ISAHLUKO 4

IPALAMENTE

Indlela eyakheke ngayo iPalamente

42. (1) IPalamente–
   (a) yiNdlu yoWiso-mthetho;
   (b) neBhunga lamaPhondo leZwelonke.

(2) INdlu yoWiso-mthetho kunye neBhunga lamaPhondo leZwelonke zithabath' inxaxheba kwinkqubo yowiso-mthetho ngendlela echazwe kuMgaqo-siseko.

(3) INdlu yoWiso-mthetho inyulelwe ukumela abantu nokuqinisekisa ukulawula kwabantu phantsi koMgaqo-siseko. Ikwenza oku ngokukhetha uMongameli, ngokuba liqonga lezwelonke lokugwadlwa kwemicimbi esidlangalaleni, ngokuphumeza imithetho nangokuphonononga izenzo zikarhulumente.

(4) IBhunga lamaPhondo leZwelonke limela amaphondo ukuqinisekisa ukuba izinto ezichaphazela amaphondo zithathelw' ingqalelo kurhulumente wezwelonke. Likwenza oku ikakhulu ngokuthabath' inxaxheba kwinkqubo yowiso-mthetho yezwelonke nangokuba liqonga lezwelonke lokugwadlwa esidlangalaleni kwemicimbi echaphazela amaphondo.

(5) UMongameli usenokuthi nangaliphi na ixesha abize iPalamente ukuba ihlale ngexesha elingelilo elokuhlala kwayo ukuze yenze imisebenzi ekhethekileyo.

(6) Ikomkhulu lePalamente liseKapa, kodwa uMthetho wePalamente owiswe ngokwesiqendu 76(1) nese-(5) usenokuthi ikomkhulu lePalamente malibe kwenye indawo.

Igunya lokuwis' umthetho leRiphablikhi

43. KwiRiphablikhi, igunya lokuwis' umthetho–
   (a) lorhulumente wezwelonke likwiPalamente, njengoko kuchazwe kwisiqendu 44;
   (b) loorhulumente bamaphondo, likwizindlu zowiso-mthetho zamaphondo, njengoko kuchazwe kwisiqendu 104; lize
   (c) eloorhulumente basekuhlaleni libe kumaBhunga ooMasipala, njengoko kuchazwe kwisiqendu 156.

Igunya lokuwis' umthetho kwizwelonke

44. (1) Igunya lowiso-mthetho lezwelonke njengoko likwiPalamente–

a) lithi jize kwiNdlu yoWiso-mthetho igunya–

(i) lokwenza utshintsho kuMgaqo-siseko;

(ii) lokuphumeza imithetho ngawo nawuphi na umcimbi, kuquka nomcimbi okummandla wentsebenzo odweliswe kwiSihlomelo 4, kodwa, ngokulawulwa sisiqendwana (2), awuqukwanga umcimbi okummandla wentsebenzo odweliswe kwiSihlomelo 5;

(iii) nelokuphathisa amagunya okuwis' umthetho iwaphathisa naliphisa na iqumrhu lowiso-mthetho elikwelinye inqwanqwa likarhulumente, ngaphandle kwegunya lokwenz' utshintsho kuMgaqo-siseko; kwaye

(b) lithi jize kwiBhunga lamaPhondo leZwelonke igunya–

(i) lokuthabath' inxaxheba ekwenzen' utshintsho kuMgaqo-siseko ngokwesiqendu 74;

(ii) lokuphumeza, ngokwesiqendu 76, imithetho ngawo nawuphi na umcimbi owela kummandla wentsebenzo okwiSihlomelo 4 nangawo nawuphi na umcimbi ofunwa nguMgaqo-siseko ukuba uphunyezwe ngokwesiqendu 76;

(iii) nelokuqwalasela, ngokwesiqendu 75, nawuphi na omnye umthetho ophunyezwe yiNdlu yoWiso-mthetho.

(2) IPalamente inokuthi, ngokuphumez' umthetho ngokwesiqendu 76(1), ingenelele kuwo nawuphi na umcimbi owela kummandla wentsebenzo odweliswe kwiSihlomelo 5, xa kuyimfuneko–

(a) ukuze kukhuseleke ilizwe;

(b) ukuze kubekho ubunye kuqoqosho;

(c) ukuze kubekho imilinganiselo eyimfuneko yezwelonke;

(d) ukuze kubekho imilinganiselo esisiseko efunekayo ukuze kunikezelwe ngeenkonzo; okanye

(e) ukuthintela isenzo esingabhadlanga esenziwa liphondo esithi sibe nobungozi kwelinye iphondo okanye elizweni lonke.

(3) Imithetho yepalamente engomcimbi oyimfuneko ukuze lisetyenziswe ngokuphumelelayo igunya ngawo nawuphi na umcimbi odweliswe kwiSihlomelo 4, iyimithetho engomcimbi odweliswe kwiSihlomelo 4.

(4) Xa isebenzisa igunya layo lowiso-mthetho, iPalamente inkqanyangelwa kuphela nguMgaqo-siseko, kwaye imele yenze ngokoMgaqo-siseko, nangokwemida eyisikelwa nguMgaqo-siseko.

Imigaqo yendibaniselwano nemiyalelo neekomiti eziyindibaniselwano

45. (1) INdlu yoWiso-mthetho kunye neBhunga lamaPhondo leZwelonke mabaseke ikomiti yemigaqo yendibaniselwano ukuze iqulunqe imigaqo nemiyalelo ngemicimbi eyindibaniselwano yeNdlu neyeBhunga, kuquka nemigaqo nemiyalelo–

(a) yokwenza isigqibo ngeenkqubo zokwenza lula inkqubo yowiso-mthetho, kuquka nokubek' umda kwixesha lokuqukumbela naliphi na inyathelo kwinkqubo;

(b) yokuseka iikomiti zendibaniselwano ezinabameli abavela kokubini kwiNdlu nakwiBhunga ukuze ziqwalasele iMithetho eYilwayo ukuze zenze ingxelo ngayo, ekuyiMithetho eYilwayo ekuthethwe ngayo kwisiqendu 74 nesama-75 ethi ibhekiswe kuloo komiti;

(c) yokuseka ikomiti yendibaniselwano yokuqwalasela ngokutsha uMgaqo-siseko ubuncinane qho ngonyaka;

(d) neyokulawula imicimbi–

(i) yekomiti yemigaqo yendibaniselwano;

(ii) yeKomiti yoLamlo;

(iii) yekomiti yokuqwalaselwa ngokutsha koMgaqo-siseko; kunye

(iv) nazo naziphi na iikomiti zendibaniselwano ezisekwe ngokwesiqendu (b).

(2) Amalungu eKhabhinethi, namalungu eNdlu yoWiso-mthetho kunye nabathunywa kwiBhunga lamaPhondo leZwelonke banamalungelo afanayo nokungabi nakubekwa tyala okufanayo phambi kwekomiti yendibaniselwano yeNdlu neyeBhunga kanye njengokuba benaloo malungelo phambi kweNdlu okanye phambi kweBhunga.

INdlu yoWiso-mthetho

Indlela eyakhiwe ngayo nonyulo

46. (1) INdlu yoWiso-mthetho inabantu ababhinqileyo nabangamadoda abangekho abangekho ngaphantsi kwama-350 kodwa bengekho ngaphezulu kwama-4000 abanyulwe njengamalungu ngokwenkqubo yonyulo–

(a) efunwa ngumthetho wepalamente wezwelonke;

(b) esekelwe kumqulu wabavoti wezwelonke;

(c) ethi eyona minyaka yobudala iphantsi yokuvota mayibe li-18;

(d) eyenza ukuba, ngokubanzi, kubekho ukumelwa ngokulinganayo.

(2) UMthetho wePalamente mawuxele indlela yokuqingqa inani lamalungu eNdlu yoWiso-mthetho.

[Isiqendwana (1) senziwa utshintsho sisiqendu 1 soMthetho Weshumi Wokwenz' Utshintsho KuMgaqo-siseko ka-2003 nasisiqendu 1 soMthetho Weshumi Elinesihlanu Wokwenz' Utshintsho KuMgaqo-siseko ka-2008.]

Ubulungu

47. (1) Wonke ummi ofanelekayo ukuba avotele iNdlu yoWiso-mthetho uyafaneleka ukuba abe lilungu leNdlu, ngaphandle–

(a) komntu oqeshwe ngurhulumente, okanye osebenzela urhulumente, kwaye efumana umvuzo ngoko kuqeshwa okanye ngoko kumsebenzela, engenguye–

(i) uMongameli, uSekela-Mongameli, aBaphathiswa nooSekela-Mphathiswa;

(ii) abasezikhundleni abamisebenzi yabo ihambelanayo nemisebenzi yelungu leNdlu, kwaye ibe loo misebenzi ivakaliswe ngumthetho wepalamente wezwelonke ihambelana nemisebenzi yelungu leNdlu;

(b) abangengabo abathunywa abasisigxina kwiBhunga lamaPhondo leZwelonke okanye abangengawo amalungu endlu yowiso-mthetho yephondo okanye eBhunga likaMasipala;

(c) abangengabo abavakaliswe yinkundla bengakwazi ukuwahlawula amatyala abo kwaye bengekaphumi kuloo meko;

(d) ongenguye ovakaliswe yinkundla yeRiphablikhi engongaphilanga engqondweni; okanye

(e) ongenguye othe, emva kokuba esi siqendu siqalise ukusebenza, wafunyaniswa enetyala lokwaphul' umthetho waza wagwetywa ixesha elingaphezu kweenyanga ezili-12 entolongweni engakhethiswanga fayini, nokuba kulapha kwiRiphablikhi okanye kungaphandle kweRiphablikhi, ukuba isenzo esikukwaphul' umthetho besiya kuba kukwaphul' umthetho kwiRiphablikhi, kodwa akukho mntu onokuthathwa njengogwetyiweyo de kube kwenziwe isigqibo ngesibheno sakhe nxamnye nokufunyaniswa kwakhe enetyala okanye nxamnye nesigwebo sakhe, okanye de libe ixesha lokubhena liphelile. Ukungafaneleki okutshiwo sesi siqendu kuphela emva kweminyaka emihlanu sigqityiwe isigwebo.

(2) Umntu ongafanelekiyo ukuba abe lilungu leNdlu yoWiso-mthetho ngokwesiqendwana (1)(a) okanye (b) unokuzigqatsela ukuba kwiNdlu, kodwa ke ngokulawulwa yimida okanye yimiqathango ebekwe ngumthetho wepalamente wezwelonke.

(3) Umntu uyalahlekelwa bubulungu beNdlu yoWiso-mthetho ukuba–

(a) uyayeka ukuba ngofanelekayo; okanye

(b) uthi angabikho kwiNdlu ngaphandle kwemvume kwiimeko ethi imigaqo nemiyalelo yeNdlu iyalele ukuba makalahlekelwe bubulungu; okanye

(c) uyayeka ukuba lilungu lombutho owamchongayo loo mntu ukuba abe lilungu leNdlu yoWiso-mthetho.

[Isiqendwana (3) sathatyathelw' indawo sisiqendu 2 soMthetho Weshumi Wokwenz' Utshintsho KuMgaqo-siseko ka-2003 nasisiqendu 2 soMthetho Weshumi Elinesihlanu Wokwenz' Utshintsho KuMgaqo-siseko ka-2008.]

(4) Izithuba ezikhoyo kwiNdlu yoWiso-mthetho mazivalwe ngokomthetho wepalamente wezwelonke .

Isifungo okanye isibhambathiso

48. Ngaphambi kokuba amalungu eNdlu yoWiso-mthetho aqalise ukwenza imisebenzi yawo kwiNdlu yoWiso-mthetho, makathabathe isifungo okanye enze isibhambathiso sokuthembeka kwiRiphablikhi nesokuthobela uMgaqo-siseko, ngokweSihlomelo 2.

Ubude bexesha leNdlu yoWiso-mthetho

49. (1) INdlu yoWiso-mthetho inyulelwa ixesha eliyiminyaka emihlanu.

(2) Ukuba iNdlu yoWiso-mthetho ithi ichithwe ngokwesiqendu 50, okanye xa kuphela ixesha layo, uMongameli makathi, ngokwenza isihlokomiso, amemelele ukuba kubekho unyulo aze axele imihla yalo, lunyulo olo omalubekho zingaphelanga iintsuku ezingama-90 ukususela kumhla eyachithwa ngawo iNdlu yoWiso-mthetho okanye ukususela kumhla wokuphela kwexesha layo. Isihlokomiso esimemelela unyulo nesixela imihla yalo sinokukhutshwa ngaphambi kokuphela kwexesha leNdlu yoWiso-mthetho okanye emva kokuphela kwalo.

[Isiqendwana (2) sathatyathelw' indawo sisiqendu 1 soMthetho Wesihlanu Wokwenz' Utshintsho KuMgaqo-siseko ka-1999.]

(3) Ukuba isiphumo sonyulo lweNdlu yoWiso-mthetho asibhengezwa lo gama kuselixesha elimiselwe ngokwesiqendu 190, okanye ukuba unyulo luthi luphuthiswe yinkundla, uMongameli makathi, ngokwenza isihlokomiso, amemelele olunye unyulo aze axele imihla yalo, lunyulo olo omalubekho zingaphelanga iintsuku ezingama-90 ukususela ekupheleni kwelo xesha okanye ukususela kumhla olwathi unyulo lwaphuthiswa ngawo.

(4) INdlu yoWiso-mthetho iqhubeka inako ukusebenza ukususela kwixesha echithwa ngalo okanye ukususelwa kwixesha lokuphelelwa kwayo, kude kube yimini eyandulela usuku lokuqala lokuvotela iNdlu elandelayo.

Ukuchithwa kweNldu yoWiso-mthetho ngaphambi kokuphela kwexesha layo

50. (1) UMongameli makayichithe iNdlu yoWiso-mthetho ukuba–

(a) iNdlu yoWiso-mthetho yamkele isigqibo sokuyichitha ngevoti exhasayo yesininzi samalungu ayo; naxa

(b) kudlule iminyaka emithathu ukususela ekunyulweni kweNdlu.

(2) UMongameli oBambeleyo makayichithe iNdlu yoWiso-mthetho ukuba–

(a) kukho isithuba kwisikhundla sikaMongameli; naxa

(b) iNdlu ingamnyulanga uMongameli omtsha kwisithuba seentsuku ezingama-30 sidalekile isithuba eso.

Ukuhlala kwayo namaxesha ekhefu

51. (1) Emva konyulo, ukuhlala kokuqala kweNdlu yoWiso-mthetho makube ngexesha nangomhla ogqitywe yiJaji eyiNtloko, kodwa zingade ziphele iintsuku ezili-14 sibhengeziwe isiphumo sonyulo. INdlu inokuzenzela isigqibo ngexesha nangobude bexesha lokunye ukuhlala kwayo nangamaxesha ayo ekhefu.

[Isiqendwana (1) sathatyathelw' indawo sisiqendu 1 soMthetho Wesithandathu Wokwenz' Utshintsho KuMgaqo-siseko ka-2001.]

(2) UMongameli unokuthi nangaliphi na ixesha abize iNdlu yoWiso-mthetho ukuba ihlale ngexesha elingelilo lokuhlala ukuze yenze imisebenzi ekhethekileyo.

(3) Ukuhlala kweNdlu yoWiso-mthetho kwiindawo ezingelilo ikomkhulu lePalamente kuvumeleke kuphela ngezizathu zokunced' uluntu, zokhuseleko okanye ukufaneleka, naxa kuvunyelwa yimigaqo nayimiyalelo yeNdlu.

USihlalo noSekela-Sihlalo wePalamente

52. (1) Ekuhlanganeni kwayo okokuqala emva kokunyulwa, okanye xa kufuneka kuvalwe Ekuhlaleni kwayo kokuqala emva konyulo, okanye xa kuyimfuneko ukuvala isithuba, iNdlu yoWiso-mthetho mayinyule uSihlalo noSekela-Sihlalo kumalungu ayo.

(2) IJaji eyiNtloko mayongamele ukunyulwa kukaSihlalo, okanye ichonge enye ijaji ukuba ikwenze oko. USihlalo yena wongamela ukunyulwa kukaSekela-Sihlalo.

[Isiqendwana (2) sathatyathelw' indawo sisiqendu 2 soMthetho Wesithandathu Wokwenz' Utshintsho KuMgaqo-siseko ka-2001.]

(3) Inkqubo echazwe kwiCandelo A leSihlomelo 3 isebenza ekunyulweni kukaSihlalo noSekela-Sihlalo.

(4) INdlu yoWiso-mthethho inokumshenxisa esikhundleni uSihlalo okanye uSekela-Sihlalo ngokuthath' isigqibo. Makubekho isininzi samalungu eNdlu xa kusamkelwa eso sigqibo.

(5) Ngokwemigaqo yayo nemiyalelo, iNdlu yoWiso-mthetho isenokunyula kumalungu ayo amanye amagosa okongamela ukuba ancedise uSihlalo noSekela-Sihlalo.

Izigqibo

53. (1) Ngaphandle kwaxa uMgaqo-siseko utsho okwahlukileyo–
   (a) makubekho isininzi samalungu eNdlu yoWiso-mthetho ngaphambi kokuba kuvotelwe uMthetho oYilwayo okanye uMthetho oYilwayo wokwenz' utshintsho;
   (b) makubekho ubuncinane isinye kwisithathu samalungu ngaphambi kokuba kuvotelwe nawuphi na omnye umbandela ophambi kweNdlu; kananjalo
   (c) yonke imibandela ephambi kweNdlu igqitywa ngesininzi seevoti.

(2) Ilungu leNdlu yoWiso-mthetho elongameleyo kwintlanganiso yeNdlu alinakuthabath' inxaxheba kwiingxoxo, kodwa–
   (a) malivote kwivoti yokwenz' isigqibo xa iivoti zilingana macala kumbandela okhoyo; kwaye
   (b) linokuthabath' inxaxheba kwiingxoxo xa umbandela oxoxwayo kufuneka ugqitywe ngevoti yesibini kwisithathu ubuncinane samalungu eNdlu.

Amalungelo amalungu athile eKhabhinethi nooSekela-Mphathiswa kwiNdlu yoWiso-mthetho

54. UMongameli, kunye nalo naliphi na ilungu leKhabhinethi okanye uSekela-Mphathiswa ongelilo ilungu leNdlu yoWiso-mthetho unokuthi, ngokulawulwa yimigaqo nayimiyalelo yeNdlu, abekho kwaye athethe kwiNdlu, kodwa akavumelekanga ukuba avote.

[Isiqendu 54 sathatyathelw' indawo sisiqendu 3 soMthetho Wokwenz' Utshintsho KuMgaqo-siseko ka-2001.]

Amagunya eNdlu yoWiso-mthetho

55. (1) Ekusebenziseni igunya layo lokuwis' imithetho, iNdlu yoWiso-mthetho–
   (a) inokuqwalasela nawuphi na umthetho ophambi kweNdlu, iwuphumeze, yenze utshintsho kuwo okanye iwukhabe; kwaye
   (b) inokuwuqalisa ngokwayo umthetho okanye iwulungiselele, ngaphandle kweMithetho eYilwayo yemali.

(2) INdlu yoWiso-mthetho mayithi gqi namacebo–
   (a) okuqinisekisa ukuba onke amacandelo karhulumente akulawulo kurhulumente wezwelonke ayaphendula kuyo;
   (b) nawokuba liliso–

(i) ekusetyenzisweni kwegunya lokulawula kwizwelonke, kuquka nokwenziwa kwemithetho isebenze;

(ii) nakulo naliphi na icandelo likarhulumente.

Ubungqina okanye ingcombolo phambi kweNdlu yoWiso-mthetho

56. INdlu yoWiso-Mthetho okanye nayiphi na ikomiti kwiikomiti zayo-

(a) inokubiza nawuphi na umntu ukuba avele phambi kwayo ukuze anike ubungqina efungile okanye enze isibhambathiso sokutheth' inyaniso, okanye avelise amaxwebhu;

(b) isenokufuna ukuba nawuphi na umntu okanye iziko lenze ingxelo kuyo;

(c) isenokunyanzela nawuphi na umntu okanye umbutho ngokomthetho wezwelonke okanye ngokwemigaqo nemiyalelo, ukuba athobele umsila wengwe okanye enze okufunwayo ngokwesiqendu (a) okanye (b); kwaye

(d) isenokwamkela izicelo okanye okuvela nakuwuphi na umntu ochaphazelekayo okanye imibutho echaphazelekayo.

Amalungiselelo angaphakathi neenkqubo zeNdlu yoWiso-mthetho

57. (1) INdlu yoWiso-mthetho-

(a) inokwenza izigqibo ngamalungiselelo ayo angaphakathi nangeenkqubo zayo ize izilawule; kananjalo

(b) inokwenza imigaqo nemiyalelo ngemicimbi yayo, ikwenza oko ikhumbula intando yesininzi yokumelwa kwabantu nokuthabath' inxaxheba kwabo, ukuphendula, ukusebenzela elubala, nokubandakanyeka koluntu.

(2) Imigaqo nemiyalelo yeNdlu yoWiso-mthetho mayixele–

(a) ukuba zisekwa njani, zakhiwe njani, iikomiti zayo, ayintoni amagunya azo, nemisebenzi yazo, neenkqubo zazo nobude bexesha lobukho;

(b) ukuthabath' inxaxheba kwamaqela amancinane amelweyo kwiNdlu, ethabath' inxaxheba kwiinkqubo zeNdlu nakwiikomiti zayo, ngendlela evisisana nentando yesininzi;

(c) uncedo lwemali nololawulo kwiqela ngalinye elimelweyo kwiNdlu ngokulingana nokumelwa kwalo, ukuze iqela elo nenkokeli yalo liyenze imisebenzi yalo kwiNdlu ngempumelelo; kananjalo

(d) nokwamkelwa kwenkokeli yelona qela likhulu liphikisayo kwiNdlu njengeNkokeli yeQela Eliphikisayo.

Ukungabi nakubekwa tyala

58. (1) Amalungu eKhabhinethi, ooSekela-Mphathiswa namalungu eNdlu yoWiso-mthetho–

  (a) anenkululeko yokuthetha kwiNdlu nakwiikomiti zayo, kodwa ke ngokulawulwa yimigaqo nayimiyalelo yayo; kwaye

  (b) akanakumangalelwa ngetyala lembambano okanye lolwaphulo-mthetho, abanjwe, avalelwe entolongweni okanye afunw' imbuyekezo ngomonakalo odalwe-

    (i) yiyo nayiphi na into ayithethileyo kwiNdlu okanye ayivelisa phambi kwayo okanye kwiikomiti zayo; okanye

    (ii) yiyo nayiphi na into ethe yatyhileka ngenxa yento ayithethileyo kwiNdlu, okanye ayivelisa phambi kwayo okanye kwiikomiti zayo.

(2) Ezinye izinto engenakubekwa tyala ngazo iNdlu yoWiso-mthetho, amalungu eKhabhinethi namalungu eNdlu zinokutshiwo ngumthetho wepalamente wezwelonke.

(3) Imivuzo, iimalana ezisecaleni namaqithiqithi ahlawulwa amalungu eNdlu yoWiso-mthetho ziimali ezitsalwa ngqo kwiNgxowa-mali yeNgeniso yeLizwe.

[Isiqendu 58 senziwa utshintsho sisiqendu 4 soMthetho Wesithandathu Wokwenz' Utshintsho KuMgaqo-siseko ka-2001.]

Ukungena koluntu kwiNdlu yoWiso-mthetho nokubandakanyeka kwalo

59. (1) INdlu yoWiso-mthetho–

  (a) mayenze ukuba uluntu lubandakanyeke kwiinkqubo zowiso-mthetho nakwezinye iinkqubo zendlu nezeekomiti zayo; kwaye

  (b) mayiwenze umsebenzi wayo elubala, iintlanganiso zayo, nezeekomiti zayo, zibe selubala, kodwa ke kusenokuthatyathwa amanyathelo afanelekileyo–

    (i) okukulawula ukungena koluntu, kuquka nokungena kwamajelo eendaba, kwiNdlu nakwiikomiti zayo; nawokuba

    (ii) asetshwe umntu kwaye, xa kufanelekile, alelwe ukuba angene okanye akhutshwe.

(2) INdlu yoWiso-mthetho ayivumelekanga ukuba ilwalele uluntu, kuquka namajelo eendaba, ukungena kwintlanganiso yekomiti, ngaphandle kokuba kufanelekile kwaye kuyathetheleleka ukwenza njalo kuluntu olukhululekileyo lwentando yesininzi.

IBhunga lamaPhondo leZwelonke

Indlela elakhiwe ngayo iBhunga leZwelonke

60. (1) IBhunga lamaPhondo leZwelonke linegqiza elinye labathunywa abalishumi abavela kwiphondo ngalinye.

(2) Aba bathunywa balishumi–

(a) ngabathunywa abane abakhethekileyo–

(i) abayiNkulumbuso yephondo okanye, ukuba iNkulumbuso ayifumaneki, naliphi na ilungu leNdlu yoWiso-mthetho yephondo elichongwe yiNkulumbuso ilichongela yonke imisebenzi okanye umsebenzi othile okhethekileyo ophambi kweBhunga lamaPhondo leZwelonke; kunye

(ii) nabanye abathunywa abathathu abakhethekileyo

(b) nabathunywa abathandathu abasisigxina abamiselwe ngokwesiqendu 61(2).

(3) Igqiza likhokelwa yiNkulumbuso yephondo okanye, ukuba iNkulumbuso ayifumaneki, likhokelwe lilungu legqiza lephondo elichongwe yiNkulumbuso.

Ukwabiwa kwabathunywa

61. (1) Amaqela amelweyo kwindlu yowiso-mthetho yephondo anelungelo lokuba nabathunywa kwigqiza lephondo ngokwendlela echazwe kwiCandelo B leSihlomelo 3.

(2) (a) Indlu yowiso-mthetho yephondo mayithi, zingaphelanga iintsuku ezingama-30 sibhengeziwe isiphumo sonyulo saloo ndlu yowiso-mthetho-

(i) ithathe isigqibo, ngokomthetho wepalamente wezwelonke, sokuba ngabathunywa abangaphi kubathunywa bombutho ngamnye abaza kuba ngabathunywa abasisigxina, bebangaphi abaza kuba ngabathunywa abakhethekileyo;

(ii) ize imisele abathunywa abasisigxina ngokokuchonga okwenziwe ngamaqela.

(b) ....

[Isiqendu (b) sitsityiwe ngokokutsho kwesiqendu 1 soMthetho Weshumi Elinesine Wokwenz' Utshintsho KuMgaqo-siseko ka-2008.]
[Isiqendwana (2) sathatyathelw' indawo sisiqendu 1 soMthetho Wethoba Wokwenz' Utshintsho KuMgaqo-siseko ka-2002 nasisiqendu 1 soMthetho Weshumi Elinesine Wokwenz' Utshintsho KuMgaqo-siseko ka-2008.]

(3) Umthetho wepalamente wezwelonke ekuthethwa ngawo kwisiqendwana (2)
(a) mawuqinisekise ukuthabath' inxaxheba kwamaqela amancinane kokubini kubathunywa abasisigxina nabakhethekileyo begqiza ngendlela evisisana nentando yesininzi.

(4) Indlu yowiso-mthetho, ngokuvumelana neNkulumbuso neenkokeli zamaqela anelungelo lokuba nabathunywa abakhethekileyo kwigqiza lephondo mayichonge abathunywa abakhethekileyo, njengoko kuman' ukufuneka ngamaxesh' athile, iwachonga kumalungu endlu yowiso-mthetho.

Abathunywa abasisigxina

62. (1) Umntu ochongiweyo ukuba abe ngumthunywa osisigxina makabe ngofanelekileyo ukuba abe lilungu lendlu yowiso-mthetho yephondo.

(2) Ukuba umntu olilungu lendlu yowiso-mthetho yephondo umiselwe njengomthunywa osisigxina, loo mntu uyayeka ukuba lilungu lendlu yowiso-mthetho.

(3) Abathunywa abasisigxina bamiselwa ukuba babe ngabo ixesha eliphela-

(a) ngaphambi nje kokuhlala kokuqala kwendlu yowiso-mthetho yephondo emva konyulo lwayo olulandelayo.

(b) ....

[Isiqendu (b) sitsityiwe ngokokutsho kwesiqendu 2 soMthetho Weshumi Elinesine Wokwenz' Utshintsho KuMgaqo-siseko ka-2008.]
[Isiqendwana (3) sathatyathelw' indawo sisiqendu 2 soMthetho Wethoba Wokwenz' Utshintsho KuMgaqo-siseko ka-2002 saza kwakhoa sathatyathelw' indawo soMthetho Weshumi Elinesine Wokwenz' Utshintsho KuMgaqo-siseko ka-2008.]

(4) Umntu uyayeka ukuba ngumthunywa osisigxina ukuba–

(a) uthi angafaneleki ukuba lilungu lendlu yowiso-mthetho yephondo ngaso nasiphi na isizathu esingekuko ukumiselwa njengomthunywa osisigxina;

(b) uba lilungu leKhabhinethi;

(c) akasathenjwa yindlu yowiso-mthetho yephondo uze umbutho owamchongayo uthi makabuye;

(d) uyayeka ukuba lilungu lombuthho owamchongayo uze loo mbutho uthi makabuye; okanye

(e) uthi angabikho kwiBhunga lamaPhondo leZwelonke ngaphandle kwemvume

kwiimeko ethi kuyo imigaqo nemiyalelo yeBhunga ifunise ukuba alahlekelwe sisikhundla sokuba ngumthunywa osisigxina.

(5) Izithuba ezikhoyo kubathunywa abasisigxina mazivalwe ngokomthetho wepalamente wezwelonke.

(6) Ngaphambi kokuba abathunywa abasisigxina baqalise ukwenza imisebenzi yabo kwiBhunga lamaPhondo leZwelonke, mabafunge okanye benze isibhambathiso sokuthembeka kwiRiphablikhi nesokuthobela uMgaqo-siseko, ngokweSihlomelo 2.

Ukuhlala kweBhunga leZwelonke

63. (1) IBhunga lamaPhondo leZwelonke linokwenz' isigqibo ngexesha nangobude bexesha lokuhlala kwalo namaxesha alo ekhefu.

(2) UMongameli usenokuthi nangaliphi na ixesha abize iBhunga lamaPhondo leZwelonke ukuba lihlale ngexesha elingelilo elokuhlala ukuze lenze imisebenzi ekhethekileyo.

(3) Ukuhlala kweBhunga lamaPhondo leZwelonke kwiindawo ezizezinye ezingelilo ikomkhulu lePalamente kuvumeleke kuphela ngezizathu ezizezokunced' uluntu, ukhuseleko okanye ukufaneleka, naxa kuvunyelwa yimigaqo nayimiyalelo yeBhunga.

USihlalo nooSekela-Sihlalo

64. (1) IBhunga lamaPhondo leZwelonke malinyule uSihlalo nooSekela-Sihlalo ababini kubathunywa balo.

(2) USihlalo nomnye wooSekela-Sihlalo banyulwa kubathunywa abasisigxina iminyaka emihlanu ngaphandle kokuba amaxesha abo okuba ngabathunywa aphela ngaphambi koko.

(3) Omnye uSekela-Sihlalo unyulelwa ixesha elingunyaka omnye, ize ke indawo yakhe ithatyathwe ngumthunywa ovela kwelinye iphondo, ngaloo ndlela iphondo ngalinye lifumane ukumelwa.

(4) IJaji eyiNtloko mayongamele ukunyulwa kukaSihlalo, kungenjalo ichonge enye ijaji ukuba ikwenze oko. USihlalo yena wongamela ukunyulwa kooSekela-Sihlalo.

[Isiqendwana (4) sathatyathelw' indawo sisqendu 5 soMthetho Wesithandathu Wokwenz' Utshinstho KuMgaqo-siseko ka-2001.]

(5) Inkqubo echazwe kwiCandelo A leSihlomelo 3 iyasebenza ekunyulweni kukaSihlalo nooSekela-Sihlalo.

(6) IBhunga lamaPhondo leZwelonke linokumshenxisa uSihlalo okanye uSekela-Sihlalo esikhundleni.

(7) Ngokwemigaqo nemiyalelo yalo, iBhunga lamaPhondo leZwelonke lisenokunyula kubathunywa amanye amagosa awongamelayo ukuba ancedise uSihlalo nooSekela-Sihlalo.

Izigqibo

65. (1) Ngaphandle kokuba uMgaqo-siseko utsho okwahlukileyo–

(a) iphondo ngalinye livota kube kanye, kuvota oko okwenziwa egameni lephondo, kusenziwa yintloko yegqiza lalo; kwaye

(b) yonke imibandela ephambi kweBhunga lamaPhondo leZwelonke sukuba kuvunyelwene ngayo xa ubuncinane emahlanu amaphondo avota evumelana naloo mbandela.

(2) UMthetho wePalamente owiswe ngokwenkqubo yesiqendwana (1) okanye yesi-(2) kwisiqendu 76, mawuxele inkqubo engumfaniselwano ekuthi ngayo izindlu zowiso-mthetho zamaphondo zigunyaze amagqiza azo ukuba avote egameni lazo.

Uthabatho-nxaxheba lwabaphathiswa bakazwelonke

66. (1) Amalungu eKhabhinethi kunye nooSekela-Mphathiswa banokubakho, kunjalonje bathethe, kwiBhunga lamaPhondo leZwelonke, kodwa abavumelekanga ukuba bavote.

(2) IBhunga lamaPhondo leZwelonke lisenokufuna ukuba ilungu leKhabhinethi, uSekela-Mphathiswa okanye igosa elikurhulumente wezwelonke okanye elikurhulumente wephondo libekho kwintlanganiso yeBhunga okanye kwikomiti yeBhunga.

Uthabatho-nxaxheba lwabameli boorhulumente basekuhlaleni

67. Abameli abangxungxileyo abangekho ngaphezu kweshumi abachongwe ngurhulumente wasekuhlaleni ocwangcisiweyo ngokwesiqendu 163 ukuba bamele iindidi ngeendidi zoomasipala banokuthi, xa kuyimfuneko, bathabath' inxaxheba kokwenziwa liBhunga lamaPhondo leZwelonke, kodwa abavumelekanga ukuba bavote.

Amagunya eBhunga leZwelonke

68. Ekusebenziseni igunya lalo lokuwis' umthetho, iBhunga lamaPhondo leZwelonke–

(a) lisenokuqwalasela, liphumeze, lenz' utshintsho, licebise ukuba kwenziwe utshintsho kuwo nawuphi na umthetho ophambi kweBhunga okanye liwukhabe, ngokuvumelana nesi Sahluko; kwaye

(b) lisenokuwuqalisa ngokwalo umthetho okanye liwulungiselele, kungumthetho owela kummandla wentsebenzo odweliswe kwiSihlomelo 4 okanye omnye umthetho ekuthethwe ngawo kwisiqendu 76(3), kodwa alivumelekanga ukuba liqalise iMithetho eYilwayo yemali okanye liyilungiselele.

Ubungqina okanye ingcombolo phambi kweBhunga leZwelonke

69. IBhunga lamaPhondo leZwelonke okanye iikomiti zalo–

(a) lisenokubiza nawuphi na umntu ukuba avele phambi kwalo aze kunika ubungqina efungile okanye enze isibhambathiso sokutheth' inyaniso okanye aze kuvelisa amaxwebhu—

(b) lisengafuna naliphi na iziko okanye umntu ukuba enze ingxelo kulo;

(c) lisenganyanzelisa nawuphi na umntu okanye iziko, ngokomthetho wepalamente wezwelonke okanye ngokwemigaqo nemiyalelo, ukuba athobele umsila wengwe okanye enze okufunwayo ngokwesiqendu (a) okanye (b); kwaye

(d) lisenokwamkela izicelo, okutshiwo ngabantu abachaphazelekayo okanye imibutho echaphazelekayo.

Amalungiselelo angaphakathi, neenkqubo zeBhunga leZwelonke

70. (1) IBhunga lamaPhondo leZwelonke–

(a) lisenokwenz' isigqibo ngamalungiselelo angaphakathi, nangeenkqubo zalo lize lizilawule; kwaye

(b) lisenokuqulunqa imigaqo nemiyalelo engemisebenzi yalo, kucingelwa intando yesininzi yokumelwa nokuthabath' inxaxheba, ukuphendula, ukusebenzela elubala nokubandakanyeka koluntu.

(2) Imigaqo nemiyalelo yeBhunga lamaPhondo leZwelonke mayithethe–

(a) ngokusekwa kweekomiti zalo, iindlela ezakhiwe ngayo, amagunya azo, imisebenzi yazo, iinkqubo zalo nobude bexesha bazo;

(b) ngokuthabath' inxaxheba kwawo amaphondo koko ikwenzayo ngokuvisisana nentando yesininzi;

(c) nangokuthabath' inxaxheba kwamaqela amancinane amelweyo kwiBhunga, ethabath' inxaxheba kokwenziwayo liBhunga naziikomiti zalo, ngendlela evisisana nentando yesininzi, nanini na xa umcimbi uza kugqitywa ngokwesiqendu 75.

Ukungabi nakubekwa tyala

71. (1) Abathunywa kwiBhunga lamaPhondo leZwelonke nabantu ekuthethwe ngabo kwisiqendu 66 nesama-67–

(a) banenkululeko yokuthetha kwiBhunga nakwiikomiti zalo, kodwa ke ngokulawulwa yimigaqo nayimiyalelo yalo; kwaye

(b) abanakumangalelwa ngetyala lembambano okanye lolwaphulo-mthetho, babanjwe, bavalelwe entolongweni okanye bafunw' imbuyekezo ngomonakalo odalwe–

(i) yiyo nayiphi na into abayithethileyo kwiBhunga, okanye bayivelisa phambi kwayo okanye kwiikomiti zalo; okanye

(ii) yiyo nayiphi na into ethe yatyhileka ngenxa yento abayithethileyo kwiBhunga okanye bayivelisa phambi kwalo okanye kwiikomiti zalo.

(2) Ezinye izinto elingenakubekwa tyala ngazo iBhunga lamaPhondo leZwelonke, abathunywa kwiBhunga, nabantu ekuthethwe ngabo kwisiqendu 66 nesama-67 zinokutshiwo ngumthetho wepalamente wezwelonke.

(3) Imivuzo, iimalana ezisecaleni namaqithiqithi ahlawulwa amalungu asisigxina eBhunga lamaPhondo leZwelonke ziimali ezitsalwa ngqo kwiNgxowa-mali yeNgeniso yeLizwe.

Ukubakho koluntu nokuthabath' inxaxheba kwalo kwiBhunga leZwelonke

72. (1) IBhunga lePhondo leZwelonke–

(a) malenze ukuba uluntu lubandakanyeke kwiinkqubo zowiso-mthetho nakwezinye iinkqubo zeBhunga nezeekomiti zalo; kwaye

(b) maliwenze umsebenzi walo elubala, iintlanganiso zalo, nezeekomiti zalo, zibe selubala, kodwa ke kusenokuthatyathwa amanyathelo afanelekileyo–

(i) okukulawula ukungena koluntu, kuquka nokungena kwamajelo eendaba, kwiBhunga neekomiti zalo; nawokuba
(ii) asetshwe umntu kwaye, xa kufanelekile, alelwe ukuba angene okanye akhutshwe.

(2) IBhunga lamaPhondo leZwelonke alivumelekanga ukuba lilwalele uluntu , kuquka namajelo eendaba, ukungena kwintlanganiso yekomiti, ngaphandle kokuba kufanelekile kwaye kuyathetheleleka ukwenza njalo kuluntu olukhululekileyo lwentando yesininz.

Inkqubo Yowiso-mthetho Yezwelonke

Yonke iMithetho eYilwayo

73. (1) Nawuphi na uMthetho oYilwayo unokungeniswa kwiNdlu yoWiso-mthetho.

(2) Kuphela lilungu leKhabhinethi okanye uSekela-Mphathiswa, okanye ilungu lekomiti yeNdlu yoWiso-mthetho elinokuthi lingenise uMthetho oYilwayo kwiNdlu, kodwa kuphela lilungu leKhabhinethi eliphathiswe imicimbi yemali yezwelonke elinokungenisa le Mithetheo iYilwayo ilandelayo kwiNdlu:
(a) uMthetho oYilwayo wemali; okanye
(b) uMthetho oYilwayo omayela nomthetho wepalamente ekuthethwa ngawo kwisiqendu 214.

[Isiqendwana (2) sathatyathelw' indawo sisiqendu 1(a) soMthetho Wesixhenxe Wokwenz' Utshintsho KuMgaqo-siseko ka-2001.]

(3) Umthetho oYilwayo ekuthethwa ngawo kwisiqendu 76(3), ngaphandle koMthetho oYilwayo ekuthethwa ngawo kwisiqendwana (2)(a) okanye (b) kwesi siqendu, unokungeniswa kwiBhunga lamaPhondo leZwelonke.

[Isiqendwana (3) sathatyathelw' indawo sisiqendu 1(b) soMthetho Wesixhenxe Wokwenz' Utshintsho KuMgaqo-siseko ka-2001.]

(4) Kuphela lilungu leBhunga lamaPhondo leZwelonke okanye ikomiti yalo enokuthi ingenise uMthetho oYilwayo kwiBhunga.

(5) UMthetho oYilwayo ophunyezwe yiNdlu yoWiso-mthetho mawuthunyelwe kwiBhunga lamaPhondo leZwelonke ukuba kufuneka uqwalaselwe liBhunga. UMthetho oYilwayo ophunyezwe liBhunga mawuthunyelwe kwiNdlu.

IMithetho eYilwayo eyenz' utshintsho kuMgaqo-siseko

74. (1) Isiqendu 1 kunye nesi siqendwana zinokwenziwa utshintsho nguMthetho oYilwayo ophunyezwe–
    - (a) yiNdlu yoWiso-mthetho, ngevoti exhasayo ubuncinane yama-75 ekhulwini kumalungu ayo;
    - (b) naliBhunga lamaPhondo leZwelonke, ngevoti exhasayo ubuncinane yamaphondo amathandathu.

(2) ISahluko 2 sinokwenziwa utshintsho nguMthetho oYilwayo ophunyezwe–
- (a) yiNdlu yoWiso-mthetho, ngevoti exhasayo ubuncinane yesibini kwisithathu samalungu ayo;
- (b) naliBhunga lamaPhondo leZwelonke, ngevoti exhasayo ubuncinane yamaphondo amathandathu.

(3) Nakuphi na okunye okutshiwo nguMgaqo-siseko kunokwenziwa utshintsho nguMthetho oYilwayo ophunyezwe–
- (a) yiNdlu yoWiso-mthetho, ngevoti exhasayo ubuncinane yesibini kwisithathu kumalungu ayo;
- (b) naliBhunga lamaPhondo leZwelonke, ngevoti exhasayo ubuncinane yamaphondo amathandathu, ukuba utshintsho olo–
  - (i) luphathelele kumcimbi ochaphazela iBhunga;
  - (ii) luguqula imida yamaphondo, amagunya, imisebenzi okanye amaziko; okanye
  - (iii) lwenz' utshintsho kokumayela nomcimbi wamaphondo.

(4) UMthetho oYilwayo owenz' utshintsho kuMgaqo-siseko awuvumelekanga ukuba uqulathe izinto ezingelulo utshintsho kuMgaqo-siseko nemicimbi engenanto yakwenza notshintsho.

(5) Ubuncinane kusasele iintsuku ezingama-30 ngaphambi kokuba uMthetho oYilwayo owenz' utshintsho kuMgaqo-siseko ungeniswe ngokwesiqendu 73(2), umntu okanye ikomiti eceba ukungenisa loo Mthetho uYilwayo–
- (a) mayipapashe kuShicilelo-Mithetho LukaRhulumente lwezwelonke iinkcukacha zotshintsho olucetywayo ukuze uluntu luvakalise izimvo, ikwenza oko ngokuvumelana nemigaqo nemiyalelo yeNdlu yoWiso-mthetho;
- (b) mayingenise ezo nkcukacha kwizindlu zowiso-mthetho zamaphondo ukuze kufumaneke izimvo zazo, ikwenza oko ngokwemigaqo nemiyalelo yeNdlu; kwaye

(c) mayingenise ezo nkcukacha kwiBhunga ukuze kuxoxwe esidlangalaleni, ikwenza oko ngokwemigaqo nemiyalelo yeBhunga lamaPhondo leZwelonke, ukuba utshintsho olucetywayo asilotshintsho ekufuneka luphunyezwe liBhunga.

(6) Xa uMthetho oYilwayo owenz' utshintsho kuMgaqo-siseko ungeniswa, umntu okanye ikomiti ewungenisayo uMthetho oYilwayo lowo makangenise izimvo ezibhaliweyo ezifunyenwe eluntwini nakwizindlu zowiso-mthetho zamaphondo-

(a) zingeniswe kuSihlalo ukuze zithiwe thaca kwiNdlu yoWiso-mthetho; kuze kuthi

(b) ukuba lutshintsho ekuthethwe ngalo kwisiqendwana (1), (2), okanye (3)(b), zingeniswe kuSihlalo weBhunga lamaPhondo leZwelonke ukuze zithiwe thaca kwiBhunga.

(7) Umthetho oYilwayo owenz' utshintsho kuMgaqo-siseko akuvumelekanga ukuba mawuvotelwe kwiNdlu yoWiso-mthetho zingaphelanga iintsuku ezingama-30 -

(a) zokungeniswa kwawo, ukuba iNdlu ihleli xa uMthetho oYilwayo lowo ungeniswa; okanye

(b) zokuthiwa thaca kwawo kwiNdlu, ukuba iNdlu ikwikhefu xa uMthetho oYilwayo lowo ungeniswa.

(8) Ukuba uMthetho oYilwayo ekuthethwe ngawo kwisiqendwana (3)(b), okanye nayiphi na inxalenye yoMthetho oYilwayo, ingephondo elithile kuphela okanye amaphondo athile kuphela, iBhunga lamaPhondo leZwelonke alivumelekanga ukuba liwuphumeze loo Mthetho uYilwayo okanye iinxalenye zawo ngaphandle kokuba oko kuvunywe yindlu yowiso-mthetho yephondo echaphazelekayo okanye zizindlu zowiso-mthetho zamaphondo ezichaphazelekayo.

(9) UMthetho oYilwayo owenz' utshintsho kuMgaqo-siseko ophunyezwe yiNdlu yoWiso-mthetho naliBhunga lamaPhondo leZwelonke, apho kufanelekileyo, mawuthunyelwe kuMongameli ukuze awuvume.

IMithetho eYilwayo eqhelekileyo engawachaphazeliyo amaphondo

75. (1) Xa iNdlu yoWiso-mthetho iphumeza uMthetho oYilwayo ongenguwo uMthetho oYilwayo ekusebenza kuwo inkqubo echazwe kwisiqendu 74 okanye 76, loo Mthetho uYilwayo mawuthunyelwe kwiBhunga lamaPhondo leZwelonke uze uqhutywe ngokwenkqubo elandelayo:

(a) IBhunga–
   (i) maliwuphumeze loo Mthetho uYilwayo;
   (ii) maliwuphumeze loo Mthetho uYilwayo ngomqathango wokuba kuphunyezwe notshintsho olucetywa lilo; okanye
   (iii) maliwukhabe loo Mthetho uYilwayo.
(b) ukuba iBhunga liyawuphumeza uMthetho oYilwayo ngaphandle kokucebisa ukuba kwenziwe utshintsho, loo Mthetho uYilwayo mawusiwe kuMongameli ukuba awuvume;
(c) ukuba iBhunga liyawukhaba uMthetho oYilwayo okanye liyawuphumeza ngomqathango wokuba kuphunyezwe notshintsho olucetywa lilo, iNdlu mayiwuqwalasele ngokutsha loo Mthetho uYilwayo, ithabathel' ingqalelo naluphi na utshintsho olucetywa liBhunga, kwaye–
   (i) isenokuwuphumeza loo Mthetho uYilwayo kwakhona, unotshintsho okanye ungenalo; okanye
   (ii) isenokugqiba kwelokuba ingaqhubeki naloo Mthetho uYilwayo.
(d) UMthetho oYilwayo ophunyezwe yiNdlu ngokwesiqendu (c) mawusiwe kuMongameli ukuze awuvume.

(2) Xa iBhunga lamaPhondo leZwelonke livotela umcimbi othile ngokwesi siqendu, isiqendu 65 asisebenzi; endaweni yoko–
(a) umthunywa ngamnye kwigqiza lephondo unevoti enye;
(b) ubuncinane makubekho isinye kwisithathu sabathunywa ngaphambi kokuba kuvotwe ngombandela okhoyo; kwaye
(c) umbandela lowo mawugqitywe ngesininzi seevoti, kodwa ukuba iivoti ziyalingana macala, umthunywa owongameleyo makafake ivoti yokwenz' isigqibo.

IMithetho eYilwayo eqhelekileyo echaphazela amaphondo

76. (1) Xa iNdlu yoWiso-mthetho iphumeza uMthetho oYilwayo ekuthethwe ngawo kwisiqendwana (3), (4) okanye (5), loo Mthetho uYilwayo mawuthunyelwe kwiBhunga lamaPhondo leZwelonke uze uqhutywe ngale ndlela ilandelayo:
(a) iBhunga–
   (i) maliwuphumeze uMthetho oYilwayo;
   (ii) maliwuphumeze loo Mthetho uYilwayo unotshintsho olwenziweyo; okanye

(iii) maliwukhabe loo Mthetho uYilwayo.

(b) ukuba iBhunga liwuphumeza uMthetho oYilwayo ungenalutshintsho, loo Mthetho uYilwayo mawusiwe kuMongameli ukuze awuvume;

(c) ukuba iBhunga liwuphumeza uMthetho oYilwayo unotshintsho, loo Mthetho uYilwayo onotshintsho mawuthunyelwe kwiNdlu, kuze kuthi ukuba iNdlu iyawuphumeza loo Mthetho uYilwayo onotshintsho, usiwe kuMongameli ukuze awuvume;

(d) ukuba iBhunga liyawukhaba uMthetho oYilwayo, okanye ukuba iNdlu iyala ukuwuphumeza uMthetho oYilwayo onotshintsho ekuthethwe ngawo kwisiqendu (c), loo Mthetho uYilwayo, kwakunye noMthetho oYilwayo onotshintsho, mawuthunyelwe kwiKomiti yoLamlo, esenokuthi ivumelane–

(i) ngaloo Mthetho uYilwayo ngendlela ophunyezwe ngayo yiNdlu;

(ii) ngendlela ophunyezwe ngayo liBhunga; okanye

(iii) ithi gqi nohlobo olwahlukileyo lwaloo Mthetho uYilwayo.

(e) ukuba iKomiti yoLamlo ayikwazi ukuvumelana zingaphelanga iintsuku ezingama-30 zokuthunyelwa koMthetho oYilwayo kuyo, loo Mthetho uYilwayo uyaphelelwa ngaphandle kokuba iNdlu iyaphinda iwuphumeze kwakhona, kodwa ngevoti exhasayo ubuncinane yesibini kwisithathu samalungu ayo;

(f) ukuba iKomiti yoLamlo iyavumelana ngoMthetho oYilwayo ngendlela ophunyezwe ngayo yiNdlu, loo Mthetho uYilwayo mawuthunyelwe kwiBhunga, lize lithi ukuba liyawuphumeza, usiwe kuMongameli ukuze awuvume;

(g) ukuba iKomiti yoLamlo iyavumelana ngoMthetho oYilwayo onotshintsho ngendlela ophunyezwe ngayo liBhunga, loo Mthetho uYilwayo mawuthunyelwe kwiNdlu, uze uthi ukuba uphunyeziwe yiNdlu, usiwe kuMongameli ukuze awuvume;

(h) ukuba iKomiti yoLamlo ivumelana ngolunye uhlobo lwaloo Mthetho uYilwayo, olo hlobo olulolunye loMthetho oYilwayo maluthunyelwe kwiNdlu nakwiBhunga, uze uthi ukuba uyaphunyezwa yiNdlu naliBhunga, usiwe kuMongameli ukuba awuvume;

(i) ukuba uMthetho oYilwayo othunyelwe kwiBhunga ngokwesiqendu (f) okanye (h) awuphunyezwa liBhunga, loo Mthetho uyaphelelwa ngaphandle kokuba iNdlu iyawuphumeza ngevoti exhasayo ubuncinane yesibini kwisithathu samalungu ayo;

(j) ukuba uMthetho oYilwayo othunyelwe kwiNdlu ngokwesiqendu (g) okanye (h) awuphunyezwa yiNdlu, loo Mthetho uYilwayo uyaphelelwa, kodwa loo Mthetho uYilwayo ngendlela owawuphunyezwe ngayo yiNdlu unokuphinda uphunyezwe yiNdlu kwakhona, kodwa ngevoti exhasayo ubuncinane yesibini kwisithathu samalungu ayo;

(k) uMthetho oYilwayo ophunyezwe yiNdlu ngokwesiqendu (e), (i) okanye (j) mawusiwe kuMongameli ukuze awuvume.

(2) Xa iBhunga lamaPhondo leZwelonke liwuphumeza uMthetho oYilwayo ekuthethwe ngawo kwisiqendwana (3), loo Mthetho uYilwayo mawuthunyelwe kwiNdlu yoWiso-mthetho uze qhutywe ngale ndlela ilandelayo:

(a) iNdlu–
  (i) mayiwuphumeze uMthetho oYilwayo;
  (ii) mayiwuphumeze loo Mthetho uYilwayo unotshintsho; okanye
  (iii) mayiwukhabe loo Mthetho uYilwayo.

(b) uMthetho oYilwayo ophunyezwe yiNdlu ngokwesiqendu (a)(i) mawusiwe kuMongameli ukuze awuvume;

(c) ukuba iNdlu iphumeza uMthetho uYilwayo onotshintsho, loo Mthetho uYilwayo onotshintsho mawuthunyelwe kwiBhunga, lize lithi iBhunga ukuba liyawuphumeza, usiwe kuMongameli ukuze awuvume;

(d) ukuba iNdlu iyawukhaba loo Mthetho uYilwayo, okanye ukuba iBhunga liyala ukuwuphumeza uMthetho uYilwayo onotshintsho ekuthethwe ngawo kwisiqendu (c), loo Mthetho uYilwayo kunye noMthetho oYilwayo onotshintsho, ukuba ukho, mawuthunyelwe kwiKomiti yoLamlo, esenokuthi ivumelane–
  (i) ngaloo Mthetho uYilwayo ngendlela ophunyezwe ngayo liBhunga;
  (ii) ngoMthetho oYilwayo onotshintsho ngendlela ophunyezwe ngayo yiNdlu; okanye
  (iii) ngolunye uhlobo lwaloo Mthetho uYilwayo.

(e) ukuba iKomiti yoLamlo ayikwazi ukuvumelana zingaphelanga iintsuku ezingama-30 uthunyelwe kuyo loo Mthetho uYilwayo, loo Mthetho uYilwayo uyaphelelwa;

(f) ukuba iKomiti yoLamlo iyavumelana ngaloo Mthetho uYilwayo ngendlela ophunyezwe ngayo liBhunga, mawuthunyelwe kwiNdlu, kuze kuthi ukuba iNdlu iyawuphumeza, usiwe kuMongameli ukuze awuvume;

(g) ukuba iKomiti yoLamlo iyavumelana ngoMthetho oYilwayo onotshintsho ngendlela ophunyezwe ngayo yiNdlu, loo Mthetho uYilwayo mawuthunyelwe kwiBhunga, kuze kuthi ukuba uphunyeziwe lilo, usiwe kuMongameli ukuze awuvume;

(h) ukuba iKomiti yoLamlo ivumelana ngolunye uhlobo lwaloo Mthetho uYilwayo, olo hlobo lulolunye loMthetho oYilwayo maluthunyelwe kokubini kwiBhunga nakwiNdlu, uze uthi ukuba uyaphunyezwa liBhunga nayiNdlu, usiwe kuMongameli ukuze awuvume;

(i) ukuba uMthetho oYilwayo othunyelwe kwiNdlu ngokwesiqendu (f) okanye (h) awuphunyezwa yiNdlu, loo Mthetho uYilwayo uyaphelelwa.

(3) UMthetho oYilwayo mawuqhutywe ngokwenkqubo yesiqendwana (1) okanye yesiqendwana (2) ukuba uwela kummandla wentsebenzo odweliswe kwiSihlomelo 4 okanye ukuba ungemibandela ekuthethwa ngayo kwesinye seziqendu ezilandelayo:

(a) isiqendu 65(2);
(b) isiqendu 163;
(c) isiqendu 182;
(d) isiqendu 195(3) nese-(4);
(e) isiqendu 196;
(f) nesiqendu 197.

(4) UMthetho oYilwayo mawuqhutywe ngokwenkqubo yesiqendwana (1) ukuba ungombandela–

(a) ekuthethwa ngawo kwisiqendu 44(2) okanye 220(3); okanye
(b) ekuthethwa ngawo kwiSahluko 13, noquka nantoni na echaphazela imicimbi yeemali yoorhulumente bamaphondo.

[Isiqendu (b) sathatyathelw' indawo sisiqendu 1 soMthetho Weshumi Elinanye Wokwenz' Utshintsho KuMgaqo-siseko ka-2003.]

(5) UMthetho oYilwayo ekuthethwa ngawo kwisiqendu 42(6) mawuqhutywe ngokwenkqubo yesiqendwana (1), umahluko nje ngowokuba–

(a) xa iNdlu yoWiso-mthetho iwuvotela lo Mthetho uYilwayo, okutshiwo sisiqendu 53(1) akusebenzi; endaweni yoko, loo Mthetho uYilwayo unokuphunyezwa kuphela ukuba isininzi samalungu eNdlu siyawuvotela; nowokuba
(b) ukuba loo Mthetho uYilwayo uthunyelwe kwiKomiti yoLamlo, kusebenza le migaqo ilandelayo:

(i) ukuba iNdlu yoWiso-mthetho iqwalasela uMthetho oYilwayo ekuthethwa ngawo kwisiqendwana (1)(g) okanye (h), loo Mthetho uYilwayo unokuphunyezwa kuphela ukuba isininzi samalungu eNdlu siyawuvotela;

(ii) ukuba iNdlu yoWiso-mthetho iqwalasela okanye iqwalasela ngokutsha uMthetho oYilwayo ekuthethwa ngawo kwisiqendwana (1)(e), (i) okanye (j), loo Mthetho uYilwayo unokuphunyezwa kuphela ukuba uvotelwa ubuncinane sisibini kwisithathu samalungu eNdlu.

(6) Esi siqendu asisebenzi kwiMithetho eYilwayo yemali.

IMithetho eYilwayo yemali

77. (1) UMthetho oYilwayo unguMthetho oYilwayo wemali ukuba-

(a) waba imali;

(b) uhlawulisa iirhafu zezwelonke, nezinye iintlawulo;

(c) uphelisa okanye unciphisa iirhafu, okanye ukhulula abantu ekuhlawuleni iirhafu, nezinye iintlawulo;

(d) ugunyaza ukutsalwa kweemali ngqo kwiNgxowa-mali yeNgeniso yeLizwe, ngaphandle kokuba nguMthetho oYilwayo ekuthethwa ngawo kwisiqendu 214 ogunyaza ukutsalwa kwemali ngqo.

(2) UMthetho oYilwayo wemali awuvumelekanga ukuba uthethe ngeminye imicimbi ngaphandle-

(a) komcimbi owela ngaphantsi kowemali nonento yokwenza nokwabiwa kwemali;

(b) kokufunwa kweerhafu, ukupheliswa kwazo okanye ukuncitshiswa kwazo, nezinye iintlawulo;

(c) ukukhululwa kwabantu ekuhlawuleni iirhafu zezwelonke, neentlawulo ezizezinye; okanye

(d) ukugunyazwa kokutsala ngqo kwiNgxowa-mali yeNgeniso yeLizwe.

(3) Yonke iMithetho eYilwayo yemali mayiqwalaselwe ngokwenkqubo yesiqendu 75. UMthetho wePalamente mawuxele inkqubo yokwenz'utshintsho kwiMithetho eYilwayo yemali phambi kwePalamente.

[Isiqendu 77 sathatyathelw'indawo sisiqendu 2 soMthetho Wesixhenxe Wokwenz'Utshintsho KuMgaqo-siseko ka-2001.]

IKomiti yoLamlo

78. (1) IKomiti yoLamlo –
   (a) inamalungu alithoba eNdlu yoWiso-mthetho anyulwe yiNdlu ngokwenkqubo efunwa yimigaqo nayimiyalelo yeNdlu ethi idale ukumelwa kwamaqela kanye ngendlela elinganayo naleyo amaqela amelwe ngayo kwiNdlu; ize ibe
   (b) nomthunywa omnye ovela kwigqiza ngalinye lephondo kwiBhunga lamaPhondo leZwelonke, ochongwe ligqiza.

(2) IKomiti yoLamlo sukuba ivumelene ngohlobo omawube lulo uMthetho oYilwayo, okanye sukuba isenzile isigqibo, xa olo hlobo loMthetho oYilwayo, okanye eso sigqibo isenzileyo, sixhaswa–
   (a) ubuncinane ngababhlanu kubameli beNdlu yoWiso-mthetho;
   (b) nangabahlanu ubuncinane kubameli beBhunga lamaPhondo leZwelonke.

Ukuvunywa kweMithetho eYilwayo

79. (1) UMongameli makawuvume aze awutyikitye uMthetho oYilwayo ophunyezwe ngokwesi Sahluko, kungenjalo, ukuba unamathandabuzo ngokuvisisana kwawo noMgaqo-siseko, makawubuyisele kwiNdlu yoWiso-mthetho ukuze uqwalaselwe ngokutsha.

(2) Imigaqo nemiyalelo yendibaniselwano mayixele inkqubo yokuqwalaselwa ngokutsha koMthetho oYilwayo yiNdlu yoWiso-mthetho nokuthabath' inxaxheba kweBhunga lamaPhondo leZwelonke kuloo nkqubo.

(3) IBhunga lamaPhondo leZwelonke malithabath' inxaxheba ekuqwalaselweni ngokutsha koMthetho oYilwayo obuyiselwe nguMongameli kwiNdlu yoWiso-mthetho ukuba–
   (a) amathandabuzo kaMongameli ngokuvisisana koMthetho oYilwayo noMgaqo-siseko angomcimbi wenkqubo obandakanya iBhunga; okanye
   (b) isiqendu 74(1), (2) okanye (3)(b) okanye isiqendu 76 sasisebenza ekuphunyezweni kwaloo Mthetho uYilwayo.

(4) Ukuba, emva kokuqwalaselwa kwawo ngokutsha, uMthetho oYilwayo uwaphelisa ngokupheleleyo amathandabuzo kaMongameli, uMongameli makawuvume aze awutyikitye uMthetho oYilwayo lowo; ukuba akunjalo, uMongameli-
   (a) makawuvume aze awutyikitye uMthetho oYilwayo; okanye
   (b) awuthumele kwiNkundla yoMgaqo-siseko ukuze ithathe isigqibo ngokuvisisana kwawo noMgaqo-siseko.

(5) Ukuba iNkundla yoMgaqo-siseko igqiba kwelokuba uMthetho oYilwayo lowo uyavisisana noMgaqo-siseko, uMongameli makawuvume aze awutyikitye.

Isicelo esibhekiswa kwiNkundla yoMgaqo-siseko ngamalungu eNdlu yoWiso-mthetho

80. (1) Amalungu eNdlu yoWiso-mthetho asenokwenz' isicelo kwiNkundla yoMgaqo-siseko efuna umyalelo ovakalisa ukuba wonke uMthetho wePalamente okanye inxalenye yawo awuvisisani noMgaqo-siseko.

(2) Isicelo–

(a) masixhaswe ubuncinane sisinye kwisithathu samalungu eNdlu yoWiso-mthetho; kwaye

(b) masenziwe zingaphelanga iintsuku ezingama-30 ukususela kumhla uMongameli awawuvuma ngawo waza wawutyikitya uMthetho lowo.

(3) INkundla yoMgaqo-siseko isenokuyalela ukuba wonke uMthetho lowo okanye inxalenye ekwenziwa isicelo ngenxa yayo ngokwesiqendwana (1) awusebenzi okanye inxalenye yawo ayisebenzi de ibe iNkundla yenze isigqibo ngesicelo eso ukuba–

(a) kufuneka yenze njalo ukuze kwenzeke ubulungisa; sibe

(b) nesicelo eso kukho ithemba lokuba siza kuphumelela.

(4) Ukuba isicelo asiphumelelanga, kube bekungekho themba kakade lokuba siza kuphumelela, iNkundla yoMgaqo-siseko isenokuyalela ukuba kube ngabenzi-sicelo abahlawula iindleko.

Ukupapashwa kweMithetho

81. UMthetho oYilwayo ovunyiweyo waza watyikitywa nguMongameli uba nguMthetho wePalamente; mawupapashwe msinya, kwaye uqala ukusebenza wakuba upapashiwe okanye ngomhla ogqitywe ngokoMthetho lowo.

Ukugcinwa kwMithetho yePalamente

82. Ikopi etyikityiweyo yoMthetho wePalamente ibubungqina obupheleleyo bokutshiwo nguloo Mthetho; mawuthi ke, emva kokuba upapashiwe uphathiswe iNkundla yoMgaqo-siseko ukuba iwugcine.