

EXTRAORDINARY



BUITENGEWONE

REPUBLIC OF SOUTH AFRICA

# GOVERNMENT GAZETTE

## STAATSKOERANT VAN DIE REPUBLIEK VAN SUID-AFRIKA

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[No. 2091.

### DEPARTMENT OF BANTU ADMINISTRATION AND DEVELOPMENT.

#### PROCLAMATION

BY THE STATE PRESIDENT OF THE REPUBLIC OF SOUTH AFRICA.

No. R140, 1968.]

1. GENERAL REGULATIONS FOR BANTU TRIBAL AND COMMUNITY AUTHORITIES: CESSATION OF EFFECT IN THE AREA OF THE TSWANA TERRITORIAL AUTHORITY.
2. GENERAL REGULATIONS FOR BANTU REGIONAL AUTHORITIES: CESSATION OF EFFECT IN THE AREA OF THE TSWANA TERRITORIAL AUTHORITY.
3. FURTHER AMENDMENT OF GOVERNMENT NOTICE NO. 585 OF 1961, AS AMENDED: REPEAL OF THE REGULATIONS FOR THE TSWANA TERRITORIAL AUTHORITY.

UNDER and by virtue of the powers vested in me by section 17 of the Bantu Authorities Act, 1951 (Act No. 68 of 1951), read with section 25 of the Bantu Administration Act, 1927 (Act No. 38 of 1927), I hereby declare—

- (a) that the general regulations for Bantu tribal and community authorities, contained in the Schedule to Government Notice No. 939 of 1953, as amended by Government Notices Nos. 1096 of 1960 and 527 of 1965, shall cease to have effect in respect of tribal and community authorities in the area of the Tswana Territorial Authority;
- (b) that the general regulations for Bantu regional authorities, contained in the Schedule to Government Notice No. 1178 of 1957, as amended by Government Notices Nos. 581 of 1959, 223 of 1960, R.1862 of 1962 and 218 of 1966, shall cease to have effect in respect of regional authorities in the area of the Tswana Territorial Authority;

### DEPARTEMENT VAN BANTOE-ADMINISTRASIE EN -ONTWIKKELING.

#### PROKLAMASIE

VAN DIE STAATSPRESIDENT VAN DIE REPUBLIEK VAN SUID-AFRIKA.

No. R140, 1968.]

1. ALGEMENE REGULASIES VIR BANTOESTAM-EN -GEMEENSKAPSOWERHEDE: BUITEWERKINGTREDING IN DIE GEBIED VAN DIE TSWANAGEBIEDSOWERHEID.
2. ALGEMENE REGULASIES VIR BANTOESTREEKSOWERHEDE: BUITEWERKINGTREDING IN DIE GEBIED VAN DIE TSWANA GEBIEDSOWERHEID.
3. VERDERE WYSIGING VAN GOEWERMENTS-KENNISGEWING NO. 585 VAN 1961, SOOS GEWYSIG: HERROEPING VAN DIE REGULASIES VIR DIE TSWANAGEBIEDSOWERHEID.

KRAGTENS die bevoegdheid my verleen by artikel 17 van die Wet op Bantoe-owerhede, 1951 (Wet No. 68 van 1951), gelees met artikel 25 van die Bantoe-administrasie Wet, 1927 (Wet No. 38 van 1927), verklaar ek hierby—

- (a) dat die algemene regulasies vir Bantostam- en -gemeenskapsoverhede, vervat in die Bylae van Goewermentskennisgewing No. 939 van 1953, soos gewysig by Goewermentskennisgewings Nos. 1096 van 1960 en 527 van 1965, buite werking tree ten opsigte van stam- en gemeenskapsoverhede in die gebied van die Tswanagebiedsowerheid;
- (b) dat die algemene regulasies vir Bantostreeksowerhede, vervat in die Bylae van Goewermentskennisgewing No. 1178 van 1957, soos gewysig by Goewermentskennisgewings Nos. 581 van 1959, 223 van 1960, R.1862 van 1962 en 218 van 1966, buite werking tree ten opsigte van streeksowerhede in die gebied van die Tswanagebiedsowerheid;

- (c) that Government Notice No. 585 of 1961, as amended by Proclamation No. 344 of 1966 and Government Notices Nos. 1033 of 1961, 1990 of 1964, 219 of 1966 and 387 of 1968 is hereby further amended by—
- (i) the deletion of item (2) of the said Government Notice; and
  - (ii) the repeal of the regulations for the Tswana Territorial Authority, contained in the Schedule to the aforementioned Government Notice;
- (d) that anything done under the provisions of the regulations hereby declared as ceasing to have effect or repealed shall be deemed to have been lawfully done as if the said regulations had not been declared as ceasing to have effect or repealed;
- (e) that the provisions of this Proclamation shall come into operation on a date to be determined by the Minister of Bantu Administration and Development by notice in the *Gazette*.

GIVEN under my Hand and the Seal of the Republic of South Africa at Cape Town, this Twentieth day of May, One thousand Nine hundred and Sixty-eight.

J. J. FOUCHÉ,  
State President.

By order of the State President-in-Council,  
M. C. BOTHA.

F56/6/6

J. J. FOUCHÉ,  
Staatspresident.

Op las van die Staatspresident-in-raad,  
M. C. BOTHA.

F56/6/6

## PROCLAMATION

BY THE STATE PRESIDENT OF THE REPUBLIC  
OF SOUTH AFRICA.

No. R141, 1968.]

1. REGULATIONS FOR TRIBAL AND COMMUNITY AUTHORITIES IN THE AREA OF THE TSWANA TERRITORIAL AUTHORITY.
2. REGULATIONS FOR REGIONAL AUTHORITIES IN THE AREA OF THE TSWANA TERRITORIAL AUTHORITY.
3. REGULATIONS FOR THE TSWANA TERRITORIAL AUTHORITY.
4. RULES OF PROCEDURE, TSWANA TERRITORIAL AUTHORITY.

UNDER and by virtue of the powers vested in me by section 17 of the Bantu Authorities Act, 1951 (Act No. 68 of 1951), read with section 25 of the Bantu Administration Act, 1927 (Act No. 38 of 1927), I hereby make—

- (a) the regulations contained in Schedule A hereto in respect of tribal and community authorities in the area of the Tswana Territorial Authority;
- (b) the regulations contained in Schedule B hereto in respect of regional authorities in the area of the Tswana Territorial Authority;
- (c) the regulations contained in Schedule C hereto in respect of the Tswana Territorial Authority; and
- (d) the rules of procedure contained in Schedule D hereto in respect of the proceedings of the Tswana Territorial Authority.

## PROKLAMASIE

VAN DIE STAATSPRESIDENT VAN DIE REPUBLIEK VAN SUID-AFRIKA.

No. R141, 1968.]

1. REGULASIES VIR STAM- EN GEMEENSKAPS-OWERHEDE IN DIE GEBIED VAN DIE TSWANAGEBIEDSOWERHEID.
2. REGULASIES VIR STREEKSOWERHEDE IN DIE GEBIED VAN DIE TSWANAGEBIEDSOWERHEID.
3. REGULASIES VIR DIE TSWANAGEBIEDSOWERHEID.
4. REGLEMENT VAN ORDE, TSWANAGEBIEDSOWERHEID.

KRAGTENS die bevoegdheid my verleen by artikel 17 van die Wet op Bantoe-owerhede, 1951 (Wet No. 68 van 1951), gelees met artikel 25 van die Bantoe-administrasie Wet, 1927 (Wet No. 38 van 1927), vaardig ek hierby uit—

- (a) die regulasies vervat in Bylae A hiervan ten opsigte van stam- en gemeenskapsowerhede in die gebied van die Tswanagebiedsowerheid;
- (b) die regulasies vervat in Bylae B hiervan ten opsigte van streeksowerhede in die gebied van die Tswanagebiedsowerheid;
- (c) die regulasies vervat in Bylae C hiervan ten opsigte van die Tswanagebiedsowerheid; en
- (d) die reglement van orde vervat in Bylae D hiervan ten opsigte van die verrigtings van die Tswanagebiedsowerheid.

AND I do hereby further declare that the aforementioned regulations and rules of procedure shall have the force of law in the area of the Tswana Territorial Authority from a date to be determined by the Minister of Bantu Administration and Development by notice in the *Gazette*.

GIVEN under my Hand and the Seal of the Republic of South Africa at Cape Town, this Twentieth day of May, One Thousand Nine hundred and Sixty-eight.

J. J. FOUCHE,  
State President.

By order of the State President-in-Council.  
M. C. BOTHA.

F56/6/6.

#### DEFINITIONS.

For the purposes of the regulations and rules of procedure contained in the Schedules to this Proclamation, unless the context otherwise indicates, any expression to which a meaning has been assigned in the Act, shall bear that meaning and—

- (i) "the Act" means the Bantu Authorities Act, 1951 (Act No. 68 of 1951);
- (ii) "Chief" includes an acting chief and a sub-chief;
- (iii) "Chief Councillor" means the member elected as such in terms of the Tswana Territorial Authority regulations and includes any member nominated or designated in terms of the said regulations to act as chief councillor;
- (iv) "Chief Director" means an officer designated by the Minister in terms of section 3 (7) of the Act, as administrative head of the Department of Authority Affairs and Finance and as co-ordinating officer of all the departments of the Territorial Authority;
- (v) "Commissioner-General" means the Commissioner-General of the Tswana National Unit appointed in terms of the Promotion of Bantu Selfgovernment Act, 1959 (Act No. 46 of 1959);
- (vi) "Councillor" means a member of the Territorial Authority elected or appointed as member of the Executive Council in terms of the Tswana Territorial Authority regulations;
- (vii) "Director" means an officer designated by the Minister in terms of section 3 (7) of the Act, as administrative head of one or more of the departments of the Territorial Authority;
- (viii) "Executive Council" means the Executive Council of the Territorial Authority;
- (ix) "Republic" means the Republic of South Africa;
- (x) "Secretary" means the Secretary for Bantu Administration and Development and includes any Deputy or Under Secretary for Bantu Administration and Development, and in respect of matters falling under the Department of Education and Culture, includes the Secretary for Bantu Education and any Deputy or Under Secretary for Bantu Education;
- (xi) "Territorial Authority" means the Tswana Territorial Authority established in terms of section 2 (1) (c) of the Act.

EN voorts verklaar ek hierby dat voornoemde regulasies en reglement van orde die krag van wet het in die gebied van die Tswanagebiedsowerheid vanaf 'n datum deur die Minister van Bantoe-administrasie en -ontwikkeling in die *Staatskoerant* bepaal.

GEgee onder my Hand en die Seël van die Republiek van Suid-Afrika te Kaapstad op hede die Twintigste dag van Mei, Eenduisend Negehonderd Agt-en-sestig.

J. J. FOUCHE,  
Staatspresident.

Op las van die Staatspresident-in-rade,  
M. C. BOTHA.

F56/6/6

#### WOORDOMSKRYWINGS.

Vir die doeleindes van die regulasies en reglemente in die Bylae van hierdie Proklamasie vervat, tensy dit uit die samehang anders blyk, het 'n uitdrukking waaraan 'n betekenis in die Wet verleen is, daardie betekenis, en beteken—

- (i) "Direkteur", 'n amptenaar aangewys deur die Minister ingevolge artikel 3 (7) van die Wet as administratiewe hoof van een of meer van die departemente van die Gebiedsowerheid;
- (ii) "Gebiedsowerheid", die Tswana Gebiedsowerheid ingestel ingevolge artikel 2 (1) (c) van die Wet;
- (iii) "Hoofdirekteur", 'n beampete deur die Minister aangewys ingevolge artikel 3 (7) van die Wet, as die administratiewe hoof van die Departement van Owerheidsake en Finansies en as ko-ordinerende beampete van al die Departemente van die Gebiedsowerheid;
- (iv) "Hoofraadslid", die lid as sodanig verkies ingevolge die Tswana Gebiedsowerheidsregulasies en sluit enige lid in wat kragtens bedoelde regulasies benoem of aangewys is om as Hoofraadslid op te tree;
- (v) "Kaptein", ook 'n waarnemende kaptein of 'n onderkaptein;
- (vi) "Kommissaris-generaal", die Kommissaris-generaal van die Tswana-volkseenheid aangestel ingevolge die Wet op die Bevordering van Bantoe-selfbestuur, 1959 (Wet No. 46 van 1959);
- (vii) "Raadslid", 'n lid van die Gebiedsowerheid verkies of aangestel as lid van die Uitvoerende Raad ingevolge die Tswana Gebiedsowerheidsregulasies;
- (viii) "Republiek", die Republiek van Suid-Afrika;
- (ix) "Sekretaris", die Sekretaris van Bantoe-administrasie en -ontwikkeling, en sluit ook 'n Adjunk- of Ondersekretaris van Bantoe-administrasie en -ontwikkeling in, en ten opsigte van aangeleenthede wat onder die Departement van Onderwys en Kultuur ressorteer, ook die Sekretaris van Bantoe-onderwys en enige Adjunk- of Ondersekretaris van Bantoe-onderwys;
- (x) "Uitvoerende Raad", die Uitvoerende Raad van die Gebiedsowerheid;
- (xi) "die Wet", die Wet op Bantoe-owerhede, 1951 (Wet No. 68 van 1951).

## SCHEDULE A.

## REGULATIONS FOR TRIBAL AUTHORITIES AND COMMUNITY AUTHORITIES IN THE AREA OF THE TSWANA TERRITORIAL AUTHORITY.

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## PART I.

## RECOGNITION, ELECTION AND APPOINTMENT OF COUNCILLORS.

Councillors of tribal authorities established in terms of section 2 (1) (a) (i) of the Act.

Councillors of community authorities] established in terms of section 2 (1) (a) (ii) of the Act.

Election of chairman of community authority.

Period and conditions of office of councillors.

Vacating of seats by councillors

1. (1) The members of a tribal authority shall be—
  - (a) those members of the tribe whom the tribe in accordance with its laws and customs recognises as councillors who, with the chief, constitute the tribal government; and
  - (b) such other members of the tribe as the chief may from time to time with the concurrence of the councillors holding office, appoint as councillors.
 (2) The total number of councillors shall not at any time exceed the number of councillors determined by the State President in terms of section 3 (1) (a) of the Act.
2. (1) Where a community authority has been established in respect of two or more tribes, the provisions of regulation 1 (1) (a) shall *mutatis mutandis* apply in respect of the recognition of councillors of each of the tribes concerned and the community authority shall consist of the chief or headman of each tribe and all such councillors.
  - (2) The chairman of such a community authority may at any time with the concurrence of such authority appoint one or more members of the tribes concerned as councillors of such authority.
  - (3) The total number of councillors referred to in subregulations (1) and (2) shall not exceed the number of councillors determined by the State President in terms of section 3 (1) (b) of the Act.
3. Where a community authority has been established in respect of a community, or two or more communities jointly, the councillors shall be elected by the adult male members of the community or communities concerned present at a meeting, convened by the Bantu Affairs Commissioner for this purpose and at which meeting he shall preside. The election shall be by a show of hands, or by secret ballot or in such other manner as the Bantu Affairs Commissioner in his discretion may determine. The persons declared elected by the Bantu Affairs Commissioner shall be deemed to have been appointed as councillors of the community authority for the purpose of the Act and these regulations. The number of councillors thus declared elected shall not exceed the number of councillors determined by the State President in terms of section 3 (1) (b) of the Act.
4. (1) The chiefs, headmen and councillors, as the case may be, of a community authority shall elect a chairman from amongst their number at a meeting presided over by the Bantu Affairs Commissioner for designation as chairman of that authority by the State President in terms of section 3 (1) (b) of the Act.
  - (2) The chairman shall hold office for a period of three years and shall vacate his office if his seat as councillor becomes vacant in terms of regulation 7 or if he ceases for any reason to hold office as chief, headman or councillor, as the case may be.
  - (3) If for any reason the office of the chairman becomes vacant, a new chairman shall be elected in the manner prescribed in subregulation (1) for the unexpired period of office of his predecessor.
  - (4) If the chairman is unable for any reason to be present at or to preside at a meeting of a community authority, the councillors may designate one of their number to act as chairman at such meeting.
5. (1) The period of office of councillors of a community authority established in respect of a community or two or more communities jointly shall be five years.
  - (2) Upon the expiry of such period of five years, councillors shall be elected in the manner prescribed in regulation 3.
6. Councillors of a tribal authority and of a community authority established in respect of two or more tribes shall hold office according to the laws and customs of the tribe or tribes concerned and the terms and expiry of their period of office, the vacation of their office, the recognition or appointment of substitutes and the removal of a councillor from office shall be determined in accordance with such laws and customs, subject to the provisions of section 3 (4) of the Act, and of regulation 7.
7. (1) Subject to the provisions of section 3 (4) of the Act, the seat of a councillor of a community authority established in respect of a community or two or more communities jointly shall become vacant if such councillor—

## BYLAE A.

## REGULASIES VIR STAMOWERHEDE EN GEMEENSKAPSOWERHEDE IN DIE GEBIED VAN DIE TSWANA GEBIEDSOWERHEID.

## Inhoudsopgawe.

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## DEEL I.

## ERKENNING, VERKIESING EN AANSTELLING VAN RAADSMANNE.

- (1) Die raadsmanne van 'n stamowerheid is—
  - daardie lede van die stam wat die stam ooreenkomsdig sy reg en gebruik as raadsmanne erken wat saam met die kaptein die stamregering uitmaak; en
  - sodanige ander lede van die stam wat die kaptein van tyd tot tyd met die instemming van die diensdoenende raadsmanne as raadsmanne mag aanstel.
- Die totale aantal raadsmanne mag nie te eniger tyd die getal raadsmanne wat die Staats-president ingevolge artikel 3 (1) (a) van die Wet bepaal, te bove gaan nie.
- (1) Waar 'n gemeenskapsowerheid ten opsigte van twee of meer stamme ingestel is, is die bepalings van regulasie 1 (1) (a) *mutatis mutandis* van toepassing ten opsigte van die erkenning van raadsmanne van elkeen van die betrokke stamme en die gemeenskapsowerheid bestaan uit die kaptein of hoofman van elke stam en al sodanige raadsmanne.
- (2) Die voorsitter van so 'n gemeenskapsowerheid kan te eniger tyd met die instemming van dié owerheid een of meer lede van die betrokke stamme as raadsmanne van sodanige owerheid aanstel.
- (3) Die totale aantal raadsmanne vermeld in subregulasies (1) en (2), mag nie die aantal raadsmanne deur die Staatspresident ingevolge artikel 3 (1) (b) van die Wet bepaal, te bove gaan nie.

3. Waar 'n gemeenskapsowerheid ten opsigte van 'n gemeenskap, of van twee of meer gemeenskappe gesamentlik, ingestel is, word die raadsmanne verkies deur die volwasse manlike lede van die betrokke gemeenskap of gemeenskappe teenwoordig op 'n vergadering wat vir dié doel byeengeroep word deur die Bantoesakekommissaris wat by sodanige vergadering voorsit. Die verkiesing geskied deur die opsteek van hande of by geheime stemming of op sodanige ander wyse as wat die Bantoesakekommissaris na goeddunke mag bepaal. Die persone deur die Bantoesakekommissaris as verkies verklaar, word geag vir die doeleinnes van die Wet en hierdie regulasies as raadsmanne van die gemeenskapsowerheid aangestel te wees. Die aantal raadsmanne aldus verkies verklaar, mag nie die aantal raadsmanne deur die Staatspresident ingevolge artikel 3 (1) (b) van die Wet bepaal, te bove gaan nie.

4. (1) Die kaptein, hoofmanne en raadsmanne, na gelang van die geval, van 'n gemeenskapsowerheid kies op 'n vergadering waarop die Bantoesakekommissaris voorsit, iemand uit hul gelede vir aanwysing as voorsitter van dié owerheid deur die Staatspresident ingevolge artikel 3 (1) (b) van die Wet.

(2) Die voorsitter beklee die amp vir 'n tydperk van drie jaar en moet sy amp ontruim indien sy setel as raadsman ingevolge regulasie 7 vakant raak, of indien hy om enige ander rede nie meer die amp van kaptein, hoofman of raadsman beklee nie, na gelang van die geval.

(3) Indien die amp van voorsitter om enige rede vakant raak, word op die wyse voorgeskryf in subregulasie (1), 'n nuwe voorsitter gekies vir die onverstreke ampstermyn van sy voorganger.

(4) Indien die voorsitter om enige rede nie in staat is om by 'n vergadering van 'n gemeenskapsowerheid teenwoordig te wees of daarop voor te sit nie, kan die raadsmanne iemand uit hul gelede aanwys om by sodanige vergadering as voorsitter op te tree.

5. (1) Die ampstermyn van raadsmanne van 'n gemeenskapsowerheid ingestel ten opsigte van 'n gemeenskap of twee of meer gemeenskappe gesamentlik, is vyf jaar.

(2) By verstryking van so 'n tydperk van vyf jaar word raadsmanne gekies op die wyse voorgeskryf by regulasie 3.

6. Raadsmanne van 'n stamowerheid en van 'n gemeenskapsowerheid ingestel ten opsigte van twee of meer stamme, beklee hul amp ooreenkomsdig die reg en gebruik van die betrokke stam of stamme en die voorwaardes en verstryking van hul ampstermyn, die ontruiming van hul amp, die erkenning of aanstelling van plaasvervangers en die ontslag van 'n raadsman uit sy amp word, behoudens die bepalings van artikel 3 (4) van die Wet en van regulasie 7, ooreenkomsdig sodanige reg en gebruik bepaal.

7. (1) Behoudens die bepalings van artikel 3 (4) van die Wet, raak die setel van 'n raadsman van 'n gemeenskapsowerheid ingestel ten opsigte van 'n gemeenskap of twee of meer gemeenskappe gesamentlik, vakant indien so 'n raadsman—

Raadsmanne van stamowerhede ingestel kragtens artikel 2 (1)  
(a) (i) van die Wet.

Raadsmanne van gemeenskaps- owerhede ingestel ingevolge artikel 2 (1)  
(a) (ii) van die Wet.

Verkiezing van voorsitter van gemeenskaps- owerheid.

Ampstermyn en ampsvoorraarde van raads- manne.

Ontruiming van setel deur raadsmanne van

of community authorities.

- (a) has been declared by a competent court to be of unsound mind;
  - (b) dies; or
  - (c) resigns his seat.
- (2) If the seat of a councillor of such a community authority becomes vacant, such authority may appoint a person in the place of, and for the unexpired period of office of such councillor.

## PART II.

### PROCEDURE AT MEETINGS OR OTHER PROCEEDINGS OF TRIBAL AUTHORITY OR COMMUNITY AUTHORITY.

Procedure at meetings or other proceedings.

8. The procedure to be followed at meetings or other proceedings of a tribal authority or a community authority shall be in accordance with the laws and customs of the tribe or community concerned. In the absence of a rule to meet the circumstances of any case, or for any other cause, the Bantu Affairs Commissioner may, at the request of the tribal authority or community authority, prescribe the procedure to be followed.

Presence of Chief or Chairman and quorum.

9. (1) The chief or the person acting in his stead, shall be present at every meeting of the tribal authority or community authority, as the case may be, and no decision taken in his absence shall be valid.

(2) The quorum of councillors of a community authority shall be not less than half the number of councillors determined by the State President in terms of section 3 of the Act, and no decision taken when a lesser number of councillors was present shall be valid.

Councillor's representative.

10. If the laws and customs of a tribe so permit, a councillor may nominate a member of the tribe to attend a meeting of a tribal authority as his representative and such representative shall be deemed to be a councillor when so attending such meetings.

Minute book.

11. (1) Every tribal and community authority shall maintain a minute book in which shall be recorded in respect of each of its meetings—

- (a) the date and place of the meeting;
- (b) a summary of each decision taken at the meeting; and
- (c) if a councillor so requests, the fact that he dissents from a decision taken.

(2) All records required to be maintained in terms of these regulations shall be maintained in Tswana and one of the official languages of the Republic.

## PART III.

### EMPLOYEES.

Appointment of employees.

12. A tribal or community authority may, subject to the approval of its estimates of expenditure, appoint such employees as it may deem necessary and may prescribe the conditions of their employment.

## PART IV.

### GENERAL.

Short title.

13. The regulations contained in this schedule shall for the purposes of this Proclamation be known as the Tswana Tribal Authorities regulations.

## SCHEDULE B.

### REGULATIONS FOR REGIONAL AUTHORITIES IN THE AREA OF THE TSWANA TERRITORIAL AUTHORITY.

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## PART I.

### CHAIRMAN AND MEMBERS.

Chairman.

1. (1) Subject to the provisions of section 3 (1) (b) of the Act the chairman of a regional authority—
- (a) if there is only one chief in the area of the regional authority, shall be such chief; or
  - (b) if there are two or more chiefs in such area who are members of the regional authority, shall be the chief nominated from amongst such chiefs by those members of the constituent tribal authorities who are also members of the regional authority; or



(c) if there be no chief in such area shall be one of the headmen, who are members of such regional authority, nominated by those members of the constituent tribal authorities who are also members of the regional authority: Provided that in the event of any deadlock occurring in a nomination the Executive Council of the Territorial Authority shall nominate a chairman.

(2) A chairman nominated in terms of subregulation (1) (b) or (1) (c) shall hold office for a period of five years coinciding with the period of office of members (other than *ex officio* members) as provided in regulation 5 (1). Upon the expiry of such period a new chairman shall be nominated in the manner in subregulation (1) (b) or 1 (c) provided, a chairman whose period of office has expired being again eligible for nomination.

(3) Any chief who is a chairman may with the approval of the Regional Authority appoint his deputy, who is a member of the regional authority, to perform the duties of chairman on his behalf.

(4) If a chairman of a regional authority is for any reason unable or fails or neglects to perform his functions or to carry out his duties, the Minister may in his discretion, appoint a member of the regional authority to act on behalf of such chairman.

(5) If a chairman dies or for any reason ceases to hold office as chief or headman and another person is appointed as regent or acting chief, or as acting headman pending the appointment of a successor the chairman of the regional authority concerned shall during such period, subject to the provisions of section 3 (1) (b) of the Act and of subregulation (2)—

(a) if there is only one chieftainship in the area of that regional authority, be the person appointed as regent or acting chief; or

(b) if in the said area there are two or more chiefs, or if there is no chief, be the chief or headman, as the case may be, nominated in accordance with the provisions of subregulation (1) (b) or (1) (c), the person appointed acting being regarded for the purpose of nomination as a chief or headman, as the case may be: Provided that a chief or headman nominated in terms of this paragraph shall hold office as chairman for the unexpired period of office of his predecessor, or until upon the appointment of a successor, a chairman is nominated as in subregulation 6 (b) provided.

(6) If a chairman dies or ceases to hold office as chief or headman and his successor to the chieftainship or headmanship is appointed, the chairman of the regional authority concerned shall, subject to the provisions of subregulation (2)—

(a) if there is only one chieftainship in the area of the regional authority concerned, be such successor; or

(b) if in the said area there are two or more chiefs or if there is no chief, be the chief or headman, as the case may be, nominated in accordance with the provisions of subregulation (1) (b) or (1) (c).

2. Any chief or headman holding office as chairman in terms of the provisions of regulation 1 shall hold office provisionally pending the State President's decision in regard to his designation as chairman in terms of section 3 (1) (b) of the Act: Provided that such chief or headman may pending such designation lawfully exercise all the powers and perform all the functions and duties which a chairman in terms of these regulations may exercise or perform.

#### Members.

3. (1) The number of members of a regional authority, including its chairman, shall be ten or more depending upon the number of chiefs and headmen and the adult male membership of the tribes or communities in its area, and the members shall be—

(a) the chief or headman of each of the constituent tribal authorities, who shall be members *ex officio*;

(b) so many members as the chief or headman of each constituent tribal authority may, in consultation with the Minister and in the manner directed by him, appoint from among the members of such tribal authority.

(2) Any such chief or headman may, with the approval of the chairman, designate a member of his tribal authority, who is not a member of the regional authority to represent him as his deputy on the regional authority. Such deputy shall enjoy the same rights and privileges as a member appointed in terms of subregulation (1) (b).

(3) Appointments in terms of subregulation (1) (b) shall be made not later than thirty days after the Chief Director has communicated the Minister's directions thereon to the heads of the tribal authorities concerned.

(4) If any appointment referred to in subregulation (3) be not made within the period stipulated, the Minister may appoint such member or members as he may deem fit, and such members shall be deemed to have been appointed in terms of subregulation (1) (b).

(5) Each chief or headman concerned shall notify the Chief Director of the names of the persons appointed in terms of subregulation (1) (b) to serve as members of the regional authority. Such notification shall be in writing and within fourteen days of such appointment.

#### Period of office of members.

4. (1) The period of office of members (other than *ex officio* members) shall be five years commencing from a date determined by the Minister for the appointment of members in terms of these regulations.

(2) Any member appointed subsequent to the commencement of a cycle of five years shall hold office for the unexpired period of such cycle.

- (c) indien daar in so 'n gebied geen kaptein is nie, een van die hoofmanne wat lede van die streeksowerheid is en benoem is deur daardie lede van die samstellende stamowerhede wat ook lede van die streeksowerheid is:

Met dien verstande dat ingeval daar 'n dooiepunt by 'n benoeming ontstaan, die Uitvoerende Raad van die Gebiedsowerheid 'n voorsitter moet benoem.

(2) 'n Voorsitter ingevolge subregulasie (1) (b) of (1) (c) benoem, beklee die amp vir 'n tydperk van vyf jaar wat saamval met die ampstermyn van lede (uitgesonderd *ex officio* lede) soos in regulasie 5 (1) bepaal. By die verstryking van so 'n tydperk moet 'n nuwe voorsitter benoem word op die wyse in subregulasie (1) (b) of (1) (c) bepaal en 'n voorsitter wie se ampstermyn verstryk het, kan weer benoem word.

(3) 'n Kaptein wat 'n voorsitter is, kan met die goedkeuring van die streeksowerheid sy gevollagtigde, wat 'n lid van die streeksowerheid is, aanstel om namens hom die pligte van voorsitter uit te voer.

(4) Indien die voorsitter van 'n streeksowerheid om enige rede nie in staat is nie of in gebeke bly of versuim om sy werksaamhede uit te voer of sy pligte na te kom, kan die Minister na goeddunke 'n lid van die streeksowerheid aanstel om namens sodanige voorsitter op te tree.

(5) Indien 'n voorsitter te sterwe kom of om enige rede ophou om die amp van kaptein of hoofman te beklee en 'n ander persoon aangestel word as regent of waarnemende kaptein, of as waarnemende hoofman, in afwagting van die aanstelling van 'n opvolger, is die voorsitter van die betrokke streeksowerheid, behoudens die bepalings van artikel 3 (1) (b) van die Wet en van subregulasie (2), gedurende bedoelde tydperk—

- (a) indien daar slegs een kapteinskap in die gebied van die streeksowerheid is, die persoon as regent of waarnemende kaptein aangestel; of
- (b) indien daar in bedoelde gebied twee of meer kapteins is, of indien daar geen kaptein is nie, die kaptein of hoofman, na gelang van die geval, benoem ooreenkomsdig die bepalings van subregulasie (1) (b) of (1) (c), en die persoon wat aldus waarnemend aangestel is word vir die doeleinnes van benoeming geag 'n kaptein of hoofman, na gelang van die geval, te wees: Met dien verstande dat 'n kaptein of hoofman ingevolge hierdie paragraaf benoem, die amp van voorsitter beklee vir die onverstreke ampstermyn van sy voor-ganger of totdat, by die aanstelling van 'n opvolger, 'n voorsitter benoem word, soos in subregulasie (6) (b) bepaal.

(6) Indien 'n voorsitter te sterwe kom of ophou om die amp van kaptein of hoofman te beklee en sy opvolger tot die kapteinskap of hoofmanskap aangestel word, is die voorsitter van die betrokke streeksowerheid, behoudens die bepalings van subregulasie (2)—

- (a) indien daar slegs een kapteinskap in die gebied van die betrokke streeksowerheid is, sodanige opvolger; of
- (b) indien daar in bedoelde gebied twee of meer kapteins is, of indien daar geen kaptein is nie, die kaptein of hoofman, na gelang van die geval, benoem ooreenkomsdig die bepalings van subregulasie (1) (b) of (1) (c).

2. 'n Kaptein of hoofman wat die amp van voorsitter ingevolge die bepalings van regulasie 1 beklee, beklee die amp voorwaardelik in afwagting van die Staatspresident se beslissing betrekende sy aanwysing as voorsitter ingevolge artikel 3 (1) (b) van die Wet: Met dien verstande dat sodanige kaptein of hoofman in afwagting van sy aanwysing wettiglik al die bevoegdhede kan uitoefen en al die werksaamhede en pligte kan uitvoer wat 'n voorsitter ingevolge hierdie regulasies kan uitoefen of uitvoer.

3. (1) Die getal lede van 'n streeksowerheid, insluitende sy voorsitter is tien of meer, afhangende van die aantal kapteins en hoofmanne en die aantal volwasse manlike lede van die stamme of gemeenskappe in sy gebied, en die lede is—

- (a) die kaptein of hoofman van elk van die samstellende stamowerhede, wat *ex officio* lede is;
- (b) soveel lede wat die kaptein of hoofman van elke samstellende stamowerheid, in oorleg met die Minister en op die wyse wat hy gelas, uit die lede van sodanige stamowerheid mag aanstel.

(2) Sodanige kaptein of hoofman kan met die goedkeuring van die voorsitter 'n lid van sy stamowerheid wat nie 'n lid van die streeksowerheid is nie, aanwys om hom as sy gevollagtigde op die streeksowerheid te verteenwoordig. So 'n gevollagtigde geniet dieselfde regte en voorregte as 'n lid wat ingevolge subregulasie (1) (b) aangestel is.

(3) Aanstellings ingevolge subregulasie (1) (b) moet gemaak word nie later nie as dertig dae nadat die Hoofuitvoerende Beämpte die Minister se opdragte daaroor aan die hoofde van die betrokke stamowerhede oorgedra het.

(4) Indien 'n aanstelling genoem in subregulasie (3), nie binne die vasgestelde tydperk gemaak word nie, kan die Minister sodanige lid of lede wat hy goedvind, aanstel en sodanige lede word geag ingevolge subregulasie (1) (b) aangestel te wees.

(5) Elke betrokke kaptein of hoofman moet die Hoofdirekteur in kennis stel van die name van die persone wat ingevolge subregulasie (1) (b) aangestel is om as raadslede van die streeksowerheid te dien. Sodanige kennisgewing moet skriftelik wees en binne veertien dae na sodanige aanstelling.

4. (1) Die ampstermyn van lede (uitgesonderd *ex officio* lede) is vyf jaar beginnende vanaf 'n datum wat deur die Minister vasgestel word vir die aanstelling van lede ingevolge hierdie regulasies.

(2) 'n Lid wat na die aanvang van 'n kringloop van vyf jaar aangestel word, beklee sy amp vir die onverstreke tydperk van sodanige kringloop.

Lede.

Ampstermyn van lede.

(3) Any chairman who excludes any member from any proceedings at which other members are permitted to be present, or conducts any proceedings of a regional authority without such member having been given notice in terms of regulation 9 that the proceedings would take place, or who shall in any way discriminate against such member, shall be guilty of an offence.

**Disqualifications of members.**

5. (1) No person shall be capable of being appointed or of sitting as a member who—
    - (a) has at any time been convicted of any offence for which he shall have been sentenced to imprisonment without the option of a fine for a term of not less than six months, unless he shall have received a grant of amnesty or a free pardon, or unless such imprisonment shall have expired at least five years before the date of his appointment; or
    - (b) is an un-rehabilitated insolvent; or
    - (c) is of unsound mind and has been so declared by a competent authority.
  - (2) If a member—
    - (a) becomes subject to any of the disabilities mentioned in subregulation (1); or
    - (b) dies; or
    - (c) fails without the permission of the regional authority to attend three consecutive meetings thereof; or
    - (d) is absent from the area of the regional authority for a period in excess of six months without the permission of the regional authority; or
    - (e) resigns his seat in writing under his hand addressed to the chairman of the regional authority; or
    - (f) has his appointment cancelled by the Minister in terms of the provisions of section 3 (4) of the Act,
- his seat shall become vacant.

6. (1) Whenever the seat of a member, who is also a member of the Territorial Authority, becomes vacant on the regional authority by reason of expiry of his period of office or for any other cause whatsoever, his seat on the Territorial Authority shall *ipso facto* become vacant and such member shall vacate any office he may hold in the Territorial Authority.

(2) A chief or headman who is an *ex officio* member of any regional authority and is a member of the Territorial Authority shall, upon his ceasing to hold office as chief or headman vacate his seat on and any office he may hold in the Territorial Authority.

**Filling of vacant seat.**

7. (1) Whenever the seat of a member other than an *ex officio* member becomes vacant, the vacancy shall be filled as soon as possible by the appointment of another member for which purpose the provisions of regulation 3 (b) shall *mutatis mutandis* apply.

(2) Whenever such vacancy occurs the chairman shall forthwith notify the Chief Director in writing that such vacancy has occurred, whereupon the Chief Director shall take such steps as he may deem expedient to ensure that such vacant seat is filled without delay.

## PART II.

### MEETINGS.

**Meetings.**

8. The meetings of a regional authority shall be convened by its chairman.

9. There shall be six ordinary meetings, which shall be held at the seat of the regional authority during the months of January, March, May, July, September and November in each year on such days as may from time to time be fixed by the chairman who shall not less than fourteen days prior to a meeting send notice of the date and hour appointed to each member, the Commissioner-General, the Chief Director, the Bantu Affairs Commissioner and if the regional authority is to deal with any educational matter, to the Inspector of Education for that area: Provided that the chairman may for good cause call an ordinary meeting during a month other than the month in which such meeting would in terms of this regulation normally be held: Provided further that the chairman may for good cause refrain from calling an ordinary meeting during a month in which such meeting would in terms of this regulation normally be held.

10. (1) The chairman, if satisfied as to the necessity therefor, may at any time call a special meeting of the regional authority. At such meeting only such business as the chairman may lay before it, or approve, shall be transacted.

(2) At each meeting the chairman shall inform the members present of the subjects to be discussed: Provided that at any ordinary meeting any member may, with the approval of the chairman, bring forward for discussion any matter within the scope of the regional authority's functions. After discussion of each subject the members may, if necessary, by voting, record their opinions thereon.

11. The chairman shall after each meeting forward a copy of the minutes of the proceedings in which shall be recorded the decisions arrived at, in one of the official languages of the Republic to the Commissioner-General, the Chief Director, the Controller and Auditor-General, the Bantu Affairs Commissioner and, if the regional authority dealt with any educational matter, to the Inspector of Education concerned.

(3) 'n Voorsitter wat 'n lid uitsluit van verrygings waarby ander lede toegelaat word om teenwoordig te wees, of enige verrygments van 'n streeksowerheid hou sonder dat so 'n lid ingevolge regulasie 9 kennis gegee is dat die verrygments sal plaasvind, of wat op watter wyse ook al teen so 'n lid diskrimineer, is aan 'n misdryf skuldig.

5. (1) Niemand kan as lid aangestel word of sitting hê nie indien hy—

- (a) te eniger tyd skuldig bevind is aan 'n misdryf ten gevolge waarvan hy tot gevangenisstraf sonder die keuse van 'n boete vir 'n tydperk van minstens ses maande gevonnis is, tensy hy amnestie ontvang het of ten volle begenadig is of tensy sodanige gevangenisstraf minstens vyf jaar voor die datum van sy aanstelling verstryk het; of
  - (b) 'n ongerehabiliteerde insolvente persoon is; of
  - (c) verstandelik gekrenk en sodanig deur 'n bevoegde owerheid verklaar is.
- (2) Indien 'n lid—
- (a) onderhewig word aan enigeen van die ongeskikthede genoem in subregulasie (1); of
  - (b) te sterwe kom; of
  - (c) sonder verlof van die streeksowerheid in gebreke bly om drie agtereenvolgende vergaderings daarvan by te woon; of
  - (d) vir 'n tydperk van meer as ses maande afwesig is uit die streeksowerheid se gebied sonder die verlof van die streeksowerheid; of
  - (e) met skriftelike kennisgewing onder sy handtekening gerig aan die voorsitter van die streeksowerheid uit sy amp bedank; of
  - (f) sy aanstelling deur die Minister ingevolge die bepalings van artikel 3 (4) van die Wet ingetrek word,
- word sy setel vakant.

Diskwalifika-sie van lede.

6. (1) Wanneer die setel van 'n lid, wat ook 'n lid van die Gebiedsowerheid is, in die streeksowerheid vakant word weens die verstryking van sy ampstermyn of om watter ander rede ook al, word sy setel in die Gebiedsowerheid *ipso facto* vakant en moet so 'n lid afstand doen van enige amp wat hy in die Gebiedsowerheid beklee.

(2) 'n Kaptein of hoofman wat *ex officio* lid is van 'n streeksowerheid en 'n lid is van die Gebiedsowerheid moet, wanneer hy ophou om die amp van kaptein of hoofman te beklee, afstand doen van sy setel in enige amp wat hy in die Gebiedsowerheid mag beklee.

7. (1) Wanneer die setel van 'n ander lid as 'n *ex officio* lid vakant word, moet die vakature so gou doenlik gevul word deur die aanstelling van 'n ander lid en vir dié doel is die bepalings van regulasie 3 (b) *mutatis mutandis* van toepassing.

(2) Wanneer so 'n vakature ontstaan moet die voorsitter onverwyld die Hoofdirekteur skriftelik in kennis stel dat sodanige vakature ontstaan het, en daarna doen die Hoofdirekteur sodanige stappe as wat hy diensbaar ag om te verseker dat die vakature sonder versuim gevul word.

Vulling van vakante setel.

## DEEL II.

### VERGADERINGS.

8. Die vergaderings van 'n streeksowerheid word deur sy voorsitter belê.

Vergaderings.

9. Daar is ses gewone vergaderings wat by die setel van die streeksowerheid gehou moet word gedurende die maande Januarie, Maart, Mei, Julie, September en November in elke jaar op die dae wat van tyd tot tyd vasgestel moet word deur die voorsitter wat minstens veertien dae voor 'n vergadering 'n kennisgewing van die vasgestelde datum en uur moet stuur aan elke lid, die Kommissaris-generaal, die Hoofdirekteur, die Bantoesakekommissaris, en wanneer die streeksowerheid 'n onderwysaangeleentheid gaan behandel, aan die Inspekteur van Onderwys van daardie gebied: Met dien verstande dat die voorsitter, as daar 'n goeie rede is, 'n gewone vergadering kan belê gedurende 'n ander maand as die maand waarin so 'n vergadering onder gewone omstandighede ingevolge hierdie regulasie gehou sou word: Met dien verstande voorts dat die voorsitter kan naalat om, as daar 'n goeie rede is, 'n gewone vergadering te belê gedurende 'n maand waarin so 'n vergadering onder gewone omstandighede ingevolge hierdie regulasie gehou sou word.

10. (1) Die voorsitter kan, indien hy oortuig is van die noodsaaklikheid daarvan, te eniger tyd 'n spesiale vergadering van die streeksowerheid belê. Op so 'n vergadering mag slegs die sake wat die voorsitter aan die vergadering voorlê, of goedkeur, behandel word.

(2) Op elke vergadering moet die voorsitter aan die aanwesige lede die onderwerpe meedeel wat bespreek gaan word: Met dien verstande dat 'n lid op 'n gewone vergadering met die goedkeuring van die voorsitter enige saak binne die bestek van die streeksowerheid se werkzaamhede vir bespreking kan opper. Nadat elke onderwerp bespreek is, kan die lede indien nodig, hulle mening daaroor by stemming uitspreek.

11. Die voorsitter moet na elke vergadering 'n afskrif van die notule van die verrygments, waarin die besluite wat geneem is aangeteken is, in een van die amptelike tale van die Republiek aan die Kommissaris-generaal, die Hoofdirekteur, die Kontroleur en Ouditeur-generaal, die Bantoesakekommissaris, en indien die streeksowerheid 'n onderwysaangeleentheid behandel het, aan die betrokke Inspekteur van Onderwys, stuur.

12. (1) Every meeting shall commence at the appointed time or as soon thereafter as possible on the date fixed.

(2) The chair shall be taken at the appointed time. If an hour after the appointed time a sufficient number of members is not present to form a quorum, the chairman shall declare the meeting adjourned until the following ordinary meeting or to a date fixed by him prior to the date of such ordinary meeting. Any member arriving after such adjournment, except in circumstances beyond his control and considered satisfactory by the Accounting Officer of the Territorial Authority, shall not in respect of such adjourned meeting be entitled to payment of any allowances which may be prescribed for attendance at meetings of the regional authority.

13. (1) If the chairman or his deputy is unable through absence or other cause to preside at any meeting, the members shall elect one of their number to preside at that meeting.

(2) A member so elected shall in respect of that meeting have all the rights and privileges, and shall perform all the duties, of a chairman.

14. The business of the regional authority shall subject to the provisions of regulation 26 be conducted with open doors: Provided that the chairman may in his discretion direct that any particular matter or the entire business of that meeting be transacted *in camera*.

15. Any number of members more than half the total shall form a quorum.

16. The business of a meeting shall commence by the reading and confirmation of the minutes of the previous meeting. Minutes so read and confirmed shall be attested by the chairman's signature in the presence of the members.

17. The chairman shall maintain order, decide upon all disputed points of order, have power to close discussion on any subject when he considers such a course necessary in the interests of business or order, and shall have the power to adjourn or terminate any meeting.

18. No member shall use offensive or unbecoming words in reference to any officer of the Government, of the Territorial Authority, or any member of the regional authority. When the chairman is of opinion that any such words have been used he shall have the power at his discretion to call upon the member to withdraw the words and to apologise for their use, and, in case such member refuses to withdraw and apologise or in case he repeats such words or persists in the use of other offensive and unbecoming words during the course of the same meeting, the chairman shall have the power to suspend such member from further service on the regional authority or on any of its committees during the remainder of that meeting or such part thereof as he may consider proper. If a member upon such suspension refuses to withdraw from and absent himself from the meeting, the chairman shall order his removal and may call upon any policeman or any other person there present to effect such removal.

19. The order of business subsequent to the confirmation of the minutes shall be in the chairman's discretion.

20. In discussing any question before the regional authority the speaker shall, unless the chairman otherwise directs, stand when addressing the chair.

21. Any motion or amendment moved by a member shall, unless seconded by another member, lapse, and further debate on its subject shall be discontinued.

22. A motion or amendment made or seconded shall not be withdrawn unless by leave of the regional authority.

23. A motion or amendment, on being put to the vote, shall be read aloud by the chairman or the secretary.

24. In the case of an equality of votes the chairman shall have a casting vote.

25. No motion upon any question involving an outlay of one hundred Rand or more and no motion to reopen a question decided at a previous meeting, shall be discussed unless due notice shall have been given thereof at a previous meeting or unless the chairman consents.

26. (1) Notwithstanding the provisions of regulation 14, the Commissioner-General or any officer of the Departments of Bantu Administration and Development and of Bantu Education, and any officer of the Territorial Authority may attend any meeting of a regional authority and the chairman shall afford them as often as they may deem it necessary the opportunity of addressing the regional authority and furnishing any explanations in regard to any matter being discussed or dealt with by the regional authority.

(2) Any person other than a person mentioned in subregulation (1) whose presence at any meeting the chairman for good and sufficient reasons deems to be undesirable, may be ordered

12. (1) Alle vergaderings moet begin op die vasgestelde tyd, of so gou doenlik daarna, op die datum bepaal.

(2) Die voorsitterstoel moet op die vasgestelde tyd ingeneem word. Indien daar 'n uur na die vasgestelde tyd nog nie 'n voldoende getal lede teenwoordig is om 'n kworum uit te maak nie, moet die voorsitter die vergadering verdaag tot die volgende gewone vergadering of tot 'n datum deur hom voor die datum van so 'n gewone vergadering bepaal. 'n Lid wat na so 'n verdaging opdaag is nie ten opsigte van so 'n verdaagde vergadering geregtig op betaling van enige toelae vir die bywoning van vergaderings van die streeksowerheid nie, behalwe onder omstandighede waaroor hy geen beheer het nie en wat die Rekenpligtige Beamppte van die Gebiedsowerheid as oortuigend beskou.

13. (1) Indien die voorsitter of sy gevollmachtigde weens afwesigheid of 'n ander rede nie in staat is om voor te sit op 'n vergadering nie, moet die lede iemand uit hul geledere kies om op daardie vergadering voor te sit.

(2) 'n Lid wat aldus gekies is, het ten opsigte van daardie vergadering al die regte en voorregte van 'n voorsitter en moet al sy pligte vervul.

14. Die sake van die streeksowerheid moet behoudens die bepalings van regulasie 26 met oop deure behandel word: Met dien verstande dat die voorsitter na goeddunke kan bepaal dat enige besondere saak of al die sake van die vergadering *in camera* behandel moet word.

15. Enige aantal lede wat meer is as die helfte van die totaal maak 'n kworum uit.

16. Die sake van 'n vergadering begin met die lees en bekratiging van die notule van die vorige vergadering. Notule wat aldus gelees en bekratig is, moet bevestig word deur die handtekening van die voorsitter in die teenwoordigheid van die lede.

17. Die voorsitter moet die orde handhaaf, beslissings gee oor alle betwiste punte van orde, het die bevoegdheid om besprekings oor enige onderwerp te sluit wanneer hy van oordeel is dat sodanige optrede in die belang is van die afhandeling van sake of die handhawing van die orde, en het die bevoegdheid om enige vergadering te verdaag of te beëindig.

18. Geen lid mag beledigende of onbetaamlike woorde met betrekking tot 'n amptenaar van die Regering, van die Gebiedsowerheid, of 'n lid van die streeksowerheid besig nie. As die voorsitter van mening is dat sulke woorde gebesig is, het hy die bevoegdheid om na goeddunke die lid te versoek om die woorde terug te trek en vir die besiging daarvan verskoning te vra, en, as die lid weier om terug te trek en verskoning te vra of as hy sodanige woorde herhaal of volhou om ander beledigende en onbetaamlike woorde in die loop van dieselfde vergadering te herhaal, het die voorsitter die bevoegdheid om so 'n lid van verdere diens in die streeksowerheid of in enige van sy komitees gedurende die res van daardie vergadering of deel daarvan, al na hy behoorlik ag, te skors. As 'n lid wat aldus geskorsk is, weier om hom dadelik te onttrek van die vergadering en dit te verlaat, moet die voorsitter gelas dat hy verwyder word en mag enige polisie-man of enige ander persoon wat teenwoordig is, versoek om sodanige verwydering te bewerkstellig.

19. Die volgorde van sake na die bekratiging van die notule berus by die voorsitter.

20. As 'n spreker 'n vraag voor die streeksowerheid bespreek, moet hy hom staande tot die voorsitter rig, tensy die voorsitter anders gelas.

21. 'n Voorstel of amendement deur 'n lid voorgestel, verval en verdere bespreking oor die inhoud daarvan word gestaak tensy dit deur 'n ander lid gesekondeer word.

22. 'n Voorstel of amendement wat voorgestel en gesekondeer is, mag nie sonder die toestemming van die streeksowerheid teruggetrek word nie.

23. Wanneer 'n voorstel of amendement tot stemming gebring word, moet dit deur die voorsitter of sekretaris hardop uitgelees word.

24. As daar 'n staking van stemme is, het die voorsitter 'n beslissende stem.

25. Geen voorstel oor enige kwessie betreffende die besteding van eenhonderd Rand of meer, en geen voorstel vir die heropening van 'n kwessie waaroor op 'n vorige vergadering besluit is, mag bespreek word nie tensy behoorlik kennis daarvan gegee is op 'n vorige vergadering of tensy die voorsitter sy toestemming daartoe verleen.

26. (1) Ondanks die bepalings van regulasie 14 mag die Kommissaris-generaal of enige beamppte van die Departemente van Bantoe-administrasie en -ontwikkeling en van Bantoe-onderwys en enige amptenaar van die Gebiedsowerheid enige vergadering van 'n streeksowerheid bywoon en die voorsitter moet hulle so dikwels hulle dit nodig ag, die geleentheid gun om die streeksowerheid toe te spreek en 'n verduideliking te gee oor enige aangeleentheid wat deur die streeksowerheid bespreek of behandel word.

(2) Enige ander persoon as 'n persoon in subregulasie (1) vermeld, wie se teenwoordigheid by enige vergadering deur die voorsitter om goeie en voldoende redes onwenslik geag word, mag

by the chairman to leave such meeting and any such person who thereupon neglects or refuses to leave such meeting immediately shall be guilty of an offence and may upon conviction be sentenced to pay a fine not exceeding fifty Rand or, in default of payment, to imprisonment for a period not exceeding three months.

(3) Members shall enter or leave a meeting with decorum.

27. (1) The regional authority shall maintain a minute book in which shall be recorded in respect of each of its meetings and of each executive committee meeting—

- (a) the date and place of the meeting;
- (b) the names of the members present;
- (c) a summary of the proceedings and discussion at each meeting, which shall contain in full every motion or amendment and the decision taken thereon including the name of the member moving the motion or an amendment thereto and the member who seconded the motion or amendment;
- (d) if a member so requests, the fact that he dissents from the decision taken.

(2) The records required to be maintained in terms of these regulations shall be maintained in Tswana and in one of the official languages of the Republic.

### PART III.

#### ADMINISTRATION.

##### Executive Committee.

28. (1) A regional authority may appoint four of its members to constitute together with its chairman, an executive committee, which shall, in the intervals between meetings of the regional authority, be responsible for the conduct or disposal of such business falling within the scope of the regional authority's functions as it may from time to time entrust to such committee: Provided that the chairman—

- (a) may where the circumstances are such as to render prompt action necessary, refer any other business of the regional authority to the executive committee for necessary action; and
- (b) shall report any action taken by the executive committee to the regional authority at its next meeting.

(2) The chairman of the regional authority shall be the chief executive officer and shall be known as the regional executive officer.

(3) The regional executive officer or his deputy shall preside at any meeting of the executive committee: Provided that if the regional executive officer or his deputy is absent from or unable to preside at any meeting, the members present may elect one of their number as chairman for that meeting.

(4) Meetings of an executive committee shall be convened by the regional executive officer on not less than seven days' notice: Provided that in cases of urgency a meeting may be convened at shorter notice.

(5) Three members of an executive committee shall form a quorum.

(6) Any vacancy on an executive committee shall be filled by the regional authority from among its members at the meeting following the occurrence of such vacancy.

29. Any person or officer referred to in regulation 26 (1) may attend any meeting of an executive committee to advise on matters being discussed, if he so desires or is so requested by the regional executive officer.

30. (1) An executive committee shall meet six times a year during the months of February, April, June, August, October and December: Provided that the regional executive officer may for good cause call an ordinary meeting during a month other than the month in which such meeting would in terms of this regulation normally be held: Provided further that the regional executive officer may for good cause refrain from calling an ordinary meeting during a month in which such meeting would in terms of this regulation normally be held.

(2) Questions arising in a meeting of an executive committee shall be determined by a majority of votes of the members present and in the event of an equality of votes the person presiding at that meeting shall have a casting vote.

31. An executive committee may from time to time appoint sub-committees from among the members of the regional authority for any purpose which it may deem necessary and may delegate to such sub-committees or to any one of its members the superintendence of any particular work or the discharge of any particular duty entrusted to the executive committee by the regional authority: Provided that any such sub-committee or any such member shall report any action taken by it or by him to the executive committee at its next ensuing meeting.

32. Notwithstanding any other provisions of these regulations which require the regional authority's approval for any act the regional executive officer may, where the circumstances are such as to render prompt action necessary, deal with any matter which falls to be dealt with by the executive committee without prior reference to that committee: Provided that he shall report any action so taken by him to the regional executive committee at its next ensuing meeting.

deur die voorsitter gelas word om so 'n vergadering onverwyld te verlaat en enige sodanige persoon wat nalaat of weier om so 'n vergadering te verlaat is aan 'n misdryf skuldig en kan by skuldigbevinding gevonnis word tot 'n boete van hoogstens vyftig Rand of, by wanbetaling, tot gevangenisstraf van hoogstens drie maande.

(3) Lede moet 'n vergadering met dekorum binnekomb of verlaat.

27. (1) Die streeksowerheid moet 'n notuleboek hou waarin die volgende ten opsigte van elk van sy vergaderings en van elke uitvoerende komiteevergadering opgeteken moet word—

- (a) die datum en plek van die vergadering;
- (b) die name van die aanwesige lede;
- (c) 'n opsomming van die verrigtings en besprekings op elke vergadering, wat elke voorstel of amendement en die besluit daaroor geneem ten volle bevat, met insluiting van die naam van die lid wat die voorstel doen of amendement daarvan voorstel en die lid wat die voorstel of amendement sekondeer;
- (d) indien 'n lid aldus versoek, die feit dat hy nie akkoord gaan met 'n besluit wat geneem is nie.

(2) Die rekords wat ingevolge hierdie regulasies gehou moet word, moet in Tswana en in een van die amptelike tale van die Republiek gehou word.

### DEEL III.

#### ADMINISTRASIE.

28. (1) 'n Streeksowerheid kan vier van sy lede aanstel om saam met sy voorsitter sy uitvoerende komitee te vorm, wat in die tussenpose tussen vergaderings van die streeksowerheid verantwoordelik is vir die bestuur of afhandeling van sodanige sake wat binne die bestek van die werkzaamhede van die streeksowerheid val, wat hy van tyd tot tyd aan sodanige komitee toevertrou: Met dien verstande dat die voorsitter—

Uitvoerende komitee.

- (a) wanneer die omstandighede sodanig is dat onverwylde optrede nodig is, enige ander sake van die streeksowerheid na die uitvoerende komitee vir die nodige optrede kan verwys; en
- (b) enige stappe deur die uitvoerende komitee gedoen, aan die streeksowerheid op sy eersvolgende vergadering moet rapporteer.

(2) Die voorsitter van 'n streeksowerheid is die hoofuitvoerende amptenaar en staan bekend as die streeksuitvoerende amptenaar.

(3) Die streeksuitvoerende amptenaar of sy gevollmagtigde, moet op enige vergadering van die uitvoerende komitee voorsit: Met dien verstande dat indien die streeksuitvoerende amptenaar of sy gevollmagtigde, afwesig is van of nie in staat is om op 'n vergadering voor te sit nie, die aanwesige lede een uit hul gelede kan verkies as voorsitter vir daardie vergadering.

(4) Vergaderings van 'n uitvoerende komitee moet deur die streeksuitvoerende amptenaar belê word met kennisgewing van nie minder as sewe dae nie: Met dien verstande dat, waar die omstandighede dringend is, 'n vergadering met korter kennisgewing belê mag word.

(5) 'n Kворum bestaan uit drie lede van 'n uitvoerende komitee.

(6) Enige vakature in 'n uitvoerende komitee moet deur die streeksowerheid gevul word uit sy lede op die vergadering wat volg na die ontstaan van sodanige vakture.

29. Enige persoon of beamppte genoem in regulasie 26 (1) mag enige vergadering van 'n uitvoerende komitee bywoon om indien hy dit verlang, of aldus deur die streeksuitvoerende amptenaar versoek word, die komitee te adviseer oor sake wat bespreek word.

30. (1) 'n Uitvoerende komitee vergader ses keer per jaar gedurende die maande Februarie, April, Junie, Augustus, Oktober en Desember: Met dien verstande dat die streeksuitvoerende amptenaar om goeie rede 'n gewone vergadering mag belê in 'n ander maand as die maand waarin so 'n vergadering ingevolge hierdie regulasie gewoonlik gehou sou word: Met dien verstande voorts dat die streeksuitvoerende amptenaar om goeie rede mag nalaat om 'n gewone vergadering te belê in 'n maand waarin so 'n vergadering ingevolge hierdie regulasie gewoonlik gehou sou word.

(2) Vrae wat op 'n vergadering van 'n uitvoerende komitee ontstaan word by meerderheid van stemme van die aanwesige lede beslis en in die geval van 'n staking van stemme het die persoon wat op so 'n vergadering as voorsitter optree, 'n beslissende stem.

31. 'n Uitvoerende komitee kan van tyd tot tyd subkomitees aanstel uit die lede van die streeksowerheid vir enige doel wat hy nodig ag, en aan sodanige subkomitees, of aan enigeen van sy lede, die toesig oor enige besondere werk of die uitvoering van enige besondere plig wat deur die streeksowerheid aan die uitvoerende komitee opgedra is, deleger: Met dien verstande dat sodanige subkomitee of sodanige lid enige stappe deur hom gedoen, aan sodanige uitvoerende komitee op sy eersvolgende vergadering moet rapporteer.

32. Ondanks ander bepalings van hierdie regulasies waarby vereis word dat magtiging van die streeksowerheid tot enige optrede verkry moet word, kan die streeksuitvoerende amptenaar, waar die omstandighede sodanig is dat onverwylde optrede nodig is, enige saak behandel wat deur die uitvoerende komitee behandel moet word: Met dien verstande dat enige stappe aldus deur hom gedoen, aan die uitvoerende komitee op sy eersvolgende vergadering gerapporteer moet word.

## Employees.

33. The Territorial Authority may make available to a regional authority the services of a suitable officer of the Territorial Authority to perform the duties of secretary of the regional authority.

34. A regional authority shall be deemed to be a "local authority" for the purposes of the Prevention of Corruption Act, 1958 (Act No. 6 of 1958).

## PART IV.

## FINANCIAL MATTERS.

## Estimates of Expenditure.

35. A regional authority shall in consultation with the Chief Director or his nominee determine annually the amount required for the ensuing financial year to cover expenditure in connection with the performance of functions and duties by the various departments of the Territorial Authority within the area of the regional authority. Such estimates shall be submitted to the Chief Director for inclusion in the Territorial Authority's annual estimates of expenditure.

## PART V.

## GENERAL.

### **Short title.**

36. The regulations contained in this schedule shall for the purposes of this Proclamation be known as the Tswana Regional Authorities regulations.

**SCHEDULE C.**

## REGULATIONS FOR THE TSWANA TERRITORIAL AUTHORITY.

## PART I.

## MEMBERSHIP OF THE TSWANA TERRITORIAL AUTHORITY.

### Members.

1. (1) The members of the Tswana Territorial Authority shall be—
    - (a) the chairmen of the constituent regional authorities who shall be members *ex officio*; and
    - (b) the following persons appointed by the regional authorities hereinafter mentioned from amongst their own members:—
      - (i) five persons appointed by the Pilanesberg Regional Authority, Rustenburg district;
      - (ii) seven persons appointed by the Bakgatla Ndebele Regional Authority, area of Hammanskraal;
      - (iii) four persons appointed by the Barolong Regional Authority, Thaba Nchu district;
      - (iv) four persons appointed by the ba Hurutshe Regional Authority of Zeerust, Marico district;
      - (v) four persons appointed by the Huhudi Bechwana Regional Authority, Vryburg district;
      - (vi) four persons appointed by the Taung Regional Authority, Taung district;
      - (vii) three persons appointed by the Seokama Dichaba Regional Authority, Kuruman district;
      - (viii) two persons appointed by the Batlhaping Regional Authority, Herbert district;
      - (ix) five persons appointed by the Barolong Regional Authority, Mafeking district;
      - (x) three persons appointed by the Ditshobotla Regional Authority, Lichtenburg and Delareyville districts;
      - (xi) three persons appointed by the Bafokeng Regional Authority; Rustenburg district; and
      - (xii) three persons appointed by Kagisô-Kgetleng Regional Authority, Rustenburg district.
  - (2) The period of office of any member other than *ex officio* members shall be five years commencing from the date of the first session of the Territorial Authority after the coming into operation of these regulations (hereinafter referred to as the first session): Provided that if an appointed member ceases to be a member of a regional authority his seat on the Territorial Authority shall *ipso facto* become vacant.
  - (3) When the seat of a member becomes vacant it shall be filled as soon as possible—
    - (a) if such member was the chairman of a regional authority, by the appointment or election of another chairman; or
    - (b) in the case of an appointed member, by the appointment of another member by the regional authority concerned.

33. Die Gebiedsowerheid moet aan 'n streeksowerheid die dienste beskikbaar stel van 'n geskikte amptenaar van die Gebiedsowerheid om die pligte van sekretaris van die streeksowerheid te verrig.

## Werknemers.

34. 'n Streeksowerheid word geag 'n „plaaslike bestuur” te wees vir die toepassing van die Wet op die Voorkoming van Korrupsie, 1958 (Wet No. 6 van 1958).

## DEEL IV.

## **FINANSIEËLE AANGELEENTHEDE.**

35. 'n Streeksowerheid moet in oorleg met die Hoofdirekteur of iemand deur hom benoem, jaarliks die bedrag bepaal wat vir die volgende boekjaar benodig word om uitgawe te dek in verband met die funksies en pligte van die verskillende departemente van die Gebiedsowerheid in die gebied van die streeksowerheid. Sodanige begroting moet aan die Hoofdirekteur gestuur word vir insluiting in die jaarlikse begroting van uitgawes van die Gebiedsowerheid.

## Begroting van uitgawe.

DEEL V.

## ALGEMEEN.

36. Die regulasies in hierdie bylae vervat staan vir die doeleindes van hierdie Proklamasie bekend as die Tswana Streeksowerhede regulasies.

### Kort titel.

BYLAE C.

## **REGULASIES VIR DIE TSWANA GEBIEDSOWERHEID.**

## DEEL I.

## LIDMAATSKAP VAN DIE TSWANA GEBIEDSOWERHEID.

1. (1) Die lede van die Tswana Gebiedsowerheid is—
    - (a) die voorsitters van die samestellende streeksowerhede, wat *ex officio* lede is; en
    - (b) die volgende persone aangestel deur die Streeksowerhede hierna genoem, uit hul eie lede—
      - (i) vyf persone aangestel deur die Pilanesberg Streeksowerheid, distrik Rustenburg;
      - (ii) sewe persone aangestel deur die Bakgatla-Ndebele Streeksowerheid, gebied Hammanskraal;
      - (iii) vier persone aangestel deur die Barolong Streeksowerheid, distrik Thaba Nchu;
      - (iv) vier persone aangestel deur die ba Hurutshe Streeksowerheid van Zeerust, distrik Marico;
      - (v) vier persone aangestel deur die Huhudi Bechwana Streeksowerheid, distrik Vryburg;
      - (vi) vier persone aangestel deur die Taung Streeksowerheid, distrik Taung;
      - (vii) drie persone aangestel deur die Seokama Dichaba Streeksowerheid, distrik Kuruman;
      - (viii) twee persone aangestel deur die Batlaping Streeksowerheid, distrik Herbert;
      - (ix) vyf persone aangestel deur die Barolong Streeksowerheid, distrik Mafeking;
      - (x) drie persone aangestel deur die Ditshobotla Streeksowerheid, distrikte Lichtenburg en Delareyville;
      - (xi) drie persone aangestel deur die Bafokeng Streeksowerheid, distrik Rustenburg; en
      - (xii) drie persone aangestel deur die Kagiso-Kgetleng Streeksowerheid, distrik Rustenburg.
    - (2) Die ampstermy van ander lede as *ex officio* lede is vyf jaar wat begin vanaf die datum van die eerste sessie van die Gebiedsowerheid na die inwerkingtreding van hierdie regulasies (hierna die eerste sessie genoem): Met dien verstaande dat indien 'n aangestelde lid ophou om 'n lid van 'n streeksowerheid te wees, sy setel *ipso facto* op die Gebiedsowerheid vakant raak.
    - (3) Wanneer die setel van 'n lid vakant raak moet dit so gou doenlik gevul word—
      - (a) indien so 'n lid die voorsitter van 'n streeksowerheid was, deur die aanstelling of verskiesing van 'n ander voorsitter; of
      - (b) in die geval van 'n aangestelde lid, deur die aanstelling van 'n ander lid deur die betrokke streeksowerheid.

(4) The Controller and Auditor-General shall be advised by the Chief Director of the names of the members of the Territorial Authority as well as the names of the Chairman, Deputy-Chairman, Chief Councillor and Councillors.

## PART II

### SESSIONS.

#### Sessions.

2. (1) There shall be an ordinary session of the Territorial Authority at least once in every year: Provided that a period of fifteen months shall not intervene between the last sitting of the Territorial Authority in one ordinary session and its first sitting in the next ordinary session unless the Minister approves of a session being held after the expiration of the period of fifteen months: Provided further that the first session shall be convened by a person designated by the Minister who shall also preside thereat until a chairman has been elected in terms of regulation 7.

(2) A special session may at any time and, if so directed by the Minister, shall be called by the Executive Council and at such special session only such business as the Chief Councillor may lay before it or approve shall be transacted: Provided that if such special session be called by direction of the Minister the business necessitating the calling of the special session only shall be discussed.

(3) Every session shall be held at such place as the Executive Council may determine and shall commence on a date and time fixed by the Executive Council.

(4) The Chief Director shall in writing not less than forty-two days prior to an ordinary session and not less than seven days prior to a special session inform the members and the Commissioner-General of the date and time fixed for, and the business to be transacted at such session.

(5) The Commissioner-General may attend any sitting and the Chairman shall afford the Commissioner-General as often as the latter may deem it necessary, the opportunity of addressing the Territorial Authority to explain any matter being discussed or dealt with by the Territorial Authority.

#### Procedure.

3. (1) All questions in the Territorial Authority shall be determined by a majority of votes of members present. In the case of an equality of votes the Chairman or, in his absence, the Deputy-Chairman, shall have and exercise a casting vote.

(2) Any number of members more than half the number of members shall form a quorum.

(3) Subject to the provisions of these regulations and of the rules of procedure of the Territorial Authority, there shall be freedom of speech and debate at sittings of the Territorial Authority.

(4) No member shall be liable to any legal proceedings by virtue of any matter he may have brought by petition, draft enactments, resolution, motion or otherwise or have said before the Territorial Authority, or by reason of his vote in the Territorial Authority.

(5) The proceedings of the Territorial Authority shall subject to the rules of procedure be open to the public.

(6) The Chairman, or in his absence, the Deputy-Chairman shall preside at all sittings or if both the Chairman and Deputy-Chairman are unable through absence or other cause to preside at a sitting, the members present shall with the Secretary of the Territorial Authority as presiding officer nominate one of the members to preside at such sitting.

#### Oath to be taken by members.

4. (1) Every member shall before taking his seat make and subscribe before the Commissioner-General, or a person designated by the Minister, at a sitting of the Territorial Authority an oath in the following form—

I, A. B., do swear that I shall be loyal and faithful to the Tswana Territorial Authority, its administration and to the Government of the Republic of South Africa and that I will respect all laws applicable in the area of the Tswana Territorial Authority and I promise to perform my duties in a loyal and worthy manner and to the best of my ability.

So help me God.

(2) At the first sitting of the Territorial Authority after the publication of these regulations and subject to the rules of procedure members shall make and subscribe the oath as provided in subregulation (1).

(3) In the case of a member taking his seat subsequent to the day referred to in subregulation (2) he shall be brought to the Table by two members after his name has been read out, and the oath shall be administered to him.

(4) No member of the Territorial Authority shall sit or vote at any sitting of the Territorial Authority until he has made and subscribed the oath in the form prescribed in subregulation (1). The provisions of this regulation shall *mutatis mutandis* apply to the deputy of a chief.

5. After the members present have made and subscribed the oath, the Territorial Authority shall at a sitting at which a chairman and deputy-chairman are to be elected proceed to the election, from amongst such of its members who are chiefs, of a chairman and a deputy-chairman.

#### Chairman and deputy-chairman.

#### Election of chairman.

6. The Secretary of the Territorial Authority shall announce to the Territorial Authority the need for the election of a Chairman and shall call upon the Territorial Authority to proceed with the election forthwith: Provided that in the case of the first session such announcement shall be made by the person designated by the Minister in terms of regulation 2.

(4) Die Hoofdirektaar moet die Kontroleur en Ouditeur-generaal in kennis stel van die name van die lede van die Gebiedsowerheid, asook van die name van die Voorsitter, Ondervorsitter, Hoofraadslid en Raadslede.

## DEEL II.

### SESSIES.

2. (1) Daar moet minstens eenmaal in elke jaar 'n gewone sessie van die Gebiedsowerheid plaasvind: Met dien verstande dat daar nie 'n tydperk van vyftien maande tussen die laaste sitting van die Gebiedsowerheid in een gewone sessie en sy eerste sitting in die volgende gewone sessie moet verloop nie, tensy die Minister goedkeur dat 'n sessie na die verloop van die tydperk van vyftien maande gehou word: Met dien verstande voorts dat die eerste sessie belê moet word deur 'n persoon wat die Minister aanwys wat ook daarop moet voorsit totdat 'n voorsitter ingevolge regulasie 7 gekies is.

Sessies.

(2) Die Uitvoerende Raad kan te eniger tyd en indien hy daartoe gelas word deur die Minister moet hy 'n spesiale sessie byeenroep en op so 'n spesiale sessie mag slegs dié sake wat die Hoofuitvoerende Raadslid aan hom voorlê, behandel word: Met dien verstande dat indien sodanige spesiale sessie op las van die Minister byeengeroep word, slegs die sake wat die byeenroeping van die spesiale sessie nodig gemaak het, bespreek word.

(3) Elke sessie word gehou op so 'n plek as wat die Uitvoerende Raad bepaal en moet begin op 'n datum en tyd deur die Uitvoerende Raad bepaal.

(4) Die Hoofdirektaar moet skriftelik minstens twee-en-veertig dae voor 'n gewone sessie en minstens sewe dae voor 'n spesiale sessie die lede en die Kommissaris-generaal in kennis stel van die datum en tyd bepaal vir en die sake wat behandel moet word op so 'n sessie.

(5) Die Kommissaris-generaal kan enige sitting bywoon en die Voorsitter moet aan die Kommissaris-generaal so dikwels as wat laasgenoemde dit nodig ag, die geleentheid gun om die Gebiedsowerheid toe te spreek om enige aangeleentheid wat bespreek word of wat die Gebiedsowerheid behandel, te verduidelik.

3. (1) Alle vrae in die Gebiedsowerheid word beslis deur 'n meerderheid van stemme van die aanwesige lede. In geval van 'n staking van stemme het die Voorsitter, of in sy afwesigheid die Ondervorsitter, 'n beslissende stem en moet dit uitbring.

Procedure.

(2) Enige aantal lede wat meer is as die helfte van die getal lede maak 'n kworum uit.

(3) Behoudens die bepalings van hierdie regulasies en die reglement van orde van die Gebiedsowerheid, is daar vryheid van spraak en debat op sittings van die Gebiedsowerheid.

(4) Geen lid is blootgestel aan enige regsgeding uit hoofde van enige aangeleentheid wat hy by versoekskrif, konsepmaatreël, besluit, mosie of andersins aan die Gebiedsowerheid voorgelê het of in die Gebiedsowerheid gesê het of uit hoofde van die wyse waarop hy in die Gebiedsowerheid gestem het nie.

(5) Behoudens die reglement van orde is die verrigtings van die Gebiedsowerheid oop vir die publiek.

(6) Die Voorsitter, of in sy afwesigheid die Ondervorsitter, sit voor by al die sittings of as sowel die Voorsitter en Ondervorsitter weens afwesigheid of ander rede nie by 'n sitting kan voorsit nie, moet die aanwesige lede onder voorsitterskap van die Sekretaris van die Gebiedsowerheid een van die lede benoem om by sodanige sitting voor te sit.

4. (1) Elke lid moet, voordat hy sy plek inneem, voor die Kommissaris-generaal of 'n persoon deur die Minister aangewys, by 'n sitting van die Gebiedsowerheid 'n eed in die volgende vorm aflê en onderteken:—

Eed wat lede moet aflê.

Ek, A. B., sweer dat ek lojaal en getrou sal wees aan die Tswana Gebiedsowerheid, aan sy administrasie en aan die Regering van die Republiek van Suid-Afrika en dat ek alle wette wat in die gebied van die Tswana Gebiedsowerheid van toepassing is, sal eerbiedig en ek beloof om my pligte op 'n getroue en waardige wyse na die beste van my vermoë te verrig.

So help my God.

(2) By die eerste sitting van die Gebiedsowerheid na die afkondiging van hierdie regulasies en behoudens die reglement van orde moet die lede van die Gebiedsowerheid die eed soos bepaal in subregulasië (1) aflê en onderteken.

(3) 'n Lid wat sy plek inneem na die dag in subregulasië (2) vermeld, moet na die Tafel begelei word deur twee lede nadat sy naam gelees is en hy moet ingesweer word.

(4) 'n Lid neem nie sy plek in of stem nie by 'n sitting van die Gebiedsowerheid nie voordat hy die eed in subregulasië (1) voorgeskryf, afgelê en onderteken het. Die bepalings van hierdie regulasie is *mutatis mutandis* van toepassing op 'n kaptein se gevollmagtigde.

5. Nadat die aanwesige lede die eed afgelê en geteken het, gaan die Gebiedsowerheid op 'n sitting waarop 'n voorsitter en ondervorsitter verkies moet word, oor om uit sodanige van sy lede wat kapteins is, 'n voorsitter en 'n ondervorsitter te verkies.

Voorsitter en ondervorsitter.

6. Die Sekretaris van die Gebiedsowerheid moet aan die Gebiedsowerheid die behoeft vir die verkiesing van 'n voorsitter aankondig en moet die Gebiedsowerheid versoek om onverwyld met die verkiesing voort te gaan: Met dien verstande dat in die geval van die eerste sessie so 'n aankondiging gemaak moet word deur die persoon wat die Minister ingevolge regulasie 2 aanwys.

Verkiesing van voorsitter.

Method of election of chairman.

7. (1) Nominations of candidates as chairman shall be called for as provided in the rules of procedure of the Territorial Authority.
- (2) Every nomination shall be submitted in writing and shall be signed by two members and also by the member nominated.
- (3) The names of the members duly nominated shall be announced by the presiding officer and no debate shall be allowed.
- (4) If only one nomination is received the presiding officer shall declare the member so nominated duly elected as chairman.
- (5) Where two or more candidates are nominated a vote shall be taken by secret ballot and the candidate in whose favour a majority of all the votes cast is recorded, shall be declared duly elected as chairman by the presiding officer.
- (6) If no candidate obtains a majority of all the votes so cast, the candidate who received the smallest number of votes shall be eliminated and a further ballot taken in respect of the remaining candidates, this procedure being repeated as often as may be necessary until a candidate receives a majority of all votes cast and is declared duly elected as chairman by the presiding officer.
- (7) Whenever two or more candidates being the lowest on the poll have received the same number of votes, the Territorial Authority shall by separate vote, to be repeated as often as may be necessary, determine which of those two candidates shall for the purpose of subregulation (6) be eliminated.

(8) Whenever—

- (a) only two candidates have been nominated; or
- (b) after the elimination of one or more candidates in accordance with the provisions of this regulation, only two candidates remain

and there is an equality of votes between the two candidates a further vote in respect of those two candidates shall be taken, to be repeated as often as may be necessary until one candidate receives a majority of the votes cast and is declared duly elected as chairman by the presiding officer.

(9) As soon as a candidate has been declared duly elected, he shall be conducted to the Chair by his proposer and seconder and shall thereupon take the Chair of the Territorial Authority.

(10) The Chief Director shall forthwith in writing advise the Commissioner-General, the Controller and Auditor-General and the Secretary of the names and period of office of the Chief Councillor, Councillors, Deputy-Chairman and the person declared duly elected as chairman in terms of subregulation (4), (6) or (8) and such person shall provisionally hold office as chairman pending the decision of the State President in regard to his designation as chairman in terms of section 3 (1) (b) of the Act.

Method of election of deputy-chairman.

8. The provisions of regulation 6 and subregulations (1) to (8), inclusive, of regulation 7, shall *mutatis mutandis* apply to the election of a deputy-chairman save that the election shall be conducted by the Chairman in the capacity of presiding officer as provided in the Rules of Procedure of the Territorial Authority.

Period of office of chairman and deputy-chairman.

9. (1) The Chairman and Deputy-Chairman shall hold office until their successors are elected at the fifth ordinary session of the Territorial Authority held after the session at which they were elected: Provided that if the seat of the Chairman or Deputy-Chairman becomes vacant by reason of the application of the provisions of regulation 21 the member elected as chairman or deputy-chairman, as the case may be, shall hold office for the unexpired period of office for which the person whose seat has thus become vacant was elected as chairman or deputy-chairman.

(2) The Deputy-Chairman may be removed from office by resolution of the Territorial Authority.

### PART III.

#### THE EXECUTIVE.

Executive power to vest in an Executive Council.

Constitution of the Executive Council.

Election of chief councillor and councillors.

10. The executive power in regard to all powers, functions and duties conferred or imposed upon the Territorial Authority by the Act, or assigned to it by the State President under the provisions of the Act, shall vest in an executive council which shall be elected from amongst the members of the Territorial Authority.

11. (1) The Executive Council shall consist of a Chief Councillor (who shall be a chief and shall be the chairman of the Executive Council) and five other members, hereinafter referred to as Councillors, of whom not less than two shall be chiefs.

(2) The Chief Councillor and the Councillors shall be elected as hereinafter provided.

(3) The Chief Councillor and the Councillors shall be responsible for the administration of the departments appearing in the annexure to these regulations.

12. As soon as a chairman and a deputy-chairman have been elected as in regulations 7 and 8 provided, the Territorial Authority shall proceed to the election of a chief councillor and councillors.

7. (1) Nominasies van kandidate as voorsitter moet gevra word soos bepaal in die reglement van orde van die Gebiedsowerheid.

(2) Elke nominasie moet skriftelik voorgelê word en moet geteken word deur twee lede en ook deur die genomineerde lid.

(3) Die name van die lede wat behoorlik genomineer is, moet deur die voorsittende beampete aangekondig word en geen debat word toegeelaat nie.

(4) Indien daar slegs een nominasie ontvang word, verklaar die voorsittende beampete die betrokke lid aldus genomineer behoorlik verkies as voorsitter.

(5) Waar twee of meer kandidate genomineer word, vind 'n geheime stemming plaas en die kandidaat ten gunste van wie 'n meerderheid van al die stemme wat uitgebring is, aangeteken word, word deur die voorsittende beampete as behoorlik tot voorsitter verklaar.

(6) Indien geen kandidaat 'n meerderheid verkry van al die stemme wat aldus uitgebring is nie, word die kandidaat wat die minste stemme gekry het, uitgeskakel, en 'n verdere stemming ten opsigte van die oorblywende kandidate gehou, en hierdie prosedure word herhaal so dikwels as wat nodig is totdat 'n kandidaat 'n meerderheid verkry van al die stemme wat uitgebring word en behoorlik verkies as voorsitter verklaar word deur die voorsittende beampete.

(7) Wanneer twee of meer kandidate dieselfde getal stemme behaal het, maar minder as al die ander kandidate, bepaal die Gebiedsowerheid by afsonderlike stemming, wat so dikwels nodig herhaal word, watter van daardie kandidate vir die doeleindes van subregulasie (6) uitgeskakel moet word.

(8) Wanneer—

(a) slegs twee kandidate genomineer is; of

(b) daar na die uitskakeling van een of meer kandidate ooreenkomstig die bepalings van hierdie regulasie slegs twee kandidate oorbly,

en daar 'n staking van stemme tussen daardie twee kandidate is, word 'n verdere stemming ten opsigte van dié twee kandidate gehou wat so dikwels nodig herhaal word totdat een kandidaat 'n meerderheid van die stemme wat uitgebring word, behaal, en behoorlik verkies as voorsitter verklaar word deur die voorsittende beampete.

(9) Sodra 'n kandidaat behoorlik verklaar word, word hy begelei na die Stoel deur sy voorsteller en sekondant en neem dan die Stoel van die Gebiedsowerheid in.

(10) Die Hoofdirekteur moet onverwyd die Kommissaris-generaal, die Kontroleur en Ouditeur-generaal en die Sekretaris skriftelik in kennis stel van die name en ampstermy van die Hoofraadslid, Raadslede, Ondervoorsitter en die persoon wat behoorlik as voorsitter verklaar is ingevolge subregulasie (4), (6) of (8), en sodanige persoon beklee voorwaardelik die amp van voorsitter in afwagting van die Staatspresident se beslissing betreffende sy aanwysing as voorsitter ingevolge artikel 3 (1) (b) van die Wet.

8. Die bepalings van regulasie 6 en van subregulasies (1) tot en met (8) van regulasie 7 is *mutatis mutandis* van toepassing op die verkiesing van 'n ondervoorsitter behalwe dat die verkiesing behartig word deur die Voorsitter in die hoedanigheid van voorsittende beampete soos in die reglement van orde van die Gebiedsowerheid bepaal.

9. (1) Die Voorsitter en Ondervoorsitter beklee hul amp totdat hul opvolgers verkies word by die vyfde gewone sessie van die Gebiedsowerheid wat plaasvind na die sessie waarin hulle verkies is: Met dien verstande dat indien die setel van die Voorsitter of Ondervoorsitter vakant raak uit hoofde van die toepassing van die bepalings van regulasie 21, die lid wat as voorsitter of ondervoorsitter verkies word, na gelang van die geval, die amp beklee vir die onverstreke ampstermy waarvoor die persoon wie se setel aldus vakant raak, as voorsitter of ondervoorsitter verkies was.

(2) Die Ondervoorsitter kan by besluit van die Gebiedsowerheid uit sy amp ontslaan word.

## DEEL V.

### DIE UITVOERENDE GESAG.

10. Die uitvoerende gesag met betrekking tot alle bevoegdhede, werksaamhede en pligte wat die Wet aan die Gebiedsowerheid verleen of opgelê of wat aan hom deur die Staatspresident kragtens die bepalings van die Wet, toegewys word, berus by 'n uitvoerende raad wat verkies moet word uit die lede van die Gebiedsowerheid.

Uitvoerende gesag berus by Uitvoerende Raad.

11. (1) Die Uitvoerende Raad bestaan uit 'n Hoofraadslid (wat 'n kaptein moet wees en die Voorsitter van die Uitvoerende Raad is) en vyf ander lede, hierna Raadslede genoem, van wie minstens twee kapteins moet wees.

Samestelling van die Uitvoerende Raad.

(2) Die Hoofraadslid en die Raadslede word verkies soos hierna bepaal.

(3) Die Hoofraadslid en die Raadslede is verantwoordelik vir die administrasie van die departemente in die aanhangsel by hierdie regulasies vermeld.

12. Sodra 'n voorsitter en ondervoorsitter verkies is soos bepaal in regulasies 7 en 8, gaan die Gebiedsowerheid oor tot die verkiesing van 'n hoofraadslid en raadslede.

Verkiezing van hoofraadslid en raadslede.

Wyse waarop voorsitter gekies word.

Method of election of chief councillor

13. The provisions of regulation 6 and subregulations (1) to (8), inclusive, of regulation 7 shall *mutatis mutandis* apply to the election of a Chief Councillor save that the election shall, subject to the provisions of regulation 15, be conducted by the Chairman in the capacity of presiding officer as provided in the rules of procedure of the Territorial Authority.

Method of election of councillors.

14. (1) Whenever Councillors, other than the Chief Councillor, are required to be elected, the Chairman of the Territorial Authority shall, subject to the provisions of regulation 15, at the sitting at which the election is to take place announce the number of councillors required to be elected and call for the nomination of candidates.

(2) Every nomination shall be submitted in writing and shall be signed by two members of the Territorial Authority and also by the member nominated.

(3) The names of the persons duly nominated shall be announced by the Chairman and no debate shall be allowed.

(4) If the number of candidates nominated is equal to the number of persons to be elected, the Chairman shall declare all such candidates duly elected.

(5) Where more candidates are nominated than there are vacancies, a vote shall be taken by secret ballot at which each member present at the sitting shall have and exercise one vote only in respect of each vacancy, after which ballot the candidate obtaining the smallest number of votes shall be eliminated, this procedure being repeated as often as may be necessary until only the required number of candidates remains and such candidates shall then be declared by the Chairman to be duly elected.

(6) Whenever two or more candidates have received the same number of votes, and one of those candidates is required to be eliminated for the purpose of subregulation (5) the Territorial Authority shall by separate vote to be repeated as often as may be necessary, determine which of those candidates shall be eliminated.

Chairman to vacate chair if he is nominated as Chief Councillor or as a Councillor.

15. (1) In the event of the Chairman being nominated as a candidate for election as Chief Councillor or as a Councillor, the Deputy-Chairman shall preside at the election and if both the Chairman and Deputy-Chairman are so nominated the Secretary of the Territorial Authority or, in the case of the first session, the person designated by the Minister in terms of regulation 2 shall preside.

(2) If either the Chairman or Deputy-Chairman is elected as Chief Councillor or as Councillor, the Chairman or Deputy-Chairman, as the case may be, shall be deemed to have vacated his seat as such and the Territorial Authority shall thereupon proceed to the election of a new Chairman or Deputy-Chairman.

Oath for Councillors.

16. (1) The Chief Councillor and every Councillor, shall before assuming his duties as such, make and subscribe before the Commissioner-General or a person designated by the Minister at a sitting of the Territorial Authority an oath in the following form—

I, A. B., do hereby swear to hold my office as member of the Executive Council of the Tswana Territorial Authority with honour and dignity; to respect all laws applicable to the Tswana Territorial Authority and in the area for which the Tswana Territorial Authority was established; to be a true and faithful Executive Councillor; not to divulge directly or indirectly any matters brought before the Executive Council which are entrusted to me under secrecy; and to perform the duties of my office conscientiously and to the best of my ability; and I undertake before God to honour this oath.

So help me God.

(2) Any Councillor appointed in terms of regulation 22 (2) shall before assuming his duties as such make and subscribe before the Commissioner-General or a person designated by the Minister and in the presence of the Executive Council the oath as set out in subregulation (1).

Conduct of proceedings of Executive Council.

17. (1) Questions arising in the Executive Council shall be determined by a majority of votes of the Councillors present and in the case of equality of votes the Chief Councillor shall have a casting vote.

(2) The Executive Council may make rules for the conduct of its meetings and such rules shall be submitted to the State President for approval.

(3) The Executive Council may from time to time appoint sub-committees from among its members for any purpose it may deem necessary and may co-opt one or more members of the Territorial Authority to serve on such sub-committee; such sub-committee shall report on its findings and may submit such recommendations as it may deem necessary to the Executive Council for consideration.

(4) The Commissioner-General, the Chief Director and any Director may attend any meeting of the Executive Council to advise on matters being considered or discussed, if they so desire, or if so requested by the Chief Councillor.

Period of office of Councillors.

18. (1) The Chief Councillor and Councillors shall hold office until their successors are elected at the fifth ordinary session of the Territorial Authority held after the session at which such councillors were elected.

(2) The Chief Councillor and any Councillor may be removed from office by resolution of the Territorial Authority.

13. Die bepalings van regulasie 6 en van subregulasies (1) tot en met (8) van regulasie 7 is *mutatis mutandis* van toepassing op die verkiesing van 'n hoofraadslid behalwe dat die verkiesing, behoudens die bepalings van regulasie 15, behartig word deur die Voorsitter in die hoedanigheid van voorsittende beampte soos bepaal in die Gebiedsowerheid se reglement van orde.

Wyse waarop hoofraadslid verkies word.

14. (1) Wanneer dit nodig word om Raadslede uitgesonderd die Hoofraadslid te verkies, moet die Voorsitter, behoudens die bepalings van regulasie 15, op die sitting waarop die verkiesing moet plaasvind die getal raadslede wat dit nodig is om te verkies, aankondig en vir die nominasie van kandidate vra.

Wyse waarop raadslede verkies word.

(2) Elke nominasie moet skriftelik voorgelê word en moet onderteken wees deur twee lede van die Gebiedsowerheid en ook deur die genomineerde lid.

(3) Die name van die behoorlik genomineerde persone moet deur die Voorsitter aangekondig word en geen debat word toegelaat nie.

(4) Indien die getal genomineerde kandidate gelyk is aan die getal persone wat verkies moet word, verklaar die Voorsitter al sodanige kandidate behoorlik verkies.

(5) Indien meer kandidate genomineer word as wat daar vakatures bestaan, vind 'n geheime stemming plaas waarby elke aanwesige lid slegs een stem het en moet uitbring ten opsigte van elke vakature en na die stemming word die kandidaat wat die minste stemme het, uitgeskakel, en hierdie prosedure word herhaal so dikwels as wat nodig is totdat slegs die vereiste getal kandidate oorbly wat dan deur die Voorsitter behoorlik verklaar word.

(6) Wanneer twee of meer kandidate dieselfde getal stemme behaal het, en een van dié kandidate vir die doeleinnes van subregulasie (5) uitgeskakel moet word, bepaal die Gebiedsowerheid by afsonderlike stemming, wat so dikwels nodig herhaal word, watter van dié kandidate uitgeskakel moet word.

15. (1) Ingeval die Voorsitter as 'n kandidaat vir verkiesing as Hoofraadslid of as 'n Raadslid genomineer word, sit die Ondervoorsitter by die verkiesing voor, en indien sowel die Voorsitter as die Ondervoorsitter aldus genomineer word, moet die Sekretaris van die Gebiedsowerheid, of in geval van die eerste sessie, die persoon deur die Minister ingevolge regulasie 2 aangewys, voorsit.

Voorsitter ont-ruim voorsitter-stoel indien hy genomineer word, as Hoofraadslid of Raadslid.

(2) Indien of die Voorsitter of die Ondervoorsitter as Hoofraadslid of as Raadslid verkies word, word die Voorsitter of Ondervoorsitter, na gelang van die geval, geag sy setel as sodanig te ontruim het, en die Gebiedsowerheid gaan dan oor tot die verkiesing van 'n nuwe Voorsitter of Ondervoorsitter.

16. (1) Die Hoofraadslid en elke Raadslid moet voordat hy sy pligte in daardie hoedanigheid aanvaar, voor die Kommissaris-generaal of 'n persoon deur die Minister aangewys, by 'n sitting van die Gebiedsowerheid 'n eed in die volgende vorm aflê en onderteken:—

Eed vir Raadslede.

Ek, A. B., sweer hierby om my amp as lid van die Uitvoerende Raad van die Tswana Gebiedsowerheid op eervolle en waardige wyse te beklee; om alle wette wat van toepassing is ten opsigte van die Tswana Gebiedsowerheid en in die gebied ten opsigte waarvan die Tswana Gebiedsowerheid ingestel is, te eerbiedig; om 'n opregte en getroue Uitvoerende Raadslid te wees, om geen sake wat voor die Uitvoerende Raad dien en wat aan my vir geheimhouding toevertrou word, regstreeks of onregstreeks te openbaar nie; en om my ampspligte met nougesetheid na die beste van my vermoë na te kom; en ek onderneem voor God om hierdie eed te eerbiedig.

So help my God.

(2) 'n Raadslid kragtens regulasie 22 (2) aangestel, moet voordat hy as sodanig sy pligte aanvaar, voor die Kommissaris-generaal of 'n persoon deur die Minister aangewys, en in die teenwoordigheid van die Uitvoerende Raad die eed soos voorgeskryf in subregulasie (1), aflê en onderteken.

Beheer van prosedure van Uitvoerende Raad.

17. (1) Vrae wat in die Uitvoerende Raad ontstaan, word beslis by meerderheid van stemme van die aanwesige Raadslede en die Hoofuitvoerende Raadslid het by 'n staking van stemme 'n beslissende stem.

(2) Die Uitvoerende Raad kan reëls maak vir die bestuur van sy vergaderings en sodanige reëls moet aan die Staatspresident vir goedkeuring voorgelê word.

(3) Die uitvoerende Raad kan van tyd tot tyd uit sy geledere subkomitees aanstel vir enige doel wat hy nodig ag en kan een of meer lede van die Gebiedsowerheid koöpteer om op so 'n subkomitee te dien; so 'n subkomitee moet verslag doen oor sy bevindings en kan sodanige aanbevelings as wat hy nodig ag aan die Uitvoerende Raad vir oorweging voorlê.

(4) Die Kommissaris-generaal, die Hoofdirekteur en enige Directeur kan enige vergadering van die Uitvoerende Raad bywoon om oor sake wat oorweeg of bespreek word te adviseer indien hulle dit verlang of indien dit deur die Hoofraadslid versoek word.

Ampstermyn van Raadslede.

18. (1) Die Hoofraadslid en Raadslede beklee hul amp totdat hul opvolgers verkies word op die vyfde gewone sessie van die Gebiedsowerheid wat gehou word na die sessie waarop sodanige Raadslede verkies was.

(2) Die Hoofraadslid en enige Raadslid kan by besluit van die Gebiedsowerheid uit sy amp ontslaan word.

Petition  
for removal  
of Chairman.

19. (1) The Territorial Authority may for sound and cogent reasons by petition request the State President to remove the Chairman and to order the election of a new Chairman for the remainder of the period of office of his predecessor and the State President may if he deems fit accede to such petition.

(2) A petition in terms of subregulation (1) shall be conveyed by the Chief Councillor to the Commissioner-General who shall forward such petition to the Minister for presentation to the State President.

(3) The decision of the State President on such petition shall within a period of seven days after it is received, be tabled in the Territorial Authority if the Territorial Authority is then in session or, if the Territorial Authority is not then in session, within a period of seven days from the date of the opening of the next session.

(4) The Territorial Authority shall forthwith after notice of the removal of the Chairman has been tabled proceed with the election of a new chairman in accordance with the provisions of these regulations.

Functions  
of Chief  
Councillor.

20. (1) The Chief Councillor or, in his absence, a Councillor nominated by him for the purpose shall preside at all Executive Council meetings.

(2) Whenever the office of Chief Councillor becomes vacant or the Chief Councillor is absent or unable to act and no Councillor has been nominated in terms of subregulation (1) so to act, the Councillors shall designate one of their number to act as Chief Councillor until the vacancy is filled or, as the case may be, until the Chief Councillor is able to resume his functions.

(3) The Chief Councillor shall in consultation with the Councillors assign and allocate the responsibility for the control and administration of the different departments mentioned in the annexure to these regulations to the various Councillors, and he may, after consultation with the Councillors, also allocate the powers, duties and functions to be performed in connection with the various departments and such powers, functions and duties as may be assigned to the Territorial Authority by the State President in terms of the Act amongst the respective departments and, if necessary, reorganize such departments in the interests of better administration in consultation with the Councillors and the Secretary.

Vacating of  
seats by  
Chairman,  
Deputy-  
Chairman,  
Chief Councillor  
and  
Councillors.

21. (1) The Chairman, the Deputy-Chairman, the Chief Councillor and any Councillor shall vacate his office as such—

- (a) if his seat as a member of the Territorial Authority is deemed to have been vacated in terms of regulation 1 (2);
- (b) if he resigns his seat as Chairman, Deputy-Chairman, Chief Councillor or Councillor by notice in writing to the Secretary of the Territorial Authority or makes an announcement to that effect at a sitting of the Territorial Authority or in the case of the Chief Councillor and any Councillor at a meeting of the Executive Council.
- (c) if, in the case of the Deputy-Chairman, the Chief Councillor or a Councillor, he is removed from office by resolution of the Territorial Authority as in regulations 9 (2) or 18 (2) provided; or
- (d) if, in the case of the Chairman, the State President has acceded to a petition for his removal as in regulation 19 provided.

(2) If the Chairman, Deputy-Chairman, Chief Councillor or a Councillor vacates his seat otherwise than in pursuance of his resignation announced at a sitting of the Territorial Authority, the Secretary of the Territorial Authority shall at the first ensuing session inform the Territorial Authority accordingly.

Filling of  
casual  
vacancies.

22. (1) Subject to the provisions of subregulation (3) any casual vacancy arising out of the vacating of his office by the Chairman, Deputy-Chairman, Chief Councillor or a Councillor shall be filled by election in accordance with the provisions of these regulations within a period of four days after the date on which the vacancy occurred if the Territorial Authority is then in session.

(2) If the Territorial Authority is not in session any vacancy in the Executive Council other than that of Chief Councillor may subject to the provisions of subregulation (3) be filled by the appointment by the Executive Council of a member of the Territorial Authority to fill such vacancy and such Councillor so appointed shall enjoy the same status, powers and privileges as if he had been elected by the Territorial Authority.

(3) Any Councillor appointed by the Executive Council shall hold office until the next session of the Territorial Authority when the Territorial Authority shall elect a member to fill the vacancy, as in these regulations provided, as if the vacancy had not been filled by the Executive Council.

(4) The person so elected by the Territorial Authority shall hold office for the unexpired period of office for which the person who vacated his seat on the Executive Council, was elected.

(5) If the office of Chief Councillor becomes vacant and the Territorial Authority is not in session, the Territorial Authority shall, within seven days of the date on which the vacancy occurred, be summoned as in regulation 2 (4) provided for the purpose of electing as in these regulations provided from amongst its members a Chief Councillor who shall hold office for the unexpired portion of the period for which his predecessor was elected.

19. (1) Die Gebiedsowerheid kan om grondige en oortuigende redes by versoekskrif aan die Staatspresident versoek dat die Voorsitter ontslaan en die verkiesing van 'n nuwe Voorsitter vir die oorblywende ampstermyn van sy voorganger gelas word, en die Staatspresident kan na goeddunke aan so 'n versoekskrif voldoen.

Versoekskrif vir ontslag van Voorsitter.

(2) 'n Versoekskrif ingevolge subregulasie (1) word deur die Hoofraadslid oorgedra aan die Kommissaris-generaal wat dié versoekskrif aan die Minister moet stuur om aan die Staatspresident voorgelê te word.

(3) Die beslissing van die Staatspresident oor so 'n versoekskrif word binne 'n tydperk van sewe dae na ontvangst daarvan in die Gebiedsowerheid ter tafel gelê, indien hy dan in sessie is, of, indien hy dan nie in sessie is nie, binne 'n tydperk van sewe dae vanaf die openingsdatum van die volgende sessie.

(4) Die Gebiedsowerheid moet onverwyld nadat kennisgewing van die ontslag van die Voorsitter ter tafel gelê is, stappe doen vir die verkiesing van 'n nuwe voorsitter ooreenkomstig die bepalings van hierdie regulasies.

20. (1) Die Hoofraadslid of, in sy afwesigheid, 'n Raadslid deur hom vir die doel benoem, sit voor by alle Uitvoerende Raadsvergaderings.

Werksaamhede van Hoofraadslid.

(2) Wanneer die amp van Hoofraadslid vakant raak of die Hoofraadslid afwesig is of nie in staat is om op te tree nie, en geen Raadslid ingevolge subregulasie (1) benoem is om aldus waar te neem nie, wys die Raadslede een uit hul gelede aan om as Hoofraadslid op te tree totdat die vakature gevul word of, na gelang van die geval, totdat die Hoofraadslid in staat is om sy werksaamhede te hervat.

(3) Die Hoofraadslid moet in oorleg met die Raadslede die verantwoordelikheid vir die beheer en administrasie van die verskillende departemente, genoem in die aanhangsel by hierdie regulasies, aan die onderskeie Raadslede opdra en toewys, en hy kan na oorlegpleging met die Raadslede, ook die bevoegdhede, pligte en werksaamhede wat ten opsigte van die verskillende departemente uitgeoefen of verrig moet word, en sodanige bevoegdhede, werksaamhede en pligte wat die Staatspresident ingevolge die Wet aan die Gebiedsowerheid toewys, onder die onderskeie departemente indeel en kan, indien nodig, bedoelde departemente met die oog op beter administrasie in oorleg met die Raadslede en die Sekretaris herorganiseer.

21. (1) Die Voorsitter, die Ondervoorsitter, die Hoofraadslid of 'n Raadslid moet sy amp as sodanig ontruim—

Ontruiming van setels deur Voorsitter, Ondervoorsitter, Hoofraadslid en Raadslede.

- (a) indien sy setel as lid van die Gebiedsowerheid geag is ontruim te wees ingevolge regulasie 1 (2);
- (b) indien hy uit sy amp as Voorsitter, Ondervoorsitter, Hoofraadslid of Raadslid bedank by skriftelike kennisgewing aan die Sekretaris van die Gebiedsowerheid of as hy 'n aankondiging te dien effekte op 'n sitting van die Gebiedsowerheid maak of, in die geval van die Hoofraadslid of 'n Raadslid, by 'n vergadering van die Uitvoerende Raad;
- (c) indien hy, in geval van 'n Ondervoorsitter, die Hoofraadslid of 'n Raadslid, by besluit van die Gebiedsowerheid soos in regulasie 9 (2) of 18 (2) bepaal, uit sy amp ontslaan word; of
- (d) indien, in geval van die Voorsitter, die Staatspresident voldoen het aan 'n versoekskrif om sy ontslag soos in regulasie 19 bepaal.

(2) Indien die Voorsitter, Ondervoorsitter, Hoofraadslid of 'n Raadslid sy amp ontruim op 'n ander wyse as ingevolge sy bedanking wat op 'n sitting van die Gebiedsowerheid aangekonig is, moet die Sekretaris van die Gebiedsowerheid by die eersvolgende sessie die Gebiedsowerheid dienooreenkomstig verwittig.

22. (1) Behoudens die bepalings van subregulasie (3) word enige toevallige vakature wat ontstaan weens die ontruiming van sy amp deur die Voorsitter, Ondervoorsitter, Hoofraadslid of 'n Raadslid gevul deur verkiesing ooreenkomstig die bepalings van hierdie regulasies, wat gehou moet word binne 'n tydperk van vier dae na die datum waarop die vakature ontstaan het, as die Gebiedsowerheid dan in sessie is.

Vulling van toevallige vakatures.

(2) Indien die Gebiedsowerheid nie in sessie is nie kan enige vakature in die Uitvoerende Raad, behalwe dié van Hoofraadslid, behoudens die bepalings van subregulasie (3), gevul word deur die aanstelling deur die Uitvoerende Raad van 'n lid van die Gebiedsowerheid om sodanige vakature te vul en 'n aldus aangestelde Raadslid geniet dieselfde status, bevoegdhede en voorregte asof hy deur die Gebiedsowerheid verkies is.

(3) 'n Raadslid deur die Uitvoerende Raad aangestel, beklee sy amp tot die volgende sessie van die Gebiedsowerheid en die Gebiedsowerheid moet dan 'n lid verkies om die vakature te vul soos in hierdie regulasies bepaal, asof die vakature nie reeds deur die Uitvoerende Raad gevul was nie.

(4) Die persoon wat aldus deur die Gebiedsowerheid verkies word, beklee sy amp vir die onverstreke ampstermyn waarvoor die persoon wat sy amp op die Uitvoerende Raad ontruim het, verkies was.

(5) Indien die amp van Hoofraadslid vakant raak en die Gebiedsowerheid nie in sessie is nie, moet die Gebiedsowerheid binne sewe dae vanaf die datum waarop die vakature ontstaan het, byeengeroep word soos in regulasie 2 (4) bepaal vir die doel om uit sy gelede 'n Hoofraadslid te verkies soos in hierdie regulasies bepaal vir die onverstreke gedeelte van die tydperk waarvoor sy voorganger verkies was.

## PART IV.

### STATUS OF CHIEFS.

**Chiefs to retain personal status.**

23. A chief in the area of the Territorial Authority shall continue to enjoy the personal status he has hitherto enjoyed and shall with regard to ceremonial and tribal matters and at ceremonial occasions within his area take precedence over the Chief Councillor and Councillors, except in respect of matters or occasions connected with the business of the Territorial Authority.

**Establishment of Tswana Territorial Authority Service.**

24. There is hereby established, from a date to be determined by the Minister, the Tswana Territorial Authority Service. Officers and employees in the service of the Territorial Authority and regional, tribal and community authorities on such date will be considered for appointment with due regard to the requirements prescribed by the Secretary.

**Service of Public Service officials at disposal of Territorial Authority.**

25. (1) The Government of the Republic may subject to the provisions of the Public Service Act, 1957 (Act No. 54 of 1957), place at the disposal of the Tswana Territorial Authority the services of such officers and employees of the Public Service of the Republic as may from time to time be necessary for the proper administration of the functions of the Territorial Authority.

(2) Such officers and employees shall remain officers and employees of the Public Service of the Republic and be paid by the Government of the Republic.

(3) The appointment, disciplinary control or removal of such officers and employees shall remain vested in the competent authority in the Republic.

## PART V.

### TSWANA TERRITORIAL AUTHORITY SERVICE.

**Applicability of the prevention of Corruption Act.**

26. For the purposes of the Prevention of Corruption Act, 1958 (Act No. 6 of 1958), the Territorial Authority shall be deemed to be a "local authority".

**Acceptances of benefits by members.**

27. No member may accept any salary, allowance, fee or reward for any duty or service performed by him in his capacity as a member except as may be prescribed, nor shall any such member become a contractor with the Territorial Authority or be interested directly or indirectly in any contract entered into with the Territorial Authority.

**Maintenance of permanent records.**

28. (1) The Territorial Authority shall maintain a permanent record of the main events taking place from the date of establishment of the Territorial Authority.

(2) In particular the following shall be recorded—

- (a) all proclamations and government notices relating to the establishment or operation of the Territorial Authority;
- (b) the name of each regional authority within its area of jurisdiction;
- (c) the name of each tribal and community authority within its area of jurisdiction;
- (d) the name and period of office of each successive chairman and deputy-chairman;
- (e) the name and period of office of each successive Chief Councillor and Councillor;
- (f) the name of every member;
- (g) all enactments made by the Territorial Authority;
- (h) particulars of any land acquired by the Territorial Authority;
- (i) particulars of any rate levied or tax imposed by the Territorial Authority; and
- (j) particulars of any works performed by the Territorial Authority.

**Use of official languages.**

29. (1) All votes and proceedings and order papers shall be recorded in Tswana, Afrikaans and English. Judicial, administrative and financial documents shall also, as circumstances may dictate, be so recorded.

(2) The Territorial Authority may maintain a verbatim report of the proceedings of the Authority and such report shall be recorded in Tswana and, in alternate years, in Afrikaans and English.

**Affirmation in lieu of Oath.**

30. Any person who is in terms of any provision of these regulations required to make and subscribe an oath of office may in lieu of such oath make and subscribe a solemn affirmation in corresponding form.

## DEEL IV.

## STATUS VAN KAPTEINS.

23. 'n Kaptein in die gebied van die Gebiedsowerheid geniet die persoonlike status wat hy tot nog toe geniet het, en hy het ten opsigte van seremoniële en stamaangeleenthede en by seremoniële geleenthede in sy gebied voorrang bo die Hoofraadslid of Raadslede behalwe ten opsigte van aangeleenthede of geleenthede in verband met die werksaamhede van die Gebiedsowerheid.

Kapteins behou persoonlike status.

## DEEL V.

## TSWANA GEBIEDSOWERHEIDSDIENS.

24. Daar word hierby, vanaf 'n datum deur die Minister bepaal, die Tswana Gebiedsowerheidsdiens ingestel. Beampes en werknemers wat op sodanige datum in diens van die Gebiedsowerheid, streeks-, stam- en gemeenskapsowerhede is, vir aanstelling oorweeg word met behoorlike inagneming van die voorwaardes wat die Sekretaris voorskryf.

Instelling van Tswana Gebiedsowerheidsdiens.

25. (1) Die Regering van die Republiek kan, behoudens die bepalings van die Staatsdienswet, 1957 (Wet No. 54 van 1957), die dienste van sodanige beampes en werknemers uit die Staatsdiens van die Republiek as wat van tyd tot tyd nodig is vir die behoorlike beheer en administrasie van die funksies van die Gebiedsowerheid, tot die beskikking van die Tswana Gebiedsowerheid stel.

(2) Sodanige beampes en werknemers bly beampes en werknemers in die Staatsdiens van die Republiek en word deur die Regering van die Republiek besoldig.

(3) Die aanstelling, tug of onttrekking van sodanige beampes of werknemers bly by die bevoegde gesag in die Republiek berus.

Dienste van beampes van die Staatsdiens tot beskikking van Gebiedsowerheid.

## DEEL VI.

## DIVERSE BEPALINGS.

26. Die Gebiedsowerheid word geag 'n „plaaslike bestuur” te wees vir die toepassing van die Wet op Voorkoming van Korruptie, 1958 (Wet No. 6 van 1958).

Toepassing van die Wet op Voorkoming van Korruptie.

27. Geen lid mag enige salaris, toelae, geld of beloning vir enige plig of diens wat deur hom in sy hoedanigheid as lid verrig word, aanneem nie, behalwe soos voorgeskryf; ook mag geen sodanige lid 'n kontrakteur wees vir die Gebiedsowerheid of 'n regstreekse of onregstreekse belang hê in 'n kontrak wat met die Gebiedsowerheid aangegaan is nie.

Aanname van voordele deur lede.

28. (1) Die Gebiedsowerheid moet 'n permanente rekord hou van die vernaamste gebeurtenisse wat plaasvind vanaf die datum van die instelling van die Gebiedsowerheid.

Hou van permanente rekords.

(2) In besonder moet die volgende opgeteken word—

- (a) alle proklamasies en goewermentskennisgewings met betrekking tot die instelling of funksionering van die Gebiedsowerheid;
- (b) die naam van elke streeksowerheid binne sy regsgebied;
- (c) die naam van elke stam- en gemeenskapsowerheid binne sy regsgebied;
- (d) die naam en ampstermy van elke opvolgende voorstander en ondervoorstander;
- (e) die naam en ampstermy van elke opvolgende Hoofraadslid en Raadslid;
- (f) die naam van elke lid;
- (g) alle maatreëls deur die Gebiedsowerheid uitgevaardig;
- (h) besonderhede van enige grond wat deur die Gebiedsowerheid verkry is;
- (i) besonderhede van enige belasting gehef of belasting opgelê deur die Gebiedsowerheid;
- (j) besonderhede van enige werksaamhede deur die Gebiedsowerheid verrig.

29. (1) Alle notule en ordepapiere moet in Tswana, Engels en Afrikaans gehou word. Geregteleke, administratiewe en finansiële dokumente moet ook, soos omstandighede vereis, aldus gehou word.

Gebruik van ampelike tale.

(2) Die Gebiedsowerheid kan 'n *verbatim* verslag hou van sy verrigtings en sodanige verslag word in Tswana gehou en, in opeenvolgende jare, in Afrikaans en Engels.

30. Enigeen van wie ingevolge 'n bepaling van hierdie regulasies vereis word om 'n ampseid af te lê en te onderteken kan in plaas van so 'n eed 'n plegtige verklaring in ooreenstemmende vorm aflu en onderteken.

Plegtige verklaring in plaas van eed.

## PART VII.

## GENERAL.

## Short title.

31. The regulations contained in this schedule shall for the purposes of this Proclamation be known as the Tswana Territorial Authority regulations.

## ANNEXURE.

## DEPARTMENTS.

1. Department of Authority Affairs and Finance.
2. Department of Community Services.
3. Department of Works.
4. Department of Education and Culture.
5. Department of Agriculture.
6. Department of Justice.

## SCHEDEULE D.

## RULES OF PROCEDURE—TSWANA TERRITORIAL AUTHORITY.

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## PART I.

## ELECTION OF CHAIRMAN, DEPUTY-CHAIRMAN, CHIEF COUNCILLOR AND COUNCILLORS.

## Presiding Officer.

1. In the case of the election of a chairman the Secretary of the Territorial Authority or, in the case of the first session of the Territorial Authority, the person designated by the Minister in terms of regulation 10 (1) of the Tswana Territorial Authority regulations shall act as presiding officer and in the case of the election of a deputy-chairman, Chief Councillor or Councillors, the Chairman shall act as presiding officer.

## Procedure.

2. If two or more candidates are proposed as chairman, deputy-chairman, Chief Councillor or Councillor (where only one Councillor is to be elected) or, where two or more Councillors are to be elected, more candidates are proposed than there are vacancies, a ballot shall be held in accordance with the following procedure which shall at the outset be explained to the members:

- (a) there shall be a short adjournment for the preparation of ballot papers on which the names of the candidates shall appear in alphabetical order;
- (b) each ballot paper shall have a secret official mark on the reverse side thereof;
- (c) every member who is entitled to exercise a vote as in regulation 3 of the Tswana Territorial Authority regulations provided, shall be handed a ballot paper by the Secretary of the Territorial Authority or, in the case of the first session of the Territorial Authority, the person designated by the Minister in terms of regulation 2 (1) of the said regulations, and such member shall thereupon signify the candidate or candidates, as the case may be, for whom he desires to vote by placing a cross opposite the name or names of such candidate or candidates;
- (d) the presiding officer shall then call the name of each member entitled to vote in turn and such member may, when his name is called, come to the Table and drop his ballot paper, folded in such manner that the names of the candidates are obscured and the secret mark can be seen by the presiding officer, into the ballot box on the Table;
- (e) no member who is entitled to exercise a vote shall drop into the ballot box a ballot paper which is not his own;

## DEEL VII.

## ALGEMEEN.

31. Die regulasies in hierdie Bylae vervat staan vir die doeleindes van hierdie Proklamasie Kort titel.  
bekend as die Tswana Gebiedsowerheidsregulasies.

## AANHANGSEL.

## DEPARTEMENTE.

1. Departement van Owerheidsake en Finansies.
2. Departement van Gemeenskapsake.
3. Departement van Werke.
4. Departement van Onderwys en Kultuur.
5. Departement van Landbou.
6. Departement van Justisie.

## BYLAE D.

## REGLEMENT VAN ORDE—TSWANA GEBIEDSOWERHEID.

## Inhoudsopgawe.

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## DEEL I.

VERKIESING VAN VOORSITTER, ONDERVOORSITTER,  
HOOFRAADSLID EN RAADSLEDE.

1. In die geval van die verkiesing van 'n Voorsitter, tree die Sekretaris van die Gebiedsowerheid, of, in die geval van die eerste sessie van die Gebiedsowerheid, die persoon deur die Minister aangewys ingevolge regulasie 10 (1) van die Tswana Gebiedsowerheidsregulasies, op as voorsittende beampie en in die geval van die verkiesing van 'n Ondervoorsitter, Hoofraadslid of Raadslede, tree die Voorsitter as voorsittende beampie op.

Voorsittende  
beampie.

2. Indien twee of meer kandidate voorgestel word as Voorsitter, Ondervoorsitter, Hoofraadslid of Raadslid (wanneer slegs een Raadslid verkies moet word) of, indien twee of meer Raadslede verkies moet word, meer kandidate voorgestel word as wat daar vakatures is, moet met geslote stembriefies ooreenkomstig die volgende prosedure, wat by die aanvang aan lede verduidelik moet word, gestem word:—

Prosedure.

- (a) daar moet 'n kort verdaging wees vir die gereedmaak van stembriefies waarop die name van die kandidate in alfabetiese volgorde moet verskyn;
- (b) elke stembriefie moet 'n geheime amptelike merk op die keersy daarvan hê;
- (c) aan elke lid wat geregtig is om te stem soos in regulasie 3 van die Tswana Gebiedsowerheidsregulasies bepaal, word 'n stembriefie uitgereik deur die Sekretaris van die Gebiedsowerheid of, in die geval van die eerste sessie van die Gebiedsowerheid, deur die persoon aangewys deur die Minister ingevolge regulasie 2 (1) van bedoelde regulasies, en so 'n lid moet daarop die kandidaat of kandidate, na gelang van die geval, vir wie hy wil stem, aandui deur 'n kruis teenoor die naam of name van die kandidaat of kandidate te plaas;
- (d) die voorsittende beampie moet dan die naam van elke lid wat geregtig is om te stem beurtelings uitroep en so 'n lid kan, wanneer sy naam uitgeroep word, na die Tafel kom en sy stembriefie wat so gevou moet wees dat die name van die kandidate onsigbaar is maar dat die geheime merk vir die voorsittende beampie sigbaar is, in die stembus op die Tafel laat val;
- (e) geen lid wat geregtig is om te stem, mag 'n stembriefie in die stembus laat val wat nie sy eie is nie;

- (f) no member shall enter or leave the Chamber while a ballot is in progress;  
 (g) when all the members entitled to exercise a vote and who desire to vote have done so the presiding officer shall in the presence of the members present examine and count the ballot papers with the assistance of the Secretary of the Territorial Authority or the Assistant Secretary and announce the result of the ballot to the Territorial Authority.

Powers of presiding officer.

3. If the presiding officer is satisfied that—

- (a) a ballot paper does not comply with the provisions of rule 2 he may reject it and proceed with the election or declare the ballot paper or the whole election void, ordering the proceedings for the ballot or the whole election to be begun afresh;  
 (b) the provisions of rule 2 have not been, or are not being, carried out properly in any other respect he may declare a particular ballot or the whole election void, ordering the proceedings for the ballot or the whole election to be begun afresh.

Disposal of ballot papers.

4. After the ballot papers have been counted and the result of the ballot announced, the ballot papers shall be placed in a box which shall be sealed in the presence of the members and kept in the custody of the Secretary of the Territorial Authority for one year and then, unless otherwise directed by the Territorial Authority, the Secretary of the Territorial Authority shall destroy the ballot papers.

## PART II.

### OPENING OF SESSION.

Procedure on first sitting day.

5. On the day fixed for the opening of a session of the Territorial Authority, the members having assembled in the Chamber at the time fixed for the commencement of the sitting, the proceedings shall be conducted in the following order suitably adapted to the needs of the occasion—

- (a) the Chairman, or if no chairman or deputy-chairman had been elected at a previous session of the Territorial Authority, the Secretary of the Territorial Authority shall open the meeting with prayers, in the form prescribed in the Annexure to these rules;  
 (b) the Secretary of the Territorial Authority shall read the notice summoning the Territorial Authority;  
 (c) the Secretary of the Territorial Authority shall read out the names of all members and they shall answer to their names;  
 (d) the members there present shall then make and subscribe before the Commissioner-General or a person designated by the Minister the prescribed oath if they have not already done so at a previous session;  
 (e) the Territorial Authority shall then proceed to the election of a chairman, deputy-chairman, chief councillor and councillors unless such office bearers were elected at a previous session;  
 (f) the Chief Councillor and Councillors shall immediately after their election make and subscribe the prescribed oath;  
 (g) the Territorial Authority shall then adjourn and re-assemble not less than a quarter of an hour before the time fixed for the official opening of the Territorial Authority by the Minister or other person designated by him, and members shall be seated in their places at such time;  
 (h) the Chairman and Deputy-Chairman, accompanied by such other dignitaries as may be arranged shall proceed to the entrance of the Chamber and there await the arrival of the Minister or the person designated by him, and his retinue and shall accompany the Minister or such other person to his seat;  
 (i) no debate shall be allowed to take place on the opening speech but the Chairman may allow a vote of thanks by the Chief Councillor or another member acting on behalf of the Territorial Authority.

Procedure on arrival and departure of the Minister or his delegate.

6. Upon the entry into or departure from the Chamber of the Minister or the person designated by him to perform the opening ceremony, the members shall rise and remain standing in their places until the Minister or his delegate has taken his seat or has left the Chamber, as the case may be.

## PART III.

### MAINTENANCE OF ORDER AND RULES OF DEBATE.

#### *Conduct and Speeches of Members.*

Chairman to maintain order.

7. Order shall be maintained during sittings of the Territorial Authority by the Chairman. His decision on a point of order shall not be open to appeal and shall not be reviewed by the Territorial Authority except on a substantive motion made after notice.

Members to sit down when Chairman rises.

8. When the Chairman rises during proceedings of the Territorial Authority every member shall sit down and members shall be silent so that the Chairman may be heard without interruption.

- (f) geen lid mag die Raadsaal binnekomb of verlaat terwyl 'n stemming gehou word nie;
- (g) sodra alle lede wat geregtig is om te stem en wat wil stem, gestem het, moet die voorzittende beampte, bygestaan deur die Sekretaris van die Gebiedsowerheid of die Assistent-sekretaris, in die teenwoordigheid van die aanwesige lede die stembriefies ondersoek en tel en die uitslag van die stemming aan die Gebiedsowerheid aankondig.

3. Indien die voorsittende beampte oortuig is dat—

- (a) 'n stembriefie nie voldoen aan die vereistes van reglement 2 nie, kan hy dit verwerp en met die verkiesing voortgaan, of die stembriefie of die hele verkiesing nietig verklaar en beveel dat die verrigtings vir die geheime stemming of die hele verkiesing van vooraf begin;
- (b) die bepalings van reglement 2 in enige ander opsig nie behoorlik uitgevoer is of word nie, kan hy enige besondere geheime stemming of die hele verkiesing nietig verklaar en beveel dat die verrigtings vir die geheime stemming of die hele verkiesing van vooraf begin.

4. Nadat die stembriefies getel is en die uitslag van die stemming aangekondig is, moet die stembriefies in 'n bus geplaas word wat in die teenwoordigheid van die lede verseël moet word en in die bewaring van die Sekretaris van die Gebiedsowerheid gehou moet word vir een jaar en dan, tensy die Gebiedsowerheid anders gelas, moet die Sekretaris van die Gebiedsowerheid die stembriefies vernietig.

Bevoegdhede van voorsittende beampte.

Beskikking oor stembriefies.

## DEEL II.

### OPENING VAN SESSIE.

5. Op die vasgestelde dag vir die opening van 'n sessie van die Gebiedsowerheid en nadat die lede vergader is in die Raadsaal op die vasgestelde tyd vir die aanvang van die sitting, word die verrigtings in die volgende volgorde geleei, behoorlik aangepas by die behoeftes van die geleentheid:—

Prosedure op eerste sittingsdag.

- (a) die Voorsitter, of indien 'n voorsitter of ondervoorsitter nie by 'n vorige sessie van die Gebiedsowerheid verkies is nie, die Sekretaris van die Gebiedsowerheid, open die byeenkoms met gebed, in die vorm voorgeskryf in die aanhangsel van hierdie reglemente;
- (b) die Sekretaris van die Gebiedsowerheid lees die kennisgewing wat die Gebiedsowerheid byeenroep;
- (c) die Sekretaris van die Gebiedsowerheid lees die name van alle lede en hulle antwoord wanneer hulle name gelees word;
- (d) die lede daar teenwoordig, moet dan voor die Kommissaris-generaal, of die persoon deur die Minister aangewys, die voorgeskrewe eed aflê en onderteken indien hulle dit nie reeds by 'n vorige sessie afgelê het nie;
- (e) die Gebiedsowerheid gaan daarna oor tot die verkiesing van 'n voorsitter, ondervoorsitter, hoofraadslid en raadslede tensy dié ampsdraers by 'n vorige sessie verkies was;
- (f) onmiddellik na hul verkiesing moet die Hoofraadslid en Raadslede die voorgeskrewe eed aflê en onderteken;
- (g) die Gebiedsowerheid verdaag daarna en kom weer byeen nie later nie dan 'n kwartier voor die vasgestelde tyd vir die ampelike opening van die Gebiedsowerheid deur die Minister of ander persoon deur hom aangewys, en lede moet op hierdie tydstip hulle sitplekke ingeneem het;
- (h) die Voorsitter en Ondervoorsitter, vergesel van sodanige ander hoogwaardigheidsbekleërs soos gereël is, gaan na die ingang van die Raadsaal waar hulle wag op die aankoms van die Minister, of die persoon deur hom aangewys, en sy gevolg, en vergesel die Minister of sodanige ander persoon na sy sitplek;
- (i) geen debat word toegelaat oor die openingsrede nie maar die Voorsitter mag 'n mosie van dank deur die Hoofraadslid of 'n ander lid handelende namens die Gebiedsowerheid, toelaat.

6. By die binnekoms in of vertrek uit die Raadsaal van die Minister of die persoon deur hom aangewys om die openingseremonie waar te neem, staan die lede en bly hulle staande op hulle plekke, totdat die Minister of sy afgevaardigde sy sitplek ingeneem of die Raadsaal verlaat het, na gelang van die geval.

Prosedure by aankoms en vertrek van die Minister of sy afgevaardigde.

## DEEL III.

### HANDHAWING VAN ORDE EN REGLEMENTE VAN DEBAT.

#### *Gedrag en toesprake van Lede.*

7. Orde moet tydens sittings van die Gebiedsowerheid deur die Voorsitter gehandhaaf word. Sy beslissing oor 'n punt van orde is nie onderworpe aan appèl en mag nie deur die Gebiedsowerheid hersien word nie behalwe na 'n substantiewe mosie ingedien na kennisgewing.

Voorsitter moet orde handhaaf.

8. Wanneer die Voorsitter gedurende die verrigtings van die Gebiedsowerheid opstaan, moet elke lid gaan sit en lede moet stil bly sodat die Voorsitter ongestoord gehoor kan word.

Lede moet sit wanneer Voorsitter opstaan.

Members to  
be equal.

9. A member who is a Councillor or chief may not claim preferential treatment at sittings by virtue of his hereditary or other position and such members shall set an example to other members in their respect and obedience to the Chair and in maintaining the order and dignity of the Territorial Authority and the proceedings thereof.

Members to  
speak standing.

10. A member shall speak standing and shall address his observations to the Chair.

Chairman to  
select speaker.

11. If two or more members rise at the same time to speak the Chairman shall select one member and call on him to speak.

Members not  
speaking to  
be seated.

12. When a member has finished speaking he shall resume his seat and any other member wishing to speak shall rise.

Matters on  
which members  
may speak.

13. A member may address the Territorial Authority on the motion before the Territorial Authority or upon any amendment proposed thereto, or upon a question or amendment to be proposed by himself, or upon a question of order arising out of debate, but not otherwise.

Number of  
times members  
may speak.

14. (1) No member shall address the Territorial Authority more than once on a motion, except in explanation or reply, such explanation being allowed only in case a material part of his speech has been misquoted or misunderstood, but he may not introduce any new matter and no debate shall be allowed on such explanation.

(2) By the indulgence of the Territorial Authority a member may explain matters of a personal nature although there be no question before the Territorial Authority, and he must confine himself strictly to the vindication of his own conduct.

Duration of  
speeches.

15. Except in the case of the Chief Councillor and Councillors no member may exceed thirty minutes in speaking to any motion.

Right of introducer  
of motion to reply  
to debate.

16. Notwithstanding the provisions of rules 13 to 15, inclusive, a reply shall be allowed to a member who has moved a motion and such reply shall close the debate.

Form of  
address.

17. During proceedings of the Territorial Authority members shall refer to one another as the honourable member (stating the member's name) or the honourable chief (stating the chief's name).

Member not  
to read his  
speech.

18. A member may not read his speech but he may read extracts from books or papers in support of his argument and refresh his memory by reference to notes.

Conduct of  
members during  
sittings.

19. During a sitting a member shall—

- (a) enter or leave the Chamber with decorum;
- (b) in the case of a male be uncovered while in the Chamber;
- (c) bow to the Chair when entering or leaving the Chamber or passing to or from his place;
- (d) not pass between the Chair and any member addressing the Territorial Authority;
- (e) not address the Chairman by name but as "Mr. Chairman";
- (f) not cross the floor of the Chamber unnecessarily;
- (g) when crossing from one side of the Chamber to the other, pause in the centre and bow to the Chair;
- (h) not read newspapers, books, letters or other documents except such matter therein as may be directly connected with the business then under consideration;
- (i) while a member is speaking be silent and not make unseemly interruptions;
- (j) when called to order by the Chairman immediately resume his seat; and
- (k) when the Territorial Authority adjourns keep his place until the Chairman has left the Chair.

When interruptions  
may be made.

20. A member shall not interrupt the speech of another member except—

- (a) by rising to a point of order, when the member speaking shall resume his seat and the member interrupting shall simply direct attention to the point which he wishes to bring to notice and submit it to the Chairman for decision; or
- (b) to put a relevant question to the speaker with the consent of the Chairman.

Speeches to  
be relevant.

21. A member shall restrict his observations to the subject under discussion and shall not introduce matters irrelevant to that subject.

Pending  
lawsuit  
privileged.

22. Reference shall not be made to a case pending in a court of law in such a way as, in the opinion of the Chairman, might prejudice that case.

Questions on  
which decision  
taken out of order.

23. (1) It shall be out of order to attempt to reconsider a specified question on which the Territorial Authority has taken a decision during any previous session, except on a substantive motion to rescind that decision, made with the permission of the Chairman.

9. 'n Lid wat 'n raadslid of kaptein is, mag nie voorkeurbehandeling by sittings eis nie op grond van sy erfregtelike of ander posisie en sodanige lede moet 'n voorbeeld stel vir ander lede deur hulle eerbiedigheid en gehoorsaamheid aan die Stoel en in die handhawing van die orde en die waardigheid van die Gebiedsowerheid en die verrigtings daarvan.

Lede is gelyk.

10. Elke lid staan as hy praat en rig sy opmerkings tot die Stoel.

Lede praat staande.

11. Indien twee of meer lede gelyk opstaan om te praat, kies die Voorsitter een lid en versoek hom om te praat.

Voorsitter kies spreker.

12. 'n Lid wat klaar gepraat het, moet sit en enige lid wat wil praat, moet opstaan.

'n Lid wat nie praat nie moet sit.

13. 'n Lid mag die Gebiedsowerheid toespreek oor die mosie voor die Gebiedsowerheid of oor enige amendement daarop voorgestel, of oor 'n vraag of amendement wat hy self wil voorstel, of oor 'n punt van orde voortspruitende uit die debat, maar anders nie.

Sake waaroor lede kan praat.

14. (1) Geen lid mag die Gebiedsowerheid meer as eenmaal oor 'n mosie toespreek nie, behalwe by wyse van verduideliking of repliek, sodanige verduideliking word toegelaat slegs in geval 'n wesentlike deel van 'n lid se toespraak verkeerd aangehaal of misverstaan is, maar hy mag geen nuwe saak ter sprake bring nie en oor sodanige verduideliking word geen debat toege-laat nie.

Getal kere wat lede mag praat.

(2) Met die vergunning van die Gebiedsowerheid mag 'n lid sake van 'n persoonlike aard verduidelik hoewel daar geen vraag voor die Gebiedsowerheid is nie en hy moet hom streng bepaal by die regverdiging van sy eie gedrag.

15. Behalwe in die geval van die Hoofraadslid of Raadslede mag geen lid langer as dertig minute oor enige mosie praat nie.

Beperking van toespraak.

16. Niteenstaande die bepalings van reglemente 13 tot en met 15 moet die indiener van 'n mosie die geleentheid gegun word om repliek te lewer, en sodanige repliek sluit die debat.

Reg van indiener van mosie om repliek op debat te lewer.

17. Gedurende verrigtings van die Gebiedsowerheid moet lede na mekaar verwys as die agbare lid (die naam van die lid moet vermeld word) of die agbare kaptein (die naam van die kaptein moet vermeld word).

Aansprek-vorm.

18. 'n Lid mag sy toespraak nie voorlees nie, maar hy mag uittreksels uit boeke of dokumente ter stawing van sy argument voorlees en sy geheue opfris deur aantekeninge te raadpleeg.

Lid mag sy toespraak nie voorlees nie.

19. Gedurende 'n sitting moet 'n lid—

Gedrag van lede tydens sittings.

- (a) die Raadsaal binnekomb verlaat met dekorum;
- (b) in die geval van 'n man bloop hoof wees terwyl hy in die Raadsaal is;
- (c) 'n buiging voor die Stoel maak wanneer hy die Raadsaal binnekomb verlaat, of wanneer hy na of van sy sitplek gaan;
- (d) nie tussen die Stoel en 'n lid wat die Gebiedsowerheid toespreek, verbygaan nie;
- (e) nie die Voorsitter by sy naam noem nie maar hom aanspreek as „mnr. die Voorsitter”;
- (f) nie onnodig oor die vloer van die Raadsaal stap nie;
- (g) wanneer hy van een deel van die Raadsaal na 'n ander gaan, in die middel stilstaan en 'n buiging voor die Stoel maak;
- (h) nie nuusblaai, boeke, brieve of ander dokumente lees nie, behalwe sodanige stof daarin as wat regstreeks in verband staan met die aangeleentheid dan onder oorweging;
- (i) stilbly terwyl 'n ander lid aan die woord is, en hom nie onnodig in die rede val nie;
- (j) wanneer hy deur die Voorsitter tot orde geroep is, dadelik gaan sit; en
- (k) wanneer die Gebiedsowerheid verdaag, in sy sitplek bly totdat die Voorsitter die Stoel verlaat het.

20. Geen lid mag 'n ander lid wat aan die woord is, in die rede val nie, behalwe—

Wanneer lede in die rede gevall word.

- (a) wanneer hy oor 'n punt van orde opstaan, en dan moet die lid wat aan die woord was gaan sit, en die lid wat opgestaan het, moet slegs die punt noem waarop hy die aandag wil vestig en dit aan die Voorsitter voorlê vir sy beslissing; of
- (b) om 'n tersaaklike vraag aan die spreker te stel met die toestemming van die Voorsitter.

21. 'n Lid moet sy opmerkings oor die onderwerp in bespreking beperk, en mag geen sake wat nie op hierdie onderwerp betrekking het, byhaal nie.

Toespraak moet tersake wees.

22. Geen verwysing na enige saak waaroor 'n beslissing van 'n gereghof hangende is, mag op sodanige wyse gemaak word dat dit volgens die mening van die Voorsitter daardie saak kan benadeel nie.

Hangende hofsaak geprivilegiéerd.

23. (1) Dit is buite die orde om te poog om enige spesifieke vraag ten opsigte waarvan die Gebiedsowerheid tydens enige vorige sessie 'n besluit geneem het, te heroorweeg, behalwe na 'n substantiewe mosie om daardie besluit te herroep, ingedien met die toestemming van die Voorsitter.

Vrae wat reeds beslis is buite die orde.

(2) No motion or amendment shall be proposed which is the same in substance as any motion which during the same session has been resolved in the affirmative or negative, but the order or resolution may be rescinded by motion after notice.

Insulting language out of order.

24. It shall be out of order to use offensive and insulting language about members of the Territorial Authority.

Imputation of improper motives out of order.

25. A member shall not impute improper motives to another member.

Personal charges out of order.

26. A member shall not make a personal charge or use offensive or unbecoming words in reference to any member of the Territorial Authority.

Offensive expressions about Territorial Authority out of order.

27. A member shall not use offensive expressions about the conduct or proceedings of the Territorial Authority.

Procedure on alleged improper conduct.

28. The personal conduct or any alleged improper motives of a member shall not be referred to except on a substantive motion moved for that purpose.

Names of State President, Ministers or Commissioner-General not to be used.

29. (1) The name of the State President, any Minister or the Commissioner-General shall not be used to influence the Territorial Authority.

(2) A member shall not publicly address a Minister, the Commissioner-General or any other dignitary not being a member of the Territorial Authority or any public servant or officer or employee of the Territorial Authority or member of the public who may be present during proceedings of the Territorial Authority in accommodation assigned to them.

Conduct of State President and others not to be referred to.

30. (1) The conduct of the State President, the Cabinet of the Republic, the Commissioner-General, a Judge of the Supreme Court or other persons performing judicial functions, shall not be referred to or reflected upon.

(2) A member shall not use treasonable or seditious words or use the name of the State President irreverently.

Rules for member addressing Territorial Authority.

31. A member shall not—

- (a) refer to debates of the same session upon any question or matter not then under discussion except by the indulgence of the Territorial Authority for personal explanation;
- (b) anticipate the discussion of any other subject which appears on the Order Paper: Provided that in determining whether a discussion is out of order on the ground of anticipation regard shall be had by the Chairman to the probability of the matter being brought before the Territorial Authority within a reasonable time;
- (c) refer to the proceedings and report of a select committee or other committee until such proceedings and report have been presented to the Territorial Authority.

Irrelevance or repetition.

32. The Chairman, after having called the attention of the Territorial Authority to the conduct of a member who persists in irrelevance or tedious repetition of his own or other members' arguments in debate, may direct him to discontinue his speech and resume his seat.

Disorderly conduct of member.

33. The Chairman shall order a member whose conduct is grossly disorderly to withdraw immediately from the sitting of the Territorial Authority for the remainder of that Day's sitting and the orderly of the Territorial Authority shall act on orders received by him from the Chair to ensure compliance with this order.

Disorderly Conduct: Censure by Territorial Authority.

34. (1) A member who—

- (a) disregards the authority of the Chair;
- (b) uses objectionable words and not explaining or retracting them or offering any satisfactory apologies for the use thereof;
- (c) having been called to order by the Chairman refuses to resume his seat;
- (d) disregards, abuses or fails to observe the rules of the Territorial Authority; or
- (e) wilfully obstructs the business of the Territorial Authority,

shall forthwith on request by the Chairman be censured by the Territorial Authority.

(2) Any member against whom action was taken by the Chairman or the Territorial Authority under the provisions of this rule and rule 33 shall forfeit for that day any allowances payable to him by reason of his being a member of the Territorial Authority.

(2) Geen mosie of amendement mag voorgestel word wat in wese dieselfde is as enige mosie wat gedurende dieselfde sessie aangeneem of verwerp is nie, maar die orde of beslissing mag by mosie na kennisgewing herroep word.

24. Dit is buite die orde om aanstootlike en beleidende taal omtrent lede van die Gebieds-owerheid te gebruik.

25. 'n Lid mag nie onbehoorlike motiewe aan 'n ander lid toeskryf nie.

Beledigende taal buite die orde.

26. 'n Lid mag nie 'n persoonlike aanval maak, of aanstootlike of onbetaamlike taal ten opsigte van enige lid van die Gebiedsowerheid gebruik nie.

Toeskrywing van onbehoorlike motiewe buite die orde.

27. 'n Lid mag nie aanstootlike uitdrukings oor die bestuur of verrigtings van die Gebieds-owerheid gebruik nie.

Aanstootlike uitdrukings omtrent die Gebiedsowerheid buite die orde.

28. Daar mag nie verwys word na die persoonlike gedrag of enige beweerde onbehoorlike motiewe van 'n lid nie, behalwe na 'n substantiewe mosie vir daardie doel ingedien.

Procedure by beweerde onbehoorlike gedrag.

29. (1) Die naam van die Staatspresident, enige Minister of die Kommissaris-generaal mag nie gebruik word om die Gebiedsowerheid te beïnvloed nie.

Name van Staatspresident, Ministers of Kommissaris-generaal mag nie gebruik word nie.

(2) 'n Lid mag nie in die openbaar 'n Minister, die Kommissaris-generaal of enige ander hoogwaardigheidsbekleer wat nie 'n lid van die Gebiedsowerheid is nie, of enige staatsamptenaar of amptenare of werknemer van die Gebiedsowerheid of lid van die publiek wat in aangewese aanplekke teenwoordig mag wees, in die Gebiedsowerheid gedurende die verrigtings daarvan, aanspreek nie.

Gedrag van Staatspresident en ander mag nie na verwys word nie.

30. (1) Die gedrag van die Staatspresident, die Kabinet van die Republiek, die Kommissaris-generaal, 'n Regter van die Hooggereghof of ander persone wat regtelike pligte uitvoer, mag nie na verwys word of in 'n ongunstige lig gestel word nie.

Reglemente vir lid wat Gebieds-owerheid toespreek.

(2) 'n Lid mag nie verraderlike of oproerige taal gebruik of die naam van die Staatspresident oneerbiediglik gebruik nie.

31. 'n Lid mag nie—

- (a) na enige debat van dieselfde sessie oor enige onderwerp of saak wat op die oomblik nie in bespreking is, verwys nie, behalwe met vergunning van die Gebiedsowerheid terwille van 'n persoonlike verduideliking;
- (b) die bespreking van enige ander onderwerp wat op die ordepapier voorkom, vooruitloop nie: Met dien verstande dat wanneer die Voorsitter moet beslis of 'n bespreking buite die orde is weens vooruitloping, hy in ag neem of dit waarskynlik is dat die saak wat vooruitgeeloop word, binne 'n redelike tyd voor die Gebiedsowerheid gebring sal word;
- (c) na die verrigtings en verslag van 'n gekose komitee of ander komitee verwys nie alvorens sodanige verrigtings en verslag aan die Gebiedsowerheid voorgelê is nie.

Ontoepaslikheid en herhaling.

32. Nadat die Voorsitter die aandag van die Gebiedsowerheid gevëstig het op die gedrag van 'n lid wat volhou om aangeleenthede wat nie ter sake is nie, te bespreek of om sy eie argumeente of dié van ander lede tot vervelens toe te herhaal, kan hy die lid gelas om sy toespraak te staak en sy sitplek in te neem.

33. Die Voorsitter moet 'n lid wie se gedrag uiterst wanordelik is, gelas om onmiddellik die sitting van die Gebiedsowerheid vir die res van die sittingsdag te verlaat en die ordonnans van die Gebiedsowerheid handel ooreenkomsdig bevele wat hy van die Stoel mag ontvang om te verseker dat daar aan die bevel voldoen word.

Wanordelike gedrag van lid.

34. (1) 'n Lid wat—

- (a) die gesag van die Stoel verontagsaam;
- (b) aanstootlike woorde gebruik en dit nie verduidelik of terugtrek of bevredigende ver-skoning vir die gebruik daarvan vra nie;
- (c) deur die Voorsitter tot orde geroep word en weier om te gaan sit;
- (d) die reglemente van die Gebiedsowerheid verontagsaam, misbruik of versuum om hulle na te kom; of
- (e) opsetlik die werkzaamhede van die Gebiedsowerheid belemmer, moet onverwyld deur die Gebiedsowerheid op versoek van die Voorsitter gesensureer word.

Wanordelike gedrag sensuur deur Gebiedsowerheid.

(2) Enige lid teen wie daar deur die Voorsitter of die Gebiedsowerheid kragtens die bepalings van hierdie reglement en reglement 33 opgetree is, verbeur vir daardie dag enige toelae aan hom betaalbaar op grond daarvan dat hy 'n lid van die Gebiedsowerheid is.

Chairman's powers to adjourn Territorial Authority or suspend sitting.

Languages to be used.

Secretary of the Territorial Authority.

Control of Staff.

Duties of Secretary of the Territorial Authority.

Journals of Territorial Authority.

Secretary of the Territorial Authority to have custody of papers.

Rights of members as to papers.

Duties of Secretary of the Territorial Authority regarding regulation of business.

Secretary of the Territorial Authority to arrange for report of speeches.

Staff for select and other committees.

Sitting days.

Adjournments.

35. In the case of great disorder arising in the Territorial Authority the Chairman may adjourn the Territorial Authority or suspend any sitting for a period not exceeding twenty-four hours.

#### PART IV.

##### LANGUAGES.

36. Speeches shall be delivered either in Tswana, Afrikaans or English and speeches shall be interpreted from one language into one or more of the aforementioned languages if the Chairman so directs.

#### PART V.

##### OFFICERS: RECORDS AND PAPERS.

37. The Executive Council shall appoint an officer of the Tswana Territorial Authority Service as Secretary of the Territorial Authority.

38. The Secretary of the Territorial Authority and all clerks, interpreters, guards, messengers or Chamber officials who may be employed in connection with the business of the Territorial Authority shall for the period of such employment be attached to the Department of Authority Affairs and Finance and perform their duties under the general directions and control of the Chief Director.

39. The Secretary of the Territorial Authority shall be responsible for the noting of Votes and Proceedings, and these, after being passed by the Chairman, shall be made available to members on the next sitting day.

40. The Votes and Proceedings so made available in Tswana, Afrikaans and English shall constitute the journals of the Territorial Authority.

41. The Secretary of the Territorial Authority shall have the custody of all Votes and Proceedings, records, or other documents belonging to the Territorial Authority and he shall neither take nor permit to be taken such Votes and Proceedings, records or other documents from the chamber or offices without the express leave or order of the Territorial Authority: Provided that in the event of the Territorial Authority being adjourned for any period longer than one week such leave may be given by the Chief Councillor, the matter being reported to the Territorial Authority at its next sitting.

42. Every member of the Territorial Authority shall be entitled to read or make extracts from or copies of all papers laid upon the Table of the Territorial Authority.

43. The Secretary of the Territorial Authority shall be responsible to the Chairman for the regulation of all matters connected with the day to day business of the Territorial Authority unless otherwise provided for in these rules.

44. The Secretary of the Territorial Authority shall be responsible for the production of any verbatim report as set out in regulation 41 (2) of the Tswana Territorial Authority regulations.

45. Subject to the necessary funds being available the Secretary of the Territorial Authority acting under the direction of the Chief Director shall be responsible for providing select and other committees where deemed necessary with the necessary clerical staff or shorthand writer whenever committees of the Territorial Authority wish to take oral evidence.

#### PART VI.

##### DAYS AND HOURS OF SITTINGS AND ADJOURNMENTS.

46. The Territorial Authority shall sit on Mondays, Tuesdays, Wednesdays, Thursdays and Fridays only, but shall not sit on a public holiday: Provided that the Territorial Authority may on a motion moved by a Councillor and adopted by the Territorial Authority sit on any other day except Sundays, named in the motion.

47. Every adjournment of the Territorial Authority shall be till the next sitting day unless the Territorial Authority has decided, on a motion moved by a Councillor, to adjourn to a later day or *sine die*.

35. Ingeval groot wanordelikheid in die Gebiedsowerheid ontstaan, mag die Voorsitter die Gebiedsowerheid verdaag of enige sitting opskort vir 'n tydperk vier-en-twintig uur nie te bowe gaan nie.

Voorsitter se bevoegdhede om Gebiedsowerheid te verdaag of sitting op te skort.

#### DEEL IV.

##### TALE.

36. Toesprake moet in Tswana, Afrikaans of Engels gelewer word, en toesprake moet uit die een taal in een of meer van die voornoemde tale getolk word indien die Voorsitter aldus gelas.

Tale wat gebruik moet word.

#### DEEL V.

##### BEAMPTES: REKORDS EN PAPIERE.

37. Die Uitvoerende Raad moet 'n beampte van die Tswana Gebiedsowerheidsdiens as Sekretaris van die Gebiedsowerheid aanstel.

Sekretaris van die Gebiedsowerheid.

38. Die Sekretaris van die Gebiedsowerheid en alle klerke, tolke, wagte, bodes of raadsaalbeamptes wat in diens geneem mag word in verband met die werksaamhede van die Gebiedsowerheid, ressorteer gedurende die tydperk van sodanige diens onder die Departement van Owerheid-sake en Finansies en voer hulle pligte uit onder die algemene bevele en beheer van die Hoofdirekteur.

Beheer van personeel.

39. Die Sekretaris van die Gebiedsowerheid is verantwoordelik vir die aantekening van Notule wat, nadat dit deur die Voorsitter goedgekeur is, beskikbaar gestel moet word aan lede op die volgende sittingsdag.

Pligte van die Sekretaris van die Gebiedsowerheid.

40. Die Notule aldus beskikbaar gestel in Tswana, Afrikaans en Engels maak die joernale van die Gebiedsowerheid uit.

Joernale van Gebiedsowerheid.

41. Al die Notule, rekords of ander dokumente wat aan die Gebiedsowerheid behoort, moet in die bewaring van die Sekretaris van die Gebiedsowerheid wees, en hy mag nie sodanige Notule, rekords of ander dokumente uit die Raadsaal of kantore neem of toelaat dat dit geneem word sonder die uitdruklike verlof of bevel van die Gebiedsowerheid nie: Met dien verstande dat, in geval die Gebiedsowerheid vir 'n tydperk van langer as een week verdaag, sodanige verlof deur die Hoofraadslid gegee mag word en hierdie saak word dan aan die Gebiedsowerheid by die volgende sitting daarvan gerapporteer.

Sekretaris van Gebiedsowerheid moet besit van papiere hê.

42. Elke lid van die Gebiedsowerheid is geregtig om alle papiere wat ter Tafel van die Gebiedsowerheid gelê word, te lees, of uittreksels daaruit of afskrifte daarvan te maak.

Regte van lede ten opsigte van papiere.

43. Die Sekretaris van die Gebiedsowerheid is aan die Voorsitter verantwoordelik vir die reëling van alle sake betreffende die van-dag-tot-dag-werksaamhede van die Gebiedsowerheid, tensy anders in hierdie Reglement voorgeskryf.

Pligte van Sekretaris van Gebiedsowerheid in verband met reëling van werksaamhede van Gebiedsowerheid.

44. Die Sekretaris van die Gebiedsowerheid is verantwoordelik vir die voortbrenging van enige *verbatim* verslag soos uiteengesit in regulasie 41 (2) van die Tswana Gebiedsowerheidsregulasies.

Sekretaris van Gebiedsowerheid reël vir verslag van toesprake.

45. Mits die nodige fondse beskikbaar gemaak word, is die Sekretaris van die Gebiedsowerheid, handelende kragtens die opdrag van die Hoofdirekteur, verantwoordelik om waar dit nodig geag word gekose en ander komitees van die nodige klerklike personeel of stenograaf te voorsien wanneer ook al komitees van die Gebiedsowerheid verlang om mondeline getuenis af te neem.

Personnel vir gekose en ander komitees.

#### DEEL VI.

##### DAE EN URE VAN SITTINGS EN VERDAGINGS.

46. Die Gebiedsowerheid sit net op Maandae, Dinsdae, Woensdae, Donderdae en Vrydae, maar sit nie op 'n openbare vakansiedag nie: Met dien verstande dat die Gebiedsowerheid op 'n mosie ingedien deur 'n Raadslid en aangeneem deur die Gebiedsowerheid, op enige ander dag behalwe Sondae in die mosie genoem, mag sit.

Sittingsdae.

47. Elke verdaging van die Gebiedsowerheid is tot die volgende sittingsdag tensy die Gebiedsowerheid op 'n mosie ingedien deur 'n Raadslid besluit om te verdaag tot 'n latere dag of *sine die*.

Verdagings.

Times of  
sittings.

48. Unless the Territorial Authority resolves otherwise, it shall sit—  
 (a) on Monday, Tuesday, Wednesday and Thursday from 10 a.m. until 5 p.m.; and  
 (b) on Friday from 10 a.m. until 1 p.m.:

Provided that the Chairman shall in his discretion and after consultation with the Councillor in charge of any matter under discussion, suspend the business of the Territorial Authority temporarily for meals or other refreshments: Provided further that the Territorial Authority may on adoption of a motion by a Councillor and to be decided immediately without amendment or debate shorten or prolong the sitting having regard to the amount of business to be despatched or to the circumstances prevailing at the time.

## PART VII.

### QUORUM.

Procedure when  
quorum not  
present.

49. If the Chairman finds that a quorum as provided in regulation 3 (2) of the Tswana Territorial Authority regulations is not present he shall direct that members be summoned by the ringing of the bells, during which period the proceedings of the Territorial Authority shall be automatically suspended. If after two minutes he is satisfied that a quorum is not present he shall adjourn the Territorial Authority forthwith until the next sitting day.

Ballot invalid  
if appears there  
is no quorum.

50. If from the number of members taking part in a ballot, it appears that a quorum is not present, the ballot shall be invalid, the questions on which it is held shall stand over until the next sitting day, and the procedure prescribed in rule 49 shall be followed.

## PART VIII.

### MOTIONS.

Definition of  
motions.

51. (1) A self-contained proposition which a member wishes to put forward for the consideration of the Territorial Authority shall be termed a motion.

(2) A motion other than—

- (a) a motion for the adjournment of the Territorial Authority; or  
 (b) a motion for the adjournment of a debate, shall be termed a substantive motion.

(3) No substantive motion shall be mandatory but merely a recommendation and every substantive motion to be moved in the Territorial Authority shall be prefaced by the words "that in the opinion of this Territorial Authority the Executive Council should consider the advisability of —".

(4) Motions referred to in subrule (3) shall be considered by the Territorial Authority which may approve, amend or reject such motions as it may deem fit.

Notice for moving  
substantive  
motion.

52. Notices of substantive motions shall be forwarded by the Regional Authority to the Secretary of the Territorial Authority to reach him not less than sixty-three days before the date fixed for the first sitting day of a session of the Territorial Authority.

Method of  
giving notice of  
substantive  
motion.

53. Notice of a substantive motion shall be given by the delivery of a copy of the motion in writing to the Secretary of the Territorial Authority. The notice shall be signed by the member wishing to make the motion.

Powers of  
Executive Council  
as to substantive  
motions.

54. (1) A notice of a substantive motion shall be submitted to the Executive Council who shall direct—

- (a) that it be placed on the Order Paper in the terms in which it was handed in; or  
 (b) that it be placed on the Order Paper with such alterations as the Executive Council may direct; or  
 (c) that it be returned to the regional authority concerned as being out of order.

(2) The regional authority concerned shall be advised not less than twenty-eight days before the date fixed for the first sitting day of a session of the Territorial Authority of all decisions taken by the Executive Council in terms of subrule (1).

Urgent motions.

55. Notwithstanding anything to the contrary contained in rules 52 and 54 (2) a motion may, in the case of matters of exceptional importance and extreme urgency arising during a session of the Territorial Authority, with the prior consent of the Executive Council, be introduced in the Territorial Authority.

Procedure on  
moving a motion.

56. (1) A member called upon by the Chairman to move a motion shall rise in his place, move the motion and make such remarks as he may wish.

(2) Every motion moved shall require seconding unless otherwise provided in these rules. If a motion is not seconded it lapses.

(3) When a motion has been moved, and if necessary seconded, the Chairman shall read it or cause it to be read and allow it to be discussed by the Territorial Authority. Debate may then take place on that motion and may continue subject to these rules being observed so long as any member who is entitled to speak wishes to speak.

## 48. Tensy die Gebiedsowerheid anders besluit sit dit—

Tye van  
sittings.

(a) op Maandag, Dinsdag, Woensdag en Donderdag vanaf 10 v.m. tot 5 n.m.; en

(b) op Vrydag vanaf 10 v.m. tot 1 n.m.:

Met dien verstande dat die Voorsitter, volgens sy diskresie, en ná beraadslaging met die Raadslid in beheer van enige aangeleenthed in bespreking, die verrigtings van die Gebiedsowerheid tydelik moet opskort vir maaltye of ander verversings: Met dien verstande voorts dat die Gebiedsowerheid na aanname van 'n mosie ingedien deur 'n Raadslid en wat dadelik sonder amendement of debat beslis word, 'n sitting mag verkort of verleng na gelang van die hoeveelheid werk om af te handel of die heersende omstandighede op die tydstip.

## DEEL VII.

## KWORUM.

49. As die Voorsitter bevind dat daar nie 'n kworum soos bepaal in regulasie 3 (2) van die Tswana Gebiedsowerheidsregulasies teenwoordig is nie moet hy opdrag gee dat lede ontbied word deur die klokke te lui, tydens welke periode die verrigtings van die Gebiedsowerheid outomaties opgeskort word. Indien hy na twee minute oortuig is dat 'n kworum nie aanwesig is nie, verdaag hy die Gebiedsowerheid onverwyld tot die volgende sittingsdag.

Prosedure as  
daar geen  
kworum is nie.

50. As dit blyk uit die getal lede wat deelneem aan 'n stemming, dat daar nie 'n kworum is nie, is die stemming ongeldig en staan die vraag waaroor gestem is oor tot die volgende sittingsdag en die prosedure voorgeskryf by reglement 49 word dan gevolg.

Stemming  
ongeldig as  
dit blyk dat  
daar geen  
kworum is nie.

## DEEL VIII.

## MOSIES.

51. (1) 'n Onafhanklike voorstel wat 'n lid wil indien vir oorweging van die Gebiedsowerheid word 'n mosie genoem.

Definisie  
van mosie.

(2) 'n Ander mosie as—

- (a) 'n mosie vir die verdaging van die Gebiedsowerheid; of
- (b) 'n mosie vir die verdaging van 'n debat,

word 'n substantiewe mosie genoem.

(3) Geen substantiewe mosie is bevelend nie maar slegs 'n aanbeveling en elke substantiewe mosie wat ingedien staan te word in die Gebiedsowerheid word voorafgegaan deur die woorde „dat volgens die mening van hierdie Gebiedsowerheid die Uitvoerende Raad oorweging behoort te skenk aan die wenslikheid van . . .”

(4) Die Gebiedsowerheid oorweeg mosies waarna in subreglement (3) verwys word en mag sodanige mosies na goeddunke goedkeur, wysig of verworp.

52. Kennisgewing van 'n substantiewe mosie moet aan die Sekretaris van die Gebiedsowerheid gestuur word om hom te bereik nie later nie as drie-en-sestig dae voor die vasgestelde datum van die eerste sittingsdag van 'n sessie van die Gebiedsowerheid.

Kennisgewing  
van indiening  
van substani-  
tiewe mosie.

53. Kennis van 'n substantiewe mosie moet gegee word deur die indiening van 'n afskrif van die skriftelike mosie by die Sekretaris van die Gebiedsowerheid. Die kennisgewing moet geteken wees deur die lid wat die mosie wil indien.

Metode van  
kennisgewing  
van substani-  
tiewe mosie.

54. (1) 'n Kennisgewing van 'n substantiewe mosie word aan die Uitvoerende Raad voorgelê wat beveel—

Bevoegdhede  
van Uitvoerende  
Raad ten  
opsigte van  
substani-  
tiewe mosies.

- (a) dat dit op die Ordepapier geplaas word soos dit bewoord is by inlewering; of

- (b) dat dit op die Ordepapier geplaas word met sodanige wysigings as wat die Uitvoerende Raad mag voorskryf; of

- (c) dat dit na die betrokke streeksowerheid teruggestuur word as buite die orde.

(2) Die betrokke streeksowerheid moet nie later nie as agt-en-twintig dae voor die vasgestelde datum vir die eerste sittingsdag van 'n sessie van die Gebiedsowerheid in kennis gestel word van al die besluite geneem deur die Uitvoerende Raad ingevolge subreglement (1).

55. Ondanks enige andersluidende bepaling in reglemente 52 en 54 (2) mag 'n mosie, ingeval van sake van buitengewone belangrikheid en van uiterste dringendheid wat tydens 'n sessie van die Gebiedsowerheid ontstaan, met die vooraf toestemming van die Uitvoerende Raad in die Gebiedsowerheid ingedien word.

Dringende  
mosies.

56. (1) 'n Lid wat deur die Voorsitter versoek word om 'n mosie in te dien, staan in sy plek op, dien die mosie in en maak sodanige opmerkings as wat hy wens te maak.

Prosedure  
by die indiening  
van 'n mosie.

(2) Elke mosie ingedien moet gesekondeer word tensy anders in hierdie reglemente bepaal. As 'n mosie nie gesekondeer word nie, verval dit.

(3) Wanneer 'n mosie ingedien is en, indien nodig, gesekondeer is, lees die Voorsitter dit uit, of laat dit uitlees, en laat toe dat dit bespreek word deur die Gebiedsowerheid. Die mosie mag dan gedebatteer word en die debat mag, onderworpe aan die nakoming van hierdie reglemente, so lank aanhou as wat enige lid wat die reg het om te praat, nog wil praat.

(4) When no more members wish or are entitled to speak the Chairman shall put the motion to the Territorial Authority for its decision.

(5) When an amendment or amendments have been proposed to a motion the Chairman shall put the amendments and after all amendments have been disposed of, again read and put the original motion or if it has been amended the motion as amended, so as to enable the members to be fully acquainted with the terms thereof.

(6) The order in which amendments shall be put shall be in the discretion of the Chairman.

Amendments to motions:  
Procedure.

57. (1) A member who has risen to speak on a motion may propose an amendment to that motion.

(2) An amendment shall require seconding.

(3) An amendment may take one of the following forms:—

(a) to leave out one or more words of the motion;

(b) to insert one or more words in the motion;

(c) to insert one or more words at the end of the motion; or

(d) to substitute certain other words for certain words contained in the motion.

Amendments to be in writing.

58. (1) An amendment proposed shall be in writing and shall be brought to the Chair by the mover and handed to the Chairman who shall read the text to the Territorial Authority. Debate may then take place on that amendment.

(2) Members may propose more than one amendment to a motion under discussion but a proposal to further amend a proposed amendment shall be out of order.

Withdrawal of motions.

59. (1) A motion or an amendment may be withdrawn at the request of the mover by leave of the Territorial Authority before the question has been fully put thereon. A motion or amendment which has been withdrawn may be proposed again if, in the case of a motion, notice is given.

(2) A notice of motion or an amendment on the Order Paper may be removed at any time before it is moved by the member concerned.

Proposal to adjourn debate.

60. A member who has risen to speak on a question before the Territorial Authority may propose that the debate be now adjourned. No seconder shall be required. Such motion shall only be put with the approval of the Chairman and if the Chairman is satisfied that such a motion will not be an abuse of the rights and privileges of members, he shall put the motion.

61. A member may not speak more than once on a motion or an amendment except—

(a) in explanation of his speech as provided in rule 14;

(b) in reply to a motion if he is the mover thereof; or

(c) in the case of Councillors when replying to points raised by various members through the course of debate.

62. No member may speak on a motion or amendment after it has been fully put by the Chairman.

## PART IX.

### ARRANGEMENT OF BUSINESS.

Order of business.

63. The business of each sitting day other than the first day of a session, shall in accordance with the need thereof, be transacted in the following order:—

(a) prayers in the form prescribed in the Annexure to these rules;

(b) obituaries and other ceremonial speeches;

(c) administration of oaths, if any;

(d) petitions;

(e) reading by the Chief Councillor of messages received from the Commissioner-General;

(f) other announcements by the Chief Councillor or Councillors;

(g) announcements by the Chairman;

(h) election of Chairman, Deputy-Chairman or Councillors if such an occasion arises;

(i) tabling of reports or papers;

(j) questions on the day fixed;

(k) proceedings on substantive motions.

Questions to be on Order Paper.

64. Formal written questions to Councillors shall be placed on the Order Paper in accordance with the provisions of rule 71.

Matters on Order Paper to be scrutinised by business committee.

65. All matters other than motions placed on the Order Paper shall be scrutinised and approved of by the business committee or by a Councillor designated thereto by the Chief Councillor.

(4) Wanneer daar nie meer lede is wat wens, of geregig is, om te praat nie stel die Voor-  
sitter die mosie aan die Gebiedsowerheid vir beslissing.

(5) Wanneer 'n amendement of amendemente op 'n mosie voorgestel is, stel die Voorsitter  
eers die amendemente en na al die amendemente afgehandel is, lees en stel hy weer die oorspronk-  
like mosie, of indien dit gewysig is, die mosie, soos gewysig, ten einde die lede ten volle vertrou-  
te maak met die bepalings daarvan.

(6) Die volgorde waarin amendemente gestel word, is volgens die diskresie van die Voor-  
sitter.

57. (1) 'n Lid wat opgestaan het om 'n mosie te bespreek mag 'n amendement op dié mosie  
voorstel.

Amendemente  
op mosies:  
Procedure.

(2) 'n Amendement moet gesekondeer word.

(3) 'n Amendement mag een van die volgende vorms aanneem:—

- (a) om een of meer van die woorde van die mosie weg te laat;
- (b) om een of meer woorde by die mosie in te voeg;
- (c) om een of meer woorde aan die einde van die mosie by te voeg;
- (d) om sekere woorde van die mosie deur sekere ander woorde te vervang.

58. (1) 'n Amendement wat voorgestel word, moet op skrif wees en word na die Stoel gebring  
deur die voorsteller en aan die Voorsitter oorhandig wat die teks aan die Gebiedsowerheid uitlees.  
Die amendement mag dan gedebatteer word.

Amendemente  
moet skrif-  
telik wees.

(2) Lede mag meer as een amendement op 'n mosie in bespreking voorstel maar 'n voorstel  
vir die verdere wysiging van 'n voorgestelde amendement is buite die orde.

59. (1) 'n Mosie of 'n amendement mag teruggetrek word op versoek van die voorsteller, met  
verlof van die Gebiedsowerheid, voordat die vraag daaromtrent ten volle gestel is. 'n Mosie of  
'n amendement wat teruggetrek is, mag weer voorgestel word, indien, in die geval van 'n mosie,  
kennis gegee is.

Terugtrek-  
king van  
mosies.

(2) Kennis van 'n mosie of amendement op die Ordepapier mag te eniger tyd voor dit deur  
die betrokke lid voorgestel is van die Ordepapier verwijder word.

60. 'n Lid wat opgestaan het om te praat oor 'n vraag voor die Gebiedsowerheid mag voor-  
stel dat die debat nou verdaag. Geen sekondant is nodig nie. Sodanige mosie word gestel slegs  
met die goedkeuring van die Voorsitter en as die Voorsitter oortuig is dat sodanige mosie nie  
misbruik van die regte en voorregte van lede is nie, stel hy die mosie.

Voorstel om  
debat te  
verdaag.

61. 'n Lid mag nie meer as een keer oor 'n mosie of 'n amendement praat nie, behalwe—

Getal kere  
wat lid oor  
mosie mag  
praat.

(1) ter verduideliking van sy toespraak soos bepaal by reglement 14;

(2) in antwoord op 'n mosie as hy die voorsteller daarvan is; of

(3) in die geval van Raadslede wat antwoord op vrae opgewerp deur verskeie lede tydens 'n  
debat.

Toesprake  
verbode na  
mosie gestel  
is deur  
Voorsitter.

62. Geen lid mag oor 'n mosie of 'n amendement praat nadat dit ten volle deur die Voor-  
sitter gestel is nie.

## DEEL IX.

### INDELING VAN WERKSAAMHEDE.

63. Die werksaamhede van elke sittingsdag, uitgesonderd die eerste sittingsdag van 'n sessie,  
word ooreenkomsdig die noodsaklikheid daarvan, in die volgorde verrig:—

Orde van  
werksaamhede.

(a) gebed in die vorm voorgeskryf in die aanhangsel van hierdie reglemente;

(b) sterflys en ander seremoniële toesprake;

(c) afneem van ede, as daar is;

(d) petisies;

(e) uitlees deur die Hoofraadslid van boodskappe ontvang van die Kommissaris-generaal;

(f) ander aankondigings deur die Hoofraadslid of Raadslede;

(g) aankondigings deur die Voorsitter;

(h) verkiezing van Voorsitter, Ondervoorsitter of Raadslede, indien nodig;

(i) tertafellegging van verslae of papiere;

(j) vrae op die bepaalde dag;

(k) verrigtings insake substantiewe mosies.

64. Formele skriftelike vrae aan Raadslede word op die Ordepapier geplaas ooreenkomsdig  
die bepalings van reglement 71.

Vrae moet  
op Ordepapier  
geplaas word.

65. Alle sake uitgesonderd mosies wat op die Ordepapier geplaas word, word nagesien en  
goedgekeur deur die werkkomitee of deur 'n Raadslid vir die doel deur die Hoofraadslid aan-  
gewys.

Sake op  
Ordepapier  
word nagesien  
deur werk-  
komitee.

Order of precedence to be decided by business committee.

Presentation of Papers.

Questions may be asked of Councillors.

Notice of questions to be given.

Questions without notice.

Form of questions.

Questions to be replied to only once.

Powers of Chairman on questions.

Member shall ask question on Order Paper.

Questions not to be pretext for debate.

Lapsing of questions.

66. The business committee or a Councillor specially designated thereto by the Chief Councillor shall decide the order of precedence of business on the Order Paper.

67. A paper may be presented to the Territorial Authority only by a Councillor.

## PART X.

### QUESTIONS.

68. A member who is not a member of the Executive Council may address a question to a Councillor relating to a public matter, for which the Territorial Authority is officially responsible, in which he seeks information on that matter or asks for official action.

69. Questions shall not be asked without proper notice being given which may be done by delivering the question to the Secretary of the Territorial Authority not less than one clear day before the day on which an answer is required. Such questions shall be published in the Order Paper on the day following the day of receipt, stating the date upon which a reply is desired.

70. (1) If a member asks the permission of the Chairman to put a question without notice on the ground that it is of an urgent character and relates to a matter of public importance or to the arrangement of business, the Chairman may permit the question to be asked without notice if he is satisfied that it is of that nature.

(2) Save as in subrule (1) provided questions shall be answered only on one day of the week as determined by the business committee.

71. (1) A question shall not—

- (a) include the names of persons, or statements which are not strictly necessary to make the question intelligible;
- (b) contain a statement which the member who asks the question is not prepared to substantiate;
- (c) contain arguments, inferences, opinions, imputations or epithets, or tendentious, ironical or offensive expressions;
- (d) refer to proceedings in a committee before that committee has made its report to the Territorial Authority;
- (e) seek information about a matter which is of its nature secret;
- (f) reflect on the decision of a court of law or be so drafted as to be likely to prejudice a case pending in a court of law;
- (g) be asked for the purpose of obtaining an expression of opinion, the solution of an abstract case, or the answer to a hypothetical proposition;
- (h) be asked whether statements in the Press or of private individuals or private concerns are accurate;
- (i) be asked about the character or conduct of a person except in his official or public capacity;
- (j) be asked seeking information which can be found in accessible documents or ordinary works of reference;
- (k) ask for information the collection of which, in the opinion of the Executive Council, will require prolonged and unjustified labour or cause excessive or unnecessary expenditure.

(2) Replies to questions shall be in writing only and if considered necessary be laid on the Table.

72. A question which has been fully answered shall not be asked again during the same session.

73. The Chairman may direct that any question not conforming with the provisions of these rules shall not be included in the Order Paper unless certain alterations as he may direct have been made.

74. When a question is reached the member in whose name the question stands shall rise and put the question to the responsible Councillor.

75. A member shall not address the Territorial Authority on a question nor shall a question be made a pretext for a debate.

76. If a member is not present to ask his question when his name is called, and has not authorised another member to ask the question on his behalf, the question shall lapse.

66. Die werkkomitee, of 'n Raadslid spesiaal vir die doel aangewys deur die Hoofraadslid, bepaal die voorrang van sake op die Ordepapier.

Voorrang word deur werk-komitee beslis.

67. 'n Papier mag slegs deur 'n Raadslid in die Gebiedsowerheid aangebied word.

Aanbieding van papiere.

## DEEL X.

### VRAE.

68. 'n Lid wat nie 'n lid is van die Uitvoerende Raad nie, mag 'n vraag stel aan 'n Raadslid met betrekking tot 'n openbare aangeleentheid waarvoor die Gebiedsowerheid amptelik verantwoordelik is waardeur hy inligting wil inwin oor daardie saak of amptelike optrede vra.

Vrae mag aan Raadslede gestel word.

69. Vrae word nie gevra sonder dat behoorlike kennis gegee is nie en wat gedoen mag word deur die aflewering van die vraag by die Sekretaris van die Gebiedsowerheid nie minder as een volle dag voor die dag waarop 'n antwoord verwag word nie. Sodanige vrae word in die Ordepapier gepubliseer op die dag na ontvangs en vermeld die datum waarop 'n antwoord verlang word.

Kennis van vraag moet gegee word.

70. (1) As 'n lid die toestemming van die Voorsitter vra om 'n vraag te stel sonder dat kennis vooraf gegee is op grond daarvan dat dit van 'n dringende aard is en betrekking het op 'n aangeleentheid van openbare belang of op die indeling van werkzaamhede, mag die Voorsitter toelaat dat die vraag gevra word sonder kennisgewing indien hy oortuig is dat die vraag wel van sodanige aard is.

Vrae sonder kennisgewing.

(2) Behoudens die bepalings van subreglement (1) word vrae slegs op een dag van die week beantwoord soos bepaal deur die werkkomitee.

71. (1) 'n Vraag mag nie—

Vorm van vrae.

- (a) die name van persone of verklarings wat nie streng noodsaklik is vir verstaanbaarheid insluit nie;
- (b) 'n bewering bevat wat die lid wat die vraag stel nie bereid is om te staaf nie;
- (c) argumente, gevolgtrekkings opinies, aantygings of toevoegings of tendensieuse, ironiese of aanstootlike uitdrukings bevat nie;
- (d) na verrigtings in 'n komitee verwys alvorens daardie komitee verslag aan die Gebiedsowerheid gedaan het nie;
- (e) inligting probeer inwin oor 'n saak wat uiteraard geheim is nie;
- (f) refleksie werp op die beslissing van 'n gereghof nie of so ingekleed wees dat 'n hangende saak voor 'n gereghof moontlik benadeel kan word nie;
- (g) gevra word met die doel om 'n uitspraak van opinie, die oplossing van 'n abstrakte saak, of die antwoord op 'n hipotetiese voorstel te verkry nie;
- (h) gevra word of die verklarings in die pers of van private individue of private ondernemings akkuraat is nie;
- (i) gevra word aangaande die karakter of gedrag van 'n persoon uitgesonderd in sy amptelike of openbare hoedanigheid nie;
- (j) gevra word wat inligting poog in te win wat verkrybaar is in toeganklike dokumente of gewone naslaanwerke nie;
- (k) inligting vra die inwinning waarvan, na die mening van die Uitvoerende Raad, langdurige en ongeregverdigte arbeid sal vereis of buitensporige of onnodige uitgawe sal veroorsaak.

(2) Antwoorde op vrae is slegs skriftelik en indien dit nodig geag word, word dit ter Tafel gelê.

72. 'n Vraag wat reeds ten volle beantwoord is, mag nie weer gedurende dieselfde sessie gevra word nie.

Vrae word slegs een maal beantwoord.

73. Die Voorsitter mag beveel dat enige vraag wat nie voldoen aan die bepalings van hierdie reglement, nie in die Ordepapier ingesluit moet word nie tensy sekere veranderings soos hy beveel aangebring is.

Bevoegdhede van Voor-sitter oor vrae.

74. Wanneer 'n vraag bereik word, staan die lid in wie se naam die vraag aangeteken is op en stel die vraag aan die verantwoordelike Raadslid.

Lid moet vraag op Ordepapier vrae.

75. 'n Lid mag nie die Gebiedsowerheid oor 'n vraag toespreek, en geen vraag mag as voorwendsel vir 'n debat gebruik word nie.

Vrae geen voorwendsel vir debat.

76. As 'n lid nie teenwoordig is om sy vraag te stel wanneer sy naam uitgeroep word nie, en hy nie 'n ander lid gemagtig het om die vraag namens hom te stel nie, vervalt die vraag.

Verval van vrae.

## PART XI.

## METHOD OF VOTING ON MOTIONS OR AMENDMENTS.

Mode of putting question for decision.

Procedure when ballot ordered.

77. When the Chairman puts a motion, either in its amended or original form, or an amendment to a motion he shall do so by saying "All agreed?". If any member says "No" the Chairman shall order that a ballot be held.

78. (1) When a ballot has been ordered the Secretary of the Territorial Authority shall cause the bells to be rung for a period of two minutes whereafter the doors of the Chamber shall be closed and locked and no member shall thereafter enter or leave the Chamber until after the ballot has taken place.

(2) When the doors have been locked the Chairman shall again put the motion or amendment and every member then present shall be required to vote.

(3) The provisions of rule 2 shall in so far as they are applicable *mutatis mutandis* apply to the ballot.

(4) The Secretary of the Territorial Authority shall then total the number of votes cast for and against the motion or amendment and the Chairman shall thereupon declare the numbers to the Territorial Authority.

(5) In case of equality of votes, the Chairman shall give a casting vote, and any reasons which may be stated by him shall be recorded in the Votes and Proceedings.

(6) While a ballot is in progress members may speak, sitting, to a point of order arising out of or during the ballot.

(7) In case of confusion or error occurring concerning the numbers reported, the Territorial Authority shall proceed to another ballot unless the same can be otherwise corrected.

(8) If the numbers have been inaccurately reported the Territorial Authority on being informed thereof, shall order the Votes and Proceedings to be corrected.

## PART XII.

## DRAFT ENACTMENTS, TAXATION PROPOSALS AND ESTIMATES OF EXPENDITURE.

Introduction of draft enactments, taxation proposals and estimates of expenditure.

Draft enactments, taxation proposals and estimates of expenditure to be made available to Regional Authorities.

Method of introduction of draft enactments and draft taxation proposals.

Motion for consideration of draft enactment or draft taxation proposal.

Consideration of draft enactment or draft taxation proposal.

79. Draft enactments, taxation proposals and estimates of expenditure shall be introduced in the Territorial Authority by the Chief Councillor or the Councillor administering the department concerned.

80. The Executive Council shall cause to be forwarded to each regional authority a copy of every draft enactment, draft taxation proposal and draft estimates of expenditure it is proposed to submit to the Territorial Authority not less than twenty-eight days before the first sitting day of the session at which such draft enactments, draft taxation proposal and draft estimates of expenditure are to be submitted.

81. (1) The Councillor concerned shall move that leave be granted to introduce a draft enactment or draft taxation proposal and shall state the general object of such draft enactment or draft proposal.

(2) No debate or amendment on such motion shall be allowed.

82. (1) On adoption of the motion as in rule 81 provided the Councillor concerned shall immediately move that the draft enactment or draft taxation proposal be considered by the Territorial Authority on a date to be stated in the motion.

(2) Such motion shall be adopted without amendment or debate.

83. (1) On the date set down in the motion referred to in rule 82 the Territorial Authority shall proceed to the consideration of the draft enactment or draft taxation proposal.

(2) The Territorial Authority may debate the general merits and principles of the draft enactment or draft taxation proposal and the provisions of any or all of the clauses of such draft enactment or any or all of the proposals contained in the draft taxation proposal and amendments may be moved to the provisions of such draft enactment and the proposals contained in such draft taxation proposal.

(3) Except in the case of the Chief Councillor or other Councillor concerned, no member may exceed fifteen minutes in speaking to any matter raised during the debate or to any amendment moved nor shall such member address the Territorial Authority for more than three such periods during the course of the debate.

(4) When no more members wish to speak, the Chief Councillor or other Councillor concerned shall move that the draft enactment or draft taxation proposal be adopted.

(5) No debate or amendment on the motion referred to in subrule (4) shall be allowed.

## DEEL XI.

## WYSE VAN STEMMING OOR MOSIES EN AMENDEMENTE.

77. Wanneer die Voorsitter 'n mosie voorgelê het, of in gewysigde of in oorspronklike vorm, of 'n amendement tot 'n mosie, doen hy dit deur te sê: „*Stem almal saam?*”. As enige lid „Nee” sê, gelas die Voorsitter dat gestem moet word.

Metode waarop vraag of beslissing gestel word.

78. (1) Wanneer 'n stemming gelas is, laat die Sekretaris van die Gebiedsowerheid die klokke lui vir 'n tydperk van twee minute en daarna word die deure van die Raadsaal toegemaak en gesluit en geen lid mag daarna die Raadsaal binnekombinnekom of verlaat voordat die stemming afgeloop is nie.

(2) Wanneer die deure gesluit is, lê die Voorsitter die mosie of amendement weer voor en elke lid wat dan teenwoordig is, moet stem.

(3) Die bepalings van reglement 2, vir sover dit toepaslik is, is *mutatis mutandis* van toepassing op die stemming.

(4) Die Sekretaris van die Gebiedsowerheid tel dan die aantal stemme uitgebring ten gunste en teen die mosie of amendement en daarna maak die Voorsitter die getalle aan die Gebiedsowerheid bekend.

(5) Ingeval van 'n staking van stemme, oefen die Voorsitter 'n beslissende stem uit en enige redes deur hom vermeld word in die Notule opgeteken.

(6) Terwyl daar gestem word mag lede, sittende, oor 'n punt van orde praat wat uit of tydens die stemming ontstaan.

(7) Ingeval verwarring of 'n fout plaasvind in verband met die getalle wat opgegee is, gaan die Gebiedsowerheid oor tot 'n nuwe stemming tensy dit op 'n ander wyse in orde gebring kan word.

(8) As die getalle onjuis gerapporteer is gelas die Gebiedsowerheid, as dit onder sy aandag gebring word, dat die Notule gekorrigeer word.

Prosedure wanneer stemming gelas word.

## DEEL XII.

## KONSEPMAATREËLS, BELASTINGVOORSTELLE EN BEGROTINGS VAN UITGAWES.

79. Konsepmaatreëls, belastingvoorstelle en begrotings van uitgawes word in die Gebiedsowerheid ingedien deur die Hoofraadslid of die Raadslid wat verantwoordelik is vir die administrasie van die betrokke departement.

Indiening van konsepmaatreëls, belastingvoorstelle en begrotings van uitgawes.

80. Die Uitvoerende Raad laat aan elke streeksowerheid 'n afskrif stuur van elke konsepmaatreël, konsepbelastingvoorstel en konsepbegroting van uitgawes wat bedoel is om in die Gebiedsowerheid voorgelê te word, nie later nie dan agt-en-twintig dae voor die eerste sitingsdag van die sessie waarop sodanige konsepmaatreël, konsepbelastingvoorstel en konsepbegroting van uitgawes, voorgelê word.

Konsepmaatreël, belastingvoorstel en begroting van uitgawes moet aan streeksowerhede beskikbaar gestel word.

81. (1) Die betrokke Raadslid moet kennis gee van 'n mosie dat verlof verleen word vir die indiening van 'n konsepmaatreël of konsepbelastingvoorstel en moet die algemene doel van sodanige konsepmaatreël of voorstel vermeld.

Wyse waarop konsepmaatreëls en konsepbelastingvoorstelle voorgelê word.

(2) Geen debat oor of wysiging van sodanige mosie word toegelaat nie.

82. (1) By aanname van die mosie soos bepaal in reglement 81, stel die betrokke Raadslid dadelik voor dat die konsepmaatreël of konsepbelastingvoorstel deur die Gebiedsowerheid oorweeg word op 'n datum in die mosie vermeld.

Mosie vir oorweging van konsepmaatreël of konsepbelastingvoorstel.

(2) So 'n mosie word sonder amendement of debat aangeneem.

83. (1) Op die datum bepaal in die mosie genoem in reglement 82, gaan die Gebiedsowerheid oor om die konsepmaatreël of konsepbelastingvoorstel te oorweeg.

Oorweging van konsepmaatreël of konsepbelastingvoorstel.

(2) Die Gebiedsowerheid mag die algemene beginsels van die konsepmaatreël of konsepbelastingvoorstel bespreek asook die bepalings van enige of al die klousules van sodanige konsepmaatreël of enige of al die voorstelle in sodanige konsepbelastingvoorstel vervat, en amendemente kan voorgestel word ten opsigte van bepalings van sodanige konsepmaatreël en die voorstelle in sodanige belastingvoorstel vervat.

(3) Uitgesonderd in die geval van die Hoofraadslid of ander betrokke Raadslid, mag geen lid langer as vyftien minute praat oor enige aangeleentheid tydens die debat geopper nie of oor enige voorgestelde amendement nie, en so 'n lid mag die Gebiedsowerheid nie meer dikwels dan drie sodanige tydperke tydens die verloop van die debat toespreek nie.

(4) As geen ander lede meer wil praat nie, stel die Hoofraadslid of die betrokke Raadslid voor dat die konsepmaatreël of konsepbelastingvoorstel aangeneem word.

(5) Geen debat of amendement ten opsigte van die mosie in subreglement (4) genoem, word toegelaat nie.

Method of introduction of draft estimates of expenditure.

Consideration of motion that draft estimates of expenditure be considered by Territorial Authority.

Consideration of draft estimates of expenditure.

Rules of debate, motions and method of voting.

Appointment of sessional committees.

Appointment of business committee.

84. The Chief Councillor shall give notice of his intention to move, on a date to be stated by him, that the draft estimates of expenditure be considered by the Territorial Authority and shall lay a copy of such draft estimates on the Table.

85. (1) On the date set down for the consideration of the motion referred to in rule 84 the Chief Councillor shall in moving such motion commence the debate with a speech in which he shall review the financial position of the Territorial Authority and the future development and policy of the various departments of the Territorial Authority.

(2) Except in the case of the Chief Councillor or the Councillor concerned, no speech shall exceed fifteen minutes and no member shall speak to the motion more than once.

(3) When no more members wish to speak the motion shall be put to the Territorial Authority.

86. (1) When the motion referred to in rule 85 is adopted, the Territorial Authority shall immediately proceed to the consideration of the draft estimates of expenditure in the following manner:—

- (a) each vote falling under each of the departments of the Territorial Authority shall be considered consecutively;
- (b) the Chairman shall put each vote and sub-head of a vote to the Territorial Authority separately;
- (c) when a vote or a sub-head of a vote is put to the Territorial Authority, an amendment to omit or reduce such vote or sub-head may be moved, whereupon the matter shall be open to debate by the Territorial Authority;
- (d) where more than one amendment to a vote or sub-head of a vote is moved, the Chairman shall upon the conclusion of the debate on such amendments put the amendment in respect of the largest reduction first;
- (e) the Territorial Authority shall not attach a condition or an expression of opinion to a vote or part thereof, nor alter the designation of a vote or sub-head;
- (f) it shall be in order at any time during the discussion of a vote or sub-head of a vote to move the postponement of the consideration of such vote or sub-head but such postponement shall only be until the remainder of the votes has been disposed of;
- (g) an amendment including more than one sub-head shall not be proposed by way of a reduction of any sub-head but shall be moved as a reduction of the whole vote;
- (h) when any vote or sub-head has been disposed of, it shall not be competent for a member to again discuss such vote or sub-head on a new vote or sub-head then under consideration, except for the purpose of explaining or illustrating the matter under discussion.

(2) When each vote and sub-head has been adopted, either with or without amendments, the Chief Councillor shall move that the estimates of expenditure with or without amendments, as the case may be, be adopted by the Territorial Authority.

(3) No debate or amendment on such motion shall be allowed.

87. Save as provided in this Part, the provisions of rules 7 to 35, 51 to 62 and 77 to 79 shall *mutatis mutandis* apply to the consideration of draft enactments, draft taxation proposals and draft estimates of expenditure.

### PART XIII.

#### SELECT AND SESSIONAL COMMITTEES.

88. As soon as possible after the beginning of each session the Territorial Authority shall appoint the following sessional committees each consisting of five members including the Chairman thereof:—

- (a) on Standing Rules and Internal Arrangements, whose order of reference shall also include the management and control of the library of the Territorial Authority, the refreshment rooms and convenience and comfort of members and the making available of the reports of the Territorial Authority with the Chairman of the Territorial Authority as chairman;
- (b) on Territorial Authority Accounts whose orders of reference shall be to examine and to report to the Territorial Authority upon—
  - (i) the accounts showing the appropriation of the sums granted by the Territorial Authority to meet public expenditure; and
  - (ii) the annual report of the Controller and Auditor-General on the accounts of the Territorial Authority which report shall stand referred to the sessional committee; and the report of the sessional committee shall be laid upon the Table whereupon such report shall be formally considered by the Territorial Authority.

89. (1) There shall be a sessional committee, designated the business committee, consisting of the Chief Councillor as chairman, one other Councillor appointed by the Executive Council, the Chairman of the Territorial Authority and two other members elected by the Territorial Authority.

84. Die Hoofraadslid moet kennis gee van sy voorneme om, op 'n datum wat hy moet noem, voor te stel dat die konsepbegroting van uitgawes deur die Gebiedsowerheid oorweeg word en moet 'n afskrif van sodanige konsepbegroting ter Tafel lê.

Wyse waarop konsepbegroting van uitgawes ingedien word.

85. (1) Op die dag bepaal vir die oorweging van die mosie genoem in reglement 84 moet die Hoofraadslid wanneer hy sodanige mosie voorstel, die debat open met 'n toespraak waarin hy 'n oorsig gee van die finansiële posisie van die Gebiedsowerheid en die toekomstige ontwikkeling en beleid van die verskillende departemente van die Gebiedsowerheid.

(2) Uitgesonderd in die geval van die Hoofraadslid of die betrokke Raadslid, mag geen toespraak langer as vyftien minute duur nie en geen lid mag oor die mosie meer as een keer praat nie.

(3) Wanneer daar geen lid meer is wat oor die mosie wil praat nie, word die mosie aan die Gebiedsowerheid gestel.

Oorweging van mosie dat konsepbegroting van uitgawes deur die Gebiedsowerheid oorweeg moet word.

86. (1) Wanneer die mosie in reglement 85 genoem, aangeneem is, gaan die Gebiedsowerheid dadelik oor tot die oorweging van die konsepbegroting van uitgawes op die volgende wyse:—

Oorweging van die konsepbegroting van uitgawes.

- (a) elke begrotingspos ten opsigte van elkeen van die departemente van die Gebiedsowerheid word agtereenvolgend oorweeg;
- (b) die Voorsitter stel elke begrotingspos en elke subhoof van 'n begrotingspos afsonderlik aan die Gebiedsowerheid;
- (c) wanneer 'n begrotingspos van subhoof van 'n begrotingspos aan die Gebiedsowerheid gestel word, mag 'n amendement om sodanige begrotingspos of subhoof weg te laat of te verminder, gestel word, en daarna is die aangeleentheid oop vir bespreking deur die Gebiedsowerheid;
- (d) waar meer as een amendement van 'n begrotingspos of subhoof van 'n begrotingspos voorgestel word, stel die Voorsitter aan die einde van die bespreking oor sodanige amendemente eerste die amendement ten opsigte van die grootste vermindering;
- (e) die Gebiedsowerheid heg geen voorwaarde of 'n uitdrukking van opinie aan 'n begrotingspos of gedeelte daarvan nie, en wysig ook nie die benaming van 'n begrotingspos of subhoof nie;
- (f) dit is binne die orde om te eniger tyd tydens die bespreking van 'n begrotingspos of subhoof van 'n begrotingspos die uitstel van die oorweging van sodanige begrotingspos of subhoof voor te stel maar sodanige uitstel geld slegs totdat die oorblywende begrotingsposte afgehandel is;
- (g) 'n amendement wat meer as een subhoof insluit word nie voorgestel by wyse van 'n vermindering van enige subhoof nie maar word voorgestel as 'n vermindering van die hele begrotingspos;
- (h) wanneer enige begrotingspos of subhoof afgehandel is, is 'n lid nie bevoeg om sodanige begrotingspos of subhoof weer te bespreek by 'n nuwe begrotingspos of subhoof wat dan oorweeg word nie, behalwe met die doel om die aangeleentheid onder oorweging te verduidelik of illustreer.

(2) Nadat elke begrotingspos en subhoof aangeneem is met of sonder wysigings, stel die Hoofraadslid voor dat die begroting van uitgawes met of sonder wysiging, na gelang van die geval, deur die Gebiedsowerheid aangeneem word.

(3) Geen debat of amendement ten opsigte van so 'n mosie word toegelaat nie.

87. Behoudens die bepalings van hierdie Deel, is die bepalings van reglemente 7 tot 35, 51 tot 62 en 77 tot 79 *mutatis mutandis* van toepassing op die oorweging van konsepmaatreëls, konsepbelastingvoorstelle en konsepbegrotings van uitgawes.

Reglement van debat, mosies en wyse van stemming.

## DEEL XIII.

### GEKOSÉ EN SESSIEKOMITEES.

88. So gou doenlik na die aanvang van elke sessie stel die Gebiedsowerheid die volgende sessiekomitees aan wat elk uit vyf lede bestaan insluitende die voorsitter daarvan:—

Aanstelling van sessie-komitees.

- (a) oor Vaste Reglemente en Interne Reëlings, wie se werkopdragte ook die bestuur en beheer van die Gebiedsowerheid se biblioteek, die verversingskamers en gerief en gemak van lede en die druk en beskikbaarstelling van die verslae van die Gebiedsowerheid insluit, met die Voorsitter van die Gebiedsowerheid as voorsitter.
- (b) oor Gebiedsowerheid Rekenings wie se werkopdragte dit is om—
  - (i) die rekenings wat die bestemming van bedrae aantoon wat deur die Gebiedsowerheid toegestaan is om openbare uitgawes te bestry;
  - (ii) die jaarlikse verslag van die Kontroleur en Ouditeur-generaal oor die rekenings van die Gebiedsowerheid welke verslag op staande voet na hierdie sessiekomitee verwys word, na te gaan en verslag te doen aan die Gebiedsowerheid, en die verslag van die sessiekomitee word ter Tafel gelê en daarna word sodanige verslag formeel deur die Gebiedsowerheid oorweeg.

89. (1) Daar is 'n sessiekomitee, genoem die werkkomitee, bestaande uit die Hoofraadslid, as Voorsitter, een ander raadslid aangestel deur die Uitvoerende Raad, die Voorsitter van die Gebiedsowerheid en twee ander lede deur die Gebiedsowerheid verkies.

Aanstelling van werkkomitee.

Appointment of select committees.

(2) The business committee shall consider matters which shall be placed on the Order Paper and which matters on the Order Paper shall be given preference over others and generally arrange the programme for the despatch of the day by day business of the Territorial Authority.

90. (1) The Territorial Authority may, by order on a motion, appoint a select committee to consider the terms of a motion or for any other purpose.

(2) Every select committee shall consist of five members being:—

(a) a chairman appointed by the Executive Council; and

(b) four other members elected on recommendation of the business committee by the members of the Territorial Authority.

(3) The order of reference of a select committee shall be decided by the Territorial Authority by the order on a motion appointing the select committee or any subsequent order on a motion.

(4) The quorum of a select committee shall be three members including the chairman.

(5) A select committee shall as soon as it has completed considering the motion or any other matter referred to it report to the Territorial Authority thereon and such report shall be formally considered by the Territorial Authority. The committee shall thereupon be dissolved. If the committee is of the opinion that it will not be able to complete consideration of the motion or other matter before the end of the session it shall so report to the Territorial Authority.

Select and sessional committees: Procedure.

91. (1) The deliberations of a sessional or select committee shall be confined to the matter or matters referred to it by the Territorial Authority and in the case of a select committee on a motion shall be confined to the motion and relevant amendments.

(2) A sessional or select committee shall sit at the times determined by the chairman thereof in consultation with the members and may continue to sit although the Territorial Authority may be adjourned. The sittings of a sessional or select committee shall be held in private unless the committee otherwise orders: Provided that this restriction shall not be so interpreted as to exclude the Commissioner-General, officials or witnesses necessarily associated with the business of such a sessional or select committee.

(3) If the chairman of a sessional or select committee is unable to be present or to preside at a sitting the committee shall elect another chairman whose tenure of office shall be for the day of his election.

(4) Divisions in a sessional or select committee shall be taken by the clerk to the committee who shall ask each member of the committee separately how he wishes to vote and record the votes accordingly.

(5) In case of a dispute over a matter of procedure the members of the committee may request the chairman to refer the matter to the Chairman of the Territorial Authority for decision and if so requested by a majority of the members, the Chairman of the sessional or select committee shall be obliged to do so.

(6) Neither the Chairman of a sessional or select committee nor any other member presiding shall vote unless the votes of other members are equally divided in which case he shall give a casting vote.

92. A sessional or select committee may make a special report relating to the powers, functions and proceedings of the committee on matters which it thinks fit to bring to the notice of the Territorial Authority.

Special report on powers, functions and proceedings of sessional and select committee.

Minutes.

93. The minutes of the proceedings of a committee shall record all proceedings on consideration of a report or motion in the committee and on every amendment proposed to the report or motion, with a note of divisions, if divisions were taken in a committee, showing the names of members voting in the division or declining to vote and distinguishing on which side they vote and all such entries or minutes shall be reported to the Territorial Authority when the report of such committee is presented.

Tabling of report and proceedings of sessional and select committees.

Territorial Authority must authorise sending for persons, papers and records.

Evidence and documents not to be disclosed.

Members who are legal practitioners appearing before Territorial Authority or a committee not to receive reward.

94. A report or special report, with the minutes of proceedings of a sessional or select committee and the minutes of evidence, if evidence was taken, shall be laid on the Table of the Territorial Authority by the chairman of the committee.

95. No sessional or select committee shall exercise its powers to send for persons, papers and records, unless it has been specifically permitted to do so by order of the Territorial Authority.

96. The evidence taken before a sessional or select committee and documents presented to the committee shall not be published or otherwise divulged by a member of the committee or by any other person before the committee has presented its report to the Territorial Authority.

97. No member shall appear before the Territorial Authority or a committee thereof as a legal practitioner for or on behalf of a party or in a capacity for which he is to receive a fee or reward.

(2) Die werkkomitee oorweeg sake wat op die Ordepapier geplaas moet word en watter sake op die Ordepapier voorrang moet geniet bo ander en in die algemeen om die dagorde te reël vir die afhandeling van die van-dag-tot-dag-werksaamhede van die Gebiedsowerheid.

90. (1) Die Gebiedsowerheid mag, by besluit op 'n mosie, 'n gekose komitee aanstel om die bepalings van 'n mosie te oorweeg of vir enige ander doel.

Aanstelling van gekose komitees.

(2) Elke gekose komitee bestaan uit vyf lede soos volg:—

(a) 'n voorsitter aangestel deur die Uitvoerende Raad;

(b) vier ander lede verkies op aanbeveling van die werkkomitee deur lede van die Gebiedsowerheid.

(3) Die werkopdrag van 'n gekose komitee word beslis deur die Gebiedsowerheid, by besluit op 'n mosie, wat die gekose komitee aanstel of enige daaropvolgende besluit op 'n mosie.

(4) Die kworum vir 'n gekose komitee is drie lede, insluitende die voorsitter.

(5) 'n Gekose komitee doen sodra oorweging geskenk is aan 'n mosie of enige ander saak na hom verwys, verslag aan die Gebiedsowerheid daaroor en sodanige verslag word formeel deur die Gebiedsowerheid oorweeg. Die komitee word daarna ontbind. Indien die komitee van oordeel is dat hy nie in staat is om die oorweging van 'n mosie of ander saak voor die einde van die sessie af te handel nie doen hy aldus verslag aan die Gebiedsowerheid.

91. (1) Die beraadslagings van 'n sessie- of gekose komitee word beperk tot die saak of sake na hom verwys deur die Gebiedsowerheid en in die geval van 'n gekose komitee oor 'n mosie beperk tot die mosie na hom verwys en tersaakklike amendemente.

Gekose en sessie-komitees: Prosedure.

(2) 'n Sessie- of gekose komitee sit op die tye deur sy voorsitter bepaal in oorleg met die lede daarvan en mag aanhou met sit al sou die Gebiedsowerheid ook verdaag. Die sittings van 'n sessie- of gekose komitee is privaat tensy die komitee anders gelas: Met dien verstande dat hierdie beperking nie vertolk word as sou dit die Kommissaris-generaal, beampetes of getuies wat noodsaklikerwys geassosieer is met die werksaamhede van sodanige sessie- of gekose komitee uitsluit nie.

(3) Indien die voorsitter van 'n sessie- of gekose komitee nie in staat is om teenwoordig te wees of om voor te sit by 'n sitting nie verkies die komitee 'n ander voorsitter wie se ampstermyne die dag van sy verkiesing is.

(4) Verdelings in 'n sessie- of gekose komitee word deur die komiteeklerk afgeneem wat elke lid van die komitee afsonderlik vra hoe hy wil stem en hy teken die stemme dienooreenkomsig aan.

(5) Ingeval van 'n geskil oor 'n aangeleentheid van prosedure mag lede van die komitee die voorsitter versoek om die aangeleentheid na die Voorsitter van die Gebiedsowerheid te verwys vir beslissing en indien die meerderheid van die lede sodanige versoek rig, moet die voorsitter van die sessie- of gekose komitee dit doen.

(6) Nog die voorsitter van die sessie- of gekose komitee nog enige ander voorsittende lid stem tensy daar 'n staking van stemme is in welke geval hy 'n beslissende stem uitoeft.

92. 'n Sessie- of gekose komitee mag 'n spesiale verslag indien met betrekking tot die bevoegdheede, funksies en verrigtings van die komitee oor sake wat hy na goeddunke onder die aandag van die Gebiedsowerheid wil bring.

Spesiale verslag oor bevoegdheede, funksies en verrigtings van sessie- of gekose komitees.

93. Die notule van die verrigtings van 'n komitee boekstaaf alle verrigtings by die oorweging van 'n verslag of mosie in die komitee asook elke amendement voorgestel op die verslag of mosie, met 'n aantekening van verdelings, as verdelings in die komitee plaasvind, met vermelding van die name van lede wat by die verdeling stem, of weier om te stem, en wie vir die vraag en wie daarteen gestem het en al hierdie aantekenings of notule word aan die Gebiedsowerheid gerapporteer wanneer die verslag van die komitee ingedien word.

Notule.

94. 'n Verslag of spesiale verslag, met die notule van verrigtings van 'n sessie- of gekose komitee en die notule van getuienis, indien getuienis afgeneem is, word ter Tafel van die Gebiedsowerheid gelê deur die voorsitter van die komitee.

Tertafellegging van verslag en verrigtings van sessie- en gekose komitees.

95. Geen sessie- of gekose komitee oefen sy bevoegheid uit om persone, papiere en rekords te laat haal nie tensy spesifiek daartoe gemagtig in opdrag van die Gebiedsowerheid.

Gebiedsowerheid magtig die laat haal van persone, papiere en rekords.

96. Getuienis afgeneem voor 'n sessie- of gekose komitee en stukke voorgelê aan die komitee word nie deur 'n lid van die komitee of deur enige ander persoon gepubliseer of andersins openbaar gemaak voordat die verslag van die komitee by die Gebiedsowerheid ingedien is nie.

Getuienis en stukke moet nie openbaar gemaak word nie.

97. Geen lid verskyn voor die Gebiedsowerheid of 'n komitee daarvan as 'n regspraktisyen vir of namens 'n party nie of in 'n hoedanigheid waarvoor hy gelde of vergoeding ontvang nie.

Regspraktisyen wat lede is en voor Gebiedsowerheid of 'n komitee verskyn, word nie vergoed nie.

**PART XIV.****NON-MEMBERS.**

**Definition of non-members.**

98. A non-member means any person who is not a member or an official who has duties to perform in connection with the business of the Territorial Authority.

**Power of Chairman to exclude non-members.**

99. Non-members may be permitted to be present in the Chamber in the places set apart for them, but must withdraw when called upon to do so by the Chairman, who may, whenever he thinks fit, order them to withdraw.

**Power of Orderly of Territorial Authority to remove non-members.**

100. The orderly of the Territorial Authority shall remove, or cause to be removed any non-member from any part of the Chamber or of the galleries appropriated to the members only; and also any non-member who, having been admitted into any part of the Chamber or of the galleries, misconducts himself or shall not withdraw when non-members are directed to withdraw while the Territorial Authority is sitting.

**Member calling attention to non-members.**

101. If at any sitting of the Territorial Authority any member shall take notice that non-members are present, the Chairman shall order such non-members to withdraw, or may put the question, "That non-members be ordered to withdraw", without permitting any debate or amendment.

**PART XV.****MISCELLANEOUS PROVISIONS.**

**Contempt.**

102. Any person who shall wilfully disobey any lawful order of the Territorial Authority shall be guilty of contempt.

**Member or person declared guilty of contempt.**

103. Any member or person guilty of contempt shall be committed to the custody of the orderly of the Territorial Authority by order of the Chairman and dealt with as the Territorial Authority may direct.

**Member not to have pecuniary interest.**

104. (1) A Councillor or other members of the Territorial Authority shall not in or before the Territorial Authority or any sessional or select committee thereof vote upon or take part in the discussion of any matter in which he has a pecuniary interest.

(2) Any member who contravenes the provisions of subrule (1) shall be guilty of an offence and liable on conviction to a fine not exceeding fifty Rand or, in default of payment, to imprisonment for a period not exceeding three months.

(3) Any fine paid in terms of subrule (2) shall be paid into the Treasury of the Territorial Authority.

(4) The court which has convicted any person of a contravention of this rule may order the person convicted to repay the amount or the value of any fee, compensation, gift or reward accepted or received by him.

(5) The provisions of this rule shall not apply to any vote or discussion concerning any remuneration or allowance to be received by a member of the Executive Council or a member of the Territorial Authority in his capacity as a Councillor or a member of the Territorial Authority, or to any interest which any such member may have in any matter in common with the public generally or with any class or section thereof.

**Member not to accept fee or reward.**

105. (1) No Councillor or other member of the Territorial Authority and no attorney or agent who, in the practice of his profession, is a partner or in the service of any such member, shall accept or receive either directly or indirectly any fee, compensation, gift or reward for or in respect of the promotion of or opposition to any motion, resolution, matter or thing submitted or intended to be submitted for the consideration of the Territorial Authority, Executive Council or any committee.

(2) Any person who contravenes the provisions of subrule (1) shall be guilty of an offence and liable on conviction to the penalties prescribed in rule 104 (2). The provisions of rule 104 (3) shall *mutatis mutandis* apply to such penalties.

**Suspension of rules of procedure.**

106. (1) Any rule of procedure or sessional order or orders of the Territorial Authority may be suspended upon motion made after notice, such motion being carried by a majority of votes: Provided that in cases of urgent necessity (of which the Chairman shall be the judge) any such rule or order may with the consent of the Territorial Authority be suspended upon motion made without notice.

(2) The suspension of a rule or order is limited in its operation to the particular purpose for which such suspension has been sought.

**Cases not provided for**

107. In every case not provided for in these rules of procedure or in the Tswana Territorial Authority regulations the Chairman shall decide, taking for his guide the rules and practice of the House of Assembly of the Parliament of the Republic in so far as they can be applied or adapted to the proceedings of the Territorial Authority.

## DEEL XIV.

## NIE-LEDE.

98. 'n Nie-lid beteken enige persoon wat nie 'n lid of beampie is wat pligte te vervul het in verband met die werksaamhede van die Gebiedsowerheid nie.

Definisië van nie-lede.

99. Nie-lede mag toegelaat word om teenwoordig te wees in die Raadsaal op die plekke vir hulle afgesonder, maar moet hulle onttrek wanneer hulle daartoe versoek word deur die Voorsitter wat hulle na goeddunke mag gelas om hulle te onttrek.

Bevoegdheid van Voorsitter om nie-lede uit te sluit.

100. Die ordonnans van die Gebiedsowerheid verwijder, of sorg vir die verwijdering van enige nie-lid uit enige deel van die Raadsaal of van die galerye toegewys aan slegs lede; asook enige nie-lid wat, nadat hy toegang verleen is tot enige gedeelte van die Raadsaal of van die galerye, hom wangedra of hom nie onttrek wanneer nie-lede gelas word om hulle te onttrek terwyl die Gebiedsowerheid in sitting is nie.

Bevoegdheid van ordonnans om nie-lede te verwijder.

101. As 'n lid tydens 'n sitting van die Gebiedsowerheid die aandag daarop vestig dat nie-lede teenwoordig is, beveel die Voorsitter die nie-lede om hulle te onttrek, of stel die vraag: „dat nie-lede beveel word om hulle te onttrek”, sonder om enige debat of amendment toe te laat.

Lid vestig aandag op nie-lid.

## DEEL XV.

## DIVERSE BEPALINGS.

102. Enige persoon wat opsetlik 'n wettige bevel van die Gebiedsowerheid nie gehoorsaam nie, is aan minagting skuldig.

Minagting.

103. 'n Lid of persoon wat aan minagting skuldig is, word op las van die Voorsitter in die bewaring van die ordonnans van die Gebiedsowerheid gestel en met hom word gehandel soos die Gebiedsowerheid mag gelas.

Lid of persoon skuldig verklaar aan minagting.

104. (1) 'n Raadslid of ander lid van die Gebiedsowerheid mag nie in of voor die Gebiedsowerheid, of 'n sessie- of gekose komitee daarvan, stem oor, of deelneem aan, die bespreking van enige aangeleentheid waarin hy 'n geldelike belang het nie.

Lid mag nie geldelike belang hê nie.

(2) 'n Lid wat die bepalings van subreglement (1) oortree, begaan 'n misdryf en is by skuldig bevinding strafbaar met 'n boete van hoogstens vyftig Rand of gevangenisstraf van hoogstens drie maande.

(3) Enige boete ingevolge subreglement (2) betaal, word in die Tesourie van die Gebiedsowerheid inbetaal.

(4) 'n Hof wat iemand skuldig bevind aan 'n oortreding van hierdie reglement mag die veroordeelde persoon gelas om die bedrag of die waarde van enige geld, vergoeding, geskenk of beloning deur hom aanvaar of ontvang, terug te betaal.

(5) Die bepalings van hierdie reglement is nie van toepassing nie op enige stemming of bespreking aangaande die vergoeding of toelae wat 'n lid van die Uitvoerende Raad of 'n lid van die Gebiedsowerheid in sy hoedanigheid van Raadslid of lid van die Gebiedsowerheid sou mag ontvang, of op enige belang wat sodanige lid by enige aangeleentheid gemeenskaplik met die algemene publiek, of enige klas of deel daarvan, mag hê nie.

105. (1) Geen Raadslid of ander lid van die Gebiedsowerheid en 'n prokureur of agent wat by die uitoefening van sy professie 'n venoot is, of in diens is, van sodanige lid, aanvaar of ontvang nie, hetsy direk of indirek, enige geld, vergoeding, geskenk of beloning vir óf ten opsigte van die bevordering of opponering van 'n mosie, besluit, aangeleentheid of ding voorgelê, of bedoel om voorgelê te word, vir oorweging deur die Gebiedsowerheid, Uitvoerende Raad of enige komitee nie.

Lede ontvang nie geldie of vergoeding nie.

(2) Enige persoon wat die bepalings van subreglement (1) oortree, begaa n 'n misdryf en is by skuldig bevinding strafbaar met die strawwe voorgeskryf by reglement 104 (2). Die bepalings van reglement 104 (3) is *mutatis mutandis* van toepassing op sodanige boetes.

106. (1) Enige reglement van orde of 'n sessieorde of orders van die Gebiedsowerheid kan op mosie na kennisgewing opgeskort word as die mosie met 'n meerderheid van stemme aange- neem word: Met dien verstande dat in gevalle van dringende noodsaklikheid (waaromtrent die Voorsitter oordeel) sodanige reglement of order met die toestemming van die Gebiedsowerheid op mosie sonder kennisgewing opgeskort kan word.

Opskorting van reglemente.

(2) Die opskorting van 'n reglement of 'n order is by die toepassing daarvan beperk tot die besondere doel waarvoor sodanige opskorting gevra is.

107. In alle gevalle waarvoor hierdie reglement van orde of die Tswana Gebiedsowerheids-regulasies nie voorsiening maak nie, moet die Voorsitter beslis, en neem hy as sy leidraad die reglemente en gebruikte van die Volksraad van die Parlement van die Republiek vir sover hulle toegepas kan word op of aangepas kan word by die verrigtings van die Gebiedsowerheid.

Gevalle waarvoor nie voorsiening gemaak is nie.

## ANNEXURE.

## PRAYER.

O, ALMIGHTY GOD AND HEAVENLY FATHER, WHO IN THY INFINITE MERCY AND WISDOM HAVE CALLED RULERS AND APPOINTED GOVERNMENTS FOR THE WELFARE OF SOCIETY AND THE JUST GOVERNMENT OF MEN, WE BESEECH THEE TO BESTOW THY ABUNDANT FAVOUR UPON US THY SERVANTS WHOM THOU HAST BEEN PLEASED TO CALL TO THE PERFORMANCE OF SUCH IMPORTANT TRUSTS IN THIS OUR LAND.

LET THY BLESSING DESCEND UPON US HERE ASSEMBLED AND GRANT THAT WE MAY, UNDER THY GUIDANCE TREAT AND CONSIDER ALL MATTERS THAT SHALL COME BEFORE US IN SO JUST AND FAITHFUL A MANNER AS TO PROMOTE THY HONOUR AND GLORY AND TO ADVANCE THE WELFARE OF OUR PEOPLE WHOM THOU HAST CALLED US TO SERVE. ALL THIS WE ASK IN THE NAME AND FOR THE SAKE OF OUR LORD JESUS CHRIST. AMEN.

OUR FATHER WHICH ART IN HEAVEN, HALLOWED BE THY NAME, THY KINGDOM COME. THY WILL BE DONE ON EARTH, AS IT IS IN HEAVEN. GIVE US THIS DAY OUR DAILY BREAD AND FORGIVE US OUR TRESPASSES, AS WE FORGIVE THEM THAT TRESPASS AGAINST US, AND LEAD US NOT INTO TEMPTATION, BUT DELIVER US FROM EVIL. FOR THINE IS THE KINGDOM, THE POWER AND THE GLORY, FOR EVER AND EVER. AMEN.

## AANHANGSEL.

## GEBED.

O, ALMAGTIGE EN BARMHARTIGE GOD EN HEMELSE VADER WAT IN U EWIGE WYSHEID EN VOORSIENIGHEID OWERHEDE EN MAGTE VERORDEN HET OM TOT WELSYN VAN LANDE EN VOLKE TE REGEER, ONS BID U LAAT U AANGESIG OOR ONS, U DIENSKNEGTE, LIG WAAR U ONS GEROEP HET OM SO 'N BELANGRIKE EN GEWIGTIGE WERK IN ONS VADERLAND TE VERRIG.

LAAT U SEËN RYKLIK NEERDAAL OP ONS WAT HIER VERGADER IS EN BEGENADIG ONS OM, ONDER U LEIDING SO TE BERAADSLAAG EN SO AAN ALLES WAT HIER VERRIG MAG WORD REG EN GERECHTIGHEID TE LAAT GESKIED, DAT DIT SLEGS TOT EER EN VÉRHEERLIKING VAN U NAAM MAG STREK EN TOT BEVORDERING VAN DIE BELANGE VAN ONS LAND EN VOLK WAT U ONS GEROEP HET OM TE DIEN. DIT ALLES BID ONS IN DIE NAAM VAN ONSE HERE JESUS CHRISTUS. AMEN.

ONSE VADER WAT IN DIE HEMELE IS, LAAT U NAAM GEHEILIG WORD; LAAT U KONINKRYK KOM; LAAT U WIL GESKIED, SOOS IN DIE HEMEL NET SO OOK OP DIE AARDE; GEE ONS VANDAG ONS DAAGLIKSE BROOD; EN VERGEEF ONS ONS SKULDE, SOOS ONS OOK ONS SKULDENAARS VERGEWE; EN LEI ONS NIE IN VERSOEKING NIE, MAAR VERLOS ONS VAN DIE BOSE; WANT AAN U BEHOORT DIE KONINKRYK EN DIE KRAG EN DIE HEERLIKHEID TOT IN EWIGHEID. AMEN.

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