

KGAOLO 10

TSAMAISO YA PUSO

Metheo ya meetlo le meono e e laolang tsamaisopuso

195. (1) Tsamaiso ya puso e tshwanetse go laolwa ke moonwa wa temokrasii le meetlo ya Molaotheo, go akarediwa meetlo e e latelang:
- Kgodiso le mamelelelo ya maemo a maitsholo a kwa godimoa a meetlo ya borutegi.
 - kgodiso ya moruo le tiriso e e manontlhotlo ya didiriswa.
 - Tsamaiso ya puso e tshwanetse go ntshetsapele tlhabololo.
 - Ditirelo di tshwanetse go abiwa ntle le ditlhotlo, ka tolamo, ka tekano, le kwa ntle ga go tlhopa mathakore.
 - Ditlhokego tsa batho di tshwanetse go elwa tlhoko, e bile setšhaba se tshwanetse go rotloediwa go nna le seabe mo tshamong ya molao.
 - Tsamaiso yo puso e tshwanetse go nna le maikarabelo.
 - Tsamaiso e tshwanetse go dirilwa mo pontsheng ka go abela setšhaba tshedimosetso ka bonako, e e fitlhelesegang, le ya boamaruri.
 - Go tshwanetse go netefatsa taolo ya tsamaiso ya bokgoni, le tlwaelo ya tlhabololo ya borutegi, go rotloetsa matlafatso ya badiri mo tironong gore ba ba fitlhelele bokgoni jo bo kwa godimo.
 - Tsamaiso ya puso e tshwanetse go emela batho ba Aforika Borwa ka bophara, ka ditlwaelo tsa botsamaisi le badiri jo bo ikaegileng ka bokgoni, phitlhelelo ya boamaruri, tolamo, le tlhokego ya go siamisana ditshokamo tsa nako e fetileng go akaretsa setšhaba ka bophara.
- (2) Meetlo e e latelang, e ka dirisiwa –
- tsamaiso ya lekala lengwe le lengwe la puso;
 - ditheo tsa puso;
 - dikgwebo tsa baagi.
- (3) Molao wa bosetšhaba o tshwanetse go netefatsa ntshetsopele ya meono le meetlo e e tlhalositsweng mo karolotlaleletso (1).
- (4) Palo ya batho ba ba rileng e ka thapiwa ka go ela tlhoko pholisi, mme fela, molao wa bosetšhaba o tshwanetse go laola go thapiwa ga batlhankedi ba puso.

- (5) Molao o o laolang tsamaiso ya puso e ka farologanya gareng ga maphata, ditsamaiso, kgotsa ditheo tsa tsamaiso ya puso.
- (6) Mokgwa le ditiro tsa maphata a farologaneng, ditsamaiso kgotsa ditheo tsa tsamaiso ya puso ke dintlha tse di botlhokwa go elwa tlhoko mo molaong o o laolang tsamaiso ya puso.

Khomišene ya Bodiredipuso

- 196.
- (1) Go na le Khomišene ya Bodiredipuso e le nosi mo Rephaboliking.
 - (2) Khomišene e ikemetse e bile e tshwanetse go sa tseye matlhakore, mme e tshwanetse go diragatsa matla a yone le go dira ntle le poifo, ka tolamo kgotsa kgobelelo mo dikgatlhegelong tsa go matlafatsa tsamaiso ya puso le phitlhelelo ya maemo a kwa godimo boporofeshe nale mo ditirelong tsa puso. Khomišene e tshwanetse go laolwa ka molao wa bosetšhaba.
 - (3) Ditheo tse dingwe tsa puso, ka tiriso ya molao le dikgato tse dingwe, di tshwanetse go thusa le go sireletsa Khomišene go tshomamisa boipuso jwa yona, go dira ka tolamo, seriti le bokgoni jwa Khomišene. Ga go motho ope kgotsa setheo sa puso se se tshwanetseng ho itshunyatsshunya mo mererong ya Khomišene.
 - (4) Dithata le ditiro tsa Khomišene ke –
 - (a) go ntshetsapele moono le meetlo e e kwadilweng mo karolo 195, bodiredi puso ka bophara;
 - (b) go sekaseka, lekola le go tthatlhoba tsamaiso le setheo le meetlo ya bodiredi jwa puso;
 - (c) go tshitsinya dikgato go netefatsa tiragatso ya ditiro ka manontlhotlho le botswerere mo taolong ya bodiredi jwa puso;
 - (d) go netefatsa ditaello tse di tshomamisang tsamaiso ya badiri e e lebaganyeng le go thapiwa, go fetola mafapha, go tthatlosiwa le go kobiwa di lepalepana le meono le meetlo e e tshalositsweng mo karolo 195;
 - (e) go dira pegelo ka ditiro tsa yone, le tiragatso ya ditiro tsa yone, go akarediwa tshwetso ngwe le ngwe, taelo le kgakolo, le go tlamela ka tshakatsheko ya tshalos gore meono le meetlo e e tshalositsweng mo karolo 195 ya diragadiwa.
 - (f) Ka boyona kgotsa ka go amogela ngongorego –
 - (i) go batlisisa le go tthatlhoba tiragatso ya ditiro tsa bodiredi le meetlo ya

- tsamaiso, le go begela bothati taolo jo bo maleba jwa kgotlapeomolao;
- (ii) go batlisisa dingongorego tsa badiri ba ditirelo tsa puso mabapi le maitshwara a batlhankedi kgotsa ditlogelo, le go tshitsinya ditharabololo;
 - (iii) go sekaseka le go batlisisa kobamelo ya ditsamaiso tse di tshwanetseng mo tirelong ya puso; le
 - (iv) go gakolola ditheo tsa puso tsa bosetšhaba le porofense mabapi le meetlo ya badiri ba ditirelo tsa puso go akarediwa tse di lebaganyeng le go, ngoka badiri, go thapiwa, go fetola mafapha, go ntshiwa mo tirong le dintlha tse dingwe tsa ditiro tsa badiri ba to bodire jwa dipuso.
- (g) go dira kgotsa go diragatsa dithata tsa tlaleletso kgotsa ditiro tse di tlhagisiwang ke Molao wa Palamente.

[Tema (g) e tlaleleditswe ke k. 3 ya Molatheo Tlhabololo wa Bobedi wa Molao wa 1998.]

- (5) Khomišene e ikarabela go Ntlokokoano Bosetšhaba.
- (6) Khomišene e tshwanetse go dira pegelo bonnye, gangwe ka ngwaga go ya ka karolo (4)(e) –
 - (a) go Ntlokokoano Bosetšhaba; le
 - (b) mabapi le ditiro tsa yone mo porofenseng, e tshwanetse go begela kgotlapeomolao ya porofense eo.
- (7) Khomišene e na le baKomišenara ba ba latelang ba le 14, ba ba tlhopilweng ke Moporesidente:
 - (a) Bakomišenara ba le batlhano ba atlenegisiwa ke Ntlokokoano Bosetšhaba go ya ka karolotlaleletso 8(a); le
 - (b) Mokomišenara a le mongwe boemong jwa porofense nngwe le nngwe, yo o tlhopilweng ke Tonakgolo ya porofense go ya ka karolotlaleletso 8(b).
- (8) (a) Mokomišenara yo o tlhopilweng go ya ka karolotlaleletso 7(a) o tshwanetse go –
 - (i) go atlenegisiwa ke komiti ya Ntlokokoano Bosetšhaba eo, e na leng maloko a makoko otlhe ka tekatekano, ao a leng kemedi mo Ntlokokoano; le
 - (ii) go amogelwa ke Ntlokokoano ka tshwetso e e dirilweng ka bontsi jwa diboutu tsa maloko a yona.
- (b) Mokomišenara yo o kgethilweng ke Tonakgolo ya porofense o tshwanetse go –

- (i) go atlenegisiwa ke komiti ya kgotlapeomolao ya porofense, e e nang le maloko a makoko otlhe ka tekatekano mo kgotlapeomolaong; le
 - (ii) go amogelwa ke kgotlapeomolao ka tshwetso ya bontsi jwa diboutu tsa maloko a yona.
- (9) Molao wa Palamente o tshwanetse go laola tsamaiso ya go tlhophiwa ga baKomišenara.
- (10) Mokomišenara o tlhophiwa sebaka sa dingwaga di le tlhano, se se ntšhafadiwang paka e le nngwe fela, mme e tshwanetse go nna mosadi kgotsa monna yo e leng –
- (a) moagi wa Aforika Borwa, gape a
 - (b) motho yoo a nonofile e bile a itekanetse, a na le kitso le maitemogelo a botsamaisi, boeteledipele kgotsa ditaelo tsa bodiredipuso.
- (11) Mokomišenara a ka tloisiwa mo tirong fela –
- (a) ka ntlha ya maithwaro a makgwakgwa, tlhaelo ya bokgoni kgotsa tlhokego ya maitemogelo;
 - (b) ka ntlha ya tshwetso ya Komiti ya Ntlokokoano Bosetšhaba kgotsa mo lebakeng la Mokomišenara yo o tlhopilweng ke Tonakgolo ya porofense, ke Komiti ya Kgotlapeomolao ya porofense eo; le kamogelong ya Ntlokokoano kgotsa Kgotlapeomolao ya porofense e e amegang, ka tshwetso ya bontsi jwa diboutu tsa maloko a yona, a a mogetseng tshwetso ya gore Mokomišenara a tlosiwe mo tirong.
- (12) Moporesidente o tshwanetse go tlosa Mokomišenara yo o amegang mo tirong fa –
- (a) kamogelo ya tshwetso ke Ntlokokoano e e atlenegisang go tloisiwa mo tirong ga Mokomišenara; kgotsa
 - (b) kitsiso e e kwadilweng ke Tonakgolo gore Kgotlapeomolao e amogetse tshwetso ya go tlosa Mokomišenara mo tirong.
- (13) Bakomišenara ba ba tlhalositweng mo karolotlaleletso 7(b) ba ka diragatsa dithata le go dira ditiro tsa Khomišene mo diprofenseng tsa bona go ya ka taolo ya molao wa bosetšhaba.

Bodiredipuso

197. (1) Mo taolong ya tsamaiso ya puso, go na le tirelo ya puso ya Rephaboliki, e e tshwanetseng go dira, le go theiwa go tsamaelana le molao wa bosetšhaba, e bile

e e tshwanetseng go diragatsa ka boikanyego, maikemisetso a melao ya puso ya ga jaana.

- (2) Dipeelo le mabaka a go thapiwa ga batho mo bodiredipuso bo tshwanetse go laolwa ka molao ya bosetšhaba. Badiredi ba tshwanelwa ke phenšene e e siameng jaaka go laotswe ka molao wa bosetšhaba.
- (3) Ga go modiredipuso ope yo o tshwanetseng go godisiwa go feta ba bangwe kgotsa go gobeletwa, fela ka gonne motho yoo a ema nokeng lekoko le le rileng la sepolotiki kgotsa maikemisetso a lekoko leo.
- (4) Mebuso ya diporofense e rwele maikarabelo a go ngoka badiri, go thapa, go tihatlosa, go sutisa le go tloswa mo tirong ga maloko a bodiredipuso mo botsamaising go ya ka lenaane tsamaiso la meono le meetlo e e tsepameng ya bodiredipuso.