



Government Gazette Staatskoerant

REPUBLIC OF SOUTH AFRICA
REPUBLIEK VAN SUID-AFRIKA

Vol. 433

Pretoria, 13 July 2001

No. 22451



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BOARD NOTICE RAADSKENNISGEWING

NOTICE 112 OF 2001

PAN SOUTH AFRICAN LANGUAGE BOARD ACT, 1995

SUBSTITUTION OF NOTICE 120 OF 1997 CONCERNING THE NORMS AND RULES FOR PROVINCIAL LANGUAGE COMMITTEES

Considering that –

- (a) provinces are competent to adopt their own language policy and legislation in terms of the Constitution of South Africa, 1996 (Act No. 108 of 1996) Schedule 4 Part A “Functional Areas of Concurrent National and Provincial Legislative Competence”;
- (b) the Western Cape Province adopted a Western Cape Provincial Languages Act, 1998 (Act No. 13 of 1998) and the Board wishes to encourage other Provinces to follow suit;
- (c) in terms of the Pan South African Language Board Act, 1995, Provincial Language Committees established by the Board are advice structures of the Board;
- (d) Board Notice 120, *Government Gazette* No. 18554 of 15 December 1997, requires to be updated; and
- (e) the advisory role of Provincial Language Committees in relation to the Board requires clarification,

the following notice on the rules regulating the advisory role of Provincial Language Committees, is hereby published in terms of section 8(11) of the Pan South African Language Board Act, 1995, for general information:

Arrangement

Rule No.

1. Definitions
2. Meetings of Provincial Language Committee
3. Recognition
4. Assistance in respect of Provincial Legislation
5. Advisory Function of Provincial Language Committee
6. Guidelines
7. Reports
8. Communication and Records

9. Non-compliance with Board Request for Advice
10. Remuneration and Allowances
11. Funds
12. Conflict of Interest
13. Withdrawal of Recognition of Provincial Language Committee

Definitions

1. In these rules, unless the context otherwise indicates –

“Chairperson” means the chairperson of the Provincial Language Committee concerned;

“Language Committee” means the provincial language committee established by notice in the *Government Gazette* in terms of section 8(8)(a) of the Pan South African Language Board Act, 1995;

“MEC” means the Member of the Executive Council of a Province who is responsible for matters related to language; and

“Rule” means any rule contained in this Notice.

Meetings of Provincial Language Committee

2.(1) A Language Committee may meet for the specific purpose of preparing advice on language matters for the Board, if the chief executive officer has approved of the meeting.

(2) Notwithstanding rule 2(1), the Language Committee may deal with matters pertaining to the preparation of advice to the Board during meetings convened to deal with matters pertaining to the Province.

(3) The chairperson may convene a special meeting of a Language Committee to prepare advice to the Board, if the chief executive officer has approved of such a meeting.

(4) The chairperson shall determine the time and the place of a meeting convened to prepare advice to the Board.

(5) The Board may designate one of its members or a member of its staff to attend a meeting of a Committee, and this person shall have the right to take part in the deliberations of the meeting but shall not have the right to vote.

(6) The Board shall consider the advice of a Language Committee only if the advice was prepared in a meeting that fulfilled the requirements in respect of quorum, and had the support of the majority of its members present at any meeting of the Committee.

(7) The Board shall designate a person to provide administrative support for the meetings of the Language Committee which may be required to prepare advice to the Board, which includes, but is not limited to –

- (i) inviting members to an approved meeting;
- (ii) keeping minutes of every meeting that takes place, in respect of the advice given by a Committee;
- (iii) keeping copies of reports and records of expenditure; and
- (iv) making available to Committee members and the Board, upon request, reports and records.

Recognition

3. The Board may recognise a Language Committee established in terms of provincial language legislation by notice in the *Government Gazette*.

Assistance in respect of Provincial Legislation

4.(1) The Board may assist MECs to prepare Provincial Language Legislation for their particular Province in instances where no such legislation exists.

(2) Provincial Language Legislation may include provisions regulating the Language Committee of that Province.

Advisory function of Provincial Language Committee

5.(1) In order to enable the Board to make or publish a report, findings, point of view, advice or recommendation on any language matter in or affecting the province concerned or any part thereof or any local authority within the jurisdiction of that province, a Language Committee shall advise the Board concerning –

- (a) the promotion of multilingualism;
- (b) language policy and legislation, including the language policy, practices and legislation of the province and of the local authorities in that province;
- (c) language in education; translation and interpreting, development and promotion of literature and previously marginalised languages; language rights and mediation; lexicography and terminology development; status language planning;
- (d) research;
- (e) projects;
- (f) co-operation with other bodies; or
- (g) any other matter pertaining to language issues affecting the province or part thereof.

- (2) A Language Committee shall supply the Board with written advice on matters contemplated in subsection (1) within six (6) weeks of receipt of a request for advice.
- (3) If a Language Committee wishes to initiate advice to the Board, it shall do so in writing.
- (4) A Language Committee that supplies advice or renders assistance to provincial and local government, shall supply the Board with either copies of the written advice forwarded, or a report on any assistance rendered upon request.
- (5) A Language Committee may not co-opt any person to render any form of assistance to the Language Committee in order to prepare advice to the Board if such co-option has financial implication, without prior approval from the Board.
- (6) A Language Committee shall assist the Board to raise awareness concerning language rights and may bring alleged language rights violations to the attention of the Board.
- (7) A Language Committee may not initiate or conduct investigations into any language rights violation complaints, but may be approached to advise the Board on any aspect pertaining to a case investigated by the Board.

Guidelines

6. For purposes of preparing advice for the Board, a Language Committee shall adhere to the guidelines of the Board, issued through its chief executive officer.

Reports

7.(1) The chairperson is responsible for submitting reports on behalf of a Language Committee regarding advice to the Board whenever required to do so, and shall do so within the time frame agreed upon between the Language Committee and the chief executive officer.

- (2) The chairperson may delegate his or her reporting responsibilities.
- (3) For the purpose of preparing a report regarding advice for the Board, a Language Committee shall adhere to the guidelines of the Board, issued through its chief executive officer.
- (4) In the interest of good co-operation, Language Committees are encouraged to also report to the Board on meetings undertaken in terms of provincial language legislation.

Communication and records

8.(1) A Language Committee shall supply the Board with records and reports of meetings held to prepare advice for the Board, as required by the chief executive officer.

(2) The Board shall keep –

- (a) a record of recommendations and advice emanating from every Language Committee; and
- (b) separate records in respect of the expenditure of each Language Committee.

Non-compliance with Board Request for Advice

9. In the event that a Language Committee fails to advise the Board on a language-related matter, the Board may go ahead with its decision in respect of that matter.

Remuneration and Allowances

10.(1) No member of a Language Committee is entitled to remuneration for advisory services rendered.

(2) A member of a Language Committee is entitled to claim travel and accommodation expenses incurred in the course of executing his or her advisory duties as a member of the Committee.

(3) Expenses of a personal nature will be for the account of the individual member of the Language Committee concerned.

Funds

11.(1) The Board shall bear the reasonable costs incurred by a Language Committee for the purposes of arranging and holding a meeting to prepare advice to the Board, including the cost involved in booking a venue, catering, travelling, accommodation and subsistence where circumstances render payment necessary: Provided that the chief executive officer has approved the expenses prior to their being incurred.

(2) No reimbursement for approved expenses shall be arranged before the Board receives claim forms and reports of a meeting within the time frame set by Rule 8.

Conflict of Interest

12.(1) If a spouse, immediate family member, life partner or business associate of any Language Committee member has any direct or indirect financial interest in any project in respect of which the Board has provided funds, that member must, immediately after that

interest has come to his or her attention, disclose that interest and the extent thereof in a written statement addressed to the chairperson concerned, who shall –

- (a) table that statement in the next consecutive meeting; and
- (b) communicate such disclosure to the Board.

(2) Any member of a Language Committee or the general public, who has valid evidence that a decision taken by a Committee may lead to the personal or financial advancement of another member of that or another Committee, shall disclose the interest and the extent thereof in a written statement addressed to the chairperson of the Committee concerned, who shall –

- (a) table that statement in the next consecutive meeting; and
- (b) communicate such disclosure to the Board.

(3) The Board may decide on the steps that shall be taken in a case that has come under its attention in accordance with rule 12(1) or (2).

Withdrawal of Recognition of Provincial Language Committee

13.(1) If the Board decides to withdraw recognition of a Language Committee on the basis that it fails to be representative in terms of the languages of the Province concerned, the MEC shall be notified accordingly.

(2) If the MEC decides to dissolve a Committee and notifies the Board accordingly, the Board shall withdraw recognition of that Committee by publication of a notice to that effect in the *Government Gazette* and *Provincial Gazette*.

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KENNISGEWING 112 VAN 2001**VERVANGING VAN KENNISGEWING 120 VAN 1997 BETREFFENDE DIE
NORME EN REËLS VIR PROVINSIALE TAALKOMITEES**

Aangesien –

- (a) provinsies bevoeg is om hul eie taalbeleid en –wetgewing aan te neem ingevolge die Grondwet van Suid-Afrika, 1996 (Wet No. 108 van 1996), Bylae 4, Deel A: “Funksionele Gebiede van Konkurrente Nasionale en Provinsiale Wetgewende Bevoegdheid”;
- (b) die provinsie Wes-Kaap ‘n Wes-Kaapse Provinsiale Talewet, 1998 (Wet No. 13 van 1998) aangeneem het en die Raad graag ander provinsies wil aanmoedig om dieselfde te doen;
- (c) Provinsiale Taalkomitees deur die Raad ingestel ingevolge die Wet op die Pan-Suid-Afrikaanse Taalraad, 1995, raadgewende strukture van die Raad is;
- (d) Raadskennisgewing 120, *Staatskoerant* No. 18554 van 15 Desember 1997, bygewerk moet word; en
- (e) die raadgewende rol van die Provinsiale Taalkomitees met betrekking tot die Raad verduidelik moet word,

word die volgende kennisgewing betreffende die reëls wat die raadgewende rol van Provinsiale Taalkomitees reguleer, hierby ingevolge artikel 8(11) van die Wet op die Pan-Suid-Afrikaanse Taalraad, 1995, vir algemene inligting gepubliseer.

Reëling

Reël No.

- 1. Woordomskrywings
- 2. Vergaderings van Provinsiale Taalkomitee
- 3. Erkenning
- 4. Bystand met betrekking tot Provinsiale Wetgewing
- 5. Raadgewende funksie van Provinsiale Taalkomitees
- 6. Riglyne
- 7. Verslae
- 8. Kommunikasie en Rekords
- 9. Nie-voldoeining aan Raadsversoeke om advies
- 10. Vergoeding en toelaes
- 11. Fondse
- 12. Botsing van Belange
- 13. Terugtrekking van Erkenning van Provinsiale Taalkomitee

Woordomskrywings

1. In hierdie reëls, tensy uit die konteks anders blyk, beteken –

“LUR” die Lid van die Uitvoerende Raad van ‘n Provinsie wat verantwoordelik is vir sake betreffende taal;

“Reël” enige reël wat in die Kennisgewing vervat is;

“Taalkomitee” die provinsiale taalkomitee ingestel by kennisgewing in die *Staatskoerant* ingevolge artikel 8(8)(a) van die Wet op die Pan-Suid-Afrikaanse Taalraad, 1995; en

“Voorsitter” die voorsitter van die betrokke Provinsiale Taalkomitee.

Vergaderings van Provinsiale Taalkomitees

2.(1) ‘n Taalkomitee kan vergader vir die spesifieke doel om advies betreffende taalsake vir die Raad voor te berei, indien die hoof- uitvoerende beampte die vergadering goedgekeur het.

(2) Ondanks reël 2(1) kan die Taalkomitee tydens vergaderings wat belê is vir die bespreking van sake wat op die Provinsie betrekking het, ook sake bespreek wat op die voorbereiding van advies vir die Raad betrekking het.

(3) Die voorsitter kan ‘n spesiale vergadering van die Taalkomitee belê om advies vir die Raad voor te berei, indien die hoof- uitvoerende beampte so ‘n vergadering goedgekeur het.

(4) Die voorsitter moet die tyd en plek bepaal van ‘n vergadering wat belê word om advies vir die Raad voor te berei.

(5) Die Raad kan een van sy lede of ‘n lid van sy personeel aanwys om ‘n vergadering van ‘n Komitee by te woon, en hierdie persoon het die reg om aan die besprekings van die vergadering deel te neem, maar het nie stemreg nie.

(6) Die Raad skenk oorweging aan die advies van ‘n Taalkomitee slegs indien die advies voorberei is tydens ‘n vergadering wat aan die vereistes met betrekking tot ‘n kworum voldoen het en die steun gehad het van die meerderheid van sy lede teenwoordig by ‘n vergadering van die Komitee.

(7) Die Raad moet ‘n persoon aanwys wat tydens die vergaderings van die Taalkomitee administratiewe hulp verleen en van wie verlang kan word om vir die Raad advies voor te berei wat die volgende insluit maar nie daartoe beperk is nie:

- (i) die uitnoodiging van lede na ‘n goedgekeurde vergadering;

- (ii) die byhou van notules van elke vergadering wat betrekking het op advies wat deur 'n Komitee gegee word;
- (iii) die hou van afskrifte van verslae en uitgawerekords; en
- (iv) die beskikbaarstelling van verslae en rekords op versoek van Komiteelede en die Raad.

Erkenning

3. Die Raad moet 'n Taalkomitee wat ingevolge provinsiale taalwetgewing ingestel is, by kennisgewing in die *Staatskoerant* erken.

Bystand met betrekking tot Provinsiale Wetgewing

4.(1) Die Raad kan LUR'e bystaan met die voorbereiding van provinsiale taalwetgewing vir hul spesifieke provinsie in gevalle waar daar geen sodanige wetgewing bestaan nie.

(2) Provinsiale taalwetgewing kan bepalinge insluit waardeur die Taalkomitee van daardie Provinsie gereguleer word.

Raadgewende Funksie van Provinsiale Taalkomitee

5.(1) Ten einde die Raad in staat te stel om verslae, bevindinge, standpunte, advies of aanbevelings op te stel of te publiseer oor enige taalaangeleentheid in of rakende die betrokke provinsie of enige deel daarvan of enige plaaslike owerheid binne die jurisdiksie van daardie provinsie, moet 'n Taalkomitee die Raad adviseer oor –

- (a) die bevordering van veeltaligheid;
- (b) taalbeleid en -wetgewing, insluitende die taalbeleid, -praktyke en -wetgewing van die provinsie en van die plaaslike owerhede in daardie provinsie;
- (c) taal in die onderwys; vertaling en tolking; ontwikkeling van letterkunde en voorheen gemarginaliseerde tale; taalregte en bemiddelling; ontwikkeling van leksikografie en terminologie; statustaalbeplanning;
 - (i) navorsing
 - (ii) projekte
 - (iii) samewerking met ander liggame; of
 - (iv) enige ander saak wat betrekking het op taalkwessies wat die provinsie of 'n deel daarvan raak.

(2) 'n Taalkomitee moet binne ses (6) weke na ontvangs van 'n versoek om advies die Raad voorsien van skriftelike advies oor sake in subartikel (1) bedoel.

- (3) Indien 'n Taalkomitee advies aan die Raad wil inisieer, moet die Komitee dit skriftelik doen.
- (4) 'n Taalkomitee wat aan provinsiale en plaaslike regering advies gee of bystand verleen, moet die Raad voorsien van óf afskrifte van die skriftelike advies wat gegee is, óf 'n verslag oor enige bystand wat op versoek gelewer is.
- (5) 'n Taalkomitee mag nie sonder vooraf goedkeuring van die Raad 'n persoon koöpteer om enige vorm van bystand aan die Taalkomitee te lewer ten einde advies vir die Raad voor te berei indien sodanige koöptering finansiële implikasies het nie.
- (6) 'n Taalkomitee moet die Raad bystaan om bewustheid van taalregte te kweek, en kan vermeende taalregteskendings onder die aandag van die Raad bring.
- (7) 'n Taalkomitee mag nie ondersoek na enige klagtes oor taalregteskendings inisieer of uitvoer nie, maar kan genader word om die Raad te adviseer oor enige aspek wat betrekking het op 'n geval wat deur die Raad ondersoek word.

Riglyne

- 7.(1) Die voorsitter is namens 'n Taalkomitee verantwoordelik vir die indiening van verslae betreffende advies aan die Raad wanneer aldus versoek, en moet dit doen binne die tydraamwerk ooreengekom tussen die Taalkomitee en die hoof- uitvoerende beampte.
- (2) Die voorsitter kan sy of haar verslaggewende verantwoordelikhede deleger.
- (3) Vir die doeleindes van voorbereiding van 'n verslag betreffende advies aan die Raad, moet 'n Taalkomitee hou by die riglyne van die Raad soos deur sy hoof- uitvoerende beampte uitgereik.
- (4) In belang van goeie samewerking word Taalkomitees aangemoedig om ook oor vergaderings wat ingevolge provinsiale taalwetgewing belê word, aan die Raad verslag te doen.

Kommunikasie en Rekords

- 8.(1) 'n Taalkomitee moet die Raad voorsien van rekords en verslae van vergaderings wat gehou is om advies vir die Raad voor te berei, soos vereis deur die hoof- uitvoerende beampte.
- (2) Die Raad moet –
 - (a) 'n rekord hou van aanbevelings en advies afkomstig van elke Taalkomitee; en

- (b) afsonderlike rekords van die uitgawes van elke Taalkomitee hou.

Nie-voldoening aan Raadsversoeke om Advies

9. In die geval waar 'n Taalkomitee versuim om die Raad oor 'n taalverwante aangeleentheid te adviseer, kan die Raad voortgaan met sy besluit met betrekking tot daardie aangeleentheid.

Vergoeding en Toelaes

10.(1) Geen lid van 'n Taalkomitee is geregtig op vergoeding vir raadplegende dienste gelewer nie.

(2) 'n Lid van 'n Taalkomitee is daarop geregtig om reis- en verblyfuitgawes te eis wat aangegaan is tydens die uitvoering van sy of haar raadplegende pligte as 'n lid van die Komitee.

(3) Uitgawes van 'n persoonlike aard is vir die rekening van die individuele lid van die betrokke Taalkomitee.

Fondse

11.(1) Die Raad moet die redelike koste dra wat aangegaan is deur 'n Taalkomitee vir doeleindes van die reëling en hou van 'n vergadering om advies vir die Raad voor te berei, insluitende die koste verbonde aan die bespreking van 'n lokaal, spyseniering, reis, verblyf en onderhoud, waar omstandighede betaling noodsaak: Met dien verstande dat die hoof-uitvoerende beampte die uitgawes goedgekeur het voordat dit aangegaan is.

(2) Geen terugbetaling vir goedgekeurde uitgawes mag gereël word alvorens die Raad nie die eisvorms en verslae van 'n vergadering binne die tydraamwerk by Reël 8 gestel, ontvang het nie.

Botsing van Belange

12.(1) Indien 'n gade, 'n naaste familielid, lewensmaat of sakevennoot van enige Taalkomiteelid enige regstreekse of onregstreekse finansiële belang het by enige projek ten opsigte waarvan die Raad fondse voorsien het, moet daardie lid onmiddellik nadat daardie belang onder sy aandag gekom het, daardie belang en die omvang daarvan bekend maak in 'n skriftelike verklaring gerig aan die betrokke voorsitter wat –

- (a) daardie verklaring by die eersvolgende vergadering ter tafel moet lê; en
- (b) sodanige bekendmaking aan die Raad moet deurgee.

(2) 'n Lid van 'n Taalkomitee of van die algemene publiek wat oor geldige bewyse beskik dat 'n besluit wat deur 'n Komitee geneem is, tot die persoonlike of finansiële bevordering van 'n ander lid van daardie of 'n ander Komitee kan lei, moet die belang en die omvang daarvan bekend maak in 'n skriftelike verklaring gerig aan die die betrokke Komitee se voorsitter wat –

- (a) daardie verklaring by die eersvolgende vergadering ter tafel moet lê; en
- (b) sodanige bekendmaking aan die Raad moet deurgee.

(3) Die Raad kan besluit oor die stappe wat gedoen moet word in 'n geval wat onder sy aandag gebring is ooreenkomstig reël 12(1) of (2).

Terugtrekking van Erkenning van Provinsiale Taalkomitee

13.(1) Indien die Raad besluit om erkenning van 'n Taalkomitee terug te trek op grond daarvan dat die Komitee in gebreke bly om verteenwoordigend te wees met betrekking tot die tale van die betrokke Provinsie, moet die LUR dienoreenkomstig in kennis gestel word.

(2) Indien die LUR besluit om 'n Komitee te ontbind en die Raad dienoreenkomstig in kennis stel, moet die Raad erkenning van daardie Komitee terugtrek deur 'n kennisgewing te dien effekte in die *Staatskoerant* en *Provinsiale Koerant* te publiseer.

Die Hoof- Uitvoerende Beampte

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NOTICE 112 OF 2001

ZWIIMELAHO NIVHADZO 120 YA 1997 I NO KWAMA MAITELE MILAYO YE YA VHETSHELWA KOMITI DZA NYAMBO DZA PHUROVINTSI

Musi hu tshi lavhelswa mafhungo a uri –

- (a) Phurivintsi dzi na vhukoni ha u itela phoisi dzadzo dza nyambo khathihi na u sima milayo i no kwama nyambo sa zwe zwa laedzwa nga Mulayotewa wa Afrika Tshipembe (Mulayo wa Nomboro 108 wa 1996) Shedulu 4 Tshipia A “Maana na Masia [Fhethu] a Mishumo ya Vhusimamilayo ha Lushaka na Phurovintsi”;
- (b) Phurovintsi ya Kapa Vhukovhela yo sima Mulayo wa Nyambo wa Kapa Vhukovhela wa 1998 (Mulayo wa Nomboro 13 wa 1998), Bodo i khou uuwedza uri na dziwe Phurovintsi dzi ite-vho ngauralo;
- (c) Zwi tshi edza Mulayo wa Bodonyangaredzi ya Nyambo dza Afrika Tshipembe wa 1995, Komiti dza Nyambo dza Phurovintsi dze dza tewa nga Bodo dzi swika hune dza kona u eletshedza zwiwe zwa zwinungo zwa Bodo;
- (d) Nivhadzo ya Bodo ya 120, *Guranna ya Muvhuso* ya Nomboro 18554 ya 15 Nyendavhusiku 1997, i tea uri i phaphelelwe; na uri
- (e) Mushumo wa u eletshedza Bodo une wa itwa nga Komiti dza Nyambo Dza Phurovintsi u tea u itwa uri u pfale u tshi pfala,

nivhadzo i tevhelaho ine ya kwama milayo i no langa mushumo wa u eletshadza u no itwa nga Komiti dza Nyanbo dza Phurovintsi, u khou mbo i anadzwa-ha hu tshi tevhelwa tshipia 8(11) tsha Mulayo wa Bodonyangaredzi ya Nyambo dza Afrika Tshipembe wa 1995, hu u itela uri mafhungo awo a kone u ivhiwa:

Kudzudzanyele

Nomboro ya Mulayo

- 1. Halutshedzo dza maipfi
- 2. Miangano ya Komiti ya Nyambo ya Phurovintsi
- 3. U anganedzwa
- 4. Thuso zwi tshi kwama Theo ya milayo Phurovintsini
- 5. Mushumo wa Komiti ya Nyambo ya Phurovintsi
- 6. Maga a vhutevhedzi
- 7. Mivhigo
- 8. U davhidzana na dzirekhodo
- 9. U sa tevhela khumbelo ya nyeletshedzo ye ya itwa nga Bodo
- 10. Miholo na magavhelo
- 11. Masheleni

12. U khukhulisana ha madzangalelo
13. U humiswa ha u anganedzwa ha Komiti ya Nyambo ya Phurovintsi

Halutshedzo dza maipfi

1. Milayoni iyi, nga nna ha musu zwi re mawalwani ane muthu a khou vhalala zwi tshi nga vha zwi tshi vho alusa zwiwe-vho –

“Komiti ya Nyambo” hu ambiwa komiti ya nyambo ya phurovintsi ye ya tewa hu tshe tevhelwa nivhadzo i re kha *Guranna ya Muvhuso* zwi tshi langwa nga tshipia 8(8) tsha Mulayo wa Bodonyangaredzi ya Nyambo dza Afrika Tshipembe wa 1995;

“MEC” hu ambiwa Murao Khorotshitumbe ya Phurovintsi ane a vha ene a no shuma na mafhungo a tshimbilelanaho na nyambo;

“Mudzulatshidzulo” hu ambiwa mudzulatshidzulo wa Komiti ya Nyambo ya Phurovintsi yeneyo i no kwamiwa nga mafhungo; khathihi na uri

“Mulayo” hu ambiwa mulayo muwe na muwe une wa vha hone kha Nivhadzo heino.

Miangano ya Komiti ya Nyambo ya Phurovintsi

2.(1) Komiti ya Nyambo i nga kha i fara muangano hu tshi itelwa u tshea mafhungo a u eletshedza Bodo kha mafhungo a kwamaho nyambo, arali hu uri muofisiri mulanguli wa Bodo o tenda uri muangano uyo u vhe hone.

(2) Hu sa hanezwi mulayo u re kha 2(1), Komiti ya Nyambo i nga eletshedza Bodo na u wa hu uri muhumbulo wa a u eletshedza ndi we wa a musu ho farwa miangano i no kwama mafhungo ane tshikolokolo a vha e a Phurovintsi.

(3) Mudzulatshidzulo a nga vhidza muangano wa tshipentshela wa Komiti ya Nyambo hu tshi itelwa u dzudzanya a u eletshedza Bodo, arali hu uri vhukumakuma muofisiri mulanguli muhulwane wa Bodo o tenda.

(4) Mudzulatshidzulo u fanela u bula tshifhinga na fhethu hune muangano uyu wa u suka mafhungo a u eletshedza Bodo wa o farelwa hone.

(5) Bodo i nga kha i takusa muwe wa mirao yayo kana muwe wa vhashumi uri a ye muanganoni wa Komiti, nahone a tshee ene o ralo, u tea u shela mulenzhe kha zwi no khou rewa henefho muanganoni nahone u na pfanelo dza u shela mulenzhe na khethoni.

(6) Bodo i o anganedza nyeletshedzo ya Komiti ya Nyambo arali hu uri nyeletshedzo iyo i bva muanganoni we wa farwa hu tshi tevhedzwa ohe a kwamaho khoramu ya miangano,

nahone nyeletshedzo iyi ya vha yo tikedzwa nga vhunzhi ha mirao ya Komiti i re hone.

(7) Bodo i o shomedza Komiti nga muthu ane a o thusa kha u langa miangano ya Komiti ya Nyambo, i nga vha ndangulo ine ya nga lilwa musi hu tshi khou sukwa fhungo a nyeletshedzo dza Bodo, ndi ndangulo ine ya nga katela zwi tevhelaho, hu tshi nga kha i dovha ha ingwa nga zwiwe-vho –

- (i) u ramba mirao i tshi rambelwa miangano ye ya tendelwa uri i farwe;
- (ii) u vhulunga minetse dza miangano yohe i no farwa i tshi farelwa u simiwa ha nyeletshedzo i no bva Komitini ;
- (iii) u vhulungwa ha khophi dza mivhigo na dzirekhodo dza kushumiselwe kwa masheleni; khathihi na
- (iv) u ita uri mivhigo iyi na rekhodo zwi kone u waniwa nga mirado ya Komiti kana ya Bodo arali yo humbela.

U anganedzwa

3. Bodo i nga kha i anganedza Komiti ya Nyambo ye ya tewa hu tshi tevhedzwa mulayo wa nyambo wa phurovintsi hu tshi shumiswa *Guranna ya Muvhuso*.

Thuso zwi tshi kwama Theo ya milayo Phurovintsi

4.(1) Bodo i nga kha i thusa dziMEC musi zwi tshi kwama mafhungo a Theo ya milayo Phurovintsi zwi zwa Phurovintsi ngede arali hu uri mulayo wa raloho a uho afho phurovintsi.

(2) Theo ya milayo Phurovintsi i nga katela na zwohe zwi langaho Komiti ya Nyambo Phurovintsi yeneyo.

Mushumo wa Komiti ya Nyambo ya Phurovintsi

5.(1) Komiti ya Nyambo ya Phurovintsi i o eletshedza Bodo itela u thusa Bodo uri i kone u wala kana u anadza muvhigo na zwe zwa wanuluswa na kuvhonele kwayo kwa zwithu khathihi na u eletshedza kana u ita madzinginywa a mafhungo ane a kwama nyambo ane a vha a phurovintsi yeneyo na u twa tshi tou kwama fhedzi tshipia tsha phurovintsi yeneyo kana hu muvhuso wapo zwawo u no wela fhasi ha ndangulo ya phurovintsi yeneyo zwi tshi kwama mafhungo a nyambo dzi no shumiswa henefho phurovintsi. U eletshedza uhu hu o vha siani a –

- (a) u uuwedzwa ha u anda ha ndimi;
- (b) phoisi ya nyambo na theo ya milayo, hu tshi katelwa na phoisi ya nyambo, mishumo ya phurovintsi na theo ya milayo phurovintsi khathihi na mivhusoni yapo ya phurivintsi iyo;

- (c) nyambo dzi no shumiswa pfunzoni; u fhindlela khathihi na u ologa, u aluswa khathihi na u kunguwedzwa ha mawalwa a nyambo dze kale dza vha dzi tshi nyadziwa; pfanelo dza nyambo khathihi na u lamukanya; lekhizikhogirafi na nyaluso ya tsiko ya maipfi; u pulanela u shumiswa ha nyambo
 - (d) risetshe;
 - (e) thandela;
 - (f) tshumisano na mawe madzangano; kana
 - (g) mawe-vho mafhungo livhanaho na nyambo a no kwama mafhungo a phurovintsi kana tshipia tshayo.
- (2) Komiti ya Nyambo i tea u rumela Bodo nyeletshedzo yo tou walaho i no kwama zwe zwa bulwa kha tshipia tshiuku tsha (1) hu sa athu fhela vhege dza (6) u bva u tshee ha anganedzwa khumbelo ya uri Bodo i khou lila u eletshedzwa.
- (3) Arali Komiti ya Nyambo i tshi lila u nea Bodo nyeletshedzo, i tea u zwi ita zwo tou walwa.
- (4) Komiti ya Nyambo ine ya eletshedza kana ya thusa muvhuso wa phurovintsi kana wapo, i tea u rumela Bodo khophi dza nyeletshedzo yo tou walwaho kana muvhigo wa mushumo wa nyeletshedzo we wa itwa ho vha na u rendiwa.
- (5) Komiti ya Nyambo a yo ngo tea uri, i songo ranga u wana thendelo ya Bodo, i rende muthu uri a e a thuse Komiti ya Nyambo hu u itela u dzudzanya nyeletshedzo i no o livhiswa kha Bodo arali hu uri u renda uho ho ralo hu o lila mbadelo.
- (6) Komiti ya Nyambo i tea u thusa Bodo kha u tsivhudza vhathu siani a pfanelo dzavho dza nyambo na hone i nga kha i kwetedza Bodo siani a zwiito zwi no khukhulisa pfanelo dza nyambo.
- (7) Komiti ya Nyambo a yo ngo tea u sima bembela kana u dzhena kha bembela a u oisisa u khukhuliswa ha pfanelo dza nyambo, fhedzi-ha i nga kha i kwamiwa uri i eletshedze Bodo malugana na zwidodombedzwa zwine zwa tea u oisiswa nga Bodo.

Maga a vhutevhedzi

6. Hu tshi itelwa kuitele kwa musu hu tshi sukwa mafhungo a nyeletshedzo i no o ekedzwa Bodo, Komiti ya Nyambo i tea u tevhela maga a vhutevhedzi e a tewa nga Bodo, e a bulwa nga muofisiri mulanguli muhulwane wayo.

Mivhigo

7. (1) Mudzulatshidzulo ndi ene ane a vha na vhuifhinduleli ha u rumela mivhigo o imela Komiti ya Nyambo zwi tshi kwama nyeletshedzo i no iswa kha Bodo misi yohe ine

zwa vha zwo tea, nahone kuitele kwazwo ku o vha ku tshi edza zwe zwa langanwa vhukati ha Komiti ya Nyambo na muofisiri mulanguli muhulwane.

(2) Mudzulatshidzulo a nga kha i ta tshifhunganwando tsha u o mu thusa mishumoni yawe.

(3) Hu tshi itelwa kuitele kwa musu hu tshi itwa nzudzanyo dza u vhiga zwi kwamaho nyeletshedo i no o nekedzwa Bodo, Komiti ya Nyambo i tea u tevhela maga a vhutshedzi e a tewa nga Bodo, e a bulwa nga muofisiri mulanguli muhulwane wayo.

(4) Hu tshi itelwa tshumisano yavhui, Komiti dza Nyambo dzi uwedzwa uri dzi vhige kha Bodo ohe a miangano ye ya farwa hu tshi tevhedzwa milayo ya nyambo i re ya phurovintsi.

U davhidzana na dzirekhodo

8.(1) Komiti ya Nyambo itea u rumela Bodo rekhodo na mivhigo ya miangano ye ya farwa hu tshi itwa nzudzanyo dza nyeletshedzo dza Bodo, hu tshi tevhedzwa ndaela ya muofisiri mulanguli muhulwane.

(2) Bodo i tea u vhulunga –

- (a) rekhodo ya u davhidzana khathihi na nyeletshedzo zwe zwa a zwi tshi bva kha Komiti dza Nyambo nga nthihi nga nthihi; khathihi na
- (b) rekhodo dziwe-vho dzi no kwama mafhungo a kushumiselwe kwa masheleni nga Komiti dza Nyambo nga nthihi nga nthihi.

U sa tevhela khumbelo ya nyeletshedzo ye ya itwa nga Bodo

9. Arali zwa itea uri Komiti ya Nyambo i kundwe u eletshedza Bodo siani a zwi kwamaho nyambo, Bodo i a kona u isa phana na zwe ya tshea malugana na fhungo igede.

Miholo na magavhelo

10. (1) A huna murao na muthihi wa Komiti ya Nyambo ane a pfi o tea u holelwa nge a eletshedza.

(2) Murao wa Komiti ya Nyambo u tea u vhila tshedele ya vhuendi na ya vhulalo ye ya shumiswa zwenezwi e kha u eletshedza sa murao wa Komiti.

(3) Tshedele ye ya shuma kha zwa ene mue i o bva tshikwamani tsha ene mue murao wa Komiti ya Nyambo.

Masheleni

11.(1) Bodo i o badela tshelede kha u urelwa he Komiti ya Nyambo ya vha naho hu no pfesesea hu he ha bvelela musi hu tshi dzudzanywa na u fara miangano ya u dzudzanyela u eletshedza Bodo, hu tshi katelwa na u urelwa he ha vha hone hu tshi bukiwa fhethu ha u farela miangano, zwiwa, vhuendi, vhulalo na zwiwe-vho zwine zwa fanelwa nga mbadelo: Tenda muofisiri mulanguli muhulwane a vha o themendela mbadelo u rangani ha u itea ha izwo zwithu.

(2) Hu songo vha na u tenda u lifhela muthu kha zwe zwa mu urela ngeno Bodo i sa athu u anganedza fomo dza u kieima khathihi na mivhigo ya muangano hu tshi tevhelwa zwe zwa laedzwa nga Mulayo 8 hu no ambiwa nga kutevhedzelwe kwa tshifhinga.

U khukhulisana ha madzangalelo

12.(1) Arali hu uri murao wa Komiti ya Nyambo u na mufarisi, kana shaka a tsini-tsini kana nyanenge kana ramabindu ane a shumisaniwa nae, ane a vha hu uri u na zwine a o bindula siani a masheleni thandelani dze dza kunguwedzwa nga tshelede ya Bodo, murao uyu u tea uri musi o no zwi limuwa uri matsina hu na dzangalelo o raloho, a i bvisela khagala khathihi na bula uri dzangalelo ii o anavhuwa u swika ngafhi zwi walwe sa tshitatamennde zwi rumelwe mudzulatshidzulo wa Komiti i no kwamiwa nga haya mafhungo, ndi ene onoyo a no –

- (a) o vhiga mafhungo a tshitatamennde itshi muanganoni u no o farwa tshifhingani tshi aho; khathihi na
- (b) u o alutshedza Bodo zwenezwo zwe bviselwa khagala.

(2) Murao ufhio na ufhio wa Komiti ya Nyambo kana vathu vha shango vhane vha vha na vhuanzi ho dziaho ha uri e a tshewa nga Komiti i nga swika hune a uumedza kana a pfumisa murao wa Komiti iyi kana iwe-vho, u tea u bvisela khagala dzangalelo io khathihi na u bula uri o anavhuwa u sika ngafhi zwi walwe sa tshitatamennde zwi rumelwe mudzulatshidzulo wa Komiti i no kwamiwa nga haya mafhungo, ndi ene onoyo a no –

- (a) o vhiga mafhungo a tshitatamennde itshi muanganoni u no o farwa tshifhingani tshi aho; khathihi na
- (b) u o alutshedza Bodo zwenezwo zwe bviselwa khagala.

(3) Bodo a nga kha i ta uri ndi zwifhio zwi no tea u itwa arali hu uri mafhungo aya o sika nevheni dzayo hu tshi tevhelwa mulayo 11(1) kana (2).

U humiswa ha u anganedzwa ha Komiti ya Nyambo ya Phurovintsi

13.(1) Arali Bodo ya nga tshea a u humisa u anganedza hayo ha Komiti ya Nyambo

zwi vhangwa nga wambo wa uri komiti iyo a i imeli vhathu nga huswi siani a nyambo dzi no ambiwa Phurovintsini ngede, MEC vha o tsivhudzwa nga nila yo teaho.

(2) Arali MEC vha nga tshea a u fhaladza komiti vhe vho no ralo vha ivhadza Bodo nga nila yo teaho, Bodo i o humisa u anganedzwa ha Komiti nga u tou ita nivhadzo i no bula uri vhukuma zwo tou ralo kha *Guranna ya Muvhuso* kana kha *Guranna ya Phurovintsi*.

Muofosiri Mulanguli Muhulwane
Bodonyangaredzi ya Nyambo dza Afrika Tshipembe
Tshisagana tsha Poswo X08
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NOTICE 112 OF 2001

**KUVALA SATISO 120 SANGA 1997 MAYELANA NETINHLELO
NANGEMITSETFO YEMAKOMITI ETILWIMI ETIFUNDZA**

Ngekubona kutsi –

- (a) tifundza tinelikhono lekwemukela inchubomgomo yetilwimi tato nemtsetfo ngekeMtsetfosisekelo weNingizimu Afrika, 1996 (uMtsetfo No. 108 wanga-1996) Shejuli 4 iNcenyane A “tiNdzawo lapho Hulumende waVelonkhe kanye nebetiFundza baneMandla ekuShaya uMtsetfo ngekuHlanganyela”;
- (b) Sifundza saseNyakatfo Kapa semukele uMtsetfo wetiLwimi weSifundza saseNyakatfo Kapa, 1998 (uMtsetfo No. 13 wanga-1998) liBhodi ligcugcutela naletinye tifundza kutsi tilandzele kuleti tinyatselo;
- (c) ngekeMtsetfo weliBhodi yetiLwimi taseNingizimu Afrika, 1995, emaKomiti etilwimi eTifundza lamiswe liBhodi amitimba yekweluleka yeliBhodi;
- (d) Satiso seliBhodi 120, uMculu waHulumende No. 18554 samhlaka 15 Disemba 1997, sidzinga kubuyeketwa; futsi
- (e) umsebenti wekweluleka wemaKomiti etilwimi eTifundza macondzana neliBhodi udzinga kucaciswa,

lesatiso lesilandzelako semitsetfo leyengamele umsebenti wemaKomiti etilwimi eTifundza, siyashicelelwa ngekwesigaba 8(11) seMtsetfo weliBhodi leTilwimi taseNingizimu Afrika, 1995, selwati jikelele:

Luhlelo

Umtsetfo No.

1. Tinchazelo
2. Imihlangano yeKomiti yetiLwimi yeSifundza
3. Kwemukelwa
4. Lusito mayelana neSishayamtsetfo seSifundza
5. Umsebenti weKweluleka weKomiti yetiLwimi yeSifundza
6. Tinkhombandlela
7. Imibiko
8. KuChumana nemiCulu
9. Kungatfobeli siCelo seteLuleko seliBhodi
10. ImiHolo netiMvumo
11. Timali
12. KuNgcubutana kwetiMfuno
13. Kukhishwa kweKomiti yetiLwimi yeSifundza

Tinchazelo

1. Kulemitsetfo, ngaphandle uma ingcikitsi ibonisa ngaleny indlela –

“IKomiti yetiLwimi” kushiwo iKomiti yetiLwimi yeSifundza lemiswe ngesatiso *kuMculu waHulumende* ngekwesigaba 8(8)(a) seMtsetfo weliBhodi letiLwimi taseNingizimu Afrika, 1995;

“MEC” kushiwo Lilunga leMkhandlu weSigungu seSifundza lobukene netindzaba tetilwimi;

“Umtsetfo” kushiwo umtsetfo locuketfwe kuleSatiso; futsi

“Sihlalo” kushiwo sihlalo weKomiti yetiLwimi yeSifundza leso.

Imihlangano yeKomiti yetiLwimi yeSifundza

2.(1) IKomiti yetiLwimi ingahlangana ngenhloso letsite yekulungiselela teluleko ngetindzaba tetilwimi teliBhodi, uma siphatsimandla lesengamele siwemukele umhlangano.

(2) Ingani ngemtsetfo 2(1), iKomiti yetiLwimi ingasebenta ngetindzaba letimayelana nekulungiselela teluleko kuliBhodi ngesikhatsi semihlangano lebanjwe kutsi kubukwe tindzaba letiphatselene neSifundza.

(3) Sihlalo angabamba umhlangano losipesheli weKomiti yetiLwimi kulungiselela teluleko teliBhodi, uma siphatsimandla lesengamele siwemukele umhlangano lonjalo.

(4) Sihlalo utawubeka sikhatsi nendzawo lekutawuhlanganyelwa kuyo kulungiselela teluleko teliBhodi.

(5) LiBhodi lingakhetsa munye kumalunga nobe lilunga lesitafu kutsi lihambele umhlangano weKomiti, futsi lomuntfu utawuba nemalungelo ekuhlanganyela kunchubo yemhlangano kodvwa ute emalungelo ekuvota.

(6) LiBhodi litawubukisisa teluleko teKomiti yetiLwimi kuphela uma teluleko tilungiselelwe kumhlangano logcwalise tidzingo tesibalo sebantfu labalingene umhlangano (ikhoramu), futsi bewuneselekelelo selinyenti lemalunga ayo lakhona kunobe nguwpuphi umhlangano weKomiti.

(7) LiBhodi litawukhetsa umuntfu lotawusita ngemsebenti wasehhovisi wemihlangano yeKomiti yetiLwimi lengadzingakala kutsi alungiselele teluleko teliBhodi, lokufaka ekhatsi, kodvwa kungacini lapho –

- (i) kumema emalunga kumhlangano lomukelekile;

- (ii) kugcina emaminitsi awo wonkhe umhlangano loba khona, ngeseluleko seKomiti;
- (iv) kugcina emakhophi emibiko nemiculu yetindleko; futsi
- (iv) anikete emalunga eKomiti , uma acela imibiko nemiculu.

Kwemukelwa

3. LiBhodi lingamukela iKomiti yetiLwimi lemiswe ngekwemtsetfo wetilwimi tesifundza ngesatso *kuMculu waHulumende*.

Lusito mayelana neSishayamtsetfo seSifundza

4.(1) LiBhodi lingasita emaMEC kulungiselela uMtsetfo weTiLwimi teSifundza waleso sifundza sabo uma ngabe kute umtsetfo lonjalo lokhona.

(2) Umtsetfo weTilimi teSifundza ungafaka imiyalo lecondzisa iKomiti yetiLwimi yaleso Sifundza.

Umsebenti weKweluleka weKomiti yetiLwimi yeSifundza

5.(1) Kuze kuniketwe liBhodi ligunya lekwenta nobe lekushicelela umbiko, imiphumela, emagalelo, teluleko nobe tiphakamiso kunobe ngabe nguyiphi indzaba yelulwimi nobe letsintsa lesi sifundza nobe lenye yaso nobe ngusiphi siphatsimandla sasekhaya ngekhatshi kwemandla aleso sifundza mayelana netilwimi letisetjentiswa esifundzeni, iKomiti yetiLwimi itaweluleka liBhodi macondzana –

- (a) nekutfufukiswa kusetjentiswa kwetilwimi letinyenti;
- (b) inchubomgomo yelulwimi nemtsetfo, kufaka ekhatshi inchubomgomo yetiLwimi, imisebenti nemtsetfo wesifundza newetiphatsimandla tasekhaya kuleso sifundza;
- (c) lulwimi kutemfundvo, kuhumusha nekutoliga, kutfufukiswa nekunconota ilitheretja netilwimi lebetitsatselwa phasi kudzala, emalungelo elulwimi kanye nekulamula, kutfufukiswa kubhalwa kwetichazagama netheminoloji, kuhlelwa kwesimo selulwimi;
- (d) iresetji;
- (e) imiklamo;
- (f) kusebentisana naleminye imitimba; nobe
- (g) nguyiphi indzaba lephatselene netilwimi letitsintsa sifundza nobe incenye yaso.

(2) IKomiti yetiLwimi itawuniketa liBhodi teluleko letibhaliwe ngetindzaba letihlongotwe kusigatjana (1) kungakendluli emaviki lasitfupha (6) ekutfola sicelo seseluleko.

(3) Uma iKomiti yetiLwimi ifuna kuniketa teluleko kuliBhodi itawenta njalo ngekubhala.

- (4) IKomiti yetiLwimi leniketa teluleko nobe leniketa lusito kuhulumende wesifundza newasekhaya, itawuniketa liBhodi ngemakhophi eteluleko letibhaliwe letihanjisiwe nobe umbiko kunobe nguluphi lusito lolentiwe ngekucelwa.
- (5) IKomiti yetiLwimi angeke ikhetse nobe ngumuphi umuntfu kutsi ente nobe nguluphi luhlobo lwelusito kuKomiti yetiLwimi ngenhloso yekulungiselela teluleko kuliBhodi uma kukhetfwa lokunjalo kufaka ekhatsi timali, ngaphandle kwekumukelwa liBhodi ngaphambilini kucala.
- (6) IKomiti yetiLwimi itawusita liBhodi ngekwatisa macondzana nemalungelo elulwimi futsi ingaletsa kuphulwa kwemalungelo elulwimi embi kweliBhodi.
- (7) IKomiti yetiLwimi angeke icale nobe yente luphenyo kunobe ngutiphi tikhalo tekwephulwa kwemalungelo elulwimi, kodwa ingatsintfwa kutewululeka liBhodi kunobe nguluphi luhlangotsi loluphatselene nelicala leliphenywa liBhodi.

Tinkhombandlela

6. Ngetinhloso tekulungiselela teluleko teliBhodi, iKomiti yetiLwimi itawutinta kuletinkhombandlela teliBhodi, letikhishwe siphatsimandla lesengamele salo.

Imibiko

7.(1) Sihlalo unemsebenti wekutfumela imibiko esikhundleni seKomiti yetiLwimi mayelana neteluleko kuliBhodi uma kudzingeke kutsi ente njalo, futsi utawenta njalo kungakendluli luhlaka lwesikhatsi lokuvunyelwene ngaso emkhatsini weKomiti yetiLwimi nesiphatsimandla lesengamele.

(2) Sihlalo angatiniketa emandla emisebenti yakhe yekubika.

(3) Ngenhloso yekulungiselela umbiko mayelana neteluleko teliBhodi, iKomiti yetiLwimi itawutinta kuletinkhombandlela teliBhodi, letikhishwe siphatsimandla lesengamele salo.

(4) Ngemgomo wekusebentisana, emaKomiti etilwimi ayagcugcutelwa kutsi abike kuliBhodi ngemihlangano lebanjwe ngekwemtsetfo wetilwimi wesifundza.

KuChumana nemiCulu

8. (1) IKomiti yetiLwimi itawuniketa liBhodi imiculu nemibiko yemihlangano lebanjelwe kulungiselela teluleka teliBhodi, njengobe kufunwe siphatsimandla lesengamele.

(2) LiBhodi litawugcina –

- (a) umculu wetincomo neteluleko letisuka kuwo onkhe emaKomiti etilwimi; futsi
- (b) ihlukanise imiculu mayelana netindleko teKomiti yetilwimi ngayinye.

Kungatfobeli siCelo seteLuleko seliBhodi

9. Esahlakalweni lapho iKomiti yetilwimi yehluleka kweluleka liBhodi endzabeni lehlobene netilwimi, liBhodi lingachubeka ngesincumo sayo mayelana naleyo ndzaba.

ImiHolo netiMvumo

10.(1) Kute lilunga leKomiti yetilwimi lelingakhokhelwa ngemisebenti yekweluleka leliwentile.

- (2) Lilunga leKomiti yetilwimi lingafaka sicelo setindleko tekuhamba netekuhlala letenteke ngesikhatsi lenta imisebenti yalo yekweluleka njengelilunga leKomiti.
- (3) Tindleko letingahlobani nemsebenti titawubukana nelilunga laleyo Komiti yetilwimi.

Timali

11.(1) LiBhodi litawukhokhela tindleko letifanele letentiwe yiKomiti yetilwimi ngetinhloso tekuhlela nekubamba umhlangano wekulungiselela teluleko teliBhodi, kufaka ekhatsi tindleko letingena uma kubhukwa indzawo, kudla, indzawo yekuhlala nemali yekudla lapho kunesidzingo sekutsi kukhishwe ngakheshi. Kuphela uma ngabe siphatsimandla lesengamele sitemukele letindleko ngaphambi kwekuba tentiwe.

(2) Kute imali letawubuyiselwa yetindleko letemukelwe ngaphambi kwekutsi liBhodi itfole lifomu lekufaka sicelo nemibiko yemhlangano kungakendluli luhlaka lwesikhatsi lolubekwe nguMtsetfo 8.

KuNgcubutana kwetiMfuno

12. (1) Uma umfati/indvodza, lilunga lemndeni lelisedvute, ngumlingani wemphilo nobe ngumlingani welibhizinisi wanobe nguliphi lilunga leKomiti yetilwimi lonetimfuno ngemali ngco nobe ngalenywe indlela kunobe nguwapu umklamo lochaswe liBhodi ngetimali, lilunga lekomiti kumele emva kwekubona leto timfuno libike ngaloko futsi ngako konkhe esitatimendeni lesibhaliwe bese sitfunyelwa kusihlalo wekomiti; lotawu –

- (a) beka lesitatimende emhlanganweni lolandzelako lotako; futsi
- (b) lowuchaza ngalombiko etikweliBhodi.

(2) Nobe nguliphi lilunga leKomiti yetilwimi nobe umphakatsi jikelele, lonebufakazi lobucinile kutsi sincumo lesitsetfwe yiKomiti singaholela enchubekeleni embili ngemali

kwalelinye lilunga laleyo nobe lenye iKomiti, utawubika ngaletimfuno futsi ngako konkhe esitatimendeni lesibhaliwe bese sitfunyelwa kusihlalo wekomiti; lotawu –

- (a) beka lesitatimende emhlanganweni lolandzelako lotako; futsi
- (b) lowuchaza ngalombiko etikweliBhodi

(3) LiBhodi lingancuma ngetinyatselo letitawutsatfwa endzabeni lefike etandleni tayo macondzana nemtsetfo 11(1) nobe (2).

Kukhishwa kweKomiti yetiLwimi yeSifundza

13.(1) Uma liBhodi lincuma kukhipha iKomiti yetiLwimi ngetizatfu tekutsi yehluleke kumelela ngekwetilwimi taleso Sifundza, iMEC itawatiswa ngaloko.

(2) Uma iMEC incuma kucitsa iKomiti futsi yatise liBhodi ngaloko, liBhodi litawukhipha leKomiti leyo ngekushicelela satiso mayelana naloko *kuMculu waHulumende neMculu weSifundza*.

Siphatsimandla leseNgamele

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**UKUSHINTSHANISWA KWESAZISO SE-120 SIKA 1997 MAQONDANA
NENKAMBISO NEMITHETHO YENQUBO KUMAKOMIDI EZILIMI EZIFUNDAZWE**

Uma kubhekelelwa ukuthi –

- (a) izifundazwe zinalo ikhono lokuzithabathela umthethomgomo wazo kwizilimi kanjalo nokuzishayela umthetho ngokomThethosisekelo waseNingizimu Afrika, ka 1996 (umThetho onguNombolo 108 ka 1996) iSheduli 4 Ingxenye A “Izindima Ezisebenzayo Eziqondene neziBhanqe uZwelonke neziFundazwe”;
- (b) isiFundazwe saseNtshonalanga-Koloni sathabatha umThetho weziLimi waseNtshonalanga-Koloni, ka 1998 (umThetho onguNombolo 13 ka 1998) kanjalo iBhodi iyazikhuthaza nezinye iziFundazwe ukuthi nazo mazenze kanjalo;
- (c) ngokomThetho weziLimi eNingizimu Afrika, ka 1995, amaKomidi eziLimi amiswe yiBhodi kwiziFundazwe ayizakhiwo ezaluleka iBhodi;
- (d) isaziso se-120 seBhodi, *iPhephandaba likaHulumeni (Government Gazette)* elinguNombolo 18554 le 15 kuDisemba 1997, sidinga ukubuyezwa; futhi
- (e) Iqhaza elimaqondana namaKomidi eziLimi eziFundazwe aluleka iBhodi lidinga ukucaciswa,

le saziso esilandelayo semithetho yenqubo elawula iqhaza leKomidi yeziLimi eziFundazwe, siyashicilelwa ngokwesigaba 8(11) somThetho weziLimi eNingizimu Afrika, ka 1995, ukwazisa umphakathi:

Ukuhlelwa

UmThetho weNqubo onguNombolo

1. Izichasiso
2. Imihlangano yeKomidi yoLimi esiFundazwe
3. Ukwamukeleka
4. Ukwelekelela maqondana nesiShayamthetho sasesiFundazwe
5. Imisebenzi yokwaluleka okungeyeKomidi yeziLimi eziFundazwe
6. Imihlahlandlela
7. Imibiko
8. UkuXhumana namaRekhodi
9. Ukungasifezi isiCelo seBhodi sokunikezwa iseluleko
10. Inkokhelo nokubonelelwa
11. Izimali
12. UkuShayisana ngokweNtshisekelo
13. UkuHoxa kokwaMukeleka kweKomidi yoLimi esiFundazwe

Izichasiso

1. Kule mithethonqubo, ngaphandle uma ingqikithi ichaza okunye –

“iKomidi yoLimi” ichaza ikomidi yolimi esifundazwe emiswe ngesaziso *kwiPhephandaba likaHulumenii* ngokwesigaba 8(8)(a) somthetho wezilimi eNingizimu Afrika, ka 1995;

“u-MEC” uchaza iLungu lomKhandlu Omkhulu esiFundazwe obhekene nemisebenzi eqondene nolimi;

“umThethonqubo” uchaza noma yimuphi umthethonqubo oqukethwe yile Saziso; futhi

“Usihlalo” uchaza usihlalo weKomidi yoLimi esiFundazwe esiqondene.

Imihlangano yeKomidi yoLimi esiFundazwe

2.(1) IKomidi yoLimi ingahlangana ngenhloso ethize yokulungiselela isaluleko maqondana nezinto zolimi kwiBhodi, uma umphathi omkhulu ewuvumelile umhlangano.

(2) Nakuba kunomthethonqubo 2(1), iKomidi yoLimi ingazidingida izinto eziqondene nokulungiselela iseluleko kwiBhodi ngesikhathi kunemihlangano ukubhekana nezinto eziqondene nesiFundazwe.

(3) Usihlalo angabiza umhlangano weKomidi loLimi oyiSipesheli ukulungiselela izeluleko zeBhodi, uma umphathi omKhulu ewuvumelile lowo mhlango.

(4) USihlalo kufanele abeke indawo nesikhathi somhlangano obizelwe ukulungiselela izeluleko zeBhodi.

(5) IBhodi ingajuba omunye wamalungu ayo noma ilungu labasebenzi bayo ukuthi bethamele umhlangano weKomidi, lowo muntu-ke uyoba nalo ilungelo lokubamba iqhaza kwizingxoxo zokubonisana kepha angeke abe nalo ilungelo lokuvota.

(6) IBhodi iyosicabangisisa iseluleko seKomidi yoLimi uma iseluleko leso sihlanganiswe emhlanganweni ozigcinile izidingongqangi zekhworamu, futhi sesekwa yiningi lamalungu akhona kunoma yimuphi umhlangano weKomidi.

(7) IBhodi kufanele ibeke umuntu oyedwa ozonikeza isesekelo sokusingathwa kwemihlangano yeKomidi loLimi engase idingeke ukuba ilungiselele iseluleko seBhodi, okubala, kepha kungacini -

- (i) ngokumema amalungu ukuthi eze emhlanganweni ogunyaziwe;
- (ii) agcine amaminithi ayo yonke imihlangano ebe khona, maqondana neseluleko esikhishwe yiKomidi;

- (iii) agcine amakhophi namarekhodi ochithomali; futhi
- (iv) anikeze amalungu eKomidi kanye naweBhodi, imibiko namarekhodi, uma ekucelile.

Ukwamukeleka

3. IBhodi ingayemukela iKomidi yoLimi emiswe ngokomthetho ngokukhipha isaziso kwiPhephandaba likaHulumeni.

Ukwelekelela maqondana nesiShayamthetho sasesiFundazwe

4.(1) IBhodi ingamelekelela u-MEC ukulungiselela ukuShaywa komThetho woLimi esiFundazwe maqondana nesifundazwe esiqondene kwizimo lapho ungekho umthetho wesishayamthetho.

(2) Umthetho wesiShayamthetho wesiFundazwe ungabandakanya imithetho eyinqubomgomo yeKomidi yoLimi kwisiFundazwe leso.

Imisebenzi yokwaLuleka okungeyeKomidi yeziLimi eziFundazwe

5.(1) Ukuze iBhodi ikwazi ukuhlanganisa noma ukushicilela umbiko, ekutholile, umbono, iseluleko noma isiphakamiso kunoma yiluphi udaba lwolimi oluthinta isifundazwe esiqondene noma ingxenye yaso noma isiphathimandla sikahulumeni wasekhaya endaweni engaphansi kwesifundazwe leso maqondana nolimi olusetshenziswa esifundazwe, iKomidi yoLimi kufanele yeluleke iBhodi maqondana –

- (a) nokukhuthazwa kwezilimilimi;
- (b) nomthethomgomo kanye nokushaywa komthetho, okubala umthethomgomo wolimi, inqubo ekhona kanjalo nemithetho ebekiwe yesifundazwe kanye neyephathimandla kuleso sifundazwe;
- (c) ulimi kwezemfundo; ukuhumusha nokutolika, ukuthuthukisa nokukhuthazwa kwezincwadi zokufunda kanye nezilimi ezinomlando wokubuyiseleka emuva, amalungelo ezilimi nokulamula; ukuthuthukiswa kwezichazamazwi nobuchwepheshe bamagama; ukuhlela umumo wolimi;
- (d) ucwaningo;
- (e) imikhankaso;
- (f) ukubambisana neminye imigwamanda; noma
- (g) yiluphi olunye udaba olumaqondana nolimi oluthinta isifundazwe noma ingxenye yaso.

(2) IKomidi yoLimi kufanele inikeze iBhodi iseluleko esibhalwe phansi maqondana nezinto ezibekiwe kwisigatshana (1) engakapheli amaviki ayisithupha (6) isitholile isicelo sesaluleko.

- (3) Uma iKomidi yoLimi ifisa ukuzinikezela yona ngokwayo iseluleko kwiBhodi, kufanele lokho ikwenze ngokubhala phansi.
- (4) IKomidi yoLimi enikeza uhulumeni wesifundazwe kanye nowasekhaya iseluleko, kufanele inikeze iBhodi amakhophi eseluleko esikhishiwe, noma umbiko maqondana nanoma yiluphi usizo olunikeziwe emveni kokuthi luceliwe.
- (5) IKomidi yoLimi ingekwazi ukuqoka noma ubani ozonikeza noma hlobo luni lokwelekelela iKomidi yoLimi ukuze ilungisele iseluleko seBhodi uma lokho kuqoka kuhambisana nokusebenza kwemali, ngaphandle kokuthi kuqale kutholakale imvume yeBhodi.
- (6) IKomidi yoLimi kufanele iyelekelele iBhodi ukuqwashisa maqondana namalungelo olimi futhi ingakwazi ukwethula kwiBhodi izikhalazo ngokuhlukunyezwa kwamalungelo olimi.
- (7) IKomidi yoLimi ingeziqalele yona ngokwayo uphenyo lwezikhalazo zokuhlukunyezwa kwamalungelo olimi, kepha iBhodi ingasifuna iseluleko maqondana nanoma iluphi udaba oluphenywa yiBhodi.

Imihlahlandlela

6. Maqondana nokulungiselela izeluleko eziya kwiBhodi, iKomidi yoLimi kufanele ihambise ngemihlahlandlela yeBhodi, ekhishwe ngomgudu womphathi omkhulu.

Imibiko

7.(1) UsiHlalo ubhekene nomsebenzi wokwethula imibiko egameni leKomidi yoLimi maqondana neseluleko esiqonde kwiBhodi njalo uma edingeka ukuthi akwenze lokho, futhi lokho kufanele akwenze esikhathini leso okuvunyelwene ngaso phakathi kweKomidi yoLimi kanye nomphathi omkhulu.

- (2) Usihlalo angayidlulisela komunye umsebenzi wakhe wokwethula imibiko.
- (3) Maqondana nokulungiselela umbiko oya kwiBhodi, iKomidi yoLimi kufanele ihambise ngemihlahlandlela yeBhodi, ekhishwe ngomgudu womphathi omkhulu.
- (4) Ukuze kube nomoya wokubambisana, amaKomidi oLimi ayakhuthazwa ukuthi ayibikele futhi iBhodi ngemihlangano ebanjwe ngokwemithetho ebekiwe yolimi esifundazwe.

UkuXhumana namaRekhodi

8. (1) Ikomidi yoLimi kufanele inikeze iBhodi amarekhodi nemibiko yemihlangano ebanjiwe ukulungiselela iseluleko seBhodi, ngokwesidingo somphathi omkhulu.

(2) IBhodi kufanele igcine –

- (a) irekhodi lezincomo neseluleko esiqhamuka kulelo nalelo Komidi loLimi; futhi
- (b) amarekhodi ahlukene maqondana nochithomali lwalelo nalelo Komidi loLimi.

Ukungasifezi isiCelo seBhodi sokunikezwa iseluleko

9. Uma kwenzeka iKomidi yoLimi yehluleka ukweluleka iBhodi maqondana nodaba lolimi, iBhodi ingaqhubeka nesinqumo sayo maqondana nalolo daba.

INkokhelo nokuBonelelwa

10.(1) Akukho lungu leKomidi yoLimi elinelungelo lokukhokhelwa ngosizo lokweluleka elilunikezile.

(2) ILungu leKomidi yoLimi linelungelo lokufaka isicelo senkokhelo ngezindleko zokuhamba nendawo yokulala okudaleke ngesikhathi ilungu ligcina imisebenzi yalo njengelungu leKomidi.

(3) Izindleko eziqondene nomuntu ngqo ziyothwalwa yilungu leKomidi yoLimi oluqondene.

Izimali

11.(1) IBhodi iyo eyothwala izindleko ezizwakalayo ezidalwe yiKomidi yoLimi ngenhloso yokwenza amalungiselelo nokubamba umhlangano wokulungisa iseluleko seBhodi, okubandakanya nezindleko ezidaleke ngokubekisa indawo yokubambela umhlangano, ukudla, ukuhamba, indawo yokulala kanye neyokudla endleleni uma isimo kungesidinga kukhokhwe: inqobo nje uma umphathi omkhulu ezigunyazile lezi zindleko ngaphambi kokuthi zidaleke.

(2) Angeke ilungiswe imali yokukhokhela izindleko ebezigunyaziwe ngaphambi kokuthi iBhodi iqale ithole amafomu okufuna imali kanye nemibiko yomhlangano singakapheli isikhathi esibekwe umThethonqubo 8.

UkuShayisana ngokweNtshisekelo

12. (1) Uma okushadwe naye, ilungu lomndeni eliseduze, ngokokuphilisana kunoma iliphi iLungu leKomidi eba nentshisekelo ngokuqondene noma ngokungaqondene ngqo nemali kunoma yimuphi umkhankaso iBhodi ewukhiphele izimali, lelo lungu kufanele,

ngokushesha emveni kokwazi ngaleyo ntshisekelo, lizibike ngaleyo ntshisekelo nanokuthi ingakanani ngokubhalela usihlalo oqondene, okufanele –

- (a) Umbhalo lowo awethule ezithebeni zomhlangano olandelayo; futhi
- (b) Ayazise iBhodi ngalokho kwazisa.

(2) Noma iliphi ilungu leKomidi yoLimi noma umphakathi wonkana, onobufakazi obuphelele bokuthi isinqumo esithathwe yiKomidi sidale ukuthi kube khona ilungu leKomidi lelo noma elinye iKomidi libe nokuzuza lona qobo lalo noma ngokwemali kulelo lungu noma ilungu lelinye iKomidi, kufanele leyo ntshisekelo liyethule ngokubhalela usihlalo weKomidi eqondene nanokuthi ihamba ifikephi, okufanel e –

- (a) Umbhalo lowo awethule ezithebeni zomhlangano olandelayo; futhi
- (b) Ayazise iBhodi ngalokho kwazia.

(3) IBhodi ingasithatha isinqumo ngezinyathelo ezifanele ukuthathwa lapho ibe nolwazi ngokomthethonqubo 11(1) noma (2).

UkuHoxa kokwaMukeleka kweKomidi yoLimi esiFundazwe

13.(1) Uma iBhodi inquma ukukuhoxisa ukwamukeleka kweKomidi yoLimi ngenxa yokuthi yehluleka ukuba ngemelele ngokwezilimi zesiFundazwe esiqondene, u- MEC uypkwaziswa ngalokho.

(2) Uma u-MEC enquma ukuyiqeda iKomidi futhi ayazise ngalokho iBhodi, iBhodi iyokuhoxisa ukuyemukela kwayo iKomidi ngokuthi isaziso salokho isikhiphe *kwiPhephandaba likahulumeni nakwiPhephandaba lesiFundazwe.*

Umphathi Omkhulu

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**ISIJAMISELELO SESAZISO 120 SAKA-1997 MALUNGANA NEKAMBISO
NEMITHETHO YAMAKOMIDI WELIMI EMAPHROVINSINI**

Njengoba –

- (a) amaphrovinsi anamandla nelungelo lokuzitlamela wawo umthethokambiso wezeli ngokomThethosisekelo weSewula Afrika ka-1996 (Act No. 108 of 1996), Schedule A Part A “Functional Areas of Concurrent National and Provincial Legislative Competence”;
- (b) i-Western Cape Province yamukela umthetho wezamalimi kilephrovinsi, i-Western Cape Provincial Languages Act, 1998 (Act No. 13 of 1998) begodu iBhodi ithanda ukukhuthaza namanye amaPhrovinsi bona nawo enze njalo;
- (c) ngokomThetho weBhodi yamaLimi woKe (i-PANSALB) ka-1995, amaKomidi weLimi asungulwe yiBhodi emaPhrovinsini aziinjamiso ezizakululeka yona iBhodi yezamaLimi le;
- (d) iSaziso seBhodi Namba 120, *Government Gazette* Namba 18554 kaDisemba 15 1997 ifuna ukuzaliselelwa ngemininingwana emitjha; nanjengoba
- (e) kufuneka bona ihlathululwe indima nomsebenzi wokululeka nokubonisa iBhodi owenziwa maKomidi weLimi emaPhrovinsini,

lapha-ke kumenyezelwa isaziso esilandelakwesi esimalungana nemithetho elawula umsebenzi nendima yamaKomidi wamaLimi emaPhrovinsini, simenyezelwa ngokwesekhitheni 8(11) yomThetho ka-1995 we-PANSALB, kobana kuzokwazeka koke ngawo:

Ukuhleleka

INomboro yomThetho.

1. Ihlathululo
2. Imihlangano yeKomidi yeLimi yePhrovinsi
3. Ukwamukeleka
4. Isizo ngomThetho wePhrovinsi
5. Umsebenzi wokuLuleka weKomidi yeLimi yePhrovinsi
6. IKombandlela
7. ImiBiko
8. UkuThintana namaRekhodi
9. UmRholo neMbonelelo
10. Iimali
11. UkuPhambana kweeNrhuluphelo
12. UkuTsonyulwa kwesiVumelwana sokuSebenzisana neKomidi yeLimi yePhrovinsini.

Ihlathululo

1. Emithethweni le, ngaphandle kobana ikulumo ihlathulule ngenye indlela –

“iKomidi yeLimi” itjho iKomidi yeLimi yePhrovinsi esungulwe ngenothi ku-*Government Gazette* ngokwesekhithjheni 8(8) (a) yomThetho we-PANSALB ka-1995;

“umThetho” utjho umthetho ophethwe siSaziswesi;

“uSihlalo” utjhi uSihlalo weKomidi yeLimi yePhrovinsi leyo; bese kuthi

“uSomkhandlu” utjho iLungu lomKhandlu oPhetheko ePhrovinsini, eliphethe iindaba zelimi.

Imihlangano yeKomidi yeLimi yePhrovinsi

2.(1) IKomidi yeLimi ingahlanganela umnqopho othileko wokulungiselela iBhodi okuthileko okuphathelene neendaba zelimi, nakube isiKhulu esiPhethe iBhodi sivumile bona umhlangano onjalo ungabanjwa.

(2) Ngaphandle komthetho oku-2(1) ngehla, iKomidi yeLimi ingasebenza ngeendaba eziphathelene namalungiselelo wokulimukisa iBhodi ngokuthileko emihlanganweni ebizelwe ukukhuluma ngeendaba zePhrovinsi.

(3) USihlalo angabiza umhlangano okhethekileko weKomidi yeLimi kobanyana iyokulungiselela okuthileko efuna ukukwazisa iBhodi, nakube isiKhulu esiPhethe iBhodi sivumile bona ungabanjwa umhlangano onjalo.

(4) USihlalo kufuze atjho isikhathi nendawo la kuyokubanjelwa khona umhlangano.

(5) IBhodi ingakhetha omunye wamalungwayo namkha omunye wabasebenzi bayo kobana naye aye emhlanganweni weKomidi; umuntu othunywe umsebenzi onjalo-ke uzakuvunyelwa naye akhulume emhlanganweni, kodwa angeze avunyelwe ukuvowuda.

(6) IBhodi izasimukela isiphakamiso seKomidi yeLimi kwaphela nakube isiphakamisweso senziwe emhlanganweni ozalise imibandela yokubamba umhlangano: kube namalungu aneleko ukuthi umhlangano ungakghona ukukhuluma (ikhoramu), futhi isiphakamiswesi kufuze bona sisekelwe linengi lamalungu azabe akhona emhlanganweni weKomidi loyo.

(7) IBhodi kufuze ikhethe umuntu ozakulekelela ngomsebenzi wokuhlelela imihlangano yeKomidi yeLimi ekungafuneka bona ilungise isaziso namkha isiphakamiso ezasithumelela iBhodi, esingaba ngesinye salezi ezilandelako, kodwa nokho hayi ukuthi ngilezi kwaphela

iimphakamiso ezingenziwa –

- (i) ukumema amalungu emhlanganweni ovunyelweko bona ube khona;
- (ii) ukutlola nokubulunga amaminidi wayo yoke imihlangano ebanjwa yiKomidi;
- (iii) ukubulunga imibiko namarekhodi wemali esetjenzisiweko, kunye
- (iv) nokuphakisa amalungu weKomidi naweBhodi imibiko namarekhodi, nakube ayayibawa.

UkwaMukeleka

3. IBhodi ingavuma ukuba khona nokusebenza kweKomidi yeLimi esungulwe ngomthetho olawula zamalimi ephrovinsini, ngenothi emtlotweni wezaziso zombuso, *i-Government Gazette*.

Isizo ngomThetho wePhrovinsi

4.(1) IBhodi ingalekelela abosomkhandlu ukutlama umThetho weLimi ePhrovinsini leyo, nakube awukho umthetho onjalo.

(2) UmThetho weLimi wePhrovinsi ungatjho nemibandela elawula iKomidi yeLimi ePhrovinsini leyo.

Umsebenzi wokuLuleka weKomidi yeLimi yePhrovinsi

5.(1) Ukwenza iBhodi ikhona ukwenza namkha imemezele umbiko, okutholwe liphenyo, umbono, isiluleko namkha isiphakamiso ngananyana yini emalungana nelimi ephathelene nephrovinsi ethileko namkha incenye ethileko yephrovinsi namkha urhulumende wendawo ongaphasi kwephrovinsi leyo malungana namalimi asetjenziswa ephrovinsini leyo, iKomidi yeLimi kufuze bona ibonise iBhodi malungana –

- (a) nokukhuthazwa kokusetjenziswa kwamalimi woke;
- (b) umthethokambiso welimi nomthetho, sekubalwa nomthethokambiso welimi, imikghwa nemithetho yephrovinsini kunye neyaborhulumende beendawo bephrovinsi leyo;
- (c) ilimi elisetjenziswa kezefundo; ukutjhugulula kwamalimi nokutolika, ukuthuthukiswa nokukhuthazwa kwemitlolo efundwako namalimi ayedinywe amathuba phambilini; amalungelo wamalimi nokulanyulelwa kwawo; ukwakhiwa nokutlolwa kweenhlathululimezwi nokuhlathululwa kwamagama bese atlolwa phasi; ukuhlelelwa kwamajamo wamalimi;
- (d) irhubhululo;
- (e) amahlelo;
- (f) ukusebenza ngokubambisana nezinye iinqhema; namkha
- (g) nanyana yini ephathelene nelimi ephathelene nephrovinsi leyo namkha incenye yayo.

- (2) IKomidi yeLimi kufuze bona itlolele iBhodi iyibikele ngeendaba ekukhulunywa ngazo encenyaneni (1) kungakapheli iimveke ezintandathu (6) ithole isibawo sokobana ibikele iBhodi.
- (3) Nakube iKomidi yeLimi ifisa ukuzisukela ngokwayo ibikele iBhodi ngokuthileko, kufuze bona lokho ikwenze ngokutlola.
- (4) IKomidi yeLimi ebikela namkha eyazisa namkha esiza urhulumende wephrovinsi namkha wendawo ngokuthileko, kufuze bona ithumelele iBhodi umbiko walokho otloliweko, nakube iBhodi iyawubawa umbiko loyo.
- (5) IKomidi yeLimi ayikwazi ukusebenzisa umuntu kobana ayisize ukulungisa nokuhlela isiluleko esiya eBhodini nakube ukusebenzisa umuntu loyo kuzakufuna imali, ngaphandle kobana kuvume iBhodi ntanzi.
- (6) IKomidi yeLimi kufuze ilekelele ukuphandlulula iBhodi malungana namalungelo welimi, kanti godu ingabikela iBhodi nakube kunesehlakalo esaziko sokuphulwa kwamalungelo welimi.
- (7) IKomidi yeLimi ayikavunyelwa ukuziphenyela ngesinghonyoyilo sokuphulwa kwamalungelo welimi, kodwa ingathunyelwa isibawo sokobana iluleke iBhodi ngananyana yini ephathelene nephenyo elenziwa yiBhodi.

IKombandlela

6. Malungana nokulungiselela iBhodi isiluleko, iKomidi yeLimi kufuze bona ilandele ikombandlela yeBhodi ekhutjwe ngesiKhulu sayo esiPhetheko.

ImiBiko

- 7.(1) Kumsebenzi kaSihlalo ukukhupha imibiko egameni leKomidi yeLimi malungana nesiluleko nemibiko eya eBhodini nakufuneka bona enze njalo, befuthi lokho kufuze bona akwenze ngesikhathi esibekiweko, ekuvunyelwenwe ngaso hlangu kweKomidi yeLimi nesiKhulu esiPhethe iBhodi.
- (2) USihlalo umsebenzakhe wokubika angawuthumela ngomunye.
- (3) Malungana nokulungiselela umbiko ngesiluleko esiya eBhodini, iKomidi yeLimi kufuze bona ilandele ikombandlela yeBhodi, ekhutjwe ngesiKhulu esiPhetheko seBhodi.
- (4) Egameni lokusebenzisana kuhle, amaKomidi wamaLimi akhuthazwa bona abikele

iBhodi nangemihlangano ayibambileko, ngokomThetho wezamaLimi wamaPhrovinsi.

UkuThintana namaRekhodi

8.(1) IKomidi yeLimi kufuze inikele iBhodi amarekhodi nemibiko yemihlangano ekhe yabanjwa, ukulungiselela isiluleko engasinikela iBhodi, njengoba kufuna isiKhulu esiPhetheko seBhodi.

(2) IBhodi kufuze ibulunge –

- (a) irekhodi leemphakamiso neenluleko zenye nenye iKomidi yeLimi;
- (b) ihlukanise namarekhodi wemali esetjenziswe ngenye nenye iKomidi yeLimi.

Ukungakhambisani neeMbawo zeBhodi zokuBikelwa nokuLulekwa

9. Nakufumaniseka bona iKomidi yeLimi ayiyibikeli iBhodi ngendaba ephathelene nelimi, iBhodi ingenza ecabanga ukukwenza malungana nendaba leyo.

UmRholo neeMbonelelo

10.(1) Akunalungu leKomidi yeLimi ekufuze lirholelwe ngomsebenzi wokululeka eliwenzileko.

(2) Ilungu leKomidi yeLimi linelungelo lokubawa ukubuyiselwa imali yokukhamba neyamalalo eliyisebenzise lisemsebenzini weKomidi.

(3) Iindleko eziphathelene nomuntu siqu sakhe kufuze bona ilungu ngalinye lizibhadalele zona ngokwalo.

Iimali

11.(1) IBhodi kufuze izibhadalele iindleko ezilingeneko nezamukelekako ezenziwe yiKomidi yeLimi ekulungiseleleni nekubambeni umhlangano wokubikela nokululeka iBhodi ngendaba ethileko; lapha-ke kubalwa neendleko zokubhadalela indawo ekuhlangelwa kiyi, iindleko zokudla, zokukhamba, zamalalo kunye nezezondlo ezanele ukuphilisa umuntu la ubujamo bezinto buvuma khona: kodwa lokho kungenzeka kwaphela nakube isiKhulu esiPhethe iBhodi sikuvumele ukusetjenziswa kwemali leyo ngaphambi kobana ingasetjenziswa.

(2) Nokho-ke nanyana imali leyo kuvumelekile bona ingabhadalwa, kodwa angeze yabhadalwa iBhodi ingakatholi umbiko obiza imali enjalo nombiko womhlangano ngesikhathi esibekwe mThetho 8.

UkuPhambana kweeNrhuluphelo

12.(1) Nakube umkelungu, ilungu lomkhaya lelungu, umkhambisani wasafuthi namkha umsebenzisani ebhizinisini kunanyana ngiyiphi iKomidi yeLimi unendlela yeemali athinteka ngayo ehlelweni nanyana ngiliphi iBhodi elikhuphele imali, ilungwelo kufuze bona lithi msinyana ngemva kokwazi kwalo indlela yeemali elihlanganisa nehlelwelo likuveze lokho, liveze nokuthi lithinteka kangangani ngendlela yeemali leyo; lokho-ke kufuze bona likwenze ngokutlolela uSihlalo weKomidi, yena-ke –

- (a) ozakumemezela isitatimendeso emhlanganweni olandelako, abe
- (b) abikele neBhodi ngerhuluphelo yeemali leyo ezabe ivezwe lilungu.

(2) Nanyana ngiliphi ilungu leKomidi yeLimi namkha ilungu lomphakathi elinobufakazi obuqinileko bokuthi isiqunto esithileko esithethwe yiKomidi singahle sitjhagamele ngahlanje sisize elinye ilungu leKomidi leyo namkha lenye iKomidi yeLimi ngeemali, kufuze bona litlolele uSihlalo weKomidi leyo limbikele ngalokho, limbikele nokuthi ilungwelo lingasizakala kangangani ngemali ngesiquntweso. Sele atlolelwe uSihlalo weKomidi, yena-ke kufuze bona –

- (a) abike isitatimendeso emhlanganweni olandelako, abe
- (b) abikele neBhodi ngalokho.

(3) IBhodi-ke yona ingathatha isiqunto sokuthi izakuthatha magadango maphi malungana nendaba enjalo ebikelwe yona, ngokomthetho 11(1) namkha (2).

UkuTsonyulwa kwesiVumelwana sokuSebenzisana seKomidi yeLimi yePhrovinsi

13.(1) Nakube iBhodi iqunta ukutsomula isivumelwana sokusebenzisana neKomidi yeLimi ngoba ibhalelwa kujamela amalimi woke ekufuze iwajamele ePhrovinsini leyo, uSomkhandlu ophathelene nezamaLimi kufuze bona abikelwe ngalokho.

(2) Nakube uSomkhandlu uqunta ukuthi iKomidi leyo ayivale bese ubikela iBhodi ngalokho, iBhodi kufuze bona isitsomule isivumelwana sokusebenzisana neKomidi leyo kunye nokwamukeleka kwayo; lokho-ke iBhodi kufuze bona ikwenze ngenothi emalungana nalokho emitlolweni yezaziso zombuso *i-Government Gazette ne-Provincial Gazette*.

uMlawuli oMkhulu

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NOTICE 112 OF 2001

**UKUFAKELELWA ENDAWENI YESAZISO ESINGUNOMBOLO-120
ESINXULUMENE NEZITHETHE KUNYE NEMIGAQO YOLAWULO LWEKOMITI
ZELWIMI ZAMAPHONDO**

Ngokuqwalasela ukuba –

- (a) amaphondo anazo izakhono zokwamkela inkqubo ezizezawo zelwimi kwaye nomthetho ngokoMgaqo-siseko woMzantsi Afrika, ka-1996 (Umthetho onombolo ingu-108 wonyaka ka-1996) Isinamatheliso se-4 Indawo u-A “Imiba yezakhono zomsebenzi evumela intsebenziswano phakathi kweNdlu yowiso Mthetho kaZwelonke kunye nezoZamaphondo”;
- (b) iNtshona Koloni yamkele uMthetho weLwimi zePhondo lase Ntshona Koloni, ka-1998 (Umthetho wama-13 wonyaka ka-1998) kwaye iBhodi ifuna ukukhuthaza amanye amaPhondo ukuba alandele ekhondweni;
- (c) ngokoMthetho weBhodi yelwimi zonke zaseMzantsi Afrika, ka-1995, iiKomiti zeLwimi zamaPhondo ziziziseko zokunika iingcebiso kwiBhodi;
- (d) Isaziso seBhodi engunombolo -120, iGazethi kaRhulumente unombolo-18554 yomhla we-15 kuDisemba yonkaka ka-1997 kufuneka ihlaziyiwe; kwaye
- (e) indima yengcebiso yeKomiti zeLwimi zamaPhondo ngokunxulumene neBhodi ifuna ukucaciswa,

esisaziso silandelayo ngokwemigaqo yolawulo elawula indima yengcebiso yeKomiti zeLwimi zamaPhondo, ukwenza oku kuyapapashwa ngokwesigaba u-8(11) woMthetho weBhodi yeeLwimi zonke zaseMzantsi Afrika, ka-1995 ukwazisa uwonke-wonke:

Ukucwangciswa

Inombolo yemgaqo yolawulo

- 1. Inkcazelo
- 2. Iintlanganiso yeKomiti yeLwimi yePhondo
- 3. UkuVunywa
- 4. UkuNcedo ngokunxulumene noMthetho wamaPhondo
- 5. Umsebenzi wokuCebisa weKomiti zeLwimi zePhondo
- 6. IziKhokhelo
- 7. INgxelo
- 8. UNxibelelwano nengxelo ezishicilekweyo
- 9. UkungaThobeli isicelo seBhodi esifuna iNgcabeso
- 10. INtlawulo neziBonelelo
- 11. Izimali
- 12. UkuNgqubana kwemidla
- 13. UkuRhoxiswa kokuNakanwa kweKomiti yoLwimi yePhondo

Inkcazelo

1. Kule migaqo yolawulo, ngaphandle kokuba imeko ibonisa ngolunye uhlobo –

“Ikomiti yoLwimi” ithetha ikomiti yolwimi yephondo esekwe ngokwesaziso esiqulathwe kwi-Gazethi yeBurhulumente ngokwesigaba u-8(8)(a) woMthetho weBhodi yeLwimi zonke zoMzantsi Afrika, ka-1995;

“u-MEC” uthetha iLungu lesiGqeba esilawulayo sePhondo elinoxanduva lwemicimbi enxulumene nezelwimi;

“Umgqaqo wolawulo” uthetha nawuphina umgaqo wolawulo oyinxalenye yesiSaziso; kwaye

“Usihlalo” uthetha usihlalo weKomiti yoLwimi yePhondo ekungqaliswe kuyo.

Iintlanganiso yeKomiti yeLwimi yePhondo

2.(1) Ikomiti yoLwimi ingahlangana ngonjongo ethile yokulungisa ingcebiso ngemiba yelwimi kwiBhodi, kwaye xa uMlawuli oPhetheyo eyivumile lontlanganiso.

(2) Ngongakhabaniyo nomgaqo wolawulo u-2(1), Ikomiti yoLwimi ingaxulusha imeko ezinxulumene nokulungiselela ingcebiso kwiBhodi ngxa lentlanganiso ekhwetyelwe ukuxulusha imiba yePhondo.

(3) Usihlalo angakhweba intlanganiso yesikhawu yeKomiti yoLwimi ukulungiselela ingcebiso kwiBhodi, ukuba uMlawuli ophetheyo uyivumile lontlanganiso.

(4) Usihlalo uyakwazisa ixesha kunye nendawo yokuchophela intlanganiso ekhwetyelwe ukulungiselela ingcebiso kwiBhodi.

(5) Ibhodi ingatyumba elinye lamalungu ayo okanye igosa elisebenzela yona ukuba luhambele intlanganiso yeKomiti kwaye lowo mntu uyakuba nelungelo lukuthatha inxaxheba kwingxoxo zentlanganiso kodwa akakuba nalungelo lokuvota.

(6) Ibhodi iyakuthi iziqwalasele ingcebiso zeKomiti yoLwimi kuphela xa ingcebiso ezo zilungiswe kwintlanganiso ehlangabezanayo nemfuneko ngokomyinge wamalungu ekufuneka ekho kwintlanganiso ukuze iqhubeleke, kwaye ibe ininxaso esininzi samalungu akhoyo kuyo nayiphi intlanganiso yekomiti.

(7) Ibhodi iyakutyumba umntu wokunika inxaso yolawulo kwintlanganiso yeKomiti yoLwimi enokuqulunqa ingcebiso kwiBhodi, oku kuquka kudwa akuphelelanga kwi –

- (i) ukumema amalungu kwintlanganiso evunyiweyo;
- (ii) ukugcina imizuzu yazo zonke intlanganiso eziqhubekayo, ngokunxulumene nengcebiso enikwa yiKomiti;
- (iii) ukugcina amaxwebhu engxelo zenkcitho; kunye
- (iv) nokunikezela kumalungu eKomiti kunye neBhodi, naninina zifunwa ingxelo namaxwebhu lawo.

Ukuvunywa

3. Ibhodi inokuvuma iKomiti yoLwimi esekwe ngokomthetho woLwimi wePhondo ngokwesaziso *kwiGazethi yobuRhulumente*.

Ukuncedo ngokunxulumene noMthetho wamaPhondo

4.(1) Ibhodi ingabancedisa o-MEC ukulungisa uMthetho woLwimi wePhondo weloPhondo labo kwimeko apho umthetho onjalo ungekhoyo.

(2) Umthetho woLwimi wePhondo ungaquka ulungiselelo lokulawula iKomiti yoLwimi yeloPhondo.

Umsebenzi wokucebisa weKomiti yoLwimi yePhondo

5.(1) Ukuze iBhodi yenze okanye ipapashe ingxelo, iziphumo, imbono, ingcebiso okanye izincomo kuwo nawuphina umba wolwimi okanye ochaphazela iphondo elithile okanye inxalenye yoko okanye inqanaba lolawulo lwasekuhlaleni olukummandla wolawulo weloPhondo ngokubhekiselele kulwimi olusetyenziswa kwiPhondo, iKomiti yoLwimi iyakucebisa iBhodi ngokunxulumene –

- (a) nokukhuthazwa kokuthethwa kwlwimi ezininzi;
- (b) inkqubo yelwimi kunye nomthetho, kuquka inkqubo yolwimi, ukusetyenziswa kwazo kunye nomthetho wePhondo kunye nenqanaba lolawulo lasekuhlaleni kwelophondo;
- (c) ulwimi kwezemfundo, ukuguqula nokutolika, ukuphuhliswa nokukhuthazwa kofundo ngolwimi kunye nelwimi ebezisoloko zijongelwe phantsi; amalungelo elwimi nokuxolelanisa; uphuhliso lofundo-nzulu ngokuchazwa kwamagama, ukuphuhliswa kokusetyenziswa kwamagama; imeko okuqulunqwa kolwimi;
- (d) uphando;
- (e) imisebenzi;
- (f) intsebenziswano neminye imibutho; okanye
- (g) nawuphina omnye umba onxulumene nemeko ezichaphazela iphondo okanye inxalenye yalo.

(2) Ikomiti yoLwimi iyakunikezela kwiBhodi ingcebiso ezibhaliweyo kwimiba

ekucatyangwa ngayo kwisigatyana u-(1) ngethuba elingangeveki ezintandathu (6) emva kofumena isicelo sengcebiso.

(3) Ukuba iKomiti yoLwimi inqwenela ukusungula ingcebiso kwiBhodi ingakwenza oko ngokubhaliweyo.

(4) Ikomiti yoLwimi enikezela ingcebiso okanye enika uncedo kwiphondo okanye kwinqanaba lorhulumente wasekuhlaleni, iyakunikezela kwiBhodi ngeekopi zengcebiso ezidlilisiweyo, okanye ingxelo ngalo naliphina uncedo olunikezelweyo xa zithe zancelwa.

(5) Ikomiti ayinako ukwamkela njengelungu nawuphina omnye umntu ukuze anikezele naluphina uncedo kwiKomiti yoLwimi ngenjongo zokulungiselela ingcebiso eyakwiBhodi ukuba okokwamkelwa kwalo mntu kunemiphumela yezimali, ngaphandle kokuvunywa yiBhodi.

(6) Ikomiti yoLwimi iyakuncedisa iBhodi ukunyusa ukuqonda ngokunxulumene namalungelo elwimi kwaye ingazisa ngaphambili kuqwalaselo lwebhodi ukuphulwa kwamalungelo olwimi.

(7) Ikomiti yolwimi ainakusungula okanye iqhube uphando kulo naluphina uphando lwezikhaziso zokugxojwa-gxojwa kwamalungelo elwimi, kodwa ingacelwa ukuba ingcebiso kwiBhodi ngawo nawuphina umba onxulumene netyala eliphandwayo yiBhodi.

Izikhokhelo

6. Ngenjongo zokuqulunqa ingcebiso kwiBhodi, iKomiti yoLwimi iyakukhokhelwa zizikhokhelo zeBhodi, ezikhutshwe phantsi kwesandla soMlawuli Ophetheyo.

Ingxelo

7.(1) Usihlalo unoxanduva lokunikezela ingxelo egameni leKomiti yoLwimi ngokunxulumene nengcebiso eyakwiBhodi naninina xa ecelwa ukuba enze oko, kwaye uyakukwenza oko ngexesha ekuvunyelwene ngalo phakathi kweKomiti yoLwimi kunye noMlawuli Ophetheyo.

(2) Usihlalo angagunyazisa omnye umntu ukuthwala uxanduva lwakhe lokwenza ingxelo.

(3) Ngenjongo zokulungisa ingxelo enxulumene nengcebiso eyakwiBhodi, iKomiti yoLwimi iyakusebenza ngokwezikhokhelo zeBhodi, ezikhutshwe phantsi kwesandla soMlawuli Ophetheyo.

(4) Ngokuhambeselana nomnqweno wentsebenziswano entle, iiKomiti zoLwimi ziyakhuthazwa ukuba zinike ingxelo kwiBhodi ngentlanganiso ezibekhona ngokomthetho wolwimi wephondo.

Unxibelelwano nengxelo ezishicilelweyo

8. (1) Ikomiti yoLwimi iyakunikezela kwiBhodi ingxelo ezishicilelweyo nengxelo zentlanganiso ezibanjiweyo ukulungiselela ukunikezela ingcebiso kwiBhodi, njengoko zifunwa nguMlawuli Ophetheyo.

(2) Ibhodi iyakugcina –

- (a) ingxelo ezishicilelweyo zezincomo kunye nengcebiso eziphuma kuzo zonke iiKomiti zoLwimi; kwaye
- (b) ingxelo ezishicilelweyo ngokunxulumene nenkcitho yayo nganye iKomiti yoLwimi.

Ukungathobeli isicelo seBhodi esifuna ingcebiso

9. Xa ithe iKomiti yoLwimi yahlulakala ukucebisa iBhodi kumba onxulumene noLwimi, Ibhodi ingaqhubeleka nesigqibo sayo ngokunxulumene nalo mba.

Intlawulo nezibonelelo

10.(1) Akukho lungu leKomiti yoLwimi elinelungelo lokuhlawulwa ngengcebiso elizinikileyo.

(2) Ilungu leKomiti yoLwimi linelungelo lokubanga inkcitho yokuhamba kunye neyendawo yokulala eyenzeke ekuqhutyweni komsebenzi walo wokucebisa njengelungu leKomiti.

(3) Inkcitho engqalene nomntu buqu iyakungena kwi-akhawunti yelungu elo leKomiti yoLwimi.

Izimali

11.(1) Ibhodi iyakuzithwala indleko ezinengqiqo ekungenwe kuzo yiKomiti yoLwimi ngenjongo zokulungiselela kunye nokubamba intlanganiso yokulungiselela ukucebisa iBhodi, kuquka indleko zokuhlawula indawo yokubambela intlanganiso, ukulungiselela ukudla, ukuya nokubuya, indawo yokuhlala kwakunye nezinye zokuphila apho imeko yinyanzeli lentlawulo: Kodwa ke oku kufuneka kube kuvunywe nguMlawuli Ophetheyo.

(2) Akukho kubuyekwezwa mali kungaphunyezwa phambi kokuba iBhodi ifumane ifomu zamabango kunye nengxelo yentlanganiso ngexesha elisekwe ngumgaqo wolawulo u-8.

Ukungqubana kwemidla

12.(1) Ukuba umyeni okanye inkosikazi, ilungu lentsapho, ugxaxoxa wobomi, ugxaxoxa kwishishini welungu leKomiti yoLwimi onomdla wezemali ongqalileyo okanye ongangqalanga kuwo nawuphina umsebenzi apho iBhodi inikezele ngezimali, elolungu kufuneka ngokukhawulezileyo emva kokuba liwazile lomdla, likubhentsise oko kunye nomlingaselo wako kwingxelo ebhaleliweyo ebhekiswe kusihlalo oyakuthi –

- (a) ayinikezele ingxelo leyo kwintlanganiso elandelayo; kwaye
- (b) anike ingxelo ngokokubhentsiswa kwiBhodi.

(2) Naliphina ilungu leKomiti yoLwimi okanye ilungu loluntu jikelele, elinobungqina obuphathekayo bokuba isigqibo esithathwe yiKomiti singakhokhelela kubuqu okanye ukuphuhla kwemo yezimali zeline ilungu okanye enye iKomiti, uyakuwubhentsisa lomdla kunye nomlinganiselo wawo kwingxelo ebhaleliweyo ebhekiswe kusihlalo oyakuthi –

- (a) ayinikezele ingxelo kwintlanganiso elandelayo; kwaye
- (b) anike ingxelo yokokubhentsiswa kwiBhodi.

(3) IBhodi ingathatha isigqibo ngamanyathelo azakuthathwa ngesosehlo sithe sabekwa phambi koqwalaselo lwayo ngoko mgaqo wolawulo 11(1) okanye (2).

Ukurhoxiswa kokunakanwa kweKomiti yoLwimi yePhondo

13.(1) Ukuba iBhodi igqibe ekubeni irhoxise ukunakanwa kweKomiti yoLwimi ngokusekelwe ekubeni yahlulakele ukuba imele wonke umntu ngokwelwimizePhondo elo, u-MEC uyakwaziswa njengoko kunjalo.

(2) Ukuba u-MEC ugqiba ukuba ayichithe iKomiti kwaye azise iBhodi njengoko kunjalo, iBhodi iyakukurhoxisa ukunakanwa kwaloKomiti ngokuthi ipapashe isaziso soko kwi-Gazethi yasebuRhulumenteni nakwi-Gazethi yePhondo.

Umlawuli Ophetheyo

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NOTICE 112 OF 2001

SETHIBAKGALA SA TSEBIŠO 120 YA 1997 MABAPI LE DIKELO LE MELAWANA YA DIKOMITIPOLELO TŠA DIPROFENSE

Ge go tšewa gore –

- (a) diprofense di na le maatla a go bea morero wa tšona wa polelo le peomelao go ya ka dipeelano tša Molaotheo wa Afrika-Borwa (Molao wa 108 wa 1996) Šetulo 4 Karolo A “Makalatirišwa ao a amago Sammaletee Bolaodi bja Mebušo ya Naga le ya Profense”;
- (b) Profense ya Kapa-Bodikela e amogetše Molao wa Maleme wa Kapa-Bodikela wa 1998 (Molao wa 13 wa 1998) gomme Boto e rata go hlohleletša Diprofense tše dingwe go dira bjalo;
- (c) Go ya ka Molao wa 1995 wa *Pan South African Language Board*, Dikomiotipolelo tša Diprofense tše di hlomilwego ke Boto, ke dibopegokeletši tša Boto;
- (d) Tsebišo ya Boto ya 120, Kuranta ya Mmušo No. 18554 ya la 15 Desemere 1997, go nyakega gore e lokišwe; gomme
- (e) temakeletši ya Dikomitipolelo tša Diprofense kamanong le Boto e nyaka tlhathollo,

tsebišo ye e latelago mabapi le melawana ye e laolago temakeletši ya Dikomitipolelo tša Diprofense, e phatlalatšwa mokhwi go ya ka dipeelano tša Karolo 8 (11) ya Molao wa 1995, wa *Pan South African Language Board* bjalo ka tshedimošokakaretšo:

Thulaganyo

Molawana wa.

- 1. Ditlhalošišo
- 2. Dikopano tša Komitipolelo ya Profense
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- 6. Ditšhupatsela
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- 9. Tlhokatshekegelo go kgopelo ya keletšo ya Boto
- 10. Meputso le diputseletšo
- 11. Matlotlo
- 12. Thulano ya dikgahlego

13. Kgogelomorago ya kamogelo ya Komitipolelo ya Profense.

Ditlhalosišo

1. Ka go melawana yekhwī, ka ntle le ge go beilwe ka tsela ye nngwe –

“Modulasetulo” e ra modulasetulo wa Komitipolelo ya Profense ye e amegago;

“Komitipolelo” e ra komitipolelo ya profense yeo e hlomilwego go ya ka tsebišo ka go Kuranta ya Mmušo go ya ka dipeelano tša karolo 8(8) ya Molao wa 1995, wa *Pan South African Language Board*;

“MEC” e šupa Leloko la Khuduthamaga ya Profense yoo boikarabelo bja gagwre bo amanago le ditaba tša polelo; mme

“molawana” e ra molawana wo o lego ka go Tsebišo ye.

Dikopano tša Komitipolelo ya Profense

2.(1) Komitipolelo e ka kopana ka nepo ye e kgethegilego ya go beakanyetša Boto keletšo mabapi le ditaba tše di amago polelo, ge e le gore molaodiphethiši o dumeletše kopano yeo.

(2) Godimo ga molawana wa 2(1), Komitipolelo e ka swaragana le ditaba tše di amanago le tokišetšo ya keletšo go Boto nakong ya dikopano tše di bileditšwego go rera ditaba tše di amago Profense.

(3) Modulasetulo a ka bitša kopano ye e kgethegilego ya Komitipolelo go rulagenyetša Boto keletšo, ge molaodiphethiši a dumeletše kopano ye bjalo.

(4) Modulasetulo o tla laetša nako le lefelo leo kopano e bileditšwego go lona go lokišetša Boto keletšo.

(5) Boto e ka kgetha yo mongwe wa maloko a yona goba leloko la stafo go tsenela kopano ya Komiti, mme motho yo o tla ba le tokelo ya go kgatha tema ditherišanong tša kopano eupša a ka se be le tokelo ya go bouta.

(6) Boto e tla amogela keletšo ya Komitipolelo ge fela keletšo ye bjalo e tšerwe ka kopanong yeo e kgotsofatšago dinyakwa tša khoramo, mme e bile le thekgo ya bontši bja maloko ao a lego gona kopanong efe le efe ya Komiti.

(7) Boto e tla kgetha motho go fa thekgo ya taolo mabapi le dikopano tša komitipolelo yeo e ka tšomegago go lokišetša Boto keletšo, e lego seo se akaretšago, eupša e sego ya beelwa sona fela –

- (i) go memela maloko kopanong yeo e amogetšwego;
- (ii) go boloka metsotso ya kopano ye nngwe le ye nngwe yeo e swarwago, malebana le keletšo yeo e fiwago ke Komiti;
- (iii) go boloka dikopi tša dipego le direkoto tša ditshenyegelo; le
- (iv) go dira gore dipego le direkoto di hwetšagale ge di kgopelwa ke maloko a Komiti le Boto.

Kamogelo

3. Boto e ka amogela Komitipolelo yeo e hlomilwego go ya ka dipeelano tša peomelao ya profense ka tsebišo ka go Kuranta ya Mmušo.

Thušo malebana le Peomelao ya Profense

4.(1) Boto e ka thuša Bakhuduthamaga (MECs) go lokiša Peomelao ya Polelo ya Profense ye e itšego mabakeng ao go se nago le melao ye bjalo.

(2) Peomelao ya Profense e ka akaretša dipeakanyetšo tšeo di laolago Komitipolelo ka profenseng yeo.

Moholakeletši wa Komitipolelo ya Profense

5.(1) Go dira gore Boto e kgone go hlama le go phatlalatša pego, dikhwetšo, dikakanyo, keletšo goba ditigelo tabeng efe le efe ye e amago polelo ka go, goba e amago profense yeo e amegago le ge e ka ba karolo ya yona goba pušotikologo ka gare ga taolo ya profense yeo malebana le polelo yeo e dirišwago ka profenseng yeo. Komitipolelo e tla eletša Boto malebana le –

- (a) tlhatlošo ya polelontši;
- (b) morero wa polelo le peomelao, go tsenywa gare moreropolelo, ditirišo le melao ya profense le ya pušotikologo ka go profense yeo;
- (c) polelo ka thutong, phetolelo le tlhathollo, tlhabollo le kgodišo ya dingwalo le dipolelo tšeo di bego di beetšwe ka thokwana mabakeng a a fetilego; ditokelo tša polelo le tamolo; tlhabollo ya leksikokrafi le mareo, peakanyo ya boemo bja polelo;
- (d) phatišišo;
- (e) diprotšeke
- (f) tšhomišano le mekgatlo ye mengwe; goba
- (g) taba ye nngwe le ye nngwe malebana le ditaba tša polelo tše di amago profense goba karolo ya yona.

(2) Komitipolelo e tla neela Boto keletšo yeo e ngwadilwego malebana le ditaba tšeo di

ukangwego ka go karolwana (1) sebakeng sa dibeke tše tshela (6) sa go amogela kgopelo ya keletšo.

(3) Ge Komitipolelo e nyaka go ithomela keletšo ya yona go Boto, e tla dira bjalo ka go ngwala.

(4) Komitipolelo yeo e fago keletšo goba e thušago mebušo ya tikologo le ya profense, e tla neela Boto dikopi tša keletšo yeo e ngwadilwego ya romelwa, goba pegu mabapi le thušo yeo e ka bago e filwe ka go kgopelwa.

(5) Komitipolelo e ka se kgone go ikgethela, pele ga ge e hwetša tumelelo go Boto, motho ofe le ofe gore a thuše komitipolelo ka tsela efe le efe gore e kgone go lokiša keletšo ya yona go Boto ge e le gore kgetho ye bjalo e amana le ditšhelete.

(6) Komitipolelo e tla thuša Boto go hlatloša temogo mabapi le ditokelo tša polelo mme e ka be ya dira gore Boto e ele hloko dikgatako tša ditokelo tše bjalo tša polelo.

(7) Komitipolelo e ka se kgone go thoma goba ya swara nyakišišo mabapi le dipelaelo tša kgatako efe le efe ya ditokelo tša polelo, eupša e ka kgopelwa gore e eletše Boto lebakeng lefe le lefe la taba yeo e nyakišišwago ke Boto.

Ditšhupatsela

6. Malebana le go lokišetša Boto keletšo Komitipolelo e tla ela hloko ditšhupatsela tša Boto, tšeo di phatlaladitšwego ke molaodiphethiši wa yona.

Dipego

7.(1) Modulasetulo o na le maikarabelo mabapi le tlhagišo ya dipego legatong la Komitipolelo malebana le keletšo go Boto ge go nyakega gore a dire bjalo, mme o tla dira bjalo gare ga tlhakonako yeo e kwanetšwego gare ga Komitipolelo le molaodiphethiši.

(2) Modulasetulo a ka aba maikarabelo a gagwe a go bega.

(3) Malebana le go lokišetša Boto keletšo Komitipolelo e tla ela hloko ditšhupatsela tša Boto tšeo di phatlaladitšwego ke Molaodiphethiši wa yona.

(4) Gore go tle go be le tšhomišano ye e nepagetšego, Dikomitipolelo di hlohleletšwa gore di begele Boto mabapi le dikopano tšeo di swarwago go ya ka dipeelano tša peomelao ya polelo ya profense.

Kgokaganyo le direkoto

8.(1) Komitipolelo e tla neela Boto direkoto le dipego tša dikopano tša yona tše di swarwago go lokišetša Boto keletšo, go ya ka moo molaodiphethiši a nyakago ka gona.

(2) Boto e tla boloka –

- (a) rekoto ya ditigelo le dikeletšo tše di tšwago go komitipolelo ye nngwe le ye nngwe; le
- (b) go arogantšha direkoto malebana le ditshenyegelo tša Komitipolelo ye nngwe le ye nngwe.

Tlhokatshekegelo go kgopelo ya keletšo ya Boto

9. Mo lebakeng la ge Komitipolelo e šitwa ke go eletša Boto mabapi le taba yeo e amago polelo, Boto e ka tšwela pele ka sephetho sa yona mabapi le taba yeo.

Meputso le diputseletšo

10.(1) Ga go leloko la Komitipolelo leo le nago le tokelo ya go fiwa moputso malebana le tirelo ya keletšo yeo le e fago.

- (2) Leloko la Komitipolelo le na le tokelo ya go kleima ditshenyegelo tša leeto le madulo tšeo a bago natšo ge a le gare a phetha mediro ya gagwe ya boeletši bjalo ka leloko la komiti.
- (3) Ditshenyegelo tša seng di tla ba tša akhaonto ya leloko leo la Komitipolelo yeo e amegago.

Matlotlo

11.(1) Boto e tla šikara ditshenyegelo tšeo di kwalago tše di amago Komitipolelo malebana le go rulaganya le go swara kopano ya go lokišetša keletšo go Boto, go tsenywa gare tshenyegelo ya go beeletša lefelo, dijo, leeto, madulo le phepo moo mabaka a gapeletšago gore go be le tefo: Ge fela molaodiphethiši a dumeletše ditshenyegelo tšeo pele ga ge di ka ba gona.

- (2) Ga go thulaganyo ya pušetšo ya ditshenyegelo tše di dirilwego pele ga ge Boto e amogela dikleimifomo le dipego tša kopano ka gare ga tlhakonako yeo e beilwego ka go Molawana wa 8.

Thulano ya dikgahlego

12.(1) Ge mogatša, leloko la lapa, modirišani bophelong goba modirišani wa kgwebo wa leloko lefe le lefe la Komitipolelo a na le lgahlego ya thwii goba ya tharedi ya dišhelete go efe le efe ya diprotšeke yeo Boto e e thekgago ka tšhelete, leloko leo, ka bjako morago ga go lemoga gore le na le kgahlego yeo, le swanetše go hlagiša kgahlego yeo mme le be le hlalose ka go ngwalela modulasetulo yoo a amegago, yoo a tlogo –

(a) hlagiša pego yeo mo kopanong ye e latelago; le

(b) go tsebiša Boto kutollo ye bjalo.

(2) Boto e ka no tšea sephetho mabapi le kgato yeo e swanetšego go tšewa mo tabeng yeo e tlišitšwego pele ga yona go ya ka Molawana wa 11(1) goba (2).

Kgogelomorago ya kamogelo ya Komitipolelo ya Profense

13.(1) Ge Boto e ka tšea sephetho sa go gogela morago kamogelo ya yona ya Komitipolelo ka lebaka la gore e šitwa go ba le kemedi ye e nepagetšego go ya ka dipeelano tša maleme a profense yeo e amegago, MEC o tla tsebišwa ka mo go swanetšego.

(2) Ge MEC a tšea sephetho sa go phatlalatša komiti mme a tsebiša Boto ka tshwanelo, gona Boto e tla gogela morago kamogelo ya yona ya Komiti ka go phatlalatša tsebišo ye bjalo ka go Kuranta ya Mmušo, le ka go Kuranta ya Mmušo ya Profense.

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NOTICE 112 OF 2001

HO KENYELETSWA HA TSEBISO YA 120 YA 1070 MABAPI LE MEHATO YA BOITSHWARO LE MELAWANA BAKENG SA DIKOMITI TSA PUO MABATOWENG

Ho ntse ho shebilwe hore –

- (a) diprovense di a kgona ho iketsetsa leano leo e leng la tsona la puo le molao ho latela Molaotheo wa Aforika Borwa, 1996 (Molao wa 108 wa 1996) Lenane 4 Karolo ya A “Dikarolo Tsa Tshebetso tsa Bokgoni bo kgemang mmoho ba Ketsamelao Naheng le Provenseng”;
- (b) Provense ya Kapa Bophirimela e amohetse Molao wa Dipuo tsa Provense tsa Kapa Bophirimela, 1998 (Molao wa 13 wa 1998) mme Lekgotla le lakatsa ho kgothaletsa Diprovense tse ding ho etsa jwalo le tsona;
- (c) ho ya ka Molao wa Lekgotla la Dipuo Tsohle la Aforika Borwa, 1995, Dikomiti tsa Dipuo Diproveng tse hlomilweng ke Lekgotla, ke tse eletsang Lekgotla;
- (d) Tsebiso ya Lekgotla ya 120, *Koranteng ya Mmuso*, ntlheng ya 18554, 15 Tshitwe 1997, e hloka ho ka ntjhafatswa; le hore
- (e) seabo sa boeletsisi sa Dikomiti tsa Dipuo Diproveng mabapi le Lekgotla, se hloka tlhakiso,

tsebiso e latelang, e mabapi le melawana e laolang seabo sa boeletsisi ba Dikomiti tsa Puo Diproveng, e phatlalatswa mona ho latela karolo ya 8(11) ya Molao wa Lekgotla la Dipuo Tsohle la Aforika Borwa, 1995, bakeng sa ditaba ka kakaretso:

Tlhophiso**Nomoro ya Molawana**

- 1. Ditlhaloso
- 2. Dikopano tsa Komiti ya Puo Provenseng
- 3. Kamohelo
- 4. Thuso mabapi le Molao wa Provense
- 5. Mosebetsi wa Boeletsisi wa Komiti ya Puo Provenseng
- 6. Ditataiso
- 7. Dipehelo
- 8. Dikgokahano le Direkoto
- 9. Ho se ikamahanye le Kopo ya Lekgotla ya Keletso
- 10. Ditlhaphiso hammoho le tsa Maeto le Marobalo
- 11. Matlole
- 12. Thulano ya Ditabatabelo
- 13. Phediso ya Kamohelo ya Komiti ya Puo Provenseng

Ditlhaloso

1. Melawaneng ena, ntle le haeba tshebediso ya mantswe ana e ka supa mokgwa o mong –

“Komiti ya Puo” e bolela komiti ya puo provenseng, e leng e hlonngweng ka tsebiso *Koranteng ya Mmuso* ho latela karolo ya 8 (8)(a) ya Molao wa Lekgotla la Dipuo Tsohle la Aforika Borwa, 1995;

“MEC kapa SLP” e bolela Setho sa Lekgotla la Phethahatso Provenseng, se ikarabellang ditabeng tse amanang le puo;

“Modulasetulo” ke modulasetulo wa Komiti e amehang ya Puo Provenseng; hammoho le

“Molawana” o bolela molawana ofe kapa ofe o teng ka hara Tsebiso ena.

Dikopano tsa Komiti ya Puo Provenseng

2.(1) Komiti ya Puo e ka nna ya kopano ka sepheo se itseng sa ho hlophisa keletso mabapi le ditaba tsa Lekgotla tse amanang le puo, ha mookamedi ya ka sehlohong wa tsamaiso a fane ka tumello ya kopano eo.

(2) Le hoja molawana wa 2(1) o le teng, Komiti ya Puo e ka nna ya sebetsana le ditaba tse amanang le ditlhopphiso tsa keletso ho Lekgotla nakong ya dikopano tse bitsitsweng ho tla shebana le ditaba tse amang Provense.

(3) Modulasetulo a ka nna a bitsa kopano e ikgethileng ya Komiti ya Puo bakeng sa ho tla itokisetsa keletso e yang Lekgotleng, ha mookamedi ya ka sehlohong wa tsamaiso a dumeletse kopano e jwalo.

(4) Modulasetulo o tla bolela nako le sebaka sa kopano e bitsitsweng ho tla itokisetsa keletso e yang Lekgotleng.

(5) Lekgotla le ka nna la kgetha se seng sa ditho tsa lona kapa setho sa basebetsi ba lona ho ya ba teng kopanong ya Komiti, mme motho enwa o tla ba le tokelo ya ho ba le seabo dipuisanong tsa kopano empa a ke ke a ba le tokelo ya ho kgetha/vouta.

(6) Lekgotla le tla amohela ho tekelwa keletso ya Komiti ya Puo ha feela keletso eo e hlophilwe kopanong e kgotsofatsang ditlhoko tse mabapi le bonyane palo ya motho a le mong ka hodima halofo ya ditho (khoramo), ho feta mona ha kopano e le e bileng le tshehetso ya bongata ba ditho tsa yona dikopanong tsohle tsa yona.

(7) Lekgotla le tla kgetha motho ya tla fana ka tshehetso ya tsamaiso bakeng sa dikopano tsa Komiti ya Puo e ka nnang ya lebellwa ho hlophisa keletso e yang Lekgotleng, e kenyeleditseng, empa eseng hore e tla fella ho tsena tse latelang –

- (i) ho memela ditho kopanong e dumeletsweng;
- (ii) ho boloka metsotso ya kopano ka nngwe e bang teng mabapi le keletso eo Komiti e fanang ka yona;
- (iii) ho boloka dikopi tsa dipehelo le direkoto tsa ditjhelete tse tswileng; hammoho le
- (iv) ho koptjwa ho teka dipehelo le direkoto pela ditho tsa Komiti hammoho le Lekgotla.

Kamohelo

3. Lekgotla le ka nna la amohela ho ba teng ha Komiti ya Puo e hlonngweng ho latela molao wa puo provenseng o entsweng ka tsebiso *Koranteng ya Mmuso*.

Thuso mabapi le Molao wa Provense

4.(1) Lekgotla le ka nna la thusa Ditho tsa Makgotla a Phethahatso, boMEC, ho hlophisa Molao wa Puo Provenseng bakeng sa provense e itseng, maamong ao molao o jwalo o leng siyo.

(2) Molao wa Puo Provenseng o ka nna wa kenyeletsa melawana e laolang Komiti ya Puo ya Provense eo.

Mosebetsi wa Boeletsi wa Komiti ya Puo Provenseng

5.(1) Hore Lekgotla le kgone ho etsa kapa ho phatlalatsa pehelo, ditshibollo, maikutlo, keletso kapa kgothaletso tabeng efe kapa efe e amang puo provenseng e amehang kapa karolo efe kapa efe ya yona kapa mmuso ofe kapa ofe wa lehae o leng tlasa bodisa ba provense eo, mabapi le dipuo tse sebediswang provenseng eo, Komiti ya Puo e tla eletsa Lekgotla mabapi le –

- (a) ho ntshetswa pele ha dipuo tse ngata
- (b) leano la puo le la molao, ho kenyeleditswe leano la puo, tshebediso le molao wa provense hammoho le wa mmuso wa lehae wa provense eo;
- (c) puo thutong; phetolelo le botoloko, ntshetsopele le phahamiso ya dingolwa le dipuo tse neng di qheletswe ka thoko pele; ditokelo tsa puo le bonamodi; pokello ya mantswe le ntshetsopele ya mantswe; moralo wa maemo a puo;
- (d) phuputso;
- (e) diprojeke;
- (f) tshebedisanommoho le mekgatlo e meng; kapa

- (g) taba efe le efe e amanang le puo, e amang provense kapa karolo ya yona.
- (2) Komiti ya Puo e tla nehela Lekgotla keletso e ngotsweng mabapi le ditaba tse tshohlilweng karolwaneng ya (1) nakong ya dibeke tse tshelatseng (6) eo ka yona e amohetseng kopo ya keletso.
- (3) Ha Komiti ya Puo e lakatsa ho simolla ka keletso e itseng, e tla etsa jwalo ka lengolo.
- (4) Komiti ya Puo e fanang ka keletso kapa ka thuso mmusong wa provense kapa wa lehae, e tla nehelana ka dikopi tsa keletso e ngotsweng, kapa ka pehelo e mabapi le thuso eo e entseng ho latela kopo e entsweng ho yona.
- (5) Komiti ya Puo e ke ke ya mema motho ofe kapa ofe ho fana ka thuso ya mofuta ofe Komiting ya Puo bakeng sa ho hlophisa keletso haeba memo e jwalo e fupere ditshenyehelo tsa tjhelete. Sena se ka etsahala feela haeba se dumeletswe pele ke Lekgotla.
- (6) Komiti ta Puo e tla thusa Lekgotla ka ho etsa tlhokomediso mabapi le ditokelo tsa puo, mme e ka nna ya teka pela Lekgotla dikgatikelo dife kapa dife tseo ho thweng di entswe.
- (7) Komiti ya Puo e ke ke ya qala ka ho simolla kapa ho etsa diphuputso mabapi le ditletlebo tsa kgatikelo ya ditokelo tsa puo, empa e ka kopuwa ho eletsa Lekgotla mabapi le ntlha efe kapa efe e amanang le nyewe e batlisiswang ke Lekgotla.

Ditataiso

6. Mabapi le ho hlophisa keletso e yang Lekgotleng, Komiti ya Puo e tla tshwanela ho ikamahanya le ditataiso tsa Lekgotla, e leng tse ntshwang ke mookamedi ya ka sehlohong wa phethahatso.

Dipehelo

7.(1) Ke boikarabelo ba modulasetulo ho fana ka dipehelo lebitsong la Komiti ya Puo mabapi le keletso e yang Lekgotleng neng kapa neng ha tlhoko e jwalo e le teng, mme o tla etsa jwalo nakong eo ho dumellanweng ka yona pakeng tsa Komiti ya Puo le mookamedi ya ka sehlohong wa phethahatso.

- (2) Modulasetulo a ka nna a fetisetsa ho e mong boikarabelo ba ho etsa dipehelo.
- (3) Bakeng sa ho hlophisa pehelo mabapi le keletso e yang Lekgotleng, Komiti ya Puo e tla ikamahanya le ditataiso tsa Lekgotla, tse ntshwang ke mookamedi ya ka sehlohong wa phethahatso.

- (4) Molemong wa tshebedisanommoho e ntle, Dikomiti tsa Puo di kgothaletswa le ho etsa dipehelo Lekgotleng mabapi le dikopano tse tshwerweng ho latela molao wa puo provenseng.

Dikgokahano le Direkoto

8.(1) Komiti ya Puo e tla nehelana ho Lekgotla ka direkoto le dipehelo tsa dikopano tse tshwerweng bakeng sa ho hlophisa keletso e yang Lekgotleng, jwalo ka ha sena se hlokwa ke mookamedi ya ka sehlohong wa phethahatso.

- (2) Lekgotla le tla boloka –

- (a) rekoto ya dikgothaletso le keletso, e leng tse tswang Komiting ka nngwe ya Puo; le
- (b) ho arola direkoto mabapi le ditshenyehelo tsa Komiti ka nngwe ya Puo.

Ho se ikamahanye le Kopo ya Lekgotla ya Keletso

9. Moo ho etsahalang hore Komiti ya Puo e hlolehe ho eletsa Lekgotla tabeng e amanang le puo, Lekgotla le ka nna la tswela pele ka qeto ya lona mabapi le taba eo.

Ditlhaphiso hammoho le tsa Maeto le Marobalo

10.(1) Ha ho setho sa Komiti ya Puo se nang le monyetla wa ditlhaphiso bakeng sa ditshebeletso tsa boeletsi tseo se fananeg ka tsona.

- (2) Setho sa Komiti ya Puo se na le monyetla wa ho etsa kopo tsa ditshenyehelo tsa maeto le tsa marobalo tseo se ileng sa kena ho tsona nakong ya ha se phetha mesebetsi ya sona ya boeletsi jwalo ka setho sa Komiti.

- (3) Ditshenyehelo tsa motho ka boyena e tla ba tsa boikarabelo ba motho eo wa Komiti ya Puo e amehang.

Matlole

11.(1) Lekgotla le tla jara ditshenyehelo tse utlwahalang tse entsweng ke Komiti ya Puo ka sepheo sa ho hlophisa le ho tshwara kopano e hlophisang keletso e yang Lekgotleng, ho kenyeleditswe ditshenyehelo tsa ho beheletsa sebaka seo ho tla sebeletswa ho sona, bafepi ba hirilweng, maeto, marobalo le tjhelete ya letsatsi, maemong a tlamang hore ditefello di etswe: Ha feela mookamedi ya ka sehlohong wa phethahatso a fane pele ka tumello ya hore ditshenyehelo tse jwalo ho ka kenwa ho tsona.

- (2) Tjhelete ya ditshenyehelo tse dumeletsweng e ke ke ya lefuwa motho pele Lekgotla le fumana diforomo tsa kopo ya tjhelete hammoho le dipehelo tsa kopano nakong e beilweng ho

latela Molawaneng wa 8.

Thulano ya Ditabatabelo

12.(1) Ha monna kapa mosadi, setho se haufi sa lelapa, molekane wa bophelo bohle kapa mosebetsimmoho kgwebong, wa setho sefe kapa sefe sa Komiti ya Puo, a ena le tabatabelo ya ho una tjhelete ka mokgwa o otlohlileng kapa o sa otlohlilang, projekeng efe kapa efe, eo ho yona Lekgotla le nehlaneng ka tjhelete, setho seo se tshwanetse hore, hang feela ha se lemohile hore tabatabelo e jwalo e teng, se hlahise tabatabelo eo le hore e namme ho le hokae, ka ho ngolla modulasetulo ya amehang, e leng yena ya tla –

- (a) teka tsa lengolo leo kopanong e latelang; le
- (b) ho etsa phatlalatso e jwalo pela Lekgotla.

(2) Setho sefe kapa sefe sa Komiti ya Puo kapa setho sa setjhaba, se nang le bopaki bo feletseng ba hore qeto e nkilweng ke Komiti e ka nna ya kgannela molemong kapa boithuisong ka tjhelete ba setho sena kapa sane sa Komiti, se tla tshwanela ho totobatsa tabatabelo eo le hore e namme ho le hokae, ka ho e ngola le ho lebisa lengolo le jwalo ho modulasetulo wa Komiti e amehang, e leng yena ya tla –

- (a) teka tsa lengolo leo kopanong e latelang ; le
- (b) ho etsa phatlalatso e jwalo pela Lekgotla.

(3) Lekgotla le ka nna la etsa qeto ka mehato e tla nkuwa mabapi le qoso e beilweng pela tlhokomediso ya lona ho latela molawana wa 11(1) kapa (2).

Phediso ya Kamohelo ya Komiti ya Puo Provenseng

13.(1) Haeba Lekgotla le etsa qeto ya ho ikgula tabeng ya ho amohela Komiti ya Puo ka baka la hobane e hlolehile boemeding ba yona mabapi le dipuo tsa provense e amehang, Setho sa Lekgotla la Phethahatso (MEC) se tla tsebiswa ke hona.

(2) Ha Setho sa Lekgotla la Phethahatso se etsa qeto ya ho fedisa Komiti, mme se tsebisa Lekgotla ka qeto eo, Lekgotla le tla ikgula tabeng ya ho amohela Komiti eo, mme le tla phatlalatsa tsebiso ena *Koranteng ya Mmuso* le *Koranteng ya Provense*.

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NOTICE 112 OF 2001

**KU SIVIWA KA XITIVISO XA 120 XA 1997 HI MAYELANA NA MILAWU YA
TIKOMITI TA TINDZIMI TA SWIFUNDZANKULU**

Hikwalaho ko va –

- (a) Swifundzankulu swi ri na vuswikoti byo amukela tipholisi ta tindzimi ta swona na milawu hi ku landza Vumbiwa bya Afrika-Dzonga, bya 1996 (Nawu No. 108 wa 1996) Xedulu 4 Xiyenge xa A “Swivandla swa Mintirho swo Yelana swa Rixaka na Vuswikoti bya Milawu ya Swifundzankulu”;
- (b) Xifundzankulu xa Kapa Vupeladyambu xi amukele Nawu wa Tindzimi wa Xifundzankulu xa Kapa Vupeladyambu, 1998 (Nawu No. 13 wa 1998) naswona Huvo yi rhandza ku khutaza swifundzankulu swin'wana ku endla tano;
- (c) hi ku landza Nawu wa Huvo yo Angarhela ya Tindzimi ta Afrika-Dzonga, Tikomiti ta ta Tindzimi ta Swifundzankulu leti tumbuluxiweke hi Huvo; i mintlawu yo tsundzuxa ya Huvo;
- (d) Xitiviso xa Huvo xa 120, *Gazete ya Mfumo* No. 18554 ya 15 N'wendzamhala 1997, yi lava ku pfuxetiwa; no
- (e) va xiphemu xo tsundzuxa xa Tikomiti ta Tindzimi ta Swifundzankulu hi mayelana na Huvo xi fanele ku hlamuseriwa.

xitiviso lexi landzelaka hi milawu leyi lawulaka ntirho wo tsundzuxa wa Tikomiti ta Tindzimi ta Swifundzankulu, xi hangalasiwile laha hi ku landza xiyenge xa 8 (11) xa Nawu wa Huvo yo Angarhela ya Tindzimi ta Afrika-Dzonga wa 1995 ku nyika mahungu hi ku angarhela:

Lulamiselolo

Nawu No.

- 1. Tinhlamuselo
- 2. Tinhlangeletano ta Komiti ya Tindzimi ta Xifundzankulu
- 3. Ku Amukeriwa
- 4. Ku pfuneta eka Milawu ya Swifundzankulu
- 5. Ntirho wo tsundzuxa wa Komiti ya Tindzimi ta Xifundzankulu
- 6. Swiletelo
- 7. Swiviko
- 8. Vuhlanganisi na Tirhekhodi
- 9. Ku tsandzeka ku landzelela Xikombelo xa Xitsundzuxo xa Huvo
- 10. Miholo na Swipfuno
- 11. Timali
- 12. Nkwetlembetano wa Mintsakelo

13. Ku herisiwa ka ku-Amukeriwa ka Tikomiti ta Tindzimi ta Swifundzankulu

Tinhlamuselo

1. Eka milawu leyi, handle kaloko swi hlamuseriwile hi tindlela tin'wana –

“Komiti ya Ririmi” swi vula komiti ya tindzimi ta xifundzankulu leyi tumbuluxiweke hi xitiviso eka *Gazete ya Mfumo* hi ku landza xiyenge xa 8 (8) (a) xa Nawu wa Huvo yo Angarhela ya Tindzimi ta Afrika-Dzonga, 1995;

“MEC” swi vula Xirho xa Huvonkulu ya Xifundzankulu lexi nga na vutihlamuleri etimhakeni leti yelanaka na ririmi;

“Mutshami wa xitulu” swi vula mutshami wa xitulu wa Komiti ya Tindzimi ta Xifundzankulu lexi khumbekaka; na

“Nawu” swi vula milawu hinkwayo leyi nga kona eka Xitiviso lexi.

Tinhlengeletano ta Komiti ya Tindzimi ta Xifundzankulu

2.(1) Komiti ya Tindzimi yi nga hlangana hi xikongomelo xo lulamisa xitsundzuxo hi timhaka ta ririmi xo ya eka Huvo; loko mufambisinkulu a pfumelerile nhlengelletano leswaku yi va kona.

(2) Kambe hambiswiritano hi ku ya hi nawu wa 2 (1), Komiti ya Ririmi yi nga tirhana na timhaka leti fambelanaka no lulamisa xitsundzuxo xo ya eka Huvo etinhlengelletanweni leti rhambiweke ku languta timhaka ta Xifundzankulu.

(3) Mutshami wa xitulu a nga rhamba nhlengelletano yo hlawuleka ya Komiti ya Tindzimi ku lulamisa xitsundzuxo xo ya eka Huvo, loko mutshami wa xitulu a pfumelerile nhlengelletano yaleyo.

(4) Mutshami wa xitulu u ta kombisa nkarhi na ndhawu leyi nhlengelletano yi nga ta khomeriwa eka yona ku lulamisa xitsundzuxo xo ya eka Huvo.

(5) Huvo yi nga rhumela un'wana wa swirho swa yona kumbe xirho xa vatirhi ku va kona enhlengelletanweni ya Komiti, naswona munhu loyi u ta va ni mfanelo yo va xiphemu xa nhlengelletano kambe a nge vi na mfanelo yo vhota.

(6) Huvo yi ta languta xitsundzuxo xa Komiti ya Tindzimi ntsena loko xitsundzuxo xi lulamisiwile enhlengelletanweni leyi landzeleke swilaveko swo va ku ri na khoramu, no va ni nseketelo wa swirho swo tala leswi nga kona enhlengelletanweni ya Komiti.

(7) Huvo yi ta rhumela munhu ku pfuneta hi mintirho ya vulawuri etinhlengelenanweni ta Komiti ya Tindzimi leyi nga lavekaka ku lulamisa xitiviso xo ya eka Huvo, kambe leswi nga katseki ntsena ku –

- (i) rhamba swirho enhlengelenanweni leyi pfumeleriweke
- (ii) hlayisa makanelwa ya tinhlengelenano hinkwato leti vaka kona hi ku landza xitsundzuxo lexi nyikiweke hi Komiti ya Tindzimi ta Swifundzankulu;
- (iii) hlayisa tikopi ta makanelwa na tirhekhodi ta tirhiselo ra mali; no
- (v) nyiketa swirho swa Komiti na Huvo swiviko na tirhekhodi loko swi endle xikombelo.

Ku Amukeriwa

3. Huvo yi nga amukela Komiti ya Ririmi leyi tumbuluxiweke hi ku landza milawu ya ririmi ya swifundzankulu hi ku endla xitiviso eka *Gazete ya Mfumo*.

Ku pfuneta eka Milawu ya Swifundzankulu

4.(1) Huvo yi nga pfuneta ti-MEC ku lulamisa Milawu ya Tindzimi ta Xifundzankulu exifundzeni xa vona eka swiyimo leswi milawu yoleyo yi nga riki kona.

(2) Milawu ya Ririmi ya Xifundzankulu yi nga katsa swilaveko swo fambisa Komiti ya Tindzimi ta Xifundzankulu xolexo.

Ntirho wo Tsundzuxa wa Komiti ya Tindzimi ta Xifundzankulu

5.(1) Ku endlela ku kota ku pfuna Huvo ku endla kumbe ku hangalasa xiviko, timhaka leti kumiweke, vonele, xitsundzuxo kumbe xibhumabhumelo hi timhaka hinkwato ta ririmi kumbe leti khumbaka xifundzankulu lexi khumbekaka kumbe xiphemu xin'wana kumbe vufambisi byin'wana bya ndhawu lebyi welaka ehansi ka vulawuri bya xifundzankulu xolexo hi ku xixima tindzimi leti tirhisiwaka exifundzeninkulu xolexo, Komiti ya Tindzimi yi ta tsundzuxa Huvo hi mayelana na –

- (a) ku tlakusiwa ka tindziminyingi
- (b) pholisi ya tindzimi na milawu ku katsa na pholisi ya tindzimi, maendlele na milawu ya xifundzankulu na vafambisi va le kusuhi exifundzeninkulu xolexo;
- (c) ririmi eka dyondzo; vuhundzuluxeri na vutoloki, nhluvukiso no tlakusiwa ka matsalwa na tindzimi leti a ti nga tekeriwi enhlokweni; timfanelo ta ririmi na vuhlanganisi, nhluvukiso wa lexisikhogirafi na theminoloji, vupulani bya xiyimo xa tindzimi (status language planning);
- (d) ndzavisiso
- (e) tiphurojeke
- (f) ntirhisano na mintlawu ya yin'wana; kumbe

- (g) timhaka tin'wana leti fambelanaka na tindzimi leti khumbaka xifundzankulu kumbe xiphemu xolexo.
- (2) Komiti ya Tindzimi yi ta nyiketa xitsundzuxo lexi tsariweke eka Huvo etimhakeni leti boxiweke eka xiyenge-ntsongo xa 1 ku nga si hela tsevu (6) wa mavhiki endzhaku ko amukela xikombelo xo tsundzuxa.
- (3) Loko Komiti ya Tindzimi yi tsakela ku endla xitsundzuxo eka Huvo, yi fanele ku endla leswi hi ku tsala ehansi.
- (4) Komiti ya Tindzimi leyi nyikaka xitsundzuxo kumbe ku pfuneta xifundzankulu na mfumo wa ndhawu, yi ta nyika Huvo tikopi ta xitsundzuxo lexi rhumeriweke, kumbe xiviko xo pfuneta kun'wana na kun'wana loku endliwaka loko ku ri na xikombelo.
- (5) Komiti ya Tindzimi a yi nge pfumeleriwi ku engetela (co-opt) munhu un'wana ku pfuneta Komiti ya Tindzimi ku kota ku lulamisa xitsundzuxo xo ya eka Huvo loko ku engeteriwa koloko ku khumba xiyimo xa timali, loko yi nga pfumeleriwangi hi Huvo.
- (6) Komiti ya Tindzimi yi ta pfuneta Huvo ku tivisa hi mayelana na timfanelo ta ririmi no tivisa hi ku tluriwa ka timfanelo ta ririmi eka Huvo.
- (7) Komiti ya Tindzimi a yi nge sunguri kumbe ku endla ndzavisiso eka swivilelo hinkwaswo swo tluriwa ka timfanelo ta ririmi, kambe yi nga komberiwa ku tsundzuxa Huvo etimhakeni leti khumbaka nandzu lowu lavisisiwaka hi Huvo.

Swiletelo

6. Eka xiyimo xo lulamisa xitsundzuxo xo ya eka Huvo, Komiti ya Tindzimi yi ta landzelela swiletelo swa Huvo, leswi humesiwaka hi mufambisinkulu wa yona.

Swiviko

- 7.(1) Mutshami wa xitulu u na vutihlamuleri byo nyiketa swiviko hi ku yimela Komiti ya Tindzimi hi mayelana na xitsundzuxo xo ya eka Huvo loko a fanele ku endla tano, naswona u fanele ku endla tano enkarhini lowu a nyikiweke wona hi Komiti ya Tindzimi na mufambisinkulu.
- (2) Mutshami wa xitulu a nga nyiketa vutihlamuleri bya yena byo vika.
- (3) Hi xikongomelo xo lulamisa xiviko hi mayelana na xitsundzuxo xa Huvo, Komiti ya tindzimi yi ta landzelela swiletelo swa Huvo, leswi humesiweke hi mufambisinkulu wa yona.

- (4) Ku endlela leswaku ku tirhisaniwa kahle, Tikomiti ta Tindzimi ti khutaziwa ku tlhela ti vika eka Huvo hi tinhlangeletano leti khomiwaka hi ku landza milawu ya ririmi ya xifundzankulu.

Vuhlanganisi na Tirhekhodi

8.(1) Komiti ya Tindzimi yi ta nyika tirhekhodi na swiviko eka Huvo swa tinhlangeletano leti khomiweke ku lulamisa xitsundzuxo xa Huvo hi laha swi laviwaka hi mufambisinkulu.

- (2) Huvo yi ta hlayisa –

- (a) rhekhodi ya swibhumabhumelo na switsundzuxo leswi humaka eka Tikomiti ta Tindzimi; no
- (b) hambanisa tirhekhodi hi mayelana na tirhiselo ra timali ra Tikomiti ta Tindzimi.

Ku tsandzeka ku landzelela Xikombelo xa Xitsundzuxo xa Huvo

9. Loko Komiti ya Tindzimi yi tsandzeka ku tivisa Huvo hi mhaka yo karhi ya ririmi, Huvo yi nga ya emahlweni na xiboho xa yona emhakeni yoleyo.

Miholo na Swengetelo

10.(1) A ku na xirho xa Komiti ya Tindzimi lexi nga amukelaka muholo emintirhweni yo tsundzuxa leyi xi yi endleke.

- (2) Xirho xa Komiti ya Tindzimi xi ni mfanelo yo londza mali ya rendzo na byetlelo leyi xi yi tirhiseke enkarhini wo endla mintirho yo tsundzuxa tanihi xirho xa Komiti.

- (3) Tihakelo tin'wana ti ta hakeriwa hi xirho xa Komiti ya Ririmi lexi khumbekaka.

Timali

11.(1) Huvo yi ta va ni vutihlamuleri bya tihakelo leti twisisekaka ta Komiti ya Tindzimi ta nhlangeletano leyi khomiwaka hi xikongomelo xo lulamisa xitsundzuxo xo ya eka Huvo, ku katsa na hakelo leyi khumbaka ku buka ndhawu, swakudya, tendzo, byetlelo na xipfuno (subsistence) laha xiyimo xi lavaka leswaku yi hakeriwa: Ntsena loko mufambisinkulu a pfumelerile tihakelo ti nga si va kona.

- (2) A ku na mindziriso ya tihakelo leti pfumeleriweke leyi nga ta lulamisiwa Huvo yi nga si amukela tifomo to londza na swiviko swa nhlangeletano enkarhini lowu vekiweke eka Nawu wa 8.

Nkwetlembetano wa Mintsakelo

12.(1) Loko nsati/nuna, xaka ra xirho, nsati/nuna kumbe mutirhisani wa xirho xa Komiti ya Tindzimi xi ri na ntsakelo lowu kongomaka kumbe lowu nga kongomiki wa timali eka phurojeke leyi Huvo yi nyiketeke timali, xirho lexi, xi fanele hi xihatla endzhaku kaloko ntsakelo wolowo xi wu vonile, xi wu tivisa hi ku tsala nhlamuselo leyi kongomisiwaka eka mutshami wa xitulu loyi a khumbekaka, loyi a nga ta –

- (a) fikisa nhlamuselo leyi eka nhlengeletano leyi landzelaka; no
- (b) tivisa Huvo hi nhlamuselo yoleyo.

(2) Swirho hinkwaswo swa Komiti ya Tindzimi kumbe vaaki leswi nga na vumbhoni bya leswaku xiboho lexi tekiweke hi Komiti xi nga vuyerisa xirho xa Komiti yoleyo kumbe yin'wana, swi ta boxa ntsakelo lowu na xiyimo xolexo hi ku tsala nhlamuselo leyi kongomisiwaka eka mutshami wa xitulu wa Komiti leyi khumbekaka, loyi a nga ta –

- (a) fikisa nhlamuselo leyi eka nhlengeletano leyi landzelaka; no
- (b) tivisa Huvo hi nhlamuselo yoleyo.

(3) Huvo yi nga boha hi magoza lama nga ta tekiwa emhakeni leyi nga fika eka yona hi ku landza nawu 11(1) kumbe (2).

Ku herisiwa ka ku amukeriwa ka Komiti ya Tindzimi ta Swifundzankulu

13.(1) Loko Huvo yi boha ku herisa ku amukeriwa ka Komiti ya Tindzimi hi mhaka yo va yi tsandzeka ku yimela vanhu hinkwavo hi ku ya hi tindzimi ta Xifundzankulu lexi khumbekaka, MEC u ta tivisiwa hi laha swi faneleke hakona.

(2) Loko MEC a boha ku herisa Komiti no tlhela a tivisa Huvo hi laha swi faneleke hakona, Huvo yi ta herisa ku amukeriwa ka Komiti yoleyo hi ku hangalasa xitiviso xolexo eka *Gazete ya Mfumo* na *Gazete ya Xifundzankulu*.

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NOTICE 112 OF 2001**KEMISETISO YA KITSISO 120 YA 1997 MABAPI LE DIKELO LE MELAO
YADIKOMITI TSA PUO TSA POROFENSI**

Go sekasekwa gore –

- (a) diporofensi di na le bokgoni go tsaya pholise ya yona ya puo le peomolao go ya ka Molaotheo wa Aferika Borwa, 1996 (Molao Nomoro 108 wa 1996) Mametlelelo 4 Karolo A “Diarea tse di Dirang tsa Nako e le nngwe ya Bosetšhaba le Bokgoni ba Kokoanopeomolao tsa Porofensi.”
- (b) Porofensi ya Kapa Bophirima e tsere Molao wa Dipuo wa Porofensi ya Kapa Bophirima, 1998 (Molao Nomoro 13 wa 1998) mme Boto e eletsa go rotloetsa Diporofensi tsa dingwe go latela;
- (c) Go ya ka Molao wa Boto ya Aferika Borwa ya Puo e e Akaretsang, 1995, Dikomiti tsa Puo ya Porofensi tse di tlhomilweng ke Boto ke dipopego tsa kgakololo tsa Boto;
- (d) Kitsiso ya Boto 120, Kasete ya Mmuso Nomoro 18554 ya 15 Sedimonthole 1997, e tlhoka go tlalelediwa; le
- (e) Seabe sa kgakololo ya Dikomiti tsa Puo tsa Porofensi malebana le Boto se tlhoka tlhaloso,

kitsiso e e latelang mo melaong e e laolang seabe sa kgakololo sa Dikomiti tsa Puo ya Porofensi, e phasaladiwa fano go ya ka karolo 8 (11) ya Molao wa Boto ya Aferika Borwa wa Puo e e Akaretsang, 1995 mo tshedimosetsong ya kakaretso:

Thulaganyo**Nomoro ya Molao**

- 1. Tlhaloso
- 2. Dikopano tsa Komiti ya Puo ya Porofensi
- 3. Temogo
- 4. Thuso malebana le Peomolao ya Porofensi
- 5. Tiro ya Kgakololo ya Komiti ya Puo ya Porofensi
- 6. Dikaelo
- 7. Dipegelo
- 8. Go se tsamaisane le Kopo ya Kgakololo ya Boto
- 9. Tlhaeletsano le Direkoto
- 10. Moputso le le Ditetlo
- 11. Matlole
- 12. Thulano ya Kgatlhego

13. Kgogelomorago ya Tenogo ya Komiti ya Puo ya Porofensi

Ditlhaloso

1. Mo melaong e, kwa ntle ga fa diteng ka tsela nngwe di supela –

“Modulasetulo” o kaya modulasetulo wa Komiti ya puo ya Porofensi e e amegang;

“Komiti ya Puo” e kaya Komiti ya Puo ya Porofensi e e tlhomilweng ke kitsiso mo kaseteng ya Mmuso go ya ka karolo 8(8)(a) ya Molao wa Boto ya Aferika Borwa ya Puo e e Akaretsang, 1995;

“Tona” o kaya Lefoko la Khansele ya Phetiso ya Porofensi e e nang le maikarabelo a merero e e amanang le puo; le

“Molao” o kaya molao ofe kana ofe mo Kitsisong e.

Dikopano tsa Komiti ya Puo ya Porofensi

2.(1) Komiti ya Puo e ka kopana ka lebaka le le rileng la go baakanya kgakololo kwa Botong mo mererong ya puo ya, fa molekgotla mogolo wa phetiso a rebotse kopano.

(2) Go sa lebalwe molao 2(1) Komiti ya Puo e ka dira ka merero e e amanang le paakaanyo ya kgakololo go dira ka nako ya dikopano tse di biditsweng go dira ka merero e e amanang le Porofense.

(3) Modulasetulo a ka bitsa kopano e e kgethegileng ya Komiti ya Puo go baakanya kgakololo kwa Botong, fa molekgotla mogolo wa phetiso a rebotse kopano e e jalo.

(4) Modulasetulo o tla bontsha nako le lefelo la kopano e e biditsweng go baakanya kgakololo kwa Botong.

(5) Boto e ka emisetsa a le esi wa maloko a yona kana leloko la badiri ba yona ba tsena kopano ya Komiti, mme motho yo o tla nna le tshwanelo ya go bouta.

(6) Boto e tla sekaseka keletso ya Komiti ya Puo fela fa keletso e ne e baakantswe mo kopanong e e fitlhetseng ditlhokego go ya ka khoramo, le go nna le tshegetso ya bontsi ba maloko a yona a a leng teng mo kopanong efe kana efe ya Komiti.

(7) Boto e tla emisetsa motho go tlamela tshegetso ya tsamaiso ya dikopano tsa Komiti ya Puo e e ka tlhokegang go baakanya kgakololo kwa Botong, e e akaratseng, mme e sa lekanyediwe go –

- (i) laletsa maloko kwa kopanong e e rebotsweng;
- (ii) tshola metsotso ya kopano nngwe le nngwe e e nnang teng, go ya ka kgakololo e e neilweng ke Komiti;
- (iii) go tshola dikhopi tsa pegelo le direkoto tsa ditshenyegelo; le
- (iv) dira gore, fa go kopiwa, dipegelo le direkoto di nne teng kwa malokong a Komiti.

Temogo

3. Boto e ka lemoga Komiti ya Puo e e tlhomilweng go ya ka peomolao ya puo ya porofensi ka kitsiso mo Kaseteng ya Mmuso.

Thuso malebana le Peomolao ya Porofensi

4.(1) Boto e ka thusa Ditona go baakanya Peomolao ya Puo ya Porofensi e e rileng mo mabakeng a foo peomolao e e jalo e leng teng.

(2) Peomolao ya Puo ya Porofensi e ka tsenya ditlamelo tse di laolang Komiti ya Puo ya Porofensi eo.

Tiro ya kgakololo ya Komiti ya Puo ya Porofensi

5.(1) Go kgontsha boto go dira kana go phasalatsa pegelo, diphitlhelelo, ntlha ya pono, kgakololo kana katlenegiso mo morerong ofe kana ofe wa puo mo, kana o o amang le porofensi e e amegang kana karolo efe kana efe ya seo kana bothati ba selegae bofe kana bofe mo taolong ya porofensi malebana le dipuo tse di dirisiwang mo porofensing, Komiti ya Puo e tla gakolola Boto mabapi le –

- (a) Kgodiso ya dipuodintsi;
- (b) Pholise ya puo le peomolao, go akarediwa pholise ya puo, ditlwaello le peomolao tsa porofensi le tsa bothati ba selegae mo porofensing eo;
- (c) Puo mo thutong, phetolelo le go ranola, tlhabololo le kgodiso ya dikwalo le dipuo tse pele di neng di kgapetswe thoko, ditshwanelo tsa puo le tsereganyo, tlhabololo ya lekesikhokerafi le mareo; thulaganyo ya maemo a puo;
- (d) patlisiso;
- (e) diporojeke;
- (f) tirisano mmogo le mekgatlho e mengwe, kana
- (g) morero ofe kana ofe o mongwe o o tsamaisanang le merero ya puo e e amang porofensi kana karolo ya seo.

(2) Komiti ya puo e tla tlamela Boto ka kgakololo e e kwadilweng mo mererong e e sekasekwang mo seka karolong (1) mo dibekeng tse (6) tsa kamogelo ya kopo ya kgakololo.

- (3) Fa Komiti ya Puo e eletsa go simolola kgakololo kwa Botong, e tla dira jalo ka go kwala.
- (4) Komiti ya Puo e e tlamelang kgakololo kana e neela thuso kwa mmusong wa porofensi le wa selegae, e tla tlamela Boto ka, e ka nna dikhophi tsa kgakololo e e kwadilweng tse di romelwang, kana pegelo mo thusong efe kana efe e e neetsweng fa go kopiwa.
- (5) Komiti ya Puo e se ka ya tlhopha motho ofe kana ofe go dira mofuta ofe kana ofe wa thuso mo Komiting ya Puo go baakanya kgakololo kwa Botong fa tlhopho e e jalo e na le bokao ba ditšhelete, kwa ntle ga thebolo pele go tswa Botong.
- (6) Komiti ya Puo e tshwanetse go thusa Boto go tsholetsa temogo malebana le ditshwanelo tsa puo mme e ka tlisa dikgapelo-thoko tse di umakiwang tsa ditshwanelo tsa puo kwa tlhokomelong ya Boto.
- (7) Komiti ya Puo e se ka ya simolola kana ya dira dipatlisiso mo dikgapelo-thokong tsa dingongorego tsa ditshwanelo dife kana dife tsa puo, mme e ka kopiwa go gakolola Boto mo ntlheng efe kana efe e e tsamaisanang le kgetsi e e batlisisiwang ke Boto.

Dikaedi

6. Mo mabakeng a go baakanyetsa kgakololo kwa Botong, Komiti ya Puo e tla tshwarelela mo Botong, se se ntshitsweng go ya ka motlhankedi mogolo wa peomolao wa yona.

Dipegelo

- 7.(1) Modulasetulo o na le maikarabelo a go isa dipegelo mo boemong jwa Komiti ya Puo malebana le kgakololo kwa Botong nako nngwe le nngwe fa go tlhokega go dira jalo, mme o tla dira jalo mo foreiming ya nako e e dumalanweng magareng ga Komiti ya Puo le motlhankedi mogolo wa peomolao.
- (2) Modulasetulo a ka rolela mongwe maikarabelo a gagwe a go bega.
- (3) Ka mabaka a go baakanya pegelo malebana le kgakololo kwa Botong, Komiti ya Boto e tla itshwarelela mo dikaelong tsa Boto, tse di ntshitsweng ke motlhankedi mogolo wa peomolao wa teng.
- (4) Mo kgatlhegong ya tirisano mmogo e e siamemg, Dikomiti tsa Puo di rotloediwa go begela gape Boto mo dikopanong tse di tserweng go ya ka peomolao ya puo ya porofensi.

Tlhaeletsano le Direkoto

8.(1) Komiti ya Puo e tla tlamela Boto ka direkoto le dipegelo tsa dikopano tse di tshwerweng go baakanya kgakololo ya Boto, jaaka go tlhokiwa ke motlhankedi mogolo wa peomolao.

(2) Boto e tla tshola –

- (a) rekoto ya dikatlenegiso le kgakololo tse di tswang Komiting nngwe le nngwe ya Puo; le
- (b) go kgaoganya direkoto malebana le ditshenyegelo tsa komiti nngwe le nngwe ya Puo;

Go se tsamaisane le Kopo ya Kgakololo ya Boto

9. Mo tiragalong ya gore Komiti ya Puo e palelwa go gakolola Boto mo morerong o o amanang le puo, Boto e ka tswelela ka tshwetso ya yona mabapi le ntlha eo.

Moputso le Tetlomadi

10.(1) Ga go na leloko la Komiti ya Puo le le tshwanetsweng ke moputso mabapi le tiro ya kgakololo.

(2) Leloko la Komiti ya Boto le letleletswe go lopa tuelo mabapi le ditshenyegelo tsa go tsamaya le bonno fa le ne le dira ditiro tsa kgakololo jaaka leloko la Komiti.

(3) Ditshenyegelo tsa mofuta wa setho e tla nna tsa akhaonto ya leloko ka boena wa leloko la Komiti ya Puo.

Matlole

11.(1) Boto e tla tshola ditshenyegelo tse di utlwalang tsa Komiti ya Puo ka mabaka a go rulaganya le go tshwara kopano ya go baakanya kgakololo kwa Botong, go akarediwa ditshenyegelo tsa go beeletsa lefelo, phepo, bonno le keetletso foo maemo a dirang gore tuelo tlhokege: Fa e le gore Motlhankedi mogolo phetiso o rebotse ditshenyegelo pele di ka diragala.

(2) Ga go na pusetso -madi ya ditshenyegelo tse di rebotsweng e e tla rulaganngwang pele Boto e amogela diforomo tsa go lopa tuelo le dipegelo tsa kopano mo foreiming ya nako e e beilweng ke Molao 8.

Thulano ya Dikgatlhego

12.(1) Fa molekane, leloko la losika le le atametseng, molekane wa botshelo kgotsa tsala ya kgwebo ya leloko la Komiti ya Puo a na le seabe ka tlhamalalo kana e se ka tlhamalalo mo kgatlhegong ya ditÓhelete go efe kana efe ya porojeke eo Boto e rebotseng matlole, leloko leo le tshwanetse, gore ka bonako morago ga kgatlhego eo e sena go tla mo kitsong ya gagwe, a senole kgatlhego eo le bogolo ba yona mo seteimenteng se se kwalelwang kwa go modulasetulo o o amegang, yo o tla –

- (a) tlhagisang seteimentente seo mo kopanong e e latelang; le
- (b) go tlhaeletsa tshenolo e e jalo mo Botong.

(2) Leloko lefe kana lefe kana setÓhaba ka kakaretso, se se nang le bopaki ba nnete ba gore tshwetso e e tserweng ke Komiti, e ka lere tsweletso ya botho kgotsa ya ditÓhelete go leloko le lengwe kana Komiti e nngwe, ba ka senola kgatlhego le bogolo ba yona mo seteimenteng se se kwadilweng se se kwalelwang kwa go modulasetulo wa Komiti e e amegang, yo o tla –

- (a) tlhagisang seteimentente seo mo kopanong e e latelang; le
- (b) go tlhaeletsa tshenolo e e jalo mo Botong.

(3) Boto e ka tsaya tshwetso ka dikgato tse di tla tsewang mo kgetsing e e tlileng mo tlhokomelong ya yona go ya ka molao 11(1) kana (2).

Kgogelomorago ya Temogo ya Komiti ya Puo ya Porofensi

13.(1) Fa Boto e swetsa go gogela morago temogo ya Komiti ya Puo mo ntlheng ya gore e palelwa ke go diragatsa boemedi jwa dipuo mo Porofensing e e amegang, Tona o tla itsisiwe go ya ka lenaneo.

(2) Fa Tona a ka tsaya tshwetso go fedisa Komiti le go itsise Boto sentle, Boto e tla gogela morago temogo ya Komiti eo ka phasalatso ya kitsiso ka ga seo mo Kaseteng ya Mmuso le Kaseteya Porofensi.

Motlhankedi-Mogolo Phetiso

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NOTICE 112 OF 2001

**ZWIIMELAHO NDIVHADZO 120 YA 1997 I NO KWAMA MAITELE MILAYO YE
YA VHETSHELWA KOMITI DZA NYAMBO DZA PHUROVINTSI**

Musi hu tshi lavhelswa mafhungo a uri -

- (a) phurivintsi dzi na vhukoni ha u ditela pholisi dzadzo dza nyambo khathihi na u sima milayo i no kwama nyambo sa zwe zwa laedzwa nga Mulayotewa wa Afrika Tshipembe (Mulayo wa Nomboro 108 wa 1996) Shedulu 4 Tshipida A "Maanda na Masia [Fhethu] a Mishumo ya Vhusimamilayo ha Lushaka na Phurovintsi";
- (b) Phurovintsi ya Kapa Vhukovhela yo sima Mulayo wa Nyambo wa Kapa Vhukovhela wa 1998 (Mulayo wa Nomboro 13 wa 1998), Bodo i khou tutuwedza uri na dziwe Phurovintsi dzi ite-vho ngauralo;
- (c) zwi tshi edza Mulayo wa Bodonyangaredzi ya Nyambo dza Afrika Tshipembe wa 1995, Komiti dza Nyambo dza Phurovintsi dze dza tewa nga Bodo dzi swika hune dza kona u eletshedza zwiwe zwa zwinungo zwa Bodo;
- (d) Ndivhadzo ya Bodo ya 120, *Guranda ya Muvhuso* ya Nomboro 18554 ya 15 Nyendavhusiku 1997, i tea uri i phaphelelwe; na uri
- (e) mushumo wa u eletshedza Bodo une wa itwa nga Komiti dza Nyambo Dza Phurovintsi u tea u itwa uri u pfale u tshi pfala,

ndivhadzo i tevhelaho ine ya kwama milayo i no langa mushumo wa u eletshadza u no itwa nga Komiti dza Nyambo dza Phurovintsi, u khou mbo di andadzwa-ha hu tshi tevhelwa tshipida 8(11) tsha Mulayo wa Bodonyangaredzi ya Nyambo dza Afrika Tshipembe wa 1995, hu u itela uri mafhungo awo a kone u divhiwa:

Kudzudzanyele

Nomboro ya Mulayo

- 1. Thalutshedzo dza maipfi
- 2. Mitangano ya Komiti ya Nyambo ya Phurovintsi
- 3. U tangedzwa
- 4. Thuso zwi tshi kwama Theo ya milayo Phurovintsi
- 5. Mushumo wa Komiti ya Nyambo ya Phurovintsi
- 6. Maga a vhutevhedzi
- 7. Mivhigo
- 8. U davhidzana na dzirekhodo
- 9. U sa tevhela khumbelo ya nyeletshedzo ye ya itwa nga Bodo
- 10. Miholo na magavhelo
- 11. Masheleni
- 12. U khukhulisana ha madzangalelo
- 13. U sa tsha tangedzwa ha Komiti ya Nyambo ya Phurovintsi

Thalutshedzo dza maipfi

1. Milayoni iyi, nga nnda ha musu zwi re mariwalwani ane muthu a khou vhala zwi tshi nga vha zwi tshi vho talusa zwiwe-vho -

“Komiti ya Nyambo” hu ambiwa komiti ya nyambo ya phurovintsi ye ya tewa hu tshe tevhelwa ndivhadzo i re kha *Gurandza ya Muvhuso* zwi tshi langwa nga tshipida 8(8) tsha Mulayo wa Bodonyangaredzi ya Nyambo dza Afrika Tshipembe wa 1995;

“MEC” hu ambiwa Murado Khorotshitumbe ya Phurovintsi ane a vha ene a no shuma na mafhungo a tshimbilelanaho na nyambo;

“Mudzulatshidzulo” hu ambiwa mudzulatshidzulo wa Komiti ya Nyambo ya Phurovintsi yeneyo i no kwamiwa nga mafhungo; khathihi na uri

“Mulayo” hu ambiwa mulayo muwe na muwe une wa vha hone kha Ndivhadzo heino.

Mitangano ya Komiti ya Nyambo ya Phurovintsi

2. (1) Komiti ya Nyambo i nga kha di fara mutangano hu tshi itelwa u tshea mafhungo a u eletshedza Bodo kha mafhungo a kwamaho nyambo, arali hu uri muofisiri mulanguli wa Bodo o tenda uri mutangano uyo u vhe hone.

(2) Hu sa hanezwi mulayo u re kha 2(1), Komiti ya Nyambo i nga eletshedza Bodo na u twa hu uri muhumbulo wa a u eletshedza ndi we wa da musu ho farwa mitangano i no kwama mafhungo ane tshikolokolo a vha e a Phurovintsi.

(3) Mudzulatshidzulo a nga vhidza mutangano wa tshipentshela wa Komiti ya Nyambo hu tshi itelwa u dzudzanya la u eletshedza Bodo, arali hu uri vhukumakuma muofisiri mulanguli muhulwane wa Bodo o tenda.

(4) Mudzulatshidzulo u fanela u bula tshifhinga na fhethu hune mutangano uyu wa u suka mafhungo a u eletshedza Bodo wa do farelwa hone.

(5) Bodo i nga kha di takusa muwe wa mirado yayo kana muwe wa vhashumi uri a ye mutanganoni wa Komiti, nahone a tshee ene o ralo, u tea u shela mulenzhe kha zwi no khou rewa heneho mutanganoni nahone u na pfanelo dza u shela mulenzhe na khethoni.

(6) Bodo i do tangedza nyeletshedzo ya Komiti ya Nyambo arali hu uri nyeletshedzo iyo i bva mutanganoni we wa farwa hu tshi tevhedzwa othe a kwamaho khoramu ya mitangano, nahone nyeletshedzo iyi ya vha yo tikedzwa nga vhunzhi ha mirado ya Komiti i re hone.

(7) Bodo i do shomedza Komiti nga muthu ane a do thusa kha u langa mitangano ya Komiti ya Nyambo, i nga vha ndangulo ine ya nga lilwa musu hu tshi khou sukwa fhungo la nyeletshedzo dza Bodo, ndi ndangulo ine ya nga katela zwi tevhelaho, hu tshi nga kha di dovha ha ingwa nga zwiwe-vho -

- (i) u ramba mirado i tshi rambelwa mitangano ye ya tendelwa uri i farwe;

- (ii) u vhulunga minetse dza mitangano yothe i no farwa i tshi farelwa u simiwa ha nyeletshedzo i no bva Komitini;
- (iii) u vhulungwa ha khophi dza mivhigo na dzirekhodo dza kushumiselwe kwa masheleni; khathihi na
- (iv) u ita uri mivhigo iyi na rekhodo zwi kone u waniwa nga mirado ya Komiti kana ya Bodo arali yo humbela.

U tangedzwa

3. Bodo i nga kha di tangedza Komiti ya Nyambo ye ya tewa hu tshi tevhedzwa mulayo wa nyambo wa phurovintsi hu tshi shumiswa *Guranda ya Muvhuso*.

Thuso zwi tshi kwama Theo ya milayo Phurovintsi

4.(1) Bodo i nga kha di thusa dziMEC musi zwi tshi kwama mafhungo a Theo ya milayo Phurovintsi zwi zwa Phurovintsi ngede arali hu uri mulayo wa raloho a uho afho phurovintsi.

(2) Theo ya milayo Phurovintsi i nga katela na zwothe zwi langaho Komiti ya Nyambo Phurovintsi yeneyo.

Mushumo wa Komiti ya Nyambo ya Phurovintsi

5.(1) Komiti ya Nyambo ya Phurovintsi i do eletshedza Bodo itela u thusa Bodo uri i kone u riwala kana u andadza muvhigo na zwe zwa wanuluswa na kuvhonele kwayo kwa zwithu khathihi na u eletshedza kana u ita madzinginywa a mafhungo ane a kwama nyambo ane a vha a phurovintsi yeneyo na u twa tshi tou kwama fhedzi tshipida tsha phurovintsi yeneyo kana hu muvhuso wapo zwawo u no wela fhasi ha ndangulo ya phurovintsi yeneyo zwi tshi kwama mafhungo a nyambo dzi no shumiswa heneho phurovintsi. U eletshedza uhu hu do vha siani la -

- (a) u tutuwedzwa ha u anda ha ndimi;
- (b) pholisi ya nyambo na theo ya milayo, hu tshi katelwa na pholisi ya nyambo, mishumo ya phurovintsi na theo ya milayo phurovintsi khathihi na mivhusoni yapo ya phurivintsi iyo;
- (c) nyambo dzi no shumiswa pfunzoni; u fhindulela khathihi na u dologa, u aluswa khathihi na u kunguwedzwa ha manwalwa a nyambo dze kale dza vha dzi tshi nyadziwa; pfanelo dza nyambo khathihi na u lamukanya; lekhizikhogirafi na nyaluso ya tsiko ya maipfi; u pulanela u shumiswa ha nyambo
- (d) risetshe;
- (e) thandela;
- (f) tshumisano na manwe madzangano; kana
- (g) manwe-vho mafhungo livhanaho na nyambo a no kwama mafhungo a phurovintsi kana tshipida tshayo.

(2) Komiti ya Nyambo i tea u rumela Bodo nyeletshedzo yo tou riwalaho i no kwama zwe zwa bulwa kha tshipida tshixuku tsha (1) hu sa athu fhela vhege dza (6) u bva u tshee ha

ṭanganedzwa khumbelo ya uri Bodo i khou lila u eletshedzwa.

(3) Arali Komiti ya Nyambo i tshi lila u nea Bodo nyeletshedzo, i tea u zwi ita zwo tou ṇwalwa.

(4) Komiti ya Nyambo ine ya eletshedza kana ya thusa muvhuso wa phurovintsi kana wapo, i tea u rumela Bodo khophi dza nyeletshedzo yo tou ṇwalwaho kana muvhigo wa mushumo wa nyeletshedzo we wa itwa ho vha na u rendiwa.

(5) Komiti ya Nyambo a yo ngo tea uri, i songo ranga u wana thendelo ya Bodo, i rende muthu uri a ḡe a thuse Komiti ya Nyambo hu u itela u dzudzanya nyeletshedzo i no ḡo livhiswa kha Bodo arali hu uri u renda uho ho ralo hu ḡo lila mbadelo.

(6) Komiti ya Nyambo i tea u thusa Bodo kha u tsivhudza vhathu siani ḷa pfanelo dzavho dza nyambo na hone i nga kha ḡi kwettedza Bodo siani ḷa zwiito zwi no khukhulisa pfanelo dza nyambo.

(7) Komiti ya Nyambo a yo ngo tea u sima bembela kana u dzhena kha bembela ḷa u ṭodṭisisa u khukhuliswa ha pfanelo dza nyambo, fhedzi-ha i nga kha ḡi kwamiwa uri i eletshedze Bodo malugana na zwidodombedzwa zwine zwa tea u ṭodṭisiswa nga Bodo.

Maga a vhutevhedzi

6. Hu tshi itelwa kuitele kwa musu hu tshi sukwa mafhungo a nyeletshedzo i no ḡo ṇekedzwa Bodo, Komiti ya Nyambo i tea u tevhela maga a vhutevhedzi e a tewa nga Bodo, e a bulwa nga muofisiri mulanguli muhulwane wayo.

Mivhigo

7. (1) Mudzulatshidzulo ndi ene ane a vha na vhudṭifhinduleli ha u rumela mivhigo o imela Komiti ya Nyambo zwi tshi kwama nyeletshedzo i no iswa kha Bodo misi yoṭhe ine zwa vha zwo tea, nahone kuitele kwazwo ku ḡo vha ku tshi edza zwe zwa langanwa vhukati ha Komiti ya Nyambo na muofisiri mulanguli muhulwane.

(2) Mudzulatshidzulo a nga kha ḡi ta tshifhunganwando tsha u ḡo mu thusa mishumoni yawe.

(3) Hu tshi itelwa kuitele kwa musu hu tshi itwa nzudzanyo dza u vhiga zwi kwamaho nyeletshedo i no ḡo nekedzwa Bodo, Komiti ya Nyambo i tea u tevhela maga a vhutevhedzi e a tewa nga Bodo, e a bulwa nga muofisiri mulanguli muhulwane wayo.

(4) Hu tshi itelwa tshumisano yavhudṭi, Komiti dza Nyambo dzi ṭuṭuwedzwa uri dzi vhiḡe kha Bodo oṭhe a miṭangano ye ya farwa hu tshi tevhedzwa milayo ya nyambo i re ya phurovintsi.

U davhidzana na dzirekhodo

8.(1) Komiti ya Nyambo itea u rumela Bodo rekhodo na mivhigo ya miṭangano ye

ya farwa hu tshi itwa nzudzanyo dza nyeletshedzo dza Bodo, hu tshi tevhedzwa ndaela ya muofisiri mulanguli muhulwane.

(2) Bodo i tea u vhulunga -

- (a) rekhodo ya u davhidzana khathihi na nyeletshedzo zwe zwa da zwi tshi bva kha Komiti dza Nyambo nga nthihi nga nthihi; khathihi na
- (b) rekhodo dziwe-vho dzi no kwama mafhungo a kushumiselwe kwa masheleni nga Komiti dza Nyambo nga nthihi nga nthihi.

U sa tevhela khumbelo ya nyeletshedzo ye ya itwa nga Bodo

9. Arali zwa itea uri Komiti ya Nyambo i kundwe u eletshedza Bodo siani la zwi kwamaho nyambo, Bodo i a kona u isa phanda na zwe ya tshea malugana na fhungo ligede.

Miholo na magavhelo

10. (1) A huna murado na muthihi wa Komiti ya Nyambo ane a pfi o tea u holelwa nge a eletshedza.

(2) Murado wa Komiti ya Nyambo u tea u vhila tshelede ya vhuendi na ya vhulalo ye ya shumiswa zwenezwi e kha u eletshedza sa murado wa Komiti.

(3) Tshelede ye ya shuma kha zwa ene mune i do bva tshikwamani tsha ene mune murado wa Komiti ya Nyambo.

Masheleni

11.(1) Bodo i do badela tshelede kha u drelwa he Komiti ya Nyambo ya vha naho hu no pfesesea hu he ha bvelela musu hu tshi dzudzanywa na u fara mitangano ya u dzudzanyela u eletshedza Bodo, hu tshi katelwa na u drelwa he ha vha hone hu tshi bukiwa fhethu ha u farela mitangano, zwiliwa, vhuendi, vhulalo na zwiwe-vho zwine zwa fanelwa nga mbadelo: Tenda muofisiri mulanguli muhulwane a vha o themendela mbadelo u rangani ha u itea ha izwo zwithu.

(2) Hu songo vha na u tenda u lifhela muthu kha zwe zwa mu drela ngeno Bodo i sa athu u tangedza fomo dza u kileima khathihi na mivhigo ya mutangano hu tshi tevhelwa zwe zwa laedzwa nga Mulayo 8 hu no ambiwa nga kutevhedzelwe kwa tshifhinga.

U khukhulisana ha madzangalelo

12.(1) Arali hu uri murado wa Komiti ya Nyambo u na mufarisi, kana shaka la tsini-tsini kana nyanenge kana ramabindu ane a shumisaniwa nae, ane a vha hu uri u na zwine a do bindula siani la masheleni thandelani dze dza kunguwedzwa nga tshelede ya Bodo, murado uyu u tea uri musu o no zwi limuwa uri matsina hu na dzangalelo lo raloho, a li bwisele khagala khathihi na bula uri dzangalelo li lo tandavhuwa u swika ngafhi zwi nwalwe sa tshitatamennde zwi rumelwe mudzulatshidzulo wa Komiti i no kwamiwa nga haya mafhungo, ndi ene onoyo a no -

- (a) do vhiga mafhungo a tshitatamennde itshi mutanganoni u no do farwa tshifhinganani tshi daho; khathihi na
- (b) u do talutshedza Bodo zwenezwo zwe bviselwa khagala.

(2) Murado ufho na ufho wa Komiti ya Nyambo kana vhatu vha shango vhane vha vha na vhuṭanzi ho dziaho ha uri le la tshewa nga Komiti li nga swika hune la dudumedza kana la pfumisa murado wa Komiti iyi kana inwe-vho, u tea u bvisela khagala dzangalelo ilo khathihi na u bula uri lo tadvhuwa u sika ngafhi zwi nwalwe sa tshitatamennde zwi rumelwe mudzulatshidzulo wa Komiti i no kwamiwa nga haya mafhungo, ndi ene onoyo a no -

- (a) do vhiga mafhungo a tshitatamennde itshi mutanganoni u no do farwa tshifhinganani tshi daho; khathihi na
- (b) u do talutshedza Bodo zwenezwo zwe bviselwa khagala.

(3) Bodo a nga kha di ta uri ndi zwifho zwi no tea u itwa arali hu uri mafhungo aya o sika ndevheni dzayo hu tshi tevhelwa mulayo 11(1) kana (2).

U humiswa ha u tangedzwa ha Komiti ya Nyambo ya Phurovintsi

13.(1) Arali Bodo ya nga tshea la u humisa u tangedza hayo ha Komiti ya Nyambo zwi vhangwa nga nyambo wa uri komiti iyo a i imeli vhatu nga huswi siani la nyambo dzi no ambiwa Phurovintsi ngede, MEC vha do tsivhudzwa nga ndila yo teaho.

(2) Arali MEC vha nga tshea la u fhaladza komiti vhe vho no ralo vha divhadza Bodo nga ndila yo teaho, Bodo i do humisa u tangedzwa ha Komiti nga u tou ita ndivhadzo i no bula uri vhukuma zwo tou ralo kha *Gurandya ya Muvhuso* kana kha *Gurandya ya Phurovintsi*.

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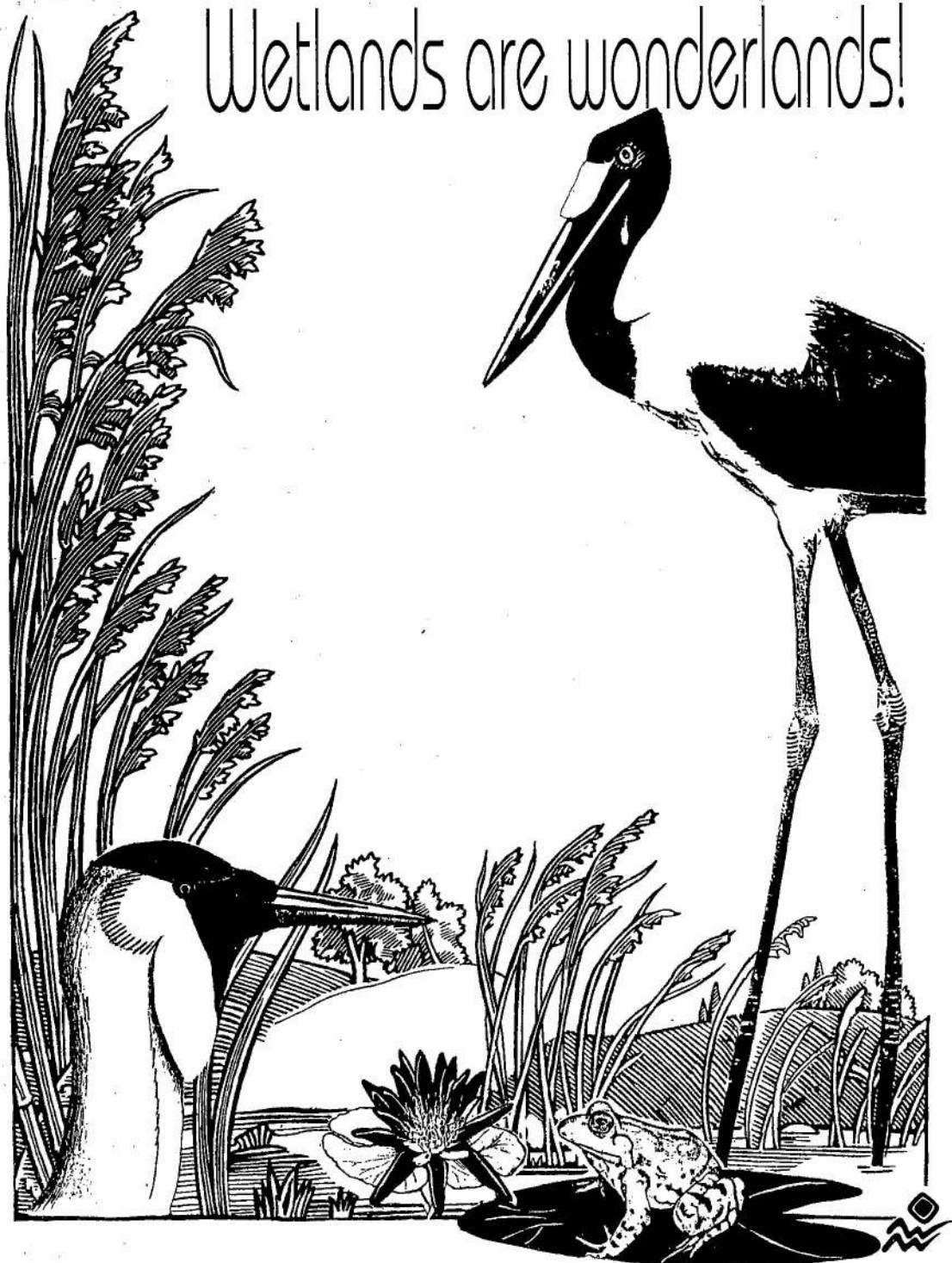
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Publications: Tel: (012) 334-4508, 334-4509, 334-4510
Advertisements: Tel: (012) 334-4673, 334-4674, 334-4504
Subscriptions: Tel: (012) 334-4735, 334-4736, 334-4737
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Gedruk deur en verkrygbaar by die Staatsdrukker, Bosmanstraat, Privaatsak X85, Pretoria, 0001
Publikasies: Tel: (012) 334-4508, 334-4509, 334-4510
Advertensies: Tel: (012) 334-4673, 334-4674, 334-4504
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