

# PROVINCIAL GAZETTE

## FREE STATE PROVINCE

### KORANTA YA MMUSO WA PROVENSE

### PROVENSE YA FREISTATA

### LOKWALO LA DIKITSISO LA POROFENSI

### POROFENSI YA FOREISITATA

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No. 29

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GENERAL NOTICE 1 OF 2015	TSEBISO YA KAKARETSO YA 1 YA 2015	KITSISO YA KAKARETSO YA 1 YA 2015
<p>PUBLICATION OF THE FREE STATE PROVINCIAL AND LOCAL HOUSES OF TRADITIONAL LEADERS BILL, 2015</p> <p>It is notified for general information and comment that the above-mentioned Bill is hereby published in terms of the Rules and Orders of the Free State Legislature.</p> <p>Any comments or remarks must be submitted to the Secretary: Free State Legislature, Private Bag X20561, Bloemfontein, 9300 to reach him not later than 10 July 2015.</p> <p>ADV T MOKOENA SECRETARY: FREE STATE LEGISLATURE</p>	<p>PHATLALATSO YA BILI YA HO THEHWA NTLO YA MARENA YA PROVENSE LE MATLO A MARENA A LEHAE A FREISTATA, 2015</p> <p>Ena ke tsebiso e akaretsang bakeng la maikutlo afe kapa afe a mabapi le Bili e boletsweng ka hodimo mme e phatlalatswa ho latela dintlha tsa Molao le Ditaello tsa Lekgotla la Ketsamolao la Freistata.</p> <p>Maikutlo afe kapa afe a tlamehile ho romelwa ho Mongodi: Lekgotla la Ketsamolao la Freistata, Private Bag X20561, Bloemfontein, 9300 mme a lokela ho fihla ho yena pele ho la 10 Phuphu 2015.</p> <p>ADV T MOKOENA MONGODI: LEKGOTLA LA KETSAMELAO LA FREISTATA</p>	<p>PHATLHALATSO YA MOLAO-TLHOMO YA GO TLHAMIWA GA MAKGOTLA A POROFENSI LE A SELEGAE A BAETAPELE BA NGOAO LE SETSO A FOREISITATA, 2015</p> <p>Eno ke kitsiso e akaretsang mabapi le ditshwaelo dife kapa dife tse di amang Molao-Tlhomo o o boletsweng fa godimo mme e phatlaladitswe go latela dintlha tsa Molao le Ditaello tsa Lekgotla la Bodiramelao la Foreisitata.</p> <p>Ditshwaelo dingwe le dingwe di ka romelwa go Mokwaledi: Lekgotla la Bodiramelao la Foreisitata, Private Bag X20561, Bloemfontein, 9300 mme di tshwanetse go gona mo go ena pele ga 10 Phukwi 2015.</p> <p>ADV T MOKOENA MOKWALEDI: LEKGOTLA LA BODIRAMOLAO LA FOREISITATA</p>

BILL

To provide for the establishment of a Provincial House of Traditional Leaders and Local Houses of Traditional Leaders; to provide for the composition of the Houses; to determine the roles and functions of the Houses; and to provide for matters incidental thereto.

BE IT ENACTED by the Provincial Legislature of the Free State Province, as follows:

CHAPTER 1

Definitions	5
1 (1) In this Act, unless the context otherwise indicates –	
“code of conduct” means the Code of Conduct set out in Schedule 1;	10
“Constitution” means the Constitution of the Republic of South Africa, 1996;	
“district municipality” means a district municipality as defined in section 1 of the Local Government Municipal Structures Act, 1998 (Act No. 117 of 1998);	15
“executive committee” means the executive committee of a House referred to in section 17;	20
“Framework Act” means the Traditional Leadership and Governance Framework Act, 2003 (Act No. 41 of 2003);	
“Free State Traditional Leadership and Governance Act, 2005” means the Free State Traditional Leadership and Governance Act, 2005 (Act No. 8 of 2005);	25
“House” means the Provincial House and/or Local House, as the case requires;	30
“Kgosana, Morena wa Motse or Ramotse” means a headman or headwoman contemplated in section 11 of the Framework Act;	
“Kgosi or Morena” means a senior traditional leader contemplated in section 11 of the of the Framework Act;	35
“Local House” means a Local House of Traditional Leaders established under section 9;	40
“MEC” means the Member of the Executive Council responsible for traditional affairs in the Province;	
“member” means a member of a House;	

**“metropolitan municipality”** means a metropolitan municipality as defined in section 1 of the Local Government Municipal Structures Act, 1998 (Act No. 117 of 1998);

**“Morena e moholo”** means a king or queen recognised in terms of section 9 of the Framework Act;

**“National House”** means the National House of Traditional Leaders referred to in section 2 of the National House of Traditional Leaders Act, 2009 (Act No. 22 of 2009);

**“Premier”** means the Executive Head of the Province;

**“Principal traditional leader”** means a principal traditional leader recognised in terms of provincial legislation contemplated in section 10A of the Framework Act;

**“Province”** means the Free State Province as contemplated in section 103 of the Constitution;

**“Provincial House”** means the Free State House of Traditional Leaders established under section 2;

**“Secretary”** means the person appointed as secretary to the Provincial House and the persons appointed as secretary to Local houses in terms of section 21;

**“Traditional community”** means a traditional community recognised in terms of section 3 of the Free State Traditional Leadership and Governance Act, 2005.

**“Traditional council”** means a traditional council recognised in terms of section 7 of the Free State Traditional Leadership and Governance Act, 2005; and

- (2) The words defined in the Free State Traditional Leadership and Governance Act, 2005, has the same meaning for the purposes of this Act.

## CHAPTER 2

### Establishment of the Provincial House of Traditional Leaders

2. (1) There is hereby established a Provincial House of Traditional Leaders known as the Free State House of Traditional Leaders.
- (2) The Provincial House has the functions and duties entrusted to it in terms of the provisions of this Act.

- (3) The term of office of a Provincial House is five years aligned to the term of the National House of Traditional Leaders: Provided that the first term of the Provincial House, after the commencement of this Act, may be less or more than five years so as to align to the term of the National House.

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### Composition of the Provincial House

3. (1) (a) The Provincial House shall, subject to subsection (2), consist of the number of members to be determined by the Premier by notice in the *Provincial Gazette*. 10
- (b) The membership of the Provincial House shall consist of senior traditional leaders and on good grounds shown or due to an insufficient number of senior traditional leaders, headmen and/or headwomen: Provided that where a traditional community does not have a sufficient number of headmen or headwomen, such community will be represented by the required number of members of the royal family which will for purposes of this section and section 9 be deemed to be headmen or headwomen. 15
- (c) The Kings/Queens and the principal traditional leaders may not be members of the Provincial House. 20
- (d) The members of the Provincial House shall, subject to subsection (2), be elected by an electoral college for each a kingship or Queenship, principal traditional leadership and by traditional councils which do not form part of a kingship or queenship or a principal traditional leadership: Provided that where a traditional council has not been established, the election shall be done by the traditional community concerned. 25
- (e) The Electoral College referred to in paragraph (d) consists of the king or queen or principal traditional leader, all senior traditional leaders and all headmen or headwomen within the kingship or Queenship or principal traditional leadership or traditional council concerned. 30
- (2) The Premier shall, subject to subsection (1)(a), by notice in the *Provincial Gazette*, determine the number of members of each kingship or Queenship or principal traditional community and of each traditional council which does not form part of a kingship or queenship or principal traditional community or where a traditional council has not been established, the number of members of the traditional community, to be represented in the Provincial House. 40

- (3) A third of the members of the Provincial House must consist of women: Provided that if the Premier is satisfied that there are an insufficient number of women available to participate in the Provincial House, the Premier may determine a lower threshold. 5
- (4) A member must hold office for the term of the Provincial House.
- (5) If a member of the Provincial House dies, or ceases to be a member in terms of section 7, a new member must be elected within a period of one month for the remainder of the term of the Provincial House. 10

#### Meetings of the Provincial House

- 4. (1) (a) The first meeting after the constitution of the Provincial House in terms of section 3, must take place at a date and place to be determined by the Premier. 15
- (b) The Premier or a person designated by the Premier must chair the meeting referred to in paragraph (a). 20
- (2) Meetings of the Provincial House must be held at such place as the chairperson, may from time to time determine.
- (3) There must be an ordinary meeting of the Provincial House at least four times in every year during the session of the Provincial Legislature. 25
- (4) Subject to subsections (2) and (3), the Provincial House must meet during such periods and on such days and during such hours as it may determine.
- (5) (a) The chairperson may at any time, or if so directed by the Premier, call a special meeting of the Provincial House on a day and at a place to be determined by the said committee, as the case may be. 30
- (b) At such a special meeting only such matters as are placed before the Provincial House must be dealt with. 35
- (c) Any member of the House, if supported by a third of the members of the House, may call a special meeting.
- (6) A person designated by the Premier may attend the meetings of the Provincial House to advise the Provincial House regarding government policies and legislation that relate to traditional affairs. 40

- (7) The presence of at least a majority of all members of the Provincial House shall be necessary to constitute a meeting of the Provincial House.

#### **Election of chairperson and deputy chairperson of the Provincial House**

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5. At its first meeting as contemplated in section 4(1), the Provincial House, must elect one of its members to be the chairperson, and must thereafter elect another of its members to be the deputy chairperson of the Provincial House.

#### **Roles, functions and duties of the chairperson and deputy chairperson of the Provincial House**

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6. (1) The chairperson of the Provincial House has the following roles, functions and duties:

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(a) to call the meetings of the Provincial House;

(b) to chair the meetings of the Provincial House;

(c) to ensure the efficient day-to-day running of the business of the Provincial House; and

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(d) to perform any other function or role as may be assigned to him or her by the Premier or this Act.

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- (2) If the chairperson is absent or for any reason unable to perform the functions vested in the office of chairperson, or when the office of chairperson is vacant, the deputy chairperson must act as chairperson during the absence or inability of the chairperson or until a chairperson is elected.

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- (3) If any of the circumstances described in subsection (2) applies with reference to both the chairperson and the deputy chairperson, a member of the Executive Committee designated in terms of the rules and orders must act as chairperson while the said circumstances prevail.

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- (4) The deputy chairperson or the member of the Executive Committee designated under subsection (3), while acting as chairperson, must perform the functions vested in the office of chairperson.

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- (5) While presiding at a meeting of the Provincial House, the chairperson, deputy chairperson or any other member presiding must not have a deliberative vote, but must have and exercise a casting vote in the case of an equality of votes.

- (6) The chairperson or deputy chairperson must vacate his or her office if he or she ceases to be a member of the Provincial House according to sections 7 or 16, and may be removed from office by resolution of the Provincial House supported by a two thirds majority of the full complement of the members of the Provincial House. 5
- (7) If the office of chairperson or deputy chairperson becomes vacant, the Provincial House, under the chairpersonship of the Premier or a person designated by the Premier, must elect a member to fill the vacancy: Provided that the chairperson must in such event preside at the election of the deputy chairperson. 10

### Qualification for membership of the Provincial House

7. (1) No person must become or remain a member of the Provincial House, unless he or she is of or over the age of 18 years, or if he or she – 15
- (a) at any time after the promulgation of the Constitution, is convicted of an offence in the Republic, or outside the Republic, if the conduct constituting such offence would have constituted an offence in the Republic, and for which he or she has been sentenced to imprisonment of more than 12 months without the option of a fine, unless he or she has received a pardon; 20
- (b) is an unrehabilitated insolvent; 25
- (c) is of unsound mind and has been so declared by a competent court;
- (d) is a member of a municipal council, a member of the provincial legislature or a member of Parliament; 30
- (e) is not a South African citizen;
- (f) is not permanently resident within the Republic. 35
- (2) For the purpose of subsection (1)(a), no person must be deemed as having been convicted of an offence until any appeal against the conviction or sentence has been determined, or, if no appeal against the conviction or sentence has been noted, the time for noting such an appeal has expired. 40

### Functions of the Provincial House of Traditional Leaders

8. (1) The Provincial House has the following functions:

- (a) Advise the provincial government or the provincial legislature on developmental matters relating to indigenous law or affecting traditions and customs of traditional communities.
- (b) Advise the provincial government and participate in the development of provincial policies and legislation. 5
- (c) Participate in national and provincial developmental programmes.
- (d) Promote the role of traditional leadership within the Free State Province. 10
- (e) Participate in partnership with other stakeholders, in provincial initiatives meant to monitor, review and evaluate government programmes in traditional communities. 15
- (f) Enhance unity and understanding among Free State traditional communities.
- (g) Enhance co-operation between the Local House/s, and the traditional councils in the Free State Province. 20
- (h) Participate in the structures of government.
- (i) Promote and protect cultural values, morals and indigenous practices of the communities. 25
- (2) To perform such functions as may be conferred by the Premier or as may be provided for in any other relevant provincial legislation.

### CHAPTER 3

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#### Establishment of a Local House of Traditional Leaders

- 9. (1) (a) A local house of traditional leaders is hereby established for each district and metropolitan municipality where there is more than one traditional council in that district or metropolitan municipality. 35
- (b) The local houses referred to in paragraph (a) must be established by the Premier by notice in the *Provincial Gazette*.



- (2) (a) Subject to paragraph (b), where a local house cannot be established in terms of subsection (1), the functions of a local house referred to in subsection (3) must be performed by the traditional council within the district or metropolitan municipality. 5
- (b) The functions of a local house contemplated in paragraph (a), must be performed by the senior traditional leader and other four members of the traditional council.
- (3) The members of a Local House consist of the senior traditional leaders and headmen or head women residing within the district or metropolitan municipality. 10
- (4) The members of a Local House are elected by the electoral college consisting of Kings and/or Queens or their representatives, principal traditional leaders and senior traditional leaders residing within the district or metropolitan municipality in question. 15
- (5) The Premier must, by notice in the *Provincial Gazette*, call the elections for the first term of the respective Local Houses, within sixty days after the coming into operation of this Act: Provided that such elections must take place within 30 days of the said notice. 20
- (6) The Premier must, by proclamation in the *Provincial Gazette*, prescribe the procedure to be followed at the elections referred to in subsection (4) and any other future elections for Local Houses. 25
- (7) A Local House of Traditional Leaders has the functions entrusted to it by or in terms of section 15. 30
- (8) The term of office of a Local House is five years aligned to the term of office of the National House of Traditional Leaders: Provided that the first term of local houses may be less or more than five years so as to align to the term of the National House. 35

### Composition of a Local House

10. (1) A Local House consists of not less than 5 and not more than 10 members as determined by the Premier by notice in the *Provincial Gazette*.

- (2) A third of the members of a Local House must consist of women: Provided that if the Premier is satisfied that there is an insufficient number of women to participate in the Local House, the Premier may, after consultation with the relevant electoral college referred to in section 9(3), determine a lower threshold.

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### **Meetings of the Local House**

11. (1) (a) The first meeting after the constitution of a local house in terms of section 10, must take place at a date and place to be determined by the MEC. 10
- (b) The MEC or a person designated by the MEC must chair the meeting referred to in paragraph (a). 15
- (2) Meetings of the Local House must be held at such place as the Chairperson may from time to time determine. 15
- (3) There must be an ordinary meeting of the Local House at least four times in every year during the session of the district or metropolitan municipality. 20
- (4) Subject to subsections (2) and (4), the Local House must meet during such periods and on such days and during such hours as it may determine.
- (5) The chairperson may at any time, and if so directed by the MEC, must call a special meeting of the Local House on a day and at a place to be determined by the said chairperson with the approval of the MEC and at such special meeting only such matters as are placed before the Local House must be dealt with. 25
- (6) A person designated by the MEC may attend the meetings of the Local House to advise the Local House regarding government policies and legislation that relate to traditional affairs. 30

### **Election of the chairperson and deputy chairperson of the Local House** 35

12. At its first meeting, contemplated in section 11,, the Local House,, must elect one of its members to be the chairperson, and must thereafter elect another of its members to be the deputy chairperson of the Local House.

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### **Roles, functions and duties of the chairperson and deputy chairperson of the Local House**

13. (1) The chairperson of the Local House has the following roles, functions and duties:

- (a) to call the meetings of the Local House;
  - (b) to chair the meetings of the Local House;
  - (c) to ensure the efficient day-to-day running of the business of the Local House; and 5
  - (d) to perform any other function or role as may be assigned to him or her by the MEC or this Act. 10
- (2) If the chairperson is absent or for any reason unable to perform the functions vested in the office of chairperson, or when the office of chairperson is vacant, the deputy chairperson must act as chairperson during the absence or inability of the chairperson or until a chairperson is elected. 15
- (3) If any of the circumstances described in subsection (2) applies with reference to both the chairperson and the deputy chairperson, a member of the Executive Committee designated in terms of the rules and orders must act as chairperson while the said circumstances prevail. 20
- (4) The deputy chairperson or the member of the Executive Committee designated under subsection (3), while acting as chairperson, must perform the functions vested in the office of chairperson. 25
- (5) The chairperson, the deputy chairperson or any other member of the Local House designated for that purpose in terms of the rules and orders must preside over meetings of the Local House.
- (6) While presiding at a meeting of the Local House, the chairperson, deputy chairperson or any other member presiding must not have a deliberative vote, but must have and exercise a casting vote in the case of an equality of votes. 30
- (7) The chairperson or deputy chairperson must vacate his or her office if he or she ceases to be a member of the Local House according to sections 14 and 16, and may be removed from office by resolution of the Local House, and may resign by lodging his or her resignation in writing with the secretary of the Local House. 35
- (8) If the office of chairperson or deputy chairperson becomes vacant, the Local House, under the chairpersonship of the Premier or a person designated by the Premier, must elect a member to fill the vacancy: Provided that the chairperson must in such event preside at the election of the deputy chairperson. 40 45

### Qualification for membership of the Local House

14. (1) No person must become or remain a member of the Local House, unless he or she is of or over the age of 18 years, or if he or she –
- 5
- (a) at any time after the promulgation of the Constitution, is convicted of an offence in the Republic, or outside the Republic, if the conduct constituting such offence would have constituted an offence in the Republic, and for which he or she has been sentenced to imprisonment of more than 12 months without the option of a fine, unless he or she has received a pardon;
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- (b) is an unrehabilitated insolvent;
- (c) is of unsound mind and has been so declared by a competent court;
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- (d) is a member of a municipal council, a member of the provincial legislature or a member of Parliament;
- (e) is not a South African citizen;
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- (f) is not permanently resident within the Republic.
- (2) For the purpose of subsection (1)(a), no person must be deemed as having been convicted of an offence until any appeal against the conviction or sentence has been determined, or, if no appeal against the conviction or sentence has been noted, the time for noting such an appeal has expired.
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### Functions of the Local House

15. The functions of the Local House are:
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- (a) to advise the district or metropolitan municipality or municipality in question on –
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- (i) matters pertaining to customary law, customs, traditional leadership and the traditional communities within the district municipality or metropolitan municipality;
- (ii) the development of planning frameworks that impact on traditional communities; or
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- (iii) the development of by-laws that impact on traditional communities;
- (b) to participate in local programmes that have the development of communities as an object; or
- (c) to participate in local initiatives that are aimed at monitoring, reviewing or evaluating government programmes in communities.

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#### CHAPTER 4 GENERAL MATTERS

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##### Vacation of seats

##### 16. A member of a House must vacate his or her seat –

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- (a) if he or she ceases to be eligible to be a member of the House in terms of section 7 or 14;
- (b) if he or she resigns his or her seat by submitting his or her resignation in writing to the secretary to a House;
- (c) if he or she is removed from office in terms of the code of conduct; or
- (d) if he or she, without having obtained leave in accordance with the rules and orders, absents himself or herself from three consecutive meetings of the House.

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##### Rules and orders

##### 17. The respective Houses may make rules and orders in connection with the conduct of its business and proceedings, including rules and orders regulating –

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- (a) the establishment, constitution, powers and functions, procedures and duration of committees of the relevant House: Provided that provision must be made for a standing executive committee consisting of the chairperson, deputy chairperson and 3 other members elected by the relevant House;
- (b) restrictions on access to such committees; and
- (c) the designation of members of the House as presiding officers to preside over meetings of the respective House, as and when the chairperson so requires.

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**Quorum****18. The presence of –**

- (a) at least one third of all members of a House shall be necessary to constitute a meeting of the House; or 5
- (b) a majority of all members of a House shall be necessary when a vote is taken on any question before the House. 10

**Requisite majorities**

- 19. (1) All questions before a House must be determined by a majority of votes cast by the members present. 15
- (2) The person designated by the MEC to attend the meetings of a House in terms of sections 4(6) and 11(6), does not have any voting rights.

**Salaries and allowances payable to members of the Houses and status of members**

- 20. (1) Members of a House are remunerated in terms of the Remuneration of Public Office Bearers Act, 1998 (Act No. 20 of 1998). 20
- (2) The Premier may, after consultation with the Houses, determine that certain members of a House are full-time members. 25

**Administration and accountability of the Houses**

- 21. (1) The MEC, after consultation with the chairpersons of a House must, after consultation with the Premier, appoint a Secretary and such other staff as may be necessary for the discharge of the work of the Houses. 30
- (2) Until the necessary staff is appointed as contemplated in subsection (1), the Premier may designate officers as may be necessary for the purpose of subsection (1). 35
- (3) Persons appointed under this section must be remunerated out of and as a charge on the Provincial Revenue Fund.
- (4) The Houses must – 40
  - (a) keep proper records;
  - (b) have its financial statements audited by the Auditor General; 45
  - (c) disclose the receipt of awards, gifts and favours;

- (d) in addition to quarterly meetings, hold an annual meeting to give account of the activities and finances of the Houses; 5
- (e) adhere to the Code of Conduct provided for in Schedule 1 of this Act; 5
- (f) be responsive to the needs of traditional councils; 10
- (g) establish clear relationships and facilitate co-operation and communication between traditional councils; 10
- (h) submit to the MEC quarterly reports of their activities to the Provincial Government; 15
- (i) hold the Secretaries of the Houses accountable for the overall performance of the administration of the Houses; 15
- (j) maximise the efficiency of communication and decision-making within the administration of the Houses; 20
- (k) assign clear responsibilities for the management and co-ordination of the administration of the Houses; 20
- (l) involve the Secretaries of the Houses in management decisions as far as is practicable; and 25
- (m) provide an equitable, fair, open and non-discriminatory working environment. 25

### **Support to the Houses**

- 22. (1) The Provincial Government may adopt legislative or other measures as may be necessary to support and strengthen the capacity of the Houses. 30
- (2) The Premier must, within the Provincial Government's means, give the Houses financial support to enable them to perform their functions. 35
- (3) The support envisaged in this section may include transport assistance, where it is feasible, taking into consideration budgetary means.

### **Relationship between the Provincial House and the Kings and Queens** 40

- 23. The Provincial House must, on a bi-annual basis, hold a meeting with all Kings and Queens in the Province to discuss –

- (a) the activities and programmes of the Provincial House;
- (b) matters of interest to Kings and Queens;
- (c) matters relating to service delivery and development of traditional communities; and 5
- (d) any other business identified and proposed by either party and agreed to by both parties. 10

#### **Relationship between the Provincial House and the Local House**

24. (1) The Provincial House must, on a bi-annual basis, hold a meeting with the Local Houses to discuss – 15
- (a) activities and programmes of both Houses;
  - (b) matters relating to service delivery and development of traditional communities; 20
  - (c) any other business identified and proposed by either House and agreed to by both Houses. 25
- (2) The Provincial House must advise the Local House regarding the administration of their affairs. 30
- (3) Where the Provincial House wishes to interact with traditional council such interaction must be done in consultation with the relevant Local House: Provided that where no Local House has been established, the Provincial House may interact directly with the traditional council. 30

#### **Relationship between the Local House and traditional councils**

25. (1) The Local House must investigate matters referred to it by the traditional councils and make recommendations. 35
- (2) The Local House must advise traditional councils regarding the administration of their affairs.
- (3) Members of a Local House must report on the progress of matters relating to the general interest and welfare of traditional councils quarterly to their respective traditional councils. 40



- (4) Members of a Local House must table the reports referred to in subsection (3) at the first meeting of the House, after the reports have been submitted to the respective traditional councils.
- (5) Where the Provincial House wishes to interact with a traditional council, such interaction must be done in consultation with the Local House under whose jurisdiction the said traditional council is located. 5

#### **Relationship between the Provincial House and the Provincial Legislature**

- 26. (1) The Speaker of the Provincial Legislature must refer all the Bills introduced in the Legislature that relate to traditional affairs, customary law, traditions or customs of traditional communities in the Province or any other law that has an effect thereon, to the Provincial House for its comments. 10
- (2) The Provincial House must consider and comment on the Bills referred to in subsection (1). 15
- (3) The written notification of the Provincial House's support or opposition of a Bill referred to it, together with the comments, must be submitted to the Speaker within 30 days from the date of such referral. 20
- (4) Notwithstanding subsection (1), the Provincial Legislature may refer any Bill introduced in the Legislature to the Provincial House for its comments. 25

#### **Relationship between a Local House and the Municipal Council**

- 27. (1) The Local House must, in consultation with traditional councils, advise the district or metropolitan municipalities on matters relating to the general interest and welfare of traditional communities. 30
- (2) The Speaker of a district municipality must refer all the draft by-laws that relate to traditional affairs, customary law, traditions or customs of traditional communities in the municipality's jurisdiction, to a Local House for its comments. 35
- (3) A Local House must consider and comment on draft by-laws referred to in subsection (2).
- (4) The written notification of the Local House's support or opposition of a by-law referred to it, together with comments, must be submitted to the Speaker within 30 days from the date of such referral. 40

- (5) Notwithstanding subsection (2), a district municipality may refer any draft by-law to a Local House for its comments.

### **Relationship between the Provincial House and the Executive Council**

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28. The Premier must, in consultation with the Provincial House and the Executive Council, determine the relationship between the Executive Council and the Provincial House.

### **Privileges and immunities of members of Houses**

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29. Members of a House –

- (a) have freedom of speech in the respective House and its committees, subject to its rules and orders; and 15
- (b) are not liable to civil or criminal proceedings, arrest, imprisonment or damages for –
  - (i) anything that they have said in, produced before or submitted to the respective Houses or any of its committees, or 20
  - (ii) anything revealed as a result of anything that they have said in, produced before or submitted to the respective House or any of its committees. 25

### **Dissolution of a House**

30. A House must be dissolved –

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- (a) on the expiry of the term of office of the House; or
- (b) after a vote supported by a two-thirds majority of the full complement of the members of a House in a meeting of the House called for that purpose.

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### **Oath and affirmation**

31. Before members of a House begin to perform their functions in the respective House, they must swear or affirm faithfulness to the Republic and obedience to the Constitution in accordance with Schedule 3 of this Act, before a judge of the High Court designated by the Judge President, for this purpose. 40

**Regulations****32. The Premier may make regulations relating to:**

- (a) any matter which in terms of this Act is required or permitted to be prescribed; 5
- (b) in general, any matter which is considered necessary or expedient to prescribe for achieving the objects of this Act. 10

**Delegation**

- 33. (1) The Premier may in writing delegate any of his or her powers or functions in terms of this Act, except powers to make regulations in terms of section 32, to the MEC or any official. 15
- (2) A delegation in terms of this section may be withdrawn at any time by the Premier or MEC.

**Repeal of laws, savings and transitional arrangements 20**

- 34. (1) The senior traditional leaders and headmen or headwomen who, on the date of coming into operation of this Act were members of the House of Traditional Leaders established under the House of Traditional Leaders Act, 1994 (Act No. 6 of 1994), remain members of that House and continue as such as if that Act had not been repealed, until the expiry of the current term, whereupon the that House must be reconstituted in terms of this Act. 25
- (2) The Laws listed in Schedule 2 are hereby repealed to the extent indicated in the same Schedule. 30
- (3) Anything done or any act performed under the repealed laws is deemed to have been done or performed under this Act.

**Short title 35**

- 35. (1) This Act is called the Free State Provincial and Local Houses of Traditional Leaders Act, 2015, and comes into operation on a date determined by the Premier by proclamation in the *Provincial Gazette*. 40
- (2) Different dates of commencement may be so determined for different sections of this Act.

## **SCHEDULE 1**

### **CODE OF CONDUCT OF MEMBERS OF HOUSES**

#### **General conduct of members of Houses**

**1. A member of a House –**

- (a) must perform the functions allocated to him or her in good faith, diligently, honestly and in a transparent manner;
- (b) must fulfil his or her role in an effective and efficient manner;
- (c) must comply with any applicable legislation, promote nation building and principles of democracy and an open society;
- (d) must act in the best interests of the traditional community or communities he or she serves and must promote unity amongst traditional communities;
- (e) must foster good relations with the organs of state, other traditional leaders and traditional communities with whom he or she interacts;
- (f) may not conduct himself or herself in a disgraceful, improper or unbecoming manner;
- (g) must not use his or her position or confidential information obtained because of his or her position, for personal gain or in order to improperly benefit another;
- (h) must obey a lawful order given to him or her by a person having authority to give such an order;
- (i) may not abuse his or her powers or extort or by use of compulsion or by arbitrary means, obtain any tribute, fee, reward or gift;
- (j) must not excessively use intoxicating liquor or stupefying drugs.

#### **Breaches of Code of Conduct by members of a House**

- 2.**
- (1) If there is a reasonable suspicion that a member of a House has breached a provision of this Code of Conduct, the Premier may refer the matter to the chairperson of the House for investigation, failing which an inquiry may be conducted regarding the member of the House concerned by a person appointed by the Premier.
  - (2) At an inquiry contemplated in sub-item (1), a member of a House must be given a reasonable opportunity to be heard: Provided that the proceedings shall not be invalidated by failure of his or her attendance of the enquiry.

- (3) The person appointed to conduct the inquiry must –
- (a) at the conclusion of the inquiry, find whether the member of the House is guilty of a breach of the provision of the Code of Conduct and inform such member of such finding; and
  - (b) forward to the Premier, the record of the proceedings, a statement of the findings, the reasons therefore, and any observations which he or she deems necessary to make.
- (4) If the member of a House has been found guilty of a breach of the Code of Conduct, the Premier may –
- (a) issue a formal warning to the member of the House;
  - (b) caution or reprimand the member of the House;
  - (c) compel the member of the House to go for rehabilitation for alcoholism, drug dependency or any other improper addiction;
  - (d) impose on the member of the House a fine not exceeding ten thousand rand, payable or recoverable from any remuneration to be paid to him or her in terms of the applicable legislation for the benefit of the Provincial Revenue Fund in such installments as the Premier may determine;
  - (e) direct that for such period not exceeding two years as the Premier may determine, he or she must not be paid any remuneration;
  - (f) suspend the member of the House from official duties for a specified period not exceeding two years;
  - (g) remove the member of the House from office; or
  - (h) impose on him or her any two of the penalties referred to in paragraphs (a), (b) and (c) jointly.
- (5) A member of a House who has been convicted by a competent court of law of any offence referred to in Schedule 1 of the Criminal Procedure Act, 1977 (Act No. 51 of 1977), or of any offence which, in the opinion of the Premier, is tantamount to misconduct, is deemed, on account of such conviction, to have been found guilty of misconduct in terms of this schedule, in which event the provisions of sub-item (4) applies with the necessary changes.
- (6) Whenever a member of a House has been charged with a breach of the Code of Conduct or with any offence contemplated by sub-item (5), the Premier may suspend such member until such time that –
- (a) the member of the House has been found guilty of a breach of the Code of Conduct or of such other offence as contemplated in sub-item (5); or

- (b) the member of the House has been acquitted in respect of the charge of the breach of the Code of Conduct or such other offence as contemplated in sub-item (5) or the charge of breach of the Code of Conduct or the criminal prosecution against him or her is withdrawn or abandoned.

### **Misconduct by members of a House**

3. A member of A House is guilty of misconduct and may be dealt with in accordance with the provisions of item 2, if he or she does not comply with the provisions of item 1 or if he or she-
- (a) contravenes or fails to comply with any provisions of this Act or fails to perform any duty or to discharge any obligation imposed upon him or her under any other law;
  - (b) is negligent, careless or indolent in the discharge of his or her duties;
  - (c) is unable to execute his or her duties in an efficient manner;
  - (d) disobeys, disregards or makes willful default in carrying out a lawful order given to him or her by a person having authority to give it;
  - (e) conducts himself or herself in a disgraceful, improper or unbecoming manner;
  - (f) is dependent on intoxicating liquor or stupefying drugs;
  - (g) embarks in activities that creates division within or amongst traditional communities;
  - (h) is found guilty by a court of law, for any criminal offence.

## **SCHEDULE 2**

### **REPEAL OF LAWS**

Name of Act	Year of Publication	Extent of Repeal
House of Traditional Leaders Act	Act No. 6 of 1994	The whole
House of Traditional Leaders Amendment Act	Act No. 5 of 2000	The whole

## **SCHEDULE 3**

"I swear/affirm that I will be faithful to the Republic of South Africa and the Institution of Traditional Leadership and I will obey, respect and uphold the Constitution of the Republic of South Africa; and I solemnly promise to perform my functions as a member of the Free State House of Traditional Leaders to the best of my ability."

*(In the case of an oath members shall raise their right hand and utter the words "So help me God").*

## MEMORANDUM

### Purpose

To provide for the establishment of a Provincial House of Traditional Leaders and a Local House of Traditional Leaders, and matters connected therewith in order to give effect to the Traditional Leadership and Governance Framework Act, 2003 (Act No. 41 of 2003) and to align their terms of office with that of the National House of Traditional Leaders.

### Section 1

This clause deals with definitions.

### Section 2

This clause deals with the establishment of the Provincial House of Traditional Leaders.

### Section 3

This clause deals with the composition of the Provincial House.

### Section 4

This clause deals with the meetings of the Provincial House.

### Section 5

This clause deals with the election of the chairperson and deputy chairperson of the Provincial House.

### Section 6

This clause deals with the roles, functions and duties of the chairperson and deputy chairperson of the Provincial House.

### Section 7

This clause deals with the qualification for membership of the Provincial House.

### Section 8

This clause deals with the functions of the Provincial House of Traditional Leaders.

### Section 9

This clause deals with the establishment of a Local House of Traditional Leaders.

**Section 10**

This clause deals with the composition of a Local House.

**Section 11**

This clause deals with the meetings of the Local House.

**Section 12**

This clause deals with the election of the chairperson and deputy chairperson of the Local House.

**Section 13**

This clause deals with the roles, functions and duties of the chairperson and deputy chairperson of the Local House.

**Section 14**

This clause deals with qualification for membership of the Local House.

**Section 15**

This clause deals with the functions of the Local House.

**Section 16**

This clause deals with vacation of seats.

**Section 17**

This clause deals with rules and orders.

**Section 18**

This clause deals with a quorum.

**Section 19**

This clause deals with requisite majorities.

**Section 20**

This clause deals with salaries and allowances payable to members of the Houses.



**Section 21**

This clause deals with administration and accountability of the House.

**Section 22**

This clause deals with support of the Houses.

**Section 23**

This clause deals with the relationship between the Provincial House and the Kings and Queens.

**Section 24**

This clause deals with the relationship between the Provincial House and the Local House.

**Section 25**

This clause deals with the relationship between a Local House and the Traditional Councils.

**Section 26**

This clause deals with the relationship between the Provincial House and the Provincial Legislature.

**Section 27**

This clause deals with the relationship between the Local House and the Municipal Council.

**Section 28**

This clause deals with the relationship between the Provincial House and the Executive Council.

**Section 29**

This clause deals with privileges and immunities of members of the Houses.

**Section 30**

This clause deals with the dissolution of the House.

**Section 31**

This clause deals with oath and affirmation.

**Section 32**

This clause empowers the Premier to make regulations.

**Section 33**

This clause empowers the Premier to delegate powers to the MEC or any official.

**Section 34**

This clause deals with the repeal, savings and transitional arrangements.

**Section 35**

This clause gives the short title.

## BILI

Ho theha Ntlo ya Marena ya Provense le Matlo a Marena a Lehae; ho fana ka sebopeho sa Matlo; ho bontsha sepho le mosebetsi wa Matlo ao; le ho fana ka ditaba tse amanang le ona.

**E TLA KENNGWA TSHEBETSONG** ke Lekgotla la Ketsamolao la Provense ya Freistata, ka mokgwa ona:-

### KGAOLO 1

#### Ditlhaloso

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1. (1) Molaong ona, ntle le ha eba moelelo o bolela ka tsela enngwe –
  - “**Molao wa Boitshwaro**” o bolela Molao wa Boitshwaro o behilweng Shejuling ya 1; 10
  - “**Molaotheo**” o bolela Molaotheo wa Rephaboliki ya Afrika Borwa, ya 1996;
  - “**Mmasepala wa Setereke**” o bolela mmasepala wa setereke jwalo ka ha o hlalositse karolong 1 ya Mmuso wa Lehae: Molao wa Ditheo tsa Dimmasepala, 1998 (Molao wa 117 wa 1998); 15
  - “**Komiti ya Phethahatso**” e bolela Komiti ya Phethahatso ya Ntlo ya Marena e boletsweng karolong 17; 20
  - “**Molao wa Moralo**” o bolela Moralo wa Molao wa Borena le Puso, wa 2003 (Molao wa 41 wa 2003);
  - “**Molao wa Freistata wa Borena le Puso, wa 2005**” o bolela Molao wa Freistata wa Borena le Puso, wa 2005 (Molao wa 8 wa 2005); 25
  - “**Ntlo**” e bolela Ntlo ya Provense le/kapa ya Lehae, jwalo ka ha ho hlokeha;
  - “**Prince, Morena wa Motse kapa Ramotse**” di bolela ramotse kapa mmamotse, jwalo ka ha ho hlalositse karolong 11 ya Moralo wa Molao; 30
  - “**Kgosi kapa Morena**” o bolela Morena e Moholo, e leng se hlalositsweng karolong 11 ya Moralo wa Molao; 35
  - “**Ntlo ya Lehae**” e bolela Ntlo ya Marena ya Lehae e thehilweng ho ya ka karolo 9;
  - “**LETONA**” le bolela Setho sa Lekgotla la Phethahatso le ikarabellang ditabeng tsa meetlo ka hara Provense; 40
  - “**Setho**” se bolela setho sa Ntlo;

- "Morena e Moholo"** o bolela Morena kapa Mofumahadi ya ananehwang ho ya karolo 9 ya Moralo wa Molao;
- "Ntlo ya Naha"** e bolela Ntlo ya Marena ya Naha e boletsweng karolong 2 ya Molao wa Naha wa Ntlo ya Marena, wa 2009 (Molao wa 22 wa 2009); 5
- "Tonakgolo"** e bolela Hlooho ya Phethahatso ya Provense;
- "Morena wa Sehlooho"** o bolela morena wa sehlooho ya thehilweng ho ya ka molao wa provense wa karolo 10A ya Moralo wa Molao; 10
- "Provense"** e bolela Provense ya Freistata jwalo ka ha ho hlalositse karolong 103 ya Molao wa Motheo;
- "Ntlo ya Provense"** e bolela Ntlo ya Marena ya Freistata, e thehilweng ho ya ka karolo 2; 15
- "Mongodi"** o bolela motho ya kgethilweng ho ba mongodi wa Ntlo ya Marena ya Provense le batho ba kgethilweng e le bangodi ba Matlo a Marena a Lehae, ho ya ka karolo 21; 20
- "Baahi ba Moetlo"** ba bolela baahi ba moetlo ba thehilweng ho ya ka karolo 3 ya Molao wa Freistata wa Borena le Puso, wa 2005; le
- "Lekgotla la Moetlo"** ba bolela lekgotla la moetlo le thehilweng ho ya ka karolo 7 ya Molao wa Freistata wa Borena le Puso, wa 2005. 25
- (2) Mantsoe a hlalositsweng ka hara Molao wa Freistata wa Borena le Puso, wa 2005, a na le moelelo o tshwanang ka sepheo sa Molao ona. 30

## KGAOLO 2

### Ho thehwa ha Ntlo ya Marena ya Provense

2. (1) Ho thehilwe Ntlo ya Marena ya Provense, e tsebahalang ka Ntlo ya Marena ya Freistata. 35
- (2) Ntlo ya Marena ya Provense, e filwe mesebetsi ho ya ka dipehelo tsa Molao ona.

- (3) Nako ya puso ya ba Ntlo ya Marena ya Provense ke dilemo tse hlano tse behilweng ka papiso le Ntlo ya Marena ya Naha; ha feela nako ya pele ya puso ya Ntlo ya Marena ya Provense, ka mora ho kenngwa tshhebetsong ha Molao ona, e ka ba kgutshwane kapa telele ho feta dilemo tse hlano, hore e bapiswe le tsa puso ya Ntlo ya Marena ya Naha.

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### Motheo wa Ntlo ya Marena ya Provense

3. (1) (a) Ntlo ya Marena ya Provense, ho latela karolwana (2), e tla ba le palo ya ditho e tla behwa ke Tonakgolo ka tsebiso *Pampiring ya Mmuso*. 10
- (b) Botho ba Ntlo ya Marena bo tla kenyeletsa marena a sehlooho mme ha ho bontshitswe kapa ka baka la kgaello ya ditho tsa marena a sehlooho, boramotse le/kapa bommamotse: mme ha e le hore baahi ha ba na palo a lekaneng ya ditho tsa boramotse le bommamotse, baahi bao ba tla emelwa ke palo ya ditho e batlahalang ya balelapa la boreneng, tseo ho ya ka sephelo sa karolo ena le karolo 9, di tla tlameha ho ba boramotse kapa bommamotse. 15
- (c) Marena/Mafumahadi le marena a okametseng ha ba a lokela ho ba ditho tsa Ntlo ya Marena ya Provense. 20
- (d) Ditho tsa Ntlo ya Marena ya Provense, ho ya ka karolwana (2), di tla kgethwa ke kemedi ya setjhaba ya dikgetho bakeng sa borena kapa bofumahadi ka bong, borena ba sehlooho le ke makgotla a setso, ao e seng karolo ya borena kapa bofumahadi kapa borena bo okametseng; ha feela moo lekgotla la setso le sa thehwa, dikgetho di tla etswa ke baahi ba amehang. 25
- (e) Kemedi ya setjhaba ya dikgetho e boletsweng seratswaneng sa (d) e na le morena kapa mofumahadi kapa morena ya okametseng, marena a sehlooho oohle le boramotse kapa bommamotse bohle ba ka hara borena kapa bofumahadi, kapa morena ya okametseng kapa Lekgotla la tsa meetlo le ikarabellang. 30
- (2) Tonakgolo, ho ya ka karolwana (1)(a), ka tsebiso *Pampiring ya Mmuso*, le tla beha palo ya ditho tsa marena kapa mafumahadi kapa baahi ba okametseng tsa meetlo le ba lekgotla le leng le le leng la meetlo, leo e seng karolo ya borena kapa bofumahadi, kapa baahi ba okametseng tsa meetlo kapa moo lekgotla la tsa meetlo le eso kang le thehwa, palo ya ditho tsa baahi ba tsa meetlo e tla ba le kemedi Ntlong ya Marena ya Provense. 35 40

- (3) Nngwe borarong ya ditho tsa Ntlo ya Marena ya Provense e lokela ho ba basadi: Ha feela Letona le kgotsotfetse hore ho na le kgaello ya ditho tsa basadi ba nang le seabo Ntlong ya Marena ya Provense, Letona le ka fokotsa palo. 5
- (4) Setho se lokela ho tsamaisa mosebetsi wa ofisi nako e behilweng ya Ntlo ya Marena ya Provense.
- (5) Ho ya ka karolo 7, ha setho sa Ntlo ya Marena ya Provense se hlokahala, kapa se tlohela ho ba setho, setho se setjha se lokela ho kgethwa nakong ya kgwedi e le nngwe, bakeng sa nako e setseng ya Ntlo ya Marena ya Provense. 10

#### Dikopano tsa Ntlo ya Marena ya Provense

4. (1) (a) Kopano ya pele, ho latela molaotheo wa Ntlo ya Marena ya Provense, ho ya ka karolo 3, e lokela ho tshwarwa ka letsatsi le sebaka tse tla bolelwa ke Tonakgolo. 15
- (b) Tonakgolo kapa motho ya kgethilweng ke Tonakgolo o lokela ho tsamaisa kopano e boletsweng seratswaneng sa (a). 20
- (2) Dikopano tsa Ntlo ya Marena ya Provense di lokela ho tshwarelwa sebakeng seo modulasetulo a ka se behang, neng neng. 25
- (3) Ho lokela hore ho be le kopano e tiwaelehileng ya Ntlo ya Marena ya Provense, bonyane makgetlo a mane selemong ka seng, nakong ya tsamaiso ya Lekgotla la Ketsamelao la Provense.
- (4) Ho latela dikarolwana (2) le (3), Ntlo ya Marena ya Provense e lokela ho ba le dikopano dinakong tseo le matsatsing ao, le ka dihora tseo e tla di bolela. 30
- (5) (a) Modulasetulo, ka nako efe kapa efe, kapa ha Letona le laetse, a ka bitsa kopano e ikgethang ya Ntlo ya Marena ya Provense, ka letsatsi le sebaka tse tla behwa ke komiti e boletsweng, ho ya ka moo ho boletsweng. 35
- (b) Dikopanong tse kang tsena tse ikgethang, ke ditaba tse hlahisitsweng Ntlong ya Marena fela tse lokelang ho tshohlwa. 40
- (c) Setho sefe kapa sefe sa Ntlo, e bang se tshehetswa ke boraro bonngweng ba ditho tsa ntlo ya Marena, se ka bitsa kopano.
- (6) Motho ya kgethilweng ke Tonakgolo a ka ba teng dikopanong tsa Ntlo ya Marena ya Provense ho eletsa ba Ntlo ya Marena ya Provense ka maano a mmuso le melao e amanang le ditaba tsa meetlo. 45

- (7) Bonnyane, bo teng ba boholo ba ditho tsahle tsa Ntlo ya Marena ya Provense bo hloka hloa ho ba karolo ya kopano ya Ntlo ya Marena ya Provense.

**Ho kgethwa ha modulasetulo le motlatsa-modulasetulo ba ntlo ya Marena ya Provense** 5

5. Kopanong ya yona ya pele, jwalo ka ha ho boletswa karolong 4(1), Ntlo ya Marena ya Provense e lokela ho kgetha e mong wa ditho tsa yona ho ba modulasetulo, mme ka morao ho moo e lokela ho kgetha e mong hape wa ditho tsa yona ho ba motlatsa-modulasetulo wa Ntlo ya Marena ya Provense. 10

**Mesebetsi ya modulasetulo le motlatsa-modulasetulo ba Ntlo ya Marena ya Provense** 15

6. (1) Modulasetulo wa Ntlo ya Marena o na le mesebetsi e latelang:
- (a) Ho bitsa dikopano tsa Ntlo ya Marena ya Provense;
- (b) Ho tsamaisa dikopano tsa Ntlo ya Marena ya Provense; 20
- (c) Ho nnetefatsa tsamaiso e phethahetseng ya ka mehla ya mesebetsi wa Ntlo ya Marena ya Provense; le
- (d) Ho etsa mesebetsi o mong le o mong oo Tonakgolo kapa Molao ona o ka mo fang ona. 25
- (2) Ha modulasetulo a le siyo kapa tlasa mabaka afe kapa afe, a keke a kgona ho etsa mesebetsi e filweng ofisi ya hae, kapa ofisi ya modulasetulo e na le sekgo, motlatsa-modulasetulo o lokela ho etsa mesebetsi ya modulasetulo nako eo modulasetulo a leng siyo ka yona kapa ho fihlela ho kgethwa modulasetulo e mong. 30
- (3) Ha maemo afe kapa afe a hlalositsweng karolong (2) a etsahala ho modulasetulo le motlatsa-modulasetulo, setho sa Komiti ya Phethahatso se kgethilweng ho ya ka melao le ditaelo, o lokela ho etsa mesebetsi ya modulasetulo ha maemo a boletsweng a sa le teng. 35
- (4) Motlatsa-modulasetulo kapa setho sa Komiti ya Phethahatso se kgethilweng ka tlasa karolwana (3), ha se ntse se tshwere mesebetsi wa modulasetulo, se lokela ho etsa mesebetsi e filweng ofisi ya modulasetulo. 40
- (5) Ha a ntse a okametse kopano ya Ntlo ya Marena ya Provense, modulasetulo, Motlatsa modulasetulo kapa setho sefe kapa sefe se okametseng ha se a lokela ho ba le kgetho ya ho rala, empa se lokela ho kgetha bakeng sa tekatekano dikgethong. 45

- (6) Ho ya ka karolo 7 kapa 16, Modulasetulo kapa motlatsa-modulasetulo o lokela ho tlohela ofisi ya hae ebang a tlohela ho ba setho sa Ntlo ya Marena ya Provense, mme a ka tloswa ofising ka qeto ya Ntlo ya Marena ya Provense, e tshhetswang ke bobedi ba boraro ba ditho tse felletseng tsa Ntlo ya Marena ya Provense. 5
- (7) Ebang ofisi ya modulasetulo kapa motlatsa-modulasetulo e ba le sekgeo sa mosebetsi, Ntlo ya Marena ya Provense, ka tlasa bodulasetulo ba Tonakgolo kapa motho ya kgethilweng ke Tonakgolo, e lokela ho kgetha setho hore se kwale sekgeo seo: ha feela modulasetulo ketsahalong e kang ena, a tla tsamaisa dikgetho tsa motlatsa-modulasetulo. 10

### **Tshwanelcho ya botho ba Ntlo ya Marena ya Provense**

7. (1) Ha ho motho ya lokelang ho ba kapa ho tswella ho ba setho sa Ntlo ya Marena ya Provense, ntle le ha eba a le dilemo tse ka hodimo ho 18, kapa ha – 15
- (a) ka nako efe kapa efe, ka mora phatlalatso ya Molaotheo, a qositswe ka tlolo ya molao ka hara Rephabliki, kapa kante ho Rephabliki, e bang tlolo ena ya molao e kabe e bile tlolo ya molao ka Rephabliki, mme a ahloetswe ho ya tshankaneng nako e fetang dikgwedi tse 12, ntle le kgetho ya ho lefiswa, ntle le ha eba a tshwaretswe; 20
- (b) e le motho ya hlohang tjelele; 25
- (c) a sa nke hantle ka kelellong mme sena se phatlaladitswe lekgotleng la dinyewe le phethahetseng;
- (d) e le setho sa lekgotla la mmasepala, setho sa lekgotla la ketsamelao la provense kapa setho sa Palamente; 30
- (e) e se moahi wa Afrika Borwa;
- (f) e se moahi ya tsitsitseng ka hara Rephabliki. 35
- (2) Bakeng sa karolwana (1)(a), ha ho motho ya lokelang ho bonwa e le moqusrwa wa tlolo ya molao, ho fihlela boipiletso bofe kapa bofe kgahlano le qoso kapa kahlolo e entswe, kapa ebang ho se na boipiletso kgahlano le qoso kapa kahlolo, nako ya boipiletso boo e tla be e se e fetile. 40

### **Mosebetsi ya Ntlo ya Marena ya Provense**

8. (1) Ntlo ya Marena ya Provense e na le mosebetsi e latelang:



- (a) Ho eletsa mmuso wa provense kapa lekgotla la ketsamelao la Provense ka ditaba tsa tihabollo tse amanang le molao wa botjhaba kapa tse amanang botjhaba le meetlo ya setjhaba.
- (b) Ho eletsa mmuso wa provense le ho ba le seabo tihabollong ya mamo le melao ya provense. 5
- (c) Ho ba le seabo mananeong a tihabollo ya naha le provense.
- (d) Ho phahamisa mosebetsi wa Marena ka hara Provense ya Freistata. 10
- (e) Ho ba le seabo tshetsoeng mmoho le batshehetsi ba bang, maitekong a provense a bodisa, ntjhafatso le tekolo ya mananeo a mmuso setjhabeng. 15
- (f) Ho ntlafatsa kopano le kutlwisisano hara baahi ba setso ka hara Freistata.
- (g) Ho ntlafatsa tshetsoano pakeng tsa Matlo a Lehae le makgotla a setso ka hara Provense ya Freistata. 20
- (h) Ho ba le seabo ditheong tsa mmuso.
- (i) Ho ntshetsapele le ho sireletsa melao ya boitshwaro ba botjhaba, boitshwaro ka kakaretso le mekgoa ya botjhaba. 25
- (2) Ho phetha mesebetsi e ka laelwang ke Tonakgolo kapa e ka hlabang molaong ofe feela o amehang wa provense.

### KGAOLO 3

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#### Ho thehwa ha Ntlo ya Marena ya Lehae

9. (1) (a) Ntlo ya Lehae ya Marena, ka hona, e thehelwa setereke ka seng le mmasepala wa motsemoholo, moo ho nang le lekgotla la setso le fetang bonngwe seterekeng seo kapa mmasepaleng oo wa motsemoholo. 35
- (b) Ntlo ya lehae e boletsweng seratswaneng (a) e lokela ho thehwa ke Tonakgolo ka *Pampiring ya Mmuso*. 40

- (2) (a) Ho ya ka seratswana (b), moo ntlo ya lehae e kekeng ya thehwa ho ya ka karolwana (1), mesebeti ya Ntlo ya Marena ya Lehae e boletsweng karolwang (3), e lokela ho etswa ke lekgotla la setso la ka hara setereke kapa mmasepala wa motsemoholo. 5
- (b) Mesebeti ya Ntlo ya Lehae e umakilweng seratswaneng sa (b) e lokela ho etswa ke Morena wa Sehlooho le ditho tse ding tse nne tsa lekgotla la setso.
- (3) Ditho tsa Ntlo ya Lehae di kenyeletsa Marena a Sehlooho le Boramotse le Bommamotse ba dulang seterekeng seo kapa mmasepaleng wa motsemoholo. 10
- (4) Ditho tsa Ntlo ya Lehae di kgethwa ke lekgotla la dikgetho le kenyeletsang Marena le /kapa Mafumahadi, kapa baemedi ba bona, marena a okametseng le marena a sehlooho, ba dulang ka hara setereke kapa mmasepala wa motsemoholo o boletsweng. 15
- (5) Ka ho phatlalatsa *Pampiring ya Mmuso*, Tonakgolo e lokela ho etsa dikgetho tsa Matlo a Lehae a fapaneng, karolong ya pele ya tshebetso, matsatsing a mashome a tshelletseng ka mora ho kenngwa tshebetsong ha Molao ona: Ha feela dikgetho tse jwalo di ba matsatsing a 30 a tsebiso e boletsweng. 20
- (6) Tonakgolo, ka phatlalatsa *Pampiring ya Mmuso*, e lokela ho beha mokgwa wa tshebetso o lokelang ho latelwa dikgethong tse boletsweng karolwaneng (4) le dikgetho dife kapa dife tse tla latela tsa Ntlo ya Marena ya Lehae. 25
- (7) Ntlo ya Marena ya Lehae e na le mesebeti eo e e filweng ke karolo 15.
- (8) Nako ya puso ya Ntlo ya Marena ya Lehae ke dilemo tse hlano, ho tsamaelana le nako ya puso ya Ntlo ya Marena ya Naha: Ha feela karolo ya pele ya tshebetso ya matlo a lehae e ka ba ka tlaase kapa ka hodimo ho dilemo tse hlano, ho e bapisa le karolo ya tshebetso ya Ntlo ya Marena ya Naha. 30
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#### Popeho ya Ntlo ya Marena ya Lehae

10. (1) Ntlo ya Marena ya Lehae e na le ditho tse seng ka tlaase ho 5 empa e sa fete 10, jwalo ka ha Tonakgolo le tsebisitse *Pampiring ya Mmuso*.

- (2) Karolo ya nngwe borarong ya ditho tsa Ntlo ya Marena ya Lehae e lokela ho Ba basadi: Ha feela Tonakgolo e kgotsofetse hore ho an le palo e haellang ya Basadi bat la sebetse ka hara Ntlo ya Marena ya Lehae, Tonakgolo e ka nka qeto ya palo e tlaase, ka morao ho dipuisano le kemedi ya dikgetho e boletsweng karolong 9(3).

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### Dikopano tsa Ntlo ya Marena ya Lehae

11. (1) (a) Ho ya ka karolo 10, kopano ya pele ka morao ho molaotho wa ntlo ya marena ya lehae e lokela ho ba ka letsatsi le sebaka tse tla behwa ke Letona. 10
- (b) Letona kapa motho ya kgethilweng ke Letona o lokela ho tsamaisa kopano e boletsweng seratswaneng (a). 15
- (2) Dikopano tsa Ntlo ya Marena ya Lehae di lokela ho tshwarelwa sebakeng se behilweng ke Modulasetulo ka nako tse itseng.
- (3) Ho lokela ho ba le kopano e tlwaelehileng ya Ntlo ya Marena ya Lehae, bonyane makgetlo a mane selemo le selemo, nakong ya tsamaiso ya setereke kapa ya mmasepala wa motsemoholo. 20
- (4) Ho ya ka dikarolwana (2) le (4), Ntlo ya Marena ya Lehae e lokela ho kopana ka dinako le ka matsatsi le ka dihora tse kgethilweng ho ya ka thato ya Ntlo. 25
- (5) Ka nako efe kapa efe ekasitatana le ba a laetswe ke Letona ho etsa jwalo, modulasetulo o lokela ho bitsa kopano e ikgethang ya Ntlo ya Marena ya Lehae, ka letsatsi le sebaka tse tla behwang ke yena modulasetulo ya boletsweng, ka tumello ya Letona, mme dikopanong tsena tse ikgethang, ke ditaba tse hlalisitsweng Ntlong ya Marena feela tse lokelang ho tshohlwa. 30
- (6) Motho ya kgethilweng ke Letona a ka ba teng dikopanong tsa Ntlo ya Marena a Lehae ho eletsa Ntlo ya Marena ya Lehae ka maano a mmuso le melao e amanang le ditaba tsa botjhaba. 35

### Ho kgethwa ha modulasetulo le motlatsa modulasetulo wa Ntlo ya Marena ya Lehae

12. Kopanong ya yona ya pele, jwalo ka ha ho boletsweng karolong 11, Ntlo ya Marena ya Lehae e lokela ho kgetha e mong wa ditho tsa yona ho ba modulasetulo, mme ka morao ho moo e lokela ho kgetha e mong hape wa ditho tsa yona ho ba motlatsa modulasetulo wa Ntlo ya Marena ya Lehae. 40

### Mesebetsi ya modulasetulo le motlatsa modulasetulo ba Ntlo ya Marena ya Lehae

13. (1) Modulasetulo wa Ntlo ya Marena ya Lehae o na le mesebetsi e latelang:

- (a) ho bitsa dikopano tsa Ntlo ya Marena ya Lehae;
- (b) ho tsamaisa dikopano tsa Ntlo ya Marena ya Lehae;
- (c) ho nnetefatsa tsamaiso e phethahetseng ya ka mehla ya mosebetsi wa Ntlo ya Marena ya Lehae; le 5
- (d) ho etsa mosebetsi ofe kapa ofe o mong oo Letona kapa Molao ona o ka mo fang ona. 10
- (2) Ha modulasetulo a le siyo kapa tlasa mabaka afe kapa afe, a keke a kgona ho etsa mosebetsi e filweng ofisi ya hae, kapa ofisi ya modulasetulo e na le sekgeo, motlatsa modulasetulo o lokela ho etsa mosebetsi ya modulasetulo nako eo modulasetulo a leng siyo kapa a hlolehlang ho etsa mosebetsi eo ka yona, kapa ho fihlela ho kgethwa modulasetulo e mong. 15
- (3) Ha maemo afe kapa afe a hlalositsweng karolong (2) a etsahala ho modulasetulo le motlatsa modulasetulo, setho sa Komiti ya Phethahatso se kgethilweng ho ya ka melao le ditaelo, se lokela ho etsa mosebetsi ya modulasetulo ha maemo a boletsweng a sa le teng. 20
- (4) Motlatsa modulasetulo kapa setho sa Komiti ya Phethahatso se kgethilweng ka tlasa karolwana (3), ha se ntse se tshware mosebetsi wa modulasetulo, se lokela ho etsa mosebetsi e filweng ofisi ya modulasetulo. 25
- (5) Modulasetulo, motlatsa modulasetulo kapa setho sefe kapa sefe sa Ntlo ya Marena ya Lehae ba kgethilweng bakeng sa sepeheo seo, ho ya ka melao le ditaelo, ba lokela ho tsamaisa dikopano tsa Ntlo ya Marena ya Lehae.
- (6) Ha a ntse a okametse kopano ya Ntlo ya Marena ya Lehae, modulasetulo, Motlatsa modulasetulo kapa setho sefe kapa sefe se okametseng ha se a lokela ho ba le kgetho ya ho rala, empa se lokela ho kgetha bakeng sa tekatekano dikgethong. 30
- (7) Ho ya ka karolo 14 le 16, Modulasetulo kapa motlatsa modulasetulo o lokela ho tlohela ofisi ya hae ebang a tlohela ho ba setho sa Ntlo ya Marena ya Lehae, mme a ka tloswa ofising ka qeto ya Ntlo ya Marena ya Lehae, mme a ka tlohela mosebetsi ka ho ngolla mongodi wa Ntlo ya Marena ya Lehae lengolo la ho tlohela mosebetsi. 35
- (8) Ebang ofisi ya modulasetulo kapa motlatsa modulasetulo e ba le sekgeo sa mosebetsi, Ntlo ya Marena ya Lehae, ka tlasa bodulasetulo ba Tonakgolo kapa motho ya kgethilweng ke Tonakgolo, e lokela ho kgetha setho hore se kwale sekgeo seo: Ha feela modulasetulo ketsahalang e kang ena, a tla tsamaisa dikgetho tsa motlatsa modulasetulo. 40 45

**Tshwaneleho ya botho ba Ntlo ya Marena ya Lehae**

14. (1) Ha ho motho ya lokelang ho ba kapa ho tswella ho ba setho sa Ntlo ya Marena ya Lehae, ntle le ha eba a le dilemo di, kapa tse ka hodimo ho, 18, kapa ha – 5
- (a) ka nako efe kapa efe ka mora phatlalatso ya Molaotheo, a qoatswe ka tlolo ya molao ka hara Rephabliki kapa ka ntle ho Rephabliki, e bang tlolo ena ya molao e kabe e bile tlolo ya molao ka hara Rephabliki, mme a ahloetswe ho ya tjhankaneng nako e fetang dikgwedi tse 12 ntle le kgetho ya ho lefiswa, ntle le ha eba a tshwaretse; 10
- (b) e le motho ya blokang tjhelete; 15
- (c) a sa nke hantle ka kelellong mme sena se phatlaladitswe lekgotleng la dinyewe le phethahetseng;
- (d) e le setho sa lekgotla la mmasepala, setho sa lekgotla la ketsamela la provense kapa setho sa Palamente; 20
- (e) e se moahi wa Afrika Borwa;
- (f) e se moahi ya tsitsitseng ka hara Rephabliki.
- (2) Bakeng sa karolwana (1) (a), ha ho motho ya lokelang ho bonwa e le moqusuwa wa tlolo ya molao, ho fihlela boipiletso bofe kapa bofe kgahlano le qoso kapa kahlolo di entswe, kapa ebang ho se na boipiletso kgahlano le qoso kapa kahlolo, nako eo ho fanwang ka yona bakeng sa boipiletso boo e se e fetile. 25

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**Mesebetsi ya Ntlo ya Marena ya Lehae****15. Mesebetsi ya Ntlo ya Marena ya Lehae ke:**

- (a) ho eletsa setereke kapa mmasepala wa motsemoholo kapa mmasepala ya bolelwang ka – 35
- (i) ditaba tse amanang le molao wa setso, tiwaelo, borena le setjhaba sa moetlo ka hara mmasepala wa setereke kapa mmasepala wa motsemoholo; 40
- (ii) tlhabollo ya meralo ya tshebetso e nang le tshusumetso setjhabeng sa moetlo; kapa

- (iii) tihabollo ya melao e nang le tshusumetso setjhabeng sa moetlo;
- (b) ho ba le seabo mananeong a lehae ao sepheo sa ona e leng ho hlabolla setjhaba sa moetlo; kapa
- (c) ho ba le seabo maitekong a lehae a etseditsweng ho disa, ho hlaboba botjha kapa ho lekola mananeo a mmuso ka hara setjhaba.

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#### KGAOLO 4 TSE AKARETSANG

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#### Ho tlohelwa ha ditulo

16. Setho sa Ntlo ya Marena se lokela ho tlohela setulo sa hae –

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- (a) ha a kgaotsa ho ba le tokelo ya hob a setho sa Ntlo ya Marena; ho ya ka karolo 7 kapa 14;
- (b) ha a itokolla setulong sa hae, ka ho fa mongodi wa Ntlo lengolo la ho itokolla;
- (c) ha a tloswa ofising ho ya ka dipehelo tsa boitshwaro; kapa
- (d) ha a ba siyo dikopanong tsa Ntlo tse tharo tse latelanang, a sa fumana tumello ya ho phomola, ho ya ka melao le dipehelo tsa Ntlo.

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#### Melao le dipehelo

17. Matlo ka ho fapana a ka iketsetsa melao le dipehelo tsa boitshwaro mosebetsing le tsamaisong ya Ntlo, ho kenyeletsa melao le dipehelo tsa taolo ya –

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- (a) motheo, molaotheo, matla le mesebetsi, tsamaiso le bolelele ba nako ya tshebetso ya dikomiti tsa Ntlo ya Marena e amehang; ha feela ho kenyeleditswe komiti ya phethahatso e nang le modulasetulo, motlatsa modulasetulo le ditho tse ding tse 3 tse kgethilweng ke Ntlo e amehang;
- (b) thibelo le tumello dikomiting tse jwalo; le
- (c) ho behwa ha ditho tsa Ntlo ya Marena ho tsamaisa dikopano tsa Ntlo e amehang, ka qeto le nako e kgethilweng ke modulasetulo.

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**Khoramo****18. Ho ba teng ha –**

- (a) bonyane nngwe bomarong ba palo ya ditho tsohle tsa Ntlo e tla hlokeha hore Ntlo e kopane; kapa 5
- (b) boholo ba palo ya ditho tsohle tsa Ntlo e tla hlokeha ha ho etswa kgetho mabapi le potsa efe kapa efe e behelwang Ntlo. 10

**Boholo bo hlokehang**

- 19. (1) Dipotsa tsohle tse tswang ka pele ho Ntlo di lokela ho sebetswa ho ya ka boholo ba palo ya dikgetho tsa ditho tse leng teng. 15
- (2) Motho ya kgethilweng ke Letona hore a be teng kopanong ya Ntlo ho ya ka karolo 4(6) le 11(6), ha a na tokelo ya ho kgetha.

**Meputsa le dikabo tsa tjhelete tse lokelang ho lefshwa ditho tsa Matlo le maemo a ditho 20**

- 20. (1) Ditho tsa Ntlo di lefshwa ho ya ka Molao wa Bahlanka ba Mmuso wa 1998 (Molao 20 wa 1998).
- (2) Ka morao ho ho rerisana le Ntlo, Tonakgolo e ka nka qeto ya hore ditho tse itseng tsa Ntlo ke ditho tsa nako tsohle. 25

**Tsamaiso le boikarabelo ba Matlo**

- 21. (1) Ka morao ho ho rerisana le baduladitulo ba Ntlo, Letona, ka morao ho ho rerisana le Tonakgolo, le tlameha ho thonya Mongodi le basebetsi ba bang ba ka hlokehang bakeng sa phethahatso ya mosebetsi wa Matlo. 30
- (2) Ho fihlela basebetsi ba hlokehang ba hirwa, jwalo ka ha ho boletswe karolwaneng (1), Tonakgolo e ka kgetha basebetsi ka moo ho ka kgonehang bakeng sa karolwana (1). 35
- (3) Batho ba hiriweng tlasa karolo ena ba lokela ho putswa ho tswa Letloleng la Kuno ya Provense, e le mokgwa wa ho lefisa Letlole. 40
- (4) Matlo a lokela –
  - (a) ho boloka direkoto tse nepahetseng;
  - (b) a hlakisetswe dibuka tsa ona tsa ditjhelete ke Mohlakisi Kakaretso; 45
  - (c) ho senola dikgau, dimpho le melemo eo di e fuweng;

- (d) ho ba le kopano ya selemo, hodima dikopano tse tshwarwang kotara e nngwe le e nngwe, ho fana ka tlaleho ya diketsabalo le tshebediso ya ditjhelete ya Matlo;
- (e) ho latela Melao ya Boitshwaro e boletsweng Shejuling ya 1 ya Molao ona; 5
- (f) ho arabela ditlhoko tsa makgotla a botjhaba;
- (g) ho theha dikamano tse hlakileng le ho bebofatsa tshebetso mmoho le dikgokahano pakeng tsa makgotla a setso; 10
- (h) ho romela ditlaleho tsa tshebetso ya ona kotara enngwe le enngwe Mmusong wa Provense ka Letona; 15
- (i) ho fa bangodi ba Matlo a Marena boikarabelo ba mosebetsi ka kakaretso, wa tsamaiso ya Matlo a Marena;
- (j) ho hodisa bokgoni ba dikgokahano le ho nkwa ha diqeto tsamaisong ya Matlo a Marena; 20
- (k) ho aba mesebetsi bakeng sa bolaodi le tshebedisano tsamaisong ya Matlo a Marena;
- (l) ho fa Bangodi ba Matlo a Marena monyetla wa ho ba karolo ha ho nkwa diqeto tsa taolo ya Matlo a Marena ho fihlela moo ba ka kgonang; le 25
- (m) ho fana ka sebaka sa tshebetso se nang le tekano, se senang le leeme le se senang kgethollo. 30

#### **Tshehetso Matlong a Marena**

22. (1) Mmuso wa Provense o ka amohela metjha ya melao kapa metjha e meng, jwalo ka ha ho hlokeha, ho tshebetse le ho matlafatsa bokgoni ba Matlo a Marena. 35
- (2) Ho ya ka moo Mmuso wa Provense o ka kgonang, Tonakgolo e lokela ho fa Matlo a Marena tshehetso ya ditjhelete hore a kgone ho etsa mesebetsi ya ona. 40
- (3) Tshehetso e akantsweng karolong ena e ka kenyeletsa thuso ka dipalangwang, moo ho kgonehang, ho shebilwe bokgoni ba tjhelete.

#### **Dikamano pakeng tsa Ntlo ya Marena ya Provense le Marena le Mafumahadi**

23. Ntlo ya Marena ya Provense, e lokela ho tshwara kopano le Marena le Mafumahadi ohle ka hara Provense, habedi selemong, ho tshohla – 45



- (a) mesebetsi le mananeo a Ntlo ya Marena ya Provense;
- (b) ditaba tseo Marena le Mafumahadi a nang le thahasello ho tsona;
- (c) ditaba tse amanang le phano ya ditshebeletso le tihabollo ya Setjhaba; le 5
- (d) kgwebo efe kapa efe e hlwaiweng kapa e hlahisitsweng ke o mong wa mekga mme mekga ka bobedi e dumellane ka yona.

**Dikamano pakeng tsa Ntlo ya Marena ya Provense le Ntlo ya Marena ya Lehae** 10

24. (1) Ntlo ya Marena ya Provense, e lokela ho tshwara kopano le Matlo a Marena a Lehae, habedi selemong, ho tshohla –
- (a) mesebetsi le mananeo a Matlo a Marena ka bobedi; 15
  - (b) ditaba tse amanang le phano ya ditshebeletso le tihabollo ya setjhaba;
  - (c) kgwebo efe kapa efe e hlwaiweng kapa e hlahisitsweng ke enngwe ya Matlo a Marena mme Matlo ka bobedi a dumellane ka yona. 20
- (2) Ntlo ya Marena ya Provense e lokela ho eletsa Ntlo ya Marena ya Lehae ka tsamaiso ya ditaba tsa yona. 25
- (3) Moo Ntlo ya Marena ya Provense e lakatsang ho sebedisana le lekgotla la setso, tshebedisano e kang ena e lokela ho etswa ka ditherisano le Ntlo ya Marena ya Lehae e loketseng. Ha feela moo Ntlo ya Marena ya Lehae e sa thehlang, Ntlo ya Marena ya Provense e ka sebedisana le lekgotla la setso. 30

**Dikamano pakeng tsa Ntlo ya Marena ya Lehae le makgotla a setso**

25. (1) Ntlo ya Lehae e lokela ho fuputsa ditaba tseo e di filweng ke makgotla a setso mme e etse dikgothaletso. 35
- (2) Ntlo ya Marena ya Lehae e lokela ho eletsa makgotla a setso ka tsamaiso ya ditaba tsa ona.
- (3) Ditho tsa Ntlo ya Marena ya Lehae di lokela ho fana ka tlaleho ya ditaba tse molemong wa makgotla a setso ka kakaretso, ho makgotla a tsona a setso, kotara enngwe le enngwe. 40

- (4) Ditho tsa Ntlo ya Marena ya Lehae di lokela ho fana ka tlaleho e boletsweng karolwaneng (3) kopanong ya pele ya Ntlo ya Marena, ka mora hore di fuwe makgotla a setso a amehang.
- (5) Moo Ntlo ya Marena ya Provense e lakatsang ho sebedisana le lekgotla la setso, tshebedisano e kang ena e lokela ho etswa ka therisano le Ntlo ya Marena ya Lehae, eo lekgotla la setso le boletsweng le leng tlasa matla a yona a ho nka diqeto le ho ahlola. 5

**Dikamano pakeng tsa Ntlo ya Marena ya Provense le Lekgotla la Ketsamelao la Provense** 10

26. (1) Spikara sa Lekgotla la Ketsamelao la Provense se lokela ho romela hore Ntlo ya Marena ya Provense e tswhaele hodima Dibili tsohle tse tsebisitsweng Lekgotleng la Ketsamelao tse amanang le ditaba tsa setso, molao wa setso, meetlo le ditlhwaelo tsa setjhaba ka hara Provense, kapa molao ofe feela o amanang le tsona. 15
- (2) Ntlo ya Marena ya Provense e lokela ho ananela le ho fana ka ditshwaelo Dibiling tse boletsweng karolwaneng (1). 20
- (3) Lengolo la tshehetso kapa la kganano ya Ntlo ya Marena ya Provense le Bili e rometsweng ho yona, hammoho le ditshwaelo, le lokela ho romelwa ho Spikara matsatsing a 30 ho tloha letsatsing leo le rometsweng ka lona. 25
- (4) Ho sa natse se boletsweng karolwaneng (1), Lekgotla la Ketsamelao la Provense le ka romela Bili efe kapa efe e tsebisitsweng ho lona, Ntlong ya Marena ya Provense hore Ntlo e tshwaele.

**Dikamano pakeng tsa Ntlo ya Marena ya Selehae le Lekgotla la Mmassepala** 30

27. (1) Ntlo ya Marena ya Lehae, ka therisano le makgotla a setso, e lokela ho eletsa dimmassepala tsa ditereke kapa tsa metsemeholo ka ditaba tse amanang le thahasello le tlhokomelo ya setjhaba, ka kakaretso. 35
- (2) Spikara sa mmassepala wa setereke se lokela ho romela meralo yohle ya melao e amanang le ditaba tsa setso, molao wa setso, meetlo le ditlhwaelo tsa setjhaba ka hara lekgotla la setso la mmassepala le nang le matla a ho nka diqeto le ho ahlola, Ntlong ya Marena ya Lehae bakeng sa ditshwaelo. 40
- (3) Ntlo ya Marena ya Lehae e lokela ho ananela le ho tshwaela moralong wa melao e boletsweng ho karolwana (2). 40
- (4) Lengolo la Ntlo ya Marena ya Lehae le tshehetsang kapa le hananang le Bili e rometsweng ho yona le lokela ho romelwa ha mmoho le ditshwaelo ho Spikara matsatsing a 30 ho tloha letsatsing leo le rometsweng ka lona. 45

- (5) Ho sa natse karolwana (2), mmasepala wa setereke a ka romela moralo wa Molao Ntlong ya Marena ya Lehae, hore e phehise.

#### **Dikamano pakeng tsa Ntlo ya Marena ya Provense le Lekgotla la Phethahatso**

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28. Ka therisano le Ntlo ya Marena ya Provense le Lekgotla la Phethahatso, Tonakgolo e lokela ho bontsha dikamano pakeng tsa Lekgotla la Phethahatso le Ntlo ya Marena ya Provense.

#### **Menyetla le tse sa ameng ditho tsa Matlo a Marena**

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29. Ditho tsa Ntlo ya Marena –

- (a) di na le bolokolohi ba puo ka hata Matlo a fapaneng le dikomiting, ho ya ka melao le ditaelo; mme

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- (b) ha di angwe ke tsamaiso ya boahi kappa ya bosenyi, ho tshwarwa, ho kwallwa tshankanyeng kapa ditshenyehelo tsa –

- (i) letho leo di le buileng, hlahisitseng kapa nehetseng Matlong a Marena a fapaneng kapa dikomiting dife kapa dife tsa ona, kapa

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- (ii) letho le hlahelletseng ka baka la eng kapa eng eo di e buileng, hlahisitseng kapa nehetseng Matlong a Marena a fapaneng kapa dikomiting tsa ona.

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#### **Ho qhalwa ha Ntlo ya Marena**

30. Ntlo ya Marena e lokela ho qhalwa –

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- (a) ha nako ya yona ya puso e fela; kappa

- (b) ka morao ho kgetho e tshheditsweng ke pedi borarong ba boholo ba ditho tsa Ntlo ya Marena di felletse, kopanong ya Ntlo ya Marena e bitsitsweng ka sepheo seo.

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#### **Kano le boitlamo**

31. Ho ya ka Shejule ya 3 ya Molao ona, pele ditho tsa Ntlo ya Marena di qala ho etsa mesebetsi ya tsona ya Ntlo ya Marena, di lokela ho ikana kapa ho itlamo hore di tla tshepahala ho Rephabliki le ho latela Molaotheo, ho ya ka Shejuli 3 ya Molao ona, kapele ho moahlodi wa Lekgotla la Phahameng la Dinyewe ya kgethetsweng mosebetsi ona ke Presidente ya Baahlodi.

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**Melawana**

32. Tonakgolo e ka theha melawana e amanang le:

- (a) taba efe kapa efe eo, ho ya ka Molao ona, e hlokehang kapa e dumelletsweng; 5
- (b) taba efe kapa efe e nkwang e le ya bohlokwa kapa e le e loketseng, bore ho fihlellwe maikemisetso a Molao ona, ka kakaretso. 10

**Ho fana ka Matla**

- 33. (1) Ho ya ka Molao ona, Tonakgolo e ka fa Letona kapa mohlanka ofe kapa ofe matla afe kapa afe a hae kapa mosebetsi ofe kapa ofe wa hae, ntle le matla a ho theha melao, ho ya ka karolo 32. 15
- (2) Ho ya ka karolo ena, Tonakgolo kapa Letona le ka fedisa matla nako efe kapa efe.

**Ho phumulwa ha melao, dithophiso tsa ho boloka le ho fetola maemo** 20

- 34. (1) Marena a sehlooho le boramotse kapa bommamotse bao, ka letsatsi la ho kenngwa tshebetsong ha Molao ona, e neng e se e le ditho tsa Ntlo ya Marena e thehilweng ka tlasa Molao wa Ntlo ya Marena wa 1994 (Molao 6 wa 1994), ba tla dula e le ditho tsa Ntlo eo ya Marena mme ba tla nne ba tswelle jwalo ka ha eka Molao oo ha o a ka wa phumulwa, ho fihlela nako ya jwale ya tshebetso e fela mme ebe Ntlo eo ya Marena e lokela ho thebwa botjha. 25
- (2) Melao e boletsweng Shejuleng 2 e phumutswe ka tlasa mabaka a boletsweng hona Shejuleng ena. 30
- (3) Ntho enngwe le enngwe e entsweng ka tlasa melao e phumutsweng e bonwa e entswe ka tlasa Molao ona. 35

**Kgutsufatso ya Lebitso la Molao**

- 35. (1) Molao ona o bitswa Molao wa 2015, wa Matlo a Marena a Provense le a Lehae, a Freistata, mme o kenngwa tshebetsong ka letsatsi le behilweng ke Tonakgolo e le phatlalatso *Pampiring ya Mmuso*. 40
- (2) Matsatsi a fapaneng a ho kenngwa tshebetsong a ka behelwa dikarolo tse fapaneng tsa Molao ona.

**SHEJULE 1****BOITSHWARO BA DITHO TSA MATLO A MARENA****Boitshwaro ka kakaretso ba ditho tsa Matlo a Marena****1. Setho sa Ntlo –**

- (a) se lokela ho etsa mesebetsi eo se e filweng ka tumelo, mafolofolo, botshepehi, le ka tsela e nang le ponaletso;
- (b) se lokela ho phetha mesebetsi wa sona ka tsela e nang le sephetho le e nepahetseng;
- (c) se lokela ho latela molao ofe kapa ofe o loketseng, se kgothaletse kaho ya setjhaba le metheo ya demokrasi ekasitana le setjhaba se lokolohileng;
- (d) se lokela ho sebetša ka thata molemong wa baahi kapa setjhaba sa moetlo seo a se sebeletsang mme se lokela ho kgothaletsa kopano ka hara setjhaba sa moetlo;
- (e) se lokela ho kgothaletsa dikamano le makala a naba le marena a mang hammoho le setjhaba sa moetlo, bao a sebedisanang le bona;
- (f) ha se a lokela ho itshwara ka mokgwa o tlontlolang, o sa lokang le o sa kgahliseng;
- (g) ha se a lokela ho sebedisa boemo ba mesebetsi wa sona kapa lesedi le sephiring le fumanehileng ka baka la boemo ba mesebetsi wa sona, molemong wa hae kapa molemong wa ba bang;
- (h) se lokela ho latela ditaelo tseo se di filweng ke motho ya nang le matla a ho fana ka ditaelo tse kang tseo;
- (i) ha se a lokela ho sebedisa matla a sona ka tsela e fosahetseng kapa ka kगतello kapa ka tsela ya kगतello kapa qobello, ho fumana tloto efe kapa efe, tefo, moputso kapa mpho;
- (j) ha se a lokela ho sebedisa jwala kapa dithetefatsi tse tahang, ka mokgwa o fetang tekano.

**Didolo tsa Molao wa Boitshwaro tsa ditho tsa Ntlo ya Marena**

- 2. (1) Ebang ho na le pelaelo e utlwahalang ya hore setho sa Ntlo ya Marena se tlotse pebelo ya Molao ona wa Boitshwaro, Tonakgolo e ka fetisetsa taba ena ho modulasetulo wa Ntlo ya Marena hore e fuputswe, mme ebang ho sa etsahale jwalo, ho ka hlongwa dipotso mabapi le setho seo sa Ntlo, mme tsona di botswa ke motho ya kgethilweng ke Tonakgolo.
- (2) Dipotso tse boletsweng niheng ya (1), setho sa Ntlo ya Marena se lokela ho fuwa monyetla wa hore se bue: ha feela ditsamaiso di keke tsa emiswa ke ho se be teng ha hae dipotsong.

- (3) Motho ya kgethilweng ho tsamaisa dipotso o lokela hore
- (a) qetellong ya dipatlisiso, a fumane qeto ya hore setho sa Ntlo ya Marena se molato wa tlolo ya pehelo ya Molao wa Boitshwaro mme a tsebise setho sena ka sena se fumanweng; mme
  - (b) a fetisetse Tonakgolo bopaki ba ditsamaiso, tokomane ya tse fumanweng, mabaka a tsona le ditekolo tseo a nahanang hore ho a hlokeha ho di etsa.
- (4) Ha setho sa Ntlo ya Marena se fumanwe se le molato wa tlolo ya Molao wa Boitshwaro, Tonakgolo e ka –
- (a) fa setho sa Ntlo ya Marena temoso semolao;
  - (b) hlokomedisa kapa ya kgalema setho sa Ntlo ya Marena;
  - (c) qobella setho sa Ntlo ya Marena ho ya hlabollwa kgahlanong le bokgoba ba tahi, bokgoba ba dithetefatsi le bokgoba bofe kapa bofe fela bo sa lokang;
  - (d) fa setho sa Ntlo ya Marena kotlo ya tefo ya tjhelete e sa feteng dikete tse leshome tsa diranta, e tla hulwang moputso ofe kapa ofe wa hae, ho ya ka molao o amehang molemong wa Letlole la Letlotlo la Provense, ka dikotwana tse tla behwa ke Tonakgolo;
  - (e) laela hore nakong e sa feteng dilemo tse pedi, jwalo ka ha Tonakgolo e tla bolela, setho ha se a lokela ho lefshwa moputso ofe kapa ofe;
  - (f) kgaola setho mosebetsing wa Ntlo ya Marena nako e behilweng, e sa feteng dilemo tse pedi;
  - (g) tlosa setho sa Ntlo ya Marena ofising; kapa
  - (h) mo fa dikotlo dife kapa dife tse pedi ho tse boletsweng diratswaneng (a), (b) le (c) ka nako e le nngwe.
- (5) Setho sa Ntlo ya Marena se qositsweng ke lekgotla la molao le loketseng, ka molato wa tlolo efe kapa efe ya molao ho e boletsweng Shejuleng 1 ya Molao wa Tshebetso ya Bosenyi wa 1977 (Molao 51 wa 1977), kapa ka tlolo efe kapa efe ya molao eo, ho ya ka Tonakgolo, e leng boitshwaro bo bobele, se bonwa se loketse qoso e kang eo, se fumanwa se le molato wa boitshwaro bo bobele ho ya ka shejule ena, eo ka yona dipehelo tsa ntlha (4) di amohelehang, ka diphetoho tse hlokehang.
- (6) Neng kapa neng ha setho sa Ntlo ya Marena se qositswe ka tlolo ya Molao wa Boitshwaro kapa ka tlolo efe kapa efe ya molao e umakilweng ntlheng ya (5), Tonakgolo e ka kgaola setho sena mosebetsing ho fihlela nako eo –
- (a) setho sa Ntlo ya Marena se fumanwang se le molato wa tlolo ya Molao wa Boitshwaro kapa tlolo enngwe ya mofuta o boletsweng ntlheng ya (5); kapa

- (b) setho sa Ntlo ya Marena se fumanwe se se molato ho ya ka qoso ya tlolo ya Molao wa Boitshwaro kapa tlolo enngwe ya molao jwalo ka ha ho umakilwe ntlheng ya (5) kapa qoso ya tlolo ya Molao wa Boitshwaro kapa botjhutjhisi ba bosenyi kgahlano le sona bo tlohetswe kapa bo nyahladitswe.

### Boitshwaro bo bobo ba ditso tsa Ntlo ya Marena

3. Setho sa Ntlo Ya Marena se molato wa boitshwaro bo bobo mme se ka kgalengwa ho ya ka dipehelo tsa ntsha ya 2, ha se sa latele dipehelo tsa ntsha ya 1 kapa se –
- (a) tloa kapa se hloleha ho latela dipehelo tsa Molao ona kapa se hlolela ho etsa mesebetsi ofe kapa ofe kapa se sa phethe boikarabelo boo se bo filweng, ka tlasa molao ofe kapa ofe o mong;
  - (b) le bohlaswa, se sa tsotelle kapa se sa phethe mesebetsi eo se e filweng;
  - (c) sitwa ho phetha mesebetsi ya sona ka tsela e supang bokgoni;
  - (d) sa latele, a sa hlomphe kapa a etsa ka boomo ho se phethe mesebetsi ya hae a e laetsweng ke molao kapa ke motho ya nang le matla a ho fana ka ditaelo;
  - (e) a itlontlolla, a na le mekgwa e sa lokang kapa e sa kgahlising;
  - (f) a phela ka jwala kapa dithetefatsi tse tahang;
  - (g) a etsa diketso tse bakang karohano hara setjhaba sa moetlo;
  - (h) a fumanwe a le molato ke lekgotla la dinyewe, bakeng sa tlolo efe kapa efe ya molao.

### SHEJULE 2

#### HO PHIMOLWA HA MELAO

Lebitso la Molao	Selemo sa Phatlalatso	Bohoko ba Phetolo
Molao wa Ntlo ya Marena	Molao wa 6 wa 1994	Kaofela
Molao wa Ntlo ya Marena o Fetotsweng	Molao wa 5 wa 2000	Kaofela

### SHEJULE 3

“Ke a ikana/nnetefatsa hore ke da tshepahala Rephabliking ya Afrika Borwa le Boetapele ba Setso mme ke tla ikoba, ke hlomphe le ho phamisa Molaotheo wa Rephabliki ya Afrika Borwa; mme ke tshepisa ke tile ho etsa mesebetsi ya ka jwalo ka setho sa Ntlo ya Marena ya Freistata, ka bokgoni ba ka bohle.”

(Bakeng sa kano, ditso di tla phahamisa matsobo a tsona a matona mme di bue mantsoe ana ‘Mme Modimo o Nthuse’).

## MEMORANDAMO

### Maikemisetso

Ho kgonahatsa ho thehwa ha Ntlo ya Provense ya Baetapele ba Botjhaba le Ntlo ya Selehae ya Baetapele ba Botjhaba le merero e amanang le tsona, ho matlafatsa Moralo wa Molao wa Baetapele le Puso ya Botjhaba, 2003 (Molao 41 wa 2003) le ho amanya nako ya tsona ya tshebetso le ya Ntlo ya Naha ya Baetapele ba Botjhaba.

### Karolo ya 1

Karolo ena e tobane le ditshaloso.

### Karolo ya 2

Karolo ena e tobane le ho thehwa ha Ntlo ya Provense ya Baetapele ba Botjhaba.

### Karolo ya 3

Karolo ena e tobane le popeho ya Ntlo ya Provense.

### Karolo ya 4

Karolo ena e tobane le dikopano tsa Ntlo ya Provense.

### Karolo ya 5

Karolo ena e tobane le ho kgethwa ha modulasetulo le motlatsi wa modulasetulo wa Ntlo ya Provense.

### Karolo ya 6

Karolo ena e tobane le mesebetsi le boikarabelo ba modulasetulo le motlatsi wa modulasetulo wa Ntlo ya Provense.

### Karolo ya 7

Karolo ena e tobane le se hlokehang hore motho e be setho sa Ntlo ya Provense.

### Karolo ya 8

Karolo ena e tobane le mesebetsi ya Ntlo ya Provense ya Baetapele ba Botjhaba.

### Karolo ya 9

Karolo ena e tobane le ho thehwa ha Ntlo ya Selehae ya Baetapele ba Botjhaba.



**Karolo ya 10**

Karolo ena e tobane le popeho ya Ntlo ya Selehae.

**Karolo ya 11**

Karolo ena e tobane le dikopano tsa Ntlo ya Selehae.

**Karolo ya 12**

Karolo ena e tobane le ho kgethwa ha modulasetulo le motlatsi wa modulasetulo wa Ntlo ya Selehae.

**Karolo ya 13**

Karolo ena e tobane le mesebetsi le boikarabelo ba modulasetulo le motlatsi wa modulasetulo wa Ntlo ya Selehae.

**Karolo ya 14**

Karolo ena e tobane le se hlokehang hore motho e be setho sa Ntlo ya Selehae.

**Karolo ya 15**

Karolo ena e tobane le mesebetsi ya Ntlo ya Selehae.

**Karolo ya 16**

Karolo ena e tobane le ho tlohelwa ha ditulo.

**Karolo ya 17**

Karolo ena e tobane le melawana le ditaelo.

**Karolo ya 18**

Karolo ena e tobane le bonnyane bo itseng kopanong ya ditho (khoramo).

**Karolo ya 19**

Karolo ena e tobane le bongata bo hlokehang.

**Karolo ya 20**

Karolo ena e tobane le meputso le ditsiane tse lefshwang ditho tsa Matlo.

**Karolo ya 21**

Karolo ena e tobane le tsamaiso le boikarabelo ba Matlo.

**Karolo ya 22**

Karolo ena e tobane le tshehetso ya Matlo.

**Karolo ya 23**

Karolo ena e tobane le dikamano pakeng tsa Ntlo ya Marena ya Provense le Marena lo Mafumahadi.

**Karolo ya 24**

Karolo ena e tobane le dikamano pakeng tsa Ntlo ya Marena ya Provense le Ntlo ya Marena ya Lehae.

**Karolo ya 25**

Karolo ena e tobane le dikamano pakeng tsa Ntlo ya Selehae le makgotla a setso.

**Karolo ya 26**

Karolo ena e tobane le dikamano pakeng tsa Ntlo ya Provense le Lekgotla la Ketsamela la Provense.

**Karolo ya 27**

Karolo ena e tobane le dikamano pakeng tsa Ntlo ya Marena ya Selehae le Lekgotla la Mmasepala.

**Karolo ya 28**

Karolo ena e tobane le dikamano pakeng tsa Ntlo ya Marena ya Provense le Lekgotla la Phethahatso.

**Karolo ya 29**

Karolo ena e tobane le menyetla le tse sa ameng ditho tsa Matlo a Marena.

**Karolo ya 30**

Karolwana ena e tobane le ho qhalwa ha Ntlo ya Marena.

**Karolo ya 31**

Karolo ena e tobane le kano le boitlamo.

**Karolo ya 32**

Karolo ena e fana ka matla ho Tonakgolo ho etsa melawana.

**Karolo ya 33**

Karolo ena e fana ka matla ho Tonakgolo ho theolela matla ho Letona kapa mohlanka ofe wa mmuso.

**Karolo 34**

Karolo ena e tobane le ho phumulwa ha melao, ditlhopiso tsa ho boloka le ho fetola maemo.

**Karolo ya 35**

Karolo ena e fana ka kgutsufatso ya Lebitso la Molao.

# MOLAO-TLHOMO

Go tihagolela go tthamiwa ga Makgotla a Porofensi le a Selegae a Baetapele ba Ngoao le Setso; go tlamela Popego ya Makgotla; go tthothomisa dikarolo le ditiro tsa Makgotla; le go dira ditlamelo tsa merero e mengwe e ka tshoganeng e a ama.

**FANO GO TLHOMAMISIWA** ke Boditamelao jwa Porofensi ya Foreisitata ka mokgwa o latelang:

## KGALO 1

5

### Ditlhaloso

1. (1) Mo Molaong ono, ntle le fa boemo bo supa se se farologaneng –
  - “Molao wa Maitsholo” o kaya Molao wa Maitsholo oo tthalositsweng mo Letihareng 1; 10
  - “Molaotheo” o kaya Molaotheo wa Repaboliki ya Afrika Borwa wa 1996; 15
  - “Masepala wa sedika” go kaiwa masepala wa sedika jaaka o tthalositswe mo karolong 1 ya Molao wa Puso Ya Selegae wa Ditheo tsa Masepala wa 1998 (Palomolao 117 wa 1998); 20
  - “Kokwano Khuduthamaga” e raya kokwano khuduthamaga ya Lekgotla je le umakilweng mo karolong ya 17; 25
  - “Molao wa Meralo” go kaiwa Molao wa Meralo ya Boetapele jwa Ngoao le Setso wa 2003 (Palomolao 41 wa 2003); 30
  - “Molao wa Foreisitata wa Boetapele le Puso ya Ngoao le Setso wa, 2005” o kaya Molao wa Foreisitata wa Boetapele le Puso ya Ngoao le Setso wa 2005 (Palomolao 8 wa 2005); 35
  - “Lekgotla” go kaiwa Lekgotla la Porofensi mmogo le / kgotsa Lekgotla la Selegae, jaaka go tlhokega go ya ka mabaka; 40
  - “Kgosana, Morena wa Motse kgotsa Ramotse” go kgaiwa tona kgotsa tonagadi jaaka go akantswe mo karolong 11 ya Molao wa Meralo; 45
  - “Kgosi kgotsa Morena” go kaiwa moetapele yo mogolwane wa ngoao le setso jaaka go akantswe mo karolong 11 ya Molao wa Meralo; 50
  - “Lekgotla la Selegae” le kaya Lekgotla la Selegae la Baetapele ba Ngoao le Setso ee tlhomilweng mo tlase ga karolo 9; 55
  - “LKK” go kaiwa Lekala la Kokwano Khudithamaga je le rweleng maikarabelo a merero ya ngoao le setso mo porofensing; 60
  - “Lekala” go kaiwa lekala la Lekgotla; 65

**“Masepala wa Matshuti-tshuti”** go kaiwa masepala wa matshuti-tshuti jaaka go tshalositswe mo karolong 1 ya Molao wa Puso ya Selegae: Ditheo tsa Masepala wa 1998 (Palomolao 117 wa 1998);

**“Kgosi-Kgolo”** go kaiwa kgosi kgotsa kgosigadi jaaka go amogetswe go latela karolo 9 ya Molao wa Meralo; 5

**“Lekgotla La BoSechaba”** go kaiwa Lekgotla La BoSechaba la Baetapele ba Ngoao Le Setso je le umakilweng mo Karolong 2 ya Molao wa Lekgotla La BoSechaba la Baetapele ba Ngoao Le Setso la 2009 (Palomolao 22 wa 2009); 10

**“Tautona”** go kaiwa Mogokgo wa Bakhuduthamaga wa Porofensi;

**“Mogokgo wa Baetapele ba Ngoao le Setso”** go kaiwa mogokgo wa baetapele ba ngoao le setso jaaka go amogetswe go latela molao wa porofensi oo akantsweng mo karolong 10A ya Molao wa Meralo; 15

**“Porofensi”** go kaiwa Porofensi Ya Foreisitata jaaka go akantswe mo karolong 103 ya Molaotheo; 20

**“Lekgotla La Porofensi”** le kaya Lekgotla la Porofensi ya Foerisitata la Baetapele ba Ngoao Le Setso je le tihomilweng mo tlase ga karolo 2;

**“Mokwaledi”** go kaiwa motho yoo thapilweng jaaka Mokwaledi wa Lekgotla la Porofensi le motho yo o thapilweng jaaka Mokwaledi mo Lekgotleng la Selegae go latela karolo ya 21; 25

**“Morafe wa Ngoao Le Setso”** go kaiwa morafe wa ngoao le setso jaaka go amogetswe mo karolong ya 3 ya Molao wa Foreisitata wa Boetapele le Puso ya Ngoao ya Setso, wa 2005; le 30

**“Lekgotla-taolo la Ngoao le Setso”** go tewa lekgotla-taolo la ngoao le setso je le amogetsweng mo karolong 7 ya Molao wa Foreisitata wa Boetapele le Puso yo ngoao le setso wa 2005. 35

- (2) Mafoko aa tshalositsweng mo Molaong wa Foerisitata wa Boetapele le Puso ya Ngoao le Setso wa 2005, a nale le bokao jo bo tshwanang ka mabaka a Molao ono. 40

## KGAOLO 2

### Go tلاميwa ga Lekgotla la Porofensi la Baetapele ba Ngoao le Setso

2. (1) Fano go tلاميwa Lekgotla la Porofensi la Baetapele ba Ngoao le Setso je le itsegeng jaaka Lekgotla la Foreisitata la Baetapele ba Ngoao le Setso. 45
- (2) Lekgotla la Porofensi le nale ditiro le maikarabelo a di a tihomilweng go latela ditlamelo tsa Molao ono.

- (3) Letlha la tiro la Lekgotla la Porofensi ke dingwaga di le tlhano tse di tsamaisanang le letlha la tiro la Lekgotla la BoSechaba la Baetapele ba Ngoao le Setso: Seno se ikaegile mo goreng fa letlha la ntsha la Lekgotla la Porofensi, morago ga tshimologo ya go tsena mo tirisong ga Molao ono, le ka nna kwa tlase kgotsa kwa godimo ga dingwaga dile tlhano gore le tsamaisane mmogo le letlha je le baletsweng Lekgotla la BoSechaba. 5

### Popego ya Lekgotla La Porofensi

3. (1) (a) Lekgotla La Porofensi, ka go ikaega go karolo-potlana (2) le tla nna le palo ya makala aa tla tlhotlhomisiwang ke Tautona ka tsela ya kitsiso mo *Lokwalo-Kitsisong la Porofensi*. 10
- (b) Bokala jwa Lekgotla la Porofensi bo tla tsenyeletsa baetapele ba bagolo ba ngoao le setso, mmogo le, fa go kailwe mabaka aa siameng, kgotsa ka ntsha ya fa palo ya baetapele ba ngoao le setso ba ba golwane e sa lekane go ka tsenngwa ditona kgotsa ditonagadi. Fa ele gore morafe wa ngoao le setso ga ona palo e e lekaneng ya ditona kgotsa ditonagadi, Sechaba seo se tla emelwa ke palo e lekaneng ya makala a balosika la bogosi ba ka ntsha ya karolo eno, le ya 9 ba tla kaiwang ele ditona kgotsa ditonagadi. 15
- (c) Dikgosi/Dikgosigadi le bagokgo jwa baetapele ba ngoao le setso ha ba letlelelwa go nna makala a Lekgotla La Diporofensi. 20
- (d) Makala a Lekgotla la Porofensi, ka go ikaega mo karolo-potlaneng (2) a tla tlhopiwa ke mophato wa batlhopi oo wa ba bogosi kgotsa bogosigadi bongwe le bongwe, bagokgo ba baetapele ba ngoao le setso, le makgotla-taolo a ngoao le setso aa seng karolo yo bogosi kgotsa bogosigadi kgotsa bogokgo jwa boetapele jwa ngoao le setso: Fa Lekgotla-taolo la ngoao le setso le ise le tlhomiwe, tlhopo e tla diriwa ke morafe wa ngoao le setso oo amegang. 25
- (e) Mophato wa batlhopi oo umakilweng mo karolwaneng (d) o bopiwa ka kgosi kgotsa kgosigadi kgotsa mogokgo wa baetapele ba wa ngoao le setso, baetapele botlhe ba bagolwane ba ngoao le setso le ditona le ditonagadi tsotlhe tse di leng karolo ya bogosi kgotsa bogosigadi kgotsa bogokgo jwa boetapele jwa ngoao le setso kgotsa Lekgotla-taolo la ngoao le setso je le amegang. 30
- (2) Tautona o tlare a ikaegile ka karolo-potlana (1)(a), ka kitsiso ee mo *Lokwalo-Kitsisong la Porofensi* a tlhotlhomise palo ya makala a bogosi kgotsa bogosigadi bongwe le bongwe kgotsa morafe-mogolo wa ngoao le setso, le lekgotla-taolo lengwe le lengwe la ngoao la ngoao le setso je le seng karolo ya bogosi kgotsa bogosigadi kgotsa ya morafe-mogolo wa ngoao le setso, kgotsa fa lekgotla-taolo la ngoao le setso le ise le tlhomiwe, palo ya makala a morafe wa ngoao le setso, ee tla emelwang mo Lekgotleng la Porofensi. 35
- 40
- 45

- (3) Nngwe-tharong ya makala a Lekgotla la Porofensi e tshwanetse go nna basadi: Ka go ikaego mo goreng Tautona o inetealeditse fa go sena palo ee lekaneng ya basadi ba ba leng gone go tsaya karolo mo Lekgotleng la Porofensi, Tautona a ka tlotlhomisa palo-molelwane ee kwa tlase. 5
- (4) Lekala le tshwanetse go tshwara marapo lobaka je le lekaneng letlha je le baletsweng Lekgotla la Porofensi.
- (5) Fa lekala la Lekgotla la Porofensi le tlhokafala, kgotsa le khutla go nna lekala go latela karolo 7, lekala je le swa le tshwanetse go tlopiwa mo lobakeng lwa Kgwele ele nngwe go tswela ka letlha je le setseng la Lekgotla la Porofensi. 10

#### Dikopano tsa Lekgotla La Porofensi

4. (1) (a) Kopano ya ntlha ee tlang morago ga go bopiwa ga Lekgotla la Porofensi go latela karolo 3, e tshwanetse go diragala ka letlha le mo lefelong je le tla tlotlhomisiwang ke Tautona. 15
- (b) Tautona kgotsa motho yoo tshwailweng ke Tautona o tshwanetse nna modulasetulo wa kopano ee umakilweng mo karolwaneng (a). 20
- (2) Dikopano tsa Lekgotla la Porofensi di tshwanetse go tshwarelwa kwa lefelong je modulasetulo, a ka le tlotlhomisang nako le nako. 25
- (3) Go tshwanetse go tshwarwa kopano ee ntseng fela ya Lekgotla la Porofensi bonnye makgetlo a mane ngwaga le ngwaga mo tsamaong ya setlha sa Bodiramolao jwa Porofensi.
- (4) Go ikaegilwe mo dikarolo-potlaneng (2) le (3) Lekgotla La Porofensi le tshwanetse go kopana mo lobakeng, le mo malatsing le mo dinakong tse le tla di tlotlhomisang. 30
- (5) (a) Modulasetulo a ka nna are nako le nako kgotsa go fa a laetswe jaalo ke Tautona, a bitsa kopano ee kgethegileng ya Lekgotla La Porofensi mo letsatsing le kwa lefelong je le tlotlhomisitsweng ke kokwano ee maleba, go ya ka boemo jo bo leng teng. 35
- (b) Mo kopanong eno ee kgethegileng ke fela merero ee ntseng jaalo ee adiwang fa pele ga Lekgotla la Porofensi go ka sekasekiwa. 40
- (c) Lekala lengwe le lengwe la Lekgotla, fa le tshageditswe nngwe-tharong ya makala a Lekgotla, le ka bitsa kopano ee kgethegileng.
- (6) Motho yo o tshwailweng ke Tautona a ka tsenela dikopano tsa Lekgotla La Porofensi go eleisa Lekgotla La Porofensi mabapi le melawana le melao a puso ee amang merero a ngoao le setso. 45

- (7) Go nna gone ga bonnye, bontsi jwa makala othe a Lekgotla la Porofensi go tla nna botlhokwa mo go bopiweg ga kopano ya Lekgotla La Porofensi.

**Go tlopiwa ga modulasetulo le mothusa-modulasetulo wa Lekgotla la Porofensi**

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5. Mo kopanong ya lona ya ntsha, jaaka go akantswe mo karolong ya 4(1), Lekgotla la Porofensi, le tshwanetse go tlopa mongwe wa makala a lone go nna modulasetulo, mme morago ga moo le tlohe yo mongwe gape wa makala go nna mothusa-modulasetulo wa Lekgotla la Porofensi.

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**Dikarolo, ditiro le maikarabelo a modulasetulo le mothusa-modulasetulo ba Lekgotla La Porofensi.**

6. (1) Modulasetulo wa Lekgotla la Porofensi o nale dikarolo, ditiro le maikarabelo aa latelang:

15

(a) Go bitsa dikopano tsa Lekgotla La Porofensi;

(b) Go dulasetulo dikopano tsa Lekgotla La Porofensi;

20

(c) Go netefatsa tsamaiso ee bofelo ya letsatsi lengwe le lengwe ya tiro ya Lekgotla La Porofensi; le

(d) Go diragatsa tiro nngwe le nngwe kgotsa go tsaya karolo jaaka go laetswe ke Tautona kgotsa ke Molao ono.

25

- (2) Fa modulasetulo a se gone kgotsa ka ntsha ya lebaka lengwe a sa kgone go diragatsa ditiro tse a di pegilweng tsa bodulasetulo, kgotsa fa bodulasetulo, bo le lolea, mothusa-modulasetulo o tshwanela go itira modulasetulo mo lobakeng lwa go se nneng teng kgotsa go se kgoneng ga modulasetulo, go fithela go tlopiwa modulasetulo.

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- (3) Fa lengwe la maemo aa kailweng mo karolo-potlaneng (2) le diragala mabapi le modulasetulo mmogo le mothusa-modulasetulo ka bobedi jwa bone, lekala la Kokwano Khuduthamaga je le tshwailweng go latela melawana le ditaolo o tshwanela go itira modulasetulo fa maemo ao a sa ntse a le gone.

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- (4) Mothusa-modulasetulo kgotsa lekala la Kokwano Khuduthamaga je le tshwailweng go latela karolo-potlana (3), fa a sa ntse a tshwere nakwana tiro ya modulasetulo, o tshwanela go diragatsa ditiro tse di pegilweng bodulasetulo.

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- (5) Fa a santse a okametse kopano ya Lekgotla la Porofensi, modulasetulo, mothusa-modulasetulo kgotsa mongwe fela yoo okametseng ha a letlelelwa go nna le tlopo ya matlhome, fela o tshwanetse go nna le le go dirisa tlopo ee tsereganyang matlhakore fa ele gore dipholo tsa ditlopo di leka-lekana ka matlhakore.

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- (6) Modulasetulo kgotsa mothusa-modulasetulo o tshwanetse go fologa setulo sa bodulasetulo fa a khutla go nna lekala la Lekgotla Porofensi go latela dikarolo 7 kgotsa 16, mme a ka folosiwa setulo ka tshwetso ya Lekgotla la Porofensi ee tshageditsweng ke dikarolo-pedi-tharong, tsa kgobokano ee tletseng ya makala a Lekgotla la Porofensi. 5
- (7) Fa setulo sa modulasetulo kgotsa sa mothusa-modulasetulo se nna lolea, Lekgotla la Porofensi, je le fa tlase ga bodulasetulo ba ga Tautona kgotsa motho yo o tshwailweng ke Tautona, le tshwanetse go tlopha lekala je le tla tswalang phatlha eo: Seno se ikaegile mo goreng modulasetulo o tshwanela mo tlase ga mabaka a ntseng jaalo go okamela go tlophiwa ga mothusa-modulasetulo. 10

#### Ditlhokwa tsa go nna lekala la Lekgotla la Porofensi

7. (1) Ga go motho ope yoo tshwanetseng go nna kgotsa go tswelela gona lekala la Lekgotla la Porofensi, kwa ntle le fa a na le dingwaga tse 18 kgotsa go feta, kgotsa fa – 15
- (a) ka nako nngwe morago ga go tlohamisiwa ga Molaotheo, a ba a bonwa molato wa tlolo-molao mo teng ga Repaboliki, kgotsa kwa ntle ga Repaboliki, mme maitsholo aa kailweng mo tlolo-molaong eo a ne a tla lekanngwa le tlolomolao mo teng ga Repaboliki, ebile mo go yone a atloletsweng kwatlhao ya kgolegelo ee fetang dikgwedi dile 12 kwa ntle ga kgonagalo ya kwatlhao ya tuelo, kwa ntle le fa a bone boitsbwarelo; 20 25
- (b) a reteletswe ke go itharabologedisiwa mo tirisong ee botlaswa ya Madi; 30
- (c) a nale tshaloganyo ee sa itekanelang e bile a kailwe jaalo ke kgotlatsekelo ee nonofileng; 35
- (d) ele lekala la lekgotla la masepala, lekala la bodiramelao jwa porofensi kgotsa lakala la palamente; 40
- (e) e se moagi wa Afrika Borwa; 45
- (f) e se modudi wa leruri mo teng ga Repaboliki.
- (2) Ka lebaka la karolo-potlana (1)(a), ga go motho yoo tshwanelang go kailwang a bonwe molato mabapi le tlolomolao go fitlhela boipiletso bongwe kgatthanong le pono-molato kgotsa katlholo bo tlotlhomisitswe, kgotsa, fa go sena boipiletso kgatthanong le pono-molato kgotsa katlholo jo bo etsweng tlhoko, nako ya go ela tlhoko boipiletso joo e setse e khuthile. 45

#### Ditiro tsa Lekgotla La Porofensi la Baetapele ba Ngoao le Setso

8. (1) Lekgotla la Porofensi le nale ditiro tse di latelang:

- (a) Go eletsa puso ya porofensi kgotsa boditamelao jwa porofensi mabapi le merero ya tlhabololo ee amanang le molao wa bogologolo kgotsa oo amang ditso le ngoao ya merafe ya ngoao le setso.
- (b) Go eletsa puso ya porofensi le go tsaya karolo mo tlhabolong ya melawana le melao ya porofensi. 5
- (c) Go tsaya karolo mo maanong a tlhabololo ya bosechaba le ya Porofensi. 10
- (d) Go eletsa karolo ya boetapele jwa ngoao le setso mo teng ga porofensi ya Foreisitata.
- (e) Go tsaya karolo mo tirisano-mmogo le batsaya-karolo, mo maitheko a porofensi a maikaelelo a one eleng kelotlhoko, tshakatsheko le tlhatlhobo ya maano a porofensi mo merafeng ya ngoao le setso. 15
- (f) Go tswelletsapele kitlano le kutlwano magareng ga merafe ya ngoao le setso mo Foreisitata. 20
- (g) Go tswelletsapele tirisano-mmogo magareng ga Lekgotla / Makgotla a Selegae le makgotla-taolo a ngoao le setso mo Porofensing ya Foreisitata. 25
- (h) Go tsaya karolo mo ditheong tsa puso.
- (i) Go eletsa le go sireletsa ditumelo tsa setso, mekgwa ya boitswaro le meetlo ya bogologolo ya merafe ya ngoao le setso. 30
- (2) Go diragatsa ditro tse di jaaka tse di abetsweng ke Tautota kgotsa ka mekgwa o go tlametsweng ka ona mabapi melao mengwe le mengwe ee maleba ya porofensi. 30

### KGAOLO 3

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#### Go tlhamiwa ga Lekgotla la Selegae la Baetapele ba Ngoao le Setso

9. (1) (a) Lekgotla la selegae la baetapele ba ngoao le setso le tlhamiwa jaana mabapi le masepala mongwe le mongwe wa sedika le wa matshuti-tshuti mo go nang le makgotla-taolo a ngoao le setso aa fetang bongwe mo teng ga masepala wa sedika kgotsa wa matshuti-tshuti. 40
- (b) Makgotla a selegae aa umakilweng mo karolwaneng (a) a tshwanetswe go tlhamiwa ke Tautona ka kitsiso mo *Lekwalong la Dikitsiso la Porofensi*. 45

- (2) (a) Go ikaegilweng ka karolo-potlana (b), fa lekgotla la selegae le sa kgone go ka tlhamiwa go latela karolo-potlana (1), ditiro tsa lekgotla la selegae tse di umakilweng mo karolo-potlaneng (3) di tshwanetse go diragadiwa ke lekgotla-taolo la ngoao le setso je le mo gare ga masepala wa sedika kgotsa wa matshuti-tshuti. 5
- (b) Ditiro tsa lekgotla la selegae tse di akantsweng mo karolo-potlaneng (a) di tshwanetse go diragadiwa ke moetapele yo mogolwane wa ngoao le setso mmogo le makala a mangwe a mane a lekgotla-taolo la ngoao le setso. 10
- (3) Makala a Lekgotla la Selegae a bopiwa ka baetapele ba bagolwane ba ngoao le setso mmogo le ditona kgotsa ditonagadi tse di agileng mo gareng ga masepala wa sedika kgotsa wa matshuti-tshuti. 15
- (4) Makala a Lekgotla la Selegae a tlhophiwa ke mophato wa batlhopi oo bopilweng ka Dikgosi mmogo le /kgotsa Dikgosigadi kgotsa baemedi ba bone, bagokgo ba baetapele ba ngoao le setso ba ba agileng mo gareng ga masepala wa sedika kgotsa wa matshuti-tshuti oo amegang. 20
- (5) Tautona o tshwanetse, go dira ka kitsiso mo *Lokwalo la Dikitsiso la Porofensi*, go goeletsang ditlhopo tsa letlha lwa ntsha lwa Lekgotla La Selegae je le amegang, mo nakong a malatsi a masome aa tshelletseng morago ga go tsena tirisong ga Molao ono: Seno se ikaegile mo goreng ditlhopo tse di ntseng jaalo di tla tshwariwa mo lobakeng lwa malatsi a le 30 a go diriwa ga kitsiso ee kailweng. 25
- (6) Tautona o tshwanetse, ka tlhomamiso ya molao mo Lokwalong lwa Dikitsiso La Porofensi, go laela tsela ee tshwanetseng go salwa morago mo ditlhopong tse di umakilweng mo karolo-potlaneng (4) le mo ditlhopong tsa paka nngwe ee tlang tsa Makgotla a Selegae. 30
- (7) Lekgotla La Selegae la Baetapele ba Ngoao le Setso le nale ditiro tse di bolokilweng mo go lona go latela karolo 15. 35
- (8) Letlha la tiro la Lekgotla la Selegae ke dingwaga di le tlhano tse di tsamaisanang mmogo le letla la tiro la Lekgotla la BoSetshaba la Baetapele ba Ngoao le Setso: Seno se ikaegile mo go reng fa letlha lwa ntsha la makgotla a selegae le ka nna kwa tlase kgotsa kwa godimo ga dingwaga di le tlhano le tle le tsamaisane le letlha la Lekgotla la Bo Sechaba. 40

### Popego ya Lekgotla la Selegae

10. (1) Lekgotla la Selegae le bopiwa ka palo ya makala aa seng kwa tlase ga 5 mme ee sa feteng 10 ee tlhotlhomisitsweng ke Tautona ka kitsiso mo *Lokwalong la Dikitsiso la Porofensi*. 45

- (2) Nngwe-tharong ya makala a Lekgotla la Selegae e tshwanetse go bopiwa ka basadi: Fa Tautona a inetealeditse gore ga gona palo ee lekaneng ya basadi go ka tsaya karolo mo Lekgotleng la Selegae, Tautona fa sena go ikopanya le mophato wa ditlhopho oo maleba oo umakilweng mo karolong 9(3), a ka thothomisa molelwane wa palo oo kwa dase.

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#### Dikopano tsa Lekgotla la Selegae

11. (1) (a) Kopano ya ntlha morago ga gobopiwa ga lekgotla la selegae go latela karolo 10, e tshwanetse go diragala ka letlha le kwa lefelong je le thothomisitsweng ke LKK. 10
- (b) LKK kgotsa motho yo o tshwailweng ke LKK o tshwanetse go dulasetulo kopano ee umakilweng mo karolwaneng (a). 15
- (2) Dikopano tsa Lekgotla la Selegae di tshwanetse go tshwarelwa mo lefelong je Modulasetulo a ka le thothomisang nako le nako.
- (3) Go tshwanetse go nna le kopano-fela ya Lekgotla la Selegae bonnye makgetlo a mane ngwaga nngwe le nngwe mo tsamaong ya setlha sa masepala wa sedika kgotsa wa matshuti-tshuti. 20
- (4) Go ikaegilwe mo dikarolo-potlaneng (2) le (4), Lekgotla la Selegae le tshwanetse go kopana mo lobakeng le mo malatsing le mo dinakong tse le tla di thothomisiwang. 25
- (5) Modulasetulo a kare nako nngwe le nngwe, le jaaka fa a tla be a laetswe ke LKK, o tshwanetse go bitsa kopano ee kgethegileng ya Lekgotla La Selegae mo letsatsing le kwa lefelong je le tla thothomisiwang ke modulasetulo ka tetla ya LKK mme mo kopanong kgethegileng jaalo ke fela merero e utseng jaalo ee tla adiwang fa pele ga Lekgotla la Selegae ee tshwanetwang go ka sekasekiwa. 30
- (6) Motho yoo tshwailweng ke LKK o ka tsenela dikopano tsa Lekgotla la Selegae go eletsa Lekgotla tsa Selegae mabapi le melawana le melao ya puso ee amanang le merero ya ngoao le setso. 35

#### Go thopiwa ga modulasetulo le mothusa-modulasetulo wa Lekgotla la Selegae

12. Mo kopanong ya lona ya ntlha, ee akantsweng mo karolong 11, Lekgotla la Selegae le tshwanetse go tlhopa lengwe la makala go nna modulasetulo, mme morago ga moo le tshwanetse go tlhopa lekala le lengwe gape go nna mothusa-modulasetulo wa Lekgotla la Selegae. 40

#### Dikarolo, ditiro le maikarabelo a modulasetulo le mothusa-modulasetulo wa Lekgotla La Selegae

13. (1) Modulasetulo wa Lekgotla la Selegae o tshameka dikarolo, o dira ditiro ebile o nale maikarabelo aa latelang. 45

- (a) Go bitša dikopano tša Lekgotla la Selegae;
- (b) Go dulasetulo dikopano tša Lekgotla la Selegae;
- (c) Go netefatsa tsamaiso ee bofefo ya letsatsi lengwe le lengwe ya tiro ya Lekgotla la Selegae; le 5
- (d) go diragatsa tiro nngwe le nngwe kgotsa karolo jaaka go tla bo a laetswe ke LKK kgotsa Molao ono. 10
- (2) Fa modulasetulo a se gone kgotsa ka ntle ya lebaka lengwe a sa kgone go diragatsa ditiro tše di tšhomilweng bodulasetulo, kgotsa bodulasetulo bo le lolea, mothusa-modulasetulo o tšwanetse go itira modulasetulo mo nakong ya go se nneng teng kgotsa go se kgoneng ga modulasetulo kgotsa go fitihela go tšhapiwa modulasetulo. 15
- (3) Fa lengwe la mabaka aa tšhalositšweng mo karolo-potlaneng (2) a ka ama bobedi jwa modulasetulo le mothusa-modulasetulo, lekala la Kokwano Khuduthamaga je le tšhwailweng go latela melawana le ditaelo o tšwanetse go itira modulasetulo mo nakong ya fa maemo aa kailweng a santse a le gone. 20
- (4) Mothusa-modulasetulo kgotsa lekala la Kokwano Khuduthamaga je le tšhwailweng mo tlase ga karolo-potlana (3), mo nakong ya fa a itilileng modulasetulo, o tšwanetse go diragatsa ditiro tše di tšhomilweng bodulasetulo. 25
- (5) Modulasetulo, mothusa-modulasetulo kgotsa lekala lengwe le lengwe la Lekgotla la Selegae je le tšhwailweng ka lebaka leo go latela melawana le ditaelo o tšwanetse go okamela dikopano tša Lekgotla la Selegae. 30
- (6) Mo nakong e a okametseng kopano ya Lekgotla la Selegae, modulasetulo, mothusa-modulasetulo kgotsa lekala lengwe le lengwe je le okametseng ga le a tšhwanela go nna le tšhopo ya maitšhomo, fela o tšwanetse go nna le go dirisa tšhopo ee tsereganyang matšhakore fa ele gore dipholo tša ditšhopo di lekalekana ka matšhakore. 35
- (7) Modulasetulo kgotsa mothusa-modulasetulo o tšhwanela go tlogela bodulasetulo fa a khutla go nna lekala la Lekgotla la Selegae go latela dikarolo 14 le 16, mme a ka tšosiwa mo setilong ka tšhwetso ya Lekgotla La Selegae, mme a ka ikgolola mo setulong ka go somela ikgololo ya gagwe ka lokwalo go mokwaledi wa Lekgotla la Selegae. 40
- (8) Fa setulo sa modulasetulo kgotsa sa mothusa-modulasetulo se nna lolea, Lekgotla la Selegae, mo tlase ga bodulasetulo jwa ga Tautona kgotsa motho yoo tšhwailweng ke Tautona, o tšwanetse go tšhopa lekala je le tla tšatsang phatlha eo: Seno se ikaegile mo goreng modulasetulo mo tlase ga mabaka a ntseng jaalo o tšwanetse go okamela tšhopo ya mothusa-modulasetulo. 45

**Ditlhokwa tsa go nna lekala la Lekgotla la Selegae**

14. (1) Ga go motho yoo tshwanelang go nna kgotsa a ka tswelelang gonna lekala la Lekgotla la Selegae kwa ntle le fa a na dingwaga tse 18 kgotsa go feta kgotsa fa – 5
- (a) ka nako nngwe fa morago ga tihomamisiwa ga Molaotheo, a bo a bonwa molato wa tlolomolao mo teng ga Repaboliki, kgotsa kwa ntle ga Repaboliki, mme maitsholo sa tsamaisanang le tlolo-molao eo a ka lekanngwa le tlolomolao mo teng ga Repaboliki, e mo go yone a filweng kwatlhao ya kgolegelo ee fetang dikgwedi dile 12 kwa ntle ga kgonagalo ya kwatlhao ya tuelo, kwa ntle le fa a bone boitahwarelo; 10
- (b) a reteletswe ke go itharabologedisiwa mo tirisong ee sokameng ya madi; 15
- (c) tlhaloganyo ya gagwe e sa itekanela e bile a kailwe jaalo ke kgotlatsekelo ee nonofileng; 20
- (d) ele lekala la lekgotla-taolo la masepala, lekala la bodiramelao jwa porofensi kgotsa lakala la palamente; 25
- (e) e se moagi wa Afrika Borwa; 25
- (f) e se modudi wa leruri mo teng ga Repaboliki.
- (2) Ka lebaka la karolo-potlana (1)(a), ga go motho yo o tshwanetseng go kaiwang a bonwe molato wa tlolomolao go fitlhela boipiletso bongwe kgatthanong le pono-molato kgotsa katlholo bo tlhotlhomisitswe, kgotsa, fa go sena boipiletso kgatthanong le pono-molato kgotsa katlholo jo bo etsweng tlhoko, nako ya kelotlhoko ya boipiletso jo bo ntseng jaalo e khutlile. 30

**Ditiro tsa Lekgotla La Selegae 35****15. Ditiro tsa Lekgotla la Selegae ke:**

- (a) go eletsa masepala wa sedika kgotsa wa matshuti-tshuti kgotsa masepala yo o amegang ka – 40
- (i) merero ee mabapi le molao wa setso, meetlo, boetapele ba ngoao le setso le merafe ya ngoao le setso ee agileng mo gareng ga masepala wa sedika kgotsa wa matshuti-tshuti; 45
- (ii) Tlhabololo ya maano a meralo ee amang merafe ya ngoao le setso; kgotsa

- (iii) tšhabololo ya melao ya tšaleletso ee amang merafe ya ngoao setso;
- (b) go tsaya karolo mo meralong ya selegae tšhwaileng tšhabololo ya merafe ya ngoao le setso; kgotsa 5
- (c) go tsaya karolo mo maitšhomong a selegae a maikaelelo a one eleng kelotšhoko, tšhekatsheko, le tšhatšhobo ya meralo ya puso mo merafeng.

#### KGAOLO 4 MERERO YA KAKARETšo

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#### Go rolwa ga ditulo

- 16. Lekala la Lekgotla le tšhwanetše go tšwa mo setulong fa – 15
  - (a) fa a khutla go nna le tšhwanelego ya go nna lekala la Lekgotla go latela karolo 7 kgotsa 14;
  - (b) fa a ikgolola mo setulong ka go romela ikgololo ya gagwe ka lokwalo go mokwaledi wa Lekgotla; 20
  - (c) fa a rolwa setulo go latela molawana wa maitšholo; kgotsa
  - (d) Fa kwa ntle ga go bona tetla ee maleba ee tsamaisanang le melawana le ditaelo, a tšholega go nna gone mo dikopanong tša Lekgotla di le tharo tše di latelanang. 25

#### Melawana le ditaelo

- 17. Makgotla aa farologaneng a kgona go itšhamela melawana le ditaelo tše di Golaganeng le tsamaiso ya tiro ya one le ditswelediso, ee tsenyeletsang melawana le ditaelo tše di laolang – 30
  - (a) go tšhamiwa ga, sebopego sa, dithata le ditiro tša, le dikgato-tsamaiso le lotšha la dikokwano tše di lebaneng le Makgotla: Go tšhwanetše go nna le ditlamelo tše di diretšweng dikokwano khuduthamaga tše di emeng tše di bopitšweng ka modulasetulo, mothusa-modulasetulo le makala a mangwe a mararo aa tšhopitšweng ke Lekgotla je le amegang; 35
  - (b) dikgoreletšo go tšhurtelelelo mo dikokwanong tša mofuta ono; le 40
  - (c) go tšhwaiwa ga makala a Lekgotla jaaka batšhankedi ba ba okameng go okamela dikopano tša makgotla aa farologaneng go ya ka fa modulasetulo a tšhokang ka gone.

**Palo-Bonnye****18. Bogone jwa –**

- (a) bonnye nngwe-tharong ya makala otlhe a Lekgotla a tla tlokega go nna karolo ya kopano ya Lekgotla; kgotsa 5
- (b) bogolo jwa makala otlhe a Lekgotla a tla tlokega fa go na le tlhopo e ka yone go sekasekiwang sengwe se se fa pele ga Lekgotla. 10

**Palo-Bogolo ee tlokegang**

- 19. (1) Dipotso tsotlhe tse di adilweng fa pele ga Lekgotla di tshwanetse go tlotlhomisiwa ka bogolo jwa ditlhopo tse di adilweng ke makala aa leng gone. 15
- (2) Motho yo o tshwailweng ke LKK go tsenela dikopano tsa Lekgotla go latela dikarolo 4(6) le 11(6), ga a na tshiamelo epe ya go dira tlhopo.

**Dituelo le ditlhapiso tse di duetwang makala a Makgotla le boemo jwa makala 20**

- 20. (1) Makala a Makgotla a duelwa go latela Molao wa Dituelo tsa Batlhanka ba Ditulo tsa Sechaba wa, 1998 (Palomolao 20 ya 1998).
- (2) Tautona o kare, monago ga go ikgolaganya le Makgotla, a tlotlhomisa gore makala a mangwe a Lekgotla a nne makala a dirang ka botlalo. 25

**Tsamaiso le boikarabelo jwa Makgotla**

- 21. (1) LKK, monago ga go ikgolaganya le baduladitulo ba Lekgotla o tshwanetse gore, fa a setse a ikgolagantse le Tautona, a thape Mokwaledi mmogo le batlhankedi ba bangwe ba ba ka tlokegang go diragatsa tiro ya Lekgotla. 30
- (2) go fitlhela batlhankedi botlhe ba ba tlokegang ba setse ba thapilwe jaaka go akantswe mo karolo-potlhaneng (1), Tautona a ka tshwaya batlhanka go ya ka botlhokwa jwa mabaka aa beetsweng karolo-potlana (1). 35
- (3) Batho ba ba thapilweng mo tlase ga karolo eno ba tshwanela go duelwa go tswa ebile jaaka ditshenyegelo o tsa letlole la Maduo la Porofensi. 40
- (4) Makgotla a tshwanetse go –
  - (a) boloka ditlankana-tsamaiso ka tsela ee siameng;
  - (b) go nna le ditlankana tsa tsamaiso ya madi ee tlhatlhibilweng ke Motlhatlhibi-Kakaretso wa tsamaiso ya madi; 45
  - (c) senola kamogelo ya dikabo, dineo le melemo;



- (d) Mo godimo ga dikopano tse ditshwarwang kgedi-tharo nngwe le nngwe, makgotla a tshwanela go tshwara dikopano tsa ngwaga le ngwaga go bega bosupi ka ga ditiro le tsamaiso ya madi a makgotla;
- (e) go ikgomaretša mo melawaneng ya maitsholo ee rebotsweng mo letlhareng 1 la Molao ono; 5
- (f) go nna le matsetseleko a go tsibogela ditlhoko tsa makgotla-taolo a ngoao le setso; 10
- (g) Go tihama dikamano tse di tihamaletseng le go tihagolela tirisano-mmogo le dikgokagano magareng ga makgotla-taolo a ngoao le setso;
- (h) go rebola dipegelo tsa kgwedi-tharo go LKK ka ga ditiro tse ba di diretseng Puso ya Porofensi; 15
- (i) go netefatsa maikarabelo a Bakwaledi ba Makgotla mo go diragatseng tiro yotlhe ya tsamaiso ya makgotla; 20
- (j) go isa magoletsa maatlametlo a dikgokagano le tsewo ya ditshwetso mo gareng ga tsamaiso ya makgotla;
- (k) go aba maikarabelo aa tihamaletseng mo taolong le kgolaganyong ya tsa tsamaiso ya Makgotla; 25
- (l) go fa Bakwaledi ba Makgotla seabe mo ditshwetsoeng tsa bolaodi ka tsela yotlhe ee kgonegang; le
- (m) go rebola maemo a tirelo aa nang le teka-tekano, aa siametseng botlhe, aa bulegileng le aa senang tlhalele. 30

### **Tshegetso go Makgotla**

- 22. (1) Puso ya Porofensi e ka ipetlela dikgato tsa semolao kgotsa le tse dingwe jaaka go ka tlhokega go ka tshegetsa le go natlafatsa bokgoni jwa Makgotla. 35
- (2) Tautona o tshwanetse gore mo teng ga bogone jwa Puso ya Porofensi a abele Makgotla ditshegetso tsa madi go a atlenegisa mo tiragatsong ya ditiro tsa one. 40
- (3) Tshegetso ee lebeleletsweng mo karolong eno e ka nna ya tsenyeletsa thuso ya dijanaga, fa go kgonegang go ntse go tseilwe tsia bogone ba ditekanyetso.

### **Kamano magareng ga Lekgotla la Porofensi le DiKgosi le DiKgosisigadi** 45

- 23. Lekgotla la Porofensi le tshwanetse gore ga bedi mo ngwageng nngwe lengwe le tshware dikopano le DiKgosi le DiKgosisigadi aa teng mo Porofensing go tshotlha –

- (a) ditiro le meralo ya Lekgotla la Porofensi;
- (b) dintlha tsa dikgatlegelo tsa DiKgosi le DiKgosisadi;
- (c) dintlha tse di amanang le thebolo ya ditirelo le tihabololo ya merafe a ngoao le setso; le 5
- (d) Tiro nngwe le nngwe ee supilweng le ee tlhagisitsweng ke lengwe la matlhakore mme e dummellwane ke matlhakore oo mabedi. 10

#### **Kamano mo magareng ga Lekgotla la Porofensi le Lekgotla la Selegae**

24. (1) Lekgotla la Porofensi le tshwanetse gore ga bedi mo ngwageng nngwe lengwe le tshware dikopano le Makgotla a Selegae go tshotla – 15
- (a) ditiro le meralo ya Makgotla ao mabedi;
  - (b) dintlha tse di amanang le thebolo ya ditirelo le tihabololo ya merafe a ngoao le setso; 20
  - (c) Tiro nngwe le nngwe ee supilweng le ee tlhagisitsweng ke lengwe la Makgotla mme go dummellwane ke Makgotla oo mabedi;
- (2) Lekgotla la Porofensi le tshwanetse go eletsa Lekgotla la Selegae ka ga tsamaiso ya merero ya lone. 25
- (3) Fa Lekgotla la Porofensi le na le keletso a yo dirisana le lekgotla-taolo la ngoao le setso, tirisano ee ntseng jaalo e tshwanetse go diragadiwa ka go ikgolaganya le Lekgotla la Selegae je le maleba: Fa go sena Lekgotla la Selegae je le tlhomilweng, Lekgotla la Porofensi le ka dirisana le lekgotla-taolo la ngoao le setso ka tihamalalo. 30

#### **Kamano mo magareng ga Lekgotla la Selegae le Makgotla-taolo a ngoao le setso**

25. (1) Lekgotla la Selegae le tshwanetse go batlisisa dintlha tse di feteseditsweng kwa go lona ke makgotla-taolo a ngoao le setso le go a kaela ditlhagiso tsa ditlhabololo. 35
- (2) Lekgotla Selegae le tshwanetse go eletsa makgotla-taolo a ngoao le setso mabapi le tsamaiso ya merero ya ona. 40
- (3) Makala a Lekgotla a Selegae a tshwanetse go dira pegelo ya kgatelopele ya merero ee amanang le dikgatlegelo ka kakaretso le tsiamelo ya makgotla-taolo a ngoao le setso ka kgwedi-tharo nngwe le nngwe kwa makgotleng-taolo a ngoao le setso aa maleba. 45

- (4) Makala a Lekgotla la Selegae a tshwanetse go ala dipegelo tse di umakilweng mo karolo-potlaneng (3) kwa kopanong ya ntlha ya Lekgotla, morago ga dipegelo di sena go neelwa kwa makgotleng-taolo aa farologaneng a ngoao le setso.
- (5) Fa Lekgotla la Porofensi le na le keletso ya go dirisana le lekgotla-taolo la ngoao le setso, tirisano e ntseng jaalo e tshwanetse go dirwa ka go ikgolaganya le Lekgotla la Selegae je le welang fa tlase ga bolaodi jo lekgotla-taolo leo la ngoao le setso le welang fa tlase ga lone.

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#### **Kamano magareng ga Lekgotla la Porofensi le Bodiramelao jwa Porofensi**

26. (1) Sebui sa Bodiramelao jwa Porofensi se tshwanetse go romela melao-tlomo yotlhe ee itisisitsweng kwa Bodiramelaong ee amanang le merero ya ngoao le setso, molao wa ngoao, ngoao kgotsa setso ya merafe ya ngoao le setso ee mo teng ga Porofensi kgotsa molao ope fela oo ka e amang, go anya ditshwaelo tsa Lekgotla la Porofensi.
- (2) Lekgotla la Porofensi le tshwanetse go akanya ka ga le go tshwaela mabapi le melao-tlomo oo umakilweng mo karolo-potlaneng (1).
- (3) Kitsiso ee kwadilweng ya Lekgotla La Porofensi ee tshegetsang kgotsa ee kgathlanong le molao-tlomo o eo romeletsweng, mmogo le ditshwaelo, e tshwanetse go neelwa Sebui mo lobakeng lwa malatsi a le 30 go tloga ka letlha la thomelo e ntseng jaalo.
- (4) Kwa ntle le go fanaella karolo-potlana (1), Bodiramelao jwa Porofensi bo ka romela Molao-tlomo mongwe le mongwe oo itisisitsweng kwa Bodiramelaong jwa Porofensi go utlwa ditshwaelo tsa bone.

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#### **Kamano magareng ga Lekgotla la Selegae le Lekgotla-taolo la Masepala**

27. (1) Lekgotla la Selegae le tshwanetse ka go ikgolaganya le makgotla-taolo a ngoao le setso go eletsa bo masepala ba sedika leba matshuti-tshuti ka ga dintlha tse di amanang le dikgatlegelo tsa kakaretso le ditshiamelo tsa merafe ya ngoao le setso.
- (2) Sebui sa masepala wa sedika o tshwanetse go romela dikamelawana ya tlaetso tsotlhe tse di amanang le merero ya ngoao le setso, molao wa ngoao, ngoao kgotsa setso ya merafe ya ngoao mo teng ga taolo a masepala, kwa Lekgotleng la Selegae go utlwa ditshwaelo tsa lone.
- (3) Lekgotla Selegae le tshwanetse go akanya ka ga le go tshwaela mabapi le seka-melawana ya tlaetso ee umakilweng mo karolo-potlaneng (2).
- (4) Kitsiso ee kwadilweng ya Lekgotla La Selegae ee tshegetsang kgotsa ee kgathlanong le molao wa tlaetso eo romeletsweng, mmogo le ditshwanelo, di tshwanetse go neelwa Sebui mo lobakeng lwa malatsi a le 30 go tloga ka letlha la thomelo ee ntseng jaalo.

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- (5) Kwa ntle le go furela karolo-potlana (2), lekgotla la sedika le ka romela seka-molao wa tlaetso mongwe le mongwe go Lekgotla la Selegae go utlwa ditshwaelo tsa lone.

#### **Kamano magareng ga Lekgotla la Porofensi le Lekgotla Khuduthamaga**

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28. Tautona o tshwanetse o tshwanetse ka go ikgolaganya le Lekgotla Porofensi le Lekgotla Khuduthamaga, go tlotlhomisa kamano magareng ga Lekgotla Khuduthamaga le Lekgotla la Porofensi.

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#### **Menyetla le ditshireletso tsa makala a Makgotla**

29. Makala a Lekgotla –

- (a) a nale kgololesego ya puo mo Lekgotleng je le farologaneng le dikokwano tsa lone, go itshgeditse mo melawaneng le ditaelo; le 15
- (b) ga ana tshetso ya loago, ya ditsamaiso tsa bonokwane, ya go tlatlhelwa, go golegiwa kgotsa ditshenyegelo mabapi le – 20
- (i) sengwe se ba se buileng, kgotsa ba se tlhagisitseng, kgotsa se ba se neetseng fa pele ga Lekgotla je le amegang kgotsa dikokwano nngwe tsa lone; kgotsa
- (ii) Sengwe se se senogileng ka ntiba ya sengwe se ba se buileng, kgotsa se ba se tlhagisitseng kgotsa se ba se neetseng fa pele ga Lekgotla je le maleba kgotsa nngwe ya dikokwano tsa lone. 25

#### **Go fedisiwa ga Lekgotla**

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30. Lekgotla le tshwanetse go fedisiwa –

- (a) fa letlha la tiro la Lekgotla le khutlha; kgotsa
- (b) morago ga tlhopho ee tshgeditsweng ke pedi-tharong ya bontsi jwa kgobokanyo ee tletseng ya makala a Lekgotla mo kopanong ya Lekgotla ee bileditsweng lona lebaka leo. 35

#### **Kano le tsepamiso**

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31. Pele makala a Lekgotla a simolola go diragatsa ditiro tsa one mo Lekgotleng je le amegang, ba tshwanela go tsaya kano le go tsepamisiwa boikanyego ba bone go Repaboliki le kobamelo go Molaotheo go latela ditlamelo tsa Letihare la 3 la Molao ono, fa pele ga moatlhodi wa Kgotla-Tshekelo ee kwa Godimo ee tshwailweng Ke Mogokgo wa Baatlhodi mabapi le lebaka leno. 45

**Melawana ya Tsamaiso****32. Tautona a ka tlhama melawana ya tsamaiso mabapi le:**

- (a) ntlha nngwe le nngwe e ikaegileng mo Molaong ono ee tlhokang kgotsa ee dumeletsweng go ntshediwa taolo; 5
- (b) ka kakaretso, ntlha nngwe le nngwe ee akanngwang o le ya botlhokwa kgotsa o itlhaganetse go ka ntshediwa taolo a go fitlhelela maikaelelo a Molao ono. 10

**Thomeletso**

- 33. (1) Tautona a ka romeletsa ka lekwalo nngwe le nngwe ya dithata kgotsa ditiro tsa gagwe go latela Molao ono, ntle le dithata tsa go tlhama melawana go latela karolo 32, go LKK kgotsa mothankedi mongwe fela. 15
- (2) Thomeletso go latela karolo eno e ka gogelwa morago nako nngwe lengwe ke Tautona kgotsa LKK. 20

**Go phimolwa ga molao, ditshomarelo le dithulagano tsa nakwana ya diphetogo**

- 34. (1) Batlhankedi bagolo ba ngoao le setso le ditona le ditonagadi ba ka letla la go tsena tirisong ga Molao ono ba neng e le makala a Lekgotla la Ngoao le Setso, ee tlhomilweng fa tlase ga Molao wa Lekgotla la Ngoao le Setso wa 1994 (Palomolao 6 wa 1994) ba tla dula ele makala a Lekgotla mme ba tla tswelela go nna jaalo jaaka e kete Molao ha oa phimolwa go fitlhela letlha je ba leng mo go lone le khutla, mo e tla reng gone Lekgotla le bopiwe seswa go latela Molao ono. 25
- (2) Molao ee kwadilweng mo Letlhareng 2 e phimolwa jaana go fitlhelela sekala se se kailweng mo go lone Letlhare leo. 30
- (3) Sengwe le sengwe se se dirilweng kgotsa tiro ee diragaditsweng mo tlase ga molao ee phimotsweng di kaiwa di dirilwe kgotsa di diragaditswe mo tlase ga Molao ono. 35

**Leina-khutswe**

- 35. (1) Molao ono o bidiwa Molao wa Foreisitata wa Makgotla a Porefensi le a Selegae a Baetapele ba Ngoao le Setso wa 2015, mme o tsena tirisong ka letlha je le tlhotlhomisitsweng ke Tautona ka tlhomamiso mo *Lekwalo-Kitsisong la Porefensi*. 40
- (2) Matlha aa farologaneng a tshimologo a ka tlhotlhomisediwa dikarolo tse di fapaneng tsa Molao ono. 45

**LETLHARE 1****MOLAO WA MAITSHOLO WA MAKALA A MAKGOTLA****Maitsholo a kakaretso a makala a Makgotla****1. Lekala la Lekgotla –**

- (a) le tshwanetse go diragatsa ditiro tse a di neetsweng ka boikanyego, maatlametlo, boammaruri le ka tsela ee bonaletsang;
- (b) le tshwanetse diragatsa bodalo ba karolo ya gagwe ka matsetseseleko le manontlholtho;
- (c) le tshwanetse go ikamaganya le melao ee maleba, go etletsa kago ya Sechaba le maikemisetsa a kgololesego le Sechaba se se bulegileng;
- (d) le tshwanetse go diragaletsa mo dikgatlegelong tsa morafe kgotsa merafe yo ngoao le setso e a e direlang mme a etletse kitlano gareng ga merafe ya ngoao le setso;
- (e) le tshwanetse go tlotlheletsa dikamano tse di siameng mabapi le dirwe tsa puso, baetapele ba bangwe ba ngoao le setso le merafe ya ngoao ya le setso e ba dirisanang le yone;
- (f) Ga la tshwanela go itshola ka mokgwa oo swabisang, oo sa siamang kgotsa oo maswe;
- (g) Ga la tshwanela go dirisa maemo a lone kgotsa kitso dikhupamarama tse le di boneng ka ntlha ya maemo a lone, go ikunela morokotso kgotsa go unaela mongwe molemo ka tsela ee sa lolamang;
- (h) le tshwanetse go obamela taelo ee kafa molaong e a e neilweng ke motho yo a nang le thata ya go ntsha taelo ee jaaka eo;
- (i) Ga la tshwanela go dirisa thata ya lone botlhaswa go tsietsa kgotsa go dirisa kgapeletso kgotsa ka mokgwa oo sa lalolwang go iponela tlotlo, dikatso, tuelo kgotsa neo;
- (j) Ga la tshwanela dirisa nnotagi go feta tekano kgotsa diritibatsi tse di senyang tihaloganyo.

**Ditlolo tsa Molao wa Maitsholo ke makala a Lekgotla**

- 2. (1) Fa go na le pelaelo ee lekaneng ya gore lekala la Lekgotla le robile tlamelwa ya Molao ono wa Maitsholo, Tautona a ka fetisetsa ntlha eno go modulasetulo wa Lekgotla go batlisisa, eseng jaalo kgetsi ee lebaneng lekala leo la Lekgotla e ka sekisiwa ke motho yoo thapilweng ke Tautona.
- (2) Mo tshekong ya kgetsi ee akantsweng mo ntlha-potlaneng (1), lekala la Lekgotla le tshwanetse go fiwa tshono ee lekaneng go reediwa: Seno fela fa ditswelediso di ka se senngwe ke go reteletwa ke go nna gone ga gagwe mo tshekong.

- (3) Motho yo o thapilweng go tsamaisa kgetsi ya tshenko o tshwanetse –
- (a) kwa bokhutlong jwa tshenko, a dire phitlhelelo ya gore lekala Lekgotla le molato wa go roba ditlamelo tsa Molao Maitsholo kgotsa jang, le go itaise lekala je le amegang ka ga tshwetso ya gagwe; le go
  - (b) Romela kwa go Tautona pegelo ee supang ditsamaiso, le bosupi jwa katiholo, mabaka ka jaalo, le ditemogo dingwe tse a di boneng di le botlhokwa go ka diriwa.
- (4) Fa lekala la Lekgotla le bonwe molato wa go tlola Molao wa Maitsholo, Tautona a ka –
- (a) rebola tshupo ka monwana ya lekala la Lekgotla ya semmuso;
  - (b) tlhokomedisa kgotsa a kgalema lekala la Lekgotla;
  - (c) Gapeletsa lekala leo la Lekgotla go tsenela phodiso le itharabologelo mo tirisong ee botlhaswa ya nnotagi, ikaego mo dritibatsing kgotsa nngwe ya dikgomarelo tse di botlhole;
  - (d) athola lekala la Lekgotla kwatlhao ya madi aa sa feteng diranta di le dikete di le lesome, tse di ka duelwang kgotsa tse di ka gogiwang go tswa mo dituelong dingwe tse a di duelwang go latela molao oo malebana le meputso wa Letlole la Letseno la Porofensi ka di karolwana tsa dituelo tse di ka tlhotlhomisiwang ke Tautona;
  - (e) laela gore lekala le se amogele dituelo dipe mo lobakeng le le sa feteng dingwaga di le pedi jaaka le ka tlhotlhomisiwang ke Tautona;
  - (f) sekega lekala la Lekgotla mo ditirong tsa lone tsa semmuso mo lobakeng lwa nako ee badilweng ee sa feteng dingwaga di le pedi;
  - (g) phimola lekala gore le se thole e nna lekala; kgotsa
  - (h) a le athola nngwe ya dikwatlhao di le pedi tse di umakilweng mo dikarolwaneng (a), (b) le (c) mmogo.
- (5) Lekala la Lekgotla le le bonweng molato ke kgotlatsekelo ee nonofileng ya molao mabapi le nngwe ya ditlolo tse di umakilweng mo Letlhareng 1 la Molao wa Dikgato tsa Botlhokatsebe wa 1997 (Palomolao 51 wa 1977), kgotsa nngwe ya ditlolo e, go a ka kakanyo ya ga Tautona, e lekanag le tshiamololo, ee kaiwang ka ntsha a katiholo e ntseng jaalo, a bonwe molato wa tlolomolao go latela Letlhare leno le mo go lone le ditlamelo tsa ntsha-potlana (4) di ka dirisiwang ka diphetogo tse di tlhokegang.

- (6) Nako nngwe le nngwe fa lekala le Lekgotla le latofaditswe ka go tlola Molao wa Maitsholo kgotsa ka ga molato mongwe oo akantsweng mo ntlha-potlaneng (5), Tautona a ka sekega lekala leo go fitihela ka nako e –
- (a) Lekala la Lekgotla le bonweng molato wa tlolo ya Molao wa Maitsholo kgotsa tlhlo nngwe ee akantsweng mo ntlha-potlaneng (5); kgotsa
- (b) lekala la Lekgotla le fitihetsweng le sena molao mabapi le tatofatso o go tlola Molao wa Maitsholo kgotsa le tlolomolao nngwe jaaka go akantswe go ntlha-potlana (5) kgotsa ya tatofatso ya go roba Molao wa Maitsholo kgotsa tshetiso ya boganana kgatlhanong le ene e gogetswe motago kgotsa e tsholotswe.

### **Maitsholo aa Makgwakgwa ke makala a Lekgotla**

3. Lekala la Lekgotla le molato wa maitsholo aa Makgwakgwa mme le ka tshwarwa ka tsela ee latelang ditlamelo tsa ntlha 2, fa a sa itshamaganya le ditlamelo tsa ntlha 1 kgotsa fa a –
- (a) tlola molao kgotsa go reteletwa ke go ikobela ditlamelo tsa Molao ono kgotsa a reteletwa go diragatsa nngwe ya ditiro kgotsa go diragatsa ditshwanelo tseo a di pegilweng ke molao ofe kgotsa mongwe;
- (b) nna botlaswa kgotsa a sena tlhokomelo ee siameng kgotsa go itsapa go dira tiro ya gagwe;
- (c) sa kgone go diragatsa tiro ya gagwe ka matsetseleko;
- (d) a sa obamele, a itlhokomolola kgotsa a dira diphoasho tsa ka bomo mo go diragatseng taelo e oe filweng mo molaong ke motho yoo nang le thata ya go ntsa taelo;
- (e) a itshwara ka tsela ee tlabisang ditlhong, ee sa siamang kgotsa ee maswe;
- (f) a ikaegile thata mo botlhong jwa nnotaging kgotsa mo dinitibatsing tse di senyang tlhaloganyo;
- (g) a nanogela mo ditirong tse di tising dikaroganyo mo magareng kgotsa mo merafeng ya ngoao le setso;
- (h) a bonwe molato ke kgotlatsekelo ya molao mabapi tlolo-molao nngwe ya boganana.



**LETLHARE 2****PHIMOLO YA MELAO**

<b>Leina la Molao</b>	<b>Ngwaga wa Phasalatso</b>	<b>Phimolo e kae</b>
Molao wa Lekgotla la Baetapele ba Ngoao le Setso	Palo-Molao 6 wa 1994	Gothhelele
Molao o Fetotsweng wa Lekgotla la Baetapele ba Ngoao le Setso	Palo-Molao 5 wa 2000	Gothhelele

**LETLHARE 3**

“Ke ikana / ke tsepamisa gore ke tla nna boikanyego go Repaboliki ya Afrika Borwa le mo Setheong sa Boetapele ba Ngoao le Setso mme ke tla obamela, le go tlotla le go tsholetsa Molaotheo wa Aferika Borwa; mme ke solofetsa ka tlhoafalo go diragatsa, ditiro tsa me jaaka lekala la Lekgotla la Baetapele ba Ngoao le Setso la Foreisitata ka bojotle jwa bokgoni jwa me.”

*(Fa go tsewa kano makala a tshwanetse go tsholetsa mabogo a moja mme ba bue mantswa a "Modimo Nibuse").*

## MEMORANTAMO

### Maikemisetso

Go tihagolela go tihamiwa ga Lekgotla la Porofensi le a Selegae a Baetapele ba Ngoao le Setso, le merero e amanang le tsona, go matlafatsa Moralo wa Molao wa Baetapele jwa Ngoao le Setso, 2003 (Palomolao 41 wa 2003) le go amanya nako ya tsona ya tiro le ya Lekgotla la Naga la Baetapele ba Ngoao le Setso.

### Karolo ya 1

Karolo e e lebane le ditlhaloso.

### Karolo ya 2

Karolo e e lebane le go tihamiwa ga Lekgotla la Porofensi la Ngoao le Setso.

### Karolo ya 3

Karolo e e lebane le popego ya Lekgotla la Porofensi.

### Karolo ya 4

Karolo e e lebane le dikopano tsa Lekgotla la Porofensi.

### Karolo ya 5

Karolo e e lebane le go tihopiwa ga modulasetulo le mothusa-modulasetulo wa Lekgotla la Porofensi.

### Karolo ya 6

Karolo e e lebane le ditiro le maikarabelo a modulasetulo le mothusa-modulasetulo wa Lekgotla la Porofensi.

### Karolo ya 7

Karolo e e lebane le se ditlhokwa tsa go nna lekala la Lekgotla la Porofensi.

### Karolo ya 8

Karolo e e lebane le ditiro tsa Lekgotla Porofensi la Baetapele ba Ngoao le Setso.

### Karolo ya 9

Karolo e e lebane le go tihamiwa ga Lekgotla la Selegae la Baetapele ba Ngoao le Setso.

**Karolo ya 10**

Karolo e e lebane popego ya Lekgotla la Selegae.

**Karolo ya 11**

Karolo e e lebane le dikopano tsa Lekgotla la Selegae.

**Karolo ya 12**

Karolo e e lebane go tihopiwa ga modulasetulo le mothusa-modulasetulo wa Ntlo ya Selegae.

**Karolo ya 13**

Karolo e e lebane le ditiro le maikarabelo a modulasetulo le mothusa-modulasetulo wa Lekgotla la Selegae.

**Karolo ya 14**

Karolo e e lebane le ditlhokwa tsa go nna lekala la Lekgotla la Selegae.

**Karolo ya 15**

Karolo e e lebane le ditiro tsa Lekgotla la Selegae.

**Karolo ya 16**

Karolo e e lebane le go rolwa ga ditulo.

**Karolo ya 17**

Karolo e e lebane le melawana le ditaolo.

**Karolo ya 18**

Karolo e e lebane le Palo-Bonnye (khoramo).

**Karolo ya 19**

Karolo e e lebane le Palo-Bogolo ee tlhokegang.

**Karolo ya 20**

Karolo e e lebane le ditlhapiso tse di duelwang makala a Makgotla le boemo jwa makala.

**Karolo ya 21**

Karolo e e lebane le tsamaiso le boikarabelo jwa Makgotla.

**Karolo ya 22**

Karolo e e lebane le tshegetso ya Makgotla.

**Karolo ya 23**

Karolo e e lebane le kamano magareng ga Lekgotla la Porofensi le Dikgosi le Dikgosigadi.

**Karolo ya 24**

Karolo e e lebane le kamano magareng a Lekgotla la Porofensi le Lekgotla la Selegae.

**Karolo ya 25**

Karolo e e lebane le kamano magareng ga Lekgotla la Selegae le Makgotla-taolo a ngoao se setso.

**Karolo ya 26**

Karolo e e lebane le kamano magareng ga Lekgotla la Porofensi le Bodiramelao jwa Porofensi.

**Karolo ya 27**

Karolo e e lebane le kamano magareng ga Lekgotla la Selegae le Lekgotla-taolo la Masepala.

**Karolo ya 28**

Karolo e e lebane le kamano magareng ga Lekgotla la Porofensi le Lekgotla Khuduthamaga.

**Karolo ya 29**

Karolo e e lebane le ditshireletso tsa makala a Makgotla.

**Karolo ya 30**

Karolo e e lebane le go fedisiwa ga Lekgotla.

**Karolo ya 31**

Karolo e e lebane le kano le tsepamiso.

**Karolo ya 32**

Karolo e e fana ka matla go Tautona go dira melawana ya Tsamaiso.

**Karolo ya 33**

Karolo e e fana ka matla go Tautona go romelela matla go LLK kgotsa motlhankedi mongwe wa puso.

**Karolo 34**

Karolo e e lebane le go phimolwa ga molao, ditshomarelo tsa nakwana ya diphetogo.

**Karolo ya 35**

Karolo e e fana ke Leina-khutswe.