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ISAZISO SOMBUSO

UBUPHATHIMANDLA BESEWULA AFRIKA BEZOKUFANELEKA

LE-R 452 **28 Matjhi 1998**

IMITHETJHWANA ENGAPHASI KOMTHETHO WOBUPHATHIMANDLA BESEWULA AFRIKA BEZOKUFANELEKA, KA-1995

(UMTHETHO WAMA-58 KA-1995)

UbuPhathimandla beSewula Afrika bezokuFaneleka, ngaphasi kwesahlukwana se-14 soMthetho weSewula Afrika wezokuFaneleka, ka-1995 (uMthetho wama-58 ka-1995), ngokuvunyelwa nguNgqongqotjhe wezeFundo abonisana noNgqongqotjhe wezemiSebenzi, benze imithetjhwana eseRherhweni.

IRHERHO

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ISAHLUKO SOKU-1

OKUBONELELWEKO OKUJAYELEKILE

Iinhlathululo

1. Emithethweni lena elinye nelinye igama namkha ikulumo eseyibekelwe ekutjhoko eMthethweni lona, izakutjho umqondo lowo, ngaphandle kwanobana ijamo lomqondo likhombise okhunye -

"uMthetho" utjho uMthetho weSewula Afrika wobuPhathimandla bezokuFaneleka, uMthetho wama-58 ka-1995;

"ubukghoni obusebenzako" butjho ukukghona ukusebenzisa emqondweni ofaneleko imiphumela yokufunda elandela ngemva kokuthola ukufaneleka;

"umhlungi" kutjho umuntu otloliswe nefaneleko ihlangano eQinisekisa ubuPhambili kwezeFundo nezokuThwasisa malungana nendlela ebekelwe irhuluphelo leyo yiHlangano yokuBeka amaBanga, ukulinganisa ipumelelo yamabanga nokufaneleka kwesiSeko sesiTjhaba sezokuFaneleka esibaliwe; kanti

"nomhlungi wekoro" utjho umcabango okhambelanako;

"umphathisihlalo" utjho umphathisihlalo wobuPhathimandla;

"ikomiti" itjho enye nenye ikomiti yobuPhathimandla ekukhulunywa ngayo esahlukwaneni se-7 (1) soMthetho lona;

"ukufunda okufunekako" kutjho ukufunda okufuneka nakanjani emajamweni womqondo akhambelana nokufaneleka okuthile, kanti

"okufunekako" kusatjho wona umqondo lona;

"ukutlonyelwa" kutjho ubuhle obubekwe ngubuPhathimandla kufikela ema-irini ayitjhumi (10) wokufunda;

"isiQhemu esiThinteka ekuHloleni" sitjho ihlangano yesitjhaba efanele ibekhona ekuphumeleleni kwemisebenzi yeHlangano yesiTjhaba yamaBanga ekukhulunywa ngayo;

"imiphumela eqakathekile" itjho imiphumela yeenhlobo zoke etholwa kiko kokhe ukufundisa nokufunda, kanti "imiphumela eqakathekile yamahlangothi woke wezefundo nezokuthwasisa isatjho umqondo okhambelana nalokhu;

"iHlangano yokuQinisekisa ubuPhambili kwezeFundo nezokuThwasisa" itjho ihlangano evunyelwe ngokwesahlukwana sesi-5 (1) (a) (ii)soMthetho lo, ekungiyo etjhejisisa ibe ihlolisise imiphumela malungana namabanga nokufaneleka kwesitjhaba, neyiphiwe imisebenzi ethile ekhambelana nokutjhejisisa nokuhlolisisa amabanga nokufaneleka esitjhabeni ngokutjho kwesahlukwana sesi-5 (1) (b) (i) woMthetho lo;

"ukufunda kokuzikhethela" kutjho ukukhetha okhunye ukutlonyeliswa emkhakheni wesiSeko sesiTjhaba sezokuFaneleka okubekiweko, lapho umuntu angazikhethela khona ukwenzela bona irhuluphelo yokufaneleka ifezeke, kanti

"kokuzikhethela" kunomqondo ofana nalo;

"iKomiti ePhetheko" kutjho ikomiti ebekwe ngokwesahlukwana se-7 (1) soMthetho lona ukwenza imisebenzi ethile ebekiweko egameni lobuPhathimandla;

"isiphathiswa esiphetheko" kutjho umuntu okhethwe malungana nesahlukwana sesi-4 (8) soMthetho lo;

"imiphumela yemkhakheni wokuqeda" itjho imiphumela efanele ifezwe ngumfundi ofanelekako ebangeni lapho aqeda khona ihlelo lokufaneleka;

"ihlangothi" litjho indawana ethile yokufunda esetjenziswa njengendlela yokutlama yesiSeko sesiTjhaba sezokuFaneleka;

"ukufunda kokuthoma" kutjho ukufunda okubumba isisekelo namkha isika efuneka ekufezeni ifundo namkha ukuthwasisa namkha ukufunda okuqhubekako okufuneka ekutholeni ukufaneleka, kanti

"kokuthoma" kusatjho umqondo ofana nalona;

"ukuhlunga okuhlanganisiwe" kutjho ihlobo lokuhlunga elivumela umfundi bona akhombise ubukghoni obusetjenziswako befuthi okusebenzisa iinhlobo zeendlela zokubumba nokuhlanganisa ekuhlungeni;

"isihlathululi somkhakha" sitjho umbiko ohlathulula umkhakha othile wemikhakha ebunane yesiSeko sesiTjhaba sezokuFaneleka;

"ilungu" kutjho ilungu lobuPhathimandla elikhethwe nguNgqongqotjhe malungana nesahlukwana sesi-4 soMthetho lo;

"ukulungisa" kutjho umsebenzi oqinisekisa bona ukuhlungwa kwemiphumela okuhlathululwa esiSekweni sesiTjhaba sezokuFaneleka kwamabanga nokufaneleka kulungile, kuyathembeka befuthi kuyasebenza;

"ibandla elilungisako" litjho ibandla elikhethwe ngubuPhathimandla lokwenza ukulungisa lokho;

"iHlangano yesiTjhaba yamaBanga" itjho ihlangano etloliswe malungana nesahlukwana sesi-5 (1) (a) (ii) soMthetho lo, ecalene nokuthola amabanga nokufaneleka kwezefundo nasekuthwasiseni, nephiwe imisebenzi ethile ephathelene nokutloliswa kwamabanga nokufaneleka esitjhabeni ngokutjho kwesahlukwana sesi-5 (1) (b) (i) soMthetho lona;

"ama-iri abekisiwe wokufunda" atjho isikhathi sokufunda esithathwa njengesizakufuneka emfundini ojayelekile ukufeza imiphumela ebekiwe befuthi athinta nemiqondo efana nesikhathi sokubonana, isikhathi esisetjenziswe ekufundiseni okutlanyiwe lapho umuntu asebenza khona namkha ekufundeni komuntu ngokwakhe;

"imiphumela" itjho imikhiqizo yekugcineni ebonakala ngokomqondo emsebenzini wokufunda;

"umfundi ofanelekako" kutjho umfundi ophumelele ukufaneleka;

"ukwaziwa kokufunda kwangaphambili" kutjho ukuqhathaniswa kokufunda kwaphambili nesendlalelo somfundi okutholakeleko nakuqhathaniswa nemiphumela yokufunda efuneka ekufanelekeni okuthile, nokwamukeleka ukwenzela ukufaneleka kilokho okufeza zoke iimfuneko;

"intatha" itjho isiqunto sobuPhathimandla;

"imiphumela ethile" itjho ilwazi, ikhono namagugu, elibonakaliswe ngokomqondo, okusekela munye namkha engaphezulu imiphumela eqakathekile;

"ukufunda okukhethekile" kutjho ilwazi langehloko elikhethekile elifuna ukusetjenziswa endaweni yokuqothela, kanti "ukuqothela" kusese nomqondo ofana nalona;

"iHlangano yokuBeka amaBanga" itjho ihlangano etloliswe ngokutjho kwesahlukwana sesi-5 (1) (a) (ii) soMthetho lona, ecalana nokubeka amabanga nokufaneleka kwezefundo nezokuthwasisa, befuthi enemisebenzi ethile emalungana nokubekwa kwamabanga nokufaneleka esitjhabeni njengoba kusitjho isahlukwana sesi-5 (1) (b) (i) soMthetho lona; kanti

"ibanga lekoro" litjho imibiko etlolisiweko yemiphumela efunekako yezefundo nezokuthwasisa nendlela yakhona yokuhlunga ikhambisana nezokuphatha nelwazi lokhunye njengoba kusitjho imithetho lena.

ISAHLUKO SESI-2

ISISEKO SESITJHABA SEZOKUFANELEKA

Ukwakhiwa

2. Ngokwenza nje, isiSeko sesiTjhaba sezokuFaneleka sakhelwa ukubonelela ukutloliswa kwamabanga nokufaneleka esitjhabeni.

Isakheko sesiSeko sesiTjhaba sezokuFaneleka

3. (1) IsiSeko sesiTjhaba sezokuFaneleka sizakuba nemikhakha ebunane, ezakubizwa ngokuthi nguMkhakha woku-1 kufikela kowobu-8, kanti umkhakha ngamunye uzakuhlathululwa yisihlathululi somkhakha esihlukile.

(2) UMkhakha woku-1 wesiSeko sesiTjhaba sezokuFaneleka uzakuhlala uvulekile befuthi uzakwamukela imikhakhana emithathu yezeFundo nokuThwasiswa kwabaDala ekhipha iintifikeyiti zokuphumelela, kanti nomkhakha wobu-8 uzakuhlala uvulekile.

(3) Imikhakha ebunane yesiSeko sesiTjhaba sezokuFaneleka izakuhlanganiswa yabiwe amahlandla amathathu azakujama ngalindlela:

a. uMkhakha woku-1 nengaphasi: yihlandla lezeFundo nezokuThwasisa ngokuJayelekileko
b. uMkhakha wesi-2 kuya kowesi-4: yihlanga lokuRagela Phambili lezeFundo nezokuThwasisa.
c. uMkhakha wesi-5 kuya kowobu-8: yihlandla lezeFundo ePhakeme nezokuThwasisa

(4) IsiSeko sesiTjhaba sezokuFaneleka sizakwabiwa amahlangothi ayitjhumi nambili wokutlama, azakuba ngilawa:

d. IHlangothi loku-1: EzeLimo noKongiwa kweMvelo
e. IHlangothi lesi-2: EzamaSiko nezobuThakgha
f. IHlangothi lesi-3: Iimfundo zezeRhwebo, zokuThengisa nezokuPhatha
g. IHlangothi lesi-4: Iimfundo zezokuThintana nezeLimi
h. IHlangothi lesi-5: EzeFundo, zokuThwasisa nezeTuthuko
i. IHlangothi lesi-6: UkuKhiqiza, ubuNjiniyera kanye nobuChwephetjhe
j. IHlangothi le-7: Iimfundo zezoBuntu nezoMphakathi
k. IHlangothi lobu-8: EzoMthetho, iLwazi lwezePi kanye nezokuPhepha
l. IHlangothi le-9: ILwazi lezamaPhilo nemiSebenzi yoMphakathi
m. IHlangothi le-10: ILwazi lezoKwakheka, zokuBala kanye nezokuPhila
n. IHlangothi le-11: Imisebenzi
o. IHlangothi le-12: UkuHlela noKwakha ngoKwenza

(5) UbuPhathimandla buzakubeka ihlathululo ehlukile yehlangothi kwelinye nelinye ihlangothi lokutlama befuthi buzakwaba ihlangothi ngalinye lokutlama libe namahlangotjhana ekuzakuthi nakiwo ubuPhathimandla lobu bubeke ihlathululo ehlukile yehlangotjhana ngalinye.

Iinhlathululi zemikhakha

4. (1) Enye nenye iHlangano yesiTjhaba yamaBanga ebalwe emthetjhwaneni we-12,izazibandakanya neenHlangano zokuBeka amaBanga ezibalwe emthetjhwaneni wama-20, ehlangothini ebekelwe lona iHlangano yokuBeka amaBanga leyo, ukwenza iindlela zokulayeja zeenhlathululi zemikhakha ezibalwe emthetjhwaneni wesi-3 (1) ngeemfaniselo ezizakutlhadlhulula umsebenzi wazo wokubeka imikhakha yamabanga, nezinye izinto zokufanekeka nokufaneleka.

(2) UbuPhathimandla buzakubeka iinhlathululi zemikhakha usebenzisana neenHlangano zesiTjhaba zamaBanga ukuze kuqiniseke ukuzwana kiwo woke amahlangothi nokuphumelelisa ukuhlunga okungaqhathaniswa nokwephasi loke kwamabanga nokufaneleka.

Ukubekwa kwemikhakha emabangeni nekufanelekeni

5. (1) Ukubekwa kwemikhakha yamabanga, nezinye izinto zokufaneleka nokufaneleka, kuzakwenziwa ngalindlela:

a. Enye nenye iHlangano yesiTjhaba yamaBanga ebalwe emthetjhwaneni we-12 inenye nenye iHlangano yokuBeka amaBanga ebalwe emthetjhwaneni wama-20 zizakwenza isivumelwano malungana nomkhakha webanga ngalinye kanye nebanga elilethiwe, eskaleni semikhakha ebunane ebalwa emthetjhwaneni wesi-3, kukhunjulwa indlela ekuthuthukiswe ngayo ububanzi nobudepha belwazi, bamakhono namagugu ehlangotjhaneni elithile ngokufunda, nendlela ekubonwa ngayo imiphumela eqakathekile ihlukile nanyana liyiihlangothi lomqondo lomphumela obekiwe wekoro yabanga elithintakako.
b. Abaphakamisi bezokufaneleka abangekho eenkorweni zamabanga bazakubumba imivango yemiphumela yokufunda enemiphumela yomkhakha wokuqeda engumsebenzi wemiphumela ethuthuke kiyo yoke ifakiwe befuthi nomsebenzi wokuhlanganisa umphumela woke, ekuthathwa njengekomba ubungako (eskaleni saku-1 kufikela kubu-8 njengoba kutjho umthetjhwana wesi-3), lapho amakhono namagugu ehlangotjhaneni atholakele kwathi ihlangotjhana lemiphumela eqakathekile lavangwa nomsebenzi ohlungwako sewuwoke.
c. Abaphakamisi bokufaneleka okungayi ngamabanga wekoro bazakubumba imivango yemiphumela yokufunda enemiphumela yomkhakha wokuqeda eyimisebenzi yemiphumela ethuthuke kinayo yoke ifakiwe befuthi nangomsebenzi wokuhlanganisa imiphumela yoke, kuthathwe njengokutjengisa ubungako (kusukela eskaleni saku-1 kufikela ebu-8 njengoba kutjhiwo emthetjhwaneni wesi-3, lapho ilwazi, amakhono kanye namagugu ehlangotjhaneni, atholiwe, kwathi amahlangotjhana wemiphumela eqakathekile ahlanganiswa ekusebenzeni koke okuhlungekako.

Ukutloliswa kwamabanga nokufaneleka esiSekweni sesiTjhaba sezokuFaneleka

6. Ibanga ngalinye nokufaneleka okuhlangabezana neemfuneko zomthetho we-7 nowobu-8 lizakutloliswa esiSekweni sesiTjhaba sezokuFaneleka ngubuPhathimandla kanti ngalinye lizakuthathwa ngehlathululo ehlukile.

Iimfunakalo zokutlolisa iinkoro zamabanga namabanga

7. (1) Ikoro yebanga izakubunjwelwa bona isebenziseke njengomtlolo wokuhlunga, ibhugu yokulayeja yomfundi kanye nebhugu yokulayeja yomfundisi emalungiselelweni wezinto zokufunda kanti izakuba -

a. nesihlokwana sekoro yebanga;
b. itshwayo elikhombisa ukuvunyelwa ngubuPhathimandla;
c. inomboro yekoro yebanga;
d. umkhakha wekoro yebanga esiSekweni sesiTjhaba sezokuFaneleka;
e. ukutlonyeliswa okukhambisana nekoro yebanga;
f. ihlangothi namkha ihlangotjhana lekoro yebanga;
g. ilanga ekhitjhwe ngalo;
h. ilanga ebuyekezwe ngalo;
i. irhuluphelo yekoro yebanga;
j. ukufunda ekucatjangwa bona sekukhona anduba kuthonywe ikoro yebanga;
k. imiphumela ethile efanele ihlungwe;
l. indlela yokuhlunga, kubalwa nelwazi elifanele elitholakalako;
m. umsebenzi wokwamukela (kubalwa nokulungisa)wekoro yebang;
n. iinhlobo zemibiko njengendle ejayelekile yokulayeja yobubanzi yomqondo kanye nomkhakha osetjenziselwa ikoro yebanga leyo; kanye
o. nekoro "yokuphawuliwe" efanele ifake nemiphumela eqakathekile ebalwe emthetjhwaneni we-7 (4) isekelwa yikoro yebanga; ifanele ifake neenkomba elwazini elifanele elitholakalako nakhiba ayibalwanga ngaphasi kwendlela yokuhlunga befuthi ingahle ifake neminye imibiko yokungezelela yekoro yebanga.

(2) Imiphumela eqakathekile ebalwa emthetjhwaneni we-7 (4) izakwakhelwa phakathi kwebanga njengokutjho komthetjhwana we-7 (1): Ikani lapho ibanga lakhona liba yihlangothi lokufaneleka, imiphumela eqakathekileko engafakwanga ebangeni lelo izakwakhelwa ekufanelekeni.

(3) Imiphumela eqakathekile ifaka kodwana ayigcini -

a. ngokutholisisa nokurarulula imiraro lapho iimpendulo zibonisa bona iinqunto ezifaneleko kusetjenziswa ukucabanga okuhlukanisako nokunobuthakgha zenziwe;
b. ukusebenzisana nabanye njengelungu lesiqhemu, lehlangano namkha lomphakathi;
c. ukuzilungisa nokuziphatha komuntu nezenzo zakhe ngendlela efanele nephumelelako;
d. ukubuthelela, ukuhlahluba, ukulungisa kanye nokuhlunga ngokuhlukanisa ilwazi;
e. ukukhulumisana ngepumelelo usebenzisa amakhono wokubonwako, wezokubala kanye/namkha nawelimi eendleleni zokukhuluma ngomlomo namkha ngokutlola;
f. ukusebenzisa ilwazi nobuchwephetjhe ngepumelelo nangokuhlukanisa kubonakale ukuziphendulela kwezebhoduluko namaphilo wabanye;
g. ukukhombisa ukuzwisisa iphasi loke njengesete yamahlelo akhambelanako ngokulemuka bona imiqondo yokurarululwa kwemiraro ayikhambi iyodwa;
h. ukulekelela etuthukweni epheleleko yomuntu emfundini ngamunye nokuthuthuka ngezomphakathi nezomnotho komphakathi woke, ngokukwenza isisekelo esiqakathekile sehlelo elinye nelinye lokufunda ukwenza umuntu azi ukuqakatheka:

i. kokucabanga nokufunisisa amaqhinga ahlukile wokufunda ngepumelelo;
ii. ukuzibandakanya njengezakhamuzi ezibhadlile epilweni yomphakathi, endaweni, esitjhabeni nasephasini loke;
iii. ukuhlonipha ngamasiko nangokuzwela zoke iinhlobo zemiqondo esemphakathini;
iv. ukuphenyisisa amathuba wezefundo nezamabizelo; kanye
v. nokuthola amathuba werhwebo.

Okufunekako ekutloliseleni ukufaneleka

8. (1) Ukufaneleka -

a. kuzakujamelela imiphumela yokufunda evangiwe enerhuluphelo namkha eneenrhuluphelo ezihlathululiwe, neyenzelwe ukupha abafundi abafanelekako ubukghoni obusebenzako nesisekelo sokuragela phambili ngefundo;
b. singezelele ubungcono emfundini ofanelekako malungana nokunothiswa komuntu; ngokumupha isikhundla, ukwaziwa, ukutlonyeliswa kanye nokuvunyelwa; ukumupha amathuba wokuthola umsebenzi; kanye nokumvulela iindlela ezinye zakwezefundo nezokuthwasiswa;
c. ukwenzela umphakathi nomnotho uthole amakhakhazela ngokuthuthukisa izakhamuzi, kwande umkhiqizo kwezomnotho nakwezomphakathi; kuvele abantu abanamakhono/abafundile kanye nokulungisa nokutjhugulula ukungalingani okwabangeka kade;
d. ukukhambisana neenrhuluphelo zesiSeko sesiTjhaba sezokuFaneleka ezimumethwe esahlukwaneni sesi-2 soMthetho wakhona;
e. ukuba nemiphumela ethile nehlukanisako yamahlangothi woke ephuhlisa ukufunda kwafuthi epilweni;
f. lapho kufuneka khona; kuqhathaniseke nokwephasi loke;
g. kufake ukuhlunga okuvangwe ngefanelo ukwenzela bona irhuluphelo yokufaneleka lokho iphumelele, nokuthi ukuhlunga kwakhona kuzakusebenzisa ilihlu leendlela zokubumba nezokuhlanganisa ezifana neenkhundla, ukufanisela, ukuhlunga kwasemisebenzini, iinhlahlubo zangomlomo nezitlolwako; kanye
h. nokukhombisa imithetho elawula ukuphiwa kokufaneleka bona ukufaneleka lokho kungaphethwa ngokupheleleko namkha ngeenquntu ngokwazi ukufunda kwangaphambili, umqondo ofaka kodwana ungagcini ngemiphumela yokufunda etholwa ngefundo yangasese, yesikolweni nengasiyo yeskolweni, kanye nelwazi lemsebenzini.

(2) Seyiyoke izakuba yi-120 (ikhulu namatjhumi amabili)imitlomelo ezakufuneka ekutloliseni ukufaneleka emkhakheni woku-1 kufikela kowobu-8, ngobuncani bemitlomela engama-72 (amatjhumi ayikhomba nambili) etholakele namkha engehla komkhakha lapho ukufaneleka lokho kutloliswe khona, kanye nembalo nemikhakha yemitlomela eyakha okusalako (yamatjhumi amane nobunane) izakubekwa; Ikani ukufaneleka okunemitlomela engaphasi kwe-120 ingacatjangelwa nakhiba kuhlangabezana nokufunekako emthetjhwaneni wobu-8 (1) befuthi kukhambisana neenrhuluphelo zesiSeko sesiTjhaba sezokuFaneleka emumehwe esahlukwaneni sesi-2 soMthetho wakhona.

(3) UbuPhathimandla buzakutlolisa ukufaneleka kuye ngehlobo nomkhakha ozabe ubekwe esisekelweni esipheleleko sembalo nemikhakha yemitlomela efunekako ngokutjho kweendlela ezilandelako:

a. UbuPhathimandla buzakutlolisa ukufaneleka njengeStifikeyiti sesiTjhaba emkhakheni woku-1 kufikela kowobu-8 lapho i-120 (ikhulu namatjhumi amabili)namkha ngaphezulu lemitlomela ngama-72 (amatjhumi ayikhomba nambili) wemitlomela emkhakheni namkha ngehla kwawo lapho istifikeyiti sitloliswe khona. Ikani lapho ubuPhathimandla bucabange babe bathola bona ukufaneleka okunemitlomela engaphasi kwembalo yobuncani kukufezile koke okufuneka emthetjhwaneni wobu-8 (1), ifuneko ebalwe ngaphambili izakubekelwa ngecadi bese ukufaneleka lokho kutloliswe njengeStifikeyiti sesiTjhaba.
b. UbuPhathimandla buzakutlolisa ukufaneleka njengeDiploma yesiTjhaba lapho kunobuncani bama-240 (amakhulu amabili nane) wemitlomelo, ekuzakuthi ama-72 (amatjhumi ayikhomba nambili) okunganani, wemitlomela, izakuba semkhakheni wesi-5 namkha ngaphezulu.
c. UbuPhathimandla buzakutlolisa ukufaneleka njengeZiqu zokuThoma zesiTjhaba lapho ubuncani bama-360 (amakhulu amathathu nesithandathu)bemitlomelo ekuzakuthi okunganani ama-72 (amatjhumi ayikhomba nambili)wemitlomela azakuba semkhakheni wesi-6 namkha ngaphezulu.

(4) UbuPhathimandla buzakutlolisa godu nokufaneleka koke (okungasukeli ekorweni yamabanga)okuhlangabeza ubuncani bokufunekako okubalwe emthetjhwaneni we-11 (1) (c) ngaphezu kokufunekako kwemithetjhwana yobu-8 (1), 8 (2), 8 (3) nomthetho wakhona.

(5) UbuPhathimandla buzakuthi ekutloliseni buhlathulule ukufaneleka ngakunye ngehlobo, ngomkhakha, ngmbalo yemitlomelo nangesihloko esitjho irhuluphelo yokuthoma yalokho.

Okhunye okufunekako ekutlolisweni kokufaneleka emkhakheni woku-1 kufikela kowesi-4 nasemkhakheni wobu-5 kufikela kowobu-8

9. (1) Ukutlolisela umkhakha woku-1 kufikela kowesi-4 kuzakusebenza iimfuneko ezinye ezilandelako:

a. (a) Ubuncani bama-72 (amatjhumi alikhomba nambili) wemitlomelo buyafuneka emkhakheni namkha ngehla komkakha lapho kuphiwa khona istifikeyiti, okuzakwakhiwa ngokufunda okuyisisekelo ekuzakuthi lapho ke kufuneke, okunganani, imitlomelo engama-20 (amatjhumi amabili) ehlangothini leeMfundo zokuThintana neLimi, ngaphezu kwalokho, okunganani, nemitlomelo eyi-16 (itjhumi nesithandathu)evela ehlangotjhaneni leMathematics kubalwa nokwazi ukubala endabeni yeentifikeyiti emkhakheni woku-1.
b. Ubuncani bemitlomelo engama-36 (amatjhumi amathathu kanye nesithandathu) emkhakheni woku-1 kanye nengama-52 (amatjhumi amahlanu nambili) emkhakheni wesi-2 ukufikela kowesi-4 ezakwabiwa hlangana namahlandla aFunekako naziKhethelwako, ukufaneleka ngakunye kutjho ukusabalala kwemitlomelo efuneka emahlandleni lana. Ikani ilihlu lemitlomelo eminye efunekako lizakunaba ngokwaneleko ukuvumela abafundi bona bacale nokhunye abakuthandako kokufunda.
c. Ekufikeni konyaka ka2002, okunganani, imitlomelo eyi-16 (itjhumi nesithandathu) kwengama-52 (amatjhumi amahlanu nambili) yeentifikeyiti emkhakheni wesi-2 kufikela kowesi-4 izakubela emahlangotjhaneni acalene nokwazi iMathematics.

(2) Ngaphezu kwalokho, ukutlolisela umkhakha wesi-5 kufikela kowobu-8 imbalo yemitlomelo efunekako yokufunda okuyisiSekelo, nokuFunekako nokokuziKhethela izakubekwa, kanti imbalo yemitlomelo izakulungela ukufaneleka okufanele kutloliswe; Ikani ubuPhathimandla bungafuna bona kubekwe imbalo nokusabalala kwemitlomelo.

Ikambiso yokutloliswa kwamabanga nokufaneleka

10. (1) Ibanga lekoro, ibanga namkha ukufaneleka okuhlangabeza iimfuneko zokutlolisa lingalethelwa ukutloliswa ebuPhathimandleni yihlangano ebeka ibanga lekoro, ibanga namkha ukufaneleka ngeHlangano yesiTjhaba yamaBanga ebalwe emthetjhwaneni we-12.

(2) UbuPhathimandla bungatlolisa ngalinye ibanga lekoro, ibanga namkha ukufaneleka okuhlangabeza iimfuneko zokutlolisa isikhathi seminyaka emithathu, ukutlolisa okungavuselelwa.

(3) Enyangeni yokuthoma yekhalenda yonyaka wesithathu wokutlolisa ibanga lekoro, ibanga namkha ukufaneleka, ubuPhathimandla buzakufuna bona ngayinye iHlangano yesiTjhaba yamaBanga ebalwe emthetjhwaneni we-12 ibuyekeze ngalinye ngalinye ibanga lekoro, ibanga nokufaneleka okuthunyelwe kiyo ukuze kutloliswe kanye nokubeka ukulungela kwalo ukuvuselelwa kokutlolisa: iKani ukubuyekeza nokuthola ukulungela lokho kuzabe kukhambisana nezizathu zakho ukuvuselelwa namkha ngokhunye kanti kuzakukhombisa nendlela ekufezwa ngayo iindlela ezimumethwe ngumthetho lona.

(4) IBanga lekoro, ibanga namkha ukufaneleka okutloliswe nesiSeko sesiTjhaba sezokuFaneleka lizakuba yilifa lehlangothi lesitjhaba.

Ukutloliswa isikhatjhana kokufaneleka

11. (1) UbuPhathimandla, kusukela mhlaka 1 kuJulayi 1998 kufikela mhlaka 30 kuJuni 2003, bungavumela ukutloliswa kwesikhatjhana kokufaneleka ngakunye okukhona okwavunyelwa yihlangano eyaziwa ngubuPhathimandla: iKani –

a. ukufaneleka ngakunye kuthunyelwa ebuPhathimandleni bungendlela evunyelwe yiPSAF (SAQA) ngaphambi komhlaka 1 kuJulayi 1998, ukubikwa;
b. ukufaneleka lokho, okubikiweko kulethwa hlangana nomhlaka 1 kuJulayi 1998 namhlaka 30 kuJuni 2000, ngendlela ebalwe ngumthetjhwana we-11 (1) (c) kwenye namkha kwezimbalwa iiNhlangano zesiTjhaba zamaBanga ukuzosetjenzwa;
c. ukufaneleka lokho kuphethe –

i. umbiko werhuluphelo yokufaneleka;
ii. ukufaniselwa kokufunda osekuthomile anduba kuthonywe ihlelo eliphelela ekufanelekeni lokho;
iii. imiphumelo yomkhakha wokuqeda njengoba ibalwe ngumthetjhwana wesi-5 (1) (b) no-(c) kanye neendlela zokuhlunga zakhona;
iv. imitlomelo epheleleko efunekako;
v. ubuncani bemitlomelo efunekako emikhakheni ethile namkha ubukhulu bemitlomelo nakhiba idlula ubuncani obubalwe ngumthetjhwana wobu-8 namkha we-9;
vi. ukuhlunga okuvangiweko okufakwe ngendlela ukwenzela bona irhuluphelo yokufaneleka ifezeke;
vii. ukucacisa okungabakhona malungana nokufaneleka okukhambelanako (amalungiselelo wehlobo namkha athile wokucacisa);
viii. iindlela zokutlolisa abahlungi;
ix. iintatha zokulungisa kubalwa nesiphakamiso sehlangano namkha iinhlangano zokuhlunga; kanye
x. nokuthi ukufaneleka lokho kukhambisane neemfundeko ezibalwe emthetjhwaneni wobu-8 nowe-9.

d. akunakufaneleka okufanele kuthunyelelwe ukutlolisa okwesikhatjhana ngemva komhlaka 30 kuJuni 2003, kanti ukutloliswa kokufaneleka malungana nomthetho lona kuzakuphela mhlokho.

ISAHLUKO SESI-3

IINHLANGANO ZESITJHABA ZAMABANGA

Ukwakhiwa

12. (1) IHlangano yesiTjhaba yamaBanga izakuba yihlangothi eliqakathekile lobuPhathimandla, ibe ngaphasi kweHlangano yesiTjhaba yamaBanga ezakwakhelwa ihlangothi ngalinye malungana nesahlukwana sesi-5 soMthetho wakhona, itloliswe ngubuPhathimandla.

(2) Ehlangothini lapho iHlangano yesiTjhaba yamaBanga ithonyiwe namkha itlolisiwe, namkha iHlangano yesiTjhaba yamaBanga isuliwe namkha ubuPhathimandla bukubone kufanele, ubuPhathimandla buzakwenza imisebenzi neendiba ezivame ukuphiwa iHlangano yesiTjhaba yamaBanga enjalo.

(3) IHlangano yesiTjhaba yamaBanga izakwakhelwa elinye nelinye ihlangothi elibalwe emthetjhwaneni wesi-3 (4).

Ukutloliswa kweenHlangano zesiTjhaba zamaBanga

13. (1) Ngayinye iHlangano yesiTjhaba yamaBanga izakuthi ekwakhiweni nangemva kokukhethwa kwamalungu wayo, iphiwe isitifikeyiti sokutloliswa ngubuPhathimandla, isitifikeyiti esizakusebenza isikhathi esingangeminyaka emithathu ukusukela elangeni lokwakhiwa kweHlangano yesiTjhaba yamaBanga leyo.

(2) Ngayinye iHlangano yesiTjhaba yamaBanga, enyangeni yokuthoma yekhalenda yonyaka wesithathu wokutloliswa kwayo, izakwenza isibawo sokutloliswa kabutjha ibeke izizathu zokuthi kubayini ukutlolisa kuvunyelwa, befuthi ikhombise imiphumela efezwe yiHlangano yesiTjhaba yamaBanga leyo eminyakeni emibili edlulileko.

Ukusulwa kweenHlangano zesiTjhaba zamaBanga

14. IHlangano yesiTjhaba yamaBanga ingasulwa nakhiba, ngombono wabo ubuPhathimandla, ibhalelwa ngukwenza umsebenzi wayo ngokwanelisako.

Ubulungu beenHlangano zesiTjhaba zamaBanga

15. (1) Iinhlangano, ezizakuba yiinhlangano zabathintekako ngerhuluphelo ekulu ehlangothini lakhona neziwela ngaphasi kwayinye namkha kwezimbalwa iinkoro zeenhlangano ezibalwe emthetjhwaneni we-16 (2) (a) zizakumenyelwa ukuphakamisa amalungu azakusebenza eenHlanganweni zesiTjhaba zamaBanga.

(2) Amalungu lawo azakukhethwa ngubuPhathimandla ngemva kokuthi bubonisane befuthi busebenzisane neenhlangano ezithintekileko, befuthi ngokuthobela amandla wePalamente namaphrovinsi, isidingo sokujanyelelwa kwamahlangothi woke nokulingana, ukulungisa kanye nekhono elifaneleko malungana nomsebenzi weenHlangano zesiTjhaba zamaBanga.

(3) Amabizo walabo bantu abaphakanyiselwe ukusebenza njengamalungu weenHlangano zesiTjhaba zamaBanga naweenhlangano zesitjhaba ezithintekako azakumenyezelwa ePhephabhugwini loMbuso bese kumenywa imibono malungana nokwamukeleka kwabaphakanyisiwe nokujameleleka kwamahlangothi woke weenhlangano zesitjhaba ezithintekako ezinerhuluphelo ekulu ehlangothini lelo.

(4) Ekwamukelweni, ubuPhathimandla buzakukhipha isitifikeyiti somthetho sokukhethwa komunye nomunye ophumeleleko ophakanyisiweko.

(5) UbuPhathimandla buzakuba nelungelo lokukhetha amanye amalungu weenHlangano zesiTjhaba zamaBanga ukwenzela bona iinHlangano zesiTjhaba zamaBanga lezo zifeze iimfuneko zokutlolisa zomthetjhwana we-16 (1).

Ukuphakanyiswa kwamalungu weeNhlangano zesiTjhaba zamaBanga

16. (1) Iinhlangano ezifuna ukuphakamisa abantu beenHlangano zesiTjhaba zamaBanga bafanele babonelele isidingo sokulingana nesokulungisa befuthi zizakuphakamisa abantu -

a. abazakukghona ukucalisisa iindaba zokukhiqiza, zokulunga, ukulungela umphakathi kanye nokungaqhathaniswa nokwephasi loke ehlangothini lezefundo nezokuthwasisa;
b. babe ngabathembekako emahlangothini ahlukeneko wekoro yakhona okuthinta, kodwana kungagcini ngalabo abahloniphekako, abanekhono elifunekako nelwazi elifanele lehlangothi lakhona, abazi kuhle ngamaqhinga neenkambiso zehlangano ephakamisako leyo, nabanokusekelwa nokuthekghwa kwehlangano leyo;
c. abakghonako ukutjhumayela nokulamula eendingweni nemagugwini wemikhakha yoke esehlangothini eliphethwe yiHlangano yesiTjhaba yamaBanga leyo;
d. abakghonako ukwahlulela kuhle emkhakheni ophezulu; kanye
e. nabazinikeleko ekuxhumaneni okuneendlela ezimbili hlangana neHlangano yesiTjhaba yamaBanga nekoro yakhona.

(2) Iinhlangano ezifuna ukujanyelelwa eenHlanganweni zesiTjhaba zamaBanga zizakulayejwa eembaweni zazo zokujanyelelwa, ngokulandelako:

a. Ngayinye iHlangano yesiTjhaba yamaBanga izakwakhiwa ngeenkoro ezisithandathu zeenhlangano ezingilezi: imiNyango yoMbuso, ikoro yezeRhwebo, iiNhlangano zabaSebenzi, abaBonelela ngezeFundo nezokuThwasisa, iiNhlangano zamaGugu kanye neenHlangano zoMphakathi/nabaFundi.
b. Ikoro ngayinye yeenhlangano, ngokujayelekile, izakuvunyelwa bona ibe nobukhulu babajameleli abayisithandathu nobukhulu bembalo yabajameleli ababumba iHlangano yesiTjhaba yamaBanga ibe ngamatjhumi amathathu nesithandathu (36) ngaphandle kwanobanyana ubuPhathimandla bukubone kufanele ngenye indlela.
c. Ngaphezu kweendlela zokulayeja ezibalwe emthetjhwaneni wesi- 16 (a) naku-(b) –

i. abajameleli bombuso bazakuthinta uMnyango wezeFundo nowezasemiSebenzini befuthi, lapho kufuneka khona, neminye iminyango yombuso, abajameleli bamaphrovinsi nabeenkolo;
ii. iinhlangano zezeRhwebo nezabaSebenzi zizakuba nabajameleli abayisithandathu ngayinye, ababili bakhona babe nelwazi ngekambiso nokuhlunga, abanye bona bathinteke ngokusebenza eHlanganweni yesiTjhaba yamaBanga;
iii. ababoneleli bezefundo nezokuthwasisa bafanele babe nokujamelela iButho lezeFundo nezokuThwasisa, iButho lezokuRagela phambili ngeFundo nokuThwasiswa, neButho lezeFundo ePhakeme nokuThwasisa;
iv. uMphathisihlalo wobuPhathimandla namkha ilungu elikhethiwe lobuPhathimandla lizakuba yilungu leHlangano ngayinye yesiTjhaba yamaBanga ngamandla wesikhundla
v. isiphathiswa esiphetheko sobuPhathimandla namkha umphakanyiswa bazakuba ngamalungu weHlangano yesiTjhaba yamaBanga, ngayinye; befuthi
vi. amanye amalungu wobuPhathimandla angaya emihlanganweni yeHlangano yesiTjhaba yamaBanga ngemva kokwenza amalungiselelo noMphathisihlalo weHlangano yesiTjhaba yamaBanga ethintekako.

Iinqhemu zemiSebenzi

17. (1) IsiQhemu soMsebenzi seenhlangano ezithintwa ngumsebenzi weHlangano yesiTjhaba yamaBanga zizakubunjwa malungana nesahlukwana sesi-5 soMthetho lo.

(2) IsiQhemu soMsebenzi -

a. sizakubunjwa yiinhlangano ezibalwe emthetjhwaneni we-17 (1) ezenze isibawo sokutloliswa njalo;
b. sizakukhombisa iinHlangano zesiTjhaba zamaBanga, amabanga kanye nokufaneleka ezingathinta namkha ezithinta iinhlangano lezo, nezakuthi iinhlangano ezinjalo zivunyelwe ukufinyelela amabanga nokufaneleka lokho ngesiQhemu soMsebenzi;
c. sizakufinyeleleka ngeposo kusetjenziswa amakheli weenhlangano ezibalwe emthetjhwaneni we-17 (1) ezibawe ukutloliswa njalo;
d. sivunyelwe ukwenza iimphakamiso njengoba kukhomba isikhundla sobulungu obubekwe ngokomthetjhwana we-17 (3), eenHlanganweni zokuBeka amaBanga neenHlangano zesiTjhaba zamaBanga malungana namabanga nokufaneleka kanye nokusebenza kwakhona eemfunekweni ezithile zezo: Ikani iimphakamiso lezo zenziwe emalangeni angama-30 wesuku lokukhitjhwa kwezaziso zokubawa iimphakamiso;
e. sivunyelwe ukwenza isibawo sokugagadlhela ukutloliswa kwamabanga ngaphandle kwanobana iimphakamiso ezenziwe sezicalisisiwe zaphendulwa ngokomthetho: iKani kunganabanga elizakutloliswa ngaphandle kokuthi isiQhemu soMsebenzi esifanele sithintwe ngeposo; befuthi
f. ngokujayelekile singatholi isizo leemali ezivela ebuPhathimandleni.

(3) Isikhundla samalungu wesiQhemu soMsebenzi sizakuba ngalindlela:

a. Ilungu lesiQhemu soMsebenzi esinesikhundla lesi lizakuvunyelwa ukufinyelela amabanga nokufaneleka kweHlangano yesiTjhaba yamaBanga ngayinye: Ikani amalungu aphiwe ukufinyeleleka okupheleleko angeze aphinde abe ngamalungu wenye iHlangano yesiTjhaba yamaBanga, ikani godu endabeni yeenhlangano ezineenhlangano ezingaphasi kwazo, akunahlangano engaphasi kwenye ezakuba yilungu lanoma ngiyiphi iHlangano yesiTjhaba yamaBanga.
b. Ilungu lesiQhemu soMsebenzi esinesikhundla lesi lizakuvunyelwa ukufinyeleleka emabangeni nasekufanelekeni kwaphela kweHlangano yesiTjhaba yamaBanga ngayinye engasilo ilungu lakhona: Ikani endabeni yeenhlangano ezineenhlangano eziphasi kwazo, enye namkha ezimbalwa zingamalungu weenHlangano zesiTjhaba zamaBanga, ihlangano engaphasi leyo:

i. izakulisa ubulungu beHlangano yesiTjhaba yamaBanga efanele ukuze ihlangano leyo ivunyelwe ukufinyeleleka emabangeni nasekufanelekeni kweHlangano yesiTjhaba yamaBanga leyo namkha
ii. yenze iimphakamiso egameni lehlangano ethintekile, njengendiba yokwenza imisebenzi ebekiweko yeHlangano yesiTjhaba yamaBanga efaneleko.

(4) UbuPhathimandla buzakuba nencwadi yamalungu wesiQhemu soMsebenzi ezakuba namabizo namakheli welungu ngalinye.

Ukulisa umsebenzi kwamalungu weenHlangano zesiTjhaba zamaBanga nokuvalwa kweenkhundla zomsebenzi

18. (1) Umphathisihlalo namkha ilungu leHlangano yesiTjhaba yamaBanga ekukhulunywa ngabo emthetjhwaneni we-16 bazakulisa umsebenzi wabo nakhiba -

a. ipahla yakhe iyadliwa namkha azinikelela kilabo abakolodako;
b. nakavalelwa njengogula engqondweni malungana nomunye nomunye umthetho;
c. nakangekho emhlanganweni amahlandla amathathu alandelanako weHlangano yesiTjhaba yamaBanga angakatholi imvume yeHlangano yesiTjhaba yamaBanga;
d. athokoza umsebenzi ngesaziso esitlolelwe ubuPhathimandla; namkha
e. ngesikhathi asabambe isikhundla leso, utholakala amlandu ngokuphula umthetho bese ugwetjelwa ukudosa ejele ngaphandle kokuba nehlawulo

(2) Iinkhundla zomsebenzi ezivele ngokuliswa komsebenzi yilungu elinye nelinye leHlangano yesiTjhaba yamaBanga zizakuvalwa njengokutjho komthetjhwana we-15 nowe-16.

Imisebenzi yeenHlangano zesiTjhaba zamaBanga

19. (1) IHlangano yesiTjhaba yamaBanga -

a. izakuhlathulula ibe iphakamise ebuPhathimandleni imikhawulo yehlangothi elihlukile eyakhelwe lona, ngobunjalo obungezelelwe yihlangothi lelo kubala kodwana kungagcini ngomsebenzi, ngokwenziwako namkha ngomkhiqizo, ekhambelana namanye amahlangothi;
b. izakuhlathulula ibe iphakamise ebuPhathimandleni isiseko sehlangotjhana elizakusetjenziswa njengendlela yokulayeja ekwaziweni namkha ekwakhiweni kweenHlangano zokuBeka amaBanga;
c. izakwazi befuthi yakhe iinHlangano zokuBeka amaBanga phakathi kwesiseko samahlangotjhana, namkha ihlehlise namkha ibulale ukwaziwa kokwakheka lokho;
d. iqinisekise bona umsebenzi weenHlangano zokuBeka amaBanga ifeza iimfuneko zokutlolisela amabanga nokufaneleka njengoba kusitjho ubuPhathimandla;
e. yenze isiphakamiso sokutloliswa kwamabanga esiSekweni sesiTjhaba sezokuFaneleka ebuPhathimandleni;
f. yenze isiphakamiso sokutloliswa kokufaneleka ebuPhathimandleni;
g. ilungise befuthi ibuyekeze ukufaneleka;
h. ibonisane neenhlangano zokuQinisekisa ubuPhambili kwezeFundo nakwezokuThwasisa malungana neenkambiso zokuphakamisa amabanga amatjha nokufaneleka, namkha ukutjhugulula amabang atlolisiweko nokufaneleka;
i. ihlathulule iimfuneko neendlela zokulungisa ezifana zisetjenziswe kizo zoke iinhlangano zokuQinisekisa ubuPhambili kwezeFundo nakwezokuThwasisa;
j. ikhethe iimphathiswa, njengamakomiti namalungu wamakomiti afunekako ukwenza imisebenzi ebekiweko, kusetjenzisanwa nobuPhathimandla; kanye
k. nokwenza imisebenzi engayiphiwa buPhathimandla isikhathi nesikhathi.

(2) Ekwenzeni imisebenzi ebalwe emthetjhwaneni we-19 (1), iHlangano yesiTjhaba yamaBanga -

a. izakuthobela iinqunto zobuPhathimandla ezimalungana nokuthuthukiswa nokusetjenziswa kwesiSeko sesiTjhaba sezokuFaneleka.
b. ibonisane nezazi emahlangothini abaliweko malungana nokulunga nokwamuekela kwemiphumela yemisebenzi yakhona bese ihlolisisa imiphumela leyo;
c. imemezele imiphumela leyo ePhephabhugwini loMbuso ukuthola imibono yeenhlangano ezithintekako; kanye
d. nokuqinisekisa bona imiphumela yimsebenzi leyo ihlolisiswe yisiQhemu soMsebenzi esibalwe emthetjhwaneni we-17, phambi kokuthunyelwa ebuPhathimandleni.

ISAHLUKO SESI-4

IINHLANGANO ZOKUBEKA AMABANGA

Ukwaziwa nokwakhiwa kweenHlangano zokuBeka amaBanga

20. (1) Ngayinye iHlangano yesiTjhaba yamaBanga ingazi namkha yakhe iinHlangano zokuBeka amaBanga ehlangothini layo elibaliweko njengoba kusitjho isiseko samahlangotjhana aphakanyiswe abe avunyelwa ngubuPhathimandla.

(2) Ekwazini nasekwakheni iinHlangano zokuBeka amaBanga iHlangano yesiTjhaba yamaBanga ethintekako izakuthoma isebenzise esakhiweni sayo nemisebenzini yayo amagadango abalwe emthetjhwaneni lona nasemthetjhwaneni wama-20 (3) namkha umsebenzi ofanako owamukelwa ngubuPhathimandla, bese isebenzisa indlela efanako eenhlanganweni ezifuna ukwazeka namkha zithathwe njengezifanele zakhiwe: Ikani -

a. izakubeka irhuluphelo yehlathululo yehlangothi bese ihlunga okumumethweko;
b. ihlathulule imikhawulo yamahlangothi ahlukileko ngobunjalo obungeziweko kubalwa kodwana kungagcini ngomsebenzi, ngomkhiqizo namkha isizo elikhambelana namanye amahlangothi;
c. itholisise iindawo ezijayelekileko nezingajayelekanga zokufunda zeenkoro zemisebenzini, ubuchwephetjhe kanye nebhoduluko okufanelana nehlangothi lelo;
d. icabangele namkha icalele phambili ukuthintana okuhlangana nehlangothi kanye nomnotho wesitjhaba iminyaka emi-3, emi-5 namkha eyi-10 ukusukela khonokho, kubalwa, kodwana kungagcini nekuthukuleni ukuthi kghani ihlangothi lelo lingahle likhule, lirhunyele namkha lingasasebenza, ukuqakatheka kwalo emnothweni kungagcina kunjani befuthi kungahle kutjhuguluke njani;
e. umzamo wokuqinisekisa ngokuzihlungela ngokwawo, ukuthi ihlangothi elihlathululiwe lelo liphelele;
f. ukutholisisa amahlangotjhana ahlukileko ngokuhlunga izinto ezikhambisana nokwanda kobunjalo;
g. ukutholisisa umphumela womthetho okhona namkha obingiwe emahlangothini, emahlangotjhaneni nasemikhakheni, bese wenza amalungiselelo afaneleko; kanye
h. nokutlama ihlelo lokurhweba lokuthuthukisa iHlangano yesiTjhaba yamaBanga namkha iHlangano yokuBeka amaBanga elithinta imiphumela, ukuthintana kanye neqhinga lokuthengisa nesabelo seemali nesikhathi esibekiwe.

(3) Ekwenzeni isibawo sokutloliswa njengeHlangano yokuBeka amaBanga, owenza isibawo leso –

a. uzakuhlathulula ukubonisana namkha ukukhulumisana okubanjiwe ekwenzeni isibawo leso nasekuqinisekiseni bona nabanye abangahle benze isibawo ehlangotjhaneni lelo bakhe bathintwa befuthi bayakusekela ukuthunyelwa kwesibawo leso namkha bayavuma ukuba ngabakhozi ekwaziweni kwakhona;
b. alethe amaphepha afaneleko asekela isibawo leso nehlathululo yehlangotjhana elenzelwa isibawo;
c. nokukhombisa ukwamukelwa kwesiqunto sobuPhathimandla njengesokugcina, ngemva kobana isibawo senziwe ngomthetho ngubuPhathimandla.

(4) Enye nenye iHlangano yokuBeka amaBanga izakuthi ngemva kokwaziwa nokwakhiwa kwayo iphiwe isitifikeyiti sokutloliswa yiHlangano yesiTjhaba yamaBanga, isitifikeyiti esizakusebenza isikhathi esingasi ngaphezu kweminyaka emithathu ukusukela elangeni lokwaziwa kanye nelokwakhiwa befuthi nesizakuhlathululula esikuvumelako malungana namabanga nokufaneleka azakwenza.

(5) IHlangano yokuBeka amaBanga, ngokujayelekile, izakufuzwa ngemva kokuphela komsebenzi wayo

(6) IHlangano yokuBeka amaBanga ingenza isibawo sokululelwa isikhathi esingaphezu kwaleso esibekelweko, eHlanganweni yesiTjhaba yamaBanga. Isibawo sokululelwa isikhathi sizakuthunyelwa sitloliwe okunganani, amalanga angama-30 ngaphambi kwelanga lokugcina lesitifikeyiti sokwaziwa.

Ukuhlehliswa kokutloliswa ekufuzweni kweenHlangano zokuBeka amaBanga

21. (1) IHlangano yokuBeka amaBanga ingahlehliselwa ukutloliswa kwayo nakhiba, ngombono weHlangano yesiTjhaba yamaBanga ivunyelwe ngubuPhathimandla, iyabhalelwa ngukwenza umsebenzi wayo ngokwanelisako.

(2) IHlangano yokuBeka amaBanga izakufuza lokhwa isitifikeyiti sayo sokutloliswa siphela namkha nayiwuqedile umsebenzi ethunywe wona ngokutjho kwesitifikeyiti sayo sokutloliswa.

UbuLungu beeNhlangano zokuBeka amaBanga

22. (1) Iinhlangano, ezizakuba ngeziqakathekileko ezithinteka kwezefundo nezokuthwasisa eenqhemwini zamagugu zehlangotjhana,zizakumenywa bona ziphakamise amalungu avela eenqhemwini zamagugu nezabaqothelako ukuthi azokusebenza eenHlanganweni zokuBeka amaBanga, amalungu azakukhethwa yiHlangano yesiTjhaba yamaBanga ejamelele ihlangothi ngemva kokubonisana nokusebenzisana neenhlangano ezithintekako, nangokukhumbula amandla wePalamente nawamaphrovinsi, ukutlhogeka kokujanyelelwa kwamahlangothi woke kanye nokulingana, ukulungisa kanye nelwazi elifunekako malungana nomsebenzi weenHlangano zokuBeka amaBanga.

(2) Amabizo wabantu abaphakanyiselwe ukuba ngamalungu weeHlangano zokuBeka amaBanga naweenqhemu zamagugu eziqakathekileko zezefundo nezokuthwasisa ezithintekako, azakumenyezelwa ePhephabhugrini loMbuso bese kumenywa imibono ngokucabangela ukwamukeleka kwabakhethiweko nokujameleleka kwamahlangothi aqakathekileko weenqhemu zamagugu zezefundo nezokuthwasisa ezithintekako.

(3) Ekwamukelweni, iintifikeyiti zangokomthetho zokukhethwa zizakukhitjhwa yiHlangano yesiTjhaba yamaBanga komunye nomunye umkhethwa ophumeleleko.

(4) Iinhlangano ezifuna ukujanyelelwa eenHlanganweni zokuBeka amaBanga zizakulandela izinto ezilandelako lezi ekwenzeni kwazo iimbawo zokujanyelelwa:

a. Ngayinye iHlangano yokuBeka amaBanga izakwakhiwa ngabantu abaqakathekile abathinteka ehlangotjhaneni abavela eenqhemwini zamagugu nebaqothelini abatholwe ngokuya ngeemfuneko zobuPhathimandla.
b. Ubukhulu bembalo yabajameleli ababumba iHlangano yokuBeka amaBanga izakubekwa kubonisenwe neHlangano yesiTjhaba yamaBanga, kodwana ngokujayelekileko angeze yadlula amatjhumi amabili nahlanu (25) ngaphandle kwanobana ubuPhathimandla bukubona ngenye indlela.
c. UMphathisihlalo namkha umjameleli okhethiweko wobuPhathimandla uzakuba yilungu leHlangano yokuBeka amaBanga.

(5) Ihlangano namkha isiqhemu seenhlangano ezifuna ukwaziwa njengeHlangano yokuBeka amaBanga izakuqinisekisa esibaweni sayo sokwaziwa bona yakhe ihlangano ehlukileko ezakusebenza njengeHlangano yokuBeka amaBanga nenamalungu azakutholakala aneenrhuluphelo zomthetjhwama wama-22 (4) nowama-23. Isibawo sokwaziwa njengeHlangano yokuBeka amaBanga sizakulungela ukuhlolisiswa yisitjhaba njengokutjho komthetjhwama wama-22 (2).

Ukuphakanyiswa kwamalungu weenHlangano zokuBeka amaBanga

23. (1) Iinhlangano ezibawa ukuphakamisa abantu beenHlangano zokuBeka amaBanga zifanele zikhumbule ifuneko yokulingana nokulungisa, befuthi zizakukhetha abantu -

a. abakukghona ukucalisisa iindaba zokusebenza, zokulunga, zokwenzela isitjhaba nokuqhathaniseka nephasi loke malungana nehlangotjhana lezefundo nezokuthwasisa;
b. abathembekako ehlangotjhaneni ekukhulunywa ngalo, bahlonipheke; babe nelwazi elifanele nesendlalelo ehlangotjhaneni lelo befuthi babe nokusekelwa namkha ukuthekghwa yihlangano ebakhethako;
c. abakghonako ukutjhumayela balamulele iindingo namagugu wemikhakha yoke ehlangotjhaneni elithintwa yiHlangano yokuBeka amaBanga;
d. bakghone ukwahlulela ngokuhlukanisa emkhakheni ophezulu; babe
e. ngabazinikeleko endleleni yokuthintana ehlangana neHlangano yokuBeka amaBanga neHlangano yesiTjhaba yamaBanga kanye nekoro yakhona.

Imisebenzi yeenHlangano zokuBeka amaBanga

24. (1) IHlangano yokuBeka amaBanga -

a. izakubeka amabanga nokufaneleka njengokutjho kweemfuneko zobuPhathimandla ezisemahlangotjhaneni nemikhakheni ebaliwe
b. izakulungisa ibe ibuyekeze amabanga;
c. yenze isiphakamiso samabanga nokufaneleka eenHlanganweni zesiTjhaba zamaBanga;
d. yenze isiphakamiso seendlela zokutloliswa kwabahlungi kanye nabalungisi namkha iinhlangano zokulungisa; befuthi
e. yenze neminye imisebenzi engafuneka ekukhambeni kwesikhathi iyithunywa yiHlangano yesiTjhaba yamaBanga engeyayo.

(2) Ekwenzeni imisebenzi ebalwe emthetjhwaneni wama-24 (1) iHlangano yokuBeka amaBanga -

a. izakuthobela iinqunto zobuPhathimandla malungana nokuthuthukiswa kanye nokusetjenziswa kwesiSeko sesiTjhaba sezokuFaneleka;
b. ibonisane nezazi zehlangothini elifanele malungana nokulungela nokwamukeleka kwemiphumela yemisebenzi enjalo, nayo imiphumela leyo ihlolisiswe;
c. imemezele imiphumela yemisebenzi leyo ePhephabhugwini loMbuso ukuzwa imibono yeenqhemu ezithintekako;
d. iqinisekise bona imiphumela yemisebenzi leyo ingahlolisiswa nayisiqhemu somsebenzi esibalwe emthetjhwaneni we-17, ngaphambi kokuthunyelwa ebuPhathimandleni.

ISAHLUKO SESI-5

IMITHETHO YEKAMBISO NOKUSIZWA NGEEMALI KWEMISEBENZI YEENHLANGANO ZESITJHABA ZAMABANGA NEENHLANGANO ZOKUBEKA AMABANGA

Imithetho yekambiso

25. Imisebenzi nokusebenza kweHlangano yesiTjhaba yamaBanga izakulawulwa yimiThetho yeKambiso esesiNgezelelweni semiThetjhwana lena.

Ukusiza ngeemali imisebenzi yeenHlangano zesiTjhaba zamaBanga kanye neenHlangano zokuBeka amaBanga

26. (1) Ngayinye iHlangano yesiTjhaba yamaBanga izakuthi ekwakhiweni kwayo befuthi njalo ngemva konyaka ukwenzela ukukhambisana nerherho lokutlama ezeemali lobuPhathimandla, iveze ihlelo lerhwebo elitjengisa iinrhuluphelo ezifanele zifezwe esikhathini ekukhulunywa ngaso esingaba, ngokuvamileko, yiminyaka emithathu, befuthi nelizakufaka isabelo seemali.

(2) Isabelo seemali sizakubekwa ngendlela ekuvunyelenwe ngayo ngubuPhathimandla befuthi sizakuthunyelwa ebuPhathimandleni ukuthola imvumo.

(3) Amalungu weenHlangano zesiTjhaba zamaBanga athola imali yokutjhirila emisebenzini yawo ephathelene nemisebenzi yeeNhlangano zesiTjhaba zamaBanga ngokutjho kwemithetho ephathelene nePhiko leeNsebenzi zoMbuso njengoba itjhugululwe ngubuPhathimandla, ukutjhirila okuvame ukuba kodwana akugcini ngokuba yisondlo sokuya emihlanganweni, ukuzitenda kanye nesondlo sezinto zokukhamba nezinye iindleko zakhona.

(4) Amalungu wamakomiti weenHlangano zesiTjhaba zamaBanga angasiwo amalungu weenHlangano zesiTjhaba zamaBanga akhethwe ngubuPhathimandla, angathola ukutjhirilwa okufana nokwamalungu weenhlangano zesiTjhaba zamaBanga emisebenzini yawo emalunga nemisebenzi yeenHlangano zesiTjhaba zamaBanga: Ikani ubulungu bamakomiti lawo buthole imvume yobuPhathimandla.

(5) UbuPhathimandla buzakukhipha iimali zemisebenzi evunyelweko ebalwe yiinHlangano zokuBeka amaBanga lapho kuneemfuneko zakhona, kuye ngokubakhona kweemali kanye nendlela yokusiza ngeemali ebekwe ngokuzwana neHlangano yokuBeka amaBanga efaneleko.

ISAHLUKO SESI-6

ISIHLOKO ESIFITJHANI

Isihloko esifitjhani

27. Imithetho lena izakubizwa ngokuthi yimiThetjhwana yeenHlangano zesiTjhaba zamaBanga, ka-1998.

ISINGEZELELO

IMITHETHO YEKAMBISO YEENHLANGANO ZESITJHABA ZAMABANGA

IINHLATHULULO

1. Emithethweni lena, ngaphandle kwanobana umqondo utjho okhunye -

"UMphathisihlalo" utjho uMphathisihlalo weHlangano yesiTjhaba yamaBanga;

"IKomiti" itjho ikomiti yeHlangano yesiTjhaba yamaBanga;

"IKomiti ePhetheko" itjho ikomiti ebekelwe ukwenza imisebenzi ethile ebaliweko egameni leHlangano yesiTjhaba yamaBanga;

"ILungu" litjho ilungu leHlangano yesiTjhaba yamaBanga;

"HTB" itjho iHlangano yesiTjhaba yamaBanga;

"INtatha" itjho isiqunto seHlangano yesiTjhaba yamaBanga;

"UNobhala" utjho ilungu elibekelwe umsebenzi lona yiHlangano yesiTjhaba amaBanga.

AMALUNGU WE-HTB

2. IHTB, kuye ngalokho okubonelelwe nguMthetho wakhona, izakuba noMphathisihlalo, iSekela loMphathisihlalo, uNobhala kanye namanye amalungu akhethwe yiPSAF (SAQA) malungana nemiThetho yeenHlangano zesiTjhaba zamaBanga (imiThetjhwana), kusiya ngefuneko yokuthi umphathisihlalo uzakukhethwa okokuthoma ngamalungu weHTB kwezinye iindawo namkha hlangana namalungu wakhona.

IIMPHATHISWA EZENGAMELEKO

3. Umphathisihlalo weHTB namkha wekomiti uzakwengamela umhlangano weHTB namkha weKomiti kuye ngobujamo bezinto. Nakwenzeka bona angabikhona umphathisihlalo emhlanganweni, iSekela loMphathisihlalo lizakwengamela. Nabangekho bobabili, amalungu akhona angakhetha omunye hlangana nawo ozakuba ngumphathisihlalo womhlangano lowo.

IMIHLANGANO YE-HTB

4. IHTB izakuhlangana eendaweni nangeenkhathi ezizakubekwa ngokuquntiwe isikhathi nesikhathi.

5. Imihlangano engavamanga ingamenywa ngokubona kwakaMphathisihlalo namkha ngemva kwesibawo esisekelweko samalungu angasingaphasi kwesiquntu sokuthathu lapho umhlangano lowo uzakubanjelwa endaweni nangesikhathi esibekwe nguNobhala, msinyana ngokunokukghonakala ngemva kokuthola isibawo esinjalo.

6. UMphathisihlalo, ngemva kokubonisana neKomiti ePhetheko, uzakuba nelungelo lokutshwilisa omunye nomunye umhlangano weHTB nakhiba umsebenzi osehlelweni leendaba awutlhogi ukumenywa komhlangano lowo ikani amalungu azakwaziswa ngokutshwiliswa lokho, okunganani, iveke yinye ngaphambi kwelanga lokuhlangana kweHTB, nangomunye umbandela wokuthi imihlangano angeze yatshwiliswa namkha iliswe ngebanga lezehlakalo namkha ukucabangela okuzwakalako okungaphezu kwamandla weHTB, ngaphandle kwanobana isiquntu sokuthathu samalungu akuvumela lokho.

7. Omunye nomunye umuntu ofuneka abekhona ukwenzela umhlangano, angamenywa yiHTB bona abekhona emhlanganweni omunye nomunye weHTB.

8. Yoke imitlolo ephiwe amalungu izakubekwa ngendlela efanele ubujamo nesikhundla esifanele okumumethweko, ngokuzwisisa bona amalungu afanele aqinisekise bona umtlolo lowo usetjenzwa ngendlela ekhambisana nokubekeka kwakhona.

ISAZISO SEMIHLANGANO

9. Isaziso somunye nomunye umhlangano weHTB, esizakuba nehlelo leendaba ezizokurerwa lapho, sizakathunyelwa nguNobhala kwelinye nelinye ilungu nakwabanye abantu abafenele ukubakhona lapho, okunganani, amalanga ayi-14 ngaphambi kwelanga elibekiweko lomhlangano lowo, ekhelini elitloliswe kuNobhala. Ikani endabeni yomhlangano ongavamanga isaziso samsinyana leso, ngokubona kwakaMphathisihlalo, kodwana singabi ngaphambi kwamalanga amathathu, singenziwa
10. Ukungatholakali kwesaziso esinye nesinye, esithunyelwe ngefanelo ekhelini elitlolisiweko lelungu elinye nelinye, angeze kwathinta namkha kwafelelisa ukuqhubeka komunye nomunye umhlangano.

UMBIKO WABEZILEKO

11. Elinye nelinye ilungu elikhona emhlanganweni weHTB lizakutlikitla umbiko wabezileko ozabe ubekelwe lokho.

IMBALO EFUNEKAKO

12. Isiquntu sinye samalungu, kungabalwa uMphathisihlalo, sizakwakha imbalo yabafunekako kiyo yoke imihlangano ejayelekileko yeHTB. Imihlangano engavamanga izakufuna isiquntu sokuthathu samalungu weHTB, singabali uMphathisihlalo, ukubumba imbalo efunekako.

13. Nakhiba imbalo yamalungu akhona esikhathini nendaweni ebekelwe umhlangano ayanelanga ukubumba imbalo efunekako, umhlangano lowo uzakuragela phambili, ngombandela wokuthi esinye nesinye isiquntu esenziwe lapho sizakuthathwa njengesiqunto esisalungiswako befuthi sizakubikelwa iHTB ukuze ibonisane ngaso godu iveze umbono waso ukuze samukeleke.

IMIBIKO EMENYEZELWAKO

14. Lapho kubonwa kufuneka bona kumenyezelwe umbiko malungana nezinto ezimalungana nemisebenzi nemihlangano yeHTB, izakumenyezelwa nguMphathisihlalo weHTB ngokubonisana noMphathisihlalo wobuPhathimandla.

OKUKHULUNYWE EMHLANGANWENI

15. Okukhulunywe emhlanganweni ngamunye kuzakutlolwa bese kudluliselwa emhlanganweni olandelako ukuze kuvunywe ngokomthetho. UNobhala uzakugegisa okwakhulunywa emhlanganweni emalungwini esikhathini leso sesaziso esimema umhlangano olandelako.

16. Okwakhulunywa emhlanganweni angeze kwabonakaliswa ilizwi ngelizwi lokwakhulunywa emhlanganweni, kodwana kuzakuba ngumbiko orhunyeziwe wokwakhulunywa, weenqunto nokwenziwa okufunekako, ngombandela wokuthi elinye nelinye ilungu lizakuba nelungelo lokubawa bona umbono othile walo ubonakaliswe kokwakhulunywa lokho.

IPIKISWANO YE-HTB KANYE NOKUVOWUTA

17. Ekubanjweni kwemihlangano yeHTB imithetho ejayelekileko yepikiswano izakusebenza.

18. Ukwenza iinqunto kuzakuya ngokuvumelana ngombandela wokuthi ukuzwana kungakghoneki, kungavowutiwa. Lapho kubonakala kufuneka ukuvowuta, kuzakuba ngendlela yokuphakamisa izandla ngaphandle kwanobana kube nelungu elibawa kuvowutwe ngesiphiri, lapho ibhokisi lokuvowuta lizakusetjenziswa.

19. UMphathisihlalo, nakangamelako angeze aba nevowutu ecatjangiwe kodwana uzakuba nevowutu lokuvuna.

20. Nakangekho uMphathisihlalo, osabambe njengoMphathisihlalo (kungaba yiSekela loMphathisihlalo namkha omunye) angeze aba nevowutu lokuvuna kodwana uzakuba nevowutu lokucatjangelwa.

21. Kuyalibopha ilungu leHTB bona lizibike nalinento engalivuna endabeni ererwako yiHTB libe libawe ukuzikhipha epikisanweni yakhona; Ikani ilungu lelo lizakikhipha nasekwenziwa isiqunto ngendaba leyo yiHTB

22. Ngaphandle kwenye indlela ebonelelwe emithethweni lena, isiqunto senengi lamalungu akhona emhlanganweni weHTB sizakuba yisiqunto seHTB. Imibono yabambalwa ingabikwa ngemva kwesibawo samalungu lawo.

23. Nangaphezu kokubonelelwe yimithetho lena, nakunendaba evelako hlangana nemihlangano ejayelekileko efuna isiqunto seHTB befuthi ingafanelanga ibanjezelwe kuze kufike umhlangano olandelako weHTB, ngokombono kaMphathisihlalo, uMphathisihlalo angavumela uNobhala bona alungiselele befuthi athumele isaziso ngeposo etlolisiwe namkha ngesithunywa, elungwini ngalinye, akhombise indaba ethintekileko yakhona abe abawe nevowutu langeposo ekungenziwa ngawo isiqunto. Isaziso leso sizakubeka isikhathi ekufanele kufakwe ngaso ivowutu leposo lelo, esingeze saba ngaphasi kwamalanga ayitjhumi (10) ukusukela elangeni lokuthunyelwa kwesaziso leso. Isiqunto senengi lamalungu weHTB sizakuba yisiqunto seHTB. Umphumela wokuvowuta isiphiri lokho uzakumenyezelwa emhlanganweni olandelako weHTB.

UKUBEKWA KWAMAKOMITI

24. IHTB ingabeka amakomiti, sibala neKomiti ePhetheko, malungana nemiThetjhwana yeHTB.

IKOMITI EPHETHEKO

25. IKomiti ePhetheko ebekwe malungana nemiThetho yakhona izakuba namalungu weHTB wodwa befuthi ibekwe ngiyo. Izakuba noMphathisihlalo nembalo yamalungu ebekiweko naphakanyiswe yiHTB. Ikani -

25.1 iKomiti ePhetheko leyo, ukuya ngemilayo yeHTB, izakwenza imisebenzi yeHTB phakathi kwemihlangano, ikani zoke iinqunto ezimalungana neendaba zeenkolelo zizakuba ngamandla weHTB;

25.2 uMphathisihlalo, namkha nakangekho uMphathisihlalo, iSekela loMphathisihlalo namkha nalingekho iSekela loMphathisihlalo, uMphathisihlalo osabanjisiwe okhethwe ngamalungu uzakwengamela kiyo yoke imihlangano yekomiti ephetheko;

25.3 uMphathisihlalo uzakubika ngomsebenzi weKomiti ePhetheko komunye nomunye umhlangano ojayelekile weHTB; befuthi

25.4 imbalo efunekako yeKomiti ePhetheko izakwakhiwa ngoMphathisihlalo nesiquntu sinye samalungu weKomiti leyo.

AMANYE AMAKOMITI

26. Ikomiti izakuba nembalo yamalungu weHTB namkha ngabantu abanye abangasiwo amalungu weHTB kanye nabanye abantu, njengokutjho kweHTB, abazakukhethelwa isikhathi esibekweyiHTB.

26.1 IHTB izakhetha elinye nelinye ilungu lekomiti liye libe nguMphathisihlalo wekomiti.

26.2 Ikomiti, ngokuvunyelwa yiHTB ingabeka yinye namkha ezimbalwa iinqhemu zokusebenza ezizakwenza ngendlela eziyilayelwa yikomiti yemisebenzi enjalo njengokutjho kweHTB namkha zibuze ngeendaba eziwela ngaphasi kwemisebenzi namandla wekomiti leyo.

26.3 Enye nenye ikomiti, ngaphandle kweKomiti ePhetheko, ingathi ngemva kokuvunyelwa yiKomiti ePhetheko ingezelele umuntu namkha abantu njengamalungu wekomiti isikhathi esithile namkha irhuluphelo ethile.

26.4 IHTB, kusiya ngemibandela eyibona ifanelekile, ngokujayelekile namkha malungana nendaba ethile, iphe enye nenye ikomiti amandla namkha umsebenzi ephiwe wona malungana nemiThetho.

26.5 IHTB ingathi, ngesinye nesinye isikhathi, ihlehlise, yandise namkha iseke butjha umsebenzi ophiwe ikomiti, kodwana esinye nesinye isibawo sokwenza njalo sizakuthunyelwa ekomitini leyo ntange ukuthi isicalisise ibe iziphendulele.

26.6 Ilungu lekomiti elibhalelwa ngukuza emihlanganweni emithathu ilandelana yekomiti, ngaphandle kokuthola imvumo yangaphambili lizakuphelelwa ngubulungu bayo.

26.7 Ilungu lekomiti lingathokoza ubulungu bekomiti leyo ngesaziso esitloliweko

26.8 Lapho kuvuleka isikhundla ekomitini, uMphathisihlalo wayo ikomiti leyo uzakwazisa iHTB ngencwadi emhlanganweni wokuthoma olandela ngemva kwalokho, bese izibophelela ekusivaleni isikhundla leso.

UKUBIKA KWAMAKOMITI

27. Umphathisihlalo wekomiti ngayinye uzakuthumela umbiko wemisebenzi yekomiti leyo komunye nomunye umhlangano ojayelekileko weHTB.

IMIHLANGANO YAMAKOMITI

28. Okubonelelwe endimeni ye-7 kufikela kweyama-20 kuzakusebenza kwenye nenye ikomiti yeHTB kukhambisana neentjhuguluko ezifuneka ngokomqondo wakhona: Ikani, ukwenzela iinrhuluphelo zomutjho lo, ukukhuluma nge"HTB", ngo"Mphathisihlalo" namkha ngo"Nobhala" kuzakuthathwa njengokukhuluma ngeKomiti lena, ngoMphathisihlalo namkha ngoNobhala weKomiti, ngokulandelana.

AMALUNGU ANGEZELELWEKO

29. Amalungu angezelelweko afakwe ngamakomiti malungana nemiThetho azakuba namandla woke wamalungu komunye nomunye umhlangano, ngitjho nelungelo lokuvowuta.

UMSEBENZI KANOBHALA

30. Umsebenzi wobunobhala okhambelana nokwenziwa komsebenzi yiHTB uzakwenziwa, kusiya ngemilayo yoMphathisihlalo weHTB, nguNobhala

31. Umsebenzi kanobhala ngukulekelela iHTB:

31.1 ngokwenza imisebenzi yobunobhala
31.2 ukulayeja ngeendaba zezokuphatha
31.3 ukusebenza ngendlela ephumelelako
31.4 ukusiza ekuragweni kwamahlelo
31.5 ukwenza eminye imisebenzi efunwa yiHTB isikhathi nesikhathi.

UKUTJHUGULULWA KWEMITHETHO

32. Imithetho lena ingangezelelwa namkha itjhugululwe komunye nomunye umhlangano weHTB ngokubonisana nobuPhathimandla, ngenengana elitholakalako lamalungu akhona: Ikani ukutjhugulula lokho kuzakuba yindaba ethile esehlelweni leendaba zomhlangano, umtlolo wakhona uthunyelwe emalungwini nehlelo lomhlangano nokuthi godu abakhona emhlanganweni abasi ngaphasi kwesiquntu.

UKUBUYEKEZA IINQUNTO ZE-HTB

33. Isiqunto ngasinye esenziwe emhlanganweni weHTB sifanele siphiwe inomboro ehlukile yesiQunto seHTB befuthi sithathwa njengesiqunto seHTB. Ilungu elifuna bona kubuyekezwe isiqunto lifanele lithumele isaziso esitloliwe sesifiso esinjalo sinezizathu eziphelele zokufuneka kokubuyekeza lokho kuNobhala, amalanga angama-14 ngaphambi komhlangano weHTB. Nayingatjhugulula isiqunto leso iHTB, itjhuguluko leyo izakubikwa njengokukhulunywe emhlanganweni, kwenziwe neentjhuguluko ezifanele emitlolweni bese kukhitjhwa imitlolo ebuyekeziwe