

PROVINCIAL NOTICE

The following Provincial Notice is published for general information.

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DIRECTOR-GENERAL

Provincial Building,
Wale Street,
Cape Town.

PROVINSIALE KENNISGEWING

Die volgende Provinsiale Kennisgewing word vir algemene inligting gepubliseer.

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DIREKTEUR-GENERAAL

Provinsiale-gebou,
Waalstraat,
Kaapstad.

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PROVINCIAL ADMINISTRATION: WESTERN CAPE**DEPARTMENT OF TRANSPORT AND PUBLIC WORKS****NATIONAL LAND TRANSPORT TRANSITION ACT, 2000
(Act 22 of 2000)****Western Cape Regulations on Registration of Minibus Taxi Associations, Their Members and Non-Members.**

I,, Minister of Transport and Public Works in the Province of Western Cape, acting in terms of the powers afforded me by the National Land Transport Transition Act, 2000 (Act 22 of 2000), prescribe the regulations in the schedule to this notice, and make the determinations and specifications contained therein.

Schedule**Regulations on the Registration of Minibus Taxi Associations, Their Members and Non Members**

1. Definitions
2. Manner of keeping of provincial transport register
3. Information to be kept in register
4. Information to be kept in register concerning non-members and their vehicles
5. Fees for information from the Register
6. Requirements for associations to qualify for provisional and full registration
7. Application fees for registration
8. Application forms
9. Manner of application for registration by a newly admitted member of a registered association
10. Information and documents submitted with application forms
11. Registration of non-member: certificate by Registrar
12. Registration certificates
13. Distinguishing marks
14. Standard minimum Constitution and Code of Conduct
15. Form of subpoena and manner of serving
16. Fine for failure to comply with notice
17. Return of documents upon cancellation or suspension of registration
18. Offences and penalties
19. Short title

ANNEXURE A: SCHEDULE OF FEES AND FINES

ANNEXURE B: FORMS

ANNEXURE C: STANDARD MINIMUM CONSTITUTION FOR MINIBUS-TAXI ASSOCIATIONS

Definitions

1. In these regulations, unless the context indicates otherwise—

“Act 74 of 1977” means the Road Transportation Act, 1977 (Act 74 of 1977) as it applies in the Province and as amended by the Western Cape Road Transportation Act Amendment Law, 1996 (Law 8 of 1996) and the Western Cape Road Transportation Act Amendment Act, 2000 (Act 7 of 2000);

“Province” means the Province of Western Cape;

“register” means the provincial transport register referred to in section 99(1)(h) of the Act;

“the Act” means the National Land Transport Transition Act, 2000 (Act 22 of 2000), and

a word or expression which is defined in the Act has the same meaning in these regulations.

Manner of keeping provincial transport register [section 99(1)(h) of the Act]

2. The provincial transport register which the Registrar is required to keep in terms of section 99(1)(h) of the Act must be in the form of an electronic database provided by the National Department of Transport or a similar database with the same minimum capacities.

Information to be kept in register [sections 99(1)(h) and (i), 108(1)(a) and 111(2) and (3) of the Act]

3. (1) The Registrar must keep in the register in respect of—

- (a) each association based in the Province which has been registered or provisionally registered in terms of the Act, or whose full registration has reverted to provisional registration in terms of section 56(1) thereof;
- (b) each member of an association contemplated by paragraph (a);
- (c) each vehicle of every member contemplated by paragraph (b), and
- (d) each non-member and his or her vehicle,

the information relating to such an association, member or vehicle listed in subregulations (2), (3) and (4).

- (2) The information relating to an association referred to in subregulation (1)(a) is the following:

- (a) The association's—
 - (i) full name, and if applicable, abbreviated name;
 - (ii) form of legal personality (voluntary association, section 21 company, etc.);
 - (iii) date of establishment;
 - (iv) business registration number, if any;
 - (v) postal and street address;
 - (vi) telephone and facsimile numbers;
 - (vii) e-mail addresses, and
 - (viii) initial joining fee per member and annual membership fee;
- (b) the date on which the association applied for registration;
- (c) the date on which registration or provisional registration was granted and the concomitant certificate of registration was issued;
- (d) the association's registration or provisional registration number;
- (e) a copy of the association's constitution and confirmation that it has been accepted by the Registrar as complying with the requirements of sections 60 and 117 of the Act;
- (f) the number of persons registered or provisionally registered as members of the association and the number of vehicles operated by each such member;
- (g) the number of persons employed by the association including its duly authorised representative;
- (h) the names of associations to which the association is affiliated, if any;
- (i) the name of each office bearer and his or her position, identity number and type of identity held;
- (j) each instance of non-compliance by the association with its registered constitution, and
- (k) the outcome of grievance and disciplinary procedures conducted by an association and the steps, if any, taken by the Registrar as a consequence thereof.

- (3) The information relating to a member referred to in subregulation (1)(b) is the following:

- (a) the member's—

- (i) surname and initials and, in the case of a member which is not an individual, that member's name;
 - (ii) trade name, if applicable;
 - (iii) identification number or business registration number;
 - (iv) form of identification;
 - (v) income tax registration number, if the member is required to be registered for income tax;
 - (vi) VAT registration certificate in the case where the member is a company or close corporation, subject to the annual turnover exceeding the minimum requirement for registration set by the South African Revenue Service;
 - (vii) postal and street address;
 - (viii) type of membership; and
 - (ix) driver details, including birth name, birth date, ID number, address, nickname, particulars of driver's license and PDP.
- (b) confirmation that the member has signed a declaration that he, she or it subscribes to and agrees to be bound by the association's Code of Conduct and registered constitution;
 - (c) the date on which the member's certificate of registration or provisional registration was issued;
 - (d) the date and number of the member's registration or provisional registration;
 - (e) the date of issue of the member's provisional registration certificate;
 - (f) the member's operating licence number/s or permit number/s;
 - (g) the expiry date of the member's operating licence(s) or permit(s);
 - (h) confirmation that the board has verified the operating licence or permit details;
 - (i) the departure point(s) and arrival point(s) authorised by the operating licence(s) or permit(s);
 - (j) the route number/s allocated by the Board corresponding to the said departure point(s) and arrival point(s);
 - (k) in the case of a juristic person, the person responsible to represent it. A resolution must be provided by the juristic person, signed by a duly authorised person, confirming the name of the representative;
 - (l) in the case of a company, its certificate of incorporation or a certified copy thereof;
 - (m) in the case of a close corporation, its founding statement or a certified copy thereof, and
 - (n) in the case of any other type of juristic person, its constitution or founding agreement or a certified copy thereof.
- (4) The information relating to a vehicle referred to in subregulation (1)(c) is the following:
- (a) the vehicle registration number;
 - (b) the vehicle identification number (VIN);
 - (c) the vehicle's chassis number; and
 - (d) the date of issue of a distinguishing mark for the vehicle and the date of expiry of the distinguishing mark.

Information to be kept in register concerning non-members and their vehicles [section 108 (1) (a) of the Act]

4. In respect of any registered or provisionally registered non-member, or a non-member based in the Province whose full registration has reverted to provisional registration in terms of section 56(1) of the Act, the registrar must, to the extent applicable, keep the same information required to be kept regarding a member, provisionally registered member or member whose registration has reverted to provisional registration and their vehicles.

Fees for information from the Register [section 99(2)(b) of the Act]

5. The fee payable for furnishing copies or extracts of information from the Register by the Registrar or an official authorised by the Registrar is the fee prescribed in Annexure "A" unless a different fee is prescribed under section 22 of the Promotion of Access to Information Act, 2000 (Act 2 of 2000), in which case the fee prescribed under that Act will apply.

Requirements for associations to qualify for provisional and full registration [sections 109(1) and (2), and 110 of the Act]

6. (1) Subject to sub-regulation (2), the minimum number of members which an association must have before it may be provisionally or fully registered, is determined as being 10 members.
- (2) Where an association is not able to meet the applicable membership requirements contemplated in sub-regulation (1), the Registrar may, upon good cause having been shown, reduce such minimum membership requirements in that specific case.
- (3) Where an association ceases to have a minimum of 10 members the Registrar must—

- (a) give the association not less than 21 days written notice to show cause why the association should not be deregistered or have its registration suspended, and
 - (b) publish a notice in a newspaper circulating in the main area of operation of the association of the intention to deregister the association if it does not so show adequate cause, and inviting comments or representations from interested parties,
- and having considered any reply, comments or representations received in response to such notice or publication, may cancel the registration or provisional registration of the association, as the case may be, or suspend such registration for the period determined by the Registrar.
- (4) The maximum prescribed fees which a provisionally registered association may charge in terms of section 109(2) of the Act, and a fully registered association in terms of section 110(e) of the Act are—
 - (a) in the case of a joining fee for the registration of a member, the amount indicated in Annexure A, irrespective of the number of vehicles owned by the member concerned;
 - (b) in the case of a joining fee for the provisional registration of a new member of an association who has not yet applied for an operating licence, or whose operating licence has not yet been granted, a maximum joining fee of the amount indicated in Annexure A may be charged. The balance of the normal joining fee may be charged on the issuing of an operating licence by the board to the member for each vehicle operated, and
 - (c) in the case of an annual membership fee, the amount specified in the constitution of the association.
 - (5) The Registrar has the discretion to register an association provisionally or fully that does not comply with sub-regulation (3) at the request of the relevant planning authority, and if the Registrar is satisfied that there is no other association operating on the route or routes in question.
 - (6) To be provisionally or fully registered, an association must have a constitution which complies with sections 60 and 117 of the Act.
 - (7) To be provisionally registered, an association must submit proof on the prescribed form that application has been made to the board for an operating licence by each member of the association who does not hold an operating licence or permit. Applications by such prospective members must only reflect routes or networks of routes on which the association intends to operate.

Application fees for registration [sections 110(d) and 113(1)(a) of the Act]

- 7. For the purposes of section 110(d) of the Act, the application fees payable for registration of an association or non-member shall be the amounts indicated in Annexure A.

Application forms [section 111(1)(a) of the Act read with section 7A(14)(d) of Act 74 of 1977]

- 8. (1) The forms provided for in these regulations replace the forms prescribed in Schedule B to Provincial Notice 62/1997 in Provincial Gazette Extraordinary No.5113 of 28 February 1997.
- (2) An association must apply for registration or for provisional registration by completing and submitting to the Registrar an application in the form set out in Forms 1, 2, 3 and 4 in Annexure B.
- (3) An association must apply for the conversion from provisional registration to full registration by completing and submitting to the Registrar an application in the format set out in Forms 5, 6 and 7 in Annexure B.
- (4) A non-member must apply for the conversion from provisional registration to full registration by completing and submitting to the Registrar an application in the format set out in Forms 8 and 9 in Annexure B.
- (5) A non-member must apply for registration by completing and submitting to the Registrar an application in the format set out in Form 10 in Annexure B.

Manner of application for registration by a newly admitted member of a registered association [section 112(3)(a) of the Act]

- 9. (1) When an association applies to the Registrar for the registration of any new member admitted to the membership of the association in terms of section 112(3)(a) of the Act, the application must be made in the format set out in Forms 11 and 12 in Annexure B.
- (2) The applicant must submit the application form to an authorised official of the board for completion of those sections where a declaration is required from the board.

Information and documents submitted with application forms

- 10. (1) When an application is submitted under regulation 6,
 - (a) the applicant must provide full and complete answers to all the questions on the application form;
 - (b) the Registrar must,
 - (i) ensure that the application form has been properly completed;
 - (ii) ensure that all of the required accompanying documentation, which must be certified, has been submitted and is valid and acceptable, and
 - (iii) verify the information submitted as follows:
 - (aa) where applicable, the vehicle particulars must be checked against the National Transport Information System (NaTIS) maintained by the National Department of Transport;

- (bb) where applicable, particulars of the member or the non-member must be checked against the Land Transport Permit System referred to in section 78(4)(b) of the Act, or other available information systems;
- (cc) where a member or a non-member is registered in another province, that member's or non-member's particulars must be checked with the information systems of the registrar of that province.

- (2) The Registrar may reject applications that lack any of the information or documentation required by the Act or these regulations, or if full and complete answers are not provided to all questions on the application form or if the required application fee is not paid at the time that the application is made.

Registration of non-members: certificate by Registrar [section 113(2) of the Act]

11. A certificate from the Registrar certifying that a non-member complies with section 113(1)(b), (c) and (e) of the Act must contain the particulars and be in the format set out in Form 13 in Annexure B.

Registration certificates [section 114(1) of the Act]

12. (1) Certificates of registration and provisional registration issued to associations, members or non-members shall be in the format set out in Forms 14 to 19 in Annexure B.
- (2) The forms referred to in sub-regulation (1) replace the certificates of registration prescribed in the Schedule to Provincial Notice 335/1997 in Provincial Gazette No. 5182 of 26 September 1997.

Distinguishing marks [section 114(2) of the Act]

13. (1) A distinguishing mark issued to a provisionally registered member or non-member must be in the format set out in Form 20 in Annexure B. Only provisionally registered members or non-members who are in possession of an operating licence for each vehicle operated will qualify for obtaining a distinguishing mark.
- (2) A distinguishing mark issued to a registered member or non-member must be in the format set out in Form 21 in Annexure B. A registered member or non-member qualifying for final registration must return the distinguishing mark issued for provisional registration to the Registrar on receiving the distinguishing mark for final registration.

Standard Minimum Constitution and Code of Conduct [sections 61 and 116(1)(a) and (b) of the Act]

14. The Constitution and Code of Conduct published as Schedule A to Provincial Notice 62/1997 in Provincial Gazette Extraordinary No. 5113 of 28 February 1997 is replaced by the standard minimum constitution and code of conduct attached as Annexure C which are published in terms of section 116 of the Act.

Form of subpoena and manner of serving it [section 99(3)(b) of the Act]

15. (1) A subpoena issued by the Registrar as contemplated in section 99(3)(b) of the Act must be in the form set out in Form 22 in Annexure B.
- (2) Subject to sub-regulation (3), an authorised officer must serve the subpoena by personally handing a copy of the subpoena to the person to whom it applies or, where the person cannot conveniently be found, by leaving a copy with a person who is apparently a responsible person at the place of business, usual place of residence or the last known place of residence of the person to whom it applies, and the officer must thereafter report to the Registrar.
- (3) Where the person to whom such a subpoena applies is a member of a registered association, the officer may hand a copy of the subpoena to the secretary of the association, or another official of the association designated for that purpose.

Fine for failure to comply with notice [section 118(4) of the Act]

16. In terms of section 118(4) of the Act, the Registrar may impose a fine not exceeding the amount indicated in Annexure A for failure by an association, a member or a non-member to comply with a notice issued by the Registrar under section 118(3) of the Act.

Return of documents upon cancellation or suspension of registration [section 119(2) of the Act]

17. An association, a member or a non-member must return to the Registrar a certificate of registration or provisional registration, or a distinguishing mark issued to him, her or it which has been cancelled or temporarily suspended, within seven days of such cancellation or suspension.

Offences and penalties [section 64(2) of the Act]

18. A person who contravenes or fails to comply with a subpoena issued in terms of regulation 15 shall be guilty of an offence and liable on conviction to imprisonment for a period not exceeding three months, or a fine.

Short title

19. These regulations are called the Western Cape Regulations on Registration of Minibus Taxi Associations and Their Members, 2007.

ANNEXURE A: SCHEDULE OF FEES AND FINES**Table 1: Fees and fines payable to the Provincial Government of Western Cape**

Item	Regulation	Section in the Act	Description	Fee/fine
1.	5	99(2)(b) of the NLTTA and 5 of the Promotion of Access to Information Act, 2000	Fee for furnishing copies or extracts of information from the Register	R0,60 per page
2.	7	110(d) of the NLTTA	Application fee for full registration of an association	R 2 000
3.	7	113(1)(a) of the NLTTA	Application fee for full registration of non-member	R 2 000
4.	16	118(4) of the NLTTA	Maximum fine	R10 000

Table 2: Fees payable to an association

Item	Regulation	Section in the Act	Description	Fee/fine
1.	6(4)(a)	109(2) of the NLTTA	Maximum joining fee	R2 000
2.	6(4)(b)	109(2) of the NLTTA	Maximum joining fee	R 300

ANNEXURE B: FORMS

1. Application form for registration of a taxi association.
2. Annexure 1 to application form for registration of a taxi association.
3. Annexure 2 to application form for registration of a taxi association.
4. Particulars of route(s) operated by the taxi association.
5. Application form for conversion of provisional registration of a taxi association to full registration.
6. Annexure 1 to application form for conversion of provisional registration of a taxi association to full registration.
7. Annexure 2 to application form for conversion of provisional registration of a taxi association to full registration.
8. Application form for conversion of provisional registration of a non-member to full registration.
9. Annexure 1 to application form for conversion of provisional registration of a non-member to full registration.
10. Application form for registration of a non-member operator.
11. Application form for registration of a new member of a registered taxi association.
12. Annexure 1 to application form for registration of a new member of a registered taxi association.
13. Form of certificate issued by the Registrar for submission by a non-member to the operating licensing board (section 113(2) of the Act).
14. Certificate of provisional registration in respect of a taxi association.
15. Certificate of provisional registration in respect of a member of a taxi association.
16. Certificate of provisional registration of a non-member.
17. Certificate of registration of a taxi association.
18. Certificate of registration of a member of a taxi association.
19. Certificate of registration of a non-member.
20. Distinguishing mark for provisionally registered operators—section 114(2).
21. Distinguishing mark for fully registered operators—section 114(2).
22. Form of subpoena requiring a person to appear before the Registrar (section 99(3)(b) of the Act).

ANNEXURE C: STANDARD MINIMUM CONSTITUTION FOR MINIBUS-TAXI ASSOCIATIONS

This constitution sets a yardstick for the preparation of constitutions for minibus-taxi associations with a view to the registration of associations. It is intended to serve as a guideline for the running of taxi associations. If a taxi association already operates under a constitution, that constitution must cover the aspects contained in this standard minimum constitution to at least the same extent. The Registrar must ratify existing constitutions. In order to be ratified, these constitutions may be amended, if necessary, after due consultation between the Registrar and the executive committee of the association concerned. Therefore, if a taxi association does not operate under a constitution, or operates under one that is inadequate in its scope, it must either adopt the standard minimum constitution or amend its constitution to be in line with the standard minimum constitution.

DEFINITIONS

For the purpose of this Constitution:

- “accounting officer” means an officer appointed in terms of paragraph 12.5;
- “Association” means a minibus-taxi association;
- “AGM” means the annual general meeting of the Association;
- “code of conduct” means the code of conduct prescribed by the Provincial Minister responsible for transport in regulations;
- “Executive Committee” means the Executive Committee elected at the AGM;
- “grievance procedure” means the grievance procedure described in paragraph 14;
- “QGM” means the quarterly general meeting of the Association;
- “Registrar” means the Provincial Registrar appointed in terms of the relevant Transport legislation;
- “register” means a register kept by the Registrar in terms of the relevant Transport legislation;
- “SGM” means a special general meeting of the Association.

1. NAME AND REGISTRATION NUMBER

- The full name of the Association is *(to be filled in by association)*.
- The abbreviated name of the Association is *(to be filled in by association)*.
- The postal address of the Association is *(to be filled in by association)*.
- The physical address of the Association is *(to be filled in by association)*.
- The association is based at
- The registration number of the Association is *(to be filled in by association)*.

2. NATURE OF ASSOCIATION

The *(fill in name of association)* is an association not for gain.

3. COMPOSITION OF ASSOCIATION

The minimum number of members to constitute the Association is *(to be filled in by association in conjunction with the Registrar)*. The activities of the Association are managed by an executive committee, which is elected annually.

4. AIMS AND OBJECTIVES

The aims and objectives of the Association are:

- (a) to protect, secure and promote the interests of the members of the Association;
- (b) to actively engage in discussions and negotiations and to make representations and appeals to the various state, provincial and local authorities in the interests of its members;
- (c) to ensure fair labour practices by all its members, thereby promoting the interests of all members' employees;
- (d) to oppose all matters tending or calculated to impinge or encroach upon the rights and privileges of its members;
- (e) to take all lawful steps deemed necessary by the Association to preclude any misconduct on the part of any of the Association members or the drivers of such members, to report misconduct to the authorities concerned and to take such further steps regarding the suspension or expulsion of defaulting members deemed necessary, with due regard to the grievance and disciplinary procedures;
- (f) to apply all funds for the purpose of giving effect to the objectives of the Association and to invest funds in suitable financial institutions, and in addition to acquire immovable or movable property by purchase, lease or exchange or as a gift;
- (g) to cause duly audited accounts for each financial year to be prepared by the auditors of the Association, and to forward certified copies of the audited financial statement and minutes of the AGM to the Registrar within one month of the AGM;
- (h) to work according to a grievance procedure to avoid conflict;
- (i) to promote the interests of the commuting public and to develop structures and procedures to enable the commuting public to communicate dissatisfaction with respect to the transport facilities or services;

- (j) to co-operate with any other taxi association having similar objectives, or to encourage and strive for the co-operation and co-ordination of similar organisations and bodies, which may include government, provincial or local authorities and bodies created by statute for the attainment and fulfilment of the objectives of its members;
- (k) to register the Association with the Registrar and to ensure that it remains registered;
- (l) to ensure that members operate within the authority of their operating licences and within the law in general, and
- (m) to affiliate with the relevant regional minibuss taxi council.

5. AREA/S OF OPERATION

The registered routes on which members of the Association operate are *(to be listed by association)*.

6. EXECUTIVE COMMITTEE OF THE ASSOCIATION

The day-to-day activities of the Association must be managed, conducted and controlled by a committee referred to as the Executive Committee, the members of which are elected to office by the Association members at the AGM.

6.1. Composition

The Executive Committee consists of the following members:

- (a) Chairperson.
- (b) Vice-chairperson.
- (c) Treasurer.
- (d) Secretary.
- (e) Training officer.
- (f) Chairperson of the grievance committee.
- (g) Chairperson of the disciplinary committee.
- (h) Such other officers regarded as necessary by the Association.
- (i) Additional ordinary executive members not exceeding *(to be filled in by members)*.

6.2. Eligibility, nomination and election of office bearers

Any member of the Association is eligible for election to the Executive Committee. Members of the Executive Committee must be elected at the AGM of the Association, or in special circumstances, at a SGM.

Nominations for membership of the Executive Committee must open one month in advance of the AGM and close one week before the date of the AGM. Additional nominations may be made at the AGM before voting takes place. The secretary must compile the nominee list from nominations received and present this list to the AGM.

6.3. Term of office

Members of the Executive Committee hold office for a period of one year, and may stand for re-election. A member of the Executive Committee may terminate his or her term of office earlier upon resignation by *(to be filled in by association)* weeks written notice of intention to resign, to the Secretary.

6.4. Removal from office

A member of the Executive Committee must vacate his or her position on the Executive Committee in the event of:

- (a) suspension or expulsion from the Association;
- (b) being absent without permission of the Executive Committee from *(to be filled in by association)* consecutive meetings of the Executive Committee;
- (c) being convicted of a criminal offence for an act of violence or dishonesty while in office; **for an offence defined in the Act; or for an offence in terms of the National Road Traffic Act, Act 93 of 1996 relating to unroadworthy vehicles, drunken driving or culpable homicide through driving;**
- (d) becoming disqualified as a member of the Association;
- (e) not adhering to the Constitution or code of conduct; or
- (f) resigning.

The removal from office of a member of the Executive Committee may occur only after the proper application of the disciplinary procedure described in paragraph 13.

The members of the Executive Committee must vacate office if a motion of no confidence is passed at a properly convened SGM, QGM or AGM.

No such motion of no confidence will be entertained unless written notice of intention to propose such motion has been given to the secretary and copied to the Registrar's office at least 10 days before a QGM, or 21 days before an SGM or an AGM.

6.5. Replacement of Executive Committee Members

Upon expiry of the term of office of the executive committee, or in the event that the term of office of any member is terminated for any reason in terms of this Constitution, that member automatically ceases to hold office, and the office will be vacant. In the case of a premature and unanticipated change, the Executive Committee may temporarily fill the vacancy with an ordinary Executive Committee member until the next AGM or an SGM at which elections take place.

In the event that the Association has no Executive Committee members to call an election, and such an election of office bearers is due or desirable, any member of the Association may approach the Registrar for an order directing that an election must take place and setting forth the terms and procedures in respect thereof.

6.6. Duties and responsibilities

The duties and responsibilities of the Executive Committee include the following:

- (a) To manage, conduct and control the affairs of the Association.
- (b) To collect fees from its members, to raise funds and to manage the funds and assets of the Association.
- (c) To keep accounts according to generally accepted accounting practices and to produce financial statements.
- (d) To draw up and accept a set of administrative rules and regulations consistent with this Constitution for the management and control of its affairs, and to amend, alter or add to such rules and regulations at its discretion. An updated Copy of the rules and regulations must be forwarded to the Registrar's office not later than 14 days after a meeting to draw up or amend such rules and regulations.
- (e) To issue letters of recommendation in support of applications approved by the association if so requested by the relevant government bodies. No charge may be levied by the Executive Committee for providing such letters of recommendation.
- (f) To appoint attorneys, accountants and other professional persons to act on behalf of the Association.
- (g) To institute legal action against any party who may act contrary to the interests of the members of the Association or in regard to the recovery of monies owing to the Association, and to defend legal action on behalf of the Association.
- (h) To initiate and develop, in consultation with the members, policies on matters not provided for in this Constitution, for subsequent adoption by the general membership.
- (i) To establish, or support and aid the establishment of, any affiliate formed to further all or any of the objectives of the Association.
- (j) To convene an AGM
- (k) To call SGMs in terms of paragraph 10.
- (l) At the AGM to present, together with the audited accounts of the Association, its report on the activities of the Association during the previous year.
- (m) To call a meeting of the Executive Committee at least once a month, with further meetings being called from time to time at the discretion of the Chairperson.
- (n) To arrange for and hold QGM's in terms of paragraph 11.
- (o) To inform the Registrar of the outcome of disciplinary hearings and grievance procedures within 7 days.
- (p) To forward minutes of any SGM, QGM or AGM to the Registrar within 14 days after such meetings.
- (q) To report to the Registrar any information indicating that a situation of conflict may be developing or could potentially develop between the Association and another association that has come to the attention of an Executive Committee member or members.
- (r) To inform the Registrar in good time of any changes to the information about the Association and its members that is recorded in the register.
- (s) To make application to the Registrar for the registration of new members within one month of their admission.
- (t) To take decisions on the day-to-day business of the Association.

Individual office bearers must perform the specific functions allocated to them in this Constitution, as well as any of the above roles that the chairperson may allocate to them.

6.7. Meetings of the Executive Committee

The Executive Committee must meet at least monthly. Further meetings may be called from time to time at the discretion of the chairperson. Minutes of all meetings must be properly kept. The quorum for Executive Committee meetings will be two thirds of the committee members. Decisions must be reached on the basis of consensus. Where consensus cannot be reached, members must cast votes and the decision of the majority of members present at the meeting will constitute the decision of the committee. In the event of an equality of votes, the chairperson has a casting vote in addition to a normal vote.

6.8. Communication channels

(Each association must state its own communication channels, for example secretary, public relations officer, etc.)

7. STANDING COMMITTEES

The following standing committees must also be chosen to manage and conduct certain functions within the Association:

- (i) A Disciplinary Committee composed of the chairperson as a member of the Executive Committee, and two other non-executive members elected at the AGM.
- (ii) A Financial Committee consisting of the treasurer and two other non-executive members elected at the AGM.
- (iii) A Training and Development Committee consisting of the training officer and two other non-executive members elected at the AGM.
- (iv) A Grievance Committee composed of the chairperson as a member of the Executive Committee, and two other non-Executive Committee members elected at the AGM.

8. MEMBERSHIP OF ASSOCIATION

8.1. Criteria for full membership

- (a) Adherence to this Constitution, including the disciplinary procedure and grievance procedure and the prescribed code of conduct.
- (b) Membership of the Association will be open to all permit or operating licence holders for routes on which members of the Association operate except in the case of an applicant against whom another taxi association has instituted disciplinary action.

Membership

- (c) The Association may at its discretion accept or reject any application.
- (d) The Association must furnish unsuccessful applicants with a written notice within 30 days, giving the reasons for their application being unsuccessful.
- (e) The Association must, at its AGM, determine the annual membership fee payable by members to the Association. Such annual membership fees are payable in addition to the application fee and, in the event of any member failing to pay the annual membership fee within (*to be filled in by association*) days of the due date.
- (f) Arrangements may be made with the Executive Committee to pay the annual membership fee in instalments.
- (g) Temporary membership of the Association, for a maximum period of six months, will be permitted for applicants who are acceptable to the Association as members, and who have lodged applications for new operating licences.

8.2. Termination of membership

Membership may not be terminated except as an outcome of a grievance or disciplinary procedure for the termination of membership but a member may voluntarily resign.

Upon the termination of membership of any member, for whatever reason, the secretary must forthwith inform the Registrar.

Membership of the Association may be terminated in the event of—

- (a) a member voluntarily resigning after having given written notice of the decision to resign;
- (b) a member failing to pay the application fee or annual membership fee, as laid down by the Association;
- (c) a member contravening the objectives of the Association or disobeying any decision of the Association;
- (d) a member joining any other taxi association or related association operating on the routes on which members of the Association operate without the consent of the Association;
- (e) a member having no valid operating licence/permit to operate a vehicle on a route on which the Association operates, owing to the cancellation or expiry of the operating licence; but the member's membership may not be suspended in the event of any proceedings being lodged by the member to set aside the cancellation or expiry of the public road carrier permit or operating licence concerned until such proceedings are finalised;
- (f) a member contravening the Constitution or the code of conduct;
- (g) a member operating a public transport service without the necessary operating licence or necessary permit for each vehicle used for the operation of the service.

8.3. Application procedure

A person desiring to become a member of the Association must submit a written application to the Executive Committee containing the following:

- (a) The reasons for applying to join the Association.
- (b) A copy of the application for an operating licence that is pending at the Provincial Operating Licensing Board.

- (c) A list of all the vehicles operated by the applicant on the Association's routes.
- (d) A list of all the permits or operating licences held by the applicant, if applicable.
- (e) A list of drivers in the employ of the applicant operating on the Association's routes.
- (f) A list of any other taxi associations of which the applicant is or has been a member.
- (g) Whether the applicant has at any time been expelled from any other association.
- (h) A list of previous convictions of the applicant and drivers in the employ of the applicant.
- (i) Proof of payment of the Association's joining fee.

8.4. Appeal procedure

If the Executive Committee refuses a membership application, the applicant may lodge a written appeal against the decision to a QGM, or SGM or the AGM, whichever occurs first. The decision of such a general meeting is final.

8.5. Duties and rights of members

(1) The duties of the members of the Association are the following:—

- (a) To pay the annual membership fee.
- (b) To ensure that the vehicle to which an operating licence is applicable is driven by a person who is in possession of a valid driving licence and public or professional driving permit, as applicable.
- (c) To ensure that no person uses a vehicle for which an operating licence has been issued in a manner inconsistent with the National Land Transport Transition Act and regulations or replacing provincial laws.
- (d) To ensure that permits or operating licences are not disposed of in a manner inconsistent with the National Land Transport Transition Act, 2000 (Act 22 of 2000) and regulations or replacing provincial laws.
- (e) To inform the Secretary of any intention to make an application for additional operating licences on routes on which members of the Association operate.
- (f) To provide the Secretary with information required by the Registrar.
- (g) To act according to the Constitution and code of conduct.
- (h) To report to the Executive Committee any information indicating that a situation of conflict may be developing or could potentially develop between the Association and another association that has come to the attention of the member.
- (i) To give written notice to the secretary if the member intends to resign.

(2) The rights of members of the Association are the following:

- (a) To utilise any taxi rank relevant to the member's routes from which the member is permitted to operate.
- (b) To require of the Association to take all reasonable steps to protect the interests of its members and to ensure that there is no unlawful competition with the services rendered by members.
- (c) To receive written notice of every AGM, QGM, SGM and other occurrences affecting the rights of any member.
- (d) To resign on giving (*to be filled in by association*) weeks written notice to the secretary of the Association.
- (e) To vote at the AGM, any SGM and any QGM.
- (f) To scrutinise the financial statements of the Association.
- (g) In the event of a grievance being raised by or against any member, both the accused and the plaintiff have rights as contained in the grievance or disciplinary procedure, as the case may be.
- (h) The right to call a SGM in terms of 10.1.

8.6. Membership list

The secretary must keep a current and updated record for each member, detailing the following information:

- name of member
- date on which the member joined the association
- permit or operating licence details
- vehicle details
- residential address

- contact details
- ID number
- operating information including routes and ranks.

The Secretary must notify the Registrar of any changes to the membership details of any member within seven days of those changes taking place.

8.7. Membership fees

- (a) Joining and annual membership fees must be set at the (AGM) and are not discretionary.
- (b) Special collections may be made by the Executive Committee during the year on condition that, if a collection is compulsory, it must be approved at an AGM, SGM or QGM. A full report of the reasons for each special collection must be given to members. The financial report presented at the AGM must include a full report on special collections and the manner in which they have been expended.
- (c) Receipts must be issued to members for all monies collected from them.
- (d) Membership fees for a temporary member will only become payable once that temporary member has obtained an operating licence.

9. ANNUAL GENERAL MEETINGS (AGM)

An AGM must be held every 12 months.

9.1. Duties, functions and powers of the AGM

The duties, functions and powers of the AGM are, *inter alia*:

- (a) to approve or make alterations to minutes of the previous AGM, SGMs and QGMs held since the previous AGM;
- (b) to receive, consider and approve the chairperson's report on the affairs of the Association for the year under review;
- (c) to receive, consider and approve the financial report, including the audited annual financial statements for the past year and the budget for the ensuing year;
- (d) to elect the Executive Committee;
- (e) to amend the Constitution by a two-thirds majority of members present and voting;
- (f) to elect non-executive office bearers of the Association;
- (g) to appoint or re-appoint an external and independent auditor for the Association; and
- (h) to consider appeals, if any, from individuals whose applications for membership were refused by the Executive Committee.

No voting by proxy will be permitted and voting will be by secret ballot in the case of the election of members of the Executive Committee and of the standing committees.

9.2. Notice of AGMs

The AGM must take place in (*month to be filled in by association*) of each year at the time and place determined by the Executive Committee.

The secretary must send a written notice of time, place and date of the AGM to all members by post or fax at least (*to be filled in by association*) days prior to the meeting.

The secretary must also send an invitation to the office of the Registrar.

9.3. Quorum

The quorum required at an AGM is two thirds of the members.

If no quorum is present within 30 minutes of the time fixed for the AGM, the meeting must adjourn to seven days later. Notice of such adjourned meeting must be given to members.

9.4. Agenda and minutes

Permanent items on the agenda of the AGM include the following:

- (a) Minutes of the previous AGM and SGMs and QGMs held since the previous AGM;
- (b) the Chairperson's executive report covering the previous year and the vision for the next year;
- (c) the Secretary's organisational report;
- (d) the Treasurer's financial report, including audited statements;
- (e) ratification of the budget;

- (f) adoption of the reports, and
- (g) the election of office bearers.

Proper minutes of every AGM must be kept and filed.

The minutes and details of new Executive Committee members must be submitted to the Registrar not later than 14 days after the AGM.

9.5. **Voting**

Voting for the election of members of the Executive Committee must take place by secret ballot and be certified by a representative of the Registrar. Any other voting may be by show of hands. No voting by proxy will be allowed. Only members who can prove their identity and membership are entitled to vote. Identity may be proved by presenting an identity document, passport, credit card format driver's licence or operating licence.

In the case of an equality of votes the chairperson has a casting vote in addition to an ordinary vote.

9.6. **Election of office bearers**

Members present at the AGM must elect the following members to the Executive Committee:

- (a) Chairperson
- (b) Vice-chairperson
- (c) Treasurer
- (d) Secretary
- (e) Training officer
- (f) Chairperson of the grievance committee
- (g) Chairperson of Disciplinary Committee
- (h) *Other members deemed necessary by the Association.*

The term of office of an Executive Committee member will be for one year following the election. Two additional members of the grievance committee and disciplinary committee must also be elected at the AGM for a term of office of one year following the election, but they do not form part of the Executive Committee.

9.7. **Financial Statements**

The treasurer, in conjunction with the accounting officer, must prepare a financial report, including the audited financial statements, for the AGM. In addition, interim financial statements are to be prepared quarterly and made known to members at each QGM.

10. **SPECIAL GENERAL MEETINGS**

10.1. **Right to call special general meeting**

An SGM may be convened under exceptional circumstances. The meeting must be held if at least 50%+1 of the members call for the meeting to be convened but SGM may be convened at the instance of the Executive Committee.

The reason for such meeting must be stated in the notice convening the meeting. The secretary or, failing him or her, the chairperson, must convene the meeting.

10.2. **Procedure for calling SGM**

When a member of the Association wishes to call an SGM, that member must have the written support of at least 50% of the members. The Executive Committee must call an SGM within 21 days of the request. If the Executive Committee fails to do so, the member may notify the Registrar, who must investigate the situation and take appropriate action.

The secretary, upon receiving a written request for an SGM to be called, must determine a date, place and time after consultation with the Executive Committee. The secretary must give at least (*to be filled in by association*) days written notice of an SGM to all members.

10.3. **Quorum for SGM**

The quorum required at a special meeting is two thirds of the members.

If no quorum is present within *30 minutes* of the time fixed for the SGM, the meeting must be adjourned to seven days later and at a place announced by the chairperson, and at the adjourned meeting the members then present form a quorum. Notice of such adjourned meeting must be given to all members.

10.4. **Voting at SGM**

Only members who can prove their identity and membership are entitled to vote at SGMs. Identity may be proved by presenting an identity document, a passport, credit card format driver's licence or operating licence. No voting by proxy will be allowed.

Voting must be by secret ballot in the case of the election of members of the Executive Committee and of the standing committees.

11. QUARTERLY GENERAL MEETING (QGMs)

11.1. Procedure for calling QGM

After two monthly Executive Committee meetings, the secretary must, after consultation with the Executive Committee, determine a date, place and time for the next QGM. The secretary must give at least seven days written notice of a QGM, to all members.

The Executive Committee must arrange for a QGM to take place in the third month after the AGM and at every third month thereafter. If the Executive Committee fails to do so, members may notify the registrar, who shall investigate the situation and take appropriate action.

11.2. Quorum for QGM

The quorum required at a QGM shall be at least 50%+1 of the membership of the Association.

If no quorum is present within *30 minutes* of the time fixed for the QGM, the meeting will be deemed to be cancelled and the business of that meeting must be carried over to the next QGM. Notice of such a cancelled meeting must be given to members.

11.3. Voting at QGM

Only members who can prove their identity and membership are entitled to vote at QGMs. Identity may be proved by presenting an identity document, a passport or credit card format driver's licence or operating licence. No voting by proxy will be allowed.

11.4. BUSINESS AT AN QGM

Business for ratification at a QGM may cover all issues decided upon at the previous Executive Committee meeting, with the exception of resolutions of the Disciplinary Committee or Grievance Committee implemented by the Executive Committee.

12. FINANCE AND EXTERNAL AUDITING

12.1. Bank Account

A bank account must be opened in the name of the Association, with the treasurer and two other members of the Executive Committee as signatories. The signatures of two members one which should be the treasurer are needed before any transactions can be carried out. All funds collected must be deposited into this account within 24 hours.

12.2. Annual Membership Fees

Each member must contribute annually to the finances of the Association by paying an amount referred to as an annual membership fee, recommended by the Executive Committee from time to time and approved at the AGM or at a SGM but payable at least once a year. The Executive Committee may at its discretion collect these funds from the members.

Receipts must be issued for all money collected. Reports must be submitted of all collections and disbursements.

None of the Association's funds may be utilised for any purpose other than for investment or for the objectives for which the Association was established.

12.3. Financial year

The financial year of the Association ends on (*date to be filled in by association*) each year. The treasurer must ensure that the accounting officer draws up a quarterly financial statement for submission at the QGM.

12.4. Financial Statements

Proper books and records must be kept of all collections and disbursements, receipts must be issued for all monies collected and audited accounts be submitted to the AGM or whenever required by the Executive Committee. The treasurer and an appointed member of the Executive Committee are the only members entitled to sign financial documents on behalf of the Association.

12.5. External auditing

An accounting officer must be appointed by the Association to control its financial position. Such person must be registered and practising for own account as a public accountant and auditor.

The appointment is subject to annual re-appointment at the AGM.

12.6. Ratification of expenditure

An annual budget must be approved at the AGM, and members have the right to scrutinise the financial statements.

Expenditure may only be incurred following discussion and decision at a formal Executive Committee meeting or at a formal general meeting. The decision must be minuted as an instruction to the treasurer in full compliance with documentation requirements, including quotations, orders, invoices and receipts.

13. DISCIPLINARY FUNCTIONS

Any breach of this constitution and the code of conduct by any member, or a driver or conductor in a member's employ who has not subscribed to the code of conduct, or the continued employment by a member of any driver or conductor who repeatedly breaches the code of conduct constitutes misconduct.

13.1. Disciplinary procedure

A Disciplinary Committee must be formed to investigate complaints of misconduct by a member. The Disciplinary Committee is to consist of the chairperson who is a member of the Executive Committee and two members who are not members of the Executive Committee, and who are elected by the AGM.

The Disciplinary Committee may only act against a member after having received a complaint in writing from any person. All written complaints must be supported by sufficient *prima facie* evidence of the complaint, and must be in the form of sworn affidavits.

After receipt of such complaints, the Disciplinary Committee must in writing inform the member concerned (hereafter called the accused), of the nature of the complaint and allow him or her a reasonable opportunity to furnish a written reply, and whether or not the accused replies in writing, the committee must call upon the complainant and the accused to attend a hearing at a such time and place decided upon by the Disciplinary Committee.

When holding such inquiry the Disciplinary Committee must allow both sides fair and equal opportunity to present their case. The following rules of natural justice will apply:

- (a) the accused will be given a proper hearing by the committee;
- (b) the accused will be given an opportunity to produce evidence and correct or contradict any prejudicial statement or allegation made against him or her;
- (c) the Disciplinary Committee must listen fairly to both sides and observe the principles of justice;
- (d) the Disciplinary Committee must discharge its duties honestly and impartially;
- (e) the Disciplinary Committee must make a fair and bona fide decision on the facts placed before it;
- (f) Insert 10.1.8 of the old constitution.

Members are entitled to be represented by a fellow member. The committee may also request another member to act as prosecutor if the accused is represented by a member.

A report on the proceedings and findings of the disciplinary committee must be compiled and submitted to the Executive Committee.

The decision of the Disciplinary Committee is to be implemented by the Executive Committee on the basis of the recommendation made to it.

Where a member of the Executive Committee itself is involved, either as the aggrieved party or the person under investigation, that member must recuse himself or herself from the Executive Committee meeting.

In the event that a person is found guilty of contravening the code of conduct or the Constitution, the Disciplinary Committee may impose the following penalties:

- the member may receive a written warning;
- the member may be fined, from R10,00 up to a maximum of R1 000,00;
- the member may be suspended for a period not exceeding one year;
- the member may be expelled from the Association.

In the event that any member fails to pay a fine within the time granted to him or her, not being less than three calendar days from the signing of the report, such member's suspension from the Association is automatic. Any outstanding fine and any other outstanding fees are a debt owing to the Association and may be collected through normal legal procedures.

In the event that membership has been suspended or the member expelled, the Executive Committee may make a written submission, after consulting with the regional taxi council to which the association is affiliated, setting out reasons for the operator's permit or licence to be withdrawn. Such action must be made known to the Registrar's office in order that checks may be made on whether the correct procedure was followed in the event that no appeal against the finding is lodged within seven days

When disciplinary action is taken against any member of the Executive Committee, the complainant or the Executive Committee member concerned may request a person unconnected with the taxi industry to be a member of the Disciplinary Committee.

13.2. Appeal procedure

The appeal procedure gives a member who has been warned, fined, suspended or expelled an opportunity to have the case reheard by a different process, if he or she believes that fairness was not achieved during the original inquiry.

The appeal must be lodged in writing within three calendar weeks of the signing of the report. The appeal must be submitted to the secretary of the Association and to the secretary of the regional taxi council to which the association is affiliated.

The appeal inquiry must be conducted within two calendar weeks of the appeal being lodged. Notice of the hearing of the appeal must be delivered to the secretary of the regional taxi council concerned and must inform the accused and complainant of the date, time and place of the hearing. The finding of the appeal committee must be forwarded to the Registrar within 7 days.

14. GRIEVANCE PROCEDURE

14.1. Objectives

The main objective of the grievance procedure is to enable a member or group of members to raise, and cause an adjudication of, any matter that member or group of members may feel aggrieved about, or unjust treatment by the management of the Association. A further objective is to bring any such matter to the attention of the Executive Committee.

A grievance is any dissatisfaction or feeling of injustice on the part of a member or group of members regarding membership and ancillary matters.

The grievance procedure is based on the principle that all parties must have the intention of solving the grievance at the earliest possible stage.

The purpose of the grievance procedure is to provide a formal guide for the fair and equitable resolution of complaints, grievances and disputes, and to create a mechanism whereby members who feel aggrieved about any practice that may appear to be unjust obtain a fair trial.

The grievance procedure does not replace the duty and right of the Executive Committee to apply disciplinary steps in terms of the disciplinary procedure against offenders who contravene the Constitution or code of conduct. The grievance procedure does not serve as an appeal mechanism against disciplinary steps taken in terms of the disciplinary procedure.

The grievance procedure is available to any member or group of members who follow the prescribed procedure and makes use of any prescribed form, provided the signatures of at least (*to be filled in by association*) members of good standing in support of the concerned are obtained.

The grievance procedure must:

- (a) ensure that grievances are aired and brought to finality;
- (b) ensure settlement of grievances as close to the point of origin as possible;
- (c) ensure fairness.

14.2. Grievance Committee

A Grievance Committee must be formed to oversee the function of grievances.

The Grievance Committee must consist of a chairperson who is a member of the Executive Committee and two members who are not members of the Executive Committee and are elected by the AGM.

14.3. Standard Grievance Procedure

Every attempt should be made to first settle difficulties via discussion, and the grievance procedure should only be entered into if this fails. The grievance procedure consists of the following steps:

Step 1: Conflict resolution

- 1.1. The member or group of members has to complete a grievance form (see example attached).
- 1.2. The completed and signed form has to be submitted to the grievance committee.
- 1.3. The chairperson of the grievance committee has to determine a date on which members are to present their grievances to the committee, which is to be no later than three days after the complaint form was submitted.
- 1.4. At this meeting, the committee and members should strive to resolve the conflict.
- 1.5. The chairperson of the grievance committee has to prepare a report on the proceedings of the grievance committee for submission to the Executive Committee.
- 1.6. If the aggrieved member or group of members is not satisfied with the outcome of the committee meeting, the matter must be referred for mediation.

Step 2: Mediation

- 2.1. The chairperson of the grievance committee has to submit the report on the proceedings of the committee meeting referred to in Step 1 to an independent mediator who is not a member of the Association.
- 2.2. The mediator must mediate between the parties to try and reach a solution to the grievance within one calendar week of the matter being submitted.
- 2.3. If the aggrieved member or group is not satisfied with the outcome of the mediation process, the matter must be referred for arbitration.
- 2.4. The mediator must submit a report of the mediation process to the chairperson of the grievance committee.

Step 3: Arbitration

Only to be entered into if step 2 fails.

- 3.1. The Chairperson of the Grievance Committee must, within three (3) days of receiving the report of the mediator, appoint an arbitrator to finalise the grievance if it remains unresolved.
- 3.2. The decision of the arbitrator is final and must be adhered to.
- 3.3. The Rules of Arbitration set by the Association of Arbitrators and the Arbitration Act, 1965, apply.
- 3.4. The Registrar must be notified of the outcome of any arbitration.

Member's representative

Any member or group of members making use of the grievance procedure may nominate a co-member as representative during Steps 2 and 3. Costs of mediation and arbitration may be awarded.

15. AMENDMENT OF CONSTITUTION

Amendments to this Constitution may only be made if:

- (a) the amendments are in total compliance with the Standard Minimum Constitution Requirements; and
- (b) approved by an AGM at which at least two thirds of the members are present and at least two thirds of those present vote in favour of the change.

16. AMALGAMATION

The decision to amalgamate with another association must be by a two-thirds majority decision of the AGM or an SGM convened specifically for the purpose.

Issues regarding the handling of the Association's assets require a two-thirds decision at an AGM or SGM at which no fewer than two thirds of the members are present.

17. DISSOLUTION OF ASSOCIATION

The decision to dissolve the Association should be a two-thirds decision at an AGM or SGM, at which the quorum will be two thirds of the members.

The decision on how to handle the Association's assets should be taken by a two-thirds majority.

GRIEVANCE FORM

Name of member

Membership No.

of (Name of Association)

If the grievance is submitted by a group of members, names and membership numbers of the members concerned must be noted below:

Name of member

Membership No.

Name of member

Membership No.

Name of member

Membership No.

Form accepted by secretary: (Signature) on (Date: dd/mm/yy)

Full description of grievance in sufficient detail to be understandable without the necessity of calling for further information. If space is insufficient, use extra sheet of paper.

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Grievance was verbally reported to
on (date: dd/mm/yy) in the presence of

The Grievance Committee met on (date: dd/mm/yy) in order to discuss this grievance.

Those present were:

Grievance Committee:
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Complainant(s):
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The findings of the Grievance Committee are as follows:

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Signature of chairperson Date d/mm/yy)

I, the complainant, agree that the matter has been resolved to my satisfaction at this point.

Signature Date Membership number
dd/mm/yy

Supporting Signatures of (number to be filled in by Association) members of good standing:

Name of member Membership No. Signature

Name of member Membership No. Signature

Name of member Membership No. Signature

I certify that the names of the supporting signatures are those of members of good standing.

Chairperson of Grievance Committee:

Sworn before me at on 19.....

COMMISSIONER OF OATHS

FULL NAME

CAPACITY

ADDRESS

CODE OF CONDUCT

The Association must aspire to attain and maintain the highest possible ethical standards. Although the role of the Association and its office bearers and employees is crucial, operators and drivers are the main public face of the taxi industry. It is essential for operators and drivers to conduct themselves in such a way as to enhance the image of the industry.

Adherence to the following code of conduct by operators and drivers would lead to increased respect and support for the industry from its users, the public at large, and government:

1. Operators should conduct their business with due care to ensure the safety of the public. This means that operators should do everything in their power to ensure that no violent incidents occur.
2. Operators may not use taxis that are unsafe or unroadworthy or for which no roadworthy certificates under the road traffic laws are available.
3. Operators' vehicles should at all times be neat, roadworthy and kept in accordance with requirements provided for in terms of the certificate of fitness (or roadworthy certificate).
4. Operators' vehicles should at all times display the Association's logo and number, its public road carrier permit or operating licence, certificate of fitness (roadworthy certificate), rank token and the operator's name, address and telephone number.
5. Operators may not allow their vehicles to transport passengers on any route for which they do not have a permit or operating licence.
6. Operators must adhere to all laws applicable to them in respect of operating a public transport service.
7. In the case of a breakdown, the operator's vehicle should be removed from the roadway without delay and, if possible an alternative vehicle be provided in order to ensure that the passengers reach their destinations as swiftly as possible.
8. Operators should at all times strive to maintain a good relationship with the authorities and law enforcement officers.
9. Operators should co-operate with, and obey and do all things (instructions) necessary to assist, any policeman, traffic officer or transportation inspector in carrying out their official duty.
10. Operators must exercise proper control over drivers in their business.
11. Operators must not use drivers who are not qualified.
12. Operators must not threaten or intimidate any person or group.
13. Operators must not participate in any violent activities or action that could in any way lead to violence.
14. Operators must not carry unlicensed firearms or allow the display of a weapon in their vehicles.
15. An operator must report to the Executive Committee of his or her association any information indicating that a situation of conflict may be developing or could potentially develop between that Association and another association that has come to his or her attention.
16. Operators must not organise nor take part in any boycotts without the consent of the Association.
17. Operators must adhere to the provisions of the Constitution.
18. Operators must maintain confidentiality with regard to the internal affairs of the Association.
19. Operators must not organise nor participate in any subversive activity against the Association, provincial, regional or local associations.
20. Operators may not hold dual membership of taxi associations on the same route without consent.
21. An operator duly elected to any office as a member of the Association should perform the duties of office diligently.
22. Operators should not without good cause fail to attend meetings when reasonably expected of them as members of the Association.
23. Operators shall not participate in personal attacks or slander in respect of any office bearer or staff member employed by the Association.
24. Operators must not, without good cause, fail to appear before the disciplinary committee of the Association when called upon to do so.
25. Operators should not criticise the Association or its office bearers, except when canvassing for a special general meeting or a vote of no confidence.
26. Operators may not make any press, radio or television statement unless properly authorised by the Association on behalf of whom the statement is apparently made.
27. Operators may not publish or distribute any pamphlet or written document regarding the affairs of the Association without its consent.
28. Operators may not call, hold or attend protest meetings or arrange any other form of protest against the Association in any manner contrary to the provisions of the Constitution or the grievance procedure.
29. Operators may not participate in any political activities on behalf of or in the name of the Association in contravention of the Constitution.
30. Operators may not threaten, induce, or intimidate any persons whatsoever into taking any action that violates the Constitution of the Association.

Operators must ensure that their drivers adhere to the above requirements where these are appropriate to driver behaviour. Operators must also ensure that their drivers observe the following:

1. Drivers may not participate in any violent activities or activities that could in any way induce violence.
2. Drivers must adhere to the rules of the road and in particular refrain from driving negligently or recklessly. Drivers must therefore obey all laws and rules promulgated under any act, regulation or ordinance in respect of the driving of vehicles on public roads, and maintenance.
3. Drivers may under no circumstances participate in blockades or disrupt the normal operations of road traffic in any manner.
4. Drivers must refrain from continual and persistent minor traffic violations such as parking offences.
5. Drivers may only drive roadworthy vehicles registered with the Registrar and the Association, and must carry proof thereof in their vehicles.
6. Drivers will be entitled to register with a drivers' association.
7. All drivers must be in possession of a valid public or professional driver's permit and a driving licence.
8. Drivers may not use foul language or display any other disorderly conduct in public.
9. Drivers must at all times treat passengers with dignity, respect and courtesy and take great care to ensure their comfort and safety.
10. Drivers must render passengers any assistance that is necessary for the efficient operation of the service.
11. Drivers may not overcharge passengers.
12. Drivers may not operate a vehicle for public conveyance when it is unsafe or unfit to be so operated.
13. Drivers must not operate a vehicle which is not clean and neat in appearance.
14. Drivers must be clean and neatly dressed.
15. No driver may obstruct operations at the rank.
16. Drivers must load passengers on a first-come, first-served basis.
17. Drivers of the first three vehicles in a queue must be in or in the immediate vicinity of their vehicles.
18. Drivers may not repair or maintain vehicles at ranks and stopping places unless in a facility designated for this purpose and approved by the Planning Authority.
19. Drivers may not gamble or use intoxicating liquor or drugs at taxi facilities.
20. Drivers may not allow passengers to litter.
21. A driver must report to the owner of his or her vehicle any information indicating that a situation of conflict may be developing or could potentially develop between that Association and another association that has come to his or her attention.
22. Drivers may not, without the operator's consent, use the vehicles of the operators if they engage in any protest action.
23. Drivers and conductors may not approach a vehicle while under the influence of liquor or drugs.

This code of conduct is also binding upon all the staff members of the Association.

Should a breach of this code of conduct come to the attention of any operator, driver, commuter, authority or law enforcement official, it must be reported to the Association forthwith.

NARTA(00)(05)

**PROVINCE OF WESTERN CAPE
DEPARTMENT OF TRANSPORT AND PUBLIC WORKS**

NARTA

APPLICATION FORM FOR REGISTRATION OF A TAXI ASSOCIATION

Abbreviated association name

--

PARTICULARS OF ASSOCIATION

Nature of association

Business Registr. No. (if applicable)

 Date established

Name of association

Postal address

 Postal code

Street address (if different from postal address)

 Postal code

Telephone number during day

 Code

Facsimile number

 Code

Number of members

 Number of vehicles operated by members

Number of employees

Initial joining fee per member R

 Annual membership fee per member R

Affiliations: Names of associations to which the applicant is affiliated (if any)

PARTICULARS OF OFFICE BEARERS

Position (e.g. chairperson executive committee, secretary)

Type of identity document

Identity number

Surname and initials (not more than 3)

Position (e.g. chairperson executive committee, secretary)

Type of identity document

RSA ID	Foreign ID	Other (specify)
--------	------------	-----------------

Identity number

Surname and initials (not more than 3)

Position (e.g. chairperson executive committee, secretary)

Type of identity document

RSA ID	Foreign ID	Other (specify)
--------	------------	-----------------

Identity number

Surname and initials (not more than 3)

Position (e.g. chairperson executive committee, secretary)

Type of identity document

RSA ID	Foreign ID	Other (specify)
--------	------------	-----------------

Identity number

Surname and initials (not more than 3)

Position (e.g. chairperson executive committee, secretary)

Type of identity document

RSA ID	Foreign ID	Other (specify)
--------	------------	-----------------

Identity number

Surname and initials (not more than 3)

Position (e.g. chairperson executive committee, secretary)

Type of identity document

RSA ID	Foreign ID	Other (specify)
--------	------------	-----------------

Identity number

Surname and initials (not more than 3)

Attach additional page with particulars of additional office bearers in the same format as above.

PARTICULARS OF ADMINISTRATIVE OFFICER (IF APPLICABLE)

Type of identity document

RSA ID	Foreign ID	Other (specify)
--------	------------	-----------------

Identity number

Surname and initials (not more than 3)

Form 2

NARTA/1(00)(05)

**PROVINCE OF WESTERN CAPE
DEPARTMENT OF TRANSPORT AND PUBLIC WORKS**

NARTA/1

ANNEXURE 1 TO APPLICATION FORM FOR REGISTRATION OF A TAXI ASSOCIATION

DECLARATION

I, the chairperson/administration officer*, hereby submit the attached Constitution in fulfilment of the requirements of SectionofNo..... Offor registration.

Date Signature Place

DECLARATION

I, the Registrar of Taxi Associations, hereby declare that the attached Constitution fulfils all the requirements of Sections,,, andof
No..... Of for the purposes of the granting of registration.

Date Signature Place

NARTA/2(00)(05)

PROVINCE OF WESTERN CAPE
DEPARTMENT OF TRANSPORT AND PUBLIC WORKS

NARTA/2

ANNEXURE 2 TO APPLICATION FORM FOR REGISTRATION OF A TAXI ASSOCIATION

Abbreviated association name Page Of

PARTICULARS OF MEMBER

Type of member	Owner/Driver	Owner single vehicle	Owner multiple vehicles	Other (specify)
Type of acceptable identification	RSA ID	Foreign	Company/cc	
	Other (Specify)			

Identity number/Business registration no.

Trade name (if any)

Street address (if different from postal address)

Surname/name of body of persons

Initials

DECLARATION BY MEMBER

I,....., declare that all the particulars furnished by me in this form are true and correct. I declare that I subscribe to and agree to be bound by the Code of Conduct published in Government Notice..... dated..... and the Constitution of this association attached to Annexure 1.

Date Signature Place

FOR OFFICE USE ONLY

Member's Provisional Registration Number issued by Registrar	<input type="text"/>	Date of data entry	<input type="text"/>
Member's Registration Number issued by Registrar	<input type="text"/>	Date of data entry	<input type="text"/>

File number

Grid for file number

Y Y Y Y M M D D

Page number box

Page

Of box

Of

PART 1: PARTICULARS OF VEHICLES WITH VALID OPERATING LICENCES

To be filled in by member

Form fields for member input: Vehicle registration no., Chassis no., Operating licence no., Operating licence certificate no., Authorised departure point, Authorised arrival point, Route no. allocated by Operating Licencing Board

To be filled in by representative of Provincial Operating Licencing Board

I, the representative of the Board, declare that the operating licence details provided are/are not* correct. This operating licence is valid/cancelled.* This operating licence has/has not* been issued in terms of the requirements of SectionNo. of

Date and Signature boxes for member

To be filled in by member

Form fields for member input: Vehicle registration no., Chassis no., Operating licence no., Operating licence certificate no., Authorised departure point, Authorised arrival point, Route no. allocated by Operating Licencing Board

To be filled in by representative of Provincial Operating Licencing Board

I, the representative of the Board, declare that the operating licence details provided are/are not* correct. This operating licence is valid/cancelled.* This operating licence has/has not* been issued in terms of the requirements of SectionNo. of

Date and Signature boxes for member

PART 2: PARTICULARS OF VEHICLES WITHOUT VALID OPERATING LICENCES

To be filled in by member

Vehicle Registration Number	Vehicle chassis number	COF number	Representative of Operating Licencing Board to sign if application has been received for an operating licence in respect of vehicle described
□□□□□□□□	□□□□□□□□□□□□□□	□□□□□□□□	_____
□□□□□□□□	□□□□□□□□□□□□□□	□□□□□□□□	_____
□□□□□□□□	□□□□□□□□□□□□□□	□□□□□□□□	_____
□□□□□□□□	□□□□□□□□□□□□□□	□□□□□□□□	_____
□□□□□□□□	□□□□□□□□□□□□□□	□□□□□□□□	_____
□□□□□□□□	□□□□□□□□□□□□□□	□□□□□□□□	_____

To be filled in by representative of Provincial Operating Licencing Board

I, the representative of the Board, declare that an application for an operating licence has been received in respect of each vehicle for which details have been provided above.

Date

Signature _____

NARTA/R(00)(05)

PROVINCE OF WESTERN CAPE
DEPARTMENT OF TRANSPORT AND PUBLIC WORKS

NARTA/R

PARTICULARS OF ROUTE(S) OPERATED BY THE TAXI ASSOCIATION

Abbreviated association name

Type of operation

Long distance	Urban	Rural	Other (specify)
---------------	-------	-------	-----------------

Description of route

Departure from

(origin rank and address)

To destination

(rank and address)

Via (list details):

Type of operation

Long distance	Urban	Rural	Other (specify)
---------------	-------	-------	-----------------

Description of route

Departure from

(origin rank and address)

To destination

(rank and address)

Via (list details):

Attach additional page(s) with particulars of additional routes in the same format as above

ACTA(00)(05)

**PROVINCE OF WESTERN CAPE
DEPARTMENT OF TRANSPORT AND PUBLIC WORKS**

ACTA

APPLICATION FORM FOR CONVERSION OF PROVISIONAL REGISTRATION OF A TAXI ASSOCIATION TO FULL REGISTRATION

PARTICULARS OF ASSOCIATION

Name of association

Abbreviated association name

--	--	--	--	--	--	--	--	--	--

Current registration/provisional registration no.

--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--

DECLARATION

I, the chairperson/administration officer*, declare that every member of this association holds an appropriate operating licence for each vehicle by means of which the member operates a public transport service; operates the public transport service to which such an operating licence relates, in compliance with the terms of, and conditions attached to, the authorisation conferred by the operating licence; has had all permits held by that member converted to operating licences; and has subscribed to the Constitution attached to Annexure 1.

Date

Signature

Place

ACTA/1(00)(05)

**PROVINCE OF WESTERN CAPE
DEPARTMENT OF TRANSPORT AND PUBLIC WORKS**

ACTA/1

**ANNEXURE 1 TO APPLICATION FORM FOR CONVERSION OF PROVISIONAL REGISTRATION
OF A TAXI ASSOCIATION TO FULL REGISTRATION**

DECLARATION

I, the chairperson/administration officer*, hereby submit the attached Constitution in fulfilment
of the requirements of SectionofNo..... Of

Date

Signature

Place

DECLARATION

I, the Registrar of Taxi Associations, hereby declare that the attached Constitution fulfils all
the requirements of Sections,,, andof
No..... Of

Date

Signature

Place

ACTA/2

PROVINCE OF WESTERN CAPE
DEPARTMENT OF TRANSPORT AND PUBLIC WORKS

ANNEXURE 2 TO APPLICATION FORM FOR CONVERSION OF PROVISIONAL REGISTRATION OF A TAXI ASSOCIATION TO FULL REGISTRATION

Abbreviated association name Page Of

PARTICULARS OF MEMBER

Surname/name of body of persons

Initials

Identity number/Business registration no.

Provisional Registration Number of member

DECLARATION BY MEMBER

I,, declare that all the particulars furnished by me in this form are true and correct. I declare that I subscribe to and agree to be bound by the Code of Conduct published in Government Notice..... dated..... and the Constitution of this association attached to Annexure 1.

Date Signature Place

PARTICULARS OF VEHICLE/ROUTE/OPERATING LICENCE

To be filled in by member

Vehicle registration no.

Chassis no.

Operating licence no.

Issue no.

Operating licence certificate no.

Authorised departure point

Authorised arrival point

Route no. issued by Provincial Licencing Board

To be filled in by representative of Provincial Operating Licencing Board

I, the representative of the Board, declare that the operating licence details provided are/are not* correct. This operating licence is valid/cancelled.* This operating licence has/has not* been issued in terms of the requirements of SectionofNo. of

Date

Signature

Abbreviated association name Page Of

PARTICULARS OF VEHICLE/ROUTE/OPERATING LICENCE

To be filled in by member

Vehicle registration no.

Chassis no.

Operating licence no. Issue no.

Operating licence certificate no.

Authorised departure point

Authorised arrival point

Route no. issued by Provincial Licencing Board

To be filled in by representative of Provincial Operating Licencing Board

I, the representative of the Board, declare that the operating licence details provided are/are not* correct. This operating licence is valid/cancelled.* This operating licence has/has not* been issued in terms of the requirements of Section of No. of

Date Signature

To be filled in by member

Vehicle registration no.

Chassis no.

Operating licence no. Issue no.

Operating licence certificate no.

Authorised departure point

Authorised arrival point

Route no. issued by Provincial Licencing Board

To be filled in by representative of Provincial Operating Licencing Board

I, the representative of the Board, declare that the operating licence details provided are/are not* correct. This operating licence is valid/cancelled.* This operating licence has/has not* been issued in terms of the requirements of Section of No. of

Date Signature

ACTO(00)(05)

**PROVINCE OF WESTERN CAPE
DEPARTMENT OF TRANSPORT AND PUBLIC WORKS**

ACTO

APPLICATION FORM FOR CONVERSION OF PROVISIONAL REGISTRATION OF A NON-MEMBER TO FULL REGISTRATION

PARTICULARS OF OPERATOR

Initials	<input type="text"/>
Surname/name of body of persons	<input type="text"/>
Identity number/business registr no.	<input type="text"/>
Trade Name (if any)	<input type="text"/>
Registration or provisional registration no. of non-member	<input type="text"/>

DECLARATION

I, the operator, declare that I/_____ (Trade Name if applicable)* hold/holds* an appropriate operating licence for each vehicle by means of which I/it*operates a public transport service; operate/operates the public transport service to which such operating licence relates, in compliance with the terms of, and conditions attached to, the authorisation conferred by the operating licence; have/has* had all permits held by by me/it* converted to operating licences; and have/has* subscribed to the Code of Conduct for Non-Members published in Government Notice_____ of _____.

Date

Signature

Place

PROVINCE OF WESTERN CAPE
DEPARTMENT OF TRANSPORT AND PUBLIC WORKS

ANNEXURE 1 TO APPLICATION FORM FOR CONVERSION OF PROVISIONAL REGISTRATION OF A NON-MEMBER OPERATOR TO FULL REGISTRATION

Page Of

PARTICULARS OF VEHICLE/ROUTE/OPERATING LICENCE

To be filled in by representative of Provincial Operating Licencing Board
 I, the representative of the Board, declare that the operating licence details provided are/are not* correct. This operating licence is valid/cancelled.* This operating licence has/has not* been issued in terms of the requirements of Section of No. of

Date

Signature _____

To be filled in by operator

Vehicle registration no.

Chassis no.

Operating licence no. Issue no.

Operating licence certificate no.

Authorised departure point

Authorised arrival point

Route no. allocated by Provincial Operating Licencing Board

To be filled in by representative of Provincial Operating Licencing Board
 I, the representative of the Board, declare that the operating licence details provided are/are not* correct. This operating licence is valid/cancelled.* This operating licence has/has not* been issued in terms of the requirements of Section of No. of

Date

Signature _____

To be filled in by operator

Vehicle registration no.

Chassis no.

Operating licence no. Issue no.

Operating licence certificate no.

Authorised departure point

Authorised arrival point

Route no. allocated by Provincial Operating Licencing Board

NARO

PROVINCE OF WESTERN CAPE
DEPARTMENT OF TRANSPORT AND PUBLIC WORKS

NARO(00)(05)

APPLICATION FORM FOR REGISTRATION OF A NON-MEMBER OPERATOR

Document reference number Page Of

PARTICULARS OF OPERATOR

Type of operator	Owner/Driver	Owner single vehicle	Owner multiple vehicles	Other (specify)
Type of acceptable identification	RSA ID	Foreign	Company/cc	
	Other (Specify)			

Identity number/Business registration no.

Trade name (if any)

Income tax registration no. (if applicable)

VAT registration no. (if applicable)

Surname/name of body of persons Initials

Postal address

Street address (if different from postal address)

DECLARATION BY MEMBER

I,....., declare that all the particulars furnished by me in this form are true and correct. I declare that I subscribe to and agree to be bound by the Code of Conduct published in Government Notice..... dated.....

Date Signature Place

FOR OFFICE USE ONLY

Operator Provisional Registration Number issued by Registrar

Operator Registration Number issued by Registrar

File number

Date of data entry

Date of data entry

Y Y Y M M D D

PARTICULARS OF VEHICLES/OPERATING LICENCES/ROUTES	
<p style="text-align: center;"><i>To be filled in by operator</i></p> <p>Vehicle registration no. <table border="1" style="display: inline-table; width: 100px; height: 20px; vertical-align: middle;"></table></p> <p>Chassis no. <table border="1" style="display: inline-table; width: 100px; height: 20px; vertical-align: middle;"></table></p> <p>Operating licence no. <table border="1" style="display: inline-table; width: 100px; height: 20px; vertical-align: middle;"></table></p> <p>Issue no. <table border="1" style="display: inline-table; width: 50px; height: 20px; vertical-align: middle;"></table></p> <p>Operating licence certificate no. <table border="1" style="display: inline-table; width: 100px; height: 20px; vertical-align: middle;"></table></p> <p>Authorised departure point <table border="1" style="display: inline-table; width: 100px; height: 20px; vertical-align: middle;"></table></p> <p>Authorised arrival point <table border="1" style="display: inline-table; width: 100px; height: 20px; vertical-align: middle;"></table></p> <p>Detailed route description:</p>	<p style="text-align: center;"><i>To be filled in by operator</i></p> <p>Vehicle registration no. <table border="1" style="display: inline-table; width: 100px; height: 20px; vertical-align: middle;"></table></p> <p>Chassis no. <table border="1" style="display: inline-table; width: 100px; height: 20px; vertical-align: middle;"></table></p> <p>Operating licence no. <table border="1" style="display: inline-table; width: 100px; height: 20px; vertical-align: middle;"></table></p> <p>Issue no. <table border="1" style="display: inline-table; width: 50px; height: 20px; vertical-align: middle;"></table></p> <p>Operating licence certificate no. <table border="1" style="display: inline-table; width: 100px; height: 20px; vertical-align: middle;"></table></p> <p>Authorised departure point <table border="1" style="display: inline-table; width: 100px; height: 20px; vertical-align: middle;"></table></p> <p>Authorised arrival point <table border="1" style="display: inline-table; width: 100px; height: 20px; vertical-align: middle;"></table></p> <p>Detailed route description:</p>
<p style="text-align: center;"><i>To be filled in by representative of Provincial Operating Licencing Board</i></p> <p>I, the representative of the Board, declare that the operating licence details provided above are/are not* correct. This operating licence is valid/cancelled.* This operating licence has/has not* been issued in terms of the requirements of Section of</p> <p style="text-align: center;">Date <table border="1" style="display: inline-table; width: 150px; height: 60px; vertical-align: middle;"></table></p> <p style="text-align: right;">Signature _____</p>	<p style="text-align: center;"><i>To be filled in by representative of Provincial Operating Licencing Board</i></p> <p>I, the representative of the Board, declare that the operating licence details provided above are/are not* correct. This operating licence is valid/cancelled.* This operating licence has/has not* been issued in terms of the requirements of Section of</p> <p style="text-align: center;">Date <table border="1" style="display: inline-table; width: 150px; height: 60px; vertical-align: middle;"></table></p> <p style="text-align: right;">Signature _____</p>

ARN(00)(05)

**PROVINCE OF WESTERN CAPE
DEPARTMENT OF TRANSPORT AND PUBLIC WORKS**

ARN

APPLICATION FORM FOR REGISTRATION OF A NEW MEMBER OF A REGISTERED TAXI ASSOCIATION

PARTICULARS OF ASSOCIATION

Name of association

Abbreviated association name

--	--	--	--	--	--	--	--	--	--	--	--	--

Registration No. of Association

--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--

DECLARATION BY MEMBER

I,, declare that all the particulars furnished by me in this form are true and correct. I declare that I subscribe to and agree to be bound by the Code of Conduct published in Government Noticedated..... and the constitution of this association accepted by the Registrar for the purposes of registration.

Date

Signature

Place

DECLARATION BY ASSOCIATION

I,, authorised signatory on behalf of the association, declare that was admitted as a member of the association on/...../.....
DD/ MM/ YY

Date

Signature

Place

ARN/1(00)(05)

PROVINCE OF WESTERN CAPE
DEPARTMENT OF TRANSPORT AND PUBLIC WORKS

ARN/1

ANNEXURE 1 TO APPLICATION FORM FOR REGISTRATION OF A NEW MEMBER OF A REGISTERED TAXI ASSOCIATION

Abbreviated association name Page Of

PARTICULARS OF MEMBER

Type of member	Owner/Driver	Owner single vehicle	Owner multiple vehicles	Other (specify)
Type of acceptable identification	RSA-ID	Foreign	Company/CC	Other (specify):
Identity number/Business Registration No.	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
Surname/name of body of persons	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
Trade name (if any)	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
Income tax registration no. (if applicable)	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
VAT registration no. (if applicable)	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>

Postal address	Postal code
<input type="text"/>	<input type="text"/>
Street address (if different from postal address)	Postal code
<input type="text"/>	<input type="text"/>

PARTICULARS OF VEHICLE/ROUTE/OPERATING LICENCE

To be filled in by member

Vehicle registration no.

Chassis no.

Operating licence no.

Operating licence certificate no.

Authorised departure point

Authorised arrival point

Route no. allocated by Provincial Licencing Board

To be filled in by representative of Provincial Operating Licencing Board

I, the representative of the Board, declare that the operating licence details provided are/are not* correct. This operating licence is valid/cancelled.* This operating licence has/has not* been issued in terms of the requirements of Section of No. of

Date

Signature

FORM 13

**PROVINCE OF WESTERN CAPE
DEPARTMENT OF TRANSPORT AND PUBLIC WORKS**

NATIONAL LAND TRANSPORT TRANSITION ACT, 2000 (ACT NO.22 OF 2000)

FORM OF CERTIFICATE ISSUED BY THE REGISTRAR FOR SUBMISSION BY A NON-MEMBER TO THE OPERATING LICENCING BOARD (section 113(2) of the Act)

It is certified that,
(Initials and surname/Name of body of persons*)

whose identity number/business registration number* is

.....,

complies with the following requirements of section 113 of the Act –

- 1. Being a company or close corporation⁺, does not have two or more members who, at the time of the formation of the company or close corporation or thereafter, were the operators of public transport services which are substantially the same as those operated by the company or close corporation.
- 2. Has subscribed to the Code of Conduct applicable in the Province.
- 3. Has cause to apply for registration as a non-member on the grounds that – #
 - (a) There is no registered association with regard to the route or routes where the applicant’s public transport service is operated.
 - (b) There is a registered association with regard to the route or routes where the applicant’s public transport service is operated, but –
 - (i) The association has refused membership of the association to the applicant.
 - (ii) The association has unfair requirements for admission to membership.
 - (iii) The applicant cannot reasonably be expected to become a member of the association in view of prevailing circumstances.
 - (iv) The applicant will be subjected to unfair discrimination if admitted to membership of the association.

Signed at on this day of 20.....

.....
Authorised official of the Office of the Registrar

* Delete whichever is not applicable.
 + Delete if not applicable.
 # Circle whichever is applicable



Republic of South Africa



Province of Western Cape

**CERTIFICATE OF PROVISIONAL REGISTRATION
IN RESPECT OF A TAXI ASSOCIATION**

National Land Transport Transition Act, 2000

(Act No 22 of 2000) section 114 (1)

A certificate of provisional registration is hereby granted to

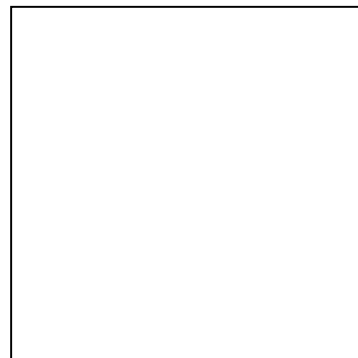
.....
(Name of association)

The name of the association was provisionally entered into the register on

.....
(Date)

Provisional registration number

Date of issue:
(Official stamp)



Signature of Registrar

Republic of South Africa

Province of Western Cape



**CERTIFICATE OF PROVISIONAL REGISTRATION
OF A MEMBER OF A TAXI ASSOCIATION**

National Land Transport Transition Act, 2000

(Act No 22 of 2000) section 114 (1)

A certificate of provisional registration is hereby granted to

.....
(Name of member of association)

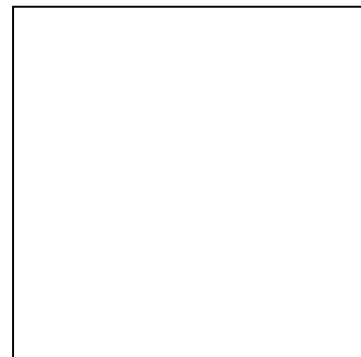
The name of the member was provisionally entered into the register on

.....
(Date)

Identity number/business registration number

Provisional registration number

Date of issue:
(Official stamp)



Signature of Registrar

Republic of South Africa



Province of Western Cape

**CERTIFICATE OF PROVISIONAL REGISTRATION
OF A NON-MEMBER**

National Land Transport Transition Act, 2000

(Act No 22 of 2000) section 114 (1)

A certificate of provisional registration is hereby granted to

.....
(Name of non-member)

The name of the non-member was provisionally entered into the register on

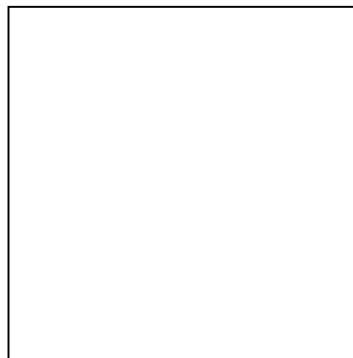
.....
(Date)

Identity number/business registration number

Provisional registration number

Date of issue:
(Official stamp)

Signature of Registrar



Republic of South Africa

Province of Western Cape



**CERTIFICATE OF REGISTRATION
OF A TAXI ASSOCIATION**

National Land Transport Transition Act, 2000

(Act No 22 of 2000) section 114 (1)

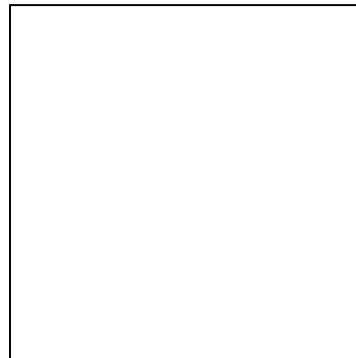
A certificate of registration is hereby granted to

.....
(Name of association)

The name of the association was entered into the register on.....
(Date)

Registration number

Date of issue:
(Official stamp)



Signature of Registrar

Republic of South Africa

Province of Western Cape



**CERTIFICATE OF REGISTRATION
OF A MEMBER OF A TAXI ASSOCIATION**

National Land Transport Transition Act, 2000

(Act No 22 of 2000) section 114 (1)

A certificate of registration is hereby granted to

.....
(Name of member of association)

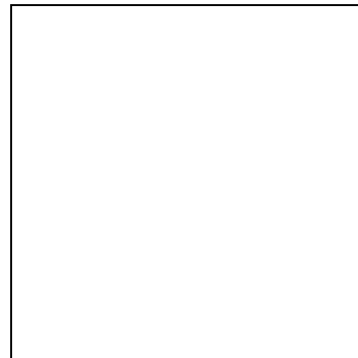
The name of the member was entered into the register on.....
(Date)

Identity number/business registration number

Registration number

Date of issue:
(Official stamp)

Signature of Registrar



Republic of South Africa

Province of Western Cape



**CERTIFICATE OF REGISTRATION
OF A NON-MEMBER**

National Land Transport Transition Act, 2000

(Act No 22 of 2000) section 114 (1)

A certificate of registration is hereby granted to

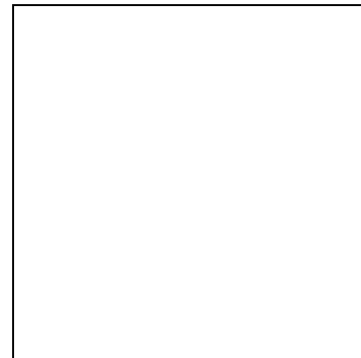
.....
(Name of non-member)

The name of the non-member was entered into the register on.....
(Date)

Identity number/business registration number

Registration number

Date of issue:
(Official stamp)



Signature of Registrar

FORM 20

National Land Transport Transitional Act, 2000
(Act No 22 of 2000)

Distinguishing mark for provisionally registered operators – Section 114(2)

**PROVINCE OF
WESTERN CAPE**

PROVISIONALLY
REGISTERED PROVINCIAL SERVICE

.....
(Operator's provisional registration no.)

.....
(Vehicle registration no.)

(ORIGIN) – (DESTINATION)

Route No.....

...../...../.....
DD MM YY
(Date of Expiry)

National Land Transport Transitional Act, 2000
(Act No 22 of 2000)

Distinguishing mark for fully registered operators – Section 114(2)

**PROVINCE OF
WESTERN CAPE**

REGISTERED PROVINCIAL SERVICE

.....
(Operator's registration no.)

.....
(Vehicle registration no.)

(ORIGIN) – (DESTINATION)

Route No.....

...../...../.....
DD MM YY
(Date of Expiry)

Form 22

PROVINCE OF WESTERN CAPE
DEPARTMENT OF TRANSPORT AND PUBLIC WORKS

NATIONAL LAND TRANSPORT TRANSITION ACT, 2000 (ACT NO. 22 OF 2000) (the Act)

FORM OF SUBPOENA REQUIRING A PERSON TO APPEAR BEFORE THE REGISTRAR
(section 99(3)(b) of the Act)

NOTICE

Name

Address

You are hereby requested and directed to appear personally before the Registrar at on the day of 20..... to testify and declare what you know with regard to and to bring with you the following book(s), plan(s), document(s), record(s), article(s), item(s) or object(s) that are in your possession or under your control for submission to the Registrar

Signed at on this day of 20.....

.....
Authorised official of the Office of the Registrar

FOR OFFICIAL USE ONLY

I certify that I have served this notice on the above-named person by—

- * (a) delivering a true copy to him/her personally
- * (b) leaving, as he/she could not conveniently be found, a true copy with
apparently a responsible person at his/her—
+place of business
+usual place of residence
+last known place of residence

at on this day of 20.....and at the same time informing him/her of the nature thereof.

.....
Signature of authorised officer

- * *Delete whichever is not applicable.*
- + *Tick appropriate one.*

PROVINSIALE ADMINISTRASIE: WES-KAAP
DEPARTEMENT VAN VERVOER EN OPENBARE WERKE
NATIONAL LAND TRANSPORT TRANSITION ACT, 2000
(Wet 22 van 2000)

Wes-Kaapse Regulasies op die Registrasie van Minibustaxiverenigings, hulle Lede en Nie-lede

Ek,, Minister van Vervoer en Openbare Werke in die provinsie Wes-Kaap, handelende kragtens die bevoegdheid my verleen by die National Land Transport Transition Act, 2000 (Wet 22 van 2000), vaardig die regulasies in die bylae van hierdie kennisgewing uit en maak die vasstellings en spesifikasies daarin vervat.

Bylae

Regulasies op die Registrasie van Minibustaxiverenigings, hulle Lede en Nie-lede

1. Woordomskrywing
2. Hoe provinsiale vervoerregister gehou moet word
3. Inligting wat in register gehou moet word
4. Inligting wat in register gehou moet word rakende nie-lede en hulle voertuie.
5. Gelde vir inligting uit die register
6. Vereistes vir verenigings om vir voorlopige en volle registrasie in aanmerking te kom
7. Gelde vir aansoek vir registrasie
8. Aansoekvorms
9. Wyse van aansoek vir registrasie deur 'n nuut toegelate lid van 'n geregistreerde vereniging
10. Inligting en dokumente voorgelê met aansoekvorms
11. Registrasie van nie-lid: sertifikaat deur Registrateur
12. Sertifikate van registrasie
13. Onderskeidingstekens
14. Standaard Minimum Konstitusie en Gedragskode
15. Vorm van getuiedagvaarding en wyse van betekening
16. Boete vir versuim om aan kennisgewing te voldoen
17. Teruggawe van dokumente by intrekking of opskorting van registrasie
18. Misdrywe en strawwe
19. Kort titel

AANHANGSEL A: LYS VAN GELDE EN BOETES

AANHANGSEL B: VORMS

AANHANGSEL C: STANDAARD MINIMUM KONSTITUSIE VIR MINIBUSTAXIVERENIGINGS

Woordomskrywing

1. In hierdie regulasies, tensy dit uit die samehang anders blyk, beteken—
 - “Wet 74 van 1977” die Wet op Padvervoer, 1977 (Wet 74 van 1977), soos dit in die Provinsie toegepas word en soos gewysig by die Wes-Kaapse Wysigingswet op die Wet op Padvervoer, 1996 (Wet 8 van 1996), en die Wes-Kaapse Wysigingswet op die Wet op Padvervoer, 2000 (Wet 7 van 2000);
 - “Provinsie” die provinsie Wes-Kaap;
 - “register” die provinsiale vervoerregister in artikel 99(1)(h) van die Wet bedoel;
 - “die Wet” die National Land Transport Transition Act, 2000 (Wet 22 van 2000), en
 - het 'n woord of uitdrukking wat in die Wet omskryf word, dieselfde betekenis in hierdie regulasies.

Hoe provinsiale vervoerregister gehou moet word [artikel 99(1)(h) van die Wet]

2. Die provinsiale vervoerregister wat die Registrateur ingevolge artikel 99(1)(h) van die Wet moet hou, moet in die vorm wees van 'n elektroniese databasis wat deur die nasionale Departement van Vervoer verskaf word, of 'n soortgelyke databasis met dieselfde minimum kapasiteit.

Inligting wat in register gehou moet word [artikels 99(1)(h) en (i), 108(1)(a) en 111(2) en (3) van die Wet]

3. (1) Die Registrateur moet ten opsigte van—
- (a) elke vereniging in die Provinsie gebaseer wat geregistreer is of voorlopig geregistreer is ingevolge die Wet, of wie se volle registrasie teruggekeer het na voorlopige registrasie ingevolge artikel 56(1) daarvan;
 - (b) elke lid van 'n vereniging in paragraaf (a) bedoel;
 - (c) elke voertuig van elke lid in paragraaf (b) bedoel, en
 - (d) elke nie-lid en sy of haar voertuig,
- die inligting rakende so 'n vereniging, lid of voertuig in subregulasies (2), (3) en (4) gelys, in die register hou.
- (2) Die inligting rakende 'n vereniging in subregulasie (1)(a) bedoel, is die volgende:
- (a) Die vereniging se—
 - (i) volle naam en, indien van toepassing, afgekorte naam;
 - (ii) vorm van regs persoonlikheid (vrywillige vereniging, artikel 21-maatskappy, ens.);
 - (iii) datum van oprigting;
 - (iv) besigheidsregistrasienuommer, as daar is;
 - (v) pos- en straatadres;
 - (vi) telefoon- en faksnummers;
 - (vii) e-posadres, en
 - (viii) aanvanklike aansluitingsgelde per lid en jaarlikse lidmaatskapsgeeld;
 - (b) die datum waarop die vereniging vir registrasie aansoek gedoen het;
 - (c) die datum waarop registrasie of voorlopige registrasie toegestaan is en die gepaardgaande sertifikaat van registrasie uitgereik is;
 - (d) die vereniging se registrasienuommer of voorlopige registrasienuommer;
 - (e) 'n eksemplaar van die vereniging se konstitusie en bevestiging dat dit deur die Registrateur aanvaar is as in ooreenstemming te wees met die vereistes van artikels 60 en 117 van die Wet;
 - (f) die getal persone geregistreer of voorlopige geregistreer as lede van die vereniging en die getal voertuie wat deur elke sodanige lid bedryf word;
 - (g) die getal persone in diens van die vereniging, insluitende sy behoorlik gemagtigde verteenwoordiger;
 - (h) die name van verenigings waarby die vereniging geaffilieer is, as daar is;
 - (i) die naam van elke ampsdraer en sy of haar posisie, identiteitsnommer en tipe identiteit gehou;
 - (j) elke geval van nienakoming deur die vereniging van sy geregistreerde konstitusie, en
 - (k) die uitkoms van griewe- en dissiplinêre prosedures gedoen deur 'n vereniging en die stappe, as daar is, wat die Registrateur as gevolg daarvan gedoen het.
- (3) Die inligting rakende 'n lid in subregulasie (1)(b) bedoel, is die volgende:
- (a) Die lid se—
 - (i) van en voorletters en, in die geval van 'n lid wat nie 'n individu is nie, daardie lid se naam;
 - (ii) handelsnaam, indien van toepassing;
 - (iii) identifikasienuommer of besigheidregistrasienuommer;
 - (iv) vorm van identifikasie;
 - (v) inkomstebelastingregistrasienuommer, indien die lid vir inkomstebelasting moet registreer;
 - (vi) BTW-registrasiesertifikaat indien die lid 'n maatskappy of beslote korporasie is, onderhewig daaraan dat die jaarlikse omset die minimumvereiste vir registrasie soos vasgestel deur die Suid-Afrikaanse Inkomstediens, oorskry;
 - (vii) pos- en straatadres;
 - (viii) tipe lidmaatskap; en
 - (ix) bestuurdersbesonderhede, insluitende geboortenaam, geboortedatum, ID-nommer, adres, bynaam, besonderhede van bestuurslisensie en professionele bestuurspermit;

- (b) bevestiging dat die lid 'n verklaring onderteken het dat hy of sy die vereniging se gedragskode en geregistreerde konstitusie onderskryf en instem om daardeur gebind te word;
 - (c) die datum waarop die lid se sertifikaat van registrasie of voorlopige registrasie uitgereik is;
 - (d) die datum en nommer van die lid se registrasie of voorlopige registrasie;
 - (e) die datum van uitreiking van die lid se sertifikaat van voorlopige registrasie;
 - (f) die lid se bedryfslisensienommer(s) of permitnommer(s);
 - (g) die vervaldatum van die lid se bedryfslisensie(s) of permit(te);
 - (h) bevestiging dat die raad die bedryfslisensie- of permitbesonderhede geverifieer het;
 - (i) die vertrekpunt(e) en aankomspunt(e) gemagtig deur die bedryfslisensie(s) of permit(te);
 - (j) die roetenommer(s) deur die raad toegeken in ooreenstemming met genoemde vertrekpunt(e) en aankomspunt(e);
 - (k) in die geval van 'n regspersoon, die persoon verantwoordelik om die regspersoon te verteenwoordig. 'n Resolusie moet deur die regspersoon verskaf word, onderteken deur 'n behoorlik gemagtigde persoon, wat die naam van die verteenwoordiger bevestig;
 - (l) in die geval of 'n maatskappy, sy inkorporasiesertifikaat of 'n gewaarmerkte afskrif daarvan;
 - (m) in die geval van 'n beslote korporasie, sy stigtingsverklaring of 'n gewaarmerkte afskrif daarvan, en
 - (n) in die geval van enige ander tipe regspersoon, sy konstitusie of stigtingsverklaring of 'n gewaarmerkte afskrif daarvan.
- (4) Die inligting rakende 'n voertuig in subregulasie (1)(c) bedoel, is die volgende:
- (a) die voertuig se registrasienommer;
 - (b) die voertuig se identifikasienommer (VIN);
 - (c) die voertuig se onderstelnummer; en
 - (d) die datum van uitreiking van 'n onderskeidingsteken vir die voertuig en die vervaldatum van die onderskeidingsteken.

Inligting wat in register gehou moet word rakende nie-lede en hulle voertuie [artikel 108 (1) (a) van die Wet]

4. Ten opsigte van enige geregistreerde of voorlopig geregistreerde nie-lid, of 'n nie-lid gebaseer in die Provinsie wie se volle registrasie teruggekeer het na voorlopige registrasie ingevolge artikel 56(1) van die Wet, moet die Registrateur, in die toepaslike mate, dieselfde inligting hou as wat gehou moet word ten opsigte van 'n lid, voorlopig geregistreerde lid of lid wie se registrasie na voorlopige registrasie teruggekeer het en hulle voertuie.

Gelde vir inligting uit die Register [artikel 99(2)(b) van die Wet]

5. Die gelde betaalbaar vir die verskaffing van afskrifte van of uittreksels uit inligting uit die register deur die Registrateur of 'n beampte deur die Registrateur gemagtig, is die gelde voorgeskryf in Aanhangel "A" tensy ander gelde voorgeskryf word ingevolge artikel 22 of die Wet op Bevordering van Toegang tot Inligting, 2000 (Wet 2 van 2000), in welke geval die gelde ingevolge daardie Wet voorgeskryf, van toepassing is.

Vereistes vir verenigings om vir voorlopige en volle registrasie in aanmerking te kom [artikels 109(1) en (2) en 110 van die Wet]

6. (1) Behoudens subregulasie (2) word die minimum getal lede wat 'n vereniging moet hê alvorens hy voorlopig of ten volle geregistreer kan word, as 10 lede bepaal.
- (2) Waar 'n vereniging nie aan die toepaslike lidmaatskapvereistes in subregulasie (1) bedoel kan voldoen nie, kan die Registrateur, by aanvoering van gegronde redes, sodanige minimum lidmaatskapvereistes in daardie bepaalde geval verlaag.
- (3) Waar 'n vereniging ophou om 'n minimum of 10 lede te hê, moet die Registrateur—
- (a) die vereniging minstens 21 dae skriftelike kennis gee om gronde aan te voer waarom die vereniging nie gederegistreer of sy registrasie opgeskort moet word nie, en
 - (b) 'n kennisgewing van die voorneme om die vereniging te deregistreer indien hy nie aldus gronde aanvoer nie, publiseer in 'n koerant wat in die vernaamste gebied van bedryf van die vereniging sirkuleer, en kommentaar of vertoë vra van belanghebbende partye,
- en nadat hy enige antwoord, kommentaar of vertoë oorweeg het wat ontvang is na aanleiding van sodanige kennisgewing of publikasie, kan hy die registrasie of voorlopige registrasie van die vereniging, na gelang van die geval, intrek of sodanige registrasie opskort vir die tydperk wat die Registrateur bepaal.
- (4) Die maksimum voorgeskrewe gelde wat 'n voorlopige geregistreerde vereniging kragtens artikel 109(2) van die Wet, en 'n volledig geregistreerde vereniging kragtens artikel 110(e) van die Wet mag vra, is—
- (a) in die geval van aansluitingsgelde vir die registrasie van 'n lid, die bedrag aangedui in Aanhangel A, ongeag die getal voertuie wat die betrokke lid besit;
 - (b) in die geval van aansluitingsgelde vir die voorlopige registrasie van 'n nuwe lid van 'n vereniging wat nog nie om 'n bedryfslisensie aansoek gedoen het nie, of wie se bedryfslisensie nog nie toegeken is nie, kan maksimum aansluitingsgelde van die bedrag aangedui in Aanhangel A gevra word. Die res van die gewone aansluitingsgelde kan gevra word by die uitreiking van 'n bedryfslisensie deur die raad aan die lid vir elke voertuig wat bedryf word, en

- (c) in die geval van jaarlikse lidmaatskapgelde, die bedrag wat in die konstitusie van die vereniging bepaal word.
- (5) Die Registrateur het die diskresie om 'n vereniging wat nie aan subregulasie (3) voldoen nie, op versoek van die betrokke beplanningsowerheid voorlopig of ten volle te registreer, en as die Registrateur oortuig is dat daar geen ander vereniging is wat op die betrokke roete of roetes bedrywig is nie.
- (6) Om voorlopig of ten volle geregistreer te word, moet 'n vereniging 'n konstitusie hê wat aan artikels 60 en 117 van die Wet voldoen.
- (7) Om voorlopig geregistreer te word, moet 'n vereniging op die voorgeskrewe vorm bewys lewer dat aansoek gedoen is by die raad vir 'n bedryfslisensie deur elke lid van die vereniging wat nie 'n bedryfslisensie of permit het nie. Aansoeke deur sulke voornemende lede moet net roetes of netwerke van roetes toon waarop die vereniging voornemens is om bedrywig te wees.

Gelde vir aansoek vir registrasie [artikels 110(d) en 113(1)(a) van die Wet]

7. Vir die doeleindes van artikel 110(d) van die Wet is die aansoekgelde betaalbaar vir registrasie van 'n vereniging of nie-lid die bedrae in Aanhangsel A aangedui.

Aansoekvorms [artikel 111(1)(a) van die Wet, gelees met artikel 7A(14)(d) van Wet 74 van 1977]

8. (1) Die vorms waarvoor hierdie regulasies voorsiening maak, vervang die vorms voorgeskryf in Bylae B van Provinsiale Kennisgewing 62/1997 in Buitengewone Provinsiale Koerant No. 5113 van 28 Februarie 1997.
- (2) 'n Vereniging moet vir registrasie of vir voorlopige registrasie aansoek doen deur 'n aansoek in die vorm uiteengesit in Vorms 1, 2, 3 en 4 in Aanhangsel B aan die Registrateur voor te lê.
- (3) 'n Vereniging moet vir die omskakeling van voorlopige registrasie na volle registrasie aansoek doen deur 'n aansoek in die formaat uiteengesit in Vorms 5, 6 en 7 in Aanhangsel B in te vul en aan die Registrateur voor te lê.
- (4) 'n Nie-lid moet vir die omskakeling van voorlopige registrasie na volle registrasie aansoek doen deur 'n aansoek in die formaat uiteengesit in Vorms 8 en 9 in Aanhangsel B in te vul en aan die Registrateur voor te lê.
- (5) 'n Nie-lid moet vir registrasie aansoek doen deur 'n aansoek in die formaat uiteengesit in Vorm 10 in Aanhangsel B in te vul en aan die Registrateur voor te lê.

Wyse van aansoek vir registrasie deur 'n nuut toegelate lid van 'n geregistreerde vereniging [artikel 112(3)(a) van die Wet]

9. (1) Wanneer 'n vereniging by die Registrateur aansoek doen vir die registrasie van enige nuwe lid wat tot lidmaatskap van die vereniging toegelaat is ingevolge artikel 112(3)(a) van die Wet, moet die aansoek gedoen word in die formaat uiteengesit in Vorms 11 en 12 in Aanhangsel B.
- (2) Die aansoeker moet die aansoekvorm aan 'n gemagtigde beampte van die raad voorlê vir voltooiing van die dele waar 'n verklaring van die raad vereis word.

Inligting en dokumente voorgelê met aansoekvorms

10. (1) Wanneer 'n aansoek ingevolge regulasie 6 voorgelê word—
- (a) moet die aansoeker volledige antwoorde verstrek op al die vrae op die aansoekvorm;
- (b) moet die Registrateur—
- (i) verseker dat die aansoekvorm behoorlik ingevul is;
- (ii) verseker dat al die nodige gepaardgaande dokumentasie, wat gesertifiseer moet wees, voorgelê is en geldig en aanvaarbaar is, en
- (iii) die inligting wat voorgelê is, soos volg verifieer:
- (aa) Waar van toepassing, moet die voertuigbesonderhede gekontroleer word met die Nasionale Verkeersinligtingstelsel (eNaTIS) wat deur die nasionale Departement van Vervoer bygehou word;
- (bb) waar van toepassing, moet besonderhede van die lid of die nie-lid gekontroleer word met die Inligtingstelsel in artikel 78(4)(b) van die Wet bedoel, of ander beskikbare inligtingstelsels;
- (cc) waar 'n lid of 'n nie-lid in 'n ander provinsie geregistreer is, moet daardie lid of nie-lid se besonderhede gekontroleer word met die inligtingstelsels van die Registrateur van daardie provinsie.
- (2) Die Registrateur kan aansoeke verwerp waar enige van die inligting of dokumentasie wat by die Wet of hierdie regulasies vereis word, ontbreek of indien volledige antwoorde op alle vrae op die aansoekvorm nie verskaf word nie of as die vereiste aansoekgelde nie betaal word wanneer die aansoek gedoen word nie.

Registrasie van nie-lid: sertifikaat deur Registrateur [artikel 113(2) van die Wet]

11. 'n Sertifikaat van die Registrateur waarin gesertifiseer word dat 'n nie-lid aan artikel 113(1)(b), (c) en (e) van die Wet voldoen, moet die besonderhede bevat en in die formaat wees soos in Vorm 13 in Aanhangsel B uiteengesit.

Sertifikate van registrasie [artikel 114(1) van die Wet]

12. (1) Sertifikate van registrasie en sertifikate van voorlopige registrasie wat aan verenigings, lede of nie-lede uitgereik is, moet in die formaat wees soos in Vorms 14 tot 19 in Aanhangsel B uiteengesit.

- (2) Die vorms in subregulasie (1) bedoel, vervang die sertifikate van registrasie voorgeskryf in die Bylae van Provinsiale Kennisgewing 335/1997 in Provinsiale Koerant No. 5182 of 26 September 1997.

Onderskeidingstekens [artikel 114(2) van die Wet]

13. (1) 'n Onderskeidingsteken wat aan 'n voorlopig geregistreerde lid of nie-lid uitgereik is, moet in die formaat wees in Vorm 20 in Aanhangsel B uiteengesit. Slegs voorlopig geregistreerde lede of nie-lede wat in besit van 'n bedryfslisensie is vir elke voertuig wat bedryf word, kom in aanmerking vir die toekenning van 'n onderskeidingsteken.
- (2) 'n Onderskeidingsteken wat aan 'n geregistreerde lid of nie-lid uitgereik word, moet in die formaat wees in Vorm 21 in Aanhangsel B uiteengesit. 'n Geregistreerde lid of nie-lid wat vir finale registrasie in aanmerking kom, moet die onderskeidingstekens wat vir voorlopige registrasie uitgereik is, aan die Registrateur terugbesorg by ontvangs van die onderskeidingstekens vir finale registrasie.

Standaard Minimum Konstitusie en Gedragskode [artikels 61 en 116(1)(a) en (b) van die Wet]

14. Die Konstitusie en Gedragskode wat as Bylae A by Provinsiale Kennisgewing 62/1997 in Buitengewone Provinsiale Koerant No. 5113 van 28 Februarie 1997 gepubliseer is, word vervang deur die standaard minimum konstitusie en gedragskode aangeheg as Aanhangsel C, wat ingevolge artikel 116 van die Wet gepubliseer word.

Vorm van getuiedagvaardiging en wyse van betekening daarvan [artikel 99(3)(b) van die Wet]

15. (1) 'n Getuiedagvaardiging uitgereik deur die Registrateur soos beoog in artikel 99(3)(b) van die Wet, moet wees in die vorm uiteengesit in Vorm 22 in Aanhangsel B.
- (2) Behoudens subregulasie (3) moet 'n gemagtigde beampte die getuiedagvaardiging beteken deur 'n afskrif van die dagvaardiging persoonlik te oorhandig aan die persoon op wie dit betrekking het of, waar die persoon nie gerieflik gevind kan word nie, deur 'n eksemplaar by 'n persoon te laat wat klaarblyklik 'n verantwoordelike persoon is by die plek van besigheid, gewone woonplek of die jongste bekende woonplek van die persoon op wie dit betrekking het, en die beampte moet daarna aan die Registrateur verslag doen.
- (3) Waar die persoon op wie so 'n getuiedagvaardiging betrekking het, 'n lid of 'n geregistreerde vereniging is, kan die beampte 'n eksemplaar van die getuiedagvaardiging oorhandig aan die sekretaris van die vereniging of 'n ander beampte van die vereniging wat vir daardie doel aangewys is.

Boete vir versuim om aan kennisgewing te voldoen [artikel 118(4) van die Wet]

16. Ingevolge artikel 118(4) van die Wet kan die Registrateur 'n boete van hoogstens die bedrag in Aanhangsel A aangedui, opleë vir versuim deur 'n vereniging, 'n lid of 'n nie-lid om te voldoen aan 'n kennisgewing wat ingevolge artikel 118(3) van die Wet deur die Registrateur uitgereik is.

Teruggawe van dokumente by intrekking of opskorting van registrasie [artikel 119(2) van die Wet]

17. 'n Vereniging, 'n lid of 'n nie-lid moet 'n sertifikaat van registrasie of voorlopige registrasie, of 'n onderskeidingsteken wat aan hom of haar uitgereik is, wat ingetrek of tydelik opgeskort is, aan die Registrateur terugbesorg binne sewe dae na sodanige intrekking of opskorting.

Misdrywe en strawwe [artikel 64(2) van die Wet]

18. 'n Persoon wat 'n getuiedagvaardiging wat ingevolge regulasie 15 uitgereik is, oortree of versuim om daaraan te voldoen, begaan 'n misdryf en is by skuldigebevinding strafbaar met gevangenisstraf vir 'n tydperk van hoogstens drie maande of met 'n boete.

Kort titel

19. Hierdie regulasies heet die Wes-Kaapse Regulasies op die Registrasie van Minibustaxiverenigings, hulle Lede en Nie-lede, 2007.

AANHANGSEL A: LYS GELDE EN BOETES**Tabel 1: Gelde en boetes betaalbaar aan die Provinsiale Regering van die Wes-Kaap**

Item	Regulasie	Artikel in die Wet	Beskrywing	Gelde/ Boete
1.	5	99(2)(b) van die Wet en 5 van die Wet op die Bevordering van Toegang tot Inligting, 2000	Geld vir die verskaffing van afskrifte van of uittreksels uit inligting uit die register	R0,60 per bladsy
2.	7	110(d) van die Wet	Aansoekgeld vir registrasie van 'n vereniging	R2 000
3.	7	113(1)(a) van die Wet	Aansoekgeld vir registrasie van nie-lid	R2 000
4.	16	118(4) van die Wet	Maksimum boete	R10 000

Tabel 2: Gelde betaalbaar aan 'n vereniging

Item	Regulasie	Artikel in die Wet	Beskrywing	Gelde/ Boete
1.	6(4)(a)	109(2) van die Wet	Maksimum aansluitingsgeld	R2 000
2.	6(4)(b)	109(2) van die Wet	Maksimum aansluitingsgeld	R300

AANHANGSEL B: VORMS

1. Aansoekvorm vir registrasie van 'n taxivereniging.
2. Aanhangsel 1 by aansoekvorm vir registrasie van 'n taxivereniging.
3. Aanhangsel 2 by aansoekvorm vir registrasie van 'n taxivereniging.
4. Besonderhede van roete(s) wat deur die taxivereniging bedryf word.
5. Aansoekvorm vir omskepping van voorlopige registrasie van 'n taxivereniging in volle registrasie.
6. Aanhangsel 1 by aansoek vir omskepping van voorlopige registrasie van 'n taxivereniging in volle registrasie.
7. Aanhangsel 2 by aansoek vir omskepping van voorlopige registrasie van 'n taxivereniging in volle registrasie.
8. Aansoekvorm vir omskepping van voorlopige registrasie van 'n nielid in volle registrasie.
9. Aanhangsel 1 by die aansoekvorm vir omskepping van voorlopige registrasie van 'n nielid-operateur in volle registrasie.
10. Aansoekvorm om registrasie van 'n nielid-operateur.
11. Aansoekvorm vir registrasie van 'n nuwe lid van 'n geregistreerde taxivereniging.
12. Aanhangsel 1 by aansoekvorm vir registrasie van 'n nuwe lid van 'n geregistreerde taxivereniging.
13. Vorm van sertifikaat uitgereik deur die registrateur vir voorlegging deur 'n nie-lid aan die bedryfslisensiëraad (artikel 113(2) van die Wet).
14. Serifikaat van voorlopige registrasie ten opsigte van 'n taxi vereniging.
15. Serifikaat van voorlopige registrasie van 'n lid van 'n taxi vereniging.
16. Serifikaat van voorlopige registrasie van 'n nie-lid.
17. Registrasiesertifikaat van 'n taxi vereniging.
18. Serifikaat van registrasie van 'n lid van 'n taxi vereniging.
19. Serifikaat van registrasie van 'n nie-lid.
20. Onderskeidingsmerk vir voorlopig geregistreerde operateurs — Artikel 114(2).
21. Onderskeidingsmerk vir ten volle geregistreerde operateurs — Artikel 114(2).
22. Vorm vir dagvaarding wat van 'n persoon vereis om voor die registrateur te verskyn (artikel 99(3)(b) van die Wet).

AANHANGSEL C: STANDAARD MINIMUM KONSTITUSIE VIR MINIBUSTAXIVERENIGINGS

Hierdie Konstitusie stel 'n maatstaf vir die opstel van konstitusies vir minibustaxiverenigings met die oog op die registrasie van verenigings. Dit is bedoel as 'n riglyn vir die bestuur van taxiverenigings. Indien 'n taxivereniging reeds ingevolge 'n konstitusie bedryf word, moet daardie konstitusie die aspekte wat in hierdie standaard minimum konstitusie vervat is, minstens in dieselfde mate dek. Die Registrateur moet bestaande konstitusies bekragtig. Om bekragtig te word, sal hierdie konstitusies moontlik gewysig moet word, indien nodig na behoorlike oorlegpleging tussen die Registrateur en die dagbestuur van die betrokke vereniging. Indien 'n taxivereniging nie ingevolge 'n konstitusie funksioneer nie, of funksioneer ingevolge 'n konstitusie met 'n ontoereikende bestek, moet hy óf die standaard minimum konstitusie aanvaar óf sy konstitusie wysig om dit met die standaard minimum konstitusie in ooreenstemming te bring.

WOORDOMSKRYWING

Vir die doel van hierdie Konstitusie beteken—

“AJV” die algemene jaarvergadering van die Vereniging;

“Dagbestuur” die Dagbestuur wat op die AJV verkies is;

“gedragskode” die gedragskode in regulasies voorgeskryf deur die Provinsiale Minister verantwoordelik vir vervoer;

“grieweprocedure” die grieweprocedure in paragraaf 14 beskryf;

“KAV” die kwartaallikse algemene vergadering van die Vereniging;

“register” 'n register gehou deur die Registrateur ingevolge die toepaslike vervoerwetgewing;

“Registrateur” die Provinsiale Registrateur aangestel ingevolge die toepaslike vervoerwetgewing;

“rekenpligtige beampte” 'n beampte aangestel ingevolge paragraaf 12.5;

“SAV” 'n spesiale algemene vergadering van die vereniging;

“Vereniging” 'n minibustaxivereniging.

1. NAAM EN REGISTRASIENOMMER

Die volle naam van die Vereniging is *(moet deur die vereniging ingevul word)*.

Die verkorte naam van die Vereniging is *(moet deur die vereniging ingevul word)*.

Die posadres van die Vereniging is *(moet deur die vereniging ingevul word)*.

Die fisiese adres van die Vereniging is *(moet deur die vereniging ingevul word)*.

Die Vereniging is baseer te

Die registrasienuommer van die Vereniging is *(moet deur die vereniging ingevul word)*.

2. AARD VAN VERENIGING

Die *(vul naam van vereniging in)* is 'n vereniging sonder winsoogmerk.

3. SAMESTELLING VAN VERENIGING

Die minimum getal lede om die Vereniging saam te stel, is *(moet deur die vereniging in samewerking met die Registrateur ingevul word)*. Die aktiwiteite van die Vereniging word bestuur deur 'n dagbestuur, wat jaarliks gekies word.

4. DOELWITTE EN OOGMERKE

Die doelwitte en oogmerke van die Vereniging is—

- (a) om die belange van die lede van die Vereniging te beskerm, te verseker en te bevorder;
- (b) om daadwerklik betrokke te raak by samesprekings en onderhandelings en om verhoë en appële te rig aan die verskillende staats-, provinsiale en plaaslike owerhede in belang van sy lede;
- (c) om billike arbeidspraktyke deur al sy lede te verseker, en sodoende die belange van alle lede se werknemers te bevorder;
- (d) om alle aangeleenthede teen te staan wat geneig of bedoel is om te bots met of inbreuk te maak op die regte en voorregte van sy lede;
- (e) om alle wettige stappe te doen wat deur die Vereniging nodig geag word om enige wangedrag aan die kant van enige van die Vereniging se lede of die bestuurders van sodanige lede te voorkom, om wangedrag by die betrokke owerhede aan te meld en om sodanige verdere stappe betreffende die skorsing of uitsetting van wanpresterende lede te doen as wat nodig geag word, met behoorlike inagneming van die griewe- en dissiplinêre prosedures;
- (f) om alle fondse aan te wend met die doel om uitvoering te gee aan die oogmerke van die Vereniging en om fondse by geskikte finansiële instellings te belê, en voorts om roerende en onroerende eiendom te verkry deur te koop, te huur of te verruil of as 'n geskenk;
- (g) om behoorlik geouditeerde rekeninge vir elke finansiële jaar te laat opstel deur die ouditeure van die Vereniging, en om gewaarmerkte afskrifte van die geouditeerde finansiële state en notules van die AJV aan die Registrateur te stuur binne een maand na die AJV;
- (h) om volgens 'n grieweprocedure te werk ten einde konflik te vermy;

- (i) om die belange van die pendelpublik te bevorder en om strukture en prosedures te ontwikkel om die pendelpublik in staat te stel om ontevredenheid ten opsigte van die vervoerfasiliteite of—dienste bekend te maak;
- (j) om met enige ander taxivereniging met soortgelyke oogmerke saam te werk, of om die samewerking en koördinasie van soortgelyke organisasies en liggame aan te moedig en na te streef, wat regerings-, provinsiale of plaaslike owerhede en liggame wat by wet geskep is vir die bereiking en verwesenliking van die oogmerke van sy lede, kan insluit;
- (k) om die Vereniging by die Registrateur te registreer en om te verseker dat dit geregistreer bly;
- (l) om te verseker dat lede binne die gesag van hulle bedryfslisensies en binne die wet in die algemeen funksioneer, en
- (m) om by die betrokke streekminibustaxiraad te affilieer.

5. **BEDRYFSGEBIED(E)**

Die geregistreerde roetes waarop lede van die Vereniging bedrywig is, is (*moet deur die vereniging gelys word*).

6. **DAGBESTUUR VAN DIE VERENIGING**

Die dag-tot-dag-aktiwiteite van die Vereniging moet bestuur, verrig en beheer word deur 'n komitee wat as die Dagbestuur bekend staan, waarvan die lede deur die Vereniging se lede op die AJV gekies word.

6.1. **Samestelling**

Die Dagbestuur bestaan uit die volgende lede:

- (a) Voorsitter.
- (b) Ondervoorsitter.
- (c) Tesourier.
- (d) Sekretaris.
- (e) Opleidingsbeampte.
- (f) Voorsitter van die Griewekomitee.
- (g) Voorsitter van die Dissiplinêre Komitee.
- (h) Sodanige ander beamptes as wat die Vereniging nodig ag.
- (i) Bykomende gewone Dagbestuurslede, maar hoogstens (*moet deur lede ingevul word*).

6.2. **Verkiesbaarheid, benoeming en verkiesing van ampsdraers**

Enige lid van die Vereniging is verkiesbaar tot die Dagbestuur. Lede van die Dagbestuur moet op die AJV van die Vereniging of, in spesiale omstandighede, op 'n SAV verkies word.

Benoemings vir lidmaatskap van die Dagbestuur open een maand voor die AJV en sluit een week voor die datum van die AJV. Bykomende benoemings kan op die AJV gedoen word voordat stemming plaasvind. Die sekretaris moet die benoemingslys opstel uit benoemings wat ontvang is en moet hierdie lys aan die AJV voorlê.

6.3. **Ampstermyn**

Lede van die Dagbestuur beklee die amp vir 'n tydperk van een jaar en kan herkies word. 'n Lid van die Dagbestuur kan sy of haar ampstermyn vroeër beëindig deur bedanking deur (*moet deur vereniging ingevul word*) weke skriftelike kennis van voorneme om te bedank aan die sekretaris te gee.

6.4. **Ampsontruiming**

'n Lid van die Dagbestuur moet sy of haar posisie in die Dagbestuur ontruim in die geval van—

- (a) skorsing of uitsetting uit die Vereniging;
- (b) afwesigheid sonder toestemming van die Dagbestuur van (**moet deur vereniging ingevul word**) opeenvolgende vergaderings van die Dagbestuur;
- (c) skuldigbevinding aan 'n strafregtelike misdryf vir 'n daad van geweld of oneerlikheid terwyl die amp beklee word; vir 'n misdryf in die Wet omskryf, of vir 'n misdryf omskryf in die Nasionale Padverkeerswet, No. 93 van 1996, wat verband hou met onpadwaardige voertuie, dronkbestuur of strafbare manslag deur te bestuur;
- (d) diskwalifikasie as 'n lid van die Vereniging;
- (e) skending van die Konstitusie of Gedragskode; of
- (f) bedanking.

Die ampsontheffing van 'n lid van die Dagbestuur kan plaasvind slegs na die behoorlike toepassing van die dissiplinêre prosedure in paragraaf 13 beskryf.

Die lede van die Dagbestuur moet die amp ontruim indien 'n mosie van wantroue op 'n behoorlik gekonstitueerde SAV, KAV of AJV aangeneem word.

Geen sodanige mosie van wantroue word oorweeg nie tensy skriftelike kennis van voorneme om sodanige mosie voor te stel, aan die sekretaris gegee is, met 'n afskrif aan die Registrateur se kantoor, minstens 10 dae voor 'n KAV, of 21 dae voor 'n SAV of 'n AJV.

6.5. Vervanging van lede van Dagbestuur

By verstryking van die ampstermyn van die Dagbestuur, of in die geval dat die ampstermyn van enige lid om enige rede ingevolge hierdie Konstitusie beëindig word, hou daardie lid outomaties op om die amp te beklee en is die amp vakant. In die geval van 'n voortydige en onverwagte verandering kan die Dagbestuur die vakature tydelik met 'n gewone lid van die Dagbestuur vul tot die volgende AJV of 'n SAV waar verkiesings plaasvind.

Indien die Vereniging geen Dagbestuurslede het om 'n verkiesing te hou nie, en so 'n verkiesing van ampsdraers gehou moet word of wenslik is, kan enige lid van die Vereniging die Registrateur nader vir 'n bevel wat gelas dat 'n verkiesing gehou moet word, met 'n uiteensetting van die bepalings en prosedures ten opsigte daarvan.

6.6. Pligte en verantwoordelikhede

Die pligte en verantwoordelikhede van die Dagbestuur sluit die volgende in:

- (a) Om die sake van die Vereniging te bestuur, te voer en te beheer.
- (b) Om gelde in te vorder van sy lede, om fondse in te samel en om die fondse en bates van die Vereniging te bestuur.
- (c) Om rekenings te hou volgens algemeen aanvaarde rekeningkundige praktyke en om finansiële state voor te lê.
- (d) Om 'n stel administratiewe reëls en regulasies op te stel en te aanvaar in ooreenstemming met hierdie Konstitusie vir die bestuur en beheer van sy sake, en om sodanige reëls en regulasies na goeddunke te wysig, te verander of daartoe by te voeg. 'n Bygewerkte eksemplaar van die reëls en regulasies moet aan die Registrateur se kantoor gestuur word hoogstens 14 dae na 'n vergadering om sodanige reëls en regulasies op te stel of te wysig.
- (e) Om aanbevelingsbriewe uit te reik ter stawing van aansoeke wat deur die Vereniging goedgekeur is, indien die betrokke regeringsliggame dit versoek. Geen gelde mag deur die Dagbestuur vir die verskaffing van sodanige aanbevelingsbriewe gehef word nie.
- (f) Om prokureurs, rekenmeesters en ander professionele persone aan te stel om namens die Vereniging op te tree.
- (g) Om regstappe in te stel teen enige party wat strydig met die belange van die lede van die Vereniging optree of in verband met die verhaling van gelde wat aan die Vereniging verskuldig is, en om regstappe namens die Vereniging teen te staan.
- (h) Om, in oorleg met die lede, beleide te inisieer en te ontwikkel oor aangeleenthede waarvoor hierdie Konstitusie nie voorsiening maak nie, vir latere aanvaarding deur die lede.
- (i) Om enige filiaal wat ter bevordering van al of enige van die oogmerke van die Vereniging gevorm is, te stig of die stigting daarvan te steun en te bevorder.
- (j) Om 'n AJV te belê.
- (k) Om SAV's ingevolge paragraaf 10 te belê.
- (l) Om sy verslag oor die aktiwiteite van die Vereniging gedurende die vorige jaar aan die AJV voor te lê, saam met die geouditeerde rekening van die Vereniging.
- (m) Om minstens een keer per maand 'n vergadering van die Dagbestuur te belê, met verdere vergaderings wat van tyd tot tyd na goeddunke van die Voorsitter belê word.
- (n) Om KAV's ingevolge paragraaf 11 te reël en te hou.
- (o) Om die Registrateur binne sewe dae in te lig van die uitkoms van dissiplinêre verhoor en grievedprosedures.
- (p) Om notules van enige SAV, KAV of AJV binne 14 dae na sodanige vergaderings aan die Registrateur te stuur.
- (q) Om enige inligting wat onder die aandag van 'n lid of lede van die Dagbestuur gekom het wat aandui dat 'n konfliktsituasie tussen die Vereniging en 'n ander vereniging moontlik ontwikkel of potensieel kan ontwikkel, by die Registrateur aan te meld.
- (r) Om die Registrateur betyds in kennis te stel van enige veranderinge in die inligting oor die Vereniging en sy lede wat in die register aangeteken is.
- (s) Om by die Registrateur aansoek te doen vir die registrasie van nuwe lede binne een maand nadat hulle toegelaat is.
- (t) Om besluite oor die dag-tot-dag-sake van die Vereniging te neem.

Individuele ampsdraers moet die spesifieke funksies uitvoer wat in hierdie Konstitusie aan hulle toegewys is, asook enige van die bogenoemde rolle wat die voorsitter aan hulle toewys.

6.7. Vergaderings van die Dagbestuur

Die Dagbestuur moet minstens maandeliks vergader. Verdere vergaderings kan van tyd tot tyd na goeddunke van die voorsitter belê word. Notules van alle vergaderings moet behoorlik gehou word. Die kworum vir vergaderings van die Dagbestuur is twee derdes van die

Dagbestuur se lede. Besluite moet op die grondslag van konsensus geneem word. Waar konsensus nie bereik kan word nie, moet lede hulle stemme uitbring, en die besluit van die meerderheid van die lede teenwoordig op die vergadering maak die besluit van die Dagbestuur uit. In die geval van 'n staking van stemme het die voorsitter 'n beslissende stem benewens 'n gewone stem.

6.8. Kommunikasiekanale

(Elke vereniging moet sy eie kommunikasiekanale verklaar, byvoorbeeld die sekretaris, skakelbeampte, ens.)

7. STAANDE KOMITEES

Die volgende komitees moet ook gekies word om sekere werksaamhede in die Vereniging te bestuur en te verrig:

- (i) 'n Dissiplinêre Komitee bestaande uit die voorsitter as 'n lid van die Dagbestuur en twee ander nie-uitvoerende lede wat op die AJV gekies word.
- (ii) 'n Finansiële Komitee bestaande uit die tesourier en twee ander nie-uitvoerende lede wat op die AJV gekies word.
- (iii) 'n Opleidings- en Ontwikkelingskomitee bestaande uit die opleidingsbeampte en twee ander nie-uitvoerende lede wat op die AJV gekies word.
- (iv) 'n Griewekomitee bestaande uit die voorsitter as 'n lid van die Dagbestuur en twee ander nielede van die Dagbestuur wat op die AJV gekies word.

8. LIDMAATSKAP VAN VERENIGING

8.1. Kriteria vir volle lidmaatskap

- (a) Nakoming van hierdie Konstitusie, insluitende die dissiplinêre prosedure en grieweprosedure en die voorgeskrewe gedragskode.
- (b) Lidmaatskap van die Vereniging is oop vir alle houers van permitte of bedryfslisensies vir roetes waarop lede van die Vereniging bedrywig is, behalwe in die geval van 'n aansoeker teen wie 'n ander taxivereniging dissiplinêre stappe ingestel het.

Lidmaatskap

- (c) Die Vereniging kan enige aansoek na goeddunke aanvaar of verwerp.
- (d) Die Vereniging moet onsuksesvolle aansoekers binne 30 dae voorsien van 'n skriftelike kennisgewing waarin die redes verstrekk word waarom hulle aansoeke onsuksesvol is.
- (e) Die Vereniging moet, op sy AJV, die jaarlikse lidmaatskapsgeelde bepaal wat lede aan die Vereniging moet betaal. Sodanige jaarlikse lidmaatskapsgeelde is betaalbaar benewens die aansoekgeelde en, in die geval van 'n lid wat versuim om die jaarlikse lidmaatskapsgeelde te betaal, binne *(moet deur die vereniging ingevul word)* dae na die sperdatum.
- (f) Reëlins kan met die Dagbestuur getref word om die jaarlikse lidmaatskapsgeeld in paaiemente te betaal.
- (g) Tydelike lidmaatskap van die Vereniging, vir 'n maksimum tydperk van ses maande, word toegelaat vir aansoekers wat vir die Vereniging as lede aanvaarbaar is en wat aansoeke vir nuwe bedryfslisensies ingedien het.

8.2. Beëindiging van lidmaatskap

Lidmaatskap mag nie beëindig word nie behalwe as 'n uitkoms van 'n griewe- of dissiplinêre prosedure vir die beëindiging van lidmaatskap, maar 'n lid kan vrywillig bedank.

By beëindiging van die lidmaatskap van enige lid, om watter rede ook al, moet die sekretaris die Registrateur onverwyld in kennis stel.

Lidmaatskap van die Vereniging kan beëindig word in die geval van—

- (a) 'n lid wat vrywillig bedank na skriftelike kennisgewing van die voorneme om te bedank;
- (b) 'n lid wat versuim om die aansoekgeeld of jaarlikse lidmaatskapsgeeld te betaal soos deur die Vereniging bepaal;
- (c) 'n lid wat die oogmerke van die Vereniging oortree of enige besluit van die Vereniging verontagsaam;
- (d) 'n lid wat sonder die toestemming van die Vereniging by enige ander taxivereniging of verwante vereniging aansluit wat bedrywig is op die roetes waarop lede van die Vereniging bedrywig is;
- (e) 'n lid wat nie 'n geldige bedryfslisensie/permit het om 'n voertuig te bedryf op 'n roete waarop die Vereniging bedrywig is nie, as gevolg van die intrekking of verval van sy bedryfslisensie; maar die lid se lidmaatskap mag nie opgeskort word nie in die geval van enige verrigtinge wat deur die lid aanhangig gemaak word om die intrekking of verval van die betrokke openbare padvervoerpermit of bedryfslisensie ter syde te stel totdat sodanige verrigtinge afgehandel is;
- (f) 'n lid wat die Konstitusie of die Gedragskode oortree;
- (g) 'n lid wat 'n openbare vervoerdiens bedryf sonder die nodige bedryfslisensie of nodige permit vir elke voertuig wat vir die bedryf van die diens gebruik word.

8.3. Aansoekprosedure

'n Persoon wat 'n lid van die Vereniging wil word, moet 'n skriftelike aansoek aan die Dagbestuur voorlê wat die volgende bevat:

- (a) Die redes vir die aansoek om by die Vereniging aan te sluit.
- (b) 'n Afskrif van die aansoek vir 'n bedryfslisensie wat hangende is by die Provinsiale Raad vir Bedryfslisensies.
- (c) 'n Lys van al die voertuie wat deur die aansoeker op die Vereniging se roetes bedryf word.
- (d) 'n Lys van al die permitte of bedryfslisensies wat die aansoeker hou, indien van toepassing.
- (e) 'n Lys van bestuurders in diens van die aansoeker wat op die Vereniging se roetes bedrywig is.
- (f) 'n Lys van enige ander taxiverenigings waarvan die aansoeker 'n lid is of was.
- (g) Of die aansoeker te eniger tyd uit enige ander vereniging gesit is.
- (h) 'n Lys van vorige oortredings van die aansoeker en bestuurders in diens van die aansoeker.
- (i) Bewys van betaling van die Vereniging se aansluitingsgeld.

8.4. Appèlprosedure

Indien die Dagbestuur 'n aansoek vir lidmaatskap weier, kan die aansoeker 'n skriftelike appèl teen die besluit indien op 'n KAV of SAV of die AJV, wat ook al eerste plaasvind. Die besluit van so 'n algemene vergadering is finaal.

8.5. Pligte en regte van lede

(1) Die pligte van die lede van die Vereniging is soos volg:

- (a) Om die jaarlikse lidmaatskapgeld te betaal.
- (b) Om te verseker dat die voertuig waarop 'n bedryfslisensie van toepassing is, bestuur word deur 'n persoon wat in besit is van 'n geldige bestuurslisensie en openbare of professionele bestuurspermit, soos van toepassing.
- (c) Om te verseker dat geen persoon 'n voertuig waarvoor 'n bedryfslisensie uitgereik is, gebruik op 'n wyse wat met die National Land Transport Transition Act en regulasies of vervangende provinsiale wette strydig is nie.
- (d) Om te verseker dat permitte of bedryfslisensies nie afgehandel word op 'n manier wat met die National Land Transport Transition Act, 2000 (Wet 22 van 2000), en regulasies of vervangende provinsiale wette strydig is nie.
- (e) Om die sekretaris te verwittig van enige voorneme om aansoek te doen vir bykomende bedryfslisensies op roetes waarop lede van die Vereniging bedrywig is.
- (f) Om die sekretaris te voorsien van inligting wat die Registrateur verlang.
- (g) Om ooreenkomstig die Konstitusie en Gedragskode op te tree.
- (h) Om enige inligting wat onder die aandag van die lid gekom het wat aandui dat 'n konfliktsituasie tussen die Vereniging en 'n ander vereniging moontlik ontwikkel of potensieel kan ontwikkel, by die Dagbestuur aan te meld.
- (i) Om skriftelik kennis aan die sekretaris te gee as die lid van voorneme is om te bedank.

(2) Die regte van lede van die Vereniging is soos volg:

- (a) Om enige taxistaanplek in verband met die lid se roetes te gebruik wat die lid toegelaat word om te gebruik.
- (b) Om van die Vereniging te vereis om alle redelike stappe te doen om die belange van sy lede te beskerm en om te verseker dat daar geen onwettige mededinging met die dienste wat deur lede gelewer word, is nie.
- (c) Om skriftelik kennis te ontvang van elke AJV, KAM, SAV en ander gebeurtenisse wat die regte van enige lid raak.
- (d) Om te bedank deur **(moet deur die vereniging ingevul word)** weke skriftelik kennis aan die sekretaris van die Vereniging te gee.
- (e) Om op die AJV, enige SAV en enige KAM te stem.
- (f) Om die finansiële state van die Vereniging te bestudeer.
- (g) In die geval van 'n grief wat deur of teen enige lid aanhangig gemaak word, het sowel die beskuldigde as die klaer regte soos vervat in die dissiplinêre of grieweprosedure, na gelang van die geval.
- (h) Die reg om 'n SAV te belê ingevolge 10.1.

8.6. Ledelyst

Die sekretaris moet 'n geldige en bygewerkte rekord vir elke lid hou, wat die volgende inligting bevat:

- naam van lid
- datum waarop die lid by die vereniging aangesluit het
- besonderhede van permit of bedryfslisensie

- besonderhede van voertuig
- woonadres
- kontakbesonderhede
- ID-nommer
- bedryfsinligting, insluitende roetes en staanplekke.

Die sekretaris moet die Registrateur van enige veranderinge in die lidmaatskapbesonderhede van enige lid in kennis stel binne sewe dae nadat daardie veranderinge plaasgevind het.

8.7. Lidmaatskapgelde

- (a) Aansluitingsgelde en jaarlikse lidmaatskapgelde moet op die AJV bepaal word en is nie diskresionêr nie.
- (b) Spesiale invorderings kan gedurende die jaar deur die Dagbestuur gedoen word op voorwaarde dat, indien 'n invordering verpligtend is, dit op 'n AJV, SAV of KAM goedgekeur moet word. 'n Volledige verslag oor die redes vir elke spesiale invordering moet aan lede verskaf word. Die finansiële verslag wat op die AJV voorgelê word, moet 'n volledige verslag insluit oor spesiale invorderings en die wyse waarop dit bestee is.
- (c) Kwitansies moet aan lede uitgereik word vir alle gelde wat van hulle ingevorder is.
- (d) Lidmaatskapgelde vir 'n tydelike lid word betaalbaar eers wanneer daardie tydelike lid 'n bedryfslisensie verkry het.

9. ALGEMENE JAARVERGADERINGS (AJV)

'n AJV moet elke 12 maande gehou word.

9.1. Pligte, funksies en bevoegdhede van die AJV

Die pligte, funksies en bevoegdhede van die AJV is onder andere —

- (a) om notules van die vorige AJV en SGM's en KAM's wat sedert die vorige AJV gehou is, goed te keur of veranderings daaraan aan te bring;
- (b) om die voorsitter se verslag oor die sake van die Vereniging vir die verslagjaar te ontvang, te oorweeg en goed te keur;
- (c) om die finansiële verslag, insluitende die geouditeerde finansiële jaarstate vir die afgelopen jaar en die begroting vir die komende jaar, te ontvang, te oorweeg en goed te keur;
- (d) om die Dagbestuur te kies;
- (e) om die Konstitusie te wysig met 'n tweederdemeerderheid van die lede wat teenwoordig is en stem;
- (f) om nie-uitvoerende ampsdraers van die Vereniging te kies;
- (g) om 'n eksterne en onafhanklike ouditeur vir die Vereniging aan te stel; en
- (h) om appêlle, as daar is, te oorweeg van individue wie se aansoeke vir lidmaatskap deur die Dagbestuur geweier is.

Geen stemming per volmag word toegelaat nie, en stemming geskied per geheime stembrief in die geval van die verkiesing van lede van die Dagbestuur en van die staande komitees.

9.2. Kennis van AJV's

Die AJV moet plaasvind in (*maand moet deur die vereniging ingevul word*) van elke jaar op die tyd en plek wat die Dagbestuur bepaal.

Die sekretaris moet 'n skriftelike kennisgewing van die tyd, plek en datum van die AJV per pos of faks aan alle lede stuur ten minste (*moet deur die vereniging in gevul word*) dae voor die vergadering.

Die sekretaris moet ook 'n uitnodiging aan die kantoor van die Registrateur stuur.

9.3. Kworum

Die kworum wat op 'n AJV vereis word, is twee derdes van die lede.

As daar nie binne 30 minute na die bepaalde tyd vir die AJV 'n kworum teenwoordig is nie, moet die vergadering verdaag tot sewe dae later. Kennis van sodanige verdaagde vergadering moet aan lede gegee word.

9.4. Agenda en notule

Permanente items op die agenda van die AJV sluit die volgende in:

- (a) Notules van die vorige AJV en SGM's en KAM's wat sedert die vorige AJV gehou is;
- (b) die Voorsitter se uitvoerende verslag oor die vorige jaar en die visie vir die volgende jaar;
- (c) die sekretaris se organisatoriese verslag;

- (d) die tesourier se finansiële verslag, insluitende geouditeerde state;
- (e) bekragtiging van die begroting;
- (f) aanvaarding van die verslae, en
- (g) die verkiesing van ampsdraers.

Behoorlike notule van elke AJV moet gehou en geliasseer word.

Die notules en besonderhede van nuwe lede van die Dagbestuur moet binne 14 dae na die AJV aan die Registrateur voorgelê word.

9.5. Stemming

Stemming vir die verkiesing van lede van die Dagbestuur moet per geheime stembrief geskied en moet deur 'n verteenwoordiger van die Registrateur gesertifiseer word. Enige ander stemming kan deur die opsteek van hande geskied. Geen stemming per volmag word toegelaat nie. Net lede wat hulle identiteit en lidmaatskap kan bewys, is geregtig om te stem. Identiteit kan bewys word deur 'n identiteitsdokument, paspoort, kredietkaartformaat bestuurslisensie of bedryfslisensie te toon.

In die geval van 'n staking van stemme het die voorsitter 'n beslissende stem benewens 'n gewone stem.

9.6. Verkiesing van ampsdraers

Lede teenwoordig op die AJV moet die volgende lede van die Dagbestuur kies:

- (a) Voorsitter
- (b) Ondervoorsitter
- (c) Tesourier
- (d) Sekretaris
- (e) Opleidingsbeampte
- (f) Voorsitter van die Griewekomitee
- (g) Voorsitter van Dissiplinêre Komitee
- (h) *Ander lede wat die Vereniging nodig ag.*

Die ampstermyn van 'n lid van die Dagbestuur is een jaar na die verkiesing. Twee bykomende lede van die Griewekomitee en die Dissiplinêre Komitee moet ook op die AJV gekies word vir 'n ampstermyn van een jaar na die verkiesing, maar hulle maak nie deel van die Dagbestuur uit nie.

9.7. Finansiële state

Die tesourier, in samewerking met die rekenpligtige beampte, moet 'n finansiële verslag, insluitende die geouditeerde finansiële state, vir die AJV opstel. Daarbenewens moet tussentydse finansiële state kwartaalliks opgestel en op elke KAV aan lede bekend gemaak word.

10. SPESIALE ALGEMENE VERGADERINGS

10.1. Reg om spesiale algemene vergadering te belê

'n SAV kan in buitengewone omstandighede belê word. Die vergadering moet gehou word as ten minste 50% + 1 van die lede vra dat die vergadering belê word, maar 'n SAV kan in opdrag van die Dagbestuur belê word.

Die rede vir sodanige vergadering moet vermeld word in die kennisgewing waarby die vergadering belê word. Die sekretaris of, as hy of sy nie kan nie, die voorsitter moet die vergadering belê.

10.2. Prosedure om SAV te belê

Wanneer 'n lid van die Vereniging 'n SAV wil belê, moet daardie lid die skriftelike steun van ten minste 50% van die lede hê. Die Dagbestuur moet 'n SAV belê binne 21 dae na die versoek. As die Dagbestuur versuim om dit te doen, kan die lid die Registrateur verwittig, wat die situasie moet ondersoek en gepaste stappe moet doen.

By ontvangs van 'n skriftelike versoek dat 'n SAV belê word, moet die sekretaris 'n datum, tyd en plek bepaal na oorleg met die Dagbestuur. Die sekretaris moet ten minste (*moet deur die vereniging ingevul word*) dae skriftelike kennis van 'n SAV aan alle lede gee.

10.3. Kworum vir SAV

Die kworum wat vir 'n spesiale vergadering vereis word, is twee derdes van die lede.

As daar nie binne 30 minute na die tyd wat vir die SAV bepaal is, 'n kworum teenwoordig is nie, moet die vergadering verdaag word tot sewe dae later en op 'n plek wat deur die voorsitter aangekondig word, en op die verdaagde vergadering vorm die lede dan teenwoordig 'n kworum. Kennis van sodanige verdaagde vergadering moet aan alle lede gegee word.

10.4. Stemming op SAV

Slegs lede wat hulle identiteit en lidmaatskap kan bewys, is geregtig om op 'n SAV te stem. Identiteit kan bewys word deur 'n

identiteitsdokument, paspoort, kredietkaartformaat bestuurslisensie of bedryfslisensie te toon. Geen stemming per volmag word toegelaat nie.

Stemming geskied per geheime stembrief in die geval van die verkiesing van lede van die Dagbestuur en van die staande komitees.

11. KWARTAALLIKSE ALGEMENE VERGADERINGS (KAV's)

11.1. Prosedure om KAV te belê

Na twee maandelikse vergaderings van die Dagbestuur moet die sekretaris, na oorleg met die Dagbestuur, 'n datum, plek en tyd vir die volgende KAV bepaal. Die sekretaris moet ten minste sewe dae skriftelike kennis van 'n KAV aan alle lede gee.

Die Dagbestuur moet reël dat 'n KAV in die derde maand na die AJV en in elke derde maand daarna gehou word. As die Dagbestuur versuim om dit te doen, kan lede die Registrateur verwittig, wat die situasie moet ondersoek en gepaste stappe moet doen.

11.2. Kworum vir KAV

Die kworum wat vir 'n KAV vereis word, is ten minste 50% + 1 van die ledetal van die Vereniging.

As daar nie binne 30 minute na die tyd wat vir die KAV bepaal is, 'n kworum teenwoordig is nie, word die vergadering geag gekanselleer te wees, en die sake van daardie vergadering moet na die volgende KAV oorgedra word. Kennis van so 'n gekanselleerde vergadering moet aan lede gegee word.

11.3. Stemming op KAV

Slegs lede wat hulle identiteit en lidmaatskap kan bewys, is geregtig om op 'n KAV te stem. Identiteit kan bewys word deur 'n identiteitsdokument, paspoort, kredietkaartformaat bestuurslisensie of bedryfslisensie te toon. Geen stemming per volmag word toegelaat nie.

11.4. Sake op 'n KAV

Sake vir bekragtiging op 'n KAV kan alle kwessies dek waarvoor daar op die vorige vergadering van die Dagbestuur besluit is, met uitsondering van resolusies van die Dissiplinêre Komitee of die Griewekomitee wat deur die Dagbestuur uitgevoer is.

12. FINANSIES EN EKSTERNE OUDITERING

12.1. Bankrekening

'n Bankrekening moet op naam van die Vereniging geopen word, met tekenmagte vir die tesourier en twee ander lede van die Dagbestuur. Die handtekening van twee lede, van wie een die tesourier moet wees, word vereis voordat enige transaksie uitgevoer kan word. Alle fondse wat ingevorder word, moet binne 24 uur in hierdie rekening gedeponeer word.

12.2. Jaarlikse lidmaatskapsgelede

Elke lid moet jaarliks tot die finansies van die Vereniging bydra deur 'n bedrag te betaal wat die jaarlikse lidmaatskapsgelede genoem word en wat van tyd tot tyd deur die Dagbestuur aanbeveel word en op die AJV of 'n SAV goedgekeur word, maar dit is minstens een keer per jaar betaalbaar. Die Dagbestuur kan na goeddunke hierdie fondse van die lede invorder.

Kwitansies moet uitgereik word vir alle geld wat ingevorder word. Verslae oor alle invorderings en uitbetalings moet voorgelê word.

Geen van die Vereniging se fondse mag aangewend word vir enige ander doel as vir belegging of vir die oogmerke waarvoor die Vereniging ingestel is nie.

12.3. Finansiële jaar

Die finansiële jaar van die Vereniging eindig op (*datum moet deur die vereniging ingevul word*) elke jaar. Die tesourier moet verseker dat die rekenpligtige beampte 'n kwartaallike finansiële staat opstel vir voorlegging aan die KAV.

12.4. Finansiële state

Behoorlike boeke en rekords moet gehou word van alle invorderings en uitbetalings, kwitansies moet uitgereik word vir alle gelde wat ingevorder word en geouditeerde rekeninge moet aan die AJV voorgelê word of wanneer die Dagbestuur dit verlang. Die tesourier en 'n aangestelde lid van die Dagbestuur is die enigste lede wat geregtig is om finansiële dokumente namens die Vereniging te teken.

12.5. Eksterne ouditering

'n Rekenpligtige beampte moet deur die Vereniging aangestel word om sy finansiële posisie te beheer. Sodanige persoon moet geregistreer wees en vir eie rekening praktiseer as 'n openbare rekenmeester en ouditeur.

Die aanstelling is onderhewig aan jaarlikse heraanstelling op die AJV.

12.6. Bekragtiging van uitgawes

'n Jaarlikse begroting moet op die AJV goedgekeur word, en lede het die reg om die finansiële state na te gaan.

Uitgawes mag aangegaan word slegs na bespreking en besluit op 'n formele vergadering van die Dagbestuur of op 'n formele algemene vergadering. Die besluit moet genotuleer word as 'n opdrag aan die tesourier met volle nakoming van dokumentasievereistes, insluitende kwotasies, bestellings, fakture en kwitansies.

13. DISSIPLINERE FUNKSIES

Enige skending van hierdie Konstitusie en die Gedragskode deur enige lid, of 'n bestuurder of kondukteur in 'n lid se diens wat nie die gedragskode onderskrif nie, of die voortgesette indienshouding deur 'n lid van enige bestuurder of kondukteur wat die gedragskode herhaaldelik skend, maak onbehoorlike gedrag uit.

13.1. Dissiplinêre prosedure

'n Dissiplinêre Komitee moet saamgestel word om klagtes van onbehoorlike gedrag deur 'n lid te ondersoek. Die Dissiplinêre Komitee moet bestaan uit die voorsitter, wat 'n lid van die Dagbestuur is, en twee lede wat nie lede van die Dagbestuur is nie en wat deur die AJV gekies word.

Die Dissiplinêre Komitee kan teen 'n lid optree slegs na ontvangs van 'n skriftelike klag van enige persoon. Alle skriftelike klagte moet gestaaf word deur voldoende *prima facie*-getuienis van die klag en moet in die vorm van beëdigde verklarings wees.

Na ontvangs van sodanige klagte moet die Dissiplinêre Komitee die betrokke lid (hierna die beskuldigde genoem) skriftelik in kennis stel van die aard van die klag en hom of haar 'n redelike geleentheid bied om 'n skriftelike antwoord te verskaf, en ongeag of die beskuldigde skriftelik antwoord al dan nie, moet die komitee die klaer en die beskuldigde aansê om 'n verhoor by te woon op 'n tyd en plek wat die Dissiplinêre Komitee bepaal.

Wanneer so 'n ondersoek ingestel word, moet die Dissiplinêre Komitee aan albei kante 'n billike en gelyke geleentheid bied om hulle saak te stel. Die volgende reëls van natuurlike geregtigheid is van toepassing:

- (a) Die beskuldigde moet behoorlik deur die komitee aangehoor word.
- (b) Die beskuldigde moet 'n geleentheid gebied word om bewyse voor te lê en enige benadelende verklaring of bewering teen hom of haar te korrigeer of te weerlê.
- (c) Die Dissiplinêre Komitee moet billik na albei kante luister en die beginsels van geregtigheid nakom.
- (d) Die Dissiplinêre Komitee moet sy pligte eerlik en onpartydig verrig.
- (e) Die Dissiplinêre Komitee moet 'n billike en *bona fide*-besluit neem op die feite wat voor hom geplaas is.
- (f) Voeg 10.1.8 van die ou Konstitusie in.

Lede is daarop geregtig om deur 'n medelid verteenwoordig te word. Die komitee kan ook 'n ander lid versoek om as aanklaer op te tree as die beskuldigde deur 'n lid verteenwoordig word.

'n Verslag oor die verrigtinge en bevindings van die Dissiplinêre Komitee moet opgestel en aan die Dagbestuur voorgelê word.

Die besluit van die Dissiplinêre Komitee moet deur die Dagbestuur toegepas word op die basis van die aanbeveling wat aan hom gemaak is.

Waar 'n lid van die Dagbestuur self betrokke is, hetsy as die gegriefde persoon of die persoon wat ondersoek word, moet daardie lid hom of haar aan die vergadering van die Dagbestuur onttrek.

In die geval dat 'n persoon skuldig bevind word aan oortreding van die Gedragskode of die Konstitusie, kan die Dissiplinêre Komitee die volgende strawwe oplê:

- Die lid kan 'n skriftelike waarskuwing kry.
- Die lid kan beboet word, van R10,00 tot 'n maksimum van R1 000,00.
- Die lid kan geskors word vir 'n tydperk van hoogstens een jaar.
- Die lid kan uit die Vereniging gesit word.

Indien 'n lid versuim om 'n boete te betaal binne die tyd wat aan hom of haar toegestaan is, wat nie minder as drie dae na die ondertekening van die verslag mag wees nie, is sodanige lid se skorsing uit die Vereniging outomaties. Enige uitstaande boete en enige ander uitstaande gelde is 'n skuld teenoor die Vereniging en kan deur normale regsprosedures ingevorder word.

Indien lidmaatskap opgeskort is of die lid uitgesit is, kan die Dagbestuur 'n skriftelike voorlegging maak, na oorleg met die streektaxiraad waarby die vereniging geaffilieer is, met 'n uiteensetting van die redes vir die intrekking van die operateur se permit of lisensie. Sodanige optrede moet aan die Registrateur se kantoor meegedeel word sodat daar gekontroleer kan word of die korrekte prosedure gevolg is indien geen appèl teen die bevinding binne sewe dae ingedien word nie.

Wanneer dissiplinêre stappe teen enige lid van die Dagbestuur gedoen word, kan die klaer of die betrokke lid van die Dagbestuur 'n persoon wat nie bande met die taxibedryf het nie, versoek om 'n lid van die Dissiplinêre Komitee te wees.

13.2. Appèlprosedure

Die appèlprosedure bied aan 'n lid wat gewaarsku, beboet, geskors of uitgesit is, 'n geleentheid om die saak te laat herverhoor deur 'n ander proses, as hy of sy van mening is dat billikheid nie tydens die oorspronklike ondersoek geskied het nie.

Die appèl moet skriftelik ingedien word binne drie kalenderweke nadat die verslag onderteken is. Die appèl moet voorgelê word aan die sekretaris van die Vereniging en aan die sekretaris van die streektaxiraad waarby die vereniging geaffilieer is.

Die appèlondersoek moet gedoen word binne twee kalenderweke na die indiening van die appèl. Kennis van die aanhoor van die appèl moet aan die sekretaris van die betrokke streektaxiraad gegee word en moet die beskuldigde en die klaer in kennis stel van die datum, tyd en plek van die verhoor. Die bevinding van die appèlkomitee moet binne sewe dae aan die Registrateur gestuur word.

14. GRIEWEPROSEDURE

14.1. Oogmerke

Die vernaamste oogmerk van die griewe-prosedure is om 'n lid of 'n groep lede in staat te stel om enige aangeleentheid waaroor daardie lid of groep lede gegrief voel, of onregverdige behandeling deur die bestuur van die Vereniging, te opper en te laat bereg. 'n Verdere oogmerk is om enige sodanige aangeleentheid onder die aandag van die Dagbestuur te bring.

'n Grief is enige ontevredenheid of gevoel van onregverdigheid aan die kant van 'n lid of groep lede oor lidmaatskap en verbandhoudende aangeleenthede.

Die griewe-prosedure is gebaseer op die beginsel dat alle partye die voorneme moet hê om die grief in die vroeë moontlike stadium op te los.

Die doel van die griewe-prosedure is om 'n formele riglyn te bied vir die billike en regverdige beslegting van klagte, griewe en geskille, en om 'n meganisme te skep waardeur lede wat gegrief is oor enige praktyk wat onregverdig lyk, 'n regverdige verhoor kan kry.

Die griewe-prosedure vervang nie die plig en reg van die Dagbestuur om dissiplinêre stappe te doen ingevolge die dissiplinêre prosedure teen oortreders wat die Konstitusie of Gedragskode oortree nie. Die griewe-prosedure is nie 'n appèlmeganisme teen dissiplinêre stappe wat ingevolge die dissiplinêre prosedure gedoen is nie.

Die griewe-prosedure is tot beskikking van enige lid of groep lede wat die voorgeskrewe prosedure volg en gebruik maak van enige voorgeskrewe vorm, mits die handtekening van ten minste (*moet deur die vereniging ingevul word*) lede van goeie naam ter ondersteuning van die betrokke persoon verkry is.

Die griewe-prosedure moet—

- (a) verseker dat griewe gelug en afgehandel word;
- (b) verseker dat griewe so na as moontlik aan die punt van oorsprong besleg word;
- (c) billikheid verseker.

14.2. Griewekomitee

'n Griewekomitee moet saamgestel word om oor die griewefunksie toesig te hou.

Die Griewekomitee moet bestaan uit 'n voorsitter wat 'n lid van die Dagbestuur is en twee lede wat nie lede van die Dagbestuur is nie en deur die AJV gekies word.

14.3. Standaard griewe-prosedure

Alles moontlik moet gedoen word om probleme eers deur bespreking op te los, en die griewe-prosedure moet gebruik word net as dit misluk. Die griewe-prosedure behels die volgens stappe:

Stap 1: Konflikbeslegting

- 1.1. Die lid of groep lede moet 'n griefvorm invul (kyk voorbeeld aangeheg).
- 1.2. Die ingevulde en ondertekende vorm moet aan die Griewekomitee voorgelê word.
- 1.3. Die voorsitter van die Griewekomitee moet 'n datum bepaal waarop lede hulle griewe aan die komitee voorhou, welke datum hoogstens drie dae moet wees nadat die klagvorm voorgelê is.
- 1.4. Op hierdie vergadering moet die komitee en lede probeer om die konflik op te los.
- 1.5. Die voorsitter van die Griewekomitee moet 'n verslag oor die verrigtinge van die Griewekomitee opstel vir voorlegging aan die Dagbestuur.
- 1.6. Indien die gegriefde lid of groep lede nie met die uitkoms van die komitee se vergadering tevrede is nie, moet die aangeleentheid vir bemiddeling verwys word.

Stap 2: Bemiddeling

- 2.1. Die voorsitter van die Griewekomitee moet die verslag oor die verrigtinge van die komitee se vergadering in Stap 1 bedoel, na 'n onafhanklike bemiddelaar verwys wat nie 'n lid van die Vereniging is nie.
- 2.2. Die bemiddelaar moet tussen die partye bemiddel om te probeer om 'n oplossing vir die grief te kry binne een kalenderweek nadat die aangeleentheid voorgelê is.
- 2.3. Indien die gegriefde lid of groep nie met die uitkoms van die bemiddelingsproses tevrede is nie, moet die aangeleentheid vir arbitrasie verwys word.
- 2.4. Die bemiddelaar moet 'n verslag oor die bemiddelingsproses aan die voorsitter van die Griewekomitee voorlê.

Stap 3: Arbitrasie

Moet gebruik word slegs as Stap 2 misluk.

- 3.1. Die voorsitter van die Griewekomitee moet binne drie (3) dae na ontvangs van die verslag van die bemiddelaar 'n arbiter aanstel om die grief af te handel as dit steeds onopgelos is.

3.2. Die besluit van die arbiter is finaal en moet nagekom word.

3.3. Die Reëls vir Arbitrasie opgestel deur die Vereniging van Arbiters en die Wet op Arbitrasie, 1965, is van toepassing.

3.4. Die Registrateur moet in kennis gestel word van die uitkoms van enige arbitrasie.

Lid se verteenwoordiger

Enige lid of groep lede wat van die griewe-prosedure gebruik maak, kan 'n medelid as verteenwoordiger benoem gedurende Stappe 2 en 3. Koste van bemiddeling en arbitrasie kan toegeken word.

15. WYSIGING VAN KONSTITUSIE

Wysigings kan aan hierdie Konstitusie aangebring word slegs indien—

- (a) die wysigings volledig voldoen aan die vereistes van die Standaard Minimum Konstitusie; en
- (b) dit goedgekeur is deur 'n AJV waar ten minste twee derdes van die lede teenwoordig is en ten minste twee derdes van diegene teenwoordig ten gunste van die verandering gestem het.

16. AMALGAMASIE

Die besluit om met 'n ander vereniging te amalgameer, moet geneem word met 'n tweederdemeerderheidsbesluit van die AJV of 'n SAV wat spesiaal vir dié doel belê is.

Kwessies rakende die hantering van die Vereniging se bates vereis 'n tweederdemeerderheidsbesluit op 'n AJV of SAV waar ten minste twee derdes van die lede teenwoordig is.

17. ONTBINDING VAN VERENIGING

Die besluit om die Vereniging te ontbind, moet 'n tweederdemeerderheidsbesluit op 'n AJV of SAV wees, waar die kworum twee derdes van die lede is.

Die besluit oor hoe om die Vereniging se bates te hanteer, moet met 'n tweederdemeerderheid geneem word.

GEDRAGSKODE

Die Vereniging moet poog om die hoogste moontlike etiese standaard te bereik en te handhaaf. Hoewel die rol van die Vereniging en sy ampsdraers en werknemers deurslaggewend is, is operateurs en bestuurders die openbare gesig van die taxibedryf. Dit is noodsaaklik dat operateurs en bestuurders hulle só gedra dat dit die beeld van die bedryf bevorder.

Die nakoming van die volgende gedragskode deur operateurs en bestuurders sal lei tot groter respek en steun vir die bedryf deur sy gebruikers, die breë publiek en die regering.

1. Operateurs moet hulle besigheid met behoorlike sorg bedryf om die veiligheid van die publiek te verseker. Dit beteken dat operateurs alles in hulle vermoë moet doen om te verseker dat geen voorvalle van geweld plaasvind nie.
2. Operateurs mag nie taxi's gebruik wat onveilig of onpadwaardig is of waarvoor geen padwaardigheidsertifikate ingevolge die padverkeerswette beskikbaar is nie.
3. Operateurs se voertuie moet te alle tyd netjies, padwaardig en in ooreenstemming met vereistes ingevolge die sertifikaat van geskiktheid (of padwaardigheidsertifikaat) wees.
4. Operateurs se voertuie moet te alle tye die Vereniging se logo en nommer, sy openbare padvervoerpermit of bedryfslisensie, sertifikaat van geskiktheid (padwaardigheidsertifikaat), staanplekteken en die operateur se naam, adres en telefoonnommer vertoon.
5. Operateurs mag nie hulle voertuie toelaat om passasiers te vervoer op enige roete waarvoor hulle nie 'n permit of bedryfslisensie het nie.
6. Operateurs moet hou by alle wette wat op hulle van toepassing is ten opsigte van die bedryf van 'n openbare vervoerdiens.
7. In die geval van 'n onklaarraking moet die operateur se voertuig sonder versuim van die pad verwyder word, en indien moontlik moet 'n alternatiewe voertuig verskaf word om te verseker dat die passasiers hulle bestemmings so gou moontlik bereik.
8. Operateurs moet te alle tye poog om 'n goeie verhouding met die owerhede en wetstoepassingsbeamptes te handhaaf.
9. Operateurs moet saamwerk met, en uitvoering gee aan en alle dinge doen (instruksies) wat nodig is om enige polisiebeampte, verkeersbeampte of vervoerinspekteur by te staan met die uitvoering van hulle amptelike plig.
10. Operateurs moet behoorlike beheer uitoefen oor bestuurders in hulle besigheid.
11. Operateurs mag nie bestuurders gebruik wat nie gekwalifiseer is nie.
12. Operateurs mag geen persoon of groep dreig of intimideer nie.
13. Operateurs mag nie deelneem aan enige gewelddadige optrede of aksie wat op enige wyse tot geweld kan lei nie.
14. Operateurs mag nie ongelisensieerde vuurwapens dra of toelaat dat 'n wapen in hulle voertuie vertoon word nie.
15. 'n Operateur moet enige inligting wat onder sy of haar aandag gekom het wat aandui dat 'n konfliktsituasie tussen die Vereniging en 'n ander vereniging moontlik ontwikkel of potensieel kan ontwikkel, by die Dagbestuur van sy of haar vereniging aanmeld.
16. Operateurs mag nie sonder die toestemming van die Vereniging 'n boikot organiseer of daaraan deelneem nie.
17. Operateurs moet hou by die bepalings van die Konstitusie.
18. Operateurs moet vertroulikheid handhaaf ten opsigte van die interne sake van die Vereniging.
19. Operateurs mag geen ondermynende aktiwiteit teen die Vereniging, provinsiale, streek- of plaaslike verenigings organiseer of daaraan deelneem nie.
20. Operateurs mag nie sonder toestemming dubbele lidmaatskap van taxiverenigings op dieselfde roete hê nie.
21. 'n Operateur wat behoorlik verkies is tot enige amp as 'n lid van die Vereniging, moet die ampspligte nougeset uitvoer.
22. Operateurs mag nie sonder goeie rede versuim om vergaderings by te woon nie wanneer dit redelikerwys van hulle as lede van die Vereniging verwag word.
23. Operateurs mag nie deelneem aan persoonlike aanvalle of beswadding ten opsigte van enige ampsdraer of personeelid in diens van die Vereniging nie.
24. Operateurs mag nie sonder goeie rede versuim om voor die Disziplinêre Komitee van die Vereniging te verskyn wanneer hulle aangesê word om dit te doen nie.
25. Operateurs mag nie die Vereniging of sy ampsdraers kritiseer nie, behalwe wanneer hulle stemme werf vir 'n spesiale algemene vergadering of 'n mosie van wantroue.
26. Operateurs mag geen pers-, radio- of televisieverklaring maak nie tensy hulle behoorlik gemagtig is deur die Vereniging namens wie die verklaring klaarblyklik gemaak word.
27. Operateurs mag geen pamflet of skriftelike dokument oor die sake van die Vereniging sonder sy toestemming publiseer of versprei nie.
28. Operateurs mag nie protesvergaderings belê, hou of bywoon of enige ander vorm van protes teen die Vereniging reël nie wat op enige wyse strydig is met die bepalings van die Konstitusie of die grieweprosedure.
29. Operateurs mag nie namens of ten behoeve van die Vereniging strydig met die Konstitusie aan enige politieke aktiwiteite deelneem nie.
30. Operateurs mag geen persone hoegenaamd dreig, oorreed of intimideer om enige stappe te doen wat die Konstitusie van die Vereniging skend nie.

Operateurs moet verseker dat hulle bestuurders hou by bogenoemde vereistes waar dit op bestuurders se gedrag van toepassing is. Operateurs moet ook verseker dat hulle bestuurders die volgende nakom:

1. Bestuurders mag aan geen gewelddadige aktiwiteite of aktiwiteite wat op enige wyse tot geweld kan lei, deelneem nie.
2. Bestuurders moet hou by die reëls van die pad en moet hulle in die besonder daarvan weerhou om nalatig of roekeloos te bestuur. Bestuurders moet dus alle wette en reëls nakom wat afgekondig is ingevolge enige wet, regulasie of ordonnansie ten opsigte van die bestuur van voertuie op openbare paaie, en instandhouding.
3. Bestuurders mag onder geen omstandighede aan versperrings deelneem of die normale werking van padverkeer op enige wyse ontwrig nie.
4. Bestuurders moet hulle weerhou van voortdurende en knaende geringe verkeersoortredings soos parkeeroortredings.
5. Bestuurders mag slegs padwaardige voertuie bestuur wat by die Registrateur en die Vereniging geregistreer is, en moet bewys daarvan in hulle voertuie hou.
6. Bestuurders is daarop geregtig om by 'n bestuurdersvereniging te registreer.
7. Alle bestuurders moet in besit wees van 'n geldige openbare of professionele bestuurspermit en 'n bestuurslisensie.
8. Bestuurders mag nie lelike taal gebruik of enige ander wanordelike gedrag in die openbaar vertoon nie.
9. Bestuurders moet passasiers te alle tye met waardigheid, respek en hofflikheid behandel en moet groot sorg aan die dag lê om hulle gerief en veiligheid te verseker.
10. Bestuurders moet aan passasiers enige hulp verleen wat nodig is die doeltreffende bedryf van die diens.
11. Bestuurders mag passasiers nie te veel laat betaal nie.
12. Bestuurders mag nie 'n voertuig vir openbare vervoer bedryf as dit onveilig of ongeskik is om aldus bedryf te word nie.
13. Bestuurders mag nie 'n voertuig bedryf wat nie skoon en netjies van voorkoms is nie.
14. Bestuurders moet skoon en netjies geklee wees.
15. Geen bestuurder mag bedrywighede by die staanplek belemmer nie.
16. Bestuurders moet passasiers oplaai op die grondslag van eerste gekom, eerste bedien.
17. Bestuurders van die eerste drie voertuie in 'n ry moet in of in die onmiddellike omgewing van hulle voertuie wees.
18. Bestuurders mag nie voertuie by staanplekke en stilhouplekke herstel of in stand hou nie, tensy in 'n fasiliteit wat vir hierdie doel ontwerp is en deur die Beplanningsowerheid goedgekeur is.
19. Bestuurders mag nie by taxifasiliteite dobbel of bedwelmende drank of dwelms gebruik nie.
20. Bestuurders mag nie hulle passasiers toelaat om rommel te strooi nie.
21. 'n Bestuurder moet enige inligting wat onder sy of haar aandag gekom het wat aandui dat 'n konfliktsituasie tussen die Vereniging en 'n ander vereniging moontlik ontwikkel of potensieel kan ontwikkel, by die eenaar van sy of haar voertuig aanmeld.
22. Bestuurders mag nie sonder die operateur se toestemming die voertuie van die operateur gebruik as hulle by enige protesaksie betrokke is nie.
23. Bestuurders en kondukteurs mag nie 'n voertuig nader terwyl hulle onder die invloed van drank of dwelms is nie.

Hierdie gedragskode is ook bindend vir al die personeellede van die Vereniging.

Indien 'n skending van hierdie gedragskode onder die aandag van enige operateur, bestuurder, pendelaar, owerheid of wetstoepassingsbeampte kom, moet dit onverwyld by die Vereniging aangemeld word.





























































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uLwesithathu, 23 uMeyi 2007

ULAWULO LWEPHONDO: INTSHONA KOLONI**ISEBE LEZOTHUTHO NEMISEBENZI YOLUNTU****UMTHETHO WESIZWE WENGUQU KUTHUTHO EMHLABENI, 2000
(UMthetho 22 ka- 2000)****Imithetho yeNtshona Koloni ebhekiselele kuBhaliso lweMibutho yeeTeksi, aMalungu Ayo kunye nabo bangengawo aMalungu**

Mna, uMphathiswa wezoThutho neMisebenzi kaRhulumente kwiPhondo leNtshona Koloni, osebenza ngokwemiqathango yamagunya endiwanikiweyo nguMthetho weNational Land Transport Transition, wama-2000 (UMthetho wama-22 wama-2000), ochaza imithetho kuludwe lweenkqubo kwesi sazi, ze kwenziwe iingqinisekiso kunye neenkukacha eziqulathwe apha.

IShedyuli**IMiqathango ngoBhaliso lweMibutho yeeTeksi, aMalungu Ayo kunye nabo bangengawo aMalungu**

1. Iinkcazelo
2. Indlela yokucina irejista yezithuthi zephondo
3. Ingcaciso ema igcinwe kwirejista
4. Ingcaciso ema igcinwe kwirejista ebhekiselele kwabangengawo amalungu kunye nezithuthi zabo
5. Imirhumo elungiselelwe ingcaciso evela kuMgcini zincwadi zobhaliso
6. Imifuno ezilungiselelwe umbutho ukuba ufaneleke ukuba ubhaliswe ngokubambisa nangokupheleleyo
7. Imirhumo yokwenziwa kwezicelo zobhaliso
8. Iifomu zesicelo
9. Indlela yokwenziwa kwesicelo sobhaliso lilungu elisandula ukwamkelwa lombutho obhalisiweyo
10. Ingcaciso kunye namaxwebhu angeniswe neefomu zesicelo
11. Ubhaliso lwabo bangengawo amalungu: isiqinisekiso nguMgcini zincwadi zobhaliso
12. Iziqinisekiso zoBhaliso
13. Iimpawu zokwahlula
14. UMgaqo siseko woBuncinane boMgangatho kunye neNdlela yokuZiphatha
15. Ifomu yokubizela enkundleni / isamani nendlela yokuyisa kumntu lowo
16. Isohlwayo sokusilela ukuhambelane nesaziso
17. Ukubuyiswa kwamaxwebhu xa kuthe kwarhoxiswa okanye ukuxhonywa kobhaliso
18. Amatyalala kunye nezohlwayo
19. Isihloko esifutshane

SIHLOMELO A: ISHEDYULI YEENTLAWULO NEEFAYINI

SIHLOMELO B: IIFOMU

SIHLOMELO C: UMGAQO-SISEKO WOBUNCINANE BEMIGANGATHO OLUNGISELELWE IMIBUTHO YOONOTEKSI

Iinkcazelo

1. Kule miqathango, ngaphandle kokuba ubume bubonakalisa enye into—

“UMthetho wama-74 we-1977” uthetha uMthetho wezoThutho lwaseZindleleni, we-1977 (UMthetho wama-74 we-1977) njengoko usebenza njalo kwiPhondo njengoko uhlonyelwa nguMthetho weSihlomelo soMthetho wezoThutho lwaseZindleleni lweNtshona Koloni, we-1996 (UMthetho wesi-8 we-1996) kunye noMthetho weSihlomelo wezoThutho lwaseZindleleni weNtshona Koloni, wama-2000 (UMthetho wesi-7 wama-2000);

“iPhondo” lithetha iPhondo leNtshona Koloni;

“irejista” ithetha irejista yezithuthi zephondo ekubhekiselelwe kuyo kwecandelo lama-99(1)(h) loMthetho;

“uMthetho” uthetha iNational Land Transport Transition Act, wama-2000 (uMthetho wama-22 wama-2000), yaye

igama okanye intetho ethe yachazwa kuMthetho inentsingiselo enye kule mimiselo.

Indlela yokucina irejista yezithuthi zephondo [isiqendu 99(1) (h) soMthetho]

2. Irejista yezithuthi zephondo ekuthe uMgcini zincwadi zobhaliso kwafuneka ayigcine ngokwemiqathango yecandelo lama-99(1)(h) loMthetho kufuneka ibe kubume obuncinane obufanayo nobesizwe obuziinkcukacha zolwazi olukwikhompuyutha obunikezelwa liSebe leSizwe lwezoThutho okanye kwiinkcukacha zolwazi eziyelelene nezo zesizwe zinamakhono nobukhulu obulinganayo.

Ingcaciso ekufuneka igcinwe kwirejista [isiqendu 99(1)(h) kunye no (i), 108(1)(a) kunye 111(2) kunye (3) oMthetho]

3. (1) UMgcini zincwadi zobhaliso kufuneka agcine irejista ebhekiselele—
- (a) kumbutho ngamnye osekwe kwiphondo othe wabhaliswa okanye wabhaliswa ngobambiso ngokwemiqathango yoMthetho, okanye oluthe ubhaliso lwakhe olupheleleyo lwaguqulelwa kubhaliso lobambiso ngokwemiqathango yecandelo lama- 56(1) elo;
 - (b) ilungu ngalinye lombutho elicamngcwayo ngumhlathi (a);
 - (c) isithuthi ngasinye selungu ngalinye licamngcwe ngumhlathi (b); kunye
 - (d) nomntu ngamnye ongelilo ilungu kunye nesithuthi sakhe,
- ingcaciso ephathelele kumbutho onjalo, ilungu okanye isithuthi esidweliswe kwicandelo lemimiselo (2), (3) kunye (nesi-4).
- (2) Ingcaciso ephathelele kumbutho ekubhekiselelwe kuwo kwicandelo lommiselo (1)(a) yile ilandelayo:
- (a) Okombutho—
 - (i) igama elipheleleyo lombutho, yaye ukuba ngaba kufanelekile, igama elifinyeziweyo;
 - (ii) ubume obusemthwethweni bombutho (umbutho osebenza ngokuzithandela ungajonge ntlawulo, inkampani ekwicandelo lama-21 njl. njl.);
 - (iii) umhla wokusekwa kombutho;
 - (iv) inombolo yobhaliso lweshishini lombutho, ukuba ngaba ikho;
 - (v) idilesi yeposi neyesitalato yombutho;
 - (vi) iinombolo zemfono mfono nezefaksi zombutho;
 - (vii) iidilesi ze imeyile zombutho, kunye
 - (viii) umrhumo wokuqala wokujoyina wombutho welungu ngalinye kunye norhumo wonyaka wobulungu;
 - (b) umhla apho umbutho uthe wenza isicelo sobhaliso;
 - (c) umhla apho ubhaliso okanye ubhaliso lobambiso lwathi lwanikezelwa kunye nesiqinisekiso esihamba kunye nobhaliso esithe sakhutshwa;
 - (d) inombolo yobhaliso lombutho okanye ubhaliso lobambiso;
 - (e) ikopi yomgaqo siseko wombutho kunye nesiqinisekiso sento yokokuba wamkelwe nguMgcini zincwadi zobhaliso ngokuhambelana kunye neemfuno zamacandelo lama-60 kunye nele-117 oMthetho;
 - (f) inani labantu ababhalisiweyo okanye ababhaliswa ngobambiso njengamalungu ombutho kunye nenani lezithuthi ezisetyenziswe lilungu ngalinye lowo;
 - (g) inani labantu abaqeshwe ngumbutho kubandakanywa nabameli abagunyaziswe ngokufanelekileyo;
 - (h) amagama emibutho othe umbutho wazimanya nayo, ukuba ngaba ikho;
 - (i) igama lomntu ngamnye obambe isikhundla eofisini kunye nesikhundla eso sakhe, inombolo yesazisi kunye nodidi lwesazisi anaso;
 - (j) ithuba ngalinye lokungahambelani/lokungathobeli kombutho umgaqo siseko wawo obhalisiweyo, kunye
 - (k) nesiphumo sesikhalazo okanye iinkqubo zoluleko eziqhutywe ngumbutho kunye namanqanaba, ukuba akho, athe athatyathwa nguMgcini zincwadi zobhaliso njengesiphumo soko.
- (3) Ingcaciso enxulumene nelungu ekhubhekiselelwe kulo kwicandelo lommiselo (1)(b) yile ilandelayo:
- (a) okwelungu—
 - (i) ifani kunye nonoobumba bokuqala kumagama elungu kunye, kwimeko apho ilungu ingelilo lodwa lingazimelanga, ngokunjalo negama lelungu;
 - (ii) igama loshishino lelungu, ukuba likho;
 - (iii) inombolo yophawu okanye inombolo yobhaliso lweshishino;
 - (iv) udidi lophawu;
 - (v) inombolo yobhaliso lwengeniso yerhafu, ukuba ngaba ilungu kufuneka libhalisile ukulungiselela ingeniso yerhafu;

- (vi) isiqinisekiso sokubhaliselwa irhafu (VAT) xa ilungu liyinkampani okanye iqumrhu elizimeleyo, ngokweniso eyinzuzo yonyaka engaphezu kweyona incinane ifunekayo ukuze ubhalise ebekwe yiNkonzo yeNgeniso-mali yoMzantsi Afrika
 - (vii) idilesi yeposi,
 - (viii) uhlobo lobulungu; kunye
 - (ix) iinkcukacha zomqhubi: kubandakanya igama lokuzalwa, umhla wokuzalwa, inombolo yesazisi, idilesi, isiqhulo, iinkcukacha zelayisenisi yokuqhuba ne-PDP.
- (b) isiqinisekiso selungu sento yokokuba ilungu lithe lasayina isiqinisekiso sokokuba liyahambelana yaye liyabotshelelwa yiNdlela yokuziPhatha yombutho kunye nomgaqo siseko obhalisiweyo;
 - (c) umhla esithe sakhutshwa ngawo isiqinisekiso sobhaliso selungu okanye ubhaliso lobambiso;
 - (d) umhla kunye nenombolo yobhaliso yelungu okanye yobhaliso lobambiso;
 - (e) umhla wokukhutshwa kwesiqinisekiso sobhaliso lobambiso selungu;
 - (f) inombolo/iinombolo zephepha-mvume lokusebenza kwelungu okanye inombolo/iinombolo zemvume;
 - (g) umhla wokuphelelwa kwephepha-mvume lokusebenza lelungu okanye imvume/iimvume;
 - (h) uqinisekiso lokokuba ibhodi ilingqinisisile iphepha mvume lokusebenza okanye iinkcukacha zemvume;
 - (i) indawo/iindawo zokusuka kunye nendawo/neendawo zokufikela ezingunyaziswe liphepha mvume/ngamaphepha mvume okusebenza okanye imvume/iimvume;
 - (j) inombolo/iinombolo zeendlela ezabiwe yiBhodi ehambelana nendawo/neendawo zokusukela ezichazweyo kunye nendawo/neendawo zokufikela;
 - (k) kwimeko yomntu osemthethweni, umntu onoxanduva lokulimala. Isigqibo kufuneka sinikezelwe ngumntu osemthethweni, ze sisayinwe ngumntu ogunyazisiweyo ofanelekileyo, eqinisekisa igama lommeli;
 - (l) kwimeko yenkampani, isiqinisekiso sayo somanyano okanye ikopi eqinisekisiweyo yaso;
 - (m) kwimeko yeshishini elinokuqhutywa ngumntu omnye, ingxelo yalo yesiseko okanye ikopi eqinisekisiweyo yayo; kunye
 - (n) nemeko yayo naluphi na udidi lomntu osemthethweni, umgaqo siseko walo okanye isivumelwano sesiseko okanye ikopi eqinisekisiweyo yalo.
- (4) Ingcaciso ephathelele kwisithuthi ekubhekiselelwe kuso kwicandelo lommiselo (1)(c) yile ilandelayo:
- (a) inombolo yobhaliso yesithuthi;
 - (b) inombolo yophawu lwesithuthi (VIN);
 - (c) inombolo yesisu sesithuthi; kunye
 - (d) umhla wokukhutshwa kophawu lolwahlulo olulungiselelwe isithuthi kunye nomhla wokuphelelwa kophawu lolwahlulo.

Ingcaciso ekufuneka igcinwe kwirejista enxulumene nabantu abangengawo amalungu kunye nezithuthi zawo. [Icandelo le-108(1)(a) loMthetho]

4. Ngokubhekiselele kubantu abangengawo amalungu ababhalisiweyo okanye ababhaliswe ngobambiso, okanye umntu ongelilo ilungu okwiPhondo othe ubulungu bakhe obupheleleyo baguqulelwa kubhaliso lobambiso ngokwemiqathango yecandelo lama-56(1) loMthetho, umgcinzi zinzwadi zobhaliso kufuneka, ukuya kutsho koko kufanelekileyo, acine ingcaciso enye ekufuneka igcinwe ngokubhekiselele kwilungu, ilungu elibhaliswe ngobambiso okanye elo lungu lithe ubhaliso lwalo lwaguqulelwa kubhaliso lobambiso kunye nezithuthi zawo.

Imirhumo elungiselelwe ingcaciso evela kuMgcinzi zinzwadi zobhaliso [icandelo lama-99(2)(b) loMthetho]

5. Umrhumo ohlawulwa ngokukhutshwa kweekopi okanye izicatshulwa zengcaciso ezivela kuMgcinzi zinzwadi zobhaliso nguMgcinzi zinzwadi zobhaliso okanye igosa eligunyazisiweyo nguMgcinzi zinzwadi zobhaliso ngumrhumo ochaziwe kwiSihlomelo "A" ngaphandle kokuba umrhumo owahlukileyo ochazwe phantsi kwecandelo lama-22 oMthetho wokuKhuthazwa kweLungelo lokufumana iNgcaciso, wama-2000 (uMthetho wesi-2 wama-2000), ngalo ndlela ke umrhumo ochazwe phantsi kwaloo Mthetho uya kusetyenziswa.

Imifuno ezilungiselelwe imibutho ukuba ifaneleke ukuba ingabhaliswa ngokupheleleyo okanye ibhaliswe ngobambiso [amacandelo 109(1) kunye (2), kunye nele-110 loMthetho]

6. (1) Kuxhonyekeke kwicandelo lommiselo (wesi-2), inani eliphantsi lamalungu onokuthi umbutho ube nalo phambi kokuba ube nakho ukuba ungabhaliswa ngokupheleleyo okanye ngobambiso, umiselwa njengonganamalungu ali-10.
- (2) Apho umbutho usilela ukuhlangabezana neemfuno ezifanelekileyo zobulungu eziqulunqwe kwicandelo lommiselo (1), uMgcinzi zinzwadi zobhaliso zinakho, xa kuthe kwanikezelwa ngesizathu esibambekayo, ukunciphisa ubuncinane obunjalo beemfuno zobulungu kuloo meko iyodwa injalo.
- (3) Apho umbutho usilela ukuba nobuncinane bamalungu ali-10 uMgcinzi zinzwadi zobhaliso kufuneka—
- (a) awunike umbutho isaziso esibhaliweyo esingena kuba ngaphantsi kweentsuku ezili-21 sokuba umbutho unike isizathu sokokuba kutheni umbutho ungenakucinywa okanye ubhaliso lwawo luhoxiswe, ze

- (b) apapashe isaziso kwiphepha ndaba elijikeleza kwingingqi engundoqo osebenza kuyo umbutho ngenjongo zokuwucima ukuba ngaba umbutho awuniki sizathu sanelisayo, aze ameme amagqabantshintshi okanye iingcaciso kumaqela achaphazelekayo,
- aze emva kokuqwalasela nayiphi na impendulo, amagqabantshintshi okanye iingcaciso ezifunyenweyo njengempendulo kwisaziso eso okanye upapasho, unakho ukulucima ubhaliso okanye ubhaliso lobambiso lombutho, njengoko ubume bunjalo, okanye arhoxise ubhaliso olunjalo kangangesithuba esimiselwe nguMgcini zincwadi wobhaliso.
- (4) eyona mali iphezulu kungenakudlulwa kuyo inokubizwa ngumbutho osabhaliswe nje okwexeshana, ngokwemiqathango yecandelo 109(2) lalo Mthetho, nangumbutho obhaliswe isigxina phantsi kwemiqathango yecandelo 110(e) lalo Mthetho yile—
- (a) ngokuphathelele kumrhumo wokujoyina kwelungu elibhaliswayo, yile ibonakaliswe kwiSihlomelelo A, nokuba lithini na inani lezithuthi zelungu elo lichaphazelekayo;
- (b) ngokuphathelele kumrhumo wokujoyina kwelungu elitsha lombutho elibhaliswa okwexeshana, elingekasenzi isicelo selayisenisi yokushishina, okanye elingekaphunyelwa yilayisenisi yokushishina, eyona mali yokujoyina iphezulu kungenakudlulwa kuyo inokubizwa yile ibonakaliswe kwiSihlomelelo A. Ibhalsani yemali yokujoyina yesiqhelo isenokubizwa xa ilungu likhutshelwa ilayisenisi yokushishina yibhodi ngesithuthi ngasinye ekushishinwa ngaso, kwaye
- (c) kwimeko yomrhumo wonyaka wobulungu ibe sisixa mali esichazwe kumgaqo siseko wombutho.
- (5) UMgcini zincwadi zobhaliso unakho ukusebenzisa imbono yakhe ukulungiselela ukubhalisa umbutho ngobambiso okanye ngokuzeleyo ongahambelaniyo necandelo lommisselo (3) ngesicelo sogunyaziwe wocwangciso ofanelekileyo, yaye ukuba ngaba uMgcini zincwadi zobhaliso wanelisekile yinto yokokuba akukho wumbi omnye umbutho osebenza kuloo mgaqo okanye kuloo migaqo kuthethwa ngayo.
- (6) Ukuze ubhaliswe ngobambiso okanye ngokuzeleyo, umbutho kufuneka ube nomgaqo siseko ohambelana namacandelo 60 kunye nele-117 oMthetho.
- (7) Ukuze ubhaliswe ngobambiso, umbutho kufuneka ungenise ubungqina kwifomu echaziweyo bento yokokuba isicelo senziwe kwibhodi sephepha mvume lokusebenza lilungu ngalinye lombutho ongenalo iphepha mvume lokusebenza okanye imvume. Izicelo ngamalungu anjalo alindelekileyo kufuneka zibonise kuphela imigaqo okanye uthungelwano lwemigaqo apho umbutho ujonge ukusebenza kuyo.

Imirhumo yesicelo elungiselelwe ubhaliso [amacandelo 110(d) kunye ne-113(1)(a) oMthetho]

7. Ngokweenjongo zecandelo le-110(d) loMthetho, imirhumo yesicelo ehlawulwayo elungiselelwe ubhaliso lombutho okanye lwabantu abangengawo amalungu iya kuba zizixa-mali eziboniswe kwiSihlomelelo A.

Iifomu zezicelo [icandelo 111(1)(a) loMthetho lifundwa necandelo lesi-7A(14)(d) loMthetho wama-74 we-1977]

8. (1) Iifomu ezibonelelweyo kule mimiselo zithatha indawo yeefomu ezichazwe kuLudwe lweeNkqubo B kwiSaziso sePhondo 62/1997 kwiGazethi yePhondo Engaqhelekanga enguNombolo 5113 we-28 Februwari we-1997.
- (2) Umbutho kufuneka wenze isicelo sobhaliso okanye sobhaliso lobambiso ngokuthi uzalise ze ungenise kuMgcini zincwadi zobhaliso isicelo kwifomu ethiwe thaca kwiiFomu 1, 2, 3 kunye ne- 4 kwiSihlomelelo B.
- (3) Umbutho kufuneka wenze isicelo sokuguquka kubhaliso lobambiso ukuya kubhaliso olupheleleyo ngokuzalisa nokungenisa kuMgcini zincwadi zobhaliso kunye nesicelo kubume obuthiwe thaca kwiiFomu 5, 6 kunye nesi-7 kwiSihlomelelo B.
- (4) Umntu ongelilo ilungu kufuneka enze isicelo sokuguquka esuka kubhaliso lobambiso esiya kubhaliso oluzeleyo ngokuthi azalise yaye angenise kuMgcini zincwadi zobhaliso isicelo kubume obuthiwe thaca kwiiFomu 8 kunye nesi-9 kwiSihlomelelo B.
- (5) Umntu ongelilo ilungu kufuneka enze isicelo sobhaliso ngokuzalisa aze angenise kuMgcini zincwadi zobhaliso isicelo kubume obuthiwe thaca kwiiFomu ye-10 kwiSihlomelelo.

Ubume besicelo esilungiselelwe ubhaliso lilungu elisandula ukungeniswa kumbutho obhalisiweyo [icandelo 112(3)(a) loMbutho]

9. (1) Xa umbutho uthe wenza isicelo kuMgcini zincwadi zobhaliso ulungiselela ubhaliso lwalo naliphi na ilungu elitsha elamkelweyo kubulungu bombutho ngokwemiqathango yecandelo 112(3)(a) loMthetho, isicelo kufuneka senziwe kubume obuthiwe thaca beFomu 11 kunye ne-12 kwiSihlomelelo B.
- (2) Umenzi wesicelo kufuneka angenise ifomu yesicelo kwigosa elingunyazisiweyo lebhodi ukulungiselela uzalise lwaloo macandelo apho isibhengezo sifunekayo kwibhodi.

Ingcaciso kunye namaxwebhu angeniswe kunye neefomu zezicelo

10. (1) Xa isicelo singeniswe phantsi kommisselo wesi—6,
- (a) Umenzi wesicelo kufuneka anikezele ngeempendulo ezizeleyo nezipheleleyo kuyo yonke imibuzo ekwifomu yokwenziwa kwesicelo;
- (b) UMgcini zincwadi zobhaliso kufuneka,
- (i) aqinisekise ngento yokokuba ifomu yokwenziwa kwesicelo izaliswe ngokufanelekileyo,
- (ii) aqinisekise ukuba onke amaxwebhu afunekayo akhaphayo, ekufuneka eqinisekisiwe, angenisiwe yaye ayinyani yaye amkelekile, ze
- (iii) angqinise ingcaciso engenisiweyo ngolu hlobo lulandelayo:
- (aa) iinkcukacha zesithuthi kufuneka zihlolwe kusetyenziswa iNkqubo yeNgcaciso yezoThutho yeSizwe (eNaTIS) egcinwa liSebe lezoThutho leSizwe;

- (bb) apho kufanelekileyo, iinkcukacha zelungu okanye zomntu ongelilo ilungu kufuneka zihlolwe kuse-tyenziswa iNkqubo yeMvume yoThutho lweNdlela ekubhekiselelwe kulo kwicandelo lama-78(4)(b) yoMthetho, okanye ezinye iinkqubo zengcaciso ezikhoyo;
- (cc) apho ilungu okanye umntu ongelilo ilungu athe wabhaliswa kwelinye iphondo, iinkcukacha zelungu elo okanye zomntu ongelilo ilungu kufuneka zihlolwe kusetyenziswa iinkqubo zengca-ciso zomgcinini zincwadi zobhaliso wephondo elo.

- (2) UMgcini zincwadi zobhaliso unakho ukuzala izicelo ezithi zisilele ngayo nayiphi na ingcaciso okanye amaxwebhu afunwa nguMthetho okanye yile mimiselo, okanye ukuba iimpendulo ezizelelo nezipeleleyo azinikezelwanga kuyo yonke imibuzo ekwifomu yokwenziwa kwesicelo okanye ukuba ngaba umrhumo ofunekayo awuhlulwanga ngesha lokokuba kwenziwe isicelo.

Ubhaliso lwabantu abangengawo amlungu: isiqinisekiso nguMgcini zincwadi zobhaliso [icandelo 113(2) loMthetho]

- 11. Isiqinisekiso esivela kuMgcini zincwadi zobhaliso uqinisekisa ngento yokuba umntu ongelilo ilungu uyahambelana necandelo 113(1)(b), (c) kunye no(e) loMthetho kufuneka siqulathe iinkcukacha ze sibe kubume obuthiwe thaca kwiFomu ye-13 kwiSihlomelo B.

Iziqinisekiso zoBhaliso [icandelo 114(1) loMthetho]

- 12. (1) Iziqinisekiso zobhaliso kunye nobhaliso lobambiso ezikhutshelwe imibutho, amalungu kunye nabantu abangengawo amalungu kubume obuthiwe thaca kwiifomu 14 ukuya kwi-19 seSihlomelo B.
- (2) Iifomu ekubhekiselelwe kwicandelo lommiselo (1) uthatha indawo yeziqinisekiso zobhaliso ezichazwe kuLuhlu lweNkqubo kwiSaziso sePhondo 335/1997 kwiGazethi yePhondo nguNombolo 5182 yomhla wama-26 Septemba we-1997.

Iimpawu zokwahlula [icandelo 114(2) loMthetho]

- 13. (1) Uphawu lokwahlula olukhutshwe kwilungu elibhaliswe ngobambiso okanye umntu ongelilo ilungu kufuneka lube kubume obuthiwe thaca kwiFomu yama-20 kwiSihlomelo B. Ngamalungu kuphela abhaliswe ngobambiso okanye abantu abangengawo amalungu abanephepha mvume lokusebenza elilungiselelwe isithuthi ngasinye esityenziswayo esiyakuba selungelweni lokufumana uphawu lokwahlula.
- (2) Uphawu lokwahlula olukhutshwe kwilungu elibhalisiweyo okanye umntu ongelilo ilungu kufuneka lube kubume obuthiwe thaca kwiFomu yama-21 kwiSihlomelo B. Ilungu elibhalisiweyo okanye umntu ongelilo ilungu eliselungelweni lobhaliso lokugqibela kufuneka abuyise uphawu lokwahlula belinikezelwe kuye lobhaliso lobambiso kuMgcini zincwadi zobhaliso ekufumaneni kwakhe uphawu lokwahlula lobhaliso lokugqibela.

Ubuncinane beMigangatho yoMgaqo siseko kunye neNdlela yokuziPhatha [amacandelo 61 ne-116(1)(a) kunye no (b) oMthetho]

- 14. UMgaqo siseko kunye neNdlela yokuziPhatha epapashwe njengoLuhlu lweNkqubo A kwiSaziso sePhondo 62/1997 kwiGazethi yePhondo Engaqhelekanga nguNombolo 5113 we-28 kuFebruwari ngowe-1997 kusetyenziswa endaweni yawo ubuncinane bomgangatho woMgaqo siseko kunye nendlela yokuziphatha oqhotyoshelwe apha njengeSihlomelo C ethe yapapashwa ngokwemiqathango yecandelo 116 loMthetho.

Ubume bokukhutshwa kwesamani kunye nendlela yokuthunyelwa kwayo [icandelo 99(3)(b) loMbutho]

- 15. (1) Isamani ekhutshwe nguMgcini zincwadi zobhaliso njengoko kuqulunqwe kwicandelo 99(3)(b) loMthetho kufuneka ibe kwifomu ethiwe thaca kwiFomu yama-22 kwiSihlomelo B.
- (2) Kuxhonyekeke kwicandelo lommiselo (3), igosa eligunyazisiweyo kufuneka lihambise isamani ngokuthi linikezele ikopi yesibini ngokwalo kumntu lowo ithunyelwa kuye okanye apho umntu engenakho ukufumaneka, ngokuthi lishiye ikopi kumntu ongunantu onoxanduva kwindawo yoshishino, kwindawo ahlala kuyo rhoqo okanye kwindawo yakho yokugqibela awayehlala kuyo efanelekileyo, ze igosa kufuneka emva koko linike ingxelo kuMgcini zincwadi zobhaliso.
- (3) Apho umntu lowo ethi le samani ibe ithunyelwa kuye abe elilungu lombutho obhalisiweyo, igosa linakho ukunikezela ngekopi kunobhala wombutho, okanye elinye igosa lombutho elityunjelwe loo njongo.

Isohlwayo ngokusilela ukuhambela nesaziso [icandelo 118(4) loMthetho]

- 16. Ngokwemiqathango yecandelo 118(4) loMthetho, uMgcini zincwadi unakho ukukunika isohlwayo esingadlulanga kwisixa esichazwe kwiSihlomelo A ngokusilela kombutho, ilungu okanye umntu ongelilo ilungu ukuhambelana nesaziso esikhutshwe nguMgcini zincwadi zobhaliso phantsi kwecandelo 118(3) loMthetho.

Ukubuyiswa kwamaxwebhu xa kucinywe okanye kurhoxiswe ubhaliso [icandelo 119(2) loMthetho]

- 17. Umbutho, ilungu okanye umntu ongelilo ilungu kufuneka abuyisele kuMgcini zincwadi zobhaliso isiqinisekiso sobhaliso okanye sobhaliso lobambiso, okanye uphawu lokwahlula ebekhutshelwe lona okanye liya kucinywa okanye lirhoxiswe okwethutyana, malunga neentsuku ezisixhenxe zocingo olo okanye urhoxiso.

Amatyala kunye nezohlwayo [icandelo 64(2) loMthetho]

- 18. Umntu othi aphule okanye asilele ukuthobela isamani ekhutshwe ngokwemiqathango yommiselo we-15 uya kufunyanwa enobutyala yaye abe sesichengeni sokugwetywa de avelle etolongweni kangangesithuba esingadlulanga kwiinyanga ezintathu, okanye isohlwayo.

Isihloko esifutshane

- 19. Le mimiselo ibizwa ngokuba yiMimiselo yeNtshona Koloni ngoBhaliso lweMibutho yeTeksi kunye naMalungu Ayo, yama-2007.

ISIHLOMELELO A: ISHEDYULI YEENTLAWULO NEMIDLIWO**uLudwe 1: Iintlawulo nemidliwo ezihlawulwa uRhulumente wePhondo leNtshona Koloni**

Umba	Ungaqo	Inkcazo	Intlawulo/umdiwo
1.	5	Intlawulo yokukhutshwa kweekopi okanye kweenkcukacha ezicatshulwe kwiRejista	R0,60 ngephepha ngalinye
2.	7	Intlawulo yesicelo sokubhaliswa kombutho	R2 000
3.	7	Intlawulo yesicelo sokubhaliswa komntu ongelolungu	R2 000
4.	16	Eyona fayini iphezulu kungenakudlulwa kuyo	R10 000

uLudwe 2: Iintlawulo ezihlawulwa umbutho

Umba	Ungaqo	Inkcazo	Intlawulo/ifayini
1.	6(4)(a)	Eyona mali yokujoyina iphezulu kungenakudlulwa kuyo	R2 000
2.	6(4)(b)	Eyona mali yokujoyina iphezulu kungenakudlulwa kuyo	R300

ISIHLOMELELO B: IIFOMU

- Ifomu yesicelo sokubhaliswa kombutho woonoteksi.
- ISihlomelelo 1 kwifomu yesicelo sokubhaliswa kombutho woonoteksi.
- IISihlomelelo 2 kwifomu yesicelo sokubhaliswa kombutho woonoteksi.
- Iinkcukacha zendlela/zeendlela ekushishinwa kuzo ngumbutho woonoteksi.
- Ifomu yesicelo sokujika ubhaliso lwexeshana lombutho woonoteksi lube lolusisigxina.
- ISihlomelelo 1 kwifomu yesicelo sokujika ubhaliso lwexeshana lombutho woonoteksi lube lolusisigxina.
- ISihlomelelo 2 kwifomu yesicelo sokujika ubhaliso lwexeshana lombutho woonoteksi lube lolusisigxina.
- Ifomu yesicelo sokujika ubhaliso lwexeshana lomntu ongelolungu lube lolusisigxina.
- ISihlomelelo 1 kwifomu yesicelo sokujika ubhaliso lwexeshana lomntu ongelolungu lube lolusisigxina.
- Ifomu yesicelo sobhaliso lomshishini ongelolungu.
- Ifomu yesicelo sobhaliso lwelungu elitsha lombutho woonoteksi.
- ISihlomelelo 1 kwifomu yesicelo sobhaliso lwelungu elitsha lombutho woonoteksi.
- Ifomu yesiqinisekiso esikhutshwa nguMbhali esiza kungeniswa ngumntu ongelolungu kwibhodi yeelayisenisi zokushishina (icandelo 113(2) lalo Mtheth).
- Isiqinisekiso sobhaliso lwexeshana lombutho woonoteksi.
- Isiqinisekiso sobhaliso lwexeshana lwelungu lombutho woonoteksi.
- Isiqinisekiso sobhaliso lwexeshana lomntu ongelolungu.
- Isiqinisekiso sobhaliso lombutho woonoteksi.
- Isiqinisekiso sobhaliso lwelungu lombutho woonoteksi.
- Certificate Isiqinisekiso sobhaliso lomntu ongelolungu.
- Uphawu lokwahlula abashishini ababhaliswe okwexeshana—icandelo 114(2)
- Uphawu lokwahlula abashishini ababhaliswe isigxina—icandelo 114(2)
- Ifomu yomsila wengwe oyalela umntu makaye kuvela phambi koMbhali (icandelo 99(3)(b) lalo Mthetho).

ISIHLOMELO C: UMGAQO SISEKO OFIKELELEKAYO OSEMGANGATHWENI WEMIBUTHO YEETEKSI

Lo mgaqo siseko ubeka umlinganiselo olungiselele ukwenziwa komgaqo nkqubo wemibutho yeeteki ngenjongo yobhaliso lwemibutho. Uxhibe ukusebenza njengesikhokhelo sokuqhubela phambili imibutho yeeteki. Ukuba ngaba umbutho weteki sele usebenza phantsi komgaqo siseko, loo mgaqo siseko kufuneka ubandakanye imiba equlathwe kulo mgaqo nkqubo ofikelekayo osemgangathweni ukuya kutsho kubungakanani obulinganayo. UMgcini zincwadi zobhaliso kufuneka aqinisekise imigaqo siseko ekhoyo. Ukuze ibe nokuqinisekiswa, le migaqo siseko inakho ukulungiswa, ukuba kuyimfuneko, emva kothethwano olufanelekileyo phakathi koMgcini zincwadi zobhaliso kunye nekomiti yesigqeba yombutho lowo kuthethwa ngawo. Ngoko ke, ukuba ngaba umbutho weteki awusebenzi phantsi komgaqo siseko, okanye awusebenzi phantsi komgaqo siseko onganelanga ngokobubanzi bawo, uya kufuneka okokuba mhlawumbi wamkele umgaqo siseko ofikelekayo osemgangathweni, okanye ulungise umgaqo siseko wawo ukuze uhambelane nomgaqo siseko ofikelekayo osemgangathweni.

IINKCAZELO

Ngokwenjongo yalo Mgaqo siseko:

“igosa elinika ingxelo” lithetha igosa elityunjwe ngokuhambelana nomhlathi we-12.5;

“Umbutho” uthetha umbutho weeteki;

“AGM” ithetha intlanganiso jikelele yonyaka yoMbutho;

“indlela yokuziphatha” ithetha indlela yokuziphatha emiselwe nguMphathiswa wePhondo onoxanduva lothutho olusemthethweni;

“IKomiti eLawulayo” ithetha iKomiti eLawulayo enyulwa kwiAGM;

“inkqubo yokuKhalaza” ithetha inkqubo yokukhalaza echazwe kumhlathi we-14;

“QGM” ithetha intlanganiso jikelele yekota yoMbutho;

“UMgcini zincwadi zobhaliso” uthetha uMgcini zincwadi zobhaliso wePhondo otyunjwe ngokuhambelana nomthetho ofanelekileyo wezoThutho;

“irejista” ithetha irejista egcinwa nguMgcini zincwadi zobhaliso ngokuhambelana nomthetho ofanelekileyo wezoThutho;

“SGM” ithetha intlanganiso jikelele eyodwa yoMbutho.

1. IGAMA NENOMBOLO YOBHALISO

IGama elipheleleyo loMbutho (*liya kuzaliswa ngumbutho*).

Isifinyezo segama loMbutho (*siya kuzaliswa ngumbutho*).

Idilesi yeposi yoMbutho (*iya kuzaliswa ngumbutho*).

Idilesi yesitalato yoMbutho (*iya kuzaliswa ngumbutho*).

Umbutho usekwe e

Inombolo yobhaliso yoMbutho (*iya kuzaliswa ngumbutho*).

2. UBUME BOMBUTHO

(*zalisa igama lombutho*) ngumbutho ongalungiselelwanga inzuzo.

3. ULWAKHIWO LOMBUTHO

Ubuncinane benani lamalungu ukuqulunqa uMbutho (*liya kuzaliswa ngumbutho kuhlengenwe noMgcini zincwadi zobhaliso*). Imisebenzi yoMbutho ilawulwa yikomiti yabalawuli, ethi inyulwe qho ngonyaka.

4. IINJONGO KUNYE NEENJONGO NGQO

Iinjongo kunye neenjongo ngqo zoMbutho zezi:

- (a) ukukhusela, ukuqinisa kunye nokukhuthazwa komdla wamalungu oMbutho;
- (b) Ukungena kwiingxoxo kunye nothethwano nokwenza iinkcazelo kunye nezibheno kurhulumente, kwiphondo kunye noorhulumente beedolophu ujonge umdla wamalungu awo;
- (c) Ukuqinisekisa ngeendlela zokusebenza ezinovelwano ngawo onke amalungu awo, ukulungiselela ukukhuthaza umdla wabo bonke abasebenzi bamalungu;
- (d) ukuchasa nayiphi na imicimbi exhibe okanye ebaelwe ukungena okanye ukugababela ukungena kumalungelo kunye namalungelo awodwa amalungu awo;
- (e) Ukuthatha onke amanyathelo asemthethweni afaneleke eyimfuneko nguMbutho ukuthintela ukungaziphathi kakuhle kwalo naliphi na ilungu loMbutho okanye abaqhubi bamalungu anjalo, ukunika ingxelo yokungaziphathi kakuhle kubalawuli abafanelekileyo nokuthabatha amanyathelo anjalo angaphezulu abhekiselele ekuhoxisweni okanye ekugxothweni kwamalungu athe asilela xa kukho imfuneko, ngokubhekiselele kwisikhhalazo kunye neenkqubo zoluleko;
- (f) ukusetyenziswa kwezixa mali ngenjongo zokunika ifuthe kwiinjongo zoMbutho nokutyala imali kumaziko ezemali afanelekileyo, ze ngaphezulu ufumane izakhiwo nempahla yexabiso ngokuyithenga, ukuyirhafela okanye ngolwamaniso okanye ngesiph;
- (g) ukulungiselela uphengululo lweeahawunti zonyaka mali ngamnye eziqulunqwe ngabaphengululi zincwadi boMbutho, nokuthumela ingxelo yezimali eziphengululiweyo kunye nemizuzu yeAGM kuMgcini zincwadi zobhaliso kwinyanga enye kudlule iAGM;

- (h) ukusebenza ngokuhambelana nenkqubo yesikhalazo ukuthintela ingqubano;
- (i) ukukhuthaza umdla wabakhweli nokuphuhlisa amaqumru kunye nemiqathango ukunceda abakhweli ukuba banxibelelane ngokungabelisiyo ngokubheki-selele kwizibonelelo zothutho okanye iinkonzo;
- (j) ukusebenzisana kunye nomnye umbutho weteksi onenjongo ezifanayo, okanye ukukhathaza nokuzamela intsebenziswano kunye nolungelelaniso wemibutho eyeleleneyo kunye namaqumru, anakho ukuthi abandakanye urhulumente, awephondo okanye oorhulumente bedolophu kunye namaqela ayilwe ngomthetho ukulungiselela ukufumana nokuzalisekisa iinjongo ngqo zamalungu azo;
- (k) ukubhalisa uMbutho kuMgcini zincwadi zobhaliso nokuqinisekisa ngento yokokuba uhlala ubhalisiwe;
- (l) Ukuqinisekisa ngento yokokuba amalungu asebenza kumagunya ezivumelwano zawo zokusebenza yaye asebenze ngomthetho ngokubanzi; ze
- (m) uzimanye kunye nebhunga elifanelekileyo lombutho weeteksi wengingqi.

5. UMMANDLA/IMIMANDLA YOKUSEBENZA

Iindlela ezibhalisiweyo apho amalungu oMbutho aya kusebenza kuzo zezi (*ziya kudweliswa ngumbutho*).

6. IKOMITI ELAWULAYO YOMBUTHO

Imisebenzi yemihla ngemihla yoMbutho kufuneka ilawulwe, iqhutywe ze ibekwe esweni yikomiti ekubhekiselelwa kuyo njengeKomiti Elawulayo, amalungu ayo athe atyunjelwa kwiofisi ngamalungu oMbutho kwiAGM.

6.1. Uqulunqo lwekomiti

IKomiti Elawulayo iqulathe la malungu alandelayo:

- (a) USihlalo.
- (b) Usekela Sihlalo.
- (c) UNondyebo.
- (d) UNobhala.
- (e) Igosa loqeqesho.
- (f) USihlalo wekomiti yezikhalazo.
- (g) USihlalo wekomiti yoluleko.
- (h) Namanye amagosa abonwa eyimfuneko nguMbutho.
- (i) Namanye amalungu alawulayo awongezelelweyo kodwa angadluli (**inani liya kuzaliswa ngamalungu**).

6.2. Ukuba selungelweni, ukutyunjwa nokunyulwa kwamalungu ezikhundla zeofisi

Naliphi na ilungu loMbutho liya kuba selungelweni lokokuba linyulelwe kwiKomiti Elawulayo. Amalungu eKomiti Elawulayo kufuneka anyulwe kwiAGM yoMbutho, okanye kwiimeko ezizodwa, kwiSGM.

Utyumbo kulungiselelwa ubulungu beKomiti Elawulayo kufuneka luvulwe kangangenyanga ngaphambi komhla weAGM ze luvalwe kwiveki enye kuphela phambi komhla weAGM. Utyumbo lokwangezelela lunokwenziwa kwiAGM phambi kokuba kuqhutywe uvoto. Unobhala kufuneka aqulunqo uluhlu lwabatyunjwa abamkelweyo ze angenise olu luhlu kwiAGM.

6.3. Isithuba sokuba se-ofisini

Amalungu eKomiti yoLawulo aba seofisini isithuba sonyaka, anakho ukuba selungelweni lokunyulwa kwakhona. Ilungu leKomiti Elawulayo linakho ukubuphelisa ubulungu balo besithuba sokuba seofisini bungekafikeleli esiphelweni xa lithe larhoxa ngokunika isaziso senjongo yokurhoxa iiveki (*ziya kuzaliswa ngumbutho*) phambi kokurhoxa, kuNobhala.

6.4. Ukususwa e-ofisini

Ilungu leKomiti Elawulayo kufuneka lisishiye isikhundla salo kwiKomiti Elawulayo kwimeko apho:

- (a) lithe lamiswa okanye lagxothwa kuMbutho;
- (b) alibangakho ngaphandle kwemvume kwiKomiti Elawulayo kangange (**ziya kuzaliswa nguMbutho**) leentlanganiso zilandelelanayo zeKomiti Elawulayo;
- (c) lithe lagwetywa ngesenzo solwaphulo mthetho njengesenzo sobundlobongela okanye ukunga-nyaniseki ngeli thuba use-ofisini; ngesityholo esichazwe kuMthetho: okanye ngesityholo esiphathelele kuMthetho weSizwe weZithuthi, uMthetho 93 ka-1996 ngokubhekiselele kwizithuthi ezingalungelanga ukuhamba ezindeleni, ukuqhuba unxilile okanye ukubulala ngaphandle kwenjongo uqhuba;
- (d) lithe lalelwa ukuba libe lilungu loMbutho;
- (e) lithe alahambelana noMgaqo siseko okanye indlela yokuziphatha; okanye
- (f) lithe larhoxa.

Ukususwa kwelungu kwofisi yeKomiti Elawulayo kunakho ukwenzeka kuphela emva kokuba kusetyenziswe inkqubo yoluleko efanelekileyo echazwe kumhlathi we-13.

Amalungu eKomiti Elawulayo kufuneka azishiye izikhundla zawo zeofisi ukuba ngoba kubekho isindululo sokungabi nakuthenjwa oku kwenzeka kwiSGM, QGM okanye kwiAGM ezithe zabizwa ngendlela efanelekileyo.

Akusayi kuqwalaselwa sindululo sokungabi nakuthenjwa kwamalungu ngaphandle kokuba injongo yokwenza isindululo esinjalo ithe yanikezelwa ibhaliwe kunobhala kwaze kwenzelwa iofisi yoMgcini zincwadi zobhaliso ikopi malunga neentsuku ezili-10 phambi kweQGM, okanye iintsuku ezingama-21 phambi kweSGM okanye i AGM.

6.5. Ukuthathwa kwendawo yamalungu eKomiti Elawulayo

Ekupheleni kwesithuba seofisi sekomiti elawulayo okanye kwimeko apho kuthe kwapheliswa isithuba sokuba seofisini salo naliphi na ilungu nangaso nasiphi na isizathu ngokuhambelana nalo Mgaqo siseko, lithi ilungu liphelelwe kukubamba isikhundla eso, yaye isithuba eso siya kushiyeke size. Kwimeko ekuthe kwakho inguqu yaphambi kwexesha yaye ingalindelwanga, iKomiti Elawulayo inakho ukusizalisa isithuba okwethutyana ngelungu elingenasikhundla leKomiti Elawulayo de kufike iAGM okanye iSGM apho unyulo luya kuqhubeka khona.

Kwimeko yobume apho uMbutho uthe awabinayo amalungu eKomiti Elawulayo okokuba abizele unyulo, yaye unyulo olo lwamalungu esigqeba lufanelekile okanye luyimfuneko, naliphi na ilungu loMbutho linokuchwechwela uMgcini zincwadi zobhaliso ukuba akhuphe umyalelo wokokuba unyulo kufuneka lwenziwe ze acwangcise kwangoko imimiselo nemiqathango ngokubhekiselele kulo.

6.6. Imisebenzi kunye noxanduva

Imisebenzi kunye noxanduva lweKomiti Elawulayo lubandakanya oku kulandelayo:

- (a) Ukuphatha, ukuqhuba nokulawula imicimbi yoMbutho.
- (b) Ukuqokelela imirhumo kumalungu awo, ukunyusa ingxowa mali nokulawula ingxowa mali kunye nempahla yexabiso yoMbutho.
- (c) Ukugcina iikhawunti ngokuhambelana neendlela zocwangciso mali olwamkelekileyo ngokubanzi nokuvelisa iingxelo zezimali.
- (d) Ukuqulunqa nokwamkela uluhlu lwemithetho yolawulo kunye nemimiselo ehambelana nalo Mgaqo siseko ukulungiselela ukuphatha nokulawula imicimbi yawo, nokulungisa, ukuguqula okanye ukwangezelela kwimithetho enjalo kunye nemimiselo ngokubona kwawo. IKopi ehlaziyweyo yemithetho kunye nemi-miselo kufuneka ithunyelwa kwiofisi yoMgcini zincwadi zobhaliso kungadlulanga iintsuku ezili-14 emva kwentlanganiso yokuqulunqa okanye yokulungisa imithetho enjalo kunye nemimiselo.
- (e) Ukukhupha iileta zengcebiso kuxhaswa izicelo ezamkelwa ngumbutho ukuba ngaba ziyacelwa ngamaqumru karhulumente afanelekileyo. Akukho mrhumo unokufunwa yiKomiti Elawulayo ngoku-nikezelwa kweleta ezinjalo zengcebiso.
- (f) Ukutyumba amagqwetha, abalawuli zimali kunye nabanye abantu abanobuchule ukuba basebenze bemele iiMbutho.
- (g) Ukumisela intshukumo esemthethweni nakulo naliphi na iqela elingathi sisebenze nxaanye nomdla wamalungu oMbutho okanye ngokubhekiselelwe ekufunyanisweni kwemali ezibanjwa uMbutho, nokukhusela intshukumo esemthethweni kumelwe uMbutho.
- (h) Ukuqalisa nokuphuhlisa, kuthethwana namalungu, imigaqo nkqubo yemiba engabonelelwanga kulo Mgaqo siseko, olungiselelwe ukwamkela ekugqibeleni ngama-lungu ngokubanzi.
- (i) Ukuseka, okanye ukuxhasa nokunceda ngokusekwa naliphi na umanyaniso oluqulunqwe ukuqhubela phambili zonke okanye naziphi na iinjongo zoMbutho.
- (j) Ukuqhuba intlanganiso iAGM.
- (k) Ukubiza intlanganiso ngokuhambelana nomhlathi we-10.
- (l) KwiAGM ukunikezela, ngokunjalo neekhawunti ezi-phengululiweyo zoMbutho, ingxelo yawo ngemisebenzi yoMbutho kunyaka ongaphambili.
- (m) Ukubiza intlanganiso yeKomiti Elawulayo kube kanye ngenyanga, kunye nezinye intlanganiso ezilandelayo ezimana zibizwa ngamathuba ngamathuba ngoko-kubona koSihlalo.
- (n) Ukulungiselela nokubamba iiQGM ngokuhambelana nomhlathi we-11.
- (o) Ukwazisa uMgcini zincwadi zobhaliso ngesiphumo sentlanganiso yoluleko kunye neenkqubo zokukhalaza kwiintsuku ezisi-7.
- (p) Ukuthumela imizuzu yayo nayiphi na iSGM, iQGM okanye iAGM kuMgcini zincwadi zobhaliso kwiintsuku ezili-14 emva kweentlanganiso ezinjalo.
- (q) Ukunika ingxelo kuMgcini zincwadi zobhaliso yalo nayiphi na ingcaciso ebonisa into yokokuba ubume obuthile bembambano bunganakho ukuphula okanye bunakho ukuphuhla phakathi koMbutho kunye neminye imibutho ethe yaba phantsi kwengqwalasela yelungu okanye yamalungu eKomiti Elawulayo.
- (r) Ukwazisa uMgcini zincwadi zobhaliso kwangethuba ngalo naluphi na utshintsho kwingcaciso malunga noMbutho kunye namalungu awo athe abhaliswa kwirejista.
- (s) Ukwenza isicelo kuMgcini zincwadi zobhaliso ukulungiselela ukubhaliswa kwamalungu amatsha malunga nenyanga enye emva kolwamkelo lwabo.
- (t) Ukuthatha izigqibo kwimiba yemihla ngemihla yoMbutho.

Umntu ngamnye osesikhundleni eofisini kufuneka enze imisebenzi ethe ngqo kuye eyabelwe bona kulo Mgaqo siseko, nayo nayiphi na eminye imisebenzi athe usihlalo wayabela bona.

6.7. Iintlanganiso zeKomiti Elawulayo

Iintlanganiso zeKomiti Elawulayo kufuneka ihlangane ubuncinane kanye ngenyanga. Iintlanganiso ezizezinye zinakho ukubizwa amaxesha ngamaxesha ngokokubona komhlali ngaphambili. Imizuzu yazo zonke iintlanganiso kufuneka igcinwe ngendlela eyiyo. Inani elifanelekileyo lamalungu lokusingatha imicimbi yentlanganiso leKomiti Elawulayo liya kuba sisibini esithathwini samalungu ekomiti. Izigqibo kufuneka zifikelelwe kusetyenziswa isivumelwano. Apho isivumelwano singenakufikelelwa, amalungu kufuneka avote ze isigqibo sesininzi samalungu akhoyo entlanganisweni siqulunqe isigqibo sekomiti. Kwimeko apho iivoti zilingana, usihlalo unevoti yokuqhawula imbambano ngaphezulu kwevoti le anayo yesiqhelo.

6.8. Amajelo onxibelelwano

(Umbutho ngamnye kufuneka uchaze amajelo awo onxibelelwano, umzekelo unobhala, igosa lobudlelwane noluntu, njl. njl.)

7. IKomiti eSisigxina

Ezi komiti zisisigxina zilandelayo kufuneka zibe ngokunjalo zikhethiwe ukulawula nokuqhuba imisebenzi ethile kuMbutho:

- (i) IKomiti yoLuleko equlunqwe ngusihlalo njengelungu leKomiti Elawulayo, kunye namalungu angengawo alawulayo anyulwe kwiAGM.
- (ii) IKomiti yezeziMali ebandakanywa unondyebo kunye namalungu amabini angengawo alawulayo anyulwe kwiAGM.
- (iii) IKomiti yoQeqesho noPhuhliso ebandakanya igosa loqeqesho kunye namalungu amabini angengawo alawulayo anyulwe kwiAGM.
- (iv) IKomiti yeZikhalazo iqulunqwe ngusihlalo njengelungu leKomiti Elawulayo, kunye namalungu angamanye angengawo eKomiti Elawulayo anyulwe kwiAGM.

8. UBULUNGU BOMBUTHO

8.1. Iinqobo zokuba lilungu elizeleyo

- (a) Ukubambelela kulo Mgaqo siseko, kubandakanywa nenkqubo yoluleko kunye nenkqubo yokukhalaza kunye nendlela yokuziphatha echaziweyo.
- (b) Ubulungu bombutho buya kuvuleleka kubo bonke abavunyelweyo okanye abantu abanezivumelwano zokusebenza kwiindlela apho amalungu ombutho asebenza kuzo ngaphandle kwimeko apho uthe omnye umbutho weteksi waqalisa ngoluleko kumenzi wesicelo lowo.

Ubulungu

- (c) UMbutho unakho ngokokubona kwawo ukwamkela okanye usale nasiphi na isicelo.
- (d) UMbutho kufuneka wazise bonke abenzi bezicelo abazicelo zingaphumelelanga ngesaziso esibhaliweyo kwisithuba seentsuku ezingama-30, unika izizathu ezingunobangela wokungaphumeleli kwezicelo zabo.
- (e) UMbutho kufuneka, kwiAGM yawo, iqinisekise ngomrhumo wonyaka wobulungu ohlawulwa ngamalungu kuMbutho. Umrhumo wonyaka wobulungu uhlawulwa ngaphezulu komrhumo wokwenziwa kwesicelo yaye, kwimeko apho naliphi na ilungu lisilele ukuhlawula umrhumo wonyaka wobulungu kwisithuba (**siya kuzaliswa ngumbutho**) seentsuku emva komhla wentlawulo izibonelelo ezilandelayo ziya kusebenza.
- (f) Amalungiselelo anakho ukwenziwa neKomiti Elawulayo okuhlawula umrhumo wonyaka wobulungu ngeza-venge.
- (g) Ubulungu bethutyana boMbutho, ukuya kutsho kwisithuba seenyanga ezintandathu, buya kuvunyelwa ukulungiselela abo benze izicelo baze bamkelwa kuMbutho njengamalungu, yaye bathe benza izicelo zezivumelwano ezitsha zokusebenza.

8.2. Ukupheliswa kobulungu

Ubulungu abungepheliswa ngaphandle kokuba kungenxa yesiphumo sesikhalazo okanye inkqubo yoluleko elungiselelwe ukupheliswa kobulungu kodwa ilungu linakho ukurhoxa ngokuzithandela.

Xa kuthe kwanqanyulwa ubulungu balo naliphi na ilungu, nangaso nasiphi na isizathu, unobhala kufuneka ngoko nangoko azise uMgcini zincwadi zobhaliso.

Ubulungu boMbutho bunakho ukunqanyulwa kwimeko apho—

- (a) ilungu lithe larhoxa ngokuzithandela emva kokuba lingenise isaziso esibhaliweyo sesigqibo salo sokurhoxa;
- (b) ilungu elithe lasiselela ukuhlawula umrhumo wokwenziwa kwesicelo okanye umrhumo wonyaka wobulungu, njengoko uthiwe thaca nguMbutho;
- (c) ilungu elithe laphula imiqathango yeenjongo ngqo zoMbutho okanye alathobela nasiphi na isigqibo soMbutho;
- (d) ilungu elithe lajoyina omnye umbutho weteksi okanye omnye umbutho onxulumene nook osebenza kwiindlela ezisebenza amalungu ngaphandle kwemvume yoMbutho;
- (e) ilungu elingenaphepha mvume / isivumelwano esisemthethweni sokusebenza lise lisebenzise isithuthi kwiindlela apho uMbutho khona, emva kokucinywa okanye kokuphelelwa lixesha kwephepha mvume lokusebenza; kodwa ubulungu belungu abusayi kurhoxiswa kwimeko apho ilungu lithe labhena kwisigqibo ze lenze isicelo sokuchithwa kwesigqibo sokucinywa okanye sokuphelelwa lixesha kwephepha mvume lokuthutha uluntu okanye iphepha mvume lokusebenza de isibhemo eso sibe siqunjelwe;

- (f) ilungu elaphule imiqathango yoMgaqo siseko okanye eyendlela yokuziphatha;
- (g) ilungu elisebenza kwinkqubo yothutho loluntu lingenalo iphepha mvume elifunekayo lokusebenza okanye isivumelwano sesithuthi ngasinye esisetyenziswayo esilungiselelwe ukusebenza kwinkonzo.

8.3. Inkqubo yokwenziwa kwesicelo

Umntu ofuna ukuba lilungu loMbutho kufuneka angeniso isicelo esibhaliweyo kwiKomiti Elawulayo siqulathe oku kulandelayo:

- (a) Izizathu zokwenza isicelo sokujoyina uMbutho.
- (b) Ikopi yokwenziwa kwesicelo sephepha mvume lokusebenza esixhomekeke kwimvume yeBhodi yonikezelo ngamaPhepha mvume okuSebenza yePhondo.
- (c) Uluhlu lwazo zonke izithuthi esisetyenziswa ngumenzi wesicelo kwiindlela zoMbutho.
- (d) Uluhlu lwazo zonke izivumelwano okanye amaphepha mvume okusebenza omenzi wesicelo, ukuba akho.
- (e) Uluhlu lwabo bonke abaqhubi abakwingqesho yomenzi wesicelo abasebenza kwiindlela zoMbutho.
- (f) Uluhlu lwawo nawuphi na umbutho/imibutho athe umenzi wesicelo walilungu okanye wayelilungu layo.
- (g) Nento yokokuba ingaba umenzi wesicelo nangaliphi na ithuba wakhe wagxothwa nakuwuphi na omnye umbutho.
- (h) Uluhlu lwezigwebo zangaphambili zomenzi wesicelo kunye nabaqhubi abakwingqesho yomenzi sicelo.
- (i) Ubungqina bentlawulo yomrhumo wokujoyina uMbutho.

8.4. Inkqubo yokubhena

Ukuba ngaba iKomiti Elawulayo iyasala isicelo sobulungu, umenzi wesicelo angafaka isibheni esibhaliweyo kwisigqibo eso kwiQGM, okanye iSGM okanye iAGM, nokuba yiyiphi na eya kuthi ihlale kuqala. Isigqibo saloo ntlanganiso kawonke wonke asinakuguqulwa.

8.5. Imisebenzi kunye namalungelo amalungu

(1) Imisebenzi yamalungu oMbutho yile ilandelayo:—

- (a) Kukulawula umrhumo wonyaka wobulungu.
- (b) Ukuqinisekisa ngento yokokuba isithuthi eso iphepha mvume lokusebenza lilungiselelwa sona siqhutywe ngumntu onephepha mvume lokuqhuba elise-mthethweni kunye nesivumelwano sokuqhuba kwindlela zikawonke wonke okanye esisesikweni, ukuba sifanelekile.
- (c) Ukuqinisekisa ngento yokokuba akukho mntu usebenzisa isithuthi apho iphepha lokusebenza likhutshwe ngendlela apha engahambelaniyo noMthetho weNguqu yezoThutho lweNdlela weSizwe kunye nemimiselo okanye imithetho yephondo esendaweni yawo.
- (d) Ukuqinisekisa ngento yokokuba izivumelwano okanye amaphepha mvume okusebenza akalahlwa ngendlela engahambelaniyo noMthetho weNguqu yezoThutho lweNdlela weSizwe, wama-2000 (uMthetho wama-232 wama-2000) kunye nemimiselo okanye imithetho yephondo esendaweni yawo.
- (e) Ukwazisa uNobhala ngayo nayiphi na injongo yokwenza isicelo samaphepha mvume angezelelweyo okusebenza kwiindlela apho amalungu oMbutho asebenza kuzo.
- (f) Ukunika uNobhala ingcaciso efunwa nguMgcini zincwadi zobhaliso.
- (g) Ukusebenza ngokuhambelana noMgaqo siseko kunye nendlela yokuziphatha.
- (h) Ukunika ingxelo kwiKomiti Elawulayo nayiphi na ingcaciso ebonisa into yokokuba ubume bembambano kungaba nakho ukucela okanye bunakho ukuphuhla phakathi koMbutho kunye nomnye umbutho obuthe befika phantsi kwengqwalasela yelungu.
- (i) Ukunika isaziso esibhaliweyo kunobhala ukuba ngaba ilungu lijonge ukurhoxa.

(2) Amalungelo amalungu oMbutho ngala alandelayo:

- (a) Ukusebenzisa nasiphi na isikhululo seteksi esifanelekileyo kwiindlela zelungu apho ilungu livumelekileyo ukuba sisebenze kuzo.
- (b) Ukufuna ukuba uMbutho uthathe onke amanyathelo afanelekileyo ukukhusela umdla wamalungu awo nokuqinisekisa ngento yokuba akukho lukhuphiswano lungekho mthethweni ngeenkonzo ezinikezelwa ngamalungu.
- (c) Ukufumana isaziso esibhaliweyo sayo nayiphi na iAGM, iQGM, iSGM kunye nazo zonke izehlo ezinefuthe kumalungelo alo naliphi na ilungu.
- (d) Ukurhoxa ngokunika isaziso esibhaliweyo iiveki (*ziya kuzaliswa ngumbutho*) kunobhala woMbutho.
- (e) Ukuvota kwiAGM, nakuyiphi na iSGM nakuyiphi na iQGM.
- (f) Ukunika ingqwalasela nohlolo lweengxelo zemali zoMbutho.

- (g) Kwimeko yesikhalazo esithe saphakanyiswa lilungu okanye ngelungu, bobabini umtyholwa kunye nommangali banamalungelo njengoko equlathwe kwinkqubo yesikhalazo okanye yoluleko, njengoko kunokuba njalo.
- (h) Ilungelo lokubiza iSGM ngokwemiqathango ye-10.1.

8.6. Uluhlu lwamalungu

Unobhala kufuneka agcine irhekhodi entsha nehlaziyiweyo yelungu ngalinye, enika iinkcukacha zale ngcaciso ilandelayo:

- igama lelingu
- umhla elithe ilungu lajoyina lo mbutho
- isivumelwano okanye iinkcukacha zephepha mvume lokusebenza
- iinkcukacha zesithuthi
- idilesi yendawo yoshishino
- iinkcukacha zoqhagamshelwano
- Inombolo yesazisi
- iinkcukacha yokusebenza kubandakanywa iindlela kunye nezikhululo zeteksi.

UNobhala kufuneka azise uMgcini zincwadi zobhaliso ngalo naluphi na utshintsho kwiinkcukacha zobulungu zalo naliphi na ilungu kwisithuba seentsuku ezisixhenxe solo tshintsho luza kwenzeka.

8.7. Imirhumo yobulungu

- (a) Imirhumo yokujoyina kunye neyobulungu bonyaka kufuneka iqulunqwe kwi (AGM) yaye ayenziwanga nje ngengqiqo.
- (b) Ukuqokelelwa okukodwa kunokwenziwa yiKomiti eLawulayo apha enyakeni phantsi kwemiqathango yokokuba, ukuba uqokelelo olo lusisinyanzelo, kufuneka lwamkelwe kwiAGM, kwiSGM okanye kwiQGM. Ingxelo epheleleyo yezizathu yoqokelelo ngalunye olulodwa kufuneka zinikezelwe kumalungu. Ingxelo yezimali ethiwe thaca kwiAGM kufuneka ibandakanye ingxelo epheleleyo ngoqokelelo olulodwa kunye nendlela ethe ikomiti yaluchitha ngayo.
- (c) Iirhisi kufuneka zikhutshelwe amalungu azo zonke iimali eziqokelelwe kubo.
- (d) Imirhumo yobulungu elungiselelwe ilungu lethutyana iya kuba nokuhlawulwa kuphela xa lithe ilungu lethutyana lafumana iphepha mvume lokusebenza.

9. IINTLANGANISO JIKELELO ZONYAKA (AGM)

I AGM kufuneka ibanjwe qho kwiinyanga ezili-12.

9.1. Imifanelo, imisebenzi kunye namagunya eAGM

Imifanelo, imisebenzi kunye namagunya eAGM ngala, *phakathi kwezinto ezininzi*

- (a) ukwamkela okanye ukwenza iinguqu kwimizuzo yeAGM, iiSGMs kunye neeQGM ezidlulileyo ezibanjwe emva kweAGM idlulileyo;
- (b) ukwamkela, ukunika ingqwalasela nokwamkela ingxelo yomhlali ngaphambili ngemicimbi yoMbutho kunyaka lowo uphantsi kohloko ngokutsha;
- (c) ukwamkela, ukunika ingqwalasela nokwamkela ingxelo yezemali, kubandakanywa neengxelo zezimali zonyaka eziphengululweyo zonyaka ongaphambili kunye nohlahlo lwabiwo mali olulungiselelwe unyaka olandelayo;
- (d) ukunyula iKomiti Elawulayo;
- (e) ukulungisa uMgaqo siseko ngesininzi sesibini kwisithathu samlaungu akhoyo nathe avota;
- (f) ukunyula ababambe izikhundla ezingezizo ezolawulo zoMbutho;
- (g) ukutyumba okanye ukutyumba ngokutsha umphengululi zincwadi wangaphandle yaye ezimele ukulungiselela uMbutho; ze
- (h) iqwalaselele izibheni, ukuba zikho, kubantu ngabanye ezithe izicelo zabo zobulungu zaliwa yiKomiti Elawulayo.

Akuyi kubakho kuvoto lokumelwa oluya kuvunyelwa yaye uvoto luya kwenziwa ngemfihlelo kwimeko yokunyulwa kwamalungu eKomiti Elawulayo kunye neekomiti ezisisigxina.

9.2. Isaziso seeAGM

I AGM kufuneka ibe (*inyanga iya kuzaliswa ngumbutho*) kunyaka ngamnye ngexesha nendawo egqitywe yiKomiti Elawulayo.

Unobhala kufuneka athumelele isaziso esibhaliweyo sexesha, indawo kunye nomhla weAGM kuwo onke amalungu ngeposi okanye ifaksi malunga (*kuya kuzaliswa ngumbutho*) iintsuku phambi kwentlanganiso.

Unobhala makathumelele ngokunjalo isimemo kwiofisi yoMgcini zincwadi zobhaliso.

9.3. Inani elifunekayo labantu lokusingatha umcimbi entlanganisweni

Inani elifunekayo labantu kwiAGM sisibini kwisithathu samalungu.

Ukuba ngaba akulilo inani elifunekayo malunga nesithuba semizuzu engama-30 kwixesha elimiselweyo leAGM, intlanganiso kufuneka imiselwe kwiintsuku ezisixhenxe ezizayo. Isaziso sentlanganiso erhoxisiweyo kufuneka sinikwe kumalungu.

9.4. I-ajenda kunye nemizuzu

Imiba yesigxina kwiajenda yeAGM ibandakanya oku kulandelayo:

- (a) Imizuzu yeAGM neeSGMs kunye neeQGM ezibanjwe emva kweAGM engaphambili;
- (b) Ingxelo yolawulo kaSihlalo ebandakanya unyaka ongaphambili kunye nombono olungiselelwe unyaka olandelayo;
- (c) Ingxelo kaNobhala yombutho;
- (d) Ingxelo yezezimali kaNondyebo, kubandakanywa iingxelo eziphengululweyo;
- (e) Ukuqinisekiswa kohlahlo lwabiwo mali;
- (f) Ulwamkelo lweengxelo; kunye
- (g) Nonyulo lwabanezikhundla kwiofisi.

Imizuzu eyiyo yayo nayiphi na iAGM kufuneka igcinwe ze ifayilishwe.

Imizuzu kunye neenkukacya zamalungu eKomiti Elawulayo entsha kufuneka zingeniswe kuMgcini zincwadi zobhaliso kungedlulanga iintsuku ezili-14 emva kweAGM.

9.5. Ukuvota

Ukuvota okulungiselelwe ukonyulwa kwamalungu eKomiti Elawulayo kufuneka kwenziwe ngovoto olusekhusini ze kuqinisekiswa ngummeli woMgcini zincwadi zobhaliso. Olunye uvoto lunokwenziwa ngokuboniswa ngokuphaka-nyiswa kwezandla. Akuyi kubakho luvoto lwakumelwa luya kuvunyelwa. Ngamalungu kuphela anakho ukuvelisa ubumi babo kunye nobulungu anelungelo lokuvota, ubunguwe bunokuboniswa ngokukhulisa kwencwadi yesaziso, incwadi yokundwendwela, iphepha mvume lokuqhuba elifana nekhadi okanye iphepha mvume lokusebenza.

Kwimeko yeevoti ezilinganayo usihlalo unevoti yokwahlula imbambano ngaphezulu kwale voti anayo.

9.6. Ukunyulwa kwababambe izikhundla zeofisi

Amalungu akhoyo kwiAGM kufuneka anyule la malungu alandelayo kwiKomiti Elawulayo:

- (a) USihlalo
- (b) USekela Sihlalo
- (c) UNondyebo
- (d) UNobhala
- (e) IGosa loQeqesho
- (f) USihlalo wekomiti yezikhalazo
- (g) USihlalo weKomiti yoLulelo
- (h) *Amanye amalungu ekucingwa ukuba ayimfuneko nguMbutho.*

Isithuba sokuba seofisini selungu leKomiti Elawulayo siya kuba ngunyaka omnye olandela unyulo. Amalungu amabini okongezelela ekomiti yezikhalazo kunye nekomiti yoluleko kufuneka banyulwe ngokunjalo kwiAGM isithuba sonyaka omnye beseofisini olandela unyulo, kodwa abayiyo inxalenye yeKomiti Elawulayo.

9.7. IiNngxelo zeziMali

Unondyebo, ehlangene negosa elinika ingxelo, kufuneka aqulunqe ingxelo yezemali, kubandakanywa neengxelo zezimali eziphengululweyo, ukulungiselela iAGM. Ngaphezulu, iingxelo zezimali zethutyana kufuneka ziqulunqwe qho ngekota ze zinikwe amalungu kwiQGM nganye.

10. INTLANGANISO JIKELELE EZIZODWA

10.1. Ilungelo lokubiza intlanganiso jikelele eyodwa

ISGM inakho ukuhlanganiswa phantsi kweemeko ezizodwa. Intlanganiso kufuneka ihlalelwe ukuba ngaba malunga nama-50%+1 amalungu afuna ukuba intlanganiso ibizwe kodwa iSGM inakho ukubizwa xa ifunwa yiKomiti Elawulayo.

Isizathu sentlanganiso enjalo kufuneka sichazwe kwisaziso esibiza intlanganiso. Unobhala okanye, xa esilela, usihlalo, makabize intlanganiso.

10.2. Inkqubo yokubiza kweSGM

Xa ilungu loMbutu efuna ukubiza iSGM, elo lungu kufuneka libe nenkxaso ebhaliweyo yamalungu amalunga nama-50%. IKomiti Elawulayo kufuneka ibize iSGM malunga nama-21 eentsuku zesicelo. Ukuba ngaba iKomiti Elawulayo iyasilela ukwenza njalo, ilungu linakho ukwazisa uMgcini zicwadi zobhaliso, ekufuneka aphande imeko ze athathe amanyethelo.

Unobhala, ekubeni efumene isicelo esibhaliweyo sokokuba kubizwe iSGM, kufuneka aqinisekise ngomhla, indawo kunye nexesha lothethwano kunye neKomiti Elawulayo. Unobhala kufuneka anike malunga neentsuku ezi (*mazizaliswe ngumbutho*) isaziso seSGM kuwo onke amalungu.

10.3. Inani elifunekayo labantu lokusingatha imicimbi yeSGM

Inani elifanelekileyo labantu elifunekayo kwintlanganiso eyodwa sisibini kwisithathu samalungu.

Ukuba ngaba alikho inani elifunekayo malunga *nama-30 emizuzu* exesha elibekiweyo leSGM, intlanganiso kufuneka imiselwe elinye ixesha elizintsuku ezisixhenxe emva kwangoko yaye kwindawo eya kuchazwa ngusihlalo, yaye kwintlanganiso emiselwe elinye ixesha amalungu ngoko ke akhoyo enza inani elifunekayo lokusingatha imicimbi yentlanganiso. Isaziso sentlanganiso leyo imiselwe elinye ixesha kufuneka sinikezelwe kuwo onke amalungu.

10.4. Ukuvota kwiSGM

Ngamalungu kuphela angangqinisa ukuba ngawo ubuqu kunye nobulungu bawo anelungelo lokuvota kwiiSGM. Ubungqina ngawe bungabonakaliswa kokoveliswe kwencwadi yesazisi, incwadi yokundwendwela, iphepha mvume lokuqhuba elilikhadi okanye iphepha mvume lokusebenza. Akuyi kuvunyelwa luvoto lokumelwa.

Uvoto kufuneka ibe luvoto lwasekhusini kwimeko yokunyulwa kwamalungu eKomiti Elawulayo kunye naweekomiti ezisisigxina.

11. INTLANGANISO JIKELELE YEKOTA (iiQGM)**11.1. Inkqubo yokubizwa kweQGM**

Emva kweentlanganiso zeKomiti Elawulayo eziikho emva kweenyanga ezimbini, unobhala kufuneka, emva kothethwano neKomiti Elawulayo, amisele umhla, indawo kunye nexesha leQGM elandelayo. Unobhala kufuneka anike isaziso esibhaliweyo seQGM malunga neentsuku ezisixhenxe, kuwo onke amalungu.

IKomiti Elawulayo kufuneka ilungiselele ukuba iQGM ibekho kwinyanga yesithathu emva kweAGM nasemva kwenyanga yesithathu emva kwangoko. Ukuba ngaba iKomiti Elawulayo iyasilela ukwenza njalo, amalungu anakho ukwazisa umgcini zicwadi zobhaliso, oya kuba nakho ukuphanda imeko leyo ze athathe amanyathelo afanelekileyo.

11.2. Inani elifunekayo labantu lokusingatha imicimbi yeQGM

Inani elifanelekileyo labantu elifunekayo kwintlanganiso yeQGM liya kuba ngama-50%+1 amalungu oMbutu.

Ukuba ngaba alikho inani elifunekayo malunga *nama-30 emizuzu* exesha elibekiweyo leQGM, intlanganiso iya kuthatyathwa njengerhoxisiweyo yaye umsebenzi wale ntlanganiso kufuneka usiwe kwiQGM elandelayo. Isaziso sentlanganiso leyo irhoxisiweyo kufuneka sinikezelwe kumalungu.

11.3. Ukuvota kwiQGM

Ngamalungu kuphela angangqinisa ukuba ngawo ubuqu kunye nobulungu bawo anelungelo lokuvota kwiiQGM. Ubungqina ngawe bungabonakaliswa ngokoveliswe kwencwadi yesazisi, incwadi yokundwendwela, iphepha mvume lokuqhuba elilikhadi okanye iphepha mvume lokusebenza. Akuyi kuvunyelwa luvoto lokumelwa.

11.4. UMSEBENZI KWIQGM

Umsebenzi woqinisekiso kwiQGM unokubandakaya yonke imiba egqityiweyo kwintlanganiso yeKomiti Elawulayo, ngaphandle kwezizigqibo zeKomiti yoLuleko okanye iKomiti yeZikhalazo. Emiselwe yiKomiti Elawulayo.

12. IMALI KUNYE NOPHENGULULO LWANGAPHANDLE**12.1. I-Akhawunti yeBhanki**

I-akhawunti yebhanki kufuneka ivulwe ngegama lombutho, ze kusayine unondyebo kunye namanye amalungu amabini eKomiti yoLawulo. Utyikityo lwamalungu amabini olunye kufuneka ibe lolukanondyebo luyafuneka phambi kokuba kwenziwe nayiphi na intlawulo. Zonke izixa mali eziqokelelweyo kufuneka zidipozithwe kule akhawunti malunga neeyure ezingama-24.

12.2. Imrihumo yoBulungu bonyaka

Ilungu ngalinye kufuneka linikeze qho ngonyaka kwimali yoMbutu ngokuhlawula isixa mali ekubhekiselelwe kuso njengomrhumo wonyaka wobulungu, ocetywe yiKomiti Elawulayo ngamaxesha ngamaxesha ze wamkelwe kwiAGM okanye kwiSGM kodwa uhlawulwa kube kanye ngonyaka. IKomiti Elawulayo inakho ngokubona kwayo ukuqokelela ezi zixa mali kumalungu.

Iirhisithi mazikhutshwe zayo yonke imali eqokelelweyo. Iingxelo kufuneka zingeniswe zayo yonke imali eqokelelweyo kunye neentlawulo.

Akukho mali yoMbutu eya kuthi isetyenziselwe enye injongo ngaphandle kotyalo mali okanye ezinye iinjongo othe uMbutu wasekelwa zona.

12.3. Unyakamali

Unyaka mali woMbutu uphela (**umhla uya kuzaliswa ngumbutho**) ngonyaka ngamnye. Unondyebo kufuneka aqinisekise ngento yokokuba igosa elinika ingxelo liqulunqa ingxelo yezemali yekota ukulungiselela ukuyingenisa kwiQGM.

12.4. **IiNgxelo zeziMali**

Iincwadi ezifanelekileyo kunye neengxelo kufuneka zigcinwe zayo yonke imali eqokelelweyo neentlawulo, iirhisithi kufuneka zikhutshwe ukulungiselela yonke imali eqokelelweyo kunye neeahawunti eziphengululweyo kufuneka zingeniswe kwiAGM okanye nanini na zifunwa yiKomiti Elawulayo. Unondyebo kunye nelungu elityunjwe yiKomiti Elawulayo ngabo kuphela amalungu anelungelo lokusayina amaxwebhu ezimali egameni loMbutho.

12.5. Uphengululo lwangaphandle

Igosa elinika ingxelo kufuneka lityunjwe nguMbutho ukulawula ubume bezemali zawo. Umntu onjalo kufuneka abhaliswe yaye asebenze ezilungiselela njengomlawuli zincwadi kunye nomphengululi zincwadi.

Ukutyunjwa kuxhomekeke ekubeni aphinde atyunjelwe kwakhona unyaka kwiAGM.

12.6. **Uqinisekiso lwenkcitho**

Uhlahlo lwabiwo mali lonyaka kufuneka lwamkelwe kwiAGM, yaye amalungu anelungelo lokugoca goca iingxelo zezimali.

Inkcitho inakho ukwenziwa emva kwengxoxo kunye nesigqibo kwintlanganiso esesikweni yeKomiti Elawulayo okanye kwintlanganiso jikelele esesikweni. Isigqibo kufuneka sibe kwimizuzu njengomyalelo kunondyebo kuhanjelwana ngoku-heleleyo neemfuno zamaxwebhu, kubandakanywa neengxelo zamaxabiso, iidolo, uluhlu lwezinto ezithengiweyo namaxabiso azo kunye neerhisithi.

13. **IMISEBENZI YOLULEKO**

Naluphi na ulwaphulo lwalo mgaqo siseko kunye nendlela yokuziphatha nangaliphi na ilungu, okanye umqhubi okwingqesho yelungu othe akahambelana nendlela yokuziphatha, okanye othe waqhuba ngengqesho nawuphila na umqhubi othe gqolo esaphula indlela yokuziphatha oku kuthetha ukuziphatha kakubi.

13.1. **Inkqubo yoLuleko**

IKomiti yoLuleko kufuneka iqulunqwe ukuphanda izikhalazo zokungaziphathi kakuhle kwelungu. IKomiti yoLuleko iqulunqwe ngusihlalo olilungu leKomiti Elawulayo kunye namalungu amabini angengawo amalungu eKomiti Elawulayo, nathe anyulwa yiAGM.

IKomiti yoLuleko iya kuthi ithabathe amanyathelo ngakwilungu emva kokufumana isikhalazo esibhaliweyo nakuwuphi na umntu. Zonke izikhalazo kufuneka zixhaswe *bubungqina boluvo lokuqala* bomntu okhalazayo, yaye kufuneka kube buyingxelo efungelweyo.

Emva kokufumana izikhalazo ezinjalo, iKomiti yoLuleko kufuneka yazise ngokubhalisweyo ilungu elo lichaphazelekayo (aya kubizwa mva apha njengomtyholwa), ngobume besikhalazo ze imvumele ngokumnika ithuba elaneleyo lokunikezela ngempendulo ebhaliweyo, yaye nokokuba umtyholwa uphendule okanye akaphendulanga ngoku-bhaliweyo, iKomiti kufuneka ibize umkhalazi kunye nomtyholwa ukuba bazimase indibano yokumanyelwa kwesimangalo ngexesha elithile kunye nendawo egqitywe yiKomiti yoLuleko.

Xa kubanjwe uphando olunjalo iKomiti yoLuleko kufuneka ivumele omabini amacala ithuba elinobulungisa nelilinganayo ukuba bathi thaca ubungqina babo. Le mithetho yobulungisa bendalo iya kusebenza:

- (a) umtyholwa uya kunikwa ithuba lokumanyelwa elililo yikomiti;
- (b) umtyholwa uya kunikwa ithuba lokuvelisa ubungqina aze abe nokulungisa okanye aphikise nayiphi na ingxelo eyonakalisayo okanye isityholo esenziwa kuye;
- (c) iKomiti yoLuleko kufuneka imamele ngobulungisa kuwo omabini amacala aze aqwalasele imithetho siseko yobulungisa;
- (d) iKomiti yoLuleko kufuneka iyiqhube imisebenzi yayo ngemtembeko yaye nangokungakhethi cala;
- (e) IKomiti yoLuleko kufuneka yenze isigqibo esifaneleki-leyo esinobulungisa nesinyanisekileyo kwizinto ezithiwe thaca phambi kwayo;
- (f) Fakela u 10.1.8 womgaqo siseko omdala.

Amalungu anelungelo lokuba amelwe ngamanye amalungu. Ikomiti inakho ukucela elinye ilungu ukuba lisebenze njengomtshutshisi ukuba ngaba umtyholwa umelwe lelilinye ilungu.

Ingxelo ngeenkqubo kunye nokufunyenweyo zekomiti yoluleko kufuneka ziqulunqwe ze zingeniswe kwiKomiti Elawulayo. Isigqibo seKomiti yoLuleko kufuneka similiselwe yiKomiti Elawulayo ngenxa yengcebiso esisekwe kuzo eyenziwe kuyo.

Isigqibo seKomiti yoLuleko kufuneka similiselwe yiKomiti Elawulayo ngokwesiseko sengcebiso eyenziwe kuyo.

Apho ilungu leKomiti Elawulayo ngokwalo libandakanyeka, mhlawumbi njengommangali okanye njengomntu ophantsi kophando, elo lungu kufuneka lingazibandakanyi kule ntlanganiso yeKomiti Elawulayo.

Kwimeko apho umntu afunyekwe enobutyala bokwaphula imithetho yendlela yokuziphatha okanye uMgaqo siseko, iKomiti yoLuleko inakho ukuthoba izigwebo ezilandelayo:

- ilungu linakho ukufumana utyityimbiselo lomnwe olubhaliweyo;
- ilungu linakho ukugwetywa, ukusuka kwi-R10,00 ukuya kuthi ga kwi-R1 000,00;
- ilungu linakho ukurhoxiswa kangangesithuba esingadlulanga kunyaka omnye;
- ilungu linakho ukugxothwa kuMbutho.

Kwimeko apho naliphi na ilungu lisilele ukuhlawula isihlwayo ngexesha ebe limiselwe lona, elingekho ngaphantsi kweentsuku zekhalenda ezintathu ukususela ekusayinweni kwengxelo, ukurhoxiswa okunjalo kwelungu kuMbutho kuyakuqhubeka. Nasiphi na isohlwayo esingekakhutshwa kunye neminye imirhumo engekahlawulwa ngamatyala abanjwa uMbutho yaye inakho ukuqokelelwa kusetyenziswa imiqathango efanelekileyo yasemthethweni.

Kwimeko apho ubulungu buthe barhoxiswa okanye lithe ilungu lagxothwa, iKomiti Elawulayo inakho ukwenza inkcazelo ebhaliweyo, emva kothethwano kunye nebhunga leteksi lengingqi apho umbutho uzimanye nalo, ubeke elubala izizathu ezingunobangela wokurhoxiswa kwesivumelwano sokusebenza okanye iphepha mvume. Inkqubo enjalo kufuneka saziswe kwifosi yoMgcini zincwadi zobhaliso ukulungiselela into yokokuba uhlolo lunakho ukwenziwa ukukhangela into yokokuba ingaba inkqubo elungileyo ithe yalandelwa na kwimeko apho kungabangakho sibheni ngokufunyenweyo singeniswayo malunga neentsuku ezisixhenxe.

Xa inkqubo yoluleko ithe yaqhutywa nakuliphi na ilungu leKomiti Elawulayo, ummangali okanye ilungu leKomiti Elawulayo kubhekiselelwe kulo linakho ukucela umntu onganxulumananga noshishino lweeteksi ukuba abe lilungu leKomiti yoLuleko.

13.2. Inkqubo yokubhena

Inkqubo yokubhena inika ilungu elithe lathyinyiselwa umnwe, lagwetywa, larhoxiswa okanye lagxothwa ithuba lokuba ityala lalo limanyelwe ngokutsha ngenkqubo eyahlukileyo, ukuba ngaba ukholelwa kwinto yokokuba ubulungisa abuzange bufezekiswe ngexesha lophando lwangaphambili.

Isibheni kufuneka sifakwe ngokusibhala kwiiveki ezintathu ezilandelelanayo zokusayinwa kwengxelo. Isibheni kufuneka kunobhala woMbutho nakunobhala webhunga leteksi zengingqi apho umbutho uzimanye khona.

Uvavanyo lesibheni kufuneka luqhutywe malunga neeveki ezimbini emva kokuba isibheni sithe sangeniswa. Isaziso sendibano yokumanyelwa kwesibheni kufuneka sithunyelwe kunobhala webhunga leeteksi lengingqi yaye kufuneka azise umtyholwa kunye nommangali ngomhla ixesha kunye nendawo yendibano yokumanyelwa kwetyala. Isigwebo sekomiti yesibheni kufuneka sithunyelwe kuMgcini zincwadi zobhaliso malunga neentsuku ezisi-7.

14. INKQUBO YESIKHALAZO

14.1. Injongo gqo

Eyona njongo iphambili yenkqubo yezikhalazo kukunceda ilungu okanye iqela lamalungu liphakamise ze libe ngunobangela wokuchotshelwa, kwawo nawuphi na umcimbi elinokuthi ilungu okanye iqela lamalungu angaziva ehlukisiwe ngawo, okanye impatho engenabulungisa lulawulo loMbutho. Enye injongo engaphaya kukuzisa nawuphi na umcimbi onjalo kwingqwalasela yeKomiti Elawulayo.

Isikhalazo kuko nakuphi na ukunganeliseki okanye imvakalelo yokungaphathwa ngobulungisa kwicala lelungu okanye iqela lamalungu ngokubhekiselele kubulungu nakwimiba esecaleni.

Inkqubo yesikhalazo isekwe kumthetho siseko wento yokokuba onke amaqela makabe nenjongo yokusombulula isikhalazo msinyane ngangoko benakho.

Injongo yenkqubo yesikhalazo kukubonelela ngesikhokhelo esisesikweni ukulungiselela isisombululo sesikhalazo nembambano esinobulungisa nesilungileyo, nokuyila indlela apho amalungu aziva engaphathwanga kakuhle nangayo nayiphi na indlela anokuthi sibonakale njengengenabo ubulungisa ifumane ukuhlawulelwa kwetyala okunobulungisa.

Inkqubo yesikhalazo ayithathi ndawo namsebenzi kunye nelungelo leKomiti Elawulayo yokokuba isebenzise amanyathelo oluleko ngokwemiqathango yenkqubo yoluleko kubaphuli bemithetho abathi baphule uMgaqo siseko okanye indlela yokuziphatha. Inkqubo yesikhalazo ayisebenzi njengendlela yokubhena kumanqanaba oluleko athatyathweyo ngokwemiqathango yenkqubo yoluleko.

Inkqubo yesikhalazo iyafumaneka yaye ivuleleke nakuliphi na ilungu okanye iqela lamalungu elithi lilandele inkqubo echaziweyo ze libenzise nayiphi na ifomu echaziweyo, linikezele ngabantu abasayinayo abamalunga (*liya kuzaliswa ngumbutho*) amalungu anezimilo ezihle nezingqinekayo ukuxhasa umntu onesikhalazo baya kufumaneka.

Inkqubo yesikhalazo kufuneka:

- (a) iqinisekisa ngento yokokuba izikhalazo ziyathethwa ze zixoxwe zigqitywe;
- (b) iqinisekisa ngokuqunyelwa kwezikhalazo kufutshane nje nexesha ebeseqale ngalo;
- (c) iqinisekise ngobulungisa.

14.2. IKomiti yezikhalazo

IKomiti yeZikhalazo kufuneka iqulunqwe ukulawula umsebenzi wezikhalazo.

IKomiti yeZikhalazo kufuneka iqulunqwe ngusihlalo olilungu leKomiti Elawulayo kunye namalungu amabini angengawo amalungu eKomiti Elawulayo yaye anyulwe yiAGM.

14.3. Inkqubo EseMgangathweni yeZikhalazo

Nayiphi na inzame kufuneka yenziwe kuqala kulungiswe ubunzima kusetyenziswa ingxoxo, yaye inkqubo yesikhalazo kufuneka ibe nokuqaliswa kuphela xa oku kusilele. Inkqubo yesikhalazo iqulathe la manyathelo alandelayo:

INyathelo 1: Ukusonjululwa kwembambano

- 1.1. Ilungu okanye iqela lamalungu kufuneka lizalise ifomu yesikhalazo (jonga nangu umzekelo uqhutyoshelwe).
- 1.2. Ifomu ezalisiweyo yaze yasayinwa kufuneka ingeniswe kwikomiti yezikhalazo.

- 1.3. USihlalo wekomiti yezikhalazo kufuneka amisele umhla apho amalungu aya kuthi thaca izikhalazo zawo kwikomiti, ongayi kuba semva kweentsuku ezintathu emva kokuba ifomu yesikhalazo ingenisiwe.
- 1.4. Kule ntlanganiso, ikomiti kunye namalungu kufuneka azame ukusombulula imbambano.
- 1.5. USihlalo wekomiti yezikhalazo kufuneka alungise ingxelo yenkqubo yekomiti yezikhalazo ukulungiselela ukuyingenisa kwiKomiti Elawulayo.
- 1.6. Ukuba ngaba ilungu okanye iqela lamalungu akhathaziweyo akaneliseki sisiphumo sentlanganiso yekomiti umba kufuneka uthunyelwe kubalambi nabaxolelanisi.

INyathelo 2: Uxolelwaniso

- 2.1. USihlalo wekomiti yesikhalazo kufuneka angenise ingxelo yenkqubo yentlanganiso yekomiti ekubhekiselelwe kuyo kwiNyathelo loku-1 kumxolelanisi ozimeleyo ongelilo ilungu loMbutho.
- 2.2. Umxolelanisi kufuneka axolelanise phakathi kwamaqela ukuzama ukufikelela kwisigqibo sesikhalazo malunga neveki umcimbi lowo ungenisiwe.
- 2.3. Ukuba ngaba ilungu elikhathaziweyo okanye iqela alanelisekanga sisiphumo senkqubo yoxolelwaniso, umcimbi kufuneka uthunyelwe kumlamli.
- 2.4. Umxolelanisi kufuneka angenise ingxelo yenkqubo yoxolelwaniso kusihlalo wekomiti yezikhalazo.

INyathelo 3: Ulamlo

Kuya kungenwa kweli nyathelo xa inyathelo 2 lithe lasilela ukusombulula imbambano.

- 3.1. USihlalo weKomiti yeZikhalazo kufuneka, malunga neentsuku ezintathu (3) ekubeni efumene ingxelo yomxolelanisi, atyumbe umlamli ukulungiselela ukuqokumbela isikhalazo ukuba ngaba sisele singasonjululwanga.
- 3.2. Isigqibo somlali iba sesokugqibela yaye kufuneka kubanjelelwe kuso.
- 3.3. IMithetho yoLamlo ebekwe nguMbutho waBalambi kunye noMthetho woLamlo, we-1965, uyasebenza kule meko.
- 3.4. UMgcini zincwadi zobhaliso kufuneka aziswe ngesiphumo salo naluphi na ulamlo.

Ummeli welungu

Naliphi na ilungu okanye iqela lamalungu asebenzisa inkqubo yezikhalazo linakho ukunyula elinye ilungu njengommeli ngexesha laManyathelo 2 kunye nesi-3. Iindleko zoxolelwaniso kunye nolamlo zinakho ukunikezelwa.

15. ISIHLOMELO SOMGAQO SISEKO

Izihlomelo kulo Mgaqo siseko zinokuthi zenziwe kuphela ukuba:

- (a) izihlomelo ziyahambelana ngokupheleleyo kunye neemfuno zoBuncinane boMgangatho woMgaqo siseko; yaye
- (b) zamkelwe yiAGM apho malunga nesibini esithathwini samalungu abe akho ze kube malunga nesibini esithathwini salawo akhoyo aze avotele inguqu.

16. UKUDITYANISWA

Isigqibo sokudibanisa kunye nomnye umbutho kufuneka ibe sisigqibo sesininzi esisibini kwisithathu zeAGM okanye iSGM apho amalungu akhoyo kufuneka angabi ngaphantsi kwesibini esithathwini.

Imiba ephathelele ekulawulweni kwempahla yexabiso yoMbutho ifuna isigqibo sesibini esithathwini kwiAGM okanye kwiSGM apho amalungu engenakuba ngaphantsi kwesibini kwisithathu samalungu akhoyo.

17. UKUCHITHWA KOMBUTHO

Isigqibo sokuwuchitha uMbutho kufuneka ibe sisigqibo sesibini kwisithathu kwiAGM okanye kwiSGM, apho inani elifunekayo ukuze kuthatyathwe izigqibo liya kuba sisibini kwisithathu samalungu.

Isigqibo ngendlela yokuphathwa kwezakhiwo nempahla yexabiso yoMbutho kufuneka sithatyathwe ngesininzi sesibini kwisithathu.

Isigwebo seKomiti yeZikhalazo zinje ngoku kulandelayo:

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Utyikityo lukasihlalo (Umhla: usuku/inyanganyaka)

Mna, ummangali ndiyavuma ukuba umcimbi usonjululwe ngikundanelisayo ukuza kuthi ga ngoku.

Utyikityo Umhla Inombolo yobulungu
(usuku/inyanganyaka)

Utyikityo oluxhasayo (inani liya kuzaliswa nguMbutho) lwamalungu anezimilo ezamkelekileyo:

Igama lelungu Inombolo yobulungu Utyikityo

Igama lelungu Inombolo yobulungu Utyikityo

Igama lelungu Inombolo yobulungu Utyikityo

Ndiyaqinisekisa ngento yokuba amagama abasayini abaxhasayo ngalawo amalungu anezimilo ezamkelekileyo

USihlalo weKomiti yeZikhalazo:

Ifungelwe phantsi kwam e ngomhla 19.....

UMKHOMISHINALA OFUNGISAYO

IGAMA ELIPHELELEYO

ISIKHUNDLA

IDILESI

INDLELA YOKUZIPHATHA

UMbutho kufuneka ulangazelele ukufikelela nokugcina imigangatho yemikhwa esesikweni yokuziphatha ekwinqanaba eliphezulu. Nangona indima yoMbutho kunye nabantu ababambe izikhundla kwiofisi kunye nabaqeshwa ibalulekile, abantu abasebenzayo kunye nabaqhubi babubuso obubalulekileyo nobuphambili boshishino lweeteksi. Kubalulekile ukuba abantu abasebenzayo kunye nabaqhubi baziphathe ngendlela apha eyandisa imbonakalo yoli shishino.

Ukuthotyelwa kwale ndlela yokuziphatha ilandelayo ngabantu abasebenzayo nabaqhubi kuya kukhokelela ekwandeni kwentlonipho kunye nenkxaso yolu shishino evela kubantu abalusebenzisayo, nakuluntu ngokubanzi, kunye norhulumente.

1. Abanini zithuthi kufuneka baluqhube ushishino lwabo ngenkathalo ukuqinisekisa ngokhuseleko loluntu. Oku kuthetha into yokokuba abanini zithuthi kufuneka benze konke okusemandleni abo ukuqinisekisa ngento yokokuba akukho zenzo zobundlobongela ezithi zenzeke.
2. Abanini zithuthi abanakho ukusebenzisa iiteksi ezingakhuselekanga okanye ezingekho kumgangatho wokuba zingahamba ezindleleni okanye ezingenazo neziqinisekiso zokuba semgangathweni wokuba zingahamba endleleni ngaphantsi kwemithetho yokuhamba kwezithuthi endleleni.
3. Abanini zithuthi kufuneka baqiniseke ngawo onke amaxesha ukuba izithuthi zicocekile, zisemgangathweni wokuba zingahamba endleleni yaye zigcinwe ngokuhambelana neemfuno ezibonelelweyo ngokwemiqathango yesiqinisekiso sokulunga (okanye isiqinisekiso sokuba semgangathweni wokuba zingahamba endleleni).
4. Abanini zithuthi kwizithuthi kufuneka babonise ngamaxesha onke umboniso woMbutho kunye nenombolo, iphepha mvume lakhe lokuthutha abantu kwiindlela zikawonke wonke okanye iphepha mvume lokusebenza, isiqinisekiso sokulunga (isiqinisekiso sokuba semgangathweni wokuhamba endleleni), umqondiso wesikhululo seeteksi ekukhwelelwa kuso kunye negama lomnini weteksi, idilesi kunye nenombolo yemfonomfono.
5. Abanini zithuthi banokungazivumeli izithuthi zabo ukuba zithuthi abakhweli nakuyiphia na indlela abangenayo invume kuyo okanye iphepha mvume lokusebenza.
6. Abanini zithuthi kufuneka bahambelane nayo yonke imithetho esebenza kubo ngokubhekiselele ekusebenzeni kwenkonzo yothutho yoluntu.
7. Kwimeko yokwaphuka kwesithuthi, isithuthi somntu lowo kufuneka sisuswe endleleni ngaphandle kokulityaziswa yaye, ukuba kuyenzeka isithuthi esisesinye kufuneka sibonelelwe ukuqinisekisa ngento yokokuba abakhweli bayafika kwiindawo abaya kuzo ngokukhawuleza.
8. Abanini zithuthi kufuneka ngamaxesha onke bazame ukugcina ubudlelwane obulungileyo kunye nabasemagunyeni kunye namagosa anyanzelisa umthetho.
9. Abanini zithuthi kufuneka basebenzisane yaye bathobeze ze benze zonke izinto (imiyalelo) eziyimfuneko ukunceda, naliphi na ipolisa, igosa lezendlela okanye umhloli wezothuthi ekuqhubeni umsebenzi wabo osesikweni.
10. Abanini zithuthi kufuneka basebenzise ulawulo olululo kubaqhubi abakushishino lwabo.
11. Abanini zithuthi mabangasebenzisi abaqhubi abangafanelekanga.
12. Abanini zithuthi mabangagrogri okanye boyikise nawuphi na umntu okanye iqela.
13. Abanini zithuthi mabangathathi nxaxheba kwimisebenzi yobundlobongela okanye izenzo ezinokuthi zibe nokukhokelela nangayiphi na indlela kubundlobongela.
14. Abanini zithuthi akufuneki baphathe imipu engenawo amaphepha mvume okanye bavunyelwe babeke elubala isixhobo kwizithuthi.
15. Umnini sithuthi kufuneka anike ingxelo kwiKomiti Elawulawo yombutho wakhe nayiphi na ingcaciso ebonisa into yokokuba imeko yembambano inakho ukuvela okanye inganakho ukuvela phakathi kwalaa Mbutho kunye nomnye umbutho ethe yeza kwinqwalasela yakhe.
16. Abanini zithuthi mabangaququzeleli okanye bathabathe inxaxheba nakuluphi na ugwayimbo ngaphandle kwemvume yoMbutho.
17. Abanini zithuthi kufuneka bahambelane nezibonelelo zoMgaqo siseko.
18. Abanini zithuthi bagcina izinto ziyimfihlelo ngokubhekiselele kwimicimbi yangaphakathi yoMbutho.
19. Abanini zithuthi mabangaququzeleli okanye bathabathe inxaxheba kwimisebenzi ebhukuqayo kuMbutho, kwiphondo, kwingingqi okanye imibutho yasekuhlaleni.
20. Abanini zithuthi abanakuba nobulungu bemibutho emibini yeteksi esebenzisa indlela enye ngaphandle kwemvume.
21. Umnini sithuthi onyulwe nakusiphi na isikhundla seofisi njengelungu loMbutho kufuneka ayenze imisebenzi yakho ngenkuthalo.
22. Abanini zithuthi abanakho ukusilela ngaphandle kwesizathu esibambekayo ukuzimasa iintlanganiso njengoko belindelwe njengamalungu oMbutho.
23. Abanini zithuthi abanakho ukuthabatha inxaxheba kuhlaselo lomntu ngamazwi okanye kutyholwe ngokubhekiselele nakuwuphi umntu obambe isikhundla seofisi okanye umsebenzi eliqeshwe nguMbutho.
24. Abanini zithuthi akufuneki, ngaphandle kwesizathu esibambekayo, basilele ukuvela phambi kwekomiti yoluleko yoMbutho xa bathe bayalelwe aukuba benze njalo.
25. Abanini zithuthi akufuneki bagxeke uMbutho okanye abantu abanezikhundla zeofisi, ngaphandle kwaxa berhwebesha iivoti zentlanganiso jikelele eyodwa okanye bebavotela ukubakhupha ezikhundleni kuba bengabathembi.
26. Abanini zithuthi abanakwenza ngxelo nakuluphi na iphepha ndaba, unomathotholo okanye umabonakude ngaphandle kokuba bagunyazisiwe ngokufanelekileyo nguMbutho abamele wona ekwenzeni kwabo loo ngxelo.

27. Abanini zithuthi abanakho ukupapasha okanye ukukhupha incwadana okanye uxwebhu olubhaliweyo olubhekiselele kwimicimbi yombutho ngaphandle kwemvume yawo.
28. Abanini zithuthi abanakho ukubiza, ukubamba okanye ukuzimasa iintlanganiso zogwayimbo okanye benze amalungiselelo alo naluphi na udidi logwayimbo loMbutho nangayiphi na indlela echasene nezibonelelo zoMgaqo siseko okanye inkqubo yezikhalazo.
29. Abanini zithuthi abanakho ukuthabatha inxaxheba nakuwuphi na umsebenzi wezopolitiko bemele okanye egameni loMbutho ngokuchasene noMgaqo siseko.
30. Abanini zithuthi abanakugrogrisa, baqhube okanye boyikise nabaphi na abantu konke konke ekubeni bathabathe inxaxheba nakusiphi na isenzo esiya kwaphula uMgaqo siseko soMbutho.

Abanini zithuthi kufuneka baqinisekise ngento yokokuba abaqhubi babo bayazithobela ezi mfuno zilapha ngasentla apho zithe zafanelana nendlela yokuziphatha komqhubi. Abanini zithuthi kufuneka ngokunjalo baqinisekise ngento yokokuba abaqhubi babo baya kuqwalasela oku kulandelayo:

1. Abaqhubi abanakho ukuthabatha inxaxheba nakuziphi na iintshukumo zobundlobongela okanye iintshukumo ezinokuthi nangayiphi na indlela zikhuthaze ulwaphulo mthetho.
2. Abaqhubi kufuneka bathobele imithetho yendlela ze ngakumbi bayeke ukuqhuba nokungenankathalo okanye kakubi. Abaqhubi kufuneka ngoko bathobele yonke imithetho eyilwe phantsi komthetho, imimiselo ngokubhekiselele ekuqhutyweni kwezithuthi kwindlela zikawonke wonke, kunye nokugcinwa kwazo.
3. Abaqhubi abanakuze naphantsi kwayo nayiphi na imeko bathabathe inxaxheba ekuvaleni indlela okanye ukuphazamisa ukusebenza okufanelekileyo kwezithuthi zendlela nangaluphi na uhlobo.
4. Abaqhubi kufuneka bayeke ukwaphula qho nangokulandelelana kwemithetho yendlela engephi efana namatyala okupaka.
5. Abaqhubi banakho ukuqhuba kuphela izithuthi ezikumgangatho ofanelekileyo wokuba zihambe endleleni, ezibhalisiweyo kunye noMgcini zincwadi zobhaliso kunye noMbutho, yaye kufuneka baphathe kubo isiqinisekiso soko kwizithuthi zabo.
6. Abaqhubi baya kuba nelungelo lokubhalisa nombutho wabaqhubi.
7. Bonke abaqhubi kufuneka babe banephepha mvume lokuqhuba elisemthethweni nezisesikweni kwindlela zikawonke wonke.
8. Abaqhubi akufuneki basebenzise ulwimi oluthukayo okanye babonise isimilo esichithayo nesibi kuluntu.
9. Abaqhubi kufuneka ngawo onke amaxesha baphathe abakhweli ngesidima, ngembeko nangentlonelo ze bathabathe inkathalo enkulu ekuqinisekiseni ngolonwabo lwabo kunye nokhuseleko.
10. Abaqhubi kufuneka banike abakhweli naluphi na uncedo oluya kuthi lube yimfuneko ukulungiselela ukunikezela ngenkonzo efanelekileyo.
11. Abaqhubi akufuneki barhumise abakhweli ngaphezulu kwemali ebebefanele ukuba bayihlawule.
12. Abaqhubi abanakho ukusebenzisa isithuthi ukulungiselela ukuthutha abantu xa isithuthi eso singakhuselekanga okanye singekho mgangathweni wakusebenza.
13. Abaqhubi akufuneki basebenzise okanye baqhube isithuthi esingacocekanga ngokwembonakalo.
14. Abaqhubi kufuneka bacoceke yaye banxibe cocekileyo.
15. Akukho mqhubi uya kuthintela ukuqhutywa kwemisebenzi kwisikhululo seeteki.
16. Abaqhubi kufuneka bakhwelise abakhweli ngokokuba ofike kuqala ukhwela kuqala.
17. Abaqhubi bezithuthi ezithathu zokuqala emgceni kufuneka babe kwizithuthi okanye kufutshane nezithuthi zabo.
18. Abaqhubi abanakho ukulungisa izithuthi kwisikhululo seteki kunye neendawo ekumiwa kuzo, ngaphandle kwakiwiindawo ezalathelwe loo njongo zaphunyezwa liGunyabantu loCwangciso.
19. Abaqhubi abanakho ukugcakaza okanye ukusebenzisa isiselo esinxilisayo kwizibonelelo namaziko eeteki.
20. Abaqhubi abanakho ukuvumela abakhweli ukuba balahle nje inkunkuma naphi na.
21. Umqhubi kufuneka anike ingxelo kumnini wesithuthi sakhe nayiphi na ingcaciso ebonisa ukuba ubume bongquzulwano bungakho okanye busenokwenzeka phakathi kwalaa Mbutho kunye nomnye umbutho ethe yafikelela kwingqwalasela yakhe.
22. Abaqhubi abanakho, ngaphandle kwemvume yomnini sithuthi, ukusebenzisa izithuthi zabanini zithuthi ukuba ngaba bakugwayimbo.
23. Abaqhubi nabancedisi mabangayi kwisithuthi bephantsi kweempembelelo zotywala okanye iziyobisi.

Le ndlela yokuziphatha iyabophelela kuwo onke amalungu abasebenzi oMbutho.

Ukuba ngaba kungakho ulwaphulo okanye utyeshelo lwale ndlela yokuziphatha olunokuthi lube phantsi kwengqwalasela yakhe nawuphi na umnini wesithuthi, umqhubi, umkhweli, ugunyaziwe okanye igosa elinyanzelisa umthetho, kufuneka kunikwe ingxelo ngayo kuMbutho ngoko nangoko.

NARTA(00)(05)

**IPHONDO LENTSHONA KOLONI
ISEBE LEZOTHUTHO NEMISEBENZI YOLUNTU**

NARTA

IFOMU YESICELO SOKUBHALISA UMBUTHO WETEKSI	
Igama lombutho elifinyeziweyo	

IINKCUKACHA ZOMBUTHO

Uhlobo lombutho	S 21 Inkampani	Ukuzithandela	Okunye (cacisa)
Inombolo-mbhalo weshishini (ukuba kufanelekile)	Umhla owasekwa ngawo		
		Unyaka	Inyanga umhla
Igama lombutho			
Idilesi yeposi	Ikhowudi yeposi		
Idilesi yesitalato (ukuba yahlukile kwidilesi yeposi)	Ikhowudi yeposi		
Inombolo yomnxeba emini	ikhowudi		
Inombolo yefeksi	ikhowudi		
Inani lamalungu	Inani lezithuthi ezisetyenziswa ngamalungu		
Inani labaqeshwa			
Umrhumo wokuqala wokujoyina welungu ngalinye	R	Umrhumo welungu ngalinye ngonyaka	R
Ubandakanyo: Amagama emibutho azibandakanye nomfaki-sicelo (ukuba akho)			

IINKCUKACHA ZABATHWALI BE-OFISI

Iindawo (umz. Usihlalo wekomiti yequmrhu eliphetheyo, umabhalane)			
Uhlobo lwencwadi yesazisi	Incwadi yesazisi yaseMzantsi Afrika	Incwadi yesazisi yasemzini	
	Incwadi yokundwendwela	Okunye (cacisa)	
Inombolo yesazisi			
Ifani noonobumba bokuqala (angadluli kwisithathu)			

lindawo (umz. Usihlalo wekomiti yequmrhu eliphetheyo, umabhalane)	<input type="text"/>												
Uhlobo lwencwadi yesazisi	Incwadi yesazisi yaseMzantsi Afrika	<input type="text"/>	Incwadi yesazisi yaseMzantsi Afrika	<input type="text"/>									
	Incwadi yokundwendwela	<input type="text"/>	Okunye (cacisa)	<input type="text"/>									
Inombolo yesazisi	<input type="text"/>												
Ifani noonobumba bokuqala (angadluli kwisithathu)	<input type="text"/>												<input type="text"/>

lindawo (umz. Usihlalo wekomiti yequmrhu eliphetheyo, umabhalane)	<input type="text"/>												
Uhlobo lwencwadi yesazisi	Incwadi yesazisi yaseMzantsi Afrika	<input type="text"/>	Incwadi yesazisi yaseMzantsi Afrika	<input type="text"/>									
	Incwadi yokundwendwela	<input type="text"/>	Okunye (cacisa)	<input type="text"/>									
Inombolo yesazisi	<input type="text"/>												
Ifani noonobumba bokuqala (angadluli kwisithathu)	<input type="text"/>												<input type="text"/>

lindawo (umz. Usihlalo wekomiti yequmrhu eliphetheyo, umabhalane)	<input type="text"/>												
Uhlobo lwencwadi yesazisi	Incwadi yesazisi yaseMzantsi Afrika	<input type="text"/>	Incwadi yesazisi yaseMzantsi Afrika	<input type="text"/>									
	Incwadi yokundwendwela	<input type="text"/>	Okunye (cacisa)	<input type="text"/>									
Inombolo yesazisi	<input type="text"/>												
Ifani noonobumba bokuqala (angadluli kwisithathu)	<input type="text"/>												<input type="text"/>

lindawo (umz. Usihlalo wekomiti yequmrhu eliphetheyo, umabhalane)	<input type="text"/>												
Uhlobo lwencwadi yesazisi	Incwadi yesazisi yaseMzantsi Afrika	<input type="text"/>	Incwadi yesazisi yaseMzantsi Afrika	<input type="text"/>									
	Incwadi yokundwendwela	<input type="text"/>	Okunye (cacisa)	<input type="text"/>									
Inombolo yesazisi	<input type="text"/>												
Ifani noonobumba bokuqala (angadluli kwisithathu)	<input type="text"/>												<input type="text"/>

lindawo (umz. Usihlalo wekomiti yequmrhu eliphetheyo, umabhalane)	<input type="text"/>												
Uhlobo lwencwadi yesazisi	Incwadi yesazisi yaseMzantsi Afrika	<input type="text"/>	Incwadi yesazisi yaseMzantsi Afrika	<input type="text"/>									
	Incwadi yokundwendwela	<input type="text"/>	Okunye (cacisa)	<input type="text"/>									
Inombolo yesazisi	<input type="text"/>												
Ifani noonobumba bokuqala (angadluli kwisithathu)	<input type="text"/>												<input type="text"/>

Dibanisa iphepha elongezelelweyo kwiinkcukacha zabathwali abongezelelweyo be-ofisi njengokumila okwenziwe ngentla

Form 2

NARTA/1(00)(05)

**IPHONDO LENTSHONA KOLONI
ISEBE LEZOTHUTHO NEMISEBENZI YOLUNTU**

NARTA/1

ISIHLOMELO SOKU-1 KWIFOMU YESICELO YOKUBHALISA KOMBUTHO WETEKSI

INKCAZELO

Mna, sihlalo/gosa wolawulo*, ngenxa yoko ndinikezela uMthetho wolawulo odityanisiweyo ozalisekisa iimfuneko zeCandelo le
Inomboloye yokubhalisa.

Umhla

Isignitsha

Indawo

INKCAZELO

Mna, Rejistra yoMbutho weTeksi, ngenxa yoko ndazisa ukuba loMthetho wolawulo udityanisiweyo uzalisekisa zonke iimfuneko zamaCandelo,,, kunye ye
..... Nombolo ye
ngeenjongo zokunikezela ubhaliso.

Umhla

Isignitsha

Indawo

NARTA/2(00)(05)

**IPHONDO LENTSHONA KOLONI
ISEBE LEZOTHUTHO NEMISEBENZI YOLUNTU**

NARTA/2

ISHLOMELO SE-2 KWIFOMU YESICELO SOKUBHALISA UMBUTHO WETEKSI

Igama elifinyeziweyo lombutho Iphepha Le

IINKCUKACHA ZELUNGU

Uhlobo lweLungu	Umnini/Umqhubi	Umnini wesithuthi esinye	Umnini wezithuthi ezininzi	Eziinye (cacisa)
Uhlobo lokuchonga olwamkelekileyo	I-ID yaseMzantsi Afrika	Eyamazwe angaphandle	Eyenkamapani	Idilesi yeposi
Inombolo yesazisi/Inombolo-mbhalo yeshishini	Okunye (cacisa)		Oonobumba bokuqala begama	Ikhodi yeposi
Ifani/igama leqela labantu			Idilesi yesitalato (ukuba yahlukile kwidilesi yeposi)	Ikhodi yeposi
Igama leshishini (ukuba likhona)				
INomb. yobhaliselo lwerhafu (ukuba ikho)			INomb. yobhaliselo (ukuba ikho)	

IINKCAZO LILUNGU

Mna, ndazisa ukuba zonke iinkcukacha endizinkileyo kule fom u ziyinyani kwaye zilungile. Ndazisa ukuba ndiyabhalisa kwaye ndivuma ukubopheleleka kuMthetho wokuZiphatha opapashwe kwiSaziso sikaRhulumente Somhla we..... noMthetho wolawulo walo mbutho odityaniswa kwiSihlommeloko soku-1.

Umhla Insignitsha Indawo

ISETYENZISWA YI-OFFISI KUPHELA

Inombolo-mbhalo YePhondo yeLungu ekhutshwe yiRejistra	<input type="text"/>	Umhla wokufakwa kolwazi	<input type="text"/>
Inombolo-mbhalo yeLungu ekhutshwe yiRejistra	<input type="text"/>	Umhla wokufakwa kolwazi	<input type="text"/>
Inombolo yefayile	<input type="text"/>		

Igama elifinyaziweyo lombutho

iphepha of

INXENYE YOKU-1: IINKUKACHA ZEZITHUTHI EZINEZIQINISEKISO EZISEBENZAYO EZILUNGILEYO

Izaliswe lilungu

Inombolo-mbhalo yesithuthi	<input type="text"/>
Inombolo yesisu sesithuthi	<input type="text"/>
Inombolo yesiqinisekiso esisebenzayo	<input type="text"/>
Inombolo yesatifikethi sesiqinisekiso esisebenzayo	<input type="text"/>
Indawo egunyazisiweyo yokunduluka	<input type="text"/>
Indawo egunayzisiweyo yokufikela	<input type="text"/>
Inombolo yendlela eyabiwe yiBhodi ekhupha iSiqinisekiso Esisebenzayo	<input type="text"/>

Izaliswe ngummeli weBhodi yePhondo ekhupha iSiqinisekiso Esisebenzayo

Mna, mmeli weBhodi, ndazisa ukuba iinkcukacha zesiqinisekiso esisebenzayo zi/azi* lungile/lunganga. Esi siqinisekiso sisebenzayo silungile/sirhoxisiwe.* Esi siqinisekiso sisebenzayo si/asi* khutshwe/khutshwanga ngokwemigaqo yeemfuneko zeCandelole Nomboloye

Umhla

Insightsha _____

Izaliswe lilungu

Inombolo-mbhalo yesithuthi	<input type="text"/>
Inombolo yesisu sesithuthi	<input type="text"/>
Inombolo yesiqinisekiso esisebenzayo	<input type="text"/>
Inombolo yesatifikethi sesiqinisekiso esisebenzayo	<input type="text"/>
Indawo egunyazisiweyo yokunduluka	<input type="text"/>
Indawo egunayzisiweyo yokufikela	<input type="text"/>
Inombolo yendlela eyabiwe yiBhodi ekhupha iSiqinisekiso Esisebenzayo	<input type="text"/>

Izaliswe ngummeli weBhodi yePhondo ekhupha iSiqinisekiso Esisebenzayo

Mna, mmeli weBhodi, ndazisa ukuba iinkcukacha zesiqinisekiso esisebenzayo zi/azi* lungile/lunganga. Esi siqinisekiso sisebenzayo silungile/sirhoxisiwe.* Esi siqinisekiso sisebenzayo si/asi* khutshwe/khutshwanga ngokwemigaqo yeemfuneko zeCandelole Nomboloye

Umhla

Insightsha _____

Form 6

ACTA/1(00)(05)

**IPHONDO LENTSHONA KOLONI
ISEBE LEZOTHUTHO NEMISEBENZI YOLUNTU**

ACTA/1

**ISIHLOMELO SOKU-1 KWISICELO SOKUGUQULELA UBHALISO OLUNGUNOBAMBISO
LOMBUTHO WETEKSI KUBHALISO OLUPHELELEYO**

	ISIBHENGEZO/INKCAZO	
--	----------------------------	--

Mna, sihlalo/gosa lolawulo*, ndinikezela loMthetho wolawulo udityaniswe kwimfezekiso
zeemfuneko zeCandelo le Nombolo le

Umhla

Isignitsha

Indawo

	ISIBHENGEZO/INKCAZO	
--	----------------------------	--

Mna, Rejistra yeMibutho yeeTeksi, ndazisa ukuba loMthetho wolawulo udityaniswe apha
uzalisekisa zonke iimfuneko zamaCandelo,, kunye
..... ye..... Nombolo..... le.....

Umhla

Isignitsha

Indawo

IPHONDO LENTSHONA KOLONI
ISEBE LEZOTHUTHO NEMISEBENZI YOLUNTU

ACTA/2(00)(05)

ACTA/2

ISIHLOMELO SE-2 KWIFOMU YESICELO SOKUGUQULELA UBHALISAYO OLUNGUNOBAMBISO KUMSEBENZI ONGELOLUNGU ABE LILUNGU ELIPHELELEYO

Igama lombutho elifinyezwiweyo Iphepha le

IINKCUKACHA ZELUNGU

Inombolo yesazisi/Inombolo-mbhalo yeshishini
 Inombolo-mbhalo yelungu elingunobambiso
 Ifani/igama leqela labantu Oonobumba begama bokuqala

Igama leshishini (ukuba likhona)

INomb. yobhaliselo lwerhafu (ukuba ikho) INomb. yobhaliselo (ukuba ikho)

INKCAZO YELUNGU

Mna,, ndazisa ukuba zonke iinkcukacha endizinkileyo kule fomu ziyinyani kwaye zilungile. Ndazisa ukuba ndibhalisiwe ndavuma ukubophelelwa nguMthetho wokuZiphatha opapashwe siSaziso sikaRhulumente somhla we noMthetho olawulayo walo mbutho udiyanyiswe kwiSihlomelo soku-1.

Umhla Isignitsha Indawo

IINKCUKACHA ZESITHUTHI/INDELELA/ISIQINISEKISO ESISEBENZAYO

Izaliswe lilungu

Inombolo-mbhalo yesithuthi
 Inombolo yesisu sesithuthi
 Inombolo yesiqinisekiso esisebenzayo
 Inombolo yokukhutshwa
 Inombolo yesiqinisekiso sesattifikethi esisebenzayo
 Indawo egunyazisiweyo yokunduluka
 Indawo egunyazisiweyo yokufikela
 Inombolo yendlela ekhutshwe yiBhodi yeSiqinisekiso yePhondo

Izaliswe ngummeli weBhodi yesiqinisekiso Esisebenzayo sePhondo

Mna, mmeli weBhodi, ndazisa ukuba iinkcukacha zesiqinisekiso esisebenzayo zi/azi* lungile/lunganga. Esi siqinisekiso sisebenzayo silungile/sirhoxisiwe.* Esi siqinisekiso sisebenzayo si/asi* khutshiwe/khutshwanga ngokwemigaqo yeemfuneko zeCandelole Nomboloye.....

Umhla Isignitsha

Igama lombutho elifinyeziweyo

iphepha

le

IINKCUKACHA ZESITHUTHI/INDELELA/SIQINISEKISO ESISEBENZAYO

Izaliswe lilungu

Inobolo-mbhalo yesithuthi	<input type="text"/>
Inobolo yesisu sesithuthi	<input type="text"/>
Inobolo yesiqinisekiso esisebenzayo	<input type="text"/>
Inobolo yokukhutshwa	<input type="text"/>
Inobolo yesiqinisekiso sesatifikethi esisebenzayo	<input type="text"/>
Indawo egunyazisiweyo yokunduluka	<input type="text"/>
Indawo egunyazisiweyo yokufikela	<input type="text"/>
Inobolo yendlela ekhutshwe yiBhodi yeSiqinisekiso yePhondo	<input type="text"/>

Izaliswe ngummeli weBhodi yesiqinisekiso Esisebenzayo sePhondo
Mna, mmeli weBhodi, ndazisa ukuba iinkcukacha zesiqinisekiso esisebenzayo zi/azi* lungile/lunganga. Esi siqinisekiso sisebenzayo silungile/sirhoxisiwe.* Esi siqinisekiso sisebenzayo si/asi* khutshiwe/khutshwanga ngokwemigaqo yeemfuneko zeCandelole Nomboloye.....

Umhla

Isignitsha

Izaliswe lilungu

Inobolo-mbhalo yesithuthi	<input type="text"/>
Inobolo yesisu sesithuthi	<input type="text"/>
Inobolo yesiqinisekiso esisebenzayo	<input type="text"/>
Inobolo yokukhutshwa	<input type="text"/>
Inobolo yesiqinisekiso sesatifikethi esisebenzayo	<input type="text"/>
Indawo egunyazisiweyo yokunduluka	<input type="text"/>
Indawo egunyazisiweyo yokufikela	<input type="text"/>
Inobolo yendlela ekhutshwe yiBhodi yeSiqinisekiso yePhondo	<input type="text"/>

Izaliswe ngummeli weBhodi yesiqinisekiso Esisebenzayo sePhondo
Mna, mmeli weBhodi, ndazisa ukuba iinkcukacha zesiqinisekiso esisebenzayo zi/azi* lungile/lunganga. Esi siqinisekiso sisebenzayo silungile/sirhoxisiwe.* Esi siqinisekiso sisebenzayo si/asi* khutshiwe/khutshwanga ngokwemigaqo yeemfuneko zeCandelole Nomboloye.....

Umhla

Isignitsha

Form 8

ACTO(00)(05)

**IPHONDO LENTSHONA KOLONI
ISEBE LEZOTHUTHO NEMISEBENZI YOLUNTU**

ACTO

**IFOMU YESICELO SOKUGUQULELA UBHALISO OLUNGUNOBAMBISO LONGELOLUNGU LUBE
LUBHALISO OLUPHELELEYO**

IINKCUKACHA ZOMSEBENZI

Oonobumba bokuqala begama	<input type="text"/>
Ifani/igama lelunngu labantu	<input type="text"/>
Inombolo yesazisi/inombolo-mbhalo yeshishini	<input type="text"/>
Igama leShishini (ukuba likhona)	<input type="text"/>
Ubhaliso okanye inombolo mbhalo yongelolungu olungunobambiso	<input type="text"/>

UBHENGEZO

Mna, msebenzi, ndazisa ukuba mna/ _____ (Igama leShishini ukuba likhona)*
 ndinesiqinisekiso esisebenzayo sesithuthi ngasinye ngenxa yokuba mna/ndisebenzisa inkonzo
 yothutho lukawonke-wonke; ndisebenzisa inkonzo yethutho lukawonke-wonke apho olu luhlobo
 lwesiqinisekiso sisebenzayo sinxulumanayo, ukungqinelana neemeko ezithile, kunye neemeko
 ezidityanisiweyo kwi, ukugunyaziswa okungqiniweyo sisiqinisekiso esisebenzayo; sine/sasinee* mvume
 ezaziphethwe ndim/*zaguqulelwa kwisiqinisekiso esisebenzayo; saza sabhalisa kwiNdlela yokuziPhatha
 yongeloLungu epapashwe kwiSaziso sikaRhulumente _____ we _____

Umhla

Isignitsha

Indawo

NARO(00)(05)

**IPHONDO LENTSHONA KOLONI
ISEBE LEZOTHUTHO NEMISEBENZI YOLUNTU**

NARO

IFOMU YESICELO YOBHALISO LOMQHUBI ONGELOLUNGU

Inombolo-sazisi yoxwebhu Ikhasi le

IINKUKACHA ZOMQHUBI

Umdlali lomqhubi	Umnini wesithuthi/umqhubi	Umnini wesithuthi esinye	Umnini wezithuthi ezininzi	Okunye (chaza)
Umdlali lwesazisi oluvumelekileyo	I-RSA ID Olunye (Chaza)	Eyangaphandle eyeNkampani/cc	Idilesi yePosi	
Inombolo yesazisi/inombolo yobhaliso yoShihino.		Oonobumba begama bokuqala	Idilesi yakho (ukuba yahlukile kweyeposi)	Idilesi yePosi
IFani/igama lombutho wamalungu				
Igama loRhwebo (ukuba likho)				Ikhawudi
INomb. yobhaliselo lwerhafu (ukuba ikho)			INomb. yobhaliselo (ukuba ikho)	

ISIFUNGO SELUNGU

Mna,....., ndifunga ndinyanisele ukuba zonke iinkcukacha ezibhaliweyo kule fomu ziyinyani kwaye zichanekile. Ndiyavuma kananjalo ukuba ndiya kuyithobela imimiselo yoMgaco wokuziPhatha eyapapashwa kwisaziso sePhondo..... ngomhla.....

Umhla Isignitsha Indawo

MAYIZALISWE YI-OFISI

Inombolo mbhalo yePhondo yoMqhubi ekhutshwe yiRejistra	<input type="text"/>	Umhla efakwe ngayo kwidata	<input type="text"/>
Inombolo mbhalo yoMqhubi ekhutshwe yiRejitra	<input type="text"/>	Umhla efakwe ngayo kwidata	<input type="text"/>
Inombolo yefayili	<input type="text"/>		

Igama elifinyeziweyo lombutho Iphepha le

IINKCUKACHA ZESITHUTHI/INDELELA/SIQINISEKISO ESISEBENZAYO

Izaliswe lilungu

Inombolo-mbhalo yesithuthi

Inombolo yesisu sesithuthi

Inombolo yesiqinisekiso esisebenzayo Inombolo yokukhutshwa

Inombolo yesatifikethi sesiqinisekiso esisebenzayo

Indawo egunyazisiweyo yokunduluka

Indawo egunyazisiweyo yokufikela

Inombolo yendlela eyabelwe yiBhodi yePhondo yesiqinisekiso Esisebenzayo

Izaliswe ngummeleb weBhodi yePhondo yeSiqinisekiso Esisebenzayo
Mna, mmeli weBhodi, ndazisa ukuba iinkcukacha zesiqinisekiso esisebenzayo zi/azi* lungile/lunganga. Esi siqinisekiso silungile/sirhoxisiwe.* Esi siqinisekiso sisebenzayo si/asi* khutshiwe/khutshwanga ngokwemigaqo yeemfuneko zeCandelo le Nombolo ye

Umhla Isignitsha

Izaliswe lilungu

Inombolo-mbhalo yesithuthi

Inombolo yesisu sesithuthi

Inombolo yesiqinisekiso esisebenzayo Inombolo yokukhutshwa

Inombolo yesatifikethi sesiqinisekiso esisebenzayo

Indawo egunyazisiweyo yokunduluka

Indawo egunyazisiweyo yokufikela

Inombolo yendlela eyabelwe yiBhodi yePhondo yesiqinisekiso Esisebenzayo

Izaliswe ngummeleb weBhodi yePhondo yeSiqinisekiso Esisebenzayo
Mna, mmeli weBhodi, ndazisa ukuba iinkcukacha zesiqinisekiso esisebenzayo zi/azi* lungile/lunganga. Esi siqinisekiso silungile/sirhoxisiwe.* Esi siqinisekiso sisebenzayo si/asi* khutshiwe/khutshwanga ngokwemigaqo yeemfuneko zeCandelo le Nombolo ye

Umhla Isignitsha

IFOMU YE-13

IPHONDO LENTSHONA KOLONI
ISEBE LEZOTHUTHO NEMISEBENZI YOLUNTU

UMTHETHO WETHUTYANA WOTHUTHO LWASEMHLABENI WESIZWE WONYAKA WAMA-2000
(UMTHETHO WAMA-22 WONYAKA WAMA2000)

IFOMU YESATIFIKETHI IKHUTSHWE YIREJISTRA NGOKUNIKEZELA
KONGELOLUNGU KWIBHODI YEZIQINISEKISO EZISEBENZAYO (icandelo le-113
(2) loMthetho)

Kuqinisekiswa ukuba,
(Oonobumba begama lokuqala nefani/Igama leqela labantu*)

onombolo yakhe yesazisi/onombolo-mbhalo yeshishini* ithi

.....
uvumelana nezimfuneko zilandelayo zecandelo le 113 loMthetho –

1. Ukuba ngumqondisi-mthetho⁺ obekho ixesha elingaphantsi kwe.....
2. Ukuba yinkampani okanye iqumrhu elibambeneyo⁺, engenamalungu angaphezu kwesibini nangaphezulu, ayengabasebenzi kwinkonzo yothutho lukawonke-wonke ngexesha lokusekwa kwale nkampani okanye iqumrhu elibambeneyo okanye emva koko, ayengabasebenzi kwiinkonzo zothutho lukawonke-wonke olufana kakhulu nolo lusetyenziswa yinkampani okanye liqumrhu elibambeneyo.
3. Ukuzibophelela kuMthetho wokuZiphatha ofanelekileyo wePhondo.
4. Unesizathu sokwenza isicelo sokubhalisa njengongelolungu kwizizathu zokuba – #
 - (a) Akukho mbutho ubhalisiweyo ngokubhekiselele kwiindlela okanye kwiindlela apho umfaki-sicelo wenkonzo yezothutho lukawonke-wonke esebenzayo.
 - (b) Kukho umbutho obhalisiweyo ngokubhekiselele kwiindlela okanye kwiindlela apho umfaki-sicelo wenkonzo yezothutho lukawonke-wonke esebenzayo, kodwa –
 - (i) Umbutho ubalile ubulungu bombutho womfaki-sicelo.
 - (ii) Umbutho uneemfuno ezingalunganga wokwamkeleka kubulungu.
 - (iii) Umfaki-sicelo akaz'ukulindeleka ngokungafanelekanga ukuba abe lilungu lombutho ngenxa yeemeko ezikhoyo.
 - (iv) Umfaki-sicelo uya kuxhomekeka kucalulo olungafanelekanga ukuba amkelwe kubulungu bombutho.

Isayinwe e ngo usuku lwe 20.....

.....
Igosazisiweyo le-Ofisi yeRejistra

- * *Hlaba nayiphina engafanelekanga.*
+ *Hlaba ukuba akufanelekanga.*
Jikeleza nayiphina efanelekileyo.



IFOMU YE-14

**IRiphabliki yoMzantsi Afrika
Iphondo Lentshona
Koloni**



**ISATIFIKETHI SOKUBHALISA ESINGUNOBAMBISO MALUNGA
NOMBUTHO WETEKSI**

Umthetho weThutyana woThutho lwaseMhlabeni weSizwe wonyaka wama-2000
(Umthetho wama-22 wonyaka wama-2000) icandelo le-114 (1)

Isatifikethi sokubhalisa esingubambiso sinikezelwa ku

.....
(Igama lombutho)

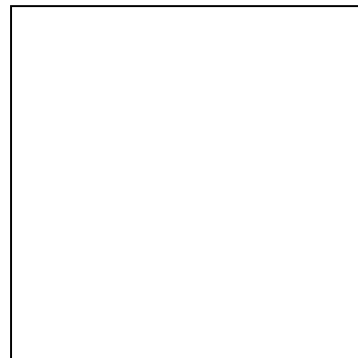
Igama lombutho langeniswa ngonobambiso kwirejista ngo

.....
(Umhla)

Inombolo-mbhalo engunobambiso

Umhla wokukhutshwa:
(Isitampu sasebuRhulumenteni)

Isignitsha yeRejistra



IFOMU YE-15

IRiphabliki yoMzantsi Afrika
Iphondo Lentshona
Koloni



ISATIFIKETHI SOKUBHALISA ESINGUNOBAMBISO SELUNGU
LOMBUTHO WETEKSI

Umthetho weThutyana woThutho lwaseMhlabeni weSizwe wonyaka wama-2000

(Umthetho wama-22 wonyaka wama-2000) icandelo le-114 (1)

Isatifikethi sokubhalisa esingunobambiso sinikezelwa ku

.....
 (Igama lelungu lombutho)

Igama lelungu lombutho langeniswa ngonobambiso kwirejista ngo

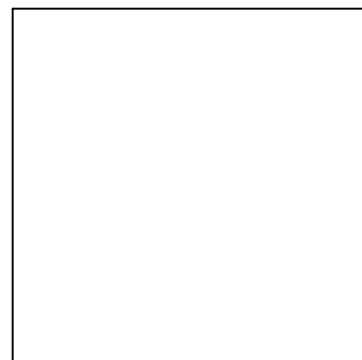
.....
 (Umhla)

 Inombolo yesazisi/inombolo-mbhalo yeshishini

 Inombolo-mbhalo engunobambiso

Umhla wokukhutshwa:
 (Isitampu sasebuRhulumenteni)

 Isignitsha yeRejistra



IFOMU YE-16

**IRiphabliki yoMzantsi Afrika
Iphondo Lentshona
Koloni**



**ISATIFIKETHI SOKUBHALISA ESINGUNOBAMBISO
SONGELOLUNGU**

Umthetho weThutyana woThutho lwaseMhlabeni weSizwe wonyaka wama-2000

(Umthetho wama-22 wonyaka wama-2000) icandelo le-114 (1)

Isatifikethi sokubhalisa esingunobambiso sinikezelwa ku

.....
(Igama longelolungu)

Igama longelolungu langenisa ngokunobambiso kwirejista ngo

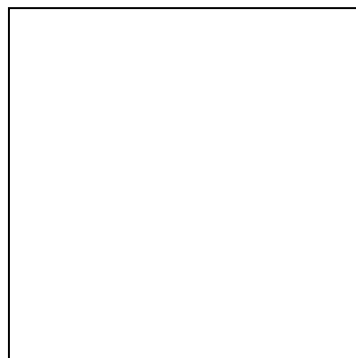
.....
(Umhla)

Inombolo yesazisi/inombolo-mbhalo yeshishini

Inombolo-mbhalo engunobambiso

Umhla wokukhutshwa:
(Isitampu sasebuRhulumenteni)

Isignitsha yeRejistra



IFOMU YE-17

**IRiphabliki yoMzantsi Afrika
Iphondo Lentshona
Koloni**



**ISATIFIKETHI SOBHALISO
SOMBUTHO WETEKSI**

Umthetho weThutyana woThutho lwaseMhlabeni weSizwe wonyaka wama-2000
(Umthetho wama-22 wonyaka wama-2000) icandelo le-114 (1)

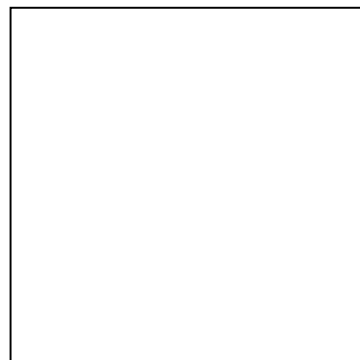
Isatifikethi sobhaliso sinikezelwa ku

.....
(Igama lombutho)

Igama lombutho langeniswa kwirejista ngo
(Umhla)

Inombolo-mbhalo

Umhla wokukhutshwa:
(Isitampu sobuRhulumente)



Isignitsha yeRejistra

IFOMU YE-18

**IRiphabliki yoMzantsi Afrika
Iphondo Lentshona
Koloni**



ISATIFIKETHI SOKUBHALISA ILUNGU KUMBUTHO WETEKSI

Umthetho weThutyana woThutho lwaseMhlabeni weSizwe wonyaka wama-2000

(Umthetho wama-22 wonyaka wama-2000) icandelo le-114 (1)

Isatifikethi sokubhalisa sinikwa

.....
(Igama lelungu lombutho)

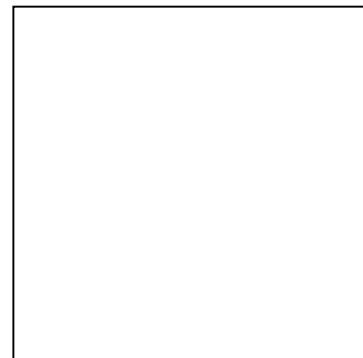
Igama lelungu lafakwa kwirejista ngo
(Umhla)

Inombolo yesazisi/inombolo-mbhalo yeshishini

Inombolo-mbhalo

Umhla wokukhutshwa:
(Isitampu sasebuRhulumenteni)

Isignitsha yeRejistra



IFOMU YE-19

**IRiphabliki yasMzantsi Afrika
Iphondo Lentshona
Koloni**



ISATIFIKETHI SOKUBHALISA SONGELOLUNGU

Umthetho weThutyana woThutho lwaseMhlabeni weSizwe wonyaka wama-2000

(Umthetho wama-22 wonyaka wama-2000) icandelo le-114 (1)

Isatifikethi sokubhalisa sinikelwa ku

.....
(Igama longelolungu)

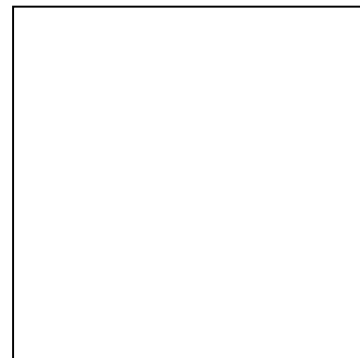
Igama longelolungu langeniswa kwirejista ngo
(Umhla)

Inombolo yesazisi/inombolo-mbhalo yeshishini

Inombolo-mbhalo

Umhla wokukhutshwa:
(Isitampu sasebuRhulumenteni)

Isignitsha yeRejistra



IFOMU YAMA-20

Umthetho weThutyana woThutho lwaseMhlabeni weSizwe wonyaka wama-2000
(Umthetho wama-22 wonyaka wama-2000)

Uphawu olubalulekileyo lwabasebenzi ababhaliswe ngokonobambiso – Icandelo le-114(2)

<p>IPHONDO LENTSHONA KOLONI</p> <p>INKONZO YEPHONDO EBHALISIWEYO ENGUNOBAMBISO</p> <p>..... (Inombolo-mbhalo engunobambiso yabasebenzi)</p> <p>..... (Inombolo-mbhalo yesithuthi)</p> <p>(ISIQALO) – (INDAWO EKUSINGWA KUYO)</p> <p>Inombolo yendlela.....</p> <p>...../...../..... Umhla Inyanga Unyaka (Umhla wokuphela)</p>

IFOMU YAMA-21

Umthetho weThutyana woThutho lwaseMhlabeni weSizwe wonyaka wama-2000
(Umthetho wama-22 wonyaka wama-2000)

Uphawu olubalulekileyo lwabasebenzi ababhalise ngokupheleleyo – Icandelo le-114(2)

IPHONDO LENTSHONA KOLONI

**INKONZO YEPHONDO
EBHALISIWEYO**

.....
(Inombolo-mbhalo yabasebenzi)

.....
(Inombolo-mbhalo yesithuthi)

**(ISIQALO) – (INDAWO
EKUSINGWA KUYO)**

Inombolo yendlela.....

...../...../.....
Umhla Inyanga Unyaka
(Umhla wokuphela)

Formu 22

**IPHONDO LENTSHONA KOLONI
ISEBE LEZOTHUTHO NEMISEBENZI YOLUNTU**

**UMTHETHO, INATIONAL LAND TRANSPORT TRANSITION ACT, 2000 (ACT NO. 22 OF 2000)
(the Act)**

**IFOMO YOMSILA WENGWE EMISELA UKUBU UMNTU AVELE PHAMBI KOREJISTRA
(icandelo 99(3)(b) loMthetho)**

INOTHISI

Igama

Idilesi

Uyacelwa kananjalo unikwa nomyalelo wokuba uvele phambi ko uRejista e-
ngomhla ku- 20..... ukuza kunika ubungqina nenkcazo malunga nokwaziyo
ngokubhekisele kwi- uphathe incwadi/iincwadi,
isicwangciso/izicwangciso, uxwebhu/amaxwebhu, inqaku/amanqaku kunye nayiphi na into ekuwe
okanye ephantsi kolawulo lwakho ukuze ithunyelwe kuRejistra

Ityikitywe e ngomhla ku- 20.....

.....
IGosa loMthetho leOfisi kaRejistra

KUZALISA IGOSA LOMTHETHO

Ndiqinisekisa ukuba ndiyidlulisele kula mntu uxelwe ngasentla le nothisi—

- *(a) ngokumnika ikopi echanekileyo ngokwam
- *(b) ngokushiya ikopi echanekileyo kuba engafumaneki, ku ongumntu
othembekileyo—
+kwishishini lakhe
+emzini wakhe
+kwindawo ebesaziwa ehlala kuyo

e ngomhla ku- 20.....kwaye kwangaxeshanye ndamazisa
ngemeko le.

.....
Kutyika igosa lomthetho

- * *Hlaba engafanelekanga.*
- + *Beka uphawu kwefanelekileyo.*

SUID-AFRIKA EERSTE –
KOOP SUID-AFRIKAANS
VERVAARDIGDE GOEDERE

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MANUFACTURED GOODS**