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AIDS HELPLINE: 0800-0123-22 Prevention is the cure

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GOVERNMENT NOTICES GOEWERMENTSKENNISGEWINGS

DEPARTMENT OF WATER AFFAIRS AND FORESTRY DEPARTEMENT VAN WATERWESE EN BOSBOU

No. 568

2 May 2003

TRANSFORMATION OF THE CITRUSDAL IRRIGATION BOARD, MAGISTERIAL DISTRICT OF CLANWILLIAM, WESTERN CAPE PROVINCE, INTO THE CITRUSDAL WATER USER ASSOCIATION, WATER MANAGEMENT AREA NUMBER 17, WESTERN CAPE PROVINCE.

I, Ronald Kasrils, Minister of Water Affairs and Forestry, in terms of section 98(6) of the National Water Act, 1998 (Act No 36 of 1998), hereby declare that –

- (a) the Citrusdal Irrigation Board is a water user association;
- (b) the Association's name is the Citrusdal Water User Association;
- (c) the area of operation of the Citrusdal Water User Association includes all properties in respect of which any person is entitled to use water (surface and underground water) by virtue of entitlements in terms of section 22(1) of the Act from -
 - (i) that portion of the Olifants River and other water resources situated in the area stretching from the south-eastern boundary of the farm Grootfontein Extension 515 up to the northern boundary of the farm Middelkraal 263;
 - (ii) all the tributaries of the Olifants River from their origin in the Olifants River, Kouebokkeveld- and Middel Mountains flowing into the Olifants River within the area described in paragraph (c)(i); and
 - (iii) any other water resource situated outside the area described in paragraph (c)(i), which water resource and accompanying area the Department of Water Affairs and Forestry or the responsible authority may require the Association to control,

which is situated in water management area number 17 in the Western Cape Province; and

- (d) the constitution of the Citrusdal Water User Association has been approved.



RONALD KASRILS
MINISTER OF WATER AFFAIRS AND FORESTRY

No. 568

2 Mei 2003

OMSKEPPING VAN DIE CITRUSDAL-BESPROEIINGSRAAD, LANDDROSDISTRIK VAN CLANWILLIAM, WES-KAAP PROVINSIE, IN DIE CITRUSDAL WATERGEBRUIKERSVERENIGING, WATERBESTUURSAREA NOMMER 17, WES-KAAP PROVINSIE

Ek, Ronald Kasrils, Minister van Waterwese en Bosbou, verklaar hiermee kragtens artikel 98(6) van die Nasionale Waterwet, 1998 (Wet No 36 van 1998), dat –

- (a) die Citrusdal-besproeiingsraad 'n watergebruikersvereniging is;
- (b) die Vereniging as die Citrusdal Watergebruikersvereniging bekend sal staan;
- (c) die bedryfsgebied van die Citrusdal Watergebruikersvereniging alle eiendomme insluit ten opsigte waarvan enige persoon kragtens artikel 22(1) van die Wet die gebruiksreg het op water (oppervlak- en ondergrondse water) vanuit –
 - (i) daardie gedeelte van die Olifantsrivier en ander waterbronne geleë binne die gebied wat strek vanaf die suid-oostelike grens van die plaas Grootfontein Extension 515 tot by die noordelike grens van die plaas Middelkraal 263;
 - (ii) alle sytakke vanaf hulle oorsprong in die Olifantsrivier-, Kouebokkeveld- en Middelberge wat binne die gebied in paragraaf c(i) beskryf, in die Olifantsrivier invloei.
 - (iii) enige ander waterbron geleë buite die gebied in paragraaf (c)(i) beskryf, welke waterbron en gepaardgaande gebied deur die Departement van Waterwese en Bosbou of deur 'n verantwoordelike gesag vereis mag word om deur die Vereniging beheer te word,

wat in waterbestuursgebied nommer 17 in die Wes-Kaap Provinsie geleë is; en

- (d) die grondwet van die Citrusdal Watergebruikersvereniging goedgekeur is.



RONALD KASRILS
MINISTER VAN WATERWESE EN BOSBOU

GENERAL NOTICES ALGEMENE KENNISGEWINGS

NOTICE 1270 OF 2003

DEPARTMENT OF TRANSPORT

AIR SERVICE LICENSING ACT, 1990 (ACT No.115 OF 1990)

APPLICATIONS FOR THE GRANT OR AMENDMENT OF DOMESTIC AIR SERVICE LICENCE

Pursuant to the provisions of section 15 (1) (b) of Act No. 115 of 1990 and regulation 8 of the Domestic Air Services Regulations, 1991, it is hereby notified for general information that the applications details of which appear in the Appendix, will be considered by the Air Service Licensing Council.

Representations in accordance with section 15 (3) of Act No. 155 of 1990 in support of, or in opposition to, an application, should reach the Air Service Licensing Council, Private Bag x 193, Pretoria, 0001, within 21 days of the date of publication hereof.

APPLICATION FOR A GRANT OF AN AIR SERVICE LICENCES

(A) Full name and trade name of applicant. (B) Full business or residential address of applicant. (C) Class of licence applied for. (D) Type of air service to which application applies. (E) Category of aircraft to which application applies.

(A) Mount Aire CC; Emoyeni Air Charter. (B) Pietersburg International Airport (Gateway) Polokwane, Limpopo Province. (C) Class III. (D) Type: G4 & G7. (E) Category A3.

APPENDIX 2

APPLICATION FOR THE AMENDMENT OF THE AIR SERVICE LICENCE

(A) Full name and trade name of applicant. (B) Full business or residential address of applicant. (C) The Class and number of license in respect of which the amendment is sought. (D) Type of air service and the amendment thereto which is being applied for. (E) Category of aircraft and the amendment thereto which is being applied for. (F) Amendment referred to in section 14(2) (b) to (e).

(A) Mount Aire CC; Emoyeni Air Charter. (B) Pietersburg International Airport (Gateway) Polokwane, Limpopo Province. (C) Class II; N426D. (D) Type: N1 & N2. (E) Category A3 & A4. (F) Changes to the Management Plan: A Liebenberg; Responsible Person- Air Service Safety Officer.

NOTICE 1271 OF 2003

DEPARTMENT OF TRANSPORT

**INTERNATIONAL AIR SERVICES ACT, 1993 (ACT NO. 60 OF 1993):
APPLICATIONS FOR THE GRANT/AMENDMENT OF INTERNATIONAL
AIR SERVICE LICENCES**

Pursuant to the provisions of section 16(1) of Act No. 60 of 1993 and regulations 14(1) and 14(2) of the International Air Services Regulations, 1994, it is hereby notified for general information that the applications, details of which appear in the Schedules hereto will be considered by the International Air Services Council (Council).

Representations in accordance with section 16(3) of Act No. 60 of 1993 and regulation 25(1) of the International Air Services Regulations, 1994, against or in favour of an application, should reach the Chairman of the Council at Private Bag X193, Pretoria, 0001 within 28 days of the publication hereof. It must be stated whether the party or parties making such representation is/are prepared to be present or represented at the possible hearing of the application.

The Council will cause notice of the time, date and place of the proceedings to be given in writing to the applicant and all parties who have made representations as aforesaid and who desire to be present or represented at the hearing.

SCHEDULE 2

APPLICATIONS FOR THE AMENDMENT OF LICENCES

(A) Full name, surname and trade name of applicant. (B) Full business or residential address of applicant. (C) Class and number of licence in respect of which the amendment is being sought. (D) Type of international air service and amendment thereto for which application is being made. (E) Category or kind of aircraft and the amendment thereto for which application is being made. (F) Airport from and the airport to which flights are undertaken and the amendment thereto for which application is being made. (G) Area served and the amendment thereto for which application is being made. (H) Frequency of flights and the amendment thereto for which application is being made. (I) Condition and the amendment thereto for which application is being made.

(A) Rovos Rail Tours (Pty) Ltd; Rovos Air. (B) Rovos Rail, Paul Kruger Street, Capital Park, Pretoria. (C) Class: II; I/ N130. (D) Type: N2 & N4. (E) Category: A1. (F)

Changes to the Management Plan: S. L. Dodds: Responsible Person- Air Service Safety Officer replaces Mr Viviers.

(A) Comair Limited; British Airways- Comair. (B) 1 Marignane Drive, Cnr Atlas Road, Bonaero Park, 1619. (C) Class: I; I/ S025. (D) Type: S1. (E) Category: A1. (F) and (G) From Johannesburg International Airport, *Adding the following:*

State	Destination	Frequencies
Tanzania	Dar-es Salaam	Three (3) return flights per week.

NOTICE 1306 OF 2003
DEPARTMENT OF TRANSPORT

AIR SERVICE LICENSING ACT, 1990 (ACT No.115 OF 1990)

APPLICATIONS FOR THE GRANT OR AMENDMENT OF DOMESTIC AIR SERVICE LICENCE

Pursuant to the provisions of section 15 (1) (b) of Act No. 115 of 1990 and regulation 8 of the Domestic Air Services Regulations, 1991, it is hereby notified for general information that the applications details of which appear in the Appendix, will be considered by the Air Service Licensing Council.

Representations in accordance with section 15 (3) of Act No. 155 of 1990 in support of, or in opposition to, an application, should reach the Air Service Licensing Council, Private Bag x 193, Pretoria, 0001, within 21 days of the date of publication hereof.

SCHEDULE 2

APPLICATION FOR THE AMENDMENT OF THE AIR SERVICE LICENCE

(A) Full name and trade name of applicant. (B) Full business or residential address of applicant. (C) The Class and number of license in respect of which the amendment is sought. (D) Type of air service and the amendment thereto which is being applied for. (E) Category of aircraft and the amendment thereto which is being applied for. (F) Amendment referred to in section 14(2) (b) to (e).

(A) Rovos Rail Tours (Pty) Ltd; Rovos Air. (B) Rovos Rail, Paul Kruger Street, Capital Park, Pretoria. (C) Class: II; N701D. (D) Type: N1 & N2. (E) Category: A1. (F) **Changes to the Management Plan:** S. L. Dodds: Responsible Person- Air Service Safety Officer.

NOTICE 1307 OF 2003

DEPARTMENT OF TRANSPORT

INTERNATIONAL AIR SERVICES ACT, 1993 (ACT NO. 60 OF 1993):
APPLICATIONS FOR THE GRANT/AMENDMENT OF INTERNATIONAL
AIR SERVICE LICENCES

Pursuant to the provisions of section 16(1) of Act No. 60 of 1993 and regulations 14(1) and 14(2) of the International Air Services Regulations, 1994, it is hereby notified for general information that the applications, details of which appear in the Schedules hereto will be considered by the International Air Services Council (Council).

Representations in accordance with section 16(3) of Act No. 60 of 1993 and regulation 25(1) of the International Air Services Regulations, 1994, against or in favour of an application, should reach the Chairman of the Council at Private Bag X193, Pretoria, 0001 within 28 days of the publication hereof. It must be stated whether the party or parties making such representation is/are prepared to be present or represented at the possible hearing of the application.

The Council will cause notice of the time, date and place of the proceedings to be given in writing to the applicant and all parties who have made representations as aforesaid and who desire to be present or represented at the hearing.

SCHEDULE 2

APPLICATION FOR THE AMENDMENT OF LICENCE

(A) Full name, surname and trade name of applicant. (B) Full business or residential address of applicant. (C) Class and number of licence in respect of which the amendment is being sought. (D) Type of international air service and amendment thereto for which application is being made. (E) Category or kind of aircraft and the amendment thereto for which application is being made. (F) Airport from and the airport to which flights are undertaken and the amendment thereto for which application is being made. (G) Area served and the amendment thereto for which application is being made. (H) Frequency of flights and the amendment thereto for which application is being made. (I) Condition and the amendment thereto for which application is being made.

(A) South African Airways (Pty) Ltd; South African Airways. (B) Airways Park, Jones Street, Johannesburg International Airport. (C) Class: I. (D) Type: S1. (E) Category: A1. (F) and (H) From Johannesburg International Airport, *Adding: A foreign registered aircraft: A330-200.Reg G-WWBD.*

NOTICE 1308 OF 2003
DEPARTMENT OF AGRICULTURE

This notice is the translation of the Agricultural Debt Management Act, 2001 (Act No. 45 of 2001) in Xhosa, for general information.

IRIPHBLIKI YASENINGIZIMU AFRIKA

**UMTHETHO WOLAWULO MATYALA
EZOLIMO KA 2001 (UMTHETHO
NOMBOLO 45 KA 2001)**

(UNGQONGQOSHE WEZOLIMO NOMHLABA)

Mthetho nombolo 45, 2001

UMTHETHO WOLAWULO MATYALA EZOLIMO, 2001

UMTHETHO

Ukuncedisa ekuphunyezweni kwalo Mthetho, ekumiliseleni Ingxowamali yoLawulo Matyala emboleko, umkhomba ndlela wokusetyenziswa kwengxowamali nje ngendlela yolawulo mali zobhatalo matyala ezolimo, ulawulo lwezimali ezikwingxowamali, ukucacisa injongo yokusetyenziswa kwemali ekule ngxowamali, ukumilisela uphengululo zincwadi noniko ngxelo ngale ngxowamali, ukubhekisa kwizinto ezininzi ezinxulumene nemvumelwano zokutyala imali, inzala matyala, ukubhataliswa nokucinywa kwamatyala, ubhaliso lweebhondi nobunini mhlaba, nokulungiselela yonke imicimbi enxulumene nokufana noku.

Mayenziwe ibe nguUMTHETHO yiPalamente yeRiphabliki yoMzantsi Afrika, ngolu hlobo:

Iinkcazelo

1. Kule Mthetho ngaphandle kokuba kuchazwe ngenye indlela:
 - “ingxowamali” ithetha Umthetho Wolawulo Matyala Ezolimo njengoko kubhalwe kwicandelo 3.
 - “isivumelwano” ithetha nasiphi isivumelwano nokuba sesomlomo okanye sesibhaliweyo esinxulumene nokwenza ityala, nakuphina ukuzibophelela komntu etyala uRhulumente.
 - “Umthetho weMboleko Wezolimo” uthetha uMthetho weMboleko Wezolimo (Umthetho nombolo 28 ka 1966).
 - “Umthetho Woncedo lwamaFama angamaKhaladi” ithetha uMthetho woNcedo lwamaFama angamaKhaladi, 1973 (UMthetho nombolo 1 ka 1973) (IKansile yabaMeli Babantu abangamaKhaladi)
 - “ukukwelita” kuthetha namalini na ubani ayityala uRhulumente ngendlela yoncedo lwemali nokuba yirente okanye imali nzala enxulumene noMthetho weziKweliti Zezolimo, noMthetho Woncedo lwamaFama amaKhaladi, okanye indlela zoncedo ngemali, kudityaniswa nayiphi na imali eyimboleko nokuba yirente okanye imali nzala entsusa yayo iyimboleko elolu hlobo.
 - “isebe” Kuthethwa iSebe leZolimo.
 - “Mlawuli Jikelele” kuthetha uMlawuli Jikelele weli sebe.
 - “isikimu soncedo lwemali” kuthethwa nayiphi inkxaso, imboleko naluphi na uncedo ngokwezimali oluvela kweli Sebe.
 - “Mphathiswa” kuthethwa uMphathiswa omelet iSebe leZolimo kurhulumente jikelele.
 - “igosa” kuthethwa igosa njengoko kuchazwa kwicandelo 1 (1) loMthetho Wolawulo lwabaSebenzi basebuRhulumenteni, 1994 (Saziso nombolo 103 ka 1994).
 - UMthetho woLawulo lweMali Zesizwe” kuthetha uMthetho woLawulo lweMali Zesizwe, 1999 (Umthetho nombolo 1 ka 1999) kunye

“irhafu” kuthethwa irhafu okanye intlawulo ebizwa liSebe ngokusetyenziswa komhlaba.

Ulawulo loMthetho

2. (1) UMphathiswa nguye onoxanduva lolawulo lwalo Mthetho.
- (2) Ngokubhekiselele kwisibonelelo secandelwano (3), uMphathiswa angathumela ngokwamandla ake ngokuvunyelwa nguMthetho naliphi na igosa alinyulileyo kwiSebe lakhe.
- (3) Nawuphina umyalelo okanye umsebenzi onokwenziwa okanye uthunye phantsi kwemvume yecandelo 5 ungathunywa kuphela igosa elilawulayo imali kwisebe eli onikwe eso sikhundla phantsi koMthetho woLawulo lweMali Zesizwe.
- (4) UMphathiswa kufuneka ethume igosa leli sebe ukuba liwuphathe loMthetho, kwaye elo gosa kufuneka lincediswe ngamanye amagosa kangangoko kuyimfuneko ukuba kuphunyezwe lo mthetho.
- (5) Ngokubhekiselele kwisibonelelo secandelwano (3) uMphathi Jikelele angathumela ngokwamandla ake naliphi na igosa phantsi kwecandelwano (4) okanye naliphi na igosa elinokuncedisa elo alithumayo.

Ingxowamali Matyala eMboleko eZolimo

3. (1) Ingxowamali yeMboleko yeZolimo egcinwe phantsi kwemeko zecandelo 20A loMthetho weMboleko yeZolimo, usasebenza nakuba warhoxiswa kwaye uza kwaziwa ngokuba yiNngxowamali yoLawulo Matyala eMboleko eZolimo.
- (2) Izimali ezikwimboleko yale ngxowamali ukususela ngomhla kwaqala lo Mthetho zeziqulathe oku-
 - (a) imali ezikwelitwa Ingxowamali Matyala eMboleko eZolimo kanye phambi kosuku lokuqulunqwa kunye nezizuzwe nje ngentlawulo yetyala phantsi okanye ngenxa yokusungulwa koMthetho woLawulo Matyala eZolimo;
 - (b) Izimali ezizuzwe phambi kwalo mhla nje ngentlawulo yamatyala phantsi okanye ngenxa yokusungulwa koMthetho Woncedo lwamaFama angamaKhaladi;
 - (c) ezinye izimali ezikwanjalo ezikwizikweliti yeNngxowamali Matyala Mboleko eZolimo ngalo mhla, afunyanwa lisebe nje ngentlawulo yetyala phantsi okanye ngenxa yezikimu zoncedo ngezimali okanye nje ngerhafu.
- (3) Izimali ezikwimboleko yale ngxowamali ziquka zonke imfanelo Ezibhekiselele kwityala elichazwe kwicandelwana (2) ngomhla wokusungulwa kwalo Mthetho.
- (4) Umphathi Jikelele nguye ongumlawuli wale ngxowamali.
- (5) Le ngxowamali iyaphelelwa ibhange xa onke amatyala ehlawulekile okanye ecinyiwe ngokwemigaqo yalo Mthetho nemali eziyintsalela kule ngxowa zithe zanikezelwa kwiPalamente.

Ukubolekisa nokuHlawula ingxowamali.

- 4 (1) Le ngxowamali kufuneka inezi zinto-
- (a) zonke izimali ezifunyenwe emva kokusungulwa kwalo Mthetho nje ngezimali zentlawulo tyala ngokubhekiselele kwicandelo 3 (2);
 - (b) Zonke imali eziqokelelelwe ngokwentlawulo matyala njengoko kuchaziwe kwicandelo 3(2);
 - (c) Imali nzala ezuzwe ngokolondolozo mali;kunye
 - (d) Nezimali ezivele ngamanye amaziko anonxulumano.
- (2) Le ngxowamali kufuneka inezi ntlawulo-
- (a) Imali ntengo nayo nayiphi na inkcitho ebhikiselele ekuthengweni nasekulawulweni kwempahla okanye umhlaba phantsi kwalo Mthetho
 - (b) nayiphi na imali, indleko okanye inkcitho ebangwe ngenxa yemeko zecandelo 8(6)
 - (c) nasiphi na isixamali:
 - (i) esihlawuleke ngempazamo kule ngxowamali
 - (ii) ongasityali uRhulumente, okanye
 - (iii) esibuyekezo ekwasisibonelelo esiluncedo kuRhulumente; kwaye
 - (d) Nayiphi na imali enikezelwe e Palamente isetyenziselwe izizathu zezolimo nezinye, ekufuneka nakanjani zitshintshelwe kwiNgxowa yeNgeniso yeSizwe ngokwecandelo 5.
- (3) Yonke imali efunyanwa liSebe njengentlawulo okanye uqokelelo mali zamatyala ngaphandle kwezi kubhekiswe kuzo phantsi kwecandelwana (1) mazilondolozwe phantsi kweNgxowa yeNgeniso yeSizwe.
- (4) Imali ekhoyo kule ngxowamali ezingekadingeki ngamandla njengoko bekucingeka phantsi kwecandelwana (2) zingalondolozwa kwi-
- (a) Bhanki yoGcino Zimali Zesizwe; kwaye
 - (b) Ngokwemvume yoMphathiswa emva kokubonisana noMphathiswa weSebe leZimali zingagcinwa nakwiyiphi ibhanki ebhalisiweyo ngokusemthethweni nguNobhala weMizi Yolondolozo Zimali.

Usetyenziso Zimali.

- 5 (1) U Mphathi Jikelele angacela ukuba imali eyintsalela ikhutshelwe kwingxowa yeNgeniso yeSizwe ukuba
- (a) Ezo mali azizi kukhawuleza zifuneke ngokwecandelo 4 (2) (a), (b) okanye (c) ;
 - (b) UMphathsiwa ngokwemvisiswano noMphathiswa weSebe leZimali uyaluvumela olo khuphelo.
- (2) Iimali ezikhutshelwe kwiNgxowa yeNgeniso yeSizwe esuka kule ngxowa zingasetyenziswa ePalamente phantsi kwemali zeli sebe zisetyenziselwa kuphela inkqubo zokuphuhlisa ezolimo kunyaka mali othile ngokwezicwangciso

eziphaliweyo zenkcitho ezingeniswa nguMphathi Jikelele, ukuba olo cwangciso lwenkcitho-

- (a) Luyavunywa nguMphathiswa; kwaye
- (b) Lungeniswe Kubalawuli Bezemali ubuncinane inyanga ezintathu phambi kokuqalisa konyaka mali okanye ukuthiwa thaca kolungelelwaniso lothelekelelo nkcitho ePalamente.

Uphicotho Zincwadi Nengxelo

- 6 (1) Unyaka mali uhambelana nokuvalwa kwengxowa ngomhla wama 31 Matshi minyaka le.
- (2) Ingxowamali kufuneka iphicothwe nguMphicothi Zincwadi jikelele
- (3) UMphathi Jikelele kufuneka ezigcinile ezo ncwadi elugcinweni njengoko kuyimfuneko ngokomthetho wolondolozo mali nanjengoko kulindelekile ngokoMthetho Wolondolozo mali Zoluntu, ukuze kucace ubume bengxowa ngokungathandabuzekiyo.

Ukunyanyiseka kwezivumelwano

- 7 (1) Nasiphi na isivumelwano esisasebenzayo kancinci ngaphambi kokuba kuqale ukusebenza lo Mthetho nesichaphazeleka nqo okanye ngokungathanga nqo ngokwetyala onalo, sihlala sinembophelelo kulowo usenzileyo ngokwasemthethweni kwaye sikubophelela nasemva kokurhoxiswa phantsi nasemva kwalo Mthetho.
- (2) Naziphi na izibhambathiso ezichaphazela umthetho orhoxisiweyo kwicandelwana (1), uthathwa njengosasebenzayo kwaye ungasetyenziswa ingathi awurhoxiswanga, njengoko uchaphazela ngokuthe nqo nokungathanga nqo uyimbophelelo kwizivumelwano eziphaliweyo kwelo candelwano lichaziweyo.
- (3) Nakuphi ukumisa ngomhlaba, imeko okanye isithinteli esinxulumene nesikweliti semali nomise ngaso ngempahla engasukiyo enje ngomhlaba ngomhla wokuqaliswa kwalo Mthetho, inembophelelo ezingagungqiyo nokuba umthetho ungade urhoxiswe enanimiselene ngawo ngalo mhlaba okanye ezomeko zalo nto wawumise ngayo.
- (4) Naziphi izimiso zomthetho ekuthethwa ngawo kwicandelwana (3) zisasebenza kwaye kungamiswa ngazo kwimboleko yokumisa ngebhondi, kwiimeko okanye izithintelo ekubhaliswe phantsi kwazo itayitile yomhlaba, zibonwa nje ngezisemthethweni kwaye zingathathwa ingathi akurhoxiswanga mthetho.
- (5) Nayiphi intsingiselo kwi ' Bhodi yeMboleko yeZolimo' 'iBhodi YaBantu abangamaKhaladi yoNcedo yeZolimo' 'uNobhala' naye nawuphi umntu okanye igosa elisemthethweni okanye onesivumelwano ekubhekiswe kuso kwicandelwana (1) okanye (2) okanye ngokomthetho okanye kwibhondi, kwimeko okanye izithintelo ekubhekiswe kuzo kwicandelwana (3) okanye (4) mazithathwe nje ngezibhekisa kuMphathiswa angathi asebenzise amandla akhe awanikiweyo ukuqubisana nalo mntu.

Ityala**8 (1) U Mphathi Jikelele-**

- (a) kufuneka ethe rhoqo elandelela ukuhlawulwa kwamatyala aqonde aphande nayiphi imeko engaxaba endleleni yokuhlawulwa kwetyala ngexesha;
- (b) aqaphelisise konke abamise ngako ababolekwe izimali;
- (c) aqokelele agqogqe abo basemva kwintlawulo matyala;
- (d) angathimba impahla ephathekayo okanye engaphathekiyo ezama ukuhlawula amatyala angahlawulwayo evunyelwa zimeko zalo Mthetho : yaye
- (e) Engasebenzisa nawaphi amandla engathatha nawaphi amanyathelo ekufuneka ewathathile ngokunxulumene netlawulo matyala esebenzela ukulondoloza imali kaRhulumente.

(2) Nayiphi na impahla engaphathekiyo ethe yathinjwa nguMphathi Jikelele phantsi kwecandelwana (1) kufuneka kwamsinya kangangoko anakho ayibhalise egameni likaRhulumente weRiphabliki yoMzantsi Afrika.

(3) Umphathi Jikelele angathi, ngokucelwa ngobamba ityala okanye onomdla kwelo tyala ngokujonga imeko zelo tyala nokubona ngokwamandla awanikiweyo –

- (a) Azinzise imali ezityalwayo nenzalo yalo matyala phantsi kwezivumelwano ezahlukeneyo;
- (b) Atshintshanise abanamatyala, acazulule okanye atshintshanise ibhondi, atshintshe imeko acazulule ubucukubhede; nezithintelo, atshintse okumiswe ngako okanye amkele ezinye izinto ekumiswa ngazo ngabanye;
- (c) Ahlule okanye anikezele ngalo naliphi na ilungelo egameni lobuRhulumente ngokukhokelwa nguMthetho avumele ukukhokelwa nanguwuphi uMthetho welizwe kwaye abeke bucala naziphi iimeko zesivumelwano eninaso
- (d) Aqaphele nayiphi na imeko yesivumelwano ebekufikelelwe kuso okanye isihlomelo saso, ukuquka nenzala-mboleko, ukuhlawula indleko zokugujululwa kwetyala nentlawulo zokuthimba xa ugubhulule ityala lingahlawulwa kuqukwa nebhondi, imeko okanye uthintelo nazo naziphi na izimiso zesivumelwano eziyinxalenye yeso sivumelwano

(4) U Mphathi Jikelele-

- (a) Angayicima imali oyibambayo etyaleni;
- (b) Oko kucima angakwenza ngokulandela izimiso ezibhalwe kuMthetho Wolawulo lweMali zeSizwe nepolisi emiswe liSebe.

(5) U Mphathisa Jikelele usenokuthi elawulwa ziimeko

- (a) Avumelane naye nabani na ofanelekileyo ukuba aqokelele imali zamatyala asemva athathe nawaphi na amanyathelo okuqinisekisa ukuba ezo mali ziyahlawuleka;
 - (b) Anyule nabani na ofanelekileyo ukuba ammele apho kubanjwe khona intengiso yasesidlangalaleni apho kuthengiswa izinto zomntu ezithinjiweyo kuzanywa ukubuyiswa kwemali kaRhulumente. Lo mntu egameni lakhe ammele ngokuthenga nokuthengisa egameni likaRhulumente.
 - (c) Kumaxesha ngamaxesha angene kwimvumelwano nabantu abalolu hlobo njengoko kuyimfuneko ukulondoloza umdla kaRhulumente ngokwemeko zalo Mthetho.
- (6) Imali yentlawulo okanye yenkcitho edalwe ngulo mntu selechazwe apha kwicandelwana (5) ingabhatalwa ngemali ephuma kule mali yeli tyala.

Amaphepha Esicelo-nkcazo okubhalisa kunye nesenzelelelo

- 9 (1) Igosa lelisebe lisenokuthi nakuba kukho izimiselo zeminye imiThetho zimise ngomhlaba, ngesivumelwano, isigqibo nayo nayiphi na incwadi yasemthethweni kwiofisi zobhaliso ngomiso ngezinto aze emva kolo bhaliso aqinisekise ukuba unikwa iziqinisekiso zobhaliso phantsi koMthetho Wobhaliso Mhlaba, 1937 (Mthetho nombolo 47 ka 1937)
- (2) Akukho ntlawulo yarhafu iyimfuneko ngobhaliso naziphi na imali phantsi kwecandelwana (1).
- (3) Imeko zentlawulo zezitampu zogximfizo zoMthetho wZitampu Zogximfiso, 1968 (Mthetho nombolo 77 ka 1968) azichaphazeli nasiphi isivumelwano esikhoyo okanye ekungenwe kuso emva kokuba uMthetho sowusekiwe.

Ukurhoxiswa kwamatyala

10. ImiThetho echaziweyo kolu luhlu iyarhoxiswa ngendlela ecacisiweyo kwimiqolo elandelayo njengoko kubhaliwe kwintsika yesithathu.

Intloko nexesha lokuqala ukusebenza

- 11 Lo Mthetho kuthiwa nguMthetho Wolawulo Matyala eZolimo, 2001, kwaye uya kuqala ukusebenza ngomhla oyakutyunjwa nguMongameli ngokwesaziso kwiGazethi.

Uluhlu

Nombolo nonyaka wokusekwa komthetho	Intloko emfutshane	Urhoxiswa kangakanani
Mthetho 28 ka 1966	Mthetho Mboleko weZolimo, 1966	Ngokupheleleyo
Mthetho 45 ka 1968	Mthetho Mboleko weZolimo oHlonyelweyo, 1970	Ngokupheleleyo
Mthetho 66 ka 1970	Mthetho Mboleko weZolimo oHlonyelweyo, 1970	Ngokupheleleyo
Mthetho 10 ka 1971	Mthetho Mboleko weZolimo oHlonyelweyo, 1971	Ngokupheleleyo
Mthetho 15 ka 1972	Mthetho Mboleko weZolimo oHlonyelweyo, 1972	Ngokupheleleyo
Mthetho 81 ka 1977	Mthetho Mboleko weZolimo oHlonyelweyo, 1977	Ngokupheleleyo
Mthetho 67 ka 1979	Mthetho Mboleko weZolimo oHlonyelweyo, 1979	Ngokupheleleyo
Mthetho 87 ka 1979	Mthetho Wophuculo Mhlaba eSikiweyo, 1979	Ngokupheleleyo
Mthetho 27 ka 1980	Mthetho Mboleko weZolimo, 1980	Ngokupheleleyo
Mthetho 73 ka 1981	Mthetho Mboleko weZolimo, 1981	Ngokupheleleyo
Mthetho 18 ka 1982	Mthetho Mboleko weZolimo, 1982	Ngokupheleleyo
Mthetho 67 ka 1982	Mthetho Mboleko weZolimo oHlonyelweyo wesiBini, 1982	Ngokupheleleyo
Mthetho 42 ka 1983	Mthetho Mboleko weZolimo, 1983	Ngokupheleleyo
Mthetho 51 ka 1987	Mthetho Mboleko weZolimo Ohlonyelweyo (Ndlu yoWiso Mthetho) 1987	Ngokupheleleyo
Mthetho 175 ka 1993	Mthetho weNgxowa yoPhuhliso leZolimo, 1993	Ngokupheleleyo
Mthetho 65 ka 1995	Mthetho Mboleko weZolimo, 1995	Ngokupheleleyo
Mthetho 21 ka 1998	Mthetho Sihlomelo weBhanki yoMhlaba, 1998	Imiba 1,2 no 3 kumqolo wesi 3 kolu luhlu

NOTICE 1309 OF 2003
DEPARTMENT OF AGRICULTURE

This notice is the translation of the Agricultural Debt Management Amendment Act, 2002 (Act No. 49 of 2002) in Xhosa, for general information.

RIPHABLIKI YO MZANTSI AFRIKA

**UMTHETHO OLUNGISIWEYO
WOKULAWULWA KWAMATYALA
KWEZOLIMO WE 49 KA 2002**

(Umphathiswa weZolimo)

UMTHETHO

Ukulungiswa koMthetho Wokulawula amaTyala kweZolimo, 2001 ukuze kucaciswe okuthile okunento yokwenza kwiDeed Registries Act, 1937 (Umthetho Nombolo 47 ka 1937); kwanokuchaza imiba enento yokwenza nawo.

Mayenziwe ibe ngumthetho yiPalamente yeRiphabliki yoMzantsi Afrika ngolu hlobo :-

Ukulungiswa kweCandelo 9 loMthetho 45 ka 2001

1. Umxholo weCandelo 9 loMthetho Wokulawulwa kwamatyala kwezolimo 2001, ulungisiwe waza wabekwa ngale ndlela:

”[amaThenda] Ukubhalisa nokugcinwa kwamaxwebhu [okubhaliswa] nokukhutshwa”.

2. ICandelo 9 loMthetho Wokulawulwa Kwamatyala kweZolimo 2001 ulungisiwe ngokufakela esi sicatshulwa kwicandelo (1) ukuze lifundeke ngale ndlela:

” (1) Phezu kwako nje ukulungiswa kwawo nawuphi na umthetho, imortgage bond, isivumelwano, imvume, ukugunyazisa okanye elinye ixwebhu elikhutshelwe injongo yalo mthetho malunga nakuphi na ukubhaliswa ngokusemthethweni okanye ukugcinwa, linokulungiswa, livavanywe ligosa lomthetho.”.

Umxholo omfutshana

3. Lo Mthetho ubizwa ngokuthi nguMthetho Wokulungiswa Kwamatyala Ezolimo 2002 kwaye uqalisa ukusebenza ukususela ngomhla ochazwe nguMongameli njengoko kupapashwe kwiGazette.

NOTICE 1310 OF 2003
DEPARTMENT OF AGRICULTURE

This notice is the translation of the Land and Agricultural Development Bank Act, 2002 (Act No. 15 of 2002) in Sepedi, for general information.

1 No. 23506

Kuranta ya Mmušo, 10 June 2002

Molao No. 15, 2002 Molao Panka ya Tšwetšopele ya naga le tša Temo

*Tokomane ya Seisimane e saenilwe ke Mopresidente
Go kwanwe ka wona ka 8 June 2002.*

MOLAO

Go kgonegiša setlhongwa sa semolao seo se tsebegago ka la Panka ya Tšwetšopele ya Naga le tša Temo, go kgonegiša thomo ya pankaa, go kgonegiša taolo ya Panka, go laola tshepetšo le taolo ya Panka, go kgonegiša gore Panka e thušwe ka ditšhelete, go kgonegiša kgwebo ya Panka, go kgonegiša taolo ya diphonkgelo tša Panka, le go kgonegiša merero yeo e amanago.

PEGOPELE

GO LEMOGWA GORE melao le ditiro tša pele tša go kgetholla go ya ka morafe le aparteiti di paledišitše batho bao pele ba bego ba beetšwe ka thoko go humana naga, gomme seo se ile sa baka gore ba tlogelwe ka go lekala la tša temo le mekgwa ya go se tsebalege ka baka la semorafe ya borui bja naga ka Afrika Borwa.

GORE GO diragatšwe diphetogo ka go mekgwa ya borui baja naga ka go godiša bokgathatema bja batho bao pele ba bego ba beetšwe ka thoko ka go lekala la tša temo le koketšego ya borui bja naga ya temo bja batho ba bjalo ka go neelana goba go kgonegiša ditirelo tša ditšhelete tša maswanedi.

GO KGONA GO godiša phetogo ya tša temo yeo e sa felego le tšwetšopele ya methopo ya tša temo;

GO KGONA GO maatlafatša ditirelo tša ditšhelete tša ga bjale; le

GO KGONA GO godiša lekala la go ba le bokgoni le dipelo ka go lekala la tša temo

E DIRILWE MOLAO ke Palamente ya Rephaboliki ya Afrika Borwa ka moo go latelago:-

DIKAGARE

KAROLO 1

METHEO YE BOHLOKWA LE PHETOLELO

2 No. 23506

Kuranta ya Mmušo, 10 June 2002

Molao No. 15, 2002

Molao Panka ya Tšwetšopele ya naga le tša Temo

1. Dihlalošo
2. Go ba gona go sa felego le tša semolao tša Panka
3. Maikemišetšo a Panka

KAROLO II

TSHEPETŠO YA PANKA

4. Tshepetšo ya Panka ke Lekgotla
5. Mediro ya Panka
6. Maikarabelo a Panka
7. Karolo ya Letona
8. Maloko a Panka
9. Go bewa/kgethwa le pakatiro ya kantoro ya maloko a Lekgotla
10. Go tlošwa
11. Go sepela ga maloko a Lekgotla
12. Go tlošwa kantorong ga maloko a Lekgotla
13. Dikopano tša Lekgotla
14. Mabaka a tirelo a maloko a Lekgotla
15. Dikomiti tša Lekgotla
16. Go abela ka Lekgotla
17. Go bewa/kgethwa ga Mohlankedi Mogolwane Phethišo
18. Maatla le maikarabelo a Mohlankedi Mogolwane Phethišo
19. Go thwalwa ga badiri
20. Go thwalwa ga baeletši
21. Dikgahlego tša go fapana

KAROLO III

MATLOTLO LE KGWEBO YA PANKA

22. Matlotlo a Panka
23. Peeletšo ya ditšhelete
24. Maatla a go oketša sekhwama
25. Phatlalatšo ya matlotlo a phetedi
26. Tshepetšo ya Kgwebo le dipeakanyo tša polokego
27. Mabaka a kgwebo
28. Kgopelo ya tšhelete
29. Peopakeng ya bao ba kolotago
30. Dikabelo tša semolao
31. Dilounu tša tefišo
32. Setšhaba se no dula se rwešwa molato

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Kuranta ya Mmušo, 10 June 2002

Molao No. 15, 2002

Molao Panka ya Tšwetšopele ya naga le tša Temo

KAROLO IV**TAOLO YA DIPHONKGELo LE MERERO YA TSHEPEDIŠO**

33. Diphekolo ge e le gore go na le tlwaelo
34. Tšhomišo ya tšhaledi le tšhelete ya go tšwa go tše rekišitšwego
35. Taolo ya ditšhelete
36. Bathuši (Subsidiaries)
37. Mabaka a kopanetšwego
38. Ditshepedišo tša kakaretšo
39. Tšhutišetšo ya mahumo
40. Dithuo tša go se šuthišege
41. Tokišo le tiragatšo ya ditokomane le tlogelo go maikarabelo a setempe sa modiro le ditefišo tše dingwe.
42. Ditefišo le ditšhatše

KAROLO V**MERERO YA TSHEPEDEDIŠO LE YA PHETOGELO**

43. Polokego le tshedimošo ya lekunutu yeo e swerwego ke Panka
44. Ditšhošetšo tša Panka
45. Tshepetšo ya semolao ya Panka
46. Tšhomišo ya leina la Panka
47. Ditlomolao tša kakaretšo
48. Dikotlo
49. Melawana
50. Ditekanyetšo
51. Dihlahlobo legatong la Panka
52. Merero ya phetogelo
53. Phedišo ya Molao wa bo 13 wa 1994
54. Thaetlele ye kopana le go thoma

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Kuranta ya Mmušo, 10 June 2002

Molao No. 15, 2002 Molao Panka ya Tšwetšopele ya naga le tša Temo

KAROLO 1**METHEO YE BOHLOKWA LE PHETOLELO****Ditlhalošo**

Ka go Molao wo, ka ntle le ge diteng di bontšha sengwe-

"Panka" ke Panka ya Tšwetšopele ya Naga le tša Temo ya Afrika Borwa yeo e bitšwago Panka ya Naga;

"Lekgotla" ke lekgotla la balaodi ba Panka bjalo ka ge go beilwe ka go karolo 8;

"Modulasetulo" ke modulasetulo wa Lekgotla yoo a beilwego go ya ka karolo 8(1);

"Mohlankedimogolo Phethišo" ke motho yoo a beilwego go ya ka karolo 17(1);

"Kgoro" ke Kgoro ka go lekala la bosetšhaba la mmušo leo le sepetšago Molao wo;

"Ditirelo tša ditšhelete" ke ditirelo tša ditšhelete tšeo ka tlwaelo di dirwago ke setlhongwa sa ditšhelete bjalo ka ge go hlalošitšwe ka go Molao wa Lekgotla la Ditirelo tša Ditšhelete, 1990 (Molao No. 97 wa 1990), go amogela ditsenyo ka ntle le tšeo di kgonegišitšwego ka gare ga Molao wo;

"mmušo" ke mmušo wa Rephaboliki ya Afrika Borwa;

"Letona" ke Letona leo le rwelego maikarabelo a tša temo;

"hlalošitšwe" ke tšeo di hlalošitšwego ke molawana;

"Molao wo" o balela le melawana;

"molekanyetši" ke molekanyetši yoo a beilwego ka fase ga karolo 50(2), gape e tsenya Leloko la Lekgotla, moeletši goba modiredi wa Panka yeo e filwego tumelelo yeo e ngwadilwego fase ya go lekanyetša dithuo tšeo di fiwago bjalo ka poloko ya go humana thušo ya tšhelete ka fase ga Molao wo.

Go ba gona go go sa felego le tša semolao tša Panka

2. (1) Panka yeo e tihomilwego ka fase ga karolo ya bo 3 ya Molao wa Panka ya Naga, 1912 (Molao No. 18 wa 1912), gomme yeo e tšwetšego pele go ba gona go ya ka karolo ya bo 3 ya Molao wa Panka ya Naga, 1944 (Molao No. 13 wa 1944), e tšwela pele go ba gona ka fase ga leina la Panka ta Tšwetšopele ya Naga le tša Temo ya Afrika Borwa go se na taba le diphedišo tša Molao yeo.

(2) Panka ke ya semolao, gape, ka maatla a yona ao a kopantšwego, e kgona go suwa le go suiwa, gape, e šoma go ya ka dikgonegišo tša Molao wo, tša go kgona go reka goba go humana ka mokgwa wo mongwe, go swara goba go šelefatša dithuo, tša go šutha le tša go se šuthe, le go dira mediro yeo ya kakaretšo ye dirwago ke batho go ya ka ya molao.

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Kuranta ya Mmušo, 10 June 2002

Molao No. 15. 2002 Molao Panka ya Tšwetšopele ya naga le tša Temo

(3) Panka e swanetše go sepetšwa le go laolwa bjalo ka ge go kgonegišitšwe ka gare ga Molao wo.

(4) Panka ga e tsenywe ka go dikgonegišo tša molao ofe goba ofe wo mongwe woo gabotsebotse o laolago dipanka goba ditlhongwa tše dingwe tša ditšhelete ka ntle le ge molao wo mongwe wo bjalo o kgonegiša gabotsebotse gore o šomišwe ka go Panka.

(5) Letona, Lekgotla le badiredi ba Panka ba swanetše gore, moo go kgonegišitšwego ka mokgwa woo, ka ntle le ge go dumeletšwe ke Letona la Ditšhelete, ba latelele dikgonegišo tšeo di šomago tša Molao wa Taolo ya Ditšhelete tša Setšhaba, 1999 (Molao No. 1 wa 1999), ge go sepetšwa kgwebo ya Panka.

(6) Mmušo ke wona mong wa pank a o le tee.

Maikemišetšo a Panka

3. Maikemišetšo a Panka ke go godiša, go nolofatša le thekgo ya -

(a) borui bja go lekalekana bja naga ya temo, kudukudu koketšego ya borui bja naga ya temo ke batho bao pele ba bego ba beetšwe ka thoko;

(b) phetogo ya tša temo, kabolessa ya naga goba mananeo a tšwetšopele ao a lebišitšego batho goba dihlopha tšeo pele di bego di beetšwe ka thoko gore go tšwetšwe pele dikgwebo tša temo le mabaka a gona;

(c) khumano ya naga ka mabaka a tša temo;

(d) botsebi bja tša kgwebo ya temo;

(e) tlošo ya bohwa bja kgale bja kgethollo go ya ka morafe le bong ka go lekala la tša temo;

(f) kaonafatšo ya tšweletšo, dipelo, peeletšo le boitšhimolli ka go ditshepetšo tša temo le tša magaeng;

(g) Mananeo ao maikemišetšo a wona e lego hlohleletšo ya kgolo ka go lekala la tša temo le tšhomišo ya naga yeo e kaonafaditšwego;

(h) Mananeo ao a diretšwego go godiša le go tšwetša pele go ba gona go sa felego ga tikologo gore naga e dule e le gona le methopo ya go amana le tšona ya hlago;

(i) Mananeo ao a thušago ka merero ya tša temo ya tšwetšopele ya magae le go hlolwa ga mešomo;

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Molao No. 15. 2002 Molao Panka ya Tšwetšopele ya naga le tša Temo

- (j) temo ka mabaka a kgwebo; le
- (k) polokego ya dijo.
- (2) Panka e swanetše go fihlelela maikemišetšo a yona ka go-
 - (a) kgonegiša ditirelo tša ditšhelete go godiša le go nolofatša khumano ya borui bja naga gore kgwebo ya temo e tšwele pele le ka mabaka a tša temo.
 - (b) go kgonegiša ditirelo tša ditšhelete go thekga efe goba efe ya maikemišetšo a yona;
 - (c) go nolofatša le go hlohleletša gore lekala la praebete le thuše lekala la tša temo ka ditšhelete; le
 - (d) go fa thušo ye bjalo yeo e tlhokegago gore go diragatšwe maikemišetšo a Panka.

KAROLO II

TSHEPETŠO YA PANKA

Tshepetšo ya Panka ke Lekgotla

4 (1) Letona le swanetše go bea lekgotla la balaodi go sepetša kgwebo ya Panka.

(2) Neng goba neng ge go hlokega gore go bewa/kgethwe leloko la Lekgotla, Letona le swanetše gore, ka go fa tsebišo ka gare ga Kuranta ya Mmušo, mmogo le ka go media wo mongwe wa maswanedi, le ka memo yeo e ngwadilwego fase go dikomiti tša palamente tša maswanedi, le kgopele gore go kgethwe batho bao e lego gore ga se bao ba ganetšwago go ya ka karolo 10 gore ba tle ba direle Lekgotla.

Mediro ya Lekgotla

5. (1) Lekgotla le swanetše go-

- (a) laetša le go lola tshepedišo le kgwebo ya Panka;
- (b) diragatša melaotshepetšo yeo e beilwego ka gare ga Molao wo;
- (c) tšwetša pele maanotshepetšo a tshepedišo ya go ba gabotse ga Panka; le

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(d) tšetšwa pele molao wa maitshwaro a mabotse.

(2) Ge le diragatša mediro ya lona, Lekgotla le swanetše go ela hloko gape le dire go ya ka dikgahlego tše kaone kudu le ka moo Panka e tla holegago.

(3) Lekgotla le na le maatla kamoka ao a hlokegago go diragatša mediro ya lona go ya ka Molao wo.

Maikarabelo a Panka

6. Maloko a Lekgotla ka bowona le ka sehlopha a ikarabela go Letona.

Karolo ya Letona

7. Letona-

(a) le rwele maikarabelo a tšwetšopele ya molaotshepetšo wa go ba mabapi le temo, phetošo ya tša temo le merero ya go sepelelana le tšona, le

(b) le ka no re, nako le nako, la fa ditaetšo tša molaotshepetšo go Lekgotla tšeo di sa ganetšanego le Molao wo.

Maloko a Lekgotla

8(1) Lekgotla le na le batho bao ba sego ka fase ga ba šupa le bao ba sa fetego ba lesomepedi, go balwa le bao ba akantšwego ka go dikakarolo (3) le (4).

(2) Bontši bja maloko a Lekgotla ba swanetše go dira e se bona ba phethišo.

(3) Mohlankedimogolo Phethišo ke leloko la Lekgotla ka baka la maemo a gagwe gomme o dira bjalo ka molaodi phethišo.

(4) Letona le ka no bea leloko lefe goba lefe la Panka go dira bjalo ka molaodi phethišo ge le dula e le mothwalwa wa Panka.

(5) Letona le swanetše go laela wo mongwe wa maloko a Lekgotla go ba Modulasetulo wa Lekgotla le wo mongwe go ba motlatša modulasetulo gore ba dire bjalo ka modulasetulo ge modulasetulo a sa kgone.

(6) Maloko a lekgotla ao a tšewago e le sehlopha ba swanetše go-

(a) emela karolo ya bophara ya setšhaba sa rephaboliki ka go fapana;

(b) lokela go direla Lekgotla ka baka la go kgotsofatša dinyakwa go kgotsofatšago, bokgoni le maitemogelo; le

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(c) ba le boikgafo go maikemišetšo a Molao wo.

Go bewa/kgethwa le pakatiro ya maloko a Lekgotla

9. (1) Letona le ka no kgetha leloko la Lekgotla pakatiro yeo Letona le ka no e phethago go leloko le lengwe le le lengwe empa pakatiro ye bjalo ga se e swanele go feta mengwaga ye mehlano.

(2) Leloko le lengwe le le lengwe la Lekgotla le ka no re morago ga go feta ga pakatiro ya lona la bewa ka leswa bjalo ka leloko la Lekgotla ka ntle le ge le-

(a) ile la tlošwa kantorong ke Letona go ya ka karolo 12; goba

(b) ga le sa dumelelwa go ya ka karolo 10 gore le dire bjalo ka leloko la Lekgotla.

(3) Go se na taba le sekakarolo (1), Letona le ka no re, pele ga ge pakatiro ya leloko lefe goba lefe la Lekgotla e feta, la katološa pakatiro ya leloko la Lekgotla go fihla leloko le leswa la Lekgotla le bewa, empa lebaka la katološo yeo ga se le swanele go feta dikgwedi tše tšehelela.

Go se sa dumelelwa

10. Motho ga se a swanele go bewa bjalo ka leloko la Lekgotla ge e le gore motho yoo-

(a) ga se modudi wa, goba ga a na phemiti ya leruri ya go dula ka go Rephaboliki;

(b) go filwe taelo ya kgotla ya go ba le bokgoni ya go bega gore motho yoo o a lwala mo hlogong;

(c) o otlilwe morago ga go thoma ga Molao wo, ka Rephaboliking goba gongwe, ka baka la bosenyi bjoo dirilwego gore motho yoo a tswalelelwe kgolegelong go se na le kgetho ya go lefišwa;

(d) o otlilwe-

(i) mo Rephaboliking ka baka la bohodu, go bolela maaka a le ka fase ga kano goba bosenyi go ya ka Molao wa Bohwiriwiri, 1992 (Molao No. 94 wa 1992);

(ii) gongwe, ka baka la bosenyi bofe goba bofe bja go sepelelana le bjo go boletšwego ka bjona ka go sekatemana (i);

(iii) go se na taba gore ka Rephaboliking goba gongwe, ka baka la bosenyi bofe goba bofe bja go amana le go se tshepege; goba

(iv) ka baka la bosenyi go ya ka Molao wo;

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- (e) ga a dumelelwe go dira bjalo ka molaodi wa khamphani yeo e balelwago go ya ka Molao wa Dikhamphani, 1973 (Molao No. 61 wa 1973); goba
- (f) go ya ka sephetho sa kgotla ya tekatekano, o tlotše karolo ya bo 7 ya Kgodišo ya Tekatekano le Molao wa Thibelo ya Kgethollo yeo e sa Lokago 2000 (Molao No. 4 wa 2000).

Go sepela ga maloko a Lekgotla

11.(1) Leloko la Lekgotla le ka no rola modiro wa lekgotla ka go fa tsebišo ya kgwedi ye tee yeo e ngwadilwego fase go Letona.

(2) Modulasetulo a ka no rola modiro wa bodulasetulo bja Lekgotla, gomme a no dula e le leloko la Lekgotla, ka go fa Letona tsebišo ya kgwedi ye tee yeo e ngwadilwego fase.

(3) Leloko la Lekgotla le swanetše go tloga ge e le gore o be a se gona dikopanong tša Lekgotla tša go šalana morago tša go feta tše pedi ntle le go tsebiša Letona ka gore a ka se be gona.

Ge madulo a leloko la Lekgotla leo e sego la Phethišo a se na motho pele ga ge pakatiro yeo a e beetšwego e feta, Letona le swanetše go bea motho o mongwe go tlatša sekgoba lebaka leo le sego le fete la leloko.

Go tlošwa ga leloko la Lekgotla kantorong

12. Letona le ka no tloša leloko la Lekgotla kantorong pele ga ge pakatiro ya kantoro ya leloko leo la Lekgotla e feta-

(a) ge e le gore go na le lebaka la go kwala la go dira ka mokgwa woo, goba

(b) go ya ka karolo 12(5).

Dikopano tša Lekgotla

13. (1) Maloko a Lekgotla a swanetše gore, e sego ka fase ga gatee ka kgwedi, a kopane lefelong le ka nako yeo modulasetulo a tla e bolelago nako le nako;

(2) Modulasetulo-

(a) a ka no re ka nako ye nngwe le ye nngwe a epa pitšo yeo e se e tlwaelegego ya Lekgotla yeo e tla swarwago ka nako le lefelong leo le tla phethwago ke modulasetulo;

(b) o swanetše gore, ge a humana kgopelo yeo e ngwadilwego fase ya maloko a mangwe a mabedi, a epe pitšo yeo e se e tlwaelegego ya Lekgotla, yeo e

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swanetšego e swarwe lebakeng la matsatši a 14 morago ga tšatši la go humana kgopelo yeo, yeo e tla swarwago ka nako le lefelong le ka mokgwa woo o tla phethwago ke modulasetulo;

(c) ge e le gore kopano yeo e se e tlwaelegelo e a swarwa go ya ka temana (a) goba (b), ka mokgwa wa go phakiša bokaone kudu, a fe maloko kamoka a Lekgotla tsebišo ya kopano yeo le seo se yo rerwago ka kopanong yeo.

(3) Motho yoo e lego modulasetulo kopanong ya Lekgotla o swanetše go phetha mokgwa wa nnete le wa go kwala woo o tla latelelwago ka kopanong yeo.

(4) Ka go kopano ya Lekgotla-

(a) khoramo ke halofo ya palo ya maloko a Lekgotla ao a beilwego ka nako yeo le o tee;

(b) sephetho se dumeletšwego ke bontši bja maloko a Lekgotla ao a lego gona kopanong yeo e tsenetšwego ke maloko a mantši ke sephetho sa Lekgotla;

(c) ge go ena le go se lekalekane ga diboutu tšeo di dirilwego ke maloko a Lekgotla ao a lego gona kopanong, motho yoo e lego modulasetulo ka kopanong yeo o na le boutu ya makgaolakgang go tlatša boutu yeo e tlwaelegilego.

Mabaka a tirelo a maloko a Lekgotla

14.(1) Letona, morago ga go rerišana le Letona la Ditšhelete le swanetše go phetha megolo, diputseletšo le mehola ye mengwe ya modulasetulo le maloko a mangwe a Lekgotla gomme megolo woo le mehola yeo e swanetše go lefsa go tšwa go matlotlo a Panka.

Dikomiti tša Lekgotla

15.(1) Lekgotla, le ka no re, go ya ka sekakarolo (2)-

(a) la bea dikomiti tša go ba le maloko a mantši a Lekgotla, bathwalwa ba Panka le baeletši ba Panka bao ba hlokegago go dira mediro yeo Lekgotla le tla e laelago, le

(b) ka nako efe goba efe, la fediša goba go bušetša komiti yeo e beilwego go ya ka temana (a).

(c) Modulasetulo wa komiti e swanetše go ba leloko la Lekgotla.

(3) Tigelo ya komiti-

(a) e swanetše go tlišwa pele ga kopano ya Lekgotla yeo e latelago;

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- (b) e ka no bušetšwa morago go komiti yeo;
- (c) ke sephetho sa Lekgotla ge fela e le gore Lekgotla le dumeletše tigelo yeo.
- (4) Lekgotla ga le tšeelwe modiro ofe goba ofe woo le o filego goba le o laetšego komiti go ya ka karolo ye.
- (5) Lekgotla le swanetše go kgetha komiti ya hlakišo, yeo
 - (a) modulasetulo wa yona e lego leloko la Lekgotla; le
 - (b) maloko a yona a sego a thwalwe ke Panka .
- (6) Lekgotla le swanetše go netefatša gore komiti ye nngwe le ye nngwe e fiwa bolaodi bjo ngwadilwego fase go tšwa go Lekgotla bja go hlaloša gore modiro woo o swanetšego go dirwa ke komiti yeo o dirwe bjang.
- (7) Lekgotla le rwele maikarabelo a modiro ofe goba ofe woo o dirwago ke komiti go ya ka karolo ye.

Kabelo ka Lekgotla

16. (1) Lekgotla le ka no re nako le nako ka sephetho la abela afe goba afe a maatla a lona le go fa ofe goba ofe wa mediro ya lona go Mohlankedimogolo Phethišo goba modiredi ofe goba ofe wa Panka.

(2) Kabelo goba go fiwa ke Lekgotla ka fase ga sekakarolo (1) go swanetše go ngwalwa fase le go bolela botelele bja sebaka seo modiro wo bjalo o abelwago goba o fiwago, mabaka a kabelo goba go fiwa le mabaka afe goba afe le dikgaoletšo tšeo Lekgotla le ka no di gapeletšago.

(3) Go abela goba go fiwa ka fase ga sekakarolo (1) ga go thibele Lekgotla go dira modiro woo o filwego goba woo o abetšwego.

(4) Lekgotla le ka no bušetša morago goba la fetola modiro woo o abetšwego goba woo o filwego.

Go bewa/kgethwa ga Mohlankedimogolo Phethišo

17. (1) Letona le swanetše gore, morago ga go rerišana le Lekgotla, le bee motho wa maswanedi bjalo ka Mohlankedimogolo Phethišo wa Panka.

(2) Panka e swanetše go lefa Mohlankedimogolo Phethišo moputso, diputseletšo, mehola, dithušo tša ditšhelete le mehola ye mengwe ya tirelo yeo e phethwago nako le nako le ke Letona mmogo le Letona la Ditšhelete go ya ka molao wa thwalo woo o šomago.

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Maatla le Maikarabelo a Mohlankedimogolo Phethišo

18. (1) Mohlankedimogolo Phethišo o rwele maikarabelo a-

(a) tshepedišo ya tšatši ka tšatši ya Panka, go ya ka ditaetšo tša Lekgotla; le

(b) taolo ya badiredi ba Panka.

(2) Mohlankedimogolo Phethišo a ka no abela maatla afe goba afe goba go fa modiredi wa Panka modiro, go balwa le maatla ao a a abetšwego goba modiro woo a o filwego ke Lekgotla go ya ka karolo 16, ka ntle le ge Lekgotla, ka kabelo goba go fa ga lona go ngwaletšwego Mohlankedimogolo Phethišo, le ganela go abelwa goba go fiwa go ya pele.

(3) Go abelwa goba go fiwa ka fase ga sekakarolo (2) ga go thibele Mohlankedimogolo Phethišo go dira maatla goba modiro woo o abetšwego.

(4) Mohlankedimogolo Phethišo a ka no bušetša morago goba go fetoša kabelo goba go fiwa go dirilwego ke yena.

Go bewa ga badiredi

19. Mohlankedimogolo Phethišo o swanetše go-

(a) thwala badiredi go dira ditirelo le tšeo di ka no hlokegago go sepetša kgwebo ya Panka, ka mabaka ao Lekgotla le tla a phethago; le

(b) go beakanya tefo ya megolo ya badiredi, diputseletšo, dithušo tša ditšhelete le mehola ye mengwe ya tirelo go ya ka popego ya megolo yeo e phethwago, ke Lekgotla ka ngwaga, go ya ka molao wa bašomi woo o šomago.

Go bewa/kgethwa ga baeletši

20. Panka e ka no re, ka mabaka ao Lekgotla le ka no a phethago, ya bea motho wa go eletša Lekgotla goba Panka, go ya ka moo go tla bego go nyakega, ka merero yeo e ka no fetišetšwago go moeletši.

Dikgahlego tša go fapana

21(1) Leloko la Lekgotla le swanetše gore, ge le bewa ke Lekgotla, le ngwalele Letona le Lekgotla le utolle dikgahlego tša lona tša materiale tšeo di ka no bakago phapano mabapi le mediro ya lona ya Lekgotla, le ngwalele Letona le Lekgotla ge e le gore go ba le phapano ye bjalo morago ga go thwalwa ga lona.

(2)(a) Leloko la Lekgotla leo le nago le kgahlego ya materiale ya thwii goba ya tharedi, yeo e ka bago ya ditšhelete goba ye nngwe, ka kwano yeo e šišinywago yeo e swanetšego go tsenelwa ke Panka, le swanetše go tlogela go kgatha tema

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ka go therišano efe goba efe goba kakanyo ya kwano yeo le go boutela kwano yeo.

(c) Leloko la Lekgotla leo le humanago kgahlego ya materiale ka go kwano yeo e tsenetšwego ke pankka ka go temana (a) morago ga ge kwano e tsenetšwe o swanetše go utolla dintlha ka botlalo tša hlago le bokgole bja kgahlego yeo ka go kopano ya pele ya Lekgotla yeo e tlogo morago ga go humana kgahlego yeo.

(3) Leloko la Lekgotla goba modiredi wa Panka o swanetše gore ka go kopano efe goba efe ya Lekgotla goba ya Panka a seke a kgatha tema ka go tshepedišo ya go dira diphetho tša go ba mabapi le kgopelo ya goba kwano mabapi le go dirwa ga ditirelo tša ditšhelete tša Panka yeo e tlišitšwego ke-

- (a) motho yoo a amanago le goba yoo e lego molekane wa kgwebo goba wa bophelo wa leloko leo goba modiredi go ya ka moo go tla bego go le ka gona;
- (b) khamphani yeo leloko leo goba modiredi, go ya ka moo go tla bego go le ka gona, e lego molaodi goba mongdišere goba mothwalwa;
- (c) koporasi ye tswaletšwego (khamphani) yeo go yona leloko leo goba mothwalwa woo, go ya ka moo go tla bego go le ka gona, e lego leloko goba yeo e nago le leloko la go amana le goba leo e lego molekane wa kgwebo goba wa bophelo wa leloko leo goba mothwalwa;
- (d) motho yoo e lego moadimi goba yoo a kolotwago ke leloko leo goba mothwalwa;
- (e) motho yoo a šomišanago goba yoo a nago le bolekanane bja ditšhelete le leloko leo goba mothwalwa;
- (f) motho yoo a thwadilwego ke leloko leo goba mothwalwa;
- (g) motho yoo a kolotago goba yoo a adimago ka fase ga bonto ya ntlo ya mokgatlo ofe goba ofe wa batho, bao ba kopanago goba aowa, woo leloko leo goba modiredi e lego molaodi goba woo ka fase ga wona e lego modulakantoro goba a swerego maemo afe goba afe ka ntle le a mohlakiši

(4) Lekgotla le ka no re, nako le nako la phetha melaotshepetšo ya tlaleletšo goba la bea molao wa maitshwaro mabapi le dithulano tša dikgahlego tšeo di lego gona gare ga Lekgotla goba bathwalwa ba Panka.

(5) Leloko la Lekgotla leo le sa latelelego sekakarolo (2) goba (3) le ka no tlošwa kantorong ke Letona.

(6) Ga go motho yoo a swanetšego go utolla tshedimošo efe goba efe yeo e akantšwego ka go sekakarolo (1) ka ntle le ge e le go ya ka molao goba taelo ya kgotla yeo e gapeletšago kutullo ye bjalo.

(8) Motho ofe goba ofe yoo a tlogago sekakarolo (6) o molato wa tlolomolao.

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KAROLO III**MATLOTLO LE KGWEBO YA PANKA****Matlotlo a Panka**

22. (1) Matlotlo a Pank a na le-

- (a) tšhelele/Kapetlele yeo e filwego Panka
- (b) ditšhelete tša go tšwa go ditragalo tša tshepedišo ya yona
- (c) tswalo yeo e humanwego go tšhelete yeo e beeditšwego go ya ka karolo 23;
- (d) tšhelete yeo e ka no bago e abilwe ke Palamente gore e šomišwe ke Panka;
- (e) dilounu tšeo di ka no bago di humanwe ke Panka
- (f) go ya ka sekakarolo (2) goba (3), ditšhelete tšeo di humanwego bjalo ka dikabelo goba mphiwafela; le
- (g) ditšhelete tša go tšwa go ditsenyo

(2) Panka e ka no amogela dikabelo le mphiwafela yeo e swanetšego go šomišetšwa go phethagatša thomo ya yona ya tšwetšopele.

(3) Panka e swanetše go šomiša dikabelo le mphiwafela go ya ka mabaka afe goba afe ao a gapeletšwago ke moabi yoo a amegago, empa mabaka ao a ka no se sepelelane le maikemišetšo a Panka bjalo ka ge a beilwe ka gare ga Molao wo.

(4) Panka e swanetše go šomiša matlotlo ao go boletšwego ka wona ka go sekakarolo (1) go fihlelela maikemišetšo a Panka bjalo ka ge a boletšwe ka go Molao wo.

Peeletšo ya Matlotlo

23. (1) Lekgotla le swanetše go amogela molaotshepetšo wa peeletšo, woo o swanetšego go dumelelwa ka go ngwala fase ke Letona, wa go ba le Methalohlahli ya go laola peeletšo ya matlotlo a Panka go ya ka karolo ye.

(2) Panka ga se e swanele gore, ka ntle le tumelelo ya Letona yeo e ngwadilwego fase, e beeletše tšhelete efe goba efe ka go khamphani yeo e sa tsebegego goba go ngwadišwa, trasete goba lefelo le lengwe la semolao la go swana le tšona, kgwebo, boikgafo goba tiragalo.

Maatla a go kgopela matlotlo a go oketša sekhwama

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24. (1) Lekgotla le swanetše go amogela molaotshepetšo wa go adima woo o swanetšego go dumelelwa ka go ngwala fase ke Letona le Letona la Ditšhelete.

(2) Molaotshepetšo wa kadimo o swanetše go ba le methalohlhali ya go laola dikadimo tša Panka go ya ka karolo ye.

(3) Panka e ka no humana matlotlo a mangwe, go balwa ka mokgwa wa go adima, go tšwa go batho le ka mabaka ao a tla phethwago ke Lekgotla nako le nako, go ya ka Molaotshepetšo wa kadimo woo o akantšwego ka go sekakarolo (1).

Phatlalatšo ya matlotlo a phetedi

25.(1) Panka e ka no phetha go phatlaletša go Mmušo ditšhelete dife goba dife tša phetedi tšeo Panka e di swerego tšeo di sa hlokegego go sepetša Panka.

(2) Sephetho sa Lekgotla seo go boletšwego ka sona ka go sekakarolo (1) se ka no se diragatšwe ka ntle le ge se dumeletšwe ka go ngwala fase ke Letona.

(3) Matlotlo a phetedi ao a phatlaladitšwego go Mmušo go ya ka karolo ye a swanetše go lefelwa ka go Sekwama sa Lekgetho sa Bosetshaba.

Tshepetšo ya Kgwebo le dipeakanyo tša polokego

26.(1) Kgwebo ya Panka ke go kgonegiša ditirelo tša ditšhelete tša tša temo le tša magaeng ge e tšwetša pele maikemišetšo a Panka ao a akantšwego ka go karolo ya bo 3, kgahlanong le polokego goba mabaka a mangwe ao Lekgotla le ka no a phethago nako le nako, goba ka mokgwa woo o ka no bago o kgonegišitšwe ke Molao wo.

(2) Panka e ka no sepetša kgwebo ya yona ka mokgwa wa tshepedišo efe goba efe, mokgwa goba tiragalo yeo e akantšwego ka go Molao wo, goba ka go Molao ofe goba ofe woo o šomago, go balwa empa go sa kgaoletšwe go-

- (a) go fa tšhelete ya mabaka ao a akantšwego ka go karolo 3;
- (b) beeletša tšhelete;
- (c) kgonegiša tšhelete ya mphiwafela;
- (d) kgonegiša ditirelo tša inšorense ka gare ga karolo ya tshepedišo ya yona;
- (e) kgonegiša ditirelo tša ditšhelete tša ditšwelantle le ditsenywa ka gare ga karolo ya tshepedišo ya yona;
- (f) tšwetša pele le go diragatša tshepetšo yeo e šomago ya taolo ya diphonkgelo tša temo;
- (g) fa diphokoletšo tša dikoloto tše bolokegilego
- (h) dira dipeeletšo tša ikhwithi
- (i) dira bjalo ka lefelo la phatlalatšo la mananeo a thušo a mmušo;
- (j) šoma bjalo ka mosepediši wa karanti ya sekoloto

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- (k) laola, go reka, go adima le go rekiša dithuo tša go se šuthe le tša go šuthišega;
- (l) kgonegiša mediro ya lefelo legatong la batho ba bangwe; le
- (m) ka kakaretšo, go dira dithušo le go phetha mediro kamoka yeo Panka e ka no e dumelelago goba go e phetha go ya ka Molao wo goba molao ofe goba ofe, goba woo o dirago karolo ya goba ka kakaretšo o amanywago le ditirelo tša ditšhelete tša tša temo goba tša tšwetšopele.

(3) Panka ga se e swanele go sepetša kgwebo efe goba efe yeo e boletšwego ka go ditemana (b), (c), (d), le (e) tša sekakarolo 2 ka ntle le tumelelo yeo e ngwadilwego fase ya Letona gape e swanetše go sepetša kgwebo yeo go ya ka mabaka ao Letona le ka no a gapeletšago.

(4) Ge Panka e efa inšorense, Molao wa Inšorense ya Lebakaletsele, 1998 (Molao No. 52 wa 1998), le Molao wa Inšorense ya Lebakakopana, 1998 (Molao No. 53 wa 1998) ga o šome go dipanka.

Mabaka a kgwebo

27. (1) Letona le ka no re, morago ga go rerišana le Lekgotla, la laetša mabaka ao ka fase ga wona Panka e ka no neelanago ka ditirelo tša ditšhelete go setšhaba, go tsenywa empa go sa kgaoletšwe go mabaka ao a amanago le-

- (a) polokego efe goba efe goba kholatherale
- (b) hlokomelo, tokišo le dikaonafatšo tša polokego goba kholatherale;
- (c) inšorense ya polokego goba kholatherale;
- (d) tswalo ya dikadimo goba melato ye mengwe
- (e) pušetšo ya dikadimo le melato ye mengwe; le
- (f) Maatla a hlahlobo a Panka,
- Gomme morago ga moo mabaka ao a ka no tsenywa ka go kwano efe goba efe yeo e tsenetšwego ke Panka ya ditirelo tša ditšhelete tša temo.

(2) Lebakeng leo Letona le fetošago lebaka lefe goba lefe le dirilwego go ya ka karolo ye, phetošo yeo e swanetše go tsenywa fela ka gare ga kwano yeo e tsenelwago ke Panka morago ga tšatši la tsebišo ya phetošo yeo.

Kgopelo ya tšhelete/kadimo

28. (1) Panka ga se e swanele go adima mang goba mang-

- (a) ka ntle le ge motho yoo a tlišitše kgopelo yeo e ngwadilwego fase yeo e bolelago lebaka leo kadimo yeo e le nyakelwago;
- (b) ka ntle le ge motho yoo a kgotsofaditše lebaka le lengwe le le lengwe leo le gapeletšwago ke Molao goba ke Panka mabapi le kadimo goba morero ofe goba ofe goba selo seo se amanago le kadimo;

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- (c) go fihla ge lebaka le lengwe le le lengwe la go ba mabapi le polokego leo le šišintšwego le fiwe mabapi le kadimo le kgotsofaditšwe;
- (d) go fihla ge tekanyetšo ya polokego goba selo sefe goba sefe se feditšwe ka moo go kgotsofatšago Panka; le
- (e) go fihla ge Panka, ka go ngwala fase, e dumeletše kgopelo le kwano yeo e ngwadilwego fase e tsenetšwe ka mabaka a kadimo.

(2) Panka ga se e swanele go fa tirelo efe goba efe ya tšhelete ya tša temo goba ya magaeng go tšwa go sekhwama sa Panka go motho ofe goba ofe ge e le gore kgonegišo ye bjalo e ka no hlola thulano ya dikgahlego ka ntle le ge go lateletšwe karolo ya bo 21.

Peopakeng ya bao ba kolotago

29.(1) Go se na taba le eng goba eng seo se ganelago ka gare ga Molao wo, motho ofe goba ofe yoo a humanago kamoka goba efe goba efe ya naga yeo e filwego Panka go ya ka molao ka fase ga bonto ya madulo, a ka no re, ka tumelo ya Panka yeo e filwego ge go dirwa kgopelo mo go fomo yeo e boletšwego ke Panka, a tšea boitlamo kamoka bja yoo a kolotago ka fase ga bonto yeo gomme a bewa bjalo ka yoo a kolotago mabapi le bonto yeo.

(2) Peopakeng efe goba efe go ya ka sekakarolo (1) ga se nofeišene (novation)

(3) Ge motho a beilwe bakeng go ya ka sekakarolo (1), kadimo yeo e bolokilwego ke bonto ka mabaka a Molao wo e tšewa gore filwe motho yoo ke Panka.

Dikabelo tša semolao

30.(1) Ge motho a kolota Panka tšhelete efe goba efe ka baka la kadimo ya Molao wo-

- (a) ditšweletšwa ka moka tša temo le ditšweletšwa ka moka tše dirilwego ke motho yoo go tšwa go setšweletšwa sefe goba sefe sa tša temo ka tšhelete yeo a e adimilwego, le
 - (b) setšweletšwa sefe goba sefe sa tša temo seo se rekilwego ke motho yoo ka tšhelete yeo a e adimilwego,
- yeo motho yoo a e swerego goba yeo e lego tseleng go ya go yena goba moemedi wa motho yoo, e tšewa gore e abetšwe Panka go swana le ge e abetšwe le go išwa go Panka, gomme tahlo ya yona ka goba legatong la motho ofe goba ofe, ntle le tumelelo ya Panka yeo e ngwdilwego fase, ga se ya nnete.

(2) Ge motho ofe goba ofe a kolota Panka tšhelete efe goba efe ka baka la kadimo ya Molao wo, mabapi le tšweletšo ya tša temo yeo e swerwego ke motho yoo ya setifikeiti sa saelo (*silo*), ditšweletšwa tše swerwego ka baka la maatla a setifikeiti sa saelo di tšewa gore di abetšwe Panka go swana le ge nkabe

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ditšweletšwa tšeo di išitšwe Pankeng go se na taba le nnete ya gore setifikeiti sa saelo goba ngwadišo efe goba efe yeo e nyakegago ga se e ngwalwe ka leina la Panka.

Dilounu tša tefišo

31. (1) Panka e ka no adima tšhelete ya go agwa ga-

- (a) infrastraktšha ya kabo ya meetse;
- (b) dipetse;
- (c) ditlabakelo tša nošetšo;
- (d) dinyakwa ka moka tša dipompo tša go nošetša;
- (e) matamo;
- (f) magora a ka gare goba a ka ntle
- (g) kabo ya motlakase ka moabi ofe goba ofe;
- (h) disaello; le
- (i) ditsela tša go tsena ka mafelong a go lema(dipolaseng)

(2) Pele ga ge go dirwa tefo efe goba efe ya kadimo yeo go boletšwego ka yona ka go sekakarolo (1), Panka e swanetše go ngwalela Bongwadišo bja Ditokomane tshedimošo ya maswanedi yeo e bolelago-

- (a) tšatšikgwedi le bokaalo bja kadimo yeo e dirilwego go ya ka karolo ye le, ge e le gore kadimo e dirilwe mabapi le thuo ya go feta ye tee, tšhelete yeo morui to mongwe le yo mongwe a swanetšego go e lefa;
- (b) motho yoo a adimilwego; le
- (c) hlalošo ya thuo yeo e adimetšwego tšhelete, gomme ge Bongwadišo bja Ditokomane bo humana tshedimošo yeo ba swanetše go e tsenya ka gare ga rejistara ya bona mabapi le thuo gomme ba iše Pankeng khopi yeo e netefadišwego ya tsenyo yeo ba e dirilego.

(3) Go dira tsenyo go ya ka sekakarolo (2) go thuša gore Panka e direlwe tefišo ya thuo go fihla ge bokaalo bja kadimo mmogo le tswalo le ditefišo di šetše di bušitšwe.

(4) Ge go humanwa tshedimošo yeo e ngwadilwego go tšwa go Panka ya gore bokaalo bja kadimo mmogo le ditshenyegelo di šetše di bušitšwe, Babolokedi ba Ditokomane ba swanetše go phimola tsenyo yeo go boletšwego ka yona ka go sekakarolo (2) ka direjistareng tša bona.

(5) Ge e le gore-

- (a) tefo goba tswalo ya kadimo ga se e lefse dikgwedi tše tharo go tloga ka tšatši leo tefo yeo e ka bego e šetše e lefilwe; goba
- (b) kadimo ga se e šomišetšwe lebaka leo le e diretšwego,

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Panka e ka no kgopela motho yoo a adimilwego ka nako efe goba efe gore a buše tšhelete yeo ka moka goba karolo yeo e amegago mmogo le tswalo ya gona ka ge e le molato wa gagwe, le tswalo efe goba efe yeo e lego gona.

(6) Ga go tšhutišetšo ya thuo efe goba efe, goba lengwalo lefe goba lefe la tšhutišetšo ya yona, leo le swanetšego go ngwadišwa ke Babolokedi bafe goba bafe ba ditokomane ka ntle le ge go fiwa Mmolokedi setifikeiti seo se saenilwego ke mohlankedi yoo a filwego tumelelo wa Panka seo se bolelago gore-

- (a) ditefo kamoka le tswalo ya go fihla nako yeo mabapi le kadimo di šetše di lefilwe; le
 - (b) bokaalo bjo bo sešego bo lefse mabapi le kadimo, goba ge thuo e arogantšwe goba karolo efe goba efe ya yona e šuthišetšwa, bokaalo bja kadimo yeo e sešego e bušwa, bokaalo bja karolo ye nngwe le ye nngwe ya thuo yeo e amanago le yona.
- (7) Setifikeiti seo go bolelwago ka sona ka go sekakarolo (6) ke bohlatse bja pele (*prima facie*) bja dinnete tšeo di boletšwego ka gare ga sona gomme babolokedi ba Ditokomane ba swanetše go lemoga bokaalo bja sekoloto seo se amanago le thuo go ya ka setifikeiti seo mo godimo ga tokomane goba thaetlele goba mangwalo a tšhutišetšo a thuo yeo goba a karolo ya gona ya maswanedi.

Maloko a mokgatlo a rwešwa molato

32.(1) Go se na taba le eng goba eng ya go ganela ka molaong ofe goba ofe, leloko lefe goba lefe la mokgatlo woo o kopanetšwego, bjalo ka ge go hlalošitšwe ka go karolo 1 ya Molao wa Mekgatlo, 1981 (Molao No. 91 wa 1981), le rwešwa molato wa sekoloto se sengwe le se sengwe goba boikgafo go Panka le morago ga ge le tšwile mokgatlong, seo se-

- (a) dirilwego ke mokgatlo ge e be e sa le leloko la wona; le
 - (b) sego se lefšwe ka tšatši leo a tlogilego ka lona'
- go fihla ge Panka e file setifikeiti seo se bolelago gore e kgotsofetše gore mokgatlo le maloko ao a šetšego ba ka kgona go se sa tlangwa ke sekoloto goba boikgafo.

(2) Panka ga se e swanele go diegiša goba go ganela go ntšhwa ga setifikeiti seo se akantšwego ka go sekakarolo (1) ka mabaka ao a sa kwalego.

KAROLO IV

TAOLO YA DIPHONKGELO LE MERERO YA TSHEPEDIŠO

Diphekolo ge e le gore go na le tlwaelo

33.(1) Go se na taba le eng goba eng sa go ganela ka go molao ofe goba ofe wo mongwe, goba kwano efe goba efe ntle le go beela ka thoko diphekolo dife goba

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dife tše dingwe tše Panka e ka no bago e ena le tšona, Panka e ka no re, mabapi le dikadimo tše e di dirilego ya tšea kgato efe goba efe yeo e akantšwego ka go sekakarolo (3) ge e le gore afe goba afe a maemo ao a akantšwego ka go sekakarolo (2) a gona.

(2) Maemo ao a akantšwego ka go sekakarolo (1) ke a gore, ge e le gore-

- (a) tefo ya bokaalo bofe goba bofe bja tšhelete, yeo e swanetšego lefsa mabapi le kadimo yeo e dirilwego go ya ka Molao wo, e morago, go se na taba gore ke tšhelete ya kadimo goba tswalo ya yona;
- (b) kadimo efe goba efe ye bjalo e šomišeditšwe lebaka lefe goba lefe ntle le leo e le diretšwego;
- (c) kadimo ga se e šomišetšwe lebaka leo e le diretšwego lebakeng la nako le kwalago;
- (d) lebaka lefe goba lefe leo le tlamago kadimo ga se le latelelwe ka mokgwa wa go kgotsofatša;
- (e) (i) moadingwa o a wa, o dira tiro efe goba efe ya go wa go ya ka karolo 8 ya Molao wa go Wa, 1936 (Molao No. 24 wa 1936), goba o tšeelwa dithoto ka baka la taelo ya kgotla go ya ka Molao woo;
- (ii) moadingwa o lahlelwa kgolegelong ntle le kgetho ya tefišo;
- (iii) go humanwa kahlolo ya tefo ya bokaalo bofe goba bofe bja tšhelete kgahlanong le moadingwa;
- (v) thoto efe goba efe ya moadingwa, go ya ka taelo ya kgotla ya go ba le bokgoni, e a rekišwa gore dikoloto di lefšwe;
- (f) moadingwa o hloketšwe, gomme maruo a gagwe a kgauswi le go ahlaahlwa go ya ka karolo 34 ya Molao wa Tshepetšo ya Maruo, 1965 (Molao No. 66 wa 1965), goba o tšeetšwe dithoto;
- (g) moadingwa ke khamphani goba mokgatlo wo kopanetšwego woo o beilwego ka fase ga kahlolo ya semolao goba e a tšhoša goba e ntšhwa ka dipukung, go ya ka moo go tla bego go le ka gona; goba
- (h) moadingwa ke khamphani ya praebete goba mokgatlo wo kopanetšwego gomme molaodi ofe goba ofe, mongdišere goba leloko la gona le lahletšwe kgolegelong ntle le kgetho ya tefišo.

(3) Bjalo ka ge go akantšwe ka go sekakarolo (1), Panka e ka no-

- (a) gana go lefa karolo efe goba efe ya kadimo yeo e dumeletšwego, empa yeo e sego e lefse;
 - (b) morago ga go feta ga matšatši a šupa morago ga ge Panka e ngwadile-
 - (i) nyako ya gore tšhelete ya kadimo e lefse, gomme lengwalo leo le rometšwe go aterese ya moadingwa yoo a boletšwego ka gare ga fomo ya kgopelo; le
 - (ii) tsebišo yeo e yago go mong, goba yoo a kgethilwego goba poloko ya go nyaka go swana mabapi le maruo a moadingwa, gape, ge go le maswanedi, le go Babolokedi ba Ditokomane,
- dira kgopelo go kgotla ya molao ya taelo ye e akantšwego ka go sekakarolo (4).

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(4)(a) Ge kgotla e dira kgopelo go ya ka sekakarolo (3)(b), le ge go ena le bohlatse bjo thekgwago ke afidafite bja gore-

- (j) bokaalo bja diphahlo tše rekišitšwego bjo e lego tšhelete bo swanetše go lefsa Panka;
- (ii) Panka e ikemišeditše gore, ntle le tshenyo ya nako e tšee magato ka go kgotla yeo kgahlanong le moadingwa gore e kgone go humana tšhelete ya yona;
- (iii) moadingwa ga a na boitšhireletšo bja kgonthe (*bona fide*) kgahlanong le kgato yeo e ikemišeditšwego;
- (iv) ge tiro ye bjalo e ka dirwa, kgoro e tla ba le taolo mabapi le moadingwa le seo se bakilego kgato;
- (v) moadingwa o na le maruo ao go wona sekoloto goba karolo ya sona e ka humanwago ge e le gore maruo-ao a ka ba a sa le gona morago ga kahlolo;
- (vi) go na le kotsi ya go kwala ya gore ge go ka dirwa tiro ya go humana sekoloto kgahlanong le moadingwa, o tla e tloša lefelong la go ba le taolo gore a tšhabele tefo ya sekoloto, gore tiegišo yeo e ka no bakwago ke go dirwa ga tiro yeo e ka no baka gore maruo a seke a ba le mohola ka baka la gore a a senyega;
- (vi) dipeakanyo tša go tsenya le go fa polokego di tla goba di dirilwe ke Panka go šireletša dikgahlego tša moadingwa goba motho ofe goba ofe yoo dikgahlego tša gagwe di ka no angwago ke go fiwa ga taelo yeo e boletšwego ka mo.

kgotla ya molao e ka no dumelela Panka gore e tšee le go rekiša ka fantisi ya setšhaba goba thentara ya setšhaba, karolo ye itšego ya maruo le ditokelo tša moadingwa go ya ka moo go tla bego go hlokega go humana tšhelete yeo e kolotwago ka baka la kadimo yeo e dirilwego ke Panka, mmogo le tswalo le ditshenyegelo tša gona.

- (c) Ge e dira taelo ye bjalo, kgotla e ka no gapeletša mabaka mabapi le go dirwa ga tiro le go fiwa ga polokego ke Panka, ka baka la ditshenyegelo tšeo di hlagetšego moadingwa goba batho bafe le bafe ka baka la go rekišwa ga thuo efe goba efe ya gagwe.
- (c) Ge e le gore go a kwala goba ke fela ka mabaka goba ge go ena le dikakanyo tša go gapeletša gape le ge Panka e file dikaranti tše hlokegago goba dipolokego tše dingwe, kgotla e ka no dumelela Panka gore e tšee le go rekiša maruo a moadingwa le ditokelo ntle le go dira ditshepetšo tša kgotla tše tiwaelegilego.
- (d) Motho ofe goba ofe yoo a angwago ke taelo yeo go boletšwego ka yona ka go ditemana (a) go fihla go (c) a ka no dira kgopelo go kgotla ya go ba le bokgoni gore taelo e beelwe ka thoko.

- (5) Panka e swanetše gore, ge e diragatša taelo ya Kgotla yeo e filwego go ya ka sekakarolo (4) le morago ga thekišo ya maruo afe goba afe a moadingwa, e šuthišetše thuo yeo go moreki gape e fe moreki thaetlele ye botse le ya nnete ntle le ditšhitišo.

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- (6) Panka e ka no dira kadimo go ya ka Molao wo le ka mabaka ao e ka no bonago a sepelelana le moreki wa thuo yeo e akantšwego ka go sekakarolo (5), ka mabaka a go lefelela kamoka goba karolo ya bokaalo bja theko.
- (7) Tšhelete ya thekišo ka baka la taelo ya kgotla yeo e akantšwego ka go sekakarolo (4) e swanetše go diragatšwa bjalo ka ge go akantšwe ka go karolo (30).
- (8) Moo e lego gore thuo yeo e rekišitšwego ga se yeo e šuthišegago, Panka e swanetše go iša khopi yeo e netefaditšwego ya taelo ya kgotla yeo e akantšwego ka go sekakarolo (4) go Mmolokedi wa Ditokomane yoo a swanetšego go dira ditsenyo tša maswanedi le ditshaeno mo go mangwalo a thaetlele go netefatša tšhutišetšo ya thuo go moreki.
- (9) Ge go rekišitšwe diphahlo ka baka la taelo ya kgotla ke moadimi yoo a tlwaelegilego kgahlanong le maruo a moadingwa-
- (a) ditokelo tša Panka di tla pele go ditokelo tša moadimi yoo a tlwaelgilego go se na taba le gore o na le sedirišwa sa go nyaka go swana; le
- (b) tšhelete yeo e humanwego morago ga tefo ya ditshenyegelo tšeo di bakilwego ke go tšewa ga maruo, di swanetše go lefisa Panka kamoka, ka ntle le ge e feta tšhelete yeo e kolotwago Panka ya kadimo le bokaalo bja tswalo le ditshenyegelo tša gona.
- (10) Go tšeelwa diphahlo goba go rekišwa ga tšona ga go kgaoletše tokelo ya Panka go kgopela taelo go kgotla go ya ka sekakarolo (4) goba ditokelo tša yona go ahlaahla maruo a moadingwa go ya ka karolo ye le karolo 34, go se na taba le molao ofe goba ofe woo o kgonegišago gore thuo ya moadingwa e be maatleng a moswaratrasete go morekiši wa diphahlo tša gagwe ge e le gore a ka tšeelwa diphahlo.
- (11) Šerifi, moswaratrasete ya maruo a yoo a welego, moswari wa maruo ao a filwego, moabi wa maruo a motho yoo a hloketšwego goba morekiši goba molaodi wa semolao wa khamphani yeo e welego, mokgatlo wo kopanetšwego goba koporasi ga se a swanele go rekiša maruo ao e lego a Panka, ka ntle le ge Panka e dumela ka go ngwala fase ge e le gore e paletšwe ke go rekiša thuo yeo lebakeng la dikgwedi tše tharo morago ga go humana tsebišo yeo e ngwadilwego fase ya go tšwa go motho yoo yeo e kgopelago gore Panka e rekiše thuo yeo.
- (12) Ge Panka e tšere naga goba poloko ye nngwe go ya ka sekakarolo (4) gomme go tšewa goo go ngwadilwe ke Mmolokedi wa Ditokomane, naga yeo goba poloko ye nngwe ga se e swanele go lefišwa ka mokgwa ofe goba ofe, go se na taba le molao ofe goba ofe wo mongwe wa go ganela, ka ntle le ge go ena le tumelelo yeo e ngwadilwego fase ya Panka.

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(13) Bonto ya thuo, yeo e kgethegilego goba ya kakaretšo, yeo e ngwadišitšwego go boloka tefo ya sekoloto yeo pele e bego e sa bolokwa, seo se dirilwego pele Panka e adima moadingwa yoo a amegago, ga e ratege ge maruo a moadingwa a rekišwa goba ge a ewa, goba Panka e tšwela pele go ya ka sekakarolo (3), lebakeng la dikgwedi tše 12 morago ga ngwadišo ya bonto yeo.

(14) Bonto ya thuo, yeo e kgethegilego goba ya kakaretšo, yeo e ngwadišitšwego go boloka sekoloto seo se dirilwego morago ga ge Panka e dirile kadimo go moadingwa yoo a amegago, ga e ratege ge maruo a moadingwa a rekišwa goba a tšewa, goba Panka e tšwela pele go ya ka sekakarolo (3), lebakeng la dikgwedi tše 12 morago ga ge Panka e dirile kadimo yeo.

Tšhomišo ya tšhaledi le tšhelete ya go tšwa go tše rekišitšwego

34.(1) Ge Panka e tšere maruo goba ditokelo go ya ka karolo 33, tšhaledi ya tšhelete, ge e le gore e gona, e swanetše gore, morago ga tefo ya ditshenyegelo kamoka tšeo Panka e di diretšwego ka baka la go tšewa ga maruo, e šomišetšwe-

- (a) go fokotša goba go lefelela bokaalo bofe goba bofe bjo bo mabapi le bonto efe goba efe goba tokelo ye nngwe ya nnete yeo e tšago pele ga bonto ya Panka goba tokelo ya nnete; le
- (b) ge e le gore go na le seo se šalelago, go fokotša goba go lefelela tšhelete yeo e kolotwago Panka ka baka la kadimo, mmogo le tswalo le ditshenyegelo tša gona; le
- (c) Ge go ena le sekoloto seo se šetšego, bjalo ka ge go akantšwe ka go sekakarolo (3).

(2) Moadimi ofe goba ofe wo mongwe yoo a swerego tokelo ya maruo a moadingwa go ya ka molao ofe goba ofe o swanetše go humana tefo, tšhelete yeo a swanetšego go e lefa, le mašaleledi a phetedi yeo, ge a le gona, a swanetše go lefa moadingwa.

Taolo ya ditšhelete

35.(1) Lekgotla le swanetše go dira gore go bolokwe dipuku tša diakhaonte tšeo di hlokegago.

(2) Dipuku tša akhaonte le ditaodišo tša ditšhelete tša Panka di swanetše go hlakišwa ke Mohlakiši Pharephare ka ngwaga.

(3) Lekgotla le swanetše go netefatša gore ditekanyo tša ngwaga le maano a kopantšwego, dipegongwaga le ditaodišo tša ditšhelete tše hlakišitšwego di

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Molao No. 15. 2002 Molao Panka ya Tšwetšopele ya naga le tša Temo

lokišitšwe le go tlišwa go ya ka dikgonegišo tša Molao wa Taolo ya Ditšhelete tša Setšhaba, 1999 (Molao No. 1 wa 1999).

Bathuši (Subsidiaries)

36. (1) Panka e ka no re, go ya ka Molao wa Taolo ya Ditšhelete tša Setšhaba, 1999, le ka tumelelo yeo e ngwadilwego fase ya Lekgotla, ya ba le batuši ge go hlookega gore e sepele gabotse le go diragatšwa ga maikemišetšo a yona.

(2) Bontši bja balaodi ba khamphani ya bathuši yeo e hlomilwego ke Panka ba swanetše go ba maloko a Lekgotla.

(3) Dimemorantamo le dingwalwa tša mokgatlo wa bathuši woo o hlomilwego ke Panka di swanetše go dumelwa ke Lekgotla pele ga ge di amogelwa le go ngwadišwa ke Mongwadiši wa Dikhamphani.

Mabaka a kopanetšwego

37. Panka e ka no re, go ya ka Molao wa taolo ya Ditšhelete tša Setšhaba, 1999, le ka tumelelo ya Lekgotla, ya kopanela mabaka le motho ofe goba ofe ka mabaka a go tšwetša pele maikemišetšo a Panka bjalo ka ge go boletšwe ka gare ga Molao wo.

Ditshepetšo tša kakaretšo

38.(1) Panka e ka no re, ka kgopelo ya Letona goba kgoro ye nngwe ya mmušo goba setho sa mmušo, ya fa ditirelo tšeo e ka kgonago go di fa ka mokgwa wa go ba lefelo go makoko ao Letona le a laelago ka mabaka ao Letona, morago ga therišano le Lekgotla le a phethago ka go ngwala fase.

(2) Panka e swanetše go dira bjalo ka moeletši wa mmušo le ditho tša mmušo mabapi le merero ya ka gare ga goba yeo e amanago le maikemišetšo a Panka, le ka mabaka ao a tla phethwago ke Letona nako le nako.

(3) Panka e ka no re, ka gare ga maikemišetšo a yona, ya fa ditirelo go dikhamphani tša praebete le go batho ka mabaka ao Lekgotla le ka no a phethago nako le nako.

Tšhutišetšo ya diphahlo

Panka e ka no šuthišetša diphahlo go Panka go tšwetša pele maikemišetšo a Panka ka mabaka le ditlamo tšeo Mmušo o ka no di phethago.

Dithuo tša go se šuthišege

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40.(1) Panka e ka no humana, ya swara goba ya rekiša dithoto tša go se šuthišege ge e sepetša kgwebo ya yona.

(2) Lekgotla le swanetše go phetha molaotshepetšo le tshepedišo ya Panka mabapi le khumano le tahlo ya dipahlo tša go se suthišege.

(3) Letona le ka no re, go ya ka sekakarolo (4), la laela Panka gore e dire gore go be gona thoto efe goba efe ya go se šuthišege ka mabaka a phetošo ya tša temo, yeo e ka no bago e e humane go moadingwa ke Panka yoo a sego a lefe kadimo yeo e dirilwego ke Panka.

(4) Thuo efe goba efe ya go šuthišega yeo e filwego ke Panka go ya ka sekakarolo (3) e ka no šuthišetšwa go le go ngwadišwa ka leina la motho yo mongwe fela morago ga ge tefo ya mohola ya tšweletšo ka mabaka a phetošo ya tša temo ya thuo yeo e šetše e humanwe ke Panka goba ge Lekgotla le dumeletše dipeakanyo tša tefo morago ga tšhutišetšo le ngwadišo, ka dikgaokgao goba aowa.

Tokišo le tiragatšo ya ditokomane le tlogelo go maikarabelo a setempe sa modiro le ditefišo tše dingwe

41.(1) Go se na taba le dikgonegišo tša molao ofe goba ofe wo mongwe le ka mabaka a go diragatša mediro ya Panka-

- (a) tokomane ye efe goba efe ya tšhutišetšo, bonto, bonto ya nothoriale goba tokomane ya go amana le polokego efe goba efe ye nngwe yeo e humanwego goba yeo e fedišitšwego ke Panka ka gare ga tshepetšo ya kgwebo ya yona, e ka no lokišwa le go diragatšwa ke mothalwa ofe goba ofe wa Panka yoo a beilwego gabotsebotse ke Panka ka baka leo, gomme mothwalwa yoo a ka no re, mabapi le tokomane yeo, a dira modiro ofe goba ofe wa go šuthišetša thuo goba nothari ya setšhaba le ge e le gore ga se a amogelwe ka mokgwa woo, gomme ditokomane tše bjalo ka moka, dibonto, le ditokomane tše dingwe, di swanetše gore, ge e le gore di a ngwadišega, di amogelwe gore di ngwadišwe ka gare ga ngwadišo efe goba efe ya mangwalo goba kantoro efe goba efe ya ngwadišo ya Rephaboliki;
- (b) motho ofe goba ofe yoo a amogetšwego bjalo ka mošuthišetši wa dithuo goba nothari ya setšhaba, yoo a thwadiwego ke Panka gape a efa ditirelo tša tšhutišetšo tša profeshenale goba ditirelo tša nothariele go Panka ga a gapeletšege go lefiša tefišo ya ditirelo tše bjalo.
- (c) ga go lekgetho la setempe goba la tšhutišetšo leo le lefsago mabapi le tšhutišetšo ya thuo go Panka gomme ga go tefišo yeo e lefsago ka baka la tsenyo yeo e dirilwego ya tokomane efe goba efe ka kgopelo ya Panka ka gare ga rejestara efe goba efe ya mangwalo goba kantoro ye nngwe ya ngwadišo ka baka la go phimolwa ga tsenyo efe goba efe ye bjalo;
- (d) Panka ga e rwalwe maikarabelo a tefo ya go nyakwa gofe goba gofe go bjalo goba hlahlobo ka go kantoro efe goba efe ya mong, kantoro ya molekodi

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pharephare, goba ngwadišo ya ditokomane goba kantoro efe goba efe ya ngwadišo.

Ditefišo le ditšhatše

42. Lekgotla le swanetše gore, nako le nako le dumelele sebopego sa ditefišo le ditšhatše tšeo di yo lefišwago ke Panka ka baka la ditirelo tša yona.

KAROLO V

MERERO YA TSHEPEDEDIŠO LE YA PHETOGELO

Polokego le tshedimošo ya lekunutu yeo e swerwego ke Panka

43.(1)Go ya ka Molaotheo le Molao wa Kgodišo ya Khumano ya Tshedimošo, 2000 (Molao No. 2 wa 2002), ga go motho yoo a swanetšego go-

- (a) utolla ka mokgwa ofe goba ofe tshedimošo yeo e tlišitšwego ke motho ofe goba ofe mabapi le kgopelo efe goba efe ya tirelo ya ditšhelete tša temo tšeo di fiwago goba tšeo di neelwago ke Panka; goba
- (b) gatiša tshedimošo efe goba efe yeo e humanwego ka moo go ganetšanago le temana (a),

ka ntle le ge go laetšwe gore go dirwe bjalo ke kgotla ya molao goba ge motho yoo a dirilego kgopelo ye bjalo a fiwa tumelelo yeo e ngwadilwego fase.

(2) Motho ofe goba ofe yoo a tloago sekakarolo (1) o molato wa tlolomolao.

Ditšhošetšo tša Panka

43. Panka ga se e swanele go tšhošetšwa ka ntle la ka goba go ya ka Molao wa Palamente.

Tshepetšo ya semolao ya Panka

44. Taelo ya tshepetšo ya semolao go ya ka Molao wa Dikhamphani, 1973 (Molao No. 61 wa 1973) e ka no fiwa mabapi le Panka ke kgotla ya go ba le bokgoni ge fela kgopelo e dirilwe ke Letona goba Lekgotla.

Tšhomišo ya leina la Panka

46.(1) Ga go motho yoo a se a dumelelwego ka go ngwala fase ke Panka gore a dire bjalo yoo a swanetšego go-

- (a) šomiša leina la Panka goba maina a "Panka ya Naga"; goba
- (b) fa goba go itia okare o emela Panka ka mokgwa ofe goba ofe, go tsenywa ka tšhomišo ya maswao (logos), meakanyetšo goba dimateriale tša go bapatša tšeo di šomišwago goba tšeo e lego tša Panka.

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(2) Motho ofe goba ofe yoo a tlolago sekakarolo (1) o molato wa tlolomolao.

Ditlomolao tša kakaretšo

47.(1) Ge mothwalwa wa Panka goba leloko la Lekgotla, goba moeletši ofe goba ofe, moromiwa, mohlalobi goba molekanyetši yoo a thwadilwego ke Panka thwii goba ka tharedi a amogela tefišo goba neo gore e mo hole, go tšwa go motho ofe goba ofe mabapi le goba ya go amana le tirelo ya ditšhelete yeo e dirilwego goba e filwego ke Panka, goba kgopelo efe goba efe ya tirelo ya ditšhelete, o molato wa tlolomolao.

(2) Motho ofe goba ofe yoo a fago diatlapotleng goba yo a lekago go dira bjalo, goba a khuetša ka bohvirihwiri goba a lekago go dira bjalo mo go mothwalwa ke Panka ka fase ga Molao wo goba ka tšhomišo efe goba efe ya tirelo ye bjalo ya tšhelete, o molato wa tlolomolao.

(3) Motho ofe goba ofe yoo-

- (a) a nago le kgahlego ya go amana le ditšhelete mo go naga efe goba efe yeo e filwego bjalo ka poloko ka baka la ditirelo tša ditšhelete tše filwego ke Panka ka fase ga Molao wo;
- (b) e lego moadimi goba moadingwa wa mokgopedi ka baka la ditirelo dife goba dife tša ditšhelete tše di dirilwego goba di filwego ke Panka ka fase ga Molao wo, goba tše amanago le goba e le molekane wa kgwebo goba wa bophelo wa mokgopedi wo bjalo;
- (c) ge mokgopedi e le khamphani, yoo e lego molaodi goba mongdišere wa yona, goba a amana le goba e le leloko la goba e le molekane wa kgwebo goba wa bophelo wa leloko le bjalo;
- (d) ge mokgopedi e le mokgatlo wo kopanetšwego, e le leloko la yona, goba a amana le goba e le molekane wa kgwebo goba wa bophelo wa leloko le bjalo; a dirago bjalo ka molekanyetši mabapi le naga yeo e filwego bjalo ka poloko ya tirelo efe goba efe ya tšhelete yeo e dirwego goba e filwego ke Panka, goba bjalo ka moeletši mabapi le tirelo ye bjalo ya tšhelete, goba a tsenela kopano efe goba efe ya Lekgotla le go boutela tharollo efe goba efe ya go ba le tšhupetšo go naga ye bjalo goba tirelo ya ditšhelete, o molato wa tlolomolao.

Dikotlo

48. Mang goba mang yoo a otletšwego tlolomolao go ya ka Molao wo o tla lefišwa tefišo, go golegwa goba bobedi tefišo le go golegwa.

Melawana

49.(1) Letona le ka no dira melawana yeo e sa sepelelanego le Molao wo mabapi le-

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- (a) morero ofe goba ofe woo o swanetšego goba woo o ka no laetšwago go ya ka Molao wo;
- (b) mediro le maikarabelo a maloko a Lekgotla
- (c) ditlolomolao tša go amana le sengwe goba sengwe seo se swanetšego goba seo se ka no dirwago goba seo se ganetšwago go ya ka molawana woo o dirilwego ka fase ga karolo ye;
- (d) morero ofe goba ofe woo o tlhokegago go laetša tiragatšo ya nnete ya Molao wo.

(2) Letona le ka no re, go ya ka sekakarolo (1), la laetša kotlo mabapi le tlolomolao yeo e akantšwego ka go sekakarolo (1)©, ya tefišo goba go golegwa lebaka leo le sa fetego dikgwedi tše. 12.

(3) Molawana woo o dirilwego go ya ka sekakarolo (1) o ka no aroganya gare ga dihlopha tša go fapana, dikhatekori goba dikgaoganyo tša batho ge karoganyo ye bjalo e sa ganelwe ke Molaotheo.

Ditekanyetšo

50.(1) Panka e ka no re ka nako ye nngwe le ye nngwe ya kgopela tekanyetšo ya poloko efe goba efe goba kholatherale goba thuo ya maswanedi go tirelo efe goba efe ya ditšhelete tša temo tšeo di dirwago goba di fiwago ke Panka.

(2) ka mabaka a go dira tekanyetšo efe goba efe yeo e akantšwego ka go sekakarolo (1), Panka e ka no re, nako le nako-

- (a) go se na taba le molao ofe goba ofe wo mongwe, ya bea batho ba maswanedi go ba balekanyetši; goba
- (b) ya laela molekanyetši wa profešenale goba molekanyetši wa moprofešenale yoo a amanago yoo a ngwadišitšwego go ya ka karolo 20(2)(a) ya Molao wa Profešene ya Balekanyetši ba Dithuo ba Profešenale, 2000 (Molao No. 47 wa 2000)

go hlahloba mohola wa thuo goba go lekanyetša maruo a mohu ka mabaka a Molao wo.

(3) Go se na taba le selo sefe goba sefe, Panka e na le tumelelo ya go bona rolo ya tekanyetšo ya mmasepala ofe goba ofe go se na tefo, le mothwalwa wo mongwe le wo mongwe wa mmasepala o swanetše go aba ntle le tefišo goba tšhatše, ge Panka e kgopetše, dintlha tša tekanyetšo efe goba efe tša dithuo yeo bolaodi bjoo bo nago le matla a go e lefiša ditefišo le lekgetho.

Dihlahlobo legatong la Panka

51. (1) Mothwalwa wa Panka, molekanyetši yoo a beilwego go ya ka karolo 50(2) goba motho ofe goba ofe yoo a filwego tumelelo yeo e ngwadilwego fase ke

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Panka, a ka no re, go ya ka sekakarolo (2), a tsenela le go hlahloba thuo efe goba efe ya go amana le kwano le Panka.

(2) Motho yoo go boletšwego ka yenaka go sekakarolo (1), a ka no re

(a) ka nako efe goba efe ya go kwala

Merero ya phetogelo

52. (1) Selo sefe goba sefe seo se dirwago ka mannete go ya ka Molao wa Panka ya Naga (Molao No. 13 wa 1994), se tšwela pele go ba sa mannete le ka maatla ka moka go se na taba le phedišo ya Molao wo ke karolo 53 le melawana efe goba efe yeo e dirilwego go ya ka Molao woo o dula o ena le maatla go fihla ge o fedišwa go ya ka karolo 49 ya Molao wo.

(2) Motho ofe goba ofe yoo e bego e le mothwalwa wa Panka ya Tšwetšopele ya Naga le tša Temo ya Afrika Borwa yeo e sepetšwego go ya ka Molao wa Panka ya Naga, ka bjako pele ga phedišo ya Molao wo o tšewa gore o beilwe go ya ka karolo 17 goba 19 ya Molao wo,, go ya ka moo go tla bego go le ka gona, gape le kwano ya thwalo yeo e lego gona gare ga motho yoo le Panka ka bjako pele ga go thoma ga Molao wo o tšwela pele go ba le maatla a botlalo ntle le phetogo bjalo okare go feditšwe ka baka la Molao wo.

(3) Ka ntle le ge tiragatšo efe goba efe ya molaotlhakwa wa bašomi e latetšwe le ka ntle le ge motho yoo a akantšwego ka go sekakarolo (2) a dumela ka go ngwala fase, mogolo le mabaka a mangwe le ditlamo tša thwalo tšeo di šomago go motho yoo ka bjako pele ga go thoma ga Molao wo di dula di šoma go motho yoo morago ga ge Molao wo o thomile, gape o dula a ena le ditokelo ka moka le mehola yeo a bego a ena le yona pele ga ge Molao wo o thoma, go tsenywa empa go sa kgaoletšwe go-

- (a) boleloko bja sekhwama;
- (b) boleloko bja peakanyo ya tša bongaka;
- (c) dithušo tša bathwala mabapi le boleloko bjo bjalo;
- (d) tirelo ya phenšene yeo e kgobokeditšwego;
- (e) mehola ya lifi yeo e kgobokeditšwego;
- (f) megolo;
- (g) mehola ya lifi; le tholomodiro ka bogolo bjo itšego.

(4) Go se na taba le dikgonegišo tša go ganetšana le molao ofe goba ofe le maikemišetšo a molao ofe goba ofe, ga go phetogo ya mothwadi yeo e tšewago gore e diregile mabapi le mothwalwa ofe goba ofe wa Panka yoo a akantšwego ka go sekakarolo (2).

(5) Ditshepetšo dife goba dife tša go amana le Panka, e le tša go ya kgotla goba theeletšo efe goba efe ya mkgwa ofe goba ofe ya molaotlhakwa wa semolao, yeo e tsentšwego ka bjako pele ga go thoma ga Molao wo

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ga se e dirwe Molao, gomme Panka e swara ditokelo dife goba dife tšeo e bego e ena le tšona tša gona ka bjako pele ga go thoma ga Molao wo.

- (6) Mongwadiši wa ditokomane o swanetše gore a dire ditsenyo goba ditshaeno tšeo di ka no hlokegago go bontšha maemo a nepagetšego a go ba mabapi le borui bja thuo ka baka la karolo ya bo 2 gomme ga go tefišo ya kantoro yeo e lefsago mabapi le tsenyo ye bjalo goba tshaeno.
- (7) Tšhupetšo efe goba efe ka go molaotlhakwa ofe goba ofe wa Molao wa Panka ya Tšwetšopele ya Naga le tša Temo wa Afrika Borwa goba Molao wa Panka ya Naga, 1944, e swanetše go fetolelwa bjalo ka tšhupetšo go Panka goba go Molao wo, go ya ka moo go tla bego go le ka gona.

Phedišo ya Molao wa bo 13 wa 1994

53. Molao wa Panka ya naga, 1994, (Molao No. 13 wa 1994) o a fedišwa.

Thaetlele ye kopana le go thoma

54. Molao wo o bitšwa Molao wa Panka ya Tšwetšopele ya Naga le tša Temo, 2002, gomme o thoma go šoma ka tšatši leo le beilwego ke Mopresidente ka tsebišo ka gare ga **Kuranta ya Mmušo**.

NOTICE 1315 OF 2003**BANKS ACT, No. 94 OF 1990****CONSENT IN TERMS OF SECTION 34 OF THE BANKS ACT, 1990, FOR A
FOREIGN INSTITUTION TO ESTABLISH A REPRESENTATIVE OFFICE WITHIN
THE REPUBLIC OF SOUTH AFRICA: THE BANK OF NEW YORK,
JOHANNESBURG REPRESENTATIVE OFFICE**

Notice is hereby given for general information, in accordance with the provisions of section 30 of the Banks Act, 1990, that The Bank of New York, an institution that lawfully conducts in the United States of America a business similar to the business of a bank, has been granted permission by the Registrar of Banks, in terms of section 34 of the Banks Act, 1990, to establish a representative office within the Republic of South Africa, with effect from 24 April 2003. The representative office referred to above is, however, not authorised to conduct the business of a bank in the Republic of South Africa.

NOTICE 1272 OF 2003**GENERAL NOTICE IN TERMS OF THE RESTITUTION OF LAND RIGHTS ACT, 1994
(ACT No. 22 OF 1994)**

Notice is hereby given in terms of section 11 (1) of the Restitution of Land Rights Act, 1994 (Act No. 22 of 1994), that claims for the restitution of land rights on:

Reference Number: KRK/6/2/3/B/97/378/0/1-618.
Claimants: Former residents of Kimberley Central.
Property: The farm Bultfontein No. 7, Dorsfontein No. 1 and Alexandersfontein No. 1, all held by the Kimberley Local Municipality, District of Kimberley.
Extent of land:
1. Bultfontein No. 7, 6 814 morgen.
2. Dorsfontein No. 1, 3 108 morgen.
3. Alexandersfontein No. 1, 5 788 morgen.
Title Deed: T648/85, T4678/94 and T1595/78.
Date submitted: 31/12/1998.
Current owner: Sol-Plaatjie Municipality.
Bonds on the property: There are no bonds on these properties.

Has been submitted to the Regional Land Claims Commissioner for Free State and Northern Cape and that the Commission on Restitution of Land Rights will further investigate the claims in terms of the provisions of the Act in due course. Any party who has an interest in the above-mentioned land claim is hereby invited to submit, **within 60 days** from the date of publication of this notice, any comments/information to:

The Regional Land Claims Commissioner: Free State and Northern Cape
Private Bag X5007
KIMBERLEY
8300.
Tel.: (053) 831-5246.
Fax: (053) 831-6501.

S. T. R. RAMAKARANE

Regional Land Claims Commissioner

(2 May 2003)/(2 Mei 2003)

NOTICE 1311 OF 2003

The National Treasury hereby announces that transfer documents for registration in respect of the undermentioned Republic of South Africa Internal Registered Bonds must be lodged with this Office on the 12th Floor, 240 Vermeulen Street, Pretoria, not later than 30 April 2003 to qualify for the interest payment on 31 May 2003.

Internal Registered Stock, CK16 14,15%, 2004 (CK16).
Internal Registered Stock, TR14 14,25%, 2003 (TR14).
Internal Registered Stock, TR19 19,00%, 2004 (TR19).
Internal Registered Stock, TR21 18,00%, 2005 (TR21).
Internal Registered Stock, 10% Tribal & Trust (TR30).
Internal Registered Stock, 9,75% Transkei P/F (TR31).
Internal Registered Stock, 10% Transkei P/F (TR32).

KENNISGEWING 1311 VAN 2003

Die Nasionale Tesourie maak hiermee bekend dat die oordragdokumente vir registrasie ten opsigte van die ondergemelde Republiek van Suid-Afrika, Binnelandse Geregistreerde Effekte nie later as 30 April 2003 by die Departement se kantoor te 12de Vloer, Vermeulenstraat 240, Pretoria, ingelewer moet word ten einde vir rentebetaling op 31 Mei 2003 te kwalifiseer.

Binnelandse Geregistreerde Effekte, CK16 14,15%, 2004 (CK16).
Binnelandse Geregistreerde Effekte, TR14 14,25%, 2003 (TR14).
Binnelandse Geregistreerde Effekte, TR19 19,00%, 2004 (TR19).
Binnelandse Geregistreerde Effekte, TR21 18,00%, 2005 (TR21).
Binnelandse Geregistreerde Effekte, 10% Tribal & Trust (TR30).
Binnelandse Geregistreerde Effekte, 9,75% Transkei P/F (TR31).
Binnelandse Geregistreerde Effekte, 10% Transkei P/F (TR32).

(2 May 2003)/(2 Mei 2003)

NOTICE 1312 OF 2003

CO-OPERATIVES REMOVED FROM REGISTER: LIPA CO-OPERATIVE LIMITED, SINETHEMBA CLOTHING CO-OPERATIVE LIMITED, IKWEZI CO-OPERATIVE LIMITED, HELAOITLAMELE SEWING CO-OPERATIVE LIMITED, GREATER PRETORIA TAXI CO-OPERATIVE LIMITED, AND BOTHASOEK CO-OPERATIVE LIMITED

Notice is hereby given that the names of the above-mentioned co-operatives was removed from the register on 15 April 2003 in terms of section 44(b) of the Co-operatives Act, 1981.

Registrar of Co-operatives

KENNISGEWING 1312 VAN 2003

KOÖPERASIES WAT VAN DIE REGISTER GESKRAP IS: LIPA CO-OPERATIVE LIMITED, SINETHEMBA CLOTHING CO-OPERATIVE LIMITED, IKWEZI CO-OPERATIVE LIMITED, HELAOITLAMELE SEWING CO-OPERATIVE LIMITED, GREATER PRETORIA TAXI CO-OPERATIVE LIMITED, AND BOTHASOEK CO-OPERATIVE LIMITED

Hiermee word bekendgemaak die name van bogenoemde koöperasies op 15 April 2003 ingevolge die bepalings van artikel 44(b) van die Koöperasiewet, 1981, van die register geskrap is.

Registrateur van Koöperasies

(2 May 2003)/(2 Mei 2003)

NOTICE 1314 OF 2003**SOUTH AFRICAN RESERVE BANK****LOST SHARE CERTIFICATES**

Certificates Numbers 003548 and 003555 registered in the name of Suzanne Floor.

Application has been made to the South African Reserve Bank for the issuing of new certificates in place of the above-mentioned certificates which have been lost. Notice is hereby given that unless the original certificates are provided to the Bank within four weeks from the date of this notice, new certificates will be issued and the original certificates will become void.

(2 May 2003)

BOARD NOTICES RAADSKENNISGEWINS

BOARD NOTICE 33 OF 2003

FINANCIAL SERVICES BOARD

FINANCIAL ADVISORY AND INTERMEDIARY SERVICES ACT, 2002 (ACT NO 37 OF 2002)

DETERMINATION OF FUNCTIONS TO BE PERFORMED BY RECOGNISED REPRESENTATIVE BODIES

I, Jeffery van Rooyen, Registrar of Financial Services Providers, hereby determine, under section 6(4)(a) of the Financial Advisory and Intermediary Services Act, 2002 (Act No 37 of 2002), and after consultation with the Advisory Committee on Financial Services Providers and the Financial Services Board established by section 2 of the Financial Services Board Act, 1990 (Act No. 97 of 1990), the following functions to be performed by recognised representative bodies contemplated in the said section 6(4)(a), under a delegation referred to in section 6(3)(a)(iii) or an authorisation referred to in section 6(3)(b), of the said firstmentioned Act:

- (a) Consideration of applications for licences under section 8 of the Financial Advisory and Intermediary Services Act, 2002;
- (b) Consideration of applications for approval of compliance officers under section 17(2) of the said Act.

This Notice comes into operation on 2 May 2003

J. VAN ROOYEN,

Registrar of Financial Services Providers

BOARD NOTICE 34 OF 2003**FINANCIAL SERVICES BOARD****FINANCIAL ADVISORY AND INTERMEDIARY SERVICES ACT, 2002
(ACT NO 37 OF 2002)****APPLICATIONS BY REPRESENTATIVE BODIES
FOR RECOGNITION BY THE FINANCIAL SERVICES BOARD**

I, Jeffery van Rooyen, Registrar of Financial Services Providers, hereby determine, under section 6(4)(b) of the Financial Advisory and Intermediary Services Act, 2002 (Act No 37 of 2002), that applications by representative bodies under the said section for recognition by the Financial Services Board established by section 2 of the Financial Services Board Act, 1990 (Act No. 97 of 1990), under section 6(3)(a)(iii) of the said firstmentioned Act, must be submitted in writing in a format (including an electronic format readily and correctly retrievable in written form) substantially conforming to the application form set out in the Schedule.

This Notice comes into operation on 2 May 2003

J. VAN ROOYEN,

Registrar of Financial Services Providers

SCHEDULE**APPLICATION TO THE FINANCIAL SERVICES BOARD FOR RECOGNITION AS A REPRESENTATIVE BODY UNDER SECTION 6(3)(a)(iii) OF THE FINANCIAL ADVISORY AND INTERMEDIARY SERVICES ACT, 2002 (hereunder referred to as "the Act")****Instructions on how to complete the form:**

- a. This application form with the relevant attachments must be submitted to:

The Registrar of Financial Services Providers
Financial Services Board
Postal address: PO Box 35655, Menlo Park, 0102
Telephone and facsimile numbers (012) 428-8000 / 347-8788
Electronic address: www.fsb.co.za

- b. Complete the items hereunder legibly and fully, and initial all subsequent alteration markings.
c. Applications must be accompanied by the required fee (section 6(4)(b)(ii) of the Act, and Government Notice 536 of 2003.).
d. Applicants must particularly take note of the provisions, of sections 6(3), (4), (5) and (6), of the Act and of the sanctioning provision in section 36(b).
e. Refer to the Notes at the back of the document for explanations of some of the information requested

SECTION 1: DETAILS OF THE APPLICANT**1.1 Name of the Applicant****1.1.1 Previous names of the applicant¹****1.2 Contact details (Head Office)²**

Physical address
(Head office)

Postal Code

Postal Address
(Head office)

Postal Code

Telephone number
(Head office)

Fax Number
(Head office)

Website Address
(if applicable)

1.3 Contact Person³

Title

Initials

Surname

Telephone number

E-mail address

1.4 Information Technology - Contact Person⁴

Title

Initials

Surname

Telephone number

E-mail address

1.5 Auditors or Accountant

Firms Name

Practice number
(if applicable)

Physical address

Postal code

Postal address

Postal code

Telephone number

Fax number

Responsible Person⁵

1.6 Legal format⁶

a. Corporate

☐

b. Incorporate

☐

c. Other (specify in space provide below)

☐**1.7 Is the business of the applicant carried on for profit?**

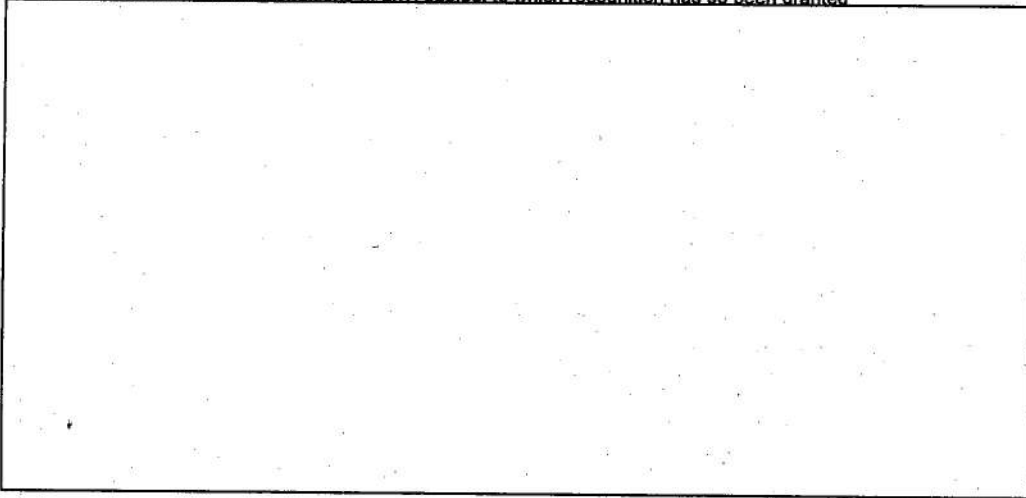
YES

☐

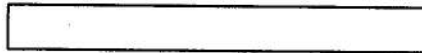
NO

☐**1.8 Provide details of other industry affiliations/membership (RSA and foreign) and/or details of other entities the applicant is or has been associated with, if any⁷:****SECTION 2: DETAILS OF THE APPLICANT'S REPRESENTATION OF A RELEVANT GROUP OF PERSONS FALLING UNDER THE AMBIT OF THE ACT****2.1 Provide a description of the group of persons represented by the applicant, and categories thereof.⁸**

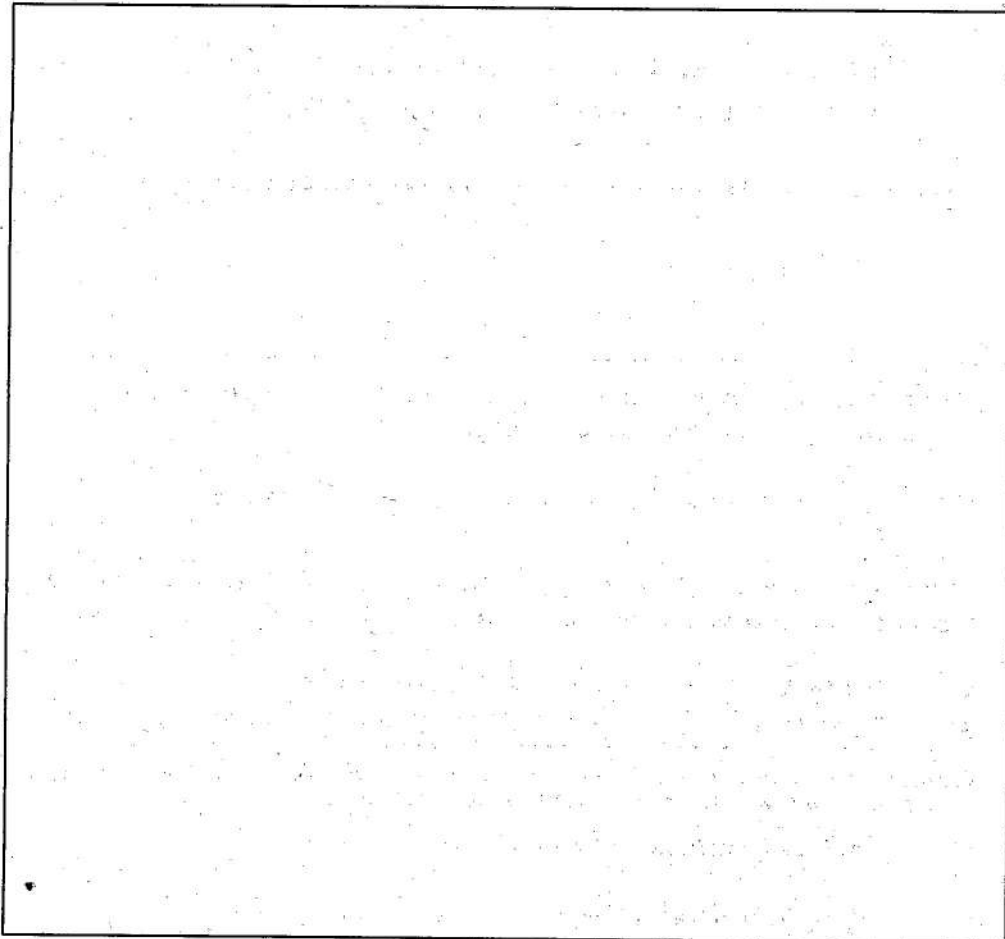
- 2.2 Provide details of existing status (if any) of applicant as representative body recognised for purposes of any other law, and of any conditions (if any) subject to which recognition has so been granted

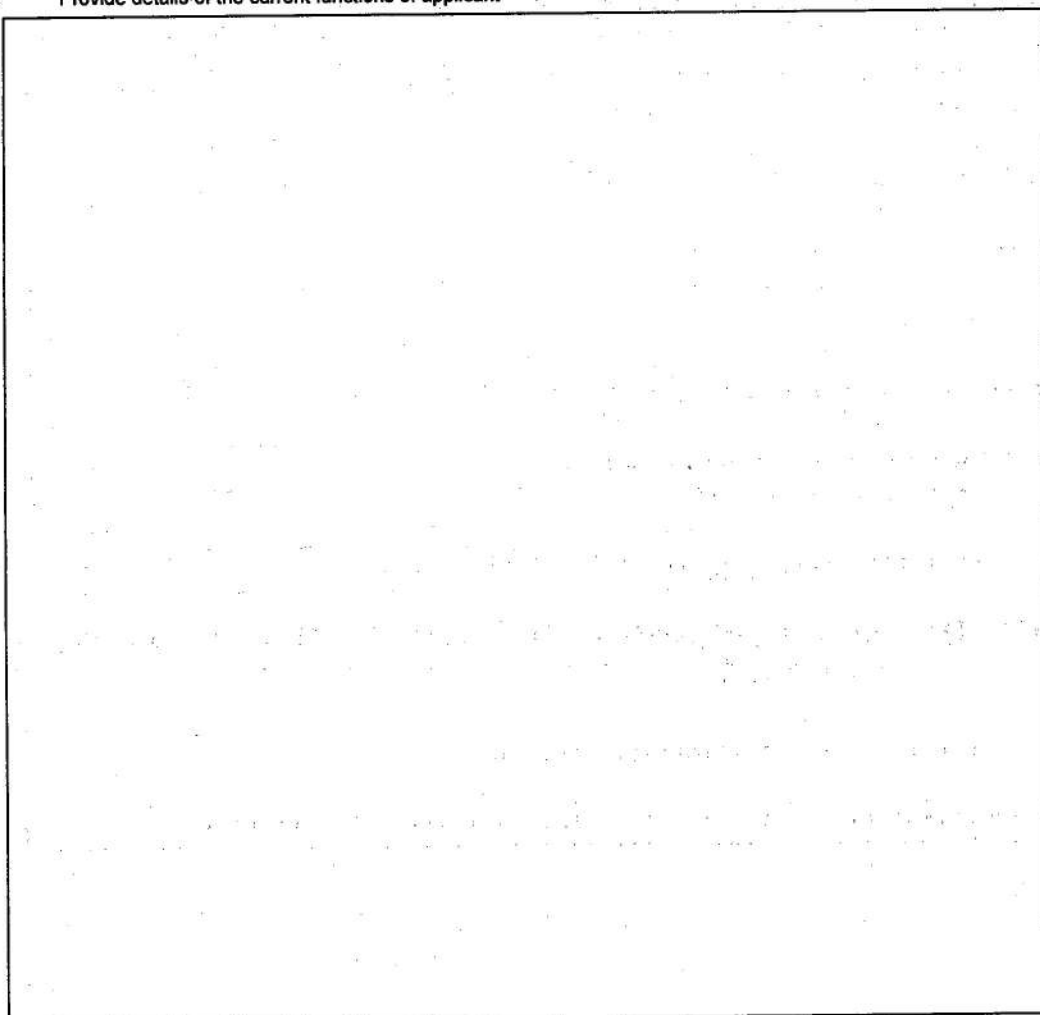


- 2.3 Date of establishment of the applicant



- 2.4 Provide details of membership criteria (if applicable)



2.5 Provide details of the current functions of applicant⁹

2.6 Attach a current copy of founding memorandum, rules or constitution of the applicant (as may be applicable)

2.7 Attach a copy of the current applicable code of conduct (if any):

SECTION 3: FUNCTION WHICH THE APPLICANT WISHES TO PERFORM

3.1 Indicate the function which applicant wishes to perform with reference to such functions determined by the Registrar of Financial Services Providers under section 6(4)(a) of the Act:

- (a) Consideration of applications for licences under section 8 of the Act ☐
- (b) Consideration of applications for approval of compliance officers under section 17(2) of the Act ☐

3.2 Provide an estimate of the number of the following applications that you propose to consider and attach to the application form an explanation of how you have arrived at the estimate

- (a) Consideration of applications for licences under section 8 of the Act
- (b) Consideration of applications for approval of compliance officers under section 17(2) of the Act

SECTION 4: MANAGEMENT RESOURCES AVAILABLE TO THE APPLICANT¹⁰

- 4.1 Provide details regarding the directors, principals or other persons in control of the applicant by completing Annexure A.¹¹

SECTION 5: MANPOWER RESOURCES AVAILABLE TO THE APPLICANT

- 5.1 Attach an organigram reflecting the following information to the application form:

- 5.1.1 Indicate the allocated responsibilities to the different staff members regarding all the functions of the applicant
5.1.2 Provide details of the experience of the staff and management that will be fulfilling the delegated function

- 5.2 Number of staff members currently employed by the applicant

- 5.3 Number of staff members to be utilised to fulfil the function
that will be delegated to the applicant

- 5.4 Will you use existing staff to fulfil the function(s) that will be delegated?

YES ☐ NO ☐

SECTION 6: FINANCIAL AND APPROPRIATE TECHNOLOGY RESOURCES AVAILABLE TO THE APPLICANT

- 6.1 Attach the latest audited financial statements to the application form¹²

- 6.2 Provide information on how the applicant will fund the operations relating to the delegated function

6.3 Provide details of the type of information technology systems that will be used¹³

--

6.4 If the applicants' information technology is outsourced please provide¹⁴:

6.4.1 Details of the entity that it is outsourced to:

Name of the entity

--

Contact person

--

Telephone number

--

--

Fax Number

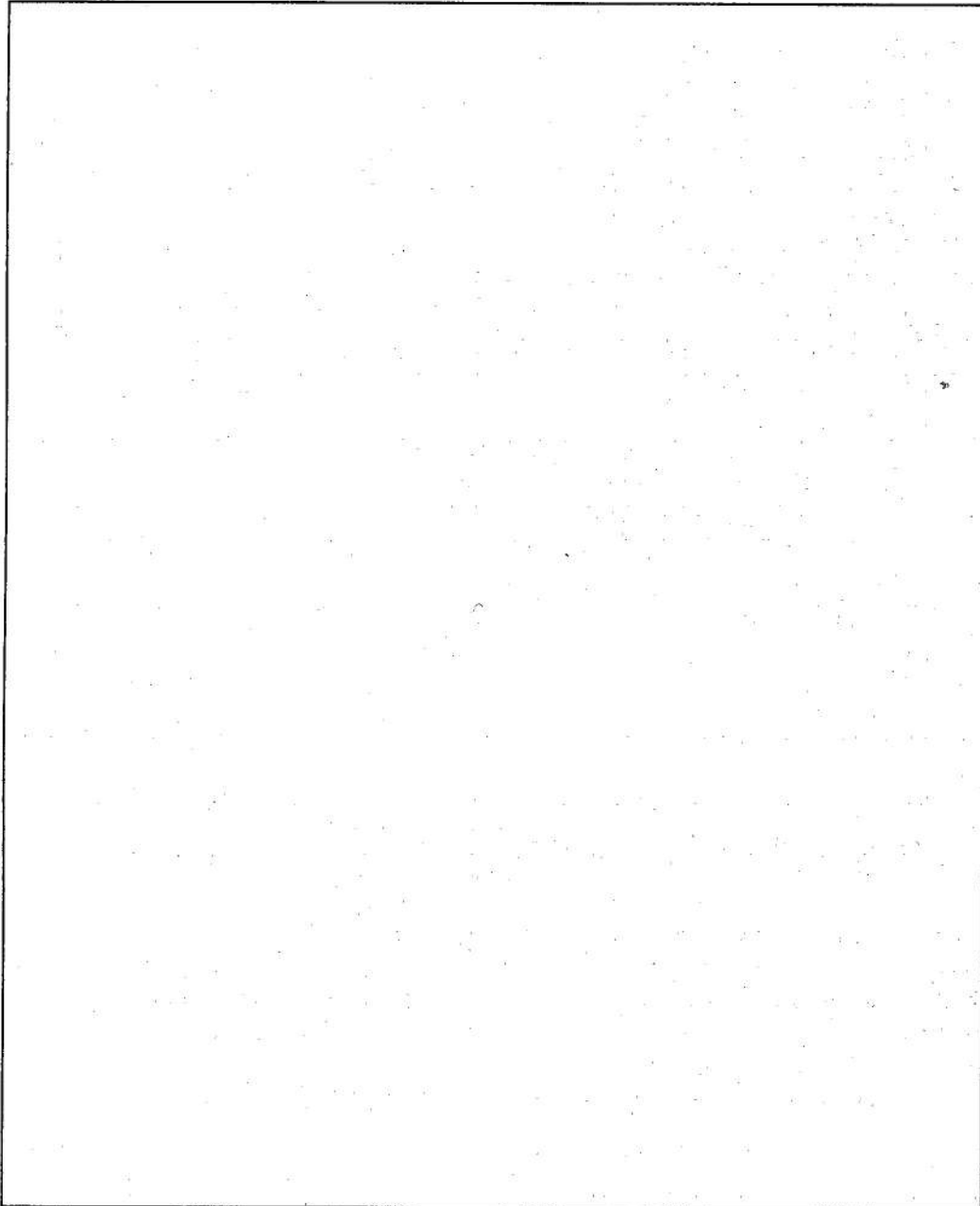
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6.4.2 Attach a copy of the service level agreement between the applicant and the outsource entity to the application form¹⁵6.5 Attach a report from the auditor or accountant of the applicant confirming that the applicant has the necessary and appropriate financial systems and controls in operation for the purposes of performing the required function(s)¹⁶

SECTION 7: INFORMATION ON THE EXPERIENCE OF THE APPLICANT

- 7.1 Provide details of the experience of the applicant as regards the business of the persons that the applicant will be fulfilling the delegated function for:

**SECTION 8: MANNER IN WHICH THE REQUIRED FUNCTION IS PROPOSED TO BE PERFORMED**

- 8.1 Attach a detailed business plan to this application form¹⁷
- 8.2 Attach a description of the procedures that will be followed in the fulfilment of the functions applied for.¹⁸

SECTION 9: ATTACHMENTS

Indicate with a [X] whether the following attachments as required in terms of the application form have been attached and state the total number of pages of the attachments

Question	Attachment	Attached	Number of pages	Not applicable
2.6	Current copy of the founding memorandum, rules or constitution of the applicant			
2.7	Copy of the applicant's current applicable code of conduct			
3.2	Explanation on calculation of the estimates provided			
4.1	Details regarding the directors, principals or other persons in control of the applicant – Annexure A			
5.1	Organigram of the applicant			
5.1.1	Allocated responsibilities of different staff members on the organigram			
5.1.2	Details of the experience of staff members fulfilling delegated functions			
6.1	Latest audited financial statements of the applicant			
6.4.2	Copy of the service level agreement between the applicant and entity outsourced to			
6.5	Report from the auditor or accountant confirming that the applicant has the necessary and appropriate financial system and controls in operation			
8.1	Detailed business plan pertaining to this application			
8.2	Description of the procedures that will be followed in the fulfilment of the functions applied			
10	Resolution of the Board of the managing or controlling organ of applicant for authorisation for making application on behalf of the applicant			

SECTION 10: DECLARATIONS AND SIGNATURES OF ALL MEMBERS OF MANAGING OR CONTROLLING ORGAN OF APPLICANT¹⁹

I/We, the undersigned, duly authorised thereto, hereby submit this application on behalf of
 (Name of applicant), and declare that I/we am/are not aware of any circumstance, ground or reason, not disclosed in this application, and which may reasonably affect the exercise of the appropriate discretions vested in the Financial Services Board under section 6 of the Act:

Name Office signature date

Name Office signature date

Name Office signature date

Annexure A – Details of the directors, principals or other persons in control of the applicant**4.1 Person's detail**

Title

Initials

First Name

Surname

ID/Passport Number

Date of Birth

Role within the applicant¹

Telephone number

Qualifications²**Questions:**

	YES ³	NO
4.2 Has this person or has any organisation in which he/she held managerial position been placed under provisional or final liquidation or been placed under judicial management?	☐	☐
4.3 Has this person been convicted of any criminal offence other than a minor traffic offence?	☐	☐
4.4 Is there any civil or criminal litigation pending against the person?	☐	☐

¹ State the person's responsibilities in terms of the applicant's management.

² Only list all relevant qualifications and/or membership to professional bodies

³ If any of the answers to questions 4.2 to 4.4 is YES please provide details and attach the relevant documentation to the application form.

Annexure B**Report of the independent auditor of (name of the representative body)**

In compliance with the application by representative bodies for recognition by the Financial Service Board in terms of section 6(4)(b) of the Financial Advisory and Intermediary Service Act, 2002 we have reviewed the internal financial control systems of the representative body.

I/We have reviewed the design of the proposed systems of internal financial control that.....(Name of the representative body) intends to implement from.....

The design and maintenance of an adequate system of internal financial control is the responsibility of the directors/partners/sole proprietor or management of the body. Our responsibility is to report on whether or not, based on our review, anything has come to our attention that would indicate that the proposed system of internal financial control is not adequate for the size and complexity of the proposed representative body.

Scope

Our review has been conducted in accordance with the statement of South African Auditing Standards applicable to review engagements. Our review procedures were limited primarily to inquiries of personnel of the representative body about the proposed operation of the system of internal financial control and inspection of related evidence.

Inherent Limitations

Because of the inherent limitations of a system of internal financial control, it is possible that errors or irregularities may occur and not be detected. Furthermore, a review is not designed to detect all weaknesses in the design of the proposed system of internal financial control.

As the proposed system of internal financial control has not yet been implemented, we do not provide any assurance as to whether or not the system will operate adequately.

Also a review does not provide all the evidence that would be required in an audit, thus the level of assurance provided is less than given in an audit. We have not performed an audit and, accordingly, we do not express an audit opinion.

Review opinion

Based on our review, nothing of significance has come to our attention that causes us to believe that the proposed system of internal financial control is not adequate for the size and complexity of the proposed representative body; and

Our report is solely for your information and is not to be used for any other purpose, nor to be distributed to any other parties

Name
Registered Accountants and Auditors
Chartered Accountants SA
Address
Date

Application to the Financial Services Board for recognition as a representative body under section 6(3)(a)(iii) of the Financial Advisory and Intermediary Services Act, 2002 (hereunder referred to as "the Act")

Explanatory Notes

- 1 If the applicant previously had other names, please list all of those names.
- 2 If the applicant has more than one office, please only provide the details of the Head Office where required
- 3 Provide the information of the person who will be responsible for liaising with the Registrar of Financial Service Providers ("Registrar"). All correspondence addressed to the applicant will be sent to this person
- 4 Provide the details of the person, in the employ of the applicant, that will be responsible for the Information Technology systems. The Registrar will communicate with this person relating to the technical requirements of the applicants information technology and all changes to the system will be sent directly to the designated person.
- 5 Provide the details of the partner or person at the audit or accounting firm responsible for handling of the applicant's account.
- 6 Provide the legal format in which the applicant is operating.
- 7 If the applicant is affiliated to other industry bodies or a member of other industry bodies, provide the name of such body as well as its status as well as other entities that the applicant is associated with.
- 8 Section 6(4)(b)(iii) of the Act provides that: "...and that the applicant is reasonably representative of the relevant group of persons which it purports to represent." Details are thus required to determine whether the applicant is representative of relevant group of persons regulated by this Act. The Registrar may when considering the application request a "membership list" from the applicant to verify the representation of the applicant.
- 9 All the current functions of the applicant should be listed. If the applicant is a newly established body please provide details of all functions (except the functions that it is applying for) that it will be providing in terms of its founding statement or constitution.
- 10 Management resource available refers to the management of the applicant which oversees the functions of the applicant
- 11 Each director, principal or other person in control of the applicant must complete Annexure A. This will include all members of the controlling organ in terms of the founding statement or constitution of the applicant that has the power to make decisions on behalf of the applicant.
- 12 If this is the first year of operation please provide up-to-date management accounts or budget for the year.
- 13 Short description of the systems and database structures must be provided as well as contingency plans and information on the applicant's disaster recovery policy must be provided.
- 14 With outsourcing is meant contracting with a third party for the provision of information technology support. (In cases where information technology systems is not developed and maintained in-house.)
- 15 An agreement between the applicant and the third party (outsourcing entity) must exist and must accompany application form.
- 16 Refer to Annexure B for an example of a report.
- 17 The business plan should set out the applicants roll out plan with regards to the implementation of its delegated power.
- 18 A short description outlining the procedures and/or flowcharts of the procedures that will be followed for the delegated functions must be provided. The Registrar may request additional information or evaluate the procedures if deemed necessary.
- 19 All Members of the managing or controlling organ of the applicant must sign the application form unless a Resolution of the Board of the managing or controlling organ, authorising a member of such organ to apply on its behalf, is attached to the application form.

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