CITY OF CAPE TOWN
ISIXEKO SASEKAPA
STAD KAAPSTAD

IMIGAQO YOLAWULO EKHOKHELA UKUQHUTYWA KWEENTLANGANISO ZEBHUNGA LOMASIPALA WESIXEKO SASEKAPA

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IMIGAQO YOLAWULO EKHOKHELA UKUQHUTYWA KWEENTLANGANISO ZEBHUNGA LOMASIPALA WESIXEKO SASEKAPA

ISALATHISI

IMIGAQO YOLAWULO EKHOKHELA UKUQHUTYWA KWEENTLANGANISO ZEBHUNGA LOMASIPALA WESIXEKO SASEKAPA

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ISISHWANKATHELO SEMILINGANISO YEXESHA

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UMGAQO 6: UKWAZISWA KWEENTLANGANISO	**UMgaqo 6.3** UMphathi kaMasipala makakhuphe isaziso kwisithuba seeyure ezingama-72 seentlanganiso zeBhunga kunye/okanye seentlanganiso zeBhunga eziKhethekileyo zokuphunyezwa koHlahlo-mali loNyaka **UMgaqo 6.4** UManejala kaMasipala makakhuphe isaziso kwiintsuku ezi-7 zomsebenzi seentlanganiso zeBhunga sokuqwalaselwa kweMithetho kaMasipala; **UMgaqo 6.6** Makukhutshwe isaziso seeyure ezingama-24 seentlanganiso ezingxamisekileyo (uSomlomo nguye omisela ukungxamiseka uMgaqo 6.7)
UMGAQO 7: AMANANI AVUNYELWEYO UKUBAMBA IINTLANGANISO	**UMgaqo 7.2** ukuba alikho inani elivunyelweyo lokubamba intlanganiso, lo ntlanganiso mayimiswe ixesha elingadlulanga kwimizuzu engama-30, ukuba alikabikho eli nani lo ntlanganiso mayimiselwe elinye ixesha, umhla, njalo, njalo
UMGAQO 10: UKUZIMASA NEKHEFU LOKUNGABIKHO	**UMgaqo 10.3** ilungu eliphumayo ngexesha kuqhutywa intlanganiso ngenxa yomcimbi ongxamisekileyo makazise uMbhexeshi oyiNtloko ngqo kwaye makangenise isicelo sekhefu lokungabikho kwisithuba seentsuku ezili-14 emva kwalo mcimbi **UMgaqo 10.6.3** ikhefu lokungabikho linikezelwa xa isaziso sentlanganiso senziwe kwisithuba esingaphantsi kweeyure ezingama-72 phambi kokuqalisa kwentlanganiso naxa uMphathi kaMasipala efumene isaziso sokutshintshwa kwedilesi ubuncinane kwisithuba seentsuku ezi-7 phambi kwalo ntlanganiso
UMGAQO 11: INTETHO KASODOLOPHU	**UMgaqo 11.2** kusakuqukunjelwa intetho kaSodolophu, uSomlomo kufuneka anike/avumele imibuzo emi-5 apho ingumzuzu omnye (1) kumbuzo ngamnye
UMGAQO 15: IZIGQIBO NOKUVOTA	**UMgaqo 15.2** makukhaliswe intsimbi kwisithuba somzuzu omnye (1) phambi kokuba kuvotwe
UMGAQO 16: UKULAWULA INGXOXO	**UMgaqo 16.1** UMbhexeshi oyiNtloko weBhunga makanike uSomlomo uluhlu lwezithethi kwisithuba seeyure ezingama-24 phambi kwentlanganiso yeBhunga **UMgaqo 16.1.2** ubuninzi bexesha lokuxoxa umcimbi ngamnye yimizuzu engama-30; ixesha lokuqukunjelwa kwentlanganiso yeBhunga yintsimbi ye-17:00 **UMgaqo 16.1.5** iinguqu ezingephi kwizithethi azamkelwa ukuba zingeniswe kwisithuba seeyure ezingaphantsi kwezi-2 phambi kokuqalisa kwentlanganiso yeBhunga **UMgaqo 16.5** USodolophu okanye u-MMC ofanelekileyo, okanye lowo wenze isiphakamiso uvumeleke ukuba athathe imizuzu emi-5 ephendula ekugqityweni kwengxoxo ngomcimbi

	othile okanye isiphakamiso
UMGAQO 17: IMIZUZU	**UMgaqo 17.7** iinkcukacha ezishicilelwe ngezixhobo zokumamela zazo zonke iintlanganizo zeBhunga mazigcinwe iminyaka emi-5
UMGAQO 18: IZIPHAKAMISO	**UMgaqo 18.1.2** kumele ukuba isiphakamiso sifunyanwe kwiintsuku ezili-10 zomsebenzi phambi kwentlanganiso apho eso siphakamiso kuza kuxoxwa ngaso **UMgaqo 18.6** isiphakamiso sokurhoxisa okanye sokulungisa isigqibo seBhunga esithathwe kwiinyanga ezi-3 ezandulelayo okanye isiphakamiso esinenjongo efanayo njengesiphakamiso esingazange sixhaswe kwisithuba seenyanga ezi-3 asiyi kuqwalaselwa
UMGAQO 19: IMICIMBI ENGXAMISEKILEYO	**UMgaqo 19.2** USomlomo uya kumisela ixesha elikhoyo elabelwe ukuxoxa ngawo nawuphi na umcimbi ongxamisekileyo
UMGAQO 22: IMIBUZO	**UMgaqo 22.6** akuvumelekanga ukuba umbuzo ungeniswe kwakhona ukuba lo mbuzo waqwalaselwa kwiinyanga ezi-3 ezadlulayo **UMgaqo 22.13** iimpendulo kwimibuzo ekhutshelwe amalungu ngokubhaliweyo kwisithuba seenyanga ezi-2 ukususela ngomhla wokufumana kwawo lo mibuzo **UMgaqo 22.15** imibuzo engaphendulwanga kwisithuba seentsuku ezingama-60 ukususela ngomhla wokufakwa kwayo ukuze izibonakalele kwi-ajenda yentlanganiso elandelayo yeBhunga
UMGAQO 24: IZILUNGISO ZEZINDULULO	**UMgaqo 24.2** lowo uphakamise isilungiso makathethe ngaso ixesha elingadlulanga kwimizuzu emi-2 **UMgaqo 24.4** akuvumelekanga ukuba ilungu liphakamise izilungiso ezingaphezulu kwesinye kwisindululo, okanye kwisiphakamiso
UMGAQO 26: UCEBA UVUMELEKE UKUBA ATHETHE KUBE KANYE KUPHELA	**UMgaqo 26.1** akukho lungu livunyelweyo ukuba lithethe ngaphezu kwetyeli elinye kuso nasiphi na isindululo, okanye isiphakamiso ngaphandle kukaSodolophu okanye iLungu eliphakamise isilungiso elinokuphendula ekupheleni kwengxoxo
UMGAQO 28: UKUNGAPHATHELELI, UPHINDA-PHINDO OLUNTYUNTYAYO, INTETHO ENGAFANELEKANGA NOKUNGATHOTYELWA KOMGAQO	**UMgaqo 28.3** emva kwezilumkiso ezi-2 nesilumkiso sokugqibela ngexesha leengxoxo kwintlanganiso yeBhunga, ilungu malaziswe ukuba alisayi kuphinda lithethe kwintlanganiso leyo. **UMgaqo 28.5** Ukusilela kwelungu ukuthobela umyalelo kaSomlomo ngokoMgaqo 28.3, kuya kukhokelela ekusetyenzisweni koMgaqo 29.
UMGAQO 31: ISIPHAKAMISO SONQWANQWADO	**UMgaqo 31.1.4** akuvumelekanga ukuba ilungu lithethe noSomlomo ixesha elingaphezu kwemizuzu emi-2 kwisiphakamiso sonqwanqwado
UMGAQO 32: IZIPHAKAMISO ZENGCACISO	**UMgaqo 32.1.2** akuvumelekanga ukuba ilungu lithethe noSomlomo ixesha elingaphezu komzuzu omnye/1 kwisiphakamiso sengcaciso

IMIGAQO YOLAWULO EKHOKHELA UKUQHUTYWA KWEENTLANGANISO ZEBHUNGA LOMASIPALA WESIXEKO SASEKAPA

1. UKUSETYENZISWA KWEMIGAQO

1.1 Le Migaqo yoLawulo isebenza kwiintlanganiso zeBhunga leSixeko saseKapa elamiselwa ngokwemigaqo yecandelo le-12 loMthetho.

1.2 Le Migaqo ayisayi kusebenza kumaBhungana nakwiiKomiti zeeWadi ezilawulwa yeyayo iMigaqo yoLawulo okanye uMgaqo wokuZiphatha neKomiti eKhokhelayo nelawulwa yiMigaqo yobuLungisa Jikelele okanye kwiikomiti zeBhunga elasekwa ngokwemigaqo yecandelo lama-79 nelama-80 oMthetho, 1998.

1.3 IMigaqo yoLawulo ijoliswe ukuvumela ingxoxo ezikhululekileyo nezakhayo kwiintlanganiso zeBhunga, kuthathelwa ingqalelo inani elikhulu lamalungu eBhunga. Le Migaqo ijoliswe ukuphakamisa inkululeko yokuzivakalisa ngendlela evumela iingxoxo ezicwangcisiweyo ngamalungu amaninzi kangangoko ngamaxesha afanelekileyo. Kuyavunywa ukuba amaqela ezopolitiko ekunokwenzeka ukuba afune ukujongana neengxaki zezopolitiko, ezinokungaveli kwi-ajenda yeBhunga, kufuneka aqwalaselwe ukuze kuqinisekiswe ukunikezelwa ngendlela eyiyo kweenkonzo. IMigaqo izama ukuvula ithuba lokuba amalungu eBhunga avakalise izimvo zawo ngeminye imicimbi ebalulekileyo eluntwini.

1.4 Le Migaqo ihleli isebenza de ilungiswe okanye irhoxiswe liBhunga.

1.5 Nakuphi na ukubhekisa kwisini sesiduna kule migaqo kuya kuquka nesini sesikhomokazi kwaye isinye siya kuquka isininzi, nangokujikiweyo.

2 IINKCAZELO

Kule Migaqo, ngaphandle kokuba oko akungqinelani nomxholo:

“UMthetho” kuthethwa uMthetho weZigqeba zikaMasipala kubuRhulumente beNgingqi, 1998 (uMthetho 117 ka-1998);

“IGumbi leeNgxoxo” kuthethwa indawo yentlangano zesiqhelo zeBhunga nekungoku nje lifumaneka kuMgangatho we-6, ePodium Block, kwiZiko leeNkonzo zoLuntu, eKapa;

“UMbhexeshi oyiNtloko” kuthethwa umntu owonyulwe njengoMbhexeshi oyiNtloko weBhunga;

“IKomiti” kuthethwa iKomiti yeBhunga loMasipala weSixeko saseKapa eyasekwa ngokwemigaqo yeCandelo lama-79 okanye lama-80 loMthetho;

“IBhunga” kuthethwa iBhunga loMasipala weSixeko saseKapa;

‘‘IGosa loCwangco eliChongiweyo’’ lithetha igosa lonyanzeliso-mthetho leSixeko elithe labhengezwa njengegosa locwangco ngokwecandelo 334 lomthetho iCriminal Procedure Act, 1977 (uMthetho 51 ka-1977), owenza loo msebenzi xa kuthiwe makenze oko, nothi achongwe ze aqeqeshelwe ukuba agcine ucwangco ngexesha leentlanganiso zebhunga;

“iElectronic Communications Act” ithetha umthetho iElectronic Communications and Transactions Act, (UMthetho 25 ka-2002);

“unxibelelwano nge-elektroniki” lunentsingiselo exelwe kumthetho iElectronic Communications Act;

“utyikityo nge-elektroniki” lunentsingiselo exelwe kumthetho iElectronic Communications Act;

“ngembalelwano” kubandakanya unxibelelwano nge-elektroniki;

“IKomiti yeMigaqo neZikhokhelo” kuthethwa ikomiti eyasekwa ngokungqinelana neShedyuli yoku-1 yeMigaqo yokuZiphatha kooCeba kuMthetho weeNkqubo;

“USodolophu” kuthethwa uSodolophu weSigqeba weBhunga;

“IKomiti kaSodolophu” kuthethwa iKomiti kaSodolophu yeBhunga;

“INtlanganiso” kuthethwa nayiphi na intlanganiso yeBhunga likaMasipala emiselwe okanye esekwe ngokwemigaqo yecandelo lama-29 loMthetho;

“INdawo yeNtlanganiso” kuthethwa indawo apho kubanjelwa khona intlanganiso ethile yeBhunga;

“ILungu” kuthethwa uCeba weBhunga likaMasipala weSixeko saseKapa;

“MMC” kuthethwa ilungu leKomiti kaSodolophu;

“Isiphakamiso” kuthethwa umcimbi ongeniswe lilungu ngokungqinelana noMgaqo we-18;

“UMphathi kaMasipala” kuthetha umntu owonyulwe ngokwemigaqo yeCandelo lama-54A loMthetho kwaye njengoko kuchaziwe kuMthetho weZigqeba zikaMasipala: kubuRhulumente beNgingqi Nomb. 117 ka-1998 nemiqathango;

“Igosa” kuthethwa ilungu leCandelo loKhuselo laBantu abaBaluleke kakhulu;

“INtlanganiso yesiQhelo” kuthethwa intlanganiso ngokungqinelana noMgaqo 6.1;

“UMbhexeshi weQela” kuthethwa ilungu elonyulwe ziinkokheli zeqela ukuba longamele kwaye likhokhele indlela yokuziphatha kwamalungu alo ngokungqinelana neMigaqo yoLawulo yeBhunga nangokwesidima

nomsebenzi weBhunga ngokunjalo nokwenza imicimbi echazwe kuMgaqo we-16 weMigaqo yoLawulo;

“IQela lezoPolitiko” kuthethwa iqela lezopolitiko elibhaliswe ngokwemigaqo yoMthetho wezoNyulo, 1998;

“ISiphakamiso ngokweNkqubo” kuthethwa umcimbi ophakanyiswe lilungu kwintlanganiso ngokungqinelana noMgaqo wama-33;

“Ikhoram” ithetha ubuncinane benani lamalungu ekudingeka ukuba azimase intlanganiso ukuze loo ntlanganiso ikwazi ukuthatha izigqibo. Ikhoram ibalwa ngokwenani lezihlalo. Ngenxa yoko, ikhoram ayitshintshi xa kuthe kwakho isikhewu ngoba kweso sikhewu kuza kufakwa umntu ekuhambeni kwexesha.

“ukusayina” kubandakanya utyikityo nge-elektroniki;

“USomlomo” uthetha ilungu elonyulwe ngokwemigaqo yeCandelo lama-36 loMthetho;

“INtlanganiso eKhethekileyo” kuthethwa intlanganiso ngokungqinelana noMgaqo 6.2, 6.4 okanye 6.6;

“UMthetho olawula iiNkqubo” kuthethwa uMthetho olawula iiNkqubo zikaMasipala kubuRhulumente beNgingqi, Nomb 32 ka-2000;

3 UKUQHUTYWA KWEENTLANGANISO

USomlomo kufuneka:

3.1 asebenzise amagunya anawo kwaye enze umsebenzi njengoko kumiselwe kwiCandelo lama-37 loMthetho, nanjengoko kuchaziwe kule Migaqo;

3.2 agcine ucwangco kwiintlanganiso;

3.3 aqinisekise ukuthotyelwa koMgaqo wokuZiphatha kooCeba kwiintlanganiso;

3.4 aqinisekise ukuba iintlanganiso ziqhutywa ngokungqinelana nale Migaqo;

3.5 aqinisekise ukuba nabani na ongavumiyo ukuthobela imiyalelo yakhe uyaphuma kwindawo yentlanganiso kwangoko xa eyalelwa ukuba enze njalo;

3.6 aqinisekise ukuba amalungu aziphatha ngendlela enesidima nefanelekileyo;

3.7 aqinisekise ukuba amalungu oluntu ahleli phantsi ngexesha leentlanganiso zeBhunga likaMasipala kwiindawo ezilungiselelwe lo njongo nguMphathi kaMasipala;

3.8 aqinisekise ukuba amalungu oluntu azimasa iintlanganiso zeBhunga aziphatha ngendlela efanelekileyo kwaye athobela nayiphi na imigaqo emiswe nguSomlomo;

3.9 aqinisekise ukuba uMbhexeshi ngamnye weQela okanye uMbhexeshi oyiNtloko, unoxanduva lokugcina ucwangco kumalungu eqela lakhe kwiintlanganiso zeBhunga. Ukungaphumeleli ukwenza oko nguye nawuphi na uMbhexeshi weQela ukuthatha amanyathelo afanelekileyo kunokujongwana naye ngokungqinelana noMgaqo 3.3 olapha.

4 UKUGUQUKWA KWEMIGAQO

Isigqibo sikaSomlomo ngokuphathelene nokusetyenziswa okanye ukuguqulwa kwale Migaqo neminye imicimbi efanelekileyo engaqwalaselwanga kule Migaqo yoLawulo, xa sele ezinikile izizathu zakhe, zokugqibela nezibophelelayo.

5 UKUCHOTSHELWA KWEENTLANGANISO

5.1 USomlomo nguSihlalo weentlanganiso zeBhunga kwaye nguye ochophela intlanganiso.

5.2 Xa kunokwenzeka uSomlomo angabikho entlanganisweni, kufuneka konyulwe usomlomo oBambeleyo kulo ntlanganiso kumalungu akhoyo.

5.3 Xa kunokwenzeka uSomlomo ayizimase intlanganiso kodwa kunyanzeleke ukuba uSomlomo aphume kuloo ntlanganiso, kuya kufuneka ukuba uSomlomo acele iBhunga ukuba lonyule usihlalo obambeleyo kumalungu akhoyo ngelo xesha angekhoyo kulo ntlanganiso.

6 UKWAZISWA KWEENTLANGANISO ZEBHUNGA

6.1 USomlomo kumele ukuba amisele umhla, ixesha nendawo yeentlanganiso zeBhunga, kwaye kufuneka aqinisekise ukuba ezo ntlanganiso zichotshelwa ubuncinane rhoqo ngekota.

6.1.1 USomlomo unakho ukukhweba iintlanganiso zekota zeBhunga nalapho imibuzo ejoliswe kuSodolophu ebingeniswe ngamalungu iya kuphendulwa ngomlomo nguSodolophu.

6.2 Kumele ukuba kukhwetywe iNtlanganiso eKhethekileyo yeBhunga eza kuphumeza uHlahlo-mali loNyaka lukamasipala.

6.3 UMphathi kaMasipala kufuneka anike isaziso seeyure ezingama-72 ubuncinane seentlanganiso ezichazwe ngentla, kumalungu onke ukuvumela amalungu ukuba azilungiselele ngokwaneleyo.

6.4 Xa iBhunga lidibana njengombutho osemthethweni ukuze liqwalasele iMithetho kaMasipala, uMphathi kaMasipala kufuneka anike isaziso sale ntlanganiso seentsuku ezi-7 zomsebenzi kuwo onke amalungu eBhunga.

6.5 Ukuba amalungu athile athe akasifumana isaziso sentlanganiso ngokungqinelana nale Migaqo oko akuyi kuchaphazela ukuba semthethweni kweengxoxo zalo ntlanganiso. Apho kuthe kanti uninzi lwamalungu alusifumenanga isaziso sentlanganiso, amalungu kufuneka athathe isigqibo sokuba iqhubeke na okanye ingaqhubeki na intlanganiso.

6.6 Kwimeko yentlanganiso engxamisekileyo, ixesha lokwazisa kufuneka ibe ziiyure ezingama-24 ubuncinane.

6.7 USomlomo, nguye oya kumisela ukuba intlanganiso ingxamisekile okanye ayingxamisekanga.

6.8 USomlomo unakho ukuthi nangaliphi na ixesha abambe intlanganiso ekhethekileyo yeBhunga ngomhla, ixesha nakwindawo eya kumiselwa nguye.

6.9 Kufuneka uSomlomo athi, ukuba isininzi sooceba beBhunga bamcele ngokubhaliweyo ukuba abambe iNtlanganiso eKhethekileyo yeBhunga

6.9.1 abambe iNtlanganiso eKhethekileyo yeBhunga ngomhla ochazwe kwisicelo nangexesha nakwindawo eya kumiselwa nguye;
6.9.2 athumele ikopi yesicelo kuMphathi kaMasipala.

6.10 Xa sele uSomlomo emisele umhla, ixesha nendawo yeNtlanganiso eKhethekileyo yeBhunga, kufuneka azise uMphathi kaMasipala ngalo nto.

6.11 Isicelo sokukhweba intlanganiso ekhethekileyo masichaze umcimbi ekuza kuxoxwa ngawo kulo Ntlanganiso iKhethekileyo yeBhunga. Awukho omnye umcimbi ngaphandle kwalowo uchazwe kwisaziso sokuqhuba iNtlanganiso eKhethekileyo yeBhunga okanye ochazwe kwisicelo esichazwe kuMgaqo 6.9 kungajongwana nawo kwiNtlanganiso eKhethekileyo yeBhunga.

6.12 Xa kunokwenzeka ukuba uSomlomo angaphumeleli ukubamba iNtlanganiso eKhethekileyo yeBhunga ngokungqinelana noMgaqo 6.9 uMphathi kaMasipala kufuneka abambe intlanganiso ngomhla ochazwe kwisicelo nangexesha nendawo eya kumiselwa nguye.

6.13 Ukuba iimeko ziyavume uSomlomo unakho ukuyalela ukuba iBhunga lihlangane kwindawo engenye engeyiyo iGumbi leeNgxoxo zeBhunga.

6.14 Ilungu ngalinye leBhunga kufuneka lichaze ngembalelwano idilesi ye-imeyili kunye/okanye idilesi yendawo ahlala kuyo ekummandla kamasipala oseKapa apho aya kuthi athunyelelwe khona isaziso seentlanganiso kunye namanye amaxwebhu asemthethweni kunye nembalelwano.

6.15 Iinkcukacha zelungu, ngokoMgaqo 6.14:

6.15.1 mazifike kwiOfisi kaSomlomo kwiintsuku ezili-14 emva kokuba eloo lungu lonyulwe,

6.15.2 qho xa ezo nkcukacha zitshintsha, kufuneka kwaziswe iOfisi kaSomlomo.

6.16 Xa kuthunyelwe isaziso sentlanganiso kwilungu leBhunga ngeimeyili, eso saziso sentlanganiso siya kuthathwa njengokuba sifikile kumntu esithunyelwe kuye. Umyalezo othi sihambile uthathwa njengobungqina bokuhanjiswa kwesaziso.

7 AMANANI AVUNYELWEYO UKUBAMBA INTLANGANISO (IIKHORAM)

7.1 Inani elivunyelweyo ukubamba intlanganiso yeBhunga sisininzi samalungu alo.

7.2 Nanini na xa lingekho inani elivunyelweyo lokubamba intlanganiso, intlanganiso leyo mayimiswe imizuzu engadlulanga kwengama-30, kwaye ukuba ekupheleni kwelo xesha alikabikho inani elivunyelweyo ukubamba intlanganiso, uSomlomo unakho ukuyirhoxisela elinye ixesha lo ntlanganiso, umhla nendawo ngokokubona kwakhe.

8 I-AJENDA

8.1 Ngokuxhomekeke kwiMigaqo 8.2 nowe-9.2, zonke iintlanganiso maziqhutywe ngokungqinelana nomgaqo apho lo micimbi ivela kwi-ajenda phambi kweBhunga, kwaye yimicimbi kuphela, ekwi-ajenda, ekunokuxoxwa ngayo.

8.2 UMphathi kaMasipala unakho ukuyalela ukuba umcimbi othile ufakwe kwicandelo lemicimbi eyimfihlo kwi-ajenda yeBhunga. Lo mcimbi mawungachazwe nakubani na ngaphandle kwabo bawufumene ngokwezikhundla zabo ezisesikweni, kwaye lo mcimbi makuxoxwe ngawo kwintlanganiso esekhusini yeBhunga.

8.3 USomlomo unokuthi, emva kokuqwalasela injongo efanelekileyo, ayalele ukuba umcimbi uphakanyiswe kwii-ajenda eziyimfihlo nezivulelekileyo.

9 UMGAQO WOKUQHUTYWA KWENTLANGANISO EQHELEKILEYO YEBHUNGA

9.1 Umgaqo wokuqhutywa kwentlanganiso eqhelekileyo echotshelwa ngokungqinelana noMgaqo 6.1 uya kuba ngolu hlobo:

9.1.1 Ukuvulwa;

9.1.2 Ithuba lokuthandaza ngokuthe cwaka okanye ukucamanga;

9.1.3 Intetho kaSodolophu;

9.1.4 Ukurekhodwa kwezicelo zokungabikho;

9.1.5 Izibhengezo zikaSomlomo;

9.1.6 Izaziso ezisemthethweni nemicimbi engxamisekileyo ephakanyiswe nguMphathi kaMasipala ngokungqinelana noMgaqo 19.1;

9.1.7 Imizuzu yeentlanganiso ezidlulileyo;

9.1.8 Ingxelo kaSodolophu equka:

9.1.8.1 Izindululo eziya kwiBhunga,

9.1.8.2 Izigqibo ezenziwe ngokwesigunyaziso esisemthethweni, ukuba zikho;

9.1.8.3 Ishedyuli yezigqibo zikaSodolophu, ndawonye ne-MMC ngokwemigaqo yeCandelo lama-60(3) loMthetho;

9.1.9 Imibuzo ngokungqinelana noMgaqo 22.12;

9.1.10 Iziphakamiso ezirhoxiswe kwiintlanganiso ezidlulileyo;

9.1.11 Iziphakamiso ezintsha;

9.1.12 Nawo nawuphi na umcimbi ongabandakanywanga kwiSaziso seNtlanganiso ngokokubona kukaSomlomo;

9.1.13 Imicimbi emele ukuqwalaselwa eza kubandakanywa kwi-ajenda. Imicimbi emele ukuqwalaselwa akunyanzelekanga ukuba kuxoxwe ngayo.

9.2 Emva kokuba imicimbi echazwe kwiMigaqo 9.1.1 ukuya ku-9.1.4 iqwalaselwe, uSomlomo unakho ukuthi ngokubona kwakhe aphakamise nawuphi na umcimbi okwi-ajenda.

9.3 Uhlobo lwe-ajenda lunakho ukutshintshwa ngokokubona kukaSomlomo.

10 UKUBAKHO NOKUNGABIKHO

10.1 Ilungu ngalinye elizimase intlanganiso kufuneka libhalise ukuzimasa kwalo ngokubhala phantsi okanye nge-khompyutha ngokuxhomekeke kwinkqubo esetyenziswayo, umzekelo: ukubhalisa ngekhompyutha okanye ukubhala kwincwadi yabazimasileyo.

10.2 Kufuneka ilungu lizimase intlanganiso nganye yeBhunga alilungu layo, ngaphandle kwaxa

10.2.1 enikezelwe ikhefu lokungabikho nguMbhexeshi oyiNtloko ngokungqinelana neNkqubo yeZigunyaziso yeBhunga;

10.2.2 elo lungu kuyimfuneko ngokomthetho ukuba lirhoxe kulo ntlanganiso.

10.3 Isicelo sokungabikho (ngokuyinxalenye okanye ngokupheleleyo) kwintlanganiso yeBhunga masingeniswe kuMbhexeshi oyiNtloko ngokwemigaqo yeSahluko se-4 iSigunyaziso 1(1) seNkqubo yeZigunyaziso zeBhunga, kuxwebhu olumisiweyo ekumele ukuba lutyikitywe lilungu. Kwimeko apho ilungu kunyanzeleka ukuba liphume entlanganisweni ngenxa yomcimbi ongxamisekileyo umzekelo: ukubhubha komntu othile okanye esinye isiganeko, ilungu elo kufuneka lazise ngokwalo uMbhexeshi oyiNtloko weBhunga phambi kokuba lihambe kwaye kufuneka lingenise isicelo kwisithuba seentsuku ezili-14 emva kweso siganeko.

10.4 UMbhexeshi oyiNtloko weBhunga unokuqwalasela kuphela izicelo zekhefu ezenziwe ngokubhaliweyo ngaphandle kweziganeko ezingxamisekileyo okanye imibandela engxamisekileyo ekungajongwana nayo ngokwendlela echazwe kuMgaqo 10.3 ngentla. Izicelo zokungabikho ezingenziwanga ngokubhaliweyo zinokungananzwa.

10.5 Nangona kukho inkcaso kuMgaqo 10.2 ngentla, izicelo zokungabikho kwintlanganiso ziya kuthatywthwa njengezamkelweyo ukuba:

10.5.1 iBhunga okanye uSodolophu ugunyazise ilungu elifanelekileyo ukuba lisebenze kwenye indawo egameni leBhunga kumcimbi othile; okanye

10.5.2 ukuba iBhunga okanye uSodolophu ucele elo lungu ukuba liphume kulo ntlanganiso phantsi kweemeko ezichazwe kuMbandela 3(b) weShedyuli 1 kuMthetho olawula iiNkqubo, okanye ilungu liziphumele ngokwalo.

10.6 UMbhexeshi oyiNtloko unakho ukuthi, ngokuxhomekeke kuMigaqo 10.2 nowe-10.3 ngentla, aphumeze ikhefu lokungabikho kwilungu ngenxa yezi zizathu zilandelayo:

10.6.1 ukungaphili kwelungu;

10.6.2 umcimbi obalulekileyo okanye iimbophelelo zobuqu, okanye iimeko zobuqu zelungu elo.

10.6.3 ukusilela kokukhutshwa kwesaziso sentlanganiso, okanye ukukhutshwa kwesaziso sentlanganiso kwisithuba esingaphantsi kweeyure ezingama-72 phambi kokuqala kwayo, ukuba oku akuyi kuchaphazela intlanganiso yeBhunga okanye xa ilungu lihambile ze alaphumelela ukwazisa uMphathi kaMasipala ubuncinane kwiintsuku ezi-7 phambi kwentlanganiso efanelekileyo ngedilesi etshintshiweyo emakuthunyelwe kuyo amaxwebhu;

10.6.4 Ukuba ilungu alivumelekanga ukuba lizimase intlanganiso ngenxa yeemeko ezichazwe kumbandela 3(b) woMgaqo wokuZiphatha kooCeba kwiShedyuli yoku-1 kuMthetho olawula iiNkqubo;

10.6.5 Naziphi na iimeko ezinokuthi zithintele ilungu ekubeni lizimase intlanganiso.

11 INTETHO KASODOLOPHU

11.1 Emva kokuba intlanganiso ivuliwe nguSomlomo, kodwa phambi kokuba kuqwalaselwe nayiphi na imicimbi ekwi-ajenda, uSodolophu unakho ukwenza intetho kule ntlanganiso nangawuphi na umcimbi, nokuba ukwi-ajenda okanye awukho, abona kufanelekile ukuthetha ngawo. Ngexesha lentetho kaSodolophu akusayi kuvunyelwa ziphakamiso zonqwanqwado okanye ezokucela ingcaciso okanye zengxoxo.

11.2 Ekupheleni kwentetho kaSodolophu uSomlomo uya kuvumela imibuzo emi-5 ubuninzi eyenziwa ngomlomo, umbuzo omnye kwilungu ngalinye, ngendlela apho iyakuthi igqitywe kwintlanganiso yaBabhexeshi. Umbuzo ngamnye kuvumeleke ukuba uthathe umzuzu omnye (1). Akukho manqaku engcaciso kule nkalo ye-ajenda. Nawuphi na umbuzo ovela kwintetho uya kuphendulwa nguSodolophu okanye, ukuba ujoliswe kuSodolophu, uya kuphendulwa lelinye ilungu leKomiti yeSigqeba sikaSodolophu.

12 IINGXELO

IBhunga alinakho ukwenza isigqibo ngaphandle kokuba lifumene iinkcukacha ezoneleyo phambi kwalo njengoko kumiselweyo nguSomlomo ukuba lenze izigqibo ezifanelekileyo. Ngaphandle kwakwiimeko ezikhethekileyo, ezo nkcukacha mazifakwe kwingxelo ebhaliweyo.

13 INGXELO KASODOLOPHU

13.1 Ingxelo kaSodolophu iya kuqulatha le micimbi ilandelayo:

13.1.1 izindululo eziya kwiBhunga (kwimeko apho uSodolophu engenikezelwanga sigunyaziso sisemthethweni)

13.1.2 ishedyuli yezigqibo ezenziwa nguSodolophu ngokwesigunyaziso esisemthethweni, kunye

13.1.3 neshedyuli yezigqibo ezenziwa nguSodolophu ndawonye namalungu eKomiti yeSigqeba sikaSodolophu ngokwemigaqo yeCandelo lama-60(3) loMthetho.

13.2 USomlomo uya kuvumela ingxoxo ngemicimbi echazwe kuMgaqo 13.1.1 ngentla, ngokungqinelana noMgaqo we-16 weMigaqo.

14 IZITHINTELO ZOMTHETHO NEZEMALI

IBhunga livumeleke ukuba lithathe izigqibo ezinjalo kuphela xa linobuchule ngokwasemthethweni nangokwezimali ukwenza oko kwaye zonke iingxelo ezifakwa kwi-ajenda okanye ezenziwa ngomlomo maziyiqwalasele le mibandela (eyimiphumela yomthetho neyezimali).

15 IZIGQIBO NOKUVOTA

15.1 Ngokuxhomekeke kwimiqathango yoMgaqo 15.3 zonke izigqibo mazenziwe ngokwevoti exhasayo yesininzi samalungu akhoyo kuyo nayiphi na intlanganiso yeBhunga.

15.2 Phambi kokuba kwenziwe nayiphi na ivoti ngawo nawuphi na umcimbi ophambi kweBhunga, uSomlomo uya kuyalela ukuba kukhaliswe iintsimbi isithuba somzuzu omnye (1), ze emva koko kuvalwe zonke iingcango ezingenela kwiGumbi leeNgxoxo leBhunga kwaye akuyi kuvunyelwa nawuphi na uCeba okanye nabani na ukuba angene okanye aphume kwiGumbi leeNgxoxo leBhunga, kwaye bonke ooCeba kufuneka babe behleli ngexesha kuqhutywa uvoto.

15.3 Le micimbi ilandelayo imiselwa sisigqibo esenziwa sisininzi samalungu eBhunga:

15.3.1 ukupasiswa kweMithetho kaMasipala;
15.3.2 ukuphunyezwa kohlahlo-mali;
15.3.3 ukumiselwa kwemirhumo nezinye iirhafu;
15.3.4 iirhafu neemfanelo;
15.3.5 ukwenziwa kwemali-mboleko;

15.4 Ukuba uSomlomo ubuze kwintlanganiso ukuba iyavumelana na nesindululo okanye isiphakamiso esixoxwayo liBhunga, kwanokuba eso sindululo asichaswa lilo naliphi na ilungu elikhoyo, eso siphakamiso okanye isindululo siyamkelwa.

15.5 Ukuba kukho inkcaso kuso nasiphi na isiphakamiso esiza kugqitywa, kufuneka kuvotwe ngokuphakanyiswa kwezandla okanye kusetyenziswe inkqubo yokuvota ngekhompyutha ukuba ikho, ngaphandle kokuba kugqitywe uhlobo.

15.6 Linani lamalungu kuphela, ingengawo amagama amalungu avota ngokuxhasa okanye ngokuchasa umcimbi othile, eliya kubhalwa kwimizuzu.

15.7 Ilungu linakho ukungavoti lingaphumanga kwindawo yentlanganiso.

15.8 Naliphi na ilungu linakho ukucela ukuba inkcaso yalo, utyeshelo lwalo okanye inkxaso yalo ibhalwe kwimizuzu yalo ntlanganiso.

15.9 USomlomo kufuneka abhengeze isigqibo seBhunga esithathwe ngokungqinelana noMgaqo 15.4 okanye 15.5.

15.10 Xa kunokwenzeka iivoti zilingane kuwo nawuphi na umcimbi ngaphandle kwaleyo idweliswe kuMgaqo 15.3.1 ukuya ku-15.3.5, uSomlomo makasebenzise ilungelo lokuvota ngaphezu kwevoti yakhe yelungelo lokuxoxa njengoSomlomo.

16 UKULAWULWA KWENGXOXO

16.1 Ubuncinane kwiiyure ezingama-24 phambi kwentlanganiso yeBhunga, uMbhexeshi oyiNtloko weBhunga, emva kokubonisana naBabhexeshi bamanye amaqela kwiBhunga, kufuneka anike uSomlomo uluhlu olubonisa:

16.1.1 ukuba yiyiphi imicimbi ekwi-ajenda yalo ntlanganiso ekuza kuxoxwa ngayo;

16.1.2 ixesha elipheleleyo eliza kwabelwa ukuxoxa ngomcimbi othile, kuthathelwa ingqalelo ukuba ixesha lokuvalwa kwentlanganiso yeBhunga iya kuba yintsimbi ye-17:00 kwaye ubuninzi bexesha elabelwa umcimbi ngamnye okwi-ajenda iya kuba yimizuzu engama-30. Oku akulinganiseli amagunya kaSomlomo okwandisa okanye ukulinganisela ixesha elabelwe ukuxoxa ngomcimbi ngamnye okwi-ajenda, okanye ukwandisa ixesha lokuvalwa kwentlanganiso yeBhunga, xa kunokwenzeka iimeko zifune njalo;

16.1.3 amagama nexesha ekumele ukuba labiwe ngokulinganayo kwiqela ngalinye, afuna ukuxoxa ngomcimbi othile, njengoko kuvunyelwene ngaBabhexeshi, kuthathelwa ingqalelo inani lezihlalo elinazo iqela elo kwiBhunga. Xa kungafikelelwa kwisivumelwano uSomlomo uya kumiselwa amaxesha abelwa amaqela afanelekileyo.

16.1.4 Ngaphandle kwakwiimeko ezingaqhelekanga, iinguqu kuluhlu lwezithethi, mazingeniswe kuSomlomo phambi kokuqalisa kwentlanganiso yeBhunga.

16.1.5 Xa kunokwenzeka kufuneke ukuba kwenziwe iinguqu ezingephi kuluhlu lwezithethi ngexesha lentlanganiso yeBhunga, ezo nguqu mazingeniswe ngaBabhexeshi abafanelekileyo bamaqela kuMbhexeshi oyiNtloko weBhunga noya kungenisa ezo nguqu kuSomlomo, ukuba akukho nguqu zingephi ziya kuvunyelwa nguSomlomo ukuba zingeniswe kwisithuba esingaphantsi kweeyure ezi-2 phambi kokuqala kwentlanganiso yeBhunga.

16.2 Kusakufunyanwa uluhlu oluchazwe kuMgaqo we-16.1, uSomlomo kufuneka, ukuba ufuna ukunxaxha kwimiqathango yezo zintlu, achaze isigqibo sakhe ngokuphathelene noku kuBabhexeshi abafanelekileyo ngexesha elifanelekileyo phambi kokuqalisa kwentlanganiso yeBhunga.

16.3 USomlomo uya kuthi kwiimeko ezinjalo acuthe okanye andise ixesha elabiweyo ngendlela efanelekileyo nenobulungisa kuwo onke amaqela

kwaye uya kuthi, kangangoko enakho, akhuphe isaziso kwangaphambili ngenjongo yakho nangokwadiswa kwexesha.

16.4 Yonke imicimbi eyandlalwe phambi kweBhunga engadweliswanga kuMgaqo 16.1 mayifakwe ngokuzimeleyo kwintlanganiso ukuze yamkelwe ngaphandle kwengxoxo, phambi kokuba kuqwalaselwe imicimbi edweliswe kuMgaqo 16.1.

16.5 Ngokokubona kukaSomlomo, unakho ukunika ithuba lemizuzu emi-5 yokuphendula kuSodolophu okanye ku-MMC ofanelekileyo, okanye lowo wenze isiphakamiso, ukuze kuqukunjelwe ingxoxo ngombandela ekuxoxwe ngawo kuMgaqo 16.1.

16.6 Onke amaqela amelweyo kwiBhunga anelungelo lokuthetha kumbandela ngamnye okwi-ajenda ngokokumelwa kwawo kwiBhunga ukuba zivunyiwe izicwangciso zexesha lawo lokuthetha nguMbhexeshi oyiNtloko.

16.7 Nangona kukho inkcaso kuyo nantoni na equlethwe kwiMigaqo 16.1 ukuya ku-16.6, uSomlomo akanakho ukuthi, xa esebenzisa ukubona kwakhe ngokuphathelene nale Migaqo, akhethe icala lalo naliphi iqela ngokuphathelene nexesha elabiweyo kunelinye iqela. Isigqibo sikaSomlomo emva kokuba esebenzise ukubona kwakhe kule meko asiyi kuphikiswa.

17 IMIZUZU

17.1 UMphathi kaMasipala kufuneka aqinisekise ukuba zonke izigqibo zeBhunga zibhalwa kwincwadi yemizuzu, kunye nokuba izigqibo zeBhunga ezenziwe kwintlanganiso esekhusini zibhalwa kwincwadi yemizuzu eyodwa.

17.2 Ukuba ikopi yemizuzu yentlanganiso ithunyelwe kuCeba ngamnye, imizuzu leyo iya kuthatyathwa njengefundiweyo kulindelwe ukuba iqinisekiswe.

17.3 Akukho siphakamiso okanye ngxoxo iya kuvunyelwa ngemizuzu, ngaphandle kokuqwalasela ukuchaneka kwayo.

17.4 Ukuchaneka kwemizuzu yeBhunga makuqwalaselwe kwintlanganiso yalo elandelayo, ukungaphumeleli ukwenza oko, kule ntlanganiso ilandelayo.

17.5 UMphathi kaMasipala makaqinisekise ukuba amagama amalungu azimase nayiphi na intlanganiso, lo malungu angekhoyo, ngokunjalo namagama abo banikwe ikhefu lokungabikho, ayabhalwa kwimizuzu.

17.6 UMphathi kaMasipala makaqinisekise ukuba amagama amalungu, acele ukuba inkcaso, ukutyeshela kwawo ukuvota okanye lawo axhasayo abhalwe ngexesha lokuvota, ayabhalwa kwimizuzu.

17.7 Ngeenjongo zokuqwalasela ulawulo, kufuneka kugcinwe iinkcukacha ezishicilelweyo zazo zonke iintlanganiso zeBhunga isithuba seminyaka emi-5.

18 IZIPHAKAMISO

18.1 Ngokuxhomekeke kwimiqathango yawo nawuphi na umthetho:

18.1.1 Isaziso ngasinye sesiphakamiso siya kwenziwa ngokubhaliweyo ngohlobo loyilo lwesiphakamiso kwaye siya kungeniswa kuSomlomo kwaye eso saziso siya kubhalwa umhla esingene ngawo yaye siya kutyikitywa lilungu elisingenisayo nalelinye ilungu elisixhasayo;

18.1.2 Ngokuxhomekeke kananjalo kuMgaqo Rule 18.5 ongezantsi isaziso sesiphakamiso asiyi kuvela kwi-ajenda, ngaphandle kokuba sifunyenwe kwisithuba seentsuku ezili-10 zomsebenzi phambi kwalo ntlanganiso; kwaye

18.1.3 Isiphakamiso siya kuphelelwa lixesha nokuba semthethweni ukuba ilungu elisingenisileyo alikho entlanganisweni ngexesha esibekelwe ukuba sixoxwe eso siphakamiso.

18.2 Ngokwesicelo selungu elenze isaziso seso siphakamiso, uSomlomo uya kuvuma ukusifumana kwakhe ngokubhaliweyo.

18.3 Isiphakamiso ngasinye siya kujongana nomcimbi iBhunga elinolawulo kuwo.

18.4 Ilungu elingenisa isiphakamiso liya kwazisa eso siphakamiso kwaye liya kuba nelungelo lokuphendula kuso.

18.5 UMphathi kaMasipala kufuneka athi xa efumana isiphakamiso kuSomlomo aqwalasele ukuba sisiphi kwizigqeba zopolitiko zeBhunga esinobuchule ngokusemthethweni ukwenza isigqibo esifanelekileyo ze adlulisele eso siphakamiso kweso sigqeba sifanelekileyo sezopolitiko ukuze sisiqwalasele.

18.6 USomlomo akanakuvumela isindululo esifakwe ngokungqinelana nalo Mgaqo:

18.6.1 esijoliswe ekurhoxiseni okanye ukulungisa isigqibo esiphunyezwe liBhunga esithathwe kwiinyanga ezi-3 ezidlulileyo okanye;

18.6.2 esinenjongo efanayo nesiphakamiso esingazange sixhaswe kwisithuba seenyanga ezi-3 ezidlulileyo.

18.7 USomlomo uya kuthi xa kujongwana neziphakamiso:

18.7.1 aqinisekise ukuba zeziphi iziphakamiso ezingachaswanga kwaye ezo ziya kuphunyezwa ngaphandle kwengxoxo; ze emva koko uSomlomo abize iziphakamiso ezichasiweyo ngokulandelelana kwazo kwi-ajenda.

18.7.2 acele ilungu ebelenze isiphakamiso ukuba lisifunde.

19 IMICIMBI ENGXAMISEKILEYO

19.1 UMphathi kaMasipala unakho ukuthi, ngokubona kwakhe, aphakamise nawuphi na umcimbi ongxamisekileyo ukuze kwenziwe isigqibo ngawo

liBhunga. Umcimbi uthatyathwa njengongxamisekileyo xa kufuneka kuthathwe isigqibo ngawo ngokukhawuleza, ukuba ulibazisekile, unokufaka iBhunga engxakini okanye imisebenzi yalo okanye ungabeka ukhuseleko loluntu ngokubanzi emngciphekweni.

19.2 USomlomo makamisele ixesha elifanelekileyo ngexesha leengxoxo zeBhunga apho uMphathi kaMasipala enokuphakamisa imicimbi engxamisekileyo, kwaye uSomlomo kufuneka amisele ixesha elikhoyo lokuxoxwa kawo nawuphi na umcimbi ongxamisekileyo.

20 IZIPHAKAMISO EZINGAVUMELEKANGA

20.1 USomlomo unakho ukungavumeli isiphakamiso esithi:

20.1.1 esinokukhokhelela kwiingxoxo ngomcimbi ekusele kujongwene nawo kwi-ajenda, okanye onganxulumananga nolawulo, okanye imiqathango kaMasipala; okanye

20.1.2 sandise iingxoxo, sivakalisa uluvo okanye siqulethe iingcingane ezingeyomfuneko, sibeke ityala, esohlulayo okanye esingafanelekanga, okanye apho:

20.1.2.1 iBhunga lingenalawulo kuzo;
20.1.2.2 isigqibo esenziwe ngumbutho weenkundla okanye ziinkundla ezingagqibelelanga osajingayo; okanye
20.1.2.3 ongaxaswanga ngokufanelekileyo; okanye

20.1.3 ukuba upasisiwe, oko kuya kungquzulana nemiqathango yale Migaqo yoLawulo okanye nawo nawuphi omnye umthetho okanye iBhunga elingenandlela ngokwezimali okanye ngokusemthethweni ukuba liwuphumeze ukuba eso siphakamiso, ngokokubona kweBhunga, sinyanzelisa ukuba kwenziwe olunye uphando siya kudluliselwa kwiKomiti efanelekileyo.

21 ISIPHAKAMISO ESICHAPHAZELA UMTHETHO KAMASIPALA OKANYE UMTHETHO SIYA KUDLULISELWA KUSOMLOMO

Isiphakamiso, ngaphandle kwesindululo sikaSodolophu, esichaphazela ukuqulunqwa okanye ukulungiswa koMthetho kaMasipala, siya kuthi, phambi kokuba iBhunga lenze isigqibo ngaso, siya kudluliselwa kuSomlomo ukuze kwenziwe ingxelo ngaso.

22 IMIBUZO

22.1 Naliphi na ilungu linakho ukungenisa umbuzo obhaliweyo ophathelene nawo nawuphi na umcimbi ngenjongo yokufumana izimvo, izizathu, iingcaciso okanye iinkcukacha, nonxulumene nomcimbi kunye/okanye imicimbi yeBhunga. Ilungu elo kufuneka liqinisekise ukuba umbuzo lowo ubhaliweyo ungena kwiintsuku ezili-15 phambi kwentlanganiso, unomhla, utyikityiwe

kwaye ungeniswa kwi-Ofisi kaSomlomo ukuze uqwalaselwe ze udluliselwe kuSodolophu.

22.2 I-Ofisi kaSomlomo iya kumisela uhlobo lwemibuzo kwaye yiyo eya kulawula umgangatho. I-Ofisi kaSomlomo ingala ukuphendula umbuzo yaye inelungelo lokuphindisela umbuzo kuceba ofanelekileyo ukuba umbuzo wakhe awuhlangabezani nezi mfuno.

22.3 USomlomo unakho ukuphindisela imibuzo kuCeba ochaphazelekayo emva ukuba iinkcukacha eziceliweyo sele zifumaneka eluntwini jikelele.

22.4 I-Ofisi kaSodolophu inakho ukubuyisela emva umbuzo kuSomlomo ukuba uSodolophu ubona ukuba iimfuno azihlangatyezwanga ze emva koko uSomlomo aphengulule umbuzo ze awubuyisele emva okanye awungenise ngokufanelekileyo.

22.5 Ilungu kufuneka lichaze ukuba lifuna ukuba umbuzo walo uphendulwe ngokubhaliweyo okanye ngomlomo kusini na kwintlanganiso yarhoqo ngekota yeBhunga xa kumanyelwa imibuzo ejoliswe kuSodolophu ze iphendulwe ngokungqinelana noMgaqo 6.1.1.

22.6 Akukho lungu livumelekileyo ukungenisa kwkahona umbuzo onxulumene nomcimbi othile ukuba lo mbuzo waqwalaselwa kwiinyanga ezi-3 ezadlulayo.

22.7 Umbuzo akuvumelekanga ukuba uqulathe iimpikiswano, iinkcazelo okanye iintelekelelo, izityholo, izimo okanye iintetho eziphikisanayo, iinkcazelo ezinempoxo okanye ezithathwa njengeziyinyaniso okanye ezifuna uluvo lwezomthetho.

22.8 Ilungu ngalinye liya kulinganiselwa kumbuzo omnye obuzwa ngomlomo kunye nombuzo omnye obhaliweyo kwintlanganiso nganye yeBhunga.

22.9 Iingxelo nophando:

22.9.1 Akuyi kuvumeleka ukubuza umbuzo ngenjongo zokufuna iinkcukacha eziphathelene nophando olwenziwayo, ngaphandle kokuqonda ubume bolo phando umzekelo: luqalisiwe, luyaqhuba, sele luza kugqitywa okanye lugqityiwe.

22.9.2 Akuyi kuvumeleka ukuba kubuzwe umbuzo ngokunxulumene neziqulatho zengxelo efunyenwe ngophando oluyimfihlo okanye ngophando-nzulu ngolwaphulo-mthetho ngaphandle kokuba kufanelekile ukuba kuchazwe ezo nkcukacha ukuphendula lo mbuzo ngokungqinelana nomgaqo-nkqubo onxulumene nokukhutshwa kweenkcukacha eziqulethwe kulo ngxelo.

22.9.3 Akuyi kuvumeleka ukubuza umbuzo onxulumene nemicimbi ekhutshelwa abanamalungelo athile ngokusemthethweni, noxhomekeke kwiingxoxo ezisemthethweni eziqhubayo okanye iinkcukacha eziyimfihlo, okanye ukuba ukuchazwa kwezo nkcukacha kuyimfuneko ukuphendula lo mbuzo kuya kukhokhelela ekophulweni

kwamalungelo, okanye afanele ukunikezelwa ngokusemthethweni, kwiqela elizimeleyo.

22.9.4 Akuyi kuvunyelwa ukuba kubuzwe imibuzo enxulumene nemicimbi ekwi-ajenda eyimfihlo.

22.10 Umbuzo akusayi kuvumeleka ukuba ubhekiselele kwizihloko ezininzi kwae kufuneka ube mfutshane nangokuquphayo.

22.11 USodolophu unakho ukubuyisela umva nawuphi na umbuzo kwi-Ofisi kaSomlomo ukuze kufunyanwe ingcaciso kunye / okanye kufunyanwe iinkcukacha ezongeziweyo kulowo wenza umbuzo.

22.12 USomlomo makagcine irekhodi :

22.12.1 Yayo yonke imibuzo eyenziwe ngamalungu kulo nyanga ebonisa umhla eyangeniswa ngawo kuSomlomo, ngokunjalo nomhla eya kudluliselwa kwi-Ofisi kaSodolophu ukuphendula lo mibuzo;

22.12.2 Yemibuzo ebuyiselwe umva nguSodolophu nezizathu zokukhatywa kwayo;

22.12.3 Iimpendulo ezinikiweyo kwiMibuzo;

22.12.4 USomlomo angabuzwa imibuzo ngamalungu yaye iimpendulo kulo mibuzo zingapapashwa kwiwebhusayithi kaMasipala.

22.13 Iimpendulo ziya kuchazwa ngokubhaliweyo kumalungu kwisithuba seenyanga ezi-2 ukususela ngomhla wokufunyanwa kwalo mibuzo.

22.14 Ngokwesicelo selungu, amalungu anakho ukubona incwadi ekubhalwe kuyo iMibuzo.

22.15 USomlomo kufuneka aqinisekise ukuba nawuphi na umbuzo ekungekafunyanwa mpendulo yayo kwisithuba esiziintsuku zekhalenda ezingama-60 ukususela ngomhla wokungeniswa kwawo, ezivelelayo kwi-ajenda yentlanganiso elandelayo yeBhunga.

22.16 USodolophu kufuneka anike impendulo ngomlomo kumbuzo ochazwe kuMgaqo 22.15 kulo ntlanganiso yeBhunga kunye/okanye angadlulisela lo mbuzo kwelinye ilungu leBhunga ukuba liphendule ngomlomo kulo ntlanganiso.

22.17 Xa kunokwenzeka kubandakanywe imibuzo kwi-ajenda yeBhunga ngokungqinelana noMgaqo 22.15, akukho sigqibo siya kuthathwa liBhunga ngawo nawuphi umbuzo owenziwe ngomhla wentlanganiso yeBhunga nalapho lo mibuzo yaphakanyiswa okanye kwaxoxwa ngayo ngokungqinelana nalo Mgaqo.

22.18 Imibuzo efuna ingcaciso ingenziwa kuphela ngexesha leengxoxo ingekuko isakuvalwa. Izimvo ezivela kuSodolophu okanye kulowo wonyulwe endaweni yakhe zizo eziya kuqukumbela ingxoxo.

23 UKUQWALASELWA KWAKHONA KWEZIGQIBO

IBhunga linakho ukuthi ngamaxesha athile emva kwesindululo esenziwe nguSodolophu, lirhoxise okanye lilungise nasiphi na isigqibo esiphunyezwe lilo, ukuba ngaba olo rhoxiso okanye oko kutshintshwa kweso sigqibo akuzi kuchaphazela nawo nawaphi na amalungelo ebethe afumaneka ngenxa yeso sindulululo.

24 IZILUNGISO ZEZINDULULO

24.1 Isindululo esiphakanyisiweyo:

24.1.1 masingqinelane nesindululo, isiphakamiso esenzelwe sona;
24.1.2 siya kwenziwe ngokubhaliweyo, sityikitywe ngumphakamisi nomxhasi waso, ze sidluliselwe kuSomlomo;
24.1.3 kuvumeleke ukuba siphakanyiswe kuphela lilungu ngexesha lithetha ngesindululo esithile, isiphakamiso ekuxoxwa ngaso.

24.2 Ilungu eliphakamise isindululo kuvumeleke ukuba lithethe ngaso ixesha elingekho ngaphezu kwemizuzu emi-2, kodwa umxhasi waso akuvumelekanga ukuba athethe ngaso, kwaye akuyi kubakho lungelo lakuphendula.

24.3 Kuvumelekile ukuphakamisa izilungiso eziliqela, okanye isiphakamiso, ngokuxhomekeke kuMgaqo 24.9, zonke izilungiso eziphakanyisiweyo ziya kufakwa kwivoti ekupheleni kweengxoxo ngeso sindululo, isiphakamiso.

24.4 Akukho lungu liya kuphakamisa izilungiso ezininzi kwisindululo esinye, okanye isiphakamiso.

24.5 Ukuba uSodolophu okanye ilungu okanye lowo wenza isiphakamiso sokuqala unqwenela ukuthetha neBhunga ngaso nasiphi isilungiso esenziwe kweso sindululo, isiphakamiso kuvumeleke ukuba enze njalo kwimpendulo yakhe kuphela.

24.6 Ingxoxo iya kuvalwa xa uSodolophu okanye lowo wonyulwe esikhundleni sakhe ephendule kuyo.

24.7 Ukuba kuphakanyiswe izilungiso eziliqela kwisindululo ngasinye, ezo zilungiso mazifakwe kwivoti ngokohlobo eziphakanyiswe ngazo.

24.8 Isilungiso ngasinye sesindululo, sesiphakamiso masichazwe ngokucacileyo entlanganisweni nguSomlomo phambi kokuba sifakwe evotini.

24.9 Ukuba isilungiso samkelwe, eso sindululo silungisiweyo, okanye isiphakamiso siya kungena endaweni yesindululo sokuqala, okanye isiphakamiso

ngokuphathelene nokuba zizilungiso ezongeziweyo eziphakanyisiweyo eziya kufakwa evotini, ukuba uSomlomo unakho, ukuba ngokubona kwakhe eso sindululo esenziweyo sizisa esinye isilungiso esingeyomfuneko nesingabalulekanga, agqibe ukuba eso silungiso akufanelekanga ukuba senziwe, emva koko isilungiso sokugqibela siya kuphelelwa.

25 UKUTHOTYELWA KUKASOMLOMO

25.1 Nanini na xa uSomlomo ethetha, naliphi ilungu eliza kuthetha okanye elifuna ukuthetha kufuneka lithi cwaka kwaye namalungu aya kuthi cwaka ukuze uSomlomo aviwe ngaphandle kokuphazanyiswa.

25.2 Ilungu elenza intetho kwiBhunga liya kwenza njalo ngokuthetha libhekisa kuSomlomo.

26 UCEBA KUVUMELEKE UKUBA ATHETHE KUBE KANYE KUPHELA

26.1 Ngokuxhomekeke kuwo nawuphi umqathango ophikisa oku noqulethwe kule Migaqo, akukho liya liya kuthetha ngaphezu kwesihlandlo esinye ngaso nasiphi na isindululo, okanye isiphakamiso, ukuba uSodolophu okanyu ilungu, ngokungqinelana neMigaqo 13 okanye 24 engentla okanye lowo wenza isiphakamiso, unakho ukuphendula ekupheleni kwengxoxo, kodwa uya kuzibophelela ekuphenduleni izithethi ezingaphambili kwaye akayi kuveza umcimbi omtsha kule ngxoxo.

26.2 USomlomo uya kuvumela uSodolophu, MMC okanye usihlalo ophantsi kweKomiti yeCandelo lama-79 owenze isiphakamiso ngokungqinelana noMgaqo 13 okanye 24 ukuba enze ingxelo echazayo phambi kokuqwalasela nawuphi umcimbi oqulethwe kwingxelo kasodolophu okanye ngexesha kuxoxwa ngalo ngxelo, xa kuphendulwa lo mbuzo ukhethekileyo.

27 UKUPHATHELELA

27.1 Ilungu elithethayo liya kujolisa intetho yalo ngqo kumcimbi ekuxoxwa ngawo okanye ngenkcaza ethile okanye isiphakamiso sonqwanqwado, kwaye akuyi kuvunyelwa ngxoxo kwezo zinto:

27.1.1 eya kucingela nawuphi na umcimbi okwi-ajenda; okanye

27.1.2 ophathelene nawo nawuphi na umcimbi onento yokwenza nesigqibo esenziwe yinkundla okanye inkundla engagqibelelanga okanye ikomishoni yophando, nokuba imiselwe ngokomthetho okanye akunjalo, isajinga, ukuba lo mcimbi unokuqwalaselwa ngemvume yeBhunga.

28 UKUNGAFANELEKI, UPHINDA-PHINDO OLUNTYUNTYAYO, INTETHO ENGAFANELEKANGA KUNYE NOKUNGATHOTYELWA KOMGAQO

28.1 USomlomo makamemelele ukuba ilungu, elibiza ngetayitile negama, lithathele ingqalelo intetho engafanelekanga, uphinda-phindo oluntyuntyayo, ulwimi olungafanelekanga okanye ukwaphulwa komgaqo kwicala lelungu, kwaye uya kuyalela elo lungu, xa lithetha, ukuba liyinqumamise intetho yalo de ilungu libuyele emgaqweni. Lo myalelo uya kuthatyathwa njengesilumkiso sokuqala.

28.2 USomlomo uya kuyalela ilungu ukuba lixolise okanye lizirhoxise izityholo zalo ukuba azifanelekanga okanye zonakalisa okanye zithoba isidima selungu okanye segosa leBhunga.

28.3 Emva kwezilumkiso ezibini kunye nesilumkiso sokugqibela ngexesha leengxoxo kwintlanganiso yeBhunga, uSomlomo uya kwazisa ilungu ukuba alisayi kuphinda linikwe ithuba lokumanyelwa kwakhona kuloo ntlanganiso. Kambe ke ilungu elo liya kuvunyelwa ukuba livote kuwo nawuphi na umba ekufuneka uvotelwe.

28.4 Ilungu malaziswe ngesilumkiso ngasinye.

28.5 Ukuba ilungu elo alithobeli umyalelo kaSomlomo ngokoMgaqo 28.3 olapha ngasentla, kuya kusetyenziswa imiqathango yoMgaqo wama-29 kwaye uSomlomo angenza isigqibo sokuthatha amanyathelo oluleko ngakwelo lungu ngokungqinelana noMgaqo wokuZiphatha kooCeba.

29 UKUSUSWA OKANYE UKUKHUTSHWA KUKACEBA

29.1 Ukuba ilungu alivumi ukuthobela umyalelo ngokungqinelana noMgaqo wama-28, uSomlomo angacela uManejala weSixeko ukuba ayalele igosa lezocwangco elichongelwe lo msebenzi elingaxhobanga ukuba lilikhuphe elo lungu okanye ayalele ukukhutshwa kwalo kunye namanyathelo okuthintela ukuba elo lungu libuyele entlanganisweni, ukuba uSomlomo unokuthi, ngokokubona kwakhe ezimele nangokugqibeleleyo, avumele ukubuyela kwelo lungu entlanganisweni ngokuthi lingenise lona elo lungu kuthethwa ngalo inkcazo ebhaliweyo yokuzisola kuSomlomo. Lo nkcaza yokuzisola mayibe yinxalenye yemizuzu yalo ntlanganiso.

29.2 Kwimeko apho uSomlomo eyalele ilungu elandela uMgaqo 28 ze asebenzise uMgaqo 29.1, ze amanye amalungu ajoyine exhasa elo lungu ekuthwa malithobele umyalelo, uSomlomo uya kulumkisa amalungu ukuba ayeke oko akwenzayo, azole. Emva kwezilumkiso ezi-3 kuthethwa namalungu yaye enikwa ixesha elaneleyo lokuba azole, uSomlomo uya kusebenzisa uMgaqo 29.1 kuwo onke amalungu angafuni kumamela.

30 UKUZIPHATHA NGOKUNGALAWULWEKIYO NOKUGCINWA KOCWANGCO

30.1 Amalungu akavumelekanga ukuba baziphathe ngokungalawulekiyo kwiGumbi leeNgxoxo nakwiindawo zeentlanganisi zeBhunga, kuqukwa:

30.1.1 ukudala isiphithi-phithi okanye ukuphazamisa kwiBhunga;

30.1.2 Ngayo nayiphi indlela ephazamisa ngokubonakalayo, ethintela, enqanda okanye ukukhutshwa kwelungu kwiGumbi leeNgxoxo neliyalelwe ukuba liphume kwiGumbi leeNgxoxo;

30.1.3 ukungathobeli igunya likaSomlomo okanye ukungavumi ukuthobela izigqibo zikaSomlomo nokuphazamisa uSomlomo ngexesha esenza intetho kwiBhunga;

30.1.4 ukwenza izityholo ngokuchasene nelungu ngaphandle kokufumana izizathu ezibambekayo okanye ukulandela inkqubo efanelekileyo;

30.1.5 ukusebenzisa okanye ukuququzelela ubundlobongela kwelinye ilungu okanye komnye umntu; okanye

30.1.6 ukusebenza ngayo nayiphi enye indlela eyonakalisa isidima okanye inkqubo emiselekileyo yeBhunga.

30.2 USomlomo unakho ukuthi, ngalo naliphi ixesha entlanganisweni, ukuba ubona kufanelekile ukuba kugcinwe ucwangco, acele uManejala weSixeko ukuba ayalele igosa lezocwangco elichongelwe lo msebenzi elingaxhobanga ukuba likhuphe okanye liyalele ukukhutshwa kwakhe nabani na, kuqukwa amalungu, kulo ndawo yentlanganiso, okanye ayalele ukuba kuphunywe kwiqonga labaphula-phuli.

31 **IZIPHAKAMISO ZONQWANQWADO**

31.1 Ngeenjongo zalo Mgaqo:

31.1.1 isiphakamiso sonqwanqwado kuthethwa nakuphi na ukunxaxha, okanye nantoni na echasene nale Migaqo;

31.1.2 isiphakamiso sonqwanqwado singaphakanyiswa nani ni na kwiingxoxo zentlanganiso, ngaphandle kwaxa kusenziwa iNtetho kaSodolophu, xa uSomlomo eqondisisa ubukho benani elivunyelweyo lokuzimasa intlanganiso okanye xa kuvotwayo;

31.1.3 ilungu elenza isiphakamiso sonqwanqwado kufanele lichaze uMgaqo okhethekileyo, uMthetho kaMasipala okanye omnye umthetho ekutyholwa ngokuba wophulwe okanye kunxaxhiwe kuwo;

31.1.4 nasiphi na isiphakamiso sonqwanqwadoaasiyi kuba yintetho ngalo oko ke asiyi kuchaphazela ilungelo lalo naliphi ilungu lokuthetha ngomcimbi othile, ukuba ilungu elithetha noSomlomo ngesiphakamiso sonqwanqwado aliyi kuvunyelwa ukuba lithethe noSomlomo isithuba esingaphezu kwemizuzu emi-2 ngeso siphakamiso sonqwanqwado;

31.1.5 naliphi na iLungu, nokuba lenza intetho kwiBhunga ngomcimbi ekuxoxwa ngawo okanye akunjalo, linakho ukuphakamisa isandla ukwenza isiphakamiso sonqwanqwado.

31.1.6 ilungu elichazwe kuMgaqo 31.1.4, liya kuba nelungelo lokumanyelwa ngoko, kwaye ilungu elithethayo ngelo xesha liya kuthi cwaka kwaye lihlale phantsi, de kwenziwe isigqibo nguSomlomo.

31.1.7 isigqibo sikaSomlomo ngesiphakamiso sonqwanqwado siya kuba sesokugqibela kwaye akuyi kuvunyelwa ngxoxo kuso.

32 AMANQAKU ENGCACISO

32.1 Ngeenjongo zalo Mgaqo:

32.1.1 Inqaku lengcaciso lithetha inkcazelo kwiindawo ezithile kwintetho eyenziwe lilungu ezingaqondwanga okanye eziqulethwe kwiintetho ezibanga ubunyaniso ngexesha kuxoxwa kodwa ingekuko xa sele kuxoxiwe ngayo.

32.1.2 Naliphi na inqaku lengcaciso akuvumelekanga ukuba libe yintetho kwaye ngenxa yoko aliyi kuchaphazela ilungelo lalo naliphi na ilungu lokuthetha ngomcimbi othile, ukuba elo lungu elibhekisa kuSomlomo ngenqaku lengcaciso aliyi kuvunyelwa ukuba lithethe noSomlomo ixesha elingaphezu komzuzu omnye (1) ngelo nqaku lengcaciso;

32.1.3 Naliphi na ilungu, nokuba lenze intetho kwiBhunga ngomcimbi ekuxoxwa ngawo okanye akunjalo, linakho ukuphakamisa isandla ngomcimbi wengcaciso ekupheleni kwengxoxo.

32.1.4 Ilungu elichazwe kuMgaqo-32.1.3, liya kuba nelungelo lokumanyelwa kwangoko, kwaye nelungu elithetha ngaxeshanye nelo liya kuthi cwaka kwaye lihlale phantsi, de kwenziwe isigqibo nguSomlomo.

32.1.5 Isigqibo sikaSomlomo ngokuvunyelwa kwenqaku lengcaciso siya kuba sesokugqibela kwaye asiyi kuvuleleka kwingxoxo.

33 IZIPHAKAMISO NGOKWENKQUBO

33.1 Xa umcimbi kuxoxwa ngawo kuyo nayiphi na intlanganiso yeBhunga, akuyi kuvunyelwa enye ingxoxo xa zamkelwe iziphakamiso ngokwenkqubo kwezi zilandelayo:

33.1.1 ukuba ukuqwalaselwa komcimbi makumiswe ze uqwalaselwe kwakhona kamva ngexesha eliya kumiselwa liBhunga;

33.1.2 ukuba intlanganiso yeBhunga mayimiswe ze iqaliswe kwakhona ngexesha eliya kumiselwa nguSomlomo;

33.1.3 ukuba lo mcimbi mawubuyiselwe emva kwiKomiti okanye kwicandelo lolawulo ze kunikwe nezizathu zoko.

34 IINTLANGANISO EZIVULELEKILEYO ELUNTWINI NAKUMAJELO EENDABA

34.1 IBhunga maliphathe umcimbi walo ngendlela evulelekileyo kwaye ingachophela iintlanganiso ezisekhusini xa kufanelekile ukwenza njalo, kuthathelwa ingqalelo uhlobo lomcimbi ekuthethwa ngawo.

34.2 Nangona kukho inkcaso kwimiqathango yoMgaqo 34.1, iBhunga alivumelekanga ukunxwema uluntu, kuqukwa namajelo eendaba, xa liqwalasela okanye kuvotwa ngawo nawuphi na kule mibandela ilandelayo:

34.2.1 uyilo loMthetho kaMasipala;
34.2.2 uHlahlo-mali;
34.2.3 uyilo lweSicwangciso esiHlangeneyo soPhuhliso, okanye naziphi na izilungiso zeSicwangciso; kunye
34.2.4 noyilo lweeNkqubo zokuLawula iNdlela yokuSebenza kukaMasipala, okanye naziphi izilungiso kwiNkqubo.

35 ISIMEMO SOKWENZA INTETHO KWIBHUNGA

USomlomo unakho ukuthi, ngokokubona kwakhe, ameme nabani na ukuba enze intetho kuyo nayiphi intlanganiso yeBhunga.

36 ISINXIBO

36.1 Bonke ooCeba naMagosa eSixeko, njengabameli beBhunga kufuneka ngalo lonke ixesha xa bezimasa intlanganiso yeBhunga, banxibe ngokufanelekileyo ukubonisa umzekelo ofanelekileyo nosesikweni weziko ngokungqinelana noMgaqo-nkqubo olawula iSinxibo. Iimpahla ezineempawu zezopolitiko azithatyathwa njengezifanelekileyo kwaye ngenxa yoko akuvumelekanga ukuba zinxitywe xa ubani ezimasa ezi ntlanganiso.

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QAPHELA: **LE MIGAQO YOLAWULO KUVUMELEKILE UKUBA IPHENGULULWE RHOQO NGONYAKA OKANYE AMATYELI AMANINZI KANGANGOKO KUBONAKALA KUFANELEKILE. IZILUNGISO KULE MIGAQO YOLAWULO ZIXHOMEKEKE EKUPHUNYEZWENI LIBHUNGA LIKAMASIPALA KWAYE ZIYA KUSEBENZA UKUSUSELA NGOMHLA WOKUPHUNYEZWA KWAZO DE ZIPHINDE ZILUNGISWE LIBHUNGA LIKAMASIPALA. IMIGAQO EPHUNYEZIWEYO YOLAWULO IYA KUBHENGEZWA KWIWEBHUSAYITHI KAMASIPALA NGENJONGO YOKUXHASA UKWAZISWA KWABO BONKE ABACHAPHAZELEKAYO.**