

ISAHLUKO 8

AMAKHOTHO NOKULAWULWA KOBULUNGISWA

UmThetho WeKhotHo YamaJaji

165. (1) Amandla welawulo lezobuLungiswa weRiphabliki athweswe amaKhotHo.
(2) AmaKhotHo azijamele, begodu alawulwa kwaphela mThethosisekelo begodu nomThetho okumele awusebenzise ngaphandle kokuthatha ihlangothi, nokwesaba, ukuzamelana begodu nokugandelela.
(3) Akakho noyedwa umuntu namkha isijamiso sombuso esingacabhela ekusebenziseni kwamaKhotHo.
(4) linjamiso zombuso, ngokusebenzisa umThetho namanye amagadango, kumele asize begodu avikele namaKhotHo, ukuqinisekisa ukuzijamela, ukungathathi ihlangothi, ukuhlonipheka, ukufikeleleka begodu nekghono lamaKhotHo.
(5) Isigunyazo namkha isiqu nto esikhutjhw e yikhotHo sibopha boke abantu neenjamiso zombuso lapha umthetho lo usebenza khona.
(6) Ijaji eliKhulu eliyihloko yephiko lezobulungiswa begodu lisebenzisa igunya elinalo lokusungulwa nokutjhejwa kwemikghwa namazinga okungenziwa ngawo imisebenzi yobulungiswa yawo woke amakhotHo.

[Isigatjana (6) singezelelwe sigaba 1 somThethosisekelo oliTjhuguluko leTjhumu neKhomba lomThetho womnyaka we-2012.]

IRherho LeKhotHo YamaJaji

166. AmaKhotHo ngila—
- (a) iKhotHo yomThethosisekelo;
 - (b) iKhotHo ePhakemeko yezokuBuyekeza kweenGwebo;
 - (c) KhotHo ePhakemeko yeSewula Afrika, begodu nanyana ngiyiphi iKhotHo ePhakemeko yokuBuyekeza engasungulwa ngomThetho wePalamende bona ilalele iimbawo zokubuyekeza ezibuya kunanyana ngiyiphi ikhotHo esezingeni elilingana neleKhotHo ePhakemeko yeSewula Afrika;
 - (d) amaKhotHo waboMarhastrada;
 - (e) nanyana ngiyiphi enye iKhotHo esungulwe namkha eyamukelwe ngokuya komThetho wePalamende, okufaka hlangana nanyana ngiyiphi iKhotHo

ezezingeni elilingana neleKhotHo ePhakemeko yeSewula Afrika namkha nelamaKhotHo waboMarhastrada.

[Isigatjana (c) bano-(e) bajanyiselelwe sigaba 2 somThethosisekelo oliTjhuguluko leTjHumi neKhomba lomThetho we-2012.]

IKhotHo YomThethosisekelo

167. (1) IKhotHo yomThethosisekelo ibunjwa liJaji eliKhulu leSewula Afrika, iSekela leJaji eliKhulu namanye amaJaji alithoba.

[Isigatjana (1) sijanyiselelwe sigaba 11 somThethosisekelo oliTjhuguluko lesiThandathu lomThetho womnyaka we-2001.]

- (2) Indaba engaphambi kweKhotHo yomThethosisekelo kumele ilalelwe okungasenani majaji abunane.
- (3) IKhotHo yomThethosisekelo—
- (a) yiKhotHo engehla kwawo woke amaKhotHo weRiphabliki; begodu
- (b) ingararulula—
- (i) imiraro ephathelene nomThethosisekelo; begodu
- (ii) nanyana ngiyiphi enye indaba, nangabe iKhotHo yomThethosisekelo inikela imvumo yokwenza isibawo sokudluliswa komlandu ngemibandela eveza bona isinghonyoyilo sakho singatjhukwa ngaphasi komthetho wokuqakatheka kwendabakho emehlweni womphakathi okumele sitjhejwe yiKhotHo; begodu
- (c) ngiyo ethatha isiqunto samaphelelo sokobana indaba ethileko iyindaba ewela ngaphasi kwabo namkha awa.

[Isigatjana (3) sijanyiselelwe sigaba 3 somThethosisekelo oliTjhuguluko leTjHumi neKhomba lomThetho womnyaka we-2012.]

- (4) YiKhotHo yomThethosisekelo kwaphela—
- (a) enganqunta imibango phakathi kweenjamiso zombuso ezingeni leNarha namkha esiFundeni manqophana nobujamo bomThethosisekelo, amandla namkha imisebenzi yananyana ngiziphi iinjamo zombuso;
- (b) enganqunta bona nanyana ngimuphi umThethomlingwa wePalamende namkha wesiFunda uyakhambisana nomThethosisekelo namkha awa, kodwana ingenza njalo kwaphela ebujameni obuhlongozwa esigabeni 79 namkha 121;
- (c) enganqunta iiNdawo ezitjhiwo esigabeni 80 namkha 122.;

- (d) engaqunta bona umThethosisekelo olitjhugululo ukhambisana nomThethosisekelo wamambala namkha awa;
 - (e) engaqunta bona iPalamende namkha uMongameli ubhalelwe kukwenza umsebenzakhe awuthweswe mThethosisekelo; namkha
 - (f) engaqinisekisa umThethosisekelo wesiFunda ngokulandela isigaba 144.
- (5) IKhotho yomThethosisekelo yenza isiqunto samaphelelo kungaba manqophana nomThetho wePalamende, umThetho wesiFunda namkha igadango likaMongameli ukobana kuyakhambisana nomThethosisekelo, begodu kumele iqinisekise nanyana ngisiphi isiqunto esingasimthetho esenziwe yiKhotho ePhakemeko yezokuBuyekezwa kweenGwebo, [namkha] iKhotho ePhakemeko yeSewula Afrika namkha ikhotho esizingeni elilingana nayo, ngaphambi kobana isiquntweso singaba namandla womThetho.

[Isigatjana (5) sijanyiselelwe sigaba 3 somThethosisekelo oliTjhuguluko leTjhumu neKhomba lomThetho womnyaka we-2012.]

- (6) UmThetho weNarha namkha imilayo yeKhotho yomThethosisekelo kumele ivumele umuntu, lokha nakuseenrhuluphelweni zezobulingiswa begodu nangemvumo yekhotho yomThethosisekelo—
- (a) ukuletha indaba bunqophela ekhotho yomThethosisekelo; namkha
 - (b) enze isibawo bunqophela ekhotho yomThethosisekelo esivela kunanyana ngiyiphi enye ikhotho.
- (7) Indaba emanqophana nomThethosisekelo ifaka hlangana nanyana ngiyiphi indaba emanqophana nokuhlathululwa, ukuvikelwa namkha ukukatelelwa komThethosisekelo.

IKhotho EPhakemeko YokuBuyekezwa KweenGwebo

168. (1) IKhotho ePhakemeko yokuBuyekezwa kweenGwebo ibunjwa nguMongameli, iSekela likaMongameli kanye namanye amajaji wezokubuyekezwa akhethwe ngokuya komThetho wePalamende.

[Isigatjana (1) sijanyiselelwe sigaba 12 somThethosisekelo oliTjhuguluko lesiThandathu lomThetho womnyaka we-2001.]

- (2) Umbango oলেখwe ngaphambi kweKhotho ePhakemeko yokuBuyekezwa kweenGwebo kumele uquntwe linani lamajaji elibekwe mThetho wePalamende.

[Isigatjana (2) sijanyiselelwe sigaba 12 somThethosisekelo oliTjhuguluko lesiThandathu lomThetho womnyaka we-2001.]

- (3) (a) IKhotho ePhakemeko yokuBuyekezwa kweenGwebo ingathatha iinqunto kizo zoke iimbawo zokubuyekeza ezivela, eKhotho ePhakemeko yeSewula Afrika, namkha iKhotho esezingeni elilingana neleKhotho ePhakemeko yeSewula Afrika, ngaphandle kwendaba eziphatelene nezemisebenzi, iindaba zamaphaliswano ukufikela ezingenelo elingalawulwa mThetho wePalamende.
- (b) IKhotho ePhakemeko yokuBuyekezwa kweenGwebo ingathatha iinqunto kwaphela—
- (i) iimbawo zokubuyekeza;
 - (ii) iindaba ezikhambelana neembawo zokubuyekeza; begodu
 - (iii) nanyana ngimuphi omunye umraro okungenzekako bona uthuyelwe kiyongemibandela ehlathululwa mThetho wePalamende.

[Isigatjana (3) sijanyiselelwe sigaba 4 somThethosisekelo oliTjhuguluko leTjhumini neKhomba lomThetho womnyaka we-2012.]

IKhoto ePhakemeko yeSewula Afrika

169. (1) IKhotho ePhakemeko yeSewula Afrika ingaqunta—
- (a) nanyana ngiyiphi indaba yomThethosisekelo ngaphandle kwendaba leyo—
 - (i) [engaquntwa] [kwaphela] iKhotho yomThethosisekelo ivumile ukuzwa bunqophanokuyakwesigaba 167(6) (a); namkha
 - (ii) edluliselwe kwenye iKhotho esezingeni elifanako neleKhotho ePhakemeko yeSewula Afrika ngomThetho wePalamende; begodu
 - (b) nanyana ngiyiphi enye indaba engakanikelwa enye iKhotho ngomThetho wePalamende.
- (2) IKhotho ePhakemeko yeSewula Afrika yakhiwe ziiNgcenye ezibekwa ngokomThetho wePalamende, okumele zenze bona—
- (a) ukusungulwa kweNgcenye, ezinesikhundla sinye namkha ezinzunzana eNgcenyeni ngayinye; begodu
 - (b) ukunikelwa kwamandla wokusebenza eNgcenyeni namkha esikhundleni esingaphakathi kweNgcenye leyo.
- (3) Enye nenge iNgcenye yeKhotho ePhakemeko yeSewula Afrika—
- (a) inoMongameli wamaJaji;
 - (b) ingaba neSekela likaMongameli elilodwa namkha anzunzana; begodu
 - (c) inenomboro ethileko yamaJaji abekwa ngokuyakomThetho weNarha.

[Isigaba 169 sijanyiselelwe sigaba 4 somThethosisekelo oliTjhuguluko leTjhumini neKhomba lomThetho womnyaka we-2012.]

AmaKhotho Amanye

170. Woke amaKhotho ngaphandle kwalawo okukhulunywa ngawo eengabeni 167, 168, begodu nese-169 angaquanta nanyana ngiyiphi indaba ebekwe mThetho wePalamende, kodwana amaKhotho asezingeni elingaphasi kweleKhotho ePhakemeko yeSewula Afrika angeze ahlolisise namkha agunyaze ngokokukhambisana nomThethosisekelo kwananyana ngimuphi umThetho namkha nanyana ngiyiphi indlela yokuziphatha kukaMongameli.

[Isigaba 170 sijanyiselelwe sigaba 5 somThethosisekelo oliTjhuguluko leTjhumu neKhomba lomThetho womnyaka we-2012.]

linkambiso ZeKhotho

171. Woke amaKhotho asebenza ngokuya komThetho weNarha, begodu imilayo neendlela zekambiso yawo kumele zibonelelwe ngokuya komThetho weNarha.

Amandla WamaKhotho Eendabeni ZomThethosisekelo

172. (1) Nawuqunta indaba esemandleni womThethosisekelo, iKhotho—
- (a) kumele imemezele bona nanyana ngimuphi umThetho namkha indlela yokuziphatha engakhambisaniko nomThethosisekelo ayikho emthethweni ngebanga lokungakhambisani kwayo nomThetho; begodu
 - (b) Ingenza nanyana ngimuphi umyalo olungileko nofaneleko, okufaka hlangana—
 - (i) umyalo orhunyeza ukusebenza kwesimemezelo sokungabi semthethweni kusukela esikhathini esigadungileko;
 - (ii) umyalo ojamisa kwesikhatjhana ukusebenza kwesimemezelo sokungabi semthethweni kunanyana ngisiphi isikhathi begodu nanganyana ngibuphi ubujamo ukuvumela umphathi onekghono bona akwazi ukulungisa umonakalo.
- (2) (a) iKhotho ePhakemeko yokuBuyekezwa kweenGwebo, iKhotho ePhakemeko yeSewula Afrika namkha ikhotho yezinga elifanako ingenza umyalo manqophana nokukhambisana komThethosisekelo nomThetho wePalamende, umThetho wesiFunda namkha enye nanye indlela yokuziphatha kukaMongameli, kodwana umyalo wokungabi semthethweni komThethosisekelo awunawo amandla womThetho ngaphandle kobana uqinisekise yiKhotho yomThethosisekelo.

[Ipharagrafu (a) ijanyiselelwe ngesigaba 7 somThethosisekelo oliTjhuguluko leTjhumu neKhomba lomThetho womnyaka we-2012.]

- (b) iKhotu eyenza umyalo wokungabi semthethweni ngokomThethosisekelo, inganikeza isiqu nto esivimbela kwesikhatjhana namkha elinye isizo lesikhatjhana kunanyana ngubani, namkha ingajamisa ukulalelwa komlandu, bekufike lapha iKhotu yomThethosisekelo ikhupha khona isiqu nto ngokuba semthethweni mThetho lowo namkha indlela yokuziphatha.
- (c) umThetho weNarha kumele ubonelele ukudluliselwa komyalo wananyana yini engakhambisani nomThethosisekelo weNarha eKhotu yomThethosisekelo.
- (d) Nanyana ngimuphi umuntu namkha isijamiso sombuso esineenrhuluphelo ezaneleko singenza isibawo sokubuyekwezwa, namkha senze isibawo, ngokunqophileko eKhotu yomThethosisekelo bona iqinisekise namkha itjhugulule umyalo weKhotu oveza ukungabi semthethweni ngokungakhambisani nomThethosisekelo ngokuya kwesigatjanesi.

Amandla Wemvelo Akhona

173. IKhotu yomThethosisekelo, iKhotu ePhakemeko yokuBuyekwezwa kweenGwebo begodu neKhotu aPhakemeko yeSewula Afrika ngayine inamandla wasafuthi wokuvikela nokulawula ikambisawo begodu nokuthuthukisa umThetho wesintu, ngokutjheja khulukhulu iinrhuluphelo zezobulungiswa.

[Isigaba 173 sijanyiselwe sigaba 8 somThethosisekelo oliTjhuguluko leTjhumu neKhomba lomThetho womnyaka we-2012.]

Ukubekwa Eenkhundleni KweemPhathiswa Zomthetho YamaJaji

174. (1) Nnayana ngimuphi uMma namkha uBaba osebujameni obumqemana nobufanelekileko angabekwa esikhundleni sokuba siphathiswa somThetho. Nanyana ngimuphi umuntu ozokubekwa esikhundleni eKhotu yomThethosisekelo kumele godu abe sisakhamuzi seSewula Afrika.
- (2) Isidingo sokobana iiphathiswa kumele zitjengisa ngokunabileko ibumbeko lomhlobo nobulili beSewula Afrika kumele sitjhejwe nangabe iiphathiswa zomThetho ziqatjiwe.
- (3) UMongameli njengeHloko yeKhabinedi, emva kokuthintana neKomitjhini yeKambiso yezobulungiswa nabarholi beenhlangano ezijanyelweko esiBethamthethweni seNarha, ubeka esikhundleni iJaji eliKhulu neSekela lalo;

begodu, ngemva kokuthintana neKomitjhini yeKambiso yezobuLungiswa, ubeka uMongameli weKhotho ePhakameko yokuBuyekeza kweenGwebo neSekela lakhe.

[Isigatjana (3) sijanyiselelwe sigaba 13 somThethosisekelo oliTjhunguluko lesiThandathu lomThetho womnyaka we-2001.]

- (4) Amanye amaJaji weKhotho yomThethosisekelo abekwa eenkhundleni nguMongameli emva kokuthintana noMongameli njengeHloko yombuso, ngemva kokubonisana neJali eliKhulu nabarholi beenhlangano ezizanyelweko esiBthamthethweni seNarha, ngokulandela ikambiso elandelako:
 - (a) IKomitjhini yeKambiso yezobuLungiswa kumele ilungise irhelo lamabizo wabantu abanyuliweko, abe ngehla kwesibalo esibekiweko ngamabizo amathathu bese irhelwelo ilidluliselwa kuMongameli.
 - (b) UMongameli anganikela iinkhundla ngokuya kwerhelwelo begodu kumele aluleke iKomitjhini yeKambiso yezobuLungiswa, ngokubeka amabanga afaneleko nangabe kunomunye onyuliweko ongamukelekiko begodu nokobana ukuragela phambili ngokunikela iinkhundla kusathogeka yini ukwenziwa.
 - (c) IKomitjhini yeKambiso yezobuLungiswa kumele ingezelele irhelo ngokunikela ngamabizo wabanye abenyuliweko begodu, uMongameli kumele anikele abanye iinkhundla ezisaleleko asebenzise irhelo lokuzaliselelelo.

[Isigatjana. (4) sijanyiselelwe sigaba 13 somThethosisekelo oliTjhunguluko lesiThandathu lomThetho womnyaka we-2001.]

- (5) Ngaso soke isikhathi, okungasenani amalunga amane weKhotho yomThethosisekelo kumele abe babantu egade sebamaJaji ngesikhathi abanikelwa ngaso iinkhundla zobo eKhotho yomThethosisekelo.
- (6) UMongameli kumele anikele amajaji wawo woke amakhotho amanye ngokwelulekwa yiKomitjhini yeKambiso yezobuLungiswa.
- (7) Ezinye iimphathiswa zobulungiswa kumele zinikelwe iinkhundla ngokuya komThetho ophasisiweko wePalamende, okumele bona uqinisekise bona ukunikelwa kweenkhundla, ukukhutjulelwa eenkhundleni eziphakemeko, ukuthunyelwa kwenye indawo yokusebenzela namkha ukuqotjiswa, namkha ukuthathelwa amagadango wokukhalinywa kweemphathiswa zobulungiswa, nokwenzeka ngaphandle kokuthatha inhlangothi namkha izindlekelo.

- (8) Ngaphambi kobana iimphathiswa zobulungiswa zithome ukwenza imisebenzabo, kumele bathathe isifungo, namkha bazibophelele ngokuya kweHlelokambiso 2, nokobana bazakugcina begodu bavikele nomThethosisekelo.

Ukunikelwa linkhundla KwaboMjaphethe BamaJaji

175. (1) UMongameli anganikela uMma namkha uBaba isikhundla sokubana [abe] nguMjaphethe weJaji eliKhulu, namkha iJali leKhottho yomThethosisekelo nangabe kunesikhala kinanyana ngiliphi lama-ofisi lawo, namkha nangabe umuntu ophethe i-ofiselo atshwilile emsebenzini. Ukunikelwa kweJaji isikhundlokhu, kumele kwenziwe ngokuya kweemphakamiso zelunga leKhabinedi eliqalane nokulawulwa kwezobulungiswa, elisebenza ngokubambisana weJaji eliKhulu, begodu nokunikelwa isikhundla njengoMjaphethe weJaji eliKhulu kumele kuvele ekorweni yamaJaji ebegade anikelwa iinkhundla eKhottho yomThethosisekelo ngokuya kwesigaba 174(4).
- (2) Ilunga leKhabinethe eliqalene nelawulo lezobulungiswa kumele libeke eenkhundleni amaJaji bona abe bomjaphethe kwamanye amakhottho emva kokuthintana nejaji elisesikhundleni esiphhezulu lekhottho okufanele kusebenze kiyi ijaji elingumjaphethelo.

[Isigaba 175 sijanyiselwe sigaba 9 somThethosisekelo oliTjhuguluko leTjhami neKhomba lomThetho womnyaka we-2012.]

Isikhathi Esibekelwe IJaji Nemirholo

176. (1) Ijaji lekhottho yomThethosisekelo libekwa esikhundleni iminyaka eli- 12 engavuselelwako, kodwana kufanele litjhiye phasi isikhundla salo lokha naliba neminyaka ema-70 ubudala, kuya ngokuthi ngikuphi okwenzeka kokuthoma ngaphandle kwalapho umThetho wePalamende ungezelela isikhathi sokusebenza sejaji leKhottho yomThethosisekelo.

[Isigatjana (1) sijanyiselwe sigaba 15 somThethosisekelo oliTjhuguluko lesiThandathu lomThetho womnyaka we- 2001.]

- (2) Amanye amaJaji aphatha i-ofisi bekufike lapha bakhutjiswa khona emsebenzini ngokuya komThetho wePalamende.
- (3) Imirholo, iibonelelo neenzuzo zamaJaji angeze zehliswa.

Ukususwa Esikhundleni

177. (1) IJaji lingakhutjiswa emsebenzini kwaphela nangabe—
- iKomitjhini yeKambiso yezobuLungiswa ithola bona iJaji liyahluke ngebanga lokugula, unokungabi nekghono ngendlela ethuwelelisiweko namkha ukuziphatha kumbi okusilingako; begodu
 - nesiBethamthetho seNarha sibawa bona iJajelo likhutjwe emsebenzini, ngesiqunto esamukelwe okungasenani ngobuncani bobubili ebuthathwini bamalungaso.
- (2) UMongameli kumele akhuphe iJaji emsebenzini lokha nakwamukelwa isiqunto sokobana iJajelo kumele likhutjwe emsebenzini.
- (3) UMongameli, ngokululekwa yiKomitjhini yeKambiso yezobuLungiswa, angajamisa iJaji emsebenzini kwesikhatjhana lokha liqalene nekambiso etjhiwo esigatjaneni (1).

IKomitjhini YezemiSebenzi YeKhotso YamaJaji

178. (1) KuneKomitjhini yeKambiso yezobuLungiswa eburnjwa—
- IJaji eliPhakemeko eliyiHloko, elingusihlalo emihlanganweni yeKomitjhini;
 - nguMongameli weKhotso ePhakemeko yokuBuyekezwa kweenGwebo;

[Ipharagrafu (b) ijanyiselelwe sigaba 16 (a) somThethosisekelo oliTjhuguluko lesiThandathu lomThetho womnyaka we-2001.]

- IJaji eleNgameleko elikhonjwe maJaji aNgameleko;
- lilunga leKhabinedi eliqalene nokulawulwa kwezobulungiswa, namkha omunye umuntu okhethwe lilungelo leKhabinedi;
- amaGcwetha amabili asebenza umsebenzi wobugcwetha, anyulwe hlangana namanye amaGcwetha ukujamela ithwasiso loke, begodu nonikelwe isikhundla nguMongameli;
- amaGcwetha amabili asebenza umsebenzi wobugcwetha enyulwe hlangana namaGcwetha amanye ukujamela uthwasiso lobugcwetha loke, begodu banikelwe iinkhundla nguMongameli;
- umfundisi oyedwa ofundisa zomThetho okhethwe bafundisi bezomThetho emayunivesithi weSewula Afrika;
- abantu abasithandathu abakhonjwe siBethamthetho seNarha hlangana namalungayo, okungasenani abathathu babo kumele babe malunga weenhlango eziphikisako ezijanyelweko kusiBethamthetho;

- (i) amalunga amane azinthunywa zasafuthi emKhandlwini weNarha ongamele imFunda ajamela isifunda asemKhandlwini weNarha oweNgamele iimFunda, akhonjwe ndawonye mKhandlu weNarha ongamele iimFunda ngokusekelwa livowudu okungasenani leemFunda ezisithandathu;
- (j) abantu abane abakhonjwe nguMongameli njengeHloko yesiGungu seNarha, emva kokuthintana nabarholi beenhlangano zoke ngaphakathi kwesiBethamthetho seNarha; begodu
- (k) Lokha nawuqala iindaba ezimanqophana neNgcenye ethileko yeKhotho ePhakameko yeSewula Afrika, uMongameli wamaJaji weNgcenye leyo begodu noNdunakulu wesiFunda lesi, namkha nomunye umuntu okhonjwe mumuntu ngamunye.

[Ipharagrafu (k) ijanyiselelwe sigaba 2 (a) somThethosisekelo oliTjhuguluko lesiBili lomThetho womnyaka we-1998 begodu nesigaba 16 (b) somThethosisekelo oliTjhuguluko lesiThandathu lomThetho womnyaka we-2001.]

- (2) Nangabe inani labantu abenyulwe ethwasisweni lamajaji namkha lamagcwetha ngokuya kwesigatjana (1) (e) namkha (f) lilingana neenkhundla ekumele zizaliswe, uMongameli kumele abanikele iinkhundla. Nangabe inani labantu abenyuliweko lidlula inani leenkhundla ezijamele ukuzaliswa, uMongameli, emva kokuthintana nethwasiso elithintekako, kumele anikele iinkhundla abantwabo abenyuliweko abaneleko ukuzalisa iinkhundlezo, ukutjheja iindingo zokuqinisekisa bona labo ababekwe eenkundleni bajamela ithwasiso loke.
- (3) Amalunga weKomitjhini akhonjwe mKhandlu weNarha ongamele iimFunda, asebenza bekufike lapha batjhidiswa ngabanye khona, namkha bekuvuleke isikhundla hlangana nenani labo. Amanye amalunga akhonjwe bona abe kuKomitjhini le, asebenza bekufike lapha labo abakhonjiweko batjhidiswa khona ngabanye.
- (4) IKomitjhini yeKambiso yezobuLungiswa inamandla nemisebenzi enikelwe ngaphakathi komThethosisekelo nomThetho weNarha.
- (5) IKomitjhini yeKambiso yezobuLungiswa ingaluleka umBuso weNarha manqophana nanyana ngiyiphi indaba ephathelene nezokwehlulela namkha ikambiso yezobuLungiswa; kodwana lokha nayiqalene nanyana ngiyiphi indaba ngaphandle kokubekwa esikhundleni kweJaji kumele lihlale ngaphandle kwamalunga akhethwe ngokuya kwesigatjana (1) (h) no-(i).

- (6) IKomitjhini yeKambiso yezobuLungiswa ingazibekela ikambiso yayo, kodwana iinqunto zeKomitjhini le, kumele zisekelwe linengi lamalungayo.
- (7) Nangabe iJaji eliKhulu namkha uMongameli weKhotho eKulu yokuBuyekezwa kweenGwebo akakwazi ukusebenza neKomitjhini kwesikhatjhana, iSekela leJaji eliKhulu namkha iSekela likaMongameli weKhotho eKulu yokuBuyekezwa kweenGwebo, ukuya ngobujamo, nguye ozakubamba kuKomitjhini.

[Isigatjana (7) singezelelwe sigaba 2 (b) somThethosisekelo oliTjhuguluko lesiBili lomThetho womnyaka we-1998 besajanyiselelwa sigaba 16 (c) somThethosisekelo oliTjhuguluko lesiThandathu lomThetho womnyaka we-2001.]

- (8) UMongameli nabantu abakhethako, abenyula namkha abakhomba amalunga weKomitjhini ngokuya ngokwesigatjana (1) (c), (e), (f), no-(g), ngendlela efanako, bangakhetha namkha benyule ozabajamela, ekusebenzeni kuKomitjhini nangabe ilunga lelo alikhoni kwesikhatjhana ukwenza njalo ngebanga lokungakhoni namkha lokungabikhona kuRiphabliki namkha elinye ibanga elizwakalako.

[Isigatjana (8) singezelelwe sigaba 2(b) somThethosisekelo oliTjhuguluko lesiBili lomThetho womnyaka we-1998.]

Amandla Wokutjhutjhisa

179. (1) Kunelawulo elilodwa lobutjhutjhisi ngaphakathi kweRiphabliki, elimiswe ngokulandela umThetho weNarha, begodu libunjwa—
- (a) NgumNqophisi Zombebele wezobuTjhutjhisi bomPhakathi oyihloko yabatjhutjhisi, begodu ubekwa esikhundleni nguMongameli njengeHloko yesiGungu seNarha; begodu
- (b) AbaNqophisi bezobuTjhutjhisi bomPhakathi begodu nabatjhutjhisi abaquntwe mThetho weNarha.
- (2) Ilawulo lobutjhutjhisi linamandla wokusungula ukugwetjwa ngemilandu yobulelesi, obupathelene nombuso, nekwenzeni nanyana ngimiphi imisebenzi etlhogekako enamathelene nekambiso yokuzwelela imilandu yobulelesi.
- (3) UmThetho weNarha kumele uqinisekise bona abaNqophisi bezobuTjhutjhisi nombuso—
- (a) bakulungele ngokufaneleko ukuba baNqophisi bezobuTjhutjhisi; begodu
- (b) banobuziphendulelo kwezobutjhuthisi ngokwamandla abanawo phezu kweendawo ezithileko, ngokulawulwa sigatjana (5).

- (4) UmThetho weNarha kumele uqinisekise bona ilawulo lobutjhutjhi lenza umsebenzalo ngaphandle kokwesaba ukuthatha ihlangothi namkha izindlekelo.
- (5) UmNqophisi Zombelele wezobuTjhutjhi bomPhakathi—
- kumele abeke, kanye kanye nelunga leKhabinedi elinobuziphendulelo nokulawulwa kwezobulungiswa begodu kokuthintana nabaNqophisi bezobuTjhutjhi, bomPhakathi, ikambiso yobutjhutjhi leyo okumele iqalelelwe ekambisweni yomsebenzi wezobutjhutjhi;
 - kumele akhuphe iinqophiso zekambiso lezo okumele zilandelwe emisebenzini yezobutjhutjhi;
 - zingangena phakathi ekambisweni yezobutjhutjhi lokha nangabe iinqophiso zomthethokambiso azilandelwa; begodu
 - angahlolisisa isiqu nto sokutjhutjhi namkha sokungatjhutjhi ngemva kokuthintana nomNqophisi wezobuTjhutjhi bomPhakathi othintekako begodu ngemva kokuthatha iinghonyayo ngaphakathi kwesikhathi esitjhiwo mNqophisi weNarha wezokuTjhutjhiswa komPhakathi ezivela kulaba abalandelako:
 - ummangalelwa.
 - ummangali.
 - nanyana ngimuphi umuntu umNqophisi weNarha wezokutjhutjhiswa amthatha njengomuntu ofaneleko.
- (6) Ilunga leKhabinedi elinobuziphendulelo ekulawulweni kwezobulungiswa kumele libe nobuziphendulelo manqophana nelawulo lezobutjhutjhi.
- (7) Zoke ezinye iindaba ezimanqophana nelawulo lezobutjhutjhi kumele zibekwe mThetho weNarha.

Ezinye iindaba Ezimanqophana Nelawulo Lezobulungiswa

180. UmThetho weNarha ungabonelela nanyana ngiyiphi indaba emanqophana nelawulo lezobulungiswa engakhlathulwa ngaphakathi komThethosisekelo, okufaka hlangana—
- amahlelo wokuthwasiswa kweemphathiswa zabahluleli;
 - iindlela zokuqalana neenghonyayo ngeemphathiswa zabahluleli; begodu
 - nokubandakanywa kwabanye abantu ngaphandle kweemphathiswa zabahluleli ekuthathweni kweenqunto zekhotho.