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No. 25503

MANUAL

IN ACCORDANCE WITH

**THE PROMOTION OF ACCESS TO
INFORMATION ACT (NO. 2 OF 2000)**



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INDEX

Company Name	Gazette No.	Date	Page No.
Northern Cape Provincial Legislature	25503	26-09-2003	3

**NORTHERN CAPE
PROVINCIAL LEGISLATURE**

**MANUAL OF FUNCTIONS OF AND INDEX OF RECORDS HELD BY THE
NORTHERN CAPE PROVINCIAL LEGISLATURE**

As required by

**Section 14 - PROMOTION OF ACCESS TO INFORMATION ACT, 2000
(ACT NO. 2 OF 2000)**

28 FEBRUARY 2003

1. STRUCTURE OF THE LEGISLATURE

1.1 OFFICE BEARERS

1.1.1 SPEAKER

The Speaker is the political head and Treasury of the Legislature. He is the most senior political head in the legislative arm of government. He is also the Chairperson of the "Executive Committee" of the Legislature, which oversees the overall running of the Legislature.

1.1.2 DEPUTY SPEAKER

The Deputy Speaker is also a member of the Executive Committee of the Legislature. Whenever the Speaker is absent or otherwise unable to fulfil the duties of the Speaker or during a vacancy in the office of the Speaker, the Deputy Speaker acts as the Speaker.

1.1.3 LEADER OF THE HOUSE

The Leader of the House is also a member of the Executive Committee of the Legislature as well as a member of the Executive Council (MEC). The Leader of the House represents the Executive Council in the Legislature.

1.1.4 WHIPPERY

The Chief Whip is responsible for organizing and managing the business of the majority political party (ANC) in the Legislature. Essentially, the Chief Whip ensures that the majority party's administration and operations run smoothly. The Chief Whip is assisted /deputized by the Whip.

Other Chief Whips are responsible for the discipline of their members in various parties significantly represented in the Legislature.

1.1.5 LEADER OF THE OPPOSITION

The Leader of the Opposition is the leader of the largest opposition party in the Legislature.

1.1.6 CHAIRPERSON OF COMMITTEE CHAIRPERSONS

The Chairperson of Committee Chairpersons ("Chair-of-Chairs") is responsible for the organization, functioning and co-ordination of Committees. Whenever both the Speaker and Deputy Speaker are absent or otherwise unable to fulfil the duties of the Speaker or during a vacancy in both offices, the Chairperson of Committee Chairpersons acts as the Speaker. The Deputy Chair-of-Chairs assists and also deputizes for the Chair-of-Chairs.

1.1.7 CHAIRPERSONS OF COMMITTEES

They convene and preside at meetings of the Committees. They may act in any matter for and in the best interest of their Committees, when it is not practical to arrange a meeting of a Committee to discuss a matter.

Chairpersons of Committees also perform the functions, tasks and duties and exercise the powers that Committees' resolutions of the House and legislation may assign to them.

1.2 MEMBERS OF THE PROVINCIAL LEGISLATURE (MPL's)

Members of the Provincial Legislature consist of men and women elected in terms of the **ELECTORAL ACT, 1998 (ACT NO. 73 OF 1998)**.

They and the Province's permanent delegates to the National Council of Provinces, have freedom of speech in the Legislature and its Committees, subject to its rules and orders.

1.3 SECRETARIAT

1.3.1 SECRETARY TO THE LEGISLATURE

The Secretary is the most senior official and accounting officer of the Legislature. The Secretary performs the general responsibilities of accounting officers stipulated in **PART 2, CHAPTER 5 OF THE PUBLIC FINANCE MANAGEMENT ACT, 1999 (ACT NO. 29 OF 1999)**.

The Secretary is responsible for the procedural services of the House and is principal advisor to the House and to the Speaker on the privileges, procedures and practices of legislatures.

Under him/her, various offices are concerned with the daily proceedings of the House and the administration of the business of the House itself and its Committees. As the accounting officer of the Legislature, he has the overall responsibility for the expenditure of all departments.

The Secretary is a member of the Executive Committee, the Secretariat as well as the Management Committee of the Legislature. He presides over the Secretariat as well as the Management Committee (which comprises the heads of all the departments).

2. FUNCTIONS OF THE LEGISLATURE

2.1 LAW MAKING

The functions of the Legislature are as stipulated by **S. 114 of the Constitution**.

In exercising its legislative power, the Legislature may consider, pass, amend or reject any Bill before it. The Legislature may also initiate or prepare legislation, except money Bills.

2.2 OVERSIGHT

All provincial executive organs of state in the province are accountable to the Legislature. The Legislature thus maintains oversight of the exercise of provincial executive authority in the province including the implementation of legislation. The oversight role of the Legislature extends to any provincial organ of state.

2.3 QUASI-JUDICIAL FUNCTIONS

The Legislature or any of its Committees may summon any person to appear before it to give evidence on oath or affirmation, or to produce documents. It may also require any person or provincial institution to report to it.

According to the **NORTHERN CAPE POWERS AND PRIVILEGES OF THE PROVINCIAL LEGISLATURE ACT, 1994 (ACT NO. 6 OF 1994)** and the **NORTHERN CAPE PROVINCIAL LEGISLATURE STANDING RULES**, it may compel any person or institution to comply with summons or requirements in terms of **S. 115(a) or (b) of the Constitution**.

2.4 PETITIONS, REPRESENTATIONS OR SUBMISSIONS

The Legislature or any of its committees may also receive petitions, representations or submissions from any interested persons or institutions.

2.5. PUBLIC ACCESS TO AND INVOLVEMENT

The Legislature also facilitates public involvement in the legislative and other processes of the Legislature and its Committees.

The Legislature conducts its business in an open manner, and holds its sittings and those of its Committees in public. Reasonable measures may, however, be taken to regulate public access, including access of the media, to the Legislature and its Committees. The Legislature may not exclude the public, including the media, from a sitting of the Committee unless it is reasonable and justifiable to do so in an open and democratic society.

2.6. PUBLICATION AND SAFEKEEPING OF PROVINCIAL ACTS

Bills assented to and signed by the Premier are published by the Legislature in the Provincial Government Gazette. A signed copy is also entrusted to the Constitutional Court for safekeeping by the Legislature.

3. CONTACT DETAILS OF THE INFORMATION OFFICER AND DEPUTY INFORMATION OFFICER OF THE LEGISLATURE

3.1 Information Officer

GM Mashope
Northern Cape Provincial Legislature
Nobengula Road
Private Bag X5066
Kimberley
8300
Tel: +27 (53) 830 9006/7/8
Fax: +27 (53) 832 3240
E-mail: mmashope@leg.ncape.gov.za

3.2 Deputy Information Officer

APS Nxumalo
Northern Cape Provincial Legislature
Nobengula Road
Private Bag X5066
Kimberley
8300
Tel: +27 (53) 839 8020
Fax: +27 (53) 832 3240
E-mail: pnxumalo@leg.ncape.gov.za

4. SUBJECTS ON WHICH THE LEGISLATURE HOLDS RECORDS

Subjects on which information is held:	Records
Salaries, Allowances and Benefits	Salaries, Allowances and Benefits Salaries, Allowances and Benefits of Members of the Provincial Legislature Salaries, Allowances and Benefits of employees of the Legislature
Personal and Employment Details	Personal Details of Members of the Provincial Legislature Personal Details of employees of the Legislature Disciplinary, Training and Performances details of employees of the Legislature
Skills Development	Skills Development for employees of the Legislature Workplace Skills Plan Training Reports
Employment Equity	Employment Equity Reports Minutes of Employment Equity Consultative Forum Meetings
Organizational Structures	Organizational Structures and amendments to Organizational Structures
Tenders	Tender Documents Procurement Committee resolutions and minutes of meetings
Batches	Batches including invoices, authorization forms and remittance advises
Financial Statements and other Documents	Financial Statements, Budgets and Expenditure Reports Audit Reports, Cheques
Provincial Gazettes	Provincial Gazettes and Extraordinary Provincial Gazettes Subscription lists for Provincial Gazettes
Hansards	Hansards for sittings of the Northern Cape Provincial Legislature
Minutes of Committee Meetings and Resolutions	Minutes of Committee Meetings, Committee Resolutions, Matter referred to Committees Minutes of Public Hearings
Minutes and Resolutions of Executive Committee, Secretariat and Management Meetings	Minutes and resolutions of Executive Committee, Secretariat and Management Meetings.

Mandates	Mandates communicated for voting in the NCOP by the Northern Cape Provincial Legislature
Contracts	Contracts entered into on behalf of the Northern Cape Provincial Legislature
Reports	Departmental Quarterly and Annual Reports Divisional Quarterly and Annual Reports Annual Reports of the Northern Cape Provincial Legislature
Publications	Pamphlets on Public Participation Pamphlets on Legislative Process The Legislator Newsletter Calendars
Internal Memo and Correspondence	Memos, Correspondence and other internal communication records.

5. CATEGORIES OF RECORDS HELD ON EACH SUBJECT

Subjects	Category
Salaries, Allowances and Benefits	B
Personal and Employment Details	A
Skills Development	E
Employment Equity	E
Organizational Structures	E
Tenders	D
Batches	D
Financial Statements and other documents	D
Provincial Gazettes	E
Hansards	E
Minutes of Committee Meetings and Resolutions	D
Minutes and Resolutions of Executive Committee, Secretariat and Management Meetings	D
Mandates	E
Contracts	D
Reports	D
Publications	E
Internal memo and correspondence	C

KEY:

A = Top Secret Information and Documents

B = Secret Information and Documents

C = Classified Information and Documents

D = Non-classified

E = Automatically Available Information and Documents

6. CATEGORIES OF AUTOMATICALLY AVAILABLE RECORDS

Documents under category E are automatically available.

7. SERVICES AVAILABLE TO MEMBERS OF THE PUBLIC

7.1 PETITIONS, REPRESENTATIONS OR SUBMISSIONS

Any interested persons or institutions may submit petitions, representations or submissions to the Legislature or any of its Committees.

7.2 PUBLIC ACCESS TO AND INVOLVEMENT

The Legislature also facilitates public involvement in the legislative and other processes of the Legislature and its Committees. Public hearings and education are conducted to ensure full input of the public in the law making process. Members of the public, including the media may attend both sittings of the Legislature and those of its Committees.

7.3 COPIES OF ACTS AND GOVERNMENT GAZETTE NOTICES

The Legislature is a repository of all Government Gazettes, national and provincial. Copies of Government Gazette are available to subscribers and to the rest of the public for a nominal fee.

7.4 LIBRARY SERVICES

Free library services are available to registered members and non-registered members of the public for research and leisure.

7.5 LEGAL ADVICE CENTRE

The Legislature is in the process of establishing a Legal Advice Centre for the poor and marginalized society. Services will be free.

7.6 WORKSHOPS AND SEMINARS

The Legislature hosts and conducts workshops and seminars on a wide range of national and international issues for government departments and members of the public.

7.7 CONSTITUENCY OFFICES

Members of the Legislature may be contacted through their various constituency offices spread around the provinces. They entertain complaints, representation and submissions in their respective constituencies from members of the public.

8. HOW TO GAIN ACCESS TO AVAILABLE SERVICES

Members of the public may gain access to available services by visiting the Legislature from 07h30 – 16h30 during weekdays or contacting either of the following persons –

- (i) **GM Mashope**
Secretary to the Legislature
Information Officer
Tel: +27 (53) 830 9006/7/8
Fax: +27 (53) 832 3240
E-mail: mmashope@leg.ncape.gov.za
- (ii) **APS Nxumalo**
Legal Advisor
Tel: +27 (053) 839 8020
Fax: +27 (053) 832 3240
E-mail: pnxumalo@leg.ncape.gov.za
- (iii) **PB Moopelwa**
Public Participation Manager
Tel: +27 (053) 830 9133
Fax: +27 (053) 833 1608
E-mail: pmoopelwa@leg.ncape.gov.za
- (iv) **Celine Cloete**
Senior Communication Officer
Tel: +27 (053) 830 9042
Fax: +27 (053) 833 1608
E-mail: ccloete@leg.ncape.gov.za
- (v) **Dineo Khechane**
Public Education Officer
Tel: +27 (053) 830 9046
Fax: +27 (053) 833 1608
E-mail: dkhechane@leg.ncape.gov.za
- (v) **Nathalia Borchard**
Librarian
Tel: +27 (053) 830 9030/1
Fax: +27 (053) 833 1608
E-mail: nborchard@leg.ncape.gov.za

9. REMEDIES AVAILABLE IN RESPECT OF AN ACT OR FAILURE TO ACT

A requester of information may lodge a written complaint to the Information Officer within 60 days.

Any requester of information who has been refused a request for access to information may an internal appeal against a decision of the Information Officer, in the prescribed form within 60 day of such refusal.

If notice to a third party is required by **S. 49(1)(b)**, within 30 days after notice is given to the appellant of the decision appealed against or, if notice to the appellant is not required, after the decision has been taken.

A third party may lodge an internal appeal against a decision of the Information Officer to grant a request for access.

If an internal appeal is lodged after the expiry of the required period, the Speaker shall upon good cause shown, allow the late lodging of the internal appeal – **DIRECTOR CONSUMER IN COMPETITION LAW & POLICY**.

If the Speaker disallows the late lodging of the internal appeal, he or she shall give notice of that decision to the person that lodged the internal appeal.

The Speaker shall decide on the internal appeal as soon as reasonably possible, but in any event, within thirty (30) days after the internal appeal is received by the Information Officer.

If a third party is informed in terms of **S. 76 (1)**, as soon as reasonably possible, but in any event within thirty (30) days; or if notice is given in terms of **S. 76(7)**; within five (5) working days after the requester concerned has made written representations in terms of **S. 76(9)**; or in any other case within thirty (30) days after notice is given.

The Speaker shall immediately after the decision on an internal appeal, give notice of the decision to the appellant; every third party informed as required by **S. 76(1)**; and the requester notified as required by **S. 76(7)**; and if reasonably possible, inform the appellant about the decision in any other manner stated in terms of **S. 75(1)(d)**.

A requester or third party that has been unsuccessful in an internal appeal; or who is aggrieved by a decision of the Speaker to disallow the late lodging of an internal appeal in terms of **S. 75(2)**; or who is aggrieved by a decision of the Information Officer to refuse a request for access or taken in terms of **S. 22, 26(1) or 29(3)** may, by way of application, within thirty (30) days apply to a court for appropriate relief in terms of **S. 82**.

A requester or third party may only apply to a court for appropriate relief in terms of **S. 82** after the requester or third party has exhausted the internal appeal procedure against a decision of the Information Officer.

NOORD-KAAP PROVINSIALE WETGEWER

**HANDLEIDING OOR FUNKSIES EN INDEKS VAN REKORDS GEHOU DEUR
DIE NOORD-KAAP PROVINSIALE WETGEWER**

SOOS AANGEVRA DEUR:

**ARTIKEL 14 – *BEVORDERING VAN TOEGANG TOT INLIGTINGSWET 2000*
(WET NR.2 VAN 2000)**

28 FEBRUARIE 2003

1. STRUKTUUR VAN DIE WETGEWER

1.1 AMPSDRAERS

1.1.1 Speaker

Die Speaker is die politiese hoof en die Tesourier van die Wetgewer. Hy is die mees senior politiese hoof van die wetgewende arm van die Wetgewer. Hy is ook die Voorsitter van die "Uitvoerende Komitee" van die Wetgewer, wat die hele verloop van die Wetgewer oorsien.

1.1.2 Adjunk-Speaker

Die Adjunk-Speaker is ook 'n Lid van die Uitvoerende Komitee van die Wetgewer. Wanneer die Speaker afwesig is of nie instaat is om die pligte van Speaker na te kom nie, of gedurende 'n opening in die kantoor van die Speaker, tree die Adjunk-Speaker op as Speaker.

1.1.3 Leier van die Huis

Die Leier van die Huis is ook 'n Lid van die Uitvoerende Komitee van die Wetgewer, asook 'n Lid van die Uitvoerende Raad (LUR). Die Leier van die Huis verteenwoordig die Uitvoerende Komitee in die Wetgewer.

1.1.4 Sweep

Die Hoof Sweep is verantwoordelik vir die organisering en die bestuur van die sake van die Oorheersende politieke party in die Wetgewer. Hoofsaaklik maak die Hoof Sweep seker dat die Oorheersende Party se administrasie en operasies glad verloop.

Ander Hoof Swepe is verantwoordelik vir die dissipline van hul Lede in die onderskeie partye, wie aansienlik verteenwoordig word in die Wetgewer.

1.1.5 Leier van die Opposisie

Die Leier van die Opposisie is die leier van die grootste opposisie party in die Wetgewer.

1.1.6 Voorsitter van Voorsitterskomitee

Die Voorsitter van die Voorsitterskomitee is verantwoordelik vir die organisering, funksionering en koördinasie van komitees. Wanneer beide die Speaker en Adjunk-Speaker afwesig is of andersins nie instaat is om die pligte van Speaker na te kom nie, of gedurende 'n opening in beide kantore, dan tree die Voorsitter van die Voorsitterskomitee op as Speaker.

1.1.7 Voorsitters van Komitees

Hulle roep byeen en lei vergaderings van Komitees. Hulle mag optree in enige saak van, en in die beste belang van hulle komitees, wanneer dit nie prakties is om 'n vergadering te reël van 'n komitee om 'n saak te bespreek nie.

Voorsitters van komitees verrig ook die funksies, opdragte en pligte en beoefen die magte wat Komitees se resolusies van die Huis en Wetgewer aan hulle mag toewys.

1.2 Lede van die Provinsiale Wetgewer (LPWs)

Lede van die Provinsiale Wetgewer bestaan uit mans en vroue verkies in terme van die *Verkiesingswet*, 1998 (Wet Nr. 73 van 1998).

Hulle en die Provinsie se Permanente Afgevaardigdes aan die Nasionale Raad van Provinsies, het vryheid van spraak in die Wetgewer en sy Komitees, onderhewig aan sy reëls en opdragte.

1.3 SEKRETARIAAT

1.3.1 Sekretaris van die Wetgewer

Die Sekretaris is die mees senior amptenaar en rekenpligte amptenaar van die Wetgewer. Die Sekretaris verrig die algemene verantwoordelikhede van rekenpligte amptenare gestipuleer in Deel 2, Hoofstuk 5 van die *Openbare Finansiële Bestuurswet*, 1999. (Wet Nr. 29 van 1999).

Die Sekretaris is verantwoordelik vir die prosessuele dienste van die Huis en is die hoof adviseur aan die Huis en aan die Speaker oor die voorregte, prosedures en gebruike van Wetgewers.

Onder hom, verskillende kantore is gemoeid met die daaglikse werksaamhede van die Huis en die administrasie van besigheid van die Huis self en sy Komitees. As die rekenpligte amptenaar van die Wetgewer, het hy in alle opsigte die verantwoordelikheid vir die uitgawes van alle departemente.

Die Sekretaris is 'n Lid van die Uitvoerende Komitee, die Sekretariaat, asook die Bestuurskomitee van die Wetgewer. Hy presideer oor die Sekretariaat, asook die Bestuurskomitee, wat bestaan uit hoofde van alle departemente. Hy word gerang vir salaris gelykstaande aan 'n adjunk Direkteur-Generaal in die openbare dienste.

2. FUNKSIES VAN DIE WETGEWER

2.1 Wetmaking

Die funksies van die Wetgewer is soos gestipuleer deur S114 van die *Konstitusie*.

In die uitvoering van sy wetgewende gesag, mag die Wetgewer enige Wetsontwerp oorweeg, wysig of verwerp voor dit. Die Wetgewer mag ook wetgewing begin of voorberei, behalwe geld Wette.

2.2 Oorsig

Alle provinsiale uitvoerende organe van die staat in die provinsie, is verantwoordelik aan die Wetgewer. Dus onderhou die Wetgewer oorsig oor die uitoefening van die

provinsiale uitvoerende gesag in die provinsie, insluitende die implimentering van wetgewing. Die oorsig rol van die Wetgewer strek tot enige provinsiale staatsorgaan.

2.3 Kwasi-geregtelike funksies

Die Wetgewer of enige van sy komitees mag enige persoon dagvaar om voor dit te verskyn om bewyse te gee op eed of bevestiging, of dokumente voor te lê. Dit mag ook van enige persoon of provinsiale institusie vereis om aan dit te rapporteer.

Na aanleiding van die *Noord-Kaapse Magte en Voorregte van die Provinsiale Wetgewer Wet*, 1994 (Wet Nr. 6 van 1994) en die Noord-Kaapse Provinsiale Wetgewer Staande Reëls, mag dit enige persoon of institusie verplig, om met dagvaardiging of vereistes in terme van Artikel 115(a) van die *Konstitusie* te onderwerp.

2.4 Petisies, Vertoë of Submissies

Die Wetgewer of enige van sy komitees mag petisies, vertoë of submissies van enige geïnteresseerde persone of institusies ontvang.

2.5 Publieke toegang en Betrokkenheid

Die Wetgewer vergemaklik publieke betrokkenheid in die wetgewende en ander prosesse van die Wetgewer en sy komitees.

Die Wetgewer bestuur sy sake op 'n ope wyse en hou sy Sittings en dié van sy komitees in die publiek. Redelike maniere mag egter onderneem word om publieke toegang te reguleer, insluitende die media, na die Wetgewer en sy komitees. Die Wetgewer mag nie die publiek, insluitende die media, uitsluit na 'n Sitting of 'n komitee, indien dit redelik en regverdig is om so te doen in 'n oop en demokratiese samelewing.

2.6 Uitgawe en bewaring van Provinsiale Wette

Wetsontwerpe goedgekeur en onderteken deur die Premier, word deur die Wetgewer gepubliseer in die Provinsiale Staatskoerant. 'n Ondertekende afskrif word ook deur die Wetgewer aan die Konstitusionele Hof toevertrou vir bewaring.

3. KONTAKBESONDERHEDE VAN DIE INLIGTINGSBEAMPTTE EN ADJUNK-INLIGTINGSBEAMPTTE VAN DIE WETGEWER

3.1 Inligtingsbeampte

Mnr GM Mashope
Noord-Kaap Provinsiale Wetgewer
Nobengulaweg
Privaatsak X5066
Kimberley
8300
Tel: +27 (053) 830 9006/7/8
Fax: +27 (053) 832 3240
E-pos: mmashope@leg.ncape.gov.za

3.2 Adjunk-Inligtingsbeampte

Mnr APS Nxumalo
Noord-Kaap Provinsiale Wetgewer
Nobengulaweg
Privaatsak X5066
Kimberley
8300
Tel: +27 (053) 839 8020
Fax: +27 (053) 832 3240
E-pos: pnxumalo@leg.ncape.gov.za

4. ONDERWERPE OOR WIE WETGEWER REKORDS HOU:

ONDERWERPE OOR WIE INFORMASIEGEHOU WORD:	REKORDS
Salarisse, Toelaes en Voordele	Salarisse, Toelaes en Voordele Salarisse, Toelaes en Voordele van Lede van die Provinsiale Wetgewer Salarisse, Toelaes en Voordele van werknemers van die Provinsiale Wetgewer
Persoonlike en indiensneming besonderhede	Persoonlike inligting van Lede van die Provinsiale Wetgewer Persoonlike inligting van werknemers van die Wetgewer Dissiplinêre, Opleiding en Prestasie besonderhede van die Wetgewer
Vaardigheids Ontwikkeling	Vaardigheids ontwikkeling vir werknemers Werksplek Vaardigheidsplan Opleidingsverslae
Indiensneming Regverdigheid	Indiensneming Regverdigheidsverslae Notules van Indiensneming Regverdigheids Konsultasie Forum vergaderings
Organisasie Strukture	Organisasie Strukture en wysigings aan organisasie strukture
Tenders	Tender Dokumente Voorsieningskomitee resolusies en notules van vergaderings
Bondels	Bondels insluitende fature, magtigings/volmag vorms en betalingsadviese
Finansiële State en ander Dokumente	Finansiële State, Begrotings en Uitgawe Verslae Ouditeursverslae, Tjeks
Provinsiale Koerante	Provinsiale Koerante en Buitengewone Provinsiale Koerante Subskripsie lyste van Provinsiale Koerante
Hansards	Hansards van Sittings van die Noord- Kaap Provinsiale Wetgewer
Notules van Komitee vergaderings en Resolusies	Notules van Komiteevergaderings, Komitee resolusies, sake verwys na Komitees Notules van Openbare Verhore
Notules oor Resolusies van Uitvoerende Komitee, Sekretariaat en Bestuurs vergaderings	Notules en resolusies van Uitvoerende Komitee, Sekretariaat en Bestuursvergaderings
Mandate	Mandate meegedeel vir stemming aan die Nasionale Raad van Provinsies deur die Noord-Kaap Provinsiale Wetgewer

Kontrakte	Kontrakte aangegaan namens die Noord-Kaap Provinsiale Wetgewer
Verslae	Departementele Kwartaalikse en Jaarlikse Verslae Afdelings Kwartaalikse en Jaarlikse Verslae Jaarlikse Verslae van die Noord-Kaap Provinsiale Wetgewer
Publikasies	Pamflette oor Publieke Deelname Pamflette oor die Wetgewende Proses Die <i>Legislator</i> Nuusbrief Kalenders
Interne aantekeninge en korrespondensie	Aantekeninge, korrespondensie en ander interne kommunikasie records.

5. KATEGORIË VAN REKORDS GEHOU OOR ELKE ONDERWERP

ONDERWERPE	KATEGORIË
Salarisse, Toelaes en Voordele	B
Persoonlike en Indiensneming besonderhede	A
Vaardigheids Ontwikkeling	E
Indiensneming Regverdigheid	E
Organisasie Strukture	E
Tenders	D
Bondels	D
Finansiële State en ander dokumente	D
Provinsiale Staatskoerante	E
Hansards	E
Notules van Komiteevergaderings en resolusies	D
Mandate	D
Kontrakte	E
Verslae	D
Publikasies	D
Interne aantekeninge en korrespondensie	C
Notules en resolusies van Uitvoerende Komitee, Sekretariaat en Bestuursvergaderings	D

SLEUTEL:

A = Hoogs vertroulike informasie en dokumente

B = Geheime informasie en dokumente

C = Geklassifiseerde informasie en dokumente

D = Nie-geklassifiseerde

E = Outomaties beskikbare informasie en dokumente

6. KATEGORIË VAN OUTOMATIES BESKIKBARE REKORDS

Dokumente onder kategorie E is outomaties beskikbaar.

7. DIENSTE BESKIKBAAR AAN LEDE VAN DIE PUBLIEK

7.1 Petities, Vertoë of Voorleggings

Enige belangstellende persone of institusies mag petisies, vertoë of voorleggings aan die Wetgewer of enige van sy Komitees voorlê.

7.2 Publieke toegang en Betrokkenheid

Die Wetgewer vergemaklik publieke betrokkenheid in die wetgewende en ander prosesse van die Wetgewer en sy komitees.

Publieke verhoor en opvoeding word aangevoer om volle insette van die publiek te verseker in die wetmakende proses. Lede van die publiek, insluitende die media, mag beide sittings van die Wetgewer en die van sy komitees bywoon.

7.3 Afskrifte van Wette en Staatskoerant Kennisgewings

Die Wetgewer is 'n bewaarplek van alle Staatskoerante, nasionaal en provinsiaal. Afskrifte van die Staatskoerant word teen 'n nominale fooi aan ondertekenaars en die publiek beskikbaar gestel.

7.4 Biblioteekdienste

Biblioteekdienste is gratis beskikbaar aan geregistreerde en nie-geregistreerde lede van die publiek vir navorsing in vrye tyd.

7.5 Regsadvies sentrum

Die Wetgewer is in die proses besig om 'n regsadvies sentrum vir die armes en minderbevoorregtes te stig. Dienste sal gratis wees.

7.6 Werkswinkels en Seminare

Die Wetgewer hou en bestuur werkswinkels en seminare oor 'n wye reeks van nasionale en internasionale sake vir staatsdepartemente en Lede van die publiek.

7.7 Kiesafdelingskantore

Lede van die Wetgewer mag deur hul onderskeie kiesafdelingskantore wat oral in die provinsie versprei is, gekontak word. Hulle ontvang klagtes, vertoë en voorleggings in hul onderskeie kiesafdelings vanaf lede van die publiek.

8. HOE OM TOEGANG TOT BESKIKBARE DIENSTE TE VERKRY

Lede van die publiek mag toegang verkry tot die beskikbare dienste deur die Wetgewer te besoek vanaf 07h30 – 16h30 gedurende weksdae, of om enige van die volgende persone te kontak –

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9. BESKIKBARE REGSMIDDLE MET BETREKKING TOT 'N DAAD OF VERSUIM OM TE REAGEER

'n Aanvraer van inligting mag binne 60 dae 'n geskrewe klag aan die Inligtingsbeampte indien.

Enige aanvraer van inligting wat 'n aanvraag vir toegang tot inligting geweier is, mag 'n interne appél indien teen 'n besluit van die Inligtingsbeampte in die voorgeskrewe vorm binne 60 dae van so 'n weiering.

Indien kennis aan 'n derde party deur Artikel 49(1)(6) verlang word, binne 30 dae nadat kennis gegee word aan die appellant van die beslissing waarteen daar geappelleer is, indien kennis aan die appellant nie verlang word nie nadat die besluit geneem is.

'n Derde party mag 'n interne appél aanteken teen die besluit van die Inligtingsbeampte vir die vergunning van 'n aanvraag tot toegang.

Indien 'n interne appél na die vervaldatum van die vereiste tydperk aangeteken is, mag die Speaker, nadat goeie redes aangevoer is, toelaat vir die laat-aantekening van die interne appél – Direkteur Verbruiker in Kompetisie Wet en Beleid.

Indien die Speaker, die Speaker die laat aantekening van die interne appél verwerp, sal hy/sy kennis gee aan die persoon wie die interne appél aangeteken het, gee.

Die Speaker sal so gou as moontlik oor die interne appél besluit, maar in elk geval moet dit binne dertig (30) dae na ontvangs van die interne appél deur die Inligtings Beampte.

Indien 'n derde party in terme van Artikel 76(1) ingelig word, so gou as redelik moontlik maar in elk geval binne dertig (30) dae of indien kennis in terme van Artikel 76(7) gegee word; binne vyf (5) werksdae nadat die betrokke aanvraer 'n geskrewe verzoek in terme van Artikel 76(9) gemaak het; of in elke ander geval binne dertig (30) dae na kennis gegee is.

Die Speaker sal onmiddellik na die besluit oor 'n interne appél, kennis gee van die besluit aan die appellant; elke derde party sal ingelig word deur Artikel 76(1); en die aanvraer kennis gee soos aangevra deur Artikel 76(7); en redelik moontlik, die appellant inlig oor die besluit op elke ander wyse soos gemeld in terme van Artikel 75(1)(d).

'n Aanvraer of 'n derde party wie onsuksesvol was in 'n interne appél, of wie benadeel is deur 'n besluit van die Speaker om nie die laat aantekening van 'n interne appél in terme van Artikel 75(2) te verwerp; of wie benadeel word deur die besluit van die Inligtingsbeampte om te weier vir 'n aanvraag tot toegang soos bepaal deur Artikel 22, 26(1) of 29(3) mag, by wyse van 'n aansoek, binne dertig (30) dae aan die hof vir die nodige verlossing in terme van Artikel 82 aansoek doen.

'n Aanvraer of derde party mag slegs aansoek in terme van Artikel 82 vir die nodige verlossing by 'n hof doen nadat die aanvraer of derde party alle interne appél prosedure teen 'n beslissing van die Inligtingsbeampte verbruik is.

**KOKOANO PEO MOLAO YA
KAPA BOKONE**

**BUKANA YA DITIRO LE DITENG TSA
DIPEGO TSA KOKOANO PEO MOLAO YA
KAPA BOKONE**

Jaaka di lebeletswe ke

**Karolo 14 – MOLAO WA 2000, WA
TSWELETSO YA PHITLHELELO
YA TSHEDIMOSETSO**

28 TLHAKOLE 2003

1. TLHAMO YA KOKOANO PEO MOLAO

1.1 BATSHWARA KANTORO

1.1.1 MMUSAKGOTLA

Mmusakgotla ke ena tlhogo ya sepolotiki, le ramatlotlo, wa Kokoano peo molao.. Ke ena yo o mogolo mo batlhankeding ba sepolitiki mo Kokoano peo molaong ya Kapa Bokone. Gape ke ena modulasetulo wa komiti khuduthamaga e e shebelelang tsamaiso ya Kokoano peo molao.

1.1.2 MOTLATSA MMUSAKGOTLA

Motlatsa Mmusakgotla le ena ke leloko la komiti khuduthamaga ya Kokoano peo molao. Fa Mmusakgotla a se teng, kgotsa a sa kgone go tsweletsa tiro ya gagwe, kgotsa a tshwaragane le tiro mo kantorong ya gagwe, motlatsa Mmusakgotla o tsaya maemo a Mmusakgotla.

1.1.3 MOETEDIPELE WA NTLO

Moeteledipele wan ntlo le ene ke leloko la komiti ya khuduthamaga ya Kokoano peo molao, gape ke leloko la mokgatlo khuduthamaga. Moeteledipele wa ntlo o emela mokgatlo khuduthamaga mo ntlong ya Kokoano peo molao.

1.1.4 SEME -SEGOLO

Seme-segolo se rwele maikarabelo a go rulaganya le go laola ditirelo tsa lekoko la sepolotiki le le busang (ANC) mo ntlong ya Kokoano peo molao Bogolo segolo, Seme-segolo se netefatsa gore tsamaiso le ditirelo tsa lekoko le le busang di tsamaya ka thulaganyo.

Dimedigolo tse dingwe di rwele maikarabelo a go tlisa tolamo mo malokong a tsone, mo mekgatlong e e farologaneng e e naleng kemedi, mo ntlong ya Kokwano peo molao

1.1.5 MOETEDIPELE WA LEKOKO KGANETSO

Ke moeteledipele wa lekoko kganetso le legolo mo ntlong ya Kokoano molao peo.

1.1.6 MODULASETULO WA BADULADITULO TSA DIKOMITI

Modulasetulo o rwele maikarabelo a go rulaganya, tsamaiso, thulaganyo le momagano. Nako ngwe le ngwe fa Mmusakgotla le motlatsi wa gagwe ba se teng, kgotsa ba sa kgone go tsweletsa ditiro tsa bona, modulasetulo wa baduladitulo wa dikomiti o tsaya maemo a Mmusakgotla.

1.1.7 BADULADITULO BA DIKOMITI

Baduladitulo ba dikomiti, ke bona ba ba simololang, le go laola dikopano tsa dikomiti. Ba kgona go dira mo dintlheng dingwe le dingwe, tse di leng mo dikgatlhegolong tsa dikomiti tsa bona, fa go sa kgonagale go rulagangwa kopano ya komiti go buisa ntlha.

Baduladitulo ba dikomiti, ba kgona gape le go dira ditiro le mabaka a a rileng ga mmogo le go dirisa dithata tsa bona jaaka ba dineetswe ke ditshwetso tsa dikomiti tsa ntlo, le peo molao.

1.2 MALOKO A NTLO PEO MOLAO

Maloko a ntlo peo molao a profense, a akaretsa banna le basadi, ba ba tlhopilweng go ya ka molao wa ditlhopo wa 1998. (Molao:73, wa 1998).

Maloko le barongwa ba leruri ba kgotla ya bosetshaba ya diprofense (NCOP), ba nale tokelo ya go bua mo setheong as Kokoano peo molao, le dikomiti go ya melao le ditaelo.

1.3 BOKWALEDI

1.3.1 Mokwaledi wa setheo sa ntlo peo molao.

Mokwaledi ke motlhankedi mogolo, le tlhogo ya ntlo peo molao. Mokwaledi o tsweletsa maikarabelo a a akaretsegileng, a boramatlotlo, jaaka go kaetswe mo karolong ya bo (2), kgaolo ya bo 5, ya molao, wa bolaodi ba ditshelete tsa setshaba wa 1999(molao 29, wa 1999).

Mokwaledi o rwala maikarabelo a ditirelo tsamaiso, tsa ntlo, gape ke ena yo eleng mogakolodi mogolo wa ntlo, le wa Mmusakgotla, mo ditshwanelong, ditsamaisong le ditirelong tsa ntlo peo molao.

Mo tlase ga mokwaledi, go nale dikantoro tse di farologaneng tse di tshwaraganeng le ditsamaiso tsa ntlo tsa letsatsi le letsatsi. Le tsamaiso ya ditirelo tsa ntlo, le tsa dikomiti. Jaaka tlhogo ya ntlo theo molao, o rwala maikarabelo otlhe a tiriso ya ditshelete tsa mafapa otlhe a a leng fa tlase ga gagwe.

Mokwaledi ke leloka la komiti khuduthamaga, la bokwaledi, komiti tsamaiso ya ntlo peo molao. Ke ena a lebelelang bokwaledi le komiti tsamaiso (e e akaretsang ditlhogo tsa mafapha otlhe). Maemo a gagwe a lekana le wa motlatsa mokaedi mogolo mo tirelong setshaba.

2. DITIRO TSA KOKOANO PEO MOLAO

2.1 PEO MOLAO

Ditiro tsa Kokwano peo molao, di tsamaisiwa go ya ka karolo 114 ya Molao theo. Mo go diragatseng dithata tsa ona, tsa molao theo, Kokoano peo molao e ka kgona go akanya, go fetisa, go fetola, kgotsa go kgapela kwa thoko molawana mongwe le mongwe yo o bewang fa pele ga yona.

Kokoano peo molao, e kgona go tsaya dikgatho tsa go simolola, le *gobaakanya/simolola* peo molao, ntle le melawana e e amanang le ditshelete.

2.2 BOLEBELEDI BA DITIRO TSA MAFAPA

Dikarolo tsotlhe tsa khuduthamaga ya profense, di arabela go Kokoano peo molao. Ka jalo tiro ya go lebelela tsamaiso ya bolaodi Khuduthamaga e wela motlase ga kokoano, peo molao, go akaretse tsenyo-tirisong ya peo molao. Karolo ya bolebeledi jwa Kokoano peo molao bo fetelela go lefapeng lengwe le lengwe la profense.

2.3 DITIRO TSA BOKGAOLA KGANG

Kokoano peo molao e rwala maikarabelo kgotsa dikomiti tsa yona di nale maatla a go biletsa motho mongwe le mongwe go tla go tlhagelela fa pele ga yona go neela bapaki, go tlhagisa ditokomane kgotsa go laela motho mongwe le mongwe go tlhagelela fa pele ga yona.

E kgona go laela motho mongwe le mongwe kgotsa setheo sengwe le sengwe sa profense go bega fa pele ga yona.

Go ya ka dithata le ditshwanelo tsa Kokoano peo molao tsa Kapa Bokone (molao 6 wa 1994) le go ya ka kemo molao ya Kokoano peo molao ya Kapa Bokone, e kgona go pateletsa motho mongwe le mongwe go obamela piletsa tshekong go ya ka ditlhokego tsa S.115 (a) kgotsa (b) ya **Molao theo**.

2.4 BOIKUELO, DIKGAKOLOLO KGOTSA DITSITSINYO.

Kokoano peo molao kgotsa dikomiti tsa yona di kgona go amogela boikuelo, dikgakololo kgotsa tsona ditsitsinyo go tswa mo bathong kgotsa go tswa kwa ditheong tse di naleng kgatlhego.

2.5 TSEO KAROLO YA SETSHABA MO SETHEONG SA KOKOANO PEO MOLAO

Kokoano peo molao e letlelela setshaba got tsaya karolo mo peong ya molao le mo tsamaisong ya Kokoano peo molao le mo dikomiting tsa yona.

Kokoano peo molao e kgweetsa tsamaiso ya yona mo phatlhalatseng, ebile gape e direla dipuisano tsa yona ga mmogo le dikomiti mo phatlhalatseng. Go nale dikgatho tse dirileng tse di tsewang go laola tseo karolo ya setshaba, go akaretse makwalo dikgang, batlhankedi ba dikgang mo kokoano peo molaong ga e kgone go ganela setshaba go akaretse batlhankedi ba dikgang mo dipuisanong tsa dikomiti kwa ntle le fa go nale mabaka a a utlwalang, go dira jalo mo setshabeng se se golosegileng.

2.6 KGATHISO LE GO BOLOKIWA KA POLOKESEGO GA MELAWANA YA POROFENSE.

Melawana e e dumeletsweng, ga mmogo le go sainiwa ke tonakgolo e gatisiwa mo lokwang la Kasete ya profense. Seetsi se se sainilweng se neelwa kgotlatshekelo ya molao theo go bolokiwa

3.DINTLHA TSA MOTLHANKEDI WA TSHEDIMOSETSO LE MOTLATSI WA GAGWE.

3.1 Motlhankedi wa tshedimosetso

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4. DITLHOGO TSE KOKOANO PEO MOLAO E TSHOLANG TSHEDIMOSETSO KA TSONA

Ditlhogo tse go tsholwang tshedimosetso ka ga tsona	Direkoto
Moputso le ditshwanelo tse dingwe tsa ledi	Moputso le ditshwanelo tse dingwe tsa ledi le tsa maloko a Kokoano peo molao mo profenseng ga mmogo le tsa bathapiwa ba Kokoano peo molao
Dintlha tsa bathapiwa /tshedimosetso	Dintlha tsa maloko a Kokoano peo molao
Tlhabololo ya kitso	Tlhabololo ya kitso ya bathapiwa ba Kokoano peo molao Leano la tlhabololo kitso mo tirong Dipego ka ga ikatiso

Tekatekanyo mo tirong	Dipego tsa tekatekanyo Metsotso
Dithulaganyo tsa mekgatlo ya peo molao	Dithulaganyo tsa mekgatlo le phetolo tsa tsona
Bonana (Tenders)	Makwalo a bonana Komiti e e tsayang ditshwetso tsa go reka le metsotso ya dikopano
Dingata (Batches)	Dingata tse di akaretsang ditshupo tsa dituelo, le diforomo tse di nelanang ka tetla ya go duela
Dipego ka ditshelete le ditokomane tse dingwe	Dipego tsa ledi, Tekanyetso-kabo le pego ka ga tiriso ya ditshelete Dipego tsa batlhatlhodi ba dibuka le ditsheke
Kasete ya profense	Kasete ya profense le dikasete tse dingwe tse di sa tlwaelegang
Dihansarata (Hansards)	Dihansarate ya ntlo kokoano peo molao ga mmogo le ditherisano tsa Kokoano peo molao tsa profense ya Kapa Bokone
Metsotso ya dikopano tsa dikomiti le ditshwetso	Metsotso le ditshwetso tsa dikomiti khuduthamaga, bokwaledi le bolaodi
Metsotso le ditshwetso tsa khuduthamaga ya dikomiti, bokwaledi le bolaodi jwa dikopano	Metsotso le ditshwetso tsa komiti khuduthamaga, mokwaledi le molaodi
Ditaelo	Ditaelo tse di fetisiwang ka maikaelelo a ditlhopo mo lekgotleng la bosetshaba la profensi ya Kapa bokone
Di konteraka	Di konteraka tse di tsweletsweng mo leineng la peo molao ya profensi ya Kapa bokone
Dipego	Dipego tsa mafapha tsa kota le tsa ngwaga Dipego tsa dikgaolo tsa kota le tsa ngwaga Dipego tsa ngwaga tsa peo molao ya profensi ya Kapa bokone
Dikwalo phatlhalatsa	Dikwalo tse di ntshetswang go ruta setshaba Dikwalo tse di amanang le tsamaiso ya peo molao Makwalo dikgang a kokoano peo molao

	Di alemanaka
Makwalo a setheo	Makwalo otlhe, go akaretsa le direkoroto tsa kgolaganyo

5. MEFUTA YA DIREKOTO GO YA KA DITLHOGO TSA TENG

Ditlhogo	Mofuta (category)
Meputso le ditshwanelo tse dingwe tsa ledi	B
Dintlha tsa sebele, go akaretsa le tsa tiro	A
Tlhabololo ya kitso	E
Teketekanyo ya tiro	E
Thulagano ya mokgatlo	E
Bonana (tenders)	D
Ngata (batches)	D
Polelo tsa ditshete le ditokomane tse dingwe	D
Kasete ya profense	E
Hansarata (Hansards)	E
Metsotso ya dikopano le ditshwetso tsa di komiti	D
Metsotso le ditshwetso tsa komiti khuduthamaga, Bokwaledi le dikopano tsa Bolaodi	D
Ditaelo	E
Dikonteraka	D
Dipego	D
Dikwalo phatlhalatsa	E
Makwalo a setheo	C

SENOTLOLO/KEY:

A = Direkoto tsa sephiri se segolo, tse di sa bonweng.

B= Tshedimosetso le ditokomane tsa sephiri

C= Tshedimosetso e e tlhopegang

D= Tshedimosetso e e sa tlhopegang

E= Tshedimosetso le ditokomane tse di bonwang nako ngwe le ngwe

6 DITLHOPA TSA TSHEDIMOSETSO LE DIREKOTO

Ditokomane tse di welang mo tlase ga E di ka bonwa nako ngwe le ngwe.

7. DITIRELO TSE DI NEELWANG SETSHABA

7.1 BOIKUELO, DIKGAKOLOLO KGOTSA DITSITSINYO

Motho kgotsa mekgatlho e e naleng kgatlego e kgona go neela ka ditsitsinyo kgotsa boikuelo go Kokoano peo molao kgotsa go dikomiti tsa yona.

7.2 GO TSENA LE GO TSAYA KAROLO GA SETSHABA MO DITIRONG TSA KOKOANO PEO MOLAO

Kokoano peo molao e letlelela baagi go tsaya karolo go dirweng le mo peong ya melao le mo dikomiting tsa kokoano peo molao.

7.3 DIKGATISO TSA MELAO LE DIKASETE TSA PUSO

Kokoano peo molao e tshola dikgatiso le dikasete tsa diprofense tsothle ga mmogo le tsa palamente, mme baagi ba kgona go di reka ka tlhwatlhwa e e kwa tlase.

7.4 DITERELO TSA LAEBORARI

Go nale ditirelo tse di sa duelelweng tse di akaretsang batho ba ba ikwadisetseng go nna badirisi le ba ba sa ikwadisang, go dira dipatlisiso le go dirisa laeborari jaaka lefelo la go itapolosa.

7.5 TIKATIKWE LE GO NEELWANG KA MAELE A SEMOLAO

Kokoano peo molao e tshwaragane le tiro ya go simolola tikatikwe moo batho ba ba tlhokang ba tla fiwang maele a semolao gone kwa ntle ga tuelo.

7.6 DIKOPANO TSA THUTO

Kokoano peo molao e tshwara dikopano tsa thuto mo ba rutang ba diredi-puso ga mmogo le setshaba ka ga puso le melao ya teng.

7.7. DIKANTORO TSA MAFAPHA A DITLHOPO (CONSTITUENCY)

Baagi ba kgona go ikopantsa le maloko a kokoano peo molao mo dikantorong tsa bona tsa mafapha a ditlhopo tse di leng mo profenseng. Ba amogela ditletlebo, ditsitsinyo go tswa mo baaging kwa dikantorong tsa bona.

8. O KA BONA JANG DITIRELO TSA KOKOANO PEO MOLAO

Maloko a setshaba a kgona go fitlhelela ditirelo ka go etela kokoano peo molao ka 07h30 – 16h30 mo gare ga beke, kampo go ka i kgolaganya le mongwe wa batho ba ba latelang -

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9. DITHARABOLOLO TSE DI AMANANG LE MOLAO KAMPO THETELELO YA GO ITSIBOGELA

Mokopi wa tshedimosetso wa kgona go ka rumela lekwalo la ngongorego go motlhankedi wa tshedimosetso ka gare ga malatsi a masumi a ma ratharo (60).

Mokopi mongwe le mongwe o ile a kganelwa kopo ya go bona tshedimosetso o kgona go dira boikuelo mo lefapheng ka go tlatsa foromo ya teng ka gare ga malatsi a masumi a ma ratharo (60) kgatlhanong le tshwetso ya motlhankedi wa tshedimosetso.

Fa go nale tlhokego ya kitsiso ya leloko la boraro go ya ka Kgao 49(1)(b), ka gare ga malatsi a le masumi a mararo morago ga kitsiso e sena go fewa motho yo o dirang

boikuelo, fa kitsiso ya modiri-boikuelo e sa tlhokagale morago ga tshwetso e sena go tsena.

Leloko la boraro le kgona go dira boikuelo mo lefapheng kgatlhano le tshwetso ya motlhankedi wa tshedimosetso gore a letlelele kopo ya go bona tshedimosetso.

Fa go nale boikuelo jo bo dirwang morago ga nako e e beilweng, Mmusakgotla o kgona go letlelele kopo eo, mme hela mabaka a teng a tshwanetse go utlwagala. –
MOLAODI MODIRISI MO MOLAONG LE MOLAWANA WA KGAISANO,

Fa Mmusakgotla a kgapela kopo e thari kwa thoko, o tshwanetse go fana ka kitsiso ya tshwetso go mothong o o dirileng kopo-boikuelo.

Mmusakgotla o tshwanetse go tsaya tshwetso ya boikuelo ka bonako jo bo kgonagalang, mme ka gale sewa se diragala ka gare ga malatsi a le masumi a mararo (30) morago ga motlhankedi wa tshedimosetso a sena go amogela boikuelo.

Fa leloko la boraro le itsesewe go ya ka Kgaolo 76(1), ka bonako jo bo kgonagalang mme fa gare ga malatsi a masumi a mararo (30), kampo fa kitsiso e fiwa goya ka Kgaolo 76(1); fa gare ga malatsi a tiro a le matlhano (5) morago ga mokopi a sena go dira lokwalo-boikuelo goya ka Kgaolo 76(9) kampo ga tlase ga mabaka mangwe le mangwe a fa gare ga malatsi ale masumi a mararo (30) morago ga kitsiso e sena go abewa.

Mmusakgotla o tshwanetse go fana ka kitsiso ya tshwetso ya boikuelo ka bonako jo bo makatsang go modiri-boikuelo; maloko otlhe a tshwanetse go itsesewe go ya ka Kgaolo 76(1); mokopi o tshwanetse go itsesewe go ya ka Kgaolo 76(7); gape fa go kgonagala, modiri-boikuelo o tshwanetse go itsesewe ka ditshwetso ka mekgwa yotlhe e e omakilweng mo Kgaolong 75(1)(d).

Mokopi kampo leloko la boraro le le sa atlegang mo boikulong jwa lona; kampo yo o tshwenyegileng ka ntlha ya tshwetso ya Mmusakgotla go sa letlelele boikuelo jo bo thari go ya ka Kgaolo 75(2); kampo mokopi o o tshwenyegileng ka ntlha ya tshwetso ya motlhankedi wa tshedimosetso go mo kganela phitlhelelo ya tshedimosetso goya ka diKgaolo 22, 26(1) kampo 29(3), o kgona go dira kopo go Lekgotla gore o bone tharabololo e e tshwanetseng fa gare ga malatsi ale masumi a mararo (30) goya ka Kgaolo 82

Mokopi kampo leloko la boraro le kgona go dira kopo go Lekgotla gore le kgone go fana ka tharabololo e tshwanetseng go ya ka Kgaolo 82, mme se se kgona go diragala fela fa mokopi kampo leloko le sena go dirisa dikgato tsotlhe tsa boikuelo mo lefapheng kgatlhano le tshwetso ya Motlhankedi wa tshedimosetso.

TABLE OF CONTENTS

Content	Page
1. Structure of the Legislature -----	1
1.1 Office Bearers -----	1
1.1.1 Speaker -----	1
1.1.2 Deputy Speaker -----	1
1.1.3 Leader of the House -----	1
1.1.4 Whippery -----	1
1.1.5 Leader of the Opposition -----	1
1.1.6 Chairperson of Committee Chairpersons -----	1
1.1.7 Chairpersons of Committees -----	2
1.2 Members of the Provincial Legislature (MPL's) -----	2
1.3 Secretariat -----	2
1.3.1 Secretary to the Legislature -----	2
2. Functions of the Legislature -----	2
2.1 Law making -----	2
2.2 Oversight -----	3
2.3 Quasi-judicial functions -----	3
2.4 Petitions, representations or submissions -----	3
2.5 Public access to and involvement -----	3
2.6 Publication and safekeeping of provincial acts -----	3
3. Contact details of the Information Officer and Deputy Information Officer of the Legislature -----	4
3.1 Information Officer -----	4
3.2 Deputy Information Officer -----	4
4. Subjects on which the Legislature holds records -----	5
5. Categories of records held on each subject -----	7
6. Categories of automatically available records -----	7
7. Services available to members of the public -----	8
7.1 Petitions, representations or omissions -----	8
7.2 Public access to and involvement -----	8

7.3	Copies of acts and Government Gazette notices -----	8
7.4	Library services -----	8
7.5	Legal Advice Centre -----	8
7.6	Workshops and seminars -----	8
7.7	Constituency offices -----	8
8.	How to gain access to available services -----	9
9.	Remedies available in respect of an act or failure to act -	10

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