

1 Central Secretariat.

2) Mr. F. C. Mackenzie
J. H.

EXTRAORDINARY



BUITENGEWONE

REPUBLIC OF SOUTH AFRICA
GOVERNMENT GAZETTE

STAATSKOERANT
VAN DIE REPUBLIEK VAN SUID-AFRIKA

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[No. 2362.

PROCLAMATIONS

BY THE STATE PRESIDENT OF THE REPUBLIC
OF SOUTH AFRICA

No. R.95, 1969.]

1. GENERAL REGULATIONS FOR BANTU TRIBAL AND COMMUNITY AUTHORITIES: CESSATION OF EFFECT IN THE AREA OF THE MATSHANGANA TERRITORIAL AUTHORITY.
2. GENERAL REGULATIONS FOR BANTU REGIONAL AUTHORITIES: CESSATION OF EFFECT IN THE AREA OF THE MATSHANGANA TERRITORIAL AUTHORITY.
3. FURTHER AMENDMENT OF GOVERNMENT NOTICE NO. R.1863 OF 1962: REPEAL OF THE REGULATIONS FOR THE MATSHANGANA 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 Matshangana 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 Matshangana Territorial Authority;

PROKLAMASIES

VAN DIE STAATSPRESIDENT VAN DIE
REPUBLIEK VAN SUID-AFRIKA

No. R.95, 1969.]

1. ALGEMENE REGULASIES VIR BANTOESTAM-EN -GEMEENSKAPSOWERHEDDE: BUIEWERKINGTREDING IN DIE GEBIED VAN DIE MATSHANGANAGEBIEDSOWERHEID.
2. ALGEMENE REGULASIES VIR BANTOE-STREEKSOWERHEDDE: BUIEWERKINGTREDING IN DIE GEBIED VAN DIE MATSHANGANAGEBIEDSOWERHEID.
3. VERDERE WYSIGING VAN GOEWERMENTS-KENNISGEWING NO. R.1863 VAN 1962: HERROEPING VAN DIE REGULASIES VIR DIE MATSHANGANAGEBIEDSOWERHEID.

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 Bantoe-stam- en -gemeenskapsowerhede 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 gemeenskapsowerhede in die gebied van die Matshanganagebiedsowerheid;
- (b) dat die algemene regulasies vir Bantoe-streeksowerhede 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 Matshanganagebiedsowerheid;

- (c) that Government Notice No. R.1863 of 1962 is hereby amended by—
 - (i) the deletion of item (2) of the said Government Notice; and
 - (ii) the repeal of the regulations for the Matshanga 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 Eleventh day of March, One thousand Nine hundred and Sixty-nine.

J. J. FOUCHE,
State President.

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

F56/9/6

No. R.96, 1969.]

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

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

- (c) dat Goewermentskennisgewing No. R.1863 van 1962 hierby gewysig word deur—
 - (i) die skrapping van item (2) van genoemde Goewermentskennisgewing; en
 - (ii) die herroeping van die regulasies vir die Matshanganagebiedsowerheid, vervat in die Bylae van voornoemde Goewermentskennisgewing;
- (d) dat enigiets wat gedoen is ingevolge die bepalings van die regulasies wat hierby verklaar word buite werking te tree of herroep word, geag word wettiglik gedaan te gewees het asof genoemde regulasies nie verklaar is buite werking te getree het of herroep is nie;
- (e) dat die bepalings van hierdie Proklamasie in werking tree op 'n datum deur die Minister van Bantoe-administrasie en -ontwikkeling by kennisgewing in die *Staatskoerant* bepaal.

GESEE onder my Hand en die Seël van die Republiek van Suid-Afrika te Kaapstad op hede die Elfde dag van Maart, Eenduisend Nege-en-sestig.

J. J. FOUCHE,
Staatspresident.

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

F56/9/6

No. R.96, 1969.]

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

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—

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

AND I do hereby further declare that the aforementioned regulations and rules shall have the force of law in the area of the Matshangana 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 Eleventh day of March, One thousand Nine hundred and Sixty-nine.

J. J. FOUCHE,
State President.

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

F56/9/6

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 Matshangana 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 Tsonga and Venda National Units appointed in terms of the Promotion of Bantu Self-government Act, 1959 (Act No. 46 of 1959);
- (vi) "Councillor" means a member of the Territorial Authority elected or appointed as such in terms of the Matshangana 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 Matshangana Territorial Authority established in terms of section 2 (1) (c) of the Act.

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

GEGEE onder my Hand en die Seël van die Republiek van Suid-Afrika te Kaapstad op hede die Elfde dag van Maart Eenduisend Nege-en-sestig.

J. J. FOUCHE,
Staatspresident.

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

F56/9/6

WOORDOMSKRYWINGS.

Vir die doeleindes van die regulasies en reglement van orde in die Bylaes 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 Matshanganagebiedsowerheid 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 Owerheidssake en Finansies en as ko-ordinerende beampete van al die Departemente van die Gebiedsowerheid;
- (iv) „Hoofraadslid”, die lid as sodanig verkies ingevolge die Matshanganagebiedsowerheidsregulasies 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 onder-kaptein;
- (vi) „Kommissaris-generaal”, die Kommissaris-generaal van die Tsonga- en Venda-volkseenheid aangestel ingevolge die Wet op die Bevordering van Bantoeselfbestuur, 1959 (Wet No. 46 van 1959);
- (vii) „Raadslid”, 'n lid van die Gebiedsowerheid as sodanig verkies of aangestel ingevolge die Matshanganagebiedsowerheidsregulasies;
- (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 AND COMMUNITY AUTHORITIES IN THE AREA OF THE MATSHANGANA 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 councillors.

Election of chairman of community authority.

Period and conditions of office of councillors.

Vacating of seats by councillors of community authorities.

1. (1) The councillors 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 of 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 for this purpose by the Bantu Affairs Commissioner who shall preside at such meeting. The election shall be by 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 purposes 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 by a show of hands at a meeting presided over by the Bantu Affairs Commissioner elect one of their number as chairman of that authority and such person shall provisionally hold office as chairman pending the State President's decision in regard to his designation as chairman in terms of section 3 (1) (b) of the Act.
 - (2) The chairman shall hold office for a period of five 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 a 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 a meeting of a community authority or to preside thereat, 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 term 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—
 - (a) has been declared by a competent court to be of unsound mind;
 - (b) dies; or
 - (c) resigns his seat.

BYLAE A.

REGULASIES VIR STAM- EN GEMEENSKAPSOWERHEDE IN DIE GEBIED
VAN DIE MATSHANGANAGEBIEDSOWERHEID.

Inhoudsopgawe

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DEEL I.

ERKENNING, VERKIESING EN AANSTELLING VAN RAADSMANNE.

1. (1) Die raadsmanne van 'n stamowerheid is—
 (a) daardie lede van die stam wat die stam ooreenkomsdig sy reg en gebruikte as raadsmanne erken wat saam met die kaptein die stamregering uitmaak; en
 (b) sodanige ander lede van die stam wat die kaptein van tyd tot tyd met die instemming van die diensdoenende raadsmanne as raadsmanne mag aanset.
 (2) Die totale aantal raadsmanne mag nie te eniger tyd die getal raadsmanne wat die Staatspresident ingevolge artikel 3 (1) (a) van die Wet bepaal, te bove gaan nie.

2. (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 aanset.

(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 voortsit. Die verkiesing is by wyse van die opsteek van hande of by geheime stemming of op sodanige ander wyse as wat die Bantoesakekommissaris na goeddunke mag bepaal. Die persone wat 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 verklaar, mag nie die aantal raadsmanne deur die Staatspresident kragtens artikel 3 (1) (b) van die Wet bepaal, te bove gaan nie.

4. (1) Die kapteins, hoofmanne en raadsmanne, na gelang van die geval, van 'n gemeenskapsowerheid kies deur die opsteek van hande op 'n vergadering waarop die Bantoesakekommissaris voortsit, iemand uit hul geledere as voorsitter 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.

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

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

(4) Indien die voorsitter om enige rede nie in staat is om by 'n vergadering van 'n gemeenskapsowerheid verteenwoordig te wees of daarop voor te sit nie, kan die raadsmanne iemand uit hul geledere 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 gebruikte 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 ooreenkomsdig sodanige reg en gebruikte bepaal, behoudens die bepalings van artikel 3 (4) van die Wet en van regulasie 7.

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 sodanige raadsman—

- (a) deur 'n bevoegde hof as kranksinnig verklaar is;
- (b) te sterwe kom; of
- (c) sy setel bedank.

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

Raadsmanne van gemeenskapsowerhede ingestel ingevolge artikel 2 (1) (a) (ii) van die Wet.

Verkiezing van raadsmanne.

Verkiezing van voorsitter van gemeenskapsowerheid.

Ampstermyn en ampsvoorraarde van raadsmanne.

Ontruiming van setels deur raadsmanne van gemeenskapsowerhede.

(2) If the seat of a councillor of such 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.

MEMBERSHIP OF REGIONAL AUTHORITY.

Representatives
of tribal and
community
authorities on
regional
authority.

8. (1) A tribal and a community authority shall, respectively, be represented on a regional authority established in respect of the area of such tribal or community authority, by the chief or headman of the tribal authority and the chairman of the community authority, and one tribal representative designated as in subregulation (2), (3) or (4) provided.

(2) A tribal authority shall designate one of its councillors as tribal representative.

(3) A community authority, established in respect of a community or two or more communities jointly, shall designate one of its councillors as tribal representative.

(4) Where a community authority has been established in respect of two or more tribes, such authority shall designate the chief or headman who is not the chairman of that authority, or one of its councillors, as tribal representative.

(5) A tribal authority or community authority may for good reasons revoke the designation of its tribal representative and shall thereupon designate another tribal representative in the manner prescribed in this regulation.

(6) Any such chief, headman or chairman of a community authority or tribal representative who ceases to hold office as such shall cease to be a member of the regional authority on which he represents a tribal or community authority and shall vacate any office he may hold on such regional authority.

PART III.

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

**Procedure at
meetings or other
proceedings.**

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

Presence of chief or chairman at meetings and quorum.

10. (1) The chief or headman of a tribal authority or the person acting in his stead, and, subject to the provisions of regulation 4 (4), the chairman of a community authority, 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.

Representative of
councillor.

11. A councillor, if the laws and customs of the tribe so permit may nominate a representative to attend a meeting of a tribal authority on his behalf and such representative shall when so attending such meetings be deemed to be a councillor.

Minute book.

12. (1) Every tribal or 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 any decision taken.
(2) All records required to be maintained in terms of these regulations shall be maintained

PART IV

Employment

Appointment of employees.

13. 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 V.

GENERAL.

Short title.

14. The regulations contained in this Schedule shall for the purposes of this Proclamation be known as the Matshangana Tribal Authorities regulations.

SCHEDULE B.

REGULATIONS FOR REGIONAL AUTHORITIES IN THE AREA OF THE MATSHANGANA TERRITORIAL AUTHORITY.

PART I.

MEMBERSHIP.

Members.

1. (1) The members of a regional authority shall, in respect of every tribal or community authority within the area of that regional authority, be—
 - (a) the chief of the tribe for which such tribal authority has been established;
 - (b) the chairman of the community authority;
 - (c) one tribal representative designated by each tribal authority and community authority in accordance with the provisions of the Matshangana Tribal Authorities regulations.
- (2) Any chief of a tribal authority may, in consultation with his tribal authority, appoint as his deputy a councillor of such tribal authority, not being the tribal representative, to represent him at any meeting of the regional authority which for good reason he cannot attend, which appointment may for good reasons be revoked by such chief, and, subject to the provisions of subregulation (6) such representative when so representing such chief shall enjoy the powers and privileges of a member of the regional authority.
- (3) Any designation or appointment under subregulations (1) and (2) shall be in writing and shall be signed by the chief or chairman of the community authority concerned, who shall also in writing advise the secretary of the regional authority of any such designation or appointment and any revocation thereof.
- (4) No person shall be eligible for such designation or appointment unless he qualifies in terms of regulation 5 to be a member of the regional authority.
- (5) The deputy of a chief, unless such deputy is appointed in a permanent capacity, shall not hold any office on the executive committee of the regional authority.
- (6) The secretary of a regional authority shall notify the Bantu Affairs Commissioner of the names of all chiefs, chairmen of community authorities, tribal representatives and chiefs' deputies as soon as they have been made known to him. The Bantu Affairs Commissioner shall notify the Chief Director accordingly.

Period of office of tribal representatives.

2. A tribal representative shall hold office until such time as his designation as such is revoked by the tribal authority or community authority concerned or until his period of office as a councillor has expired or until he no longer holds office as councillor.

Chairman.

3. (1) Subject to the provisions of section 3 (1) (b) of the Act the chairman of a regional authority shall—
 - (a) should there be only one chief in such area, be such chief; or
 - (b) should there be more than one chief in such area one of those chiefs nominated by the members of the regional authority:

Provided that in the event of any deadlock occurring as to such nomination, the nomination shall be made by the Executive Council of the Territorial Authority.
- (2) The chief, or chief nominated as chairman in terms of subregulation (1) (b), shall provisionally hold office as chairman pending the State President's decision in regard to his designation as chairman in terms of section 3 (1) (b) of the Act.
- (3) A chairman nominated in terms of subregulation (1) (b) shall hold office as such for a period of five years from the date on which he was nominated by the regional authority and when his period of office as chairman has expired he shall be eligible for re-nomination.
- (4) If the chairman of a regional authority should die or resign his office or for any reason cease to hold office as chief, the office of chairman shall be deemed to be vacant and shall be filled in accordance with the provisions of subregulation (1).
- (5) Any chief who is a chairman may, with the approval of the regional authority, appoint a deputy, who is a member of the regional authority, to perform the duties of chairman on his behalf.
- (6) A regional authority may for sound and cogent reasons by petition request the State President to remove its chairman and to order the nomination of a new chairman for the remainder of the period of office of such chairman and the State President may if he deems fit accede to such petition.

Qualification of members.

4. No person shall be qualified to be a member of a regional authority unless he is over the age of twenty-one years and is either—
 - (a) a chief referred to in regulation 1; or
 - (b) a tribal representative designated in terms of regulation 1; or
 - (c) a deputy of a chief appointed in a permanent capacity.

Disqualification of members.

5. (1) No person shall be entitled to be a member of a regional authority—
 - (a) if he has been convicted in the Republic or the Territory of South West Africa—
 - (i) of treason or any offence in terms of any law endangering the safety of the Republic; or
 - (ii) of any other offence and sentenced therefor to a period of imprisonment in excess of twelve months without the option of a fine or ordered to be detained under any law relating to work colonies and the said period has not expired or such order has not finally ceased to be operative at least three years before the date on which he otherwise would be eligible for membership of a regional authority in terms of regulation 4;
 - (b) if he is subject to an order of court declaring him to be of unsound mind or mentally disordered or defective or is lawfully detained as mentally disordered or defective under the Mental Disorders Act, 1916 (Act No. 38 of 1916);
 - (c) if he is an unrehabilitated insolvent.

DEEL I.

LIDMAATSKAP.

1. (1) Die lede van 'n streeksowerheid ten opsigte van elke stamowerheid of gemeenskapsowerheid in die gebied van die streekowerheid is—

- (a) die kaptein van die stam ten opsigte waarvan so 'n stamowerheid ingestel is;
- (b) die voorsitter van die gemeenskapsowerheid;
- (c) een stamverteenvoordiger aangewys deur elke stamowerheid en gemeenskapsowerheid, ooreenkomstig die bepalings van die Matshanganastamowerhederegulasies.

(2) 'n Kaptein van 'n stamowerheid kan, in oorleg met sy stamowerheid, 'n raadsman van sodanige stamowerheid, wat nie die stamverteenvoordiger is nie, as sy gevoldmagtigde aanstel om hom by enige vergadering van die streeksowerheid te verteenwoordig wat hy om goeie rede nie kan bywoon nie, en welke aanstelling so 'n kaptein om goeie redes kan intrek, en wanneer sodanige gevoldmagtigde so 'n kaptein verteenwoordig geniet hy, behoudens die bepalings van subregulasie (6), al die bevoegdhede en voorregte van 'n lid van die streeksowerheid.

(3) 'n Aanstelling of aanwysing ingevolge subregulasies (1) en (2) moet skriftelik wees en geteken word deur die betrokke kaptein of voorsitter van die gemeenskapsowerheid, wat ook die sekretaris van die streeksowerheid skriftelik in kennis moet stel van so 'n aanwysing of aanstelling en intrekking daarvan.

(4) Niemand is vir sodanige aanwysing of aanstelling geskik nie tensy hy voldoen aan die vereistes ingevolge regulasie 5 om 'n lid van die streeksowerheid te wees.

(5) Die kaptein se gevoldmagtigde, tensy so 'n gevoldmagtigde in 'n permanente hoedanigheid aangestel is, beklee geen amp op die uitvoerende komitee van die streeksowerheid nie.

(6) Die sekretaris van 'n streeksowerheid moet die Bantoesakekommissaris verwittig van die name van alle kapteins, voorsitters van gemeenskapsowerhede, stamverteenvoordigers en kapteins se gevoldmagtigdes sodra hulle aan hom bekend gemaak is. Die Bantoesakekommissaris moet die Hoofdirekteur dienooreenkomstig in kennis stel.

2. 'n Stamverteenvoordiger beklee sy amp totdat sy benoeming as sodanig ingetrek word deur die betrokke stam- of gemeenskapsowerheid of totdat sy ampstermyn as raadsman verstryk het of totdat hy nie meer die pos van raadsman beklee nie.

3. (1) Behoudens die bepalings van artikel 3 (1) (b) van die Wet is die voorsitter van 'n streeksowerheid—

- (a) indien daar in sodanige gebied slegs een kaptein is, daardie kaptein; of
- (b) indien daar meer as een kaptein in sodanige gebied is, een van daardie kapteins wat deur die lede van die streeksowerheid benoem is: Met dien verstande dat indien daar by so 'n benoeming 'n staking van stemme is, die benoeming deur die Uitvoerende Raad van die Gebiedsowerheid gedoen word.

(2) Die kaptein, of 'n kaptein wat ingevolge subregulasie (1) (b) as voorsitter benoem is, beklee voorwaardelik die amp in afwagting van die Staatspresident se beslissing betreffende sy aanwysing as voorsitter ingevolge artikel 3 (1) (b) van die Wet.

(3) 'n Voorsitter ingevolge subregulasie 1 (b) benoem, beklee dié amp vir 'n tydperk van vyf jaar vanaf die datum waarop hy deur die streeksowerheid as voorsitter benoem is en na verstryking van sy ampstermyn as voorsitter kan hy weer benoem word.

(4) Indien die voorsitter van 'n streeksowerheid sterf of sy amp bedank of om enige rede ophou om die amp van kaptein te beklee, word die pos van voorsitter geag vakant te wees en word dit gevul ooreenkomstig die bepalings van subregulasie (1).

(5) 'n Kaptein wat 'n voorsitter is, kan met die goedkeuring van die streeksowerheid 'n gevoldmagtigde aanstel wat 'n lid van die streeksowerheid is, om die pligte van voorsitter namens hom te verrig.

(6) 'n Streeksowerheid kan om grondige en oortuigende redes die Staatspresident by petisie versoek om sy voorsitter uit sy amp te ontslaan en om die benoeming van 'n nuwe voorsitter te gelas vir die onverstreke ampstermyn van sodanige voorsitter en as die Staatspresident dit goedvind kan hy aan sodanige petisie voldoen.

4. Niemand is bevoeg om 'n lid van 'n streeksowerheid te wees nie tensy hy oor die ouderdom van vyf-en-twintig jaar is en—

- (a) 'n kaptein vermeld in regulasie 1 is; of
- (b) 'n stamverteenvoordiger is, aangewys ingevolge regulasie 1; of
- (c) 'n kaptein se gevoldmagtigde is wat in 'n voltydse hoedanigheid aangestel is.

5. Niemand is bevoeg om 'n lid te wees van 'n streeksowerheid nie—

- (a) indien hy in die Republiek of in die gebied Suidwes-Afrika skuldig bevind is—
 - (i) aan hoogverraad of 'n misdryf ingevolge enige wet wat die veiligheid van die Republiek in gevaar stel; of
 - (ii) aan enige ander misdryf en daarvoor gevonnis is tot 'n tydperk van gevangenistraf van meer as twaalf maande sonder die keuse van 'n boete of beveel is om kragtens 'n wetsbepaling betreffende werkskolonies aangehou te word en genoemde tydperk nie verstryk het nie of bedoelde bevel nie finaal buite werking getree het nie, minstens drie jaar voor die datum waarop hy anders bevoeg sou raak om 'n lid te word van 'n streeksowerheid ingevolge regulasie 4;
- (b) indien hy onderhewig is aan 'n hofbevel waarby hy kranksinnig of geestelik gekrenk of gebrekkig verklaar is of wettiglik kragtens die „Wet op Geestesgebreken, 1916“ (Wet No. 38 van 1916), as geestelik gekrenkte of gebrekkige aangehou word;
- (c) indien hy 'n ongerekabiliteerde insolvente persoon is.

Ampstermyn
van stam-
verteen-
voordigers.

Voorsitter.

Bevoegdheid
van lede.

Diskwalifikasie
van de.

(2) For the purposes of subregulation (1) (a) a person who has been granted a free pardon shall be deemed not to have been convicted of the offence in question, and a period of imprisonment means the full term of sentence of imprisonment, notwithstanding any suspension or remission of the whole or portion of the sentence.

Vacating of seats.

6. The seat of a member of a regional authority shall be deemed to have been vacated—
 - (a) upon the death of such member;
 - (b) upon acceptance by the Executive Council of the Territorial Authority of a notice under the hand of such member stating that he resigns his seat;
 - (c) if he ceases to possess the qualifications mentioned in regulation 4 or becomes disqualified in terms of regulation 5;
 - (d) if he has resided for a period of more than six months outside the area of the regional authority without the prior written authority of the chairman of the regional authority.

Vacating of seats on Territorial Authority.

7. A member of any regional authority shall, upon ceasing to be a member of such regional authority, *ipso facto* vacate his seat on the Territorial Authority and shall vacate any office he may hold on the Territorial Authority.

Filling of vacant seats.

8. Whenever the seat of any member of a regional authority becomes vacant it shall be filled as soon as possible as in regulation 1 provided.

PART II.

MEETINGS.

Meetings.

9. The meetings of a regional authority shall be convened by its Chairman.

10. There shall be six ordinary meetings of a regional authority 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 send notice of the date and hour appointed to each member, the Commissioner-General, the Chief Director, the Bantu Affairs Commissioner and, if such authority is to deal with any educational matter, to the Inspector of Education for the district concerned at least fourteen days prior to any meeting: 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.

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

(2) At each meeting of a regional authority 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 functions of a regional authority. After discussion of each subject the members of the regional authority may, if necessary, by voting, record their opinions thereon.

12. 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, when the regional authority has dealt with any educational matter, to the Inspector of Education for the district concerned.

13. (1) All meetings 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 after an hour after the appointed time there may not be a sufficient number of members present to form a quorum, the chairman shall declare the meeting adjourned until the date of the following ordinary meeting or to any date fixed by the chairman prior to that date. 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 attendances at meetings of the regional authority.

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

(2) A member so elected as chairman shall for the purposes of that meeting have all the rights and privileges, and shall perform all the duties, of the regular chairman.

15. The business of the regional authority shall subject to the provisions of regulation 27 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*.

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

(2) Vir die doeleindes van subregulasie (1) (a) word 'n persoon wat ten volle begenadig is, geag nie aan die betrokke misdryf skuldig gevind te gewees het nie, en beteken 'n tydperk van gevangenisstraf die hele termyn van 'n vonnis tot gevangenisstraf, al is die vonnis in die geheel of gedeeltelik opgeskort of kwytgeskeld.

6. Die setel van 'n lid van 'n streeksowerheid word geag ontruim te wees—

- (a) by die afsterwe van so 'n lid;
- (b) by die aanvaarding deur die Uitvoerende Raad van die Gebiedsowerheid van 'n kennisgewing onder die handtekening van so 'n lid waarin hy meld dat hy uit sy amp bedank;
- (c) as hy ophou om die bevoegdhede vermeld in regulasie 4 te besit, of ingevolge regulasie 5 gediskwalifieer raak;
- (d) indien hy vir 'n tydperk van meer as ses maande buite die gebied van die streeksowerheid gewoon het sonder die vooraaf skriftelike goedkeuring van die voorsitter van die streeksowerheid.

Ontruiming van setels.

7. 'n Lid van 'n streeksowerheid moet, wanneer hy ophou om 'n lid van sodanige streeksowerheid te wees, *ipso facto* sy setel op die Gebiedsowerheid ontruim en ontruim ook enige amp wat hy in die Gebiedsowerheid beklee.

8. Wanneer die setel van 'n lid van 'n streeksowerheid vakant word, word dit so gou doenlik gevul soos in regulasie 1 bepaal.

Ontruiming van setels op Gebiedsowerheid.

DEEL II.

VERGADERINGS.

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

Vergaderings.

10. Daar is ses gewone vergaderings van 'n streeksowerheid 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 'n kennisgewing van die vasgestelde datum en uur moet stuur aan elke lid, die Kommissaris-generaal, die Hoofdirekteur, die Bantoesake-kommissaris, en wanneer so 'n owerheid 'n onderwys aangeleentheid gaan behandel, aan die Inspekteur van Onderwys van die betrokke distrik, minstens veertien dae voor 'n vergadering: 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 nalaat 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.

11. (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 van 'n streeksowerheid moet die voorsitter aan die aanwesige lede die onderwerpe medeel 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 werksaamhede vir bespreking kan opper. Nadat elke onderwerp bespreek is, kan die lede van die streeksowerheid, indien nodig, hulle mening daaroor by stemming uitspreek.

12. Die voorsitter moet na elke vergadering 'n afskrif van die notule van die verrigtings 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 wanneer die streeksowerheid 'n onderwysaangeleentheid behandel het, aan die Inspekteur van Onderwys van die betrokke distrik stuur.

13. (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 enige datum deur die voorsitter voor daardie datum bepaal. 'n Lid wat na so 'n verdag 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 waарoor hy geen beheer het nie en wat die Rekenpligtige Beampete van die Gebiedsowerheid as oortuigend beskou.

14. (1) Indien die voorsitter of sy gevollmachtigde weens afwesigheid of om 'n ander rede nie by 'n vergadering kan voorsit nie moet die lede op sodanige vergadering aanwesig iemand uit hul geledere kies om op daardie vergadering voor te sit.

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

15. Die sake van die streeksowerheid moet behoudens die bepalings van regulasie 27 met oop deure behandel word: Met dien verstande dat die voorsitter na goedgunke kan bepaal dat enige besondere saak of al die sake van die vergadering *in camera* behandel moet word.

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

17. 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.

18. The chairman shall maintain order, decide upon all disputed points of order, have power to close discussions 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 of the regional authority.

19. 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 the same meeting or such part thereof as he may consider proper. If a member refuses to withdraw and absent himself upon suspension under the terms of this regulation the chairman shall order his removal and may call upon any policeman or any other person there present to effect such removal.

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

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

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

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

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

25. (1) Members shall not vote individually but shall vote through delegations. Each delegation shall be entitled to exercise one vote only and shall consist of a chief of a tribal authority or a chairman of a community authority together with the tribal representative of such tribal or community authority.

(2) In the case of an equality of votes the chairman shall have a casting vote.

26. 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 of the regional authority, shall be discussed unless due notice shall have been given thereof at a previous meeting of the regional authority or with the consent of the chairman.

27. (1) Notwithstanding the provisions of regulation 15 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 the 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 by the chairman to leave such meeting immediately and any such person who neglects or refuses to leave such meeting 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.

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

(a) the date and place of the meeting;

(b) the names of the members present;

(c) a summary of the proceedings and discussions 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 delegation so requests, the fact that such delegation dissents from the decision taken.

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

17. Die sake van die vergadering moet 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.

18. 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 van die streeksowerheid te verdaag of te beëindig.

19. 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 besig, het die voorsitter die bevoegdheid om so 'n lid van verdere diens in die streeksowerheid of in enigeen van sy komitees gedurende die res van daardie vergadering of 'n deel daarvan, al na hy behoorlik ag, te skors. As 'n lid wat aldus ooreenkomsdig hierdie regulasie geskors is, weier om hom te onttrek van die vergadering of dit te verlaat, moet die voorsitter gelas dat hy verwyder word en mag enige polisieman of enige ander persoon wat teenwoordig is, versoek om sodanige verwydering te bewerkstellig.

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

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

22. 'n Voorstel of amendment deur 'n lid voorgestel, verval en verdere besprekking oor die inhoud daarvan word gestaak tensy dit deur 'n ander lid gesekondeer word.

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

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

25. (1) Lede mag nie individueel stem nie, maar moet hulle stemme deur afvaardigings uitbring. Elke afvaardiging is geregtig om een stem uit te bring en bestaan uit 'n kaptein van 'n stamowerheid of 'n voorsitter van 'n gemeenskapsowerheid, saam met die stamverteenvoordiger van so 'n stam- of gemeenskapsowerheid.

(1) As daar 'n staking van stemme is, het die voorsitter 'n beslissende stem.

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

27. (1) Ondanks die bepalings van regulasie 15 mag die Kommissaris-generaal of enige beampete 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 saak 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 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 verlaat.

28. (1) Die streeksowerheid moet 'n notuleboek hou waarin die volgende ten opsigte van elke vergadering van die streeksowerheid en van die uitvoerende komitee 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 amendment en die besluit daaroor geneem ten volle bevat, insluitende die naam van die lid wat die voorstel doen of 'n amendement daarvan voorstel en die lid wat die voorstel of amendment sekondeer;
- (d) indien 'n afvaardiging dit versoek, die feit dat so 'n afvaardiging nie akkoord gaan met 'n besluit wat geneem is nie.

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

PART III.

ADMINISTRATION.

Executive Committee.

29. A regional authority may appoint three of its members to be together with its chairman members of its executive committee, which shall be responsible in the intervals between meetings of such authority for the conduct or disposal of such business falling within the scope of the function of that authority as may from time to time be entrusted to such committee by the said authority: Provided that such chairman—

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

30. (1) The chairman of a regional authority shall be the chief executive officer of such authority and shall be known as the regional executive officer.

(2) The regional executive officer or his deputy shall preside at any meeting of the executive committee: Provided that, should such regional executive officer or his deputy fail to attend any meeting of such committee, the members present may elect one of their number to be chairman for the purpose of that meeting.

(3) 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.

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

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

31. Any person or officer referred to in regulation 27 (1) may attend any meeting of an executive committee to advise on matters being discussed, if he so desires, or if so requested by the regional executive officer.

32. (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 at 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.

33. 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 such executive committee at its next ensuing meeting.

34. Notwithstanding any other provisions of these regulations which require the authority of the regional authority to be obtained 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 executive committee at its next ensuing meeting.

Employees.

35. 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.

36. 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.

37. 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 annual estimates of expenditure of the Territorial Authority.

DEEL III.

ADMINISTRASIE.

29. 'n Streeksowerheid kan drie van sy lede aanstel om saam met sy voorstander lede van sy uitvoerende komitee te wees, wat verantwoordelik is in die tussenpose tussen vergaderings van sodanige owerheid vir die bestuur of afhandeling van sodanige sake wat binne die bestek van daardie owerheid se werkzaamhede val, soos van tyd tot tyd aan sodanige komitee deur genoemde owerheid toevertrou mag word: Met dien verstande dat sodanige voorstander—

Uitvoerende Komitee.

- (a) wanneer die omstandighede sodanig is dat onverwylde optrede nodig is, enige ander sake van sodanige owerheid na sy 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.

30. (1) Die voorstander van 'n streeksowerheid is die hoofuitvoerende amptenaar van sodanige owerheid en staan bekend as die streeksuitvoerende amptenaar.

(2) Die streeksuitvoerende amptenaar of sy gevoldmagtigde, moet op enige vergadering van die uitvoerende komitee voorsit: Met dien verstande dat indien sodanige streeksuitvoerende amptenaar of sy gevoldmagtigde in gebreke bly om enige vergadering van sodanige komitee by te woon, die aanwesige lede een uit hul geledere kan kies as voorstander vir die doeleindes van daardie vergadering.

(3) 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.

- (4) 'n Kworum bestaan uit drie lede van 'n uitvoerende komitee.

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

31. Enige persoon of beampete genoem in regulasie 27 (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.

32. (1) 'n Uitvoerende komitee vergader ses keer per jaar gedurende die maande Februarie, April, Junie, Augustus, Oktober en Desember: Met dien verstande dat 'n 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 voorstander optree, 'n beslissende stem.

33. '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, deleer: Met dien verstande dat sodanige subkomitee of sodanige lid enige stappe deur hom gedoen, aan sodanige uitvoerende komitee op sy eersvolgende vergadering moet rapporteer.

34. 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 sonder om die saak vooraf voor die komitee te lê: Met dien verstande dat hy enige stappe aldus deur hom gedoen, aan die uitvoerende komitee op sy eersvolgende vergadering moet rapporteer.

35. Die Gebiedsowerheid kan aan 'n streeksowerheid die dienste beskikbaar stel van 'n gesikte amptenaar van die Gebiedsowerheid om die pligte van sekretaris van die streeksowerheid te verrig.

Werknemers.

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

DEEL IV.

FINANSIEËLE AANGELEENTHEDE.

37. '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 uitgawes.

PART V.

GENERAL.

Short title.

38. The regulations contained in this Schedule shall for the purposes of this Proclamation be known as the Matshangana Regional Authorities regulations.

SCHEDULE C.

REGULATIONS FOR THE MATSHANGANA TERRITORIAL AUTHORITY.

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PART I.

MEMBERSHIP OF THE MATSHANGANA TERRITORIAL AUTHORITY.

Members.

1. (1) The members of the Matshangana Territorial Authority shall be the members of the regional authorities established within its area, namely, in respect of every regional authority—
 - (a) the chief of each tribe in respect of which a tribal authority has been established;
 - (b) the chairman of each community authority;
 - (c) one tribal representative designated by each tribal and community authority, in accordance with the provisions of the Matshangana Regional Authorities regulations.
- (2) The deputy of any chief, appointed in terms of the Matshangana Regional Authorities regulations, may represent his chief at any session of the Territorial Authority which for any reason the chief cannot attend, and such representative when so representing such chief shall, subject to the provisions of subregulation (4), enjoy all the powers and privileges of a member of the Territorial Authority.
- (3) Whenever in terms of the Matshangana Regional Authorities regulations the appointment of a chief's deputy is revoked, the powers and privileges enjoyed by such deputy in terms of subregulation (2), shall lapse.
- (4) The deputy of a chief, unless such deputy is appointed in a permanent capacity, shall not hold any office on the Executive Council of the Territorial Authority.
- (5) The Chief Director shall advise the Commissioner-General, the Secretary and the Controller and Auditor-General of the names of the members of the Territorial Authority.

Qualifications of members.

2. No person shall be qualified to be a member of the Territorial Authority unless he qualifies to be a member of a regional authority, that is unless he—
 - (a) is over the age of twenty-one years;
 - (b) is a chief or chairman or a tribal representative referred to in regulation 1 (1).

Disqualification of members.

3. (1) No person shall be entitled to be a member of the Territorial Authority—
 - (a) if he has been convicted in the Republic or the Territory of South West Africa—
 - (i) of treason or any offence in terms of any law endangering the safety of the Republic; or
 - (ii) of any other offence and sentenced therefor to a period of imprisonment in excess of 12 months without the option of a fine or ordered to be detained under any law relating to work colonies, and the said period has not expired or such order has not finally ceased to be operative at least three years before the date on which he otherwise would be eligible for membership of the Territorial Authority in terms of regulation 2;
 - (b) if he is subject to an order of court declaring him to be of unsound mind or mentally disordered or defective or is lawfully detained as mentally disordered or defective under the Mental Disorders Act, 1916 (Act No. 38 of 1916);
 - (c) if he is an un-rehabilitated insolvent.
- (2) For the purposes of subregulation (1) (a) a person who has been granted a free pardon shall be deemed not to have been convicted of the offence in question, and a period of imprisonment means the full term of a sentence of imprisonment, notwithstanding any suspension or remission of the whole or any portion of the sentence.

Vacating of seats.

4. The seat of a member of the Territorial Authority shall be deemed to have been vacated—
 - (a) upon the death of such member;
 - (b) upon acceptance by the Executive Council of a notice under the hand of such member stating that he resigns;
 - (c) if he ceases to possess the qualifications mentioned in regulation 2 or becomes disqualified in terms of regulation 3.

DEEL V.

ALGEMEEN.

38. Die regulasies in hierdie bylae vervat staan vir die doeleindes van hierdie Proklamasie Kort titel, as die Matshanganastreeksowerhederegulasies bekend.

BYLAE C. REGULASIES VIR DIE MATSHANGANAGEBIEDSOWERHEID.

DEEL I.

LIDMAATSKAP VAN DIE MATSHANGANAGEBIEDSOWERHEID.

1. (1) Die lede van die Matshanganagebiedsowerheid is die lede van die streeksowerhede ingestel binne sy gebied naamlik ten opsigte van elke streeksowerheid— Lede.

- (a) die kaptein van elke stam ten opsigte waarvan 'n stamowerheid ingestel is;
 (b) die voorsitter van elke gemeenskapsowerheid;
 (c) een stamverteenvoerdiger deur elke stam- of gemeenskapsowerheid aangewys ooreenkomsdig die Matshanganastreeksowerhederegulasies.

(2) Die gevoldmagtige van 'n kaptein ingevolge die Matshanganastreeksowerhederegulasies aangestel, kan sy kaptein op enige sessie van die Gebiedsowerheid wat die kaptein om enige rede nie kan bywoon nie, verteenwoordig, en so 'n gevoldmagtige wanneer hy die kaptein aldus verteenwoordig, geniet, behoudens die bepalings van subregulasie (4), al die bevoegdhede en voorregte van 'n lid van die Gebiedsowerheid.

(3) Wanneer ingevolge die Matshanganastreeksowerhederegulasies die aanstelling van 'n kaptein se gevoldmagtige ingetrek word, verval die bevoegdhede en voorregte wat sodanige gevoldmagtigde ingevolge subregulasie (2) geniet.

(4) Die gevoldmagte van 'n kaptein mag nie, tensy hy in 'n permanente hoedanigheid aangestel is, enige pos op die Uitvoerende Raad van die Gebiedsowerheid beklee nie.

(5) Die Hoofdirekteur moet die Kommissaris-generaal, die Sekretaris en die Kontroleur en Ouditeur-generaal in kennis stel van die name van die lede van die Gebiedsowerheid.

2. Niemand is bevoeg om 'n lid van die Gebiedsowerheid te wees nie tensy hy bevoeg is om 'n lid van 'n streeksowerheid te wees, dit wil sê, tensy hy—
(a) oor die ouderdom van een-en-twintig jaar is;
(b) 'n kaptein of voorsitter of 'n stamverteenvoordiger is, soos in regulasie 1 (1) vermeld.

3. (1) Niemand is bevoeg om 'n lid van die Gebiedsowerheid te wees nie—
(a) indien hy in die Republiek of die gebied Suidwes-Afrika skuldig bevind is—

- (a) Indien hy in die Republiek of die gebied Suidwes-Afrika skuldig bevind is—

 - (i) aan hoogverraad of 'n misdryf ingevolge enige wet wat die veiligheid van die Republiek in gevaar stel; of
 - (ii) aan enige ander misdryf en daarvoor gevonnis is tot 'n tydperk van gevangenisstraf van meer as twaalf maande sonder die keuse van 'n boete of bevel is om kragtens 'n wetsbepaling betreffende werkskolonies aangehou te word, en genoemde tydperk nie verstryk het nie of bedoelde bevel nie finaal buite werking getree het nie, minstens drie jaar voor die datum waarop hy anders bevoeg sou raak vir lidmaatskap van die Gebiedsowerheid ingevolge regulasie 2;

- (b) indien hy onderhewig is aan 'n hofbevel waarby hy **kranksinnig** of **geestelik gekrenk** of **gebrekkig** verklaar is of wettiglik kragtens die „Wet op Geestesgebreken, 1916“ (Wet No. 38 van 1916), as **geestelik gekrenkte** of **gebrekkige** aangehou word;
 - (c) indien hy 'n **ongerehabiliteerde insolvente persoon** is.

- (2) Vir die doeleindes van subregulasie 1 (a) word 'n persoon

(2) Vir die doelindes van subregulasie 1 (a) word 'n persoon wat ten vrome begelaaiig is, geag nie aan die betrokke misdryf skuldig te gewees het nie, en beteken 'n tydperk van gevangenisstraf die hele termyn van 'n vonnis tot gevangenisstraf, al is die vonnis in die geheel of gedeeltelik opgeskort of kwytgeskeld.

4. Die setel van 'n lid van die Gebiedsowerheid word geag ontruim te wees—

- (a) by die afsterwe van so 'n lid;
 - (b) by die aanvaarding deur die Uitvoerende Raad van 'n kennisgewing onder die handtekening van so 'n lid waarby hy sy bedankting te kenne gee;
 - (c) indien hy ophou die bevoegdhede genoem in regulasie 2 te besit of ingevolge regulasie 3 gediskwalifiseer raak.

PART II.

SESSIONS.

Sessions.

5. (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 after the coming into operation of these regulations (hereinafter referred to as 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 10.

(2) A special session of the Territorial Authority 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 dealt with.

(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 the policy of the Government of the Republic in regard to any matter being discussed or dealt with by the Territorial Authority.

Procedure.

6. (1) All questions in the Territorial Authority shall, subject to the provisions of sub-regulations (2) and (3), be determined by a majority of votes. 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) For the purposes of subregulation (1) members shall not vote individually but through delegations. Each delegation shall be entitled to exercise one vote only and shall consist of—

(a) a chief referred to in regulation 1 (1) (a), or his deputy attending on his behalf, together with the tribal representative designated in respect of the same tribal authority as such chief;

(b) a chairman referred to in regulation 1 (1) (b) together with the tribal representative designated in respect of the same community authority as such chairman:

Provided that if any one member of a delegation is temporarily absent, such absence shall not preclude the other member of such delegation from exercising the vote on behalf of his delegation.

(3) Any number of delegations more than half the total number of delegations to the Territorial Authority shall form a quorum.

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

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

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

(7) 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 delegations 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.

7. (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 Matshangana 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 Matshangana 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 its rules of procedure members shall make and subscribe the oath as provided in subregulation (1).

(3) A member who takes his seat subsequent to the day referred to in subregulation (2) 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.

DEEL II.

SESSIES.

5. (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 na die inwerkingtreding van hierdie regulasies (hierna die eerste sessie genoem) belê moet word deur 'n persoon wat die Minister aanwys wat ook daarop moet voortsit totdat 'n voorsitter ingevolge regulasie 10 gekies is.

(2) Die Uitvoerende Raad kan te eniger tyd en indien hy daartoe gelas word deur die Minister moet hy 'n spesiale sessie van die Gebiedsowerheid byeenroep en op so 'n spesiale sessie mag slegs dié sake wat die Hoofraadslid aan hom voorlê of goedkeur, 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, behandel 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 Hoofdirekteur 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 die beleid van die Regering van die Republiek te verduidelik in verband met enige aangeleentheid wat bespreek word of wat die Gebiedsowerheid behandel.

6. (1) Alle vrae in die Gebiedsowerheid moet, behoudens die bepalings van subregulasies (2) en (3), beslis word deur 'n meerderheid van stemme. In die geval van 'n staking van stemme het die Voorsitter, of in sy afwesigheid die Ondervoorsitter, 'n beslissende stem en moet dit uitbring.

(2) Vir die doeleindes van subregulasies (1) stem lede nie individueel nie, maar deur afvaardigings. Elke afvaardiging is geregtig om een stem uit te bring en bestaan uit—

(a) 'n kaptein vermeld in subregulasie 1 (1) (a), of sy gevollmagtigde wat in sy plek die sitting bywoon, saam met die stamverteenvoordiger ten opsigte van dieselfde stamowerheid as sodanige kaptein aangewys;

(b) 'n voorsitter vermeld in subregulasie 1 (1) (b) saam met die stamverteenvoordiger ten opsigte van dieselfde gemeenskapsowerheid as sodanige voorsitter aangewys:

Met dien verstande dat indien die een lid van 'n afvaardiging tydelik afwesig is, sodanige afwesigheid nie die ander lid van sodanige afvaardiging verhinder om namens sy afvaardiging 'n stem uit te bring nie.

(3) Enige aantal afvaardigings wat meer is as die helfte van die getal afvaardigings na die Gebiedsowerheid, maak 'n kworum uit.

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

(5) 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.

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

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

7. (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 aflu en onderteken:

Ek, A. B., sweer dat ek lojaal en getrou sal wees aan die Matshanganagebiedsowerheid, aan sy administrasie en aan die Regering van die Republiek van Suid-Afrika en dat ek alle wette wat in die gebied van die Matshanganagebiedsowerheid 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 sy reglement van orde moet lede die eed soos bepaal in subregulasie (1) aflu en onderteken.

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

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

Sessies.

Procedure.

Eed wat lede moet aflu.

Chairman and
deputy-chairman.

8. 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 elect a chairman and deputy-chairman from amongst its members.

Election of
chairman.

9. The Secretary for 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 5.

Method of
election of
chairman.

10. (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 any 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 candidates 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 periods of office of the Chief Councillor, Councillors, Deputy-Chairman and the person declared duly elected as chairman in terms of subregulation (4), (5), (6) or (8), and such person shall provisionally hold office as chairman pending the State President's decision in regard to his designation as chairman in terms of section 3(1) (b) of this Act.

Method of
election of
deputy-chairman.

11. The provisions of regulation 9 and subregulations (1) to (8), inclusive, of regulation 10 shall *mutatis mutandis* apply to the election of the Deputy-Chairman save that the election shall be conducted by the Chairman in his capacity as presiding officer as provided in the rules of procedure of the Territorial Authority.

Period of office
of chairman and
deputy-chairman.

12. (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 24 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.

13. 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.

Constitution of
Executive Council.

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

8. Nadat die aanwesige lede die eed afgelê en geteken het, gaan die Gebiedsowerheid op 'n sitting waarop 'n voorsitter en ondervoorsitter verkies moet word, oor om 'n voorsitter en ondervoorsitter uit sy lede te kies.

Voorsitter en ondervoorsitter.

9. 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 5 aanwys.

10. (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 toegelaat nie.

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

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

11. Die bepalings van regulasie 9 en van subregulasie (1) tot en met (8) van regulasie 10 is *mutatis mutandis* van toepassing op die verkiesing van 'n ondervoorsitter behalwe dat die verkiesing behartig word deur die Voorsitter in sy hoedanigheid as voorsittende beampete soos in die reglement van orde van die Gebiedsowerheid bepaal.

Wyse waarop ondervoorsitter verkies word.

12. (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 24, 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.

Ampstermy van voorsitter en ondervoorsitter.

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

DEEL III.

DIE UITVOERENDE GESAG.

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

Uitvoerende gesag berus by 'n uitvoerende raad.

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

Samestelling van Uitvoerende Raad.

(2) The Chief Councillor and the Councillors shall be elected by secret ballot 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.

Election of Chief Councillor and Councillors.

15. As soon as a chairman and deputy-chairman have been elected as in regulations 10 and 11 provided, the Territorial Authority shall proceed to the election of a Chief Councillor and Councillors.

Method of election of Chief Councillor.

16. The provisions of regulations 9 and subregulations (1) to (8), inclusive, of regulation 10 shall *mutatis mutandis* apply to the election of the Chief Councillor save that the election shall, subject to the provisions of regulation 18, be conducted by the Chairman in his capacity as presiding officer as provided in the rules of procedure of the Territorial Authority.

Method of election of Councillors.

17. (1) Whenever Councillors other than the Chief Councillor, are required to be elected, the Chairman shall, subject to the provisions of regulation 18, 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 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 delegation present shall, subject to the provisions of regulation 6, 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 purposes of subregulation (5) the Territorial Authority shall by separate vote to be repeated as often as may be necessary, determine which one of those candidates shall be eliminated.

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

18. (1) In the event of the Chairman being nominated as a candidate for election as Chief Councillor or as 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 5 shall preside.

(2) If either the Chairman or Deputy-Chairman is elected as the Chief Councillor or as a 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.

19. (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 Matshangana Territorial Authority with honour and dignity; to respect all laws applicable to the Matshangana Territorial Authority and in the area for which the Matshangana Territorial Authority was established; to be a true and faithful 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 25 (2) shall before assuming his duties as such make and subscribe before the Commissioner-General, or a person designated by the Minister, in the presence of the Executive Council the oath as set out in subregulation (1).

Conduct of proceedings of Executive Council.

20. (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.

(2) Die Hoofraadslid en die Raadslede word by geheime stemming 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.

15. Sodra 'n voorsitter en ondervoorsitter verkies is soos bepaal in regulasies 10 en 11, gaan die Gebiedsowerheid oor tot die verkiesing van 'n Hoofraadslid en Raadslede.

Verkiesing van Hoofraadslid en Raadslede.

16. Die bepalings van regulasie 9 en van subregulasies (1) tot en met (8) van regulasie 10 is *mutatis mutandis* van toepassing op die verkiesing van 'n Hoofraadslid behalwe dat die verkiesing, behoudens die bepalings van regulasie 18, behartig word deur die Voorsitter in die hoedanigheid van voorsittende beampete soos bepaal in die Gebiedsowerheid se reglement van orde.

Wyse waarop Hoofraadslid verkies word.

17. (1) Wanneer dit nodig word om Raadslede uitgesonderd die Hoofraadslid te verkies, moet die Voorsitter, behoudens die bepalings van regulasie 18, 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 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 afvaardiging, behoudens die bepalings van regulasie 6, 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 verkies verklaar word.

(6) Wanneer twee of meer kandidate dieselfde getal stemme behaal het, en een van dié kandidate vir die doeleindes 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.

Voorsitter ontruim voorsitterstoel indien hy genomineer word as Hoofraadslid of Raadslid.

18. (1) Ingeval die Voorsitter as 'n kandidaat vir verkiesing as Hoofraadslid of as 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 ingeval van die eerste sessie, die persoon deur die Minister ingevolge regulasie 5 aangewys, voorsit.

Eed vir Raadslede.

(2) Indien of die Voorsitter of die Ondervoorsitter as Hoofraadslid of 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.

19. (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 een in die volgende vorm aflu en onderteken:—

Beheer van prosedure van Uitvoerende Raad.

Ek, A. B., sweer hierby om my amp as lid van die Uitvoerende Raad van die Matshanganagebiedsowerheid op eervolle en waardige wyse te beklee; om alle wette wat van toepassing is ten opsigte van die Matshanganagebiedsowerheid en in die gebied ten opsigte waarvan die Matshanganagebiedsowerheid 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 ampsligte met nougesethed 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 25 (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), aflu en onderteken.

20. (1) Vrae wat in die Uitvoerende Raad ontstaan, word beslis by meerderheid van stemme van die aanwesige Raadslede en die Hoofraadslid 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 gelede 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 Direkteur 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.

Period of office
of Councillors.

21. (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.

Petition for
removal of
Chairman.

22. (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 it is then in session or, if it 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.

23. (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 to act under subregulation (1) the Councillors shall designate one of their number to act as Chief Councillor until the vacancy is filled or 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 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, reorganise 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.

24. (1) The Chairman, the Deputy-Chairman, the Chief Councillor or a 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 4;
- (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 12 (2) or 21 (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 22 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.

25. (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 a 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 has 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.

21. (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.

22. (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 ampstermy van sy voorganger gelas word, en die Staatspresident kan na goed-dunke aan so 'n versoekskrif voldoen.

(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 Staats-president voorgelê te word.

(3) Die beslissing van die Staatspresident oor so 'n versoekskrif word binne 'n tydperk van sewe dae na ontvangs 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 onmiddellik 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.

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

(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, 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.

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

- (a) indien sy setel as lid van die Gebiedsowerheid geag is onruim te wees ingevolge regulasie 4;
- (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 die Ondervoorsitter, die Hoofraadslid of 'n Raadslid, by besluit van die Gebiedsowerheid soos in regulasie 12 (2) of 21 (2) bepaal, uit sy amp ontslaan word;
- (d) indien, in geval van die Voorsitter, die Staatspresident voldoen het aan 'n versoekskrif om sy ontslag soos in regulasie 22 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 aangekondig is, moet die Sekretaris van die Gebiedsowerheid by die eersvolgende sessie die Gebiedsowerheid dienooreenkomstig verwittig.

25. (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.

(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 ampstermy waarvoor die persoon wat sy amp op die Uitvoerende Raad ontruim het, verkies was.

Ampstermy
van Raadslede.

Versoekskrif
vir ontslag van
Voorsitter.

Werksaamhede
van Hoof-
raadslid.

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

Vulling van
toevallige
vakatures.

(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 5(4) provided for the purpose of electing in the manner 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.

PART IV.

STATUS OF CHIEFS.

Chief to retain personal status.

26. 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.

PART V.

MATSHANGANA TERRITORIAL AUTHORITY SERVICE.

Establishment of Matshangana Territorial Authority Service.

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

Services of Public Service officials at disposal of Territorial Authority.

28. (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 Matshangana Territorial Authority the service 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 VI.

MISCELLANEOUS PROVISIONS.

Applicability of the Prevention of Corruption Act.

29. 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.

30. 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.

31. (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 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 and of every deputy of a chief;
- (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;
- (j) particulars of any works performed by the Territorial Authority.

Use of official languages.

32. (1) All votes and proceedings and order papers shall be recorded in Shangaan, 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 Shangaan and, in alternate years, in Afrikaans and English.

PART VII.

GENERAL.

Short title.

33. The regulations contained in this Schedule shall for the purposes of this Proclamation be known as the Matshangana Territorial Authority regulations.

(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 5 (4) bepaal vir die doel om uit sy lede 'n Hoofraadslid te verkies op die wyse in hierdie regulasies bepaal, vir die onverstreke gedeelte van die tydperk waarvoor sy voorganger verkies was.

DEEL IV.

STATUS VAN KAPTEINS.

26. '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 en Raadslede behalwe ten opsigte van aangeleenthede of geleenthede in verband met die werksaamhede van die Gebiedsowerheid.

Kapteins behou persoonlike status.

DEEL V.

MATSHANGANAGEBIEDSOWERHEIDSIDIENS.

27. Daar word hierby, vanaf 'n datum deur die Minister bepaal, die Matshanganagebiedsowerheidsdiens ingestel. Beampes en werknemers wat op sodanige datum in diens van die Gebiedsowerheid en van streeksowerhede, stam- en gemeenskapsowerhede in sy gebied is, vir aanstelling oorweeg sal word met behoorlike inagneming van die voorwaardes wat die Sekretaris voorgeskryf.

Instelling van Matshanganagebiedsowerheidsdiens.

28. (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 Matshanganagebiedsowerheid stel.

Dienste van beampes van die Staatsdiens tot beskikking van Gebiedsowerheid.

(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.

DEEL VI.

DIVERSE BEPALINGS.

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

Toepassing van die Wet op Voorkoming van Korruksie.

30. 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.

31. (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 regssgebied;
- (c) die naam van elke stam- en gemeenskapsowerheid binne sy regssgebied;
- (d) die naam en ampstermy van elke opvolgende voorsitter of ondervoorsitter;
- (e) die naam en ampstermy van elke opvolgende hoofraadslid en raadslid;
- (f) die naam van elke lid en elke gevoldmagtigde van 'n kaptein;
- (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.

32. (1) Alle notule en orde papiere moet in Shangaan, Engels en Afrikaans gehou word. Regterlike, administratiewe en finansiële dokumente moet ook, soos omstandighede vereis, aldus gehou word.

Gebruik van amptelike tale.

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

DEEL VII.

ALGEMEEN.

33. Die regulasies in hierdie Bylae vervat staan vir die doeleindes van hierdie Proklamasie bekend as die Matshanganagebiedsowerheidregulasies.

Kort titel.

ANNEXURE.

DEPARTMENTS.

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

SCHEDULE D.

RULES OF PROCEDURE—MATSHANGANA TERRITORIAL AUTHORITY.

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PART I.

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

Presiding officer.

Procedure.

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 5(1) of the Matshangana 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.

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 mark on the reverse side thereof;
- (c) each delegation referred to in regulation 6(2) of the Matshangana Territorial Authority regulations 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 5(1) of the said regulations, and such delegation shall thereupon signify the candidate or candidates, as the case may be, for whom it 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 delegation in turn and a member of such delegation may, when such name is called, come to the Table and drop the ballot paper, folded in such manner that the names of the candidates are obscured but the secret mark can be seen by the presiding officer, into the ballot box on the Table;
- (e) no member of a delegation shall drop into the ballot box a ballot paper which is not that of his delegation;
- (f) no member shall enter or leave the Chamber while a ballot is in progress;
- (g) when all the delegations 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.

AANHANGSEL.

DEPARTEMENTE.

1. Departement van Owerheidsake en Finansies.
2. Departement van Gemeenskapsdienste.
3. Departement van Ontwikkelingsdienste.
4. Departement van Onderwys en Kultuur.
5. Departement van Ekonomiese Sake.
6. Departement van Justisie.

BYLAE D.

REGLEMENT VAN ORDE.—MATSHANGANAGEBIEDSOWERHEID.

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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 5 (1) van die Matshanganagebiedsowerheidsregulasies, op as voorsittende beamppte en in die geval van die verkiesing van 'n Ondervoorsitter, Hoofraadslid of Raadslede, tree die Voorsitter as voorsittende beamppte op.

Voorsittende beamppte.

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 vakature is, moet met geslote stembriefies ooreenkomsdig 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 merk op die keersy daarvan hê;
- (c) aan elke afvaardiging genoem in regulasie 6 (2) van die Matshanganagebiedsowerheidsregulasies, 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 5 (1) van bedoelde regulasies, en so 'n afvaardiging 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 beamppte moet dan die naam van elke afvaardiging beurtelings uitroep en 'n lid van so 'n afvaardiging kan, wanneer sodanige naam uitgeroep word, na die Tafel kom en die stembriefie wat so gevou moet wees dat die name van die kandidate onsigbaar is maar dat die geheime merk vir die voorsittende beamppte sigbaar is, in die stembus op die Tafel laat val;
- (e) geen lid van 'n afvaardiging mag 'n stembriefie in die stembus laat val wat nie die van sy afvaardiging is nie;
- (f) geen lid mag die Raadsaal binnekom of verlaat terwyl 'n stemming gehou word nie;
- (g) sodra alle afvaardigings wat wil stem, gestem het, moet die voorsittende beamppte bygestaan deur die Sekretaris van die Gebiedsowerheid of die Assistant-sekretaris, in die teenwoordigheid van die aanwesige lede die stembriefies ondersoek en tel en die uitslag van die stemming aan die Gebiedsowerheid aankondig.

Powers of presiding officer.

Disposal of ballot papers.

Procedure on first sitting day.

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

Chairman to maintain order.

Members to sit down when Chairman rises.

Members to be equal.

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.
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.

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 has 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 the person designated by him, and members shall be seated in their places at such time;
 - (h) the Chairman or in his absence the Deputy-Chairman, accompanied by the orderly of the Territorial Authority, 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 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.
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.

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.
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.
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.

3. Indien die voorsittende beampete oortuig is dat—

- (a) 'n stembriefie nie voldoen aan die vereistes van reglement 2 nie, kan hy dit verworp 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.

Bevoegdheid
van voor-
sittende beampete.

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 versêl 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.

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 volgorde geleei, behoorlik aangepas by die behoeftes van die geleentheid:

Procedure
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 hierby;
- (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 dié wat aanwesig is antwoord wanneer hulle name gelees word;
- (d) die lede daar teenwoordig moet dan voor die Kommissaris-generaal, of 'n persoon deur die Minister aangewys, die voorgeskrewe eed afle 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 afle 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 die persoon deur hom aangewys, en lede moet op hierdie tydstip hulle sitplekke ingeneem het;
- (h) die Voorsitter, of in sy afwesigheid die Ondervoorsitter, vergesel van die ampswag van die Gebiedsowerheid 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 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 openingsseremonie waar te neem, staan die lede en bly hulle staande op hul plekke, totdat die Minister of sy afgevaardigde sy sitplek ingeneem of die Raadsaal verlaat het, na gelang van die geval.

Procedure
by aankoms
en vertrek
van die
Minister or 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.

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.

Members to speak standing.

Chairman to select speaker.

Members not speaking to be seated.

Matters on which members may speak.

Number of times members may speak.

Duration of speeches.

Right of introducer of motion to reply to debate.

Form of address.

Member not to read his speech.

Conduct of members during sittings.

When interruptions may be made.

Speeches to be relevant.

Pending lawsuit privileged.

Questions on which decision taken out of order.

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

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.

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

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.

14. (1) No member shall address the Territorial Authority more than once on a question, 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.

15. Except in the case of the Chief Councillor or Councillors and subject to the provisions of rule 82 no member may exceed thirty minutes in speaking to any motion.

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.

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).

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.

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.

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 and the speaker.

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

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.

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.

(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.

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 ander 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 toegelaat nie. (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.	Getal kere wat lede mag praat.
15. Behalwe in die geval van die Hoofraadslid of Raadslede en behoudens die bepalings van reglement 82 mag geen lid langer as dertig minute oor enige mosie praat nie.	Duur van toespraak.
16. Neteenstaande 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).	Aanspreekvorm.
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 aantekenings te raadpleeg.	Lid mag sy toespraak nie voorlees nie.
19. Gedurende 'n sitting moet 'n lid— (a) die Raadsaal binnekomb of verlaat met dekorum; (b) in die geval van 'n man blootshoof wees terwyl hy in die Raadsaal is; (c) 'n buiging voor die Stoel maak wanneer hy die Raadsaal binnekomb of 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 nuusblaarie, 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.	Gedrag van lede tydens sittings.
20. Geen lid mag 'n ander lid wat aan die woord is, in die rede val nie, behalwe— (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 en die spreker.	Wanneer lede in die rede gevallen mag word.
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 geprivilegerd.
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. (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.	Vrae wat reeds beslis is buite die orde.

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, Minister or Commissioner-General and other dignitaries 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 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 at the request of the Chairman be censured by the Territorial Authority. (2) Any member against whom action was taken by the Chairman or the Territorial Authority in terms of the provisions of this rule and rule 33 shall forfeit for that day any allowance payable to him by reason of his being a member of the Territorial Authority.
Chairman's powers to adjourn Territorial Authority or suspend sitting.	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 24 hours.

24. Dit is buite die orde om aanstootlike en beledigende taal omtrent lede van die Gebieds-owerheid te gebruik.	Beledigende taal buite die orde.
25. 'n Lid mag nie onbehoorlike motiewe aan 'n ander lid toeskryf nie.	Toeskrywing van onbehoorlike motiewe 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.	Persoonlike aanvalle 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. (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 lid van die publiek wat in aangewese plekke teenwoordig mag wees, in die Gebiedsowerheid gedurende die verrigtings daarvan, aanspreek nie.	Name van Staatspresident, Minister of Kommissaris-generaal en ander hoogwaardigheidsbekleers mag nie gebruik 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 ongustige lig gestel word nie. (2) 'n Lid mag nie verradelike of oproerige taal gebruik of die naam van die Staatspresident oneerbiediglik gebruik nie.	Gedrag van Staatspresident en ander mag nie na verwys word 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 vooruitlooping, hy in ag neem of dit waarskynlik is dat die saak wat vooruitgeloop 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.	Reglemente vir lid wat Gebieds-owerheid toespreek.
32. Nadat die Voorsitter die aandag van die Gebiedsowerheid gevestig het op die gedrag van 'n lid wat volhou om aangeleenthede wat nie ter sake is nie, te bespreek of om sy eie argumente 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.	Ontoevaslikheid en herhaling.
33. Die Voorsitter moet 'n lid wie se gedrag uiters wanordelik is, gelas om onmiddellik die sitting van die Gebiedsowerheid vir die res van die sittingsdag te verlaat en die amswag 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 versuim 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. (2) Enige lid teen wie daar deur die Voorsitter of die Gebiedsowerheid kragtens die bepaling 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.	Wanordelike gedrag: Sensuur deur Gebieds-owerheid.
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 gaande nie.	Voorsitter se bevoegdhede om Gebiedsowerheid te verdaag of sitting op te skort.

PART IV.**LANGUAGES.**

Languages
to be used.

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

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
Territorial
Authority
regarding
regulation of
business.

Secretary of
Territorial
Authority
to arrange for
report of
speeches.

Staff for
select and
other
committees.

Sitting days.

Adjournments.

Times of
sittings.

PART V.**OFFICERS: RECORDS AND PAPERS.**

37. The Executive Council shall appoint an officer of the Matshangana 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 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 Shangaan, 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 43 (2) of the Matshangana 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*.

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.

DEEL IV.

TALE.

36. Toesprake moet in Shangaan, 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 DOKUMENTE.

37. Die Uitvoerende Raad moet 'n beamppte van die Matshanganagebiedsowerheidsdiens as Sekretaris van die Gebiedsowerheid aanstel.

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 Owerheidsake en Finansies en voer hulle pligte uit onder die algemene bevele en beheer van die Hoofdirekteur.

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.

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

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, ingeval 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.

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

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.

44. Die Sekretaris van die Gebiedsowerheid is verantwoordelik vir die voortbrenging van enige *verbatim* verslag soos uiteengesit in regulasie 43 (2) van die Matshanganagebiedsowerheidsregulasies.

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 komitees van die nodige klerklike personeel en stenograaf te voorsien wanneer ookal komitees van die Gebiedsowerheid verlang om mondelinge getuenis af te neem.

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.

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

Sittingsdae.

Verdagings.

48. Tensy die Gebiedsowerheid anders besluit sit dit—

- (a) op Maandag, Dinsdag, Woensdag en Donderdag vanaf 10 vm. tot 5 nm.; en
- (b) op Vrydag vanaf 10 vm. tot 1 nm.:

Met dien verstande dat die Voorsitter, volgens sy diskresie en ná beraadslaging met die Raadslid in beheer van enige aangeleentheid 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 amendment 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.

Tye van sittings

PART VII.

QUORUM.

Procedure when quorum not present.

49. If the chairman finds that a quorum as provided in regulation 6 (3) of the Matshangana 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 it appears there is no quorum.

50. If from the number of delegations taking part in a ballot it appears that a quorum is not present, the ballot shall be invalid, the question 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 motion.

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

(2) No substantive motion other than a motion referred to in Part XII 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—".

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

Submission of motions.

52. After receipt of the notification referred to in regulation 5 (4) of the Matshangana Territorial Authority regulations but not less than twenty-eight days before the date fixed for the first sitting day of a session of the Territorial Authority, a tribal or community authority shall forward any motions for the consideration of the Territorial Authority to the Chief Director for submission to the Chief Councillor: Provided that in exceptional circumstances and for good and sufficient reasons the Executive Council may agree to the acceptance of motions received at any time before the commencement of a session.

Motions to be signed.

53. Every motion submitted to the Chief Director in terms of rule 52 shall be signed by the members of the delegation of the tribal or community authority concerned.

Powers of Chief Councillor as to substantive motions.

54. (1) A substantive motion other than a motion referred to in Part XII shall be considered by the Chief Councillor who after consultation with the business committee or the responsible Councillor 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 he may direct; or
- (c) that it be returned to the tribal or community authority who submitted it, as being out of order.

(2) All directions in terms of subrule (1) shall be conveyed to the tribal or community authority concerned not less than twenty-one days before the date fixed for the first sitting day of a session of the Territorial Authority.

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.

(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.

DEEL VII.

KWORUM.

49. As die Voorsitter bevind dat daar nie 'n kworum soos bepaal in regulasie 6 (3) van die Matshanganagebiedsowerheidsregulasies teenwoordig is nie moet hy opdrag gee dat lede ontbied word deur die klokke te lui, tydens welke periode die verrigtings van die Gebiedsowerheid outomatis opgeskort word. Indien hy na twee minute oortuig is dat 'n kworum nie aanwesig is nie, verdaag hy die Gebiedsowerheid onverwyd tot die volgende sittingsdag.

Procedure as daar geen kworum is nie.

50. As dit blyk uit die getal afvaardigings 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 procedure 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 uitgesonderd—

Definisié van mosie.

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

(2) Geen substantiewe mosie behalwe 'n mosie waarna in Deel XII verwys word 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 . . .”.

(3) Die gebiedsowerheid oorweeg mosies waarna in hierdie reglement verwys word en mag sodanige mosies na goeddunke goedkeur, wysig of verworp.

52. Na ontvangs van die kennisgewing waarna verwys word in regulasie 5 (4) van die Matshanganagebiedsowerheidsregulasies maar nie minder as agt-en-twintig dae voor die datum bepaal vir die eerste sittingsdag van 'n sessie van die Gebiedsowerheid nie, moet 'n stam- of gemeenskapsowerheid enige mosies vir oorweging van die Gebiedsowerheid aan die Hoofdirekteur vir voorlegging aan die Hoofraadslid, stuur: Met dien verstande dat die Uitvoerende Raad in buitengewone omstandighede en vir voldoende en grondige redes kan instem dat mosies wat te eniger tyd voor die aanvang van 'n sessie ontvang word, aangeneem word.

Voorlē van mosies.

53. Elke mosie wat ooreenkomstig reglement 52 aan die Hoofdirekteur gestuur word, moet deur die lede van die delegasie van die betrokke stam- of gemeenskapsowerheid onderteken word.

Mosies moet geteken word.

54 (1) 'n Substantiewe mosie uitgesonderd 'n mosie waarna in Deel XII verwys word, word deur die Hoofraadslid oorweeg wat na oorlegpleging met die werkkomitee of die verantwoordelike Raadslid moet gelas—

Bevoegdhede van Hoofraadslid ten opsigte van substantiewe mosies.

- (a) dat dit op die Ordelys geplaas word soos dit bewoerd is by inlewering; of
- (b) dat dit op die Ordelys geplaas word met sodanige wysigings as wat hy mag voorskryf; of
- (c) dat dit na die stam- of gemeenskapsowerheid wat dit ingedien het teruggestuur word as buite die orde.

(2) Die betrokke stam- en gemeenskapsowerhede moet nie later as een-en-twintig dae voor die vasgestelde datum vir die eerste sittingsdag van 'n sessie van die Gebiedsowerheid in kennis gestel word van alle opdragte ooreenkomstig subreglement (1).

55. Ondanks enige andersluidende bepaling in reglemente 52 en 54 (2) mag 'n mosie, in geval 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.

Procedure 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, vervalt 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 deur die Gebiedsowerheid bespreek word. 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) Wanneer daar nie meer lede is wat wens, of geregtig is, om te praat nie stel die Voorsitter die mosie aan die Gebiedsowerheid vir sy 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 oorspronklike mosie, of indien dit gewysig is, die mosie soos gewysig, ten einde die lede ten volle vertroud te maak met die bepalings daarvan.

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

Amendments
to motions:
Procedure.

Amendments to
be in writing.

Withdrawal
of motions.

Proposal to
adjourn debate.

Times when
Member may
speak on motion.

Speeches
prohibited after
motion put
by chairman.

Order of
business.

Questions
to be on
Order Paper.

Matters on
Order Paper to be
scrutinised
by business
committee.

Order of
precedence to be
decided by
business
committee.

Presentation
of papers.

Questions
may be
asked of
Councillors.

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 add one or more words at the end of the motion; or
 (d) to substitute certain other words for certain words contained in the motion.

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.

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.

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 an amendment after it has been fully put by the Chairman.

PART IX.

ARRANGEMENT OF BUSINESS.

63. The business of each sitting day other than the first sitting 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) petitions;
- (d) administration of oaths, if any;
- (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;
- (l) proceedings on draft enactments, draft taxation measures and draft estimates of expenditure.

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

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.

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 Councillor 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.

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 skriftelik 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.

Terugtrekking van mosies.

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

60. 'n Lid wat opgestaan het om te praat oor 'n vraag voor die Gebiedsowerheid mag voorstel 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.

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

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

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

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

Toesprake verbode na mosie gestel is deur Voorsitter.

DEEL IX.

INDELING VAN WERKSAAMHEDE.

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

Orde van werkzaamhede.

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

(b) sterflys en ander seremoniële toesprake;

(c) petisies;

(d) afneem van ede, as daar is;

(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) verkiesing van Voorsitter, Ondervoorsitter of Raadslede, indien nodig;

(i) tertafellegging van verslae of dokumente;

(j) vrae op die bepaalde dag;

(k) verrigtings insake substantiewe mosies;

(l) verrigtings insake konsepmaatreëls, konsepbelastingvoorstelle en konsepbegrotings van uitgawes.

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

Vrae moet op ordelys geplaas word.

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

Sake op ordelys word nagesien deur werkkomitee.

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

Voorrang word deur werkkomitee beslis.

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

Aanbieding van dokumente.

DEEL X.

VRAE.

68. 'n Lid wat nie 'n Raadslid is 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.

Notice of question to be given.

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.

Questions without notice.

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.

Form of Questions.

71. (1) A question shall not—

- (a) include the names of persons, or statements which are not strictly necessary to make the questions 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 expenditure.

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

Questions to be replied to only once.

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.

Member shall ask question on Order Paper.

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

Questions not to be pretext for debate.

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

Lapsing of questions.

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.

PART XI.

METHOD OF VOTING ON MOTIONS AND AMENDMENTS.

Mode of putting question for decision.

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.

Procedure when ballot ordered.

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 delegation 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.

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 Ordelys 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 werksaamhede, mag die Voorsitter toelaat dat die vraag gevra word sonder kennisgewing indien hy oortuig is dat die vraag wel van sodanige aard is.

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

Vrae sonder kennisgewing.

71. (1) 'n Vraag mag nie—

- (a) die name van persone of verklarings wat nie streng noodsaaklik 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 gedoen het nie;
- (e) inligting probeer inwin oor 'n saak wat uiteraard geheim is nie;
- (f) refleksieswerp op die beslissing van 'n gereghof nie of so ingeklee 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 inwinningswaarvan, na die mening van die Uitvoerende Raad, langdurige en ongeregverdigde arbeid sal vereis of buitensporige of onnodige uitgawe sal veroorsaak nie.

Vorm van vrae.

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

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 nie aan die bepalings van hierdie reglemente nie in die Ordelys ingesluit moet word nie tensy sekere veranderings soos hy beveel aangebring is.

Bevoegdhede van Voorsitter oor vrae.

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

Lid moet vraag op ordelys vra.

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, verval die vraag.

Verval van vrae.

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 vir 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 deur van die Raadsaal toegemaak en gesluit en geen lid mag daarna die Raadsaal binnekomm of verlaat voordat die stemming afgeloop is nie.

Procedure wanneer stemming gelas word.

(2) Wanneer die deur gesluit is, lê die Voorsitter die mosie of amendement weer voor en elke afvaardiging 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) The Secretary of the Territorial Authority shall then total the number of votes cast for and against the motion or amendment 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 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.

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

Method of introduction of draft enactments, taxation proposals and estimates of expenditure.

Consideration of draft enactment, taxation proposals and estimates of expenditure.

Consideration of details of draft enactment, draft taxation proposal and draft estimates of expenditure.

79. The Executive Council shall cause to be forwarded to each tribal authority a copy of any draft enactments, taxation proposals and estimates of expenditure, together with draft enactments to give effect to such proposals or estimates, it is proposed to submit to the Territorial Authority not less than twenty-one days before the first sitting day of the session of the Territorial Authority at which such draft enactment, taxation proposal and estimates of expenditure are to be submitted.

80. Draft enactments, taxation proposals and estimates of expenditure, together with draft enactments to give effect to such proposals and estimates shall be introduced in the Territorial Authority by the Chief Councillor or other Councillor concerned by laying a copy thereof on the Table and giving notice that he shall move on a date to be stated that the draft enactment, taxation proposals or estimates of expenditure and the relevant draft enactments, as the case may be, be adopted in principle by the Territorial Authority.

81. On the date referred to in rule 80 the Territorial Authority shall proceed to the consideration of the draft enactment, taxation proposal or estimates of expenditure and the relevant draft enactments, as the case may be, in the following manner—

- (a) (i) in the case of a draft enactment or taxation proposals and the relevant draft enactments, the Chief Councillor or other Councillor concerned shall open the debate by stating the general object, scope and purpose thereof and the necessity therefor;
- (ii) in the case of the estimates of expenditure and the relevant draft enactment the Chief Councillor shall open the debate with a speech in which he shall review the financial position of the administration and the future development and policy of the various departments;
- (b) the Territorial Authority shall thereupon debate the general merits and principles of the draft enactment or taxation proposals or draft estimates of expenditure and the relevant draft enactments, as the case may be;
- (c) except in the case of the Chief Councillor or other Councillor concerned, no member may exceed thirty minutes nor shall such member address the Territorial Authority more than once during the course of the debate;
- (d) when no more members wish to speak the Chief Councillor or other Councillor concerned shall reply to the debate but shall have the option to postpone his reply to the following or any future sitting day of the Territorial Authority.

82. If the motion referred to in rule 80 is agreed to by the Territorial Authority, the Territorial Authority shall, on a day appointed by the Councillor in charge, proceed to consider the details of the draft enactment, or taxation proposals or estimates of expenditure, together with the draft enactments to give effect thereto, as the case may be, in the following manner—

- (a) in the case of a draft enactment—
 - (i) the Chairman shall put the clauses in succession;
 - (ii) the title and the preamble (if any) shall be considered after the clauses and schedules (if any) have been disposed of;
 - (iii) the principles of the draft enactment shall not be discussed but only the details;
 - (iv) amendments to a clause or the insertion of new clauses may be moved, provided such amendments or clauses are relevant to the subject matter of the draft enactment;
 - (v) if any amendment or clause is adopted which is not within the title or preamble (if any), the title or preamble shall be amended accordingly;
- (b) in the case of taxation proposals and the relevant draft enactments—
 - (i) proposals shall be put item by item according to the draft enactment designed to give effect to the particular proposals;
 - (ii) when particular proposals have been agreed to, the relevant enactment shall be considered as provided for in paragraph (a);

(4) Die Sekretaris van die Gebiedsowerheid tel dan die aantal stemme uitgebring ten gunste van 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, wanneer dit onder sy aandag gebring word, dat die Notule gekorriger word.

DEEL XII.

KONSEPMAATREËLS, BELASTINGVOORTSELLE EN BEGROTINGS VAN UITGAWES.

79. Die Uitvoerende Raad laat aan elke stamowerheid 'n afskrif stuur van alle konsepmaatreëls, belastingvoorstelle en begrotings van uitgawes, tesame met konsepmaatreëls om uitvoering te gee aan sodanige voorstelle of begrotings, wat bedoel is om in die Gebiedsowerheid voorgelê te word, minstens een-en-twintig dae voor die eerste sittingsdag van die sessie van die Gebiedsowerheid waarop sodanige konsepmaatreël, belastingvoorstel of begroting van uitgawes voorgelê word.

80. Konsepmaatreëls, belastingvoorstelle en begrotings van uitgawes, tesame met konsepmaatreëls om uitvoering te gee aan sodanige voorstelle en begrotings, word by die Gebiedsowerheid ingedien deur die Hoofraadslid of ander betrokke Raadslid deur 'n afskrif daarvan ter Tafel te lê en deur kennis te gee dat hy op 'n dag wat vermeld moet word, sal voorstel dat die Gebiedsowerheid die konsepmaatreëls, belastingvoorstelle of begrotings van uitgawes en die toepaslike konsepmaatreëls, na gelang van die geval, in beginsel moet aanneem.

81. Op die datum genoem in reglement 80, gaan die Gebiedsowerheid oor om die konsepmaatreël, belastingvoorstelle of begrotings van uitgawe en die toepaslike konsepmaatreëls, na gelang van die geval, op die volgende wyse te oorweeg:—

- (a) (i) In die geval van 'n konsepmaatreël of belastingvoorstelle en die toepaslike konsepmaatreëls, moet die Hoofraadslid of ander betrokke Raadslid die debat open deur die algemene oogmerk, omvang en doel daarvan en die noodsaaklikheid daarvoor te vermeld;
- (ii) in die geval van die begroting van uitgawes en die toepaslike konsepmaatreël, moet die Hoofraadslid die debat open met 'n toespraak waarin hy 'n oorsig gee van die finansiële posisie van die administrasie en die toekomstige ontwikkeling en beleid van die verskillende departemente;
- (b) die Gebiedsowerheid moet dan die algemene verdienstelikheid en beginsels van die konsepmaatreël, belastingvoorstelle of begroting van uitgawes en die toepaslike konsepmaatreëls bespreek, na gelang van die geval;
- (c) uitgesonderd in die geval van die Hoofraadslid of ander betrokke Raadslid, mag geen toespraak langer as dertig minute duur nie en geen lid mag die Gebiedsowerheid meer as een keer gedurende die loop van die debat toespreek nie;
- (d) wanneer daar geen lid meer is wat wil praat nie, moet die Hoofraadslid of ander betrokke Raadslid op die debat antwoord maar het die keuse om sy antwoord uit te stel tot die volgende of enige toekomstige sittingsdag van die Gebiedsowerheid.

82. Indien die mosie in reglement 80 genoem, deur die Gebiedsowerheid aangeneem is, moet die Gebiedsowerheid op 'n dag deur die Raadslid in beheer bepaal, oorgan om die besonderhede van die konsepmaatreël, belastingvoorstelle of begroting van uitgawes, tesame met die konsepmaatreëls om uitvoering daaraan te gee, na gelang van die geval, op die volgende wyse te oorweeg:—

- (a) in die geval van 'n konsepmaatreël—
 - (i) die Voorsitter stel die klousules agtereenvolgend;
 - (ii) die titel en die aanhef (indien enige) moet oorweeg word na die klousules en bylaes (indien enige) afgehandel is;
 - (iii) die beginsels van die konsepmaatreël moet nie bespreek word nie, maar slegs die besonderhede;
 - (iv) wysigings van 'n klousule of die invoeging van nuwe klousules kan voorgestel word, mits sodanige wysigings of klousules ter sake is betreffende die inhoud van die konsepmaatreël;
 - (v) indien enige wysiging of klousule wat nie in die titel of aanhef (indien enige) voorkom, aangeneem word nie word die titel of aanhef dienooreenkomsdig gewysig;
- (b) in die geval van belastingvoorstelle en die toepaslike konsepmaatreëls—
 - (i) voorstelle moet item vir item gestel word ooreenkomsdig die konsepmaatreël wat bedoel is om uitvoering aan die betrokke voorstelle te gee;
 - (ii) wanneer besondere voorstelle aangeneem is, word die betrokke maatreël oorweeg op die wyse in paragraaf (a) bepaal;

Konsepmaat-
reëls, belasting-
voorstelle en
begrotings van
uitgawes moet
aan stamower-
hede beskikbaar
gestel word.

Wyse waarop
konsep-
maatreëls,
belastingvoor-
stelle en
begrotings van
uitgawes
voorgelê word.

Oorweging van
konsepmaatreël,
belastingvoor-
stelle en
begrotings van
uitgawes.

Oorweging
van besonder-
hede van
konsepmaatreël,
belastingvoor-
stelle en begroting
van uitgawe.

- (iii) no amendments shall be allowed if the effect thereof is to alter any amount of a proposal agreed to;
- (c) in the case of the estimates of expenditure—
 - (i) the Chairman shall put each vote as listed in the draft enactment designed to give effect to the estimates of expenditure for consideration in detail in accordance with the estimates which have been tabled;
 - (ii) each vote falling under each of the departments of the Territorial Authority shall be considered separately;
 - (iii) 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;
 - (iv) 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;
 - (v) 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;
 - (vi) 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;
 - (vii) 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;
 - (viii) 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.
- (d) 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 under either paragraph (a), (b), or (c) nor shall such member address the Territorial Authority for more than three such periods during the course of a particular debate;
- (e) (i) whenever a draft enactment, or an enactment to give effect to taxation proposals or to the estimates of expenditure has been dealt with in accordance with the provisions of paragraphs (a), (b) or (c), as the case may be, the Councillor having charge of the enactment shall move that the draft enactment with or without amendments, be adopted by the Territorial Authority;
 - (ii) no debate or amendment of such motion shall be allowed.

Enactment to be passed to Commissioner-General.

83. When an enactment has been passed by the Territorial Authority a fair copy thereof shall be signed by the Chairman and forwarded to the Commissioner-General to be further dealt with as required by law.

Rules of debate, motions and method of voting.

84. Save as provided in this Part, the provisions of rules 7 to 35, 51 to 62 and 77 to 78 shall *mutatis mutandis* apply to the consideration of draft enactments, taxation proposals and estimates of expenditure.

PART XIII.

SELECT AND SESSIONAL COMMITTEES.

Appointment of sessional committees.

85. 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 the Rules of Procedure 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. At least one Councillor and the Chairman of the Territorial Authority shall be members of the Committee 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 to 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 this sessional committee which shall formally consider such report and pass a resolution thereon, and the report of the sessional committee shall be laid upon the Table whereupon such report shall be formally considered by the Territorial Authority.

Appointment of select committees.

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

- (iii) geen wysings word toegelaat indien dit die uitwerking het om enige bedrag van 'n voorstel wat aangeneem is, te verander nie;
- (c) in die geval van die begroting van uitgawes—
 - (i) die Voorsitter stel elke begrotingspos soos opgeteken in die konsepmaatreël wat bedoel is om uitvoering aan die begroting van uitgawes te gee, vir oorweging in die besonder ooreenkomstig die begroting wat ter tafel gelê is;
 - (ii) elke begrotingspos wat onder elke departement van die Gebiedsowerheid ressorteer, word afsonderlik oorweeg;
 - (iii) wanneer 'n begrotingspos of subhoof van 'n begrotingspos aan die Gebiedsowerheid gestel word, mag 'n amendement om sodanige begrotingspos of subhoof weg te laat of te verminder, voorgestel word, en dan is die aangeleentheid oop vir bespreking deur die Gebiedsowerheid;
 - (iv) 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;
 - (v) 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;
 - (vi) dit is binne die orde om ter 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;
 - (vii) '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;
 - (viii) 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 te illustreer;
- (d) uitgesonderd in die geval van die Hoofraadslid of ander betrokke Raadslid, mag geen lid langer as vyftien minute oor enige aangeleentheid tydens die debat geopper onder, óf paragraaf (a), (b) óf (c) praat nie, en 'n lid mag die Gebiedsowerheid nie meer dikwels dan drie sodanige tydperke tydens die verloop van die besondere debat toespreek nie;
- (e) (i) wanneer 'n konsepmaatreël, of 'n maatreël om uitvoering te gee aan belastingvoorstelle of aan die begroting van uitgawes afgehandel is ooreenkomstig die bepalings van paragrawe (a), (b) of (c), na gelang van die geval, stel die Raadslid in beheer van die maatreël voor dat die konsepmaatreël met of sonder wysings deur die Gebiedsowerheid aangeneem word;
- (ii) geen debat of amendement ten opsigte van so 'n mosie word toegelaat nie.

83. Wanneer 'n maatreël deur die Gebiedsowerheid aangeneem is word 'n duidelike afskrif daarvan deur die Voorsitter onderteken en aan die Kommissaris-generaal gestuur vir verdere aandag soos by wet vereis.

Maatreël word aan kommissaris-generaal gestuur.

84. Uitgesonderd soos in hierdie deel bepaal, geld die bepalings van reglemente 7 tot 35, 51 tot 62 en 77 tot 78 *mutatis mutandis* ten opsigte van die oorweging van konsepmaatreëls, belastingvoorstelle en begrotings van uitgawes.

Reglemente van debat, mosies en wyse van stemming.

DEEL XIII.

GEKOSE EN SESSIEKOMITEES.

85. So gou as 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 sessiekomitees.

- (a) oor die Reglemente van Orde en interne reellings, 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 verslag van die Gebiedsowerheid insluit. Minstens een Raadslid en die Voorsitter van die Gebiedsowerheid is lede 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, te oorweeg, 'n besluit daaroor te neem en verslag daaroor 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.

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

Aanstelling van werkkomitee.

(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.

Appointment of select committees.

87. (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 the 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.

88. (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.

89. 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 committees.

Minutes.

90. The minutes of the proceedings of a committee shall record all proceedings on consideration of a report or motion in a 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 minute shall be reported to the Territorial Authority when the report of such committee is brought up.

91. 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.

92. 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.

93. 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.

94. 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.

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 committee not to receive reward.

(2) Die werkkomitee oorweeg sake wat op die Ordelys geplaas moet word en watter sake op die Ordelys 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.

87. (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 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 enige ander saak voor die einde van die sessie af te handel nie doen hy aldus verslag aan die Gebiedsowerheid.

88. (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 na tersaaklike amendemente.

Gekose en
sessiekomitees:
Procedure.

(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, beampies of getuies wat noodsaaiklikewys 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 kies die komitee 'n ander voorsitter wie se ampstermyne 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 dienooreenkomsdig aan.

(5) Ingeval van 'n geskil oor 'n aangeleenthed van procedure mag lede van die komitee die voorsitter versoek om die aangeleenthed 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 die enige ander voorsittende lid stem tensy daar 'n staking van stemme is in welke geval hy 'n beslissende stem moet uitoefen.

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

Spesiale
verslag oor
bevoegdhede,
funksies en
verrigtings van
sessie- of gekose
komitee.

90. 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.

91. 'n Verslag of spesiale verslag, met die notule van verrigtings van 'n sessie of gekose komitee en die notule van getuenis, indien getuenis 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.

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

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

93. Getuenis 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 bekendgemaak nie voordat die verslag van die komitee by die Gebiedsowerheid ingedien is nie.

Getuenis en
stukke moet nie
openbaar ge-
maak word nie.

94. Geen lid verskyn voor die Gebiedsowerheid of 'n komitee daarvan as 'n regspraktisyne vir of namens 'n party nie of in 'n hoedanigheid waarvoor hy geldie of vergoeding ontvang nie.

Regspraktisyne
wat lede is en
voor Gebieds-
owerheid of
'n komitee
verskyn, word nie
vergoed nie.

PART XIV.

NON-MEMBERS.

Definition of non-members.

95. 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.

96. 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.

97. 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, shall misconduct himself or shall not withdraw when non-members are directed to withdraw while the Territorial Authority is sitting.

Member calling attention to non-members.

98. 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.

99. 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.

100. 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.

101. (1) A Councillor or other member 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 of the Territorial Authority in his capacity as Councillor or as 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.

Members not to accept fee or reward.

102. (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 101 (2). The provisions of rule 101 (3) shall *mutatis mutandis* apply to such penalties.

Suspension of rules of procedure.

103. (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.

104. In every case not provided for in these rules of procedure or in the Marangana 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.

95. 'n Nie-lid beteken enige persoon wat nie 'n lid of beampete is wat pligte te vervul het in verband met die werkzaamhede van die Gebiedsowerheid nie.

Definisie van nie-lede.

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

Bevoegdhede van voor-sittende lid om nie-lede uit te sluit.

97. Die ampswag van die Gebiedsowerheid verwyder, of sorg vir die verwydering 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 verwyder.

98. 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 amendement toe te laat.

Lid vestig aandag op nie-lid.

DEEL XV.

DIVERSE BEPALINGS.

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

Minagting.

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

Lid of persoon skuldig verklaar aan minagting.

101. (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 skuldigbevinding 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 gelde, vergoeding, geskenk of beloning deur hom aanvaar of ontvang, terug te betaal.

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

102. (1) 'n Raadslid of ander lid van die Gebiedsowerheid en 'n prokureur of agent wat by die uitoefening van sy professie 'n vennoot is of in diens is van sodanige lid, aanvaar of ontvang nie, hetsy direk of indirek, enige gelde, vergoeding, geskenk of beloning vir of 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 gelde of vergoeding nie.

(2) Enige persoon wat die bepalings van subreglement (1) oortree, begaan 'n misdryf en is by skuldigbevinding strafbaar met die strawwe voorgeskryf by reglement 101 (2). Die bepalings van reglement 101 (3) is *mutatis mutandis* van toepassing op sodanige boetes.

103. (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 aangeneem word: Met dien verstande dat in gevalle van dringende noodsaaklikheid (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.

104. In alle gevalle waarvoor hierdie reglement van orde of die Matshanganagebiedsowerheidsregulasies 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 GLORY, FOR EVER AND EVER. AMEN.

AANHANGSEL.

GEBED.

O, ALMAGTIGE EN BARMHARTIGE GOD EN HEMELSE VADER WAT IN U EWIGE WYSHEID EN VOORSIENIGHED 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 NEERDAL 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 GEREKTIGHEID TE LAAT GESKIED, DAT DIT SLEGS TOT EER EN VERHEERLIKING 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.

No. R.97, 1969.]

REGIONAL AUTHORITIES IN THE AREA OF THE MATSHANGANA TERRITORIAL AUTHORITY: ASSIGNMENT OF THEIR, AS WELL AS OTHER, POWERS, FUNCTIONS AND DUTIES TO, AND VESTING OF THEIR ASSETS, LIABILITIES, RIGHTS AND OBLIGATIONS IN THE MATSHANGA TERRITORIAL AUTHORITY.

UNDER and by virtue of the powers vested in me—

- (1) by section 7 (1) (g) of the Bantu Authorities Act, 1951 (Act No. 68 of 1951), I hereby assign to the Matshangana Territorial Authority, subject to the provisions of any regulations, applicable law and to the directions of the Minister of Bantu Administration and Development—
 - (a) the powers, functions and duties vested in Regional Authorities in the area of the said Matshangana Territorial Authority in terms of the provisions of subparagraphs (i) to (vi), inclusive, of section 5 (1) (b) of the said Bantu Authorities Act, 1951, and which are set forth in Schedule A hereto; and
 - (b) the other powers, functions and duties as set forth in Schedule B hereto;
- (2) by section 25 of the Bantu Administration Act, 1927 (Act No. 38 of 1927), I hereby declare that—
 - (a) notwithstanding anything to the contrary in any other law contained, all the assets, liabilities, rights and obligations of Regional Authorities in the area of the Matshangana Territorial Authority shall, as at the date of the coming into operation of this Proclamation and subject to such conditions as the Minister of Bantu Administration and Development may determine, vest in and become binding upon the Matshangana Territorial Authority; and
 - (b) all property, movable and immovable of the aforementioned Regional Authorities shall vest without payment of transfer duty, stamp duty or any other charge in the Matshangana Territorial Authority, but subject always to any existing charge, obligation or trust on or over such property or otherwise lawfully affecting the same.

I FURTHER declare that the provisions of this Proclamation shall come into operation 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 Eleventh day of March, One thousand Nine hundred and Sixty-nine.

J. J. FOUCHE,
State President.

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

No. R.97, 1969.]

STREEKSOWERHEDE IN DIE GEBIED VAN DIE MATSHANGANAGEBIEDSOWERHEID: TOEWYSING VAN HUL, ASOKK ANDER BEVOEGDHEDE, WERKSAAMHEDE EN PLIGTE AAN, EN OORDRAG VAN HUL BATES, LASTE, REGTE EN VERPLIGTINGS AAN DIE MATSHANGANAGEBIEDSOWERHEID.

KRAGTENS die bevoegdheid my verleen by—

- (1) artikel 7 (1) (g) van die Wet op Bantoe-owerhede, 1951 (Wet No. 68 van 1951), wys ek hierby aan die Matshanganagebiedsowerheid toe, behoudens die bepalings van enige regulasies, toepaslike wetgewing en die opdragte van die Minister van Bantoe-administrasie en -ontwikkeling—
 - (a) die bevoegdhede, werksaamhede en pligte verleen aan streeksowerhede in die gebied van genoemde Matshanganagebiedsowerheid ingevolge die bepalings van subparagrawe (i) tot en met (vi) van artikel 5 (1) (b) van genoemde Wet op Bantoe-owerhede, 1951, en wat in Bylae A hiervan uiteengesit word; en
 - (b) die ander bevoegdhede, werksaamhede en pligte soos in Bylae B hiervan uiteengesit;
- (2) artikel 25 van die Bantoe-administrasie Wet, 1927 (Wet No. 38 van 1927), verklaar ek hierby as volg—
 - (a) ondanks andersluidende bepalings in enige ander wet vervat, gaan al die bates, laste, regte en verpligtings van streeksowerhede in die gebied van die Matshanganagebiedsowerheid, vanaf die datum van inwerkting van hierdie Proklamasie en behoudens sodanige voorwaardes as wat die Minister van Bantoe-administrasie en -ontwikkeling mag bepaal oor op en word dit bindend vir die Matshanganagebiedsowerheid; en
 - (b) alle roerende en onroerende eiendom van voornoemde streeksowerhede gaan oor, sonder betaling van hereregte, seëlregte of ander geldte of koste, op die Matshanganagebiedsowerheid, maar steeds behoudens enige vordering, verpligting of trust wat ten opsigte van sodanige eiendom bestaan of wat dit andersins wettiglik mag raak.

EK verklaar verder dat die bepalings van hierdie Proklamasie in werkking tree op 'n datum wat deur die Minister van Bantoe-administrasie en -ontwikkeling by kennisgewing in die Staatskoerant bepaal word.

GEGEË onder my Hand en die Seël van die Republiek van Suid-Afrika te Kaapstad op hede die Elfde dag van Maart, Eenduisend Negehonderd Nege-en-sestig.

J. J. FOUCHE,

Staatspresident.

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

F56/9/6

SCHEDULE A.**POWERS, FUNCTIONS AND DUTIES OF REGIONAL AUTHORITIES IN THE AREA OF THE MATSHANGANA TERRITORIAL AUTHORITY ASSIGNED TO THE MATSHANGANA TERRITORIAL AUTHORITY**

1. The establishment, maintenance and conduct of educational institutions, and the advancement of scholastic and other education.
2. The construction and maintenance of roads, bridges, drains, dams, furrows and any works which the Matshangana Territorial Authority may consider necessary for purposes of sanitation or for ensuring satisfactory water supplies or for preventing or combating soil erosion.
3. The suppression of diseases of stock by the construction, maintenance, and operation of dipping tanks and in any other manner the Matshangana Territorial Authority may consider necessary.
4. The establishment, maintenance, management and conduct of hospitals and clinics and other similar institutions.
5. The improvement of farming and agricultural methods generally.
6. Afforestation.

SCHEDULE B.**OTHER POWERS, FUNCTIONS AND DUTIES ASSIGNED TO THE MATSHANGANA TERRITORIAL AUTHORITY**

1. The management and administration of welfare services, including child welfare and social benefit schemes for and the payment of allowances to aged, blind and indigent persons, and persons suffering from mental or physical disabilities.
2. The promotion of a diverse economy.
3. The control of labour bureaux at Bantu Authorities and matters incidental thereto.
4. The notification of births and deaths.
5. The collection of revenue.

No. R.98, 1969.]

**MATSHANGANA TERRITORIAL AUTHORITY
AND REGIONAL AUTHORITIES: SALARIES AND
ALLOWANCES OF MEMBERS**

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 the regulations contained in the Schedule hereto.

AND, I hereby declare that the provisions of this Proclamation shall come into operation in the area of the Matshangana Territorial Authority 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 Thirteenth day of March, One thousand Nine hundred and Sixty-nine.

J. J. FOUCHÉ,
State President.

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

BYLAE A.

BEVOEGDHED, WERKSAAMHEDE EN PLIGTE VAN STREEKSOWERHEDE IN DIE GEBIED VAN DIE MATSHANGANAGEBIEDSOWERHEID WAT AAN DIE MATSHANGANAGEBIEDSOWERHEID TOEGEWYS IS.

1. Die daarstelling, instandhouding, bestuur en beheer van opvoedkundige inrigtings, en die bevordering van skool- en ander onderwys.
2. Die aanlê en instandhouding van paaie, brûe, afvoerkanale, damme, vore en werke wat die Matshanganagebiedsowerheid nodig mag ag vir gesondheidsdoeleindes of ter versekering van bevredigende watervoorraad of voorkoming of bestryding van gronderosie.
3. Die bestryding van veesiektes deur die aanlê, instandhouding en bediening van dipbakke en op enige ander wyse wat die Matshanganagebiedsowerheid nodig mag ag.
4. Die oprigting, instandhouding, bestuur en beheer van hospitale, klinieke en ander soortgelyke inrigtings.
5. Die verbetering van boerdery- en landboumetodes oor die algemeen.
6. Bosaanplanting.

BYLAE B.

ANDER BEVOEGDHED, WERKSAAMHEDE EN PLIGTE AAN DIE MATSHANGANAGEBIEDSOWERHEID TOEGEWYS.

1. Die bestuur en beheer van welsynsdienste met inbegrip van kinderwelsyn en welsynskemas vir en betaling van toelaes aan bejaardes, blindes en behoeftiges, en persone wat aan geestelike of liggaamlike gebreke ly.
2. Die bevordering van 'n verskeidenheidsekonomie.
3. Die beheer van arbeidsburo's by Bantoe-owerhede an aangeleenthede wat in verband daarmee staan.
4. Die aangee van geboortes en sterfgevalle.
5. Die invordering van inkomste.

No. R.98, 1969.]

MATSHANGANAGEBIEDSOWERHEID EN -STREEKSOWERHEDE: SALARISSE EN TOELAES VAN LEDE

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 die regulasies uit in die Bylae hiervan vervat.

EN, EK verklaar hierby dat die bepalings van hierdie Proklamasie in werking tree in die gebied van die Matshanganagebiedsowerheid op 'n datum deur die Minister van Bantoe-administrasie en -ontwikkeling by kennisgewing in die Staatskoerant bepaal.

GEGEE onder my Hand en die Seël van die Republiek van Suid-Afrika te Kaapstad op hede die Dertiende dag van Maart, Eenduisend Negehonderd Nege-en-sestig.

J. J. FOUCHÉ,
Staatspresident.

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

SCHEDULE.

PART I.

MATSHANGANA TERRITORIAL AUTHORITY.

**Salaries of
Chief Councillor,
Councillors,
Chairman and
Deputy-Chairman.**

1. (1) The salary payable to a member of the Territorial Authority who occupies the office of Chief Councillor, Councillor, Chairman or Deputy-Chairman shall be as follows:—

- | | |
|---|------------------|
| (a) Chief Councillor | R2,400 per annum |
| (b) Councillor | R2,000 per annum |
| (c) Chairman | R600 per annum |
| (d) Deputy-Chairman | R300 per annum |

(2) The sessional and mileage allowances prescribed by regulations 2 and 3 shall not be payable to members of the Executive Council as from the date of their designation to such offices.

(3) If a chief is elected Chief Councillor or Councillor he shall, as from the date of such election, be paid the salary prescribed by subregulation (1) (a) or (b), as the case may be, and payment of his annual stipend as chief shall cease.

(4) A chief who is elected Chief Councillor or Councillor may nominate a deputy to assist him in the exercise of functions relating to his chieftainship and such deputy shall during the period of his office be paid by the Territorial Authority an allowance, not exceeding R600 per annum, to be determined by the Minister of Bantu Administration and Development in consultation with the Executive Council.

(5) The sessional allowances prescribed by regulation 2 shall not be payable to the Chairman and Deputy-Chairman from the date of their election as such.

**Sessional
allowances.**

2. (1) The sessional allowances payable to members of the Territorial Authority for actual attendance at sessions of the Territorial Authority shall be—

- (a) in respect of a chief R4 per day, or part thereof;
- (b) in respect of any other member R3 per day, or part thereof.

(2) The allowances prescribed by subregulation (1) shall be payable to members of the Territorial Authority for attendance at meetings of a select committee or other committee of the Territorial Authority, held when the Territorial Authority is not in session.

**Mileage
allowance.**

3. A member of the Territorial Authority, when attending sessions of the Territorial Authority or of a select committee or other committee, held when the Territorial Authority is not in session or when proceeding on other Territorial Authority duty as authorized by the Territorial Authority or Executive Council or, where circumstances are urgent, by the Chief Director, shall be paid—

- (a) 10c for each mile (or portion thereof) necessarily travelled by the shortest available route from the member's place of residence to the nearest railhead or railway motor bus stop and back;

- (b) the necessary expenditure incurred on railway or railway motor bus fares:

Provided that where a suitable railway motor bus service is not available, the member may be paid at the rate of 10c for each mile (or portion thereof) for the combined journey by the shortest available route from the member's place of residence to his destination and back to the said place of residence: Provided further that payment of the mileage allowances shall be made in respect of one return journey only in any one week during which the Territorial Authority, select committee or other committee is in session.

**Other
allowances.**

4. A member shall be paid, when proceeding on other Territorial Authority duty as authorized by the Territorial Authority or Executive Council or, where circumstances are urgent, by the Chief Director an allowance of R3 a day of 24 hours for the period during which the member is necessarily absent from his home on such duty: Provided that for each complete hour of absence in excess of 24 hours or multiple of 24 hours a member may be paid 1/24th of the daily rate: Provided further that for an absence of less than 24 hours reasonable out-of-pocket expenses not exceeding R2 may be paid.

5. If in special circumstances the Chief Director is satisfied that the tariffs prescribed in regulations 3 and 4 are insufficient to meet the reasonable expenses of a member of the Territorial Authority on any of the services mentioned in the said regulations 3 and 4 he may authorize such additional payment as he may deem fit.

PART II.

REGIONAL AUTHORITY.

**Allowance for
attendance at
meetings of
Regional or
Executive
Committee.**

6. A member of a regional authority shall be paid an allowance of R2 per day (or portion thereof) for actual attendance at meetings of the regional authority or its executive committee: Provided that in the case of a member who is a chief, the allowance shall be R4.

BYLAE.

DEEL I.

MATSHANGANAGEBIEDSOWERHEID.

1. (1) Die salaris betaalbaar aan 'n lid van die Gebiedsowerheid wat die amp van Hoofraadslid, Raadslid, Voorsitter of Ondervoorsitter beklee, is soos volg:—

(a) Hoofdraadslid	R2,400 per jaar
(b) Raadslid..	R2,000 per jaar
(c) Voorsitter	R600 per jaar
(d) Ondervoorzitter..	R300 per jaar

Salarisse
van Hoof-
raadslid,
Raadslede,
Voorsitter en
Ondervoorsitter.

(2) Die sessie- en myltoelaes wat by regulasies 2 en 3 bepaal is, is nie betaalbaar aan die lede van die Uitvoerende Raad vanaf die datum van hulle aanwysing tot sodanige ampte nie.

(3) Indien 'n kaptein tot Hoofraadslid of Raadslid verkies word, word, word, vanaf die datum van sodanige verkiesing, die salaris bepaal by subregulasie (1) (a) of (b), na gelang van die geval, aan hom betaal, en betaling van sy jaarlikse stipendium as kaptein word gestaak.

(4) 'n Kaptein wat tot Hoofraadslid of Raadslid verkies word, kan 'n gevollmagtigde benoem om hom behulpsaam te wees met die uitvoering van ampspligte betreffende sy kaptein-skap en sodanige gevollmagtigde word gedurende sy ampstermyne deur die Gebiedsowerheid 'n toelae, nie R600 per jaar te bowe gaande nie, betaal wat deur die Minister van Bantoe-administrasie en -ontwikkeling in oorleg met die Uitvoerende Raad bepaal word.

(5) Die sessietoelaes, bepaal by regulasie 2, is nie betaalbaar aan die Voorsitter en Ondervoorsitter vanaf die datum van hul verkiesing tot sodanige ampte nie.

2. (1) Die sessietoelaes betaalbaar aan lede van die Gebiedsowerheid vir werklike bywoning van sessies van die Gebiedsowerheid is—

Sessietoelaes.

- (a) ten opsigte van 'n kaptein, R4 per dag of gedeelte daarvan; en
 (b) ten opsigte van enige ander lid, R3 per dag of gedeelte daarvan.

(2) Die toelaes bepaal by subregulasie (1) is betaalbaar aan lede van die Gebiedsowerheid vir bywoning van 'n gekose komitee of ander komitees van die Gebiedsowerheid wat gehou word wanneer die Gebiedsowerheid nie in sessie is nie.

3. 'n Lid van die Gebiedsowerheid, wanneer hy sessies van die Gebiedsowerheid of van 'n gekos komitee of ander komitee wat gehou word wanneer die Gebiedsowerheid nie in sessie is nie, bywoon of wanneer hy op ander dienste van die Gebiedsowerheid reis soos gemagtig deur die Gebiedsowerheid of die Uitvoerende Raad of, waar omstandighede dringend is, deur die Hoofdirekteur, word betaal—

Myltoelae.

- (a) 10c vir elke myl (of gedeelte daarvan) noodsaaklike wry afgelê met die kortste beskikbare roete vanaf die lid se woonplek tot by die naaste spoorwegstasie of spoorwegmotorbushalte en terug; en

(b) die noodsaaklike uitgawes aan spoorweg- of spoorwegmotorbusreisgeld aangegaan: Met dien verstande dat waar 'n gesikte spoorweg- of spoorwegmotorbusdiens nie beskikbaar is nie, die lid betaal kan word teen die tarief van 10c vir elke myl (of gedeelte daarvan) van die gesamentlike reis met die kortste beskikbare roete van die lid se woonplek na sy bestemming en terug na genoemde woonplek: Met dien verstande voorts dat die betaling van die myltoelaes geskied alleen ten opsigte van een retoerreis gedurende enige week waarin die Gebiedsowerheid, 'n gekose komitee of ander komitee in sessie is.

4. 'n Lid word betaal wanneer hy op ander diens van die Gebiedsowerheid reis soos gemaatig deur die Gebiedsowerheid of Uitvoerende Raad of, waar die omstandighede dringend is, deur die Hoofdirekteur, 'n toelae van R3 per dag van 24 uur vir die tydperk waarin die lid noodsaklike wys van huis op sodanige diens afwesig is: Met dien verstande dat vir elke volle uur van afwesigheid langer as 24 uur of 'n veelvoud van 24 uur aan 'n lid 1/24ste van die daelikste tarief betaal kan word: Met dien verstande voorts dat vir afwesigheid van minder as 24 uur redelike geringe persoonlike uitgawes wat nie 'n bedrag van R2 oorskry nie, betaal kan word.

Ander toelaes.

5. As die Hoofdirekteur in spesiale omstandighede daarvan oortuig is dat die tariewe in regulasie 3 en 4 bepaal, onvoldoende is om die redelike uitgawes van 'n lid van die Gebiedsowerheid op enigeen van die dienste genoem in genoemde regulasies 3 en 4 te dek, kan hy magtiging verleen vir sodanige bykomende betaling as wat hy mag goedvind.

DEEL II.

STREEKSOWERHEDÉ.

6. 'n Lid van 'n streeksowerheid word 'n toelae van R2 per dag (of gedeelte daarvan) betaal ten opsigte van werklike bywoning van vergaderings van die streeksowerheid of sy uitvoerende komitee: Met dien verstaande dat in die geval van 'n lid wat 'n kaptein is, die toelae R4 is.

Toelae vir bywoning van vergaderings van streeks- owerheid of uitvoerende komitee.

Mileage allowance.

7. A member of a regional authority shall be paid when attending meetings of such regional authority or of the executive committee or when proceeding on regional authority duty as authorized by the regional authority or the executive committee or, when circumstances are urgent, by the regional executive officer—

(a) 10c for each mile (or portion thereof) necessarily travelled by the shortest available route from the member's place of residence to the nearest railhead or railway motor bus stop and back; and

(b) the necessary expenditure incurred on railway or railway motor bus fares:

Provided that where a suitable railway or railway motor bus service is not available, the member may be paid at the rate of 10c for each mile (or portion thereof) for the combined journey by the shortest available route from the member's place of residence to his destination and back to the said place of residence.

Other allowances.

8. A member shall be paid when proceeding on other regional authority duty as authorized by the regional authority or the executive committee or, when circumstances are urgent, by the regional executive officer, R2 a day of 24 hours for the period during which the member was necessarily absent from his home on such duty: Provided that for each complete hour of absence in excess of 24 hours or a multiple of 24 hours, a member may be paid 1/24th of the prescribed daily rate: Provided further that for an absence of less than 24 hours reasonable out-of-pocket expenses not exceeding an amount of R2 may be paid.

9. If in special circumstances the Chief Director is satisfied that the tariffs prescribed in regulations 7 and 8 are insufficient to meet the reasonable expenses of a member of a regional authority on any of the services mentioned in the said regulations 7 and 8, he may authorize such additional payment as he may deem fit.

7. 'n Lid van 'n streeksowerheid, wanneer hy vergaderings van sodanige streeksowerheid of van die uitvoerende komitee bywoon of wanneer hy op diens van die streeksowerheid reis soos gemagtig deur die streeksowerheid of die uitvoerende komitee of, waar omstandighede dringend is, deur die streeks-uitvoerende amptenaar, word betaal—

Myltoelae.

(a) 10c vir elke myl (of gedeelte daarvan) noodsaklike wysis afgelê met die kortste beskikbare roete vanaf die lid se woonplek tot by die naaste spoorwegstasie of spoorwegmotorbushalte en terug; en

(b) die noodsaklike uitgawes aan spoorweg- en spoorwegmotorbusreisgeld aangegaan:

Met dien verstande dat waar 'n gesikte spoorweg- of spoorwegmotorbusdiens nie beskikbaar is nie, die lid betaal kan word teen die tarief van 10c vir elke myl (of gedeelte daarvan) van die gesamentlike reis met die kortste beskikbare roete vanaf die lid se woonplek na sy bestemming en terug na genoemde woonplek.

8. 'n Lid word betaal wanneer hy op ander diens van die streeksowerheid reis, soos gemagtig deur die streeksowerheid of die uitvoerende komitee of, waar die omstandighede dringend is, deur die streeks-uitvoerende amptenaar, R2 per dag van 24 uur vir die tydperk waarin die lid noodsaklike wysis van huis op sodanige diens afwesig is: Met dien verstande dat vir elke volle uur van afwesigheid langer as 24 uur of 'n veelyoud van 24 uur, 'n lid 1/24ste van die voorgeskrewe daelikse tarief betaal kan word: Met dien verstande voorts dat vir afwesigheid van minder as 24 uur redelike geringe persoonlike uitgawes wat nie 'n bedrag van R2 oorskry nie, betaal kan word.

Ander toelae.

9. As die Hoofdirekteur in spesiale omstandighede daarvan oortuig is dat die tariewe in regulasies 7 en 8 bepaal, onvoldoende is om die redelike uitgawes van 'n lid van 'n streeksowerheid op enigeen van die dienste genoem in genoemde regulasies 7 en 8 te dek, kan hy magtiging verleen vir sodanige bykomende betaling as wat hy mag goedvind.

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