu wu Xifundzankulu xa N'walungu;

"Mutshami wa Xitulu" ri vula Mutshami wa Xitulu wa Khomixini loyi a vekiweke hi ku landza xiyenge xa 4(3);

"Vantshwa" ri vula vanhu lava va nga xikarhi ka malembe ya 14 na 35 hi vukhale;

"Xandla xa Mutshami wa Xitulu" swi vula Xandla xa Mutshami wa Xitulu wa Khomixini loyi a vekiweke hi ku landza xiyenge xa 4(e);

"xirho" ri vula munhu loyi a vekiweke hi ku landza xiyenge xa 4(1),

Ku simekiwa na ntsindza wa Khomixini

2. (1) Ku simekiwa khomixini, leyi yi nga ta tiviwa tani hi khomixini ya Lavantshwa ya xifundzankulu xa N'walungu, yi nga ni matimba na timfanrelo leti yi haverisiweke kumbe yi nyikiweke tona hi kumbe eka Nawu lowu kumbe nawu wihi na wihi wun'wana.

(2) Ntsindza wa Khomixini wu vekiwa hi Holobyenkulu.

Swikongomelo swa Khomixini

3. Swikongomelo swa khomixini i—

- (a) ku hlanganisa no hluvukisa tirhele ra xifundzankulu ra lavantshwa, leri hlanganeke;
- (b) ku hluvukisa pulani ya xifundzankulu ya mahluvukisele ya vantshwa leyi yi hlanganeke leyi yi tirhisaka switirho ni vutshila leswi swi kumekaka ku endlela ku hluvukisa Lavantshwa;
- (c) ku hluvukisa minsinya ni swiletelo ni ku veka swibumabumelo eka Mfumo wa Milawu hi mayelana na minsinya na swiletelo swoleswo, ku endlela ku sungula ku tirhisiwa ka endlele leri hlanganeke ra xifundzankulu ra vantshwa;
- (d) ku hlanganisa, ku fambisa no landzelerisa ku sungula ku tirhisiwa ka minsinya na swiletelo swoleswo tani hi mhaka ya xirhangana;
- (e) ku tirhisa magoza yo lulamisa ku kala ku ringanana ka minkarhi leyi hundzeke hi mayelana na tinxaka to hambana ta ntsandziso lowu wu nga xanisa Vantshwa ngopfu-ngopfu va mintlawu kumbe swiye nge swa karhi swa vanhu exikarhi ka Vantshwa;
- (f) ku tlakusa endlele ro fana hi swirho hinkwaswo swa mfumo, ku katsa na mimfumo ya swifundzankulu, eka timhaka leti ti yelanaka na kumbe ti khumbaka vantshwa;

- (g) ku hlayisa vutirhisani lebyi byi nga kusuhi na mavandla, mintlawwa kumbe vulawuri lebyi yelanaka na khomixini ku endlela ku undla matirhele ni maendlela lama ya fananaka ni ku yisa emahlweni ntirhisano.
- (h) ku hlanganisa migingiriko ya mavandla ya mfumo wa xifundzankulu yo hambana lama ya khumbekaka etimhak-
eni ta lavantshwa ni ku khomanisa migingiriko yaleyo eka
tirhele leri hlanganisiweke ra xifundzankulu ra vantshwa.
- (i) ku hlukisa swiringanyeto leswi swi yelanaka na timhaka
tihi na tihi tin'wana leti ti nga ha khumbaka vantshwa.

Mavumbiwele ya Khomixini

4. (1) Vuxirho bya khomixini byi vumbiwa hi swirho leswi swi nga riki henhla ka ntlhanu leswi swi hlawuriweke hi minhlangano ya lavantshwa ya laha ka Xifundzankulu xa N'walungu no thoriwa hi Holobyenkulu hi ku tsundzuxana na Huvonkulu.

(2) Swirho swa Khomixini leswi thoriwaka hi ku landza xiyengenyana xa (1) swi thoriwa hi ku ya hi minsinya leyi yi landzelaka, ku nga—

- (a) vuyimeri hi tlhelo ra rimbewu ni rixaka;
- (b) vuswikoti byo sungula na ku mpfampfarhuta tirhele ro hlukisa ro angarhela ra vantshwa eka Xifundzankulu xa N'walungu.
- (c) ku tinghenisa eka minongonoko yo hlukisa leyi yi kongomisiweke eka swilaveko swa vuleteri, ku thoriwa, mintlangu, swihungaso, kumbe mhaka yihi ni yihi yin'wana leyi yi lavekaka eku hlukisiweni ka lavantshwa.

(3) Mutshami wa Xitulu u fanele ku fambisa tinhlangeletano hinkwato ta Khomixini loko Mutshami wa Xitulu a nga ri kona Xandla xa Mutshami wa Xitulu u fanele ku tirha mintirho leyi havexeriweke Mutshami wa Xitulu hi kumbe ehansi ka Nawu lowu kumbe nawu wihi ni wihi wun'wana.

Nkarhi wo khoma ntirho wa swirho swa Khomixini

5. (1) Swirho swa Khomixini swi khoma ntirho ku ringana nkarhi wa ntlhanu wa malembe: Ku ri leswaku Holobyenkulu a nga ha susa xirho xihi ni xihi entirhweni eka nkarhi wihi ni wihi endzaku ko tsundzuxana na khomixini loko, hi mavonele ya yena, ku ri ni swivangelo swo twala swo endla tano.

(2) Munhu wihi ni wihi loyi nkarhi wa yena wo khoma ntirho tani hi xirho xa Khomixini wu hela, anga ha thoriwa nakambe.

(3) Xirho xa Khomixini xi nga ha tshika ntirho hi xitiviso xo tsariwa xi yisiwa eka Holobyenkulu tin'hwetitinharu xi nga si tshika ntirho.

Tikomiti ta Khomixini

6. (1) Khomixini yi simeka mintlawwa ya ntirho wa mpulani lowu wu vumbiwaka hi xirho xin'we kumbe ku tlula swa Khomixini leswi swi vekiweke hi Khomixini naswona, loko swi fanela, munhu un'wana un'we kumbe vanhu van'wana lava Khomixini yi nga ha va tholelaka xikongomelo xolexo naswona swa nkarhi lowu wu nga ha bohiwaka hi yona, ku tiyisisa ku sungula ku tirhisiwa ka tirhele ra xifundzankulu ra lavantshwa.

(2) Ku tlhandlekela kwalaho, Khomixini yi nga ha simeka komiti yin'we kumbe ku tlula leti ti vumbiwaka hi xirho xin'we kumbe ku tlula swa khomixini leswi swi vekiweke hi Khomixini hi xikongomelo xo karhi naswona swa nkarhi lowu wu nga ha bohiwaka hi yona.

(3) Khomixini yi nga ha engetela nkarhi wa ku tirha lowu wu endliweke hi yona eka xinyengenyana xa (1) kumbe xa (2) kumbe ku tlherisela endzhaku ku thoriwa kwihi ni kwihi kwaloko eka nkarhi lo wu languteriwa-ka eka xiyengenyana.

(4) Khomixini yi veka munhu ku va mutshami wa xitulu kutani, loko yi vona swi fanerile, museketeri wa mutshami wa xitulu, wa komiti ya ntirho ya vupulani na va komiti yin'wana ni yin'wana.

(5) Komiti, hi ku landza swiletelo swa Khomixini, yi tirha mintirho yaleyo ya Khomixini tani hilaha Khomixini yi nga ha yi nyikaka yona.

(6) Eku heteni ka mintirho leyi yi nyikiweke yona hi ku landza xiyengenyana xa (5), komiti yi tisa xiviko xo tsariwa xa yona eka Khomixini, laha eka nkarhi walowo komiti yi hangalakaka.

(7) Khomixini hi nkarhi wihi ni wihi yi nga ha hangalasa ntlawa wa ntirho wa vupulani kumbe komiti yihi ni yihi.

(8) Makungu ya xiyenge xa 10(1) ku fikela eka (5), laha swi tirhaka, ya tirha *mutatis mutandis* eka nhlengeletano ya ntlawa wa ntirho wa vupulani kumbe komiti naswona ku endlela xikongomelo xolexo leswi swi vuriwaka kwalaho swi kongomisiwa eka "Khomixini" swi tekiwa swi kongomisiwa eka ntlawa wa ntirho wa vupulani "kumbe" komiti; tani hilaha swi nga ha vaka xiswona, naswona leswi swi vuriwaka kwalaho swi vulaka "Holobyenkulu" swi tekiwa tani hiloko ku vuriwa "Khomixini".

Khomixini yi nga ha tihlanganisa na Holobyenkulu kumbe Mfumo wa Milawu

7. Khomixini eka nkarhi wihi ni wihi, yi nga ha tihlanganisa na hambi ku ri Holobyenkulu kumbe Mfumo wa Milawu hi mayelana na mhaka yihi na yihi leyi yi yelanaka na ku tirhisiwa ka matimba ya yona kumbe ku tirha timfanelo ta yona kumbe ku tirha mintirho ya yona.

Matimba, timfanelo na mintirho ya Khomixini

8. (1) Ku tlhandlekela eka timfanelo tihi na tihi tin'wana kumbe mintirho leyi yi nyikiweke kumbe yi vekiweke emavokweni ya yona hi Nawu lowu kumbe nawu wihi na wihi wun'wana—

(a) Khomixini—

- (i) yi hluvukisa no landzelerisa ku sungula ku tirhisiwa ka tirhele ra xifundzankulu ra lavantshwa
- (ii) yi ntlawahata ku ya hi swirhangana timhaka ta xifundzankulu ta lavantshwa no sungula minon-gonoko ya lavantshwa ku ya hi tirhele ra xifundzankulu ra lavantshwa.
- (iii) yi hlanganisa Mfumo wa Milawu na minhlangano ya lavantshwa ku katsa na vantshwa hi ku angarhela eka timhaka leti ti yelanaka na nhluvukiso wa lavantshwa.
- (iv) hi ku tsundzuxana na Mfumo wa Milawu yi ntlawahata maaviwele ya swihlovo ku ya hi swirhangana eka timhaka ta lavantshwa;
- (v) yi kambisisa swilaveko leswintshwa swa, ni swivandla ni mintlhontlho ya lavantshwa;
- (vi) yi hlayisa vutirhisani bya le kusuhi na mavandla man'wana, mintlawa kumbe vulawuri lebyi yelanaka na Khomixini ku endlela ku undla matirhele na maendlele lama fananaka ni ku yisa emahlweni ntirhisano hi mayelana na timhaka ta lavantshwa;
- (vii) yi yisa emahlweni kumbe ku endla leswaku ku yisiwa emahlweni tidyondzo toleto ti khumbaka timhaka ta lavantshwa tani hilaha swi nga ha kongomisiwaka eka yona hi Holobyenkulu naswona Khomixini, tani hi xiphemu xa xiviko xa yona lexi xi vuriwaka eka xiyenge xa 12(1), nakambe yi vika mbuyelo bya dyondzo yin'wana na yin'wana yoleyo xikan'we na swiringanyeto swoleswo hi mayelana na yona tani hilaha yi vonaka swi fanerile;
- (viii) yi nga si yisa tinhlamuselo tihi ni tihi eka Holobyenkulu, tani hilaha swi nga kotekaka, yi tsundzuxana na vanhu, mavandla, mintlawa kumbe minhlangano hinkwayo leyi khumbekaka, kutani eka xiviko xa yona lexi xi vuriwaka eka xiyenge xa 12(1), yi vula swisololo swihi ni swihi leswi swi boxiweke kumbe switsundzuxo leswi nyikiweke eka endlelo rolero ro tsundzuxana leri vuriwaka, kutani yi andlala swibumabumelo swa khomixini eka xona;

Ku suka eka Khomixini**9. (1) ku va ni xivandla eka Khomixini—**

- (a) loko ku hela nkarhi wo tirha wa xirho;
- (b) loko xirho xi lova;
- (c) loko xirho xi susiwa entirhweni ku ya hi swipimelo swa xiyenge xa 5(1); kumbe
- (d) loko ku tshika ntirho ka xirho, loku ku tisiweke hi ku landza xiyenge xa 5(3), swi sungula ku tirha.

(2) Xivandla eka Khomixini—

- (a) a xi kuceteli ku tirha ka makanelele kumbe swiboho swa khomixini; na
- (b) ku siviwa hi ku hatlisa tani hilaha swi kotekaka ku ya hi xiyenge xa 4, naswona xirho xihi ni xihi lexi xi vekiwaka tano, laha swi kotekaka, xi khoma ntirho xiphemu lexi xa ha saleke xa nkarhi wa loyi a n'wi rhangeleke.

Tinhlengeletano ta Khomixini

10. (1) Tinhlengeletano ta Khomixini ti khomiwa hi minkarhi ni le ka tindhawu leti ti bohiwaka hi Khomixini: Ku ri leswaku nhlengeletano yo sungula yi khomiwa hi nkarhi ni le ka ndhawu leyi yi bohiwaka hi Holobyenkulu: Nakambe ku ri leswaku Khomixini yi hlengedetana ka mune kumbe ku tlula lembe rin'wana ni rin'wana.

(2) Loko Mutshami wa Xitulu a xwile eka nhlengedetano ya Khomixini, Xandla xa mutshami wa xitulu u tirha tani hi mutshami wa xitulu, kutani loko havumbirhi Mutshami wa Xitulu na Xandla xa Mutshami wa Xitulu va xwile enhlengedetan'weni ya Khomixini, swirho leswi nga kona swi hlawula un'we exikarhi ka swona ku fambisa nhlengedetano.

(3) Khoramu ya nhlengedetano yihi ni yihi ya Komixini i vunyingi bya nhlayo hinkwayo ya swirho.

(4) Xiboho xa vunyingi bya swirho leswi nga kona enhlengedetan'weni ya Khomixini i xiboho xa Khomixini, kutani loko ku tshuka ku va ni ku ringanana ka tivhoti ehenhleni ka mhaka yihi ni yihi, xirho lexi xi fambisaka xi na vhoti yin'we yo tsema timhaka ku tlhandlekela eka vhoti ya xona ya ntolovelolo.

(5) Khomixini yi boha makanelele ya yona n'wini naswona yi hlayisa makanelele ya yona.

(6) Khomixini nkarhi ni nkarhi, hi xitiviso eka *Gazete ya Xifundzankulu*, yi tivisa vuxokoxoko bya makanelele lama yi ma boheke hi ku landza xiyengenyana xa (5).

Miholo ni tihakelelo ta swirho swa Khomixini na tikomiti

11. (1) Miholo, swengetelo na makungu man'wana na swipimelo swa hofisi na swipfuno swa ntirho swa swirho swa Khomixini swa nkarhi hinkwawo na swa nkarhinyana swi bohiwa hi Holobyenkulu hi ku tshundzu-xana na Mfumo wa Milawu.

(2) Xirho xa nkarhinyana xa Khomixini, eka nkarhi wihi ni wihi lowu eka wona xirho xolexo, hi mpfumelelo wa Khomixini, xi hetisisaka timfanelo na mintirho yo tlhandlekela, xi nga ha hakeriwa muholo walowo wo tlhandlekea tani hilaha swi nga ha bohiwaka hi Holobyenkulu hi ku tsundzuxana na xirho xa Huvonkulu lexi nga ni vutihlamuleri ni Timali na Tihakelelo.

(3) Mutshami wa Xitulu u fanele ku fambisa tinhlangeletano hinkwato ta Khomixini kasi loko Mutshami wa Xitulu a nga ri kona Museketeri wa Xitulu u fanele ku tirha mintirho leyi havaxeriweke Mutshami wa Xitulu hi kumbe ehansi ka Nawu lowu kumbe nawu wihi ni wihi wun'wana.

Swiviko

12. (1) Khomixini yi tisa xiviko eka Holobyenkulu kan'we kumbe ku tlula lembe rin'wana ni rin'wana ehenhleri ka migingiriko ya yona, kutani Holobyenkulu u endla leswaku xiviko xolexo xi andlariwa eka Mfumo wa Milawu wa Xifundzankulu hi ku hatlisa.

(2) Ku tlhandlekela ehenhla ka xiviko lexi languteriwaka eka xiyengenyana xa (1), Khomixini yi yisa hi kotara, kumbe nkarhi wihi ni wihi loko yi vona swi fanerile, swiviko eka Holobyenkulu swa leswi yi swi kumeke hi mayelana na mintirho ya yona na vulavisisi ku nga leyi yi tirhiweke kumbe ku endliwa hi yona naswona Holobyenkulu u andlala swiviko swo tano eka Mfumo wa Milawu.

Matsalani na vatirhi va Khomixini, timali na vutihlamuleri

13. (1) Holobyenkulu u, hi ku hatlisa tani hilaha swi kotekaka endzhaku ka ku thoriwa ka swirho swa Khomixini, hi ku tsundzuxana na Khomixini, thola matsalani wa Khomixini ku va mutirhelatiko loyi a nga ni vutihlamuleri wa Khomixini loyi—

(a) a vaka xirho xa *ex officio* xa Khomixini;

(b) hi ku tsundzuxana na Mulawuri-Jenerala na Xirho xa Huvonkulu lexi nga ni vutihlamuleri ni Timali na Tihakelelo na hi ku landza xiyengenyana xa (5), naswona eka xiyenge xa 14(1)(c) u thola vatirhi valavo tani hilaha swi nga ha lavekaka no twala ku n'wi pfuna ka ntirho lowu wu yelana-ka na ku tirha mintirho ya Khomixini;

(c) a nga ni vutihlamuleri bya mafambisele ya na vulawuri bya mafambisele ehenhla ka vatirhi lava thoriweke hi ku landza ndzimana ya (b), naswona hi swikongomelo swoleswo u na vutihlamuleri eka Khomixini.

- (j) endlele ro tirhana na swivilelo na swirilo swa swirho swa vatirhi ni mukhuva lowu hawona na nkarhi lowu kumbe nguva leyi eka yona na munhu loyi eka yena matsalwa mayelana ni swikombelo na vutihlanganisi bya swirho swoleswo swa vatirhi ya fanelaka ku yisiwa kona;
- (k) vuxirho kumbe swipimelo swa vuxirho eka nkwama wa phenxeni yo karhi ni minhlengo eka wona na timfanelo, swifundzho ni swiboho swa swirho swa vatirhi kumbe vahlayisiwa va vona hi tlhelo ra nkwama wa phenxeni yaleyo;
- (l) vuxirho kumbe swipimelo swa vuxirho eka xikimi xo pfuneta eka ta vutshunguri kumbe nhlango wo pfuneta eka ta vutshunguri ni mukhuva lowu hawona na swipimelo leswi haswona mali ya vuxirho ni timali tin'wana leti ti hakeriwaka kumbe ti kolotiwaka hi kumbe hi tlhelo ra swirho swa vatirhi kumbe vahlayisiwa va vona eka xikimi xo pfuneta eka ta vutshunguri kumbe eka nhlango wo pfuneta ta vutshunguri, ti nga ha kutsuriwaka emiholweni ya swirho swoleswo swa vatirhi no hakeriwa eka xikimi xo pfuneta eka ta vutshunguri xolexo kumbe nhlango wo pfuneta eka ta vutshunguri;
- (m) minhlengo eka ni timfanelo, swifundzho na swiboho swa swirho swa vatirhi kumbe vahlayisiwa va vona hi tlhelo ra xikimi xo pfuneta eka ta vutshunguri; xolexo kumbe nhlango wa pfuneta eka ta vutshunguri;
- (n) hi ku angarhela, mhaka yihi ni yihi leyi yi nga kanetaneki na Nawu lowu kumbe vumbiwa na swona leyi yi lavekaka hila-ha swi twalaka ku endlela malawuriwele ya swipimelo swa vutirhero bya swirho swa vatirhi.

(2) Xinawana xihi ni xihi eka xiyenge lexi lexi fambelanaka na tihakelelo ta tiko, xi endliwa hi ku tsundzuxana na Xirho xa Huvonkulu lexi nga ni vutihlamuleri eka Timali ni Tihakelelo.

Nhlokomhaka hi ku komisa ni ku sungula ku tirha

15. Nawu lowu wu vuriwa Nawu wa Khomixini ya Lavantshwa, 1997, naswona wu ta sungula ku tirha hi siku leri nga ta vekiwa hi Holobyenkulu hi xitivisanawu eka *Gazete ya Xifundzankulu*.

NDIVHADZO YA VUNDU

OFISI YA PREMIA

No. 5

4 Shundunthule 1998

Hu khou ðivhadzwa henefha uri Premia o tendela Mulayo u tevhelaho une wa khou anðadziwa uri u ðivhiwe nga vhothe:—

No. 7 wa 1997: Mulayo wa Khomishini ya Vhaswa, 1997.

MULAYO

Wa u itela u thomiwa, mbumbo, ndivho na mishumo ya Khomishini ya Vhaswa ya Vundu la Devhula, na u itela mafhungo a elanaho na zwenezwo

(Tshipiða tsha Tshiisimane tsho sainwaho nga Premia)
(Tsho ðivhadzwa kha nga La 24 Luhuhli 1998)

SAVHUNGA zwi zwa ndeme Tswikiso u vhumba lushaka luthihi lu re na mvelaphanda na u sa vha na khethekanyo nga mbeu, khethekanyo nga lukanda, lune khalwo Vhaswa vha Vundu la Devhula vha ðo tutuwedza vhuthihi na u pfumedzana kha Vundu, vha fhaða vhulwelahaya vhuswa na u bveledza mulalo, vhudziki na mvelele dza pfanelo dza vhathu;

NAHONE SAVHUNGA zwi zwa ndeme uri Vundu la Devhula li dzhie le ntha u shela mulenzhe ha Vhaswa na zwine vha kha ði ðo ita kha lushaka, nahone savhunga vhaswa Vunduni la Devhula vho vhumba tshipiða tshi re na nungo na vhufhaði kha mbalo yashu, na u newa khaedu ye itshi tshigwada tsha livhana na u bvela phaða na u livhanwa;

NAHONE SAVHUNGA zwi zwa ndeme u vhuedzedza u sa lingana ho fhiraho na u fhaða mbekanyamaitele ya Vhaswa ya Vundu yo livhaho kha u newa Vhaswa maanda na u vha tendela uri vha, kone u vhona vhukoni havho ho fhelelaho nga u kona u swikela lwo fhelelaho kha mishumo.

SA ZWENEZWO HU KHOU VHEWA MULAYO nga Vhusimamilayo ha Vunda la Devhula nga urali:—

Dziṭhandavhudzo

1. Kha uyu Mulayo nga nnda ha musu zwi re ngomu zwi tshi nga amba zwiṇwe—

“komiti” zwi amba komiti yo thomiwaho fhasi ha khethekanyo 6(2);

“Khomishini” zwi amba Khomishini ya Vhaswa ya Vundu la Devhula yo thomiwaho nga khethekanyo 2;

"Mufarisa Mudzulatshidulo" zwi amba Mufarisa Mudzulatshidulo wa Khomishini o khethwaho hu tshi tevhedzwa khethekanyo 4(3);

"Mudzulatshidulo" zwi amba Mudzulatshidulo wa Khomishini o khethwaho hu tshi tevhedzwa khethekanyo 4(3);

"muraḁo" zwi amba muthu o khethwaho hu tshi tevhedzwa khethekanyo 4(1), na

"Muswa" zwi amba muthu a re na miḁwaha i re vhukati ha 14 na 35;

"Vhusimamilayo" zwi amba vhusimamilayo ha Vundu ḁa Devhula.

U thomiwa na Dzulo ḁa Khomishini

2. (1) Afha hu khou thomiwa Khomishini, ine ya ḁo ḁihwa nga uri Khomishini ya Vhaswa ya Vundu ḁa Devhula, na maanḁa na mishumo ye ya hweswa kana u ḁewa fhasi ha uyu Mulayo kana Mulayo muḁwe ufho na ufho.

(2) Dzulo ḁa Khomishini ḁi ḁo tiwa nga Premia.

Ndivho dza Khomishini

3. Ndivho dza Khomishini dzi ḁo vha—

- (a) u ḁanganya na u bveledza phanḁa mbekanyamaitele yo ḁanganaho ya Vundu ya Vhaswa;
- (b) u bveledza pulane ya mvelaphanḁa ya vhaswa vha Vundu yo ḁanganelanaho na u shumisa zwiko zwi re hone na vhukoni ha mvelaphanḁa ya vhaswa;
- (c) u bveledza milayo na zwitevhedzi na u ita dzithemendelo kha vhusimamilayo malugana na iyo milayo na zwitevhedzi, u itela tshumiso ya mbekanyamaitele yo ḁanganaho ya Vhaswa ya Vundu;
- (d) U anḁanya, u sumbedza na u sedzulusa u shumiswa ha idzo mbekanyamaitele na idzo tsumba-nḁila sa zwithu zwa ndeme;
- (e) U shumisa maga a u vhuedzedza u sa lingana ho fhiraho zwi tshi elana na zwikonḁisi zwo fhambananaho zwe Vhaswa vha tambudzwa ngazwo nga u angaredza zwigwada zwo fhambanaho zwa vhathu vhukatini ha Vhaswa;
- (f) U bveledza maitele mathihi kha zwoḁhe zwiimiswa zwa muvhuso, hu tshi katelwa mivhuso ya mavundu, kha mafhungo a elanaho na kana a kwamaho Vhaswa;
- (g) U bveledza vhukwamani ha tsini na zwiimisiwa, zwivhili kana maanḁa a fanaho na Khomishini u itela u ḁuḁwedza mbekanyamaitele dzi fanaho na maiatele na u bveledza pfano;

- (h) U anganya zwiitwa zwo fhambanaho zwa mivhuso ya mavundu zwi dzhenelelaho kha mafhungo a vhaswa na u kwamanya izwo zwiitwa kha mbekanyamaitele yo timbanyiwaho ya Vundu;
- (i) U bveledza dzithemendelo dzi elanaho na mañwe mafhungo afhio na afhio ane a nga kwama vhaswa.

Mbumbo ya Komishini

4. (1) Khomishini i do vhumbwa nga Miraḁo i sa fhiriho miṭanu i bvaho kha mutevhe wa vhathu vho nangiawaho i bvaho kha madzangano a Vhaswa o fhambanaho kha Vundu la Devhula nahone miraḁo ya hone i do nangiwa nga Premia e na vhukwamani na Vhusimamilayo nahone vhavhili vha miraḁo yo nangiawaho ngauralo vha do vha miraḁo ya tshoṭhe nahone vha do hweswa maanda nga Premia a u vha Mudzulatshidulo na Mufarisa Mudzulatshidulo.

(2) Miraḁo ya Khomishini yo nangiawaho hu tshi tevhedzwa khethekanyothukhu (1) i do nangiwa hu tshi tevhedzwa mbekanyamaitele dzi tevhelaho—

- (a) vhuimeleli hu tshi tevhedzwa mbeu na lushaka;
- (b) vhukoni ha u thoma na u vhumba mbekanyamaitele-guṭe ya vhaswa kha Vundu la Devhula;
- (c) u didzhenisa kha ṭhoḁea malugana na vhugudisi, mishumo, mitambo, vhuḁimvumvusi kana mañwe mafhungo afhio na afhio a re a ndeme u itela mveledziso ya vhaswa;

(3) Mudzulatshidulo u do ranga phanda yoṭhe miṭangano ya Khomishini nahone arali Mudzulatshidulo a siho u do ita mishumo yo hweswaho Mudzulatshidulo nga uyu Mulayo kana muñwe mulayo ufhio na ufhio.

Tshifhinga tsha Ofisi tsha miraḁo ya Khomishini

5. (1) Miraḁo ya Khomishini i do vha ofisini lwa tshifhinga tsha miñwaha miṭanu: Tenda ha vha uri Premia a nga bvisa muraḁo ufhio na ufhio ofisini tshifhinga tshiñwe na tshiñwe nga murahu ha u kwamana na Khomishini arali uya muhumbulo wawe, hu na zwiitisi zwo teaho zwa u ita izwo.

(2) Muthu ufhio na ufhio we tshikhala yawe tsha ofisi sa muraḁo wa Khomishini tsha fhela, a nga tholwa hafhu.

(3) Muraḁo wa Khomishini a nga tsiruwa ofisini nga u ḁisedza ngivhadzo yo tou ñwaliwaho miñwedzi miraru phanda kha Premia.

Komiti ya Khomishini

6. (1) Khomishini i do thoma zwigwada zwi shumaho zwa vhupulani zwo vhumbwaho nga muraḁo muthihi kana minzhi ya Khomishini yo nangwaho nga Khomishini nahone arali zwi zwa ndeme, muthu muḁwe muthihi kana vhanzhi vhane Khomishini ya nga vha khetha u itela nahone lwa tshifhinga tsho tiwaho ngayo, u vhona u thomiwa ha mbekanyamaitele ya vhaswa ya Vundu.

(2) Hu tshi engedzwa, Khomishini i nga thoma Komiti nthihi kana nanzhi dzo vhumbiwaho nga muraḁo muthihi kana minzhi ya Khomishini, yo newa maanda nga Khomishini nahone arali zwi na ndeme, muthu muthihi kana vhanzhi u itela uyo muhumbulo nahone lwa tshifhinga tsho tiwaho ngayo.

(3) Khomishini i nga lapfisa tshifhinga tsha u tholwa tshe ya ita fhasi ha khethekanyo thukhu (1) kana (2) kana ya humisela murahu uho u tholwa vhuKatini ha tshifhinga tsho bulwaho kha khethekanyo thukhu.

(4) Khomishini i do hwesa maanda Mudzulatshidulo nahone arali i tshi vhona zwo tea, Mufarisa Mudzulatshidulo, u itela tshigwada tshi shumaho tsha vhupulani na u itela Komiti inwe na inwe.

(5) Komiti i do shuma iyo mishumo ya Khomishini sa zwine Khomishini ya do i laedzisa ngaho, hu tshi tevhedzwa ndaela dza Khomishini.

(6) Musi yo no fhedza mishumo ye ya laedzwa hu tshi tevhedzwa khethekanyo thukhu (5), komiti i do disedza muvhigo wo tou u nwalawaho nga ha zwenezwo kha Khomishini, nga murahu ha zwenezwo komiti i do fhalala.

(7) Khomishini i nga ri tshifhinga tshinwe na tshinwe fhaladza tshigwada tshi shumaho tsha vhupulani kana komiti ifhio na ifhio.

(8) Mbetshelo dza khethekanyo 10(1) u swika (5) dzi do shumiswa *mutatis mutandis*, kha mutangano wa tshigwada tshi shumaho tsha vhupulani kana komiti nahone u itela uyo muhumbulo mbambedzo kha "tshigwada tshi shumaho tsha vhupulani" kana "komiti" sa zwine zwa nga vhisa zwone, na mbambedzo henefho kha "Premia" zwi do dzhiwa sa mbambedzo kha "Khomishini".

Khomishini i nga kwama Premia kana Vhusimamilayo

7. Khomishini i nga kwama Premia kana Vhusimamilayo, tshifhinga tshinwe na tshinwe malugana na mafhungo afhio na afhio a elanaho na u shumisa maanda ayo kana u ita ndivhanele dzayo kana u bveledza mishumo yayo.

Maanqa, Pfanelo na Mishumo ya Khomishini

8. Kha nyengedzedzo ya pfanelo dzifhio na dzifhio kana mishumo ye ya newa kana u hweswa nga uyu Mulayo kana munwe mulayo ufhio na ufhio—

(a) Khomishini i do—

- (i) bveledza na u sedzulusa u thomiwa ha mbekanya-maitele ya vhaswa ya Vundu;
- (ii) rangisa phanda mafhungo a Vhaswa vha Vundu na u thoma mbekanyamushumo dza vhaswa zwi tshi elana na mbekanyamaitele ya Vhaswa vha Vundu.
- (iii) kwamanya Vhusimamilayo na madzangano a vhaswa na vhaswa nga u angaredza kha mafhungo a elanaho na mveledziso ya Vhaswa;
- (iv) ri i tshi kwamana na Vhusimamilayo ya dzhiela ntha nyavho ya zwiko kha mafhunga a vhaswa;
- (v) lavhelesa thodea ntswa dza, na zwivhuya na thuthuwedzo u itela vhaswa;
- (vi) tuthuwedza vhuthihi na zwiinwe zwiimiswa, zwivhili kana vhulaedzwa vhu fanaho na Khomishini u itela u tuthuwedza mbekanyamaitele dzi fanaho na nyito na u bveledza pfano malugana na mafhungo a vhaswa;
- (vii) bveledza kana u ita uri hu bveledzwe uho vhugudi vhu elanaho na mafhungo a vhaswa sa zwine zwa nga leadzwa nga Premia nahone Khomishini i do ri sa tshipida tsha Muvhigo wayo wo bulwaho kha khethekanyo 12 (1), khathihi na u vhiga nga ha mvelele dza vhugudi uho khathihi na idzo themendelo malugana na zwenezwo sa zwine ya vhona zwo tea;
- (viii) phanda ha musu i sa athu ita ndisedzo kha Premia, i tea u kwamana na vhathu vhothe vha re na dzangalelo nga u tsvhanya, mahoro, zwivhili kana zwiimiswa, nahone i do ri, kha muvhigo wayo wo laedzwaho kha khethekanyo 12(1), i do bula mihumbulo ifhio na ifhio kana ngeletshedzo yo newaho tshifhingani tsha nyito yo bulwaho ya u kwamana na u bvisela khagala mahumbulwa a Khomishini nga ha zwezwo.
- (ix) isa muvhigo wayo nga kotara mulugana na mishumo yayo kha Premia.

- (x) u bveledzwa na u shuma na—
 - (aa) mbekanyamushumo dza mafhungo; na
 - (bb) mbekanyamushumo dza pfunzo, u bveledza kupfesesele kwa vhathu kha mafhungo a kwamaho vhaswa na mishumo na nyito dza Khomishini;
 - (xi) lingula Mulayo ufhio na ufhio wa Vhusimamilayo kana muñwe mulayo ufhio na ufhio une wa khou shuma mathomoni a uyu Mulayo kana mulayo ufhio na ufhio we wa humbulwa nga Vhusimamilayo kana vhuñwe Vhusimamilayo vhufhio na vhufhio nga murahu ha u thoma ha uyu Mulayo vhu kwamaho kana vhune ha nga kwama u thomiwa ha mbekanyamaitele ya vhaswa yo tangelaho na u ita themendelo kha Vhusimamilayo.
 - (xii) themendela kha Vhusimamilayo u tangedza mulayo muswa une wa do tutuwedza u thomiwa ha mbekanyamaitele ya Vundu ya Vhaswa;
 - (xiii) lugisa na u anadza mivhigo kha Vhusimamilayo maelana na ndivho dza Khomishini;
 - (xiv) u kwanana na u ambedzana na dzangano linwe na linwe line la bveledza mafhungo a vhaswa na dziñwe tshumelo dza vhadzulapo kha u bveledza ndivho dza Khomishini;
 - (xv) fara mitangano vhukati ha vhalanguli vha mavundu na ofisi dzi re kha Vhudu la Devhula malugana na zwithu zwi elanaho na vhaswa; na
 - (xvi) sedzulusa idzo themendelo, muhumbulo na dzikhumbelo dzi elanaho na mafhungo a kwamaho vhaswa sa zwine ya nga a wana a tshi bva kha tshiko tshifhio na tshifhio;
- (b) Khomishini i nga—
- (i) ita kana u itisa uri hu itwe tsenguluso ine ya vhona;
 - (ii) sedza idzo themendelo, mihumbulo na dzikhumbelo dzi elanaho na mafhungo a vhaswa sa zwine ya nga zwi wana u bva kha zwiñwe zwiko;
 - (iii) u ita kana u itisa uri hu itwe tsedzuluso sa zwine ya vhona zwo tea kha u swikela ndivho dzayo.

(2) Khomishini i nga, u itela u bveledza pfanelo dzayo na u shuma mishumo yayo yo laedzwaho kha khethhekanyo thukhu (1) ita themendelo malugana na—

- (a) u qidzhenisa ha yothe mihasho ya muvhuso nga u fhira nga kha zwiimiswa kana ofisi dzo hweswaho maanda nga muvhuso wa Vundu, na yothe mihasho ya Vundu na vhuwe vhulaedzwa;
- (b) mvelaphanda ya mbekanyamaitele yo livhaho kha u qidzhenisa huvhuya ha vhaswa kha u fhatulula lushaka lwa Vundu;
- (c) u pfesesana na u shumisana vhukatini ha zwiimiswa zwo fhambanaho zwi shumaho na mafhungo a kwamanaho na zwa vhaswa;
- (d) ndila dza ndaulo dzi bveledzaho nyanano na tshumisano vhukati ha vhashelamulenzhe zwo livhiswa kha vhupulani ho tangelanaho vhukatini ha zwiimiswa kha mafhungo a kwamaho vhaswa;
- (e) mbekanyamaitele malugana na—
 - (i) vhuthihi na u lingana u ya nga mbeu;
 - (ii) mbetshelo dza zwiko zwi edanaho u ya nga mbeu; na
 - (iii) muhumbulo wa ndingano nga mbeu kha ndaulo na zwiwe zwivhili.

(3) Mihasho yothe ya muvhuso i qo netshedza Khomishini thuso yothe sa zwine zwa nga todea u itela u shumisa maanda ayo lwa mbuelo, u ita pfanelo dzayo na u shuma mishumo yayo.

Tshikhala kha Khomishini

9. (1) Tshikhala kha Khomishini tshi vha hone—

- (a) musitheme ya ofisi ya murafo ya fhela;
- (b) musimurafo o lovha;
- (c) musimurafo o bviswa ofisini hu tshi tevhedzwa mbetshelo dza khethhekanyo 5(1); kana
- (d) musiu redzhisitara ha murafo, ho swikiswa malugana na khethhekanyo 5(3), hu tshi shuma.

(2) Tshikhala kha Khomishini tshi qo—

- (a) sa kwama u vha hone ha zwiitwa kana mihumbulo ya Khomishini; na
- (b) dadzwa nga u tsvhanya nga hune zwa konea hu tshi yiwa nga khethhekanyo 4, nahone murafo ufho na ufho o hweswaho maanda u qo fara ofisi lwa tshipida tsha tshifhinga tsho salaho tsha muthu ane a khou mu isela phanda nga tshikhala tsha ofisi, hune zwa konea.

Mitangano ya Khomishini

10. (1) Mitangano ya Khomishini i do farwa fhethu na tshifhinga tsho tiwaho nga Khomishini: Tenda ha vha uri mutangano wa u thoma u do farwa fhethu na nga tshifhinga tsho tiwaho nga Premia: Tenda hafhu hu uri Khomishini i do tangana luṅa nga ṛwaha muṛwe na muṛwe.

(2) Arali Mudzulatshidulo a siho mutanganoni wa Khomishini: Mufarisa Mudzulatshidulo u do shuma sa Mudzulatshidulo, kana arali vhoṭhe vha siho mutanganoni wa Khomishini, mirado i re hone i do nanga muthihi vhukati havho a ranga phanda mutangano.

(3) Khoramu ya mutangano wa Khomishini i do vha vhunzhi ha mbalo ya mirado.

(4) Muhumbulo wa vhunzhi ha mirado i re hone mutanganoni wa Khomishinari u do vha muhumbulo wa Khomishini nahone musu hu tshi vha na u edana ha dzivouti zwi tshi ya kha mufhungo afhio na afhio, murado ane a khou ranga phanda mutangano u do vha na voutu ya makhaulakhani hu tshi engedzwa kha voutu ya u diimisela yawe.

(5) Khomishini i do ta matshimbidzele ayo na u vhulunga maambiwa ayo na matshimbidzele ayo.

(6) Khomishini i do divhadza tshifhinga tshiṛwe na tshiṛwe nga ndivhadzo kha *Gazete ya Vundu* zwidodombedzwa zwayo malugana na matshimbidzele zwe ya ta hu tshi tevhedzwa khethekanyoṭhuku (5).

Malamba na Zwibviswa zwa Mirado ya Khomishini na Dzikomiti

11. (1) Malamba, magavhelo na zwiṛwe zwiteṛwa na maimela a ofisi na mbuelo dza tshumelo ya mirado i shumaho lwa tshoṭhe na lwa tshifhinganana ya Khomishini zwi do tiwa nga Premia a na Vhusimamilayo.

(2) Murado wa tshifhinganana wa Khomishini a nga, lwa tshifhinga tshiṛwe na tshiṛwe tshine uyo Murado, hu na thendelo ya Khomishini, a ita mishumo-nyengedzedzo na pfanelo, u do badelwa ayo malamba a nyengedzedzo sa zwine zwa nga tiwa nga Premia a na vhukwamani na Marudo wa Khorotshitumbe a re na vhuḍifhinduleli na Zwa Gwama na Zwibviswa.

(3) Murado ufho na ufho wa Komiti ane a si vhe kha tshumelo lwa tshoṭhe ya muvhuso kana Vundu la Devhula, a nga badelwa ayo Malamba sa zwine Premia a nga ta e na vhukwamani na Murado wa Khorotshitumbe a re na vhuḍifhinduleli na Zwa Gwama na Zwibviswa.

(4) Malamba afhio na afhio, magavhelo kana dziṛwe ṅila na maimela a ofisi na mbuelo dza tshumelo dza mirado ya Khomishini na idzo dza dzikomiti zwi do vha huthihi na idzo dza Khomishini ya Lushaka na dzikomiti na idzo dza ayo maṛwe mavundu.

Mivhigo

12. (1) Khomishini i do disa muvhigo wayo kha Premia nga kotara kana nga tshinwevho tshifhinga tshine ya vhona tsho tea nga ha mawanwa ayo malugana na mishumo yayo na tsenguluso dze dza itwa ngayo nahone Premia u do vhea tfulani iyo mivhigo nga u tsvhanya ya vhusimamilayo.

(2) Malugana na nyengedzedzo ya muvhigo wo laedzwaho kha khethekanyothuku (1) Khomishini i do disa muvhigo wa mawanwa nga kotara kha Premia malugana na mishumo na thodisiso dze dza itwa ngayo tshifhinga tsha kotara: Tenda ha vha uri Khomishini tshifhinga tshinwe na tshinwe, ya disa muvhigo kha Premia arali i tshi vhona zwo tea.

Munwaleli na Tshitafu tsha Khomishini, Gwama na vhudifhinduleli

13. (1) Premia u do ri nga u tsvhanya nga murahu ha musu ho no tholwa mirado ya Khomishini, hu na vhwamani na Khomishini, thola munwaleli wa Khomishini sa Muofisiri wa mbalelano a nga shumisa maanda na u do ita pfanelo na mishumo ine Khomishini i nga hweswa tshifhinga tshinwe na tshinwe kana u mu nea u itela u bveledza ndivho dza Khomishini, nahone u itela uyo muhumbulo u do vha na vhudifhinduleli kha Khomishini.

(2) Rekodo dzo laedzwaho kha khethekanyothuku (1)(d)(ii) dzi do tolwa nga Mutolamuvhalelana Muhulwane.

(3) U badelwa ha zwibviswa malugana na mafhungo o vhetshelwaho u itela uyu Mulayo a do ri hu tshi tevhezwa—

- (i) vha na vhudifhinduleli ha mbalelano dza tshede dzothe dzo tangedzwaho kana dzo badelwaho kana zwi tshi khou itelwa Khomishini.
- (ii) itisa uri rekodo dza mbalelano na dzinwe-vho dzi vhwangwe; zwine Khomishini ya nga ta zwi tshi elana na ndaulo dzo itwaho fhasi ha khethekanyo 14.

(4) Munwaleli wa Khomishini u do nangiwa nga kha ayo mamele nahone u do wana ayo malamba, magavhelo na mbuelo dza tshumelo sa zwine khomishini ya nga ta zwi tshi elana na ndaulo dzo itwaho fhasi ha khethekanyo 14.

(5) Tshinwe tshitafu tsha Khomishini tshi do nangiwa nga kha idzo theme na mamele nahone tshi do wana ayo malamba, magavhelo na dzinwe mbuelo dza tshumelo sa zwine Premia a nga ta zwi tshi elana na ndaulo dzo itwaho fhasi ha khethekanyo 14.

(6) Khomishini i nga, hu na vhwamani na Mulanguli Muhulwane nga u shumisa maanda ayo kana a u ita pfanelo yayo na dze dza itelwa khonthiraka u itela tshumelo dza vathu vha re na ndivho ya sipeshala kana ya thekeniki ya mafhungo afho na afho a elanaho na mushumo wa Khomishini nahone hu na nyandano na murado wa Khorotshitumbe a re na vhudifhinduleli ha Gwama na Zwibviswa, u ta malamba, hu tshi katelwa na ya dzinyendo, thusedzo na zwinwe zwibviswa zwa uyo muthu.

Dzindaulo

14. (1) Premia a nga ita ndaulo dzi elanaho na mafhungo a tevhela-ho malugana na tshiṭafu tsha Khomishini, nga murahu musu Mulangi Muhulwane o no ita dzithemendelo nahone nga murahu ha u kwamana na Khomishini ya Tshumelo dza Vhathu:

- (a) Khumbelo yo ṭangedzwaho *mutatis mutandis* nga ṅila ye zwa randelwa u itela nyito ya mbekwanyagwama ya mihasho ya muvhuso; na
- (b) mbetshelo dza Mulayo wa Mulangagwama wa Transivala Devhula, 1994 na ndaulo na ndaela dzo bviswaho hu tshi tevhedzwa zwenezwo, khathihi na Mulayo wa Muṭolamuvhalelano Muhulwane, 1989 (Mulayo No. 52 wa 1989).

(4) Muṅwaleli wa Khomishini u ḡo nangiwa nga kha idzo theme na maimele nahone u ḡo wana ayo malamba, magavhelo na dziṅwe mbuelo dza tshumelo sa Muhulwane wa Khomishini ane—

- (a) a ḡo vha muraḡo *ex officio* wa Khomishini;
- (b) a ḡo, hu na vhukwamani na Mulanguli Muhulwane na muraḡo wa Khorotshitumbe a re na vhuḡifhinduleli na Zwa Gwama na Zwibviswa nahone hu tshi tevhedzwa khethekanyoṭhukhu (5) na khethekanyo 14(1)(c) sa zwine zwa nga vha na ndeme kha u mu thusa nga mushumo u elanaho na u shumiwa nga Khomishini kha mishumo yayo;
- (c) a ḡo vha na vhuḡifhinduleli ha ndango na ndaulo kha tshiṭafu tsho tholwaho hu tshi tevhedzwa phara (b), nahone u ḡo ri a tshi itela zwenezwo a vha na vhuḡifhinduleli kha Khomishini;
- (d) a ḡo, hu tshi tevhedzwa Mulayo wa Mulangagwama wa Transivala Devula, 1994 (Mulayo No. 3 wa 1994)—
 - (a) (i) Khethekanyo dzo fhambanaho dza miholo na zwikalo zwa miholo zwine zwa ḡo shuma kha khethekanyo dzo fhambanaho dza miraḡo ya tshiṭafu;
 - (ii) ṭhoḡea dza u tholwa na u tholwa, u sudzuluswa, u pandelwa mushumoni na maga a vhuḡifari;
 - (iii) thendelo ya ndalukano dzo teaho na tshenzhemo u itela u tiwa ha miholo;
 - (iv) matshimbidzele na maitele a na ṅila ya u itela u sudzuluswa;

- (b) Maanda pfanelo, mikhwa vhuḁifari, iri dza mushumo na livi ya u sa vha hone mushumoni, hu tshi katelwa na mbadelo ya maḁuvha a livi musi muthu a tshi litsha mushumo (livi girathuwithi) na maḁwe maimela a tshumelo;
- (c) u sikwa ha zwikhala kha tshumelo ya Khomishini;
- (d) u gudiswa ha tshiḁafu, hu tshi katelwa na thuso ya masheleleni u itela uho vhuḁudisi;
- (e) ḁila ine tshiḁafu tsha tea u ḁifara ngayo;
- (f) mbetshelo ya zwiendedzi zwa tshiofisi;
- (g) maimela na ḁila ine malamba a ovathaimi na dzinyendo, thusedzo, kilima, na maḁwe magavhelo a ḁo badeliswa ngayo;
- (h) vhuḁifhinduleli lwa mulayo kha muraḁo ufho na u fho ho itwaho hu tshi tevhezwa uyu Mulayo kana muḁwe mulayo ufho na ufho na vhuḁifhinduleli lwa mulayo zwo thoma kha u shumisa ha tshiendi tsha ofisi;
- (i) maimela ane na madzulele na ḁila ine muraḁo wa tshiḁafu a nga wanwa e na mulandu wa u sa ḁifara, kana u bvela phanda na mutakalo u si wavhuḁi, kana u balelwa u ita mishumo yawe ya ofisi lu fushaho;
- (j) maitele a u shumana na dzimbilalelo na zwililo zwa miraḁo ya tshiḁafu na ḁila ine na tshifhinga tshine kana tshikala tshine khatsho na muthu ane a ḁo ḁisedzwa maḁwalo malugana na khumbelo na vhuḁavhidzani ha iyo miraḁo ya tshiḁafu;
- (k) U vha muraḁo kana maimela a u vha muraḁo wa tshiḁwe tshikwama tsha phensheni, na thusedzo kha na ndugelo, vhuḁalu na pfanelo dza miraḁo ya tshiḁafu kana vhaundwa vhavho malugana na itsho tshikwama tsha phensheni.
- (l) U vha muraḁo kana maimela a u vha muraḁo wa tshiḁwe tshikimu tsha thuso ya zwa mishonga na ḁila ine na maimela a mbadelo dza miraḁo na dziḁwe tshede dzine dza badelwa kana u kolodwa nga kana malugana na miraḁo ya tshiḁafu kana vhaundwa vhavho, kha tshikimu tsha thusedzo ya mishonga kana sosaithi ya thusedzo ya mishonga, zwi nga bviswa kha muholo wa iyo miraḁo ya tshiḁafu ya badelwa kha itsho tshikimu tsha thusedzo ya mishonga kana sosaithi ya thusedzo ya mishonga;
- (m) Thusedzo kha na ndugelo, vhuḁalu na pfanelo dza miraḁo ya tshiḁafu kana vhaundwa vhavho zwi tshi elana na itsho tshikimu tsha thusedzo ya mishonga kana sosaithi ya thusedzo ya mishonga;

Dzindaulo

14. (1) Premia a nga ita ndaulo dzi elanaho na mafhungo a tevhela-ho malugana na tshiṭafu tsha Khomishini, nga murahu musi Mulangi Muhulwane o no ita dzithemendelo nahone nga murahu ha u kwamana na Khomishini ya Tshumelo dza Vhathu:

- (a) Khumbelo yo ṭanganedzwaho *mutatis mutandis* nga ndila ye zwa randelwa u itela nyito ya mbekwanyagwama ya mihasho ya muvhuso; na
- (b) mbetshelo dza Mulayo wa Mulangagwama wa Transivala Devhula, 1994 na ndaulo na ndaela dzo bviswaho hu tshi tevhedzwa zwenezwo, khathihi na Mulayo wa Muṭolamuvhalelano Muhulwane, 1989 (Mulayo No. 52 wa 1989).

(4) Muṛwaleli wa Khomishini u ḡo nangiwa nga kha idzo theme na maimele nahone u ḡo wana ayo malamba, magavhelo na dziṛwe mbuelo dza tshumelo sa Muhulwane wa Khomishini ane—

- (a) a ḡo vha muraḡo *ex officio* wa Khomishini;
- (b) a ḡo, hu na vhukwamani na Mulanguli Muhulwane na muraḡo wa Khorotshitumbe a re na vhuḡifhinduleli na Zwa Gwama na Zwibviswa nahone hu tshi tevhedzwa khethekanyoṭhukhu (5) na khethekanyo 14(1)(c) sa zwine zwa nga vha na ndeme kha u mu thusa nga mushumo u elanaho na u shumiwa nga Khomishini kha mishumo yayo;
- (c) a ḡo vha na vhuḡifhinduleli ha ndango na ndaulo kha tshiṭafu tsho tholwaho hu tshi tevhedzwa phara (b), nahone u ḡo ri a tshi itela zwenezwo a vha na vhuḡifhinduleli kha Khomishini;
- (d) a ḡo, hu tshi tevhedzwa Mulayo wa Mulangagwama wa Transivala Devula, 1994 (Mulayo No. 3 wa 1994)—
 - (a) (i) Khethekanyo dzo fhambanaho dza miholo na zwikalo zwa miholo zwine zwa ḡo shuma kha khethekanyo dzo fhambanaho dza miraḡo ya tshiṭafu;
 - (ii) ṭhoḡea dza u tholwa na u tholwa, u sudzuluswa, u pandelwa mushumoni na maga a vhuḡifari;
 - (iii) thendelo ya ndalukano dzo teaho na tshenzhemo u itela u tiwa ha miholo;
 - (iv) matshimbidzele na maitele a na ndila ya u itela u sudzuluswa;

- (b) Maanda pfanelo, mikhwa vhuḁifari, iri dza mushumo na livi ya u sa vha hone mushumoni, hu tshi katelwa na mbadelo ya maḁuvha a livi musi muthu a tshi litsha mushumo (livi girathuwithi) na maḁwe maimela a tshumelo;
- (c) u sikwa ha zwikhala kha tshumelo ya Khomishini;
- (d) u gudiswa ha tshiḁafu, hu tshi katelwa na thuso ya masheleleni u itela uho vhuḁudisi;
- (e) ndila ine tshiḁafu tsha tea u ḁifara ngayo;
- (f) mbetshelo ya zwiendedzi zwa tshiofisi;
- (g) maimela na ndila ine malamba a ovathaimi na dzinyendo, thusedzo, kilima, na maḁwe magavhelo a ḁo badeliswa ngayo;
- (h) vhuḁifhinduleli lwa mulayo kha muraḁo ufho na u fho ho itwaho hu tshi tevhedzwa uyu Mulayo kana muḁwe mulayo ufho na ufho na vhuḁifhinduleli lwa mulayo zwo thoma kha u shumisa ha tshiendi tsha ofisi;
- (i) maimela ane na madzulele na ndila ine muraḁo wa tshiḁafu a nga wanwa e na mulandu wa u sa ḁifara, kana u bvela phanda na mutakalo u si wavhuḁi, kana u balelwa u ita mishumo yawe ya ofisi lu fushaho;
- (j) maitele a u shumana na dzimbalahelo na zwililo zwa miraḁo ya tshiḁafu na ndila ine na tshifhinga tshine kana tshikala tshine khatsho na muthu ane a ḁo ḁisedzwa maḁwalo malugana na khumbelo na vhuḁavhidzani ha iyo miraḁo ya tshiḁafu;
- (k) U vha muraḁo kana maimela a u vha muraḁo wa tshiḁwe tshikwama tsha phensheni, na thusedzo kha na ndugelo, vhuḁalu na pfanelo dza miraḁo ya tshiḁafu kana vhaundwa vhavho malugana na itsho tshikwama tsha phensheni.
- (l) U vha muraḁo kana maimela a u vha muraḁo wa tshiḁwe tshikimu tsha thuso ya zwa mishonga na ndila ine na maimela a mbadelo dza miraḁo na dziḁwe tshedele dzine dza badelwa kana u kolodwa nga kana malugana na miraḁo ya tshiḁafu kana vhaundwa vhavho, kha tshikimu tsha thusedzo ya mishonga kana sosaithi ya thusedzo ya mishonga, zwi nga bviswa kha muholo wa iyo miraḁo ya tshiḁafu ya badelwa kha itsho tshikimu tsha thusedzo ya mishonga kana sosaithi ya thusedzo ya mishonga;
- (m) Thusedzo kha na ndugelo, vhuḁalu na pfanelo dza miraḁo ya tshiḁafu kana vhaundwa vhavho zwi tshi elana na itsho tshikimu tsha thusedzo ya mishonga kana sosaithi ya thusedzo ya mishonga;

Dzindaulo

14. (1) Premia a nga ita ndaulo dzi elanaho na mafhungo a tevhela-ho malugana na tshiṭafu tsha Khomishini, nga murahu musu Mulangi Muhulwane o no ita dzithemendelo nahone nga murahu ha u kwamana na Khomishini ya Tshumelo dza Vhathu:

- (a) Khumbelo yo ṭanganedzwaho *mutatis mutandis* nga ndila ye zwa randelwa u itela nyito ya mbekwanyagwama ya mihasho ya muvhuso; na
- (b) mbetshelo dza Mulayo wa Mulangagwama wa Transivala Devhula, 1994 na ndaulo na ndaela dzo bviswaho hu tshi tevhedzwa zwenezwo, khathihi na Mulayo wa Muṭolamuvhalelano Muhulwane, 1989 (Mulayo No. 52 wa 1989).

(4) Muṅwaleli wa Khomishini u ḡo nangiwa nga kha idzo theme na maimbele nahone u ḡo wana ayo malamba, magavhelo na dziṅwe mbuelo dza tshumelo sa Muhulwane wa Khomishini ane—

- (a) a ḡo vha muraḡo *ex officio* wa Khomishini;
- (b) a ḡo, hu na vhukwamani na Mulanguli Muhulwane na muraḡo wa Khorotshitumbe a re na vhuḡifhinduleli na Zwa Gwama na Zwibviswa nahone hu tshi tevhedzwa khethekanyoṭhukhu (5) na khethekanyo 14(1)(c) sa zwine zwa nga vha na ndeme kha u mu thusa nga mushumo u elanaho na u shumiwa nga Khomishini kha mishumo yayo;
- (c) a ḡo vha na vhuḡifhinduleli ha ndango na ndaulo kha tshiṭafu tsho tholwaho hu tshi tevhedzwa phara (b), nahone u ḡo ri a tshi itela zwenezwo a vha na vhuḡifhinduleli kha Khomishini;
- (d) a ḡo, hu tshi tevhedzwa Mulayo wa Mulangagwama wa Transivala Devula, 1994 (Mulayo No. 3 wa 1994)—
 - (a) (i) Khethekanyo dzo fhambanaho dza miholo na zwikalo zwa miholo zwine zwa ḡo shuma kha khethekanyo dzo fhambanaho dza miraḡo ya tshiṭafu;
 - (ii) ṭhōḡea dza u tholwa na u tholwa, u sudzuluswa, u pandelwa mushumoni na maga a vhuḡifari;
 - (iii) thendelo ya ndalukano dzo teaho na tshenzhemo u itela u tiwa ha miholo;
 - (iv) matshimbidzele na maitete a na ndila ya u itela u sudzuluswa;

- (b) Maanda pfanelo, mikhwa vhuḡifari, iri dza mushumo na livi ya u sa vha hone mushumoni, hu tshi katelwa na mbadelo ya maḡuvha a livi musi muthu a tshi litsha mushumo (livi girathuwithi) na maḡwe maimela a tshumelo;
- (c) u sikwa ha zwikhala kha tshumelo ya Khomishini;
- (d) u gudiswa ha tshiḡafu, hu tshi katelwa na thuso ya masheleleni u itela uho vhugudisi;
- (e) ndila ine tshiḡafu tsha tea u ḡifara ngayo;
- (f) mbetshelo ya zwiendedzi zwa tshiofisi;
- (g) maimela na ndila ine malamba a ovathaimi na dzinyendo, thusedzo, kilima, na maḡwe magavhelo a ḡo badeliswa ngayo;
- (h) vhuḡifhinduleli lwa mulayo kha muraḡo ufho na u fhio ho itwaho hu tshi tevhedzwa uyu Mulayo kana muḡwe mulayo ufho na ufho na vhuḡifhinduleli lwa mulayo zwo thoma kha u shumisa ha tshiendi tsha ofisi;
- (i) maimela ane na madzulele na ndila ine muraḡo wa tshiḡafu a nga wanwa e na mulandu wa u sa ḡifara, kana u bveta phanda na mutakalo u si wavhuḡi, kana u balelwa u ita mishumo yawe ya ofisi lu fushaho;
- (j) maitele a u shumana na dzimilahelo na zwililo zwa miraḡo ya tshiḡafu na ndila ine na tshifhinga tshine kana tshikala tshine khatsho na muthu ane a ḡo ḡisedzwa maḡwalo malugana na khumbelo na vhudavhidzani ha iyo miraḡo ya tshiḡafu;
- (k) U vha muraḡo kana maimela a u vha muraḡo wa tshiḡwe tshikwama tsha phensheni, na thusedzo kha na ndugelo, vhuḡalu na pfanelo dza miraḡo ya tshiḡafu kana vhaundwa vhavho malugana na itsho tshikwama tsha phensheni.
- (l) U vha muraḡo kana maimela a u vha muraḡo wa tshiḡwe tshikimu tsha thuso ya zwa mishonga na ndila ine na maimela a mbadelo dza miraḡo na dziḡwe tshede dzine dza badelwa kana u kolodwa nga kana malugana na miraḡo ya tshiḡafu kana vhaundwa vhavho, kha tshikimu tsha thusedzo ya mishonga kana sosaiti ya thusedzo ya mishonga, zwi nga bviswa kha muholo wa iyo miraḡo ya tshiḡafu ya badelwa kha itsho tshikimu tsha thusedzo ya mishonga kana sosaiti ya thusedzo ya mishonga;
- (m) Thusedzo kha na ndugelo, vhuḡalu na pfanelo dza miraḡo ya tshiḡafu kana vhaundwa vhavho zwi tshi elana na itsho tshikimu tsha thusedzo ya mishonga kana sosaiti ya thusedzo ya mishonga;

(n) Nga u angaredza, mafhungo afhio na afhio a si na khudano na uyu Mulayo kana Mulayotewa nahone zwi re zwa ndeme u itela ndaulo dza theme na maimele a tshumelo ya mirado ya tshifafu.

(2) Ndaulo ifhio na ifhio fhasi ha iyi khethekanyo i elanaho na zwibviswa zwa muvhuso, i do itwa hu na vhukwamani na Murado wa Khorotshitumbe a re na vhudifhinduleli ha Gwama na Zwibviswa.

Dzina Lipfufhi na Mathomo

15. Uyu Mulayo u do vhidzwa u pfi Mulayo wa Khomishini ya Vhaswa, 1997, nahone u do thoma u shuma nga duvha lo vhwaho nga Mupremia nga mulevho kha Gazete ya Vundu.

PROVINSIALE KENNISGEWING

KANTOOR VAN DIE PREMIER

No. 5**4 Mei 1998**

Hierby word bekendgemaak dat die Premier die onderstaande Wet, wat hierby ter algemene inligting gepubliseer word, bekragtig het:—
No. 7 van 1997: Wet op die Jeugkommissie, 1997.

WET

Ten einde voorsiening te maak vir die instelling, samestelling, oogmerke en werksaamhede van 'n provinsiale Jeugkommissie; en om voorsiening te maak vir aangeleenthede wat daarmee in verband staan

(Engelse teks deur die Premier onderteken)

(Bekragtiging op 24 Februarie 1998)

AANHEF

NADEMAAL dit nodig is om 'n verenigde, nie-rassige, nie-seksistiese en vooruitstrewende gemeenskap te skep waarin die Jeug van die Noordelike Provinsie rekonsiliasie en eenheid bevorder, nuwe patriotisme bou en vrede en geregtigheid en 'n menseregtekultuur koester;

EN NADEMAAL dit gebiedend is dat die Noordelike Provinsie die rol erken wat die Jeug in die gemeenskap gespeel het en steeds speel, en aangesien die Jeug in die Noordelike Provinsie energiek en skeppend is en die grootste sektor van ons bevolking uitmaak, en gegewe die uitdagings wat hierdie sektor die hoof moes bied en steeds bied;

EN NADEMAAL dit nodig is om die wanbalanse van die verlede reg te stel en om 'n provinsiale Jeugbeleid te skep wat gemik is daarop om middele in die hande van die Jeug te plaas en hulle toe te laat om hulle volle potensiaal te bereik deur aan hulle optimale toegang tot geleenthede te verleen,

WORD DAAR DERHALWE BEPAAL deur die Provinsiale Wetgewer van die Noordelike Provinsie soos volg:—

Woordomskrywings

1. In hierdie Wet, tensy uit die samehang anders blyk, beteken—
"Jeug" persone tussen die ouderdom van 14 en 35 jaar;
"komitee" 'n komitee ingestel kragtens artikel 6(2);
"Kommissie" die Noordelike Provinsie Jeugkommissie ingestel by artikel 2;

"lid" 'n persoon aangestel ingevolge artikel 4(1);

"Ondervoorsitter" die ondervoorsitter van die Kommissie aangewys ingevolge artikel 4(3);

"Voorsitter" die Voorsitter van die Kommissie aangewys ingevolge artikel 4(3);

en

"Wetgewer" die Wetgewer van die Noordelike Provinsie.

Instelling en setel van die Kommissie

2. (1) Daar word hierby 'n Kommissie ingestel wat bekend sal staan as die Jeugkommissie van die Noodelike Provinsie, met die bevoegdhede en pligte daaraan verleen of opgedra by of kragtens hierdie Wet of enige ander wet.

(2) Die Premier bepaal die setel van die Kommissie.

Oogmerke van die Kommissie

3. Die oogmerke van die Kommissie is—

- (a) om 'n geïntegreerde nasionale jeugbeleid te koördineer en te bevorder;
- (b) om 'n geïntegreerde provinsiale jeugontwikkelingsplan te ontwikkel wat beskikbare bronne en kundigheid aanwend vir die ontwikkeling van die Jeug;
- (c) om beginsels en riglyne te ontwikkel, en aanbevelings aan die Wetgewer te maak aangaande sodanige beginsels en riglyne, vir die instelling en uitvoering van 'n geïntegreerde provinsiale Jeugbeleid;
- (d) om die implementering van sodanige beginsels en riglyne as 'n saak van voorkeur te koördineer, te bestuur en te monitor;
- (e) om maatreëls te implementeer om die wanbalanse van die verlede met betrekking tot die onderskeie vorme van benadeling van die Jeug in die algemeen of deur spesifieke groepe of kategorieë van persone onder die Jeug gelyk te stel;
- (f) om eenvormigheid van benadering deur alle staatsorgane, met inbegrip van provinsiale regerings, te bevorder van aangeleenthede met betrekking tot of rakende die Jeug;
- (g) om in noue verbinding te bly met soortgelyke instellings, liggame of owerhede as die Kommissie ten einde gemeenskaplike beleid en praktyke te kweek en om samewerking te bevorder;

- (h) om die aktiwiteite van die verskeie provinsiale regeringsinstellings betrokke by jeugaangeleenthede te koördineer en om sodanige aktiwiteite te koppel aan die geïntegreerde nasionale Jeugbeleid;
- (i) om aanbevelings te ontwikkel met betrekking tot enige aangeleentheid rakende die Jeug.

Samestelling van die Kommissie

4. (1) Die ledetal van die Kommissie bestaan uit nie meer as vyf lede gekies uit 'n lys van nominasies ontvang van jeugorganisasies in die Noordelike Provinsie welke lede aangestel word deur die Premier in oorleg met die Wetgewer en twee van die lede so aangestel as voltydse lede wie ook aangewys word deur die Premier as Voorsitter en Ondervoorsitter.

(2) Die lede van die kommissie aangestel ingevolge subartikel (1) word aangestel ingevolge die volgende beginsels, naamlik:

- (a) Verteenwoordiging ingevolge geslag en ras;
- (b) wat oor die vermoëns beskik om 'n algehele ontwikkelingsbeleid vir die Jeug van die Noordelike Provinsie te inisieer en te formuleer;
- (c) wat die betrokkenheid in ontwikkelingsprogramme wat daarop gemik is in belang van opleiding, indiensplasing, sport, ontspanning en enige ander aangeleentheid wat nodig is vir Jeugontwikkeling.

(3) Die Voorsitter sit voor op alle vergaderings van die Kommissie en wanneer die Voorsitter nie beskikbaar is nie, verrig die Ondervoorsitter die funksies opgedra aan die Voorsitter kragtens hierdie Wet of enige ander wet.

Ampstermyn van lede van die Kommissie

5. (1) Die lede van die Kommissie beklee hul amp vir 'n tydperk van vyf jaar: Met dien verstande dat die Premier enige lid te eniger tyd van sy of haar amp kan onthef in oorleg met die Kommissie, indien in sy of haar opinie, daar grondige redes bestaan om dit te doen.

(2) Enige persoon wie se ampstermyn as lid van die Kommissie verstryk het, kan her aangestel word.

(3) 'n Lid van die Kommissie kan uit sy of haar amp bedank deur ten minste drie maande vooruit skriftelik kennis aan die Premier te gee.

Komitees van die Kommissie

6. (1) Die Kommissie moet strategiese taakgroepe aanstel bestaande uit een of meer lede van die Kommissie aangewys deur die Kommissie en indien nodig, een of meer ander persone wat die Kommissie kan aanstel vir daardie doel en vir die tydperk deur hom bepaal, om die implementering van die provinsiale Jeugbeleid te verseker.

Act No. 7, 1997

YOUTH COMMISSION ACT, 1997

(2) Daarbenewens kan die Kommissie een of meer komitees aanstel vir 'n spesifieke doel bestaande uit een of meer lede van die Kommissie deur die Kommissie aangewys vir die tydperk deur hom bepaal.

(3) Die Kommissie kan die tydperk van enige aanstelling gedoen kragtens subartikel (1) of (2) verleng of enige sodanige aanstelling terugtrek gedurende die tydperk in die subartikel beoog.

(4) Die Kommissie wys 'n voorsitter aan en, indien nodig geag, 'n ondervoorsitter vir die strategiese taakgroep en vir elke komitee.

(5) 'n Komitee verrig, onderhewig aan die aanwysings van die Kommissie, die werksaamhede van die Kommissie wat die Kommissie aan hom opdra.

(6) By voltooiing van die werksaamhede aan hom opgedra ingevolge subartikel (5), doen die komitee skriftelike verslag daaroor aan die Kommissie waarna die komitee ontbind.

(7) Die Kommissie kan te eniger tyd die strategiese taakgroep of enige komitee ontbind.

(8) Die bepalinge van artikel 10(1) tot (5) is, waar toepaslik, *mutatis mutandis* van toepassing op 'n vergadering van die strategiese taakgroep of 'n komitee en vir daardie doel word 'n verwysing daarin na "die Kommissie" uitgelê as 'n verwysing na "die strategiese taakgroep" of 'n "komitee", na gelang van die geval, en 'n verwysing daarin na "die Premier" uitgelê as 'n verwysing na "die Kommissie".

Kommissie kan Premier of Wetgewer nader

7. Die Kommissie kan, te eniger tyd, of die Premier of die Wetgewer nader met betrekking tot enige aangeleentheid rakende die uitoefening van sy bevoegdhede of by die uitvoering van sy pligte of die verrigting van sy werksaamhede.

Bevoegdhede, pligte en werksaamhede van Kommissie

8. (1) Bykomend tot enige ander pligte of werksaamhede opgedra of toevertrou deur hierdie Wet of enige ander wet—

(a) moet die Kommissie—

- (i) 'n provinsiale jeugbeleid ontwikkel en die implementering daarvan monitor;
- (ii) provinsiale vraagstukke oor die Jeug voorkeur gee en programme oor die Jeug ooreenkomstig die provinsiale beleid oor die Jeug inisieer;
- (iii) die Wetgewer met jeugorganisasie en die Jeug in die algemeen verbind in aangeleenthede rakende ontwikkeling van die Jeug;

- (iv) in oorleg met die Wetgewer, hulpbrontoewysing aan aangeleenthede rakende die Jeug voorkeur gee;
- (v) nuwe behoeftes van, en geleenthede en uitdagings vir, die Jeug evalueer;
- (vi) noue skakeling handhaaf met ander instellings, liggame of owerhede soortgelyk aan die Kommissie ten einde gemeenskaplike beleid en praktyke te kweek om samewerking met betrekking tot aangeleenthede rakende die Jeug te bevorder;
- (vii) sodanige studies rakende aangeleenthede oor die Jeug, as wat na hom verwys word deur die Premier, doen of laat doen en as deel van die Kommissie se verslag bedoel in artikel 12(1), ook verslag doen aangaande die uitslae van elke sodanige studie tesame met sodanige aanbevelings in verband daarmee soos wat paslik geag word;
- (viii) voordat enige voorlegging aan die Premier gedoen word, moet alle belanghebbende persone, partye, liggame of instellings, sover moontlik, geraadpleeg word, en in die verslag bedoel in artikel 12(1), melding gemaak word van enige beswaar geopper of raad gegee gedurende genoemde proses van raadpleging, en die Kommissie se kommentaar daarop uiteengesit word;
- (ix) op 'n kwartaallikse grondslag aan die Premier verslag doen oor sy bedrywighede;
- (x) ontwikkel en aanvoer—
 - (aa) inligtingsprogramme; en
 - (bb) opvoedingsprogramme;ten einde begrip aan die publiek daar te stel vir aangeleenthede wat betrekking het op die Jeug en die rol en aktiwiteite van die Kommissie;
- (xi) enige wet van die Wetgewer of enige ander wet wat by die inwerkingtreding van hierdie Wet van krag was, of enige wet wat deur die Wetgewer of enige ander wetgewer voorgestel word, na die inwerkingtreding van hierdie Wet, wat die implementering van die geïntegreerde provinsiale beleid oor die Jeug raak, of moontlik kan raak, evalueer en enige aanbevelings aan die Wetgewer met betrekking daartoe doen;

- (xii) die aanneem van nuwe wetgewing wat die implementering van 'n geïntegreerde provinsiale beleid oor die Jeug bevorder, by die Wetgewer aanbeveel;
- (xiii) verslae aan die Wetgewer voorberei en publiseer met betrekking tot die oogmerke van die Kommissie;
- (xiv) met enige organisasie wat aangeleenthede oor die Jeug aktief bevorder en met ander sektore van die burgerlike gemeenskap skakel en saamwerk om die oogmerke van die Kommissie te bevorder;
- (xv) vergaderings tussen provinsiale administrasies en ampte in die Noordelike Provinsie ingestel, byeenroep aangaande aangeleenthede rakende die Jeug; en
- (xvi)
 - (a) die aanbevelings, voorstelle en versoeke rakende aangeleenthede oor die Jeug van enige bron ontvang, oorweeg;
 - (b) kan die Kommissie—
 - (c) enige ondersoek nodig geag, uitvoer of laat uitvoer;
 - (d) sodanige aanbevelings, voorstelle en versoeke rakende aangeleenthede oor die ontvang van enige bron oorweeg;
 - (e) die navorsing wat hy nodig ag om sy oogmerke te bereik, doen of laat doen.

(2) Die Kommissie kan, ten einde sy pligte en werksaamhede bedoel in subartikel (1) uit te oefen, aanbevelings doen aangaande—

- (a) die betrokkenheid van alle relevante staatsdepartemente en, deur bemiddeling van die instellings of ampte vir dié doel deur die provinsiale regering aangewys, van alle provinsiale departemente, en ander owerhede;
- (b) die ontwikkeling van beleid gemik op die positiewe betrokkenheid van die Jeug by die heropbou van die provinsiale samelewing;
- (c) samewerking en koördinering tussen die onderskeie instellings wat met aangeleenthede rakende die Jeug handel;
- (d) administratiewe meganismes om samewerking tussen die onderskeie aandeelhouders te vergemaklik teenoor geïntegreerde beplanning en intersektoriese samewerking oor aangeleenthede rakende die Jeug;

(e) beleid rakende—

- (i) die erkenning van die gemeenskaplikheid en uitsonderlikheid van geslagtelikheid;
- (ii) die voorsiening van gelyke hulpbronne aan die geslagte;
- (iii) die beginsel van geslagtelike gelykheid op administratiewe en ander liggame.

(3) Alle staatsorgane van die Noordelike Provinsie moet aan die Kommissie hulp verleen wat redelikerwys benodig word vir die doeltreffende uitoefening van sy bevoegdhede, uitvoering van sy pligte en verrigting van sy werksaamhede.

Vakatures in Kommissie

9. (1) 'n Vakature in die Kommissie ontstaan—

- (a) wanneer die ampstermyn van 'n lid verstryk;
- (b) wanneer 'n lid te sterwe kom;
- (c) wanneer 'n lid van sy amp onthef word ingevolge die voorbehoudsbepaling tot artikel 5(1); of
- (d) wanneer 'n lid se bedanking, ingedien ingevolge artikel 5(3), van krag word.

(2) 'n Vakature in die Kommissie—

- (a) raak nie die geldigheid van die verrigtinge of besluite van die Kommissie nie; en
- (b) word gevul so gou prakties moontlik ingevolge artikel 4, en enige lid wat aldus aangewys is, bekleë, waar toepaslik, sy of haar amp vir die onverstreke deel van sy of haar voorganger se ampstermyn.

Vergaderings van Kommissie

10. (1) Vergaderings van die Kommissie word byeengeroep deur die Voorsitter en sodanige vergaderings word minstens vier keer per jaar gehou op sodanige plekke en tye soos deur die Kommissie bepaal: Met dien verstande dat die eerste vergadering gehou word op die tyd en plek deur die Premier bepaal.

(2) Indien die Voorsitter afwesig is van 'n vergadering van die Kommissie, tree die Ondervoorsitter op as Voorsitter en indien beide die Voorsitter en Ondervoorsitter van 'n vergadering van die Kommissie afwesig is, kies die teenwoordige lede iemand uit hul geledere om by daardie vergadering voor te sit.

(3) Die kworum by enige vergadering van die Kommissie is 'n meerderheid van die totale ledetal.

(4) Die Sekretaris van die Kommissie word aangestel op sodanige bedinge en voorwaardes en ontvang sodanige vergoeding, toelaes en ander diensvoordele wat die Kommissie ooreenkomstig die regulasies kragtens artikel 14 bepaal.

(5) Die ander personeel van die Kommissie word aangestel op die bedinge en voorwaardes en ontvang sodanige vergoeding, toelaes en ander diensvoordele wat die Premier ooreenkomstig die regulasies kragtens artikel 14 bepaal.

(6) Die Kommissie kan, in oorleg met die Direkteur-generaal, by die uitoefening van sy bevoegdhede of die verrigting van sy pligte en werksaamhede by of kragtens hierdie Wet, vir besonderhede projekte, kontrakte sluit ten einde die dienste te bekom van persone met tegniese of gespesialiseerde kennis van enige aangeleentheid met betrekking tot die werk van die Kommissie, en met die instemming van die Lid van die Uitvoerende Raad verantwoordelik vir Finansies en Uitgawes die vergoeding, met inbegrip van die vergoeding vir reis, verblyf-en ander uitgawes, van sodanige persone bepaal.

Regulasies

14. (1) Die Premier kan, nadat die Kommissie 'n aanbeveling gedoen het, en na oorleg met die Direkteur-generaal, regulasies uitvaardig betreffende die volgende aangeleenthede met betrekking tot die personeel van die Kommissie:

- (a) (i) Die verskillende kategorieë salarisse en salarisskale wat op die verskillende kategorieë personeellede van toepassing is;
- (ii) die aanstellingsvereistes en die aanstelling, bevordering, ontslag en tugstappe;
- (iii) die erkenning van toepaslike kwalifikasies en ondervinding vir die doeleindes van salarisbepalings.
- (iv) die prosedure en wyse van en kriteria vir beoordeling en die voorwaardes of vereistes vir die doeleindes van bevordering;
- (b) die bevoegdhede, pligte, gedrag, dissipline, diensure en verlof, met inbegrip van verlofgratifikasies, en enige ander diensvoorwaarde;
- (c) die skepping van poste op die diensstaat van die Kommissie;
- (d) die opleiding van personeel, met inbegrip van finansiële bystand vir sodanige opleiding die verskaffing van amptelike vervoer;
- (e) 'n gedragskode wat deur personeellede nagekom moet word die opleiding van personeel, met inbegrip van finansiële bystand vir sodanige opleiding;

- (f) die verskaffing van amptelike vervoer 'n gedragskode wat deur Personeellede nagekom moet word;
- (g) die voorwaardes waarop en die omstandighede waaronder besoldiging vir oortyddiens, reis, verblyf-, klimaats-, en ander toelaes, betaal kan word;
- (h) die regs aanspreeklikheid van 'n personeellid ten opsigte van 'n handeling ingevolge hierdie Wet of enige ander wet verrig en die regs aanspreeklikheid voortspruitend uit die gebruikmaking van amptelike vervoer;
- (i) die omstandighede waaronder en die voorwaardes en wyse waarop bevind kan word dat 'n personeellid aan wangedrag skuldig is, of dat hy of sy aan voortdurende swak gesondheid ly, of dat hy of sy nie oor die vermoë beskik om sy of haar ampspligte op 'n bekwame wyse uit te voer nie;
- (j) die prosedure vir die behandeling van klagtes en griewe van personeellede en die wyse waarop en tyd wanneer of tydperke waarbinne en persoon aan wie stukke in verband met versoeke en mededelings van sodanige personeellede voorgelê moet word;
- (k) die lidmaatskap of voorwaardes van lidmaatskap van 'n bepaalde pensioenfonds en die bydraes tot en die regte, voorregte en verpligtinge van personeellede of hul afhanklikes met betrekking tot so 'n pensioenfonds;
- (l) die lidmaatskap of voorwaardes van lidmaatskap van 'n bepaalde mediese hulpskema of mediese hulpvereniging en die wyse en voorwaardes waarop lidmaatskapgeld en ander gelde wat deur of ten opsigte van personeellede of hul afhanklikes aan 'n mediese hulpskema of mediese hulpvereniging betaalbaar of verskuldig is, verhaal kan word van die salarisse van sodanige personeellede, en aan so 'n mediese hulpskema of mediese hulpvereniging betaal moet word;
- (m) die bydraes tot en die regte, voorregte en verpligtinge van personeellede of hul afhanklikes met betrekking tot so 'n mediese hulpskema of mediese hulpvereniging;
- (n) in die algemeen, enige aangeleentheid wat nie met hierdie Wet of die grondwet in stryd is nie en wat redelikerwys nodig is vir die reëling van die bedinge en voorwaardes van diens van personeellede.

(2) 'n regulasie kragtens hierdie artikel wat met staatsuitgawes verband hou, word in oorleg met die Lid van die Uitvoerende Raad verantwoordelik vir Finansies en Uitgawes uitgevaardig.

Act No. 7, 1997

YOUTH COMMISSION ACT, 1997

Kort titel en inwerkingtreding

15. Hierdie Wet heet die Wet op die Jeugkommissie, 1997, en tree in werking op 'n datum deur die Premier bepaal by Proklamasie in die *Provinsiale Koerant*.

TSEBIŠO YA PROFENSE

OFISI YA TONAKGOLO

No. 5

24 Mei 1998

Mo go tsebišwa gore Tonakgolo o dumeletše Molao wo o latelago wo o phatlalatšwago go dira tshedimošetšo ka Kakaretšo:—

No. 7 wa 1997: Molao wa Khomišene ya Bapsa, 1997.

MOLAO

Wa go beakanyetša tlhamo, popo, dinepo le mešomo ya Khomišene ya Profense ya Leboa ya Bafsa; le go beakanyetša ditaba tšeo di amanago le yona

*(Phetolelo ya Seisemane e saennwe ke Tonakgolo)
(O dumeletšwe ka la 24 Febeware 1998)*

KA GE go le bohlokwa go bopa setšhaba seo se kopanego sa tlhoka-semorafe, tlhokabong le katlego, ka gare ga sona Bafsa ba Profense ya Leboa ba tlogo hlatloša poelano ya profense le kopano, ba aga borataleago le tlhošetšo ya khutšo, toka le setšo sa ditokelo tša batho;

LE GORE KA GE go le bohlokwa gore Profense ya Leboa e fe šedi tema yeo ralokwago ke Bafsa le yeo ba tlogo go fela ba e kgatha ka gare ga setšhaba; le gore ka ge Bafsa ba Profense ya Leboa ba bopa seabe se segologolo sa mašabašaba a rena sa mafolofolo le go bopa, gomme ba fiwa ditebanyo tša seabe se lebanego le go tšwela pele go lebana le sona;

GOMME KA GE go le bohlokwa go lokiša ditekelanyompe tša go feta le go hlama maikemišetšo a bafsa ba profense ao a ikemišeditšego go matlafatša Bafsa le go ba dumelela go lemoga bohlokwa bja bona bjo tletšego ka phihlelelo e lekanetšego go dibaka;

KA TSELA YEO GO BEWA MOLAO ke Lekgotla-Peamelao la Profense ya Leboa ka fao go latelago:

Ditlhalošo

1. Ka gare ga Molao, ntle le ge diteng di laetša ka mokgwa o mongwe—

“Khomišene” e ra khomišene ya Bafsa ba Profense ya Leboa yeo e hlamilwego ka karolo 2;

"Komiti" e ra komiti yeo e hlamilwego ka fase ga karolo 6(2);

"Lekgotla-Peamelao" ke go re Lekgotla-Peamelao la Profense ya Leboa;

"Leloko" le ra motho yoo a beilwego go ya ka karolo 4(1)

"Modulasetulo" ke go re Modulasetulo wa khomišene yeo e kgethilwego go ya ka karolo 4(3);

"Mofsa" ke go re batho ba magareng a mengwaga e 14 le 35; le

"Motlatša-Modulasetulo" ke go re Motlatša-Modulasetulo wa khomišene yoo a kgethilwego go ya ka karolo 4(3).

Tlhomo le bodulo bja Khomišene

2. (1) Go hlomiwa fa khomišene ya go tsebja ka la Khomišene ya Bafsa ba Profense ya Leboa, yeo e apešitšwego maatla le mediro godimo goba e abetšwego yona ka goba ka fase ga Molao wo goba molao ofe le ofe o mongwe.

(2) Bodulo bja Khomišene bo tla kgonthišišwa ke Tonakgolo.

Dinepo tša Khomišene

3.

- (a) go kgohlaganya le go tšwetša pele maikemišetšo a bafsa ao a kopantšhitšwego;
- (b) go hlabolla pele leano-tlhabollo la bafsa ba profense leo le šomišago methopo yeo e lego gona le botsebi bja tlhabollo ya Bafsa.
- (c) go tšwetša pele ditheo le ditselatlhahlo le go dira ditigelo go Lekgotla-Peamelao mabapi le ditheo le ditselatlhahlo tšona tšeo, gore go phethagatšwe maikemišetšo a kopantšhitšwego a bafsa ba profense;
- (d) go kopantšha, laela le go lekola phethagatšo ya tšona ditheo le ditselatlhahlo tšeo bjalo ka taba ya nyakego;
- (e) go phethagatša magato a go lokiša ditekelelanyompe tša go feta tšeo di amanago le dibopego tše fapafapanego tša tlhokamohola tšeo di amilego Bafsa ka kakaretšo tša dihlopha goba magoro a itšego a batho gare ga Bafsa;
- (f) go hlatloša go swana ga tebanyo ka ditho ka moka tša naga, go akaretšwa mebušo ya profense, go ditaba tše amanago goba di tsentšhago Bafsa;
- (g) go babalela kgokagano e tiilego le diinstitušene, ditho, goba ditaolo tšeo di swanago le Khomišene ka nepo ya go šomiša maikemišetšo le ditirišo tša go swana le go hlatloša tšhomišano;

- (h) go kgohlaganya ditiro tša diinstitušene tša mmušo wa profense tše di fapafapanago di swaranego le ditaba tša bafsa le go kopanya ditiro tše le maikemišetšo ao a kgohlaganego a bafsa ba profense.
- (i) Go tšwetša pele ditigelo tše tswalanago le ditaba dife le dife tše dingwe tše di kago ama bafsa.

Popo ya Khomišene

4. (1) Khomišene e tla hlangwa ka maloko ao a sego ka godimo ga a mahlano ao a kgethilwego go lenaneo la ditlhaolo tše di amogetšwego go tšwa go mekgahlo ya bafsa ba Profense ya Leboa gomme maloko a yona a tlogo go bewa ke Tonakgolo ka poledišano le Lekgotla-Peamelao gomme ba babedi ba beilwego bjalo a tlo ba maloko a go tlala ao a tlogo go hlaolwa ke Tonakgolo go ba Modulasetulo le Motlatša-Modulasetulo.

(2) Maloko a Khomišene ao a beilwego go ya ka karolwana (1) a tla bewa go ya ka ditho tše latelago, maina—

- (a) kemelo go ya ka bong le mohlobo;
- (b) bokgoni bja go tšea matsapa le go hlama maikemišetšo-tlhabollo a kakaretšo a bafsa ba Profense ya Leboa;
- (c) boitsenyo ka gare go mananeo-tlhabollo ao a nepilego dinyakwa tša tlhahlo, mošomo, dipapadi, boitapološo goba taba efe le efe e nngwe yeo e lego bohlokwa go tlhabologo ya bafsa.

(3) Modulasetulo o tla swara setulo dikopanong ka moka tša Khomišene gomme ge Modulasetulo a se gona Motlatša-Modulasetulo o tla dira mešomo ya Modulasetulo ka goba ka fase ga Molao wo goba molao ofe le ofe.

Paka ya Ofisi ya maloko a Khomišene

5. (1) Maloko a Khomišene a tla swara ofisi paka ya mengwaga e mehlano: Ge e le gore Tonakgolo a ka tloša leloko lefe le lefe ofising nako efe le efe ka morago ga poledišano le Khomišene ge, ka mogopolong wa gagwe, go na le mabaka ao a kwagalago a go dira bjalo.

(2) Motho ofe le ofe yoo paka ya gagwe ya ofisi bjalo ka leloko la Khomišene e fedilego, a ka bewa lefsa.

(3) Leloko la Khomišene le ka leboga ofisi ka go romela tsebišo ya go ngwalwa gabotse dikgwedi tše tharo pele ga fao go Tonakgolo.

Dikomiti tša Khomišene

6. (1) Khomišene e tla hlama dihlopha-tšhomo tša togaleano tše di bopšago ke le tee goba, maloko a mantši a Khomišene ao a beilwego ke Khomišene gomme ge go hlokagala, le tee goba go feta batho ba bangwe bao Khomišene e ka ba beelago nepo yeo le paka yeo e ka kgonthišiwago ke yona, go tlišetša phethagatšo ya maikemišetšo a bafsa ba profense.

(2) Ka tlaleletšo, Khomišene e ka hloma e tee goba dikomiti tše ntšhi tše di bopšago ke le tee goba maloko a mantši a Khomišene ao a beilwego ke Khomišene, ka nepo yeo le paka yeo e kgonthišetšwego ke yona.

(3) Khomišene e ka katološa paka ya peo yeo e dirilwego ke yona ka fase ga karolwana (1) goba (2) goba go gomiša peo efe le efe pakeng yeo e boletšwego ka gare ga karolwana.

(4) Khomišene e tla kgetha modulasetulo gomme, ge e hwetša go le bohlokwa, motlatša-modulasetulo, wa sehlopha-tšhomo sa togaleano le wa komiti e nngwe le e nngwe.

(5) Komiti e tla, ka taolo ya ditaolo tša khomišene, phethagatša mešomo yona yeo ya Khomišene bjalo ka ge Khomišene e ka e abeia yona.

(6) Phetšong ya mešomo yeo e abetšwego yona go ya ka karolwana (5), komiti e ka romela pego ya go ngwalwa go Khomišene, yeo godimo ga yona komiti e tlogo go phatlalatšwa.

(7) Khomišene e ka phatlalatša nako efe le efe sehlopha-tšhomo sa togaleano goba komiti efe le efe.

(8) Dipeakanyetšo tša karolo 10(1) go ya go (5) di tla, fao go swanetšego, šomišwa ka diphetogo tše di nyakegago go kopano ya sehlopha-tšhomo sa togaleano goba komiti gomme ka nepo yeo tšhupetšo ka gare ga "Khomišene" e tla tšewa go ba tšhupetšo go "sehlopha-tšhomo sa togaleano" goba "komiti", ka fao go ka bago ka gona gomme tšhupetšo ka fao gare ga yona ya "Tonakgolo" e tla tšewa go ba tšhupetšo go "Khomišene".

Khomišene e ka lebanya Tonakgolo goba Lekgotla-Peamelao

7. Khomišene e ka, nako efe le efe, lebanya, e ka ba Tonakgolo goba Lekgotla-Peamelao malebana le taba efe le efe yeo e tswalanago le tšhomišano ya maatla goba phethagatšo ya mediro ya yona goba go phethagatša mešomo ya yona.

Maatla, mediro le mešomo ya Khomišene

8. (1) Ka tlaleletšo ya mediro efe le efe e mengwe le mešomo yeo e abetšwego goba e apešitšwego yona ke Molao wo goba molao ofe le ofe o mongwe—

(a) Khomišene e tla—

- (i) tšwetša pele le go lekola phethagatšo ya maikemišetšo a bafsa ba profense;
- (ii) bea pele ditaba tša bafsa ba profense le go thoma mananeo a bafsa mabapi le maikemišetšo a bafsa ba profense;

- (iii) kopantšha Lekgotla-Peamelao le mekgahlo ya bafsa le bafsa ka bophara ditabeng tšeo di amanago le tlhabollo ya bafsa;
- (iv) ka poledišano le Lekgotla-Peamelao, bea pele kabelo ya methopo go ditaba tša bafsa.
- (v) lekola dinyakwa tše mpsha tša, le mabaka le ditlhohlo tša bafsa;
- (vi) tiiša kgohlaganyo e tiilego le diinstitušene tše dingwe, ditho goba ditaolo tša go swana go Khomišene gore go fepeletšwe maikemišetšo a go swana le ditiro le go hlatloša tšhomišano mabapi le ditaba tša bafsa;
- (vii) phethagatša goba go hlola go phethagatša dithutišo tšeo di amago ditaba tša bafsa bjalo ka ge go ka šupetšwa go yona ke Tonakgolo gomme Khomišene e tla, bjalo ka seripa sa pegu yeo e šupeditšwego ka gare ga karolo 12 (1), bega le yona godimo ga dipelo tša thutišo yona yeo mmogo le ditigelo tšona tšeo ka tswalano le yona bjalo ka ge e ela šedi ka fao go swanetšego;
- (viii) pele go dirwa thomelo go Tonakgolo, go fihla fao go kgonagalago, boledišana le batho bao ba nago le kgahlego, diphathi, ditho goba diinstitušene, gomme e tla, ka pegong yeo e šupeditšwego ka go karolo 12(1), bolela dikganetšo dife le dife tšeo di rotošitšwego goba keletšo yeo e filwego pakeng ya tshepedišo ya poledišano yeo e bolelwago, le go ala ditshwayotshwayo tša Khomišene fao godimo;
- (ix) ka kotara a bega go Tonakgolo godimo ya ditiragalo tša yona;
- (x) lekola le go lebelediša lefsa maikemišetšo le ditiro tša—
 - (aa) ditho tša mmušo legatong lefe le lefe;
 - (bb) ditho tša semolao goba bašomedi;
 - (cc) ditho tša setšhaba le ditaolo; le
 - (dd) motho ofe le ofe yo mongwe, ditho goba diinstitušene, mabapi le ditaba tša bafsa le go ka dira ditigelo dife le dife tšeo Khomišene e di tšeago di le bohlokwa;

- (xi) hlabolla le go sepediša—
 - (aa) mananeo a tshedimošo;
 - (bb) mananeo a thuto, go fepeletša kwišišo ya ditaba tša setšhaba tše di amago bafsa le mehola le ditiro tša Khomišene;
 - (xii) lekalekanya Molao ofe le ofe wa Lekgotla-Peamelao goba molao ofe le ofe o mongwe wo o šomago go thomeng ga Molao wo goba molao ofe le ofe woo o šišinywago ke Lekgotla-Peamelao goba Lekgotla-Peamelao lefe le lefe le lengwe ka morago ga go thoma ga maikemišetšo a bafsa ba profense ao a kopantšwego le go dira ditigelo go Lekgotla-Peamelao;
 - (xiii) digela Lekgotla-Peamelao kamogelo ya molao o mofsa woo o tla bego o hlatloša phethagatšo ya maikemišetšo a bafsa ba profense ao a kopantšwego;
 - (xiv) lokiša le go gatiša dipego tša Lekgotla-Peamelao malebana le dinepo tša Khomišene;
 - (xv) kopana le go dirišana le mokgahlo ofe le ofe woo o hlatlošago ka mafolofolo ditaba tša bafsa le maphakga a mangwe a setšhaba go fepeletša ditaba tša Khomišene;
 - (xvi) dira nyakišišo goba go hlola go nyakišiša gore go dirwe go fepeletša dinepo tša Khomišene;
 - (xvii) bitša dipitšo magareng a ditaolo tša profense le diofisi tše di amago bafsa; le go
 - (xviii) ela hloko tšona ditigelo tše, dikakanyo le dikgopelo tše di amanago le ditaba tša bafsa bjalo ka ge e ka di amogela go tšwa mothopong ofe le ofe;
- (b) Khomišene e ka—
- (i) tšwetša pele goba hlola go tšwetša pele nyakišišo efe le efe yeo e humanago e le bohlokwa;
 - (ii) ela hloko ditigelo tšona tše dikakanyo le dikgopolo tše di amanago le ditaba tša bafsa bjalo ka ge e di amogela go tšwa mothopong ofe le ofe;
 - (iii) sepediša goba hlola gore go sepedišwe nyakišišo bjalo ka ge e ka hwetša go le bohlokwa go humana dinepo tša yona;

(2) Khomišene e ka, gore go tšwetšwe pele mediro ya yona le go phetha mešomo ya yona yeo e šupeditšwego ka ga karolwana (1), dira ditigelo mabapi le—

- (a) tseno ya dikgoro tša mmušo ka moka tša maleba le, ka tamolo ya diinstitušene goba diofisi tšeo di beetšwego nepo yeo ke mmušo wa profense, dikgoro ka moka tša profense le ditaolo tše dingwe;
- (b) tšwetšopele ya maikemišetšo ao a nepilego tseno ya maleba ya bafsa ka gare ga kagolefsa ya setšhaba sa profense;
- (c) tšhomišano le kgokaganyo ya diinstitušene tše fapafapana-go tšeo di šoganago le ditaba tšeo di amago bafsa;
- (d) mekgwa ya taolo go letefatša tšhomišano le thušano gare ga bakgathatema go ya go peakanyo ya go kopantšhwa le tšhomišano ya maphakga-tsenano ditabeng tšeo di amago bafsa;
- (e) maikemišetšo malebana le—
 - (i) kelohloko ya boakaretši le boithokolo bja bong;
 - (ii) peakanyetšo tša methopo ya go lekanela go bong; le
 - (iii) theo ya go lekana ga bong godimo ga ditho tša taolo le tše dingwe.

(3) Ditho ka moka tša naga le tša Profense ya Leboa di tla fa Khomišene yona thušo yeo bjalo ka ge go tla nyakega go tšhomišo e tseneletšego ya maatla a yona, phethagatšo ya mediro ya yona le go tšwetša pele mešomo ya yona.

Sekgoba ka mo go Khomišene

9. (1) Sekgoba ka mo Khomišeneng se hlolega—

- (a) ge paka ya leloko ya ofisi e fela;
- (b) ge leloko le ehwa;
- (c) ge leloko le tlošitšwe mo ofising go ya ka peakanyetšo ya karolo 5(1); goba
- (d) ge go rola modiro go leloko, go tlišitšwego ka tumelano le karolo 5(3) go thongwa.

(2) Sekgoba ka mo Khomišeneng se ka—

- (a) se ame tlišetšo ya ditshepedišo goba diphetho tša Khomišene; gomme
- (b) tlatšwa ka moo go ka kgonegago ka tumelano le karolo 4, gomme leloko lefe kapa lefe le le beilwego bjalo le tla, ge go kgonega, swara ofisi seripa sa go se fele sa paka ya ofisi ya ketapele ya gagwe.

Dikopano tša Khomišene

10. (1) Dikopano tša Khomišene di tla bitšwa ke Modulasetulo gomme tšona dikopano tšeo di tla swarwa gabotse gane ngwaga ofe le ofe ka dinako le mafelong a a beakantšwego ke Khomišene: Ge e le gore kopano ya mathomo e tla swarwa ka nako le lefelong le le beakantšwego ke Tonakgolo.

(2) Ge Modulasetulo a se gona mo kopanong ya Khomišene, Motlatša-Modulasetulo o tla šoma bjalo ka Modulasetulo, gomme ge Modulasetulo le Motlatša-modulasetulo ka bobedi ba se gona mo kopanong ya Khomišene, maloko a a lego gona a tla kgetha o tee magareng a bona go ba moswarasetulo mo kopanong yeo.

(3) Khoramo ya kopano efe le efe ya khomišene e tla ba bontši bja palomoka ya maloko.

(4) Sephetho sa bontši bja maloko a a lego gona kopanong ya Khomišene se tla ba sephetho sa khomišene, gomme moo go ka bago le tekatekano ya dibouto mabapi le taba efe kapa efe, leloko le e lego moswarasetulo le tla bouta go koketšo ya bouto ya gagwe ya ka mehla.

(5) Khomišene e tla kgonthišiša tshepedišo ya yona gomme e tla dira gore metsotso ya ditshepedišo tša yona e lotwe.

(6) Khomišene e tla re nako le nako, ka tsebišo ka mo go Kuranta ya Profense, ya tsebiša ditlhalošišo tša tshepedišo yeo e e beakantšego go ya ka karolwana (5).

Moputso le ditshenyegelo tša maloko a Khomišene le dikomiti

11. (1) Moputso, diputseletšo le dipaka le mabaka a ofisi mmogo le dithušo tša tirelo tša maloko a Khomišene a go šomela ruri le a lebakanyana di tla kgonthišišwa ke Tonakgolo ka poledišano Lekgotla-Peamelao.

(2) Leloko lefe le lefe la lebakanyana la Khomišene le ka, pakeng efe le efe yeo ka yona leloko leo, ka tumelelo ya Khomišene, phethagatša, mediro le mešomo, gomme la lefelwa tšona ditefelo tša tlaleletšo tšeo bjalo ka ge go ka kgonthišišwa ke Tonakgolo ka poledišano le Leloko la Lekgotla-Pethišo la Matlotlo le Ditshenyegelo.

(3) Leloko lefe le lefe la komiti leo le sego ka gare ga tirelo ya nako e tletšego ya Mmušo goba Profense ya Leboa, le ka lefelwa tšona ditefelo tšeo bjalo ka ge Tonakgolo a ka kgonthišiša ka poledišano le Leloko la Lekgotla-Phethišo la go ikarabela Matlotlo le Ditshenyegelo.

(4) Meputso, putseletšo goba dipaka le mabaka a mangwe a ofisi le mehola ya ditirelo tša maloko a Khomišene le ya dikomiti tšeo, di tlo ba leemong le tee le tšeo tša Khomišene ya Setšhaba le Dikomiti le tšeo tša diprofense tše dingwe.

Dipego

12. (1) Khomišene e tla romela pego go Tonakgolo gabotse gotee ngwaga ka ngwaga godimo ga ditiro tša yona, gomme Tonakgolo o tla dira gore pego yona yeo a bewe tafoleng ka potlako ka gare ga Lekgotla-Peamelao la Profense.

(2) Ka tlaleletšo ya pego yeo e bolelwago ka gare ga karolwana (1), Khomišene e tla fa Tonakgolo dipego tša kgweditharo godimo ga dikhumano tša yona mabapi le mešomo le dinyakišišo tšeo di phethagaditšwego goba di dirilwego ke yena Tonakgolo gomme o tla ala dipego tšeo ka potlako tafoleng ka gare ga Lekgotla-Peamelao.

Mongwaledi le badiredi ba Khomišene, matlotlo le maikarabelo

13. (1) Tonakgolo o tla, ka pele ka fao go kgonagalago ka morago ga peo ya maloko a Khomišene, ka tšhomišano le Khomišene, thwala Mongwaledi wa Khomišene bjalo ka mohlankedi-moarabedi wa Khomišene yeo—

- (a) a tlogo go ba leloko la Khomišene ka maatla a ofisi;
- (b) e tlogo, ka tirišano le Molaodi-Pharephare le Leloko la Lekgotla-Phethišo la Matlotlo le Ditshenyegelo gomme ka taolo ya karolwana (5) le karolo 14(1)(c), thwala bona badiredi bao bjalo ka ge go tla ba bohlokwa ka fao go lebanego go ka mo thuša ka mošomo wa go amana le phethagatšo ya mešomo ya gagwe ke Khomišene;
- (c) a tlogo go ikarabela go bolaodi bja le taolo ya tshepedišo godimo ga badiredi bao ba thwetšwego go ya ka temana (b), gomme a tlogo go ikarabela go Khomišene ka dinepo tšeo;
- (d) a tlogo, ka taolo ya Molao wa Matlotlo wa Leboa la Transfala, 1994 (Molao 3 wa 1994)—
 - (i) go fiwa boikarabelo bja tlhokomelo ya ditšhelete tšohle tšeo di amogelwago goba di lefelwago go goba ka lebaka la Khomišene;
 - (ii) go dira gore tlhokomelo e lebanego le direkhoto tše tswalanego tše dingwe di lotilwe.
- (e) a kago šomiša maatla gomme a tlogo phethagatša mediro le mešomo yeo Khomišene nako efe le efe e kago e bea magetleng goba go e abela yena gore go humanwe dinepo tša Khomišene, gomme a tlogo go ikarabela go Khomišene ka dinepo tšeo.

(2) Direkhoto tšeo di šupetšwago ka go karolwana (1)(d)(ii) di tla lekolwa ke Mohlakiši-Pharephare.

(3) Phedišo ya ditshenyegelo mapabi le ditaba tšeo di beakanye-ditšwego ka gare ga Molao wo di tla laolwa ke—

(a) dikgopelo tšeo di amogelwago ka diphetogo tše nyakegago ka sebopego seo se kgethelwago ke ditshepedišo tša tekanyetšo tša Mmušo; le

(b) dipeakanyetšo tša Molao wa Matlotlo wa Leboa la Transfala, 1994, le molawana le ditaelo tše di ntšhitšwego mabapi le wona mmogo le Molao wa Mohlakiši-Pharephare, 1989 (Molao 52 wa 1989).

(4) Mongwaledi wa Khomišene o tla bewa godimo ga mabaka ona ao gomme o tla amogela ditefelo, diputseletšo le dithušo tše dingwe tša tirelo bjalo ka ge Khomišene e ka beakanya go ya ka melawana yeo e dirilwego ka fase ga karolo (14).

(5) Badiredi ba bangwe ba Khomišene ba tla thwalwa go ya ka dipa-ka le mabaka ao gomme ba tla amogela yona megolo le diputseletšo le dithušo tše dingwe tša tirelo bjalo ka ge Tonakgolo a ka kgonthişiša go ya ka melawana yeo e dirilwego ka fase ga karolo 14.

(6) Khomišene e ka, ka tirišano le Khomišene ya Molaodi-Pharephare, go šomišeng ga maatla a yona goba go phethagatša mediro le mešomo ya yona ka goba ka fase ga Molao wo, mererong e itšego, tsenela dikontraka tša tirelo ya batho bao ba nago le tsebo ya setegniki goba e tebilego ya taba efe le efe yeo e amanago le mošomo wa Khomišene le ka kwano ya Leloko la Lekgotla-Phethišo le Matlotlo le Ditshenyegelo, kgonthişiša ditefelo, go hlakantšhwa le diputseletšo tša maeto, go iphepa le ditshenyegelo tše dingwe tša bona batho bao.

Melawana

14. (1) Tonakgolo a ka, ka morago ga ge Molaodi-Pharephare a dirile tigelo, dira melawana ya go lebana le ditaba tše latelago ka tswalano le badiredi ba Khomišene—

(a) (i) magorwana a fapanago a megolo le dikala tša megolo tšeo di tlogo šomišwa go magorwana a fapanago a maloko a badiredi;

(ii) dinyakwa tša go thwalwa le thwalo, tlhatlošo, go lahlela le magato a tayo;

(iii) kelohloko ya maswanedi a maleba le boitemogelo bja dinepo tša go beakanywa ga megolo;

(iv) tshepedišo le mokgwa wa le dikelo tša tekatekanyo, mabaka goba dinyakwa tša dinepo tša tlhatlošo;

- (b) maatla, ditlamego, boitshwaro, tayo, diiri tša tsenelo le kgopelo ya go se be gona, go akaretšwa tefelo ya boikhutšo, le lebaka lefe le lefe la tirelo;
- (c) tlholo ya diposo godimo ya sebopego-mošomo sa Khomišene;
- (d) tlhahlo ya badiredi, go akaretšwa thušo ya ditšhelete ya tlhahlo yeo;
- (e) mokgwa wa boitshwaro le go ikamanya le wona ke badiredi;
- (f) peakanyetšo ya dinamelwa tša mmušo;
- (g) mabaka ao godimo ga ona le mabaka ao ka fase ga ona ditefelo tša modiro wa phetišanako, maeto, go iphepa, tša klimata, tša tikologo le diputseletšo tše dingwe di ka lefelwa;
- (h) tlamego ya semolao ya leloko lefe le lefe la badiredi mabapi le tiro efe le efe yeo e dirwago mabapi le Molao wa goba molao ofe le ofe o mongwe le tlamego ya semolao yeo e tlišwago ke tšhomišo ya dinamelwa tša mmušo;
- (i) mabaka ao ka fase ga ona le mabaka le mokgwa woo leloko la badiredi le ka bonwago molato wa tlhokaboitshwaro, goba le amiwa ke phokolo ya motšhaotšhele, goba woo a sa kgonego go šoma mešomo ya gagwe ya ofisi ka bokgoni;
- (j) tsela ya go šogana le dipelaelo le dilo tša maloko a badiredi le mokgwa woo ka wona le nako yeo goba paka yeo ka yona le motho yoo go yena ditokumente mabapi le dikgopelo le dikgokaganyo tša maloko a badiredi di kago go romelwa;
- (k) boleloko goba mabaka a boleloko a sekhwama sa phenšene e itšego le dikgoboketšo go le ditokelo, ditshwanelo le ditlamego tša maloko a badiredi goba bahlokomelwa ba bona malebana le sekhwama sa phenšene;
- (l) boleloko goba mabaka a boleloko a sekimi sa thušakalafo goba sosaeti sa thušakalafo le mokgwa woo ka wona le mabaka ao godimo ga ona ditefo tša boleloko le ditšhelete tše dingwe tše di lefelwago goba di kolotwago ke goba mabapi le maloko a badiredi goba bahlokomelwa ba bona, go sekimi sa thušakalafo goba sosaeti sa thušakalafo, a ka humanega go megolo ya ona maloko ao gomme tša lefelwa sekimi sa thušakalafo goba sosaeti sa thušakalafo sona seo;

Act No. 7, 1997

YOUTH COMMISSION ACT, 1997

- (m) dikgoboketšo go ke ditokelo, ditshwanelo le ditlamego tša maloko a badiredi goba bahlokomelwa ba bona malebana le sekimi seo sa thušakalafo goba sosaeti sa thušakalafo;
- (n) ka kakaretšo, taba efe le efe yeo e sa thulanego le Molao wo goba Molaotheo gomme e le yeo e hlokagalago ka maleba go molawana wa dipaka le mabaka a tirelo ya maloko a badiredi.

(2) Molawana ofe le ofe ka fase ga karolo ye e tswalanago le tshenyegelo ya Mmušo, o tla dirwa ka poledšano le Leloko la Lekgotla-Phethišo leo le rwelego boikarabelo bja Matlotlo le Ditshenyegelo.

Thaetlele e kopana le go thoma

15. Molao wo o tla bitšwa Molao wa Khomišene ya Bafsa, 1997, gomme o tla thoma go šoma ka tšatšikgweri yeo e bewago ke Tonakgolo ka kgoeletšo ka gare ga Kuranta ya Profense.

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