

# Dikabelo tsa Motheo tša Molaotheo

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Wa Rephaboliki ya Aforika Borwa,  
1996, Di tlofofaleditswe Baithuti



PULAMADIBOGO, DIKABELO TSA MOTHEO LE  
MOLAOTLHOMO WA DITSHWANELO

*"Sekwalwa sa tshimologo sa Seesimane ke sekwalwa sa semmuso sa Molaotheo"*

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Pulamadibogo, Dikabelo tsa Motheo le Molaotlhommo  
wa Ditshwanelo

### **MATSENO MOLAOTHEO KE ENG?**

Molaotheo ke mmele wa ditheo tsa motheo tseo go ya ka ona Puso e tshwanetseng go laolwa. O tthagisa ka moo dipopi tsotlhe tsa puso di rulagantsweng ka teng gape o na le melao ka ga maatla a a leng teng, ke mang yo o nang le ona le gore a dirisiwa mo go bomang mo go buseng naga. O ka tsewa jaaka mofuta wa konteraka magareng ga bao ba leng mo taolong le bao ba leng ka fa tlase ga taolo. O tthalosa ditshwanelo le ditiro tsa baagi, le mekgwa ya go lekanyetsa bao ba leng mo taolong.

Molaotheo wa Aforika Borwa ke molao o mogolo wa naga ya rona. O abelana ka motheo wa semolao wa go nna teng ga Rephaboliki, o tthagisa ditshwanelo le ditiro tsa baagi ba yona, le go tthalosa popego ya Puso. O ntse o tsewa jaaka "lokwalo la matsalo" la Aforika Borwa o o gololesegileng wa temokerasi.

Molaotheo wa rona ke molao o o botlhokwa thata kgotsa o mogolo wa naga. Ga go molao ope o o ka ganetsanang le ona, le puso e ka se dire sepe se se tla nngang kgatlhanong le ona. Mo temokerasing ya molaotheo e e tshwanang le ya rona, Molaotheo o mogolo go feta Palamente gape o dirisiwa go athola melao yotlhe e mengwe. O diragatswa mo ditheong tsothle tsa Puso. Kgotlatshekelo ya Molaotheo ke kgotlatshekelo e e kgolo ya Aforika Borwa mo mabakeng a molaotheo gape ke setheo se se nang le lefoko la bofelo mo go tlhaloseng Molaotheo.

Molaotheo wa Aforika Borwa, jaaka sekai, o tlhalosa ka moo Puso e tlhamilweng ka teng, ka moo e tlhophiwang ka teng le ka moo e dirang ka teng. E tlhalosa dithata tse puso e nang le tsona – le selekano sa dithata tseo – e tsenyeletsa le ditshwanelo tsa batho. O tthagisa gape ka moo Puso e tla ikarabelang ka teng mo bathong ba ba e tlhophileng.

Molaotheo ke motheo wa botshelo jwa setšhaba mo Aforika Borwa. Mme fela, o dira go feta go tlhaloswa ga dintlha tsa botlhokwa tsa go dira ga Puso. Molaotheo wa rona o tthagisa ditsholofelo le diphisegelo tsa setšhaba.

**BOTLHOKWA JWA PULAMADIIBOGO, KGAOLO 1,  
(DIKABELO TSA MOTHEO) LE KGAOLO 2  
(MOLAOTLHOMO WA DITSHWANELO) TSA MOLAOTHEO**

Molaotheo e mentse e nna teng ka ntlha ya mabaka a a kgethegileng. Aforika Borwa e ne ya nna le phetogo ka gotlhe go tswa mo pusong ya kgatelelo ya tlhaolele (tsamaiso e e theilweng mo go reng Palamente ke yona e e nang le dithata tse dikgolo tsa semolao) go ya kwa temokerasing ya semolaotheo e e itlamileng go tlhola setšhaba se se ikaegileng mo meetlong ya temokerasi, bosiamisi jwa batho le ditshwanelo tse di botlhokwa tsa botho.

Molaotheo wa rona o tthagisa historiki e e sa tshwaneng le epe le boineelo jwa go lwela kgololesego le temokerasi. Go ya ka ditiragalo tsa maloba tsa Aforika Borwa, ga go gakgamatse gore Molaotheo wa rona o be o ntse o gatelela kgapetsakgapetsa botlhokwa jwa go bopa setšhaba

se se “bulegileng sa temokerasi”, le gore o gatelela seriti, tshiamo le tekatekano.

Pulamadibogo ke seteitemente sa matseno ka boripana se se tlhagisang maikemisetso a kaelo le meono ya Molaotheo. Kgaolo 1 e tsenyeletsa meono e e botlhokwa ya Molaotheo mme, ka ntlha ya fa e le botlhokwa thata, ga go bonolo go e fetola.

Karolo 1 e ka tlabololwa ka Molaotlhomo o o fetisitsweng ke Kokoano Bosetšhaba, ka tshegetso ya boutu ya diporesente di le 75 tsa maloko a yona le Khansele ya Bosetšhaba ya Diporofense, ka boutu ya tshegetso ya bonnye diporofense tse thataro.

Molaotheo le bomolaotheo di tsamaisana le ditshwanelo tsa botho. Ditshwanelo di tsenyeleditswe ka tsepamo gantsi mo karolong e e kgethegileng ya molaotheo, e e bidiwang Molaotlhomo wa Ditshwanelo. Kgaolo 2 ya Molaotheo wa 1996 e na le Molaotlhomo wa Ditshwanelo wa Aforika Borwa. Ke karolo eno ya Molaotheo e e ngokileng kgatlhego e ntsi – gape e amile bontsi jwa MaAforika Borwa – mo dingwageng tse di mmalwa tse di fetileng. Dikabelo tseno di bua ka ditshwanelo tsa tekatekano, seriti sa botho, botshelo le sephiri, magareng ga tse dingwe, gape le kgololosego ya bodumedi le tlhagiso ya maikutlo. Di bua gape ka dikamano tsa bodiri, bana, thuto le kgato ya semolao.

Molaotlhomo wa ditshwanelo tsa botho ke motheo wa temokerasi mo Aforika Borwa. O gatelela meetlo ya temokerasi ya seriti sa botho, tekatekano le kgololosego. Molaotlhomo wa ditshwanelo mo Kgaolong 2 ya Molaotheo o na le dintlha tse di botlhokwa tsa ditshwanelo tsa botho tse di ikaelelang go tlhalosa ditshwanelo tsa batho, tlanelo go yoo le ka mogkwa o ditshwanelo di diragalang, le go laola nako le mogkwa o ditshwanelo di ka lekanyetswang ka teng.

Kgaolo 2 e ka tlabololwa fela ka Molaotlhomo o o fetisitsweng ke Kokoano Bosetšhaba, ka boutu ya tshegetso ya bonnye pedi tharong ya maloko a yona le Khansele ya Bosetšhaba ya diporofense, ka boutu ya tshegetso ya bonnye diporofense tse thataro.

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*"Sekwalwa sa tshimologo sa Seesimane ke sekwalwa sa semmuso sa Molaotheo."*

## PULAMADIBOGO

*Rona, batho ba Aforika Borwa,  
Re itse ditshiamololo tsa rona tse di fetileng;  
Re tlotla ba ba bogileng ka ntlha ya tshiamo le kgololosego mo  
lefatsheng la rona;  
Re tlotla ba ba diretseng go aga le go tlhabolola naga ya rona; mme  
Re dumela fa Aforika Borwa e le ya botlhe ba ba tshelang mo go yona,  
re le ngata e le nngwe ka go farologana.  
Rona ka jalo, ka baemedi ba re ba itlhophetseng ka kgololosego, re  
amogela  
Molaotheo o jaaka Molao-Mogolo wa Rephaboliki gore re –*

*Alafe dikgogakgogano tse di fetileng mme re age Setšhaba se  
se theilweng ka meetlo ya temokerasi, bosiamisi jwa batho le  
ditshwanelo tse di bothokwa tsa botho;*

*Tlhome metheo ya temokerasi le setšhaba se se gololesegileng  
moo puso e theilweng ka thato ya batho e bile moagi mongwe  
le mongwe a sireleditswe ka go lekana ke molao.*

*Tokafatse matshelo a baagi botlhe le go golola neo ya mongwe  
le mongwe le;*

*Age Aforika Borwa e e kopaneng ya temokerasi e e kgonang go  
tsaya maemo a yona a a siameng jaaka naga e e ipusang mo  
tshikeng ya mafatshe.*

*A Modimo a sireletse Setšhaba sa rona.  
Nkosi Sikelel' iAfrika. Morena boloka setšhaba sa heso.  
God seën Suid-Afrika. God bless South Africa.  
Mudzimu fhatutshedza Afurika. Hosi katekisa Afrika.*

# **KGAOLO 1**

## **DIKABELO TSA MOTHEO**

### **Rephaboliki ya Aforika Borwa**

1. Rephaboliki ya Aforika Borwa ke naga e le nngwe e e ipusang ya temokerasi e e theilweng mo godimo ga meetlo e e latelang:
  - (a) Seriti sa botho, phitlhelelo ya tekatekano le tsweletso ya ditshwanelo tsa botho le dikgololosego.
  - (b) Go sa kgethololeng ka bomorafe le ka bong.
  - (c) Bogolo jwa Molaotheo le puso ya molao.
  - (d) Tshwanelo ya bagolo botlhe ya go tlhopha mo lefatsheng lotlhe, lenaane la bosetšhaba le le tlwaelegileng la batlhophi, ditlhopho tsa nako le nako, le mokgwa wa puso ya temokerasi ya makoko-mantsi, go netefatsa maikarabelo, bodiredi bo bo tsibogelang ditlhagiso le tirelo e e mo phatlalatseng.

### **Bogolo jwa Molaotheo**

2. Molaotheo o, ke molaoomogolo wa Rephaboliki; molao kgotsa maitsholo a a kगतलhanong le ona ga a na boleng, le ditlamego tse o di abang di tshwanelwa go diragatswa.

### **Boagi**

3.
  - (1) Go na le boagi bo le nosi jwa Aforika Borwa.
  - (2) Baagi botlhe ba -
    - (a) na le tetla ya ditshwanelo ka go lekalekana, ditshiamelo le molemo wa boagi; le
    - (b) ka tekatekano go rwala ditiro le maikarabelo a boagi,
  - (3) Molao wa naga o tshwanetse go tlamela ka phitlhelelo, tatlhegelo le pusetso ya boagi.

### **Pina ya bosetšhaba**

4. Pina ya bosetšhaba ya Rephaboliki e tlhomamisiwa ke Poresidente ka kgoeletso.

## Folaga ya bosetšhaba

5. Folaga ya bosetšhaba e bontsho, bogauta, botala, bosweu, bohhibidu le botala jwa legodimo jaaka fa e tlhalosiwa e bile e takilwe mo Mametlelelong 1.

## Dipuo

6. (1) Dipuo tsa semmuso tsa Rephaboliki ke Sepedi, Sesotho, Setswana, Seswati, Tshivenda, Xitsonga, Afrikaans, English, isiNdebele, isiXhosa le isiZulu.
- (2) Ka go lemoga go nyelela ga tiriso le serodumo sa dipuo tsa batho ba rona, puso e tshwanela go tsaya dikgato tse di bonalang le tse di bontshang kgatelopele go tihatlosa seemo le ntshetsopele ya tiriso ya dipuo tseno.
- (3) (a) Puso ya bosetšhaba le dipuso tsa diporofense di ka dirisa dipuo tsa semmuso dingwe le dingwe mo mabakeng a puso, go tsewa tsia tiriso, kgonagalo, ditshenyegelo, mabaka a karolo ya naga, le tekatekano ya ditlhokego le dikgatlhegelo tsa baagi ka bophara kgotsa mo porofenseng e e amegang; fela puso ya bosetšhaba le puso nngwe le nngwe ya porofense di tshwanetse go dirisa di le pedi tsa dipuo tsa semmuso.
- (b) Bommasepala ba tshwanetse go tsaya tsia puo e e diriswang le go kgatlhegelwa ke baagi ba bona.
- (4) Puso ya bosetšhaba le dipuso tsa diporofense, ka melao le dikgato dingwe, di tshwanetse go laola le go tlhokomela tiriso ya dipuo tsa semmuso. Ntle le go fapoga dithulaganyo tsa karolwana (2), dipuo tsotlhe tsa semmuso di tshwanela go newa tlotlomatso e e lekanang e bile di tshwanelwa go tsewa ka tekatekano.
- (5) Boto ya Dipuo ya Aforika Borwa e e tlhomilweng ke molao wa bosetšhaba e tshwanetse –
- (a) go tsewetša le go tlhola maemo a tlabololo le tiriso ya –
- (i) dipuo tsotlhe tsa semmuso;



- (ii) dipuo tsa seKhoi, seNama le seSan; le
- (iii) puo ya diatla, le
- (b) go tsweletsa le go netefatsa tlotlo ya-
  - (i) dipuo tsotlhe tse di dirisiwang ka gale ke ditlhopha tsa batho mo Aforika Borwa, go akarediwa German, Greek, Gujarati, Hindu, Portuguese, Tamil, Telegu, le Urdu; le
  - (ii) Arabic, Hebrew, Sanskrit le dipuo dingwe tse di dirisediwa maikaelelo a tumelo mo Aforika Borwa.

## **KGAOLO 2**

### **MOLAOTLHOMO WA DITSHWANELO**

#### **Ditshwanelo**

7. (1) Molaotlhomo ono wa Ditshwanelo ke motheo wa temokerasi mo Aforika Borwa. O babaletse ditshwanelo tsa batho botlhe mo lefatsheng la rona e bile o tlhomamisa meetlo ya temokerasi ya seriti sa botho, tekatekano le kgololosego.
- (2) Puso e tshwanela go tlotla, go sireletsa, go etleetsa le go diragatsa ditshiamelo tsa Molaotlhomo wa Ditshwanelo.
- (3) Ditshwanelo tsa Molaotlhomo wa Ditshwanelo di laolwa ke dikiletso tsa karolo 36, kgotsa felo gongwe mo Molaotlhomong.

#### **Tiragatso**

8. (1) Molaotlhomo wa Ditshwanelo o ama molao mongwe le mongwe e bile o tlama kgotlapeomolao, tsamaiso le bosiamisi, le ditheo tsotlhe tsa puso.
- (2) Kabelo ya Molaotlhomo wa Ditshwanelo e tlama motho fela le mothomolaong, le go fitlha, moo go kgonegang go tsewa tsia mkgwa wa tshwanelo le tiro nngwe le nngwe e e pateletswang ke tshwanelo eo.
- (3) Mo go diragatseng dithulaganyetso tsa Molaotlhomo wa Ditshwanelo mo mothong fela le mothomolaong go ya ka karolwana (2), kgotlatshekelo –
  - (a) gore e neelane ka tiragatso ya tshwanelo mo Molaotlhomong, e tshwanetse go diragatsa, kgotsa fa go tlhokega go tlhabolola, molao wa tlwaelo go fitlha fa peomolao e sa neyeng nonofo go tshwanelo eo; e bile
  - (b) e ka tlhabolola melawana ya molao wa tlwaelo go iletsa tshwanelo, fa fela kiletso e tsamaelana le karolo 36(1).

- (4) Motho molaong o na le tshiamelo ya Molaotlhommo wa Ditshwanelo go tsamaelana le ditlhokego tsa tlhologo ya ditshwanelo le tlhologo ya motho yoo.

### **Tekatekano**

9. (1) Botlhe ba a lekana fa pele ga molao, e bile ba na le tshwanelo ya tshireletso le tshiamelo e e lekanang ya molao.
- (2) Tekatekano e akaretsa tiriso le natefaletso ka botlalo le dikgololosego. Go etleetsa phitlhelelo ya tekatekano, molao le dikgato dingwe, tse di diretsweng go sireletsa kgotsa go tsweletsa batho, kgotsa dikarolo dingwe tsa batho ba ba neng ba patikilwe ke kgethololo e e neng e sa lolama, di ka tsewa.
- (3) Pusoga e a tshwanela go kgetholola ka moo go sa tshwanelang ka tlhamalalo kgotsa bofitlha kgatlhanong le mongwe le mongwe, ka lebaka le lenosi kgotsa go feta go akarediwa ka bosemorafe, bong, boimana, seemo sa lenyalo, lotso kgotsa lefelo la loago, mmala, tshkamelobong, dingwaga, bogole, bodumedi, maikutlo, tumelo, setso, puo, le matsalo.
- (4) Ga go motho ope yo o tshwanetseng go kgethololwa ka moo go sa tshwanelang, ka tlhamalalo kgotsa bofitlha ka lebaka le lenosi kgotsa go feta go tsamaelana le karolwana (3). Molao wa bosetšhaba o tshwanetse go diragatswa go thibela kgotsa go iletsa kgethololo e e sa tshwanelang.
- (5) Kgethololo go tsamaelana ka lebaka le lenosi kgotsa mabaka mangwe a a umakilweng mo karolwana (3) e ileditswe, ntle le fa kgethololo e lolame.

### **Seriti sa botho**

10. Mongwe le mongwe o na le seriti sa botho ka tlhago le tshwanelo ya tlotlo ya seriti le tshireletso.

### **Botshelo**

11. Mongwe le mongwe o na le tshwanelo ya go tshela.

### **Kgololosego le tshireletsego ya motho**

12. (1) Mongwe le mongwe o na le tshwanelo ya kgololosego le tshireletsego ya botho, e e akaretsang tshwanelo ya –
- (a) go ilelediwa kgololosego ka kgobebelelo kgotsa ntle le lebaka la tshiamo,
  - (b) go se tlhatlhelwe ntle le go sekisiwa;
  - (c) kgololosego ya methale yotlhe ya tirisodikgoka go tswa mo makaleng a puso kgotsa a poraefete;
  - (d) go se bogisiwe ka tsela epe; le
  - (e) go se tsholwe kgotsa go otlhaiwa ka mokgwa o setlhogo, o o seng wa botho kgotsa wa tshotlo.
- (2) Mongwe le mongwe o na le tshwanelo ya seriti sa mmele le boitekanelo, e e akaretsang tshwanelo ya –
- (a) go dira tshwetso mabapi le tsa pelegi,
  - (b) tshireletsego le taolo ya mmele; le
  - (c) go dirisiwa diteko tsa bongaka le bonetetshi ntle ga tetla.

### **Bokgoba, bolata le tiro ya pateletso**

13. Ga go ope yo o tshwanetseng go patelediwa go nna lekgoba kgotsa lelata kgotsa go dirisia tiro ka kgapeletso.

### **Sephiri**

14. Mongwe le mongwe o na le tshwanelo ya sephiri go akarediwa tshwanelo ya go se –
- (a) phuruphudiwe kgotsa ya go phuruphutsa ntlo;
  - (b) phuruphutse dithoto tsa bona;
  - (c) amogwe dithoto; kgotsa
  - (d) kgoreletse sephiri sa puisano ya batho.

### **Kgololosego ya bodumedi, tumelo le kakanyo**

15. (1) Mongwe le mongwe o na le tshwanelo ya kgololosego ya maikutlo, bodumedi, mogopolo, tumelo le kakanyo.

- (2) Ditirelo tsa bodumedi di ka tshwarelwa mo dikagong tsa puso kgotsa tse di tlamelwang ke puso fa fela:
  - (a) ditirelo tseo di latela melawana e e beilweng ke bothati jo bo maleba jwa puso;
  - (b) ditirelo di tsamaisiwa ka tsela ya tekatekanyo; le
  - (c) go di tsenela go gololesegile e bile e le ka boithaopo.
- (3) (a) Karolo eno, ga e kgoreletse molao go amogela –
  - (i) manyalo a tumalano nngwe le nngwe ya setso, kgotsa kamogelo ya bodumedi jo bo rileng, kgotsa;
  - (ii) manaane a melao ya botho kgotsa ya malapa go ya ka setso sengwe le sengwe kgotsa batho ba bodumedi jo bo rileng.
- (b) kamogelo go ya ka temana (a) e tshwanetse go tsamaelana le karolo eno le dikabelo dingwe tsa Molaotheo.

### **Kgololosego ya tlhagiso ya maikutlo**

16. (1) Mongwe le mongwe o na le tshwanelo ya kgololosego ya go tlhagisa maikutlo, go akarediwa –
- (a) kgololosego ya dikgatiso le metswedi e mengwe ya phasalatso;
  - (b) kgololosego ya go amogela kgotsa go neelana ka tshedimose tso kgotsa dikakanyo;
  - (c) kgololosego ya botaki ba botlhami; le
  - (d) kgololosego ya thuto le kgololosego ya dipatlisiso tsa bonetetshi.
- (2) Tshwanelo ya karolotlaleletso (1) ga e akaretse –
- (a) tlhotlheetso ya ntwana;
  - (b) tlhotlheetso ya dikhuduego; kgotsa
  - (c) tlhotlheetso ya letlhoo le le ikaegileng ka bomorafe, lotso, bong, kgotsa bodumedi, le le ka bakang kgobalo.

### **Kokoano, ditshupetso, phiketo le tokomane ya dingongorego**

17. Mongwe le mongwe o na le tshwanelo ya go kokoana, go dira tshupetso, go phiketa, le go neelana ka tokomane ya dingongorego ka kagiso le ntle ga tiriso ya dibetsa.

### **Kgololosego ya go nna leloko la mokgatlho**

18. Mongwe le mongwe o na le tshwanelo ya kgololosego go nna leloko la mokgatlho.

### **Ditshwanelo tsa sepolotiki**

19. (1) Moagi mongwe le mongwe o na le tetla ya go dira boikgethelo jwa sepolotiki go akarediwa tshwanelo ya –
- (a) go itlhamela lekoko la sepolotiki;
  - (b) go tsaya karolo mo mererong ya mokgatlho, kgotsa go ngoka ditokololo boemong jwa mokgatlho wa sepolotiki; le
  - (c) go kgaratlhela lekoko kgotsa lebaka lengwe.
- (2) Moagi mongwe le mongwe o na le tshwanelo ya ditlhopho tse di gololesegileng, lolameng, tsa gangwe le gape boemong jwa mokgatlho mongwe le mongwe o o theilweng ka molao go ya ka Molaotheo.
- (3) Mogolo mongwe le mongwe o na le tshwanelo ya–
- (a) go tlhopho, mokgatlho mongwe le mongwe o o theilweng ka molao go ya ka Molaotheo ka nako ya ditlhopho, mme a dira jalo mo sephiring; le
  - (b) go nna ntlhopheng mo tirong ya setšhaba, fa a tlhophilwe go dira tiro eo.

### **Boagi**

20. Ga go moagi ope yo o tshwanetseng go ilelwa boagi.

### **Kgololosego ya motsamao le bodulo**

21. (1) Mongwe le mongwe o na le kgololosego ya go ya kwa a ratang teng.
- (2) Mongwe le mongwe o na le tshwanelo ya go tswa mo gare ga Rephaboliki.
- (3) Moagi mongwe le mongwe o na le tshwanelo ya go tseno, go nna, le go aga gongwe le gongwe mo gare ga Rephaboliki.
- (4) Moagi mongwe le mongwe o na le tshwanelo ya lokwalo la mosepele.

### **Kgololosego ya go gwebisana, tiro le boithutelo**

22. Moagi mongwe le mongwe o na le tshwanelo ya go kgetha kgwebo, tiro kgotsa boithutelo ka kgololosego. Tiragatso ya kgwebo, tiro kgotsa boithutelotiro, bo ka laolwa ke molao.

### **Dikamano tsa badiri**

23. (1) Mongwe le mongwe o na le tshwanelo ya tiragatso ya melao e e lolameng ya badiri.
- (2) Modiri mongwe le mongwe o na le tshwanelo ya -
- (a) go tlhama le go nna tokololo ya mokgatlho wa badiri,
- (b) go tsaya karolo mo mererong le mananeong a mokgatlho wa badiri; le
- (c) go ngala tiro.
- (3) Mothapi mongwe le mongwe o na le tshwanelo ya -
- (a) go tlhama le go nna tokololo ya mokgatlho wa bathapi; le
- (b) go tsaya karolo mo mererong le mananeong a mekgatlho ya bathapi;
- (4) Mokgatlho mongwe le mongwe wa badiri le mokgatlho mongwe le mongwe wa bathapi o na le tshwanelo ya -
- (a) go tlhomamisa tsamaiso, manaane, le merero ya ona;
- (b) go rulaganya; le
- (c) go tlhama le go nna tokololo ya mokgatlho wa tlhakanelo.

- (5) Mokgatlho mongwe le mongwe wa badiri, mokgatlho wa bathapi le mothapi, di na le tshwanelo ya go kgaratlhela ditshiamelo ka mogoso. Peomolao ya bosetšhaba e ka tlhama molao wa bosetšhaba go rulaganya dipuisano tsa tlhakanelo. Go ya ka tekanyetso e e ileditsweng ya tshwanelo mo karolong eno, tekanyetso e tshwanetse go tsamaelana le Karolo 36(1).
- (6) Moalo wa bosetšhaba o ka amogela dithulaganyo tsa tshireletsego tsa mokgatlho wa badiri, tse di kwadilweng mo ditumalanong tsa tlhakanelo. Go fitlha moo peomolao e ka lekanyetsang tshwanelo mo Kgaolong e, tekanyetso e tshwanetse go dumalana le Karolo 36(1).

### **Tikologo**

24. Mongwe le mongwe o na le tshwanelo ya –
- (a) tikologo e e senang kotsi mo botshelong kgotsa bothong jwa bona; le
  - (b) go nna le tikologo e e sireletsegileng, mo molemong wa dikokomane tsa ga jaana le tsa isago, go ya ka peomolao ya bosetšhaba le dikgato dingwe tse di utlwalang tse di-
    - (i) thibelang kgotlelego ya loapi le kelotlase ya tlhago;
    - (ii) etleetsang tshomarelo ya tlhago; le
    - (iii) babalelang ntshetsopele ya tlhabololo ya ditshedi le tiriso ya metswedi ya tlhago ka go mametlela tlhabololo ya moruo le loago.

### **Thoto**

25. (1) Ga go ope yo o tshwanetseng go tseelwa thoto ya gagwe ntle le tiragatso ya molao wa kakaretso, e bile ga go molao ope o o tla letlelelang go gapiwa ga thoto ka kgobeledo.
- (2) Thoto e ka gapiwa fela go tsamaelana le molao wa tiragatso ya molao wa kakaretso –
- (a) boemong jwa setšhaba kgotsa go tsamaelana le dikgatlhegelo tsa setšhaba; le



- (b) go tsamaelana le tuelo ya phimolakeledi, tlhotlhma e e leng, le nako le mokgwa wa tuelo o ka gongwe go dumalanweng ka ona ke bao ba amegang kgotsa sweditsweng kgotsa tlhomamisitsweng ke kgotlatshekelo.
- (3) Tlhotlhma ya phimolakeledi, nako le mokgwa wa tuelo, di tshwanetse go nna le tolamo le tshiamo, di supe tekatekano magareng ga dikgatlhego tsa setšhaba le dikgatlhego tsa ba ba amegang, go etswe tlhoko mabaka otlhe a a maleba, go akarediwa –
- (a) tiriso ya ga jaana ya thoto;
- (b) lemorago, tsela e thoto e bonweng ka yona le tiriso ya thoto;
- (c) boleng jwa mebaraka jwa thoto ;
- (d) seelo sa peeletso e e totobetseng ya puso le ketleetso ya phitlhelelo ya thoto le tlhabololo ya tlhotlhma ya dithoto; le
- (e) lebaka la go amogiwa dithoto.
- (4) Mabapi le maitlhommo a karolo eno –
- (a) dikgatlhego tsa setšhaba di akaretse boitlamo jwa setšhaba mo tlhabolong ya lefatshe, le ditlhabololo go tlisa phitlhelelo ya metswedi ya tlholego yotlhe mo Aforika Borwa ka tekano; le
- (b) thoto ga e akaretse fela lefatshe.
- (5) Puso e tshwanetse go tsaya dikgato tse di maleba tsa semolao go tsamaelana le bokgoni jwa yona, go tlhola maemo a a kgontshang baagi go fitlhelela lefatshe ka mokgwa wa tekatekano.
- (6) Motho kgotsa baagi bao lefatshe la bona le amogilweng ka mokgwa o o sa siamang ka ntlha ya melao ya kgale ya kgethololo kgotsa ditlwaello, o tshwanetse go ya ka tsamaiso ya Molao wa Palamente, ke bonno jo bo sireletsegileng ka fa molaong, kgotsa go siamisa kgethololo.

- (7) Motho kgotsa baagi ba ba amogilweng thoto morago ga la 19 Seetebosigo 1913 ka ntlha ya melao ya kgale ya kgethololo kgotsa tlwaelo, o na le tshwanelo, go ya ka thulaganyo ya Molao wa Palamente, go busediwa thoto eo, kgotsa tshiamelo e e lekaneng.
- (8) Ga go taelo ya karolo eno e e tshwanetseng go kgoreletsa puso go tsaya dikgato tsa semolao le tse dingwe go tsaya lefatshe, metsi kgotsa tlhabololo e e maleba, ka maikaelelo a go busetsa maemo a tshiamololo ya maloba tlwaelong, fa fela thulano nngwe le nngwe le ditaello tsa karolo eno di tsamaelana le ditaello tsa karolo 36(1).
- (9) Palamente e tshwanetse go tlhama molao o o umakiwang mo karolotlaleletso (6).

## **Matlo**

26. (1) Mongwe le mongwe o na le tshwanelo ya go nna le bodulo jo bo tshwanetseng.
- (2) Puso e tshwanetse go tsaya dikgato tsa semolao le tse dingwe tse di maleba go ya ka bokgoni jwa yona go netefatsa ntshetsopele ya tshwanelo eno.
- (3) Ga go motho ope yo o tshwanetseng go kobiwa mo ntlong ya gagwe, kgotsa go ripitliwa ga ntlo ya gagwe, ntle le taelo e e dirilweng ke kgotlatshekelo morago ga tshakatsheko ya mabaka otlhe. Ga go molao ope o o tshwanetseng go letlelela go ntshiwa ga batho mo matlong ntle le lebaka.

## **Tlhokomelo ya boitekanelo, dijo, metsi le tshireletsego ya loago**

27. (1) Mongwe le mongwe o na le tshwanelo ya go fitlhelela –
  - (a) Ditirelo tsa tlhokomelo ya boitekanelo go akarediwa tlhokomelo ya boitekanelo jwa tsa pelegi;
  - (b) Dijole tse di lekaneng le metsi a a phepa; le
  - (c) Tshireletso ya loago e e akaretsang tlamelole e e maleba ka ketletso ya puso, fa ba sa kgone go itlamela le bana ba bona, go ba tlamela ka thuso ya puso e e maleba.

- (2) Puso e tshwanetse go tsaya dikgato tsa semolao le tse dingwe tse di maleba go ya ka bokgoni jwa yona go netefatsa ntshetsopele ya nngwe le nngwe ya ditshwanelo tseno.
- (3) Ga go ope yo o tshwanetseng go ilediwa kalafi ya tshoganyetso.

## **Bana**

28. (1) Ngwana mongwe le mongwe o na le tshwanelo ya –
- (a) go tewa leina la bosetšhaba go simologa ka motsi wa pelego;
  - (b) tlhokomelo ya losika kgotsa ya batsadi, kgotsa tlhokomelo nngwe e e maleba fa a tlositswe mo tlhokomelong ya lelapa la gaabo;
  - (c) phepo ya motheo, tshireletso, ditirelo tse di tlhokegang tsa boitekanelo, le ditirelo tsa loago;
  - (d) go sireletswa mo tlhokomelong e e makgwakgwa, tshotlo, tlhokofatso le nyenyefatso;
  - (e) go sireletswa kgatlhanong le tshotlo ka go dirisiwa ditiro tse di sa dumelelwang;
  - (f) tshireletso kgotsa thibelo ya go batla go dira kgotsa go tlamela ka ditirelo tse di sa –
    - (i) tshwanelang dingwaga tsa ngwana, kgotsa
    - (ii) tse di bayang botshelo jwa ngwana mo kotsing, thuto, boitekanelo jwa mmele, tlhaloganyo, mowa, maitseo kgotsa kgolo ya ngwana;
  - (g) ga a tshwanelwa go tlhatlhelwa mo kgolegong ntle le fa e le kgato ya bofelo, fa a ka tlhatlhelwa, go tlaleletsa mo ditshwanelong tsa ngwana go tsamaelana le karolo 12 le 35, ngwana a ka tlhatlhelwa fela nako e khutshwane tota, e bile o na le tshwanelo ya –
    - (i) go se kopanngwe le batshwara ba ba fetang dingwaga di le 18 ; le
    - (ii) go tsholwa ka mokgwa, le ka fa tlase ga maemo a tsayang tsia dingwaga tsa ngwana;

- (h) go abela ngwana mmueledi wa puso, e bile ka ditshenyegelo tsa puso, mo dikgetsing tsa ngangisano tse di amang ngwana, fa go ka nna le kgonagalo ya thibelo ya tiriso ya molao; le
  - (i) go se dirisiwe ka tlhamalalo mo gare ga kgotlhang ya dibetsa, le go sirelediwa ka dinako tsa kgotlhang ya dibetsa.
- (2) Dikgatlhegelo tsa ngwana di elwa tlhoko thata mo mabakeng otlhe a amang ngwana.
- (3) Go ya ka karolo eno, "ngwana" ke motho wa dingwaga tse di fa tlase ga 18.

## Thuto

29. (1) Mongwe le mongwe o na le tshwanelo ya –
- (a) go fitlhelela thuto ya motheo, go akarediwa le thuto ya bagolo; le
  - (b) go fitlhelela thuto e kgolwane, eo e tshwanetseng go ntshetswapele ke puso ka tiriso ya dikgato tse di maleba.
- (2) Mongwe le mongwe o na le tshwanelo ya go amogela thuto ka puo ya semmuso kgotsa puo ya boikgethelo mo ditheong tsa thuto tsa botlhe, fa seo se kgonagala. Go netefatsa phitlhelelo ya nnete ya se, le tiragatso ya tshwanelo eno, puso e tshwanetse go sekaseka maphata otlhe a a kgonang a thuto, go akaretsa ditheo tse di rutang ka loleme lo le nosi, e bile go etswe tlhoko –
- (a) tekatekano;
  - (b) kgonagalo; le
  - (c) di tshenetsang maemo a aseng kwa tlase fa a tshwantshwanngwa le a ditheo tsa botlhe tsa thuto.
- (3) Mongwe le mongwe o na le tshwanelo ya go tlhama le go mametlelela, ka ditshenyegelo tsa bona, ditheo tsa thuto tse di ikemetseng tse –

- (a) di sa kgethololeng go ya ka lotso;
  - (b) di kwadisitsweng ke puso; le
  - (c) di tshegetsang maemo a a seng kwa tlase fa a tshwantshwanngwa le a ditheo tsa botlhe tsa thuto.
- (4) Karolotlaleletso (3) ga e thibele ketletso ya puso go ditheo tsa thuto tse di ikemetseng.

### **Puo le setso**

30. Mongwe le mongwe o na le tshwanelo ya go dirisa puo le go tsaya karolo mo ditiragalong tsa setso go ya ka boikgethelo jwa gagwe, mme ga go ope yo o tshwanelang go dirisa ditshwanelo tseo ka mokgwa o o kगतलhanong le taelo nngwe le nngwe ya Molaotlhommo wa Ditshwanelo.

### **Ditlhopa tsa Setso, bodumedi, le puo**

31. (1) Batho ba ditlhopa tsa setso, bodumedi kgotsa puo ga ba tshwanelwa go ilelwa tshwanelo, le maloko mangwe a setšhaba seo, go –
- (a) itumelela setso sa bona , go diragatsa bodumedi jwa bona, le go dirisa puo ya bona; le
  - (b) tlhama, go nna leloko, le go tshegetsatsa mekgatlho ya setso, borapedi le puo le ditheo tse dingwe tsa setšhaba.
- (2) Ditshwanelo tse di mo Karolotlaleletso (1) ga di a tshwanela go diragadiwa ka mokgwa o o kगतलhanong le taelo nngwe le nngwe ya Molaotlhommo wa Ditshwanelo.

### **Phitlhelelo go tshedimosetso**

32. (1) Mongwe le mongwe o na le tshwanelo ya go fitlhelela –
- (a) tshedimosetso nngwe le nngwe ya puso; le
  - (b) tshedimosetso nngwe le nngwe e e mo mothong yo mongwe, e e tlhokegang go diragatsa kgotsa tshireletso ya tshwanelo nngwe le nngwe.

- (2) Go tshwanetse gore go tlhamiwe molao wa bosetšhaba go diragatsa tshwanelo eno, e bile e tshwanetse go tlamela ka dikgato tse di maleba go fokotsa morwalo wa botsamaisi le ditshenyegelo tsa madi mo pusong.

### **Tiragatso ya tsamaiso ya bosiamisi**

33. (1) Mongwe le mongwe o na le tshwanelo ya tsamaiso ya bosiamisi go ya ka molao, le tsamaiso e e lolameng e bile e tlhomame.
- (2) Mongwe le mongwe yo ditshwanelo tsa gagwe di gatakilweng maswe ka ntlha ya tiragatso ya tsamaiso ya bosiamisi, o na le tshwanelo ya go tlamelwa ka mabaka a a kwetsweng.
- (3) Go tshwanetse gore go tlhamiwe molao wa bosetšhaba go diragatsa ditshwanelo tseno, le go –
- (a) netefatsa gore tiragatso ya tsamaiso e sekasekwa ke kgotlatshekelo kgotsa, fa go le botlhokwa, ke lekgotla tsamaiso le le ikemetseng;
  - (b) go gapeletsa puso go rwala maikarabelo a go diragatsa ditshwanelo tse di mo karolotlaleletso (1) le (2); le
  - (c) tsweletsa pele tsamaiso e e manontlhotlho.

### **Phitlhelelo go dikgotlatshekelo**

34. Mongwe le mongwe o na le tshwanelo ya gore kgotlhang nngwe le nngwe e ka rarabolwa ka tiragatso ya molao ka tiriso ya kgotlatshekelo ya baagi e e lolameng kgotsa, fa go tshwanela, lekgotla lengwe le le ikemetseng kgotsa bolaodi bongwe.

### **Batshwarwa, batlhatlhelwa le balatofadiwa**

35. (1) Mongwe le mongwe yo o tshwaretsweng bosenyi o na le tshwanelo ya –
- (a) go didimala;
  - (b) go itsisiwe ka botlalo –
    - (i) tshwanelo ya go didimala; le
    - (ii) ditlamorago tsa go se didimale;

- (c) go se patelediwe go ipobola kgotsa kamogelo ya molato e e ka dirisiwang jaaka bopaki kgatlanong le motho yoo;
  - (d) go tlhagisiwa fa pele ga kgotlatshekelo ka bonako jo bo kgonagalang, mme e seng morago ga –
    - (i) diura di le 48 morago ga go tshwarwa; kgotsa
    - (ii) ka bokhutlo jwa letsatsi la ntlha la kgotlatshekelo, morago ga go feta ga diura di le 48, fa diura di le 48 di fetile e se nako ya tiro ya kgotlatshekelo, kgotsa ka letsatsi le e seng la kgotlatshekelo la tlwaelo.
  - (e) ka letsatsi la ntlha morago ga go tlhatlhelwa, go latofadiwa kgotsa go bolelelwa lebaka la tswelelopele ya go tlhatlhelwa, kgotsa la go gololwa; le
  - (f) go gololwa mo kgolegong fa dikgatlhego tsa bosiamisi di letla, go ya ka mabaka a a maleba.
- (2) mongwe le mongwe yo o tlhatlhetsweng, go akarediwa motshwara mongwe le mongwe yo o bonweng molato, o na le tshwanelo ya –
- (a) go itsisiwe ka bonako mabaka a go tlhatlhelwa;
  - (b) go kgetha, le go rerisana le mmueledi, le go itsisiwe ka tshwanelo eno ka botlalo;
  - (c) go fiwa mmueledi ke puso, le ka ditshenyegelo tsa puso fa go ka nna le kgoreletso ya bosiamisi le go itsisiwe ka tshwanelo eno ka botlalo;
  - (d) go gwetlha tolamo ya go tlhatlhelwa ga gagwe ka namana fa pele ga kgotlatshekelo, le go gololwa fa go tlhatlhelwa ga gagwe go sa tsamaelane le molao;
  - (e) maemo a a tsamaelanang le seriti sa botho, go akarediwa bonnye maitemogelo le tlanelo ya bonno jo bo maleba, phepo, dikwalo tsa go buisa le kalafi, ka ditshenyegelo tsa puso; le
  - (f) go letlwa go golagana le go etelwa ke -

- (i) mogatse kgotsa molekane;
  - (ii) ba losika;
  - (iii) moruti yo tlhophilweng wa bodumedi; le
  - (iv) ngaka e e tlhophilweng.
- (3) Motho mongwe le mongwe yo o latofadiwang o na le tshwanelo ya tsheko e e lolameng go akarediwa tshwanelo ya –
- (a) go itsisiwe molato ka botlalo go mo kgontsha go araba;
  - (b) go nna le nako e e lekaneng le didiriswa go baakanya bopaki;
  - (c) go sekisiwa phatlhalatsa mo kgotlatshekelong ya tlwaelo,
  - (d) go simolola le go khutla ga tsheko ntle le tiego e e sa tlhokagaleng;
  - (e) go nna teng fa a sekisiwa;
  - (f) go kgetha, le go emelwa ke, muedi le go itsisiwe ka tshwanelo eo ka bonako;
  - (g) go fiwa mmuedi ke puso, ka ditshenyegelo tsa puso, fa go na le kgonagalo ya tshiamololo ya bosiamisi, le go itsisiwe ka tshwanelo eo ka botlalo;
  - (h) go tsewa o se molato, le go didimala, le go se neelane ka bopaki ka nako ya ditsamaiso tsa tsheko;
  - (i) go ntsha bopaki le go ganetsa bopaki;
  - (j) go se patelediwe go ntsha bopaki jo bo bofelelang;
  - (k) go sekisiwa ka puo e tlhologangwang ke molatofadiwa kgotsa, fa seo se sa kgonagale, ranolela ditsamaiso tsa tsheko mo puong eo;
  - (l) go se atholwe mabapi le molao mongwe kgotsa tlogelo nngwe e e neng e se tlolomolao go ya ka molao wa bosetšhaba kgotsa wa boditšhabatšhaba ka nako ya tiragalo kgotsa tlogelo;
  - (m) go se sekisiwe boemong jwa tlolomolao kgotsa tlogelo eo motho a kileng a bonwa molato mabapi le yona kgotsa katlholo;



- (n) go atlholwa ka kotlo e bothofo ya tse di umakilweng boemong jwa tatofatso e e fetotsweng ka nako ya go diriwa ga tatofatso le nako ya katlholo; le
  - (o) go ikuela go, kgotsa tshekatsheko sešwa ke kgotlatshekelo e kgolwane.
- (4) Gangwe le gape fa karolo eno e batla gore motho a fiwe tshedimose tso, tshedimose tso eo, e tshwanetse go fiwa motho oo ka puo e a e tlhologanyang.
- (5) Bopaki jo bo bonweng ka mokgwa o o kgatlhanong le Tshwanelo nngwe le nngwe ya Botho bo tshwanetse go kgaphelwa thoko fa go na le kgonagalo ya gore bopaki jo bo ka ama tolamo ya tsheko kgotsa ka tsela nngwe bo ka nna kotsi mo tsamaisong ya bosiamisi.

### **Tekanyetso ya ditshwanelo**

36. (1) Ditshwanelo tsa Molaotlhomong wa Ditshwanelo di lekanyediwa fela go tsamaelana le ditaello tsa molao wa tiragatso ka kakaretso, fa fela tekanyetso e le maleba e bile e lolame go mametlelela kgololosego ya temokerasi le seriti sa botho, tekatekano le kgololosego, go etswe tlhoko dintlha tso tse di maleba go akarediwa –
- (a) mokgwa wa tshwanelo;
  - (b) bothokwa jwa maikaelelo a tekanyetso;
  - (c) mokgwa le bogolo jwa tekanyetso;
  - (d) kgolagano gare ga tekanyetso le maikaelelo a yona; le
  - (e) mekgwa e e sa ile diwang ka botlalo go fitlhelela maikaelelo.
- (2) Ntle le go tsamaelana le ditaello tsa karolotlaleletso (1) kgotsa go taelo nngwe le nngwe ya Molaotheo, ga go molao ope o o tshwanetseng go lekanyetsa tshwanelo nngwe le nngwe e e umakilweng mo Molaotlhomong wa Ditshwanelo.

## Maemo a tshoganyetso

37. (1) Maemo a tshoganyetso a phasaladiwa fela go tsamaelana le Molao wa Palamente, fela fa –
- (a) botshelo jwa setšhaba bo le mo kotsing ya ntwana, tlhaselo, khuduego ka kakaretso, tlhakatlhakano, matshosetsi mangwe a setšhaba a tlhago kgotsa tshoganyetso ; le
  - (b) kgoeletso e botlhokwa go tliša kagiso le tolamo.
- (2) Kgoeletso ya maemo a tshoganyetso, le molao mongwe le mongwe o o rebotsweng kgotsa kgato nngwe le nngwe e e tsewang go tsamaelana le kgoeletso eo, e ka dira fela –
- (a) fa go na le kgonagalo; le
  - (b) eseng go feta matsatsi a le 21 go simolola ka letlha la kgoeletso ntle le fa Kokoano ya Bosetšhaba e ka tsaya tshwetso ya go atolosa kgoeletso. Ntlokokoano Bosetšhaba e ka atolosa kgoeletso ya maemo a tshoganyetso ka nako e e sa feteng dikgwedi di le tharo ka nako. Katoloso ya ntlha ya maemo a tshoganyetso e tshwanetse go diriwa ka tshwetso e e amogetsweng ke boutu ya bontsi jwa maloko a Ntlokokoano Bosetšhaba. Katoloso nngwe le nngwe morago ga moo, e tshwanetse go dirwa ka tshwetso e e amogetsweng ke boutu ya bontsi jwa diperesente di le 60 tsa maloko a Ntlokokoano Bosetšhaba. Tshwetso go tsamaelana le temana eno, e ka amogelwa fela go ya ka dipuisano tsa botlhe mo Ntlokokoano Bosetšhabeng.
- (3) Kgotlatshekelo nngwe le nngwe e e nang le bokgoni e ka dira tshwetso ka botlhokwa jwa –
- (a) kgoeletso ya maemo a tshoganyetso;
  - (b) katoloso nngwe le nngwe ya kgoeletso ya maemo a tshoganyetso; kgotsa.
  - (c) molao mongwe le mongwe o o rebotsweng , kgotsa kgato nngwe e e tserweng ka ntlha ya mabaka a kgoeletso ya maemo a tshoganyetso.

- (4) Molao mongwe le mongwe o o rebotsweng ka ntlha ya kgoeletso ya maemo a tshoganyetso o ka nna kgatlanong le Molaotlhommo wa Ditshwanelo fa fela –
- (a) go fapoga go le botlhokwa go tsamaelana le maemo a tshoganyetso; e bile
  - (b) molao –
    - (i) o tsamaelana le maitlhommo a Rephaboliki go tsamaelana le molao wa boditšhabatšhaba wa maemo a tshoganyetso;
    - (ii) o tsamaelana le karotlaleletso(5); mme
    - (iii) o phasaladitswe mo Lokwalodikgang la Puso ka bonako jo bo kgonagalang morago ga go rebolwa.
- (5) Ga go Molao wa Palamente o o mametlelelang kgoeletso ya maemo a tshoganyetso, le molao o o tlhomilweng kgotsa kgato nngwe e e tserweng ka ntlha ya kgoeletso, e e ka letlang kgotsa ya dumelela –
- (a) go se latofadiwe ga puso, kgotsa mongwe le mongwe, tebang le tiragalo nngwe le nngwe ya tlolomolao;
  - (b) tlontlololo nngwe le nngwe mo karolong eno; kgotsa
  - (c) tlontlololo nngwe le nngwe mo karolong e e umakilweng mo kholomong ya 1 ya Lenaane la Ditshwanelo-Tse-Di-sa Tlontlololeng, go tsamaelana le ditekanyetso tse di lebaganeng le karolo eo, mo kholomong ya 3 ya lenaane leo.

**Lenaane la Ditshwanelo tse di sa Tlontlololegeng**

<b>1 Nomoro ya Karolo</b>	<b>2 Setlhogo sa karolo</b>	<b>3 Selekano seo tshwanelo e sireleditsweng ka sona</b>
9	Tekatekano	Tebang le kgethololo e ikaegileng ka Lebaka la bomorafe, mmala, lotso , tshika, bong, bodumedi kgotsa puo
10	Seriti sa botho	Gotlhelele
11	Botshelo	Gotlhelele
12	Kgololosego le tshireletsego ya motho	Tebang le dikarolwana(1)(d) le(e) le 2(c)
13	Bokgoba, tiro ya bolata le ya pateletso	Tebang le bokgoba le bolata
28	Bana	Tebang le - karolwana (1)(d) le(e); - ditshwanelo mo dikatemaneng(i) le(ii) tsa karolwana(1) (g); le - karolwana(1)(i) tebang le bana ba dingwaga di le 15 le tse di kwa tlase

<b>1 Nomoro ya Karolo</b>	<b>2 Setlhogo sa karolo</b>	<b>3 Selekano seo tshwanelo e sireleditsweng ka sona</b>
35	Batshwarwa, batlhatlhelwa le ba ba latofadiwang	Tebang le: - karolotlaleletso (1)(a), (b) le (c) le (2)(d) - ditshwanelo mo ditemaneng (a) go fitlha (0) tsa karolotlaleletso (3), ntle le temana (d); - karololotlaletso (4), le - karolotlaleletso (5) tebang le kgaphelothoko ya bopaki fa kamogelo ya bopaki bo bo ka dirang gore tsheko e tlhoke tolamo

- (6) Fa mongwe a tlhatlhetswe ntle le go sekisiwa ka ntlha ya tlontlololo ya ditshwanelo go tsamaelana le kgoeletso ya maemo a tshoganyetso, mabaka a a latelang a tshwanetse go elwa tlhoko:
- (a) Mogolo wa losika kgotsa tsala ya motlhatlhelwa e tshwanetse go itsisiwe ka bonako jo bo kgonagalang fa motho yoo a tlhatlhetswe.
  - (b) Kitsiso e tshwanetse go phasaladiwa mo Lokwalodikgang la Puso mo nakong ya matsatsi a le matlhamo morago ga go tshwariwa ga motho yoo, mme e tshwanetse go tlhalosa leina la motlhatlhelwa, lefelo la tlhatlhelo le tatofatso ya motlhatlhelwa.
  - (c) Motlhatlhelwa o tshwanetse go dumelwa go ikgethela le go tlhatlhabiwa ke ngaka nako nngwe le nngwe fa go kgonagala.
  - (d) Motlhatlhelwa o tshwanetse go letlelelwa go ikgethela le go etelwa ke mmueledi nako nngwe le nngwe.

- (e) kgotlatshekelo e tshwanela go sekaseka tlhatlhelo ka bonako jo bo kgonagalang, ya matsatsi a le 10 morago ga go tswalelwa ga motho yoo, e bile kgotlatshekelo e tshwanela go golola motlhatlhelwa ntle le fa go le botlhokwa go mo tswalelela go tseweletsa kagiso le tolamo.
  - (f) Motlhatlhelwa yo o sa gololweng go ya ka tshekatsheko ya temana (e) kgotsa yo a sa gololweng go ya ka tshekatsheko mo temaneng eno, a ka dira kopo go kgotlatshekelo go sekaseka sešwa go tswalelwa ga gagwe nako nngwe le nngwe morago ga go feta matsatsi a le 10 morago ga tshekatsheko e e fetileng, mme kgotlatshekelo e tshwanetse go golola motlhatlhelwa, ntle le fa go sa ntse go le botlhokwa go tswalelela motlhatlhelwa go ntshetsa pele kagiso le tolamo.
  - (g) Motlhatlhelwa o tshwanetse go dumelelwa go tlhagelela ka namana fa pele ga kgotlatshekelo nngwe le nngwe e e sekasekang go tlhatlhelwa ga gagwe, le go emelwa ke mmueledi mo tshekong, mme le go dira boikuelo kgatthanong le ntshetsopele ya go tlhatlhelwa ga gagwe;
  - (h) Puso e tshwanela go bolelela kgotlatshekelo mabaka a a dirang gore motlhatlhelwa a dule a mo kgolegelong, e bile e tshwanetse go neela motlhatlhelwa kgatiso ya lokwalo la mabaka a go tlhatlhelwa bonnye matsatsi a le mabedi pele lekgotla le sekaseka go tlhatlhelwa ga gagwe.
- (7) Fa lekgotla le golola motlhatlhelwa, motho yoo ga a tshwanelwa go tshwariwa gape ka ntlha ya mabaka ao gape ntle le fa puso e ka bontsha kgotlatshekelo lebaka le le botlhokwa go maatlafatsa go tlhatlhelwa ga motho yoo gape.

- (8) Karolotlaleletso (6) le (7) ga di ame batho ba e seng baagi ba Rephaboliki ya Aforika Borwa, e bile ba tlhatlhetswe ka ntlha ya kgotlhang ya dibetsa ya boditšhabatšhaba. Fa go le jalo, puso e tshwanetse go itepatepanya le maemo a a tlamang Rephaboliki go ya ka molao wa botho wa boditšhabatšhaba mabapi le go tlhatlhelwa ga batho bao.

### **Pateletso ya ditshwanelo**

38. Mongwe le mongwe yo o umakilweng mo karolong eno, o na le tshwanelo ya go tlhagelela fa pele ga kgotlatshekelo e e ikemetseng, ka ngongorego ya gore tshwanelo ya Molaotlhommo wa Ditshwanelo e gatakilwe, kgotsa tshoseditswe, e bile kgotlatshekelo e ntsha katlholo e e maleba , go akarediwa le tumalano ya ditshwanelo. Batho ba ba ka dirang kopo go kgotlatshekelo ke –
- (a) mongwe le mongwe yo o emetseng dikgatlhegelo tsa gagwe;
  - (b) mongwe le mongwe yo o dirang seo boemong jwa motho yo mongwe yo o sa kgoneng go ikemela ka boena;
  - (c) mongwe le mongwe yo o dirang jaaka tokololo ya, kgotsa mo dikgatlhegelong tsa, lekoko kgotsa setlhopa sa batho;
  - (d) mongwe le mongwe yo o dirang boemong jwa dikgatlhagelo tsa setšhaba;
  - (e) mokgatlho o o dirang boemong jwa dikgatlhegelo tsa ditokololo tsa ona.

### **Tlhaloso ya Molaotlhommo wa Ditshwanelo**

39. (1) Fagotlhalosiwa Molaotlhommo wa Ditshwanelo, kgotlatshekelo, lekgotlatheetso kgotsa foramo –
- (a) e tshwanetse go tseletsa meetlo ya setšhaba sa temokerasi e e ikaegileng mo seriting sa botho, tekatekano le kgololosego.
  - (b) e tshwanetse go ela tlhoko molao wa boditšhabatšhaba, le
  - (c) go sekaseka molao wa dinaga-ntle.

- (2) Fa go tthalosiwa molao mongwe le mongwe, le fa go tthabololwa molao wa tlwaelo, kgotsa wa setso, kgotlatshekelo nngwe le nngwe, lekgotlatheetso kgotsa foramo e tshwanetse go tseweletsa mowa, moonono le maikaelelo a Molaotlomo wa Ditshwanelo.
- (3) Molaotlomo wa Ditshwanelo ga o ganele go nna teng ga tshwanelo nngwe le nngwe kgotsa kgololosego e e amogelwang kgotsa atlenegisitweng mo molaong wa setso kgotsa molao, fa fela e tsamaelana le Molaotlomo.



## **DITHEO TSE GO KA IKGOLAGANNGWANG LE TSONA MABAPI LE DITSHWANELO TSA GAGO TSA BOTHO**

### **1. Ofisi ya Mosireletsi wa Setšhaba**

Ofisi ya Mosireletsi wa Setšhaba e ikaelela go diragatsa taelo ya yona ya semolaotheo go tiisa temokerasi ya semolaotheo ka go dira dipatlisiso ka magatwe a maitsholo a a makgwakgwa a maphata a Puso, go nolofatsa tharabololo ya dithulano, go bega le go atlenegisa dikgato tsa kgopololo le go maatlafatsa temoso ka ga karolo le maikarabelo a Mosireletsi wa Setšhaba.

#### **Dintlha tsa kgolagano**

Aterese ya tiro:

175 Lunnon Street  
Hillcrest Office Park  
Pretoria  
0083

Aterese ya poso:

Private Bag X677  
Pretoria  
0001

Nomoro ya mogala:

012 366 7000

Nomoro e e sa duelweng:

0800 11 20 40

Nomoro ya fekese:

012 362 3473 / 086 575 3292

Aterese ya imeile:

customerservice@pprotect.org  
registration2@pprotect.org.za

Webesaete:

www.pprotect.org

## 2. Khomišene ya Ditshwanelo tsa Botho ya Aforika Borwa

Khomišene ya Ditshwanelo tsa Botho ke setheo sa bosetšhaba se se tlhometsweng go diragatsa temokerasi ya semolaotheo ka go tsweletsa le go sireletsa ditshwanelo tsa botho; ka go sekaseka dikgatako tsa ditshwanelo tsa botho le go batla mekgwa e e nonofileng ya go siamisa dikgatako tseo ka go baya leitlho le go lekanyetsa ditshwanelo tsa botho; go lemosa ka dintlha tsa ditshwanelo tsa botho le thuto le katiso ya ditshwanelo tsa botho.

### Dintlha tsa kgolagano

Aterese ya tiro:	Braampark Forum 3, 33 Hoofd Street Braamfontein Johannesburg
Aterese ya poso:	Private Bag X2700 Houghton Johannesburg 2041
Nomoro ya mogala:	011 877 3600
Nomoro ya fekese:	011 403 6621
Aterese ya imeile:	info@sahrc.org.za complaints@sahrc.org.za
Webesaete:	www.sahrc.org.za

### **3. Khomišene ya Tsweletso le Tshireletso ya Ditshwanelo tsa Semorafe, Setso, Bodumedi le Dipuo**

Khomišene ya Tsweletso le Tshireletso ya Ditshwanelo tsa Semorafe, Setso, Bodumedi le Dipuo e ikaelela go tswelletsa le go tlhabolola kagiso, botsalano, botho, boitshoko le kopano ya bosetšhaba magareng ga mekgatlho ya setso, sedumedi le dipuo.

#### **Dintlha tsa kgolagano**

Aterese ya tiro:	Braampark Forum 4, 33 Hoofd Street Braamfontein Johannesburg
Aterese ya poso:	Private Bag X 90 000 Houghton 2041
Nomoro ya mogala:	011 537 7631
Nomoro ya fekese:	011 880 3495 / 086 660 8986
Aterese ya imeile:	chairperson@crlcommission.org.za ceo@crlcommission.org.za info@crlcommission.org.za complaints@crlcommission.org.za
Webesaete:	<a href="http://www.crlcommission.org.za">www.crlcommission.org.za</a>

#### **4. Khomišene ka ga Tekatekanyobong**

Khomišene ka ga Tekatekanyobong (*CGE*) e tlhametswe go tswelletsa le go tlotla tekatekano ya bong le go netefatsa phitlhelelo ya tekatekano ya bong mo makaleng a setšhaba. Ka nepagalo *CGE* e ikaelela go tlhama setšhaba se se senang kgethololo ya bong le mefuta yotlhe ya kgatelelo, seo mo go sona batho ba tla nnang le tšhono ya go fitlhelela bokgoni jwa bona, ntle le go tlhaolwa go ya ka bosemorafe, boemo, bong, bodumedi, tshekamelobong, bogole kgotsa lefelo la bonno.

#### **Dintlha tsa kgolagano**

Aterese ya tiro:	Constitution Hill Women's Jail East Wing 2 Kotze Street Braamfontein Johannesburg
Aterese ya poso:	P.O Box 32175 Braamfontein 2017
Nomoro ya mogala:	011 403 7182
Nomoro ya fekese:	011 403 7188
Aterese ya imeile:	<a href="mailto:cgeinfo@cge.org.za">cgeinfo@cge.org.za</a>
Webesaete:	<a href="http://www.cge.org.za">www.cge.org.za</a>

## 5. Ofisi ya Khomišene ya Bodiredipuso

Ofisi ya Khomišene ya Bodiredipuso e tsaya taelo ya yona go tswa mo dikarolong 195 le 196 tsa Molaotheo. Ofisi eno e neilwe dithata le go maatlafatswa go, mo gare ga tse dingwe, batlisisa, baya leitlho le go lekanyetsa thulaganyo le tsamaiso ya Bodiredipuso.

Taelo eno e akaretsa tekanyetso ya diphitlhelelo, kgotsa tlhalelo ya manaane a Puso. Ofisi ya Khomišene ya Bodiredipuso e patelesega go tswela mekgwa ya go lekanyetsa e e tla netefatsang tiro e e nonofileng e bile e le manontlhotlho ya Bodiredipuso le go tswela meetlo le meono ya tsamaiso ya setšhaba jaaka e thagisitswe mo Molaotheong, mo Bodiredipusong jotlhe.

### Dintlha tsa kgolagano

Aterese ya tiro:	Commission House Cnr Hamilton & Ziervogel Streets Pretoria
Aterese ya poso:	Private Bag X121 Pretoria 0083
Nomoro ya mogala:	012 352 1000
Nomoro ya fekese:	012 325 8382
Aterese ya imeile:	info@opsc.gov.za
Webesaete:	www.psc.gov.za

## **6. Lefapha la Bosiamisi le Tlhabololo ya Molaotheo**

Lefapha la Bosiamisi le Tlhabololo ya Molaotheo le na le Lekala: Tlhabololo ya Molaotheo. Maitlhomong a Lekala ke go tswelletsana, fetola, le go tlhabolola Molaotheo, ditshwanelo tsa botho le temokerasi ya botsayakarolo mo boemong jwa puso.

### **Dintlha tsa kgolagano**

Aterese ya tiro:	329 Pretorius Street (c/o Pretorius & Sisulu Streets) First Floor, Momentum Building Pretoria
Aterese ya poso:	Private Bag X81 Pretoria 0001
Nomoro ya mogala:	012 315 1111
Aterese ya imeile:	<a href="mailto:constitutionalrights@justice.gov.za">constitutionalrights@justice.gov.za</a>
Webesaete:	<a href="http://www.justice.gov.za">www.justice.gov.za</a>

## 7. Legal Aid South Africa

*Legal Aid South Africa* ke mokgatlho o o ikemetseng o o tlhamilweng ka maikaelelo a go naya thuso ya semolao kgotsa go dira gore thuso ya semolao e fitlhelwe ke batho ba ba dikobo dikhutswane go ya ka bokgoni jwa ona jwa ditšhelete. O neelana gape ka kemedi ya semolao e e duelelwang ke Puso, jaaka go tthagisitswe mo Molaotheong le melawaneng e e maleba e e neelanang ka tumelelo ya tshwanelo ya kemedi ya semolao ka tuelelo ya Puso.

### **Dintlha tsa kgolagano**

Fa o batla go itse ka ofisi ya kgaolo ya *Legal Aid South Africa*, senthara ya bosiamisi kgotsa ofisi ya sathelaete, ikgolaganye le *Legal Aid South Africa* jaana:

Aterese ya tiro:	29 De Beer Street Braamfontein Johannesburg 2017
Aterese ya poso:	Private Bag X76 Braamfontein 2017
Nomoro ya mogala:	011 877 2000
Nomoro e e sa duelweng:	0800 110 110
Nomoro ya fekese:	011 877 2222
Aterese ya imeile:	Communications2@legal-aid.co.za
Webesaete:	www.legal-aid.co.za

**Department of Justice and Constitutional Development**

**Tel: 012 315 1111**

**Private Bag X81, Pretoria, 0001**

**[constitutionalrights@justice.gov.za](mailto:constitutionalrights@justice.gov.za)**

**[www.justice.gov.za](http://www.justice.gov.za)**