



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

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

(Registered as a newspaper) • (As 'n nuusblad geregistreer)

(Yi rhijistariwile tanihi Nyuziphepha)

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PIETERSBURG,

**Vol. 12
Extraordinary**

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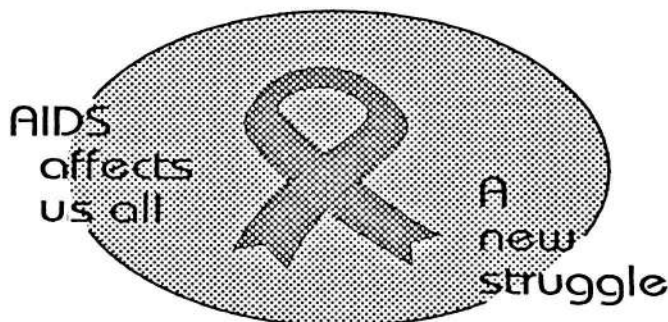
21 JULY 2005
21 JULIE 2005
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No. 1169

Buitengewoon

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with effect from 3 May 2005.**

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**PROCLAMATION BY
THE
PREMIER OF LIMPOPO**

No. 2, 2005

**COMMENCEMENT OF THE LIMPOPO TENDER BOARD REPEAL
ACT, 2005
(ACT NO. 1 OF 2005)**

Under the powers vested in me by section 5 of the Limpopo Tender Board Repeal Act, 2005 (Act No. 1 of 2005), I hereby fix the 1 August 2005 as the date on which the said Act will come into operation.

Dated at **POLOKWANE** on this 12th day of July 2005.



**MR SELLO MOLOTO
PREMIER: LIMPOPO**

04050000

PROVINCIAL NOTICE

OFFICE OF THE PREMIER

No. 7

21 July 2005

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

No. 1 of 2005: Limpopo Tender Board Repeal Act, 2005.

ACT

To provide for the repeal of the Northern Transvaal Tender Board Act, 1994 (Act No. 2 of 1994); the dissolution of the Northern Transvaal Tender Board; and to provide for matters incidental thereto.

PREAMBLE

WHEREAS section 187 of the Interim Constitution provided for provincial laws to regulate the procurement of goods and services and for the appointment of independent and impartial tender boards to deal with that procurement; and

WHEREAS the Provincial Legislature accordingly enacted the Northern Transvaal Tender Board Act, 1994 and, amongst others, established the Northern Transvaal Tender Board;

AND WHEREAS Parliament pursuant to section 216 of the Constitution of the Republic of South Africa, 1996 has enacted the Public Finance Management Act, 1999 which includes provisions which supercede the previous provincial procurement dispensation rendering provincial tender board laws and provincial tender boards redundant.

THEREFORE BE IT ENACTED by the Provincial Legislature of Limpopo, as follows:

Definitions

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

“Tender Board” means the Northern Transvaal Tender Board established by section 3 of the Northern Transvaal Tender Board Act, 1994 (Act No. 2 of 1994); and

"the Tender Board Act" means the Northern Transvaal Tender Board Act, 1994 (Act No. 2 of 1994).

Dissolution of Tender Board

2. The Tender Board is hereby dissolved.

Repeal of Tender Board Act

3. The Tender Board Act is hereby repealed.

Savings

4. (1) Despite the dissolution of the Tender Board in terms of section 2, the Tender Board must continue to function for the purposes of finalizing matters outstanding at the date of commencement of this Act: Provided that the Tender Board must finalize all such cases within 90 days of commencement of this Act.
- (2) Anything done in terms of a provision of the Tender Board Act, shall be deemed to have been done under a corresponding provision of the Public Finance Management Act, 1999 (Act No. 1 of 1999), the regulations promulgated and the Treasury instructions issued in terms of the Public Finance Management Act, 1999 (Act No. 1 of 1999).
- (3) Rights and obligations resulting from any action of the Tender Board, which action was exercised in accordance with the powers given to the Tender Board in terms of the Tender Board Act, vest in the department on behalf of which the Tender Board exercised the said powers.

Short title and commencement

5. This Act is called the Limpopo Tender Board Repeal Act, 2005, and comes into operation on a date determined by the Premier in the *Gazette*.

PROVINSIALE KENNISGEWING

KANTOOR VAN DIE PREMIER

No. 7

21 Julie 2005

Hierby word bekendgemaak dat die Premier van die onderstaande Wet, wat hierby ter algemene inligting gepubliseer word, bekragtig het:—

No. 1 of 2005: Limpopo Wet op die Herroep van Tenders, 2005.

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WET

Om voorsiening te maak vir die herroep van die Noord Transvaal Wet op die Tenderraad, 1994 (Wetnr 2 van 1994); en die ontbinding van die Noord Transvaal Tenderraad en om voorsiening te maak vir aangeleenthede wat daarmee verband hou.

INLEIDING

AANGESIEN Seksie 187 van die Tussentydse Grondwet voorsiening maak vir provinsiale wette vir die regulering van die verskaffing van goedere en dienste en vir die aanstelling van 'n onafhanklike en onpartydige Tenderraad om hierdie verskaffings te hanteer;

AANGESIEN die Provinsiale Wetgewer die Noord Transvaal Wet op die Tenderraad, 1994 ooreenstemmend bepaal, en onder andere, is die Noord Transvaal Wet op die Tenderraad ingestel;

EN AANGESIEN die Parlement ingevolge seksie 216 van die Wet op Openbare Administrasie, 1999 van die Grondwet van die Republiek van Suid-Afrika, 1996 gemagtig is, en bepalings insluit wat die vorige provinsiale verskaffing en verspreidingdiens provinsiale Tenderraad en die provinsiale Tenderraad oorbodig maak.

Ooreenstemmend word dit soos volg gemagtig deur die Provinsiale Wetgewer van Limpopo;—

Woordomskrywing

1. In hierdie Wet, tensy die verband anders aandui, beteken —

“Tenderraad” die Noord Transvaalse Tenderraad, ingestel kragtens seksie 3 van die Noord Transvaal Wet op die Tenderraad, 1994 (Wetnr 2 van 1994)

“Die Tenderraad Wet” die Noord Transvaal Wet op die Tenderraad, 1994 (Wetnr 2 van 1994)

“Ontbinding van Tenderraad”

2. Die Tenderraad word hiermee ontbind.

Herroep van die Wet op die Tenderraad

3. Die Wet op die Tenderraad word hiermee herroep.

Uitgesluit .

4. (1) Ten spyte van die herroep van die Tenderraad kragtens seksie 2, moet die Tenderraad voortgaan met sy funksies vir die doel om aangeleenthede te finaliseer wat uitstaande is sedert die aanvangs van die Wet; met dien verstande dat die Tenderraad alle aangeleenthede moet finaliseer binne 90 dae vanaf die aanvangs van die Wet.
- (2) Enige iets gedoen kragtens 'n bepaling van die Wet op die Tenderraad sal beskou word as gedoen kragtens 'n ooreenstemmende bepaling van die Wet op Openbare Finansiële Bestuur, 1999 (Wetnr 1 van 1991), die regulasies bekend gemaak en die Finansiële instruksies uitgereik kragtens die Wet op Openbare Finansiële Bestuur, 1999 (Wetnr 1 van 1999)
- (3) Reëls en verpligtinge wat voortspruit uit enige aksie van die Tenderraad, wie se gesag uitgeoefen word in ooreenstemming met die magte aan die Tenderraad gegee kragtens die Wet op die Tender Raad, gee aan die departement die mag om namens die Tenderraad gesag uit te oefen.

Kort Titel en Voortsetting

5. Hierdie Wet staan bekend as die Limpopo Wet op die Herroep van Tenders, 2005, en word van krag op 'n datum soos bepaal deur die Premier in die *Koerant*.

TSEBIŠO YA PROFENSE

OFISI YA TONAKGOLO

No. 7

21 Julae 2005

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

No. 1 wa 2005: Molao wa Phedišo ya Boto ya Dithentara wa Limpopo, 2005.

MOLAO

Go beakanyetša phedišo ya Molao wa Boto ya Dithentara ya Transefala Leboa, 1994 (Molao 2 wa 1994); le go phathalatšwa ga Boto ya Dithentara ya Transefala Leboa le go beakanyetša merero yeo e amanago le se.

MATSENO

KA GE karolo 187 ya Molaotheo wa Lebakanyana e file melao ya profense go laola theko ya dithoto le ditirelo le go bewa ga diboto tša dithentara tša go ikema le go se tšee lehlakore go lebelelana le theko yeo; le

KA GE Lekgotlapeamelao la Profense le lona le beile Molao wa Boto ya Dithentara ya Transefala Leboa, 1994 le magareng ga tše dingwe, o hlomile Boto ya Dithentara ya Transefala Leboa;

LE GONA KA GE Palamente go latela karolo 216 ya Molaotheo wa Rephabliki ya Afrika Borwa, 1996 e beile Molao wa Taolo ya Matlotlo a Setšhaba, 1999 wo o akaretšago dipeakanyetšo tšeo di emago bakeng sa dikabelo tše fetilego tša ditheko tša diphahlo tša profense tša go sepediša melao ya boto ya dithentara ya profense le diboto tša dithentara tša profense go ba tše fetago tekanyo.

KA GONA GO BEWA MOLAO ke Lekgotlapemaelao la Profense ya Limpopo ka mo go latelago:-

Ditlhalošo

1. Ka mo Molaong wo, ka ntle ga ge diteng di ka laetša ka tsela e nngwe-

“Boto ya Dithentara” e šupa Boto ya Dithentara ya Transefala Leboa yeo e hlomilwego ke karolo 3 ya Molao wa Boto ya Dithentara wa Transefala Leboa (Molao 2 wa 1994); le

“Molao wa Boto ya Dithentara” e šupa Molao wa Boto ya Dithentara wa Profense ya Leboa, 1994 (Molao 2 wa 1994)

Phatlalatšo ya Boto ya Dithentara

2. Boto ya dithentara ka go realo e a phatlalatšwa.

Phedišo ya Molao wa Boto ya Dithentara

3. Molao wa Boto ya Dithentara ka go realo o a fedišwa.

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Dipolokelo

4. (1) Ka ntle ga go phatlalatšwa ga Boto ya Dithentara go ya ka karolo 2, Boto ya Dithentara e swanetše go tšwelapele go šoma ka maikemišetšo a go ruma merero yeo e šaletšego morago ka tšatšikgwedi yeo Molao wo o thomago ka yona: Ge e le gore Boto ya Dithentara e swanetše go feleletša melato ka moka mo matšatšing a 90 a go thoma ga Molao wo.
- (2) Se sengwe le se sengwe seo se dirwago go ya ka peakanyetšo ya Molao wa Boto ya Dithentara, se tla tšewa go ba se dirilwe ka fase ga peakanyetšo ye e sepelelago le se ya Molao wa Taolo ya Matlotlo a Setšhaba, 1999 (Molao 1 wa 1999), melawana yeo e tsebagaditšwe le ditaelo tša Sešegotlotlo tšeo di dirilwego go ya ka Molao wo wa mafelelō.
- (3) Ditokelo le ditlamego tše di diregago ka kgato efe goba efe ya Boto ya Dithentara, yeo kgato ya gona e dirilwego go ya ka maatla ao a filwego Boto ya dithentara go ya ka Molao wa Boto ya Dithentara, a na le kgoro legatong la Boto ya Dithentara e dirišitšego maatla ao go bolelwago ka ona.

Thaetlele e kopana le go thoma

5. Molao wo o bitšwa Molao wa Phedišo ya Boto ya Dithentara wa Limpopo, 2005, le gona o thoma go šoma ka tšatšikgwedi yeo e beilwego ke Tonakgolo ka gare ga *kuranta*.

NḐIVHADZO YA VUNDU

OFISI YA PREMIA

No. 7

21 Fulwana 2005

Hu khou ḑivhadzwa henefha uri Premia o tendela Mulayo u tevhelaho une wa khou anḑadziwa uri u ḑivhiwe nga vhothe:—

No. 1 wa 2005: Mulayo wa u Phumela Mulayo wa Thendabodo wa Limpopo, 2005.

MULAYO

U vhetshela u itela u phumulwa ha Mulayo wa Thendabodo wa Transivala Devhula, 1994 (Mulayo NO. 2 wa 1994); u fhaladzwa ha Thendabodo ya Transivala Devhula; na u vhetshela mafhungo a elanaho na zwenezwo.

MARANGAPHANDA

HU URI khethekanyo 187 ya Mulayotewa wa Tshifhinganyana wo vhetshela u itela milayo ya mavundu uri i laule ndisedzo ya thundu na tshumelo na u itela u vheva ha Thendabodo dzi shumelaho vhothe uri dzi shume na ndisedzo; na

HU URI Vhusimamilayo ha Vundu nga ngona ho vheya Mulayo wa Thendabodo wa Transivala Devhula, 1994 nahone nga inwe ndila wa thoma Thendabodo ya Transivala Devhula.

NAHONE HU URI Phalamennde yo bvela phanda na khethekanyo 216 ya Mulayotewa wa Riphabuliki ya Afurika Tshipembe, 1996 yo vheya Mulayo wa Ndangulo ya Gwama la Vhathu (PFMA), 1999 une wa katela mbetshelo dzine dza fhira ndisedzo yo fhiraho ya mavundu kha nyito ya milayo ya thendabodo dza mavundu na u sa vha na mushumo ha thendabodo dza mavundu.

NGAURALO HU KHOU VHEWA MULAYO nga Vhusimamilayo ha Vundu la Limpopo, sa zwi tevhelaho:-

Thandavhudzo

1. Kha uyu Mulayo, nga nnda ha musu zwi re ngomu zwi tshi sumbedza-

“Mulayo wa Thendabodo” zwi amba Mulayo wa Thendabodo wa Transivala Devhula wo thomiwaho nga khethekanyo 3 ya Mulayo wa Thendabodo wa Transivala Devhula, 1994 (Mulayo No. 2 wa 1994); na

“Thendabodo” zwi amba Mulayo wa Thendabodo ya Transivala Devhula, 1994 (Mulayo No. 2 wa 1994).

U fhaladzwa ha Thendabodo

2. Thendabodo afha i khou fhaladzwa.

U phumulwa ha Mulayo wa Thendabodo

3. Mulayo wa Thendabodo afha u khou phumulwa.

Dzimbulungo

4. (1) Naho Thendabodo yo fhaladzwa hu tshi tevhedzwa khethekanyo 2, Thendabodo i tea u bvela phanda na u shuma u itela ndivho dza u fheleledza mafhungo o salelaho nga kha datumu ya u thoma u shuma ha uyu Mulayo. Tenda ha vha hu uri Thendabodo i tea u fheleledza mafhungo aneyo othe vhukati ha maduvha a 90 a u thomiwa ha uyu Mulayo
- (2) Tshithu tshifhio na tshifhio tsho itwaho hu tshi tevhedzwa mbetshelo ya Mulayo wa Thendabodo tshi do dzhiwa tsho itwa fhasi ha mbetshelo dzi tutshelanaho na Mulayo wa Ndangulo ya Gwama la Vhathu, 1999 (Mulayo No. 1 wa 1999), ndaulo dzo phasiswaho na ndaela dza Vhulangagwama dzo bviswaho hu tshi tevhedzwa Mulayo wa Ndangulo ya Gwama wa Vhathu, 1999 (Mulayo No. 1 wa 1999).
- (3) Pfanelo na ndugelo dzi vhangiwaho nga nyito ifhio na ifhio ya Thendabodo, ine iyo nyito ya vha yo itiwa zwi tshi elana na maanda e a newa Thendabodo hu tshi tevhedzwa Mulayo wa Thendabodo zwo hweswaho muhasho ho imelelwa Thendabodo kha maanda o bulwaho.

Dzina lipfufhi na mathomo

5. Uyu Mulayo u vhidzwa upfi Mulayo wa u Phumula Mulayo wa Thendabodo wa Limpopo, 2005 nahone u thoma u shuma nga datumu yo tiwaho nga Premia kha gazetheya.

XITIVISO XIFUNDZANKULU

HOFISI YA HOLOBYENKULU

No. 7

21 Mawuwani 2005

Ku tivisiwa leswaku Holobyenkulu u pfumerile Nawu lowu wu ladzelaka lowu laha wu tivisiwaka leswaku wu ta tiviwa hi mani na mani:—

No. 1 wa 2005: Nawu wo Herisa wa Huvo yo Thendera wa Limpopo, 2005.

NAWU

Ku endlela ku herisa Nawu wa Huvo yo Thendara ya Transifala N'walungu, 1994 (Nawu wa 2 wa 1994); ku n'wokisiwa ka Nawu wa Huvo yo Thendara ya Transifala N'walungu; na ku endlela timbaka leti ti sambelanaka na swona.

MANGHENELO

HAMBILESWI xiyenge xa 187 xa Vumbiwa ra Nkarhinyana xi nyiketeke ku endla milawu ya xifundzankulu ku lawula mphakelo wa tinhundzu na vukorhokeri na ku hlawuriwa ka mavandla yo thendara yo tiyimela hi woxe na ya languta matlhelo hinkwawo eka ku tirhana na mphakelo wa kona; na

HAMBILESWI Mfumo wa Milawu wa Xifundzankulu wu ngeniseke Nawu wa Huvo yo Thendara ya Transifala N'walungu, 1994 na, exikarhi ka swin'wana, simeka Huvo yo Thendara ya Transifala N'walungu;

NA HAMBILESWI Phalamende hi ku landza xiyenge xa 216 xa Vumbiwa ra Riphabliki ra Afrika Dzonga, 1996 yi ngenisile Nawu wa Mafambisele ya Mali ya Tiko, 1999 lowu wu katsaka makungu lawa ya hundzaka xiyimo xa mphakelo wa khale wa xifundzankulu lowu wu endlaka leswaku milawu ya huvo yo thendara ya xifundzankulu na tihuvo to thendara ta xifundzankulu ti helela hintirho.

HIKWALAHO Mfumo wa Milawu wa Xifundzankulu xa Limpopo WU VEKA NAWU hi ndlela leyi yi landzelaka:-

Tinhlamuselo

1. Eka Nawu lowu, handelaka ka loko matirhesele ya kona ya komba swin'wana—

“Huvo yo Thendara” swi vula Huvo yo Thendara ya Transifala N'walungu leyi

yi nga simekiwa hi xiyenge xa 3 xa Nawu wa Huvo yo Thendara ya Transifala N'walungu, 1994 (Nawu wa 2 wa 1994); na

“Nawu wa Huvo yo Thendara” swi vula Nawu wa Huvo yo Thendara ya Transifala N'walungu, 1994 (Nawu wa 2 wa 1994).

Ku n'wokisiwa ka Huvo yo Thendara

2. Huvo yo Thendara ya n'wokisiwa.

Ku herisiwa ka Nawu wa Huvo yo Thendara

3. Nawu wa Huvo yo Thendara wa n'wokisiwa.

Vuvekisi

4. (1) Handleka ka ku n'wokisiwa ka Huvo yo Thendara hi ku landza xiyenge xa 2, Huvo yo Thendara yi fanela ku ya emahlweni hi ku endlela ku hetisisa timhaka leti ti nga sala hi siku ro sungula ku tirha ka Nawu lowu: Hileswaku Huvo yo Thendara yi fanela ku hetisisa timhaka hinkwato to tano hi 90 wa masiku ya ku sungula ku tirha ka Nawu lowu.
- (2) Nchumu wihi ni wihi lowu wu nga endliwa hi ku landza makungu ya Nawu wa Huvo yo Thendara, wu fanela ku tekiwa wu endliwile ehansi ka kungu ro fambelana na swona ra Nawu wa Mafambisele ya Mali ya Tiko, 1999 (Nawu wa 1 1999), swinawana leswi swi nga tivisiwa na swileriso swa Vankwama leswi swi nga nyikiwa hi ku landza Nawu lowu wu nga vuriwa laha henhla.
- (3) Timfanelo na swilaveko leswi swi tumbulukaka goza rihi ni rihi ra Huvo yo Thendara, leri ri nga endliwa hi ku landza matimba lawa ya nga

nyikiwa Huvo yo Thendara hi ku landza Nawu wa Huvo yo Thendara, ya
va eka ndzawulo hi ku yimela Huvo yo Thendara leyi yi tirhisaka matimba
lawa ya vuriwaka.

Nhloko-mhaka hi ku komisa na ku sungula ku tirha

5. Nawu lowu wu vitaniwa Nawu wo Herisa wa Huvo yo Thendara wa
Limpopo, 2005 naswona wu ta sungula ku tirha hi suku leri ri nga ta bohiwa
hi Holobyenkulu eka *gazete*.
-