

LIMPOPO PROVINCE  
LIMPOPO PROVINSIE  
XIFUNDZANKULU XA LIMPOPO  
PROFENSE YA LIMPOPO  
VUNDU LA LIMPOPO  
IPHROVINSI YELIMPOPO

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Kuranta ya Profense • Gazethe ya Vundu**

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*(E ngwadisitšwe bjalo ka Kuranta)*  
*(Yo redzhistariwa sa Nyusiphapha)*

**POLOKWANE,**

10 DECEMBER 2010  
10 DESEMBER 2010  
10 N'WENDZAMHALA 2010  
10 DESEMERE 2010  
10 NYENDAVHUSIKU 2010

**Vol. 17**

**Extraordinary**

**Ku katsa na Tigazete to  
Hlawuleka hinkwato**

**No. 1877**

**Buitengewoon**

**Hu tshi katelwa na  
Gazethe dza Nyingo**

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## GENERAL NOTICE ALGEMENE KENNISGEWING

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### GENERAL NOTICE 411 OF 2010

LIMPOPO  
OFFICE OF THE PREMIER

#### BLACK AUTHORITIES ACT REPEAL BILL, 2010

In terms of rule 110 of the Standing Rules and Orders of the Limpopo Legislature the Black Authorities Act Repeal Bill, 2010 is hereby advertised for comments.

Any person or organisation wishing to comment on the said document may do so in writing, before 31/12/2010, with:

The Director General  
Office of the Premier  
Private Bag X9483  
POLOKWANE  
0700

FOR ATTENTION: Adv R Singh  
Tel: (015) 287 6300  
[singhr@premier.limpopo.gov.za](mailto:singhr@premier.limpopo.gov.za)

**LIMPOPO PROVINCIAL LEGISLATURE**

**BLACK AUTHORITIES ACT REPEAL BILL, 2010**

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**As introduced by**

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**(THE PREMIER)**

**ACT**

To repeal the **Black Authorities Act, 1951 (Act No. 68 of 1951)**, and to provide for transitional provisions relating to tribal authorities and community authorities.

**BE IT ENACTED** by the Limpopo Provincial Legislature, as follows:—

**1. Definitions**

In this Act, unless the context indicates otherwise—

**"community authority"** means an authority established in terms of section 2(1)(a)(ii) of the Black Authorities Act, 1951 (Act No.68 of 1951);

**"Premier"** means the Premier of Limpopo; and

**"tribal authority"** means an authority established in terms of section 2(1)(a)(i) of the Black Authorities Act, 1951 (Act No.68 of 1951);

**2. Repeal of law**

The Black Authorities Act, 1951 (Act No.68 of 1951) is hereby repealed.

**3. Transitional provisions**

- (1) A tribal authority will continue to exist until recognised by the Premier as a Traditional Council in terms of section 4 of the Limpopo Traditional Leadership and Institutions Act, 2005 (Act No. 6 of 2005).
  
- (2) A community authority will continue to exist until disestablished, as **contemplated in** section 28(5) of the Traditional Leadership and Governance Framework Act, 2003 (Act No.41 of 2003), except where the traditional leadership related to that community authority is under investigation by the Commission on Traditional

Leadership Disputes and Claims established in terms of section 22 of the Traditional Leadership and Governance Framework Act, 2003 (Act No. 41 of 2003), in which case the community authority concerned must be administered as if the Black Authorities Act, 1951 (Act No.68 of 1951) has not been repealed.

**4. Short title and commencement**

This Act is **called** the Limpopo Black Authorities Act Repeal Act, 2010 and comes into operation on a date fixed by the Premier by proclamation in the *gazette*.

**MEMORANDUM ON THE OBJECTS OF  
THE  
BLACK AUTHORITIES REPEAL BILL, 2010**

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**1. OBJECTS OF BILL**

The objects of the Bill are to repeal the Black Authorities Act, 1951 (Act No. 68 of 1951), hereinafter referred to as the "Black Authorities Act" and to provide for transitional arrangements.

**2. BACKGROUND**

2.1 The President has under section 235(8) of the 1993 Constitution of the Republic of South Africa (Act No. 200 of 1993), assigned the Black Authorities Act to the Premier of Limpopo.

2.2 The community and tribal authorities that were established in terms of the Black Authorities Act are provided for in the Traditional Leadership and Governance Framework Act, 2003 (Act No.41 of 2003), and the Limpopo Traditional Leadership and Institutions Act, 2005 (Act No.6 of 2005). The afore-mentioned pieces of legislation provide that tribal authorities become part of a Traditional Council.

2.3 Section 28(5) of the Traditional Leadership and Governance Framework Act, 2003 (Act No.41 of 2003), provides that a community authority that was established in terms of applicable legislation continues to exist until it is disestablished in accordance with provincial legislation, which disestablishment must take place within five years of the commencement of Act, except where the traditional leadership related to the community authority is under investigation by the Commission, in which case the community authority must be administered as if the relevant legislation had

not been repealed. The provincial legislation does not currently provide for the disestablishment of a community authority.

**3. SOCIAL IMPLICATIONS**

Unknown.

**4. CLAUSE-BY –CLAUSE ANALYSIS**

- 4.1. Section 1 set out the definitions.
- 4.2. Section 2 repeals the Black Authorities Act.
- 4.3. Section 3 sets out the transitional provisions.
- 4.4. Section 4 provides for the short title and commencement of the Act.

**5. FINANCIAL IMPLICATIONS**

Although this Bill will not have financial implications, save the cost of gazetting and publication, the consequential effect of the legislation will be that Traditional Councils must be established by the Premier in terms of section 4 of the Limpopo Traditional Leadership and Institutions Act, 2005 before 24 September 2011 as provided for in section 28(4) of the Traditional Leadership and Governance Framework Act, 2003, which exercise will have financial implications.

**6. STAFFING AND ORGANISATIONAL IMPLICATIONS**

None.

**7. LEGAL IMPLICATIONS**

None.



8. **INSTITUTIONS CONSULTED**

The State Law Advisors in the Office of the Premier were consulted.

**ALGEMENE KENNISGEWING 411 VAN 2010****LIMPOPO PROVINSIALE ADMINISTRASIE****KANTOOR VAN DIE PREMIER****HERROEPINGSWETSONTWERP OP DIE WET OP SWART GESAGSTRUKTURE, 2010**

Ingevolge reël 110 van die Staande Reëls en Orde van die Limpopo Provinsiale Wetgewer word die Herroepingswetsontwerp op die Wet op Swart Gesagstrukture, 2010 hierby geadverteer vir kommentaar.

Enige persoon of organisasie wat graag kommentaar wil lewer op sodanige dokument moet skriftelik so doen voor of op 31/12/2010, by:

**Die Direkteur- Generaal  
Kantoor van die Premier**

**Privaat Sak X9483**

**POLOKWANE  
0700**

**VIR AANDAG: Adv R Singh**

**Tel: (015) 287 6318**

**Faks: 086 627 7738**

**[singhr@premier.limpopo.gov.za](mailto:singhr@premier.limpopo.gov.za)**

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**LIMPOPO PROVINSIALE WETGEWER**

**HERROEPINGSWETSONTWERP OP SWART GESAGSTRUKTURE, 2010**

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**Soos ingelei deur**

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**(DIE PREMIER)**

## WET

Om die Wet op Swart Gesagstrukture te herroep, 1951 (Wet Nr. 68 van 1951), en om te voorsien in die oorgangsbepalings wat verband hou met stam gesagstrukture en gemeenskap gesagstrukture.

**WORD DAAR DERHALWE** deur die Limpopo Provinsiale Wetgewer as volg bepaal:—

### 1. Omskrywings

In hierdie Wet, tensy uit die samehang anders blyk—

**"gemeenskap gesagstruktuur"** beteken `n gesagstruktuur gestig ingevolge artikel 2(1) (a) (ii) van die Wet op Swart Gesagstrukture, 1951 (Wet Nr.68 van 1951);

**"Premier"** beteken die Premier van Limpopo; en

**"stam gesagstruktuur"** beteken `n gesagstruktuur gestig ingevolge artikel 2(1) (a) (i) van die Wet op Swart Gesagstrukture, 1951 (Wet Nr.68 van 1951).

### 2. Herroeping van wet

Die Wet op Swart Gesagstrukture, 1951 (Wet Nr.68 van 1951) word hiermee herroep.

### 3. Oorgangsbepalings

- (1) (1) `n Stam gesagstruktuur sal bly voortbestaan totdat die Premier dit erken as `n Tradisionele Raad ingevolge artikel 4 van die Wet op Limpopo Tradisionele Leierskap en Instellings, 2005 (Wet Nr. 6 van 2005).
  
- (2) `n Gemeenskap gesagstruktuur sal bly voortbestaan totdat dit opgehef word ingevolge artikel 28(5) van die Wet op Tradisionele Leierskap en Regeringsraamwerk, 2003 (Wet Nr.41 van 2003), behalwe in gevalle waar die tradisionele leierskap wat verband hou met die gemeenskap gesagstruktuur ondersoek word deur die Kommissie oor Tradisionele Leierskap Geskille en Eise, gestig ingevolge artikel 22 van die Wet op Tradisionele Leierskap en Regeringsraamwerk, 2003 (Wet Nr. 41 van 2003) in welke geval die betrokke

gemeenskap gesagstruktuur administreer moet word asof die Wet op Swart Gesagstrukture, 1951 (Wet Nr. 68 van 1951) nie herroep was nie.

**4. Korttitel en inwerkingtreding**

Hierdie Wet word genoem die Herroepingswet op Limpopo Swart Gesagstrukture, 2010 en tree inwerking op 'n datum bepaal deur die Premier by wyse van proklamasie in die *staatskoerant*.

**MEMORANDUM OOR DIE OOGMERKE VAN  
DIE  
HERROEPINGSWETSONTWERP OP SWART GESAGSTRUKTURE, 2010**

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**1. OOGMERKE VAN DIE WETSONTWERP**

Die oogmerke van die Wetsontwerp is om die Wet op Swart Gesagstrukture, 1951 (Wet Nr. 68 van 1951), hierna verwys as die "Wet op Swart Gesagstrukture" te herroep en om te voorsien in die oorgangsbepalings.

**2. AGTERGROND**

- 2.1 Die President het ingevolge artikel 235(8) van die 1993 Grondwet van die Republiek van Suid-Afrika (Wet Nr. 200 van 1993), die Wet op Swart Gesagstrukture aan die Premier van Limpopo toegewys.
- 2.2 Voorsiening word gemaak vir die gemeenskap gesagstrukture en stam gesagstrukture wat gestig was ingevolge die Wet op Swart Gesagstrukture in die Wet op Tradisionele Leierskap en Regeringsraamwerk, 2003 (Wet Nr.41 van 2003), asook in die Wet op Limpopo Tradisionele Leierskap en Instellings (Wet Nr.6 van 2005). Voorafgenoemde stukke wetgewing voorsien dat stam gesagstrukture deel word van die Tradisionele Raad.
- 2.3 Artikel 28(5) van die Wet op Tradisionele Leierskap en Regeringsraamwerk, 2003 (Wet Nr.41 van 2003), voorsien dat 'n gemeenskap gesagstruktuur wat gestig was ingevolge toepaslike wetgewing bly voortbestaan todat dit opgehef word ingevolge provinsiale wetgewing, waarby opheffing moet plaasvind binne vyf jaar na inwerkingtreding van die Wet, behalwe in gevalle waar die tradisionele leierskap wat verband hou met die gemeenskap gesagstrukture ondersoek word deur die Kommissie en in sodanige geval moet die gemeenskap gesagstruktuur administreer word asof toepaslike wetgewing nie herroep was nie.

3. **SOSIALE IMPLIKASIES**

Onbekend.

4. **KLOUSULE NA KLOUSULE ONTLEDING**

- 4.1. Artikel 1 gee `n uiteensetting van die omskrywings.
- 4.2. Artikel 2 herroep die Wet op Swart Gesagstrukture.
- 4.3 Artikel 3 gee `n uiteensetting van die oorgangsbepalings.
- 4.4 Artikel 4 voorsien vir die korttitel en inwerkingtreding van die Wet.

5. **FINANSIËLE IMPLIKASIES**

Alhoewel die Wetsontwerp geen finansiële implikasies inhou nie en sodoende koste ten opsigte van drukwerk en publikasie bespaar, sal die uitwerking van die wetgewing daartoe aanleiding gee dat Tradisionele Rade ingevolge artikel 4 van die Wet op Tradisionele Leierskap en Instellings, 2005 deur die Premier gestig moet word en wel voor 24 September 2011 soos uiteengesit in artikel 28(4) van die Wet op die Tradisionele Leierskap en Regeringsraamwerk, 2003 wat dan gevolglik finansiële implikasies sal het.

6. **PERSONEEL EN ORGANISATORIESE IMPLIKASIES**

Geen.

7. **GRONDWETLIKE IMPLIKASIES**

Geen.

8. **INSTELLINGS GERAADPLEEG**

Die staatsregsadviseurs in die Kantoor van die Premier was geraadpleeg.

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**ISAZISO MAZOMBE**

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**ISAZISO SENOMBORO 411 SAKA-2010****UMBUSO WEPHROVINSI YELIMPOPO****I-OFISI LAKANDUNAKULU****UMTHETHOMLINGWA WELIMPOPO WAMATJHUGULUKO WEZOBURHOLI  
BENDABUKO NEENKHUNGO, WAKA-2010**

Ngokuya komthetho 110 wemiThetho yaSafuthi nemiLayo yesiBethamthetho seLimpopo, umThethomlingwa weLimpopo wamaTjhuguluko wezobuRholi beNdabuko neenKhungo, waka-2010 uyakhangiswa lapha bona umphakathi uveze imibono.

Omunye nomunye umuntu namkha ihlangano efisa ukuveza umbono ngomtlole otjhiwoko ingenza njalo ngomtlole ngomhlaka namkha ngaphambi komhlaka 31/12/2010 ku:-

The Director-General

Office of the Premier

Private Bag X9483

POLOKWANE

0700

For Attention: Adv Singh

Umtato: (015) 287 6300

I-imeyili: [singhr@premier.limpopo.gov.za](mailto:singhr@premier.limpopo.gov.za)



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**ISIBETHAMTHETHO SEPHROVINSI YELIMPOPO**

**UMTHETHOMLINGWA KA-2010 WOKWESULWA KOMTHETHO WABANZIMA**

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**Njengombana waziswe**

---

**(nguNDUNAKULU)**

## UMTHETHO

Wokwesula umThetho wemiBuso yabaNzima, ka-1951 (umThetho Nomboro 68 ka-1951), kanye nokubonelela ngeenjamo zamatjhuguluko aphilhelene nemibusositjhaba namabandla womphakathi.

**WENZIWE UMTHETHO** siBethamthetho sePhrovinsi yeLimpopo ngendlela elandelako:—

### 1. linhlathululo

KiloThetho, ngaphandle kwalokha nangabe ubujamo butjho okhunye—

**"ibandla lomphakathi"** kutjhiwo ibandla elihlonywe ukuya ngokwesigaba 2(1) (a) (ii) somThetho wemiBuso yabaNzima, ka-1951 (umThetho Nomboro 68 ka-1951);

**"uNdunakulu"** kutjhiwo uNdunakulu weLimpopo; begodu

**"umbusositjhaba"** kutjhiwo ibandla elihlonywe ukuya ngokwesigaba 2(1) (a) (i) somThetho wemiBuso yabaNzima, ka-1951 (umThetho Nomboro 68 ka-1951).

### 2. Ukwesulwa komthetho

UmThetho wemiBuso yabaNzima, ka-1951 (umThetho Nomboro 68 ka-1951) ngalokhu uyesulwa.

### 3. linjamiso zamatjhuguluko

(1) Umbusositjhaba uzakuragela phambili ngokuba khona ukufikela lokha nawamukelwa nguNdunakulu njengomKhandlu wezeNdabuko ukuya ngokwesigaba 4 somThetho weLimpopo wezobuRholi beNdabuko neenKhungo, ka-2005 (umThetho Nomboro 6 ka-2005).

(2) Ibandla lomphakathi lizakuragela phambili ngokuba khona ukufikela lokha naliphadlhalajwako, njengombana **kucatjangwe** esigabeni 28(5) somThetho womLeyo wobuRholi beNdabuko nokuBusa ka-2003 (umThetho Nomboro 41 ka-2003), ngaphandle kwalokha nangabe uburholi bendabuko obuphathelele nomphakathi lowo busaphenywa yiKomitjhini yemiBango yobuRholi beNdabuko ehloniwe ukuya ngokwesigaba 22 somThetho womLeyo wobuRholi beNdabuko

nokuBusa, ka-2003 (umThetho Nomboro 41 ka-2003), begodu lokha nangabe kunjalo kufuze bonyana ibandlelo lomphakathi lilawulwe inga umThetho wemiBuso yabaNzima, ka-1951 (umThetho Nomboro 68 ka-1951) awukesulwa.

4. **Isihloko esifitjhani nokuthoma ukusebenza**

UmThetho lo **ubizwa** umThetho wokwEsulwa komThetho wemiBuso yabaNzima, ka-2010 begodu uthoma ukusebenza ngelanga elizakubekwa nguNdunakulu ngokulimemezela egazedeni.

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**IMEMORANDAMU YEMINQOPHO YOMTHETHOMLINGWA WOKWESULWA  
KWEMIBUSO YABANZIMA, KA-2010**

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**1. IMINQOPHO YOMTHETHOMLINGWA**

Iminqopho yomThethomlingwa kukwesula umThetho wemiBuso yabaNzima, ka-1951 (umThetho Nomboro 68 ka-1951), ngemva kwalokhu ozokubizwa “ngomThetho wemiBuso yabaNzima” kanye nokuqalelela ngamalungiselelo wamatjhuguluko.

**2. ISENDLALELO**

2.1 Ukuya ngokwesigaba 235(8) somThethosisekelo ka-1993 weRiphabliki yeSewula Afrika (umThetho Nomboro 200 ka-1993), uMengameeli ugunyaze uNdunakulu weLimpopo bonyana asebenze ngokupheleleko ngomThetho wemiBuso yabaNzima.

2.2 Amabandla womphakathi nemibusositjhaba eyahlonywa ukuya ngokomThetho wemiBuso yabaNzima iyabonelelwa emThethweni womLeyo woburholi beNdabuko nokuBusa, ka-2003 (umThetho Nomboro 41 ka-2003), kanye nemThethweni weLimpopo wezoburholi beNdabuko neenKhungo, ka-2005 (umThetho Nomboro 6 ka-2005). Iingcinye ezitjhiweko zemithetho ejanyisiweko zikhuluma ngokuthi imibusositjhaba kufuze ibe yingcinye yomKhandlu wezeNdabuko.

2.3 Isigaba 28(5) somThetho womLeyo woburholi beNdabuko nokuBusa, ka-2003 (umThetho Nomboro 41 ka-2003), ukhuluma ngokuthi ibandla lomphakathi elahlonywa ukuya ngokwemithetho ejanyisiweko esebenzako kufuze liragele phambili ngokuba khona ukufikela lokha nalipheliswa ngokulandela imithetho ejanyisiweko yephrovinsi, begodu ukupheliswa okunjalo kufuze kwenziwe esikhathini esiminyaka emihlanu umthetho lo uthomile ukusebenza, ngaphandle kwalokha nangabe uburholi bendabuko obuphathelene nebandla lomphakathi busaphenywa yiKomitjhini, begodu lokha nangabe kunjalo ibandla lomphakathi kufuze lilawulwe inga umthetho ojanyisiweko ekufuze kusetjenzwe ngawo awukesulwa. Njenganje

umthetho ojanyisiweko wephrovinsi awuboneleli ngokupheliswa kwebandla lomphakathi.

3. **UKUTHINTEKA KOMPHEKATHI**

Akwaziwa.

4. **ICOZULULO LENDINYANA ENYE NENYE**

- 4.1. Isigaba 1 sinikela iinhlathululo ngokuzeleko.
- 4.2. Isigaba 2 sesula umThetho wemiBuso yabaNzima.
- 4.3. Isigaba 3 sihlathulula iinjamiliso zamatjhuguluko ngokuzeleko.
- 4.4. Isigaba 4 sikhuluma ngesihloko esifitjhani nangokuthoma kokusebenza komThetho.

5. **UKUBANDAKANYEKA KWEEMALI**

Nanyana umThethomlingwa lo ungabandakanyi iimali, ngaphandle kweendleko zokugazeda nokugadangisa, kodwana okunqotjhwe khulu ngalomthetho ojanyisiweko kukobana imiKhandlu yezeNdabuko kufuze ihlonywe nguNdunakulu ukuya ngokwesigaba 4 somThetho weLimpopo wezobuRholi beNdabuko neenKhungo, ka-2005 ngaphambi kwamhlazi-24 kuKhukhulamungu 2011 njengokutjho kwesigaba 28(4) somThetho womLeyo wobuRholi beNdabuko nokuBusa, ka-2003, begodu ukwenziwa kwalomsebenzi kuzakubandakanya iimali.

6. **UKUQATJHWA KWEENSEBENZI KANYE NOKUTHINTEKA NGOKWEHLANGANO**

Akukho.

7. **UKUTHINTEKA KWEZOMTHETHO**

Akukho.

**8. IINHLANGANO EKUBONISENWE NAZO**

Kubonisenwe nabeLuleki kwezomThetho bomBuso weNarha abase-Ofisini lakaNdunakulu.

**TSEBIŠO-KAKARETŠO**

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**TSEBIŠO 411 YA 2010****TAOLO YA PROFENSE YA LIMPOPO****OFISI YA TONAKGOLO****MOLAOKAKANYWA WA PHEDIŠO YA MOLAO WA MEBUŠO YA BATHOBASO, 2010**

Go ya ka molao 110 wa Molao ye e sa fetogego le Ditaelo ya Lekgotlatheramelao la Profense ya Limpopo, Molaokakanywa wa Phedišo ya Molao wa Mebušo ya Bathobaso wa Limpopo, 2010 ka go realo o a kwalakwatšwa go nyaka ditshwayotshwayo.

Motho goba mokgatlo ofe goba ofe yo a nyakago go dira ditshwayotshwayo mabapi le tokumente ye go bolelwago ka yona a ka dira bjalo ka go ngwalela, pele ga 31/12/2010, go:

**Molaodi-Kakaretšo**

**Kantoro ya Tonakgolo**

**Privae Bag X9483**

**POLOKWANE**

**0700**

**Go ya go: Adv Singh**

**Mogala: (015) 287 6300**

**[singhr@premier.limpopo.gov.za](mailto:singhr@premier.limpopo.gov.za)**

**LEKGOTLATHERAMELAO LA PROFENSE YA LIMPOPO  
MOLAOKAKANYWA WA PHEDIŠO YA MOLAO WA MEBUŠO YA BATHOBASO,  
2010**

**Bjalo ka ge o hlagišitšwe ke**

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**(TONAKGOLO)**



## MOLAO

Go fediša Molao wa Mebušo ya Bathobaso, 1951 (Molao 68 wa 1951), le go beakanyetša dipeakanyetšo tša nakwana tše di amanago le Mebušo ya baetapele ba setšo le dipušo-setšhaba.

**GO AMOGELWA BJALO KA MOLAO** ke Lekgotlatheramelao la Profense ya Limpopo, ka mo go latelago:—

### 1. Ditlhalošo

Ka mo molaong wo, ka ntle ga ge tirišo e laetša ka tsela ye nngwe—

**"pušo-setšhaba"** e šupa pušo ye e hlamilwego go ya ka karolo 2(1) (a) (ii) ya Molao wa Mebušo ya Bathobaso, 1951 (Molao 68 wa 1951);

**"Tonakgolo"** e šupa Tonakgolo wa Limpopo; le

**"pušo ka moetapele wa setšo"** e šupa pušo ye e hlamilwego go ya ka karolo 2(1) (a) (i) ya Molao wa Mebušo ya Bathobaso, 1951 (Molao 68 wa 1951).

### 2. Phedišo ya molao

Molao wa Mebušo ya Bathobaso, 1951 (Molao 68 wa 1951) ka go realo o a fedišwa.

### 3. Dipeakanyetšo tša nakwana

(1) Pušo ka moetapele wa setšo e tla tšwela pele go ba gona go fihla ge e amogelwa ke Tonakgolo bjalo ka Khansele ya Setšo go ya ka karolo 4 ya Molao wa Boetapele le Diinstitšušene tša Setšo wa Limpopo, 2005 (Molao 6 wa 2005).

(2) Pušo-setšhaba e tla tšwela pele go fihlela ge e fedišwa, bjalo ka ge go bontšhwa ka go karolo 28(5) ya Molao wa Sebopego sa Pušo le Boetapele bja Setšo wa 2003 (Molao 41 wa 2003), ntle le moo boetapele bjo bja setšo bjo bo amanago le pušo-setšhaba bo le ka tlase ga dinyakišano tša Khomišene ya Dikgotlhano tša Boetapel bja Setšo le Dikgopelo ye e hlamilwego go ya ka karolo 22 ya Molao wa Sebopego sa Pušo le Boetapel bja Setšo wa 200 (Molao 41 wa 2003), moo e lego gore setšhaba seo go bolelwago ka sona se swanetše go laolwa bjalo ka ge e le

gore Molao wa Puo ya Bathobaso wa 1951(Molao 68 wa 1951) ga se wa phumulwa

**4. Thaetlele ye kopana le thomišo**

Molao wo o bitšwa Molao wa Phedišo ya Molao wa Mebušo ya Bathobaso, 2010 le gona o thoma go šomišwa ka tšatšikgwedi ye e beilwego ke Tonakgolo ka kgoeletšo ka gare ga *kuranta ya mmu*.

**MEMORANTAMO WA DINEPO****TŠA****MOLAOKAKANYWA WA PHEDIŠO YA MEBUŠO YA BATHOBASO, 2010**

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**1. DINEPO TŠA MOLAOKAKANYWA**

Dinepo tša Molaokakanywa ke go fediša Molao wa Mebušo ya Bathobaso, 1951 (Molao 68 wa 1951), woo o bitšwago bjalo ka "Molao wa Mebušo ya Bathobaso" le go beakanyetša dipeakanyetšo tša nakwana.

**2. MATSENO**

- 2.1 Mopresitente ka fase ga karolo 235(8) ya Molaotheo wa Rephabliki ya Afrika Borwa, 1993 (Molao 200 wa 1993), o abetše Molao wa Mebušo ya Bathobaso go Tonakgolo ya Limpopo.
- 2.2 Dipušo-ditšhaba le ditšhaba tše di bušwago ke magoši tše di theilwego go ya ka Molao wa Mebušo ya Bathobaso di tšweletšwa ka go Molao wa Boetapele bja Setšo le Sebopego sa Pušo, 2003 (Molao 41 wa 2003), le Molao wa Boetapele le Diinstitšušene tša Setšo wa Limpopo, 2005 (Molao 6 wa 2005). Dikarolo tše go bolelwago ka tšona tša molao di beakanyetša gore ditšhaba tše di bušwago ke magoši e be karolo ya Khansele ya Setšo.
- 2.3 Karolo 28(5) ya Molao wa Boetapele bja Setšo le Sebopego sa Pušo, 2003 (Molao 41 wa 2003), e beakanyetša gore pušo-setšhaba yeo e bego e theilwe go ya ka molao wo o dirišwago e tšwele pele go ba gona go fihla ge e phatlalatšwa/theollwa go ya ka molao wa profense, phatlalatšo/go theollwa yeo e lego gore e swanetše go dirwa mo mengwageng ye mehlano ya go thomišwa ga Molao, ntle le moo e lego gore boetapele bja setšo bjo bo sepelelanago le pušo-setšhaba bo le ka fase ga dinyakišišo tša Khomišene, moo e lego gore pušo-setšhaba e swanetše go sepetšwa

tše o ka rego molao wo o bego o dirišwa ga se wa fedišwa. Molao wa profense gabjale ga o abelane ka phatlalatšo/go theollwa ga pušo-setšhaba.

3. **DIKAMEGO TŠA LEAGO**

Ga di tsebje.

4. **TSHEKATSHEKO YA TEMANA-KA-TEMANA**

4.1. Karolo ya 1 e tšweletša ditlhalošo.

4.2. Karolo ya 2 e fediša Molao wa Mebušo ya Bathobaso.

4.3. Karolo ya 3 e tšweletša dipeakanyetšo tša nakwana.

4.4. Karolo ya 4 e abelana ka thaetlele ya kopana le go thomišwa ga Molao.

5. **DIKAMEGO TŠA MATLOTLO**

Le ge e le gore Molaokakanywa o ka se be le dikamego tša matlotlo, ka ntle ga go tsenywa ka kuranteng le kgatišo, ditlamorago tša molao e tla ba tša gore Dikhansela tša Setšo di swanetše go thewa ke Tonakgolo go ya ka karolo 4 ya Molao wa Boetapele le Diinstitutšušene tša Setšo wa Limpopo, 2005 pele ga 24 Setemere 2011 bjalo ka ge go beakanyeditšwe go karolo 28(4) ya Molao wa Boetapele bja Setšo le Sebopego sa Pušo, 2003, mošomo woo o tla bago le ditlamorago tša matlotlo.

6. **DIKAMEGO TŠA MEKGATLO LE THWALO YA BAŠOMI**

Ga di gona.

7. **DIKAMEGO TŠA SEMOLAO**

Ga di gona.

8. **DIINSTITŠUŠENE TŠE GO RERIŠANWEGO LE TŠONA**

Baeletšhi ba Semolao ba Kantoro ya Tonakgolo ba rerišanwe.

**NDIVHADZO 411 YA 2010****NDAULO YA VUNDU LA LIMPOPO****OFISI YA PREMIA****MULAYOTIBE WA KHWINISO YA ZWIIMISWA NA VHURANGAPHANDA HA SIALALA  
WA LIMPOPO, 2010**

Hu tshi tevhedzwa mulayo 110 wa Milayo ya Tshothe na Ndaela dza Vhusimamilayo ha Vundu la Limpopo, Mulayotibe wa Khwiniso Zwiimiswa na Vhurangaphanda ha Sialala wa Limpopo, 2010 u khou andadzwa u itela vhupfiwa ha vhathu.

Dzangano kana muthu ufhio na ufhio a todaho u bvisa vhupfiwa nga ha linwalwa lo bulwaho a nga ita ngauralo nga u tou nwala, phanda ha 31/12/2010, zwo livhiswa kha:

**Ofisi ya Premia**

**Private Bag X9483**

**POLOKWANE**

**0700**

**ZWI LIVHISWA KHA: Adv R Singh**

**Thelefounu: (015) 287 6318**

**Fekisi: 086627 7738**

[singhr@premier.limpopo.gov.za](mailto:singhr@premier.limpopo.gov.za)

**VHUSIMAMILAYO HA LIMPOPO**

**MULAYOTIBE WA U PHUMULA MULAYO WA VHULAEDZWA WA VHAREMA, 2010**

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**Sa zwe wa divhadzwa nga**

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**(PREMIA)**

## MULAYO

Wa u phumulwa ha Mulayo wa Vhulaedzwa wa Vharema, 1951 (Mulayo No. 68 wa 1951), na u netshedza u pfukhiselwa ha mbetshelo dzi tutshelanaho na vhulaedzwa ha tshitshavha na vhulaedzwa ha sialala.

**AFHA HU KHOU VHEWA MULAYO nga Vhusimamilayo ha Limpopo sa zwi tevhelaho:**

**1. Thandavhudzo**

Kha uyu Mulayo nga nnda ha musu zwi re ngomu zwi tshi sumbedza nga inwe ndila—

**"vhulaedzwa ha tshitshavha"** zwi amba vhulaedzwa ho thomiwaho hu tshi tevhedzwa khethekanyo 2(1) (a) (i) ya Mulayo wa Vhulaedzwa ha Vharema, 1951 (Mulayo No. 68 wa 1951);

**"Premia"** zwi amba Premia wa Limpopo; nahone

**"vhulaedzwa ha sialala"** zwi amba vhulaedzwa ho thomiwaho hu tshi tevhedzwa khethekanyo (2)(1) (a) (i) ya Mulayo wa Vhulaedzwa ha Vharema, 1951 (Mulayo No. 68 wa 1951).

**2. U Phumulwa ha mulayo**

Mulayo wa Vhulaedzwa ha Vharema, 1951 (Mulayo No. 68 wa 1951) afha u khou phumulwa.

**3. Mbetshelo dza pfukhisela**

(1) Vhulaedzwa ha sialala vhu do bvela phanda na u vha hone u swikela vhu tshi tendelwa nga Premia sa ha Khoro ya Sialala hu tshi tevhedzwa khethekanyo 4 ya Mulayo wa Zwiimiswa na Vhurangaphanda ha Sialala wa Limpopo, 2005 (Mulayo No. 6 wa 2005).

(2) Vhulaedzwa ha tshitshavha vhu do bvela phanda na u vha hone u swika —

(a) vhu tshi tendelwa nga Premia uri vhu vhe ha Khoro ya Sialala hu tshi tevhedzwa khethekanyo 4 ya Mulayo wa Zwiimiswa na Vhurangaphanda ha Sialala wa Limpopo, 2005 (Mulayo No. 6 wa 2005); kana

- (b) u fheliswa nga Premia hu tshi tevhedzwa khethekanyothukhu 33(6) ya Mulayo wa Zwiimiswa na Vhurangaphanda ha Sialala wa Limpopo, 2005 (Mulayo No. 6 wa 2005),

nga nnda ha hune ha vha na uri vhurangaphanda ha sialala vhu tutshelelanaho na vhulaedzwa ha tshenetsho tshitshavha vhu fhasi ha tsedzuluso nga Khomishini ya nga ha Mbilo na Phambano dza Vhurangaphanda ha Sialala ho thomiwaho hu tshi tevhedzwa khethekanyo 22 ya Mulayo wa Muhanga wa Mavhusele na Vhurangaphanda ha Sialala 2003 (Mulayo No 41 wa 2003), hune arali zwo ralo, vhulaedzwa ha tshitshavha vhu kwameaho vhu tea u laulwa sa u nga Mulayo wa Vhulaedzwa ha Vharema a u athu u phumulwa.

**4. Dzina lipfufhi na mathomo**

Uyu Mulayo u vhidzwa Mulayo wa Vhulaedzwa ha Vharema wa Limpopo, 2010 nahone u thoma u shuma nga datumu ine ya do vhewa nga Premia nga kha mulevho kha Gazethe.



**MEMORANDAMU WA NGA HA NDIVHO****DZA****MULAYOTIBE WA U PHUMULWA HA VHULAEDZWA HA VHAREMA, 2010****1. NDIVHO DZA MULAYOTIBE**

Ndivho dza Mulayotibe ndi u phumula Mulayo wa Vhulaedzwa ha Vharema, 1951 (Mulayo No. 68 wa 1951), une afha wa vhidzwa sa "Mulayo wa Vhulaedzwa ha Vharema" na u netshedza u itela nzudzanyo dza u pfukhisela.

**2. MARANGAPHANDA**

- 2.1 Phuresidennde, fhasi ha khethekanyo 235(8) ya 1993 ya Ndayotewa ya Riphabuliki ya Afrika Tshipembe (Mulayo No. 200 wa 1993), vho netshedza Mulayo wa Vhulaedzwa ha Vharema nga Premia wa Limpopo.
- 2.2 Vhulaedzwa ha sialala na vhulaedzwa ha tshitshavha ho thomiwaho hu tshi tevhedzwa Mulayo wa Vhulaedzwa ha Vharema vhu khou netshedzwa kha Mulayo wa Muhanga wa Mavhusele na Vhurangaphanda ha Sialala, 2003 (Mulayo No. 41 wa 2003), na Mulayo wa Zwiimiswa na Vhurangaphanda ha Sialala wa Limpopo, 2005 (Mulayo No. 6 wa 2005). Mulayo mivhili yo bulwaho afho ntha i khou tendela zwauri vhulaedzwa ha sialala vhu vhe tshipida tsha Khoro ya Sialala.
- 2.3 Khethekanyo 28(5) ya Mulayo wa Muhanga wa Mavhusele na Vhurangaphanda ha Sialala, 2003 (Mulayo No. 41 wa 2003), u netshedza zwauri vhulaedzwa ha tshitshavha ho thomiwaho hu tshi tevhedzwa mulayo wo teaho u dzule u hone u swika u tshi fheliswa hu tshi tevhelwa mulayo wa vundu, une u fheliswa ha tea u vha hone vhukati ha minwaha mitanu ya u thoma u shuma ha Mulayo, nga nnda ha hune Murangaphanda wa sialala a tutshelanaho na vhulaedzwa ha tshitshavha a vha e fhasi ha tsedzuluso nga Khomishini, hune arali zwo ralo vhulaedzwa ha tshitshavha ha tea u laula sa u nga mulayo wo teaho u\_songo phumulwa. Vhusimamilayo ha Vundu zwa zwino a vhu tendeli u fheliswa ha vhulaedzwa ha tshitshavha.

**3. ZWI KWAMAHO MATSHILISANO**

A hu na

**4. TSENGULUSO YA TSHITENWA NGA TSHITENWA**

- 4.1 Khethekanyo 1 i sumbedzisa thalutshedzo.
- 4.2 Khethekanyo 2 i phumula Mulayo wa Vhulaedzwa ha Vharema.
- 4.3 Khethekanyo 3 i sumbedzisa mbetshelo dza u pfukhisela.
- 4.4 Khethekanyo 4 i netshedza dzina lipfufhi na mathomo a Mulayo.

**5. ZWI KWAMAHO MASHELENI**

Naho uyu Mulayotibe u sa nga vhi na zwi kwamaho masheleni, u vhulungwa ha mbadelo dza u gazetha na nyandadzo, mvelelo dza mulayo dzi do vha dza uri Khoro dza Sialala dzi tea u thomiwa nga Premia hu tshi tevhedzwa khethekanyo 4 ya Mulayo wa Zwiimiswa na Vhurangaphanda ha Sialala wa Limpopo, 2005 phanda ha 24 Khubvumedzi 2011 sa zwe zwa sumbedziswa kha khethekanyo 28(4) ya Mulayo wa Muhanga wa Mavhusele na Vhurangaphanda ha Sialala, 2003, hune wonoyo mushumo wa do vha na zwi kwamaho masheleni.

**6. TSHITAFU NA ZWI KWAMAHO KUDZUDZANYELWE**

A hu na.

**7. ZWI KWAMAHO MULAYO**

A hu na.

**8. ZWIIMISWA ZWO KWAMIWAHO**

Zwiimiswa zwi tevhelaho zwo kwamaho:

- 
- (a) Ndu ya Vharangaphanda vha Sialala ya Limpopo na Ofisi ya Premia; na
  - (b) Vhaeletshedzi vha Mulayo vha Muvhuso kha Ofisi ya Premia.

## XITIVISO HI KU ANGARHELA

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XITIVISO XA 411 2010

**MFUMO WA XIFUNDZANKULU XA LIMPOPO**

**HOFISI YA HOLOBYENKULU**

### **NAWUMBISI WO HERISA VURHANGERI BYA VANTIMA, 2010**

Hi ku landza nawu wa 110 wa Milawu ya Nkarhi Hinkwawo na Swileriso swa Mfumo wa Milawu wa Xifundzankulu, Nawu wo Herisa Vurhangeri bya Vantima wa navetisiwa leswaku mi nyika mavonelo ya n'wina.

Munhu wihi ni wihi kumbe nhlngano lowu wu lavaka ku nyika mavonele eka tsalwa leri wu nga endla tano hi ku tsalela, ku nga si fika 31/12/2010 eka:

**Mufambisi-Jenerala**

**Office of the Premier**

**Private Bag X9483**

**POLOKWANE**

**0700**

**KONGOMISA EKA Adv Singh**

**Tel: (015) 287 6300**

**[singhr@premier.limpopo.gov.za](mailto:singhr@premier.limpopo.gov.za)**

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**MFUMO WA MILAWU WA XIFUNDZANKULU XA LIMPOPO**

**NAWUMBISI WO HERISA NAWU WA VULAWURI BYA VANTIMA, 2010**

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**Hilaha wu tivisiweke hakona hi**

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**(HOLOBYENKULU)**

**NAWU**

Nawu wa Vulawuri bya Vantima, 1951 (Nawu No. 68 wa 1951), no kombisa swilaveko swa nkarhinyana mayelana na vulawuri bya ndhavuko na vulawuri bya miganga.

**WU ENDLIWA NAWU** hi Mfumo wa Milawu wa Xifundzankulu xa Limpopo, hi ndlela leyi:—

**1. Tinhlamuselo**

Eka Nawu lowu, ehandle ka laha vundzeni byi kombaka swin'wana—

**"vulawuri bya muganga"** swi vula vulawuri lebyi tumbuluxiweke hi ku landza xiyenge xa 2(1)(a)(ii)

Nawu wa Vulawuri bya Vantima, 1951 (Nawu No.68 wa 1951);

**"Holobyenkulu"** swi vula Holobyenkulu wa Limpopo; kasi

**"vulawuri bya ndhavuko"** swi vula vulawuri lebyi tumbuluxiweke hi ku landza swi vula vulawuri lebyi tumbuluxiweke hi ku landza xiyenge xa 2(1)(a)(ii)

Nawu wa Vulawuri bya Vantima, 1951 (Nawu No.68 wa 1951);

**2. Ku herisa Nawu**

Laha, Nawu wa Vulawuri bya Vantima, 1951 (Nawu No.68 wa 1951) wa herisiwa.

**3. Swilaveko swa nkarhinyana**

(1) Vulawuri bya ndhavuko byi ta va bya ha ri kona ku kondza loko byi amukeriwa hi Holobyenkulu tani hi Huvo ya Ndhavuko hi ku landza xiyenge xa 4 xa Nawu wa Vurhangeri bya Ndhavuko na Mhlangano, 2005 (Nawu No. 6 wa 2005).

(2) Vulawuri bya byi ta ya emahlweni byi ri kona ku kondza loko byi herisiwa, hilaha swi **hlamuseriwaka** hakona eka xiyenge xa 28(5) xa Nawu wa Xivumbeko xa Vurhangeri bya Ndhavuko na Mafumelo, 2003 (Nawu No.41 wa 2003), ehandle ka laha vurhangeri bya ndhavuko byo lebyo byi lavisisiwaka hi Khomixini ya Swivilelo na Swikoxo swa Vurhangeri bya Ndhavuko leyi tumbuluxiweke hi ku landza xiyenge xa

22 xa Nawu wa Xivumbeko xa Vurhangeri bya Ndhavuko na Mafumelo, 2003 (Nawu No. 41 wa 2003), laha vulawuri bya muganga lebyi khumbekeka byi faneleke ku lawuriwa onge Nawu wa Vulawuri bya Vantima, 1951 (Nawu No.68 wa 1951) a wu herisiwangi.

**4. Nhlokomhaka yo koma no sungula ku tirha**

Nawu lowu wu **vuriwa** Nawu wo herisa Nawu wa Vulawuri bya Vantima, 2010

Naswona wu sungula ku tirha hi siku leri vekiweke hi Holobyenkulu eka *gazete*.

**MEMORANDUMU YA SWIKONGOMELO SWA NAWUMBISI WO HERISA VULAWURI  
BYA VANTIMA, 2010**

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**1. SWIKONGOMELO SWA NAWUMBISI**

Swikongomelo Nawumbisi lowu i ku herisa Nawu wa Vulawuri bya Vantima, 1951 (Nawu wa No. 68 wa 1951), laha wu vitaniwa tanihi "Nawu wa Vulawuri bya Vantima" na ku nyika makungu ya xinkarhananyana.

**2. MATIMU**

- 2.1 Puresidente ehansi ka xiyenge xa 235(8) xa Vumbiwa ra Afrika Dzonga (Nawu No. 200 wa 1993), u nyikile Nawu wa Vulawuri eka Holobyenkulu wa Limpopo.
- 2.2 Vulawuri bya tiko na vurhangeri bya miganga leswi nga tumbuluxiwile hi ku landza Nawu wa Vulawuri bya Vantima swi hlamuseriweke eka Nawu wa Xivumbeko na Mafumele ya Vurhangeri bya Ndhavuko, 2003 (Nawu wa No. 41 wa 2003) na Nawu wa Minhlngano na Vurhangeri bya Ndhavuko 2005 (Nawu wa No.6 wa 2005). Milawu leyi vuriwaka laha henhla yi nyika matimba eka vulawuri bya muganga byi va xiphemu xa Huvo ya Ndhavuko.
- 2.3 Xiyenge xa 28(5) xa Nawu wa Xivumbeko na Mafumele ya Vurhangeri bya Ndhavuko, 2003 (Nawu wa No. 41 wa 2003), xi nyika makungu leswaku vulawuri bya tiko lebyi tumbuluxiweke hi ku landza nawu lowu tirhaka byi ya emahlweni byi tirha ku fikele loko byi herisiwa hi ku landza nawu wa xifundzankulu, lowu ku herisiwa ka wona ku ta va kona ku nga si hela malelmbe ya ntlhanu ya ku sungula ku tirha ka Nawu, handle kalaha vurhangeri bya ndhavuko byi ri ku lavisisiweni hi Khomixini, eka xiyimo lexi vurhangeri bya tiko byi tirhisiwa onge nawu lowu faneleke a wu herisiwangi. Nawu wa xifundzankulu sweswi a wu nyiki makungu ya leswaku ku herisiwa vulawuri bya tiko.



**3. KU KHUMBA VANHU**

A ku tiveki.

**4. NHLELO WAXIVULWANI HI XIVULWANI**

4.1. Xiyenge xa 1 xi nyika tinhlamuselo.

4.2. Xiyenge xa 2 xi herisa Nawu wa Vulawuri bya Vantima.

4.3. Xiyenge xa 3 xi nyika makungu ya xinkarhana.

4.4. Xiyenge xa 4 xi nyika makungu ya nhlokomhaka hi ku komisa na ku sungula ku tirha ka Nawu lowu.

**5. KU KHUMBA SWA TIMALI**

Hambileswi Nawumbisi wu nga ta ka wu nga khumbhi swa timali, wu ta hlayisa mali yak u gazeta na ku wu hangalasa, ku khumbheka loku nga ta va kona hikwalaho ka nawu ku ta va leswaku Tihuvo ta Ndhavuko ti fanele ti tumbuluxiwa hi Holobyenkulu hi ku landza xiyenge xa 4 xa Nawu wa Limpopo wa Vurhangeri bya Ndhavuko na Mavandla 2005 ku nga si fika 24 Ndzati 2011 tanihi leswi swi vuriweke eka xiyenge xa 28(4) xa Nawu wa Xivumbeko na Mafumele ya Vurhangeri bya Ndhavuko, 2003, laha ntirho lowu wu nga ta khumbha swa timali.

**6. KU KHUMBA XITAFU NA NHLANGANO**

Ku hava.

**7. KU KHUMBA NAWU**

Ku hava.

**8. MINHLANGANO LEYI KU TI HLANASIWEKE NA WONA**

Mavandla lawa ya landzelaka ku ti hlanganisiwile na wona:

- (a) Yindlu ya Limpopo ya Vurhangeri bya Ndhavuko na Hofisi ya Holobyenkulu;  
na
  - (b) Vatsundzuxi va Xinawu va Mfumo eka Hofisi ya Holobyenkulu.
-