

# KGAOLO 11

## DITIRELO TSA PABALESEGO

### Metheo e e laolang

198. Metheo e e latelang e laola pabalesego ya bosetšhaba mo Rephaboliking:
- Pabalesego ya bosetšhaba e tshwanetse go bontsha maikaelelo a baagi ba Aforika Borwa, a mongwe le mongwe kgotsa jaaka setšhaba, go tshela ka tekatekano, go tshela ka kagiso le kutlwano, kgololosego ya letshogo, le go batla botshelo jo bo botoka.
  - Go tshela ka kagiso le kutlwano, go thibela moagi mongwe le mongwe wa Aforika Borwa go nna le seabe go kgotthang ya dibetsa, e ka nna ya bosetšhaba kgotsa boditšhabatšhaba, ntle le go tsamaelana le mabaka a Molaotheo kgotsa molao wa bosetšhaba.
  - Pabalesego ya bosetšhaba e tshwanetswe go latelwa go ya molao, go akarediwa le molao wa boditšhabatšhaba.
  - Pabalesego ya bosetšhaba e ka fa tlase ga taolo ya khuduthamaga ya bosetšhaba.

### Go tlhomiwa, thulaganyo le maitsholo a ditirelo tsa pabalesego

199. (1) Ditirelo tsa pabalesego ya Rephaboliki di na le letsholotshireletso le le nosi fela, tirelo ya sepodisi e nosi le ditirelo tsa bothodi tse di tlhamilweng go ya ka Molaotheo.
- (2) Letsholotshireletso ke lona fela sesole se le nosi go ya ka molao mo Rephaboli.
- (3) Kwa ntle ga ditirelo tsa pabalesego tse di tlhamilweng go ya ka Molaotheo, mekgatlho e e tshwarang dibetsa kgotsa ditirelo tse di ntseng jalo di tlhomiwa fela go ya ka molao ya bosetšhaba.
- (4) Ditirelo tsa pabalesego di tshwanetse go rulagangwa le go laolwa ka molao wa bosetšhaba.
- (5) Ditirelo tsa pabalesego di tshwanetse go dira, di tshwanetse go ruta, le go laela ditokololo tsa tsona go dira, go ya ka Molaotheo le molao, go akarediwa molao o o tswa legileng wa boditšhabatšhaba le ditumelano tsa boditšhabatšhaba tse di tlamang Rephaboliki.

- (6) Ga go na tokololo epe ya tirelo efe kgotsa efe ya pabalesego e e tshwanetseng go obamela taelo e e bonagalang e se ka fa molaong.
- (7) Ga go epe ya ditirelo tsa tshireletsego kgotsa mongwe wa ditokololo tsa tsona, fa ba dira ditiro tsa bona, ga ba a tshwanela –
  - (a) go kgobelega le koko la sepolotiki le le theilweng go ka Molaotheo, kgotsa
  - (b) go ntshetsapele, ka mogwa wa go mpampetsa kgatlhego ya le koko la sepolotiki.
- (8) Go Ntshetsapele moono wa go dira dilo mo pontsheng le wa go nna le maikarabelo, dikomiti tsa makoko otlhe di tshwanela go baya leitlho ditirelo tsa tshireletsego go ya ka mogwa o o tihomamisitsweng ke molao wa bosetšhaba kgotsa melawana le ditaello tsa Palamente.

## Tshireletso

### Letsholotshireletso

200. (1) Letsholo la tshireletso le tshwanetse go agiwa le go tsamaisiwa go ya ka mogwa wa sesole wa maitshwara a a siameng.
- (2) Maikaelelo magolo a letsholo la tshireletso ke go sireletsa le femela Rephaboliki, seriti sa melelwane ya naga, le batho ba yona, go ya ka Molaotheo le metheo ya melao ya boditšhabatšhaba e e laolang tirisgo ya matsholotshireletso.

### Maikarabelo a sepolotiki

201. (1) Tokololo ya Kabinete e tshwanetse go rwala maikarabelo a tshireletso.
- (2) Ke Moporesidente fela jaaka tlhogo ya Khuduthamaga ya bosetšhaba, yo o laolang tiro ya matsholotshireletso –
  - (a) mmogo le tirelo ya sepodisa ka;
  - (b) ka maikaelelo a go sireletsa Rephaboliki; kgotsa
  - (c) ka go diragatsa maikarabelo a boditšhabatšhaba.
- (3) Fa letsholo tshireletso le dirisediwa mabaka a a tlhalositsweng mo karolotlialeletso (2), Moporesidente o tshwanetse go itsise Palamente, ka bonako le dintlha ka botlalo tsa –
  - (a) mabaka a tirisgo ya Letsholotshireletso;

- (b) lefelo lengwe le lengwe mo letsholotshireletso le dirisiwang gone;
  - (c) palo ya batho ba ba amegang; le
  - (d) paka eo letsholotshireletso le solofetsweng go e dire koo.
- (4) Fa Palamente e sena kopano mo nakong ya matsatsi a le supa a ntlha morago ga thomelo ya letsholotshireletso gongwe go tsamaelana le mabaka a karolotlaleletso (2), Moporesidente o tshwanetse go romela tshedimoso e e tlhokegang go ya ka tthaloso ya karolotlaleletso (3) go komiti e e maleba ya tekolo.

### Taolo ya matsholotshireletso

202. (1) Moporesidente jaaka tlhogo ya khuduthamaga ya bosetšhaba ke ena Molaodi-Mogolo wa letsholotshireletso, e bile o tshwanetse go kgetha Molaodi wa letsholotshireletso.
- (2) Taolo ya letsholotshireletso e tshwanetse go dirwa go ya ka dikaelo tsa tokololo ya Kabinete e e rweleng maikarabelo a tshireletso, fa tlase ga bolaodi jwa Moporesidente.

### Maemo a tshireletso ya bosetšhaba

203. (1) Moporesidente, jaaka tlhogo ya khuduthamaga a ka goeletsa maemo a tshireletso ya bosetšhaba, mme o tshwanetse go itsise Palamente ka bonako le ka dintlha tse di latelang ka botlalo –
- (a) mabaka a kgoeletso;
  - (b) lefelo lengwe le lengwe letsholotshireletso le dirisiwang gone;
  - (c) palo ya batho ba ba amegang.
- (2) Fa Palamente e sa dula ka nako ya kgoeletso ya maemo a tshireletso ya bosetšhaba, Moporesidente o tshwanetse go bitsa Palamente go tshwara kopano e e kgethegileng mo nakong ya matsatsi a le supa morago ga kgoeletso.
- (3) Kgoeletso ya maemo a tshireletso ya bosetšhaba e felelwa ke nako, ntle le fa e atlenegisitse ke Palamente mo nakong ya matsatsi a le supa morago ga kgoeletso.

### Bokwaleditshireletso ba baagi

204. Bokwaledi jwa baagi ba tirelo ya tshireletso bo tshwanetse go tlhamiwa go ya ka molao wa bosetšhaba, go dira ka fa tlase ga bokaedi ba tokololo ya Kabinete e e rweleng maikarabelo a tshireletso.

## Sepodisi

### Tirelo ya Sepodisi

205. (1) Tirelo ya sepodisi ya bosetšhaba e tshwanetse go rulagangwa go dira mo lekaleng la bosetšhaba, diporofense, le moo go tlhokegang, mo makaleng la puso ya selegae.
- (2) Molao wa bosetšhaba o tshwanetse go thalosa dithata le ditiro tsa tirelo ya sepodisi, e bile e tshwanetse go kgontsha tirelo ya sepodisi go diragatsa maikarabelo a sona ka manonthlotlo go etswe tlhoko ditlhokego tsa diporofense.
- (3) Maikaelelo a tirelo ya sepodisi ke go sireletsa , go thibela bosenyi, le go batlisisa bosenyi go netefatsa botsiso mo setšhabeng, go sireletsa le go babalela baagi ba Rephaboliki, le thoto ya bona, le go tlotlomatsa molao le tiragatso ya ona.

### Maikarabelo a sepolotiki

206. (1) Tokololo ya Kabinete e tshwanetse go rwala maikarabelo a sepodisi, e bile o tshwanetse go thomamisa maikemisetso a sepodisi sa bosetšhaba morago ga go rerisana le dipuso tsa diporofense le go ela tlhoko naikaelelo a diporofense go ya ka thomamiso ya bolaodi taolo jwa diporofense.
- (2) Pholisi ya tsamaiso ya sepodisi e ka tlamela ka diholisi tse di farologaneng tebang le diporofense tse di farologaneng morago ga go ela tlhoko itlhokego le dintlha tsa botlhokwa tsa sepodisi mo diporofenseng tse.
- (3) Porofense nngwe le nngwe e na le tetla –
- (a) go baya maitshwara a sepodisi leitlho;
  - (b) go tlhokomela bokgoni le manonthlotlo a ditirelo tsa sepodisi; go akarediwa kamogelo ya repoto ka ga tirelo ya sepodisi
  - (c) go godisa botsalano jo bo siameng gareng ga sepodisi le baagi;
  - (d) go tlhatlhaba bokgoni jwa go bonala ga mapodisi; le
  - (e) kgolagano le tokololo ya Kabinete e e rweleng maikarabelo a sepodisi mabapi le bosenyi le sepodisi sa porofense.
- (4) Khuduthamaga ya porofense e na le maikarabelo a ditiro tsa bopodisi –
- (a) a theilweng go ya ka Kgaolo eno;
  - (b) a atlenegisitsweng go ya ka molao wa bosetšhaba; le
  - (c) a filweng sepodisi go ya ka pholisi ya bosetšhaba ya sepodisi.
- (5) Gore e tle e kgone go dira ditiro tse di thalosisitsweng mo karolotlaleletso (3)

porofense –

- (a) e ka sekaseka, kgotsa ya tlhoma khomišene ya dipatlisiso go battlisisa ngongoregong nngwe le nngwe ka ga bokgoni jwa sepodisi kgotsa go phuthlhamaga ga dikgolagano gare ga sepodisi le setlhopha sengwe le sengwe sa baagi.
  - (b) e ka dira ditshwetso go tokololo ya Kabinete e e rweleng maikarabelo a sepodisi.
- (6) Morago ga go amogela ngongorego e e tlhagisiwang ke Khuduthamaga ya porofense, lephata le le ikemetseng la dingongorego ka ga sepodisi le le thamilweng ka molao wa bosetšhaba, le tshwanetse go thotlhomisa tatofatso ngwe le ngwe ka ga tlolo molao kgotsa bosenyi jo bo tlhodilweng ke tokololo ya ditirelo tsa mo porofenseng.
- (7) Molao wa bosetšhaba o tshwanetse go tlamela ka lenaanetsamaiso la go tlhomiwa, dithata, ditiro le taolo ya tirelo ya sepodisi sa mmasepala.
- (8) Komiti e e bopiwang ke tokololo ya kabinete le ditokololo tsa dikhuduthamaga tsa dikhansele e rweleng maikarabelo a sepodisi e tshwanetse go thlongwa, go netefatsa kgolagano e matla ya ditirelo tsa sepodisi le kgolagano e matla gare ga makala puso.
- (9) Kgotlapeomolao ya porofense e ka kopa Komišenara wa porofense go tlhagelela fa pele ga yona kgotsa nngwe le nngwe ya dikomiti tsa yona go araba dipotso.

### Taolo ya tirelo ya sepodisi

207. (1) Moporesidente jaaka tlhogo ya khuduthamaga ya bosetšhaba o tshwanetse go tlhopha mosadi kgotsa monna jaaka Mokomišenara wa Bosetšhaba wa tirelo ya sepodisi, go laola le go tsamaisa tirelo ya sepodisi.
- (2) Mokomišenara wa Bosetšhaba o tshwanetse go laola le go tsamaiso tirelo ya sepodisi go ya ka ditaello tsa pholisi ya bosetšhaba ya sepodisi, le ditaello tsa tokololo ya Kabinete e e rweleng maikarabelo a sepodisi.
- (3) Mokomišenara wa Bosetšhaba, go ya ka tumelano le khuduthamaga ya porofense o tshwanetse go tlhopha mosadi kgotsa monna jaaka mokomišenara wa porofense eo, mme fa Mokomišenara wa Bosetšhaba le khuduthamaga ya porofense bas a kgone go dumelana ka go tlhopa motho yoo, tokololo ya Kabinete e e rweleng

maikarabelo a sepodisi e tshwanetse go namola kgotlhang eo.

- (4) Bakomišenara ba diprofense ba rwele maikarabelo a bopodisi mo diprofenseng tse di farologaneng –
  - (a) go ya ka taolo ya molao wa Bosetšhaba; le
  - (b) go tsamaelana le matla a Mokomišenara wa Bosetšhaba go laola le go tsamaisa tirelo ya sepodisi go ya ka karolotlaleletso (2).
- (5) Mokomišenara wa porofense o tshwanetse go dira pegelo mo Kgotlapeomolao ya porofense ngwaga le ngwa ka bopodisi mo porofenseng, e bile o tshwanetse go romela khopi ya pegelo go Mokomišenara wa Bosetšhaba.
- (6) Fa mokomišenara wa porofense a tlhoka tshepo ya go ikanya Khuduthamaga ya porofense, Khuduthamaga eo e tshwanetse go tsaya dikgato tse di maleba tsa go tlosa kgotsa go sutisa, kgotsa dikgato tsa kgalemo kgatlhanong le Mokomišenara yoo, go ya ka molao wa bosetšhaba.

### **Bokwaledisepodisi jwa baagi**

208. Bokwaledi jwa baagi jwa tirelo ya sepodisi bo tshwanetse go tlhomiwa ka molao wa bosetšhaba go dira ka fa tlase ga taolo ya tokololo ya Kabinete e e rweleng maikarabelo a sepodisi.

## **Botlhodi**

### **Go tlhomiwa le taolo ya ditirelo tsa botlhodi**

209. (1) Tirelo nngwe le nngwe ya botlhodi, ntle le karolo nngwe ya botlhodi ya matsholotshireletso kgotsa tirelo ya sepodisi, e ka tlhomiwa fela ke Moporesidente jaaka tlhogo ya Khuduthamaga ya bosetšhaba, le fela go ya ka molao wa bosetšhaba.
- (2) Moporesidente jaaka tlhogo ya khuduthamaga ya bosetšhaba o tshwanetse go tlhophisa mosadi kgotsa monna jaaka tlhogo ya tirelo nngwe le nngwe ya tirelo ya botlhodi go ya ka karolotlaleletso (1) e bile o tshwanetse go rwala maikarabelo a taolo ya sepolotiki a tsamaiso le taolo ya nngwe le nngwe ya ditirelo tseo, kgotsa a tlhophisa tokololo ya Kabinete go rwala maikarabelo ao.

### **Dithata, ditiro le taolo**

210. Molao wa bosetšhaba o tshwanetse go laola didiriswa, matla le ditiro tsa ditirelo tsa botlhodi, go akarediwa karolo nngwe le nngwe ya tsa matlhale ya matsholotshireletso kgotsa tirelo ya sepodisi, e bile e tshwanela go tlamela ka –
- (a) kgolagano ya ditirelo tshotlhe tsa matlhale, le
  - (b) botlhokomedi jwa ditirelo tseo ke motlathlhabi yo o tlhophilweng ke Moporesidente jaaka tlhogo ya khuduthamaga ya bosetšhaba, e bile go rebotswe ka tshwetso e e atlanegisitsweng ke Kokoano ya Bosetšhaba ka bonnye bontsi jwa diboutu di le pedi-tharo ya ditokololo tsa yona.