

NORTHERN PROVINCE
NOORDELIKE PROVINSIE
XIFUNDZANKULU XA N'WALUNGU
PROFENSE YA LEBOA
VUNDU LA DEVHULA

**Provincial Gazette
Provinsiale Koerant
Gazete ya Xifundzankulu
Kuranta ya Profense
Gazethe ya Vundu**

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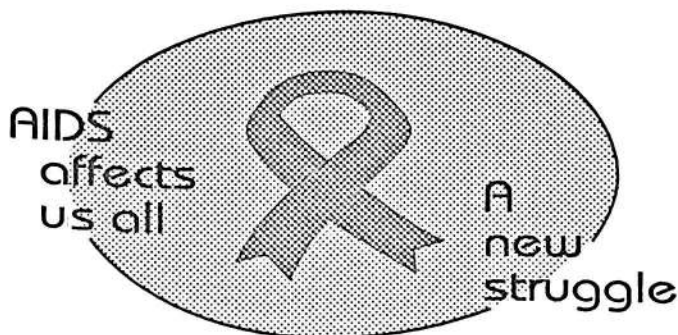
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Ku katsa na Tigazete to
Hlawuleka hinkwato

25 MAY 2001
25 MEI 2001
25 MUDYAXIHI 2001
25 MEI 2001
25 SHUNDUNTHULE 2001

No. 694
Buitengewoon
Hu tshi katelwa na
Gazethe dza Nyingo

We all have the power to prevent AIDS



Prevention is the cure

**AIDS
HELPLINE**

0800 012 322

DEPARTMENT OF HEALTH

CONTENTS

No.		Page No.	Gazette No.
GENERAL NOTICES			
83	Northern Province Youth Commission Amendment Bill, 2001: For general information and comment	3	694
83	Wysigingswetsontwerp op die Jeugkommissie, 2001: Vir algemene inligting en kommentaar.....	6	694
84	Northern Province Library and Information Services Bill, 2001: For general information and comment	17	694
84	Wetsontwerp op Biblioteek- en Inligtingsdienste, 2001: Vir algemene inligting en kommentaar	27	694
85	Northern Province Tourism and Parks Bill, 2001: For general information and comment	63	694
85	Wetsontwerp op Toerisme en Parke, 2001: Vir algemene inligting en kommentaar	88	694

GENERAL NOTICES

GENERAL NOTICE 83 OF 2001

NORTHERN PROVINCE GOVERNMENT

OFFICE OF THE PREMIER

NORTHERN PROVINCE YOUTH COMMISSION AMENDMENT BILL, 2001

In terms of rule 113(1) of the Rules and Orders of the Provincial Legislature of the Northern Province, the **Northern Province Youth Commission Amendment Bill, 2001**, is hereby published for general information.

Any person or organization wishing to comment on the said Bill may lodge his, her or its written comments within 14 days of the date of this publication with:

**MR. NCHABELENG
26 BODENSTEIN STREET
PIETERSBURG
0700**

**NORTHERN PROVINCE
LEGISLATURE**

**YOUTH COMMISSION AMENDMENT
BILL, 2001**

as introduced by

(THE PREMIER)

YOUTH COMMISSION AMENDMENT BILL, 2001**GENERAL EXPLANATORY NOTE:**

[] Words in bold type in square brackets indicate omissions from existing enactments.

_____ Words underlined with a solid line indicate insertions in existing enactments.

To amend the Youth Commission Act, 1997 (Act No. 7 of 1997), so as to provide for the amendment of the designation of Secretary to become Chief Executive Officer; to give to the Chief Executive Officer the powers and functions under the Public Finance Management Act, 1999; and matters connected therewith.

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

Amendment of section 4 of Act 7 of 1997

1. Section 4 of the Youth Commission Act, 1997 (Act No. 7 of 1997), is hereby amended by the substitution for subsection 1 of the following subsection—

"(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]** not more than three of the members so appointed shall be full-time members **[and who shall also be designated by the Premier as]** from whom the Premier shall designate a Chairperson and Deputy Chairperson";

Amendment of section 13 of Act 7 of 1997

2. Section 13 of the Youth Commission Act, 1997 (Act No. 7 of 1997), is hereby amended -

- (a) by the substitution for the words preceding paragraph (a) of subsection (1) of the following words:

"(1) The Premier shall, as soon as possible after the appointment of the Commission, in consultation with the Commission, appoint a **[secretary]** chief executive officer for the Commission **[as]** to be the accounting authority of the Commission as contemplated by the Public Finance Management Act, 1999 (Act No. 1 of 1999) who-";

- (b) by the substitution for the words immediately preceding subparagraph (i) of paragraph (d) of subsection (1) of the following words:

"(d) shall, subject to **[the Northern Transvaal Exchequer Act, 1994 (Act No. 3 of 1994)]** any applicable financial legislation -";

- (c) by the substitution for subsection (4) of the following subsection:

"(4) The **[Secretary]** Chief Executive Officer of the Commission shall be appointed on such terms and conditions and shall receive such remuneration, allowances and other service benefits as the **[Commission]** Premier may determine **[in accordance with the regulations made under section 14]**";

Short title

3. This Act shall be called the Youth Commission Amendment Act, 2001.

ALGEMENE KENNISGEWINGS

ALGEMENE KENNISGEWING 83 VAN 2001

WETGEWER VAN DIE NOORDELIKE PROVINSIE

**WYSIGINGSWETSONTWERP OP DIE JEUGKOMMISSIE,
2001**

soos voorgestel deur

(DIE PREMIER)

WYSIGINGSWETSONTWERP OP DIE JEUGKOMMISSIE, 2001

'N ALGEMEEN VERKLARENDE NOTA:

[] Woorde wat in vetdruk in hoekhakies is, dui op weglatings in die bestaande verordenings.

_____ Woorde wat onderstreep is deur 'n vaste onderlyning dui op invoegings in die bestaande verordenings.

Om die Wet op die Jeugkommissie, 1997 (Wetnr 7 van 1997), te wysig, ter voorsiening vir die wysiging van die posbenaming van Sekretaris na Hoof Uitvoerendebeampte; om aan die Hoof Uitvoerendebeampte die magte en aktiwiteite onder die Wet op Openbare Finansiëlebestuur, 1999, te verskaf; asook enige aangeleenthede daaraan verbind.

DIT WORD BEPAAL deur die Provinsiale Wetgewer van die Noordelike Provinsie, soos volg:

Wysiging van artikel 4 van Wet 7 van 1997

1. Artikel 4 van die Wet op die Jeugkommissie, 1997 (Wetnr 7 van 1997) is hiermee gewysig deur die vervanging van subartikel 1 met die volgende subartikel-

“(1) Die lidmaatskap van die Kommissie sal bestaan uit, nie meer nie as, vyf lede gekies uit 'n lys van nominasies ontvang van jeugorganisasies in die Noordelike Provinsie en welke lede aangestel sal word deur die Premier, in oorleg met die Wetgewer en [twee] nie meer as drie van die lede so aangestel, sal voltydse lede wees, [en wie ook deur die Premier aangewys sal word as] vanuit wie die Premier 'n Voorsitter en Vise- Voorsitter, sal aanwys”;

Wysiging van artikel 13 van Wet 7 van 1997

2. Artikel 13 van die Wet op die Jeugkommissie, 1997 (Wetnr 7 van 1997), is hiermee gewysig-

(a) deur die vervanging van die woorde wat paragraaf (a) voorafgaan, van subartikel (1) met die volgende woorde:

“(1) Die Premier sal, so gou as moontlik na die aanstel van die Kommissie, in oorleg met die Kommissie, 'n[sekretaris] aanstel hoof uitvoerendebeampte vir die Kommissie om te wees [as] die rekenpligtige

amptenaar van die Kommissie, soos bedoel deur die Wet op Openbare Finansiëlebestuur, 1999(Wetnr 1 van 1999) wie-“;

- (b) deur die vervanging vir die woorde wat subparagraaf (i) van paragraaf (d) van subartikel (1) onmiddellik voorafgaan, met die volgende woorde:

“(d) sal, onderhewig aan [die Noordelike Transvaal Wet op die Skatkis, 1994 (Wetnr 3 van 1994)] enige toepaslike finansiële wetgewing –“;

- (c) deur die vervanging vir subartikel (4) met die volgende subartikel:

“(4) Die [Sekretaris] Hoof Uitvoerendebeampte van die Kommissie sal aangestel word volgens sodanige terme en voorwaardes en sal sodanige vergoeding, toelaes en ander diensvoordele ontvang, soos die [Kommissie] Premier mag bepaal [in ooreenstemming met die regulasies soos gemaak in artikel 14] “;

Kort Titel

3. Hierdie Wet sal die Wysigingswet op die Jeugkommissie, 2001, heet.

SWITIVISO SWA TIN'WANA NI TIN'WANA

XITIVISO YA TIN'WANA NI TIN'WANA 83 WA 2001

**MFUMO WA MIWAWU WA XIFUNDZANKULU
XA N'WALUNGU**

**NAWUMBISI WO HUNDZULUXA WA
KHOMIXINI YA LAVANTSHWA, 2001**

tani hilaha wu ngenisiweke ha kona hi

(HOLOBYENKULU)

NAWUMBISI WO HUNDZULUXA WA KHOMIXINI YA LAVANTSHWA, 2001

NHLAMUSELO HI KU ANGARHELA

[] Marito lawa ya nga thayipiwa hi ku tikisa endzeni ka swiangi ya kombisa leswaku ya tshikiwa eka leswi swi nga kona.

Marito lawa ya nga khwatihatiwa hi layini ya kombisa leswaku ya ngenisiwa eka leswi swi nga kona.

Wo hundzuluxa Nawu wa Khomixini ya Lavantshwa, wa 1997 (Nawu wa 7 wa 1997), ku endlela ku hundzuluxiwa ka ku vekiwa ka Matsalana ku va Mutirhi-nkulu; ku nyika Mutirhi-nkulu matimba na mintirho ehansi ka Nawu wa Mafambisele ya Mali ya Tiko, 1999; na timhaka leti ti fambelanaka na tona.

Mfumo wa Milawu wa Xifundzankulu WU VEKA NAWU hi ndlela leyi yi landzelaka:

Ku hundzuluxiwa ka xiyenge xa 4 xa Nawu wa 7 wa 1997

1. Xiyenge xa 4 xa Nawu wa Khomixini ya Lavantshwa, 1997 (Nawu wa 7 wa 1997), xi hundzuluxiwa hi ku siviwa ka xiyengenyana xa 1 hi xiyengenyana lexi xi landzelaka—

“(1) Vuxirho bya Khomixini byi ta va na swirho swo ka swi nga hundzi ntlhanu leswi swi nga hlawuriwa ku suka eka nxanxamelu wa ku hlawula loku ku humaka eka mavandla ya lavantshwa eka Xifundzankulu xa N’walungu na swirho leswi swi nga ta hlawuriwa hi Holobyenkulu hi ku tsundzuxana na Mfumo wa Milawu naswona [vambirhi] ku nga ri ku tlula nharhu va swirho leswi swi nga hlawuriwa swi ta va swirho swa nkarhi hinkwawo [na loyi a nga ta va na yena a vekiwile hi Holobyenkulu tani] ku suka eka lava va nga ta va va vekiwile hi Holobyenkulu ku va Mutshami wa Xitulu na Xandla xa Mutsami wa Xitulu”;

Ku hundzuluxiwa ka xiyenge xa 13 xa Nawu wa 7 wa 1997

2. Xiyenge xa 13 xa Nawu wa Khomixini ya Lavantshwa, 1997 (Nawu wa 7 wa 1997), xi hundzuluxiwa—
 - (a) hi ku siviwa ka marito lawa ya rhangela ndzimana ya (a) ya xiyenge xa (1) hi marito lawa ya landzelaka:

“(1) Holobyenkulu u fanela, hi xihatla lexi xi kotekaka endzhaku ka ku hlawuriwa ka Khomixini, hi ku tsundzuxana na Khomixini, ku hlawula [matsalana] mutirhi-nkulu wa Khomixini [tani hi] leswaku a va murhangeri wa vutihlamuleri wa Khomixini tani hilaha swi vuriweke eka Nawu wa Mafambisele ya Mali ya Tiko, 1999 (Nawu wa 1 wa 1999) loyi-”;

- (b) hu ku siviwa ka marito lawa ya rhengelaka hi xihatla ndzimananyana ya (i) ya ndzimana ya (d) ya xiyengenyana xa (1) hi marito lawa ya landzelaka:

“(d) fanela, ehansi ka [Nawu wa N’wankwama wa Transifala N’walungu, 1994 (Nawu wa 3 wa 1994)] nawu wihi ni wihi wa swamali lowu wu nga tirhisekaka-”;

- (c) hi ku siviwa ka xiyengenyana xa (4) hi xiyengenyana lexi xi landzelaka:

“(4) [Matsalana] Mutirhi-nkulu wa Khomixini u fanela ku thoriwa hi ku landza makungu na swiyimo swa naswona u ta kuma muholo wo tano, swiengetelo na swikumiwa swin’wana swa vutirheli tani hilaha [Khomixini] Holobyenkulu a nga ha bohaka ha kona [hi ku landza swinawana leswi swi nga endliwa ehansi ka xiyenge xa 14]”;

Nloko-mhaka hi ku komisa

3. Nawu lowu wu vitaniwa Nawu wo Hundzuluxa wa Khomixini ya Lavantshwa, 2001.

DITSEBIŠO-KAKARETŠO**TSEBIŠO-KAKARETŠO 83 WA 2001****MOLAOKAKANYWA-PHETOŠWA WA KHOMIŠENE YA BAFSA, 2001****DINTLHA-KAKARETŠO TŠA TLHALOŠO**

[] Mantšu a maso ka gare ga mašakana a sekwere a laetša ditlogelo go melao yeo e lego gona.

_____ Mantšu ao a thaletšwego ka fase ka mothalo a laetša ditsentšho ka gare ga melao yeo e lego gona.

Go fetoša Molao wa Khomišene ya Bafsa, 1997 (Molao 7 wa 1997), gore go beakanyetšwe phetošo ya kgetho ya Mongwaledi go ba Mophethišimogolo; go fa Mophethišimogolo maatla le mediro ka Molao wa Taolo ya Matlotlo a Setšhaba, 1999; le ditaba tšeo di amanago le wona.

GO BEWA MOLAO ke Lekgotlapeamelao la Profense ya Leboa ka fao go latelago:

Phetošo ya karolo 4 ya Molao 7 wa 1997

1. karolo 4 ya Molao wa Khomišene ya Bafsa, 1997 (Molao 7 wa 1997) e fetošwa fa ka kemalegato la karolwana 1 ya karolwana yeo e latelago:

"(1) Boleloko bja Khomišene bo tla hlangwa ka maloko ao a sa fetego a mahlano ao a kgethilwego go lenaneo la dikgetho tšeo di amogetšwego go tšwa go mekgahlo ya bafsa ka gare ga Profense ya Leboa gomme e le maloko ao a tlogo go bewa ke Tonakgolo ka poledišano le Lekgotlapeamelao gomme [ba babedi] bao ba sa fetego ba bararo ba maloko ao a beilwego bjalo, ba tlo ba maloko a moomela [gomme e le bao ba tlogo go hlaolwa ke Tonakgolo bjalo ka] ao go ona Tonakgolo a tlogo go hlaola Modulasetulo le Motlatšamodulasetulo".

Phetošo ya karolo 13 ya Molao 7 wa 1997

2. Karolo 13 ya Molao wa Khomišene ya Bafsa, 1997 (Molao 7 wa 1997) e fetošwa fa-

(a) Ka kemalegato ya mantšu a go eta pele temana (a) ya karolwana (1) ya karolwana yeo e latelago:

"(1) Tonakgolo o tla, ka pele ka fao go kgonagalago ka morago ga peo ya Khomišene, ka poledišano le Khomišene, bea [mongwaledi] mophethišimogolo wa Khomišene [bjalo ka] go ba taolo ya boikarabelo ya

Khomišene bjalo ka ge go laetšwa ka gare ga Molao wa Taolo ya Matlotlo a Setšhaba, 1999 (Molao 1 wa 1999) yoo-

(b) ka kemalegato ya mantšu ao a tlogo ka bjako ka pele ga temanyana (i) ya temana (d) ya karolwana (1) ya mantšu ao a latelago:

"(d) a tlogo, go ya ka [Molao wa Matlotlo wa Leboa la Transefala, 1994 9 Molao 3 wa 1994)] molao ofe le ofe wa matlotlo wo o ka dirišwago - "

(c) ka kemalegato la karolwana (4) ya karolwana yeo e latelago:

"(4) [Mongwaledi] Mophethišimogolo wa Khomišene o tla bewa ka ona mabaka ao le go amogela moputso, diputseletšo le ditshwanelo tše dingwe tša tirelo bjalo ka ge [Khomišene] Tonakgolo a ka beakanya [go ya ka melawana yeo e dirilwego ka fase ga karolo 14]."

3. Thaetlele e kopana

Molao wo o tla bitšwa Molao-Phetošwa wa Khomišene ya Bafsa, 2001.

N̂DIVHADZO DZA U ANGAREDZA

N̂DIVHADZO YA U ANGAREDZA 83 WA 2001

VHUSIMAMILAYO HA VUNDU L̂A DEVHULA

**MULAYOTIBE WA KHWINISO WA KHOMISHINI YA
VHASWA**

NGA HE WA SWIKISWA NGA

(PREMIA)

MULAYOTIBE WA KHWINISO WA KHOMISHINI YA VHASWA, 2001**LUNWALO LWA THALUTSHEDZO NGA U ANGAREDZA:**

[] Maipfi o nwalwaho nga u swifhadzwa ngomu ha zwitange zwa tshikwairi a sumbedza tsiedzo kha Milayo i re hone

----- Maipfi o talelwaho nga mutalo mudenya a sumba thumetshedzo kha Milayo i re hone.

=====

Wa u khwinisa Mulayo wa Khomishini ya Vhaswa, 1997 (Mulayo No. 7 wa 1997), u itela u vhetshela u itela khwiniso ya u hweswa maanda ha Muñwaleli uri a vhe Muofisiri Muhulwane wa Khorotshitumbe; u nea Muofisiri Muhulwane wa Khorotshitumbe maanda na mishumo fhasi ha Mulayo wa Ndango ya Gwama la Vhathu, 1999; na mafhungo a elanaho na zwenezwo.

HU KHOU VHEWA MULAYO nga Vhusimamilayo ha Vundu la Devhula ngaurali:

Khwiniso ya khethekanyo 4 ya Mulayo 7 wa 1997

1. Khethekanyo 4 ya Mulayo wa Khomishini ya Vhaswa, 1997 (Mulayo No. 7 wa 1997), afha u khou khwiniswa nga u sudzuluswa u itela khethekanyothukhu 1 ya khethekanyothukhu i tevhelaho-

"(1) Vhuraḁo ha Khomishini vhu ḁo vhumbwiwa nga miraḁo vha sa fhiriho vhaḁo anu vho nangiwaḁo u bva kha mutevhe wa vhonketheni u bvaho kha madzangano a vhaswa kha Vundu la Devhula nahone vhane miraḁo vha ḁo nangiwa nga Premia a na vhukwamani na Vhusimamilayo na [vhavhili] vha sa fhiri vhararu vha miraḁo vho nangiwaḁo nga uralo hva ḁo vha miraḁo ya tshothe [nahone vhane vha ḁo hweswa maanda nga Premia sa] vhane u bva khavho Premia a ḁo hwesa maanda Mudzulatshidulo na Mufarisamudzulatshidulo";

Khwiniso ya khethekanyo 13 ya Mulayo 7 wa 1997

2. Khethekanyo 13 ya Mulayo wa Khomishini ya Vhaswa, 1997 (Mulayo No. 7 wa 1997), afha I khou khwiniswa -

(a) nga u shandukiswa u itela maipfi a rangelaho phara (a) ya khethekanyothukhu (1) ya maipfi a tevhelaho:

"(1) Premia u ḁo ri , nga u tavhanya nga hune zwa konadzea nga murahu ha u vhewa ha Khomishini, hu na vhukwamani na Khomishini, a vhea [Muñwaleli] Muofisiri Muhulwane wa Khorotshitumbe u itela Khomishini [sa] u vha vhulaedzwa ha mbalelano ha Khomishini sa zwo laedzwaho nga Mulayo wa Gwama wa Vhathu, 1999 (Mulayo No. 1 wa 1999) ane -"

(b) nga u shandukiswa u itela maipfi ane a tou rangela henefho pharathukhu (i) ya phara (d) ya khethekanyothukhu (1) ya maipfi a tevhelaho:

"(d) u do, hu tshi tevhedzwa [Mulayo wa Mulangagwama wa Transivala Devhula, 1994 (Mulayo No.3 wa 1994)] mulayo wa gwama ufho na ufho une wa humiswa-":

(c) nga u shandukiswa u itela khethekanyothukhu (4) ya khethekanyothukhu i tevhelaho;

"(4) [Muñwaleli] Muofisiri Muhulwane wa Khorotshitumbe wa Khomishini u do vheiwa hu tshi tevhedzwa ayo maga na maimela nahone u do wana ayo malamba, magavhelo na dziñwe mbuelo dza tshumelo sa zwine [Khomishini] Premia a nga ta [Zwi tshi elana na ndaulo dzo itwaho fhasi ha khethekanyo 14]";

Dzina L ipfufhi

3. Uyu Mulayo u do vhidzwa u pfi Mulayo wa Khwiniso wa Khomishini ya Vhaswa, 2001.

GENERAL NOTICE 84 OF 2001

NORTHERN PROVINCE GOVERNMENT

DEPARTMENT SPORTS, ARTS AND CULTURE

GENERAL NOTICE

**NORTHERN PROVINCE LIBRARY AND INFORMATION
SERVICES BILL, 2001**

In terms of rule 113(1) of the Rules and Orders of the Provincial Legislature of the Northern Province, the **Northern Province Library and Information Services Bill, 2001**, is hereby published for general information.

Any person or organization wishing to comment on the said Bill may lodge his, her or its written comments within 14 days of the date of this publication with:

**MR. MULAUDZI
53SCHOEMAN STREET
PIETERSBURG
0700**

NORTHERN PROVINCE LEGISLATURE

LIBRARY AND INFORMATION SERVICES BILL, 2001

as introduced by

**(MEMBER OF THE EXECUTIVE COUNCIL
FOR SPORT, ARTS AND CULTURE)**

BILL

To provide for the establishment, administration and control of library and information services in the Province and for matters incidental thereto.

BE IT ENACTED by the Legislature of the Northern Province, as follows-

DEFINITIONS

1. In this Act, unless the context indicates otherwise-

Board means the Provincial Library and Information Services Board established in terms of section 6 of the Act;

"Constitution" means the Constitution of the Republic of South Africa, 1996 (Act No. 108 of 1996);

"Department" means the Department of Sport, Arts and Culture;

"Executive Council" means the Executive Council of the Northern Province referred to in section 132 of the Constitution;

"Gazette" means the Provincial Gazette;

"Library Official" means the official appointed to render library service;

"Library material" means any book, periodical, manuscript, chart, map, video, cassette, slide, filmstrip, microfilm, audiocassette, audio-compact disc, computer software or any other material supplied by the Library and Information Service;

"Library and Information Service" means a service that will ensure easy access to reading and information sources and resources-based learning material to every citizen;

"Place of deposit" means the library or institution to which publishers entrapped a free copy of each publication or document generated in South Africa for free access and presentation in accordance with the Legal Deposit Act;

"prescribed" means prescribed by regulation;

"province" means the Northern Province;

“regulations” means regulations made under this Act;

“ regional library” means a fully equipped and staffed book depository housed in a Provincial Government building and managed by the Northern Province Provincial Library Service, with the specific function of supporting and supplying libraries by exchanging books that belong to the Provincial Government between affiliated libraries;

“MEC” means the Member of the Executive Council responsible for the provision of library and information services; and

“ this Act” includes regulations.

Application

2. This Act applies in the Province.

Objectives of the Act

3. The objectives of the Act are to -

- (1) provide for easy access to reading and information sources in order to promote a culture of reading and lifelong learning;
- (2) effect the full active participation of various interest groups in the development of library and information services in the Province;
- (3) enhance the dignity, stature and status of library officials while developing a culture of commitment of service, learning and professionalism;
- (4) reflect demographic realities in the establishment, rendering and development of library and information services in the Province;
- (5) co-ordinate library and information service policy by means of uniform norms and minimum standards which will generally apply through the Province;
- (6) provide for the establishment of a Provincial Library and Information Services Board; and
- (7) to effect a system of library and information provision and support which serves the needs and the interests of all the people of the Province.

Powers and functions of the MEC

4. (1) The MEC may-

- (i) in consultation with the Board, by notice in the Gazette, determine a library and information policy for the Province, which must be adhered to by the Head of Department and all library officials in the Province.
- (ii) establish, maintain and manage libraries and any services incidental thereto within the financial and staff capabilities of the Department
- (iii) support or finance the library or library service of any local government or any library not operating for profit, established and administered by any non-governmental organization.
- (iv) at any time, after consultation with interested parties, by notice in the Gazette close a library owned, established and managed by the Provincial Government and may withdraw any support given to any Local Government Library Service.

Functions of the Head of Department

5. The Head of Department must, in addition to any other function imposed on the Head of Department by this Act-

- (a) control and render a Library and Information Services to all libraries;
- (b) administer the establishment of functional library committees;
- (c) in consultation with the MEC and the Board take such steps as may be necessary to carry out the provincial and national library policies;
- (d) advise the MEC on library matters;
- (e) enter into affiliation agreements on behalf of the Provincial Library Service with Local Government and non-governmental organizations regarding the manner, terms and conditions in terms of which the libraries of these bodies will be supported and what the responsibilities of each contracting party will be ; and
- (f) in general, perform all such functions as are necessary for the achievement of the objectives of this Act.

Establishment of Provincial Library and Information Services Board

6. A Provincial Library and Information Services Board is hereby established.

Appointment and term of office of members of Board

7. (1) The Board is composed of not more than 9 members appointed by the MEC, subject to subsection (3).

- (2) Members of the Board must have the following minimum requirements:
 - (a) appropriate qualifications; and
 - (b) knowledge and experience in the management of a library.
- (3) The MEC must ensure that the Board is based on democratic, non-racist and non-sexist principles.
- (4) Members of the Board must not be appointed unless the MEC has invited interested parties through the media and by notice in the Gazette to nominate candidates, within 21 days of the invitation in the media and the publication of such notice, for consideration by the MEC.
- (5) A member of the Board must subject to subsection (6), hold office for a period not exceeding 3 years.
- (6) A member of the Board is eligible for reappointment at the expiry of the Member's term of office;
- (7) Upon expiry of the period for which members were appointed, they must remain in office until successors have been appointed, but for a further period of not more than three months.
- (8) The MEC may, after the MEC has afforded a member of the Board the opportunity to make representations, at any time, terminate the term of office of such member if-
 - (a) there are sufficient reasons for doing so; or
 - (b) he or she has been absent from more than 2 consecutive meetings of the Board without prior leave of the Chairperson.
- (9) If for any reason the office of a Member of the Board becomes vacant before the expiry of the period for which he or she was appointed, the MEC may, subject to subsection (3), appoint any other person for the unexpired portion of the period for which such member was appointed.
- (10) Members of the Board who are not in the full-time service of the State may, out of moneys appropriated for this purpose by the Provincial Legislature, be paid their reasonable subsistence and travelling expenses when attending a meeting of the Board, or a Committee, as the case may be.

Meetings

8. (1) The first meeting of the Board is held at a time and place

determined by the MEC, and all subsequent meetings are held at such times and places as the Board may determine.

- (2) The Chairperson of the Board may at any time, and must on a written request of at least five members of the Board, call a special meeting of the Board to be held at a time and place determined by the Chairperson.
- (3) Five members form a quorum at any meeting of the Board.
- (4) A decision of the Board must be taken by a majority of votes of members present at any meeting of the Board and in the event of an equality of votes, the Chairperson has a casting vote in addition to his or her deliberative vote.
- (4) The Board may, wherever it deems necessary to obtain advice in respect of a particular matter, co-opt any person as a member for the specific purpose, but such a person will not be regarded as a member for purposes of subsections (3) and (4).

Chairperson and Deputy Chairperson of Board

9. (1) The MEC must appoint a member of the Board as Chairperson of the Board.
- (2) At its first meeting, the Board must elect one of its members to be Deputy Chairperson of the Board.
- (3) If the Chairperson is absent or is for any reason unable to act as Chairperson, the Deputy Chairperson must perform the functions of the Chairperson.
- (4) In the event of the absence of both the Chairperson and the Deputy Chairperson from any meeting of the Board, the members present at the meeting must elect one of their number to preside at such meeting.

Committees of Board

10. The Board may appoint one or more Committees from members of the community to assist the Board in the performance of its functions.

Functions of Board

11. (1) The Board must-
 - (i) represent library users from the wider community;
 - (ii) advise the MEC on the formulation, development and implementation of a provincial policy for Library and Information Services in the Province;

- (iii) implement measures to redress the imbalances of the past relating to the unequal provision of library services to communities who indicate a need for a library;
 - (iv) monitor the rendering of library and Information Services in terms of this Act and advise the MEC;
 - (iv) annually draw up a budget for its own activities, setting out its intended expenditure on allocations and subsidies to the various Library and Information Services which perform functions within the Province;
 - (vi) advise the MEC on any matter the MEC may refer to the Board or which in the opinion of the Board, shall be brought to the notice of the MEC;
 - (vii) at the end of the year submit to the MEC an annual report on its activities during the year; and
 - (viii) keep books of accounts which must be audited annually by the Auditor-General.
- (2) The Head of the Department must appoint a person from the Department to carry out secretarial and administrative duties of the Board.

Agreements

12. (1) In order to further the objectives of this Act, the MEC may-
- (a) enter into agreements with other government departments, tiers of government, non-governmental organizations or any other person; and
 - (b) not enter into an agreement placing financial obligations on the Department without the concurrence of the Member of the Executive Council responsible for Financial matters in the Province.
- (2) The MEC may in terms of section 126 of the Constitution assign any power or function relating to Library and Information Services to a Municipal Council.
- (3) A power or function referred to in subsection (1) takes effect upon proclamation by the Premier.

Regulations

13. (1) The MEC may make regulations with regard to-

- (a) any matters which by this Act are required or permitted to be prescribed;
 - (c) the establishment, maintenance, management, control of library services, closure of libraries and the suspension of activities at libraries;
 - (c) the inspection of libraries;
 - (d) the establishment of Committees;
 - (e) the admission of members to libraries; and
 - (f) generally any matter, which the MEC considers necessary or expedient for achieving the objects of this Act.
- (2) The MEC must not make any regulations as to any fee or allowance payable to or by any person, or the control of any moneys, except with the concurrence of the Member of the Executive Council responsible for Financial matters in the province.

Delegations

14. (1) The MEC may, subject to such conditions as the MEC may determine, delegate any power or function conferred upon the MEC under this Act, except the powers referred to in section 13, to the Head of the Department and the MEC may authorize the Head of Department to delegate such power or function to any officer in the Department.
- (2) A delegation under subsection (1) will not prevent the MEC or the Head of the Department from exercising such power or performing such duty.
- (3) A delegation referred to in subsection (1) must be in writing.

Transitional provisions

15. As from the date of commencement of this Act, all existing libraries in the Province owned by the Provincial Government or Local Government must be administered in terms of this Act.

Repeal of Laws

16. (1) The laws mentioned in the Schedule are repealed to the extent indicated in the third column.

- (2) Anything done or deemed to have been done in terms of a law repealed by subsection (1) and which may or must be done in terms of this Act, is deemed to have been done in terms of the corresponding provision of this Act.

Short title and commencement

17. This Act is called the Library and Information Services Act, 2001 and comes into operation on a date determined by the Premier by proclamation in the provincial gazette.

ALGEMENE KENNISGEWING 84 VAN 2001

NOORDELIKE PROVINSIE WETGEWER

**WETSONTWERP OP BIBLIOTEEK- EN INLIGTINGSDIENSTE,
2001**

Soos voorgestel deur

**(LID VAN DIE UITVOERENDE RAAD VIR SPORT, KUNS EN
KULTUUR)**

WETSONTWERP

Ten einde voorsiening te maak vir die daarstelling, administrasie en beheer van biblioteek- en inligtingsdienste in die Provinsie en vir verwante aangeleenthede.

WORD DIT BEPAAL deur die Wetgewer van die Noordelike Provinsie, soos volg-

WOORDOMSKRYWINGS

1. In hierdie Wet, tensy dit uit die samehang anders blyk, beteken –

“Biblioteekmateriaal” enige boek, tydskrif, manuskrip, kaart, landkaart, video, kasset, skyfie, filmstrook, mikrofilm, oudiokasset, oudiokompakskyf, rekenaar sagteware en enige ander materiaal wat deur die Biblioteek- en Inligtingsdiens verskaf word;

“Biblioteek en Inligtingsdiens” ‘n diens wat sal verseker dat maklike toegang tot lees- en inligtingsbronne en bron gebaseerde studiemateriaal vir elke landsburger beskikbaar sal wees;

“Biblioteekamptenaar” die amptenaar wat aangestel is om biblioteekdiens te verskaf;

“Departement” die Departement van Sport, Kuns en Kultuur;

“Grondwet” die Grondwet van die Republiek van Suid-Afrika, 1996 (Wet No 108 van 1996);

“hierdie Wet” sluit regulasies in;

“Koerant” die Provinsiale Koerant;

“LUR” die Lid van die Uitvoerende Raad verantwoordelike vir die verskaffing van biblioteek- en inligtingsdienste;

“Plek van deposito” die biblioteek of instelling waaraan uitgewers ‘n gratis kopie van elke publikasie of dokument wat in Suid-Afrika ontstaan het vir gratis toegang en lewering in ooreenstemming met die Wet op Regsdeposito voorsien het;

“provinsie” die Noordelike Provinsie;

“Raad” die Provinsiale Biblioteek- en Inligtingsdiensteraad wat ingevolge artikel 6 van die Wet gestig is;

“regulasies” die regulasies wat ingevolge hierdie Wet gemaak is;

“streeksbiblioteek” ‘n ten volle toegeruste, met volledige personeel, boek bewaarplek binne ‘n Provinsiale Regeringsgebou en wat deur die Noordelike Provinsie se Provinsiale Biblioteekdiens bestuur word, met die spesifieke funksie om biblioteke te ondersteun en voorsien deur die uitruil van boeke wat aan die Provinsiale Regering behoort tussen geaffilieerde biblioteke;

“Uitvoerende Raad” die Uitvoerende Raad van die Noordelike Provinsie soos na verwys in artikel 132 van die Grondwet; en

“voorgeskrewe” soos deur regulasie voorgeskryf.

Toepassing

2. Hierdie Wet is van toepassing in die Provinsie.

Oogmerke van die Wet

3. Die oogmerke van die Wet is om-

- (1) maklike toegang tot lees- en inligtingsbronne te verskaf ten einde 'n kultuur van lees en lewenslange studie te bevorder;
- (2) die volle aktiewe deelname van die verskillende belangegroepe in die ontwikkeling van biblioteek- en inligtingsdienste in die Provinsie;
- (3) die waardigheid, statuur en status van biblioteekamptenare te verbeter terwyl 'n kultuur van toegewydheid aan diens, leer en professionalisme bevorder word;
- (4) die demografiese werklikhede in die daarstelling, verskaffing en ontwikkeling van biblioteek- en inligtingsdienste in die Provinsie te reflekteer;
- (5) biblioteek- en inligtingsdienstebeleid by wyse van eenvormige norme en minimum standaarde te koördineer wat algemeen deur die Provinsie sal geld;
- (6) voorsiening te maak vir die daarstelling van 'n Provinsiale Biblioteek- en Inligtingsdiensteraad; en
- (7) 'n stelsel van biblioteek en inligtingverskaffing en – ondersteuning in werking te stel wat in die behoeftes en belange van al die mense van die Provinsie sal voorsien.

Magte en pligte van die LUR

4. (1) Die LUR kan-

- (i) in oorleg met die Raad, deur kennisgewing in die *Koerant*, 'n biblioteek- en inligtingsbeleid vir die Provinsie vasstel, waarvolgens die Departementshoof en alle biblioteekamptenare in die Provinsie moet optree.
- (ii) biblioteke en enige verwante dienste instel, onderhou en bestuur binne die finansiële- en personeelvermoëns van die Departement.
- (iii) die biblioteek of biblioteekdiens van enige plaaslike regering of enige biblioteek wat nie vir winsbejag optree nie, wat deur enige nie-regeringsorganisasie gestig en administreer word, ondersteun of finansier.
- (iv) te enige tyd, na oorlegpleging met belangegroepe, deur kennisgewing in die *Koerant*, 'n biblioteek sluit wat deur die Provinsiale Regering besit, gestig en bestuur word en kan enige ondersteuning verleen aan enige Plaaslike Regeringbiblioteekdiens onttrek.

Funksies van die Departementshoof

5. Die Departementshoof moet, bykomend tot enige ander funksies wat deur hierdie Wet aan die Departementshoof voorgeskryf word-
- (a) 'n Biblioteek- en Inligtingdiens aan alle biblioteke beheer en verskaf;
 - (b) die daarstelling van funksionele biblioteekkomitees administreer;
 - (c) in oorleg met die LUR en die Raad sodanige stappe as wat nodig mag wees neem ten einde die provinsiale en nasionale biblioteekbeleide uit te voer;
 - (d) die LUR op biblioteekaangeleenthede adviseer;
 - (e) namens die Provinsiale Biblioteekdiens met Plaaslike Regering en nie-regeringsorganisasies affiliasie-ooreenkomste aangaan, rakende die wyse, terme en voorwaardes waarvolgens die biblioteke van sodanige instellings ondersteun sal word en wat die verantwoordelikhede van elke kontrakterende party sal wees; en
 - (f) in die algemeen, sodanige funksies uitvoer as wat nodig mag wees vir die bereiking van die oogmerke van hierdie Wet.

Daarstelling van Provinsiale Biblioteek- en Inligtingsdiensteraad

6. 'n Provinsiale Biblioteek- en Inligtingsdiensteraad word hiermee gestig.

Aanstelling en ampstermyn van lede van die Raad

7. (1) Die Raad word saamgestel uit nie meer as 9 lede wat deur die LUR aangestel word, onderworpe aan subartikel (3).
- (2) Lede van die Raad moet aan die volgende minimum vereistes voldoen:
- (a) toepaslike kwalifikasies; en
 - (b) kennis en ervaring in die bestuur van 'n biblioteek.
- (3) Die LUR moet verseker dat die Raad baseer is op demokratiese, nie-rassistiese en nie-seksistiese beginsels nie.
- (4) Lede van die Raad kan nie aangestel word nie tensy die LUR belangstellende partye deur die media en deur kennisgewing in die *Koerant* uitgenooi het om kandidate te nomineer, binne 21 dae na die uitnodiging in die media en die publikasie van sodanige kennisgewing, vir oorweging deur die LUR.
- (5) 'n Lid van die Raad moet onderworpe aan subartikel (6), in die amp wees vir 'n tydperk van nie langer as 3 jaar nie.
- (6) 'n Lid van die Raad is verkiesbaar vir heraanstelling by dieverstryking van die Lid se ampstermyn;

- (7) By die verstryking van die tydperk waarvoor lede aangestel is, moet hulle in die ampte bly totdat opvolgers aangestel is, maar vir 'n verder tydperk van nie langer as drie maande nie;
- (8) Die LUR kan, nadat die LUR 'n lid van die Raad die geleentheid gegee het om verhoë te rig, te enige tyd, die ampstermyn van sodanige lid beëindig indien –
 - (a) daar voldoende redes is om dit te doen; of
 - (b) hy of sy afwesig was van meer as 2 agtereenvolgende vergaderings van die Raad sonder die vooraf toestemming van die Voorsitter.
- (9) Indien om enige rede die amp van 'n Lid van die Raad vakant raak voor die verstryking van die tydperk waarvoor hy of sy aangestel is, kan die LUR, onderworpe aan subartikel (3), enige ander persoon aanstel vir die onverstreke gedeelte van die tydperk waarvoor sodanige lid aangestel was.
- (10) Lede van die Raad wat nie in die voltydse diens van die Staat is nie kan, uit gelde begroot vir die doeleinde van die Provinsiale Wetgewer, redelike reis- en verblyf-koste betaal word wanneer 'n vergadering van die Raad, of 'n Komitee, soos die geval mag wees, bywoon.

Vergaderings

8. (1) Die eerste vergadering van die Raad word gehou op 'n tyd en plek wat deur die LUR bepaal word, en alle daaropvolgende vergaderings word gehou op sodanige tye en plekke as wat die Raad mag bepaal.
- (2) Die Voorsitter van die Raad kan te enige tyd, en moet op die skriftelike versoek van minstens vyf lede van die Raad, 'n spesiale vergadering van die Raad belê op sodanige tyd en plek as wat deur die Voorsitter bepaal word.
- (3) Vyf lede vorm 'n kworum by enige vergadering van die Raad.
- (4) 'n Besluit van die Raad moet deur 'n meerderheidstem van lede verteenwoordig by enige vergadering van die Raad geneem word en in die geval van 'n gelykop stemming, het die Voorsitter die beslissende stem bykomend tot sy of haar gewone stem.
- (5) Die Raad kan, wanneer dit nodig geag word om advies ten opsigte van 'n bepaalde aangeleentheid te bekom, enige lig as 'n lid vir die bepaalde doel koöpteer, maar sodanige persoon sal nie as 'n lid geag word vir die doeleindes van subartikels (3) en (4) nie.

Voorsitter en Ondervoorsitter van die Raad

9. (1) Die LUR moet 'n lid van die Raad as Voorsitter van die Raad aanstel.

- (2) Tydens die eerste vergadering, moet die Raad een van sy lede as Ondervoorsitter van die Raad verkies.
- (3) Indien die Voorsitter afwezig is of vir enige rede nie in staat is om as Voorsitter op te tree nie, moet die Ondervoorsitter die pligte van die Voorsitter nakom.
- (4) In 'n geval van afwesigheid van beide die Voorsitter en die Ondervoorsitter van enige vergadering van die Raad, moet die teenwoordige lede by die vergadering een uit hulle geledere verkies om as voorsitter van sodanige vergadering op te tree.

Komitees van die Raad

10. Die Raad kan een of meer Komitees aanstel uit lede van die gemeenskap om die Raad by te staan in die uitvoering van sy pligte.

Funksies van die Raad

11. (1) Die Raad moet-

- (i) biblioteekverbruik van die breër gemeenskap verteenwoordig;
- (ii) die LUR adviseer oor die formulering, ontwikkeling en implementering van 'n provinsiale beleid vir Biblioteek- en Inligtingsdienste in die Provinsie;
- (iii) maatstawwe implementeer om die wanbalanse van die verlede wat verband hou met die ongelyke voorsiening van biblioteekdienste aan gemeenskappe wat 'n behoefte aan 'n biblioteek het, reg te stel;
- (iv) die verskaffing van Biblioteek- en Inligtingsdienste ingevolge hierdie Wet monitor en die LUR adviseer;
- (v) jaarliks 'n begroting opstel vir sy eie aktiwiteite, waarin uiteengesit word die beoogde uitgawes op toewysings en subsidies aan die verskeie Biblioteek- en Inligtingsdienste wat funksies binne die Provinsie uitvoer;
- (vi) die LUR adviseer op enige aangeleentheid wat die LUR na die Raad mag verwys of wat na die mening van die Raad, onder die aandag van die LUR gebring moet word;
- (vii) aan die einde van die jaar aan die LUR 'n jaarverslag van sy aktiwiteite gedurende die jaar voorlê; en
- (viii) boekhou van rekeninge wat jaarliks deur die Ouditeur-Generaal geaudit moet word.

- (2) Die Departementshoof moet 'n persoon van die Departement aanstel om die sekretariële en administratiewe pligte van die Raad uit te voer.

Ooreenkomste

12. (1) Ten einde die oogmerke van hierdie Wet te bevorder, kan die LUR-
- (a) ooreenkomste met ander staatsdepartemente, vlakke van regering, nie-regeringsorganisasie of enige ander persoon, aangaan; en
 - (b) nie enige ooreenkoms aangaan wat finansiële verpligtinge op die Departement plaas sonder die toestemming van die Lid van die Uitvoerende Raad verantwoordelik vir finansiële aangeleenthede in die Provinsie nie.
- (2) Die LUR kan ingevolge artikel 126 van die Grondwet enige magte of pligte wat verband hou met Biblioteek-en Inligtingsdienste aan 'n Munispale Raad opdra.
- (3) 'n Mag of plig waarna in subartikel (1) verwys word neem 'n aanvang by proklamasie deur die Premier.

Regulasies

13. (1) Die LUR kan regulasies maak ten opsigte van –
- (a) enige sake wat deur hierdie Wet vereis word of toegelaat word om voorgeskryf te word;
 - (b) die instelling, onderhoud, bestuur, beheer van biblioteekdienste, sluiting van biblioteke en die staking van aktiwiteite by biblioteke;
 - (c) die inspeksie van biblioteke;
 - (d) die instelling van Komitees;
 - (e) die toelating van lede tot biblioteke; en
 - (f) in die algemeen enige aangeleentheid wat die LUR as nodig of wenslik ag vir die bereiking van die oogmerke van hierdie Wet.
- (2) Die LUR kan nie enige regulasies maak ten opsigte van enige fooi of toelaag betaalbaar aan of deur enige persoon, of die beheer van enige gelde, behalwe met die toestemming van die Lid van die Uitvoerende Raad verantwoordelik vir finansiële aangeleenthede in die provinsie nie.

Afvaardigings

14. (1) Die LUR kan, onderworpe aan sodanige voorwaardes as wat die LUR kan

bepaal, enige magte of funksies wat deur die LUR in ooreenstemming met hierdie Wet opgelê is, behalwe die magte waarna in artikel 13 verwys, aan die Departementshoof oordra en die LUR kan die Departementshoof magtig om sodanige magte of funksies aan enige amptenaar in die Departement oor te dra.

(2) 'n Oordrag onder subartikel (1) sal nie die LUR of die Departementshoof daarvan weerhou om sodanige magte uit te voer of sodanige pligte na te kom nie.

(3) 'n Oordrag soos na verwys in subartikel (1) moet skriftelik wees.

Oorgangsvoorwaardes

15. Vanaf die aanvangsdatum van hierdie Wet, moet alle bestaande biblioteke in die Provinsie wat besit word deur die Provinsiale Regering-of Plaaslike Regering ingevolge hierdie Wet geadministreer word.

Herroeping van Wette

16. (1) Die wette genoem in die Skedule word herroep tot die mate wat in die derde kolom aangedui word.

(2) Enigiets gedoen of geag gedoen te wees ingevolge 'n wet wat deur subartikel (1) herroep is en wat ingevolge hierdie Wet gedoen mag of kan wees, word geag as gedoen te wees ingevolge die ooreenstemmende voorsiening van hierdie Wet.

Kort titel en inwerkingtreding

17. Hierdie Wet staan bekend as die Biblioteek- en Inligtingswet, 2001 en tree in werking op 'n datum wat bepaal word deur die proklamasie daarvan deur die Premier in die *Provinsiale Koerant*.

**NAWUMBISI WA XIFUNDZANKU
N'WALUNGU**

**NAWUMBISI WA VUTIRHILE B
LAYIBULARI NA MAHUNGU, 2**

Tani hilaha wu ngenisiweke hi

**(XIRHO XA HUVONKULU XA MINT
VUTSHILA NA NDHAVUKO)**

NAWUMBISI

Wo endla makungu eka ku tumbuluxiwa, vufambisi na ku lawuriwa ka tilayibulari na vutirheli bya mahungu na timhaka leti ti fambelanaka naswona.

Mfumo wa Milawu wa Xifundzankulu xa N'walungu WU VEKA NAWU hi ndleala leyi landzelaka-

TINHLAMUSELO

1. Eka Nawu lowu, handle ka nhlamuselo yi komba swin'wana-

“Gazete” ri vula Gazete ya Xifundzankulu;

“Hlamuseriweke” ri vula leyi hlamuseriweke hi xinawana;

“Huvo” ri vula Huvo ya Tilayibulari ta Xifundzankulu na Vutirheli bya Mahungu lebyi byi tumbuluxiweke hi ku landza xiyenge xa 6 xa Nawu lowu;

“Huvonkulu” ri vula Huvonkulu ya Xifundzankulu xa N'walungu lexi ku kongomisiwaka eka xona eka xiyenge xa 132 xa Vumbiwa;

“Mutirhi wa layibulari” ri vula mutirhi wa layibulari loyi a thoriweke ku tirha mintirho ya latibulari;

“Ndzawulo” ri vula Ndzawulo ya Mintlangu, Vutshila na Ndhavuko;

“Ndhawu ya ku veka” ri vula layibulari kumbe ndzawulo leyi vakandziyisi va vekeka tsalwa ra mahala ra vukandziyisi byihi ni byihi kumbe tsalwa leri humesiweke ra laha Afrika Dzonga leswaku ri kumeka mahala na ku humesiwa hi ku landza Nawu wa ku Veka ka Nawu;

“Nawu lowu” wu katsa swinawana;

“Layibulari ya xifundza” ri vula ndhawu leyi ku vekiwa na ku kumeka ka tibuku laha ku nga ni muako wa mfumo leyi yi fambisiwaka hi Vutirheli bya Tilayibulari bya Xifundzankulu xa N'walungu, hi xikongomelo xo karhi xa ku pfuneta na ku nyika tilayibulari hi ku ncincana tibuku leti ti nga ta Mfumo wa Xifundzankulu exikarhi ka tilayibulari leti ti nga tsarisa;

“Swinawana” ri vula swinawana leswi swi endliweke ehansi ka Nawu lowu;

“Switirho swa le layibulari” ri vula buku yihi ni yihi, tibuku ta ku ya hi nkarhi, matsalwa, chati, mepe, vhidiyo; khasete, filimi, filimi leyi yi nga ni swifaniso leswintsongo swa matsalwa, khasete yo yingisela, disiki yo yingisela, minongonoko ya khompyuta kumbe swilo swin’wana swihi ni swihi leswi leswi phakiwaka hi Layibulari na Vutirheli bya Timhaka;

“Vutirheli bya Mahungu na Layibulari” ri vula vutirheli lebyi byi nga ta endla leswaku swi olova ku kota ku hlaya na swilo leswi swi nga ni timhaka na swilo leswi swi kongomisiweke eka ku dyondza ka muaka-tiko wun’wana ni wun’wana;

“Vumbiwa” ri vula Vumbiwa ra Rhiphabliki ra Afrika Dzonga, 1996 (Nawu wa 108 wa 1996);

“Xirho xa Huvonkulu” ri vula Xirho xa huvonkulu lexi-xi nga ni vutihlamuleri eka makungu ya layibulari na vutirheli ya timhaka; na

“Xifundzankulu” ri vula Xifundzankulu xa N’walungu;

Ku tirha

2. Nawu lowu wa ta tirha ka Xifundzankulu.

Swikongomelo swa Nawu lowu

3. Swikongomelo swa Nawu hileswi swi landzelaka-
 - (1) ku endla leswaku swi olova ku kota ku hlaya na ku kuma mahungu leswaku ku ta tlakusiwa xiyimo xa ku hlaya na ku dyondza loku nga heriki;
 - (2) ku kota ku nghenelela loku heleleke ka mintlawwa yo hambana leyi yi nga ni ku tsakela eka ku hluvukisa layibulari na vutirheli bya timhaka eka Xifundzankulu;
 - (3) ku nyika ndzhuti, xiyimo na xitetasi xa vatirhi va le layibulari loko va ri karhi va hluvukisa moya wa vutiyimiseri eka ntirho, dyondzo na xipurofexini;
 - (4) ku kombisa ntiyiso wa ku ringana eka ku tumbuluxa, ku nyika na ku hluvukisa eka layibulari na vutirheli bya mahungu eka xifundzankulu;
 - (5) ku fambisa layibulari na maendlele ya vutirheli bya mahungu, endlelo ro fana na xiyimo lexi ringanisiweke lexi xi nga ta tirha eka xifundzankulu;
 - (6) ku endlela eka ku tumbuluxiwa ka layibulari ya xifundzankulu na Huvo ya Vutirheli bya mahungu.
 - (7) Ku tirhisa sisiteme ya layibulari na makungu ya mahungu na nseketelo lowu wu tirhelela swilaveko na ntsakelo wa vanhu hinkwavo va xifundzankulu.

Matimba na mintirho ya Xirho xa Huvonkulu

4. (1) Xirho xa Huvonkulu xi nga-
- (i) hi ku tihlanganisa ni huvo, hi xitiviso eka Gazete, xi ta boha layibulari na endlelo ra makungu ya xifundzankulu, leswi swi faneleke swi landzeleriwa hi hi nhloko ya ndzawulo na vatirhi hinkwavo va layibulari eka xifundzankulu.
 - (ii) Tumbuluxa, hlayisa na ku fambisa tilayibulari ni vutirheli byihi ni byihi lebyi yelanaka naswona eka vuswikoti bya xitafu ni swatimali ta ndzawulo.
 - (iii) Ku seketela kumbe ku nyika tilayibulari kumbe vutirheli bya layibulari ya mfumo wa ndhawu wihi ni wihi kumbe layibulari yihi ni yihi leyi yi nga tirheleki ntswalo wa mali, leyi tumbuluxiweke kumbe leyi fambisiwaka hi nhlango wihi ni wihi lowu wu nga ri ki wa Mfumo.
 - (iv) Eka nkarhi wihi ni wihi, endzhaku ka ku tihlanganisa ni minhlango leyi yi nga ni ntsakelo, hi xitiviso eka Gazete yi nga pfala layibulari leyi fumiwaka, tumbuluxiweke na ku fambisiwa hi Mfumo wa Xifundzankulu naswona yi nga tshika nseketelo wihi ni wihi lowu wu nyikiwaka Vutirheli bya layibulari ya Mfumo wa Ndhawu wihi ni withi.

Mintirho ya Nhloko ya Ndzawulo

5. Nhloko ya Ndzawulo yi fanele hi ku engetela eka mintirho yihi ni yihi yin'wana leyi yi kongomisiweke eka Nhloko ya ndzawulo hi nawu lowu-
- (a) lawula na ku nyika vutirheli bya layibulari na mahungu ya tilayibulari hinkwato;
 - (b) fambisa matumbuluxele ya tikomiti to tirha ta layibulari;
 - (c) hi ku tsundzuxana na Xirho xa huvonkulu na Huvod, yi nga teka magoza lama ya faneleke eka ku fambisa maendlelo ya layibulari ya tiko na ya xifundzankulu;
 - (d) tivisa Xirho xa Huvonkulu hi timhakata layibulari
 - (e) nghena eka ntwanano wa ku hlenga hi ku yimela Vutirheli bya Layibulari ya Xifundzankulu ni Mfumo wa Ndhawu na minhlango leyi yi nga ri ki ya mfumo mayelana ni mhaka leyi, maendlelo na swiyimo leswi tilayibulari ta minhlango leyi ti nga seketeriwaka ni leswi timfanelo ta nhlango lowu nga ta va kona wu nga xiswona; na
 - (f) hi ku angarhela, endla mintirho hinkwayo yo tana eka ku kuma swikongomelo swa nawu lowu.

Ku simekiwa ka layibulari ya Xifundzankulu na Huvo ya Vutirheli bya mahungu.

6. Layibulari ya Xifundzankulu na huvo ya Vutirheli bya Mahungu ya tumbuluxiwa.

Ku thoriwa na nkarhi wa hofisi wa Swirho swa Huvo.

7. (1) Huvo yi ni swirho swo ka swi nga tluli 9 leswi thoriweke hi Xirho xa huvonkulu, hi ku ya hi xiyengenyana xa (3)
- (2) Swirho swa huvo swi fanele swi fikelela swilaveko leswi landzelaka
 - (a) tidyondzo leti ti faneleke, na
 - (b) vutivi na ntokoto eka vufambisi bya layibulari.
- (3) Xirho xa huvonkulu xi fanele xi vona leswaku Huvo yi kongomisiwa eka xidimokrasi, ku nga yi hi rixaka, ku nga yi hi rimbewu.
- (4) Swirho swa Huvo a swi fanelangi ku thoriwa handle kaloko Xirho xa huvonkulu xi rhambile minhlango leyi yi nga ni ntsakelo hi ku tivisa eka vuhaxi bya mahungu na hi xitiviso eka Gazete ya ku hlawula vayimela ku langhwa, hi masiku ya 21 ya xirhambo eka vuhaxi na ku humesiwa ka xitiviso xo tano leswaku xi kambisisiwa hi Xirho xa Huvonkulu.
- (5) Xirho xa Huvo xi fanele xi tirha hi ku ya hi xiyengenyana xa (6), xi fanele xi tshama ehofisini nkarhi lowu nga hundzeki malembe ya 3.
- (6) Xirho xa Huvo xi nga fanela ku tlhela xi thoriwa eka ku hela ka nkarhi wa hofisi wa Xirho.
- (7) Eka ku hela ka nkarhi lowu swirho swi thoriweke wona, va fanele va tshama ehofisini ku fikelela nkarhi lowu ku nga ta nghena vathoriwa, kambe swi ta va swa nkarhi lowu wu nga hundzeki tinhweti tinharhu.
- (8) Xirho xa huvonkulu, endzhaku kaloko Xirho xa Huvonkulu xi nyikile Xirho xa Huvo nkarhi wa ku nyika vuyimeri eka nkarhi wihi ni wihi, herisa nkarhi wa Xirho xo tano loko-
 - (a) ku ri ni swivangelo swo ringana swo endla tano; kumbe
 - (b) loko a nag vangi kona eka tinhlangeletano timbirhi to landzelelelana ta Huvo ku nga landzeleli livhi ya Mutshamaxitulu.
- (9) Loko hi xivangelo xihi ni xihi hofisi ya Xirho xa Huvo yi nga vaka ni xivandla ku nga si hela nkarhi lowu xi thoriweke hi wona, Xirho xa Huvonkulu, hi ku ya hi xiyengenyana xa (3), xi nag thola munhu wihi ni wihi wun'wana eka nkarhi lowu nga kona hi nkarhi lowu xirho xo tano xi thoriweke.
- (10) Swirho swa Huvo leswi swi nag ri ki swa nkarhi hinkwawo swa mfumo, swi nga ha eka mali leyi yi averiwaka xikongomelo lexi hi Mfumo wa Milawu wa Xifundzankulu, swi fanele swi hakeriwa mali leyi twisisekaka na mali ya ku famba lako va ya eka tinhlangeletano ta Huvo kumbe Komiti tani hileswi mhaka yi nga vaka xiswona.

Tinhlengeletano

8. (1) Nhlengeletano yo sungula ya Huvo yi ta khomeriwa eka ndhawu na nkarhi lowu bohiweke hi Xirho xa Huvonkulu, naswona tinhlengeletano leti landzelaka ti ta khomiwa hi minkarhi na tindhawu leti bohiwaka hi Huvo.
- (2) Mutshamaxitulu eka nkarhi wihi ni wihi a nga endla xikombelo xo tsariwa, a nga vitana nhlengeletano yo hlawuleka ya Huvo leyi nga khomiwaka hi nkarhi ni ndhawu leyi bohiwaka hi mutshamaxitulu.
- (3) Swirho swa ntlanu swi endla khoramu eka nhlengeletano yihi ni yihi ya Huvo.
- (4) Xiboho xa Huvo xi fanele xi tekiwa hi nhlayo-ntalo ya tivhoti ta swirho leswi nga kona eka nhlengeletano yihi ni yihi ya Huvo naswona eka xiyimo xa ku ringana ka tivhoti, Mutshamaxitulu u vhoti yo hetisisa eka ku engetela eka vhoti ya yena leyi a yi endleke.
- (5) Huvo loko yi vona swi fanerile ku kuma xitsundzuxo ku ya hi mhaka yo karhi, yi nga thola munhu wihi ni wihi tani hi xirho hi xikongomelo xo karhi; kambe xirho xo tano xi nge voniwi tani hi xirho hi xikongomelo xa xiyengenyana xa (3) na (4).

Mutshamaxitulu na Museketeri wa Mutshamaxitulu wa Huvo

9. (1) Xirho xa Huvonkulu xi fanele xi thola xirho xa Huvo tanihi hi Mutshamaxitulu wa Huvo.
- (2) Eka nhlengeletano yo sungula, Huvo yi fanele yi thola wun'we wa swirho ku va mutshamaxitulu wa huvo.
- (3) Loko Mutshamaxitulu a nga ri kona, kumbe hi xivangelo xin'wana a nga swi koti ku va Mutshamaxitulu, Museketeri wa mutshamaxitulu u fanele a tirha mintirho ya Mutshamaxitulu.
- (4) Eka xiyimo lexi Mutshamaxitulu na Museketeri wa Mutshamaxitulu va nga ri kona eka nhlengeletano yihi ni yihi ya Huvo, swirho leswi swi nga kona swi fanele swi hlawula xirho xin'we ku fambisa nhlengeletano yo tano.

Tikomiti ta Huvo

10. Huvo yi fanele yi thola Komiti yin'we kumbe ku tlula eka swirho swa tiko ku pfuna Huvo eka ku endla mintirho ya yona.

Mintirho ya Huvo

11. (1) Huvo yi fanele yi-
 - (i) yimela vatirhi va layibulari va tiko
 - (ii) tsundzuxa Xirho xa huvonkulu eku tumbuluxa, hluvukisa na ku tirhisa maendlelo ya xifundzankulu ya Vutirheli bya Mahungu na layibulari eka Xifundzankulu.

- (iii) ku ku endla swipimela leswi swi lunghisaka ku ka ku nga ringani loku hundzeke hi mayelana na makungu lama ya nga ringaniki ya vutirheli bya layibulari eka tindhawu leti ti kombisaka xilaveko xa layibulari;
 - (iv) ku langutisa na ku nyika Vutirheli bya layibulari na mahungu hi ku landza Nawu lowu na ku tsundzuxa Xirho xa Huvonkulu;
 - (v) va fanele va tsala mpimanyeto wa lembe wa migingiriko ya layibulari, na ku endla matirhiselo ya mali eka ku avela na swipfuno eka Vutirheli bya Layibulari na Mahungu yo hambana leyi yi endlaka mintirho laha eka Xifundzankulu;
 - (vi) tsundzuxa Xirho xa Huvonkulu eka mhaka yihi ni yihi leyi Xirho xa Huvonkulu xi nga kongomisaka eka Huvo, yi ta tivisiwa hi Xirho xa Huvonkulu;
 - (vii) emahlweni ya lembe ku fanele ku yisiwa xiviko xa lembe eka Xirho xa Huvonkulu xa leswi swi nga humelela exikarhi ka-lembe, na
 - (viii) hlayisa tibuku ta tinkota leti ti faneleke ti oditiwa lembe na lembe hi Oditara-Jenerala.
- (8) Nhloko ya Ndzawulo yi fanele yi thola munhu ku suka eka ndzawulo loyi a nga ta tirha mintirho ya vufambisi na matsalani ya Huvo

Mintwanano

12. (1) Ku kota ku yisa emahlweni swikongomelo swa Nawu lowu, Xirho xa Xifundzankulu xi ta-
- (a) va fanele va twanana ni tindzawulo ta mfumo, swivumbeko swa mfumo, minhlangano leyi yi nga ri ki ya mfumo kumbe munhu wihi ni wihi wun'wani, na
 - (b) a nga nghenelela eka ntwanano wa ku veka timali eka Ndzawulo ku nga ri ni ku fambisana na Xirho xa Huvonkulu loyi a nga ni vutihlamuleri eka timhaka timali eka Xifundzankulu.
- (2) Xirho xa Huvonkulu xi nga nyika matimba hi ku landza xiyenge 126 xa Vumbiwa na ka nyika matimba kumbe mintirho leyi yi yelanaka ni Vutirheli bya Layibulari na Mahungu eka Huvo ya Masipala.
- (3) Matimba na mintirho lowu kongomisiweke eka xiyengenyana xa (1) yi sungula ku tirha eka xitivisa nawu hi Holobyenkulu.

Swinawana

13. (1) Xirho xa Huvonkulu xi nga endla xinawana hi mayelana ni-
- (a) timhaka tihi ni tihi leti ti laviwaka hi Nawu lowu ta laveka kumbe leti pfumeleriwe ku hlamuseriwa;

- (b) ku tumbuluxiwa, hlayisa, fambisa, lawula ka vutirheli bya tilayibulari, ku pfariwa ka tilayibulari na ku heriswa ka migingiriko ya tilayibulari;
 - (c) kukambisisa ku tilayibulari;
 - (d) ku tumbuluxiwa ka Tikomiti;
 - (e) ku pfumeleriwa ka swirho etilabulari; na
 - (f) mhaka yihi ni yihi hi ku angarha, leyi Xirho xa Huvonkulu xi vonaka yi fanerile ku yi ri ya nkoka eka ku kuma swikongomelo swa Nawu lowu.
- (9) Xirho xa huvonkulu xi fanele xi endla swinawana eka hakelo kumbe swiengetelo leswi swi hakeriwaka eka munhu, kumbe vulawuri eka timali, handle kaloko swi fambisana ni Xirho xa Huvonkulu lexi xi nga ni vutihlamuleri eka timali ta xifundzankulu.

Vurhumiwa

14. (1) Xirho xa Huvonkulu xi nga hi ku hi swiyimo tani hileswi Xirho xa Huvonkulu xi nga bohaka, xi nga nyika matimba kumbe ntirho lowu wu wa Xirho xa Huvonkulu eka Nawu lowu, handle ka matimba lama ku kongomisiweke eka wona eka xiyenge xa 13, eka Nhlko ya Ndzawulo na Xirho xa Huvonkulu xinga pfumelela Nhloko ya Ndzawulo ku nyika matimba kumbe ntirho eka mutirhi wa Ndzawulo.
- (2) Vurhumiwa lebyi byi nga ehansi ka xiyengenyana xa (1) a byi sirheleli Xirho xa Huvonkulu kumbe Nhlko ya Ndzawulo eka tirhisa matimba ya ku endla mintirho yo tano.
- (3) Vurhumiwa lebyi ku kongomisiweke eka byona byi fanele byi lo tsariwa.

Makungu ya nkarhinyana

15. Ku sukela siku ra ku sungula ku tirha ka nawu lowu, tilayibulari hinkwato ta Xifundzankulu leti ti fumiwaka hi Mfumo wa Xifundzankulu kumbe Mfumo wa Ndhawu ti fanele ti tirhisiwa hi ku ya hi Nawu lowu.

Ku herisiwa ka Milawu.

16. (1) Milawu leyi yi vuriweke eka Xedul ya herisiwa hi ndlela leyi yi kombisiweke eka kholomo ya vunharhu
- (2) Xin'wani na xin'wani lexi xi endliweke kumbe lexi xi nga endliwa hi ku landza milawu leyi herisiweke hi xiyengenyana xa (1) naswona leyi nga kumbe leyi nga ta endliwa hi ku landza Nawu lowu, swi voniwa swi endliwile hi ku landza makungu lama fambisanaka na Nawu lowu.

Nhlokomhaka na ku komisa

17. Nawu lowu wu vuriwa Nawu wa Vutrheli bya Layibulari na Mahungu, 2001 nawswona wu ta sungula ku tirha hi siku leri ri bohiweke hi Holobyenkulu hi xitivisanawu eka gazete ya xifundzankulu.

TSEBIŠO-KAKARETŠO 84 WA 2001

**LEKGOTLAPEAMELAO LA PROFENSE YA LEBOA
MOLAOKAKANYWA WA DITIRELO TŠA MAKGOBAPUKU LE
TSHEDIMOŠO, 2001**

Bjalo ka ge o hlagišitšwe ke

**(LELOKO LA LEKGOTLAPHETHIŠO LA DIPAPADI, BOKGABO LE
SETŠO)**

MOLAOKAKANYWA

Wa go beakanyetša tlhomo, tshepedišo le taolo ya ditirelo tšša bokgobapuku le tshedimošo le ditaba tšeo di amanago le wona.

Go BEWA MOLAO ke Lekgotlapeamelao la Profense ya Leboa, ka fao go latelago:

DITLHALOŠIŠO

1. Ka gare ga Molao wo, ntle le ge ditennng di laetša ka mokgwa o mongwe-

"Boto" ke go re Boto ya Ditirelo tša Tshedimošo le Makgobapuku a Profense yeo e hlomilwego go ya ka karolo 6 ya Molao;

"bokgobapuku bja tikologo" ke go re bobee bja dipuku bjoo bo tlabaketšwego ka botlalo ka phahlo la badiredi, bo beilwego ka gare ga moago wa Mmušo wa Profense gomme bo laolwa ke Tirelo ya Bokgobapuku ya Profense ya Leboa, ka nepo ya modiro wa thekgo le go abela makgobapuku ka neelano ya dipuku tšeo e lego tša Mmušo wa Profense magareng a makgobapuku ao a nago le setswalle.

"Ditlabakelo tša bokgobapuku" ke go re puku, tšhupamabaka, sengwalwa, tšhate, mmepe, bideo, khasete, selaete, filimiseteripi, mikrofilimi, otiokhasete, disiki ya otiokhompheke, khomphutha goba setlabakelo sefe le sefe seo se abiwago ke Tirelo ya Tshedimošo le Bokgobapuku;

"kgethetšwego" ke go re kgethetšwego ke molawana;

"Kgoro" e ra Kgoro ya Dipapadi, Bokgabo le Setšo;

"Kuranta" e ra Kuranta ya Profense;

"Lekgotla-Phethišo" ke go re Lekgotla-Phethišo la Profense ya Leboa leo le šupetšwego ka go karolo 132 ya Molaotheo;

"Lefelo la bokgobelo" ke go re bokgobapuku goba intitušene yeo go yona bagatiši ba išago khophi ya mahala ya kgatišo efe le efe goba tokumente yeo e hlagilego ka Afrika Borwa yeo e humanwago le go abelwa mahala go ya ka Molao wa Bokgobelo bja Semolao;

"melawana" e ra melawana ya go dirwa ka fase ga Molao wo;

"Molaotheo" o ra Molaotheo wa Rephabliki ya Afrika Borwa, 1996 (Molao 108 wa 1996);

"Mohlankedi wa Bokgobapuku" ke go re mohlankedi yoo a beilwego go phethagatša tirelo ya bokgobapuku;

"Molekgotlaphethišo" ke Leloko la Lekgotlaphethišo la go ikarabela peakanyetšo ya ditirelo tša tshedimošo le bokgobapuku; gomme

"Molao wo" o akaretša melawana

"profense" e ra Profennse ya Leboa;

"Tirelo ya Tshedimošo le Bokgobapuku" ke go re tirelo yeo e tiišetšago phihlelelo ya bonolo go methopo ya go bala le tshedimošo le ditlabakelo tša kabelo ya go ithuta go modudi ofe le ofe;

Tirišo

2. Molao wo o dirišwa ka gare ga Profense.

Dinepo tša Molao

3. Dinepo tša Molao ke go -

- (1) beakanyetša phihlelelo ya gabonolo go methopo ya go bala le gore go godišwe setšo sa sa go bala le go ithuta ga go ya go ile;
- (2) phethagatša tsenelo yeo e tletšego ya mafolofolo ya dihlopha tše farologanego tša kgahlego tlabollong ya ditirelo tša tshedimošo le bokgobapuku ka gare ga Profense;
- (3) hlatloša seriti, boemo le maemo a badiredi ba bokgobapuku mola go hlabollwa setšo maikemišetšo a tirelo, boithuti le boprofense;
- (4) laetša dinnete tša dipalopalo tša batho tlhomong, kabelong le tlabollong ya ditirelo tša tshedimošo le bokgobapuku ka gare ga profense;
- (5) kopantšha maikemišetšo a tirelo ya tshedimošo le bokgobapuku ka ditsela tša go le mekgwa ya magareng yeo e tlogo dirišwa ka kakaretšo Profense ka moka;
- (6) beakanyetša tlhomo ya Boto ya Profense ya Ditirelo tša Tshedimošo le Bokgobapuku; le
- (7) phethagatša mokgwa wa kabelo le thekgo ya tshedimošo le bokgobapuku woo o tlogo hlankela dinyakwa le dikgahlego tša batho ka moka ba Profense.

Maatla le mediro ya Molekgotlaphethišo**4. (1) Molekgotlaphethišo a ka -**

- (i) ka poledišano le Boto, ka tsebišo ka gare ga Kuranta, beakanyetša molaotshepedišo wa tshedimošo le bokgobapuku go Profense, woo o swanetšego go kgoramelwa ke Hlogo ya Kgoro le bahlankedi ka moka ba bokgobapuku ka gare ga Profense;
- (ii) hloma, hlokomela le go laola makgobapuku le ditirelo dife le dife tšeo di amanago le tšona ka gare ga mabokgoni a Kgoro a matlotlo le a badiredi.
- (iii) thekga goba go fa matlotlo bokgobapuku goba tirelo ya bokgobapuku ya mmušo-selegae ofe le ofe goba bokgobapuku bofe le bofe bjoo bo sa direlego poelō, bo hlomilwego le go laolwa ke mokgahlo woo e sego wa mmušo.
- (iv) nako efe le efe, ka morago ga poledišano le diphathi tšeo di nago le kgahlego, ka tsebišo ka gare ga Kuranta, tswalela bokgobapuku bjoo bo hlomilwego le go laolwa le go ba bja Mmušo wa Profense le go ka gomiša thekgo efe le efe yeo e fiwago tirelo efe le efe ya Bokgobapuku bja Mmušo-Selegae.

Mediro ya Hlogo ya Kgoro

- 5. Hlogo ya Kgoro e swanetše, ka go tlaleletša mešomo efe le efe e mengwe yeo e lego magatleng a gagwe ke Molao wo -
 - (a) go laola le go aba ditirelo tša tshedimošo le bokgobapuku go makgobapuku ka moka;
 - (b) go sepediša tlhamo ya dikomiti tša modiro wa bokgobapuku;
 - (c) ka poledišano le Molekgotlaphethišo le Boto a tšea magato bjalo ka ge go ka ba bohlokwa go ka diriša melaotshepedišo ya makgobapuku a bosetšhaba le profense;
 - (d) go eletša Molekgotlaphethišo ka ga ditaba tša makgobapuku;
 - (e) go tsena dikwanong legatong la tirelo ya Bokgobapuku bja Profense le Mmušo- Selegae le mekgahlo yeo e sego ya mmušo mabapi le mekgwa, mabaka le ditieseletšano tšeo go ya ka tšona makgobapuku a ditho tše a tlogo go thekgwa le ka fao maikarabelo a phathi efe le efe ya go kontraka e tlogo go ba ka gona; le
 - (f) ka kakaretšo, go dira mediro ka moka bjalo ka ge e le bohlokwa khumanong ya dinepo tša Molao wo.

Tlhommo ya Boto ya Ditirelo tša Tshetimošo le Bokgobapuku bja Profense

6. Boto ya Ditirelo tša Tshedimošo le Bokgobapuku bja Profense e hlongwa fa ka gona.

Peo le paka ya ofisi ya maloko a Boto

7. (1) Boto e hlamilwe ka maloko ao a sego a 9 ao a beilwego ke Molekgotlaphethišo, go ya ka karolwana (3).
- (2) Maloko a Boto a swanetše go ba le dinyakwa tše latelago tša magareng:
- (a) maswanedi a maleba; le
- (b) tsebo le boitšimogelo taolong ya bokgobapuku.
- (3) Molekgotlaphethišo o swanetše go tlišetša gore Boto e theilwe godimo ga ditheo tša temokrasi, tša go hloka semorafe le go hloka bong.
- (4) Maloko a Boto a swanetše go se bewa ntle le ge Molekgotlaphethišo a memile diphathi tše kgahlegago ka phatlalatšo ya ditaba le ka tsebišo ka gare ga Kuranta go hlaola bonkgetheng, gare ga matšatši a 21 a taletšo ka gare ga phatlalatšo le kgatišo ya tsebišo yeo, gore Molekgotlaphethišo a e ele hloko.
- (5) Leloko la Boto le swanetše gore go ya ka karolwana (6), le sware ofisi paka ya go se fete mengwaga e 3.
- (6) Leloko la Boto le na le maswanedi a go ka bewa gape bofelong bja paka ya ofisi ya Leloko.
- (7) Nakong ya bofelo bja paka yeo maloko a e beetšwego, a swanetše go dula ofising go fihlela ge balatedi ba beilwe, empa go fihlela paka yeo e sa fetego dikgwedi tše tharo.
- (8) Molekgotlaphethišo a ka, ka morago ga ge Molekgotlaphethišo a file leloko sebaka sa go dira dikemelo, nako efe le efe, kgaotša paka ya ofisi ya lona leloko leo ge-
- (a) go na le mabaka ao a kwagalago a go dira bjalo; goba
- (b) a se gona go feta dikopano tše pedi tša go latelana tša Boto ntle le tumelelo ya Modulasetulo.
- (9) Ge ka lebaka lefe le lefe ofisi ya Leloko la Boto e bulega pele ga bofelo bja paka yeo le bego le beilwe, Molekgotlaphethišo a ka, go ya ka karolwana (3), bea motho ofe le ofe seripa seo se se nago bofelo sa paka yeo lona leloko leo le beilwego.

- (10) Maloko a Boto ao a sego tirelong yeo e tletšego ya Mmušo a ka, ka ditšhelete tšeo di lekanyeditšwego nepo ye ke Lekgotlapeamelao la profense, lefelwa ditshenyegelo tša madulo le mosepelo ge ba tsenela dikopano tša Boto, goba Komiti, ka fao taba e ka bago ka gona.

Dikopano

8. (1) Kopano ya pele ya Boto e swarwa ka nako le lefelong leo le beakantšwego ke Molekgotlaphethišo, gomme dikopano tše di latelago ka moka di swarwa ka dinako le mafelong ao Boto e tlogo a beakanya.
- (2) Modulasetulo wa Boto a ka re ka nako efe le efe, le gore o swanetše gore ka kgopelo ya go ngwalwa ya maloko a gabotse a mahlano a Boto, a bitše kopano yeo e kgethegilego ya Boto go ka swarwa ka nako le lefelong leo le beakantšwego ke Modulasetulo.
- (3) Maloko a mahlano a bopa khoramo kopanong efe le efe ya Boto.
- (4) Sephetho sa Boto se swanetše go tšewa ka dibouto tša bontši bja maloko ao a lego gona kopanong efe le efe ya Boto, gomme lebakeng la go lekana ga dibouto, Modulasetulo o na le bouto ya makgaolakgang go tlaleletša bouto ya gagwe ya maikemišetšo.
- (5) Boto e ka, kae le kae fao e humanago go le bohlokwa go humana keletšo mabapi le taba ye itšego, tsenya motho ofe le ofe bjalo ka leloko ka nepo ye itšego, empa yena motho yoo a ka se tšewe go ba leloko ka dinepo tša dikarolwana (3) le (4).

Modulasetulo le Motlatšamodulasetulo wa Boto

9. (1) Molekgotlaphethišo o swanetše go bea leloko go ba Modulasetulo wa Boto.
- (2) Kopanong ya yona ya pele, Boto e swanetše go kgetha o tee wa maloko a yona go ba Motlatšamodulasetulo wa Boto.
- (3) Ge Modulasetulo a se gona goba ka lebaka lefe le lefe a sa kgona go dira bjalo ka Modulasetulo, Motlatšamodulasetulo o swanetše go swara modiro ya Modulasetulo.
- (4) Pakeng ya ge Modulasetulo le Motlatšamodulasetulo ba se gona kopanong ya Boto, maloko ao a lego gona kopanong a swanetše go kgetha o tee go sepediša kopano.

Dikomiti tša Boto

10. Boto e ka bea e tee goba dikomiti tša go feta tšeo ka maloko a setšhaba go thuša Boto phethagatšong ya mediro ya yona.

(2) Molekgotlaphethišo, go ya ka maloko ao a sego a 9 ao a beilwego ka
Maloko a Boto a swanetše go ba le dinyakwa tše latelago
magareng:

(a) maswanedi a maleba; le

(b) tsebo le boitšemo golo taolong ya bokgobapuku.

(3) Molekgotlaphethišo o swanetše go tlišetša gore Boto e
ga ditheo tša temokrasi, tša go hloka semorafe le go hlo

(4) Maloko a Boto a swanetše go se bewa ntle le ge Mole...
memile diphathi tše kgahlegago ka phatlalatšo ya dite...
ka gare ga Kuranta go hlaola bonkgetheng, gare ga r...
taletšo ka gare ga phatlalatšo le kgatišo ya tsebišo ya
Molekgotlaphethišo a e ele hloko.

(5) Leloko la Boto le swanetše gore go ya ka karolwan...
paka ya go se fete mengwaga e 3.

(6) Leloko la Boto le na le maswanedi a go ka bewa g...
paka ya ofisi ya Leloko.

(7) Nakong ya bofelo bja paka yeo maloko a e beetš...
dula ofising go fihlela ge balatedi ba beilwe, emp...
e sa fetego dikgwedi tše tharo.

(8) Molekgotlaphethišo a ka, ka morago ga ge Mole...
leloko sebaka sa go dira dikemelo, nako efe le e...
ofisi ya lona leloko leo ge-

(a) go na le mabaka ao a kwagalago a go di...

(b) a se gona go feta dikopano tše pedi tša...
le tumelelo ya Modulasetulo.

lebaka lefe le lefe ofisi ya Leloko la B...
bja paka yeo le bego le beilwe, Molek...
yana (3), bea motho ofe le ofe serip...
na leloko leo le beilwego.

ORDINARY, 25 MAY 2001

go ya ka karolo 126 ya Molaotheo a fa
amana le ditirelo tša tshedimošo le
la Masepala.

Supetšwago ka go karolwana (1) o thoma go
makgolo.

o dira melawana mabapi le -

le tšeo ka Molao wo di nyakegago goba di
o ka kgethelwa;

nelo, tshepedišo, taolo ya ditirelo tša
tswalelo ya makgobapuku le phego ya mediro
ku;

gobapuku;

comiti;

maloko go makgobapuku;

o taba efe le efe, yeo Molekgotlaphethišo a e
e le e bohlokwa goba mohola go khumano ya dinepo
yo.

o ga a swanela go dira melawana ya tšhelete efe le
so yeo e lefelwago go goba ke motho ofe le ofe goba
ntle le ka kwano ya Molekgotlaphethišo yoo a
o tša matlotlo ka gare ga Profense.

ethišo a ka, go ya ka ona mabaka ao Molekgotlaphethišo
anya, abela maatla goba mediro yeo e beilwego
Molekgotlaphethišo ka fase ga Molao wo, ntle le maatla
swego ka gare ga karolo 13, go Hlogo ya Kgoro gomme
hethišo a ka matlafatša hlogo ya Kgoro go ka abela ona
a mediro yeo go mohlankedi ofe le ofe ka gare ga Kgoro.
a karolwana (1) e ka se thibele Molekgotlaphethišo
oro phethagatšong ya maatla goba yona mediro yeo.
ago ka go karolwana (1) e swanetše go ha

Mediro ya Boto**11. (1) Boto e swanetše -**

- (i) go emela badiriši ba bokgobapuku go tšwa go setšhaba ka bophara;
- (ii) go eletša Molekgotlaphethišo go hlameng, tllhabollong le phethagatšong ya molaotshepedišo wa profense wa Ditirelo tša Tshedimošo le Bokgobapuku ka gare ga Profense;
- (iii) go diriša magato go kaonafatša mašaedi a matšatši a go feta a go tswalana le dipeakanyetšo tša go se lekane tša ditirelo tša bokgobapuku go ditšhaba tšeo di laetšago nyakego ya bokgobapuku;
- (iv) go hlokomela kabo ya ditirelo tša tshedimošo le bokgobapuku go ya ka Molao wo le go eletša Molekgotlaphethišo;
- (v) go beakanya tekanyetšo ya ngwaga ya mediro ya yona;
go ala tshenyegelo ya yona ya go ikemišetša godimo ga dikabo le dithušo go ditirelo tša go fapana tša tshedimošo le bokgobapuku tšeo di dirago mediro ka gare ga Profense;
- (vi) go eletša Molekgotlaphethišo godimo ga taba efe le efe yeo Molekgotlaphethišo a ka e šupetšago go Boto goba yeo ka gare ga mogopolo wa Boto, e tlogo go tsebišwa Molekgotlaphethišo;
- (vii) Mafelelo a ngwaga ya iša go Molekgotlaphethišo pego ya ngwaga godimo ga mediro ya yona pakeng ya ngwaga; le
- (viii) Go lota dipuku tša diakhaonte tšeo di di swanetšego go hlakišwa ngwaga ka ngwaga ke Mohlakiši-Pharephare.

- (2) Hlogo ya Kgoro o swanetše go bea motho go tšwa go Kgoro go dira mediro ya bongwaledi le taolo ya Boto.

Dikwano**12. (1) Gore go tšwetšwe pele dinepo tša Molao wo, Molekgotlaphethišo a ka-**

- (a) dira dikwano le dikgoro tša mmušo tše dingwe, mafapha a mmušo, mekgahlo yeo e sego ya mmušo goba motho ofe le ofe; gomme
- (b) se dire kwano ka go rweša ditlamego tša ditšhelete godimo ga Kgoro ntle le kwano ya Molekgotlaphethišo go ditaba tša ditšhelete ka gare ga Profense.

- (2) Molekgotlaphethišo a ka re go ya ka karolo 126 ya Molaotheo a fa maatla goba mediro ya go amana le ditirelo tša tshedimošo le bokgobapuku go Lekgotla la Masepala.
- (3) Maatla goba modiro wo o šupetšwago ka go karolwana (1) o thoma go šoma ka kgoeletšo ka Tonakgolo.

Melawana

13. (1) Molekgotlaphethišo a ka dira melawana mabapi le -
 - (a) ditaba dife le dife tšeo ka Molao wo di nyakegago goba di dumelelwago go ka kgethelwa;
 - (b) tlhamo, tlhokomelo, tshepedišo, taolo ya ditirelo tša makgobapuku, tswalelo ya makgobapuku le phego ya mediro ya makgobapuku;
 - (c) tekolo ya makgobapuku;
 - (d) tlhomo ya dikomiti;
 - (e) kamogelo ya maloko go makgobapuku;
 - (f) ka kakaretšo taba efe le efe, yeo Molekgotlaphethišo a e bonago go e le e bohlokwa goba mohola go khumano ya dinepo tša molao wo.
- (2) Molekgotlaphethišo ga a swanela go dira melawana ya tšhelete efe le efe goba putseletšo yeo e lefelwago go goba ke motho ofe le ofe goba taolo ya tšhelete, ntle le ka kwano ya Molekgotlaphethišo yoo a ikarabelago ditaba tša matlotlo ka gare ga Profense.

Dikabelo

14. (1) Molekgotlaphethišo a ka, go ya ka ona mabaka ao Molekgotlaphethišo a kago a beakanya, abela maatla goba mediro yeo e beilwego magatleng a Molekgotlaphethišo ka fase ga Molao wo, ntle le maatla ao a šupeditšwego ka gare ga karolo 13, go Hlogo ya Kgoro gomme Molekgotlaphethišo a ka matlafatša hlogo ya Kgoro go ka abela ona maatla ao goba mediro yeo go mohlankedi ofe le ofe ka gare ga Kgoro.
- (2) Kabelo ka fase ga karolwana (1) e ka se thibele Molekgotlaphethišo goba Hlogo ya Kgoro phethagatšong ya maatla goba yona mediro yeo.
- (3) Kabelo yeo e šupetšwago ka go karolwana (1) e swanetše go ba ka go ngwalwa.

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NDIVHADZO YA U ANGAREDZA 84 WA 2001

VHUSIMAMMILAYO
HA VUNDU LA DEVEULA

MULAYOTSE WA INSHWELO YA
MAFETUNGO NA LABURAM

NGA EE WA SWIKISWA NGA

MURADO WA KHOROTSHITUMEE YA
MITAMBO, VHUTSILA NA MVELELE)

MULAYOTIBE

U vhetshela u itela u thomiwa, ndaulo na ndango ya laiburari na tshumelo ya mafhungo kha Vundu na u itela mafhungo tutshelanaho na zwenzwo.

HU KHOU VHEWA nga Vhusimamilayo ha Vundu la Devhula, nga urali-

DZITHANDAVHUDZO

1. Kha nga Mulayo nga nnda ha musu zwi re ngomu zwi tshi sumbedzisa nga inwe ngile-

"Bodo" zwi amba Bodo ya Tshumelo dza Mafhungo na Laiburari ya Vundu yo thomiwaho hu tshi tevhedzwa khethekanyo 6 ya Mulayo;

"fhechu ha u vhea" zwi amba laiburari kana tshiimiswa tshine khatsho ha vheva hone kopi ya mahala inwe na inwe ya khandiso inwe na inwe kana linwalo lo itwaho Afrika Tshipembe u itela u vhalo hu so ngo thivhelwaho na u kumedzwa hu tshi tevhelwa Mulayo wa u Vheya lwa mulayo

"Gazethe" zwi amba Gazethe ya Vundu

"Khorotshitumbe" zwi amba Khorotshitumbe ya Vundu la Dewvhula yo bulwaho kha khethekanyo 132 ya Ndayotewa;

"Laiburari na Tshumelo ya Mafhungo" zwi amba tshumelo ine ya do ita uri hu vhe u konadzea ha u vhalo na zwiko zwa mafhungo na zwiko zwo livhiswaho kha u vhalo matheriala u itela mudzulapo muñwe na muñwe;

"laiburari ya dzingu" zwi amba tshifhato tsha dalaho nga bugu dzo vhewaho kha tshifhato tsha Muvhuso wa Vundu nahone tshi langwaho nga Tshumelo ya Laiburari ya Vunduni la Devhula, hu na mushumo wo tiwaho wa u tikedza na u disedza dzi laiburari nga u tshintsha dzibugu dzi welaho kha Muvhuso wa Vundu vhukati ha laiburari dzo dibadekanyaho

"Matheriala a Laiburari" zwi amba bugu ifhio na ifhio, dzhenela, thangelakhandiso, tshati, mapa, vidio, khasethe, tshiseseledzi, bannda la filimu, maikhifilimu, khasethe dza u thetshesela, disiki ya u thetshesela, phurogireme dza khomputha kana matheriala manwe afhio na afhio o retshedzwaho nga Tshumelo ya Mafhungo na Laiburari;

"MEC" zwi amba Murado wa Khorotshitumbe a re na vhudifhinduleli u itela u vhetshela ha laiburari na tshumelo ya mafhungo; na

"Muhasho" zwi amba Muhasho wa Mitambo, Vhutsila na Mvelele;

“Muofisiri wa Laiburari” zwi amba muofisiri o vhewaho u itela u netshedza tshumelo ya laiburari

“Ndayotewa” zwi amba Ndayotewa ya Riphaboliki ya Afrika Tshipembe, 1996 (Mulayo No. 108 wa 1996);

“ndaulo” zwi amba ndaulo dzo itwaho fhasi ha uyu Mulayo;

“Randelwaho” zwi amba u randelwa nga mulayo;

“vundu” zwi mba Vundu la Devhula;

“uyu Mulayo” zwi katela dzindango.

Tshumiso

2. “Uyu Mulayo u shuma kha Vundu

Ndivho dza Mulayo

3. Ndivho dza Mulayo ndi u –

- (1) vhetshela u itela u swikelea zwavhudi kha zwiko zwa u vhala na mafhungo u itela u bevedza mvelele ya u vhala na u guda lwa vhetshilo hothe
- (2) thomau dzhenelela ho fhelelaho ha zwigwada zwo fhambananaho kha mveledziso ya laiburari na tshumelo dza mafhungo kha Vundu;
- (3) hudza vhudipfi, vuvha na vhuimo ha vhaofisiri vha laiburari kathihi na u bevedzisa mvelele ya u diimisela ha tshumelo, u guda na vhukoni;
- (4) sumbedzisa vhungoho ha u katela hothe kha u thomiwa, u netshedza na u mveledziso ya laiburari na tshumelo ya mafhungo kha Vundu;
- (5) tanganya laiburari na mbekanyamaitele ya tshumelo ya mafhungo nga ndila ya maitele a fanaho na tshitandadi tsha gumotuku tshine tsha do shuma kha Vundu lothe nga u angaredza.
- (6) Vhetshela u itela u thomiwa ha Laiburari ya Vundu na Bodo ya Tshumelo ya Mafhungo; na
- (7) Sumbedzisa sisiteme ya laiburari na mbetshelo ya mafhungo na u tikedza hu shumelaho thede na madzangalelo a vathu vhothe vha Vundu.

Maanda na mishumo ya Muraḁo wa Khorotshitumbe

4. (1) Muraḁo wa Khorotshitumbe a nga -

- (i) hu na vhukwamani na Bodo, nga ndivhadzo kha Gazethe, ta laiburari na mbekanyamaitele ya mafhungo u itela Vundu, zwine zwa tea u imiwa khazwo nga Thoho ya Muhasho na vhaofisiri vhothe vha laiburari kha Vundu.
- (ii) thoma, vhulunga na u langula dzilaiburari na tshumelo dzifhio na dzifhio dzo sokou iteaho henefho vhukati ha muvhalelano na vhukoni ha tshifafu tsha Muhasho
- (iii) tikedza kana u lambedza laiburari kana tshumelo ya laiburari ya muvhuso wapo u fhio na ufhio kana laiburari ifhio na ifhio i sa khou. shumelaho u bindula, yo thomiwaho na u langulwa nga dzangano lifhio na lifhio li si la muvhuso.
- (iv) tshifhinga tshiwe na tshiwe, nga murahu ha vhukwamani na madzangano a re na dzangalelo, nga ndivhadzo kha Gazethe vha vala laiburari ine ya vha, yo thomiwaho na u langulwa nga Muvhuso wa Vundu nahone i nga humisa thikhedzo ifhio na ifhio yo tsetshedzwaho kha Tshumelo ifhio na ifhio ya Laiburari ya Muvhuso Wapo.

Mishumo ya Thoho ya Muhasho

5. Thoho ya Muhasho u tea, ntha ha mishumo muniwe ufhio na ufhio wo tetshelewaho kha Thoho ya Muhasho nga uyu Mulayo-

- (a) langa na u tsetshedza Laiburari na u Tshumelo ya Mafhungo kha laiburari dzothe;
- (b) laula u thomiwa kha komiti dza tshumiso ya laiburari;
- (c) hu na vhukwamani na Muraḁo wa Khorotshitumbe na Bodo a dzhia aneyo maga sa zwine zwa nga vha zwo tea u bvisela phanda mbekanyamaitela dza laiburari dza vundu na dza lushaka;
- (d) eletshedza Muraḁo wa Khorotshitumbe nga ha mafhungo a laiburari
- (e) u dzhena kha thendelano dza vhuḁibadekanyi o imela Tshumelo ya Laiburari ya Vundu na Muvhuso Wapo na madzangano a si a muvhuso malugana na maitele, nyimele na maimela zwine nga khazwo laiburari dza izwi zwiimiswa dza do tikedzwa ngazwo na zwa vhuḁifhinduleli ha madzangano a a re kha khonthiraka ha do vha zwone, nahone

- (f) nga u tou angaredza, wa shuma mishumo yeneyo yothe sa zwo teaho hu u itela u wana ndivho dza uyu Mulayo.

U thomiwa ha Laiburari dza Vundu na Bodo ya Tshumelo dza Mafhungo

6. Bodo ya Tshumelo dza Mafhungo na Laiburari ya Vundu afha zwi khou thomiwa.

U vhewa na tshifhinga tsha ofisi tsha mirado vha Bodo

7. (1) Bodo yo vhumbiwa nga mirado vha sa fhiriho 9 vho vhwaho nga Murado wa Khorotshitumbe, hu tshi tevhedzwa khethekanyothukhu(3).
- (2) Mirado vha Bodo vha tea u vha na thodea dza gumotuku dzi tevhelaho:
- (a) thodea dzo fanelaho; na
- (b) ndivho na tshenzhemo kha u langulo ya laiburari.
- (3) Murado wa Khorotshiitumbe u tea u vha na vhuṭanzi ha uri Bodo yo tewa nga kha demokirasi, u shay a tshiṭalula na mulayo wa u shaya khethekanyo nga mbeu.
- (4) Mirado ya Bodo a vho ngo tea u vhewa nga nṇda ha musī Murado wa Khorotshitumbe o ramba madzangano oṭhe a re na dzangalelo nga kha nyandadzamafhungo na nga nḍivhadzo kha Gazethe u itela u nanga vhalingiwa, vhukati ha maḍuvha a 21 a kha thambo kha nyanadzamamfhungo na kha khandiso ya yeneyo nḍivhadzo, u itela u sedzuluswa nga Murado wa Khorotshitumbe.
- (5) Murado wa Bodo u tea, hu tshi tevhedzwa khethekanyothukhu (6), vha ofisini tshifhinga tshi sa fhiriho minwaha miraru.
- (6) Murado wa Khorotshitumbe o tendelwa u vhewa hafhu nga murahu ha musī tshifhinga tshawe tsha u vha ofisini tshi tshi fhela;
- (7) Nga murahu ha musī tshifhinga tshe mirado vha vha vho vhewa tsho fhela, vha tea u vha ofisini u swikela vha vha tevhelaho vho no vhewa, fhedzi lwa tshifhinga tshi tevhelaho tshi sa fhiriho minwedzi miraru.
- (8) Murado wa Khorotshitumbe a nga, nga murahu ha musī Murado wa Khorotshitumbe o nea murado wa Bodo tshifhinga tsha u ita vhuimeleli, tshifhinga tshifhio na tshifhio, a fhelisa tshifhinga tsha ofisi tsha onoyo murado arali-

- (a) hu na vhuṭanzi vhu fushaho ha u ita ngauralo, kana
 - (b) ene o vha e siho kha miṭ angano ya Bodo mivhili yo tevhekanaho hu si na livi ya Mudzulatshidulo.
- (9) Arali nga inwe ndila ifhio na ifhio, ofisi ya Muraḍo wa Bodo ya vha na tshikhala phanda ha u fhela ha tshifhinga tshine khatsho ene a vha o nangiwa, Muraḍo wa Khorotshitumbe a nga, hu tshi tevhedzwa khethekanyoṭhukhu (3), vheya muṇwe muthu ufhio na ufhio u itela tshipida tsha tshifhinga tshi sa athu u fhela tshine khatsho onoyo muraḍo a vha o vhewa.
- (10) Miraḍo vha Bodo vhane vha si vhe kha tshumelo ya tshot he ya Muvhuso vha nga, nga kha tshelede yo kovhelwaho u itela wonoyu mushumo nga Vhusimamilayo ha Vundu, vha badelelwa tshelede i pfalaho na tshelede ya u tshimbila musu vha tshi dzhenela muṭ angano wa Bodo, kana Komiti, sa zwine zwa nga vha zwone.

Miṭ angano

8. (1) Muṭ angano wa u thoma wa Bodo u fariwa nga tshifhinga na fhethu ho tiwaho nga Muraḍo wa Khorotshitumbe, na miṭ angano yoṭ he i tevhelaho i farwa nga zwifhinga zwenzwo na fhethu henefho sa zwine Bodo ya nga ta.
- (2) Mudzulatshidulo wa Bodo a nga ri tshifhinga tshinwe na tshinwe, nahone u tea uri nga khumbelo ya u tiou nṱwala ya miraḍo zwayo Bodo miṭ anu, a vhidza muṭ angano wa sipeshala wa Bodo une wa do farwa nga tshifhinga na fhethu ho tiwaho nga Mudzulatshidulo.
- (3) Miraḍo miṭ anu vha vhumba khoramu kha muṭ angano ufhio na ufhio wa Bodo.
- (4) Tsheo ya Bodo i tea u dzhiwa nga vhunzhi ha voutu dzi re hone kha muṭ angano ufhio na ufhio wa Bodo nahone kha hune voutu dza lingana, mudzulatshidulo u na voutu ya makhaulakhani nṱha ha voutu dzo sedzuluswaho nga ene.
- (5) Bodo i nga, hune ya vhona zwo tea u wana ngeletshedzo malugana na aneyo mafhungo, dzhenisa muthu ufhio na ufhio sa muraḍo u itela yeneyo ndivho, fhedzi onoyo muthu a nga si dzhiwe sa muraḍo u itela ndivho ya khethekanyoṭhukhu dza (3) na (4).

Mudzulatshidulo na Mufarisa Mudzulatshidulo wa Bodo

9. (1) Muraḍo wa Khorotshitumbe u tea u vhea Muraḍo wa Bodo sa

Mudzulatshidulo wa Bodo.

- (2) kha mutangano wayo wa u thoma, Bodo i tea u khetha muthihi wa mirado yayo u vha Mufarisa Mudzultatshidulo wa Bodo
- (3) Arali Mudzultatshidulo a siho kana nga inwe ndila ifhio na ifhio a sa kone u farela sa Mudzultatshidulo, Mufarisa Mudzultatshidulo u tea u shuma mishumo ya Mudzultatshidulo.
- (4) Kha hune ha vha Mudzultatshidulo na Mufarisa Mudzultatshidulo vha siho kha mutangano ufhio na ufhio wa Bodo, mirado vha re hone muat nganoni vha tea u khetha muthihi kha nomboro yavho uri a rangele phanda wonoyo mutangano.

Komiti dza Bodo

10. Bodo i nga vhea muthu muthuhi kana vhanzhi u bva kha mirado vha vhadzulapo u itela u thusa kha Bodo musi hu tshi shumiwa mishumo yayo.

Mishumo ya Bodo

11. (1) Bodo i nga-
 - (i) imela vhashumisi vha laiburari u bva kha vhadzulapo lwo tandavhuwaho;
 - (ii) eletshedza Murado wa Khorotshitumbe nga ha u vhumbiwa, mveledziso na tshumiso ya mbekanyamaitele ya vundu u itela Laiburari na Tshumiso ya Mafhungo kha Vundu;
 - (iii) shumisa maga u itela u vhuedzedza u sa lingana ha mulovha malugana na mbetshelo dzi sa linganiho dza tshumelo ya laiburari kha vhadzulapo vha sumbedzisaho thodea dza laiburari;
 - (iv) monithara u etshedzwa ha laiburari na Tshumelo ya Mafhungo hu tshi tevhedzwa uyu Mulayo na u eletshedza Murado wa Khorotshitumbe;
 - (v) u ita mbekanyagwama ya nwaha nga nwaha u itela mushumo wayo, u dzudzanya zwibviswa zwine ya toda u zwi ita nga ha u kovhelwa na mitikedzelo kha laiburari dzo fhambananaho na Tshumelo dza Mafhungo dzi shumaho mishumo kha Vundu;
 - (vi) eletshedza Mirado ya Khorotshitumbe kha mafhungo afhio na afhio ane Murado wa Khorotshitumbe a nga a

laedza kha Bodo kana ane nga kha khumbulo ya Bodo, a do diswa uri a vhone nga Muraḍo wa Khorotshitshimbe;

(vii) ri mafheloni a nḥaha ya petshedza muvhigo wa nḥaha nga nḥaha kha Muraḍo wa Khorotshitumbe nga ha mishumo yayo tshifhingani tsha nḥaha; nahone

(viii) vhea bugu dza mbalelano dzine dza do tea u tḥoliwa nḥaha nga nḥaha nga Mutolambalelano Muhulwane.

(2) Thoho ya Muhasho u tea u vhea muthu u bva kha Muhasho u ita mishumo ya vhuḥwaleli na vhulanguli ha Bodo

Thendelano

12. (1) U itela u bveledzela phanda ndivho dza uyu Mulayo, Muraḍo wa Khorotshiitumbe a nga-

(a) dzhenelela kha dzithendelano na miḥwe mihasho ya muvhuso, madzangano a si a muvhuso kana muthu muḥwe ufho na ufho; nahone

(b) si dzhenelele kha thendelano a dzudzanya pfanelo ya masheleni kha Muhasho hu si na thendelano ya Muraḍo wa Khorotshitumbe a re na vhuḍifhinduleli ha mafhungo a Masheleni kha Vundu.

(2) Muraḍo wa Khorotshitumbe a nga ri hu tshi tevhedzwa khethekanyo 126 ya Ndayotewa a ṛea maanda afho na afho kana mushumo u tḥshelaho kha Laiburari na Tshumelo ya Mafhungo kha Khoru ya Masipala.

(3) Maanda kana mushumo wo bulwaho kha khethekanyoḥ hukhu (1) u shuma nga kha mulevho nga Premia.

Dzindaulo

13. (1) Muraḍo wa Khorotshitumbe a nga ita ndaulo malugana na-

(a) mafhungo afho na afho ane nga uyu Mulayo a tḥodea kana a tendelwa uri a randelwe;

- (b) u thomiwa, u londolwa, u langula, u langiwa ha tshumelo dza laiburari, u valwa ha dzi-laiburari na u imiswa ha nyito dza laiburari;
 - (c) u tolwa ha dzi-laiburari;
 - (d) u thomiwa ha Dzikomiti;
 - (e) u tangedzwa ha mirado kha dzi-laiburari; na
 - (f) mafhungo afhio na afhio nga u angaredza, ane Murado wa Khorotshitumbe a vhona o tea kana a mavhuya u itele u swikelela ndivho dza uyu Mulayo.
- (2) Murado wa Khorotshitumbe a so ngo ita ndaulo dzifhio na dzifhio kha mbadelo kana gavhelo li badelwaho kha kana nga muthu ufhio na ufhio, kana ndango ya tshelede ifhio na ifhio, nga nda ha musi zwo tendelwa nga Murado wa Khorotshitumbe a re na vhudifhinduleli ha mafhungo a zwa Masheleni kha vundu.

Vhurumelwa

14. (1) Murado wa Khorotshitumbe a nga, hu tshi tevhelwa dzenedzo nyimele sa zwine Murado wa Khorotshitumbe a nga ta, nea maanda afhio na afhio kana mushumo wo hweswaho kha Murado wa Khorotshitumbe fhasi ha uyu Mulayo, nga nda ha maanda o bulwaho kha khethekanyo 13, kha Thoho ya Muhasho nahone Murado wa Khorotshitumbe a nga laedza maanda aneyo kana mushumo kha muofisiri ufhio na ufhio kha Muhasho.
- (2) Vhurumelwa fhasi ha khethekanyo hukhu (1) a vhu nga do thivhela Murado wa Khorotshitumbe kana Thoho ya Muhasho u shumisa maanda aneyo kana u u ita wonoyo mushumo.
- (3) Vhurumelwa ho bulwaho kha khethekanyo hukhu (1) vhu tea u vha nga u tou riwala.

Mbetshelo dza Phirisela

15. U bva nga datumu ya u thoma ha uyu Mulayo, laiburari dzothe dzi re hone kha Vundu dzi langwaho nga Muvhuso wa Vundu kana Muvhuso Wapo dzi tea u vhuswa hu tshi tevhedzwa uyu Mulayo.

U phumulwa ha Milayo

16. (1) Milayo yo bulwaho kha Shedulu i khou phumulwa u swika kha kholomu yo bulwaho ya vhuraru.
- (2) Zwiñwe na zwiñwe zwo itwaho kana zwi dzhiwaho zwo itiwa hu tshi tevhedzwa mulayo wo phumwaho kha khethekanyotshukhu (1) nahone zwine zwa nga kana zwa tea u itwa hu tshi tevhedzwa uyu Mulayo, zwi dzhiwa zwo itwa hu tshi tevhedzwa mbetshelo dzi andanaho dza uyu Mulayo.

Dzina lipfufhi na mathomo

17. Uyu Mulayo u vhidzwa, Mulayo wa Tshumelo ya Mafhungo na Laiburari, 2001 nahone u thoma u shuma nga datumu yo tiwaho nga Premia nga mulevho kha gazethe ya vundu.

GENERAL NOTICE 85 OF 2001

NORTHERN PROVINCE GOVERNMENT

**DEPARTMENT OF FINANCE, ECONOMIC AFFAIRS AND
TOURISM**

GENERAL NOTICE

NORTHERN PROVINCE TOURISM AND PARKS BILL, 2001

In terms of rule 113(1) of the Rules and Orders of the Provincial Legislature of the Northern Province, the **Northern Province Tourism and Parks Bill, 2001**, is hereby published for general information.

Any person or organization wishing to comment on the said Bill may lodge his, her or its written comments within 14 days of the date of this publication with:

**MR. M. MALULEKE
BOK STREET
PIETERSBURG
0700**

NORTHERN PROVINCE LEGISLATURE

TOURISM AND PARKS BILL, 2001

as introduced by

**(MEMBER OF THE EXECUTIVE COUNCIL
FOR FINANCE, ECONOMIC AFFAIRS AND
TOURISM)**

BILL

To provide for the establishment of the Northern Province Tourism and Parks Board; and to confer powers, functions and duties upon such Board; to establish the Tourism and Parks Trust Fund; to provide for the development, improvement, management and marketing of the tourism industry and designated nature reserves in the Province; to provide for the registration of tourism amenities, the collection of levies in respect of registered tourism amenities and to provide for matters incidental thereto.

BE IT ENACTED by the Legislature of the Northern Province, as follows:-

ARRANGEMENT OF THE ACT

Section	Page
1. Definitions	67, 68
2. Establishment of Board	68
3. Objects of Board	68, 69
4. Powers and duties of Board	69, 70, 71
5. Composition of Board	72
6. Appointment to Board	72
7. Disqualification of member of Board	72, 73
8. Term of Office	73
9. Chairperson and Deputy Chairperson	73, 74
10. Filling of Vacancies	74
11. Resignation of Chairperson	74
12. Termination of membership	74
13. Suspension of a Chairperson or member	74
14. Meetings of Board	75
15. Establishment of committees	75, 76
16. Minutes of meetings	76

17. Remuneration and allowances of Members	76
18. Conflict of interest	76, 77
19. Annual Reports	77
20. Annual Business Plan	77
21. Administrative support to Board	77
22. Confidentiality	77
23. Officers of Board	78
24. Professional expertise	78
25. Delegation of powers and assignment of duties	78, 79
26. Funds of Board	79
27. Tourism and Parks Trust Fund	79, 80
28. Money, Assets and Investment in Fund	80
29. Annual Financial Statements	80
30. Audit Committee	81
31. Appointment of registrar and designated officer	81
32. Inspection of premises	81, 82
33. Payment of levy	82
34. Registration of designated tourist amenities	82, 83
35. Register for registration of designated tourist amenities	83
36. Application for registration of designated tourist amenities	83
37. Powers of Registrar in relation to designated tourist amenities	83, 84
38. Certificate of registration	84
39. Publication of a list of registered designated tourist amenities	84
40. Cancellation of registration of designated tourist amenities	84, 85
41. Period of validity of registration and grading	85

42. Offences and penalties	85
43. Regulations	86
44. Transitional Provisions	86
45. Short Title	87

Definitions

1. In this Act, unless the context otherwise indicates-

"accommodation establishment" means any premises offering sleeping accommodation to the public for a fee, whether with or without refreshments and includes establishments commonly known as hotels, motels, bed and breakfast, guest houses, country lodges, game lodges, farmhouses, caravan and camping parks;

"Biodiversity" refers to the life-support systems and natural resources;

"Biosphere Reserves" means international recognized reserves to demonstrate and promote a balanced relationship between humans and the biosphere by combining conservation, sustainable development and logistic support;

"Board" means the Northern Province Tourism and Parks Board established by Section 2;

"Chairperson" means the Chairperson of the Board appointed in terms of Section 9 (1);

"Community Tourism Association" means any association formed by persons or organizations involved in the tourism industry in a particular district or area and which is intended to regulate, manage, develop or promote tourism in that area;

"Conservancy" refers to co-operative environmental management by a local community and its user groups to promote the preservation and sustainable utilization of specific natural resources and the conservation of the environment;

"Department" means the Department of Finance, Economic Affairs and Tourism;

"designated tourism amenity" means a place, thing, or service which the MEC has declared to be a designated tourism amenity in terms of Section 34;

"financial year" means the period from 1 April in any year to 31 March in the next succeeding year;

"fund" means the Tourism and Parks Trust Fund;

"Legislature" means the legislature of the Province established in terms of the Constitution;

"levy" means levy prescribed in terms of Section 33;

"MEC" means the Member of the Executive Council responsible for Tourism and Parks matters in the Province;

"Member" means member of the Board;

"Natural Heritage Site" means an area declared to protect, preserve and/ or manage localized provincial significant natural features due to their special interest or unique characteristics;

"Nature Reserve" means an area of natural significance or scenic beauty designated as a Provincial Nature Reserve to preserve and assure the natural conditions and processes necessary for the maintenance of species, groups of species, biotic communities or physical features of the environment for scientific, educational and eco-tourism use;

"prescribed" means prescribed by regulations;

"Province" means the Northern Province;

"regional tourism organization" means any forum formed to represent the tourism industry of any designated region and which is recognized and accredited by the Board;

"this Act" includes regulations;

"tour guide" means any person who, whether for monetary reward or otherwise, accompanies any person who travels within or visits any place in the Province and furnishes such person with information or comment with regard to tourism matters; and

"tour operator" means any person who carries on the business of conveying tourists using any approved transport facility.

Establishment of Board

2. A juristic person called the Northern Province Tourism and Parks Board is established.

Objects of Board

3. The objects of the Board are to-
 - (a) ensure the establishment, development and efficient management of a network of provincial nature reserves;
 - (b) promote, foster and develop sustainable tourism resource management and the Nature Reserve in the Province;
 - (c) serve as a strategic support to the provincial policy on tourism and nature

- (d) undertake marketing and promotional activities in and outside the Province;
- (e) do market research and provide information to all role-players;
- (f) ensure that appropriate standards are maintained by all sectors of the tourism industry;
- (g) stimulate the development and improvement of tourism infrastructure, attractions, facilities and services;
- (h) manage, develop, improve, utilize and promote the officially designated nature reserves in the Province so that sustainable benefits and resources are created for the communities involved, the operators and the visitors;
- (i) ensure that tourism development takes place in the environmental, social, and physical capacities of the Province;
- (j) assist in the organization of tourism in the Province in order to ensure that effective and relevant structures are in place and that the industry employs competent and motivated people;
- (k) promote the officially-designated nature reserves in the Province so that sustainable benefits and resources are created for the communities involved, the Operators and visitors;
- (l) raise funds for the marketing and development of the tourism and wildlife industries;
- (m) link the provincial tourism and conservation programs with other provincial, national and international spatial and economic plans;
- (n) to assist in developing communal land that can contribute to the socio-economic upliftment of rural communities, cultural tourism and conservation of natural resources;
- (o) carry out any other function which the MEC may confer or impose under this Act or any other law.

Powers and duties of Board

4. The powers and duties of the Board are to-

- (a) advise the MEC on any matter affecting the tourism industry and provincial nature reserves in the Province designated to the Board;
- (b) stimulate an awareness of the importance of the tourism industry to all citizens of the Province and the part they can play in ensuring its success and gaining access to its opportunities;

- (c) co-ordinate, advise and guide other bodies, organizations or institutions whose activities or aims could have an impact on the promotion, development or management of tourism in the Province;
- (d) investigate the manner in which, and encourage citizens of the Province to get involved in the tourism industry and participate in its social and economic benefits;
- (e) produce tourism promotional material of whatever nature, initiate and implement promotional campaigns and activities to promote, develop and market tourism in the Province;
- (f) undertake research on to the marketing and development functions, and seek advice on any matter affecting the tourism industry;
- (g) offer an advisory service to any person participating or intending to participate in the wildlife and tourism industry as investors or operators;
- (h) designate, register and set minimum standards for all sectors of the tourism industry, and ensure the maintenance of such standards;
- (i) encourage the provision and the improvement of tourism facilities and ensure that all tourism developments and activities take place on a sustainable basis;
- (j) facilitate the establishment and operation of community based tourism to ensure that local communities which possess cultural, historical and natural resources of tourism potential are encouraged and enabled to create tourism products and services;
- (k) facilitate the establishment and operation of community-based tourism associations, regional tourism forums and other organizations necessary, for the proper functioning of the tourism industry;
- (l) grant recognition, accredit and assist such organisations in whatever way it deems necessary;
- (m) open and operate administrative and information offices and tourism resource centres in and outside the Province;
- (n) employ or use the services of agents, contractors and consultants where necessary;
- (o) employ the services of professional, technical, administrative or other categories of staff on a full time or part-time basis;
- (p) provide medical aid, retirement and other benefits for its staff;
- (q) encourage and enter into joint ventures and partnerships with other institutions and other organizations in order to optimize tourism bodies or persons in the Province;

- (r) acquire movable or immovable property necessary for the performance of their functions and fulfillment of the objectives of the Board;
- (s) encourage the adoption of measures for providing education, training and instruction of persons employed or intending to take up employment in the tourism industry;
- (t) raise funds and administer the Tourism and Parks Fund in accordance with conditions laid down by the MEC;
- (u) carry out any other functions which the MEC may confer or impose under this Act or any other law;
- (v) establish and operate one or more companies, close corporations or other bodies, buy and sell shares in such bodies;
- (w) insure with any insurer registered in terms of the Insurance Act, the staff and property of the Board against any risks which the Board may incur;
- (x) set guidelines for the protection of the biodiversity on nature reserves which the Board is responsible for;
- (y) set general provisions affecting nature reserves;
- (z) acquire land for the establishment of nature reserves under the jurisdiction of the Board;
- (aa) control, manage and maintain nature reserves under the jurisdiction of the Board;
- (bb) assist in the declaration or recognition of natural heritage sites, biosphere reserves and conservancies;
- (cc) for the performance of its activities to purchase, hire or lease or otherwise acquire land or buildings, to erect buildings on its land, to sell, let or otherwise dispose of or mortgage such land or building;
- (dd) accept donations and to receive any moneys offered or due to it;
- (ee) purchase, hire develop or hold or to describe or otherwise acquire or take over moveable property of any kind, including any shares, stocks, debentures and securities, or any interest in any business of or a mortgage over any property, and to let, sell or otherwise alienate it or pledge it or deal otherwise therewith;
- (ff) employ, remunerate, house, discharge or suspend officers and employees required for its operations and to indemnify such officers and employees.

Composition of Board

5. The Board must consist of not more than ten members appointed by the MEC of whom-
- (a) One member must have skills and experience in nature conservation and tourism;
 - (b) Two members must have skills and experience in tourism marketing, development and research;
 - (c) One member must have skills and experience in business management;
 - (d) Two members must have skills and experience in community development;
 - (e) One member must be an official employed in the Department of Agriculture and Environment to serve as an ex-officio member;
 - (f) Two members from the wildlife industry with experience in protected area management and biodiversity conservation;
 - (g) One representative must be an official employed in the department.

Appointment to Board

6. (1) The MEC must invite members of the public to nominate candidates or to apply for membership before appointing them;
- (2) The invitation referred to in sub-section (1) must be published in the Gazette and in the media having a wide circulation or listenership in the Province, in the languages widely-spoken in the Province.

Disqualification of member of Board

7. (1) No person must be appointed as a member of the Board or if so appointed, must immediately cease to be a member if, he or she-
- (a) is or becomes an unrehabilitated insolvent;
 - (b) is or has been declared by a competent court to be of unsound mind;

(c) has since 1994 been convicted of any offence and sentenced to a term of imprisonment of more than 12 months without the option of a fine.

- (2) Any conviction or sentence imposed by a court outside the Republic of South Africa must not be taken into account for the purposes of paragraph (c) unless such offence would have been an offence if committed within the Republic of South Africa at the time of commission;
- (3) No person must be appointed as a member if he or she is not a resident in the Province or is not connected with the tourism industry of the Province, unless co-opted by the Board.

Term of Office

- 8. (1) A person referred to in Section 5, must-
 - (a) be appointed to the Board for a period not exceeding three years or such lesser period as the MEC may determine;
 - (b) be appointed on a part-time basis;
- (2) A member is eligible for reappointment at the end of the term of office;
- (3) The MEC may determine different terms of office for different appointments;
- (4) The Chairperson or a member appointed on a part-time basis may perform remunerative work outside the duties of his or her office but such work must not interfere with or result in a conflict of interest with his or her duties as the Chairperson or member of the Board.

Chairperson and Deputy Chairperson

- 9. (1) The MEC must appoint a Chairperson from amongst the members;
- (2) Members must, from time to time elect from within their own number a person to be Deputy Chairperson of the Board;
- (3) If the office of the Chairperson is vacant or the Chairperson is absent, incapacitated or refuses or fails to act as Chairperson, the Deputy Chairperson must exercise all the powers, rights, functions and duties of the Chairperson during the period of such vacancy, absence, incapacity or failure.

(4) If-

- (a) the offices of both Chairperson and Deputy Chairperson are vacant; or
- (b) both the Chairperson and Deputy Chairperson refuse or fail to exercise the powers of the Chairperson, the members present must appoint one member to act as Chairperson during the period of such vacancy, absence, incapacity or failure.

Filling of vacancies

10. If a vacancy occurs in the Board, the MEC may, subject to the provisions of Section 6, appoint a person or persons to fill such vacancy for the remaining unexpired term of office.

Resignation of Chairperson

11. A Chairperson or a member may at any time resign as a Chairperson or a member on giving not less than 30 days' written notice to the MEC.

Termination of membership

12. (1) The MEC may terminate membership of a Chairperson or a member's term of office on one or more of the following grounds:
- (a) incapacity of mind or body which prevents him or her from the proper discharge of his or her duties;
 - (b) conduct which in the opinion of the MEC may bring the Board into disrepute;
 - (c) failure to carry out his or her duties and functions properly;
 - (d) absence from two consecutive meetings of the Board without the permission of the Board;
 - (e) becoming a Member of Parliament, a member of the Legislature, or a Councillor of a Local Authority.

Suspension of a Chairperson or member

13. The MEC may suspend the chairperson or a member from the execution of his or her duties, whilst the MEC is investigating and considering allegations levelled against such member.

Meetings of Board**14. (1) The Board must hold-**

- (a) at least four meetings in every calendar year;
 - (b) its first meeting at such time and place as the MEC may determine; and
 - (c) its meetings at such time and place as the Board may by resolution determine.
- (2) The quorum for a meeting of the Board must be a simple majority of the total number of members present at the meeting.
- (3) A decision of the majority of the members present at the meeting of the Board must be a decision of the Board, and in the event of an equality of votes, the Chairperson must have a casting vote in addition to his or her deliberative vote;
- (4) The Board may allow members of the public to attend any or part of its meeting.
- (5) The Chief Executive officer may attend and participate in any meeting of the Board, but must not vote.

Establishment of committees

- 15 (1) The board may from time to time establish committees from within the ranks of the members and refer specific matters or classes of matters for investigation and report to the Board;
- (2). When establishing a committee in terms of sub-section (1) the Board must:-
- (a) determine the terms of reference and mode of operation of such committee including but not limited to whether or not such committee shall cease to exist once it has completed the task or tasks assigned to it by the Board;
 - (b) appoint a chairperson of such a committee who shall be a member of the Board.
 - (c) determine whether or not that committee may co-opt persons who are not members of the Board, and if so, on what terms and conditions;
- (3) A committee established in terms of sub-section (1), must upon completion of its Duties report to the Board.

- (4) The Board may at any time terminate the existence of or any mandate given to a committee, irrespective of whether or not it has completed the task or tasks assigned to it by the Board.

Minutes of meetings

16. (1) The Board must cause minutes of every meeting of the Board and the committee to be compiled and cause copies of such minutes to be circulated to all members before the next meeting of the Board or a committee, as the case may be.
- (2) The Chairperson must in a subsequent meeting of the Board, sign the minutes referred to in subsection(1);
- (3) The minutes referred to subsection (2) must serve as a true and correct record of the proceedings of the meeting.

17. Remuneration and allowances of Members

- (a) Members of the Board, or persons consulted or co-opted respectively who are not in full-time services of the State or the Provincial Government may, in respect of their services, be paid such remuneration and allowances from the funds of the Board as may be determined by the members after consultation with the Member of the Executive Council responsible for Finance in the Province.
- (b) The remuneration and allowances of the members of the Board may differ according to the different offices held by them or the different functions performed by them.

Conflict of interest

18. (1) Where a matter is being investigated, considered or voted upon by the Board, a member who has any interest which may preclude him or her from performing his or her functions as a member in a fair, unbiased and proper manner, he or she must not participate in such investigation, consideration or vote and must absent himself or herself from the venue in which such investigations, considerations or voting takes place;
- (2) If at any stage during the course of any proceedings before the Board, it appears that a member who is present at that meeting has or may have an interest contemplated in subsection (1), such member shall forthwith disclose the nature of his or her interest and leave the meeting so as to enable the remaining members to discuss the matter and determine whether such member must comply with subsection (1).
- (3) Any disclosure and determination contemplated in subsection (2) must be recorded in the minutes of the meeting in question.

- (4) If any member fails to comply with subsection (1) or (2), the relevant proceedings of the Board must be regarded as not having taken place at all.

Annual Reports

19. (1) The Board must-
- (a) not later than 31 August of each year, submit a report to the MEC on the activities of the Board, for the twelve month period ending on the preceding 31 March, which report must be tabled by the MEC in the Legislature, not later than the last sitting of the Legislature of each year.
 - (b) submit duly audited annual financial statements, for each financial year not later than the 31 August of each year.
 - (c) submit to the MEC such other reports as the MEC may deem necessary.

Annual Business Plan

20. The Board must provide the MEC with the business plan to justify funding requirements by the Legislature, on an annual basis or as and when so required.

Administrative support to Board

21. (1) The MEC must provide the Board with such secretarial and administrative support service as may be necessary.
- (2) The support referred to in sub-section (1) must be withdrawn once the Board has its own administrative and secretarial support service in place.

Confidentiality

22. Any matter discussed at meetings of the Board-
- (1) which are open to the public, must be regarded as public information.
 - (2) must be regarded as being of a confidential nature and the Chairperson must decide what items of information or decisions of the Board must be made available to the public or the public media.
 - (3) which are not open to the public shall be regarded as confidential and the Chairperson may exercise a discretion whether to disclose any such matters or portion thereof, to the public.

Officers of Board

23. (1) The Board must, with the approval of the MEC, appoint a Chief Executive Officer who has the necessary competence to manage both Tourism and nature based resources.
- (2) The Chief Executive Officer is the accounting officer of the Board.
- (3) The Board must appoint persons required for the carrying out of the objects of this Act and may, dismiss any officer or employee from its service subject to any prescribed disciplinary procedures.
- (4) The Board must pay to officers and employees, such remuneration, allowances and benefits, as it may determine with the approval of the MEC.
- (5) Persons appointed in terms of sub-sections (1), (2) and (3) must not be appointed as members of the Board.

Professional expertise

24. The Board may if it deems necessary, employ the services of any professional expert to assist the Board in fulfilling any of its objectives or in the execution of its duties.

Delegation of powers and assignment of duties

25. (1) The Board may-
- (a) delegate any of its powers and duties conferred to it by this Act, to any member of the Board, Chief Executive Officer or Committee;
- (b) assign duties to persons referred to in paragraph (a).
- (2) The Chief Executive Officer may, if he or she deems it necessary-
- (a) delegate powers conferred to him or her by this Act; or
- (b) assign a duty imposed on him or her by this Act except a duty as an accounting officer, to any member of staff.
- (3) A person to whom a power has been delegated or a duty has been assigned, must exercise the power or perform the duty in terms of this Act and subject to any conditions as the Board may consider necessary.
- (4) A delegation or assignment referred to in sub-sections (1) and (2)-
- (a) must be in writing;
- (b) must not prevent the Board or the Chief Executive Officer from exercising

- (c) may at any time be withdrawn in writing by the person who delegated or assigned it.

Funds of Board

26. (1) The activities of the Board must be funded by-
- (a) funds voted for that purpose by the Legislature;
 - (b) funds raised by the Board from other sources approved by the MEC.
 - (c) donations and sponsorships if such donations and sponsorships are approved by the MEC;
 - (d) loans approved by the MEC and income from investments;
 - (e) the sale of publications and publicity material, advertising or exhibition space and the sale or hire of photographic transparencies or separations;
 - (f) any levies or fees which the Board may collect directly or which may have been collected on behalf of the Board.
 - (g) any fees and visitor facilities fees on nature reserves;
 - (h) funds from leasing out land or specified utilization;
 - (i) fees from contributing certain functions on the reserves e. g hunting and or culling programmes;
 - (j) funds from annual game capture and sales;
 - (k) funds from breeding and sale of rare game; or
 - (l) moneys repaid by persons or organizations who were granted loans by the Board;

Tourism and Parks Trust fund

27. (a) The Board must establish the Tourism and Parks Trust Fund which is to be dedicated to the management of natural resources within and outside Parks.
- (b) Percentage of appropriated Boards funds from Legislature should be allocated to this fund.
- (c) Donations specific to natural resource protection should be placed in this fund for specific objectives as set by the donors.

- (d) Any money, assets or investment in the fund at the end of a financial year shall be carried forward in the Fund to the next succeeding financial year.

Money, Assets and Investments in Fund

28. (1) The Board administers money, assets and investments in the Fund in consultation with the MEC and must be used-
- (a) to undertake or promote any research on nature conservation or any matter which is of material importance to nature conservation in the Province;
 - (b) to make grants of money to any person or body conducting such research in the Province or elsewhere;
 - (c) to foster the education and training of-
 - (i) any person required to conduct such research; and
 - (ii) employees of the Board, whether by grants, study loans and bursaries;
 - (d) to establish facilities for the collection and dissemination of information relating to nature conservation;
 - (e) to foster an awareness of the importance of nature conservation in the Province; and
 - (f) generally, to further the objects of the Board;
- (2) All money, assets or investments in the Fund which accrued to the Fund by way of any donation or bequests must be used in accordance with the conditions, if any, of such donation or bequest.
- (3) Any condition of a donation referred to in subsection (2) may be altered by agreement between the donor and the MEC.

Annual Financial Statements

29. (1) Books of account and other financial records of the Board must be audited annually by a firm of auditors approved by the Board.
- (2) The Board must submit a duly audited annual financial statement covering the same period as the annual report.

Audit Committee

30. (1) One of the standing committees of the Board is an audit committee.
- (2) The Chairperson determines the composition and mode of operation of the audit committee.

Appointment of registrar and designated officer

31. (1) The Board must appoint a person to be the registrar of designated tourist amenities;
- (2) The registrar may cancel any registration, certification, accreditation or license or any grading in terms of this Act,
- (3) Any person aggrieved by the decision of the registrar referred to in subsection (2) may, within twenty-eight days after being notified of the decision, appeal in writing to the MEC.
- (4) The appellant must, if a fee is prescribed for such appeal, submit an amount equal to the prescribed fee with the notice of appeal.
- (5) the MEC may require the registrar to furnish him with the written reasons for his decision, and a record of the proceedings.
- (6) When an appeal is noted-
- (a) the decision of the registrar must be suspended, until the appeal is finalized;
- (b) against the refusal to renew any license, the MEC may extend the validity of such license, until the appeal is finalized.
- (7) The MEC must make an appropriate order.

Inspection of premises

32. (1) The Registrar or designated officer may-
- (a) without notice, and at any reasonable time, enter any premises of-
- (i) any designated tourist amenity in respect of which an application for registration or license has been made; and

- (ii) after having informed the person who is in charge of such premises at the time of his or her visit, make such inspection and enquiry as he or she may deem necessary, except that he or she must not enter any room occupied by any person without the permission of such person;
 - (b) question any person in such premises, require any such person to produce any books, notices, records, or other documents which are or have been on the premises or in possession or custody of such person if in his or her opinion the examination of such books, notices, records, or other documents is necessary for the purpose of his or her investigation;
 - (c) examine and make extracts from and copies of any such books, notices, records or other documents referred to in paragraph (b), and require any explanation of entry therein;
 - (d) seize any books, notices, records, or other documents which, in his or her opinion, may assist in proving a commission of an offence in terms of this Act.
- (2) The Registrar or designated officer must, on demand by any person affected by the examination of records and other documents referred to in subsection (1), exhibit the certificate issued to him.

Payment of levy

33. (1) The MEC may-
- (a) prescribe a registration fee or levy payable in terms of this Act for any designated tourist amenities;
 - (b) from time to time prescribe a surcharge, which must be added to the price of services rendered by the person conducting the registered tourist amenity;
 - (c) fix a levy calculated at the prescribed rate.
- (2) The Board may recover the amount of levy due in terms of this Act from any person liable for payment.

Registration of designated tourist amenities

34. (1) The MEC may, by notice in the Provincial Gazette-
- (a) declare that with effect from a date to be fixed in the notice, being not sooner than six months from the date of publication of the notice, any place, person, service or thing or class thereof which in his or her opinion affords an amenity

to tourists or a service to the tourism industry to be designated a tourist amenity.

(b) determine the requirements which are to be complied with before any designated tourist amenity may be registered.

(c) revoke, amend or cancel any notice made in terms of paragraph (a).

(2) No person must conduct or operate a designated tourist amenity, unless it is registered.

(3) The registration made in terms of subsection (2) must be valid for a prescribed period.

Register for registration of designated tourist amenities

35. The registrar must, as soon as possible after publication of any notice in terms of section 34. (1), open and keep in a form approved by the Board, a register for the registration of designated tourist amenities.

Application for registration of designated tourist amenities

36. (1) Any person who conducts, operates or intends to conduct or operate a designated tourist amenity, may apply to the Registrar for the registration of the designated tourist amenity.

(2) An application referred to in sub-section (1) must be—

(a) made in the prescribed manner;

(b) accompanied by a prescribed fee, plans, documents and other information or particulars relating to the designated tourist amenity.

Powers of Registrar in relation to designated tourist amenities

37. (1) The Registrar may, if in his or her opinion, the requirements for the registration of designated tourist amenities—

(a) have been or will be complied with, register the designated or proposed designated tourist amenity.

- (b) have not been complied with or will not be complied with, refuse to register the designated or proposed designated tourist amenity but the Registrar may postpone the matter for further consideration for such period as he or she may fix.

(2) Before registering a designated tourist amenity, the Registrar-

- (a) must inspect the amenity or cause it to be inspected by a designated officer; or
- (b) may conduct further investigation in regard to designated tourist amenity.

Certificate of registration

38. (1) The Registrar must issue to the person conducting or operating the designated tourist amenity, a certificate of registration in the prescribed form.
- (3) If any designated tourist amenity ceases to be registered or to operate, the person who was conducting or operating the designated tourist amenity must forthwith, return the certificate of registration to the Registrar.

Publication of a list of registered designated tourist amenities

39. The Registrar must publish periodically, in such manner as he or she may determine, a list and particulars of registered designated tourist amenities together with particulars of such designated tourist amenities.

Cancellation of registration of designated tourist amenities

40. (1) The Registrar may, if registration requirements have not been complied with, give notice to the tourist amenity to satisfy the requirements within three months from the date of notice, failing which he may cancel the registration.
- (2) The Registrar may if he or she deems it necessary, extend the period referred to in subsection (1).
- (3) The designated tourist amenity in respect of which a notice has been given, may before the lapse of the period of three months or any period so extended, make representations in writing to the Registrar in regard to the proposed cancellation of the registration of the designated tourist amenity.

- (4) If, upon the lapse of the period of three months or extended period, the Registrar considers that the requirement concerned has not been complied with, he or she may cancel the registration and must give notice thereof to the person conducting or operating the designated tourist amenity.

Period of validity of registration and grading

41. A registration or grading made in terms of this Act must be valid for a prescribed period.

Offences and penalties

42. (1) Any person who-

- (a) publishes, causes or allows to be published in any manner, false or misleading information relating to any registered tourist amenity;
- (b) fails or refuses to pay any levy or to collect and or remit any such levy in terms of this Act;
- (c) hinders or obstructs the Registrar or designated officer in the exercise of his or her powers or performance of his or her duties;
- (d) refuses or fails to answer any question without a valid reason, the Registrar or designated officer puts to him or her in connection with the registered designated tourist amenity;
- (e) refuses or fails to comply with any requirement prescribed by the Registrar or designated officer;
- (f) wilfully furnishes to the Registrar or designated officer, false or misleading information; or
- (g) contravenes any provision of this Act, is guilty of an offence and on conviction is liable to a fine or imprisonment for a period not exceeding two years or to both such fine and imprisonment.

- (4) A court convicting a person for a contravention of sub-section (1)(b), may in addition to any penalty which it may impose, make an order for compensation to the Board by the offender for the amount of the levy to which the offence relates.

- (3) A judgement given by a court in terms of subsection (2) has the effect of a civil judgement.

Regulations

43. (1) The MEC may make regulations for-
- (a) the qualification and disqualification for registration, grading, licensing, certification and accreditation of registered designated tourist amenities;
 - (b) the insignia via for the various groups and grades of registered designated tourist amenities, the circumstances under which, the manner in which they must be used or displayed and the prohibition of the use or display thereof;
 - (c) payment of levy by the person liable, collection of levy by the person responsible, the manner of payment, collection and remittal;
 - (d) the records and accounts to be kept by any registered designated tourist amenity;
 - (e) the statistical returns to be submitted to the Board by any registered designated tourist amenity;
 - (f) fees payable in respect of licenses for designated tourist amenities;
 - (g) the requirement by any registered designated tourist amenity to give guarantees, bonds or any other form of surety approved
 - (h) the Board, for the fulfillment of all contractual obligations; and
 - (i) the requirements by persons employed or engaged in the tourism industry to undertake certain courses of instruction or training, or possesses certain qualifications as may be approved by the Board.
- (2) The MEC may make regulations he or she deems necessary for achieving the objects of this Act.
- (5) Regulations made in terms of sub-sections (1) and (2) may provide for penalties for any contravention thereof.

Transitional Provisions

44. (1) The MEC must, by notice in the Provincial Gazette, determine the date on which the Board comes into operation.

- (2) On the determined date, the existing Northern Province Tourism Board constituted as a Section 21 Company, shall make an application to the Registrar of Companies to be de-registered and all staff, funds, assets and liabilities must be transferred to the Board.

Short Title

45. This Act is called the Northern Province Tourism and Parks Board Act, 2001 and comes into operation on a date determined by the Premier by the Proclamation in the provincial gazette.

ALGEMENE KENNISGEWING 85 VAN 2001

NOORDELIKE PROVINSIE WETGEWER

WETSONTWERP OP TOERISME EN PARKE, 2001

Soos voorgestel deur

**(LID VAN DIE UITVOERENDE RAAD VIR FINANSIES,
EKONOMIESE AANGELEENTHEDE EN TOERISME)**

WETSONTWERP

Ten einde voorsiening te maak vir die daarstelling van die Noordelike Provinsie Toerisme- en Parkeraad; en om magte, funksies en pligte toe te wys aan sodanige Raad, om die Toerisme- en Parketrustfonds te stig; om voorsiening te maak vir die ontwikkeling, verbetering, bestuur en bemarking van die toerismebedryf en aangewese natuurreservate in die Provinsie; om voorsiening te maak vir die registrasie van toerisme geriewe; die insameling van heffings ten opsigte van geregistreerde toerisme geriewe en om voorsiening te maak vir verbandhoudende aangeleenthede.

WORD DIT BEPAAL deur die Wetgewer van die Noordelike Provinsie soos volg:-

INDELING VAN DIE WET

Artikel

1. Woordomskrywings
2. Stigting van Raad
3. Oogmerke van Raad
4. Magte en Pligte van Raad
5. Samestelling van Raad
6. Aanstelling tot Raad
7. Diskwalifisering van Lid van Raad
8. Ampstermyn
9. Voorsitter en Ondervoorsitter
10. Vul van Vakatures
11. Bedanking van Voorsitter
12. Beeëndiging van Lidmaatskap
13. Skorsing van Voorsitter of Lid
14. Vergaderings van Raad
15. Stigting van komitees
16. Notules van vergaderings

17. Besoldiging en toelaes aan Lede
18. Konflik van belange
19. Jaarverslae
20. Jaarlikse Sakeplan
21. Administratiewe ondersteuning aan Raad
22. Vertroulikheid
23. Amptenare van die Raad
24. Professionele kundigheid
25. Delegering van magte en toewysing van pligte
26. Fondse van die Raad
27. Toerisme- en Parketrustfonds
28. Geld, Bates en Belegging in Fonds
29. Jaarlike Finansiële State
30. Ouditkomitee
31. Aanstelling van registrateur en aangewese amptenaar
32. Inspeksie van perseel
33. Betaling van heffing
34. Registrasie van aangewese toeristegeriewe
35. Register van registrasie van aangewese toeristegeriewe
36. Aansoek vir registrasie van aangewese toeristegeriewe
37. Magte van Registrateur ten opsigte van aangewese toeristegeriewe
38. Registrasiesertifikaat
39. Publikasie van 'n lys van geregistreerde aangewese toeristegeriewe
40. Kansellasië van registrasie van aangewese toeristegeriewe
41. Tydperk van geldigheid van registrasie en gradering

42. Oortredings en boetes

43. Regulasies

44. Oorgangsvoorwaardes

45. Kort Titel

Woordomskrywings

1. In hierdie Wet, tensy uit die samehang anders blyk beteken –

“aangewese toerismegerief” ‘n plek, ding, of diens wat die LUR as ‘n aangewese toerismegerief ingevolge Artikel 34 verklaar het;

“akkommodasie instelling” enige perseel wat slaapakkommodasie aan die publiek teen ‘n fooi verskaf, hetsy met of sonder verversings en dit sluit instellings in wat algemeen bekendstaan as hotelle, motelle, bed-en-ontbyt, gastehuse, plattelandse herberge, wildreservate, plaashuse, karavaan en kampeerterreine;

“Bewaring” koöperatiewe omgewingsbestuur deur ‘n plaaslike gemeenskap en sy verbruikergroepe om bewaring en onderhoubare gebruik van bepaalde natuurlike hulpbronne en die bewaring van die omgewing te bevorder;

“Biodiversiteit” die onderhoubare sisteme en natuurlike hulpbronne;

“Biosfeer reservate” internasionaal erkende reservate om ‘n gebalanseerde verhouding tussen mense en die biosfeer te demonstreer en bevorder deur ‘n kombinasie van bewaring, onderhoubare ontwikkeling en logistieke ondersteuning;

“Departement” die Departement van Finansies, Ekonomiese Aangeleenthede en Toerisme;

“finansiële jaar” die tydperk vanaf 1 April in enige jaar tot 31 Maart in die daaropvolgende jaar;

“fonds” die Toerisme- en Parketrustfonds;

“Gemeenskapstoerismevereniging” enige vereniging wat deur persone of organisasies gevorm is wat by die toerismebedryf betrokke is in ‘n bepaalde distrik of gebied en wat daarop gemik is om toerisme in daardie gebied te reguleer, bestuur, ontwikkel of bevorder;

“heffing” ‘n heffing soos omskryf ingevolge Artikel 33;

“hierdie Wet” die insluiting van regulasies;

“Lid” ‘n lid van die Raad;

“LUR” ‘n Lid van die Uitvoerende Raad wat vir Toerisme en Parke-aangeleenthede in die Provinsie verantwoordelik is;

“Natuurlike Erfenisterrein” ‘n gebied wat verklaar is om gelokaliseerde provinsiale merkwaardige natuurlike eienskappe vanweë hulle bepaalde belang of unike eienskappe te beskerm, bewaar en/of bestuur;

“Natuurreservaat” ‘n natuurlike merkwaardige of natuurskone gebied wat as ‘n Provinsiale Natuurreservaat aangewys is te einde die natuurlike omstandighede en prosesse wat nodig is vir die voortbestaan van die spesies, groepe van spesies, biotiese gemeenskappe of fisiese eienskappe van die omgewing te bewaar en verseker vir wetenskaplike, opvoedkundige en ekotoerisme gebruik;

“Provinsie” die Noordelike Provinsie;

“Raad” die Noordelike Provinsie Toerisme- en Parkeraad soos gestig ingevolge Artikel 2;

“streekstoerisme organisasie” enige forum wat gestig is om die toerismebedryf van enige bepaalde streek te verteenwoordig en wat deur die Raad erken en geakkrediteer word;

“toergids” enige persoon wat, hetsy vir finansiële vergoeding of andersins, enige persoon vergesel wat binne die Provinsie reis of enige plek binne die Provinsie besoek en sodanige persoon met inligting voorsien of kommentaar lewer aangaande toerisme aangeleenthede;

“toeroperateur” enige persoon wat ‘n besigheid bedryf wat toeriste vervoer en van enige goedgekeurde vervoerwyse gebruik maak;

“voorgeskrewe” soos deur regulasies voorgeskryf;

“Voorsitter” die Voorsitter van die Raad soos aangewys ingevolge Artikel 9(1);

“Wetgewer” die wetgewer van die Provinsie gestig ingevolge die Grondwet.

Stigting van Raad

2. ‘n Juridiese persoon wat bekend staan as die Noordelike Provinsie Toerisme- en Parkeraad is gestig.

Oogmerke van Raad

3. Die oogmerke van die Raad is om-
 - (a) die stigting, ontwikkeling en doeltreffende bestuur van ‘n netwerk van provinsiale natuurreservate te verseker;
 - (b) onderhoubare hulpbronnbestuur te bevorder, aan te moedig en te ontwikkel en Natuurreservaat in die Provinsie;

- (c) as 'n strategiese ondersteuner te dien van die provinsiale beleid op toerisme en die natuur;
- (d) bemarking- en promosie-aktiwiteite binne en buite die Provinsie te onderneem;
- (e) marknavorsing te doen en inligting aan alle rolspelers te verskaf;
- (f) te verseker dat toepaslike standarde deur alle sektore van die toerismebedryf gehandhaaf word;
- (g) die toerisme infrastruktuur, besienswaardighede, fasiliteite en dienste te ontwikkel en verbeter;
- (h) die amptelike aangewese natuurreservate in die Provinsie te bestuur, ontwikkel, verbeter en bevorder sodat onderhoubare voordele en bronne vir betrokke gemeenskappe, operateurs en besoekers geskep word;
- (i) te verseker dat toerisme ontwikkeling in die omgewing, sosiale en fisiese kapasiteit van die Provinsie plaasvind;
- (j) bystand te verleen in die organisasie van toerisme in die Provinsie ten einde te verseker dat effektiewe en relevante strukture daargestel word en dat die bedryf bevoegde en gemotiveerde persone in diens neem;
- (k) die amptelike aangewese natuurreservate in die Provinsie te bevorder sodat onderhoubare voordele en bronne geskep word vir die betrokke gemeenskappe, die operateurs en besoekers;
- (l) fondse in te samel vir die bemarking en ontwikkeling van die toerisme en natuurluwe bedrywe;
- (m) die provinsiale toerisme en bewaringsprogramme met ander provinsiale, nasionale en internasionale ruimtelike en ekonomiese planne te verbind;
- (n) bystand te verleen met die ontwikkeling van gemeenskaplike grond wat kan bydra tot die sosio-ekonomiese opheffing van landelike gemeenskappe, kulturele toerisme en bewaring van natuurlike bronne;
- (o) enige ander funksies uit te voer wat die LUR ingevolge hierdie Wet of enige ander wet mag oordra of afdwing.

Magte en Pligte van Raad

4. Die magte en pligte van die Raad is om-

- (a) die LUR te adviseer oor enige aangeleentheid rakende die toerismebedryf en provinsiale natuurreservate in die Provinsie wat aan die Raad toegewys is;

- (b) 'n bewustheid oor die belangrikheid van die toerismebedryf te kweek onder al die inwoners van die Provinsie en die rol wat hulle kan speel om die sukses daarvan te verseker en om toegang te verkry tot die geleenthede wat dit bied;
- (c) ander liggame, organisasies of instellings wie se aktiwiteite of doelwitte 'n impak kan hê op die promosie, ontwikkeling of bestuur van toerisme in die Provinsie te koördineer, adviseer en leiding te gee;
- (d) die wyse te ondersoek waarop, en inwoners van die Provinsie aan te moedig om betrokke te raak in die toerismebedryf en in die sosiale en ekonomiese voordele te deel;
- (e) toerisme promosiemateriaal van watter aard ook al te produseer, promosieveldtogte te inisieer en implementeer en aktiwiteite te bevorder, ontwikkel en toerisme in die Provinsie te bemark;
- (f) navorsing te onderneem in die bemarking en ontwikkelingsfunksies en advies in te win oor enige sake rakende die toerismebedryf;
- (g) 'n adviesdiens te verskaf aan enige persoon wat deelneem aan of beoog om deel te neem aan die natuurlawe en toerismebedryf as beleggers of operateurs;
- (h) minimum standaarde vir alle sektore van die toerismebedryf aan te wyse, te registreer en in te stel en om te verseker dat sodanige standaarde gehandhaaf word;
- (i) die verskaffing en verbetering van toerisme fasiliteite aan te moedig en te verseker dat alle toerisme ontwikkelings en aktiwiteite op 'n onderhoubare basis plaasvind;
- (j) die instelling en funksionering van gemeenskapsgerigte toerisme te fasiliteer te einde te verseker dat plaaslike gemeenskappe wat kulturele, historiese en natuurlike bronne van toerisme potensiaal besit, aangemoedig en in staat gestel word om toerisme produkte en dienste te skep;
- (k) die daarstelling en funksionering van gemeenskapsgerigte toerismeverenigings, streekstoerismeforums en ander nodige organisasies aan te help vir die behoorlike funksionering van die toerismebedryf;
- (l) erkenning, akkreditasie en bystand aan sodanige organisasies te verleen op welke wyse nodig geag word;
- (m) administratiewe en inligtingskantore en toerismebronsentrusse binne en buite die Provinsie te open en bedryf;
- (n) die dienste van agente, kontrakteurs en konsultante waar nodig in diens te neem of te gebruik;
- (o) die dienste van professionele, tegniese, administratiewe of ander kategorieë personeel op 'n voltydse of deeltydse basis te bekom;

- (p) mediese bystand, aftrede en ander voordele vir sy personeel te verskaf;
- (q) gesamentlike ondernemings aan te moedig en vennootskappe te sluit met ander instellings en organisasies ten einde die toerisme instellings en persone in die Provinsie optimaal te benut;
- (r) roerende en vaste eiendom te bekom wat nodig is vir die uitvoering van hulle funksies en die bereiking van die oogmerke van die Raad;
- (s) die aanvaarding aan te moedig van maatstawwe vir die voorsiening van onderwys, opleiding en onderrig van persone wat in die toerismebedryf werk of beoog om daarin te werk;
- (t) fondse vir die Toerisme en Parkefonds in te samel en te administreer ooreenkomstig die voorwaardes wat deur die LUR neergelê is;
- (u) enige ander funksies uit te voer wat die LUR onder hierdie Wet of enige ander wet mag opdra of toewys;
- (v) om een of meer firmas, beslote korporasies of ander instellings in te stel en te bedryf en om aandele in sodanige instellings te koop en verkoop;
- (w) met enige versekeraar wat ingevolge die Versekeringswet geregistreer is die personeel en eiendomme van die Raad teen enige risiko's te verseker wat die Raad mag aangaan;
- (x) riglyne daar te stel vir die beskerming van die biodiversiteit op natuurreservate waarvoor die Raad verantwoordelik is;
- (y) algemene voorsienings rakende natuurreservate daar te stel;
- (z) grond te bekom vir die daarstelling van natuurreservate onder die jurisdiksie van die Raad;
- (aa) natuurreservate onder die jurisdiksie van die Raad te beheer, bestuur en in stand te hou;
- (bb) bystand te verleen in die verklaring of erkenning van natuurlike erfenisterreine, biosfeerreservate en bewaringsplekke;
- (cc) vir die uitvoering van sy aktiwiteite grond of geboue aan te koop, te huur, huurkoop of andersins te bekom, om geboue op sy land op te rig, te verkoop, verhuur of andersins van die hand te sit of om sodanige grond of gebou op verband aan te skaf;
- (dd) donasies te aanvaar en enige gelde wat dit aangebied word of aan dit verskuldig is te ontvang;

(ee) roerende of enige ander tipe eiendom van enige aard aan te koop, te huur, ontwikkel, hou of omskryf of andersins te bekom of oor te neem, insluitend enige aandele, effekte, skuldbriewe en sekuriteite, of enige aandeel in enige besigheid van of 'n huurkoop op enige eiendom, en om dit te verhuur, verkoop of andersins daarvan afstand te doen of dit te verpand of dit andersins te hanteer;

(ff) amptenare en werknemers wat vir sy aktiwiteite benodig word in diens te neem, te besoldig, behuising te verskaf, te ontslaan of hulle dienste op te skort en om sodanige amptenare en werknemers te vrywaar.

Samestelling van Raad

5. Die Raad moet bestaan uit nie meer as tien lede wat deur die LUR aangestel is nie en waarvan-
 - (a) Een lid vermoëns en ervaring van natuurbewaring en toerisme moet hê;
 - (b) Twee lede vermoëns en ervaring in toerismebemarking, ontwikkeling en navorsing moet hê;
 - (c) Een lid vermoëns en ervaring in sakebestuur moet hê;
 - (d) Twee lede vermoëns en ervaring in omgewingsontwikkeling moet hê;
 - (e) Een lid 'n amptenaar in diens van die Departement van Landbou en Omgewingsake moet wees om as *ex officio* lid te dien;
 - (f) Twee lede van die natuurlewebedryf moet wees met ervaring in die bestuur van beskermde gebiedsbestuur en biodiversiteitsbewaring;
 - (g) Een verteenwoordiger 'n amptenaar in diens van die departement moet wees.

Aanstelling tot Raad

6. (1) Die LUR moet lede van die publiek nooi om kandidate te nomineer of om vir lidmaatskap aansoek te doen voordat hulle aangestel word;
- (2) Die uitnodiging waarna in subartikel (1) verwys word moet in die *Koerant* gepubliseer word en in die media wat 'n wye sirkulasie en luisteraarsyfer in die Provinsie het, in die tale wat algemeen in die Provinsie gepraat word.

Diskwalifisering van Lid van Raad

7. (1) Geen persoon moet op die Raad aangestel word of indien as sulks aangestel, moet onmiddellik ophou om 'n lid te wees, indien hy of sy –
 - (a) 'n ongerehabiliteerde insolvent is of raak;
 - (b) deur 'n bevoegde hof as ontoerekeningsvatbaar verklaar is;

- (c) sedert 1994 skuldig bevind is aan 'n oortreding en tot gevangenisstraf van meer as 12 maande sonder die keuse van 'n boete gevonnissen is.
- (2) Enige skuldigbevinding of vonnis opgelê deur 'n hof buite die Republiek van Suid-Afrika moet nie in ag geneem word vir die doeleindes van paragraaf (c) nie tensy sodanige oortreding 'n oortreding sou wees indien dit binne die Republiek van Suid-Afrika gepleeg is ten tye van die kommissie;
- (3) Geen persoon kan as 'n lid aangestel word indien hy of sy nie 'n inwoner van die Provinsie is nie of nie by die toerismebedryf in die Provinsie betrokke is nie, tensy deur die Raad gekoöpteer.

Ampstermyn

- 8. (1) 'n Persoon waarna in Artikel 5 verwys, moet-
 - (a) tot die Raad aangestel word vir 'n tydperk van nie langer as drie jaar en nie korter as deur die LUR bepaal nie;
 - (b) op 'n deeltydse basis aangestel word;
- (2) 'n Lid is nie geregtig op heraanstelling aan die einde van die ampstermyn nie;
- (3) Die LUR kan die verskillende ampstermyne vir die verskillende aanstellings bepaal;
- (4) Die Voorsitter of 'n lid wat op 'n deeltydse basis aangestel is, mag betalende werk doen buite sy of haar amp, maar sodanige werk mag nie inmeng met of in 'n konflik van belang wees met sy of haar pligte aan die Voorsitter of lid van die Raad nie.

Voorsitter en Ondervoorsitter

- 9. (1) Die LUR moet 'n Voorsitter vanuit die geledere van sy lede aanstel.
- (2) Lede moet, van tyd tot tyd, vanuit hulle eie geledere 'n persoon verkies as Ondervoorsitter van die Raad;
- (3) Indien die amp van Voorsitter vakant is of as die Voorsitter afwesig is, onbevoeg is of weier of in versuim bly om as Voorsitter op te tree, moet die Ondervoorsitter al die magte, regte, funksies en pligte van die Voorsitter tydens die tydperk van vakature, afwesigheid, onbevoegdheid of versuim uitvoer.
- (4) Indien –
 - (a) beide die ampte van Voorsitter en Ondervoorsitter vakant is, of
 - (b) beide die Voorsitter en Ondervoorsitter weier of nalaat om die magte van die Voorsitter uit te voer, moet die teenwoordige lede een lid aanwys wat

as Voorsitter sal optree tydens die tydperk van vakature, afwesigheid, onbevoegdheid of nalating.

Vul van Vakatures

10. Indien 'n vakature op die Raad ontstaan, kan die LUR, onderworpe aan die voorwaardes van Artikel 6, 'n persoon of persone aanstel om sodanige vakature vir die oorblywende onverstreke ampstermyn te vul.

Bedanking van Voorsitter

11. 'n Voorsitter of 'n lid kan te enige tyd bedank as 'n Voorsitter of 'n lid deur nie minder as 30 dae skriftelike kennisgewing aan die LUR.

Beëindiging van Lidmaatskap

12. (1) Die LUR kan die lidmaatskap van 'n Voorsitter of 'n lid se ampstermyn om een of meer van die volgende redes beëindig:
- (a) verstandelike onbevoegdheid wat hom of haar daarvan weerhou om sy of haar pligte behoorlik uit te voer;
 - (b) optrede wat na die mening van die LUR die Raad in onguns kan bring;
 - (c) versuim om sy of haar pligte en funksies behoorlik uit te voer;
 - (d) afwesigheid van twee opeenvolgende vergaderings van die Raad sonder die toestemming van die Raad;
 - (e) deurdadig dat die persoon 'n Lid van die Parlement, 'n lid van die Wetgewer, of 'n Raadslid van 'n Plaaslike Owerheid word.

Skorsing van Voorsitter of Lid

13. Die LUR kan die voorsitter of 'n lid skors van die uitvoering van sy of haar pligte, terwyl die LUR die aanklagte wat ingebring is teen sodanige lid ondersoek.

Vergaderings van Raad

14. (1) Die Raad moet –
- (a) minstens vier vergaderings gedurende elke kalenderjaar hou;
 - (b) sy eerste vergadering hou op sodanige tyd en plek as deur die LUR bepaal; en
 - (c) sy vergaderings hou op sodanige tyd en plek as wat die Raad deur resoluëie bepaal.

- (2) Die kworum vir 'n vergadering van die Raad moet 'n gewone meerderheid wees van die totale aantal lede teenwoordig by 'n vergadering.
- (3) 'n Besluit van die meerderheid van die lede teenwoordig by 'n vergadering van die Raad moet 'n besluit van die Raad wees, en in die geval van 'n gelykop stemming, moet die Voorsitter die beslissende stem bykomend tot sy of haar gewone stem hê.
- (4) Die Raad kan lede van die publiek toelaat om enige gedeelte van sy vergaderings by te woon.
- (5) Die Hoof Uitvoerende Beamppte kan enige vergadering van die Raad bywoon en daaraan deelneem, maar mag nie stem nie.

Stigting van komitees

15. (1) Die Raad kan van tyd tot tyd komitees stig vanuit sy eie geledere en kan spesifieke aangeleenthede of tipes van aangeleenthede na sodanige komitees verwys vir terugrapportering aan die Raad;
- (2) Wanneer 'n komitee ingevolge subartikel (1) gestig word, moet die Raad-
 - (a) die verwysingsterme en wyse van optrede van sodanige komitee bepaal insluitend maar nie beperk tot of sodanige komitee sal ophou bestaan wanneer die opgelegte taak of take afgehandel is wat deur die Raad daaraan opgedra is nie;
 - (b) 'n voorsitter van sodanige komitee aanstel wat 'n lid van die Raad is;
 - (c) bepaal of sodanige komitee persone mag koöpteer wat nie lede van die Raad is nie, en indien wel, op watter terme en voorwaardes;
- (3) 'n Komitee gestig ingevolge subartikel (1), moet by voltooiing van sy pligte aan die Raad rapporteer;
- (4) Die Raad kan te enige tyd die bestaan van enige mandaat wat aan 'n komitee opgedra is beëindig, ongeag of die taak of take wat deur die Raad daaraan opgedra is, voltooi is.

Notules van vergaderings

16. (1) Die Raad moet toesien dat notules van elke vergadering van die Raad en die komitee gehou word en dat sodanige notules aan alle lede versprei word voor die volgende vergadering van die Raad of 'n komitee, wat die geval mag wees.
- (2) Die Voorsitter moet in 'n volgende vergadering van die Raad, die notule onderteken waarna in subartikel (1) verwys word;
- (3) Die notule waarna in subartikel (2) verwys word moet dien as 'n ware en korrekte verslag van die verrigtinge van die vergadering.

Besoldiging en toelaes aan lede

17. (a) Lede van die Raad, of persone wat onderskeidelik gekonsulteer of gekoöpteer is en wat nie in die voltydse diens van die Staat of die Provinsiale Regering is nie kan, ten opsigte van hulle dienste, sodanige besoldiging en toelaes betaal word vanuit die fondse van die Raad soos deur die lede bepaal na oorlegpleging met die Lid van die Uitvoerende Raad verantwoordelik vir Finansies in die Provinsie.
- (b) Die besoldiging en toelaes van lede van die Raad kan verskil in ooreenstemming met die verskillende ampte wat hulle beklee of die verskillende funksies wat hulle verrig.

Konflik van belange

18. (1) Waar 'n saak ondersoek word, oorweeg of oor gestem word deur die Raad, kan 'n lid wat enige belang het wat hom- of haarself mag verhinder om sy of haar funksies as 'n lid op 'n regverdige, onbevooroordeelde en behoorlike wyse uit te voer, mag hy of sy nie deelneem aan sodanige ondersoek, oorweging of stemming nie en moet hom- of haarself verskoon van die lokaal waar sodanige ondersoeke, oorwegings of stemming plaasvind;
- (2) Indien gedurende enige stadium van enige verrigtinge voor die Raad, dit voorkom dat 'n lid wat by sodanige vergadering teenwoordig is, 'n belang soos bedoel in subartikel (1) mag hê, moet sodanige lid sonder verwyl die aard van sy of haar belang verklaar en die vergadering verlaat ten einde die agterblywende lede die geleentheid te gee om die aangeleentheid te bespreek en te bepaal of sodanige lid aan subartikel (1) moet voldoen.
- (3) Enige verklaring en bepaling soos beoog in subartikel (2) moet opgeteken word in die notule van die vergadering onder bespreking.
- (4) Indien enige lid nalaat om te voldoen aan subartikel (1) of (2), moet die bepaalde verrigtinge van die Raad geag word asof dit nie plaasgevind het nie.

Jaarverslae

19. (1) Die Raad moet-
- (a) nie later as 31 Augustus van elke jaar, 'n verslag aan die LUR voorlê oor die aktiwiteite van die Raad, vir die twaalf maande tydperk eindigende op 31 Maart van die vorige jaar, waarvan sodanige verslag deur die LUR in die Wetgewer ter tafel gelê moet word, nie later as tydens die laaste sitting van die Wetgewer van elke jaar nie.
- (b) behoorlik geouditeerde jaarlikse finansiële state vir elke finansiële jaar nie later as 31 Augustus van elke jaar indien nie.
- (c) enige ander verslae wat die LUR as nodig beskou aan die LUR voorlê.

Jaarlikse Sakeplan

20. Die Raad moet die LUR van 'n sakeplan voorsien om die befondsing vereistes van die Wetgewer te regverdig, op 'n jaarlikse basis of soos en wanneer dit nodig word.

Administratiewe ondersteuning aan die Raad

21. (1) Die LUR moet die Raad voorsien van sodanige sekretariële en administratiewe ondersteuningsdienste soos nodig mag word.
- (2) Die ondersteuning waarna in subartikel (1) verwys word, moet onttrek word sodra die Raad sy eie administratiewe en sekretariële ondersteuningsdiens aangestel het.

Vertroulikheid

22. Enige aangeleentheid wat by die vergaderings van die Raad bespreek word –
- (1) wat vir die publiek oopgestel is, moet as openbare inligting beskou word.
- (2) moet beskou word as van 'n vertroulike aard en die Voorsitter moet besluit watter items van inligting of besluite van die Raad aan die publiek of die openbare media beskikbaar gestel mag word.
- (3) wat nie vir die publiek oopgestel is nie, moet as vertroulik beskou word en die Voorsitter kan die diskresie uitoefen om te besluit of enige sodanige aangeleenthede of gedeeltes daarvan, aan die publiek bekend gemaak kan word.

Amptenare van die Raad

23. (1) Die Raad moet, met die goedkeuring van die LUR, 'n Hoof Uitvoerende Amptenaar aanstel wat die nodige kundigheid het om beide Toerisme en natuur-gebaseerde bronne te bestuur.
- (2) Die Hoof Uitvoerende Amptenaar is die rekenpligtige amptenaar van die Raad.
- (3) Die Raad moet persone aanstel wat nodig is vir die uitvoer van die oogmerke van hierdie Wet en kan, enige amptenaar of werknemer uit sy diens ontslaan onderworpe aan die voorgeskrewe dissiplinêre prosedures.
- (4) Die Raad moet aan amptenare en werknemers, sodanige besoldiging, toelaes en voordele betaal, as wat dit betpaal met die goedkeuring van die LUR.
- (5) Persone wat ingevolge subartikels (1), (2) en (3) aangestel is, kan nie as lede van die Raad aangestel word nie.

Professionele kundigheid

24. Die Raad mag indien dit nodig geag word, die dienste van enige professionele kundige verkry om die Raad by te staan om enige van sy oogmerke te bereik of in die uitvoering van sy pligte.

Delegering van magte en toewysing van pligte

25. (1) Die Raad mag-

- (a) enige van sy magte en pligte wat deur hierdie Wet aan dit opgedra is, delegeer aan enige lid van die Raad, Hoof Uitvoerende Amptenaar of Komitee;
- (b) enige pligte toewys aan persone waarna in paragraaf (a) verwys word.

- (2) Die Hoof Uitvoerende Amptenaar kan, indien hy of sy dit nodig ag-

- (a) magte wat deur hierdie Wet aan hom of haar opgedra is, delegeer; of
- (b) 'n plig wat deur hierdie Wet aan hom of haar opgelê is aan enige lid van die personeel toewys, behalwe 'n plig as rekenpligtige amptenaar.

- (3) 'n Persoon aan wie 'n mag gedelegeer is of aan wie 'n plig opgedra is, moet die mag uitoefen of die plig uitvoer ingevolge hierdie Wet en onderworpe aan enige voorwaardes wat die Raad nodig mag ag.

- (4) 'n Afvaardiging of opdrag soos na verwys in subartikels (1) en (2)-

- (a) moet skriftelik wees;
- (b) mag nie die Raad of die Hoof Uitvoerende Amptenaar daarvan weerhou om sy magte uit te voer nie;
- (c) kan te enige tyd skriftelik onttrek word deur die persoon wat dit delegeer of opgedra het.

Fondse van die Raad

26. (1) Die aktiwiteite van die Raad moet befonds word deur-

- (a) fondse vir daardie doel deur die Wetgewer begroot;
- (b) fondse deur die Raad ingesamel van ander bronne wat deur die LUR goedgekeur is;
- (c) donasies en borgskappe indien sodanige donasies en borgskappe deur die LUR goedgekeur is;
- (d) lenings deur die LUR goedgekeur en inkomste uit beleggings;

- (e) die verkoop van publikasies en publisiteitsmateriaal, advertensies of uitstallingspasie en die verkoop of verhuring van fotografiese transparante of skeidings;
- (f) enige heffings of fooie wat die Raad direk kan insamel of wat namens die Raad ingesamel mag wees;
- (g) enige fooie en besoeker fasiliteitsfooie op natuurreserve;
- (h) fondse uit die verhuring van grond of gespesifiseerde gebruik;
- (i) fooie uit die bydra tot sekere funksies op die reserve, bv. jag en uitdunningsprogramme;
- (j) fondse van jaarlikse wildsvangste en -verkope;
- (k) fondse van teël en verkoop van rare wild; of
- (l) gelde terugbetaal deur persone of organisasies aan wie lenings deur die Raad toegestaan is.

Toerisme- en Parketrustfonds

27. (a) Die Raad moet 'n Toerisme- en Parketrustfonds stig wat opgedra moet word aan die bestuur van natuurlike bronne binne en buite Parke.
- (b) 'n Persentasie van die begrote Raadsfondse vanaf die Wetgewer moet aan hierdie fonds toegewys word.
- (c) Donasies spesifiek bedoel vir natuurlike bronne bewaring moet in hierdie fonds geplaas word vir die spesifieke doeleindes soos deur die donateurs bepaal.
- (d) Enige geld, bates of belegging wat aan die einde van die finansiële jaar in die fonds is moet na die volgende finansiële jaar in die Fonds oorgedra word.

Geld, Bates en Belegging in Fonds

28. (1) Die Raad administreer geld, bates en beleggings in die Fonds in oorleg met die LUR en dit moet gebruik word –
- (a) om enige navorsing oor natuurbewaring of enige aangeleentheid wat van materiële belang vir natuurbewaring in die Provinsie is te onderneem of bevorder;
 - (b) om skenkings van geld te maak aan enige persoon of instelling wat sodanige navorsing in die Provinsie of elders onderneem;
 - (c) om die onderwys en opleiding te bevorder van-

- (i) enige persoon wat benodig word om sodanige navorsing te onderneem; en
 - (ii) werknemers van die Raad,
hetsy deur skenkings, studielenings en beurse;
 - (d) om fasiliteite te vestig vir die insameling en disseminasie van inligting wat verband hou met natuurbewaring;
 - (e) om bewustheid te bevorder oor die belangrikheid van natuurbewaring in die Provinsie; en
 - (f) om in die algemeen die oogmerke van die Raad te bevorder.
- (2) Alle gelde, bates en beleggings in die Fonds wat tot die Fonds gevoeg is deur middel van enige donasies of erflatings, moet aangewend word in ooreenstemming met die voorwaardes, indien enige, van sodanige donasie of erflating.
 - (3) Enige voorwaarde van 'n donasie waarna in subartikel (2) verwys word, kan verander word deur ooreenkoms tussen die donateur en die LUR.

Jaarlikse Finansiële State

- 29. (1) Rekeningboeke en ander finansiële rekords van die Raad moet jaarliks geoudit word deur 'n ouditeursfirma wat deur die Raad goedgekeur is.
- (2) Die Raad moet 'n finansiële staat indien wat behoorlike geoudit is en wat oor dieselfde tydperk as die jaarverslag strek.

Ouditkomitee

- 30. (1) Een van die vaste komitees van die Raad is 'n ouditkomitee.
- (2) Die Voorsitter bepaal die samestelling en metode van optrede van die ouditkomitee.

Aanstelling van registrateur en aangewese amptenaar

- 31. (1) Die Raad moet 'n persoon aanstel om registrateur van aangewese toeristegeriewe te wees;
- (2) Die registrateur kan enige registrasie, sertifisering, akkreditasie of lisensie of enige gradering ingevolge hierdie Wet kanselleer;
- (3) Enige persoon wat te na gekom voel deur die besluit van die registrateur waarna in subartikel (2) verwys is, kan binne agt-en-twintig dae nadat hy of sy van die besluit in kennis gestel is, skriftelik tot die LUR daarteen appèlleer.

- (4) Die appèllant moet, indien 'n fooi vir sodanige appèl voorgeskryf word, 'n bedrag gelykstaande aan die voorgeskrewe fooi saam met die kennisgewing van appèl indien.
- (5) Die LUR mag van die registrateur verlang om hom met die skriftelike redes vir sy besluit te voorsien, sowel as 'n verslag van die verrigtinge.
- (6) Wanneer 'n appèl aangeteken word –
 - (a) moet die besluit van die registrateur opgeskort word totdat die appèl afgehandel is;
 - (b) teen die weiering om enige lisensie te hernu, mag die LUR die geldigheid van sodanige lisensie verleng, totdat die appèl afgehandel is.
- (7) Die LUR moet 'n toepaslike bevel lewer.

Inspeksie van perseel

32. (1) Die Registrateur of aangewese amptenaar kan-

- (a) sonder kennisgewing, en op enige redelike tyd, die perseel betree van-
 - (i) enige aangewese toeristegerief ten opsigte waarvan 'n aansoek om registrasie of 'n lisensie ingedien is; en
 - (ii) nadat die persoon wat in beheer van sodanige perseel is ten tye van sy of haar besoek in kennis gestel is, sodanige ondersoek en navrae rig as wat hy of sy nodig ag, behalwe dat hy of sy nie enige vertrek mag binnegaan wat deur enige persoon bewoon word sonder die kennisgewing van sodanige persoon nie;
 - (b) enige persoon op sodanige perseel ondervra, van enige sodanige persoon verlang om enige boeke, kennisgewings, rekords, of ander dokumente wat op die perseel is of was of in die besit of bewaring van sodanige persoon is te lewer indien na sy of haar mening die ondersoek van sodanige boeke, kennisgewings, rekords, of ander dokument nodig is vir die doeleindes van sy of haar ondersoek;
 - (c) enige sodanige boeke, kennisgewings, rekord of ander dokumente waarna in paragraaf (b) verwys is, ondersoek en uittreksels daaruit of kopieë daarvan maak en enige verduideliking rakende inskrywing daarin verlang;
 - (d) beslag lê op enige boeke, kennisgewings, rekord, of ander dokumente wat, na sy of haar mening, van hulp kan wees in die bewys van die pleging van 'n oortreding ingevolge hierdie Wet.
- (2) Die Registrateur of aangewese amptenaar moet, op die eis van enige persoon geraak deur die ondersoek van rekords en ander dokumente waarna in subartikel (1) verwys word, die sertifikaat toon wat aan hom uitgereik is.

Betaling van heffing**33. (1) Die LUR kan-**

- (a) 'n registrasiefooi of heffing voorskryf ingevolge hierdie Wet vir enige aangewese toeristegeriewe;
 - (b) van tyd tot tyd 'n bobelasting voorskryf, wat by die prys van die dienste wat die persoon wat die geregistreerde toeristegerief bedryf gevoeg moet word;
 - (c) 'n heffing vasstel wat volgens die voorgeskrewe tarief bereken is.
- (2) Die Raad kan die bedrag van die heffing betaalbaar ingevolge hierdie Wet van enige persoon verhaal wat vir betaling verantwoordelik is.

Registrasie van aangewese toeristegeriewe**34. (1) Die LUR kan, deur kennisgewing in die Provinsiale Koerant-**

- (a) verklaar dat vanaf die datum vasgestel in die kennisgewing, wat nie vroeër as ses maande vanaf die datum van publikasie van die kennisgewing is nie, enige plek, persoon, diens of ding of klas daarvan wat na sy mening 'n gerief aan toeriste bied of 'n diens aan die toerismebedryf as 'n toeristegerief aangewys word;
 - (b) die vereistes vasstel waaraan voldoen moet word voordat enige aangewese toeristegerief geregistreer mag word;
 - (c) enige kennisgewing wat ingevolge paragraaf (a) gemaak is, herroep, wysig of kanselleer.
- (2) Geen persoon mag 'n toeristegerief bestuur of bedryf tensy dit geregistreer is nie.
- (3) Die registrasie wat ingevolge subartikel (2) gedoen is, moet vir 'n bepaalde tydperk geldig wees.

Register van registrasie van aangewese toeristegeriewe

35. Die registrateur moet, so gou moontlik na publikasie van enige kennisgewing ingevolge artikel 34 (1), 'n register vir die registrasie van aangewese toeristegeriewe oopmaak en in 'n formaat hou wat deur die Raad goedgekeur is.

Aansoek vir registrasie van aangewese toeristegeriewe

36. (1) Enige persoon wat 'n aangewese toeristegerief bedryf, bestuur of beoog om te bedryf of bestuur, kan by die Registrateur aansoek doen vir die registrasie van die aangewese toeristegerief.

(2) 'n Aansoek soos na verwys in subartikel (1) moet-

- (a) op die voorgeskrewe wyse gedoen word;
- (b) vergesel wees van die voorgeskrewe fooi, planne, dokumente en ander inligting of besonderhede wat verband hou met die aangewese toeristegerief.

Magte van Registrateur ten opsigte van aangewese toeristegeriewe

37. (1) Die Registrateur kan, indien na sy of haar mening, die vereistes vir die registrasie van aangewese toeristegeriewe –

- (a) nagekom is of nagekom sal word, die aangewese of beoogde aangewese toeristegerief registreer;
- (b) nie nagekom is of nie nagekom sal word nie, weier om die aangewese of beoogde toeristegerief te registreer, maar die Registrateur kan die aangeleentheid vir verdere oorweging uitstel vir sodanige tydperk as wat hy of sy mag vasstel.

(2) Die Registrateur, voor die registrasie van 'n aangewese toeristegerief-

- (a) moet die gerief inspekteer of toesien dat dit deur 'n aangewese amptenaar geïnspekteer word; of
- (b) mag verdere ondersoek ten opsigte van die aangewese toeristegerief doen.

Registrasiesertifikaat

38. (1) Die Registrateur moet 'n sertifikaat van registrasie in die voorgeskrewe formaat uitreik aan die persoon wat die aangewese toeristegerief bedryf of bestuur.

- (2) Indien enige aangewese toeristegerief ophou om geregistreer te wees of bedryf te word, moet die persoon wat die aangewese toeristegerief bedryf of bestuur het, onmiddellik die registrasiesertifikaat aan die Registrateur terugbesorg.

Publikasie van 'n lys van geregistreerde aangewese toeristegeriewe

39. Die Registrateur moet periodiek, op sodanige wyse as wat hy of sy mag vasstel, 'n lys en besonderhede van geregistreerde aangewese toeristegeriewe tesame met besonderhede van sodanige aangewese toeristegeriewe publiseer.

Kansellasië van registrasie van aangewese toeristegeriewe

40. (1) Die Registrateur kan, indien die registrasievoorwaardes nie nagekom is nie, kennis aan die toeristegerief gee om die voorwaardes binne drie maande vanaf die

datum van kennisgewing na te kom, en indien dit nie nagekom word nie, kan hy die registrasie kanselleer.

- (2) Die Registrateur kan indien hy of sy dit nodig ag, die tydperk waarna in subartikel (1) verwys word, verleng.
- (3) Die aangewese toeristegerief ten opsigte waarvan 'n kennisgewing gegee is, kan voor die verstryking van die tydperk van drie maande of enige tydperk wat sodanig verleng is, verhoë aan die Registrateur rig ten opsigte van die voorgenome kansellering van die registrasie van die aangewese toeristegerief.
- (4) Indien, by die verstryking van die tydperk van drie maande of die verlengde tydperk, die Registrateur van mening is dat die betrokke vereiste nie nagekom is nie, kan hy of sy die registrasie kanselleer en moet kennis daarvan gee aan die persoon wat die aangewese toeristegerief bedryf of bestuur.

Tydperk van geldigheid van registrasie en gradering

41. 'n Registrasie of gradering wat ingevolge hierdie Wet gedoen word moet vir die voorgeskrewe tydperk geldig wees.

Oortredings en boetes

42. (1) Enige persoon wat-
 - (a) enige vals of misleidende inligting wat verband hou met 'n geregistreerde toeristegerief publiseer, veroorsaak of toelaat dat dit gepubliseer word;
 - (b) nalaat of weier om enige heffing te betaal of dit te in of enige sodanige heffing oor te betaal ingevolge hierdie Wet;
 - (c) die registrateur of sy aangewese amptenaar verhinder of dwarsboom in die uitvoering van sy of haar magte of pligte;
 - (d) weier of nalaat om enige vraag sonder 'n geldige rede te beantwoord, wat die Registrateur of aangewese amptenaar ten opsigte van die geregistreerde aangewese toeristegerief aan hom of haar stel;
 - (e) weier of nalaat om aan enige vereiste wat deur die Registrateur of aangewese amptenaar vereis word te voldoen;
 - (f) die Registrateur of aangewese amptenaar opsetlik van vals of misleidende inligting voorsien; of
 - (g) enige voorwaarde van hierdie Wet oortree, is skuldig aan 'n oortreding en stel hom- of haarself op skuldigbevinding bloot aan 'n boete of gevangenisstraf van nie langer as twee jaar nie of beide sodanige boete en gevangenisstraf.
- (2) 'n Hof wat 'n persoon skuldig bevind aan 'n oortreding van subartikel (1)(b), kan

bykomend tot enige straf wat dit oplê, 'n bevel oplê vir vergoeding aan die Raad deur die oortreder vir die bedrag van die heffing wat met die oortreding verband hou.

- (3) 'n Uitspraak wat deur 'n hof ingevolge subartikel (2) gelewer word het die effek van 'n siviele uitspraak.

Regulasies

43. (1) Die LUR kan regulasies maak vir-

- (a) die kwalifikasie en diskwalifikasie vir registrasie, gradering, lisensiëring, sertifikasie en akkreditasie van geregistreerde aangewese toeristegeriewe;
- (b) die onderskeidingsteken vir die verskillende groepe en gradering van geregistreerde aangewese toeristegeriewe, die omstandighede waaronder, die wyse waarop dit gebruik of vertoon kan word en die verbod op die gebruik of vertoon daarvan;
- (c) betaling van heffing deur die verantwoordelike persoon, kollektering van heffing deur die verantwoordelike persoon, die wyse van betaling, kollektering en vergoeding;
- (d) die rekords en rekeninge wat gehou moet word ten opsigte van enige geregistreerde aangewese toeristegerief;
- (e) die statistiese opgawes wat deur enige geregistreerde aangewese toeristegerief aan die Raad ingedien moet word;
- (f) fooie betaalbaar ten opsigte van lisensies vir aangewese toeristegeriewe;
- (g) die vereiste deur enige geregistreerde aangewese toeristegerief om waarborg, verbande of enige ander vorm van goedgekeurde waarborg te lewer;
- (h) die Raad, vir die nakoming van alle kontraktuele vereistes; en
- (i) die vereistes deur persone in diens van of betrokke by die toerismebedryf om sekere kursusse van instruksie of opleiding by te woon, of sekere kwalifikasies soos deur die Raad goedgekeur.

- (2) Die LUR kan regulasies maak wat hy of sy nodig ag vir die nakoming van die voorwaardes van hierdie Wet.

- (3) Regulasies gemaak ingevolge subartikels (1) en (2) kan voorsiening maak vir strawwe vir die oortreding daarvan.

Oorgangsvoorwaardes

44. (1) Die LUR moet, deur kennisgewing in die *Provinsiale Koerant*, die datum vasstel waaop die Raad in werking tree.

- (2) Op die vasgestelde datum, sal die Noordelike Provinsie Toerismeraad gestig as 'n Artikel 21 maatskappy, 'n aansoek rig aan die Registrateur van Maatskappye om te deregistreer en alle personeel, fondse, bates en laste moet na die Raad oorgedra word.

Kort Titel

45. Hierdie Wet staan bekend as die Noordelike Provinsie Toerisme- en Parkeraad Wet, 2001 en tree in werking op 'n datum wat deur die Premier vasgestel is deur Proklamasie in die *Provinsiale Koerant*.

XITIVISO YA TIN'WANA NI TIN'WANA 85 WA 2001

**MFUMO WA MILAWU WA
XIFUNDZANKULU XA N'WALUNGU**

**NAWUMBISI WA MAENDZO NA TIPHAKA,
2001**

tani hilaha wu ngehenisiweke ha kona hi

**XIRHO XA HUVONKULU WA MALI,
TIMHAHA TA IKHONOMI NA MAENDZO**

NAWUMBISI

Wo endlelal ku simekiwa ka Bodo ya Maendzo na Tiphaka ya Xifundzankulu xa N'walungu; na ku hundzisa matimba, mintirho na tinfanelo ehenhla ka Bodo; ku simeka Nkwama wa Bodo ya Maendzo na Tiphaka; ku endlela ku hluvukisa, ku antswisa, mafambisele na ku navetisa ka bindzu ra maendzo na vuhlayiselo bya ntumbuluko lebyi byi nga hlawuriwa eka Xifundzankulu; ku endlela tsarisiwa ka tindhawu ot navetisa ta maendzo, ku hlengeletywa ka tihakelo hi ku endlela swinavetiso leswi swi nga tsarisiwa swa maendzo na ku endlela timhaka leti ti fambelanaka na swona.

Mfumo wa Milawu wa Xifundzankulu xa N'walungu **WU VEKA NAWU** hi ndlela leyi yi landzelaka:-

Tinhlamuselo

1. Eka Nawu lowu, handleka ka loko nhlamuselo ya kona yi komba swin'wana-

"Bodo" ri vula Bodo ya Maendzo na Tiphaka ya Xifundzankulu xa N'walungu leyi yi nga simekiwa hi Xiyenge xa 2;

"hakelo" ri vula hakelo leyi yi nga vekiwa hi ku landza Xiyenge xa 33;

"hlawuriweke" ri vula leswi swi hlawuriweke hi swinawana;

"ku hambana-hambana hi vutomi" swi kongomisa eka tisisitme to hlayisa vutomi na swipfuno swa ntumbuluko;

"ku simekiwa ka vutshamo" swi vula miako yihi ni yihi leyi yi nyikaka byietlelo eka mani na mani byo hakeleriwa, hambi ku na swonwa kumbe ku hava naswona swi katsa na swin'wana leswi swi tivekaka ku antswa tani hi tihodela, mothela, mubedo na swakudya swa mpundzu,, tindlu ta vaendzi, tilojo, tilojo ta le swiharhini, tindlu ta mapurasi, tikharavhani na tiphaka to tshama kona;

"lembe-ximali" ri vula nkarhi wo sukela hi 1 Dzivamisoko eka lembe rihi ni rihi ku fikela 31 Nyenyankulu eka lembe leri ri landzelaka;

"Mfumo wa Milawu" swi vula mfumo wa milawu wa Xifundzankulu lowu wu nga simekiwa hi ku landza Vumbiwa;

"mufambisi wa bidzu ra maendzo" swi vula munhu wihi ni wihi loyi a fambisaka bindzu ro fambisa vaendzi hi ku tirhisa swiolovisi swa vutleketli leswi swi nga pfumeleriwa;

"mupfuni wa maendzo" swi vula munhu wihi ni wihi loyi, hambi i swa hakelo ya mali kumbe swin'wana, a fambaka na munhu wihi ni wihi loyi a tekaka rendzo endzeni kumbe ku endzela ndhawu yihi ni yihi eka

Xifundzankulu naswona loyi a nyikaka munhu wo tano vuxokoxoko kumbe nkanelo hi mayelana na timhaka ta maendzo;

"Mutshami wa Xitulu" swi vula Mutshami wa Xitulu wa Bodo loyi a nga thoriwa hi ku landza Xiyenge xa 9(1);

"Nawu lowu" swi katsa na swinawana;

"Ndzawulo" ri vula Ndzawulo ya Timali, Timhaka ta Ikhonomi na Maendzo;

"nhlangano wa maendzo wa muganga" swi vula nhlangano wihi ni wihi lowu wu nga vumberiwa ku yimela bindzu ra maendzo ra muganga wihi ni wihi lowu wu nga hlawuriwa naswona lowu wu tekeriwaka enhlokweni na pfumeleriwa hi Bodo;

"Nhlangano wa Vanhu va Maendzo" swi vula nhlangano wihi ni wihi lowu wu nga vumbiwa hi vanhu kumbe mavandla lawa ya khumbhekaka eka bindzu ra maendzo eka muganga wo karhi kumbe ndhawu naswona lowu wu lavaka ku lawula, fambisa, hluvukisa na ku tlakusa maendzo eka ndhawu yoleyo;

"Nhlayiso" ri kongomisa eka mafambiselo yo hlengela ya mbango hi vanhu va ndhawu na mintlawe leyi yi tirhisaka ku tlakusa nhlayiso na ku tirhisawa ko ka kunga cinci ka swipfuno swa ntumbuluko na ku hlayisiwa ka mbango;

"nkwama" ri vula Nkwama wa Maendzo na Tiphaka;

"tindhawu to navetisa leti ti nga hlawuriwa" swi vula ndhawu, nchumu, kumbe vutirheli lebyi Xirho xa Huvonkulu xi nga tivisa ku va xinavetiso xa maendzo xo hlawuriwa hi ku landza Xiyenge xa 34;

"Tihelo ra Mfuwo ra Ntumbuluko" swi vula ndhawu leyi yi nga hlawuleriwa ku sirhelela, hlayisa, na/ kumbe ku fambisa swilo swa ntumbuluko swa nkoka swa xifundzankulu swa ndhawu hikokwalaho ka swihlawulekiso swa nkoka kumbe ku ka swi nga fani na swin'wana;

"Vuhlayiselo bya Bayosifiya" swi vula vuhlayiselo bya matiko hinkwawo lebyi byi tekeriwaka enhlokweni ku kombisa na ku tlakusa vuxaka lebyi ringananaka exikarhi ka vanhu na bayosifiya hi ku hlanganisa nhlayiso, nhluvukiso wo ka wu nga cinci na nseketelo;

"Vuhlayiselo bya Ntumbuluko" swi vula ndhawu nkaka wa ntumbuluko kumbe ku saseka leyi yi nga hlawuriwa tani hi Vuhlayiselo bya Ntumbuluko bya Xifundzankulu ku hlayisa na ku tiyisisa swiyimo swa ntumbuluko na maendlele lawa ya faneleke ku hlayisa tinxaka ta swihlayisiwa na mintlawe wa tinxaka ta swihlayisiwa, bayotiki kumbe leswi swi nga kona eka mbango wa xisayense, ndyondzo na ku tirhisiwa ka maendzo ya ntumbuluko;

"Xifundzankulu" ri vula Xifundzankulu xa N'walungu;

"Xirho xa Huvonkulu" swi vula Xirho xa Huvonkulu lexi xi nga ni vutihlamuleri eka timhaka ta Maendzo na Tiphaka eka Xifundzankulu;

"Xirho" ri vula xirho xa Bodo;

Ku simekiwa ka Bodo

2. Munhu wa xinawu loyi a vitaniwaka Bodo ya Maendzo na Tiphaka ta Xifundzankulu xa N'walungu wa simekiwa

Swikongomelo swa Bodo

3. Swikongomelo swa Bodo i ku:-

- (a) tiyisisa ku simekiwa, nhluvukiso na mafambisele ya kahle ya nhlangano wa vuhlayiselo bya ntumbuluko bya xifundzankulu;
- (b) tlakusa, tiyisisa na ku hluvukisa mafambisele yo tiya ya swipfuno swa maendzo na Nhlayiso wa Ntumbuluko eka Xifundzankulu;
- (c) tirha tani hi vuseketeri bya matirhele eka matirhele ya xifundzankulu eka maendzo na ntumbuluko
- (d) tirha migingiriko yo navetisa na ku tlakusa endzeni na le handle ka Xifundzankulu;
- (e) endla vulavisisi bya nxaviso na ku nyika vuxokoxoko eka vahoxa-xandla hinkwavo;
- (f) tiyisisa leswaku swipimelo leswi swi lavekaka swa hlayisiwa hi mavandla hinkwawo ya bindzu vuendzi;
- (g) antswisa nhluvuko na ku antswisa switirhi swa vuendzi, swinavetiso, swipfuno na vutirheli;
- (h) fambisa, aka, antswisa, tirhisa na ku tlakusa vuhlayiselo bya ntumbuluko lebyi byi nga hlawuriwa ximfumo eka Xifundzankulu leswaku swikumiwa swa nkarhi wo leha na swipfuno swa tumbuluxiwa eka vaaki lava va khumbhekaka, vafambisi na vaendzi;
- (i) tiyisisa leswaku nhluvukiso wa vuendzi wu va kona eka mbango, vanhu, na ndhawu ya Xifundzankulu;
- (j) pfuna eka ku vumbiwa ka vuendzi eka Xifundzankulu leswaku ku ta tiyisisiwa leswaku swiphemu swo gingirika na leswi swi fambelanaka na swona swi va kona na leswaku bindzu ri thola vanhu lava va kotaka ntirho na ku va na ntlhontlho;

- (k) tlakusa vuhlayiselo bya ntumbuluko lebyi byi nga hlawuriwa ximfumo eka Xifundzankulu leswaku swikumiwa swa nkarhi wo leha na swipfuno swi va kona eka vaaki lava va khumbhekaka, Vafambisi na vaendzi;
- (l) endla mali yo endla nxaviso na nhluvukiso wa vuendzi na mabindzu ya swiharhi swa nhova;
- (m) hlanganisa vuendzi bya xifundzankulu na minfongonoko ya vuhlayisi na tipulani tin'wana xifundzankulu, rixaka na matiko hinkwawo ta ndhawu na ikhonomi;
- (n) pfuneta eka ku hluvukisa misava ya vanhu leyi yi nga pfunaka eka ku tlakusa vaaki va le matiko-xikaya hi swa, vuendzi bya mfuwo na ku hlayisa swipfuno swa ntumbuluko;
- (o) yisa emahlweni ntirho wihi ni wihi wun'wana lowu Xirho Huvonkulu a nga ha wu vekaka ehansi ka Nawu lowu kumbe nawu wihi ni wihi wun'wana.

Matimba na mintirho ya Bodo

4. Matimba na mintirho ya Bodo i ku:-

- (a) tsundzuxa Xirho xa Huvonkulu eka mhaka yihi ni yihi leyi yi khumbhaka bindzu ra vuendzi na vuhlayiselo bya ntumbuluko bya Xifundzankulu lebyi byi nga hlawuriwa hi Bodo;
- (b) antswisa vutivi bya nkoka wa bindzu ra vuendzi eka vaaki hinkwavo va Xifundzankulu na xiphemu xa ntirho lexi va nga xi tirhaka eku tiyisiseni ka ku humelela na ku kota ku fikelela leswi ri nga va khomisaka swona;
- (c) hlanganisa, ku tsundzuxa na ku komba ndlela eka mavandla man'wana, minhlangano kumbe mavandla lawa migingirhiko ya wona kumbe swikongomelo swi nga va ka na ntikelo eka ku tlakusa, ku antswisa kumbe ku fambisa vuendzi eka Xifundzankulu;
- (d) lavisisa maendlele lawa eka wona, na ku hlohlotela vaaki va Xifundzankulu ku va va hoxa xandla eka bindzu ra vuendzi na ku hoxa xandla eka swikumiwa swa yona swa vanhu na ikhonomi;
- (e) humesa tsalwa ra muxaka wihi kumbe wihi wo tlakusa vuendzu, ku sungula na ku simeka mapfumba yo tlakusa na migiriko yo tlakusa, ku hluvukisa na ku navetisa vuendzi eka Xifundzankulu;

"Xirho xa Huvonkulu" swi vula Xirho xa Huvonkulu lexi xi nga ni vutihlamuleri eka timhaka ta Maendzo na Tiphaka eka Xifundzankulu;

"Xirho" ri vula xirho xa Bodo;

Ku simekiwa ka Bodo

2. Munhu wa xinawu loyi a vitaniwaka Bodo ya Maendzo na Tiphaka ta Xifundzankulu xa N'walungu wa simekiwa

Swikongomelo swa Bodo

3. Swikongomelo swa Bodo i ku:-

- (a) tiyisisa ku simekiwa, nhluvukiso na mafambisele ya kahle ya nhlangano wa vuhlayiselo bya ntumbuluko bya xifundzankulu;
- (b) tlakusa, tiyisisa na ku hlukisa mafambisele yo tiya ya swipfuno swa maendzo na Nhlayiso wa Ntumbuluko eka Xifundzankulu;
- (c) tirha tani hi vuseketeri bya matirhele eka matirhele ya xifundzankulu eka maendzo na ntumbuluko
- (d) tirha migingiriko yo navetisa na ku tlakusa endzeni na le handle ka Xifundzankulu;
- (e) endla vulavisisi bya nxaviso na ku nyika vuxokoxoko eka vahoxa-xandla hinkwavo;
- (f) tiyisisa leswaku swipimelo leswi swi lavekaka swa hlayisiwa hi mavandla hinkwawo ya bindzu vuendzi;
- (g) antswisa nhluvuko na ku antswisa switirhi swa vuendzi, swinavetiso, swipfuno na vutirheli;
- (h) fambisa, aka, antswisa, tirhisa na ku tlakusa vuhlayiselo bya ntumbuluko lebyi byi nga hlawuriwa ximfumo eka Xifundzankulu leswaku swikumiwa swa nkarhi wo leha na swipfuno swa tumbuluxiwa eka vaaki lava va khumbhekaka, vafambisi na vaendzi;
- (i) tiyisisa leswaku nhluvukiso wa vuendzi wu va kona eka mbango, vanhu, na ndhawu ya Xifundzankulu;
- (j) pfuna eka ku vumbiwa ka vuendzi eka Xifundzankulu leswaku ku ta tiyisisiwa leswaku swiphemu swo gingirika na leswi swi fambelanaka na swona swi va kona na leswaku bindzu ri thola vanhu lava va kotaka ntirho na ku va na ntlhontlho;

- (k) tlakusa vuhlayiselo bya ntumbuluko lebyi byi nga hlawuriwa ximfumo eka Xifundzankulu leswaku swikumiwa swa nkarhi wo leha na swipfuno swi va kona eka vaaki lava va khumbhekaka, Vafambisi na vaendzi;
- (l) endla mali yo endla nxaviso na nhluvukiso wa vuendzi na mabindzu ya swiharhi swa nhova;
- (m) hlanganisa vuendzi bya xifundzankulu na minfongonoko ya vuhlayisi na tipulani tin'wana xifundzankulu, rixaka na matiko hinkwawo ta ndhawu na ikhonomi;
- (n) pfuneta eka ku hluvukisa misava ya vanhu leyi yi nga pfunaka eka ku tlakusa vaaki va le matiko-xikaya hi swa, vuendzi bya mfuwo na ku hlayisa swipfuno swa ntumbuluko;
- (o) yisa emahlweni ntirho wihi ni wihi wun'wana lowu Xirho Huvonkulu a nga ha wu vekaka ehansi ka Nawu lowu kumbe nawu wihi ni wihi wun'wana.

Matimba na mintirho ya Bodo

4. Matimba na mintirho ya Bodo i ku:-

- (a) tsundzuxa Xirho xa Huvonkulu eka mhaka yihi ni yihi leyi yi khumbhaka bindzu ra vuendzi na vuhlayiselo bya ntumbuluko bya Xifundzankulu lebyi byi nga hlawuriwa hi Bodo;
- (b) antswisa vutivi bya nkoka wa bindzu ra vuendzi eka vaaki hinkwavo va Xifundzankulu na xiphemu xa ntirho lexi va nga xi tirhaka eku tiyisiseni ka ku humelela na ku kota ku fikelela leswi ri nga va khomisaka swona;
- (c) hlanganisa, ku tsundzuxa na ku komba ndlela eka mavandla man'wana, minhlangano kumbe mavandla lawa migingirhiko ya wona kumbe swikongomelo swi nga va ka na ntikelo eka ku tlakusa, ku antswisa kumbe ku fambisa vuendzi eka Xifundzankulu;
- (d) lavisisa maendlele lawa eka wona, na ku hlohlotela vaaki va Xifundzankulu ku va va hoxa xandla eka bindzu ra vuendzi na ku hoxa xandla eka swikumiwa swa yona swa vanhu na ikhonomi;
- (e) humesa tsalwa ra muxaka wihi kumbe wihi wo tlakusa vuendzu, ku sungula na ku simeka maphumba yo tlakusa na migiriko yo tlakusa, ku hluvukisa na ku navetisa vuendzi eka Xifundzankulu;

- (f) endla vulavisisi eka mintirho yo vavetisa na ku hluvukisa, na ku lava switsundzuxo swa mhaka yihi ni yihi leyi yi khumbhaka bindzu ra vuendzi;
- (g) nyika vutirheli bya switsundzuxo eka munhu wihi ni wihi loyi a hoxaka xandla kumbe ku kombisa ku navela ku hoxa xandla eka bindzu ra vuendzi tani hi vavekisi kumbe vafambisi;
- (h) veka, tsarisa na ku veka swipimo swa mavandla hinkwawo swa bindzu ra vuendzi, na ku tiyisisa ku hlayisiwa ka swipimo swo tano;
- (i) hlohlotela ku nyikiwa ka ku antswisiwa ka swiolovisi swa vuendzi na ku tiyisisa leswaku minhluvuko hinkwayo ya vuendzi na migingiriko yi va kona eka xiyimo xa nkarhi wo leha;
- (j) olovisa ku simekiwa na ku fambisiwa ka vuendzi bya vanhu ku tiyisisa leswaku vaaki va ndhawu lava va nga na vuswikoti bya swipfuno swa mfuwo, matimu na ntumbuluko swa vuendzi va hlohloteriwa na ku pfuniwa ku tumbuluxa tihakelo ta vuendzi na vutirheli;
- (k) olovisa ku simekiwa na ku fambisiwa ka mavandla ya vuendzi bya vanhu, mavandla ya vuendzi bya muganga na mavandla man'wana lama ya nga ni nkoka, leswaku ku va na matirhele lama faneleke ya bindzu ra vuendzi;
- (l) nyika ku tekeriwa enhlokweni, dyondzisa na ku pfuneta mavandla yo tano hi ndlela yihi kumbe yihi leyi yi nga ha vonaka yi fanerile;
- (m) pfula na ku fambisa tihofisi ta mafambisele na vuxokoxoko na tindhawu ta swipfuno swa vuendzi endzeni ni le handle ka Xifundzankulu;
- (n) thola kumbe ku tirhisa vutirheli bya vayimeli, vakontraka na vatsundzuxi laha swi nga fanela;
- (o) tirhisa vutirheli bya xiphurofexin, thekiniki, vufambisi kumbe rixaxa rin'wana ra vatrhi eka xiyimo xa nkarhi hinkwawo kumbe nkarhi wo koma;
- (p) nyika swipfuno swa vutshunguri, swa phenxeni na swikimiwa swin'wana swa vatrhi va swona;
- (q) hlohlotela na ku ngenela ku ringeta ko hlangana na van'wana na mavandla man'wana na minhlangano yin'wana ku endlela tatisa mavandla kumbe vanhu vaendzo eka Xifundzankulu;
- (r) kuma nhundzu yo famba-famba kumbe yo ka yi nga famba-fambi leyi yi fanelaka ku endlela ku tirha mintirho ya vona naku hetisisiwa ka swikongomelo swa Bodo;

- (s) hlohlotella ku amukeriwa ka swipimo swo nyika dyondzo, ntloveto na switsundzuxo wka vanhu lava va nga thoriwa kumbe lava va lavaka teka mintirho eka bindzu ra vuendzi;
- (t) endla mali na ku fambisa Nkwama wa Vuendzi na Tiphaka hi ku landza swiyimo leswi swi nga vekiwa hi Xirho xa Huvonkulu;
- (u) yisa emahlweni mintirho yihi ni yihi leyi Xirho xa Huvonkulu xi nga ha vekaka kumbe ku ngenisa ehansi ka Nawu lowu kumbe nawu wihi ni wihi wun'wana;
- (v) simeka na ku fambisa khamphani yin'we kumbe ku tlula, vandla kumbe nhlango, xava naku xavisa swioxa-xandla swa mali eka mavandla yo tano;
- (w) seketela hi mali na museketeri wihi ni wihi loyi a nga tsarisiwa hi ku landza Nawu wa Swiseketelo swa Mali, vatirhi na nhundzu ya Bodo eka khombo rihi ni rihi leri Bodo ri nga va ka na rona;
- (x) veka swiletelo swa ku sirheleriwa ka ku hambana-hambana hi vutomi eka vuhlayiselo bya ntumbuluko lebyi Bodo yi nga ni vutihlamuleri eka byona;
- (y) veka swipimelo swo angarhela leswi swi khumbhaka vuhlayiselo bya ntumbuluko;
- (z) kuma misava yo simekela kona vuhlayiselo bya ntumbuluko ehansi ka matimba ya Bodo;
- (aa) lawula, fambisa na ku hlayisa vuhlayisela bya ntumbuluko ehansi ka matimba ya Bodo;
- (bb) pfuneta eka ku tivisiwa kumbe ku tekeriwa enhlokweni ka matihelo ya mfuwo ya ntumbuluko, vuhlayiselo bya bayosifiya na vuhleyiselo;
- (cc) ku endlela ku endliwa ka misingiriko ya yona ku xava, hira, kumbe ku lombisa kumbe hi ndlela yin'wana ku kuma misava kumbe muako, ku simeka miako eka misava ya yona, ku xavisa, ku lombisa kumbe hi ndlela yin'wana ku tirhana na kumbe ku xavisa hi xikweleti misava kumbe miako wo tano;
- (dd) ku amukela minyikelo na ku amukela timali tihi ni tihi leti ti nyikiwaka kumbe leti ti feneleke ku nyikiwa;
- (ee) ku xava, ku hira ku ndlandlamuka kumbe ku khoma kumbe ku hlamusela kumbe hi ndlela yin'wana ku kuma kumbe ku teka nhundzu yo fambafambiseka ya muxaka wihi ni wihi, ku katsa na tixeze tihi ni tihi, swingolongondwana, ku amukela nandzu wa xikweleti na vusirheleri, kumbe ntswalo wihi ni wihi eka bindzu rihi ni rihi ra xikweleti ehenhla ka nhundzu yihi ni yihi, na ku lombisa, ku xavisa

kumbe hindlela yihi ni yihi ku swi hambanisa kumbe ku swinyiketa kumbe hi ndlela yihi ni yihi ku tirhana na swona;

- (ff) ku thola, ku holela, ku nyika vutshamo, ku humesa kumbe ku yimisanyana vatirhi na vathoriwa lava va lavekaka eku fambiseni na ku sirhelela vatirhi vo tano na vathoriwa.

Xivumbeko xa Bodo

5. Bodo yi fanela ku va na swirho swo ka swi nga hundzi khume leswi swi nga thoriwa hi Xirho xa Huvonkulu lava:-

- (a) Xirho xin'we xi fanela ku na vutivi na ntokoto eka vuhlayisi bya ntumbuluko na maendzo;
- (b) Swirho swimbirhi swi fanela ku va na vutivi na ntokoto eka vunavetisi bya maendzo, nhluvuko na ndzavisiso;
- (c) Xirho xin'we xi fanela ku va na vutivi na ntokoto eka mafambisele ya bindzu;
- (d) Swirho swimbirhi swi fanela ku va vutivi na ntokoto eka nhluvukiso wa vanhu;
- (e) Xirho xin'we xi fanela ku va mutirhi loyi a nga thoriwa kea Ndzawulo ya Vurimi na Mbango ku tirha tani hi xirho hi ku landza xiyimo xa yena;
- (f) Swirho swimbirhi swo huma eka bindzu ra vutomi bya nhova lava va nga na ntokoto eka vufambisi bya tindhawu leti ti nga sirheleriwa na ku nhlayiso wa ku hambana hi vutomi;
- (g) Muyimeri un'we u fanela ku va muthoriwa loyi a nga thoriwa eka ndzawulo.

Ku thoriwa eka Bodo

- 6. (1) Xirho xa Huvonkulu xi fanela ku rhamba mani na mani ku hlawula vayimela-ku-langwa kumbe ku endla swikombelo swa vuxirho loko va nga se thoriwa;
- (2) Xirhambo lexi ku kongomisiwaka eka xona eka xiyengenyana xa (1) xi fanela ku kandziyisiwa eka Gazete na le ka mahungu laha xi nga ta hangalasiwa ku ringana kumbe vayingiseeri vo tala eka Xifundzankulu, hi tindzimi leti ti vulavuriwaka ngopfu eka Xifundzankulu.

Ku ka u nga enetisi Bodo ka xirho

7. (1) A ku na munhu loyi a fanelaka ku thoriwa tani hi xirho xa Bodo kumbe loko a thoriwile, u fanela ku tshika ku va xirho hinkarhi wolowo loko, a—
- (a) tsandzeka ku lunghiseka eka mlandzu ya yena;
 - (b) tivisiwile hi khoto leyi yi nga ni swikoti ku va a nga ri kahle emiehleketweni;
 - (c) va a khomiwile ku sukela hi 1994 hi nandzu wihi ni wihi na ku ku gweviwa ku ringana nkarhi wo hundza tin'hweti ta 12 handleka xihlawulo xa ndziho.
- (2) ku voniwa nadzu kwihi ni kwihi kumbe xigwevo lexi xi nga vekiwa hi khoto ehandla ka Riphabliki ra Afrika Dzonga a xi fanelanga ku tekeriwa enhlokweni hi ku endlela swikongomelo swa ndziamana ya (c) handleka ka loko nandzu wo tano wu endliwile eka Riphabliki ra Afrika Dzonga hi nkarhi wa khomixini;
- (3) A ku na munhu loyi a nga ta thoriwa tani hi xirho loko a nga tshami eka Xifundzankulu, handleka ka loko a lo hlawuriwa hi Bodo.

Nkarhi wa Hofisi

8. (1) Munhu loyi ku kongomisiwaka eka yena eka Xiyenge xa 5, u fanela—
- (a) ku thoriwa eka Bodo ku ringana malembe yo ka ya nga hundzi manharhu kumbe nkarhi wo tano wo koma tani hilaha Xirho xa Huvonkulu xi nga ha bohaka ha kona;
 - (b) ku thoriwa hi xiyimo xa nkarhinyana;
- (2) Xirho xi ringanerile ku thoriwa nakambe eku heleni ka nkarhi wa hofisi;
- (3) Xirho xa Huvonkulu xi nga ha boha minkarhi ya hofisi yo hambana eka ku thoriwa ko hambana;
- (4) Mutshami wa Xitulu kumbe xirho lexi xi nga thoriwa eka xiyimo xa nkarhinyana xi nga ha endla ntirho wo n'wi holela ehandle ka mintirho ya yena kumbe hofisi kambe ntirho wo tano a wu fanelanga wu nghenelela na mintirho kumbe ku hetelela eka ntlimbo na mintirho ya yena tani hi Mutshami wa Xutulu kumbe xirho xa Bodo.

Mutshami wa Xitulu na Xandla wa Mutshami wa Xitulu

9. (1) Xirho xa Huvonkulu u fanele ku thola Mutshami wa Xitulu ku suka exikarhi ka swirho;
- (2) Swirho swi fanela, hi nkarhi na nkarhi ku hlawula ku suka eka nhlayo ya vona voxo munhu loyi a nga ta va Xandla xa Mutshami wa Xitulu wa Bodo;
- (3) Loko hofisi ya Mutshami wa Xitulu yi nga ri na munhu kumbe Mutshami wa Xitulu a nga ri kona, a nga ha ri na matimba kumbe a ala kumbe kuu tsandzeka ku tirha tani hi Mutshami wa Xitulu, Xandla xa Mutshami wa Xitulu u fanela ku tirhisa matimba hinkwawo, timfanelo, mintirho na swilaveko swa Mutshami wa Xitulu hi nkarhi wa ku pfumaleka ko tano, ku ka a nga ri kona, ku pfumala matimba kumbe ku tsandzeka ko tano.
- (4) Loko—
 - (a) tihofisi ta Mutshami wa Xitulu na Xandla xa Mutshami wa Xitulu ha timbirhi ka tona ti nga ri na munhu; kumbe
 - (b) Mutshami wa Xutulu na Xandla xa Mutshami wa Xitulu ha vambirhi ka vona va ala kumbe ku tsandzeka ku tirhisa matimba ya Mutshami wa Xitulu, swirho leswi swi nga kona swi fanela hu hlawula xirho xin'we ku tirha tani hi Mutshami wa Xitulu hi nkarhi wa ku pfumaleka, ku ka vanga ri kona, ku pfumala matimba kumbe ku tsandzeka ko tano.

Ku siva swivandla

10. Loko ku va na xivandla eka Bodo, Xirho xa Huvonkulu xi nga ha, ehansi ka makungu ya Xiyenge xa 6, hlawula munhu kumbe vanhu lava va nga siva xivandla ku ringana nkarhi lowu wu nga sala wa hofisi.

Ku tshika ntirho ka Mutshami wa Xitulu

11. Mutshami wa Xitulu kumbe xirho a nga ha tshika hi nkarhi wihi ni wihi ku va Mutshami wa Xitulu kumbe ku va xirho eku nyikeni xitiviso xo tsariwa xo ka xi nga ri ehansi ka masiku ya 30 eka Xirho xa Huvonkulu.

Ku herisiwa ka vuxirho

12. (1) Xirho xa Huvonkulu a nga ha herisa vuxirho bya Mutshami wa Xitulu kumbe nkarhi wa hofisi wa xirho hi xin'we kumbe ku tlula swivangelo leswi swi landzelaka:

- (a) ku ka a nga ri kahle emiehleketweni kumbe emirhini leswi swi n'wi sivelaka eku tirheni ka mintirho ya yena kahle;
- (b) matikhomele lawa hi mavonele ya Xirho xa Huvonkulu ya nga ha onha vito ra Bodo;
- (c) ku tsandzeka ku tirha mintirho na tinfanelo ta yena hi nfanelo;
- (d) ku ka a nga ri kona eka tinhlengeletano timbirhi hi ku landzelelana ta Bodo handleka mpfumelelo wa Bodo;
- (e) ku va a va Xirho xa Palamente, xirho xa Mfumo wa Milawu, kumbe Murhangeri wa Mfumo wa Ndhawu.

Ku yimisiwanyana ku tirha ka Mutshami wa Xitulu kumbe xirho

13. Xirho xa Huvonkulu a nga ha yimisanyana ku tirha ka mutshami wa xitulu kumbe xirho ek tirheni ka mintirho ya yena, loko Xirho xa Huvonkulu a ha endla vulavisisi na ku kambisisa swihehlo echenhla ka xirho xo tano.

Tinhlengeletano ta Bodo

14. (1) Bodo yi fanela ku khoma—
- (a) kwalomu ka mune wa tinhlengeletano hi lembe rin'wana na rin'wana;
 - (b) nhlengeletano ya yona yo sungula hi nkarhi na ndhawu yo tano tani hilaha Xirho xa Huvonkulu xi nga ha bohaka ha kona; na
 - (c) tinhlengeletano ta yona hi nkarhi na ndhawu yo tano tani hilaha Bodo yi nga ha bohaka ha kona.
- (2) Khoramu ya nhlengeletano ya Bodo yi fanela ku va vunyingi byo olova bya nhlayo hinkwayo ya swirho leswi swi nga kona enhlengetanini.
- (3) Xiboho xa vunyingi bya swirho bya swirho leswi swi nga kona enhlengetanini ya Bodo xi fanela ku va xiboho xa Bodo, naswona emhakeni ya ndzingano wa tivhoti, Mutshami wa Xitulu u fanela ku va na vhoti yo engetela eku tatiseni ka vhoti ya yena;
- (4) Bodo yi nga ha pfumelela mani na mani ku nghenela nhlengeletano kumbe xiphemu xihi ni xihi xa wona.
- (5) Mutirhi-nkulu a nga ha nghenela na ku hoxa xandla eka nhlengeletano yihi ni yihi ya Bodo, kambe a va fanelanga ku vhoti.

Ku simekiwa ka tikomiti

15. (1) Bodo yi nga ha hi nkarhi na nkarhi simeka tikomiti ku suka eka swiyimo swa swirho na ku hundzisela timhaka to karhi kumbe mintlawa ya timhaka ku lavisisiwa na ku nyika xiviko eka Bodo;
- (2) Loko ku simekiwa komiti hi ku landza xiyengenyana xa (1) Bodo yi fanela ku—
- (a) kumisisa laha vuxokoxoko byi nga kumekaka kona na mukhuva wa matirhele ya komiti yo tano ku katsa na kambe ku nga hungutekanga eka hambu kumbe ku nga ri komiti yo tano yi fanela ku yima ku va kona loko yi kondza yi heta ntirho kumbe mintirho ya yona leyi yi nga nyikiwa hi Bodo;
- (b) thola mutshami wa xitulu wa komiti yo tano loyi a nga ta va xirho xa Bodo;
- (c) kumisisa loko komiti yo tano yi nga ha hlawula vanhu lava va nga riki swirhoo swa Bodo, naswona loko va ri swirho, hi swipimelo na swiyimo swihi;
- (3) Komiti leyi yi nga simekiwa hi ku landza xiyengenyana xa (1), yi fanela ku eku heteni ka mintirho ya yona yi nyika xiviko eka Bodo.
- (4) Bodo yi nga herisa vukona bya komiti kumbe matimba lama yi nyikiweke yona ku nga ri ku ya hi ku u hetile ntirho lowu a nyikiweke wona kumbe munitirho leyi yi nyikiweke Bodo.

Makanelwa ya tihlengelletano

16. (1) Bodo y fanele yi vona leswaku nhlengelletano yihi ni yihi ya Bodo na ya komiti yi fanele yi va ni makanelwa naswona tikhopi ta makanelwa yo tano ti fanele ti hangalasela swirho hinkwaswo swa Bodo kumbe komiti tani hileswi mhaka yi nga va ka xiswona.
- (2) Mutshami wa xitulu u fanele eka nhlengelletano leyi yi landzelaka ya Bodo, a sayina makanelwa lama ya kongomisiweke eka xiyengenyana xa (1);

- (3) Makanelwa lama kongomiseke eka xiyengenyana (2) yi fanele xi tirha tani hi rhekhodo ya ntiyiso yi tlhela yi va kahle ya mafambisele ya nhlengeletano.

17. Tihakelo na swiengetelo swa Swirho

- (a) Swirho swa Bodo kumbe vanhu lava ku hlanganiweke na vona kumbe lava va thoriweke lava va nga ri ki vatirhi va nkarhi hinkwawo va Mfumo kumbe Mfumo wa Xifundzankulu,hi ku landza mintirho ya vona, va fanele va hakeriwa tihakelo na swiengetelo ku suka eka mali leyi Bodo yi nga bohaka hi swirho endzhaku ka ku tihlanganisa no Xirho xa Huvonkulu lexi xi nga ni vuhlamuleri bya Timali laha ka Xifundzankulu.
- (b) Tihakelo na swiengetelo swa swirho swa Bodo swi nga hambana ku ya hi tihofisi leti va nga eka tona kumbe ku ya hi mintirho yo hambana leyi va yi endlaka.

Ku hambana ka mintsakelo

18. (1) Laha mhaka ya kona yi nga ku lavisisiweni, kambisisa kumbe yi vhoteriwa hi Bodo, xirho lexi xi nga ni ntsakelo wihi ni wihi lowu wu nga xi tsandzisaka ku endla mintirho tani hi xirho hi ndlela ya kahle, yo ka yi nga teki tlhelo na ndlela ya kahle, u fanele a nga vi kona eka vulavisisi, kambisisi kumbe ku vhota naswona u fanele a nga vi kona eka ndhawu leyi vulavisisi, vukambisisi kumbe ku vhota swi nga ta va kona;
- (2) Loko eka xiyimo xin'wani hi nkarhi wa vufambisi emahlweni ka vufambisi swi kumeka leswaku xirho lexi xi nga kona eka nhlengetano yo tano, tani hileswi a nga ni ntsakelo lowu wu vuriweke hi xiyengenyana xa (1), xuirho xo tano xi ta humesa xiyimo ntsakelo wa xona na ku huma eka nhlengeletano lswaku swirho leswin;wana swi nga sala swi kota ku vulavula mhaka na ku boha leswaku xirho xo tano xi fanele xi landzelela xiyengenyana xa (1)

- (3) Ku boxiwa kwihi ni kwihi na ku tiyimisela loku ku vuriwaka eka xiyengenyana xa (2) swi fanele swi kandziyisiwa eka makanelwa ya nhlengeletano lowu wu ga kona.
- (4) Loko xirho xihi ni xihi xi tsandzeke ku landzelela xiyengenyana xa (1) kumbe (2) mafambisele lama ya fanelaka ya Bodo ya fanele ku tekiwa ku ri a ya humelelangi.

Swiviko swa lembe

19. (1)- Bodo yi fanele yi-
- (a) ku nga si fika 31 Mhawuri lembe rin'wani na rin'wani, yi fanele yi yisa xiviko xa misingiriko ya Bodo eka Xirho xa Huvonkulu xa nkarhi wo ringana tinhweti ta khumembirhi lowu wu helaka hi 31 Nyenyankulu, xiviko lexi xi faneleke xi andlarile eka Mfumo wa Milawu ku nga si fika ntshamo wo hetelela wa lembe rin'wani na rin'wani.
- (b) Yisa switatimemde swa lembe leswi swi oditiweke, swa lembe rin'wani na rinwani ku nga si fika 31 Mhawuri lembe rin'wani na rin'wani.
- (c) Nyika Xirho xa Huvonkulu swiviko swin'wani tani hiloko Xirho xa Huvonkulu xi vona swi fanerile.

Pulani ya lembe na lembe ya ntirho

20. Bodo yi fanele yi nyika Xirho xa Huvonkulu pulani ya ntirho leswaku va ta kota ku nyikiwa mali hi Mfumo wa Milawu, hi lembe kumbe loko yi laveka.

Nseketelo wa vufambisi wa Bodo

21. (1) Xirho Xa Huvunkulu xi fanele xi nyika Bodo nseketelo wa vutirheli bya matsalani na vufambisi tani hileswi swi faneleke.
- (2) Nseketelo lowu wu kongomisiweke eka xiyengenyana xa (1) wu fanele wu tshikiwa loko Bodo yi kumile vutirheli bya vufambisi na matsalani.

Xihundla

21. Mhaka yihi ni yihi leyi vulavuriwaka eka tinhlangeletano ta Bodo-

- (1) leyi yi fikelelaka vanhu yi fanele yi fanele yi voniwa tani hi mhaka ya vanhu.
- (2) Loko yi voniwa tani hi ya xihundla naswona mutshamaxitulu u fanele a boha leswaku hi tihi timhaka kumbe swiboho swa Bodod leswi swi faneleke swi fikela vanhu kumbe vanhu va mahungu.
- (3) Leswi swi nga fanelangiki swi fikela vanhu va mahungu swi ta voniwa tani hi swa xihundla naswona Mutshamaxitulu a nga nyika mavonelo leswaku a nga humesa mhaka yo tano kumbe xiphemu xa yona eka vanhu.

Vatirhi va le ka Bodo

23. (1) Bodo yi fanele hi mpfumelelo wa Xirho xa Huvonkulu yi thola Mutirhinkulu loyi a nga ni vutikarhati lebyi ringanaka bya ku fambisa vuendzi na ntumbuluko xikan'we swi kongomisiwile eka mintirho.
- (2) Mutirhi nkulu hi yena a yimela Bodo.
 - (3) Bodo yi fanele yi thola vanhu lava va faneleke va fikelela swikongomelo swa nawu lowu naswona a nga hlongola mutirhi wihi ni wihi kumbe muthoeiwa eka ntirho wa yena hi ku landzelela endlelo ro xupula leri ri hlamuseriweke.
 - (4) Bodo yi fanele yi hakela vatirhi na vathoriwa tihakelo to tano, swiengetelo na mimpindzulo, tani hileswi swi nga bohiwaka hi ku pfumela ka Xirho xa Huvonkulu..
 - (5) Vanhu lava va thoriweke hi ku landza swiyengenyana swa (1), (2) na (3) va ta thoriwa tani hi swirho swa Bodo.

Vutivi hi purofexini

24. Bodo loko yi swi vona swi fanerile, yi fanele yi thola munhu loyi a nga ni vutivi bya xipurofexini ku pfuna Bodo ku fikelela swikongomelo swa yona kumbe eka ku endla mintirho.

Ku nyikiwa matimba na ku averiwa mintirho

25. (1) Bodo yi fanele yi-
- (a) yi fanele yi nyika matimba yahi ni yahi na mintirho ya yona leyi vuriwaka hi nawu lowu, xirho xihhi ni xihhi xa Bodo, Mutirhinkulu kumbe Komiti;
 - (b) nyika mintirho eka vanhu lava kongomisiweke eka ndzimana ya (a).
- (2) Mutirhinkulu loko a swi vona swi fanerile u fanele a-
- (a) a nyika matimba lama ya kongomisiweke eka yena hi Nawu lowu; kumbe
 - (b) nyika ntirho lowu a nyikiweke yena hi Nawu lowu handlekaloko ntirho lowu a nga mutirhi wa tinkota, eka xirho xihhi ni xihhi xa xitafu.
- (3) Munhu loyi matimba ya nga kongomisiwa kumbe ntirho lowu wu nyikiwile u fanele matimba kumbe a endla ntirho hi ku landza Nawu lowu na hi landza swilaveko leswi Bodo yi swi vonaka swi fanerile.
- (4) Vurhumiwa kumbe ntirho lowu wu kongomisiweke eka xiyengenyana xa (1) na (2)-
- (a) xi fanele xi tsariwa;
 - (b) xi nga siveleli Bodo kumbe Mutirhi-Nkulu eka ku tirha;
 - (c) yi nga ku nkarhi wihi ni wihi yi nga tshikiwa hi ku tsala hi munhu loyi a nga pfumeleriwa kumbe a nga vekiwa.

Minkwama ya Bodo

26. (1) Migingiriko ya Bodo yi fanele yi hakeleriwa hi-
- (a) timali leti ti vhoteriwaka xikongomelo xexo hi Xirho xa Huvonkulu;
 - (b) timali leti ti tlakusiweke hi Bodo ku sukela eka nkwama yin'wani leyi yi pfumeleriweke Xirho xa Huvonkulu;

- (c) minyikelo na swiponzara loko minyikelo yo tano na swiponzara swi pfumeleriwele hi Xirho xa Huvonkulu;
- (d) tiloni leti to pfumeleriweke Xirho xa Huvonkulu na mali ya minyikelo;
- (e) ku xavisiwa ka mikandziyiso na matsalwa lama ya humesiweke, ku navetisa kumbe ndhawu ya nkombiso na swo xavisa kumbe ku hayara swifaniso leswi swo vonikela kumbe ku hambana;
- (f) tihakelo kumbe ntsengo lowu Bodo yi nga wu nhlengeletaku kumbe lowu a wu ta va wu hlengeletiwile hi ku yimela Bodo;
- (g) tihakelo tihi ni tihi na migingirikoya vaendzi eka vuhlayiselo bya ntumbuluko;
- (h) mali ya ku hakela misava kumbe ku tirhisiwa hi ndlela yo karhi;
- (i) tihakelo ta ku hlenga eka mintirho yin'wani eka vuhlayiselo xikombiso, minongonoko ya ku hlota kumbe ku dlaya;
- (j) mali yo huma eka ntlangu wa lembé na lembé na ku xavisa;
- (k) mali yo huma eka ku kurisa na ku xavisa ka swiharhi; kumbe;
- (l) timali leti ti hakeriweke hi vanhu kumbe minhlango leyi yi nga nyikiwa tiloni hi Bodo;

Nkwama wa Vuendzi na Tiphaka

27. (a) Bodo yi fanele yi tumbuluxa Nkwama wa Vuendzi na Tiphaka leyi yi nyiketeriweke eka vufambisi eka swilo swa tumbuluko endzeni na le handle ka Tiphaka.
- (b) Phesente ya Tihuvo leyi yi aviweke yi fanele yi vekiwa eka nkwama lowu hi swikongomelo swo hambana tani hileswi swi endliweke hi vahlengi.
- (c) Minhlengo yo karhi ya ku hlayisa ntumbuluko yi fanele yi vekiwa eka nkwama lowu hi swikongomelo swin'wani tani hileswi swi vuriweke hi vahlengi.

- (d) Mali yihi ni yihi, nhundzu kumbe vuvekisi eka nkwama emahelweni ya lembe ximali yi ta yisiwa eka nkwama wa lembe ximali leri ri landzelaka.

Mali, Nhundzu na Nkwama wa Vuvekisi

28. (1) Bodo hi yona yi fambisa mali, nhundzu na vuvekisi eka Nkwama hi ku tsundzuxana na Xirho xa Huvonkulu naswona yi fanele yi tirhisiwa-
- (a) ku endla kumbe ku tlakusa vulavisisi byihi ni byihi eka vuhlayiselo bya ntumbuluko kumbe eka mhaka yihi ni yihi leyi yi nga ya nkoka eka vuhlayiselo bya ntumbuluko bya Xifundzankulu;
 - (b) ku endla nyikelo wa mali eka munhu wihi ni wihi kumbe nhlango lowu wu fambisaka vulavisisi eka Xifundzankulu kumbe kun'wani;
 - (c) ku tlakusa dyondzo na ku letela ka-
 - (i) munhu wihi ni wihi loyi a faneleke a fambisa vulavisisi byo tano; na
 - (ii) vathoriwa va Bodo, ku nga va ku ri hi minyikelo, tloni to dyondza na tibasari;
 - (d) ku tumbuluxa migingiriko eka ku hlangeleta na ku fambisa mahungu mayelana na vuhlayiselo bya ntumbuluko;
 - (e) ku tlakusa vutivi eka nkoka wa vuhlayiselo bya ntumbuluko laha ka Xifundzankulu; na
 - (f) hi ku angarhela ku yisa emahlweni swikongomelo swa Bodo;

- (2) Mali hinkwayo, tinhundzu kumbe vuvekisi eka Nkwama lebyi byi tlakukaka eka Nkwama hi ndlela ya ku hlenga kumbe rifa ri nga tirhisiwa hi ku landzela swiyimo leswi swi landzelaka loko swi ri kona swa nhlengo kumbe rifa.
- (3) Xiyimo xih ni xihi xa nyikelo lexi xi kongomisiweke eka xiyengenyana xa (2) xi nga hundzuluxiwa hi ntwanano exikarhi ka muhlengi na Xirho xa Huvonkulu.

Switatimende swa Mali swa lembe na lembe

29. (1) Tibuku ta tinkota na tirhekhodo tin'wani ta ta Bodo ti fanele ti oditiwa lembe na lembe hi feme ya tioditara leyi yi pfumeleriwaka hi Bodo.
- (2) Bodo yi fanele yi yisa xitatimende xa mali xa lembe lexi xi oditiwaka hi ndlela ya kahle leyi katsaka nkarhi wo fana ni wa xiviko xa lembe.

Komiti ya ku odita

30. (1) Yin'wana ya tikomiti ta xiyimo ta Bodo i komiti yo odita.
- (2) Mutshamaxitulu u boha mavumbekele na matirhele ya komiti yo odita.

Ku thoriwa ka rhejistrara na muturhi loyi a vekiweke

31. (1) Bodo yi fanele yi thola munhu loyi a nga ta va rhejistrara swinavetiso swa vuendzi..
- (2) Rhejistrara a nga khansela ntsariso, ku tiyisisa, vutihlamuleri kumbe layisense kumbe xiyimo xin'wani na xin'wani ku ya hi Nawu lowu.
- (3) Munhu wihi ni wihi loyi a nga khomiwangiki kahle hi xiboho xa rhejistrara lexi kongomisiweke eka xiyengenyana xa (2) a nga, hi masiku ya makumembirhi-nhungu endzhaku kaloko a tivisiwile xiboho, a nga apila hi ku tsala eka Xirho xa Huvonkulu.
- (4) Muapili u fanele, loko ku ri ku ni mali leyi yi faneleke yi humesiwa, u fanele a yisa mali leyi yi ringanaka ni xitiviso xa apili.

- (5) Xirho xa Huvonkulu xi nga kombela rhejistrara ku va a n'wu nyika swivangelo swo tsariwa swa xiboho lexi, na ku va ku kandziyisiwa mafambisele lama.
- (6) Loko apili yi tekeriwile enhlokweni-
 - (a) xiboho xa rhejistrara xi fanele xi tshikiwa, ku fikela loko apili yi herile;
 - (b) ehenhleni ka ku ala ku pfluxeta layisense yihi ni yihi, ku fikela loko apili yi hetisisiwile.
- (7) Xirho xa Huvonkulu xi fanele xi endla xileriso xa kahle.

Ku kamberiwa ka ndhawu

32. (1) Rhejistrara kumbe mutirho loyi a vekiweke a nga-
- (a) ku nga ri ni xitiviso, hi nkarhi wihi ni wihi lowu wu twisisekaka, a nga nghena eka ndhawu yihi ni yihi ya
 - (i) muendzi wihi ni wihi loyi a amukeriweke hi ku landza xikombelo xa ku rhejistara kumbe loyi layisense yi nga endliwa; na
 - (ii) endzhaku kaloko a tivisile munhu loyi a tirhaka ni tindhawu hi nkarhi wa ku vhaka ka yena, u fanele a endla nkambelo wo tano na vulavisisi loko yena a vona swi fanerile, handle kaloko a nga nghena eka kamara leyi ku tshamaka munhu wihi ni wihi a nha ri ni mpfumelelo wa munhu yaloye;
 - (b) ku vutisa munhu wihi ni wihi eka ndhawu yaleyo, kombela leswaku munhu wo tano a humesa tibuku, switiviso, tirhekhodo kumbe matsalwa man'wani lama a ya ri eka ndhawu yaleyo kumbe ya nga ni n'winyi kumbe ya ri ya munhu wo tano loko hi mavonelo ya yena ku kambela tibuku to tano swi fanerile hi xikongomelo xa vulavisisi;

- (c) kambela na ku endla tindzimana ku suka eka tona na tikhopi ta tibuku tihi ni tihi tin'wani, switiviso, tirhekhodo kumbe matsalwa man'wani lama ya kongomisiweke eka ndzimana ya (b), na ku lava nhlamuselo kwalaho;
 - (d) ku yimisa buku yihi ni yihi, switiviso, tirhekhodo, kumbe matsalwa man'wani lama hi ku ya ka yena ya nga pfunaka eka ku kombisa eka khomixini leswaku I nandzu hi ku landza Nawu lowu.
- (2) Rhejistrara kumbe mutirhi loyi a vekiweke loko a komberiwile hi munhu wun'wani loyi a khumbhiwaka hi ku kamberwa ka tirhekhodo na matsalwa man'wani lama ya kongomisiweke eka xiyengenyana xa (1), a nga kombisa setifikheti leyi a nyikiwaka yona.

Hakelo ya mali

33. (1) Xirho xa Huvonkulu xi nga-
- (a) hlamusela mali ya ku tsarisa kumbe mali leyi yi hakeriwaka hi ku landza Nawu lowu wa swinavetiso swa vuendzi leswi swi vekiweke;
 - (b) nkarhi na nkarhi a hlamusela mali yo engetela, leyi yi faneleke yi engeteriwa eka purayisi ya ntirho lowu wu endleke hi munhu loyi a fambisaka vunavetisi bya vuendzi lebyi byi rhejistariweke;
 - (c) langhisa hakelo leyi yi hlanganisiweke na ntsengo lowu wu vekiweke.
- (2) Bodo yi fanele yi kuma ntsengo wa mali leyi yi lavekaka hi ku landza Nawu lowu eka munhu loyi a faneleke a hakela.

Ku tsarisiwa ka swinavetiso swa vuendzi leswi vekiweke

34. (1) Xirho xa Huvonkulu eka Gazete ya Xifundzankulu xi nga-

- (a) boha leswaku ku sukela siku leri ri tsariweke eka xitiviso, leri ri nga ri nga ri ku emahlweni ka tinhweti ta ntsevu ku sukela siku leri xitiviso xi humesiweke hi rona, eka ndhawu na munhu wihi ni wihi, ntirho kumbe klilasi leyi hi ku vona ka yena swi nga nyikaka xinavetiso xa vuendzi kumbe vutirheli eka bindzu ra vunavetisi bya swinavetiso swa vuendzi.
 - (b) Boha swilaveko leswi swi faneleke swi landzeleriwa loko ku nga si rhejistariwa xinavetiso xa vuendzi lexi xi vekiweke.
 - (c) Ku tshika, hundzuluxa kumbe ku khansela xitiviso xihi ni xihi lexi endliwaka hi mayelana ni tindzimana ya (a).
- (2) A ku na munhu loyi a fambisaka kumbe loyi a tirhisaka swinavetiso leswi vekiweke, handlekaloko xi rhejistariwile.
 - (3) Ntsariso lowu wu endliweke hi landza xiyengenyana xa (2) wu ta tirha ku fikela nkarhi lowu wu vekiweke.

Rhejistara ra swinavetiso swa vuendzi leswi swi vekiweke

35. Rhejistrara u fanele hi xihatla endzhaku ka ku humesa xitiviso xihi ni xihi hi mayelana na xiyenge xa 34(1) a humesa na ku hlayisa hi ndlela leyi a pasisiweke hi Bodo, ku tsarisela ku rhejistara swinavetiso leswi swi vekiweke.

Xikombelo xa ku tsarisa swinavetiso leswi swi vekiweke

36. (1) Munhu wihi ni wihi loyi fambisaka, tirhaka kumbe a lavaka ku fambisa kumbe ku veka xinavetiso, a nga endla xikombelo eka Rhejistrara leswaku a tsarisa xinavetiso xa vuendzi lexi xi vekiweke.
- (2) Xikombelo lexi kongomisiweke eka xiyengenyana xa (1) swi ta-
- (a) yi fanele yi endliwa hi ndlela leyi yi hlawuriweke;

- (b) yi fanele heleketiwa ni mali leyi hlawuriweke, pulaniweke, matsalwa na mahungu man'wani kumbe swilo leswi swi yelanaka naswona eka ku veka swinavetiso swa vaendzi.

Matimba ya Rhejistrara hi mayelana na swinavetiso swa vuendzi leswi vekiweke

- 37. (1) Rhejistrara loko hi mavonelo ya yena, swilaveko swa ku tsarisa swinavetiso swa vuendzi-
 - (a) a nga kumbe swi ta landzeleriwa, tsarisa kumbe swinavetiso swa vuendzi leswi vekiweke.
 - (b) a swi landzeleriwangi kumbe a swi nge landzeleriwi, a ala ku tsarisa muendzi loyi a vekiweke kumbe loyi ku kunguhatiweke ku n'wi veka kambe Rhejistrara a nga yisa emahlweni mhaka leyi leswaka yi kambisisiwa hi nkarhi wo tano lowu xi nga wu veka.
- (2) Ku nga si tsarisiwa swinavetiso swa vuendzi leswi swivekiweke, Rhejistrara-
 - (a) u fanele a kambisisa vukahle kumbe ku endla leswaku wu kamberiwa hi mutirhi; kumbe
 - (b) a nga yisa emahlweni vulavisisi hi mayelana na swinavetiso swa vuendzi leswi vekiweke.

Setifikheti xa ku rhejistara

- 38. (1) Rhejistrara u fanele a humesa setifikheti ya ku kombisa ku rhejistara hi ndlela leyi hlawuriweke eka munhu loyi a fambisaka kumbe ku lawula ndhawu leyi swinavetiso swa vaendzi.
- (2) Loko swinavetiso xa vaendzi xi faneleke yi nga ha rhejisitariwangi kumbe yi nga ha tirhi, munhu loyi a fambisa kumbe ku tirha eka

ndhawu yaleyo u fanele a tlherisela setifikhethi ya ku komba ku rhejistariwa eka Rhejistrara.

Ku humesiwa ka nongonoko wa vuendzi lebyi rhejistariweke

39. Rhejistrara u fanele a humesa hi nkarhi, hi ndlela leyi yena a nga yi bohaka, nongonoko wa swilo swa swinavetiso swa vuendzi leswi rhejistariweke xikan'we na swilo swa xinavetiso xa vuendzi xexo lexi vekiweke.

Ku khansela ku rhejistara ka xinavetiso xa vuendzi lexi a vekiweke

40. (1) Rhejistrara loko swilaveko swa ku rhejistara swi nga endliwangi, a nga nyika xitiviso eka xinavetiso xa vuendzi leswaku u fanele a fikelela swilaveko ku nga si hela tinhweti tinharhu ku sukela siku ra xitiviso, loko a nga swi koti u ta khansela ku rhejisitara ka yena.

- (2) Rhejistrara loko a swi vona swi fanerile, a nga engetela nkarhi lowu ku kongimisiweke eka wona eka xiyengenyana xa (1).
- (3) Xinavetiso xa vuendzi lexi xi vekiwaka hi ku landza xitiviso lexi xi nga nyikiwa, ku nga si hela nkarhi wa tinhweti tinharhu kumbe nkarhi lowu wu engeteriweke, a nga nyika hlamuselo hi ku tsala eka Rhejistrara hi mayelana na ku khansela loku ku kunguhatiweke eka xinavetiso xa vuendzi lexi vekiweke.
- (4) Loko, ehenhleni ka ku hela ka nkarhi wa tinhweti tinharhu kumbe nkarhi lowu wu engeteriweke, Rhejistrara a vona leswaku swilaveko leswi lavekaka a swi kona, u fanele a khansela ntsariso naswona u fanele a nyika xitiviso eka munhu loyi a fambisaka kumbe tirhanaka na swinavetiso swa vuendzi lexi vekiweke.

Nkarhi lowu ntsariso na xiyimo swi tirhaka

41. Ntsariso kumbe xiyimo lexi xi endliweke hi ku landza Nawu lowu xi ta tirha hi nkarhi lowu wu vuriweke.

Milandzu na swigwevo

42. (1) Munhu wihi ni wihi loyi a-

- (a) humesa, vanga kumbe ku pfumelela leswaku a humesiwa eka mhaka yihi ni yihi, mavun'wa kumbe mahungu lama ya lahlaka lama ya yelanaka na na muendzi wihi ni wihi loyi a rhejistarwaka swa kahle;
- (b) tsandzeka kumbe ku ala ku hakela mali kumbe ku hlengeleta na ku rhumela mali yihi ni yihi eka hakelo yo tano ku ya hi Nawu lowu;
- (c) yi karisa kumbe ku kavanyeta Rhejistrara kumbe mutirhi loyi a vekiweke eka ku tirhisa matimba kumbe ku endla mintirho ya yena;
- (d) a ala kumbe ku tsandzeka ku hlamula swivutiso ku nga ri ni swivangelo swa tala, Rhejistrara kumbe mutirhi loyi a vekiweke a n'wi nyika hi mayelana na muendzi loyi a vekiweke wa kahle;
- (e) ala kumbe ku tsandzeka ku landzelela swilaveko leswi swi hlamuseriwaka hi Rhejistrara kumbe mutirhi lowu loyi a vekiweke;
- (f) a n'wu nyika hi xikongomelo eka Rhejistrara na mutirhi loyi a vekiweke mahungu ya mavun'wa na leyi yi lahlaka; kumbe
- (g) hambanaka na makungu ya Nawu lowu, u ta voniwa nandzu naswona u ta khomiwa a tlhela a fanela a hakela fayini kumbe ku tshama ejele nkarhi lowu wu nga hundzeki malembe mambirhi kumbe fayini xikan'we na ku tshama ejele.

(2) Khoto leyi yi khomaka munhu loyi a hambanaka na xiyengenyana xa (1)

(b), yi nga engetela eka xigwevo lexi va xi endlikile, u fanele a nyika xileriso ca ndzihiso eka Bodo eka muonhi hi ntsengo wa mali nandzu lowu wu yelanaka ni yona.

(3) Vuahluri lebyi byi nyikiwaka h khoto hi ku landza xiyengenyana xa 2 bya tirha eka ku avanyisa munhu.

Swinawana

43. (1) Xirho xa Huvonkulu xi nga endla swinawana swa-
- (a) ku pfumeleriwa na ku nga pfumeleriwi ku rhejistara, xiyimo, layisense, setifikhei na ku pfumelela eka vaendzi lava va rhejistariwaka;
 - (b) xikombiso lexi xi kombaka mintlawu yo hambana na swiyimo swa vaendzi lava va rhejistariwaka, swiyimo leswi swi ndlela leyi yi tirhisiwaka kumbe leyi yi kombisiwaka na ku alariwa eka ku yi tirhisa kumbe ku kombisa kwalaho;
 - (c) ku hakeriwa ka ndhawu hi munhu loyi a faneleke, ku hlengeletiwa ka mali hi munhu loyi a faneleke, ndlela ya mahakelelo, ku hlengeleta na ku rhumela mali;
 - (d) tirhekhodo kumbe tonkota leti ti hlayisiwaka hi muendzi wihi ni wihi loyi a rhejistariwaka loyi a khomiwaka kahle;
 - (e) matsalwa lama ya kombaka xitatisitiki lama ya yisiwaka eka Bodo hi xinavetiso xihi ni xihi xa vuendzi lexi rhejistariwaka;
 - (f) mali leyi yi hakeriwaka hi ku landza tilayisense ta xinavetiso xa vuendzi;
 - (g) swilaveko swa xinavetiso xa vuendzi xihi ni xihi lexi xi rhejistariweke leswaku xi nyika xitiyisiso, tibondo kumbe ndlela yihi ni yihi yin'wani leyi yi kombisaka ntiyiso lowu wu pfumeleriwaka;
 - (h) Bodo eka ku hetisisa ka hinkwaswo swa tikontiraka; na
 - (i) Swilaveko swa vanhu lava thoriweke kumbe lava va ngheneke eka bindzu ra vuendzi ku endla tikhosos tin'wani ta ku letela kumbe ku letela, kumbe vari ni tidyondzo tin'wani tani hileswi swi nga pasisiwaka hi Bodo.

- (2) Xirho xa Huvonkulu xi nga endla swinawana leswi xi vonaka swi fanerile ku kota ku fikelela swikongomelo swa Nawu lowu
- (3) Swinawana leswi swi endliweke hi ku landza xiyengenyana xa (1) na (2) swi nyika eka swigwevo eka ku hambana kwalaho.

Makungu ya Nkarhinyana

44. (1) Xirho xa Huvonkulu xi fanele hi xitiviso eka Gazete ya Xifundzankulu, xi boha siku leri Bodo yi nga ta sungula ku tirha.
- (2) Eka siku leri ri bohiweke, Bodo ya Vuendzi ya Xifundzankulu leyi yi nga kona leyi yi vumbiweke tani hi Xiyenge xa 21 xa Khamphani yi ta endla xikombelo eka Rhejistrara wa Tikhamphani leswaku yi nga ha rhejistariwi naswona vahirhi hikwavo, timali, tinhundzu swi fanele swi kongomisiwa eka Bodo.

Nhlokomhaka hi ku komisa

Nawu lowu wu ta vuriwa Nawu wa Bodo ya Vuendzi na Tiphaka wa Xifundzankulu xa N'walungu, 2001 naswona wu ta sungula ku tirha hi siku leri ri nga boha hi Holobyenkulu hi Xitivisa-nawu eka gazete ya xifundzankulu.

TSEBIŠO-KAKARETŠO 85 WA 2001

**LEKGOTLAPEAMELAO LA
PROFENSE YA LEBOA**

MOLAOKAKANYWA WA BOETI LE DIPHAKA, 2001

.....
bjalo ka ge o hlagišitšwe ke
.....

**(LELOKO LA LEKGOTLAPHETHIŠO LE
MATLOTLO, MERERO YA EKONOMI LE
BOETI)**

MOLAO KAKANYWA

Go beakanyetša go hlongwa ga Boto ya Boeti le Diphaka; go fa maatla, mešomo le mediro godimo ga Boto; go hloma Sekhwama sa Trasete sa Boeti le Diphaka; go beakanyetša tšwetšo pelele, kaonafatšo, taolo le papatšo ya intaseteri ya boeti le mafelo a tlhago a a hlaotšwego ka mo go Profense; go beakanyetša ngwadišo ya thoto ya boeti, kgoboketšo ya metšhelo mabapi le dithoto tše di ngwadišitšwego tša boeti le go beakanyetša merero yeo e amanago le tše.

GO BEWA MOLAO ke Lekgotlapeamelao la Profense ya Leboa, ka mo go latelago:-

PEAKANYO YA MOLAO

Karolo

1. Tlhathollo
2. Tlhomo ya Boto
3. Dinepo tša Boto
4. Maatla le mešomo ya Boto
5. Tlhamego ya Boto
6. Peo ya Boto
7. Go tlošwa ga leloko la Boto
8. Paka ya Ofisi
9. Modulasetulo le Motlatša Modulasetulo
10. Go tlatšwa ga Dikgoba
11. Go rola modiro ke Modulasetulo
12. Kgaotšo ya boleloko
13. Go fegwa ga Modulasetulo goba leloko
14. Dikopano tša Boto
15. Tlhamo ya dikomiti
16. Metsotso ya dikopano

17. Tefelo le diputseletšo tša maloko
18. Thulano ya dikgahlego
19. Dipego tša ngwaga
20. Lenaneo la kgwebo la ngwaga
21. Thekgo ya taolo go Boto
22. Potego
23. Bahlankedi ba Boto
24. Tsebo ya seprofešene
25. Go fa maatla le kabelo ya mešomo
26. Dikhwama tša Boto
27. Sekhwama sa Trasete sa Boeti le Diphaka
28. Tšhelete, dithoto le dipeeletšo ka go Sekhwama
29. Ditatemente tša ngwaga tša ditšhelete
30. Komiti ya Tlhakišo
31. Peo ya moretšisetara le leloko le le hlaotšwego
32. Tlhahlobo ya tikologo
33. Tefelo ya lekgetho
34. Ngwadišo ya dithoto tše hlaotšwego tša boeti
35. Retšisetara ya ngwadišo ya didirišwa tše hlaotšwego tša boeti
36. Kgopelo ya ngwadišo ya didirišwa tše di hlaotšwego tša boeti
37. Maatla a Moretšisetara mabapi le dithoto tše di hlaotšwego tša boeti
38. Sethifikheiti sa ngwadišo
39. Kgatišo ya lenaneo la dithoto tše di ngwadišitšwego tše di hlaotšwego tša boeti
40. Phumulo ya ngwadišo ya didirišwa tše di hlaotšwego tša boeti
41. Paka ya bokgonthe ya ngwadišo le tlhopho
42. Melato le dikotlo

43. Melawana

44. Dipeakanyetšo tša nakwana

45. Thaetlele ye Kopana

Ditlhalošo

1. Ka mo molaong wo, ka ntle le ge diteng di laetša ka tsela ye nngwe-

“Asoseišene ya Boeti ya Motse” e šupa asoseišene yeo e hlomilwego ke batho goba mekgahlo yeo e amanago le intaseteri ya boeti mo seleteng se se itšego goba lefelo yeo ikemišeditsego go laola, hlabolla le go kaonafatša boeti ka lefelong leo;

“Boto” e šupa Boto ya Boeti le Diphaka ya Profense ya Leboa yeo e hlamilwego ke Karolo 2;

“diphedi-tikologo” e šupa mekgwa ya thekgo ya bophelo le methopo ya tlhago;

“kgoro” e šupa Kgoro ya Matlotlo, Merero ya Ekonomi le Boeti;

“Lefelo la Bohwa bja tlhago” e šupa lefelo leo le phethilwego go šireletša, boloka, le/goba laola diboego tša tlhago tše bohlokwa tša di beilwego gae tša profense ka baka la kgahlego ye e itsego ya tšona goba dimelo tsa moswabanoši;

“lekgetho” e šupa lekgetho leo le beilwego go ya ka Karolo 33;

“Lekgotlapeamelao” ke lekgotlapeamelao la Profense leo le hlamilwego go ya ka Molaotheo;

“leloko” ke leloko la Boto;

“mafelo a borobalelo” e šupa ditikologo dife le dife tšeo di abelago marobalo go batho ka tefo, e ka ba go na goba go se na dilapološi gomme e akaretša dihotele, dimotele, mepete le difihlolo, dintlo tša baeng, mafelo a go aba marobalo, dintlo tša dipolaseng. Dikoloyana le dikampa;

“mafelo a diphedi-tikologo” e šupa mafelo ao a amogelwago a boditšhabatšhaba go laetša le go godiša kamano ye e lekanego magareng ga batho le diphedi-tikologo ka go kopanya polokego, thekgo ya tšwelopele;

“MEC” e šupa leloko la Lekgotlaphethišo leo le lebaganego le tša Boeti le Diphaka ka mo Profenseng;

“Modulasetulo” e šupa Modulasetulo wa Boto yo a beilwego go ya ka karolo 9 (1);

“mokgahlo wa selete wa boeti” e šupa foramo efe le efe yeo e dirilwego go emela intaseteri ya boeti goba selete sefe goba sefe seo se hlaotšwego le gona seo se lemogwa le go amogelwa ke Boto;

“Molao wo” e akaretša melawana;

“mosepediši wa boeti” e šupa motho ofe le ofe yo a tšwetšgo pele mošomowa boeti wa go sepediša baeti ka go šomiša senolofatši se se dumeletšego sa boeti;

“ngwagapuku” e supa paka ya 1 Aporele mo ngwageng wo mongwe le wo mongwe go fihla ka 31 Matshe go ngwaga wo o latelago;

“sedirišwa se se hlaotšwego sa boeti” e šupa lefelo, selo goba tirelo yeo MEC a e phethilego go ba sedirišwa se se hlaotšwego sa boeti go ya ka karolo 34;

“polokego” e šupa taolo ya tšhomišano ya tikologo ke motse wa gae le bašomiši ba yona bao ba amegago ka go intaseteri ya boeti mo tikologong ye e itšego goba lefelo leo le ikemišeditšego go laola, hlabolla le go godiša boeti lefelong leo;

“Polokego ya Tlhago” e šupa lefelo la bohlokwa bja tlhago goba bobotse bja bja lefelo bjo bo hlaotšwego bjalo ka Polokego ya tlhago go boloka le go netefatša maemo a tlhago le ditshepedišo tšeo di lego maleba go hlokomela tšhomišo ya diphedi, dihlopha tša diphedi, mehuta ya diphedi goba dibopego tša tikologo tša saentshe, thuto le boeti bja gae;

“Profense” ke gore Profense ya Leboa;

“sekhwama” e šupa sekhwama sa Trasete sa Boeti le Diphaka;

“tlhahlo ya tša boeti” e šupa motho yo mongwe le yo mongwe yo, e ka ba ka tsela ya go lebogwa ka tšhelete goba ka tsela ye nngwe, a felegetšago motho yo mongwe yo a sepelago ka gare goba a etelago lefelo lefe goba lefe ka profenseng gomme a abelago motho yoo ka tshedimošo goba go sekaseka mabapi le ditaba tša boeti;

Tlhomo ya Boto

2. Motho wa semolao yo a bitšwago Boto ya Boeti le Diphaka ya Profense ya Leboa e a hlongwa.

Dinepo tša Boto

3. Dinepo tša Boto ke go-

- (a) netefatša tlhomo, tlihabollo le taolo ya maleba kaone ya kgokagano ya mafelo a polokego ya tlhago a profense;
- (b) tšwetša pele, gapeletša le go hlabolla taolo ye e phelago ya mothopo wa boeti le Mafelo a Polokego ka go Profense;
- (c) šoma bjalo ka thekgo ya bokgoni go maikemišetšo a profense go boeti le tlhago
- (d) tšea mediro ya papatšo le kwalakawatšo ka gare le ka ntle ga Profense;
- (e) go dira dinyakišišo tša papatšo le go abela tshedimošo go batšeakarolo ka moka;
- (f) netefatša gore maemo a maleba a a hlokomelwa ke mafapha ka moka a intaseteri ya boeti;
- (g) hlohleletša tšwetša pele le kaonafatšo ya mananeokgoparara a boeti, dikgahlego, ditlabakelo le ditirelo;
- (h) laola, hlabolla, kaonafatša, šomiša le go bapatša mafelo a tlhago ao a hlaotšwego semmušo ka go profense gore dikholo tše phelago le methopo di a dirwa metse yeo e amegago, balaodi le baeng;
- (i) netefatša gore tšwelo pele ya boeti e ba gona ka boteng bja tikologo, setšhaba le sebopego ya Profense;
- (j) thuša mokgahlo wa boeti ka go profense go netefatša gore makala a a kgonagatšago le gona a maleba a ba gona le gore intaseteri e thwala batho ba bokgoni le ba go ikgafa;
- (k) hlabolla mafelo ao a hlaotšwego semmušo a tlhago ka go profense gore dikholo tše phelago le methopo di direlwa metse yeo e amegago, balaodi le baeti;
- (l) kgoboketša ditšhelete tša go bapatša le go hlabolla boeti le diintaseteri tša diphelašokeng;
- (m) kgokaganya boeti bja profense le mananeo a pabalelo ya tlhago le maano a mangwe a sekgoba le ekonomi a profense, setšhaba le boditšhabatšhaba;

- (n) go thuša go tšwetša pele naga ya setšhaba yeo e ka bago le seabe go kaonafatša ya setšhaba le ekonomi ya metsemagae, boeti bja setšo le poloko ya methopo ya tlhago;
- (o) dira mošomo wo mongwe woo MEC a ka a fago goba go o bea ka fase ga Molao wo goba molao o mongwe le o mongwe.

Maatla le mešomo ya Boto

4. Maatla le mešomo ya Boto ke go-

- (a) eletša MEC ka taba ye nngwe le ye nngwe yeo e amanago intaseteri ya boeti le mafelo a tlhago a profense ka go Profense a hlaotšwego ke Boto;
- (b) tšweletša tšhetšo ya bohlokwa bja intaseteri ya boeti go badudi ka moka ba Profense le karolo yeo ba ka ralokago go netefatša tšwelo pele ya yona le go fihlelela mo dibakaeng tša yona;
- (c) kgokagantšha, eletša le go hlahla makala a mangwe, mekgahlo goba dilhlongwa tšeo mošomo wa tšona goba maikemišetšo a ka bago le seabe mo go hlabolleng, tšwetšo peleng goba taolong ya boeti ka go Profense;
- (d) nyakišiša ka tsela yeo, le go hlohleletša badudi ba Profense go amega ka go intaseteri ya boeti le go kgatha tema ka go dikholo tša yona tša setšhaba le ekonomi;
- (e) hlagiša sedirišwa sefe le sefe sa kaonafatšo ya boeti, thoma le go šomiša masolo a tlhabollo le mešomo go hlabolla, tšwetša pele le go bapatša boeti ka go profense;
- (f) dira dinyakišišo go mešomo ya go bapatša le go hlabolla, le go nyaka dikeletšo ka taba efe le efe yeo e amago intaseteri ya boeti;
- (g) abela tirelo ya keletšo go motho ofe le ofe yo a tšeago karolo goba a ikemišeditšego go tšea karolo ka go phoofološoka le intaseteri ya boeti bjalo ka babeeletši goba balaodi;
- (h) hlaola, ngwadiša le go bea maemo a a lekanego a dikarolo ka moka tša intaseteri ya boeti, le go netefatša tlhokomelo ya maemo ao;
- (i) hlohleletša peakanyetšo le kaonafatšo ya ditlabelo tša boeti le go netefatša gore ditlhabollo ka moka tša boeti le ditiro di a direga ka tsela ye e phelago;
- (j) nolofatša tlhongo le tirišo ya boeti bjo bo ithekgilego ka ditšhaba tša gae tšeo di nago le methopo ya setšo, histori le tlhago ya boeti di hlohleletšwa le go thušwa go dira ditšweletšwa tša boeti le ditirelo;

- (k) nlofatša tlhomo le tšhomišo ya diasoseišene tša metse-selegae tša boeti, diforamo tša dilete tša boeti le mekgahlo ye mengwe ya maleba, go direla mošomo wa maleba wa intaseteri ya boeti;
- (l) go amogela, go dumelela le go thuša mekgahlo yeo ka tsela efe le efe yeo e bonago e le maleba;
- (m) bula le go laola diofisi tša taolo le tshedimošo le mafelo a methopo a boeti ka gare le ka ntle ga Profense;
- (n) thwala goba somiša ditirelo tša diagente, borakotraka le barerišani moo go nyakegago;
- (o) šomiša ditirelo tša seprofešene, thekniki, taolo goba lefapha lefe le lefe la bašomi ka tsela ya motšhaotšhele goba lebakanyana;
- (p) abela thuto wa kalafo, go rola modiro le dikholo tše dingwe tša bašomi ba yona;
- (q) hlohleletša le go tsenela ditiro tša mohlakanelwa le kgwebišano le dihlongwa tše dingwe le mekgahlo ye mengwe go godiša makala a boeti goba batho ka go Profense;
- (r) hwetša thoto yee šuthago goba e sa šuthego ye o e nyakegago go tšwetša pele mešomo ya bona le go fihlelela dinepo tša Boto;
- (s) hlohleletša kamogelo ya magato a go abela thuto, tlhahlo le taolo ya batho bao ba thwetšwego goba ba nyakago go tšea mošomo ka go intaseteri ya boeti;
- (t) kgoboketša ditšhelete le go laola Sekhwama sa Boeti le Diphaka go ya ka mabaka ao a beilwego ke MEC;
- (u) dira mešomo ye mengwe yeo MEC a ka e fago goba beago ka fase ga Molao wo goba molao wo mongwe;
- (v) hloma le go šomiša khamphani e tee goba go feta, ditirišano mmogo goba makala a mangwe, go reka le go rekiša dišere ka go makala ao;
- (w) boloka le mmoloki ofe le ofe yo a ngwadišitšwego go ya ka Molao wa baboloki, bašomi le thoto ya Boto kgahlanong le diteko dife le dife tšeo Boto e ka di hwetšago;
- (x) bea ditaetšo tša polokego ya diphedi-tikogolo godimo ga mafelo a tlhago ao Boto e a hlokometšego;
- (y) bea dipeakanyetšo tša kakaretšo tšeo di amago mafelo a tlhago;
- (z) hwetša naga go hloma mafelo a tlhago ka fase ga taolo ya Boto;
- (aa) laola, le go hlokomela mafelo a tlhago ka fase ga maatlataolo a Boto;

- (bb) thuša ka kgoeletšong goba temogong ya mafelo a bohwa a tlhago, mafelo a diphedi-tikologo le a polokego;
- (cc) go kgonagatša mediro ya yona go reka, go hiriša goba go adimiša goba ka tsela ye nngwe hwetša naga goba meago, go aga meago mo nageng ya yona, go rekiša, goba fediša goba go tlogela naga yeo goba moago;
- (dd) amogela dimpho le go amogela ditšhelete dife le dife tšeo di abelwago goba di kolotwago go yona;
- (ee) reka, hiriša hlabolla, swara goba go hlalosa go ba ka tsela ye nngwe go amoga thoto ye e šuthego ya mohuta ofe goba ofe, go akaretša dišere dife le dife, phahlo, dikoloto le ditšhireletšo, goba tswalo go kgwebo goba kadimo godimo ga thoto efe goba efe, le go tlogela, go rekiša goba tlogelana ka tsela ye nngwe goba go tshephiša goba go dira ka tsela ye nngwe ka yona;
- (ff) thwala, lefa, bolokwa, lahla goba fega bahlankedi le bašomi bao ba nyakegago mešomo ya yona le go lefelela bahlankedi le bašomi bao.

Tlhamo ya Boto

5. Boto e swanetše go hlangwa ke maloko ao a sa fetego a lesome a bewa ke MEC ao-
 - (a) Leloko le tee le swanetšego go ba le bokgoni le maitemogelo ka go polokego ya tlhago le boeti;
 - (b) Maloko a mabedi a swanetše go ba le bokgoni le maitemogelo ka papatšo ya boeti, tšwetšo pele le nyakišišo;
 - (c) Leloko le tee le swanetše go ba le bokgoni le maitemogelo ka taolo ya kgwebo;
 - (d) Maloko a mabedi a swanetše go ba le bokgoni le maitemogelo la tšwele pele ya setšhaba;
 - (e) Leloko le tee le swanetše go ba mohlankedi yo a thwetšwego ka go Kgoro ya Temo le Tikologo go šoma bjalo ka leloko go ya ka maemo a kgwebo;
 - (f) Maloko a mabedi go tšwa go intaseteri ya diphelašokeng ka maitemogelo ka go taolo ya lefelo le le šireleditšwego le polokego ya diphedi-tikologo;
 - (g) Maloko a tee le swanetše go ba mohlankedi yo a thwetšwego ke kgoro.

Pes ya Boto

6. (1) MEC e tšwela maloko a setšhaba go kgelha bonkgetheng goba go dira

kgopelo ya boleleloko pele a ka ba bea;

- (2) Taletšo ye go bolelwago ka yona ka go karolwana (1) e swanetše go gatišwa ka go Kuranta le phatlalatšo ya ditaba tšeo di fihlago kgole goba di na le batheeletši ba bantši ka go profense, ka maleme ao a bolelwago gagolo ka Profenseng.

Go tlošwa ga leloko la Boto

7. (1) Ga go motho yo a swanetšego go bewa bjalo ka leloko la Boto goba ge a beilwe, o swanetše go ema go ba leloko ge a-
 - (a) a goba a e ba motho yo a welego yo a ka se tsošološwego;
 - (b) a goba a ile a laetšwa ke kgorotsheko ya bokgoni go ba wa mogopolo wa go fokola;
 - (c) a go tloga ka 1994 a latofaditswe ka molato le og otlwa paka ya kgolego ya go feta dikgwedi tse 12 ka ntle le kgetho ya faene.
- (2) Kotlo efe le efe ye o e filwego ke kgorotsheko ka ntle ga Rephabliki ya Afrika Borwa ga ya swanelwa go elwa hloko ka maikemišetšo a temana ya (c) ka ntle le ge molato e be e le molaoto woo o dirilwego ka gare ga Rephabliki ya Afrika Borwa ka nako ya khomišene;
- (3) Ga go motho yo a swanetšego go bewa bjalo ka leloko ge e se modudi ka go Profense goba a sa amane le intaseteri ya boeti bja profense, ka ntle ga ge a kgopetšwe ke Boto.

Paka ya Ofisi

8. (1) Motho yo go bolewalgo ka yena go karolo 5 o swanetše-
 - (a) go bewa go Boto paka ye e sa fetego mengwaga ye meraro goba paka ya ka fase bjalo ka ge MEC a ka laetša;
 - (b) go bewa ka tsela ya lebakanyana;
- (2) Leloko le na le maswanedi a go bewa gape mafelelong a paka ya ofisi;
- (3) MEC a ka laetša dipaka tša go fapana tša ofisi tša dipeo tša go fapana;
- (4) Modulasetulo goba leloko leo le bewago ka tsela ya lebakanyana le ka dira mošomo wa go lefelwa ka ntle ga mešomo ya ofisi ya gagwe eupša mošomo woo ga wa swanelwa go thulana le goba feleletša o thulana le dikgahlego tša mešomo ya gagwe bjalo ka ge Modulasetulo goba leloko la Boto.

Modulasetulo le Motlatša-Modulasetulo

9. (1) MEC o swanetše go bea Modulasetulo go tšwa go maloko a gagwe;

- (2) Maloko a swanetše, nako efe le efe, go kgetha go tšwa go palo ya bona motho yo e tla ba go Motlatša Modulasetulo wa Boto;
- (3) Ge ofisi ya Modulasetulo e se na motho goba Modulasetulo a se gona, a palelwa goba a gana goba a sa kgone go šoma bjalo ka Modulasetulo, Motlatša-Modulasetulo o swanetše go diriša maatla gagwe, ditokelo, mešomo le mediro ya Modulasetulo pakeng yeo ya sekgoba, go se be gona, go se kgone goba go palelwa.
- (4) Ge-
 - (a) diofisi tša bobedi Modulasetulo le Motlatša-Modulasetulo di se na motho; goba
 - (b) bobedi Modulasetulo le Motlatša-Modulasetulo ba gana goba ba palelwa ke go diriša maatla a modulasetulo, maloko a a lego gona a swanetse go kgetha leloko le tee go šoma bjalo ka Modulasetulo pakeng ya sekgoba, go se be gona, go se kgone goba go palelwa.

Go tlatšwa ga dikgoba

10. Ge sekgoba se e ba gona ka go Boto, MEC a ka, go ya ka diepakanyetšo tša Karolo 6, bea motho goba batho go tlatša sekgoba seo sa paka ya ofisi ye e setšego.

Go tlogela mošomo ke Modulasetulo

11. Modulasetulo goba leloko le ka, nako efe goba efe, tlogela bjalo ka Modulasetulo goba leloko ka go fa e se go ka fase ga matšatši a 30, tsebišo ye e ngwadilwego go MEC.

Go kgaotšwa ga boleloko

12. (1) MEC a ka kgaotša paka ya ofisi ya boleloko bja Modulasetulo goba leloko ka lebaka goba mabaka a a latelago:
 - (a) go fokola ga monagano goba mmele wo o mo šitisago go dira mešomo ya gagwe;
 - (b) go dira yeo go ya ka kgopolo ya MEC e ka go senya Boto leina;
 - (c) go palelwa ke go tšwetša pele mediro le mešomo ya gagwe gabotse;
 - (d) go se be gona go dikopanong tše pedi tše di latelago tša Boto ka ntle le tumelelo ya Boto;
 - (e) go ba Leloko la Palamente, leloko la Lekgotlapeamelao, goba Mokhanselara wa Taolo ya Selegae.

Go fegwa ga Modulasetulo goba leloko

12. MEC a ka fega modulasetulo goba leloko go tšwelapele ka mešomo ya gagwe, ge MEC a sa nyakišiša le go lebelela dipharamelato tšeo di beilwego kgahlanong le leloko le.

Dikopano tša Boto

13. (1) Boto e swanetše go swara-
- (a) bonnyane dikopano tše dine mo ngwageng o tee;
 - (b) kopano ya gona ya mathomo ka nako le lefelo leo MEC a ka go laetša; le
 - (c) dikopano tša yona ka nako le lefelo leo Boto go laetša ka kwano.
- (2) Khoramo ya kopano ya Boto e swanetše go go ba bontši bja palomoka ya maloko a a lego ka kopanong.
- (3) Diphetho tša bontši bja maloko a la lego gona kopanong ya Boto di swanetše go ba sephetho sa Boto, le gona ge ge ka ga le tekano ya diboutu, Modulasetulo o swanetše go ba le boutu ya makgaolakgang go tlaleleletša boutu ya gagwe;
- (4) Boto e ka dumelela maloko a setšhaba go tsenela kopano efe le efe goba karolo ya yona.
- (5) Mohlankedimogolo a ka tsenela le go kgatha tema ka go kopano efe le efe ya Boto, eupša ga a swanela go bouta.

Tlhamo ya dikomiti

15. (1) Boto e ka nako le nako hloma dikomiti go tšwa go dihlopha tša maloko le go lebišwa ditaba tše dingwe goba diripa tša ditaba go nyakišišwa le go bega pele go Boto;
- (2) Ge go hlongwa komiti go ya ka karolwana (1) Boto e swanetše:-
- (a) laetša mabaka a taetšo le mokgwa wa tshepedšo wa komiti go akaretša eupša go sa kgaoletšwe ge e ba goba komiti yeo e ka goba e ka fedišwa morago ga go fetša mošomo goba mešomo ya yona yeo e filwego ke Boto;
 - (b) bea modulasetulo wa komiti yeo yo e tla bago leloko la Boto;
 - (c) laetša ge e ba goba komiti e ka kgetha batho bao e se go maloko a Boto, le gona ge e ba go bjalo, ka mabaka le maemo afe;

- (3) Komiti yeo e hlongwago go ya ka karolwana (1), e swanetše morago ga go fetša mešomo ya yona go bega go Boto.
- (4) Boto e ka nako efe le efe fediša go ba gona ga goba maatla ao a filwego komiti, go sa lebelelwe ge e ba e ka ba go ba e sa fetša mošomo goba mešomo yeo e e filwego ke Boto.

Metsotso ya Boto

16. (1) Boto e tla gapeletša gore metsotso ya kopano efe goba efe ya Boto le komiti e dirwe le gore dikhopi tša metsotso yeo di fetišwe go maloko ka moka pele ga kopano ye e latelago ya Boto goba komiti, go ya le ka gore go beakantšwe bjang.
- (2) Modulasetulo o swanetše ka kopano ye e latelago ya Boto, saena metsotso yeo go bolelwago ka yona ka go karowana (1);
- (3) Metsotso yeo go bolelwago ka yona ka go karolwana (2) e swanetše go ba bohlatse bja nnete bja ditshepedišo tša kopano.

Tefo le diputseletšo tša maloko

17. (a) Maloko a Boto goba batho bao ba rerišitswego goba ba kgopetšwego bao ba sa dirego mešomo ya motšhaotšhele ya Naga goba Mmušo wa Profense ba ka, mabapi le mediro ya bona, go lefiwa tefo le diputseletšo go tšwa go sekhwama sa Boto bjalo ka ge go ka laetšwa ke maloko morago ga go rerišana le leloko la Lekgotlaphethišo leo le lebaganego le matlotlo ka go Profense.
- (b) Tefo le diputseletšo tša maloko a Boto di ka fapana go ya ka mehuta ya go fapana ga diofisi tšeo di swerwego ke bona goba mešomo ya go fapana yeo ba e dirago.

Thulano ya dikgahlego

18. (1) Moo taba yeo e nyakišišwago, lebeletšwego goba e boutetšwego godimo ga Boto, leloko leo le na go le kgahlego efe goba efe yeo e ka go thibelago go phethagatša mešomo ya gagwe bjalo ka leloko ka tsela ya toka, ntle le go tšea lehlakore, ga a swanela ke go tšea karolo ka go nyakišišo, tebelelo goba go bouta le gona o swanetše go se be gona lefelong leo dinyakišišo, ditebelelo goba diboutu di dirwago gona;
- (2) Ge ka nako ye nngwe mo nakong ya ditshepedišo pele ga Boto, go bonala gore leloko leo le lego gona ka kopanong le na goba le ka ba le kgahlego yeo e ukangwago ka go karolwana (1), leloko lelo le tla go tloga fao utolla mohuta wa kgahlego le go tlogela kopano go dumelela maloko a a šetšego go rerišana taba le go laetša gore leloko leo le obamela karolwana (1).

- (3) Kutullo efe goba efe le taetšo yoe go bolelwago ka tšona ka go karolwana (2) e swanetse go ngwalwa ka go metsotso ya kopano yeo go bolelwago ka yona.
- (4) Ge leloko lefe goba lefe le palelwa ke go obamela karolwana (1) le (2), ditshepedišo tša maleba tša Boto di swanetše go ba di sa diragatšwa ka botlalo.

Dipego tša ngwaga

19. (1) Boto e swanetše-
 - (a) e se go ka morago ga 31 Agostose ya ngwaga wo mongwe le o mongwe, tliša pego go MEC ka mešomo ya Boto, ya paka ya dikgwedi tše lesomepedi yeo e felago ka Matšhe ye e fetilego, pego yeo e swanetše go alwa ke MEC ka go Lekgolapeamelao, e sa ka morago ga tulo ya mafelelo ya Lekgotlapeamelao ya ngwaga wo mongwe leo mongwe.
 - (b) tliša ditatemente tše di lekotšwego gabotse tša ngwaga, tša ngwaga o mongwe le o mongwe e se go ka morago ga 31 Agostose tša ngwaga wo mongwe le o mongwe.
 - (c) tliša go MEC dipego tše dingwe bjalo ka ge MEC a ka bona di le maleba.

Leano la ngwaga la kgwebo

20. Boto e swanetše go fa MEC ka leano la kgwebo go netefatša dinyakwa tša thušo ya mašelang ke Lekgotlapeamelao, ngwaga ka ngwaga goba ge le nako yeo le nyakegago.

Thušo ya taolo go Boto

21. (1) MEC o swanetše go fa Boto thušo ya tirelo ya bongwaledi le ya taolo bjalo ka ge go ka nyakega.
- (2) Thušo ye go bolelwago ka yona ka go karlwana (1) e swanetše go tlošwa ge Boto e se na go hwetša taolo ya yona ya thušo ya taolo le bongwaledi.

Bobotegi

21. Taba efe le efe yeo e rerišanwego dikopanong tša Boto-
 - (1) yeo e lego phatlalatša go setšhaba, e swanetše go tsebja bjalo ka tshedimošo ya setšhaba.
 - (2) E swanetše go bonwa bjalo ka ya mohuta wa sephiri gomme modulasetulo o swanetše go phetha mehuta efe ya tshedimošo goba

diphetho tša Boto tšeo di swanetšego go fihlelelwa ke setšhaba goba baphatlalatši ba ditaba ba setšhaba.

- (3) Yeo e sego ya phatlalatša e tla bonwa go ba sephiri gomme Modulasetulo o tla diriša kgetho ya go utulla ditaba tša mohuta wo goba karolo ya tšona, go setšhaba.

Bahlankedi ba Boto

23. (1) Boto e swanetše, ka tumelelo ya MEC, bea Mohlankedi mogolo yo a nago le bokgoni bja maleba go laola bobedi methopo ya boeti le go ithekga ka tlhago.
- (2) Mohlankedigolo ke mohlankedi wa go ikarabela go Boto.
- (3) Boto e swanetše go bea batho bao ba nyakegago go tšwetša pele dinepo tša Molao wo le go, raka mohlankedi ofe goba ofe goba mošomi mo mošomong wa gagwe go ya ka tsela ya kgalemo yeo e beilwego.
- (4) Boto e swanetše go lefa bahlankedi le bašomi, tefo le diputseletšo le dikholo, bjalo ka ge e ka laetša ka tumelelo ya MEC.
- (5) Batho bao ba beilwego go ya ka karolwana (1), (2) le (3) ba swanetše go bewa bjalo ka maloko a Boto.

Bokgoni bja seprofešenale

24. Boto e ka ge e bona go le maleba, thwala ditirelo tša mokgoni wa seprofešenale go thuša Boto ka go fihlelela efe le efe ya dinepo tša yona goba go dira mešomo ya yona.

Go fa maatla le go beela mešomo

25. (1) Boto e ka-
- (a) fa efe le efe ya maatla a yona le mešomo yoe e abetšwego ke molao wo, go leloko le lengwe le le lengwe la Boto, Mohlankedigolo goba Komiti;
- (b) fa mešomo go batho bao go bolelwago ka bona go temana (a).
- (2) Mohlankedigolo a ka, ge a bona go le maleba-
- (a) fa maatla ao a filwego ke Molao wo; goba
- (b) fa mešomo wo o rwešitšwego go yena ke Molao wo ka ntle ga mešomo bjalo ka mohlankedi wa go arabela, go leloko lefe le lefe la mešomi.

- (3) Motho yo go yena maatla a filwego maatla goba mošomo o filwe, o swanetše go diriša maatla goba go phethagatša mošomo go ya ka Molao wo le go ya ka maemo bjalo ka ge Boto e ka bona go le maleba.
- (4) Go fa maatla goba mošomo go go bolelwago ka gona ka go karolwana (1) le (2)-
 - (a) go swanetše go dirwa ka tsela ya go ngwalwa;
 - (b) ga gwa swanelwa go thibela Boto goba Mohlankedimogolo go phethagatša;
 - (c) go ka nako efe goba efe tlošwa ka go ngwala ke motho yo a e fiwego maatla goba a beilego.

Dikhwama tša Boto

26. (1) Mediro ya Boto e swanetše go thušwa ka mašelang ke-
 - (a) ditšhelete tšeo di boutetšwego morero woo ke Lekgotlapeamelao;
 - (b) ditšhelete tšeo di kgobokeditšwego ke Boto go tšwa go methopo ye mengwe yeo e dumeletšwego ke MEC;
 - (c) Thušo ya mašelang le thekgo ya mašelang ge thušo yeo goba thekgo ya mašelang di dumeletšwe ke MEC;
 - (d) Kadimo ya ditšhelete yeo e dumeletšwego ke MEC le tseno go tšwa go dipeeletšo;
 - (e) Thekišo ya dikgatišo le dilo tša phatlalatšo, papatšo goba, le thekišo goba khirišo ya taetšo ya dinepe goba dikgaotšo;
 - (f) Makgetho goba ditšhelete dife le dife tšeo Boto e ka di kgoboketšago thwii goba tšeo di ka go ba di kgobokeditšwe legatong la Boto;
 - (g) Ditšhelete dife le dife goba ditšhelete tša dinolofatši tša baeng tša mafelo a tlhago;
 - (h) Ditšhelete tša go adimiša naga goba tshomišo ye e kgethegilego;
 - (i) Ditšhelete tša go tšwa go ba le kabelo ya mešomo ye mengwe ka mafelo. Mohlala go tsoma le mananeo a a kgethegilego;
 - (j) Ditšhelete go tšwa go tshwaro ya ngwaga wa diphoofolo le thekišo;

- (k) Ditšhelete go tšwa go rua le thekišo ya diphoofole tše di sa hwetšwego gabonolo; le
- (l) Ditšhelete tšeo di lefelwago leswa ke batho goba mekgahlo yeo e hwetšwago kadimo ya ditšhelete ke Boto;

Sekhwama trasete ya boeti le diphaka

- 27. (a) Boto e swanetše go hloma Sekhwama sa Trasete ya Diphaka le Boeti seo se tla go ba sa taolo ya methopo ya tlhago ka gare le ka ntle ga diphaka.
- (b) Phesente yeo e beetšwego dikhwama tša Diboto go tšwa go lekgotlapeamelao e tla fiwa sekhwama se.
- (c) Kabo ya ditšhelete tšeo di lebišitšwego go tšhireletšo ya methopo ya tlhago e swanetše go bewa ka go sekhwama se ka dinepo tše itsego tše di beilwego ke baabi.
- (d) Tšhelete efe le efe, dithoto goba dipeeletšo ka go sekhwama mafelelo a ngwaga wa ditšhelete di tla išwa pele ka go Sekhwama mo ngwageng wo o latelago wa ditšhelete.

Tšhelete, dithoto le dipeeletšo ka go Boto

- 28. (1) Boto a laola tšhelete, dithoto le dipeeletšo ka go Sekhwama ka therišano le MEC le gona e swanetše go šomišetšwa-
 - (a) go dira goba go godiša nyakišišo efe goba efe ka polokego ya tlhago goba taba efe le efe yeo e lego ya bohlokwa go polokego ya tlhago ka go Profense;
 - (b) go dira dikabo tša tšhelete go motho yo mongwe le yo mongwe goba lekala leo le dirago nyakišišo yeo ka go Profense goba kae le kae;
 - (c) go tiišetša thuto le tlhahlo ya-
 - (i) motho ofe le ofe yo a nyakegago go dira nyakišišo yeo; le
 - (ii) bašomi ba Boto, e ka ba ka dikabo, kadimo ya tšhelete go ithuta le dibasari;
 - (d) go hloma dinolofatši tša kgoboketšo le phatlalatšo ya tshedimošo malebana le polokego ya tlhago;
 - (e) go tiišetša tšhetšo ya bohlokwa bja polokego ya tlhago ka go profense; le
 - (f) ka kakaretšo, go tšwetša pele dinepo tša Boto;

- (2) Ditšhelete ka moka, dithoto goba dipeeletšo ka go Sekhwama tšeo di kgobokeditšwego ka tsela ya dikabo goba dimpho di swanetše go šomišwa go ya ka mabaka, ge a le gona, a kabo tšeo goba mpho yeo.

Ditatemente tša Ngwaga tša Ditšhelete

29. (1) Dipuku tša diakhaonte le direkhoto tše dingwe tša ditšhelete tša Boto di swanetše go hlakišwa ngwaga ka ngwaga ke feme ya blahlakiši yeo e dumeletšwego ke Boto.
- (2) Boto e swanetše go tliša setatemente se se hlakišitšwego gabotse sa ditšhelete sa ngwaga seo se akaretšago paka ya go swana le ya pego ya ngwaga woo.

Komiti ya go hlakiša

30. (1) E tee ya dikomiti tše di latelago tša Boto ke komiti ya go hlakiša
- (2) Modulasetulo o laetša tlhamego le mokgwa wa go šoma wa komiti ya tlhakišo.

Peo ya moretšisetara le mohlankedi yo a kgethilwego

31. (1) Boto e swanetše go bea motho go ba moretšisetara wa didirišwa tše di kgethilwego tša boeti;
- (2) Moretšisetara a ka phumula ngwadišo, kabo ya sethifikheiti, go amogelwa goba laesentshe efe le efe goba tlhopho go ya ka Molao wo;
- (3) Motho ofe le ofe yo a kwešitšwego bohloko ke sephetho sa moretšiserata yo go bolelwago ka yena ka go karolwana (2) a ka, mo matšatšing a masomepedi-seswai morago ga go tsebišwa ka sephetho, ipiletša ka go ngwala go MEC.
- (4) Moipiletsi o swanetše, ge go na la tšhelete yeo e beetšwego boipiletšo bjo, tliša tshele ya go lekana tšhelete yeo e beilwego le tsebišo ya boipiletšo.
- (5) MEC a ka nyaka gore moretšisetara go mo fa mabaka a go ngwalwa a sephetho sa gagwe, le rekhoto ya ditshepedišo.
- (6) Ge boipiletšo bo lemogilwe-
 - (a) sephetho sa moretšisetara se swanetše go fegwa, go fihla ge boipiletšo bo rumilwe;
 - (b) kgahlanong le go gana go mpshafatša laesentshe efe goba efe, MEC a ka oketša go šoma ga laesentshe yeo, go fihla ge boipiletšo bo rumilwe.
- (7) MEC o swanetše go dira taelo ya maleba.

Go hlalobja ga tikologo

32. (1) Moretšisetara goba mohlankedi yo a kgethilwego a ka-
- (a) ka ntle le tsebišo, le gona nako efe le efe ye e kwagalago, tsena ditikologo dife le dife tša-
 - (i) lefelo lefe le efe leo le hlaotswego la boeti go ya ka moo kgopelo ya ngwadišo goba laesentshe e dirilwego; le
 - (ii) morago ga go tsebiša motho yo a hlokometšego ditikologo tšeo nakong ya gagwe ya ketelo, dira tlhahlobo le nyakišišo yeo ge a bona go le maleba, ka ntle le gore a tsene ka moka yeo go dulago yo mongwe le yo mongwe wa batho ka ntle le tumelelo ya motho yoo;
 - (b) Potšišo goba motho mo ditikologong tšeo, o nyaka motho yona yoo go ntšha dipuku, ditsebišo, direkhoto goba ditokumente dife le dife tšeo di goba di bego di le mo ditikolong goba di swerwe goba di hlokometšwe ke motho yoo ge go ya ka kgopolo ya gagwe, tlhahlobo ya dipuku, ditsebišo, direkhoto. goba ditokumente dife le dife di le maleba go thuša mo dinyakišišong tša gagwe;
 - (c) hlaloba le go tsopola go tšwa go le dikopi tša dipuku tšeo, ditsebišo, direkhoto goba ditokumente tšeo go bolelwago ka tšona go temana ya (b), le go nyaka tlhathollo ya go tsena ka fao;
 - (d) tšea dipuku, ditsebišo, direkhoto, goba ditokumente dife goba dife tšeo, go ya ka yena, di ka go thuša go hlatsela nyakišišo ya molato go ya Molao wo.
- (2) Moretšisetara goba mohlankedi yo a kgethilwego o swanetše, ge go nyakwa ke motho ofe goba ofe yo amago ke tlhahlobo ye ya direkhtoto le ditokumente tše dingwe tšeo go bolelwago ka tšona ka go karolwana (1), bontšha sethifikheiti seo a se filwego.

Tefelo ya lekgetho

33. (1) MEC a ka-
- (a) laetša tšhelete ya ngwadišo goba lekgetho leo le swanetšego go lefelwa go ya ka Molao wo go lefelo lefe le lefe la leo le hlaotšwego la boeti;
 - (b) nako efe le efe bea tefišo, yeo e swanetšego go oketšwa go theko ya ditirelo tšeo di dirilwego ke motho yo a laolago lefelo leo le ngwadišitšwego la boeti;

- (c) bea lekgetho leo le beilwego ka kelo yeo e beilwego.
- (2) Boto e ka kgoboketša tšhelete ya lekgetho yeo e kolotwago go ya ka Molao wo go tšwa go motho ofe le ofe yo a swanetšego go lefa.

Ngwadišo ya mafelo ao a hlaotšwego a boeti

34. (1) MEC, ka tsebišo ka go Kuranta ya Profense-
- (a) o phetha gore go tloga ka tšatšikgwedi yeo e beilwego ka go tsebišo, e sego ka pele ga dikgwedi tše seelago go tloga ka tšatšikgwedi ya kgatišo ya tsebišo, lefelo. Motho, tirelo, selo goba le gore lefe goba lefe leo go ya ka kgopolo ya gagwe a kgonago lefelo go baeti goba tirelo ya intaseteri ya boeti yeo e tla go hlaolelwa lefelo la moeti.
 - (b) Laetša dinyakwa tšeo di swanetšwego go obamelwa pele ga lefelo lefe goba lefe la moeti yo a hlaotšwego le ka go ngwadišwa.
 - (c) Gomiša, fetša goba go phumola tsebišo efe le efe yeo e dirilwego go ya ka temana (a).
- (2) Ga go motho yo a swanetšego go laola goba go diriša lefelo leo le hlaotšwego la boeti, ka ntle le ge le ngwadišitšwe.
- (3) Ngwadišo ye e dirilwego go ya ka karolwana (2) e swanetše go ba ya maleba ya paka ye e beilwego.

Retšisetara ya ngwadišo ya mafelo ao a hlaotšwego a boeti

35. Moretšisetara o swanetše, ka pela ka mo go kgonegago morago ga go gatiša tsebišo efe le efe go ya ka karolo 34(1), bula le go boloka ka tsela yeo e dumeletšwego ke Boto, retšisetara ya ngwadišo ya mafelo ao a hlaotšwego a boeti.

Tirišo ya ngwadišo ya mafelo ao a hlaotšwego a boeti

36. (1) Motho yo mongwe le yo mongwe yo a laolago, dirišago goba a ikemišeditšego go laola goba go diriša lefelo leo le hlaotšwego la boeti, a ka kgopela go Moretšisetara ngwadišo ya lefelo leo le hlaotšwego la boeti.
- (2) Tirišo yeo go bolelwago ka yona ka go karolwana (1) e swanetše go-
- (a) dirwa ka tsela yeo e beilwego;
 - (c) ba le tšhelete yeo e beilwego, leano, ditokumente le tshedimošo ye nngwe goba ditshwanelo tše di amago le lefelo le le hlaotšwego la boeti.

Maatla a Moretšisetara mabapi le mafelo ao a hlaotšwego a boeti

37. (1) Moretšisetara a ka, ge go ya ka kgopolo ya gagwe, dinyakwa tša ngwadišo ya mafelo ao a hlaotšwego a boeti-
- (a) go ka be go goba go tla be go obamelwa, ngwadiša lefelo leo le hlaotšwego le le šišintšwego la boeti.
 - (b) go ka be go pbametšwe goba go ka be go sa obamelwa, gana go ngwadiša lefelo leo le hlaotšwego goba le šišintšwego la boeti eupša moretšisetara a ka šuthišetša pele taba yoe go tsinkelwa go tšwela pele paka yeo a ka e beago.
- (2) Pele ga go ngwadiša lefelo leo le hlaotšwego la boeti, Moretšisetara-
- (a) o swanetše go hlahloba lefelo goba go bona gore le a hlahlobja ke mohlankedi yo a hlaotšwego; goba
 - (b) a ka dira dinyakišišo tša go tšwela pele mabapi le lefelo le le hlaotšwego la boeti.

Sethifikheiti sa ngwadišo

38. (1) Moretšisetara o swanetše go ntšhetša motho yo a dirišago goba a šomišago lefelo le le hlaotšwego la boeti, sethifikheiti sa ngwadišo ka tsela yeo e beilwego.
- (2) Ge lefelo lefe goba lefe le le hlaotšwego la boeti le ema go ngwadišwa goba go šoma, motho yo a bego a diriša goba a šomiša lefelo leo le hlaotšwego la boeti o swanetše go tloga yona nakong yeo, buša sethifikheiti goba ngwadišo go Moretšisetara.

Kgatišo ya lenaneo la mafelo ao a ngwadišitšwego ao a hlaotšwego a boeti

39. Moretšisetara o swanetše go gatiša nako le nako, ka tsela yeo a ka e laetšago, lenaneo le ditshwanelo tša mafelo ao a ngwadišitšwego ao a hlaotšwego a boeti gammogo le ditshwanelo tša mafelo ao a hlaotšwego a boeti.

Go phumolwa ga ngwadišo ya mafelo ao a hlaotšwego a boeti

40. (1) Moretšisetara a ka, ge dinyakwa tša ngwadišo di sa obamelwe, fa tsebišo go lefelo la boeti go fihlelela dinyakwa mo dikgweding tše tharo go tloga ka tšatsikgwedi ya tsebišo, ge go šitwa a ka phumola ngwadišo.
- (2) Moretšisetara a ka ge a bona go le maleba, oketša paka yeo go bolelwago ka yona go karolwana (1).
- (3) Lefelo leo le hlaotšwego la boeti leo go filwego tsebišo, le ka pele ga go fela ga paka ya dikgwedi tše tharo goba paka efe le efe yeo e

okeditšwego, dira boemedi ka go ngwalwa go Moretšisetara mabapi le go phumolwa mo go šišintšwego ga ngwadišo ya lefelo le le hlaotšwego la boeti.

- (4) Ge, ge go feta paka ya dikgwedi tše tharo goba paka yeo e okeditšwego, moretšisetara o bona gore ngwadišo yeo go bolelwago ka yona ga se ya obamelwa, a ka phumola ngwadišo le gona o swanetše go fa tsebišo go motho yo a dirišago gba a šomišago lefelo leo le hlaotšwego la boeti.

Paka ya bokgonthe ya ngwadišo le kelo

41. Ngwadišo goba kelo yeo e dirwago go ya ka Molao wo e swanetše go ba ya maleba paka yeo e beilwego.

Melato le dikotlo

42. (1) Motho yo-

- (a) a gatišago, dirago goba a dumelelago go gatišwa ka tsela efe le efe, tshedimošo ye e sego ya nnete goba yeo e timetšago ye e amago le lefelo leo le hlaotšwego la boeti;
- (b) a palelwago goba a ganago go lefa lekgetho goba go kgoboketša goba go fokotša lekgetho lefe le lefe la mohuta wo go ya ka Molao wo;
- (c) šitišago, goba thibelago Moretšisetara goba mohlankedi yo a hlaotšwego go phethagatša maatla a gagwe goba go dira mešomo ya gagwe;
- (d) ganago goba a palelwa ke go araba potšišo efe goba efe ka ntle le lebaka la go kwagala, moretšisetara goba mohlankedi yo a hlaotšwego o mmea go amana le lefelo leo le hlaotšwego la boeti;
- (e) ganago goba a palelwago ke go boamela le ye nngwe le ye nngwe ya dinyakwa tše di beilwego ke Moretšisetara goba mohlankedi yo a hlaotšwego;
- (f) ka boomo a fago moretšisetara goba mohlankedi yo a hlaotšwego, tshedimošo ya maaka; goba
- (g) a tshelago peakanyo efe le efe ya Molao wo, o na le molato gomme morago ga go sekišwa o tla lebanwa ka faene goba kgolego ya paka ye e sa fetego mengwaga ye mebedi goba bobedi faene le kgolego.

- (2) Kgorotsheko yeo e sekišago motho yo ka go tshela karolwana (1)(b), e ka go tlaleletša kotlo yeo e ka go e bea, dira taelo ya phumola

megokgo go Boto ke molatofatšwa ya tšhelete ya lekgetho yeo molato o amanago le yona.

- (3) Kotlo yeo e fiwago ke kgorotsheko go ya ka karolwana (2) e na le maatla a kahlolo a selegae.

Melawana

43. (1) MEC a ka dira melawana ya-

- (a) go dumelewa goba go se dumelelwe go ngwadišwa, tlhopho, go abelwa laesentshe, go fiwa sethifikheiti le go aomgelwa ga mafelo ao a hlaotšwego a boeti;
- (b) leswao leo ka lona dihlopha tše di fapanego le dikelo tša mafelo ao a ngwadišitšwego ao a hlaotšwego, mabaka ao ka fase ga wona, tsela yeo a swanetšego go šomišwa goba go laetšwa le thibelo la tšhomišo goba taetšo ya gona;
- (c) tefelo ya lekgetho ke motho yo a tlamegago, kgoboketšo ya lekgetho ke motho yo a nago le maswanedi, tsela ya tefelo, kgoboketšo le phokotšo;
- (d) direkhoto le diakhaonte tšeo di swanetšego go bolokwa ke lefelo leo le hlaotšwego leo le ngwadišitšwego la boeti;
- (e) dipelo tša dipalopalo tšeo di swanetšego go tlišwa go Boto ke lefelo lefe le lefe leo le ngwadišitšwego la boeti;
- (f) ditšhelete tše di lefelwago mabapi le dilaesentshe tša mafelo ao a hlaotšwego a boeti;
- (g) dinyakwa tša lefelo lefe le lefe leo le halotšwego leo le ngwadišitšwego la boeti go netefatša, dikwano goba mokgwa wo mongwe leo wo mongwe wa go tšhireletšo wo o dumeletšwego;
- (h) boto, go fihlelela ditlamego tsa yona ka moka tša konteraka; le
- (i) dinyakwa ke batho bao ba thwetšwego goba ka swaraganego le intaseteri ya boeti go tšea dithuto tše dingwe tša tlhahlo, goba ba na le mangwalo a a itšego ao a ka go dumelelwa ke Boto.

- (2) MEC a ka dira melawana yeo a bonago e le bohlokwa go fihlelela dinepo tša Molao wo.

- (3) Melawana yeo e dirilwego go ya ka dikarolwana (1) le (2) di ka beakanyetša dikotlo tša tshelo efe le efe.

Dipeakanyetšo tša lebakanyana

44. (1) MEC o swanetše, ka tsebišo ka go Kuranta ya Profense, laetša

tšatšikgwedi yeo Boto e swanetšego go thoma go šoma.

- (2) Mo go tšatšikgwedi yeo e beilwego, Boto ya Boeti ya Profense ya Leboa yeo e lego gona yeo e hlamilwego bjalo ka Karolo 21 Khamphani, e tla dira dikgopelo go Moretšisetara wa Dikhampani go ingwadišolla le bašomi ka moka, dikhwama, dithoto le ditlamego di swanetše go fetišetšwa go Boto.

Thaetlele ye kopana

45. Molao wo o tla bitšwa Molao wa Boto ya Boeti le Diphaka wa Profense ya Leboa, 2001 gomme o thoma go šoma ka tšatšikgwedi yeo e laetšwago ke Tonakgolo ka Kgoeletšo ka go Kuranta ya Profense.

NDIVHADZO YA U ANGAREDZA 85 WA 2001

VHUSIMAMILAYO HA VUNDU LA
DEVHULA

MULAYOTIBE WA DZIPHAKHA NA
VHUENDELAMASHANGO

Nga he wa swikiswa nga

(MURADO WA KHOROTSHITUMBE WA
GWAMA, ZWA EKONOMI NA VHUENDELA
MASHANGO)

U vhetshela u itela u thomiwa ha Bodo ya Dziphakha na Vhuendelamashango ya Vundu la Devhula; na u pfukisela maanda, mishumo na dzi ndivhanelo kha Bodo yeneyo; u thoma Tshikwama tsha Thirasithi tsha Dziphakha na Vhuendelamashango; u vhetshela u itela mveledziso, khwiniso, ndaulo na mbambadzo ya indastri ya vhuendelamashango na vhupo ho bulwaho ho tsireledzwaho kha Vundu; u vhetshela u itela u diñwalisa ha vhudibvubvusi ha vhuendelamashango, u kuvhanganywa ha mithele malugana na vhudibvubvusi ha vhuendelamashango ho diñwalisaho na u vhetshela u itela mafhungo a elanaho na zwenezwo.

HU KHOU VHEWA MULAYO nga Vhusimamilayo ha Vundu la Devhula, nga u rali:-

NZUDZANYO YA MULAYO

Khethekanyo

1. Dzithandavhudzo
2. U thomiwa ha Bodo
3. Ndivho dza Bodo
4. Maanda na ndivhanele dza Bodo
5. Tshivhumbeo tsha Bodo
6. U vhewa ha Bodo
7. U sa tsha tea ha murafo wa Bodo
8. Tshifhinga tsha Ofisi
9. Mudzulatshidulo na Mufarisamudzulatshidulo
10. U dadzwa ha Zwickhala
11. U litsha mushumo ha Mudzulatshidulo
12. U fhelisa u vha murafo
13. U imiswa lwa tshifhinganyana ha Mudzulatshidulo kana murafo
14. Mitangano ya Bodo
15. U vhumbiwa ha dzikomiti

16. Maambiwa a mitangano
17. Malamba na magavhelo a Mirado
18. U lutana ha dzangalelo
19. Mivhigo ya Nwaha
20. Pulane ya Mushumo wa Nwaha
21. Thikhedzo ya Ndaulo kha Bodo
22. Tshipiri
23. Vhaofisiri vha Bodo
24. Vhukoni ha phurofesheni
25. U pfukiswa ha maanda na u avhelwa dzindivhanele
26. Masheleni a Bodo
27. Tshikwama tsha Thirasithi tsha Dziphakha na Vhuendelamashango
28. Tshelede, Ndaka na Mbulungo kha Tshikwama
29. Zwitatamennde zwa Masheleni zwa Nwaha
30. Komiti ya u Tola Mbalelano
31. U vhewa ha muredzhistarara na muofisisi o tiwaho
32. U tolwa ha vhupo
33. Mbadelo dza muthelo
34. U diñwalisa ha muendela mashango wa vhuḍibvubvusi o tiwaho
35. Ridzistarara u itela u diñwalisa ha muendelamashango wa vhuḍibvubvusi o tiwaho
36. Khumbelo u itela u diñwalisa ha muendelamashango wa vhuḍibvubvusi o tiwaho
37. Maanda a Muredzistarara malugana na muendelamashango wa vhuḍibvubvusi o tiwaho

38. Thanziela ya u diñwalisa
39. Nyandadzo ya mutevhe wa vhaendelamashango vha vhuḁibvubvusi vho diñwalisaho vho tiwaho
40. U phumulwa ha u diñwalisa ha muendelamashango wa vhuḁibvubvusi o tiwaho
41. Tshifhinga tsha u shuma ha u diñwalisa na vhuimo
42. Milandu na dzikhaḁhulo
43. Dzindaulo
44. Mbetshelo dza u pfukekanya
45. Dzina lipfufhi

Dzithandavhudzo

1. Kha uyu Mulayo, nga nḁḁa ha hune zwi re ngomu zwa sumbedza nga iñwe nḁila –

“u thomiwa ha madzulo” zwi amba fhethu ho vhetshelwaho thungo hu ṭa-nganedzwaho nga dzitshaka u itela u sumbedza na u bveledza vhushaka ho linganelaho vhukati ha vhathu na biosphere nga u ṭanganyisa ndondolo, mveledziso i konadzeaho na thikhedzo ya lodzhisitiki;

“Vhupo ha vhutshilo ho fhambanaho” zwi sumbedza sisteme ya thikhedzo ya vhutshilo na zwiko zwa mupo;

“Tsireledzo ya vhupo ha vhutshilo” zwi amba fhethu ho vhetshelwaho thungo hu ṭa-nganedzeaho nga dzitshaka u itela u sumbedza na u bveledza vhushaka ho linganelaho vhukati ha vhathu na vhupo ha vhutshilo nga u ṭanganyisa ndondolo, mveledziso i konadzeaho na thikhedzo ya lodzhistikiki;

“Bodo” zwi amba Bodo ya Dziphakha na Vhuendelamashango ya Vundu ḁa Devhula yo thomiwaho nga Khethekanyo 2;

“Mudzulatshidulo” zwi amba Mudzulatshidulo wa Bodo o vhewaho hu tshi tevhedzwa Khethekanyo 9 (1);

“Dzangano ḁa Vhuendelamashango ḁa Vhadzulapo” zwi amba dzangano ḁiñwe na ḁiñwe ḁo vhumbiwaho nga vhathu kana madzangano vha kwameaho kha indastiri ya vhuendelamashango kha vhupo kana tshiṭiriki tshenetsho

nahone lo itelwaho u langula, u langa, u bveledza kana u tutuwedza vhuendelamashango vhupoini honoho;

“Vhulondoti” zwi bula ndangulo ya mupo i shumisanaho nga vhathu vhapo na tshigwada tshi i shumisaho u bveledza ndondolo u shumisa hu konadzeaho ha zwiko zwa mupo zwo livhaho na ndondolo ya mupo;

“Muhasho” zwi amba Muhasho wa Gwama, Zwa Ekonomi na Vhuendelamashango;

“vhuendelamashango ha vhudibvubvusi ho tiwaho” zwi amba fhethu, tshithu, kana tshumelo ine murado wa Khorotshitumbe o hu ta u vha vhubvubvusi ha vhuendelamashango ho tiwaho hu tshi tevhedzwa Khethekanyo 34;

“nwaha wa muvhalelano” zwa amba tshifhinga tsha u bva 1 Lambamai kha nwaha muñwe na muñwe u swika 31 Thafamuhwe kha nwaha u tevhelaho wo fhiraho;

“tshikwama” zwi amba Tshikwama tsha Thirasithi tsha Dziphakha na Vhuendelamashango;

“Vhusimamilayo” zwi amba vhusimamilayo ha Vundu ho thomiwaho hu tshitevhedzwa Mulayotewa;

“muthelo” zwi amba muthelo wo randelwaho hu tshi tevhedzwa Khethekanyo 33;

“Murado wa Khorotshitumbe” zwi amba Murado wa Khorotshitumbe a re na vhudifhinduleli ha mafhungo Dziphakha na Vhuendelamashango kha Vundu;

“Murado” zwi amba murado wa Bodo;

“Vhupo ha Vhufa ha Mupo” zwi amba fhethu ho bulwaho u itela u tsireledza, londola na/ kana u langula mbonalo dza mupo dza ndeme dza vundu dzapo nga nthani ha dzangalelo laho la sipeshala kana zwiitaluli zwi so ngo dowealeho;

“Ndondolo ya Mupo” zwi amba vhupo ha ndeme ha mupo kana fhethu ha vhuḁi ho tiwaho sa Ndondolo ya Mupo ya Vundu u itela u tsireledza na u thogomela nyimele ya mupo na maitele o teaho u itela u londota zwimela, zwigwada zwa zwimela, biotic dzapo kana mbonalo ya nnda ya mupo u itela shumiselwa santsi, pfunzo kana vhuendelamashango ha mupo;

“randelwa” zwi amba u randelwa nga dzindaulo;

“Vundu” zwi amba Vundu la Devhula;

“dzangano la vhuendelamashango la dzingu” zwi amba foramu inwe na inwe yo vhumwaho u itela u imelela indastiri ya vhuendelamashango ya dzingu linwe na linwe lo tiwaho nahone li tangedzwaho na u newa maanda nga Bodo;

“uyu Mulayo” zwi katela dzindaulo;

“mueletshedzi wa vhaendelamashango” zwi amba muthu munwe na munwe ane, naho hu u itela ndivhuwo nga tshelede kana nga inwe ndila, a fhelekedza muthu munwe na munwe ane a tshimbila ngomu kana a dalela fhethu hunwe na hunwe kha Vundu nahone a netshedza muthu onoyo mafhungo kana muhumbulo malugana na mafhungo a vhuendelamashango; nahone

“mutshimbidzi wa lwendo” zwi amba muthu munwe na munwe ane a hwala mushumo wa u endedza vhaendelamashango a tshi khou shumisa tshishumiswa tshinwe na tshinwe tsha vhuendi tsho tendelwaho.

U thomiwa ha Bodo

2. Tshivhili tsha mulayo tshi vhidzwaho u pfi Bodo ya Dziphakha na Vhuendelamashango ya Vundu la Devhula yo thomiwa.

Ndivho dza Bodo

3. Ndivho dza Bodo ndi –
 - (a) u vhona u thomiwa, mveledziso na ndangulo yo teaho ya tsireledzo dza mupo wa vundu;
 - (b) u t ut uwedza, u khwat hisa na u bveledza ndangulo ya zwiko zwa vhuendelamashango i konadzeaho na Tsireledzo ya Mupo kha Vundu;
 - (c) u shuma sa thikhedzo ya sitirathedzhi kha mbekanyamaitele ya vundu kha vhuendelamashango na mupo;
 - (d) u ita mbambadzo na mishumo ya u t ut uwedza ngomu na nda ha Vundu;
 - (e) u vhambadza tsedzuluso na u netshedza mafhungo kha vhot he vha shelaho mulenzhe;
 - (f) u vhona uri maimeme o teaho a khou tevhedzwa nga sekithara dzot he dza indastiri ya vhuendelamashango;

- (g) u tūtula mveledziso na khwiniso ya zwiimiswa zwa vhuendelamashango, zwikungi, zwileludzi na dzitshumelo;
- (h) u langa, u bveledza, u khwinisa, u shumisa na u tūtuwedza vhupo ha tsireledzo ya mupo ho tiwaho lwa tshiofisi kha Vundu u itela uri mbuelo i konadzeaho na zwiko zwo vhumbelewa u itela vhadzulapo vha khwameaho, vhashumisi na vhaeni;
- (i) u vhona uri mveledziso ya vhuendelamashango i a bvelela kha mupo, matshilisano, na tshiimo tsha Vundu;
- (j) u thusedza kha nzudzanyo ya vhuendelamashango kha Vundu u itela u vhona zwa uri mbumbo dzo teaho nahone dzo fanelaho dzi hone na uri indastiri yo thola vhathu vha re na vhukoni na hone vho tūtuwedzwa-ho;
- (k) u bveledza fhethu ha tsireledzo ya mupo ho tiwaho lwa tshiofisi kha Vundu u itela uri mbuelo dzi swikeleaho na zwiko zwo vhumbelewa u itela vhadzulapo vha khwameaho, Vhashumiso na Vhaeni;
- (l) u alusa tshikhwama u itela mbambadzo na mveledziso ya vhuendelamashango na indastiri ya vhutshilo ha daka;
- (m) u tumanya vhuendelamashango ha vundu na mbekanyamushumo dza ndondolo na liñwe vundu, lushaka kana kha dzitshakatshaka na pulane dza ekonomi;
- (n) u thusedza kha u bveledzisa mavu apo ane a nga shela mulenzhe kha nyaluso ya matshilisano na ekonomi ya vhupo ha mahayani, vhuendelamashango a mvelele na ndondola ya zwiko zwa mupo;
- (o) u bveledza mushumo muñwe ufhio na ufhio une Murado wa Khorotshitumbe a nga u ñea kana u hwesa fhasi ha uyu Mulayo kana mulayo muñwe ufhio na ufhio.

Maanda na ndivhanele dza Bodo

4. Maanda na ndivhanele dza Bodo ndi u-

- (a) eletshedza Murado wa Khorotshitumbe kha fhungo liñwe lifhio na lifhio li kwamaho indastiri ya vhuendelamashango na tsireledzo ya ndondolo ya mupo kha Vundu lo tiwaho nga Bodo;
- (b) tutula tsivhudzo ya ndeme ya indastiri ya vhuendelamashango kha vhadzulapo vhothe vha Vundu na tshipida tshine vha nga tamba kha u

vhona u bvelaphanda hayo na u wana u kona u swikelela ngomu khayo;

- (c) leludza, eletshedza na u endedza zwiñwe zwivhili, madzangano kana zwiimiswa zwine mishumo yazwo kana ndivho i nga kwamanana tutuwedzo, mveledziso kana ndangulo ya vhuendelamashango kha Vundu;
- (d) sedzulusa ndila ine ngayo, na u tutuwedza vhadzulapo vha Vundu uri vha didzhenise kha indastiri ya vhuendelamashango na u shela mulenzhe kha mbuelo dzayo dza matshilisano na ekonomi;
- (e) bveledza zwishumiswa zwa u tutuwedza vhuendelamashango zwa nyimele inwe na inwe, u thoma na u shumana na mafulo na mishumo ya u tutuwedza, bveledza na u vhambadza vhuendelamashango kha Vundu;
- (f) ita tsedzuluso nga ha mishumo ya u vhambadza na mveledziso, na u toda nyeletshedzo nga ha fhungo linwe na linwe li kwamanaho na indastiri ya vhuendelamashango;
- (g) nea tshumelo ya vhueletshedzi kha muthu munwe na munwe a shelaho mulenzhe kana a toda u shela mulenzhe kha vhutshilo ha dakani na indastiri ya vhuendelamashango sa vhavhulungi kana vhashumisi;
- (h) ta, nwalisa na u vhea maga matuku u itela sekithara dzotha dza indastiri ya vhuendelamashango, na u vhona uri hu vhe na u tevhelwa ha maga eneo;
- (i) tutuwedza mbetshelo na u khwiniswa ha zwishumiswa zwa vhuendelamashango na u vhona uri mveledziso dzotha dza vhuendelamashango na mishumo uri zwi kho bvelela nga ndila i konadzeaho;
- (j) leludza u thomiwa na u shuma ha vhuendelamashango ho di tikaho nga vhadzulapo u itela u vhona uri vhadzulapo vhane vha vha na mvelele, divhazwakale na zwiko zwa mupo zwi re na vhukoni ha u kunga vhaendelamashango zwi a tutuwedzwa na u koniswa u mveledza zwibveledzwa zwa vhuendelamashango na tshumelo;
- (k) leludza u thomiwa na u shuma ha madzangano a vhuendelamashango ho ditikaho nga vhadzulapo, foramu dza dzingu dza vhuendelamashango na manwe madzangano a toda u itela u shuma zwavhudi ha indastiri ya vhuendelamashango;
- (l) fha thendelo, themendelo na u thusa madzangano eneo nga ndila ifhio na ifhio ine ya vhona yo tea;

- (m) vula na u shuma dziofisi dza ndaulo na mafhungo na senthara dza zwiko zwa vhuendelamashango;
- (n) shuma kana u shumisa tshumelo dza nzhendedzi, vhorakhonthiraka na vhavhudziswa hune zwa tōdeā;
- (o) shuma tshumelo dza phurofeshinala, thekhiniki, ndaulo kana tshiimo tshiñwe tsha tshitaḡu lwa tshifhinga tshoṡhe kana lwa tshifhinganyana;
- (p) ṡetshedza thikhedzo ya zwa mushonga, mbuelo dza u litsha mushumo na dziñwe-vho u itela tshitaḡu tshayo;
- (q) ṡ uṡ uwedza na u dzhena kha tshumisano yo tanganelanaho na vhufarekani na zwiñwe zwiimiswa na madzangano mañwe u itela u alusa zwivhili zwa vhuendelamashango kana vathu kha Vundu;
- (r) wana ndaka i sudzuluseaho kana i sa sudzulusei i tōdeāho u itela u itwa ha mishumo yavho na u bveledzwa ha ndivho dza Bodo;
- (s) ṡuṡuweza u ṡanganedza ha maga u itela u ṡetshedza pfunzo, vhugudisi na ndaela dza vathu vho tholwaho kana vha tōḡiwaho u tholwa kha indastiri ya vhuendelamashango;
- (t) alusa tshikhwama na u laula Tshikhwama tsha Dzhiphakha na Vhuendelamashango hu tshi tevhedzwa nyimele dzo vhewaho nga Murado wa Khorotshitumbe;
- (u) shuma mushumo muñwe ufhio na ufhio une Murado wa Khorotshitumbe a nga pfukisela kana u hwesa fhasi ha uyu Mulayo kana muñwe mulayo ufhio na ufhio;
- (v) thoma na u tshimbidza khamphani nthihi kana nnzhi, ṡhanganelano dzo valeaho kana zwivhili zwiñwe, u renga kana u rengisa mikovhe kha zwivhili zwenezwo;
- (w) tsireledza na mutsireledzi ufhio na ufhio o redzhiṡ araho hu tshi tevhedzwa Mulayo wa Ndindakhombo, tshitaḡu na ndaka ya Bodo kha khombo ifhio na ifhio ine ya nga wela Bodo;
- (x) vhea maga a nyeletshedzo u itela tsireledzo ya mupo wo fhambanaho kha tsireledzo ya mupo une Bodo ya vha na vhuḡifhinduleli nawo;
- (y) u vhea mbetshelo nyangaredzi dzi kwamaho tsireledzo ya mupo;
- (z) wana mavu u itela u thomiwa ha tsireledzo ya mupo fhasi ha maanda ha Bodo;

- (aa) langa, langula na u t̥hogomela tsireledzo ya mupo fhasi ha maanda a Bodo;
- (bb) thusa kha u tiwa kana u tendelwa ha vhupo ha ifa ha mupo, tsireledzo ya vhupo ha vhutshilo na vhulondoli;
- (cc) renga, hira kana u hira vhudzulo kana u wana mavu kana zwifhat̥o nga in̥we nd̥ila, u itela u fhat̥a zwifhat̥o kha mavu ayo, u rengisa, u vula kana nga in̥we nd̥ila u shumana na mavu kana tshifhat̥o kana tshelede ya u renga nnd̥u yeneyo u itela u itwa ha mishumo yayo;
- (dd) t̥anganedza mpho na u t̥anganedza tshelede ifhio na ifhio yo fhiwaho kana i kolodwaho yone;
- (ee) renga, hira bveledziso kana u fara kana u t̥alusa kana nga in̥we nd̥ila u wana kana u dzhiulusa ndaka i sudzuluseaho ya lushaka lufhio na lufhio, hu tshi katelwa na mikovhe ifhio na ifhio, zwit̥oko, ndifho na dzitsireledzo, kana nzalelo ifhio na ifhio kha bindi lifhio na lifhio la kana tshelede ya u renda nnd̥u kha in̥we ndaka, na u vula, u rengisa kana nga in̥we nd̥ila dzhiela maanda kana u thendelana nayo kana u shuma nayo nga in̥we nd̥ila i re hanefho;
- (ff) thola, badela, ŋea vhudzulo, pandela kana u imisa u shuma lwa tshifhinganyana vhaofisiri na vhashumeli vha t̥odeaho u itela mishumo yayo na u lifhisa ndodzwo vhaofisiri vhenevho na vhashumeli.

Mbumbo ya Bodo

5. Bodo i tea u vhumbiwa nga mirado i sa fhiriho fumi vho vhewaho nga Murado wa Khorotshitumbe vhane khavho-
 - (a) Murado muthihi u tea u vha na vhukoni na tshenzhemo ya ndondolo ya mupo na vhuendelamashango;
 - (b) Mirado mivhili i tea u vha na vhukoni na tshenzhemo kha mbambadzo ya vhuendelamashango, mveledziso na tsedzuluso;
 - (c) Murado muthihi u tea u vha na vhukoni na tshenzhemo kha ndangulo ya bindu;
 - (d) Mirado mivhili i tea u vha na vhukoni na tshenzhemo kha mveledziso ya tshitshavha;
 - (e) Murado muthihi u tea u vha muofisiri o tholiwaho kha Muhasho wa Vhulimi na Mupo uri a shume sa murado a si na offisi;

- (f) Mirado mivhili u bva kha indastiri ya vhutshilo ha dakani vha re na tshenzhemo kha ndangulo ya vhupo ho tsireledzwaho na ndondolo ya vhutshilo ho fhambanaho;
- (g) Muimeleli muthihi u tea u vha muofisiri o tholwaho kha muhasho.

U vhewa kha Bodo

- 6. (1) Murado wa Khorotshitumbe u tea u ramba mirado ya vhatu u nanga vhalingiwa kana u humbela u itela u vha murado a sa athu u vha vhea;
- (2) Khumbelo yo bulwaho kha khethekanyotukhu (1) i tea u anadzwana kha Gazethe na kha nyandadzamafhungo i konaho u mona kana u thetsheswa kha Vundu, nga nyambo dzi ambeswaho kha Vundu.

U sa tsha tea ha murado wa Bodo

- 7. (1) A huna muthu ane a nga vhewa sa murado wa Bodo kana arali o vhewa nga u ralo, u tea u mbo di fhelisa nga u tsvhanya u vha murado arali-
 - (a) e kana o kundwa u lifha mulandu;
 - (b) e kana o tiwa nga u ralo nga khothe i re na vhukoni uri u na muhumbulo u songo fhelelaho;
 - (c) o ri u bva 1994 o wanwa vhukhakhi ha mulandu ufho na ufho nahone o gwevhelwa u dzula dzhela lwa tshifhinga tshi fhiraho minwedzi ya 12 hu si na u rengululwa.
- (2) U wanwa mulandu ufho na ufho kana tshigwevho tsho hweswaho nga khothe i re nnda ha Rhiphabuliki ya Afrika Tshipembe zwi songo vhaliwa u itela ndivho dza phara (c) nga nnda ha musi vhukhakhi honoho ho vha vhu tshi do vha vhukhakhi arali ho itwa ngomu ha Rhiphabuliki ya Afrika Tshipembe tshifhingani tsha u itwa haho;
- (3) A huna muthu ane a nga vhewa sa murado arali e si mudzulapo kha Vundu kana a si na vhukwamani na indastiri ya vhuendelamashango kha Vundu, nga nnda ha musi o dzheniswa nga Bodo.

Tshifhinga tsha ofisi

- 8 (1) Muthu o bulwaho kha Khethekanyo 5, u tea-
 - (a) u vhewa kha Bodo lwa tshifhinga tshi sa fhiriho minwaha miraru kana tshifhinga tshi pfufhi tshenetsho sa zwine Murado wa Khorotshitumbe a nga ta;

- (b) u vhewa nga lwa tshifhinga tshi si tsha tshothe;
- (2) Muraḁo o lugela u vhewa hafhu mafheloni a tshifhinga tsha ofisi;
- (3) Muraḁo wa Khorotshitumbe a nga ta zwifhinga zwo fhambanaho zwa ofisi u itela u vhewa ho fhambanaho;
- (4) Mudzulatshidulo kana muraḁo o vhwaho lwa tshifhinga tshi si tsha tshothe a nga ita mushumo u badelaho nga nḁa ha ndivhanele dza ofisi yawe fhedzi mushumo wonoyo u tea u sa dzhenelana na kana mvelele kha u luḁana ha madzangalelo na ndivhanele dzawe sa Mudzulatshidulo kana muraḁo wa Bodo.

Mudzulatshidulo na mufarisamudzulatshidulo

- 9. (1) Muraḁo wa Khorotshitumbe u tea u vhea Mudzulatshidulo u bva vhukati ha miraḁo;
- (2) Miraḁo vha tea, u bva tshifhinga tshothe, u nanga u bva vhukati havho muthu ano ḁo vha Mufarisamudzulatshidulo wa Bodo;
- (3) Arali ofisi ya Mudzulatshidulo i na tshikhala kana Mudzulatshidulo a siho, a sa koni u shuma kana o hana kana u kundelwa u shuma sa Mudzulatshidulo, Mufarisamudzulatshidulo u tea u shumisa maanda oḁhe, pfanelo, mishumo na ndivhanele dza Mudzulatshidulo tshifhinga-ni tsha tshikhala, u sa vha hone, u sa kona kana u kundelwa honoho.
- (4) Arali-
 - (a) ofisi dzodhe dza Mudzulatshidulo na Mufarisamudzulatshidulo dzi si na muthu, kana
 - (b) vhoḁhe Mudzulatshidulo na Mufarisamudzulatshidulo vho hana kana u kundelwa u shumisa maanda a Mudzulatshidulo, miraḁo vha re hone vha tea u vhea muraḁo muthihi uri a farele sa Mudzulatshidulo tshifhingani tsha tshikhala, u sa vha hone, u sa kona u shuma kana u kundelwa honoho.

U ḁadziwa ha zwikhala

- 10. Arali tshikhala tsha vha hone kha Bodo, Muraḁo wa Khorotshitumbe a nga, hu tshi tevhedzwa mbetshelo dza Khethekanyo 6, vhea muthu kana vhathu uri vha ḁadze tshikhala tshenetsho lwa tshifhinga tsha ofisi tsho salaho tsha u fhedza.

U litsha mushumo ha Mudzulatshidulo

11. Mudzulatshidulo kana muraḁo a nga ri tshifhinga tshinḁwe na tshinḁwe a t utshela u vha Mudzulatshidulo kana muraḁo o nea ndivhadzo yo tou ḁwalwaho ya maḁuvha a si fhasi ha 30 kha Muraḁo wa Khorotshitumbe.

U fhelisa u vha muraḁo

12. (1) Muraḁo wa Khorotshitumbe a nga fhelisa u vha muraḁo ha Mudzulatshidulo kana tshifhinga tsha ofisi tsha muraḁo nga nthani ha tshithihi kana zwinzhi zwa zwiitisi zwi tevhelaho:
- (a) u kundelwa ha muhumbulo kana muvhili zwi mu kundisaho u ita ndivhanele dzawe lwo fanelaho;
 - (b) vhuḁifari vhune kha muhumbulo wa Muraḁo wa Khorotshitumbe vhu nyadzisa Bodo;
 - (c) u kundelwa u bveledza ndivhanele dzawe na mishumo lwo fanelaho;
 - (d) u sa vha hone miḁangani mivhili nga u tevhekana hu si na thendelo ya Bodo;
 - (e) a vha Muraḁo wa Phalamennde, muraḁo wa Vhusimamilayo kana Mukhantselara wa Vhulaedzwa hapo.

U imiswa lwa tshifhinganyana ha Mudzulatshidulo kana muraḁo

13. Muraḁo wa Khorotshitumbe a nga imisa lwa tshifhinganyana mudzulatshidulo kana muraḁo kha u ita ndivhanele dzawe, musi Muraḁo wa Khorotshitumbe a tshi khou nyagisisa na u sedzulusa mavharivhari o vhwaho kha onoyo muraḁo.

Miḁangano ya Bodo

14. (1) Bodo i tea u fara-
- (a) haneḁha kha miḁangano miḁa nga ḁwaha wa khalenda;
 - (b) muḁangano wayo wa u thoma nga tshifhinga na fhethu heneḁho sa zwine Muraḁo wa Khorotshitumbe a nga ta; na
 - (c) miḁangano yayo nga tshifhinga na fhethu heneḁho sa zwine Bodo ya nga ta nga tsheo.

- (2) Khoramu ya mutangano wa Bodo i tea u vha vhanzhi zwiṱuku kha ṱhanganyelo ya mbalo ya mirado vha re hone mutanganoni.
- (3) Tsheo ya vhunzhi ha mirado vha re hone mutanganoni wa Bodo i tea u vha tsheo ya Bodo, nahone ha swika hune dzivoutu dza edana, Mudzulatshidulo u tea u vha na voutu ya makhaulakhani nṱha ha voutu yawe ya u diimisela;
- (4) Bodo i nga tendela mirado ya vhathu u dzhenela tshipida kana mutangano woṱhe wayo ufho na ufho.
- (5) Muofsi Mulanguli Muhulwane a nga dzhenela na u shelamulenzhe kha mutangano ufho na ufho wa Bodo, fhedzi ha tei u vouta.

U vhumbiwa ha dzikomiti

15. (1) Bodo i nga ri tshifhinga tshiṱwe na tshiṱwe ya vhumba dzikomiti u bva ngomu ra maimo a mirado na u livhisa mafhungo a sipeshala kana mirole ya mafhungo u itela tsedzuluso na u vhiga kha Bodo;
- (2) Musi hu sthi vhumbiwa komiti hu tshi tevhedzwa khethekanyoṱhukhu (1) Bodo i tea:-
 - (a) u ta maipfi a tsumbedziso na ndila ya kushumele kwa komiti yeneyo hu tshi katelwa fhedzi zwi songo guma kha uri kana komiti yeneyo i do fhedza u shuma musu zwenezwo yo no fhedza mushumo kana mishumo yo hweswaho yone nga Bodo;
 - (b) u vhea mudzulatshidulo wa komiti yeneyo ane a do vha murado wa Bodo.
 - (c) U ta arali kana komiti yeneyo i tshi nga ta vhathu vha si mirado ya Bodo, nahone arali zwo ralo, kha theme na nyimele dzifho;
- (3) Komiti yo vhumbiwaho hu tshi tevhedzwa khethekanyoṱhukhu (1) i tea uri musu yo fhedza Ndivhanele dzayo i vhide kha Bodo.
- (4) Bodo i nga ri tshifhinga tshiṱwe na tshiṱwe ya fhelisa u vha hone ha kana maanda afho na afho o fhiwaho komiti, hu sa sedzwi arali kana yo kana i sa athu u fhedza mushumo kana mishumo ye ya hweswa nga Bodo.

Maambiwa a mitangano

16. (1) Bodo i tea u itisa uri maambiwa a mutangano muṱwe na muṱwe wa Bodo na wa komiti a kuvhanganyiwe na u itisa uri kopi dza maambiwa

eneo a swikiswe kha mirado vhothe phanda ha mutangano u tevhelaho wa Bodo kana wa komiti, sa zwine zwa nga vhi sa zwone.

- (2) Mudzulatshidulo u tea u dzhenela mitangano i tevhelaho, u saina maambiwa o bulwaho kha khethekanyothukhu (1);
- (3) Maambiwa o bulwaho kha khethekanyothukhu (2) a tea u shuma sa rekhodo ya vhukuma ya ngoho ya matshimbidzele a mutangano.

17. Malamba na magavhelo a Mirado

- (a) Mirado ya Bodo, kana vhathu vho kwamiwaho kana na u tiwa vha si ho kha tshumelo ya tshothe ya Muvhuso kana Muvhuso wa Vundu vha nga, malugana na tshumelo dzavho, badelwa malamba na magavhelo eneo u bva kha tshikwama tsha Bodo sa zwine zwa nga tiwa nga mirado hu na vhukwamani na Murado wa Khorotshitumbe a re na vhudifhinduleli ha Gwama kha Vundu.
- (b) Malamba na magavhelo a mirado ya Bodo a nga fhambana uya nga ofisi dzo fhambanaho dze vha fara kana mishumo yo fhambanaho i no khou itwa ngavho.

U fhambana ha dzangalelo

18. (1) Hune fhungo li khou itelwa tsedzuluswa, thodisiswa kana li khou voutelwa nga Bodo, murado ane a nga vha na dzangalelo line la nga mukhakhisa kha u ita mushumo wawe sa murado nga ndila i pfadzaho, a sa dzhii sia nahone nga ndila ya vhuḏi, u tea u sa shelamulenzhe kha tsedzuluso, thodisiso kana u vouta nahone u tea u sa vha hone kha vhupo vhune tsedzuluso, u sedzulusa kana u vouta honoho ha khou itwa hone.
- (2) Arali kha liga lifhio na lifhio tshifhingani tsha matshimbidzele afhio na afhio phanda ha Bodo, zwa vhona uri murado a re hone mutanganoni wonoyo u na kana a nga vha na dzangalelo lo laedzwaho kha khethekanyothukhu (1), murado onoyo u do ri na zwenezwo a bvisela khagala nyimele ya dzangalelo lawe nahone a tutshela mutangano nga u ralo hu u itela uri mirado yo salaho i kone u rera fhungo na u ta arali murado onoyo a tshi tea u tevhedzela khethekanyothukhu (1).
- (3) U bvisela khagala hufhio na hufhio kana u ta ho laedzwaho kha khethekanyothukhu (2) hu tea u rekhodiwa kha maambiwa a mutangano wonoyo.

- (4) Arali muraḁo ufho na ufho a kundelwa u tevhezela khethekanyot hukhu (1) kana (2), matshimbidzele a kwameaho a Bodo a tea u dzhiwa sa a so ngo bvelelaho na luthihi.

Mivhigo ya Nwaha

19. (1) Bodo i tea-

- (a) hu sa athu u fhira 31 Thangule nḁwaha muḁwe na muḁwe, u swikisa muvhigo kha Muraḁo wa Khorotshitumbe nga ha mishumo ya Bodo, u itela miḁwedzi ya fumi-mbili yo fhelaho nga 31 Thafamuhwe lo fhiraho, une muvhigo wahone u tea u vhewa tafulani kha Vhusimamilayo nga Muraḁo wa Khorotshitumbe, hu sa athu u swika duvha la dzulo la u fhedzisa la nḁwaha la Vhusimamilayo.
- (b) u swikisa zwitatamennde zwa masheleni zwa nḁwaha zwo sainiwaho zwavhuḁi, u itela nḁwaha wa muvhalelano muḁwe na muḁwe hu sa athu u fhira 31 Thangule nḁwaha muḁwe na muḁwe.
- (c) u swikiswa kha Muraḁo wa Khorotshitumbe mivhigo miḁwe yeneyo sa zwine Muraḁo wa Khorotshitumbe a nga vhona zwo tea.

Pulane ya Mishumo ya Nwaha

20. Bodo i tea u netshedza Muraḁo wa Khorotshitumbe pulane ya mishumo u sumbedzisa thodea dza masheleni kha Vhusimamilayo, nga nḁwaha kana musi une zwa toḁea nga u ralo.

Thikhedzo ya ndaulo kha Bodo

21. (1) Muraḁo wa Khorotshitumbe u tea u netshedza Bodo vhuḁwaleli na tshumelo ya thikhedzo ya ndaulo sa zwine zwa nga toḁea.
- (2) Thikhedzo yo bulwaho kha khethekanyot hukhu (1) i tea u humiswa musi Bodo i na tshumelo ya thikhedzo yayo ya vhuḁwaleli na ndaulo.

Tshipiri

22. Fhungo liphio na liphio lo rerwaho mitanganoni ya Bodo-

- (1) yo vulelwaho vhathu, li tea u dzhiwa sa mafhungo a vhathu.

- (2) li tea u dzhiwa sa fhungo la tshipiri nahone Mudzulatshidulo u tea u nanga uri ndi tshifhio tshitenwa kana tsheo dza Bodo dzine ra nga swikiswa kha vhathu kana kha nyandadzamafhungo ya vhathu.
- (3) i so ngo vulelwaho vhathu li do dzhiwa sa la tshipiri nahone Mudzulatshidulo u do shumisa maanda awe kha u fanela na u sa fanela u bviselwakhagala ha mafhungo manwe afhio na afhio kana tshipida tshao, kha vhathu.

Vhaofisiri vha Bodo

23. (1) Bodo i tea, hu na thendelo ya Muraḁo wa Khorotshitumbe, u vhe Muofisi Mulanguli Muhulwane ane a vha na vhukoni ho teaho ha u langula zwothe Vhuendelamashango na zwiko zwo ditikaho nga mupo.
- (2) Muofisi Mulanguli Muhulwane ndi muofisi wa mbalelano wa Bodo.
- (3) Bodo i tea u vhea vhathu vha todeaho u itela u bveledza ndivho dza uyu Mulayo nahone i nga, pandela muofisiri ufhio na ufhio kana mushumeli kha tshumelo yayo hu tshi tevhedzwa maga a ndatiso o randelwaho.
- (4) Bodo i tea u badela vhaofisiri na vhashumeli, malamba, magavhelo na mbuelo, sa zwine ya nga ta hu na thendelo nga Muraḁo wa Khorotshitumbe.
- (5) Vhathu vho vhewaho hu tshi tevhedzwa khethekanyothukhu (1), (2) na (3) vha tea u sa vhewa sa miraḁo ya Bodo.

Vhukoni ha phurofeshinala

24. Bodo i nga ri arali i tshi vhona zwo tea, ya shumisa tshumelo dza mudivhi wa phurofesheni ufhio na ufhio u itela u thusa Bodo kha u bveledza ndivho ifhio na ifhio yayo kana kha u shuma mishumo yayo.

U pfukiselwa ha maanda na u avhelwa ha ndivhanelo

25. (1) Bodo i nga-
 - (a) pfukisela maanda ayo afhio na afhio na ndivhanelo dzo hweswaho yone nga uyu Mulayo, kha muraḁo ufhio na ufhio wa Bodo, Muofisi Mulanguli Muhulwane kana Komite;
 - (b) a vhela ndivhanele kha vhathu vho bulwaho kha phara (a)
- (2) Muofisi Mulanguli Muhulwane a nga, arali a tshi vhona zwo tea-
 - (a) pfukisela maanda o hweswaho ene nga uyu Mulayo; kana

- (b) a avhela ndivhanelo yo hweswaho ene nga uyu Mulayo nga nnda ha ndivhanelo ya u vha muofisiri wa mbalelano, kha murado ufho na ufho wa tshifafu.
- (3) Muthu ane maanda o pfukiselwa kha kana ndivhanelo yo avhelwa khae, u tea u shumisa maanda kana u ita ndivhanele yeneyo hu tshi tevhezwa uyu Mulayo nahone hu tshi tevhezwa maimela afho na afho sa zwine Bodo ya nga vhona o tea.
- (4) Pfukiselo ifho na ifho kana u avhelwa ho bulwaho kha khethekanyo-
thukhu (1), na (2)-
 - (a) dzi tea u vha dzo tou nwalwa;
 - (b) a dzi tei u thivhela Bodo kana Muofisi Mulanguli Muhulwane kha u ita mushumo wawe;
 - (c) dzi nga ri tshifhinga tshinwe na tshinwe dza imiswa nga u tou nwalwa nga muthu we a pfukiselwa kana u avhelwa.

Tshikwama tsha Bodo

- 26. (1) Mishumo ya Bodo i tea u badelwa nga-
 - (a) masheleni o voutelwaho u itela ndivho yeneyo nga Vhusimamilayo;
 - (b) masheleni o aluswaho nga Bodo u bva kha zwinwe zwiko zwo tendelwaho nga Murado wa Khorotshitumbe;
 - (c) mpho kana vhulambenzi arali mpho kana vhulambenzi honoho ho tendelwa nga Murado wa Khorotshitumbe;
 - (d) khadziniso dzo tendelwaho nga Murado wa Khorotshitumbe na mbuelo u bva kha mbulungo;
 - (e) thengiso ya nyandadzo kana zwithu zwa u andadza, u andadza kana fhethu ha u tana na u rengisa kana u hira zwivhonadzi zwa zwifanyiso kana dzikhethekanyo;
 - (f) muthelo ufho na ufho kana tshelade ine Bodo ya nga kuvhanganya lwo livhaho kana ine i nga vha yo kuvhanganyiwa ho imelwa Bodo;
 - (g) tshelade ifho na ifho na tshelade ya zwishumiswa zwa mueni kha tsireledzo ya mupo;

- (h) masheleni a bvaho kha u renndiwa ha mavu kana u tshumiso ya sipeshala;
- (i) tshelede i bvaho kha mishumo miñwe i shelaho mulenzhe kha tsireledzo sa, u zwima na mbekanyamushumo dza u fhungudza zwipuka zwi si naho mushumo;
- (j) masheleni u bva kha u farwa ha phukha na thengiso;
- (k) masheleni a bvaho kha u lela na u rengisa phukha dzi so ngo dowealeaho; kana
- (l) tshelede dzo badelwaho murahu nga vhathu kana madzangano e a fhiwa khadzimiso nga Bodo.

Tshikwama tsha Thirasithi tsha Dziphakha na Vhuendelamashango

27. (a) Bodo i tea u thoma Tshikwama tsha Thirasithi tsha Dziphakha na Vhuendelamashango tshine tsha do livhiswa ka ndangulo ya zwiko zwa mupo ngomu na nda ha Dziphakha.
- (b) Phesenthe ya masheleni o kovhelwaho Bodo u bva kha Vhusimamilayo i tea u avhelwa kha itshi tshikwama,
- (c) Mpho dzo livhaho kha tsireledzo ya tshiko tsha mupo i tea u vhewa kha itshi tshikwama u itela ndivho yo livhiwaho yo talu-swaho nga munei wa mpho.
- (d) Tshelede inwe na inwe, ndaka kana mubindudzo kha Tshikwama mafheloni a nwaha wa muvhalelano do fhiriselwa phanda kha Tshikwama kha nwaha wa muvhalelano u tevhelaho.

Tshelede, Ndaka na Mubindudzo kha Tshikwama

28. (1) Bodo i laula tshelede, ndaka na mibindudzo kha tshikwama hu na vhukwamani na Murado wa Khorotshitumbe nahone i tea u shumiswa-
- (a) u diimisela kana u bveledza thodisiso inwe na inwe nga ha tsireledzo ya mupo kana mafhungo afhio na afhio ane a vha a ndeme kha tsireledzo ya mupo kha Vundu;
 - (b) u ita mphomali kha muthu ufhio na ufhio kana tshivhili tshi itaho yeneyo thodisiso kha vundu kana hunwe fhethu;
 - (c) u bveledza pfunzo na u gudiswa ha-
 - (i) muthu ufhio na ufhio a todaho u ita yeneyo thodisiso

(ii) vhatholiwa vha Bodo, hu nga vha nga mphomali, nyadzimiso ya u guda na dzibasari;

(d) u thoma zwileludzi u itela u kuvhanganya na u phadaladzwa ha mafhungo a tutshelelano na tsireldzo ya mupo; nahone

(e) nga u angaredza, u bveledza ndivho dza Bodo;

(2) Tshelede yothe, ndaka kana mibindudzo kha Tshikwama tsho kuvhanganywaho kha Tshikwama nga ndila ya u newa hunwe na hunwe ha tshelede kana ya u lifha i tea u shumiswa hu tshi tevhelwa nyimele, arali dzi hone, dza yeneyo netshedzo kana ifa

(3) nyimele ifhio na ifhio ya mphomali yo bulwaho kha khethekanyotukhu (2) i nga shandukiswa nga thendelano vhukati ha munei na Murado wa Khorotshitumbe.

Zwitatamennde zwa muvhalelano zwa n'waha nga n'waha

29. (1) bugu dza mbalelano na rekhodo dza minwe mivhalelano ya Bodo zwi tea u t'oliwa n'waha munwe na munwe nga feme ya vhat'oli yo tendelwaho nga Bodo.

(2) Bodo i tea u netshedza nga tshifhinga zwitatamennde zwa muvhalelano wa n'waha nga n'waha zwo t'oliwaho zwi sumbedzaho tshifhinga tshenetsho tshi fanaho na muvhigo wa n'waha nga n'waha.

Komiti ya u tola

30. (1) Inwe ya Komiti dzo imaho ya Bodo ndi komiti ya u tolo.

(2) Mudzulatshidulo u ta mbumbo na kushumele kwa komiti ya u tolo.

U vhewa ha muredzhisitara na muofisiri o tiwaho

31. (1) Bodo i tea u vhea muthu u vha muredzhisitara wa vhuendelamashango ho tiwaho ha vhu mvumvusaho

(2) Muredzhisitara a nga phumula redzhisitara ifhio na ifhio, khwat'hisedzo, vhuvha, kana laisentsi kana vhuimo vhufhio na vhufhio hu tshi tevhedzwa uyu Mulayo

(3) Muthu ufhio na ufhio o khakhelwaho nga tsheo ya muredzhisitara o bulwaho kha khethekanyotukhu (2) a nga, vhukati ha maduvha a

mahumi mavhili na matanu na mararu nga murahu ha u divhadziwa nga ha tsheo, a ita khumbelo nga u tou n'wala kha Murado wa Khorotshitumbe.

- (4) Muhumbeli a nga, arali tshelede yo randelwaho u itela yeneyo khat hululo, i tshi lingana na mutengo wa tshelede yo randelwaho nga ndivhadzo ya nga kha ndivhadzo ya khat hululo.
- (5) Murado wa Khorotshitukmbe a nga humbela muraedzhisitara uri a mu nee muhumbulo wa tsheo yawe nga u tou n'wala, na rekhodo ya matshimbidzele.
- (6) Musi khat hululo i tshi divhadzwa-
 - (a) tsheo ya muredzhisitara i tea u imiswa, u swikela khat hululo yo no fhela;
 - (b) Murado wa Khorotshitumbe a nga engedzedza ndeme ya yeneyo laisentsi, u swikela khat hululo i tshi swika magumoni.
- (7) murado wa Khorotshitumbe u tea u ita nzudzanyo yo fanelaho.

U tolwo ha zwifhat

32. (1) Muredzhisitara kana muofisiri o tiwaho a nga-

- (a) ri hu si na ndivhadzo, nahone nga tshifhinga tshifhio na tshifhio tsho teaho, a dzhena kha tshifhat tshifhio na tshifhio tsha-
 - (i) vhuendelamashango vhufhio na vhufhio ha u mvumvusa ho tiwaho malugana na hune khumbelo ya u redzhisitara kana ya laisentsi ya vha yo itwa; na
 - (ii) nga murahu ha muso o divhadza muthu ane a vha na vhudifhinduleli ha tshenetsho tshifhat o nga tshifhinga tsha muso ene a tshi dala, a ita honoho u tolo na u vhudzisa nga hune a vhona zwo tea, nga nda ha uri ene ho ngo tea u dzhena lufherani lufhio na lufhio lu re na muthu ufhio na ufhio nga nda ha thendelo ya onoyo muthu;
- (b) vhudzisa muthu ufhio na ufhio kha tshenetsho tshifhat o, a humbela onoyo muthu ufhio na ufhio u bvisa dzibugu, dzindivhadzo, dzirekhodo, kana manwe manwalo ane a kana e a vha e kha tshifhat o kana a vha na kana vhuundi ha onoyo muthu arali nga kha kuhumbullele kwawe u lavheleswa ha

dzenedzo dzibugu, dzindivhadzo, dzirekhodo, kana mañwe mañwalo o teaho u itela ndivho ya tsenguluso yawe;

- (c) linga na u bvisa u bva kha na dzikopi dza dzibugu dzenedzo dzifhio na dzifhio, dzindivhadzo, dzirekhodo kana mañwe mañwalo o bulwaho kha phara (b), na u toda thalutshedzo ifhio na ifhio ya u adzhena henefho;
 - (d) dzhia bugu dzifhio na dzifhio, dzindivhadzo, dzirekhodo, kana mañwe mañwalo ane, nga kuhumbulele kwawe, a nga thusa kha u sumbedzisa khomishini nga ha vhukhaki hu tshi tevhedzwa uyu Mulayo.
- (2) Muredzhisitara kha muofisiri o vhewaho u tea, nga mbilo nga muthu ufhio na ufhio a kwameaho nga thodisiso ya dzirekhodo na mañwe mañwalo o bulwaho kha khethekanyothukhu (1), a tana thanziela yo netshedzwaho khae.

Mbadelo ya lwetolweto

33. (1) Murado wa Khorotshitumbe a nga-
- (a) randela tshelede ya u redzhisitara kana lwetolweto lu badelwaho hu tshi tevhedzwa uyu Mulayo u itela muofisiri o vhewaho wa vhuendelamashango vhu sa solisei;
 - (b) u bva tshifhinga na tshifhinga a randela muingatengo, u teaho u engedzwa kha mutengo wa tshumelo i netshedzwaho nga muthu ane a khou shumana na vhuendelamashango ho redzhisi tariwaho vhu sa solisei;
 - (c) lugisa lwetolweto lwo tanganyeliwaho nga kutanganyisele kwo randeliwaho.
- (2) Bodo i nga wana murahu mutengo wa lwetolweto lu kolodwaho u bva kha muthu ufhio na ufhio o teaho nga u badela hu tshi tevhedzwa uyu Mulayo.

U redzhisitariwa ha vhuendelamashango ha vhudimvumvusi ho tiwaho

34. (1) Murado wa Khorotshitumbe a nga, nga ndivhadzo kha Gazethe ya Vundu-
- (a) divhadza zwauri u bva nga datumu ine ya do vhewa nga kha ndivhadzo, hu si tsini lwa minwedzi ya rathi u bva nga datumu ya u andadzwa ha ndivhadzo, fhethu hufhio na hufhio, muthu,

tshumelo kana tshithu kana lushaka henekho lune nga kuhumbulele kwawe a konisa vhumvumvusi kha vhuendelamashango kana tshumelo kha indasitiri uri hu tiwe vhuendelamashango ha vhudimvumvusi.

- (b) ta thodea dzine dza do tevhelelwa phanda ha musu u tiwa ha vhuendelamashango vhufoho na vhufoho ha vhudimvumvusi vhu tshi nga redzhisitariwa.
- (c) humisa, khwinisa kana a phumula ndivhadzo ifho na ifho yo itwaho hu tshi tevhezwa phara (a).
- (2) A hu na muthu ane a tea u laula kana u shumisa vhuendelamashango ho tiwaho ha vhudimvumvusi, nga nda ha musu ho redzhisitariwa.
- (3) U redzhisitara ho itwaho hu tshi tevhezwa khethekanyothukhu (2) vhu tea u vha vhu ha vhu kuma lwa tshifhinga tsho randelwaho

U redzhisitara u itela redzhisitara ya vhuendelamashango ho tiwaho ha vhudimvumvusi

35. Muredzhisitara u tea u, nga u t avhanya nga murahu ha nyandadzo ya ndivhadzo ifho na ifho hu tshi tevhezwa khethekanyo 34. (1), vula na u vhea nga ndila yo tendelwaho nga Bodo, redzhisitara u itela u redzhisitariwa ha vhuendelamashango ha vhudimvumvusi ho tiwaho.

Khumbelo ya u redzhisitara u itela vhuendelamashango ha vhudimvumvusi ho tiwaho

36. (1) Muthu ufoho na ufoho a laulaho, shumisaho kana a todaho u laula kana u shumisa vhuendelamashango ha vhudimvumvusi ho tiwaho, a nga ita khumbelo kha Muredzhisitara u itela u redzhisitariwa ha vhuendelamashango ha vhudimvumvusi ho tiwaho.
- (2) Khumbelo yo bulwaho kha khethekanyothukhu (1) i tea u-
- (a) itwa nga maitele o randelwaho;
 - (b) fheletshedzwa nga tshede yo randelwaho, mbekanyamaitele, manwalo na manwe mafhungo a t utshelanaho na vhuendelamashango ha vhudimvumvusi ho tiwaho.

Maanda a Muredzhisit̃ ari zwi t̃ utshelanaho na vhuendelamashango ha vhuḍimvumvusi ho tiwaho

37. (1) Muredzhist̃ari a nga, arali nga khumbulo yawe, t̃hoḍea u itela u redzhisit̃ariwa ha vhuendelamashango ha vhuḍimvumvusi ho tiwaho-
- (a) ho vha ho kana vhu tshi tshimbilelana na, u redzhisit̃ara ho tiwaho kana ho kumedzwaho vhuendelamashango ha u mvumvusa ho tiwaho.
- (b) hu so ngo tshimbilelana na kana ho t̃utshelana na, u hanelwa u redzhisit̃ara vhuendelamashango ho tiwaho kana ho kumedzwaho u mvumvusa fhedzi ha Muredzhisit̃ari a nga pfukisela phanda mafhungo u itela u sedzulusa ha tshenetsho tshifhinga sa zwine a nga zwi ta.
- (2) Phanda ha u redzhisit̃ara vhuendelamashango ha u mvumvusa ho tiwaho, Muredzhist̃ari-
- (a) u tea u t̃ola vhumvumvusi kana a ita uri hu t̃oliwe nga muofisiri o tiwaho; kana
- (b) a nga ita hafhu t̃hoḍisiso malugana na vhuendelamashango ha vhuḍimvumvusi ho tiwaho.

T̃hanziela ya u redzhist̃ara

38. (1) Muredzhisit̃ari u tea u bvisa u itela muthu a khou itaho kana a khou humisaho vhuendelamashango ha u mvusamvusa ho tiwaho, t̃hanziela ya u redzhist̃ara nga nd̃ila yo randelwaho.
- (2) Arali vhuendelamashango ha vhuḍimvumvusa ho tiwaho ha guma u redzhisit̃ariwa kana u shumisiwa, muthu we a vha a tshi khou ita kana u shumisa vhuendelamashango ha vhuḍimvumvusi ho tiwaho u tea uri na zwenezwo, a humise t̃hanziela ya u redzhist̃arisa kha Muredzhist̃ari.

Nyandadzo ya mutevhe wa vhuendelamashango ha vhuḍimvumvusi ho tiwaho

40. (1) muredzhist̃ara a nga, arali thodea dza u redzhist̃ara dzi so ngo tevhezdelwa, nea nd̃ivhadzo kha vhuendelamashango ha vhuḍimvumvusi u itela u swikisedza t̃hoḍea vhukati ha miṇwedzi miraru u bva kha datumu ya u ḍivhadza, hune u kundelwa a nga fhelisa u redzhisit̃ariwa.
- (2) Muredzhisit̃ari a nga ri arali a tshi vhona zwo fanela, a engedza tshifhinga tsho bulwaho kha khethekanyothukhu (1).

- (3) Vhuendelamashango ha vhuḍimvumvusi ho tiwaho malugana na hune ndivhadzo ya vha yo newa, vhu nga ri phanda ha u fhela ha tshifhinga tsha miṁwedzi miraru kana tshifhinga tshifhio na tshifhio tsho engedzwaho, a ita vhuḍimeleli nga u tou ṁwala kha Muredzhisitara malugana na u fheliswa ho dzinginywaho ha u redzhisitariwa ha vhuendelamashango ha vhuḍimvumvusi ho tiwaho.
- (4) Arali, nga kha u fhela ha tshifhinga tsha miṁwedzi miraru kana tshifhinga tsho engedzwaho, Muredzhisitara a vhona zwauri ṥhōḍea dzi toḍiwaho a dzo ngo itiwa, a nga fhelisa u redzhisitariwa nahone u tea u ṁea ndivhadzo heneḥo kha muthu a itaho kana a shumisaho vhuendelamashango ha vhuḍimvumvusi ho tiwaho.

Tshifhinga tsha u shuma tsha u ḍiṁwalisa na vhuimo

41. U ḍiṁwalisa kana vhuimo ho itwaho hu tshi tevhedzwa uyu Mulayo hu tea u vha ha shuma lwa tshifhinga tsho randelwaho-

Vhukhakhi na ndaṭiso

42. (1) Muthu ufhio na ufhio ane-
- (a) a anḍadza, itisa kana a tendela u nyandadzo nga maitele afhio na afhio, a kanganyisaho kana a khakhisa mafhungo a tutshelanaḥo na u redzhisitariwa hufhio na hufhio hu tutshelanaḥo na vhuendelamashango ha vhuḍimvumvusi;
 - (b) a kundelwa kana a hana u badela lweṭolweṭo lufhio na lufhio kana a kuvhanganya nahone kana a humisa lwonolwo lweṭolweṭo hu tshi tevhedzwa uyu Mualyo;
 - (c) a thivhela kana a khakhisa Muredzhisitara kana muofisiri o tiwaho kha u shumisa maanda awe kana u itwa ha mishumo yawe;
 - (d) a hana kana a kundelwa u fhindula mbudziso ifhio na ifhio nga nṁḍa ha zwiitisi zwi pfalaho, Muredzhisitara kana muofisiri o tiwaho o i vhea kha ene malugana na vhuendelamashango ha vhuḍimvumvusi ho tiwaho;
 - (e) a hana kana a kundelwa u livhisa na ṥhōḍea ifhio na ifhio yo randelwahoo nga Muredzhisitara kana muofisiri o tiwaho;
 - (f) nga u funa a isa vhuṭanzi kha Muredzhisitara kana muofisiri o tiwaho, mazwifhi kana mafhungo a xedzaho.

- (2) Khothe ya wana muthu mulandu wa u sa tevhedzelana na khethekanyo tshukhu (1) (b), i nga ri kha ndadzo ya ndatiso ifhio na ifhio ine ya nga i netshedza, ya ita ndaela u itela u lifha kha Bodo nga mukhakhi u itela mutengo wa lwetolweto une khawo vhukhakhi ha tutschelana naho.
- (3) Khaṭhulo i newaho nga khothe hu tshi tevhedzwa khethekanyotshukhu (2) i na mvelelo dza khaṭhulo ya mudzuli.

Dzindayo

43. (1) Murado wa Khorotshitumbe a nga ita dzindayo u itela-
 - (a) zwi todeaho na zwi sa todei u itela u redzhisitara, u nea maimo, u nea laisentsi, t hanzila na u nea maraga ha vhuendelamashango ha vhuḍimvumvusi ho redzhistariwaho;
 - (b) tswayo dzi tshi ya nga zwigwada zwo fhammbananho na dzigeriedi dza vhuendelamashango ha vhuḍimvumvusi ho tiwaho, ndila ine nga khao, maitele ane ngao dza tea u shumiswa kana u andadza na u thivhelwa ha u shumiswa kana u andadza henefho;
 - (c) mbadelo dza lwetolweto nga muthu o teaho, u kuvhanganyiwa ha lwetolweto nga muthu a re na vhuḍifhinduleli, maitele na mabadelele, u kuvhanganyiwa na u fheliswa;
 - (d) dzirekhodo na dziakhaunthu dzi teaho u vhewa nga muredzhisi t ari ufhio na ufhio o tiwaho wa vhuendelamashango ha vhuḍimvumvusi;
 - (e) zwiṭatisitika zwo humaho zwi teaho u netshedzwa kha Bodo nga muredzhisi ari ufhio na ufhio o tiwaho wa vhuendelamashango ha vhuḍimvumvusi;
 - (f) mbadelo i badelwaho malugana na dziṭaisentsi u itela vhuendelamashango ha vhuḍimvumvusi ho tiwaho;
 - (g) thoḍea nga muendelamashango ufhio na ufhio o redzhistariwaho wa vhuḍimvumvusi hu u itela u vha na vhuṭanzi, dzibondo kana ndila inwe ifhio na ifhio ya vhuṭanzi ho tendelwaho;
 - (h) Bodo, hu u itela u khwaṭhisedzwa ha khombetshedzo dzoṭhe dza khonthiraka, nahone
 - (i) Thoḍea nga vhathu vho tholwaho kana vho dzidzhenisaho kha indasitiri ya vhuendelamashango hu u itela u ita dziṇwe khoso

