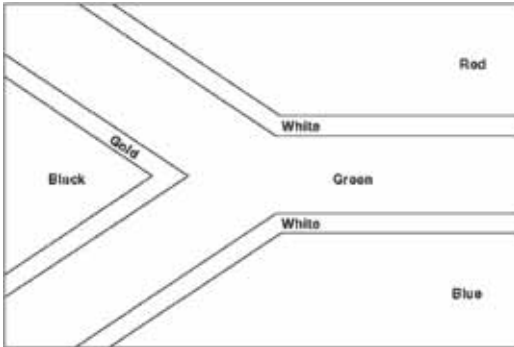


IHLELO 1

IFLARHA YESITJHABA

- (1) Iflarha yesitjhaba yincani; inobude obubuyelelwe kanye nesiquntu kunobubanzi.
- (2) Inzima, isagolide, ihlaza satjani, imhlophe, inokubovu okusabilibili begodu ihlaza samkayi
- (3) Inesibumbeko saka-Y esihlaza satjani esibubunye besihlanu obubanzi njengeflarha. Amalayini aphakathi webhendi athoma emakhoneni aphezulu nenzasi hlanu komphetho weflarha, ahlngana phakathi kweflarha, aragele phambili ngokuvundlileko ukutjingga phakathi komphetho otjhaphulukileko.
- (4) Ibhendi ehlaza satjani inomphetho, ngehla nangezasi omhlophe, begodu nayitjingga ekupheleni kweflarha inokusagolide. Omunye nomunye umphetho unobubanzi obububunye besihlanu njengeflarha.
- (5) Uncantathu ohlanu kwesiphetho seflarha unzima.
- (6) Ibhendi engehla evundlileko ibovu sabilibili kuthi ibhendi engenzasi evundlileko ibe hlaza satjani. Amabhendi la ngayinye ibubanzi obusithathu seflarha.



Black = Nzima

Gold = Golide

White = Mhlophe

Green = Hlaza satjani

Red = Bovu sabilibili

Blue = Hlaza samkayi

IHLELO 1A

IINDAWO ZEEMFUNDA

[IHlelo 1A lifakwe sigaba 4 soMThethosisekelo oliTjhuguluko leTjhumi nambili lomThetho womnyaka we-2005 nangesigaba 1 soMThethosisekelo oliTjhuguluko leTjhumi nantathu lomThetho womnyaka we-2007 nangoMThethosisekelo oliTjhuguluko lesiThandathu lomThetho womnyaka we-2009.]

IsiFunda SePumalanga Kapa

[Ukuqintwa kwemikhawulo yesiFunda sePumalanga-Kapa kujanyiselelwe Mthethosisekelo oliTjhuguluko leTjhumi nantathu lomThetho womnyaka we-2007.]

Umebhe Nomboro 3 weHlelo 1 wenothisi yomnyaka we-1998 kufikela emnyakeni we-2005
Umebhe Nomboro 6 weHlelo 2 wenothisi yomnyaka we-1998 kufikela emnyakeni we-2005
Umebhe Nomboro 7 weHlelo 2 wenothisi yomnyaka we-1998 kufikela emnyakeni we-2005
Umebhe Nomboro 8 weHlelo 2 wenothisi yomnyaka we-1998 kufikela emnyakeni we-2005
Umebhe Nomboro 9 weHlelo 2 wenothisi yomnyaka we-1998 kufikela emnyakeni we-2005
Umebhe Nomboro 10 weHlelo 2 wenothisi yomnyaka we-1998 kufikela emnyakeni we-2005
Umebhe Nomboro 11 weHlelo 2 wenothisi yomnyaka we-1998 kufikela emnyakeni we-2005

IsiFunda SeFreyistata

Umebhe Nomboro 12 weHlelo 2 wenothisi yomnyaka we-1998 kufikela emnyakeni we-2005
Umebhe Nomboro 13 weHlelo 2 wenothisi yomnyaka we-1998 kufikela emnyakeni we-2005
Umebhe Nomboro 14 weHlelo 2 wenothisi yomnyaka we-1998 kufikela emnyakeni we-2005
Umebhe Nomboro 15 weHlelo 2 wenothisi yomnyaka we-1998 kufikela emnyakeni we-2005
Umebhe Nomboro 16 weHlelo 2 wenothisi yomnyaka we-1998 kufikela emnyakeni we-2005

IsiFunda SeGauteng

[Ukusikwa kwemikhawulo yesiFunda se-Gauteng kutjhugululwe mThethosisekelo oliTjhuguluko lesiThandathu lomThetho womnyaka we-2009.]

Umebhe WeNomboro 4 EsiYelelisweni 1490 Somnyaka We-2008

[Ireferensi yemebhe Nomboro 4 kuNothisi 1490 we-2008 ijanyiselelwe sigaba 1(a) somThethosisekelo oliTjhuguluko lesiThandathu lomThetho womnyaka we-2009.]

Umebhe Nomboro 17 weHlelo 2 wenothisi yomnyaka we-1998 kufikela emnyakeni we-2005
Umebhe Nomboro 18 weHlelo 2 wenothisi yomnyaka we-1998 kufikela emnyakeni we-2005
Umebhe Nomboro 19 weHlelo 2 wenothisi yomnyaka we-1998 kufikela emnyakeni we-2005
Umebhe Nomboro 20 weHlelo 2 wenothisi yomnyaka we-1998 kufikela emnyakeni we-2005
Umebhe Nomboro 21 weHlelo 2 wenothisi yomnyaka we-1998 kufikela emnyakeni we-2005

IsiFunda SaKwaZulu-Natal

[Ukusikwa kwemikhawulo yesifunda saKwaZulu-Natal kutjhugululwe mThethosisekelo oliTjhugululo
leTjhumini naNtathu lomThetho womnyaka we-2007.]

Umebhe Nomboro 22 weHlelo 2 wenothisi yomnyaka we-1998 kufikela emnyakeni we-2005
Umebhe Nomboro 23 weHlelo 2 wenothisi yomnyaka we-1998 kufikela emnyakeni we-2005
Umebhe Nomboro 24 weHlelo 2 wenothisi yomnyaka we-1998 kufikela emnyakeni we-2005
Umebhe Nomboro 25 weHlelo 2 wenothisi yomnyaka we-1998 kufikela emnyakeni we-2005
Umebhe Nomboro 26 weHlelo 2 wenothisi yomnyaka we-1998 kufikela emnyakeni we-2005
Umebhe Nomboro 27 weHlelo 2 wenothisi yomnyaka we-1998 kufikela emnyakeni we-2005
Umebhe Nomboro 28 weHlelo 2 wenothisi yomnyaka we-1998 kufikela emnyakeni we-2005
Umebhe Nomboro 29 weHlelo 2 wenothisi yomnyaka we-1998 kufikela emnyakeni we-2005
Umebhe Nomboro 30 weHlelo 2 wenothisi yomnyaka we-1998 kufikela emnyakeni we-2005
Umebhe Nomboro 31 weHlelo 2 wenothisi yomnyaka we-1998 kufikela emnyakeni we-2005
Umebhe Nomboro 32 weHlelo 2 wenothisi yomnyaka we-1998 kufikela emnyakeni we-2005

IsiFunda SeTlthagwini (Limpopo)

Umebhe Nomboro 33 weHlelo 2 wenothisi yomnyaka we-1998 kufikela emnyakeni we-2005
Umebhe Nomboro 34 weHlelo 2 wenothisi yomnyaka we-1998 kufikela emnyakeni we-2005
Umebhe Nomboro 35 weHlelo 2 wenothisi yomnyaka we-1998 kufikela emnyakeni we-2005
Umebhe Nomboro 36 weHlelo 2 wenothisi yomnyaka we-1998 kufikela emnyakeni we-2005
Umebhe Nomboro 37 weHlelo 2 wenothisi yomnyaka we-1998 kufikela emnyakeni we-2005

IsiFunda SeMpumalanga

Umebhe Nomboro 38 weHlelo 2 wenothisi yomnyaka we-1998 kufikela emnyakeni we-2005
Umebhe Nomboro 39 weHlelo 2 wenothisi yomnyaka we-1998 kufikela emnyakeni we-2005
Umebhe Nomboro 40 weHlelo 2 wenothisi yomnyaka we-1998 kufikela emnyakeni we-2005

IsiFunda SeTlhagwini Kapa

Umebhe Nomboro 41 weHlelo 2 wenothisi yomnyaka we-1998 kufikela emnyakeni we-2005
Umebhe Nomboro 42 weHlelo 2 wenothisi yomnyaka we-1998 kufikela emnyakeni we-2005
Umebhe Nomboro 43 weHlelo 2 wenothisi yomnyaka we-1998 kufikela emnyakeni we-2005
Umebhe Nomboro 44 weHlelo 2 wenothisi yomnyaka we-1998 kufikela emnyakeni we-2005
Umebhe Nomboro 45 weHlelo 2 wenothisi yomnyaka we-1998 kufikela emnyakeni we-2005

IsiFunda SeTlhagwini Tjhingalanga

[Ukusikwa kwemikhawulo yesiFunda seTlhagwini –Tjhingalanga kutjhugululwe mThethosisekelo oliTjhuguluko leTjhumu nesiThandathu lomThetho womnyaka we-2009.]

Umebhe WeNomboro 5 EsiYeletisweni 1490 Somnyaka We-2008

[Ireferensi yemebhe Nomboro 5 ijanyiselelwe sigaba 1(b) somThethosisekelo oliTjhuguluko leTjhumu nesiThandathu lomThetho womnyaka we-2009.]

Umebhe Nomboro 46 weHlelo 2 wenothisi yomnyaka we-1998 kufikela emnyakeni we-2005
Umebhe Nomboro 47 weHlelo 2 wenothisi yomnyaka we-1998 kufikela emnyakeni we-2005
Umebhe Nomboro 48 weHlelo 2 wenothisi yomnyaka we-1998 kufikela emnyakeni we-2005

IsiFunda SeTjhingalanga Kapa

Umebhe Nomboro 49 weHlelo 2 wenothisi yomnyaka we-1998 kufikela emnyakeni we-2005
Umebhe Nomboro 50 weHlelo 2 wenothisi yomnyaka we-1998 kufikela emnyakeni we-2005
Umebhe Nomboro 51 weHlelo 2 wenothisi yomnyaka we-1998 kufikela emnyakeni we-2005
Umebhe Nomboro 52 weHlelo 2 wenothisi yomnyaka we-1998 kufikela emnyakeni we-2005
Umebhe Nomboro 53 weHlelo 2 wenothisi yomnyaka we-1998 kufikela emnyakeni we-2005
Umebhe Nomboro 54 weHlelo 2 wenothisi yomnyaka we-1998 kufikela emnyakeni we-2005

IHLELO 2

IIMFUNGO KANYE NEEMBOPHO

[IHlelo 2 litjhugululwe ngokwesigaba 2 somThethosisekelo oliTjhuguluko lokuThoma lomThetho womnyaka we-1997 beyajanyiselelwa sigaba 18 somThethosisekelo oliTjhuguluko lesiThandathu lomThetho womnyaka we-2001.]

Isifungo Namkha Isibopho SikaMongameli Kunye NoMjaphethe KaMongameli

1. UMongameli namkha uMjaphethe kaMongameli, ngaphambi kweJaji eliKhulu, namkha elinye ijaji elinyulwe iJaji eliKhulu, kumele afunge/ azibophe ngokulandelako: Phambi kwabantu boke abahlangene lapha, ngokwamukela ngokuzeleko isimemezelo esiphezulu ngithatha ,njengoMongameli/Mjaphethe kaMongameli weRiphabliki yeSewula Afrika, Mina u A. B. ngiyafunga\ngiyazibopha bona ngizakwethembeka kuRiphabliki yeSewula Afrika, ngizakuhlonipha, ngiqalelele, ngibambelele emThethwenisisekelo nakweminye imiThetho yeRiphabliki. Ngiyathembisa ngokuzithoba bona ngaso soke isikhathi ngiza—
 - kwenyusa izinga lakho koke okuzakukhulisa iRiphabhligi, ngiphikise koke lokho okuzayilimaza;
 - ngivikele bengenyuse izinga lamalungelo wawo woke amaSewula Afrika;
 - ngenze yoke imisebenzi ngamandla nangekghono lami ngokwelwazi lami elipheleleko nangokulalela unembeza wami;
 - ngenze ukulunga kibo boke;
 - ngizibophelele ekwenzeni okungcono kuRiphabliki nebantwini bayo.(Nangabe kuthathwa isifungo: UZimu ngibawa angisize.)

Iimfungo Kunye Neembopho ZeSekela LikaMongameli

2. ISekela likaMongameli, ngaphambi kweJaji eliKhulu namkha elinye ijaji elibekwe iJaji eliKhulu, kumele lifunge / lizibophe ngokulandelako: Phambi kwabantu boke abahlangene lapha, ngokwamukela ngokuzeleko isimemezelo esiphezulu ngithatha njengoMongameli weRiphabliki yeSewula Afrika, Mina u A. B. ngiyafunga\ngiyazibopha bona ngizakwethembeka kuRiphabliki yeSewula Afrika, begodu ngizakuthobela ngilandele, ngiphakamise nokuphumelelisa umThethosisekelo nayo

yoke imithetho eminye yeRiphabliki; begodu ngiyazibopha bengithembisa ngokuzithoba bonyana ngaso soke isikhathi—

- ngizakuphuhlisa koke okuzakukhulisa iRiphabliki, ngiphikise lokho okuzayilimaza;
- ngizakuba lilunga lesibethamthetho elithembekako;
- ngizakwenza umsebenzi wami ngamandla wami woke neemphiwo enginazo ngelwazi lwami loke nekghono, namaqiniso walokho engikukholelwako;
- ngenze ukulunga kibo boke;
- ngizibophelele ekwenzeni okungcono kuRiphabliki nebantwini bayo.

(nangabe kuthathwa isifungo: UZimu ngibawa angisize.)

Isifungo Namkha Isibopho SaboNgqongqotjhe NamaSekela WaboNgqongqotjhe

3. Omunye nomunye uNgqongqotjhe neSekela likaNgqongqotjhe, ngaphambi kweJaji eliKhulu namkha iJaji elibekwe liJaji eliKhulu, ufanele afunge\azibophe ngokulandelako: Mina u-A.B. ngiyafunga\ngiyazibopha bona ngizakwethembeka kuRiphabliki yeSewula Afrika, begodu ngizakuthobela, ngihloniphe nokuphakamisa umThethosisekelo nomThetho woke omunye weRiphabliki; Ngizibopha ukuphatha isikhundla njengoNgqongqotjhe\iSekela likaNgqongqotjhe ngehlonipho nesithunzi; ukuba ngumeluleki wamambala nothembekileko; ngingavezi ngokunqophileko namkha ngokungakanqophi indaba okuyifihlo ethulelwe mina; begodu nokwenza imisebenzi yesikhundla sami ngokuthogomela nangekghono lami loke.
(Nangabe kuthathwa isifungo: uZimu ngibawa angisize.)

Iimfuno Namkha Iimbopho Zamalunga WesiBethamthetho SeNarha Iimfuno Namalunga WeemBethamthetho ZeemFunda

4. (1) Amalunga wesiBethamthetho seNarha, amalunga azithunywa ngokuzeleko emKhandlwini weNarha ongamele iimFunda namalunga weemBethamthetho zeemFunda, ngaphambi kweJaji eliKhulu namkha umehluleli okhonjwe liJaji eliKhulu, bafanele bafunge\bazibophe ngokulandelako:

Mina, A.B. ngiyafunga\ngiyazibopha bona ngizokwethembeka kuRiphabliki yeSewula Afrika, begodu ngizakuthobela, ngihloniphe nokuphakamisa umThethosisekelo nomThetho woke weSewula Afrika, begodu ngithembisa ngokuzibopha ukwenza imisebenzi yami njengelunga lesiBethamthetho\ elithunyelwe ngokuzeleko kumKhandlu weNarha ongamele iimFunda\lunga lesiBethamthetho sesiFunda C.D ngekhono lami loke.

(Nangabe kuthathwa isifungo: uZimu ngibawa angisize.)

- (2) Abantu abazalisa isikhundla kwesiBethamthetho seNarha, esiqhemeni samalunga athunyelwe ngokuzeleko namkha esiBethamthethweni sesiFunda bangafunga namkha bazibophe ngokuqinisekisa ngokulandela isigatjana (1) ngaphambi koSihlalo wesiBethamthetho seNarha, umKhandlu weNarha ongamele iimFunda namkha iimBethamthetho zeemFunda, ngokuhlukahlukana.

Isifungo Namkha Isibopho SaboNdunakulu, AboMjaphethe BaboNdunakulu Begodu Namalunga WeenGungu ZemiKhandlu YeemFunda

5. UNdunakulu namkha uMjaphethe kaNdunakulu wesiFunda, elinye nelinye ilunga lesiGungu somKhandlu wesiFunda, ngaphambi kweJaji elikhulu namkha iJaji elikhonjwe iJaji elikhulu kumele bafunge\bazibophe ngokulandelako:

Mina, A.B. ngiyafunga\ngiyazibopha bona ngizokwethembeka kuRiphabliki yeSewula Afrika begodu ngizakuthobela, ngihloniphe bengiphakamisa umThethosisekelo nomThetho woke omunye weRiphabliki; begodu ngizibopha ukuphatha isikhundla njengoNdunakulu\ilunga lomKhandlu wezokuphatha wesiFunda C.D. ngehlonipho nangesithunzi; ukuba ngumeluleki wamambala nothembekileko; nokungavezi ngokunqophileko namkha ngokungakanqophi indaba eyifihlo ethulelwe mina; begodu nokwenza imisebenzi yesikhundla ngekhono lami eliphezulu.

(Nangabe kuthathwa isifungo: uZimu ngibawa angisize.)

Iimfuno Namkha Iimbopho ZeemPhathiswa ZomThetho

6. (1) Elinye nelinye iJaji namkha uMjaphethe weJaji, ngaphambi kweJaji elikhulu, kumele lifunge / lizibophe ngokulandelako:

Mina, A.B. ngiyafunga\ngiyazibopha bona njengeJaji leKhotho yomThethosisekelo \ iKhotho ePhakemeko yezokuBuyekeza iinGwebo \ iKhotho ePhakemeko/ iKhotho E.F. ngizakwethembeka kuRiphabliki yeSewula Afrika, ngizakuphakamisa nokuvikela umThethosisekelo begodu ngizakwenza okulungileko kibo boke abantu ngokulingana ngaphandle kokwesaba, ukuthatha ihlangothi namkha ukukhubaza, ngokukhambisana nomThethosisekelo nomThetho.

(Nangabe kuthathwa isifungo: uZimu ngibawa angisize.)

- (2) Umuntu obekwe esikhundleni sokuba liJaji eliKhulu ongasilo iJaji esikhathini sokukhonjwa kwakhe kumele afunge ngaphambi kweSekela leJaji eliKhulu, nalingekho iJaji lelo kungaba liJaji elisesikhundleni esiphezulu eKhotho yomThethosisekelo.
- (3) IimPhathiswa zomthetho, namaSekela weemPhathiswa zomthetho, ngaphandle kwamaJaji, kumele zifunge /zizibophe ngokukhambisana nomThetho weNarha.

IHLELO 3

IKAMBISO YAMAKHETHO

[IHlelo 3 litjhugululwe ngokwesigaba 2 somThethosisekelo oliTjhuguluko lesiNe lomThetho womnyaka we-1999, begodu ngokwesigatjana 19 somThethosisekelo oliTjhuguluko lesiThandathu lomThetho womnyaka we-2001 nangesigaba 3 soMthethosisekelo oliTjhuguluko leThoba lomThetho womnyaka we-2002 kanye nesigaba 5 somThethosisekelo oliTjhuguluko leTjumi nane womnyaka we-2008.]

Ingcanye A

Ikambiso Yamakhetho WeemPhathiswa ZomThethosisekelo

Ukusetjenziswa

1. Ikambiso etjhiwo eHlelenweli isetjenziswa lokha—
 - (a) isibhamthetho seNarha sihlanganela ukukhetha uMongameli, namkha uSomlomo namkha iSekela likaSomlomo wesiBhamthetho seNarha;
 - (b) umKhandlu weNarha ongamele iimFunda uhlanganela ukukhetha uSihlalo namkha iSekela likaSihlalo; namkha;
 - (c) isibhamthetho sesiFunda sihlanganela ukukhetha uNdunakulu wesiFunda namkha uSomlomo namkha iSekela likaSomlomo wesiBhamthetho.

Ukwenyulwa

2. Emhlanganweni lapha ihlelo lisetjenziswa khona uSihlalo kumele abawe abongikethani abanyuliweko.

Iimfuneko ZangokomThetho

3. (1) Ukwenyula kumele kwenziwe eforomini elenzelwe lokho ngokwemithetho etlolwe ku-ayithemu 9.
 - (a) malunga amabili wesiBhamthetho seNarha, nangabe kukhethwa uMongameli namkha uSomlomo namkha iSekela likaSomlomo wesiBhamthetho seNarha
- (2) Iforomu okwenyulwe kilo kumele litlikitlwe—
 - (a) ebujameni beenqhema ezimbili zamalunga aziinthunywa weemFunda,

- nangabe uSihlalo namkha iSekela likaSihlalo uzokukhethwa; namkha
- (c) malunga amabili wesiBethamthetho sesiFunda esithintekako, nangabe uNdunakulu wesiFunda namkha uSomlomo namkha iSekela likaSomlomo uzokukhethwa.
- (3) Umuntu onyuliweko ufanele atjengise bonyana uyakwamukela ukwenyulwa kwakhe ngokutlikitla iforomu lokwenyulwa namtjhana elinye nelinye iforomu eliqinisekiso esitolliweko.

Ukumemezela Kwamabizo Wabongikhetheni

4. Emhlanganweni lapha iHlelo lisetjenziswa khona, onguSihlalo kumele amemezele amabizo wabantu labo abanyulwe njengabongikhetheni, kodwana angeze avumele ipikiswano.

Ungikhetheni Oyedwa

5. Nangabe kwenyulwe ungikhetheni munye, uSihlalo kumele amemezele ungikhetheni lowo njengokhethiweko.

Ikambiso Yamakhetho

6. Nangabe abantu abadlula munye benyulwe njengabongikhetheni—
- (a) kumele kuthathwe ivowudu kilowo mhlango ngokuvowuda emsitheleni;
- (b) elinye nelinye ilunga elikhambele umhlango, namkha lokha kumhlango womKhandlu weNarha ongamele iimFunda, isiFunda ngasinye esijanywelweko, singaphosela ivowudu yinye; begodu
- (c) umuntu loyo onguSihlalo kumele amemezele ungikhetheni othole amavowudu wobunengi njengokhethiweko.

Ikambiso Yokukhutjha

7. (1) Nangabe akabikhona ungikhetheni othola amavowudu wenengi, ungikhetheni othola inani lamavowudu elingaphasi kwawo woke kumele akhutjhe begodu kuthathwe enye ivowudu kilabo abongikhetheni abaseleko ngokukhambisana nesigaba 6. Lekambiso kumele ibuyelelwe kube kufike lapha ungikhetheni athola inengi lamavowudu.
- (2) Nangabe abongikhetheni ababili namkha ukwedlula, omunye nomunye wabo

uthole inani lamavowudu elingaphasi kwawo woke, ivowudu ehlukeleko yabongikhetheni labo kumele ithathwe, begodu ibuyelelwe ngokwenani lelo okudingekako bonyana kuquntwe bona ngimuphi ungikhetheni okumele ukukhutjhwa.

Imihlangano Eminye Engandelako

8. (1) Nangabe kwenyulwe abongikhethani ababili kwaphela, namkha nangabe kusele abongikhetheni ababili kwaphela ngemva kokulandela ikambiso yokukhutjhwa, begodu labo abongikhetheni ababili bathola inani elilinganako lamavowudu, umhlangano olandelako kumele ubanjwe ngaphakathi kwamalanga alikhomba, ngesikhathi esizakubekwa nguSihlalo womhlangano.
- (2) Nangabe umhlangano olandelako ubanjwa ngokuya kwesigatjana (1) ikambiso ebekwe eHlelweneli kumele isetjenziswe emhlanganweni lowo sengathi bekumhlangano wamathomo wamakhetho lawo athintekako.

Imilayo

9. (1) Ijaji eliKhulu kumele lenze imilayo equnta—
 - (a) ikambiso yemihlangano lapha iHlelweneli isetjenziswa khona;
 - (b) imisebenzi yananyana ngimuphi umuntu obe nguSihlalo emhlanganweni lowo begodu nanyana ngimuphi orhelebha loyo onguSihlalo;
 - (c) iforomu lelo okumele kwethulwe ngalo abenyuliweko;
 - (d) indlela amakhetho okumele akhanjiswa ngayo.
- (2) Imilayo le kumele yaziswe ngendlela equntwe Ijaji eliKhulu.

Ingcenye B

Indlela Okuquntwa Ngayo Ukuzibandakanya Kweenhlangano ZeenThunywa ZeemFunda EmKhandlwini WeNarha Ongamele IimFunda

1. Inani leenthunywa esiqhemeni seenthunywa ezijamele isiFunda emKhandlwini weemFunda ongamele iimFunda lapha ihlangano ivela khona, kumele liquntwe ngokubuyelela inani leenhlobo zehlangano eziphetheko esiBethamthethweni sesifunda ngetjumi begodu imiphumela ihlukaniswe ngenani leenhlobo esiBethamthethweni

kungezelelwe ngasinye.

2. Nangabe ukubalwa ngokwesigaba 1 kuletha inani elidluleleko elingakghoni ukuzaliswa linani lamalunga aziinithunywa elabelwe ihlangano ngokwesigaba lesi, inani elidluleleko lelo kufanele liphalisane namanye amanani adluleleko atholwa yihlangano enye namkha iinhlango, begodu lawo malunga aziinithunywa angakaneli iinhlalo esiqhemeni kufanele babelwe ihlangano namkha iinhlango ngokulandela ubunengi ngenani elidluleleko
3. Nangabe iinsalela eziphalisanako eziqalelelwe ku-ayithemu 2 ziyalingana, iinithunywa ezingakathunyelwa kumele zifakwe ehlanganweni, namkha eenhlanganweni ngeensalela ezifanako ngendlela esuka enanini lamavowudu eliphezulu ukuya kweliphasi, elirekhodiweko leenhlanganwezo ngamaketho wokugcina wesiBethamthetho sesiFunda okukhulunywa ngawo.

[I-ayithemu 3 ingezelelwe ngesigaba 2 somThethosisekelo oliTjhuguluko lesiNe lomThetho womnyaka we-2009 begodu wajanyiselelwa ngesigaba 3 somThethosisekelo oliTjhuguluko leThoba lomThetho womnyaka we-2002 kanye nesigaba 5(a) somThethosisekelo oliTjhuguluko leTjhumini nane lomThetho womnyaka we-2008.]

4. Nangabe iinhlango ezidlula kweyodwa ezinenani lesalela elifanako zirekhode amavowudu alinganako emakhethweni wokugcina wesiBethamthetho sesiFunda, isiBethamthetho esithintekako kumele siphe iinithunywa zeenhlangano ngesalela efanako neyehlangano abalingana nayo ngokomthetho okhambisana noMthethosisekelo.

[I-ayithemu 4 ingezelelwe sigaba 5(b) soMthethosisekelo oliTjhuguluko leTjhumini nane lomThetho womnyaka we-2008.]

IHLELO 4

IINDAWO ZOKUSEBENZISA NGASIKHATHISINYE IKGHONO LESIBETHAMTHETHO SENARHA NESESIFUNDA

Ingcenywe A

- Ilawulo lamahlathi weendabuko
- Zelimo
- Ubudoyelo beemphaphamtjhini, ngaphandle kwebeentjhabatjhaba nabangekhaya bangenarheni nebeentjhabatjhaba
- Ukuphathwa kweembandana namalwele
- Amakhasino, imijarho, ukugembula, ukubheja, ukungenela amaphaliswano ngaphandle kwelotho nezemidlalo
- Ukuvikeleka kwabathengi
- Iindaba zamasiko
- Ilawulo yomonakalo omkhulu owehlileko
- Ifundo kiwo woke amazinga, ngaphandle kwefundo ephakemeko
- Ibhoduluko
- Imisebenzi yezamaphilo
- Ukwakhiwa kwezindlu
- UmThetho wesintu naloyo ophathelene namasiko ngokulawulwa siSahluko 12 somThethosisekelo
- Umthethokambiso welimi nokulawulwa kwamalimi esemthethweni ngendlela isiqalelelo sesigaba 6 somThethosisekelo sidlulisela ngayo ikghono lokuphathwa kwamalimi esiBethamthetho sesiFunda.
- Ukulawulwa namkha ukunikelwa bunqopho komsebenzi wokukhutjiswa kweendaba kuRhulumente wesiFunda ngokulawulwa sigaba 192
- Ukutlhogonyelwa kwemvelo, ngaphandle kweenqiwu neendawo zesitjhaba, iimvande zeentjalo neentlabagelo ezivela elwandle
- ZobuPholisa ukufika ezingeni lapha iinqalelelo zeSahluko 11 somThethosisekelo zinikela isiBethamthetho sesiFunda amandla welawulo
- Ilawulo lesilaphazo

IHLELO 4: IINDAWO ZOKUSEBENZISA NGASIKHATHISINYE IKGHONO
LESIBETHAMTHETHO SENARHA NESESIFUNDA

- Ukukhula kwesizwe
- limali zokudluliswa kwepahla
- Amaziko kaRhulumende aseemFundeni manqophana neendawo zokusebenzela eziseHlelweneli begodu neHlelweni 5
- linkhwelo zomphakathi
- Imisebenzi yomphakathi kwaphela ephathelene neendingo zemiNyango kaRhulumende yeemFunda ekunikelweni ngezenzelwa ukulawula bunqophana imisebenzi abanikelwe yona ngaphasi komThethosisekelo lo namkha nanyana kungaba ngimuphi omunye umThetho
- Ukuhlelwa kweemFunda nentuthuko
- Ilawulo leendlela
- Ukulondwa kwehlabathi
- Ukuvakatjha
- Zerhwebo
- UbuRholi beNdabuko, ngokulawulwa sisaSahluko 12 somThethosisekelo
- Ukuthuthukiswa kweendawo ezisemadorobheni nezisemakhaya
- Ukuthelelwa kweenkoloyi
- Imisebenzi yezehlalakuhle

Ingcenye B

lindaba ezilandelako ezimanqophana noRhulumende wemaKhaya kufikela ezingeni elitjhiwo sigaba 155 (a) no (7):

- Isilaphazo lomoya
- Imigomo yokwakha
- linsetjenziswa zethhogomelo yabantwana
- Ukwenziwa kwegezi nerhasi
- Zeencima mlilo
- Ukuvakatjha kwangaphakathi kwendawo
- Amadoyelo weemphamthjini wakaMasipala
- Ukuhlela aboMasipala
- Imisebenzi yezamaphilo yaboMasipala
- Zeenkhwelo zomphakathi kuMasipala
- Zemisebenzi yomphakathi kaMasipala kwaphela ephathelene neendingo zaboMasipala ukurhelelwa ekunikeleni ngezenzelwa ukulawula bunqophana imisebenzi abanikelwe yona ngaphasi komThethosisekelo lo namkha nanyana kungaba ngimuphi omunye umThetho

IHLELO 4: IINDAWO ZOKUSEBENZISA NGASIKHATHISINYE IKGHONO
LESIBETHAMTHETHO SENARHA NESESIFUNDA

- Zemikhumbi, iinkepe, amabhrorho eqa ilwandle, iindawo lapha kujama iinkephe kungafaki iindaba zemikhumbi zenarha zeentjhabatjhaba
- Ilawulo lamanzi endleleni eendaweni ezinemakhiwo
- Imigomo yezerhwebo
- Imisebenzi yezamanzi nokuhlwegisa ngamanzi leyo erhunyezwe kufika lapha kumalungana neendlela zokunikela amanzi nokukhambiswa kwamanzi asilapheleko nesoreji

IHLELO 5

IINDAWO ZOKUSEBENZISA IKGHONO LESIGUNGU SESIBETHAMTHETHO SESIFUNDA

Ingcenye A

- Ubuhlabelo
- Iinkhwelo zeengulani
- Izindlu zokulonda iincwadi nemitlolo ngaphandle kwezindlu zokulonda iincwadi nemitlolo zenarha
- IBulungelo leencwadi ngaphandle kweBulungelo leencwadi lenarha.
- Amalayisensi wotjwala
- Amamyuziyamu kungafaki amamyuziyamu weNarha
- Ukuhlelwa kwesiFunda
- Iindaba zamasiko zesiFunda
- Zokuzithabisa ngaphakathi kwesiFunda
- Zemidlalo neendawo zokuzithabisa ngaphakathi kwesiFunda
- Zeendlela nesiphithiphithi ngaphakathi kwesiFunda
- Zokwelatjhwa kweembandana ngaphandle kwelawulo yomsebenzi ofundelwe lokho

Ingcenye B

Iindaba ezilandelako zikaRhulumente weKhaya ukufikela ezingeni elendlalwe kusigaba 155(b) (a) no (7):

- Indawo zokududa neensetjenziswa zokuzithabisa amathuna, amamatjhara neendawo zokutjhiswa kweendumbu
- Zokuhlwendisa
- Ilawulo lalokho okulitshwenyo emphakathini
- Ilawulo lokuthengiswa kotjwala emphakathini
- Iindawo zokuhlalisa, ukutlhogomela nokubulunga iinlwana
- Ukukampela namadrada wokukampela
- Ukukhutjhwa kwamalayisense nokulawulwa kweendawo ezithengisela
- umphakathi ukudla

- Ukulawulwa kweendawo ezithengisela umphakathi utjwala
- linsetjenziswa zendawo
- lindawo neensetjenziswa namkha izinto zokudlala
- limaraga
- Ubuhlabelo bukaMasipala
- lindawo zokuphumula nokuzithabisa
- lindlela zikaMasipala
- Itjhada elisabaleleko
- linkiti (zeenkomo)
- lindawo zomphakathi
- Ukuthuthwa kwesila namasoreji
- Ukuthengisa eentradini
- Ukukhanyiswa kweentrada
- Zeendlela nokuphagwa kweenkoloyi

IHLELO 6

AMALUNGISELELO WESIKHATJHANA

[IHlelo 6 itjhugululwe sigaba 3 somThethosisekelo oliTjhugululoko lekuThoma lomThetho womnyaka we-1997, nangesigaba 5 somThethosisekelo oliTjhugululoko lesiBili lomThetho womnyaka we-1998 kanye nangesigaba 20 somThethosisekelo oliTjhugululoko lesiThandathu lomThetho womnyaka we-2001.]

linhlathululo

1. EHlelweneli, ngaphandle kwanyana kungakhambisani nomtlo—
“Isabelo” kutjhiwo ingcenyane yeRiphabliki ngaphambi kokuthoma komThethosisekelo omutjha, ekhabe kuyindawo ngokuya komThethosisekelo weSewula Afrika yebandlululo ithathwa ezijameleko namkha ezibusako;
“UmThethosisekelo omutjha” kutjhiwo umThethosisekelo weRiphabliki yeSewula Afrika womnyaka we-1996
“UmThetho wombuso owadlulako” kutjhiwo umThetho ophasiswe ngaphambi kobana umThethosisekelo odlulileko uthome;
“UmThethosisekelo odlulileko” kutjhiwo umThethosisekelo weRiphabliki yeSewula Afrika womnyaka we-1993 (umThetho wenomboro 200).

Ukuragela Phambili Komthetho Okhona

2. (1) Woke umthetho ogade usebenza lokha umThethosisekelo omutjha uthoma ukusebenza, uragela phambili ngokusebenza, ngaphasi kwalokhu—
 - (a) nanyana ngiliphi itjhugululo namkha ukwesulwa; begodu
 - (b) nokukhambisana nomThethosisekelo omutjha.
- (2) UmThetho wombuso owadlulako usaragela phambili ngokusebenza ngokwesigatjana (1)—
 - (a) awunakho ukusetjenziswa okubanzi, ngokwesifunda nanyana gayiphi indlela, kunokobana beyinjalo ngaphambi komThethosisekelo odlulileko ukusetjenziswa ngaphandle usulwe ngokulandelana bona ube nokusetjenziswa okubanzi; begodu
 - (b) uragela phambili nokusetjenziswa baphathi labo egade bawusebenzisa ngesikhathi umThethosisekelo omutjha uthoma ukusebenza.

Ihlathululo Lomthetho Osesekhona

3. (1) Ngaphandle kwanyana ungakhambisani nomqondo namkha ungakhambisani, kwananyana ngiwuphi umThetho lowo obukade ukhona lokha nakuthoma ukusebenza umThethosisekelo omutjha—
 - (a) kuRiphabliki yeSewula Afrika namkha umbuso onomaziphathe, kumele kuthathwe bona kutjihiwo kuRiphabliki yeSewula Afrika ngaphasi komThethosisekelo omutjha;
 - (b) ePalamende; isibethamthetho seNarha namkha indlu yeSinethi kumele kuthathwe bona kutjihiwo yiPalamende, isibethamthetho seNarha namkha umKhandlu weNarha ongamele iimFunda ngaphasi komThethosisekelo omutjha;
 - (c) kuMongameli, iSekela likaMongameli, uNgqongqotjhe, iSekela likaNgqongqotjhe namkha iKhabinedi, kuthathwe bonyana kutjihiwo uMongameli, iSekela likaMongameli lokuthoma, uNgqongqotjhe, iSekela likaNgqongqotjhe namkha iKhabinedi ngaphasi komThethosisekelo omutjha, ngokwesigaba 9 seHlelweni;
 - (d) kuMongameli weSinethi kumele kuthathwe bonyana kutjihiwo uSihlalo womKhandlu weNarha ongamele iimFunda;
 - (e) kusibethamthetho sesiFunda, uNdunankulu nofana umKhandlu wezokuphatha wesiFunda kuthathwe bona kutjihiwo isibethamthetho sesiFunda uNdunankulu namkha umKhandlu wezokuphatha ngaphansi komThethosisekelo omutjha ngokwesigaba 12; eHlelweni; namkha
 - (f) elimini elisemthethweni nofana amalimi, kumele kuthathwe bona kutjihiwo nofana ngiliphi ilimi kulawo asemthethweni ngaphasi komThethosisekelo omutjha.
- (2) Ngaphandle kobanyana ingakhambisani nalokho okutjihiwoko nofana ingafani, kungaqalwa kunofana ngiwuphi umThetho wombuso owadlulako—
 - (a) ePalamende, indlu yePalamende namkha isibethamthetho namkha ibandla lesibethamthetho nofana umbuso onomaziphathe, kufanele kuthathwe bonyana kutjihiwo—
 - (i) iPalamende ngaphasi komThethosisekelo omutjha, nangabe ilawulo lomThetho lowo lifakiwe namkha linikelwe ngaphasi komThethosisekelo owadlulako namkha umThetho lo wombuso weNarha; namkha
 - (ii) isibethamthetho sesiFunda nakube ukusetjenziswa komThetho kunikelwe namkha unikelwe ngaphasi komThethosisekelo owadlulako nofana umThetho wombuso wesiFunda; namkha

- (b) uMongameli womBuso, uNdunakulu, umlawuli namkha esinye isiphathiswa esiphazulu, iKhabinedi, ibandla laboNgqongqotjhe namkha ibandla eliphakemeko leRiphabhligi nofana umbuso onomaziphathe kufanele kuthathwe bona kutjihiwo—
 - (i) uMongameli ngaphasi komThethosisekelo, nakube ukusetjenziswa komThetho lowo kunikelwe namkha unikelwe ngaphasi komThethosisekelo owadlulako namkha eHlelweneli kuKhabinedi; namkha
 - (ii) uNdunankulu wesiFunda ngaphasi komThethosisekelo omutjha, nakube ukulawulwa lokho kunikelwe namkha kunikelwe ngaphasi komThethosisekelo owadlulako namkha eHlelenweli esiGungwini seFunda.

IsiBethamthetho seNarha

4. (1) Nanyana ngubani ogade alilunga lesiBethamthetho seNarha ngesikhathi umThethosisekelo omutjha uthoma ukusebenza uba, lilunga ngesikhathi sokuthoma ukusebenza komThethosisekelo.
- (2) IsiBethamthetho seNarha njengombana sibunjwe ngokuya kwesigatjana (1) kumele ithathwe njengekhethe ngaphasi komThethosisekelo omutjha ngokwesikhathi esiphela ngomhlaka 30 Apreli 1999.
- (3) IsiBethamthetho seNarha libunjwa malunga ama-400 ngokwesikhathi sakhona nje, ngaphasi kwesigaba 49(4) somThethosisekelo omutjha.
- (4) Imigomo neenqunto zesiBethamthetho ezisetjenziswako lokha umThethosisekelo omutjha uthoma ukusebenza, iragela phambili ngokusebenza ngaphasi kwetjhuguluko namkha ukwesulwa.

Umsebenzi Ongakaqedwa Ngaphambi KwePalamende

5. (1) Nanyana ngimuphi umsebenzi ongakaqedwa siBethamthetho seNarha lokha umThethosisekelo omutjha uthoma ukusebenza kumele kuragelwe ngawo phambili ngokuya komThethosisekelo omutjha.
- (2) Nanyana ngimuphi umsebenzi ongakaqedwa phambi kweSinethi lokha umThethosisekelo omutjha nawuthoma ukusebenza, kumele udluliselwe emKhandlwini weNarha ongamele iimFunda, begodu umKhandlu loyo kumele uragelwe phambili ngomsebenzi loyo ngokuya komThethosisekelo omutjha.

Amakhetho WesiBethamthetho SeNarha

6. (1) Amakhetho wesibethamthetho seNarha angeze abanjwa ngaphambi kwamhlana zima-30 kuSihlabantangana 1999 ngaphandle kwalokha isibethamthetho seNarha liphelise ngokwesigaba 50(2), ngemva kokuzwakalisa ivowudu yokungabi nethemba kuMongameli ngokulandela isigaba 102(2) somThethosisekelo omutjha.
- (2) Isigaba 50(1) sijamiswa kwesikhathjhana bekube mhlana amalanga ama-30 kuSihlabantangana 1999.
- (3) Nangaphandle kwalokhu umThethosisekelo ogadungileko wesuliwe, ihlelo 2 lomThethosisekelo lowo njengobana utjhugululo sesingezelelo A sehlelweli sizakusebenza—
 - (a) bekufike amakhetho wokuthoma wesibethamthetho seNarha ngaphasi komThethosisekelo omutjha;
 - (b) ukulahllelwa bulunga besibethamthetho seNarha ngaphasi kwamajamo obungayamaniko nalobo obutjhiwo esigabeni 47(3) komThethosisekelo omutjha; begodu
 - (c) Ekuzalisweni kweenkhundla zesiBethamthetho seNarha, ukungezelelwa, ukubuyekwezwa nokusebenziswa kwamahelo weenhlango ekuzaliseni iinkhundla, bekufike amakhetho wesibili wesibethamthetho seNarha ngaphasi komThethosisekelo omutjha.
- (4) Isigaba 47(4) somThethosisekelo omutjha siyajanyiswe bekufike amakhetho wesibili wesibethamthetho seNarha ngaphasi komThethosisekelo omutjha.

UmKhandlu WeNarha Ongamele IimFunda

7. (1) Ngokwesikhathi esiphela msinyana ngaphambi kokuhlala kokuthoma kwesibethamthetho sesifunda okubanjwa emva kwamakhethweso wokuthoma ngaphasi komThethosisekelo omutjha—
 - (a) ukujanyelwa kweenhlango eentunywini zesiFunda eziya emKhandlwini weNarha ongamele iimFunda, kumele kufane nokujanyelwa kweenhlango eentunywini zesiFunda lapha amaSinethi ali-10 wesifunda enyulwa khona ngokuya kwesigaba 48 somThethosisekelo ogadungileko; begodu
 - (b) ukunikelwa kwamalunga aziintunywini zasafuthi namalunga athunyelwe kwesikhathjhana kweenhlango ezijanyelweko esibethamthethweni sesifunda kungaleli hlobo:

IHLELO 6: AMALUNGISELELO WESIKHATJHANA

ISIFUNDA	IINTHUNYWA ZASAFUTHI	IINTHUNYWA EZIKHETHEKILEKO
1. IPumalanga-Kapa	ANC 5 NP 1	ANC 4
2. IFreytata	ANC 4 FF 1 NP 1	ANC 4
3. IGauteng	ANC 3 DP 1 FF 1 NP 1	ANC 3 NP 1
4. IKwaZulu-Natal	ANC 1 DP 1 IFP 3 NP 1	ANC 2 IFP 2
5. IMPumalanga	ANC 4 FF 1 NP 1	ANC 4
6. ITlhagwini-Kapa	ANC 3 FF 1 NP 2	ANC 2 NP 2
7. ITlhagwini	ANC 6	ANC 4
8. ITlhagwini Tjhingalanga	ANC 4 FF 1 NP 1	ANC 4
9. ITjhingalanga-Kapa	ANC 2 DP 1 NP 3	ANC 1 NP 3

- (2) Ilangano ejanyelwe ngaphakathi kwesiBethamthetho sesiFunda—
- (a) kumele yenyule amalunga aziinthunywa zasafuthi hlangana nabantu abagade bamaSinethi lokha umThethosisekelo omutjha nawuthoma ukusebenza begodu bayaphumelela ukusebenza njengamalunga athunyelwe ngokuzeleko; begodu

- (b) inganyula abanye abantu njengamalunga athunyelwe safuthi kwaphela nangabe abakho abagade bamaSinethi abaphumelelako namkha inani labo liyatlhayela.
- (3) IsiBethamthetho sesiFunda kumele sikhethe amalunga athunyelwe ngokuzeleko ngokukhambisa nezenyulo zeehlango.
- (4) lingatjana (2) nesesi- (3) zisetjenziswa kwaphela lokha nakukhethwa amalunga athunyelwe safuthi emKhandlwini weNarha kwamathomo.
- (5) Isigaba 62 (1) somThethosisekelo omutjha asizukusetjenziswa ekwenyulweni nekukhethweni kwalaba egade bamaSinethi njengamalunga athunyelwe safuthi ngokulandela isigabesi.
- (6) Imilayo nemiyalo yeSinethi egade zisetjenziswa lokha umThethosisekelo omutjha nawuthoma ukusebenza, kumele isetjenziswe malungana nemisebenzi yomKhandlu weNarha ekufikeni ezingeni lapho ingasetjenziswa khona, ngaphasi kwananyana ngiliphi itjhuguluko namkha ukwesulwa.

Labo Egade BamaSinethi

8. (1) Loyo egade ayiSinethi ongakakhethwa ukuba lilunga elithunyelwe safuthi emKhandlwini weNarha ongamele iimFunda ulungelwa ukuba lilunga lesiBethamthetho sesiFunda enyulwa kiso ukuba yiSinethi ngokulandela isigaba 48 somThethosisekelo ogadungileko.
- (2) Nangabe loyo egade ayiSinethi uzikhethela ukungabi lilunga lesiBethamthetho sesiFunda, loyo muntu uthathwa njengomuntu otjhiye phasi isikhundla sobuSinethi ngelanga phambi bona umThethosisekelo uthome ukusebenza.
- (3) Umrholo, izabelo ezingezelela umrholo nemivuzo yalowo begade ayiSinethi okhethwe njengelunga elisithunywa ngokuzeleko angeze wehlizwe ngebanga kwaphela lokukhethwa lokho.

IsiGungu SeNarha

9. (1) Nanyana ngubani egade anguMongameli, iSekela likaMongameli, uNgqongqotjhe namkha iSekela likaNgqongqotjhe weRiphabliki ngaphasi komThethosisekelo ogadungileko msinyana phambi kobana umThethosisekelo omutjha uthome ukusebenza, uzakuragela phambili apha the isikhundla lesi ngokulandela umThethosisekelo omutjha kodwana ngaphasi kwesigatjana (2).

- (2) Bekufike mhlana amalanga ama-30 kuSihlabantanga 1999 iingaba 84, 89, 90, 91, 93 nama-96 zomThethosisekelo omutjha zizakuthathwa njengezifundeka njengobana kwendlalwe esiNamathiselweni B seHlelweni.
- (3) Isigatjana (2) asivimbeli uNgqongqhotjhe obegade ayiSinethi ngesikhathi umThethosisekelo omutjha uthoma ukusebenza, bona aragele phambili ukuba nguNgqongqhotjhe otjiwo esigabeni 91(1) (a) somThethosisekelo omutjha, njengobana isigabeso sifundeka esiNamathiselweni B.

limBethamthetho ZeemFunda

10. (1) Nanyana ngimuphi umuntu okhabe alilunga namkha isiphathiswa sesiBethamthetho sesiFunda masinya ngaphambi kobana umThethosisekelo omutjha uthome ukusebenza uba lilunga namkha siphathiswa sesiBethamthetho saleso sifunda ngaphasi komThethosisekelo omutjha, begodu uphatha isikhundla njengelunga namkha isiphathiswa ngokulandela umThethosisekelo omutjha begodu namkha ngimuphi umThethosisekelo ongaphasiswako.
- (2) IsiBethamthetho sesiFunda njengobana sibunjwe ngokulandela isigatjana (1) kumele sithathwe njengesikhethwe ngokuya komThethosisekelo omutjha ngokwesikhathi esiphela mhlana amalanga am- 30 kuSihlabantanga 1999.
- (3) Ngokwesikhathi saso esiphela mhlana amalanga ama-30 kuSihlabantanga 1999, begodu nangokulawulwa aba sigaba 108(4), isiBethamthetho sesiFunda sibunjwa malunga abekelwe isiBethamthetho leso ngaphasi komThethosisekelo ogadungileko kwengezelelwe ngalabo abagade bamaSinethi ababemalunga wesiBethamthetho ngokulandela isigaba 8 seHlelweni.
- (4) Imilayo nemiyalo yeemBethamthetho ezisebenzako masinya ngaphambi kobana umThethosisekelo omutjha uthome ukusebenza, zizakuragela phambili nokusebenza ngaphasi kwetjhuguluko nokusulwa.

Amakhetho WeemBethamthetho

11. (1) Nangaphandle kwalokha umThethosisekelo ogadungileko wesulwe, eHlelweni 2 lomThethosisekelo loyo, njengobana itjhugululwe esingezelweni A eHlelweni, isasetjenziswa—
 - (a) ekukhethweni kwesiBethamthetho samathomo ngaphasi komThethosisekelo omutjha;

- (b) ekulahlekelweni kobulunga kusiBethamthetho ngaphasi kwamajamo angezelelwe kulawo atjihiwo esigabeni 106 (3) somThethosisekelo omutjha; begodu
 - (c) ekuzaliseni kweenkhundla esiBethamthethweni, nokwengezelelweni, ukuhlolisisa nokusetjenziswa kwelhelo leenhlango ekuzaliseni iinkhundla kuze kufike amakhetho wesibili wesiBethamthetho ngaphasi komThethosisekelo omutjha.
- (2) Isigaba 106 (4) somThethosisekelo omutjha siyajanyiswa ngokumalungana nesiBethamthetho sesiFunda bekufike amakhetho wesibili ngaphasi komThethosisekelo omutjha.

linGungu ZeemFunda

12. (1) Lowo ogade anguNdunakulu namkha ilunga lomKhandlu wezokuphatha wesiFunda lokha umThethosisekelo omutjha uthoma ukusebenza, uragela phambili kuleso sikhundla begodu uphatha isikhundla leso ngokulandela lomThethosisekelo omutjha namkha ngimuphi umThethosisekelo wesiFunda ozabe umenyezelwe, kodwana ngaphasi kwesigatjana (2).
- (2) Bekufike lapha uNdunakulu akhethwe ngemva kwamakhetho wokuthoma wesiBethamthetho sesiFunda nakathoma ukusebenza, namkha isifunda simemezela wawo umThethosisekelo nofana ngikuphi okwenzeka kokuthoma, isigaba 132 nese-136 somThethosisekelo omutjha kumele zithathwe njengezifundeka njengokutjihiwo esiNamathiselweni C eHlelweneli.

ImiThethosisekelo YeemFunda

13. UmThethosisekelo wesiFunda ophasiswe ngaphambi bonyana umThethosisekelo omutjha uthome ukusebenza, kumele uzalise iindingo zesigaba 143 somThethosisekelo omutjha.

Imisebenzi YesiBethamthetho SesiFunda

14. (1) UmThetho omanqophana nanyana ngiyiphi indaba engaphasi kwendawo yokusebenza etleliswe eHlelweni 4 nelesi- 5 emThethwenisisekelo omutjha begodu lowo, lokha umThethosisekelo omutjha uthoma ukusebenza, bewulawulwa siPhathiswa esingaphakathi kwesiGungu seNarha, unganikelwa nguMongameli, ngesimemezelo somThetho, esiPhathisweni ngaphasi komKhandlu wezokuPhatha wesiFunda okhonjwe siGungu somKhandlu lowo wesiFunda.

- (2) Ukufika kuzinga lapho kudingeka khona bona ukunikelwa komThetho ngaphasi kwesigatjana (1) kuphumeleliswe, nguMongameli, ngesimemezelo somThetho anga—
- (a) tjhugulula namkha amukele umThetho olawula ihlathululo namkha ukusetjenziswa;
 - (b) lokha nangabe ukunikelwa lokho akusetjenziswa emThethweni woke namkha ingcenyayo, itjhugululwe begodu amemezele kabutjha namatjhuguluko atjhiwo endimeni (a) namkha, ngaphandle kwazo, lezo zimiso zizakusetjenziswa ukufika kilelo zinga lokusetjenziswa; namkha.
 - (c) lawula nofana ngiyiphi indaba edingekako ngokokunikelwa lokhu, kufaka hlangana ukudluliselwa kwabasenzi, namkha ukudluliselwa kwepahla, iinkolodo, amalungelo neembopho kusuka kulunga leKhabhinethe namkha lesiGungu somKhandlu wesiFunda namkha nanyana ngimuphi umNyango womBuso, ukuphatha, amaphiko wezokuphepha namkha amanye amaziko.
- (3) (a) Ikhopi yesinye nesinye isimemezelo esikhitjhwengokuya isigatjana (1) namkha (2) kumele ithulwe ebandleni lesiBethamthethi nemKhandlwini weNarha ongamele iimFunda ngaphakathi kwamalangana ali-10 wokwaziswa kwesimemezelweso.
- (b) Nangabe isiBethamthetho seNarha nomKhandlu weNarha ongamele iimFunda ngesiquanto angasivumeli isimemezelo namkha nanyana ngiyiphi ingcenyayo, isimemezelo namkha isiqalelelo siphelwelele sikhathi, ngaphandle kobana kuthinteke—
 - (i) ukuba semthethweni kwakho koke okwenziwe ngokuya kwesimemezelweso ngaphambi kobana siphelwelele sikhathi; namkha
 - (ii) amalungelo neenfanelo ezitholakele namkha iimbopho nemisebenzi enikelwe ngaphambi kobana kuphelele sikhathi.
- (4) Nangabe umThetho unikelwe ngaphasi kwesigatjana (1) nanyana ngikuphi okhonye okukhunjwa emthethweni esiPhathisweni esiwulawulako, kumele kuhlathululwe siphathiswa okunikelwe kiso.
- (5) Nanyana ngimuphi umsebenzi womThetho onikelwe ngaphasi kwesigaba 235(8) somThethosisekelo ogadungileko kufaka hlangana nanyana ngiliphi itjhuguluko, ukwamukela namkha ukwesula nesimemezelo esenziwe kabutjha mThetho omunye nomunye begodu nanyana ngiliphi igadango elithethwe ngaphasi kwalesigaba, kuthathwa njengokwenziwe ngaphasi kwesigaba lesi.

Umthetho Okhona Ongaphandle Kwamandla WePalamende Wokwenza Umthetho

15. (1) IsiPhathiswa esingaphakathi kwesiGungu seNarha esitjheja nanyana ngimuphi umthetho owela ngaphandle kwamandla wePalamende wokwenza umthetho, ngesikhathi lapha umThethosisekelo uzabe uthoma khona ukusebenza, sona siragela phambili ngokuba namandla phezu komThetho lowo bekufike lapha unikelwa khona isiPhathiswa sesiGungu sesiFunda ngokuya kwesigaba 14 seHlelweli.
- (2) I-ayithemana (1) iphelelwa sikhathi emva kweminyaka emibili umThethosisekelo omutjha uthome ukusebenza.

Amakhotho

16. (1) Enye nenyekhotho okufaka hlangana namakhotho wabaRholi beNdabuko agade avele akhona maduze ngaphambi kobanyana umThethosisekelo omutjha uthome ukusebenza, azakuragela phambili ngokusebenza nokusebenzisa amandla anikezwe wona ngokulandela umThetho othintana nawo, begodu omunye nomunye ophethe isikhundla sokuba ngumahluleli uzakuragela phambili ngokuphatha lesosikhundla ngokulandela umThetho othintana nalesosikhundla, ngaphasi kwalokho—
- (a) nanyana ngiliphi itjhuguluko namkha ukwesulwa komThetho lo; begodu
(b) nokukhambisana nomThethosisekelo omutjha.
- (2) (a) Ikhotho yomThethosisekelo esungulwe ngokomThethosisekelo ogadungileko izakuba yikhotho yomThethosisekelo ngaphasi komThethosisekelo omutjha.
(b).....

[I-ayithemana (b) isulwe ngokwesigaba 20 (a) somThethosisekelo oliTjhugululo lesiThandathu lomThetho womnyaka we-2001.]

- (3) (a) Ikhotho ePhakemeko yezokuBuyekeza yeSewula Afrika izakuba yikhotho ePhakemeko yezokuBuyekeza ngaphasi komThethosisekelo omutjha.
(b).....

[[I-ayithemana (b) isulwe ngokwesigaba 20 (a) somThethosisekelo oliTjhugululo lesiThandathu lomThetho womnyaka we-2001.]

- (4) (a) Ikhotho ePhakemeko yesiFunda namkha yesiGodi, yeSewula Afrika namkha iKhotho ePhakemeko yomBuso weSabelo namkha iNgenye evamileko

- yeKhotho efana naleyo iba yiKhotho ePhakemeko ngaphasi komThethosisekelo omutjha ngaphandle kwananyana ngiliphi itjguluko lendawo yayo yokuphatha, ngokulawulwa nginanyana ngiliphi ihlelo lokuhlenganiswa elitjiwo esigatjaneni (6).
- (b) Nanyana ngubani ophethe isikhundla namkha othathwa njengophethe isikhundla sokuba liJaji eliNgameleko, iSekela leJaji eliNgameleko namkha iJaji leKhotho elitjiwo endimaneni (a) lokha umThethosisekelo omutjha uthome ukusebenza, uzakuba liJaji eliNgameleko, liSekela leJaji eliNgameleko namkha iJaji leKhotho leyo ngaphasi komThethosisekelo omutjha, ngaphasi kwehlelo lokuhlenganisa elitjiwo esigatjaneni (6).
- (5) Ngaphandle kwalokha kungakhambisani nokutjiwo ngaphakathi namkha kungafaneli ngokusobala, okutjiwo kunanyana ngimuphi umThetho namkha ikambiso—
- (a) IKhotho yomThethosisekelo ngaphasi komThethosisekelo ogadungileko ifanele ihlathululwe sengathi kutjiwo iKhotho yomThethosisekelo ngaphasi komThethosisekelo omutjha;
- (b) IKhotho ePhakemeko yezokubuyekeza yeSewula Afrika kumele ihlathululwe sengathi kutjiwo iKhotho ePhakemeko yezokuBuyekeza; begodu
- (c) Ingcenywe yeKhotho ePhakemeko yesiFunda namkha yesiGodi yiKhotho ePhakemeko yeSewula Afrika namkha iKhotho ePhakemeko yeNarha ezijameleko namkha ingcenywe ejwayelekileko yeKhotho leyo, kumele ihlathululwe sengathi kutjiwo iKhotho ePhakemeko.
- (6) (a) Ngokurhaba okukghonakalako emva kobona umThethosisekelo omutjha uthome ukusebenza, amakhotho woke okufaka hlangana ukwakhiwa, ukubunjwa, ukusebenza namandla wawo nemithetho yoke ethintana nayo, okumele atjhugululwe ngokwehlelo lokuhlenganisa ngomnqopho wokusungula ihlelo lekambiso yezobulungiswa elikhambisana neendingo zomThethosisekelo omutjha.
- (b) ilunga leKhabinedi eliziphendulela kwezekambiso yezobulungiswa, emva kokuthintana neKomitjhana yeKambiso yeZobulungiswa kumele lihlongoze ukuthoma kwehlelo lokuhlenganisa elibonelelwa epharagrafini (a).
- (7) (a) Nanyana ngubani osesikhundleni, umThetho wokutjhogulula umThethosisekelo weRiphabliki yeSewula Afrika we-2001, uthoma ukusebenza njenge—

- (i) Mongameli weKhotho yomThethosisekelo, uba liJaji eliKhulu njengaba kutjihiwo esigabeni 167 (1) somThethosisekelo omutjha;
 - (ii) iSekela likaMongameli weKhotho yomThethosisekelo, liba liSekela leJaji eliKhulu njengombana kutjihiwo esigabeni 167 (1) somThethosisekelo omutjha;
 - (iii) Jaji eliKhulu liba nguMongameli weKhotho ekulu yokudlulisa imilandu njengombana kutjihiwo esigabeni 168 (1) somThethosisekelo omutjha.
 - (iv) iSekela leJaji eliKhulu, liba liSekela likaMongameli weKhotho eKulu yokudlulisa imilandu njengombana kutjihiwo esigabeni 168 (1) somThethosisekelo omutjha.
- (b) yoke imiyalo nemithethjhwana neenqophiso ezenziwa nguMongameli weKhotho yomThethosisekelo namkha iJaji eliKhulu usebenzile msinyana ngaphambi kokusebenza komThetho wokutjhugulula umThethosisekelo weRiphabliki yeSewula Afrika yomnyaka we-2001, uthoma ukusebenza kufikela usulwa namkha utjhugululwa.
- (c) Ungaphandle kokuthi kungakhambisani nokumumethweko namkha kungakhambisani, ukutjheja komunye nomunye umThetho namkha ikambiso eJajini eliKhulu namkha kuMongameli woKhotho yomThethosisekelo, kumele kuthathwe njengokutjhejwe neJaji eliKhulu njengombana kutjihiwo esigabeni 167 (1) somThethosisekelo omutjha.

[I-ayithemana (7) ifakwe ngokwesigaba 20 (b) somThethosisekelo oliTjhuguluko lesiThandathu lomThetho we- 2001.]

Imilandu Esaleleko

17. Ukuzwelelwa kwemilandu neembawo ezisalele emva maduze ngaphambi kobonyana umThethosisekelo omutjha uthome ukusebenza, kumele kuragelwe phambili ngazo begodu ziqedwe sengathi umThethosisekelo omutjha awukamemezela, ngaphandle kwalokha iinrhuluphelo zobulungiswa zibeka iindingo ezahlukileko.

Amandla Wokutjhutjhisisa

18. (1) Isigaba 108 somThethosisekelo ogadungileko siragela phambili ukuba namandla womThetho kuze kufike lapha umThetho weNarha obonelelwa kusigaba 179 somThethosisekelo omutjha uthoma ukusebenza. Isigaba lesi asithintani nokubekwa esikhundleni komNqophisi-mazombe wezobuTjhutjhisisa ngaphasi kwesigaba 179.

- (2) Umthjuthjisi-mazombe ophethe isikhundla lokha umThethosisekelo omutjha uthoma ukusebenza, uragela phambili ngokusebenza ngokomThetho osetjenziswa li-ofisi lakhe, ngaphasi kwe-ayithemana (1).

Ukufunga Nokuzibopha

19. Umuntu lowo oragela phambili esikhundleni ngokuya kweHlelweli begodu lowo othethe isifungo sesikhundla namkha isibopha ngaphasi komThethosisekelo ogadungileko angeze akatelelwa ukubuyelela isifungo sesikhundla leso namkha 'isibopha ngaphasi komThethosisekelo omutjha.

Amanye Amaziko Abunjwe MThethosisekelo

20. (1) Kilesisigaba "amaziko abunjwe mThethosisekelo" kutjhiwo—
 (a) UmVikeli womPhakathi;
 (b) IKomitjini yamaLungelo wobuNtu;

[Indima (b) itjhugululwe sigaba 4 somThethosisekelo oliTjhuguluko lesiBili lomThetho womnyaka we-1998.]

- (c) iKomitjini yokulingana ngokoBulili;
 (d) umHloliincwadizombebele;
 (e) i-Reserve Bank yeSewula Afrika;
 (f) iKomitjini yezeMali neeMali zomBuso;
 (g) iKomitjini yeKambiso yezoBulungiswa; namkha
 (h) iBhodo yamaLimi woKe weSewula Afrika.
- (2) Iziko elisungulwe mThethosisekelo ogadungileko namkha ngaphasi kwawo liragela phambili ngokusebenza ngokulandela umThetho osetjenziswa kilo, begodu omunye nomunye ophethe isikhundla sokuba lilunga lekomitjhana, ilunga leBhodo yeBhanga ePhakathi, umVikeli womPhakathi namkha umHloliincwadizombebele uzakuragela phambili ukuphatha isikhundla leso ngokulandela umThetho olawula isikhundla leso, ngaphasi—
 (a) kwananyana ngiliphi itjhuguluko namkha ukwesulwa kwaloyo mThetho; begodu
 (b) kwalokha kukhambisana nomThethosisekelo omutjha.
- (3) lingatjana 199(1), 200(1), (3) nesesi-(5) ukufika kwese-(11) nesama- 201 ukufika ema-206 womThethosisekelo ogadungileko ziragela phambili ukusebenza kufikela zesulwa mThetho wePalamende ophasiswe ngokulandela isigaba 75 zomThethosisekelo omutjha.

- (4) Amalunga weKomitjhini yeKambiso yezoBulungiswa abatjihiwo esigabeni 105(1) (h) somThethosisekelo ogadungileko abasabi malunga weKomitjhini lokha amalunga atjhiwo esigabeni 178(1)(i) somThethosisekelo omutjha abekwa eenkhundleni.
- (5) (a) UmKhandlu we-Volkstaat osungulwe ngokuya komThethosisekelo ogadungileko uragela phambili ngokusebenza ngokulandela umThetho othintana nawo, begodu lowo ophethe isikhundla njengelunga lomKhandlu lowo lokha umThethosisekelo omutjha uthoma ukusebenza, uragela phambili ngokuphatha isikhundla ngokulandela umThetho othintana nalesosikhundla, ngaphasi kwaloku—
- (i) ukutjhugululwa namkha ukwesulwa kwaloyo mThetho; begodu
- (ii) ngokukhambisana nomThethosisekelo omutjha.
- (b) Iingaba 184A nese-184B (1) (a), (b) nesika-(d) zomThethosisekelo ogadungileko ziragela phambili ngokuba namandla bekufike lapha zesulwa mThetho wePalamende ophasiswe ngokulandela isigaba 75 somThethosisekelo omutjha.

UkumEnyezelwa KomThetho Ngokweemfuno ZomThethosisekelo

21. (1) Lokha umThethosisekelo omutjha utlhoga ukumenyezelwa komThetho weNarha namkha umThetho wesiFunda, lowo mThetho kumele umenyezelwe siPhathiswa esifaneleko ngaphakathi kwesikhathi esizwakalako.
- (2) Isigaba 198(b) somThethosisekelo omutjha angeze sakatelelwa kuze kufezeke isikhathi lapha umThetho obonelelwa kuleso sigaba umemezelwa khona.
- (3) Isigaba 199(3)(a) somThethosisekelo omutjha angeze sakatelelwa ngaphambi kokwedlula iinyanga ezintathu ngemva kobana umThetho obonelelwe esigabenesi sele umenyezelwe.
- (4) UmThetho weNarha obonelelwa esigabeni 217(3) kumele umenyezelwe ngaphakathi kweminyaka emithathu kusukela ngelanga umThethosisekelo omutjha uthome ukusebenza ngalo, kodwana ukungabikhona komThetho lo ngaleso sikhathi akuvimbeli ukusetjenziswa kwekambiso etjhiwo esigabeni 217(2).
- (5) Bekufike isikhathi lapha umThetho wePalamende otjhiwo esigabeni 65 (2) somThethosisekelo omutjha umemezelwa, esinye nesinye isiBethamthetho sesifunda singaqunta indlela yaso yekambiso ngelokho sizakudlulisela amandla

waso kubajameli baso bonyana baphosele amavuwudu ebujameni baso kumKhandlu weNarha ongamele iimFunda.

- (6) Bekufike isikhathi lapho umThetho otjhiwo esigabeni 229(1) (b) somThethosisekelo omutjha umemezela khona, uMasipala uhlala anamandla wokubhadelisa imithelo, namkha umthelo loyo bewuvele unamandla wokuyibhadelisa lokha umThethosisekelo omutjha uthoma ukusebenza.

Ibumbano Lesitjhaba Nokulibalelana

22. (1) Nanyana kutjho ezinye iingaba zomThethosisekelo omutjha begodu nanyana umThethosisekelo ogadungileko wesulwe, zoke iingaba ezimalungana nokulibalelwa kumThethosisekelo ogadungileko ngaphasi kwesihloko “ibumbano lesitjhaba nokulibalelana” zithathwa njengengenye yomThethosisekelo omutjha kilezo mfasakalelo zomThetho wokuthukisa iBumbano lesiTjhaba nokuBuyelana, 1995 (umThetho 34 we-1995) njengoba utjhugululiwe, okufaka hlanguka nokuba namandla womThetho kwawo.
- (2) Ngokwehloso ye-ayithemu (1), ilanga lamhlana amalanga asi-’6 kuNobayeni 1993’ elitholakala eenqalelelweni zomThethosisekelo omdala ngaphasi kwesihloko ‘iBumbano lesiTjhaba nokuBuyelana’ kumele ilungiswe ngokobana ithi, amalanga nakali’ 11 kuMrhayili 1994”.

[I-ayithemana (2) ifakwe ngokwesigaba 3 somThethosisekelo oliTjhuguluko lokuThoma lomThetho womnyaka we-1997.]

Umtlo WamaLungelo WobuNtu

23. (1) UmThetho weNarha obonelelwa eengabeni 9(4), 32(2) nesama-33(3) zomThethosisekelo omutjha okumele umemezela ngaphakathi kweminyaka emithathu kusukela ngelanga umThethosisekelo omutjha uthoma ngalo ukusebenza.
- (2) Kuze kufike isikhathi lapho umThetho obonelelwa eengabeni 32(2) nesama- 33(3) zomThethosisekelo omutjha umemezela—
- (a) Isigaba 32(1) kumele sithathwe nje ngesifundeka ngalendlela: “(1) Omunye nomunye umuntu unelungelo lokubonelelwa ngombiko woke ophethwe mBuso namkha elinye nelinye lamagatja wawo, kwelinye nelinye izinga lombuso kufikela lapho umbiko lowo uthogekako ekusetjenzisweni namkha ekuvikeleni nanoma ngimaphi amalungelo wabo;” begodu

- (b) lingaba 33(1) nesesi- (2) kumele zithathwe njengezifundeka ngalendlela: “Omunye nomunye umuntu onelungelo —
- (a) legadango lezokuphatha elisemthethweni lokha nanyana ngiliphi lamalungelo wabo namkha iinrhuluphelo zithinteka namkha zithuselwa;
 - (b) legadango lekambiso elifaneleko lokha nofana ngiliphi lamalungelo wabo namkha iimfisakelo ezisemthethweni zithinteka namkha zithuselwa;
 - (c) lokunikelwa kwamabanga atlolwe phasi ngedango lezokuphatha elithinta nofana ngiliphi lamalungelo namkha iinrhuluphelo zabo ngaphandle kwalokha amabanga wegadango lelo azisiwe; begodu
 - (d) isenzo sezokuphatha esilungileko malungana namabanga anikelweko lapho elinye nelinye lamalungelo wabo lithinteka namkha lithuselwa khona.”
- (3) lingaba 32(2) nesama-33(3) zomThethosisekelo omutjha ziphelelwa sikhathi nangabe umThetho obonelelwa kilezongaba, ngokuhlukahlukana, awumemezela ngaphakathi kweminyaka emithathu kusukela ngelanga umThethosisekelo omutjha uthoma ukusebenza.

Ukuphatha KwakaRhulumende Nezokuphepha

24. (1) lingaba 82(4) (b), 215, 218(1), 219(1), 224 ukufikela ema-228, 236(1), (2), (3), (6), (7)(b) nesobu- (8), 237(1) nesesi- (2)(a) sama- 239(4) nesesi- (5) zomThethosisekelo ogadungileko ziragela phambili nokusebenza kwangathi umThethosisekelo ogadungileko awukasulwa, ngaphasi kwalokhu—
- (a) amatjhuguluko weengaba lezo njengokutjhiwo esiNgezelelweni D;
 - (b) namkha ngiliphi itjhuguluko olisezakwenzwa namkha ukusulwa kwalezo iingaba zomThetho wePalamende ophasiswe ngokulandela isigaba 75 somThethosisekelo omutjha; begodu
 - (c) nokukhambisana nomThethosisekelo omutjha.
- (2) IKomitjhana yezabaSebenzi bakaRhulumende namaKomitjhini weensebenzi zikaRhulumende weemFunda etjhiwo eSahlukweni 13 somThethosisekelo ogadungileko, uragela phambili ngokusebenza ngokuya kweSahlukweso begodu nomThetho othintana nawo kube kwanga iSahlukweso asikatjhugululwa, bekufike isikhathi lapha iKomitjhini begodu namaKomitjhini wemisebenzi yeemFunda apheliswa khona mThetho wePalamende ophasiswe ngokuya kwesigaba 75 somThethosisekelo omutjha.

- (3) Ukwesulwa komThethosisekelo ogadungileko akuthintani nesimemezelo somThetho esikhutjwe ngaphasi kwesigaba 237(3) somThethosisekelo ogadungileko begodu namkha ngisiphi isimemezelo somThetho esinjalo siragela phambili ngaphasi ko—
- nanyana ngiliphi itjhuguluko namkha ukwesulwa; begodu
 - nokukhambisana nomThethosisekelo omutjha.

Ukungavunyelwa Okungezelelweko EsiBethamthethweni

25. (1) Nanyana ngubani odosa iinyanga ezidlula ezili-12 ejele ngaphandle kwehlawulo ngaphakathi kweRiphabliki lokha umThethosisekelo omutjha uthoma ukusebenza, akanalungelo lokuba lilunga lesiBethamthetho seNarha namkha isiBethamthetho sesiFunda.
- (2) Ukungabi nelungelo komuntu ngokuya kwe-ayithemana (1)—
- kuyaphela nakube umlandu uyasulwa yikhotho yokubuyekeza namkha isigwebo sehliselwa ngaphasi kwaleso esingathatheli umuntu ilungelo leli; namkha
 - kuphela iminyaka emihlanu ngemva kokukhutjwa kwesigwebo leso.

Umbuso Wendawo

26. (1) Nanyana kuvezwa iinqalelelo eziseengabeni 151,155,156 nese-157 zomThethosisekelo omutjha—
- iinqalelelo zomThetho wokudlulisela uRhulumende weKhaya, womnyaka we-1993 (umThetho 209 womnyaka we-1993) njengobana unqatjhugululwa ngesikhathi nesikhathi mThetho weNarha okhambisana nomThethosisekelo omutjha,uhlala usebenza ngokwemiKhandlu kaMasipala ukufikela lapha umKhandlu kaMasipala ujamiselela umKhandlu loyo namakhethe amakhulu wokukhethwa komKhandlu kaMasipala emva kokuthoma komThethosisekelo omutjha; begodu

[I-ayithemana (a) ijanyiselwe ngokwesigaba 5 (a) somThethosisekelo oliTjhuguluko lesiBili lomThetho womnyaka we-1998.]

- umRholi weNdabuko womphakathi olandela indlela yomThetho wesintu begodu ahlala endaweni yekhansela yendawo yesikhatjhana, ikhansela yesikhatjhana yemakhaya namkha ikhansela yabajameli yesikhatjhana etjhiwo kumThetho wokudlulisela umbuso wendawo, umThetho womnyaka we-1993,

begodu leyo ikhonjwe njengoba kwendlalwe esigabeni 182 somThethosisekelo ogadungileko, ngokwesikhundla sakhe, ulungela ukuba lilunga laleyo khansela kufikela lapho umKhandlu kaMasipala ujamiselela umKhandlu loyo namakhetho amakhulu wokukhethwa komKhandlu kaMasipala emva kokuthoma komThethosisekelo omutjha.

[I-ayithemana (b) ijanyiselelwe sigaba 5(a) somThethosisekelo oliTjhuguluko lesiBili lomThetho womnyaka we-1998.]

- (2) Isigaba 245(4) somThethosisekelo ogadungileko siragela phambili ngokusetjenziswa kuzekufike lapha ukusetjenziswa kwesigaba lesi kuphelelwa sikhathi. Isigaba 16(5) neses- (6) somThetho wokuDlulisa uRhulumende weKhaya, womnyaka we-1993 ngeze sasulwa ngaphambi kwamhlana amalanga ama-30 kuSihlabantangana 2000.

[[I-ayithemu (2) itjhugululwe sigaba 5 (b) somThethosisekelo oliTjhuguluko lesiBili lomThetho womnyaka we-1998.]

Ukulondwa KwemiThetho YePalamende NemiThetho YeemFunda

27. Iingaba 82 nesama-124 zomThethosisekelo omutjha akuthintani nokulondwa kwemiThetho yePalamende namkha imiThetho yesiFunda isulwe ngaphambi kobana umThethosisekelo omutjha uthome ukusebenza.

Ukurejistarwa Kwepahla Engakhambiko Yombuso

28. (1) Ekubonisweni kwesitifiketi libandla elifaneleko bona ipahla imhlaba namkha ipahla engatjhidiko yombuso ingeyombuso othize ngokwesigaba 239 somThethosisekelo wangaphambili, isikhulu seencwadi zobunikazi kumele senze ukutlolisa okufana nalokho namkha imitlolo enjalo namkha phezu kwananyana ngiyiphi irejistar, incwadi yobunikazi namkha omunye umtlole ukurejistar ipahla engatjhidisekiko ngebizo likaRhulumende lowo.
- (2) Akunamthelo wepahla, imali namkha enye ihlawulo ebhadelwako manqophana nokutlolisa ngokuya kwe-ayithemana (1).

ISIKHIBELELO A

AMATJHUGULUKO EHLELWENI 2 EMTHETHWENISEKELO OGADUNGILEKO

1. Ukujanyiselelwa Kwe-ayithemu 1 Nge-ayithemu Elandelako:

"1. Iinhlango ezitloliswe ngokulandela umThetho weNarha begodu ezingenela amakhetho wesiBethamthetho seNarha, zizakwenyula abongikhetheni kulawo makhetho erherhweni labongikhetheni elilungiswe ngokukhambisana neHlelo lomThetho weNarha."

2. Ukujanyiselelwa Kwesigaba 2 Ngokufaka Isigaba Esilandelako Endawenaso:

"2. Iinhlalo zesiBethamthetho seNarha njengombana kubekwe ngokuya kwesigaba 46 somThethosisekelo omutjha, zizakuzaliswa ngokulandelako:

- (a) Iihlalo ezehlukaniswe phakathi ngokulingana ezivela emarhelweni weengodi ethulwe ziinhlango ngokwehlukahlukana kwazo enenani elithileko elibekelwe kesinye nesinye isifunda njengobana kuqunte iKomitjhini ngamakhetho alandelako wesiBethamthetho seNarha, kuhlolwe umbiko osekelwe phezu kwephenyo ngokwesayensi malungana nabavowdti, neenlilo zeenhlango ezinerhuluphelo.
- (b) Ezinye iinhlalo ezehlukaniswe phakathi ngokulingana ezivela emarhelweni weNarha zombebele ethule iinhlango ngokwehlukahlukana, namkha kuvela erhelweni lemfunda lokha amarherho wenarha engakathulwa."

3. Ukujanyiselelwa Kwe-ayithemu 3 Ngale-ayithemu Elandeako:

"3. Amarhelo wabongikhetheni ethule yihlango, azakumumatha ngokuzeleko amabizo angadluli inani labongikhetheni elilingana nenani leenhlalo wesiBethamthetho seNarha, begodu elinye nelinye irhelao lizakumumatha amagama lawo ngendlela yokulandelana ezabe aquntwe yihlango."

4. Ukutjhugulula I-ayithemu 5 Ngokuyijamiselela Amagama Angaphambi Kwepharagrafu (a) Ngokufaka Amagama Alandelako Endawenawo:

"5. Iinhlalo ezitjhiwo ku-ayithemu 2(a) zizakwabelwa ngokweemFunda eenhlanganwenezwe ezingenela amakhetho, ngokulandelako:"

5. Ngokutjhugulula I-ayithemu 6—

(a) Ngokususa amagama angaphambi kwendima (a) nokubeka amagama alandelako endaweni yawo:

“6. iinhlalo ezitjiwo ku-ayithemu 2(b) zizakwabelwa iinhlango ezingenela amakhetho, ngokulandelako:” begodu

(b) Ngokususa indima (a) nokufaka indima elandelako endaweni yayo:

“(a) inani lamavowudu ngokwesihlalo azakuquntwa ngokuhlukanisa inani lamavowudu woke aphoselweko ngenarheni ngenani leenhlalo ngaphakathi kwesiBethamthetho seNarha, kuzaliselwe ngesisodwa, kuzakuba linani elibalelwa isikhundla sinye.”

6. Ngokutjhugulula I-ayithemu 7(3) Ngokujamiselela Ipharagrafu (b) Ngokufaka Ipharagrafu Elandelako Endawenayo:

“(b) inani lamavowudu elibalelwa isihlalo elitjhugululiweko lizakuquntwa ngokwehlukanisa inani lamavowudu woke aphoselweko ngenarheni, kukhutjhwwe inani lamavowudu aphoselweko ngenarheni mazombe lawo weenhlango atjiwo endimeni (a), ngenani leenhlalo lesiBethamthetho seNarha, kungezelelwe ngesisodwa, kukhutjhwwe inani lamaphelelo leenhlalo ezabelwe inhlango leyo ngokulandela ipharagrafu (a).”

7. Ukujanyiselelwa Kwe-ayithemu 10 Kufakwe Elandelako Endawenayo:

“10. Inani leenhlalo kwesinye nesinye isiBethamthetho sesiFunda izakuba njengoba iquntwe ngokulandela isigaba 105 somThethosisekelo omutjha.”

8. Ukujanyiselelwa Kwe-ayithemu 11 Nokufakwa Kwe-ayithemu Elandelako Endawenayo:

“11. Iinhlango ezitloliswe ngokulandela umThetho weNarha begodu ezingenele amakhetho wesiBethamthetho sesiFunda, zizakwenyula abongikhetheni bamakhetho wesiBethamthetho emarhelweni weemfunda alungiswe ngokukhambisana neHlelo lomThetho weNarha.”

9. Ukujanyiselelwa Kwe-ayithemu 16 Nge-ayithemu Elandelako:

“Ukukhonjwa kwabajameli

16. (1) Emva kokubalwa kwamavowudu sekuqediwe, inani abajameli behlango enye nenye seliquntwe begodu nemiphumela yamakhetho sele imenyazelwe ngokwesigaba 190 somThethosisekelo omutjha, iKhomitjhini, ngaphakathi kwamalanga amabili kwesimemezelo, izakukhomba ererhweni labongikhetheni, elaziswe ngokomThetho weNarha abajameli behlango enye nenye ngaphakathi kwesiBethamthetho.

(2) Ngokulandela ukukhonjwa okwenziwe ngokulandela i-ayithemana (1), lokha ibizo longikhetheni livela erhelweni elidlula elilodwa lesiBethamthetho namkha erhelweni lawo womabili wesiBethamthetho seNarha

nesiBethamthetho sesiFunda (lokha amakhetho wesiBethamthetho seNarha nesiBethamthetho abanjwa ngesikhathi esisodwa) begodu ungikhetheni lowo ujamele ukukhunjwa njengomjameli, ihlangano ethule irherho lelo, ngaphakathi kwamalanga amabili kwesimemezelo lesi, izakutjengisa iKomitjhini bona ngiliphi irhelo elifanele ukusetjenziswa ukukhomba ungikhetheni lowo namkha ngisiphi isithamthetho ungikhetheni lowo azakusebenza kiso, ekwenzekeni kwalokho ibizo longikhetheni lizakwesulwa kwamanye amarhelo.

- (3) IKomitjhini kumele, yazise amarhelo wabajameli esiBethamthethweni namkha iimBethamthetho..

10. Ukutjhugula I-ayithemu 18 Ngokujamiselela Ipharagrafu (b) Nokufaka ipharagrafu Elandelako:

“(b) UMjameli ukhethwa njengelunga elisithunywa lasafuthi emKhandlwini weemFunda weNarha;”

11. Ukujamiselela I-ayithemu 19 Nge-ayithemu Elandelako:

“19. amarhelo wabo ngikhetheni behlangano etjhiwo esigabeni 16(1) angazaliselwa kanye kwaphela kwesinye nesinye isikhathi eenyangeni ezili- 12 zokuthoma ezilandela ilanga lelo ukukhunjwa kwabajameli ngokulandela isigaba 16 kuqedwe ngalo, bonyana kukgonwe ukuzalisa iinkhundla zesikhatjana: kwaphela lokha ukwengezelelwa lokho kwenziwa ekupheleni kwalelorhelo.”

12. Ukujanyiselelwa Kwe-ayithemu 23 Nge-ayithemu Elandelako:

“Iinkhundla ezivulekileko

23. (1) Lokha nakunesikhundla esivulekileko esiBethamthethweni lapha iHlelo lisebenza khona, ihlangano enyule ilunga elitjhiye isikhundla izakuzalisa isikhundla lesi ngokwenyula umuntu—
- (a) lowo ibizo lakhe likhona erherhweni labo ngikhetheni lelo lilunga elitjhiye isikhundla beka kiso; begodu
- (b) omumuntu olandelako olungela begodu ophumelelako ukuthatha isikhundla erherhweni lelo.
- (2) Ukunyula lokuzalisa isikhundla lizakwethulwa kuSomlomo ngendlela yokutlolwa phasi.
- (3) Lokha nangabe ihlangano ejanyelwe esiBethamthethweni iyapheliswa namkha ayisabikhona begodu namalunga athintekako atjhiya phasi iinhlalo zabo ngokulandela isigaba 23A (i), iinhlalo lezo ezithintekako zizakwabelwa

iinhlango eziseleko ngendlela efanako tle nalokha sengathi iinhlalo lezo ziinhlalo ezimukwe ngokulandela isigaba 7 namkha 14, noma ngayiphi indlela eyenzekako.”

13. Ukufakwa Kwe-ayithemu Elandelako Ngemva Kwe-ayithemu 23:

- “amabanga angezelelweko wokulahlekelwa bulunga eemBethamthethweni
- 23A. (1) Umuntu ulahlekelwa bulunga besiBethamthetho lapha ihlelweli lisetjenziswa khona, nangabe umuntu lowo akasabililunga lehlango leyo enyule umuntu loyo nje ngelunga lesiBethamthetho.
- (2) Nangaphandle kwe-ayithemana (1) enye nenye ihlango yezombanganarha ekhona ingatjhugulula ibizo layo ngesikhathi esinye nesinye.
- (3) Umthetho wePalamende, ngaphakathi kwesikhathi esizwakalako emva bona umThethosisekelo omutjha uthome ukusebenza, ungaphasiswa ngokukhambisana nesigaba 76(1) somThethosisekelo omutjha bona utjhugulule le-ayithemu ne-ayithemu 23 ukubonelela indlela leyo ngayo kukgonakalako bona ilunga lesiBethamthetho elitjhiya phasi ubulunga behlango emenyulile, aragele phambili ngokuba lilunga lesiBethamthethweso.
- (4) Umthetho wePalamende otjhiwo e-ayithemaneni (3) nawo ungabonelela—
- (a) bona ihlango enye nenye ekhona ihlangoiswe nenye ihlango; namkha
- (b) bona ihlango enye nenye izihlukanise phakathi ukuba ziinhlango ezidlula yinye.”

14. Ukwesulwa Kwe-ayithemu 24.

15. Ukutjhugululwa Kwe-ayithemu 25—

- (a) Ngokusula ihlathululo “Komitjhini ngehathululo elilandelako: “iKomitjhini” kuthiwa yiKomitjhini yaMakhetho etjhiwo kusigaba 190 somThethosisekelo omutjha,” begodu
- (b) Ngokufaka ihlathululo elilandelako ngemva kwehlathululo “irhelo lenarha”: “UmThethosisekelo’ kuthiwa mThethosisekelo weRiphabliki yeSewula Afrika we-1996;”

16. Ukwesulwa Kwe-ayithemu 26.

ISIKHIBELELO B

UMBUSO WEBUMBANO LESITJHABA: UMBUSO OPHAKATHI

1. Isigaba 84 SomThethosisekelo Omutjha Sithathwa Njengesimumethe Isigatjana Ezingezelelwe Ngokulandelako:

“(3) UMongameli kumele athintane namaSekela kaMongameli —

- (a) ekuthuthukiseni nekusetjenzisweni kwemibandela kaRhulumente weNarha;
- (b) kiyo yoke imiraro emalungana nekambiso yeKhabinedi begodu nokwenziwa kwemisebenzi ePalamende;
- (c) ekunikelweni kwemisebenzi kumaphini wakaMongameli;
- (d) ngaphambi kokubekwa eenkhundleni kweenkhulu ngaphasi komThethosisekelo lo namkha nanyana ngimuphi umThetho, okufaka hlanguka ukukhethwa kwabajameli benarha kwezombanganarha namkha abanye abajameli emazweni wangaphandle;
- (e) ngaphambi kokukhethwa kwamaKomitjhini wokuPhenya;
- (f) ngaphambi kokumenyezelwa kwereferendamu;
- (g) ngaphambi kokulitjelwa kwabagwetjiweko.”

2. Isigaba 89 SomThethosisekelo Omutjha Sithathwa Njengesimumethe Iingatjana Ezingezelelwe Ngokulandelako:

“(3) Iingatjana (1) nesesi-(2) zisebenza nakuSekela likaMongameli.”

3. Ipharagrafu (a) Yesigaba 90 (1) YomThethosisekelo Omutjha Ithathwa Njengefundeka Ngokulandelako:

“(a) iSekela likaMongameli elikhonjwe nguMongameli;”

4. Isigaba 91 SomThethosisekelo Omutjha Sithathwa Njengesifundeka Ngokulandelako:

“IKhabinedi

91. (1) TIKhabinedi ibunjwa nguMongameli, iSekela likaMongameli begodu—
 - (a) nabo abangadluliko ema-27 abamalunga wesiBethamthetho seNarha begodu bakhethwe ngokulandela isigatjana 8 ukufikela ema-12; begodu
 - (b) nomunye kwaphela ongasilo ilunga lesiBethamthetho begodu okhethwe ngokulandela isigatjana (13), kuphela lokha uMongameli, ngokuthintana namaSekela wakhe begodu nabarholi beenhlangano ezizibandakenyeko, ukobana zitjho bona ukukhethwa kwakhe kuyathokeka.

- (2) Enye nanye ihlangano ephethe iinhlalo ubuncani bazo obuma-80 ebandleni lesiBethamthetho inelungelo lokukhetha iphini likaMongameli hlangana namalunga wesiBethamthetho.
- (3) Lokha ihlangano ingekho namkha ingekho ihlangano ephethe iinhlalo ezidlula ama-80, ihlangano ephethe iinhlalo ezingaphezulu kwezinye iihlangano elandela ngokwesibili ngobunengi beenhlalo eziphetheko, nanyana ngiyiphi enye yazo inelungelo lokukhetha iSekela likaMongameli elilodwa hlangana namalunga wesiBethamthetho seNarha.
- (4) Ekukhethweni kwalo iSekela likaMongameli lingazikhethela bona lihlala lililunga namkha lilisa ubulunga besiBethamthetho na.
- (5) ISekela likaMongameli lingasebenzisa amandla begodu kumele lenze imisebenzi ethweswe isikhundla seSekela likaMongameli mThethosisekelo namkha inikelwe e-ofisini lelo nguMongameli.
- (6) ISekela likaMongameli liphatha isikhundla—
 - (a) Bekube mhlana amalanga ama-30 kuSihlabantangana 1999 ngaphandle kwalokha nakatjhidiswa ngomunye namkha adoselwa emva yihlangano inelungelo lokukhetha ngokulandela isigatjana (2) nesesi-(3); namkha
 - (b) Kufikela lapha umuntu okhethwe ukuba nguMongameli emva kwaMakhetho wesiBethamthetho seNarha abanjwe ngaphambi kwamhlana amalanga ama-30 kuSihlabantangana 1999, athoma ukusebenza.
- (7) Ukuvuleka kwesikhundla seSekela likaMongameli singazaliswa yihlangano ekhethe loyo oliSekela likaMongameli.
- (8) Ihlangano ephethe iinhlalo ezibuncani obuma-20 besiBethamthetho seNarha begodu equnte ukuthatha indima kuRhulumende wesiBethamthetho seNarha, inelungelo lokunikelwa isikhundla sinye namkha kwendlu sinye seKhabinedi lezo abatjhiwo esigatjaneni (1) (a) bazokubekwa kizo, ukuya ngenani leenhlalo eziphethwe ngiyo lesiBethamthetho seNarha nakuqondiswe neenhlalo eziphethwe ngezinye iihlangano ezithatha indima.
- (9) Iinkhundla zeKhabinedi zimele ukunikelwa iihlangano ezithatha indima ngokulandela indlela elandelako:
 - (a) Inani leenhlalo ezabelwe esikhundleni esisodwa kumele libekwe ngokwehlukana inani leenhlalo zoke esiBethamthethweni seNarha eziphethwe ngokuhlanganelwa ziinhlango ezithatha indima ngenani leenkhundla lezo abatjhiwo esigatjaneni (1) (a) bafanele bakhethe kizo kuzaliselwe ngomunye godu.

- (b) Imiphumela, kungathathwa amadesimali wesithathu nalandelako nakakhona, kuzakuba inani leenhlo ezabelwe isikhundla.
 - (c) Inani leenkundla ezifanele ukwabelwa ihlangano ethatha indima zizakuquntwa ngokuhlukanisa inani leehlalo zoke eziphethwe siBethamthetho seNarha ngenani elitjiwo endimeni (b).
 - (d) Imiphumela, ngaphasi kwaloku okutjiwo endimeni (e), itjengisa inani leenkundla elabelwe ihlangano leyo.
 - (e) Lokha ukusetjenziswa kwendlela etjiwo ngaphezulu kuletha inani elidluleleko elingeze lamumathwa linani leenkundla ezabelwe iihlangano, lenani elidluleleko lizakuphikisana nenani elidluleleko elifana nalo elitholwe ngenye ihlangano namkha iihlangano, begodu noma ngisiphi isikhundla namkha iinkundla ezisaleleko azikabiwa zifanele zabelwe ihlangano namkha iihlangano ezithintekako ngokulandela inani elidluleleko.
- (10) UMongameli emva kokuthintana namaSekela kaMongameli nabarholi beenhlangano ezithatha indima kumele—
- (a) athathe isiqunto malungana neenkundla ezifanele ukwabelwa iihlangano ezahluahlukeneko ezithatha indima ngokulandela inani leenkundla ezabelwe zona ngokwesigatjana (9);
 - (b) bakhethe esokhundleneso ilunga lesiBethamthetho elililunga lehlangano leyo eyatjelwe isikhundleso ngaphasi kwendima (a) ukobana abe ngozoziphendulela esikhundleneso.
 - (c) nakuthogeka bona umThethosisekelo namkha iinrhuluphelo zombuso omuhle ziphumeleliswe, atjhugulule noma ngiyiphi indaba ngaphasi kwepharagrafu (a) ngokulandela isigatjana (9);
 - (d) basuse esikhundleni loyo obekwe ngaphasi kwepharagrafu (b)—
 - (i) nayikuthi uMongameli ubawiwa Mrholi wehlangano leyo uNgqongqotjhe loyo kumele bona enze lokho; namkha
 - (ii) nangabe lokho kudingwa mnqopho womThethosisekelo namkha kuseenrhuluphelweni zombuso omuhle; namkha
 - (e) Azalise, nakunefuneko, ngaphasi kwepharagrafu (b), isikhundla sika.
- (11) Isigatjana (10) sifanele ukusetjenziswa ngomoya omumethwe emnqopheni wombuso wobumbano lesitjhaba, begodu uMongameli nalaba asebenza nabo bafanele babe nerhuluphelo ukufikelela lapha bezwanakhona boke lokha nabasebenzisa isigatjanesi; ngaphandle kwalokha nakungakghonekiko bona kufikelelwe ekuzwaneni kwabo boke kulokhu—

- (a) Ukusetjenziswa kwamandla atjihiwo endimeni (a) (c) namkha (d) (ii) yesigatjana leso, isiqunto sikaMongameli sizakuphumeleliswa; begodu
- (b) Ukusetjenziswa kwamandla atjihiwo eendinyaneni (b), (d) (i) namkha (e) zesigatjana leso esinamatha umuntu olilunga lehlango yakaMongameli, isiqunto sikaMongameli sizakuphumeleliswa.
- (c) Ukusetjenziswa kwamandla atjihiwo endimeni (b) namkha (e) yalesosigatjana esithinta umuntu loyo olilunga lehlango yakaMongameli, isiqunto sikaMongameli siyaphumeleliswa.
- (12) Nangabe isikhundla esinikelweko sitjhugululwa ngokulandela isigatjana (10) (c), abathintekako kumele batjihiye iinkhundla zabo, kodwana banelungelo, nakungenzeka, lokungakhethwa kabutjha kwezinye iinkhundla ezabelwe iinhlango zabo ngokwehlukahlukana, ngokulandela amatjhugululo lawo.
- (13) UMongameli—
- (a) ngokuthintana namaSekela wakaMongameli nabarholi beenhlango ezizibandakanyako kumele—
- (i) abonelele ngesikhundla esithile esizakuba ngesalowo otjihiwo esigatjaneni (1)(b) nakutlhogekako ngokulandela isiqunto sikaMongameli ngaphasi kwesigatjaneso;
- (ii) abeke esikhundleneso umuntu ongasilo ilunga lesiBethamthetho, ukuba nguNgqongqotjhe oziphendulelako esikhundleneso;
- (iii) azalise, nakutlhogekako, ngaphasi kwepharagrafu (b) isikhundla somuntu lowo
- (b) Emva kokuthintana namaSekela kaMongameli nabarholi beenhlango ezizibandakanyako kumele asuse esikhundleni loyo obekwe ngaphasi kwepharagrafu (a) nakutlhogekako ngokomnqopho womThethosisekelo namkha ngeenrhuluphelweni zombuso omuhle.
- (14) Imihlango yeKhabinedi kumele ikhanjiswe nguMongameli, namkha nangabe uMongameli alaya njalo, liSekela likaMongameli: nakuphela amaSekela wakaMongameli bazakukhambisa leyo mihlango ngokutjhidelana ngaphandle kwalokha iindingo zombuso nomoya umumethwe eminqopheni yombuso webumbano lesitjhaba ziveza okwahlukileko.
- (15) IKhabinedi kaRhulumente weNarha yesitjhaba begodu nesidingo sikaRhulumente onekghono.”

5. Isigaba 93 SomThethosisekelo Omutjha Sithathwa Njengesifundeka Ngokulandelako:

- “Ukubekwa eenkhundleni kwamaSekela waboNgqongqotjhe
93. (1) UMongameli, emva kokuthintana namaSekela wakaMongameli nabarholi beehlangano ezikhona kuKhabinedi, angasungula iinkhundla zamaSekelabo.
- (2) Ihlangothi inelungelo lokwabelwa isikhundla seSekela likaNgqongqotjhe sinye namkha ukwedlula ngokulandela ukujanyelwa kwayo nangendlela iinkhundla zeKhabinedi zabiwa ngayo.
- (3) Okutjhiwo sigaba 88(10) kufika ku (12) kusebenza, ngamatjhuguluko afaneleko, nakumaSekelabo, begodu ekusetjenzisweni kwalokho, nakutjhiwo uNgqongqotjhe namkha isikhundla kumele kufundwe njengathi kutjhiwo iSekela likaNgqongqotjhe namkha isikhundla seSekela likaNgqongqotjhe ngokwahlukahluhana.
- (4) nangabe umuntu ubekwe esikhundleni njengeSekela likaNgqongqotjhe sananyana ngisiphi isikhundla esinikelwe uNgqongqotjhe—
- (a) ebujaMeli bakaNgqongqotjhe othintekako, iSekela likaNgqongqotjhe kumele lisebenzise amandla begodu lenze nemisebenzi enikelwe uNgqongqotjhe loyo ngokulandela noma ngimuphi umThetho obekiweko, namkha onikelwe iSekela likaNgqongqotjhe ngaphasi kwemilayo kaMongameli; begodu
- (b) nanyana sikhombiso sananyana ngimuphi umThetho wakaNgqongqotjhe kumele kuhlathululwe njengokufaka hlangana neSekela likaNgqongqotjhe osebenza umsebenzi ngaphasi kwendima (a) onikelwe nguNgqongqotjhe lowo kuSekela likaNgqongqotjhe elisebenza esikhundleni sakhe.
- (5) Lokha iSekela likaNgqongqotjhe nalitshwilileko namkha nanganyana kungaba ngaliphi ibanga lingakghoni ukusebenzisa amandla namkha ukwenza umsebenzi walo, uMongameli angabeka omunye esikhundleneso bona abe liSekela likaNgqongqotjhe, namkha angabeka omunye umuntu bona asebenze esikhundleni saloyo oliSekela likaNgqongqotjhe, bona asebenzise amandla wokwenza yoke imisebenzakhe, namkha asebenzise amandla athileko namkha enze umsebenzi othileko.”

**6. Isigaba 96 SomThethosisekelo Omutjha Sithathwa Njengesimumethe
lingatjana Zokuzaliselela Ezilandelako:**

- “(3) AboNgqongqotjhe baziphendulela ngamunye ngamunye kuMongameli wesiBethamthetho seNarha ngokuphathwa kweminyango yabo, begodu woke amalunga weKhabinedi aziphendulela ngokuhlanganyela ekwenzeni imisebenzi yakaRhulumende weNarha neenkambiso zawo.
- (4) AboNgqongqotjhe kumele balawule imiNyango yabo ngokulandela ikambiso ebekwe yiKhabinedi.
- (5) Lokha uNgqongqotjhe nakabhalelwa kulawula umNyango ngokulandela imithetjhwana yeKhabinedi, uMongameli angabawa othintekako bona abuyisele ilawulo yomNyango wakhe endleleni ekhambisana nemithetjhwana leyo.
- (6) Nayikukuthi uNgqongqotjhe othintekako abhalelwa kulandela isibawo sikaMongameli ngaphasi kwesigatjana (5), uMongameli angamsusa loyo esikhundleni—
- (a) Nayikukuthi nguNgqongqotjhe otjhiwo kusigaba 91 (1)(a), emva kokuthintana noNgqongqotjhe loyo, begodu lokha uNgqongqotjhe angasilo ilunga lehlango kaMongameli namkha angasuye uMrholi wehlango ezibandakanyako, emva kokuthintana nomrholi wehlango leyo uNgqongqotjhe loyo alilunga layo; namkha
- (b) Nayikuthi nguNgqongqotjhe otjhiwo esigabeni 91 (1) (b), emva kokuthintana namaSekela wakaMongameli begodu nabarholi beenhlango ezibandakanyako.”

ISIKHIBELELO C

UMBUSO WEBUMBANO LESITJHABA: IHLANGOTHI LESIFUNDA

1. Isigaba 132 SomThethosisekelo Omutjha Sithathwa Njengesifundeka Ngokulandelako:

“IsiGungu somKhandlu

132. (1) IsiGungu somKhandlu wesiFunda sibunjwa nguNdunakulu namalunga angadluliko kali-10 akhethwe nguNdunankulu ngokulandela isigabesi.
- (2) Ihlango ephethe ubuncani amaphesende ali-10 weenhlo esiBethamthethweni sesiFunda begodu nequnte bona izozibandakanya kuRhulumende weBumbano lesiTjhaba, inelungelo lokwabelwa isikhundla sinye namkha ukwedlula esiGungwini somKhandlu ngokulingana nenani leenhlo eziphethwe ngiyo esiBethamthethweni nakuqondiswa neenhlo eziphethwe ngezinye iihlangano ezizibandakanyako.
- (3) Iinkhundla esiGungwini somKhandlu kumele zabelwe iihlangano ezizibandakanyako ngokwehlukahlukana ngokulandela indlela endlalwe esigabeni 91 (9), begodu ekusetjenzisweni kwaleyo ndlela etjihiwo esigabeneso—
- (a) IKhabinedi kumele ifundwe sengathi kutjihiwo isiGungu somKhandlu;
 - (b) UNgqongqotjhe, kumele afundwe kwanga kutjihiwo ilunga lesiGungu somKhandlu; begodu
 - (c) nesibethamthetho seNarha kumele sifundwe kwanga kutjihiwo sibethamthetho sesiFunda.
- (4) UNdunakulu wesiFunda emva kokuthintana nabarholi beenhlangano ezizibandakanyako kumele—
- (a) abeke iinkhundla ezizakwabelwa iihlangano ezizibandakanyako ngokwenani leenkhundla ezabelwe ngokulandela isigatjana (3);
 - (b) abeke kwesinye nesinye salezonkhundla ilunga lesiBethamthetho elililunga lehlango eyabelwe isikhundla lesi ngaphasi kwendima (a), ukuba lilunga lesiGungu somKhandlu oziphendulelako esikhundleneso;
 - (c) nakutlhogekako ngomnqopho womThethosisekelo namkha ngokweenrhuluphelo zomBuso omuhle, atjhugulule isikhundla esibekwe ngaphasi kwendima (a) ngokulandela isigatjana (3);

- (d) asuse esikhundleni nanyana ngimuphi obekwe ngaphasi kwendima (b)—
- (i) lokha uNdunakulu nakabawiwa Mrholi wehlangano leyo ukuba lilunga lomKhandlu wezokuPhatha uyabawiwa, bona enze lokho; namkha
 - (ii) lokha nakuthogwa mnqopho womThethosisekelo namkha kuseenrhuluphelweni zombuso omuhle; namkha
- (e) Azalise, nakuthogeka, ngokulandela indima (b) isikhundla selunga lesiGungu somKhandlu.
- (5) Isigatjana (4) kumele sisetjenziswe ngomoya omumethwe emnqopheni kaRhulumende weBumbano lesiTjhaba, begodu uNdunakulu nalaba asebenza nabo kumele bamisele ukufikelela ukuzwana kwabo boke ngaso soke isikhathi nabasebenzisa isigatjana lesi; kwaphela lokha ukuzwana kungafikelelwa kulokhu—
- (a) ekusetjenzisweni kwamandla atjhiwo endimeni (a), (c) namkha (d)(ii) yesigatjana lesi, isiqunto sikaNdunakulu sizakuphumelela;
 - (b) ekusetjenzisweni kwamandla atjhiwo endimeni (b), (d) (i) namkha (e) yesigatjana lesi okuthinta umuntu ongasilo ilunga lehlango yakaNdunakulu; isiqunto somrholi wenhlangano le umuntu loyo alilunga layo sizakuphumelela; begodu
 - (c) ukusetjenziswa kwamandla atjhiwo endimeni (b) namkha (e) yesigatjana lesi okuthinta umuntu olilunga lehlango kaNdunakulu, isiqunto sikaNdunakulu sizakuphumelela.
- (6) Nanyana ngabe ngikuphi ukwabiwa kweenkhundla kutjhugululwa ngaphasi kwesigatjana (4) (c) amalunga athintekako kumele atjhiye phasi iinkhundla zawo, kodwana banelungelo, nakungenzeka, lokubekwa kwezinye iinkhundla ezabelwe iinhlangano zabo ngokwehlukahlukana ngokulandela amatjhuguluko abekiweko.
- (7) Imihlangano yesiGungu somKhandlu kumele ikhanjiswe nguNdunakulu wesiFunda.
- (8) IsiGungu somKhandlu kumele sisebenze ngendlela ethathela ehloko umoya wokukhuthaza ukuzwana omumethwe emnqopheni kaRhulumende weBumbano lesiTjhaba, begodu neendingo zikaRhulumende onekghono.”

2. Isigaba 136 SomThethosisekelo Omutjha Sithathwa Njengesimumethe lingatjana Ezingezelelweko Ezilandelako:

- “(3) MemAmalunga wesiGungu somKhandlu aziphendulela ngamunye ngamunye kuNdunakulu nesiBethamthethweni sesiFunda ngokuphatha kwemiNyangwabo, begodu woke amalunga wesiGungu somKhandlu aziphendulela ngokuhlanganyela ekwenzeni umsebenzi kaRhulumende wesiFunda nemithetjhwana yawo.
- (4) Amalunga womKhandlu wezokuPhatha afanele apathe iminyango yabo ngokulandela ikambiso equntwe mKhandlu.
- (5) Lokha ilunga wesiGungu somKhandlu libhalelwa kuphatha umNyango ngokuya komthethokambiso womKhandlu, uNdunakulu angabawa ilunga elithintekako bona libusele ukuphatha komNyango wakhe endleleni ekhambisana nomthethokambiso loyo.
- (6) Nangabe ilunga elithintekako libhalelwa ukufeza iindingo zikaNdunakulu ngaphasi kwesigatjana (5), uNdunakulu angasusa ilungelo esikhundleni emva kokuthintana nelungelo, begodu lokha ilungelo lingasilo ilunga lehlango yakaNdunakulu namkha umrholi wehlangano ezibandakanyako, begodu emva kokuthintana nomrholi wehlangano le alilunga layo.”

ISIKHIBELELO D

UKUPHATHWA KWEZOMPHAKATHI NEMISEBENZI YEZOKUPHEPHA: AMATJHUGULUKO WEENGABA ZOMTHETHOSISEKELO ONGADUNGILEKO

1. **Ngokutjhugulula Isigaba 218 SomThethosisekelo Ogadungileko—**
 - (a) Ngokusula esigatjaneni (1) amagama angaphambi kwepharagrafu (a) okufaka amagama alendelako endaweni yawo:
“(1) Ngokulawulwa ziinqophiso zikaNgqongqotjhe wezokuPhepha nokuVikeleka, uKomitjhinaru Zombebele wezobupholisa uzaziphendulela ku—”;
 - (b) Ngokususa ipharagrafu (b) yesigatjana (1) ngokufaka ipharagrafu elandelako endaweni yayo:
“(b) ukubekwa eenkhundleni kwaboKomitjhinaru beemFunda;”;
 - (c) Ngokususa ipharagrafu (d) yesigatjana (1) ngokufaka ipharagrafu elandelako endaweni yayo:
“(d) ukuphenya nokuvimbela ubulelesi obuhlelekileko namkha ubulelesi obudinga ukuphenyiswisa nokuvimbelwa inarha mazombe namkha ngobuhlakani kwezephenyo lobulelesi;”begodu
 - (d) Ngokususa ipharagrafu (k) yesigatjana (1) nokufaka ipharagrafu elandelako endaweni yayo:
“(k) Ukusungulwa nokuphumelelisa igatja lezobupholisa eliqalene nokuvikeleka komphakathi wenarha mazombe bona lithunyelwe ukusebenza endaweni ezinye ngokokusekela namkha ngesibawo sikaKomitjhinaru wezobupholisa wesiFunda;”
2. **Ukutjhugululwa Kwesigaba 219 SomThethosisekelo Ogadungileko Ngokususa Esigatjaneni (1) Amazwi Angaphambi Kwepharagrafu (a) Ngokufaka Amazwi Alandelako Endawenawo:**
“(1) Ngaphasi kwesigaba 218, uKomitjhinaru wesiFunda uzakuba nokuziphendulela kilokhu—”.
3. **Ngokutjhugulula Isigaba 224 SomThethosisekelo Ogadungileko Ngokusula Imibandela Yesigatjana (2) Ngalemibandela:**
“kwaphela lokha isigatjana lesi sizakusetjenziswa kumalunga wephiko elinye nelinye elihlome ngeenkhali lelo elethule irhelo labasebenzi balo ngemva bona

umThethosisekelo weRiphabliki yeSewula Afrika (umThetho 200 womnyaka we-1993) uthome ukusebenza, kodwana ngaphambi kobana umtlobo womThethosisekelo omutjha wamukelwe njengombana kubonelelwe esigabeni 73 somThethosisekelo lowo, lokha nangabe ihlangano yezombanganarha leyo ilawulo nokuphatha kungaphasi kwayo namkha leyo ebandakanywa nayo begodu naleyo eragelisa phambili umnqopho wayo, nenye ezibandakanya emKhandlwini wokudlulisela zokuphatha begodu ethethe indima emakhethweni wamathomo wesiBethamthetho seNarha neweemBethamthetho zeemFunda ngaphasi komThethosisekelo loyo.”

4. Itjhuguluko Lesigaba 227 LomThethosisekelo Ogadungileko Ngokusula Isigatjana (2) Nokufaka Isigatjana (2) Nokufaka Isigatjana Esilandelako Endawenaso:

“(2) IButho leNarha lezokuVikela lizakusebenzisa amandla wenze nemisebenzi wawo kwaphela ngokweenrhuluphelo zenarha ngokuya kweSahluko 11 somThethosisekelo weRiphabliki yeSewula Afrika, 1996.”

5. Itjhuguluko Lesigaba 236 SomThethosisekelo Ogadungileko—

- (a) Ngokususa isigatjana (1) nokufaka isigatjana esilandelako endaweni yaso—
“(1) zemisebenzi yomphakathi, umnyango womBuso, ukuphatha namkha iphiko lezokuphepha lelo kuthe maduze ngaphambi kokuthoma ukusebenza komThethosisekelo weRiphabliki yeSewula Afrika, 1996 (emva kwalokhu ekuthiwa mThethosisekelo omutjha), enze umsebenzi wombuso, iragela phambili ngokusebenza ngokulandela imithetho ethintana nayo kuze kufike lapho ipheliswako, namkha ifakwe ngaphasi namkha ihlanganiswe nezinye iinkhungo ezifaneleko, namkha ihlanganiswe nanoma ngiziphi ezinye iinkhung.”;
- (b) Ngokususa isigatjana (6) nokufaka isigatjana esilandelako endaweni yaso:
“(6) (a) UMongameli angabeka iKomitjhini bona ihlolise namkha itjhuguluko isivumelano, ukubekwa esikhundleni namkha ukukhutjhlulwa emsebenzini, namkha okwabelwa kwemibandela yomsebenzi namkha izinto ezinye, eyenzeke hlangana kwamhlana amalanga ali-27 kuSihlabantangana 1993 namhlana amalanga ama- 30 kuKhukhulamungu 1994 manqophana nanyana ngimuphi umuntu otjhiwo esigatjaneni (2) namkha nanyana ngisiphi isiqhema sabantu labo.

- (b) IKomitjhini le ingabuyisela emva namkha itjhugulule isivumelwano, ukubekwa esikhundleni, ukukhutjhlulwa emsebenzini namkha ukwabelwa kwemibandela yomsebenzi lokha nangabe ayikalungu namkha ayikafaneli nakutjhejwa ubujamo besenzo leso” begodu
- (c) Ngokususa “umThethosisekelo lo” lapha kwenzeka khona esigabeni 236, nokufaka “umThethosisekelo omutjha” endaweni yawo”.

6. Ukutjhugulula Isigaba 237 SomThethosisekelo Ogadungileko—

- (a) Ngokususa ipharagrafu (a) yesigatjana (1) nokufaka indima elandelako endaweni yayo:
 - “(a) ihlelo lokuhlanganiswa kwamaziko woke litjhiwo kusigaba 236(1), ngaphandle kwamabutho wamajoni atjhiwo esigabeni 224(2), zizakuthi emva kokuthoma ukusebenza komThethosisekelo weRiphabliki yeSewula Afrika, 1996, ziragele phambili ngomnqopho wokusungula—
 - (i) ukuphatha okunekghono ezingeni likaRhulumente weNarha okuzakuqalana neendaba ezingaphakathi kwendawo leyo uRhulumente weNarha anamandla phezu kwayo; begodu
 - (ii) ukuphatha okunekghono kwesinye nesinye isiFunda okuzokuqalana neendaba ezingaphakathi kwendawo leyo, omunye nomunye uRhulumente wesiFunda unamandla phezu kwayo; begodu
- (b) Ngokususa ipharagrafu (i) yesigatjana (2) (a) ngokufaka ipharagrafana elandelako endaweni yayo:
 - “(i) iinkhundo ezitjhiwo esigabeni 236 (1) ngaphandle kwamabutho wezobusotja zizakuba sezandleni zombuso wenarha, ozakusebenzisa amandla ngokubambisana naboRhulumente beamFunda;”.

7. Ukutjhugululwa Kwesigaba 239 SomThethosisekelo Ogadungileko Ngokususa Isigatjana (4) Nokufaka Isigatjana Esilandelako Endawenaso:

- “(4) Ngaphasi begodu ngokukhambisana nanyana ngimuphi umThetho osetjenziswako; ipahla, amalungelo, iimbopho neenkolodo zamaphiko atjhiwo esigabeni 224(2) zizakudluliselwa ngaphezu iButho leNarha lezokuVikela ngokukhambisana nemilayo yobujoni.”.

IHLELO 6A

[IHlelo 6A elifakwe isigaba 6 somThethosisekelo oliTjhuguluko leTjhumini lomThetho womnyaka we-2003 yasalwa ngokwesigaba 6 somThethosisekelo oliTjhuguluko leTjhumini nane lomThetho we-2008.]

IHLELO 6B

[IHlelo 6B ebelaziwa njengeHlelo 6A phambilini elafakwa sigaba 2 somThethosisekelo oliTjhuguluko lobuNane lomThetho womnyaka we-2002 latjhugululwa ngokwesigaba 5 somThethosisekelo oliTjhuguluko leTjhumu lomnyaka we-2003. Latjhugululwa yinomboro ngokwesigaba 6 somThethosisekelo oliTjhuguluko leTjhumu lomThetho womnyaka we-2003 laze lasulwa ngokwesigaba 5 somThethosisekelo oliTjhuguluko leTjhumu naHlanu lomThetho womnyaka we-2008.]

IHLELO 7

IMITHETHO ESULIWEKO

INOMBORO NOMNYAKA WOMTHETHO	ISIHLOKO
UmThetho oyiNomboro 200 womnyaka we- 1993	UmThethosisekelo weRiphabliki yeSewula Afrika womnyaka we-1993
UmThetho oyiNomboro 2 womnyaka we-1994	UmThetho weTjhuguluko lomThethosisekelo weRiphabliki yeSewula Afrika womnyaka we-1994
UmThetho oyiNomboro 3 womnyaka we- 1994.	UmThetho wesiBili weTjhuguluko lomThethosisekelo weRiphabliki yeSewula Afrika womnyaka we-1994
UmThetho oyiNomboro 13 womnyaka we -1994.	UmThetho wesiThathu weTjhuguluko lomThethosisekelo weRiphabliki yeSewula Afrika womnyaka we-1994
UmThetho oyiNomboro 14 womnyaka we- 1994.	UmThetho wesiNe weTjhuguluko lomThethosisekelo weRiphabliki yeSewula Afrika womnyaka we-1994
UmThetho oyiNo 24 womnyaka we-1994.	UmThetho wesiThandathu weTjhuguluko lomThethosisekelo weRiphabliki yeSewula Afrika womnyaka we-1994
UmThetho oyiNomboro 29 womnyaka we- 1994.	UmThetho wesiHlanu weTjhuguluko lomThethosisekelo weRiphabliki yeSewula Afrika womnyaka we-1994
umThetho oyiNomboro 20 womnyaka we -1995	UmThetho weTjhuguluko lomThethosisekelo weRiphabliki yeSewula Afrika womnyaka we-1995
UmThetho oyiNomboro 44 womnyaka we-1995	UmThetho wesiBili weTjhuguluko lomThethosisekelo weRiphabliki yeSewula Afrika womnyaka we-1995
UmThetho oyiNomboro 7 womnyaka we- 1996.	UmThetho weTjhuguluko lomThethosisekelo weRiphabliki yeSewula Afrika womnyaka we-1996

INOMBORO NOMNYAKA WOMTHETHO	ISIHLOKO
UmThetho oyiNomboro 26 womnyaka we-1996.	UmThetho wesiThathu weTjhuguluko lomThethosisekelo weRiphabliki yeSewula Afrika womnyaka we-1996

IKOMBA

(Tjheja: linomboro Ezivezwe Ngemva Kwalokho Okutloliweko Zikhombisa linomboro Zeengaba)

Ingoma yesitjhaba, 4

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