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PROVINCIAL NOTICE • PROVINSIALE KENNISGEWING

No. 6

25 June 2009



ACT

**LIMPOPO POLITICAL PARTY FUND
ACT, 2008**

To provide funding for political parties participating in the Limpopo Provincial Legislature; to establish the Limpopo Political Party Fund; to provide for accountability regarding that Fund; to provide for regulation of disclosure by political parties; and to provide for matters connected therewith.

PREAMBLE

WHEREAS the Constitution establishes the basic principle of multi-party democracy;
AND WHEREAS the Constitution promotes this principle in all spheres of government;
AND WHEREAS section 236 of the Constitution promotes this principle and, in particular, requires national legislation to provide for the funding of political parties participating in National and Provincial Legislatures on an equitable and proportional basis to enhance multi-party democracy;
AND WHEREAS national legislation has been enacted providing for funding of political parties participating in National and Provincial Legislatures and establishing a fund for the purpose of funding political parties that participate in National and Provincial Legislatures;
AND WHEREAS supplementary funding of political parties participating in the Limpopo Provincial Legislature on an equitable and proportional basis further enhances multi-party democracy;
AND WHEREAS the money so allocated is to be utilised by political parties for purposes arising from their functioning as political parties in a modern democracy;

BE IT ENACTED by the Provincial Legislature of Limpopo as follows:—

Definitions

- 1. In this Act, except if not consistent with the context—
 - “**financial year**” means a period of twelve months from 1 April in every year to 31 March the following year, both days included; 5
 - “**Fund**” means the Limpopo Political Party Fund established by section 2(1);
 - “**prescribe**” means prescribed by regulation made under section 10; and
 - “**this Act**” includes the regulations made under section 10.

Establishment of Limpopo Political Party Fund 10

- 2. (1) The Fund is hereby established for the purpose of funding, as provided

hereafter, political parties that participate in the Limpopo Provincial Legislature.

(2) The Fund must be credited with—

- (a) money appropriated to the Fund by the Limpopo Provincial Legislature;
- (b) contributions and donations to the Fund originating from sources within or outside the Republic; 15
- (c) interest earned on money deposited in terms of section 3(1) and on money invested in terms of section 3(2); and
- (d) money recovered or accruing to the Fund from any other source.

Deposit and investment of money of Fund

3. (1) Except as provided in subsection (2), money standing to the credit of the Fund must be deposited in a separate bank account opened by the Provincial Secretary of the Limpopo Provincial Legislature with a bank registered in the Republic.

(2) Money in the Fund that is not required immediately for making allocations to political parties in terms of section 5, may be invested with the Public Investment Commissioners contemplated in the Public Investment Commissioners Act, 1984 (Act No. 45 of 1984). 2

Management and control of Fund

4. (1) The Provincial Secretary of the Limpopo Provincial Legislature is responsible for the management and administration of the Fund and is the accounting officer and chief executive officer of the Fund. 10

(2) For each financial year the Provincial Secretary of the Limpopo Provincial Legislature must keep records, in accordance with generally accepted accounting practice and procedures, of— 15

- (a) money received by or accruing to the Fund;
 - (b) allocations and payments made there from;
 - (c) expenditure arising from the allocation of money from the Fund; and
 - (d) a record of the capital and liabilities of the Fund during that year.
- (3) The first financial year of the Fund must run from the day on which this Act comes into operation until 31 March first following, both days included. 20

Allocations from Fund

5. (1) Every political party is entitled to be allocated money from the Fund for a financial year that it participated in the Limpopo Provincial Legislature.

(2) Subject to subsection (7), money allocated to a political party must be used for purposes compatible with its functioning as a political party in a modern democracy. 25

(3) The functioning of a political party as contemplated in subsection (2) includes, but is not limited to—

- (a) the development of the political will of people;
- (b) bringing the influence of a political party to bear on the shaping of public opinion; 30
- (c) inspiring and furthering political education;
- (d) promoting active participation by individual citizens in political life;
- (e) exercising an influence on political trends; and
- (f) ensuring continuous, vital links between the people and organs of state and, in particular, between the people and the Limpopo Provincial Legislature. 35

(4) Allocations from the Fund to political parties must be determined and made at the prescribed times or intervals, in the prescribed installments, and in the prescribed way.

(5) The Provincial Secretary of the Limpopo Provincial Legislature must make allocations from the Fund to the political parties in accordance with a prescribed formula based— 40

- (a) in part, on the principle of proportionality, taking into account the relation that

LIMPOPO POLITICAL PARTY FUND ACT, 2008

the number of such a party's representatives in the Limpopo Provincial Legislature bears to the number of representatives in the Limpopo Provincial Legislature and the percentage of votes obtained by parties in the last general election; and	45
(b) in part, on the principle of equity, taking into account, amongst others a fixed threshold for a minimum allocation to each of the political parties represented in the Limpopo Provincial Legislature, and a weighted scale of representation for an allocation to each of the political parties participating in the Limpopo Provincial Legislature.	50
(6) The information and particulars necessary to apply the prescribed formula to a party must be ascertained from the relevant facts and circumstances as at the time when the allocation is to be made.	
(7) Money allocated to a political party from the Fund may not be used—	
(a) for the purpose of directly or indirectly paying remuneration, fee, reward, prerequisite or other benefit to a person representing the party in the Limpopo Provincial Legislature or who holds office under the State;	55
(b) with a view to finance or contribute to a matter, cause, event or occasion, whether directly or indirectly, in contravention of the code of ethics binding on the members of the Limpopo Provincial Legislature, as the case may be;	
(c) directly or indirectly for the purpose of establishing or financing a business or acquiring or maintaining a right or financial interest whatsoever in a business;	5
(d) to acquire a right or interest in immovable property, except where the right or interest in the immovable property is to be used by the political party solely for ordinary party-political purposes; or	
(e) for any other purpose that is incompatible with the functioning of a political party in a modern democracy, as may be prescribed.	10
(8) (a) The allocation of money from the Fund to a political party must end when the party ceases to qualify in terms of subsection (1); and	
(b) within 21 days after the date on which a political party ceases to qualify, it must repay the unspent balance of all money that had been allocated to it.	
Political parties to account for money allocated from Fund	15
6. (1) A political party to which money is allocated from the Fund must—	
(a) keep, with a bank registered in the Republic, a separate bank account into which the money must be deposited; and	
(b) appoint an official of that political party as its accounting officer with regard to the money allocated to that party from the Fund.	20
(2) The responsibility of the accounting officer is to account for the money allocated to that political party, and includes—	
(a) in addition to other duties imposed by this Act, the duty to ensure that the party complies with the requirements of this Act; and	
(b) in particular, to ensure that allocated money is not paid out for a purpose not authorised by this Act.	25
(3) The accounting officer must keep separate books and records of account, in the prescribed manner, in respect of money allocated from the Fund and all transactions involving such money.	
(4) Within two months after the end of a financial year the accounting officer must prepare a statement—	30
(a) showing all amounts received by the political party from the Fund during that financial year and its usage of allocated money; and	
(b) describing the purposes for which the various amounts have been used.	
(5) The books and records of account contemplated in subsection (3) and the statement contemplated in subsection (4) must be audited by a public accountant and auditor registered and practising as such in terms of the Public Accountants' and	35

Auditors' Act, 1991 (Act No. 80 of 1991).

- (6) An auditor who performs an audit contemplated in subsection (5) must in the auditor's report express an opinion as to whether the allocated money was spent for purposes not authorised by this Act. 40
- (7) Within three months after the end of that financial year the accounting officer must submit the audited accounts, statements and report of the auditor to the Provincial Secretary of the Limpopo Provincial Legislature.
- (8) Despite subsection (4), the Auditor-General may at any time audit the books and records of account and financial statements relating to money allocated to a political party from the Fund. 45
- (9) (a) Subject to paragraph (b), the Provincial Secretary of the Limpopo Provincial Legislature—
- (i) must order that the allocation of money to a political party from the Fund be suspended if satisfied on reasonable grounds that the party failed to comply with a requirement of this Act; and 50
- (ii) must terminate the suspension if satisfied, in the light of the party's subsequent conduct, that the suspension is no longer justified;
- (b) the suspension of a political party's allocations may be ordered in terms of paragraph (a) only if the Provincial Secretary of the Limpopo Provincial Legislature— 55
- (i) has by written notice informed the party of the proposed suspension and of the reasons therefore; and
- (ii) has called on the party to furnish reasons, within the period specified in the notice why its allocations from the Fund should not be suspended. 60
- (c) the period referred to in paragraph (b) must not be shorter than 30 days as from the date of the notice.

Recovery of money irregularly spent by political parties

7. (1) Where money allocated to a political party in terms of section 5 have not been spent in accordance with a requirement of this Act, the accounting officer of that party contemplated in section 6(1)(b) is liable to repay to the Provincial Secretary of the Limpopo Provincial Legislature the money irregularly spent. 5
- (2) The chief executive officer of the Fund must recover the money irregularly spent and may do so by—
- (a) instituting a civil claim in respect of the amount irregularly spent against the accounting officer of the political party contemplated in section 6(1)(b); or 10
- (b) setting off the amount irregularly spent against an allocation that may become payable to the political party.

Speaker to report to Limpopo Provincial Legislature on Fund

8. (1) As soon as possible after the end of each financial year, the Speaker must— 15
- (a) prepare a report regarding its management and administration of the Fund during that financial year; and
- (b) prepare financial statements in relation to the Fund, showing—
- (i) the amounts received by and accrued to the Fund during that financial year; 20
- (ii) the allocations made from the Fund to the respective political parties during that year;
- (iii) the amounts spent during that financial year by each political party in connection with purposes classifiable under the generally descriptive categories as prescribed from time to time; 25
- (iv) the balance of the Fund and amounts owing to or by the Fund as at the end of that year; and
- (v) the Speaker must submit that report, those statements and the Speaker's books and records of account relating to the Fund to the

LIMPOPO POLITICAL PARTY FUND ACT, 2008

Auditor-General for auditing. 30
 (2) Within 30 days after receipt of the Auditor-General's report, the Speaker must submit that report to Limpopo Provincial Legislature together with the audited financial statements of the Fund and the audited Speaker's report.

Unspent money at end of financial year

9. (1) Money not spent by a political party at the end of a financial year must be shown 35
 in the books and records of account of the party as a credit balance carried forward to the next financial year: Provided that—
 (a) the money that may be carried forward, may be limited to an amount representing a prescribed percentage of the allocations made for that financial year; and 40
 (b) money carried forward to the next financial year may not be taken into account in determining an allocation to the party concerned during that financial year.
 (2) Money standing to the credit of the Fund at the end of a financial year must be carried forward to the next financial year as a credit balance. 45
 (3) If the Limpopo Provincial Legislature is dissolved in terms of the Constitution a political party that is represented in the Limpopo Provincial Legislature must close its books and records of account—
 (a) not later than 21 days before the date set for the election and within 14 days thereafter submit an audited statement in respect of those books and records of account to the Provincial Secretary of the Limpopo Provincial Legislature; and 50
 (b) not later than the day immediately before the date set for the election such a political party must repay to the Provincial Secretary of the Limpopo Provincial Legislature the unspent balances as at the date when its books and records of account are closed as contemplated in paragraph (a). 55
 (4) If the Limpopo Provincial Legislature is dissolved in any other circumstances a political party represented in the Limpopo Provincial Legislature must close its books and records of account—
 (a) not later than 21 days before the date set for the election;
 (b) within 14 days thereafter submit an audited statement in respect of those books and records of account to the Provincial Secretary of the Limpopo Provincial Legislature; 5
 (c) the Provincial Secretary of the Limpopo Provincial Legislature must calculate the representation of a political party mentioned in subsection (4) as a percentage of the representation of that party in the Limpopo Provincial Legislature contemplated in subsection (3); and 10
 (d) not later than the day immediately before the date set for the election such a political party must repay to the Provincial Secretary of the Limpopo Provincial Legislature the unspent balance of the determined percentage as at the date when the books and records of account are closed as contemplated in paragraph (a). 15

Regulations

10. The Speaker, acting on the recommendation of a committee of the Limpopo Provincial Legislature, may by notice in the *Provincial Gazette* make regulations consistent with this Act— 20
 (a) to prescribe the procedure according to which, manner in which, and intervals or installments at which payments from the Fund are to be determined and made;
 (b) to prescribe the formula on which allocations are to be calculated;
 (c) determine a purpose which in the application of section 5(1) is not compatible with the functioning of a political party in a modern democracy; 25

- (d) to prescribe the information and particulars that political parties must furnish to the Provincial Secretary of the Limpopo Provincial Legislature with a view to ensure proper and effective application and administration of and compliance with this Act; and 30
- (e) on any matter which may or must be prescribed in terms of this Act;

Short title and commencement

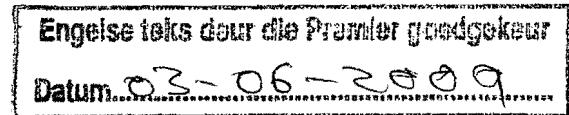
11. (1) This Act is called the Limpopo Political Party Fund Act, 2008, and comes into operation on a date fixed by the Premier by Proclamation in the *Provincial Gazette*.
(2) Different provisions of this Act may be brought into operation on different dates. 35

This is to certify that this Act has complied
With the Standing Rules and Orders of the
House and was thus adopted by the Honourable
House on this Day of 2008

Signed: Date: 29/11/08
SPEAKER OF THE LIMPOPO LEGISLATURE

No. 6

25 Junie 2009

**WET**

Ten einde voorsiening te maak vir die befondsing van politieke partye wat aan die Limpopo Wetgewer meedoen; om die Limpopo Politieke Partyfonds in te stel; om vir rekenpligtigheid betreffende die Fonds voorsiening te maak; om regulasies te voorsien rakende die onthulling van politieke partye; en om voorsiening te maak vir bykomstige aangeleenthede.

AANHEF

NADEMAAL die Grondwet die basiese beginsel van veelpartydemokrasie vestig;

EN NADEMAAL die Grondwet hierdie beginsel in alle regeringsfere bevorder;

EN NADEMAAL artikel 236 van die Grondwet, ter bevordering van daardie beginsel, vereis dat daar by nasionale wetgewing voorsiening gemaak word vir die befondsing, van politieke partye wat aan die nasionale en Provinsiale Wetgewers meedoen, ten einde veelpartydemokrasie te bevorder;

EN NADEMAAL nasionale wetgewing gevolg gee dat voorsiening gemaak moet word vir die befondsing van politieke partye wat aan die nasionale en Provinsiale Wetgewers meedoen, en die instel van 'n fonds ten einde voorsiening te maak vir die befondsing van politieke partye wat aan die nasionale en Provinsiale Wetgewers meedoen;

EN NADEMAAL aanvullende befondsing van politieke partye wat aan die Limpopo Provinsiale Wetgewer meedoen veelpartydemokrasie verder bevorder;

EN NADEMAAL die geld wat aldus toegeken word deur partye gebruik staan te word vir doeleindes wat voortspruit uit hul funksionering as politieke partye in 'n moderne demokrasie;

WORD DAAR DERHALWE deur die Provinsiale Wetgewer van die Limpopo Provinsie soos volg bepaal:-

Woordomskrywings

1. In hierdie Wet, tensy uit die samehang anders blyk, beteken –

“**rekenpligtige beampte**” beteken ‘n rekenpligtige beampte van ‘n politieke party, aangestel deur daardie politieke party kragtens artikel 6 (1)(b) van die Wet;

“**Grondwet**” beteken die Grondwet van die Republiek van Suid-Afrika, 1996.

“**politieke party**” beteken ‘n politieke party wat meedoen aan die Limpopo Provinsiale Wetgewer.

“**boekjaar**” ’n tydperk van 12 maande, vanaf 1 April van elke jaar tot 31 Maart die volgende jaar, altwee dae ingesluit;

“**Fonds**” die Limpopo Politieke Partyfonds by artikel 2(1) ingestel;

“**voorgeskryf**” die regulasies ingevolge artikel 10; en

“**hierdie Wet**” ook die regulasies van tyd tot tyd ingevolge artikel 10 uitgevaardig en van krag.

Instelling van Limpopo Politieke Partyfonds

2. (1) Die Fonds word hierby ingestel met die doel om politieke partye wat aan die Limpopo Provinsiale Wetgewer meedoen, te befonds soos hieronder bepaal.
- (2) Die Fonds word gekrediteer met—
 - (a) geld wat deur die Limpopo Provinsiale Wetgewer aan die Fonds bewillig word;
 - (b) bydraes en skenkings aan die Fonds afkomstig vanaf enige bronne, hetsy binne of buite die Republiek;
 - (c) rente verdien op geld ingevolge artikel 3(1) gedeponeer en op geld ingevolge artikel 3(2) belê, indien daar is;
 - (d) geld wat die Fonds vanuit enige ander bron toeval.
 - (e) geld wat deur middel van fondsinsameling binne en buite die Republiek bekom is.

Deponering en belegging van geld van Fonds

3. (1) Behalwe soos in subartikel (2) bepaal, word die geld waarmee die Fonds gekrediteer staan, gedeponeer in ’n afsonderlike bankrekening wat deur die Sekretaris van die Limpopo Wetgewer geopen word by ’n bank wat in die Republiek geregistreer is.
- (2) Die geld van die Fonds wat nie onmiddellik benodig word om aan politieke partye toekennings ingevolge artikel 5 te doen nie, kan belê word by die Openbare Beleggingskommissarissee beoog in die Wet op die Openbare Beleggingskommissarissee, 1984 (Wet No. 45 van 1984).

Bestuur en beheer van Fonds

4. (1) Die Sekretaris van die Limpopo Wetgewer is verantwoordelik vir die bestuur en administrasie van die Fonds.

LIMPOPO POLITICAL PARTY FUND ACT, 2008

- (2) Die Sekretaris van die Limpopo Wetgewer sal beleidsriglyne aan elke politieke party wat geld uit die Fonds ontvang op die voorgeskrewe wyse uitreik.
- (3) Die Sekretaris van die Wetgewer moet vir elke boekjaar rekords ooreenkomstig algemeen aanvaarde rekeningkundige praktyk en prosedure laat hou van:
 - (a) alle geld ontvang deur of toegeval aan die Fonds;
 - (b) alle toekennings en betalings daaruit gedoen;
 - (c) uitgawe voortspruitend uit die toekenning van geld uit die Fonds;
en
 - (d) 'n lopende rekord van die kapitaal en laste van die Fonds,
gedurende daardie jaar.
- (4) Die eerste boekjaar strek vanaf die dag waarop hierdie Wet in werking tree tot die eersvolgende 31ste Maart, altwee dae ingesluit.

Toekennings uit Fonds

5. (1) Elke politieke party is daarop geregtig om geld uit die Fonds toegeken te word vir elke boekjaar wat hy aan die Limpopo Wetgewer meedoen.
- (2) Behoudens subartikel (7) kan die geld wat so aan 'n politieke party toegeken word, gebruik word vir enige doeleindes wat met sy funksionering as 'n politieke party in 'n moderne demokrasie te versoen is.
- (3) Die doeleindes van 'n politieke party ingevolge subartikel (2) sluit onder meer in, maar is nie beperk nie tot:
 - (a) die ontwikkeling van mense se politieke wil;
 - (b) om die politieke party se invloed te laat geld op openbare meningsvorming;
 - (c) om onderrig in die politiek aan te wakker en voort te help;
 - (d) om aktiewe deelname aan die politiek deur individuele landsburgers te bevorder;
 - (e) om invloed op die politieke verloop uit te oefen; en
 - (f) om te verseker dat daar met onontbeerlike skakels tussen die mense en staatsorgane volgehou word, veral tussen die mense en die Limpopo Provinsiale Wetgewer.
- (4) Toekennings aan politieke partye vanuit die Fonds word gedoen op die tye of met die tussenposes en in die paaiemente wat voorgeskryf word.

- (5) Toekennings vanuit die Fonds moet deur die Sekretaris van die Limpopo Provinsiale Wetgewer aan die politieke partye gemaak word ooreenkomstig 'n voorgeskrewe formule wat:
- (a) die totale jaarlikse geldelike toekenning beskikbaar vir verspreiding gedeel deur die totale aantal stemme vir elke politieke party in die mees onlangse algemene verkiesing vir provinsiale wetgewers wat 'n gemiddelde geldwaarde per kieser sal bepaal.
 - (b) die gemiddelde geldwaarde per kieser wat deur die werklike aantal stemme uitgebring ten gunste van elke politieke party gedurende die mees onlangse algemene verkiesing sal die geldwaarde bepaal vir elke kwalifiserende politieke party.
- (6) Die inligting en besonderhede wat vir die toepassing van die voorgeskrewe formule op 'n party nodig is, moet vasgestel word uit die tersaaklike feite en omstandighede soos op die tydstip waarop die toekenning gedoen staan te word.
- (7) Geld uit die Fonds aan 'n politieke party toegeken, mag nie gebruik word:
- (a) met die doel om regstreeks of onregstreeks enige besoldiging, fooi, beloning, byvoordeel of ander voordeel te betaal aan enige persoon wat die party in die Limpopo Provinsiale Wetgewer verteenwoordig of wat enige ander winsbetrekking by die Staat beklee nie;
 - (b) met die oog daarop om enige aangeleentheid, strewe of saak, gebeurtenis of geleentheid, in stryd met enige etiese gedragskode wat op die lede van die Limpopo Provinsiale Wetgewer, na gelang van die geval, bindend is, te finansier of daartoe by te dra nie, hetsy regstreeks of onregstreeks;
 - (c) regstreeks of onregstreeks met die doel om enige besigheid tot stand te bring of enige reg of finansiële belang hoegenaamd te verkry in enige besigheid;
 - (d) om 'n reg of belang in onroerende eiendom te bekom, behalwe waar die reg of belang in die onroerende eiendom alleenlik vir gewone partypolitieke doeleindes deur die party gebruik gaan word; of
 - (e) vir enige ander doel wat nie met 'n politieke party se funksionering in 'n moderne demokrasie te versoen is nie, soos wat voorgeskryf mag word.
- (8) (a) Die toekenning van geld aan 'n politieke party vanuit die Fonds moet gestaak word wanneer die party ophou om ingevolge subartikel (1) daarvoor te kwalifiseer; en

- (b) Binne 30 dae na die datum waarop 'n politieke party opgehou het om te kwalifiseer, moet hy die onbestede saldo's van alle geld wat ingevolge hierdie artikel aan hom toegeken is, terugbetaal.

Politieke partye moet rekenskap gee oor geld uit Fonds aan hulle toegeken

6. (1) Elke politieke party aan wie geld uit die Fonds toegeken word, moet:
- (a) by 'n bank in die Republiek geregistreer, 'n afsonderlike bankrekening hou waarin alle geld wat so aan die party toegeken word, gedeponeer moet word; en
 - (b) 'n ampsdraer of beampte van daardie party aanstel as sy rekenpligtige beampte in verband met geld wat vanuit die Fonds aan daardie party toegeken word.
- (2) Die rekenpligtige beampte se verantwoordelikheid is om rekenskap te gee van die geld wat aan daardie party toegeken word, en sluit in:
- (a) benewens enige ander pligte wat by hierdie Wet opgelê word, die plig in om die party se nakoming van die vereistes van hierdie Wet te verseker, en,
 - (b) in die besonder, om te verseker dat daardie geld nie uitbetaal word vir 'n doel wat nie deur hierdie Wet gemagtig word nie.
 - (c) die indiening van 'n skriftelike verslag aan die Sekretaris van die Provinsiale Wetgewer by ontdekking van uitgawes in 'n toekenning aan 'n politieke party wat nie in ooreenstemming met die Wet is nie en die stappe wat geneem moet word vir die herwinning van sodanige uitgawe op die voorgeskrewe wyse.
- (3) Daardie rekenpligtige beampte moet, vir elke boekjaar waarvoor daar geld uit die Fonds aan die betrokke politieke party toegeken is, afsonderlike rekeningboeke en rekeningkundige rekords op die voorgeskrewe wyse hou ten opsigte van daardie geld en alle transaksies waarby daardie geld betrokke is.
- (4) Binne twee maande na die einde van 'n boekjaar moet daardie rekenpligtige beampte 'n staat opstel wat:
- (a) al die bedrae aantoon wat deur die party uit die Fonds gedurende daardie boekjaar ontvang is en sy aanwending van daardie geld;
 - (b) die doeleindes waarvoor die onderskeie bedrae aangewend is, uiteensit
- (5) Die rekeningboeke en rekeningkundige rekords ingevolge subartikel (3) en die staat ingevolge subartikel (4) moet geouditeer word deur 'n openbare rekenmeester en ouditeur wat ingevolge die Wet op Openbare

Rekenmeesters en Ouditeurs, 1991 (Wet 80/1991), as sodanig geregistreer is en praktiseer.

- (6) 'n Ouditeur wat 'n ouditering ingevolge subartikel (5) uitvoer, moet in die ouditeursverslag 'n mening uitspreek oor die kwessie of die toegekende geld bestee is aan doeleindes wat nie deur hierdie Wet gemagtig word nie.
- (7) Die ouditeursverslag en geouditeerde staat moet binne drie maande na die einde van daardie boekjaar deur die rekenpligtige beampte aan die Sekretaris van die Limpopo Provinsiale Wetgewer voorgelê word.
- (8) Ten spyte van subartikel (4) kan die Ouditeur-generaal te eniger tyd enige politieke party se rekeningboeke, rekeningkundige rekords en finansiële state wat betrekking het op geld wat aan die party uit die Fonds toegeken is, ouditeer.
- (9) (a) Behoudens paragraaf (b) moet die Sekretaris van die Limpopo Provinsiale Wetgewer:
 - (i) gelas dat die toekenning van geld aan 'n politieke party vanuit die Fonds opgeskort word indien op redelike gronde daarvan oortuig dat die party nagelaat het om enige vereiste van hierdie Wet na te kom; en
 - (ii) moet die Kommissie die opskorting beëindig indien daarvan oortuig, in die lig van die party se daaropvolgende optrede, dat die opskorting nie meer geregverdig is nie.
- (b) Die opskorting van 'n politieke party se toekennings mag ingevolge paragraaf (a) slegs gelas word indien die Sekretaris van die Limpopo Provinsiale Wetgewer:
 - (i) die politieke party by wyse van skriftelike kennisgewing verwittig het van die voorgestelde opskorting en van die redes daarvoor; en
 - (ii) 'n beroep op die party gedoen het om, binne die tydperk in die kennisgewing vermeld, redes te verstrek waarom sy toekennings vanuit die Fonds nie opgeskort behoort te word nie.

Verhaling van toegekende geld onreëlmatig deur politieke partye bestee

7. (1) Waar enige geld wat ingevolge artikel 5 aan 'n politieke party toegeken is, nie ooreenkomstig die vereistes van hierdie Wet bestee is nie, mag die rekenpligtige beampte van die party ingevolge artikel 6(1)(b) aanspreeklik gehou word om die geld wat onreëlmatig bestee is, aan die Kommissie terug te betaal.

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- (2) Die Sekretaris van die Limpopo Wetgewer van die Fonds mag die geld wat onreëlmatig bestee is, terugvorder, en kan dit doen deur:
- (a) ten opsigte van die bedrag wat onreëlmatig bestee is, 'n siviele eis teen die rekenpligtige beampte van die betrokke politieke party ingevolge artikel 6(1)(b) in te stel; of
 - (b) die bedrag wat onreëlmatig bestee is in verrekening te bring teen enige toekenning wat aan die politieke party betaalbaar mag wees.

Speaker moet oor die Fonds aan die Limpopo Provinsiale Wetgewer verslag doen

8. (1) So gou moontlik na die einde van elke boekjaar moet die Speaker:
- (a) 'n verslag opstel oor die bestuur en administrasie van die Fonds gedurende die boekjaar;
 - (b) finansiële state opstel met betrekking tot die Fonds, waarin die volgende aangetoon word:
 - (i) die bedrae wat gedurende dié boekjaar ontvang is deur en toegeval het aan die Fonds;
 - (ii) die toekennings wat gedurende dié jaar uit die Fonds aan die onderskeie politieke partye gedoen is;
 - (iii) die bedrae wat deur elke politieke party gedurende dié jaar bestee is in verband met doeleindes wat geklassifiseer kan word onder kategorieë, soos van tyd tot tyd voorgeskryf, wat algemeen beskrywend is;
 - (iv) die saldo van die Fonds en enige bedrae verskuldig aan of deur die Fonds soos aan die einde van dié jaar; en
 - (v) die Speaker moet daardie verslag en state en die Speaker se rekeningboeke en rekeningkundige rekords met betrekking tot die Fonds, aan die Ouditeur-generaal vir ouditering voorlê.
- (2) Binne 30 dae na ontvangs van die Ouditeur-generaal se verslag moet die Speaker daardie verslag tesame met die geouditeerde finansiële state van die Fonds en die geouditeerde Speakerverslag aan die Limpopo Provinsiale Wetgewer voorlê.

Surplusgeld soos aan einde van boekjaar

9. (1) Enige geld wat aan die einde van 'n boekjaar nie deur 'n politieke party bestee is nie, moet in die betrokke rekeningboeke en rekeningkundige rekords aangetoon word as 'n kredietsaldo wat na die volgende boekjaar oorgedra word, onder voorbehoud dat:

- (a) die geld wat oorgedra mag word, beperk word tot 'n bedrag wat 'n voorgeskrewe persentasie verteenwoordig van die toekennings wat vir daardie boekjaar gedoen was; en
 - (b) geld wat na die volgende boekjaar oorgedra word, nie in berekening gebring mag word by die bepaling van enige toekenning wat aan die betrokke party gedurende daardie boekjaar gedoen staan te word nie.
- (2) Geld waarmee die Fonds aan die einde van 'n boekjaar gekrediteer staan, word na die volgende boekjaar as 'n kredietsaldo oorgedra.
- (3) Indien die Limpopo Provinsiale Wetgewer kragtens die Grondwet ontbind, moet 'n politieke party wat in die Limpopo Provinsiale Wetgewer verteenwoordig word, sy rekeningboeke en rekeningkundige rekords afsluit:
- (a) nie later nie as 21 dae voor die datum wat bepaal is vir die verkiesing en 'n geouditeerde staat ten opsigte van daardie rekeningboeke en rekeningkundige rekords binne 60 dae daarna aan die Sekretaris van die Limpopo Provinsiale Wetgewer voorgelê is; en
 - (b) So 'n politieke party moet die onbestede saldo's, soos op die datum wanneer sy rekeningboeke en rekeningkundige rekords afgesluit word, aan die Sekretaris van die Limpopo Provinsiale Wetgewer terugbetaal nie later as die dag onmiddellik voor die datum wat vir die verkiesing bepaal is nie.
- (4) Indien die Limpopo Provinsiale Wetgewer onder enige ander omstandighede ontbind, moet 'n politieke party wat in die Limpopo Provinsiale Wetgewer verteenwoordig is, sy rekeningboeke en rekeningkundige rekords afsluit:
- (a) nie later as 7 dae voor die datum wat bepaal is vir die verkiesing nie;
 - (b) 'n geouditeerde verslag ten opsigte van daardie rekeningboeke en rekeningkundige rekords binne 60 dae daarna aan die Sekretaris van die Limpopo Provinsiale Wetgewer voorlê;
 - (c) Die verteenwoordiging van 'n party genoem in subartikel (4) moet deur die Sekretaris van die Limpopo Provinsiale Wetgewer bereken word as 'n persentasie van die party se verteenwoordiging in die Limpopo Provinsiale Wetgewer ingevolge subartikel (3); en
 - (d) Daardie bepaalde persentasie van enige onbestede saldo's, soos op die datum waarop daardie rekeningboeke en rekeningkundige rekords ingevolge paragraaf (a) afgesluit word, moet aan die Sekretaris van die Limpopo Provinsiale Wetgewer terugbetaal

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word nie later as die dag onmiddellik voor die datum wat vir die verkiesing bepaal is nie.

Regulasies

10. (1) Die Speaker, wat handel op aanbeveling van 'n komitee van die Limpopo Provinsiale Wetgewer, kan by proklamasie in die Staatskoerant regulasies uitvaardig wat met hierdie Wet bestaanbaar is:
- (a) wat die prosedure waarvolgens en die wyse en tye waarop betalings vanuit die Fonds gedoen moet word, voorskryf;
 - (b) wat die formules waarvolgens toekennings bereken word voorskryf;
 - (c) met die oog daarop om doeleindes wat by die toepassing van artikel 5(1) nie met die funksionering van 'n politieke party in 'n moderne demokrasie te versoen is nie, te bepaal;
 - (d) wat die inligting en besonderhede voorskryf wat deur politieke partye aan die Sekretaris van die Limpopo Provinsiale Wetgewer verstrekk moet word ten einde behoorlike en doeltreffende toepassing, uitvoering en nakoming van hierdie Wet te verseker;
 - (e) oor enige aangeleentheid wat ingevolge hierdie Wet voorgeskryf kan of moet word;

Kort titel en inwerkingtreding

11. (1) Hierdie Wet word die Wet op die Limpopo Politieke Partyfonds, 2008 genoem, en tree in werking op 'n datum wat deur die Premier by proklamasie in die Staatskoerant bepaal sal word.
- (2) Verskillende voorskrifte van hierdie Wet kan op verskillende datums in werking tree.

This is to certify that this Act has complied
With the Standing Rules and Orders of the
House and was thus adopted by the Honourable
House on this Day of 2008

Signed: Date: 20/11/08
SPEAKER OF THE LIMPOPO LEGISLATURE



MOLAO

MOLAO WA SEKHWAMA SA MEKGATLO YA DIPOLITIKI YA LIMPOPO

Go beakanyetša go aba thekgo ya ditšhelete go mekgatlo ya dipolitiki go Lekgotlatheramelao la Profense ya Limpopo; go beakanyetša go hlangwa ga Sekhwama sa Mekgatlo ya Dipolitiki ya Limpopo; go beakanyetšwa go abelwa ga maikarabelo malebana le Sekhwama seo; go beakanyetša go laolwa ga bolollwa ga tshedimošo ka mekgatlo ya dipolitiki; le go beakanyetša merero ya go lebagana le tše.

MATSENO

KA GO REALO Molaotheo o hlama theo ya mothopo ya temokrasi ya mekgatlo e mentši;

LE GONA KA GE Molaotheo o thekga theo ye go makala ka moka a mmušo le;
LE GONA KA GE karolo 236 ya Molaotheo e thekga theo ye, gagologolo, go nyakega molawana wa bosetšhaba go abela thekgo ya ditšhelete go mekgatlo ya dipolitiki ye e kgathago tema go Palamente ya Bosetšhaba le Makgotlatheramelao a Diprofense ka mokgwa wa tekatekano go lebeletšwe palo ya maloko go godiša temokrasi ya mekgatlo ka bontši;

LE GONA KA GE molao wa bosetšhaba o amogetšwe go ba molao go abela thekgo ya ditšhelete go mekgatlo ya dipolitiki ye e kgathago tema go Palamente ya Bosetšhaba le Makgotlatheramelao a Diprofense le go hlangwa ga sekhwama seo nepo ya sona e lego go abela thekgo ya ditšhelete go mekgatlo ya dipolitiki ye e kgathago tema go Palamente ya Bosetšhaba le Makgotlatheramelao a Diprofense;

LE GONA KA GE thekgo ya ditšhelete tša tlaleletšo go mekgatlo ya dipolitiki ye e kgathago tema go Lekgotlatheramelao la Profense ya Limpopo ka tekatekano go lebeletšwe palo ya maloko go godiša temokrasi ya mekgatlo ka bontši;

LE GONA KA GE tšhelete yona yeo e abjago e swanetše go šomišwa ke mekgatlo ya dipolitiki go phetha merero ye e hlolwago ke go šoma ga yona bjalo ka mekgatlo ya dipolitiki go temokrasi ya selehono;

GO BEWA MOLAO ke Lekgotlatheramelao la Profense ka tsela ye e latelago:-

Ditlhalošo

1. Ka go Molao wo, ka ntle ga ge go sa sepelelane le diteng-
“ngwaga wa ditšhelete” e šupa paka ya dikgwele tše lesomepedi go tloga ka 1 Aporere go ngwaga wo mongwe le wo mongwe go fihla ka 31 Matšhe ya ngwaga wo o latelago, go akaretšwa matšatši a ka bobedi;
“Sekhwama” e šupa Sekhwama sa Mekgatlo ya Dipolitiki ya Limpopo ye e hlamilwego ka karolo 2(1);

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“go beelwa” e šupa go beelwa go ya ka molawana wo o dirilwego ka fase ga karolo 10; le
 “Molao wo” e akaretša melawana ye e dirilwego ka fase ga karolo 10.

Go hlanguwa ga Sekhwama sa Mekgatlo ya Dipolitiki ya Limpopo

2. (1) Sekhwama ka go realo se a hlanguwa ka nepo ya go thekga ka ditšhelete, bjalo ka ge go beakanyeditšwe ka mo, mekgatlo ya dipolitiki ye e kgathago tema go Lekgotlatheramelao la Profense ya Limpopo.
- (2) Sekhwama se swanetše go abelwa –
 - (a) tšhelete yeo e lekanyeditšwego go Sekhwama ke Lekgotlatheramelao la Profense ya Limpopo
 - (b) dikabelo le thušo ya ditšhelete go Sekhwama tše di tšwago go methopo ya ka gare ga goba ya ka ntle ga Rephabliki;
 - (c) tswala ye e hweditšwego ka tšhelete ye e tipositiwego go ya ka karolo 3(1) le ka tšhelete ye e beeditšwego go ya ka karolo 3(2); le
 - (d) tšhelete ye e hweditšwego goba e oketšegilego go Sekhwama go tšwa go mothopo ofe goba ofe.

Go tiposita le peeletšo ya tšhelete ya Sekhwama

3. (1) Ka ntle ga ge e beakanyeditšwe go karolwana (2), tšhelete ye e tšewago bjalo ka krediti go Sekhwama e swanetše go tipositiwa go akhaonte ya pankya ya ka thoko ye e butšwego ka Mongwaledi wa Profense wa Lekgotlatheramelao la Profense ya Limpopo go pankya ye e ngwadišitšwego ka Rephabliking.
- (2) Tšhelete ye e lego ka Sekhwameng ye e sa nyakegego ka pela gore e abelwe go mekgatlo ya dipolitiki go ya ka karolo 5, e ka beeletšwa ke Dikhomišenare tša Dipeeletšo tša Setšhaba bao go ukangwago ka bona go Molao wa Dikhomišenare tša Dipeeletšo tša Setšhaba, 1984 (Molao wa 45 wa 1984).

Tshepedišo le taolo ya Sekhwama

4. (1) Mongwaledi wa Profense wa Lekgotlatheramelao la Profense ya Limpopo o rwele maikarabelo a go laola le go sepediša Sekhwama ebile ke yena mohlankedi wa boikarabelo le Mokhankedi-khuduthamaga wa Sekhwama.
- (2) Ngwageng o mongwe le o mongwe wa ditšhelete Mongwaledi wa Profense wa Lekgotlatheramelao la Profense ya Limpopo o swanetše go boloka direkote, go ya ka ditlwaelo le ditshepedišo tše di amogelelego tša taolo ya matlotlo, tša –
 - (a) tšhelete ye e amogetšwego ke goba e oketšegilego go Sekhwama;
 - (b) dikabelo le ditefelo tše di dirilwego go tšwa go yona;
 - (c) tshenyegelo ye e tšwago go kabelo ya tšhelete go tšwa go Sekhwama; le
 - (d) rekote ya letlotlo le dikoloto tša Sekhwama nakong ya ngwaga woo.
- (3) Ngwaga wa mathomo wa ditšhelete wa Sekhwama o swanetše go tloga ka letšatši leo Molao wo o thomago go amogelwa go fihla ka 31 Matšhe ye e latelago, go akaretšwa le matšatši ao a mabedi.

Kabelo go tšwa go Sekhwama

5. (1) Mokgatlo o mongwe le o mongwe wa dipolitiki o na le maswanedi a go abelwa tšhelete go tšwa go Sekhwama ya ngwaga wa ditšhelete woo e kgathilego tema go Lekgotlatheramelao la Profense ya Limpopo.
- (2) Go ya ka karolwana (7), tšhelete ye e abelwago mokgatlo wa dipolitiki e swanetše go šomišwa merero yeo e sepelelanago le mešomo ya yona bjalo ka mokgatlo wa dipolitiki mo temokrasing ya sehono.
- (3) Go šoma ga mokgatlo wa dipolitiki bjalo ka ge go ukangwa ka go karolwana (2) go akaretša, eupša ga go beelwe mellwane go –
- (a) tlhabollo ya kgahlego ya maloko a yona mererong ya tša politiki;
- (b) go tliša khuetšo ya mokgatlo wa dipolitiki go ba gona go fetoša maikutlo a setšhaba;
- (c) go hlohleletša le go tšwetša pele thuto ya sepolitiki;
- (d) go hlohleletša go kgatha tema ka mafolofolo ka badudi ka bobona mo mererong ya tša sepolitiki;
- (e) go phethagatša khuetšo mo mererong ya tša sepolitiki; le
- (f) go netefatša dikgokaganyo go go s kgaotšego, go bolhokwa k magareng ga batho le makala a mmušo le, ka gagologolo, magareng ga batho ba Lekgotlatheramelao la Profense ya Limpopo.
- (4) Dikabelo go tšwa go Sekhwama go ya go mekgatlo ya dipolitiki di swanetše go laetšwa le go dirwa ka dinako tše di beilwego, ka ditolomente tše di beilwego, le ka tsela ye e beilwego.
- (5) Mongwaledi wa Profense wa Lekgotlatheramelao la Profense ya Limpopo o swanetše go dira dikabelo go tšwa go Sekhwama go ya go mekgatlo ya dipolitiki go ya ka fomula ye e beilwego ye e theilwego-
- (a) ka karolo, ka theo ya palo ya go lebelela palo ya maloko, go lebeletšwe kamano yeo palo ya baemedi ba mokgatlo go Lekgotlatheramelao la Profense ya Limpopo e nago le yona go palo ya dikemedi go Lekgotlatheramelao la Profense ya Limpopo le phesente ya diboute tše di hweditšwego ke mekgatlo go dikgetho kakaretšo tša mafelelo; le
- (b) ka karolo, ka theo ya tekatekano, go lebeletšwe, magareng ga tše dingwe palo yeo e beilwego ya kabelo ya bonnyane go mokgahlo o mongwe le o mongwe wa dipolitiki wo o nago le kemedi ka go Lekgotlatheramelao la Profense ya Limpopo le sekala seo se beilwego sa boemedi go ka dira kabelo go mokgahlo o mongwe le o mongwe wa dipolitiki wo o tšeago karolo ka go Lekgotlatheramelao la Profense ya Limpopo.
- 6) Tshedimošo le ditlabakelo tšeo di nyakegago go ka phethagatša tsela yeo e beilwego go mokgahlo e swanetšwe go netefatšwa go dintlha tše maleba le mabaka ao kabelo e tlogo dirwa ka gona.
- 7) Tšhelete e yeo e abetšwego mokgahlo wa dipolitiki go tšwa go Sekhwama e ka se šomišwe
- (a) bakeng sa morero wa go lefela megolo, tefelo, moputso, senyakwa goba kholo e nngwe thwi goba ka tsela e nngwe go motho yo a emetšego mokgahlo ka go Lekgotlatheramelao la Profense ya Limpopo goba yo a swerego kantoro ya Mmušo;
- (b) ka kgopolo ya thekgo ya ditšhelete goba go thuša ka ga taba, lebaka, tiragalo ye e rilego thwi goba ka tsela e nngwe, ka thulano le melao ya tatelo ye e tlamago maloko a Lekgotlatheramelao la Limpopo, goba ka mo go ka bago ka gona;

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(c) ka morero wa go hlama goba go thekga ka ditšhelete kgwebo goba go hwetša goba go boloka tokelo goba kgahlego ka go thoto yeo e sa šutego, ntle le moo e lego gore tokelo goba kgahlego ya thoto e sa šutego e ile go šomišwa ke mokgahlo wa dipolotiki ka morero wa sepolotiki feela; goba

(e) bakeng sa morero o mongwe le o omongwe woo o sa sepedišanego le mešomo ya mokgahlo wa dipolotiki ka go temokerasi ya lehono, bjalo ka ge e hlaloswa.

(8) (a) go aba tšhelete go tšwa go Sekhwama go mokgahlo wa dipolotiki go swanetše go emišwa ge mokgahlo o se sa na maswanedi go ya ka karolwana (1); gape

(b) mo matšatšing a 21 morago ga tšatšikgwedi yeo mokgahlo wa dipolotiki o emišago go ba le maswanedi, o swanetše go lefela tšhelete yeo e sego ya šomišwa ka moka yeo o bego o e abetšwe.

Mekgahlo ya dipolotiki e tla ikarabela go ditšhelete tšeo di tšwago go Sekhwama

6.(1) Mokgahlo wa dipolotiki wo o fiwago tšhelete go tšwa go Sekhwama o swanetše go_

(a) boloka ka pankeng yeo e ngwadišitšwego ka gare ga Rephapoliki, akhaonte ya panka yeo e lego thoko yeo tšhelete e swanetšego go lokelwa ka gare ga yona; gape

(b) bea mošomedi wa mokgahlo woo wa dipolotiki bjalo ka mohlankedi mogolo wa yona mabapi le tšhelete yeo o e filwego go tšwa go Sekhwama.

(2) Maikarabelo a mohlankedi mogolo a ka ga tšhelete yeo e filwego mokgahlo, gomme a akaretša_

(a) go tlaleletša mešomo e mengwe yeo e bewago ke Molao wo, mošomo wa go netefatša gore mokgahlo o obamela dinyakwa tša Molao wo; gape

(b) ka go netefatša gore tšhelete yeo e abilwego ga e lefelwe feela ka morero wo o sa dumelelwago ke Molao wo.

(3) Mohlankedi mogolo o swanetše go boloka dipuku le dikgatišo ka thoko, ka tsela yeo e nyakwago, go ya ka tšhelete yeo e abetšwego go tšwa go sekhwama le tšhomišo ya tšhelete yeo e amago tšhelete ya mohuta woo.

(4) Mo dikgweding tše pedi morago ga mafelelo a ngwaga wa ditšhelete mohlankedi mogolo o swanetše a beakanye setatamete_

(a) se se bontšhago ditšhelete ka moka tšeo di amogetšego ke mokgahlo wa dipolotiki go tšwa go Sekhwama ka ngwaga woo wa ditšhelete le ka fao e šomišitšwego ka gona; gape

(b) hlalosa morero ka ga ditšhelete tša go fapafapana tšeo di šomišitšwego ka wona.

(5) Dipuku le dikgatišo tša diakhaonte tše di lego ka go karolwana (4) di di hlakišwe ke mohlakiši wa setšhaba le mohlakiši yo a ngwadišitšwego yo a šomago ka mokgwa woo go ya ka Molao wa Bahlakiši le Bahlakiši ba Setšhaba wa 1991 (80 wa 1991)

(6) Motlhakiši yoo a hlakišago go ya ka ge go le ka go karolwana (5) o swanetše gore a re ka gare gape go bahlakiši a ntšhe maikutlo mabapi le gore tšhelete yeo e abetšwego e šomišitšwe bakeng sa merero yeo e bolelago ke Molao wo naa.

- (7) Mo matsatšing a mararo morago ga mafelelo a ngwaga wa ditšhelete mohlankedi o swanetše go tliša diakhaonte tše di lekotšwego, ditatamente le pego go Mongwaledi wa Profense wa Lekgotlatheramelao la Profense ya Limpopo.
- (8) ka ntle ga karolwana (4), Mohlahlobi wa Dipuku a ka hlahloba nako ye nngwe le ye nngwe direkote le ditatamente tša matlotlo tša go amana le tšhelete ye e abetšwego go mokgatlo wa dipolitiki go tšwa go Sekhwama.
- (9) Go ya ka temana (b) Mongwaledi wa Profense wa Lekgotlatheramelao la Profense ya Limpopo-
- (i) o swanetše go laela gore kabelo ya tšhelete go mokgatlo wa dipolitiki go tšwa go Sekhwama e fegwe ge a kgotsofetše ka mabaka a go kwagala gore mokgatlo o paletšwe ke go obamela dinyakwa tša Molao wo; le
- (ii) o swanetše go fediša go fegwa ge go le maleba ge a kgotsofetše, go lebeletšwe maitshwaro a a latelago a mokgatlo, gore go fegwa ga go sa nyakega;
- (b) go fegwa ga dikabelo tša mokgatlo wa sepolitiki go ka laelwa go ya ka temana (a) ge feela e le gore Mongwaledi wa Profense wa Lekgotlatheramelao la Profense ya Limpopo-
- (i) o na le tsebišo ya go ngwalwa ye e tsebišago mokgatlo wa sepolitiki ya go fegwa go go šišinywago le ka mabaka ao; le
- (ii) o kgopetše mokgatlo go tšweletša mabaka, mo pakeng ye e laeditšwego go tsebišo gore ke ka baka la eng dikabelo tša yona go tšwa go Sekhwama di sa swanelwa go fegwa.
- (c) paka yeo go bolelwago ka yona go temana (b) e swanetše go ba a e kopana ya ka fase ga matsatši a 30 go tloga ka tšatšikgwedi ya tsebišo.

Go bušwa ga tšhelete yeo e šomišitšwego ka tsela ye e sego ya maleba ke mekgatlo ya dipolitiki

7. (1) Moo tšhelete e abetšwego mokgatlo wa dipolitiki go ya ka karolo 5 e sego ya šomišwa go ya ka dinyakwa tša Molao wo, mohlankedi wa matlotlo wa mokgatlo woo go ukangwago ka wona go karolo 6(1)(b) o tlamega go lefela Mongwaledi wa Profense wa Lekgotlatheramelao la Profense ya Limpopo tšhelete yeo e šomišitšwego ka tsela ye e sa lokago.
- (2) Mohlankedi-khuduthamaga wa Sekhwama o swanetše go netefatša go bušwa ga tšhelete ye e sa šomišwago ka tsela ya maleba le gona a ka dira bjalo ka go –
- (a) dira kleime malebana le tšhelete ye e šomišitšwego ka tsela ye e sa lokago kgahlanong le mohlankedi wa matlotlo wa mokgatlo wa dipolitiki wo go ukangwago ka go wona go karolo 6(1)(b); goba
- (b) go hwetša palomoka ya tšhelete ye e sa šomišwago ka tsela ye e sa lokago kgahlanong le kabelo yeo e ka lefelwago go mokgatlo wa dipolitiki.

Mosepikara go bega go Lekgotlatheramelao la Profense ya Limpopo ka Sekhwama

8. (1) Ka pela ka moo go ka kgonegago morago ga m ngwaga o mongwe le o mongwe wa ditšhelete, Mosepikara o swanetše-
- (a) bega pego malebana le taolo le tšhepedišo ya Sekhwama nakong ya ngwaga wa ditšhelete; le
- (b) beakanya ditatamente tša matlotlo malebana le Sekhwama, tše di bontšhago-

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- (i) ditšhelete tše di amogelwago le go oketšega go Sekhwama nakong ya ngwaga woo wa ditšhelete;
 - (ii) dikabelo tše di dirilwego go tšwa go Sekhwama go ya go mekgatlo ya dipolitiki nakong ya ngwaga woo;
 - (iii) ditšhelete tše di šomišitšwego nakong ya ngwaga woo wa ditšhelete ka mokgatlo o mongwe le o mongwe wa dipolitiki malebana le dinapo tše di welago ka fase ga magoro ao a hlalosegago gabotse bjalo ka ge go beilwe nako e nako;
 - (iv) tšhelete ye e šetšego ya Sekhwar ia le ditšhelete tše di kolotwago go goba ke Sekhwama mo mafelelong a ngwaga woo; le
 - (v) Mosepikara o swanetše go tliša pego, ditatamente tšeo le dipuku tša Mosepikara le direktote tša diakhaonte tše di amanago le Sekhwama go ya go Molekodi-pharephare wa Dipuku go hlahlobja.
- (2) Mo matšatšing a 30 morago ga go amogela pego ya Molekodi-pharephare wa Dipuku, Mosepikara o swanetše go tliša pego go Lekgotlatheramelao la Profense ya Limpopo gammogo le ditatamente tša matlotlo tše di lekotšwego tša Sekhwama le pego ya Mosepikara tše di lekotšwego.

Tšhelete yeo e sego ya šomišwa mafelelong a ngwaga

9. (1) Tšhelete yeo e sego ya šomišwa ge ngwaga wa ditšhelete o fela e swanetše go laetšwa ka gare ga dipuku le dikgatišo tša akhaonte ya mokgahlo bjalo ka palanse ya sekoloto seo se tlogo fetišetšwa ngwageng wa go latela wa ditšhelete: Ge feela_
- (a) tšhelete yeo e lego gore e ka fetišetšwa pele, e ka ba le magomo a bokaalo bjo bo bontšhago peresente ye e beilwego ya dikabelo tšeo di dirilwego tša ngwaga woo wa ditšhelete; le
 - (b) tšhelete yeo e fetišetšwago go ngwaga wa ditšhelete wa go latela e ka no se ke ya balwa ge go dirwa kabelo ya mokgahlo wo o itšego ka wona ngwaga woo wa ditšhelete.
- (2) Tšhelete yeo e sa kolotwago ya Sekhwama e tla re mafelelong a ngwaga wa ditšhelete ya fetišetšwa go ngwaga wa go latela wa ditšhelete bjalo ka palanse ya sekoloto.
- (3) Ge Lekgotlatheramelao le ka fedišwa go ya ka Molaotheo, mokgahlo wa dipolitiki wo o nago le kemedi ka go Lekgotlatheramelao o swanetše go tswalela dipuku le dikgatišo tša wona tša diakhaonte-
- (a) pele ga matšatši ao a sa fetego 21 pele ga tšatšikgwedi yeo e beetšwego dikgetho le matšatši a 14 morago ga fao gwa tlišwa setatamente seo se hlakišitšwego go ya ka dipuku tšeo le dikgatišo tša akhaonte go Mongwaledi wa Profense wa Lekgotlatheramelao la Profense ; gape
 - (b) e sego go feta letšatši pejana ga tšatšikgwedi yeo e beilwego ya dikgetho gomme mokgahlo wa dipolitiki wa mohuta woo o swanetše go lefela morago ditšhelete tšeo di šetšego ka moka go Mongwaledi wa Lekgotlatheramelao la Limpopo go tloga ka nako yeo dipuku tša wona le dikgatišo tša akhaonte di tswaletšwego ka lona bjalo ka ge go laetšwa ka go karolo (a).
- Ge e le gore Lekgotlatheramelao la Profense ya Limpopo le fedišwa ka mabaka a mangwe le a mangwe, mokgahlo wa dipolitiki o mongwe le o mongwe woo o nago le kemedi ka go Lekgotlatheramelao o swanetše go tswalela dipuku le dikgatišo tša wona-
- (a) pele ga matšatši a 21 a tšatšikgwedi yeo e beetšwego dikgetho;
 - (b) mo matšatšing a 14 morago ga go tliša setatamente seo se hlakišitšwego go ya ka dipuku le dikgatišo tšeo tša diakhaonte go Mongwaledi wa Lekgotlatheramelao wa Limpopo;

- (c) Mongwaledi wa Profense wa Lekgotlatheramelao la Limpopo o swanetše go balela boemedi bja mokgahlo wa dipolotiki bjo bo boletwago ka go karolwana (4) bjalo ka peresente ya ya boemedi bja mokgahlo woo ka go Lekgotlatheramelao la Profense ya Limpopo ka go karolwana (3); gape
- (d) e sego morago ga letšatši la pejana ga tšatšikgwedi ye e beilwego ya dikgetho, mokgahlo woo o swanetše go lefela tšhelete yeo e sego ya šomišwa go Mongwaledi wa Lekgotlatheramelao la Profense ya Limpopo ka diperesente tšeo di bontšhitšwego go tloga ka tšatšikgwedi yeo dipuku le dikgatišo tša diakhaonte di tswaletšwego ka lona bjalo ka ge go laetšwa ka go karolo (a)

Melawana

10 Speaker, yo a tla bego a dira bjalo ka tšhišinyo ya komiti ya Lekgotlatheramelao la Profense ya Limpopo, a ka no re ka tsebišo ya ka gare ka *Kuranta ya mmušo* a dira melawana yeo e sepetšanago le Molao wo-

- (a) a laetša tshepedišo go ya ka fao, mekgwa, mekitlana goba mabakana ao tefelo go tšwa go sekhwama a ka laetšwago ka gona le go dirwa;
- (b) bontšha tsela yeo ditefelo di tlogo dirwa;
- (c) bontšha morero woo e lego gore ka go phethagatša karolo 5(1) ga e sepetšane le go šoma ga mokgahlo wa dipoloiki ka go temokerasi ya sehono;
- (d) laetša tshedimošo le ditlabakelo tšeo mekgahlo ya dipolotiki e swanetšego go fana ka tšona go ka netefatša phethagatšo le taolo ya tatelo ya Molao wo; gape
- (e) ka ga taba e nngwe le e nngwe yeo e ka go goba e swanetšego go bontšhwa go ka ba Molao wo;

Taetlele e kopana le go thoma

- 11.** (1) Molao wo o bitšwa Molao wa Sekhwama sa Diphathi tša Sepolotiki wa Limpopo, 2008 gomme o tlile go phethagatšwa ka tšatšikgwedi yeo e beilwego ke Tonakgolo ka Kwalakwatšo ka gare ga *kuranta ya mmušo*.
- (2) Dipeakanyetšo tša go fapafapana tša Molao wo di ka phethagatšwa ka matšatšikgwedi ao a fapanago

This is to certify that this Act has complied
With the Standing Rules and Orders of the
House and was thus adopted by the Honourable
House on this Day of 2008

Signed:..... Date:.....
SPEAKER OF THE LIMPOPO LEGISLATURE

Linwalo la Litsimane lo salinwa nge Phirimia
 Deithi... 03-09-2009

MULAYO

MULAYO WA TSHIKWAMA TSHA MAHORO A POLITIKI WA LIMPOPO.

U netshedza masheleni kha mahoro a politiki a dzhenelelaho kha zwa Vhusimamilayo ha Vundu la Limpopo; u thoma Tshikwama tsha Lihoro la Politiki tsha Limpopo; u hwala vhudifhinduleli zwi tshi kwama Tshikwama; u dzhia ndangulo kha u dibvisela khagala nga mahoro; na u netshedza mafhungo a tutshelanaho na zwenezwo.

MARANGAPHANDA

HU URI Mulayotewa u thoma milayo ya ndeme ya mahoro o tanganelaho a demokirasi; **NAHONE HU URI** Mulayotewa u tshi alusa mulayo uyu kha masia othe a muvhuso; **NAHONE HU URI** khethekanyo 236 ya Mulayotewa i tshi alusa mulayo uyu nahone, nga u angaredza, i tshi lavhelela uri mulayo wa lushaka u netshedze u avhelwa ha masheleni kha ayo mahoro a politiki a dzhenelelaho kha Vhusimamilayo ha Lushaka na ha Vundu lwo linganelaho nahone hu kha maimo a edanaho u itela u khwathisedza demokirasi ya mahoro o tanganelaho;

NAHONE HU URI mulayo wa lushaka wo vhetshelwa uri u netshedze masheleni kha mahoro a politiki a dzhenelelaho kha Vhusimamilayo ha Lushaka na ha Vundu na u thoma tshikwama tsho vhetshelwaho u lambedza mahoro a politiki a dzhenelelaho kha Vhusimamilayo ha Lushaka na ha Vundu;

NAHONE HU URI masheleni o engedzedzwaho kha u lambedza mahoro a politiki a dzhenelelaho kha Vhusimamilayo ha Vundu la Limpopo nga ndila i edanaho nahone hu na u kovhekana ho linganaho ha dovha hafhu ha khwathisedzwa demokirasi ya mahoro o tanganelaho;

NAHONE HU URI masheleni o avhelwaho a tea u shumiswa nga mahoro a politiki kha mishumo i thomaho kha u bva kha kushumele kwao sa mahoro a politiki kha demokirasi ya tshizwino-zwino.

ZWINO NGAURALO HU KHOU VHEWA MULAYO nga Vhusimamilayo ha Vundu la Limpopo nga ndila i tevhelaho:-

Thandavhudzo

1. Kha uyu Mulayo, nga nnda ha musu zwi re ngomu zwi tshi amba nga inwe ndila

“**Nwaha wa muvhalelano**” zwi amba tshifhinga tsha minwedzi ya fumi na mivhili u bva nga 1 Lambamai nwaha munwe na munwe u swika 31 Thafamuhwe kha nwaha u tevhelaho, hu tshi katela maduvha othe;

“**Tshikwama**” zwi amba Tshikwama tsha Lihoro la Politiki tsha Limpopo tsho thomiwaho nga khethekanyo 2(1);

“**U randela**” zwi amba u randelwa nga ndaulo yo itwaho fhasi ha khethekanyo 10; nahone

“**Mulayo uyu**” zwi katela ndaulo dzo itwaho fhasi ha khethekanyo 10.

U thomiwa ha Tshikwama tsha Mahoro a Politiki a Limpopo

2. (1) Tshikwama afha tshi khou thomiwa hu na ndivho ya u lambedza masheleni, sa zwe zwa netshedzwa afho murahu, mahoro a politiki a dzhenelelaho kha Vhusimamilayo ha Vundu la Limpopo.
- (2) Tshikwama tshi tea u dzula na ___
- (a) masheleni o livhiswaho kha Tshikwama nga Vhusimamilayo ha Vundu la Limpopo;
- (b) lwetolweto na mphomali kha Tshikwama zwo thomaho u bva kha zwiko zwi re hone kana nnda ha Riphabuliki;
- (c) nzwalelo dzo wanalaho kha tshelede yo vhulungwaho zwi tshi ya nga tshitenwa 3(1) na kha masheleni a mbulungelo zwi tshi ya nga khethekanyo 3(2); na
- (d) masheleni o wanalaho kana o salaho kha Tshikwama u bva kha zwinwe zwiko.

U vhulunga masheleni na mbulungelo ya masheleni a Tshikwama

3. (1) Nga nnda ha musu zwo sumbeziwa kha khethekanyothukhu (2), masheleni a re kha Tshikwama a tea u vhulungwa kha akhaunthu dzo fhambanaho dzo vulwaho nga Munwaleli wa Vundu wa Vhusimamulayo ha Vundu kha bannnga yo dinwalisaho kha Riphabuliki.
- (2) Masheleni a re kha Tshikwama ane a sa khou todea na zwenezwo kha u kovhanya mahoro a politiki zwi tshi ya nga khethekanyo 5, a nga kha di vhulungwa kha Khomishinari wa Mbulungelo ya Tshitshavha sa zwe zwa sumbedziwa zwone kha Mulayo wa Tshitshavha wa Mbulungelo nga Khomishinari, 1984 (Mulayo No. 45 wa 1984).

Ndangulo na ndango ya Tshikwama

4. (1) Munwaleli wa Vundu wa Vhusimamulayo ha Vundu la Limpopo o hwala vhudifhinduleli ha ndangulo na ndango ya Tshikwama nahone ndi muofisiri muvhalelano na muofisiri mulangi muhulu wa Tshikwama.
- (2) Kha nwaha munwe na munwe wa muvhalelano Munwaleli wa Vundu wa Vhusimamulayo ha Vundu la Limpopo u fanela u vhulunga rekhodo, zwine nga u angaredza zwa tshimbilelana na kushumele kwone kwa u akhauntha na maitele one, a ___
- (a) masheleni o wanalaho nga kana a re hone kha Tshikwama;
- (b) u kovhekanya na mbadelo dzo itwaho henefho;
- (c) tshinyalelo yo vhangwaho nga u kovhekanywa ha masheleni u bva kha Tshikwama; na
- (d) rekhodo ya masheleni na vhudifhinduleli kha Tshikwama kha nwaha wonoyo.
- (3) Nwaha wa u thoma wa muvhalelano wa Tshikwama u tea u thoma u bva kha duvha le Mulayo uyu wa thoma u shuma u swika 31 Thafamuhwe wa u thoma u tevhela, hu tshi katelwa maduvha othe.

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U avhelwa masheleni a bvaho kha Tshikwama

5. (1) Lihoro linwe na linwe la politiki li tea u avhelwa masheleni u bva kha Tshikwama kha nwaha wa muvhalelano une lo dzhenelela ngawo kha Vhusimamulayo ha Vundu la Limpopo.
- (2) U bva kha khethekanyothukhu (7), masheleni o avhelwaho lihora la politiki a tea u shumiswa nga ndila yone zwi tshi tevhela kushumele kwa lone lihora la politiki kha demokirasi ya tshizwino-zwino.
- (3) Mishumo ya lihora la politiki sa zwe zwa sumbedziswa zwone kha khethekanyothukhu (2) i katela, fhedzi i si na u pimiwa kha __
- (a) mveledziso ya lutamo lwa politiki lwa vhathu;
- (b) u netshedza lihora la politiki thuthuwedzo ya u dzhiela nzhele u khwinifhadza kuhumbulele kwa tshitshavha;
- (c) u tutuwedza na u engedzedza pfunzo ya zwa politiki;
- (d) u tutuwedza nyaluwo ya u dzhenelela tshothe ha vhadzulapo nga ene mune kha vhutshilo ha politiki;
- (e) u shela mulenzhe kha u tutuwedza tshanduko kha politiki;
- (f) u vhona uri hu na thumekano ya ndeme, nahone i no khou ya phanda vhukati ha vhathu na zwiimiswa zwa muvhuso nahone, nga u angaredza, vhukati ha vhathu na Vhusimamulayo ha Vundu la Limpopo.
- (4) U kovhekanywa ha masheleni a bvaho kha Tshikwama a tshi ya kha mahoro a politiki hu fanela u laulwa nahone ha itwa hu tshi bva kha tshifhinga kana zwikhala zwo tewaho, kha zwitolomennde zwo tou tetshelwaho, nahone nga ndila yo tou tetshelwaho.
- (5) Munwaleli wa Vundu la Vhusimamulayo ha Vundu la Limpopo u tea u ita uri u kovhekanywa u bva kha Tshikwama zwi tshi ya kha mahoro a politiki zwi itiwe nga fomula yo tetshelwaho __
- (a) kha tshipida, kha mulayo wa u kovhanya ho linganaho, hu tshi dzhielwa nzhele vhushaka vhune mbalo ya vhaimeleli vha lihora kha Vhusimamulayo ha Vundu la Limpopo ha vha nahone hu tshi vhambedzwa na mbalo ya phesenthe ya dzivouthu dzo wanalaho nga mahoro kha khethe dza nnyi na nnyi dza u fhedzisela; nahone,
- (b) kha tshipida, u ya nga mulayo wa ndinganyiselo, hu tshi dzhielwa nzhele, ho katelwa zwinwe zwazwo hu na mutheo wo khwathaho wa mukovho wa fhasi kha linwe na linwe la mahoro a politiki o imelelwaho kha Vhusimamulayo ha Vundu la Limpopo, nahone ha dovha ha vha na tshikalo tsho kaliwaho tshi imelelaho u kovhekanywa kha lihora linwe na linwe lo dzhenelelaho kha Vhusimamulayo ha Vundu la Limpopo.
- (6) Vhutanzi na zwitenwa zwa ndeme zwi shumiswaho kha u shumisa fomula yo tetshelwaho lihora zwi tea u vha vhutanzi ha ngoho vhu bvaho kha ngoho yo fhelelaho na zwifhinga sa kha tshifhinga tsha musu u kovhekanywa hu tshi itwa.
- (7) Masheleni a avhelwaho lihora la politiki u bva kha Tshikwama ha tei u shumiswa __
- (a) kha mushumo wonoyo thwii kana nga inwe ndila kha u badela miholo, mbadelo, malamba, mbadelophanda kana dzinwe mbuelo kha muthu o

imelelaho lihora kha Vhusimamulayo ha Vundu la Limpopo kana o faraho ofisi nga fhasi ha Muvhuso.

(b) u ya nga kuhumbulele kha zwa masheleni kana u shela mulenzhe kha mafhungo ayo, tshivhangi, zwiga kana fhethu, zwi nga vha hu khole kana hu si nga khole, hu na u pfuka mulayo wa matshilele u vhofhekanyaho mirado ya Vhusimamulayo ha Vundu la Limpopo, sa zwine zwithu zwa vha zwone;

(c) u mushumo wa u wanulusa nga khole kana hu si nga khole kana u lambedza bindu kana u wana kana u vha na ppanelo kana lutamo lwa zwa masheleni zwifhio na zwifhio kha bindu;

(d) u wana thendelo kana lutamo lwa ndaka i sa tshimbili zwi tea u itwa nga lihora la politiki lwa kha mishumo ya zwa politiki fhedzi; kana

(e) lwa minwe mishumo i sa faniho na kushumele kwa lihora la politiki kha demokirasi ya tshizwino-zwino, sa zwe zwa tetshelwa zwone.

(8) (a) U avhelwa ha masheleni a tshi bva kha Tshikwama a tshi ya kha lihora la politiki a tea u swika magumoni musi lihora li tshi swika hune la si tsha fusha thodea zwi tshi ya nga khethekanyothukhu (1); nahone

(b) vhukati ha maduvha a 21 u bva kha duvha le lihora la politiki la guma ngalo u fusha thodea, li tea u badela masheleni o salaho a songo tsha shuma e a do avhelwa lihora ilo.

Mahoro politiki a tea u vha na vhudifhinduleli ha masheleni e a do avhelwa u bva kha Tshikwama

6. (1) Lihoro la politiki line la vha na masheleni a bvaho kha Tshikwama li tea ___
- (a) u a vhea, kha bannga yo nwalisaho kha Riphabuliki, akhaunthu ya bannga ya thungo ine masheleni a do diphosithiwa khayoy; nahone
- (b) thola muofisiri wa ilo lihora la politiki sa muofisiri a re na vhudifhinduleli zwi tshi ya nga masheleni o avhelwaho ilo lihora nga Tshikwama.
- (2) Vhudifhinduleli ha muofisiri a re na vhudifhinduleli ndi u lavhelesa masheleni e a avhelwa lihora ilo la politiki, nahone izwo zwi katela ___
- (a) minwe ya mishumo yo sumbedziswaho nga Mulayo uyu, mushumo wa u vhona uri lihora li khou tevhela thodea dza Mulayo uyu; nahone
- (b) nga u angaredza, u vhona uri masheleni o avhelwaho ha khou shumiselwa zwithu zwi songo tendelwaho nga Mulayo uyu.
- (3) Muofisiri a re na vhudifhinduleli u tea u vhea bugu na dzirekhodo dza akhaunthu fhethu ho fhambanaho, nga ndila yo tetshelwaho, zwi tshi kwama masheleni o avhelwaho a tshi bva kha Tshikwama na mbadelo dzothe dzi kwamahho masheleni ayo.
- (4) Hu saathu u fhela minwedzi mavhili murahu ha magumo a nwaha wa muvhalelano muofisiri a re na vhudifhinduleli u tea u lugisa tshitatamennde ___
- (a) tshi sumbedzaho mbadelo dzothe dzo wanalaho nga lihora u bva kha Tshikwama u bva kha nwaha wonoyo wa muvhalelano na mushumo wa ayo masheleni e la avhelwa; na
- (b) u talutshedza mishumo ye idzo dzinwe mbadelo dza shuma zwone.
- (5) Dzibugu na rekhodo dza mbadelo sa zwe zwa sumbedziswa zwone kha khethekanyothukhu (4) dzi fanela u toliwa nga mutolambalelano wa muvhuso

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na nga mutoli o nwaliswaho a shumaho zwi tshi ya nga Mulayo wa Vhutolambalelano dza Muvhuso, 1991 (Mulayo No. 80 wa 1991).

(6) Mutolambalelano a shumaho u tola sa zwe zwa sumbedziswa kha khethekanyothukhu (5) u tea uri kha Muvhigo wa u tola a sumbedze muhumhulo wa uri naa masheleni o avhelwaho ha ngo shumiswa zwinwe zwa thungo zwi songo tendelwaho nga Mulayo uyu naa.

(7) Hu saathu fhela minwedzi miraru nga murahu ha magumo a nwaha wa muvhalelano muofisiri a re na vhudifhinduleli u tea u netshedza mbadelo dzo toliwaho, zwiitatamennde na Muvhigo wa Mutolambalelano kha Munwaleli wa Vundu wa Vhusimamulayo ha Vundu la Limpopo.

(8) Nga nnda ha khethekanyothukhu (4) Mutolambalelano Muhulwane tshifhinga tshinwe na tshinwe a nga kha di tola dzibugu na dzirekhodo dza akhaunthu na zwiitatamennde zwa masheleni a kwamaho tshelede yo avhelwaho mahoro a politiki nga Tshikwama.

(9) (a) Zwi tshi kwama phara, (b), Munwaleli wa Vundu wa Vhusimamulayo ha Vundu la Limpopo__

(i) u tea u nea ndaela ya uri masheleni o avhelwaho lihora la politiki a tshi bva kha Tshikwama a imiswe arali zwi tshi fusha u bva kha vhunwe vnutanzi vhu fushaho ha uri lihora lo kundelwa u tevhedza thodea dza Mulayo uyu; nahone

(ii) u tea u imisa arali vnutanzi vhu tshi fusha, u ya nga u tevhekana ha vhudifari hone, ndi zwauro u imiswa lwa tshifhinganyana uho a hu imelelei;

(b) u imiswa lwa tshifhinganyana kha u avhelwa masheleni ha lihora la politiki hu nga netshedzwa zwi tshi ya nga phara (a) fhedzi-ha arali Munwaleli wa Vundu wa Vhusimamulayo ha Vundu la Limpopo__

(i) a tshi nga vha, nga ndivhadzo ya u tou nwala, o kwama lihora nga ha ndingedzo dza u imisa lwa tshifhinganyana u ya nga mbuno dzo bulwaho afho; nahone

(ii) musi ho vhidzwa lihora uri li netshedze mbuno, u ya nga tshifhinga tsho sumbedziswaho ndivhadzo uri ndi ngani u avhelwa halo ha masheleni hu sa tei u imiswa lwa tshifhinga nyana.

(c) tshikhala tsho sedzwaho khatsho kha phara (b) a tshi tei u vha fhasi ha maduvha a 30 u bva kha duvha la ndivhadzo.

U wanululwa ha masheleni a songo shumiswaho zwavhudi nga mahoro a politiki

7. (1) fhethu he masheleni o avhelwaho lihora la politiki zwi tshi ya nga tshitenwa 5 a si shumiswe u ya nga thodea dza Mulayo uyu, muofisiri a re na vhudifhinduleli wa lihora ilo lo sumbedziswaho kha khethekanyo 6(1)(b) ndi ene o hwalaho vhudifhinduleli ha u badela murahu masheleni ayo a songo shumiswaho zwavhudi kha Munwaleli wa Vundu wa Vhusimamulayo ha Vundu la Limpopo.

(2) Muofisiri Mulangi Muhulwane wa Tshikwama u tea u wanululwa masheleni a songo shumiswaho zwavhudi nahone u tea u ita izwo nga u__

(a) u thoma mbilo ya tshitshavha zwi tshi kwama tshikalo tsha masheleni a songo shumiswaho zwavhudi zwo livhiswa kha muofisiri a re na vhudifhinduleli wa lihora la politiki sa zwe zwa sumbedziswa kha khethekanyo 6(1)(b); kana

(b) u vhetshela thungo masheleni a songo shumiswaho zwavhudi zwo livhiswa kha u avhelwa hune ha nga badelwa kha lihora la politiki.

Muvhigo wa nga ha Tshikwama nga Mulangadzulo kha Vhusimamulayo ha Vundu la Limpopo

8. (1) Nga u tavhanya nga hune zwa nga konadzea ngaho nga murahu ha nwaha munwe na munwe wa muvhalelano, Mulangadzulo u tea u -
- (a) dzudzanya muvhigo malugana na Ndangulo na Ndaulo ya Tshikwama nga tshifhinga tsha wonoyo nwaha wa muvhalelano; nahone
- (b) a dzudzanya zwitatamennde zwa masheleni zwi tutshelanaho na Tshikwama, zwi sumbedzaho-
- (i) thanganyelo dzo kuvhanganywaho na dzo tanganedzwaho kha Tshikwama nga tshifhinga tsha nwaha wa muvhalelano.
- (ii) u kovhiwa ho itwaho u bva kha Tshikwama kha mahoro o fhambanaho a politiki nga tshifhinga tsha nwaha wa muvhalelano;
- (iii) thanganyelo dzo shumiswaho nga lihora linwe na linwe nga tshifhinga tsha nwaha wa muvhalelano zwi tutshelanaho na ndivho dzo bulwaho fhasi ha khethekanyo nyangaredzi dzo sumbedziswa sa zwo randelwaho tshifhinga na tshifhinga;
- (iv) tshelede yo salaho kha Tshikwama na thanganyelo i no khou kolodiwa kha kana nga Tshikwama mafheloni a nwaha wonoyo; nahone
- (v) Mulangadzulo u tea u netshedza wonoyo muvhigo, zwitatamennde zwenezwo na bugu dza Mulangadzulo na rekhodo dza thanganyelo i tutshelanaho na Tshikwama kha Mutolambalelano Muhulwane u itela u toliwa.
- (2) Vhukati ha maduvha a 30 nga murahu ha u tanganedzwa ha muvhigo wa Mutolambalelano Muhulwane, Mulangadzulo u tea u netshedza wonoyo muvhigo kha Vhusimamilayo ha Vundu ha Limpopo kathihi na zwitatamennde zwo toliwaho zwa masheleni a Tshikwama na muvhigo wo toliwaho wa Mulangadzulo.

Tshelede i so ngo shumaho mafheloni a nwaha wa muvhalelano

9. (1) Tshelede i so ngo shumiswaho nga lihora la politiki mafheloni a nwaha wa muvhalelano i tea u sumbedziswa kha dzibugu na rekhodo dza akhaunthu dza lihora sa tshelede yo salaho yo pfukhiselwaho kha nwaha wa muvhalelano u tevhelaho. Tenda ha vha hu uri-
- (a) Tshelede ine ya nga pfukhiselwa phanda , i vhe i tshelede fhedzi i re kha thanganyelo i sumbedziswa phesenthe yo randelwaho ya mukovho wo itelwaho wonoyo nwaha wa muvhalelano; nahone
- (b) Tshelede yo pfukhiselwaho phanda kha nwaha wa muvhalelano i nga si dzhielwe nthu kha u ta u kovhelwa kha lihora lo teaho nga tshifhinga tsha nwaha wa muvhalelano.
- (2) Tshelede i re hone kha Tshikwama mafheloni a nwaha wa muvhalelano i tea u pfukhiselwa kha nwaha wa muvhalelano u tevhelaho sa tshelede yo salaho.

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(3) Arali Vhusimamilayo ha Vundu ha Limpopo ha fhaladzwa hu tshi tevhedzwa Ndayotewa, lihora la politiki lo imelelwaho kha Vhusimamilayo ha Vundu ha Limpopo vhu tea u vala rekhodo na bugu dzaho dza akhaunthu- (a) hu saathu fhela maduvha a 21 phanda ha datumu yo vhwahwa ya dzikhetho nahone vhukati ha maduvha a 14 nga murahu ha henefho lihora li tea u netshedza zwitatamennde zwo toliwaho malugana na dzenedzo bugu na rekhodo dza akhaunthu kha Munwaleli wa Vundu wa Vhusimamilayo ha Limpopo; nahone

(b) hu saathu swika duvha zwenezwo phanda ha datumu yo vhwahwa ya dzikhetho lihora lenelo li tea u badela murahu kha Munwaleli wa Vundu wa Vhusimamilayo ha Limpopo masheleni a so ngo shumiswaho u bva kha datumu ye dzenedzo bugu dzayo na dzirekhodo dza akhaunthu zwa valwa sa zwo sumbedziswaho kha phara (a).

(4) Arali Vhusimamilayo ha Vundu ha Limpopo vhu tshi fhaladzwa nga inwe ndila ifhio na ifhio, lihora la politiki lo imelelwaho kha Vhusimamilayo ha Vundu ha Limpopo, li tea u vala bugu na rekhodo dzalo dza akhaunthu. –

(a) hu so ngo fhela maduvha a 21 phanda ha musu datumu ya khetho i tshi vhwahwa;

(b) vhukati ha maduvha a 14 nga murahu ha zwenezwo li netshedze tshitatamennde zwo toliwaho zwa dzenedzo bugu na rekhodo kha Munwaleli wa Vundu wa Vhusimamilayo ha Limpopo;

(c) Munwaleli wa Vundu wa Vhusimamilayo ha Limpopo u tea u tanganyisa vhuimeleli ha mahoro a politiki o bulwaho kha khethekanyothukhu 4 sa phesenthe ya vhuimeleli ha lenelo lihora kha Vhusimamilayo ha Vundu ha Limpopo ho sumbedziswaho kha khethekanyothukhu (3); nahone

(d) hu so ngo fhela maduvha a 21 phanda ha musu datumu ya khetho i tshi vhwahwa; lihora lenelo li tea u badela murahu kha Munwaleli wa Vundu wa Vhusimamilayo ha Vundu la Limpopo tshedele yo salaho i so ngo shumaho ya phesenthe yo tiwaho u bva nga datumu ya musu bugu na rekhodo ya akhaunthu zwi tshi valiwa sa zwo bulwaho kha phara (a).

Ndaulo

10. Mulangadzulo, a tshi khou shuma nga themendelo ya Komiti ya Vhusimamilayo ha Limpopo, a nga ita ndaulo dzi tutshelanaho na uyu Mulayo nga ndivhadzo kha Gazethe ya Vundu-

(a) u itela u randela matshimbizelwe ane nga khao, maitete ane, kana zwifhinga zwine mbadelo u bva kha Tshikwama dza nga tiwa na u itwa;

(b) u randela ndila dzine u kovhiwa ha nga tanganyiwa ngaho;

(c) u ta ndivho ine kha tshumiso ya khethekanyo 5 (1) i sa vhambedzei na mashumele a lihora la politiki li re kha demokirasi ya musalauno;

(d) u randela mafhungo na zwidodombedzwa zwine mahoro a politiki a tea u zwi netshedza kha Munwaleli wa Vundu wa Vhusimamilayo ha Vundu la Limpopo hu na muhumbulo wa u vhona uri tshumiso na ndaulo zwo teaho nahone zwi swikelelaho zwi khou tutshelana na uyu Mulayo; nahone

(e) kha mafhungo manwe na manwe ane a nga kana a tea u randelwa hu tshi tevhedzwa uyu Mulayo.

Dzina lipfufhi na mathomo

11. (1) Uyu Mulayo u vhidzwa Mulayo wa Tshikwama tsha Mahoro a Politiki wa Limpopo, 2008, nahone u thoma u shuma nga datumu yo vhwaho nga Premia nga Mulevho kha Gazethe ya Vundu.
(2) Mbetshelo dzo fhambanaho dza uyu Mulayo dzi nga thoma u shuma nga datumu dzo fhambanaho.

This is to certify that this Act has complied
With the Standing Rules and Orders of the
House and was thus adopted by the Honourable
House on this Day of 2008

Signed: Date: 20/11/08
SPEAKER OF THE LIMPOPO LEGISLATURE



NAWU

NAWU WA NKWAMA WA MAVANDLA YA TIPOLITIKI YA LIMPOPO.

Ku nyika mali eka mavandla ya tipolitiki lama nga eka Mfumo wa Milawu wa Xifundzankulu xa Limpopo; ku tumbuluxa Nkwama wa Mavandla ya Tipolitiki ya Limpopo; ku kombisa vutihlamuleri mayelana na Nkwama lowu; ku hlamusela swinawana mayelana no humela erivaleni hi mavandla ya tipolitiki; na ku hlamusela timhaka tihhi kumbe tihhi mayelana na leswi.

MANGHENELO

HAMBILESWI Vumbiwa ri hlamuselaka nawunkulu wa xidemokhirasi xa mavandlanyingi;

NA HAMBILESWI Vumbiwa ri seketelaka nawu lowu eka swiyenge hinkwaswo swa mfumo;

NA HAMBILESWI xiyenge xa 236 xa Vumbiwa xi seketelaka nawu lowu, naswona ngopfungopfu leswi ku lavekaka nawu wa tiko lowu nga ta kombisa maavele ya mali eka mavandla ya tipolitiki lama nga eka Mimfumo ya Milawu ya Rixaka na ya Swifundzankulu hi ku ringana na hi vukulukumba ku tlakusa xidemokhirasi xa mavandlanyingi;

NA HAMBILESWI nawu wa tiko wu nga simekiwa lowu kombisaka maavele ya mali eka Mimfumo ya Milawu ya Rixaka na ya Swifundzankulu na ku tumbuluxa nkwama hi xikongomelo xo avela mali eka Mimfumo ya Milawu ya Rixaka na ya Swifundzankulu;

NA HAMBILESWI nkwama wo engetela wa mavandla ya tipolitiki lama nga eka Mfumo wa Milawu wa Xifundzankulu xa Limpopo hi ku ringana na hi vukulukumba swi tlakusaka xidemokhirasi xa mavandlanyingi;

NA HAMBILESWI mali leyi aviweke yi faneleke ku tirhisiwa hi mavandla ya tipolitiki hi swikongomelo swa matirhele ya yona tanihi mintlawa ya tipolitiki eka xidemokhirasi ya manguva lama;

Wu simekiwa tanihi Nawu hi Mfumo wa Milawu wa Xifundzankulu xa Limpopo hi ndlela leyi:

Tinhlamuselo

1. Eka Nawu, ehandle ka laha swi hambanaka na leswi vuriwaka-

“**lembe-ximali**” swi vula nkarhi wa tinhwetu ta khumembirhi ku sukela 1 Dzivamusoko lembe rin’wana na rin’wana ku fikela 31 Nyenyankulu lembe leri landzelaka, masiku hamambirhi ya katsiwile;

“**Nkwama**” swi vula Nkwama wa Mavandla ya Tipolitiki ya Limpopo lowu tumbuluxiweke hi xiyenge 2(1);

“**hlamusela**” swi vula ku hlamusela ku ya hi swinawana leswi nga eka xiyenge 10; naswona

“**Nawu lowu**” swi katsa swinawana leswi kumekaka ehansi ka xiyenge xa 10.

Ku Simekiwa ka Nkwama wa Mintlawwa ya Tipolitiki ya Limpopo

2. (1) Nkwama lowu wa simekiwa laha hi xikongomelo ava mali, hilaha swi nga ta hlamuseriwa hakona, eka mintlawwa ya tipolitiki leyi nga eka Mfumo wa Milawu wa Xifundzankulu xa Limpopo.

(2) Nkwama lowu wu fanele wu va na-

(a) mali ya nkavelo ya Nkwama hi Mfumo wa Milawu wa Xifundzankulu xa Limpopo;

(b) Timali leti nghanaka eka nkwama ti huma kwala ndzeni ka Riphabliki kumbe ehandle;

(c) ntswalo lowu kumiweke eka mali leyi dipozitiweke hi ku landza xiyenge xa 3(1) na le ka mali leyi vekiweke hi ku landza xiyenge xa 3(2); na

(d) mali leyi kumiweke nakambe kumbe leyi nghanaka eka nkwama ku suka kwihi kumbe kwihi.

Dipoziti na mbekiso wa mali ya Nkwama

3. (1) Ehandle ka laha swi hlamuseriweke eka xiyengentsongo xa (2), mali leyi vekiweke ku nghanaka eka Nkwama yi fanele yi dipozitiwa eka akhawunti ya le tlhelo ya bangi leyi pfuriweke hi Matsalana wa Xifundzankulu wa Mfumo wa Milawu wa Xifundzankulu xa Limpopo na bangi leyi tsarisiwa eka Riphabliki.

(2) Mali leyi nga eka Nkwama leyi nga lavekiki hi xihatla ku averiwa mintlawwa ya tipolitiki hi ku landza xiyenge xa 5, yi nga vekisiwa eka Vakhomixinara va Vuvekisi va Tiko - Public Investment Commissioners hilaha swi hlamuseriweke hakona eka Public Investment Commissioners Act, 1984 (Nawu No. 45 wa 1984).

Vufambisi na vulawuri bya Nkwama

(4). (1) Matsalana wa Xifundzankulu wa Mfumo wa Milawu wa Xifundzankulu xa Limpopo u na vutihlamuleri bya malawulele na mafambisele ya Nkwama naswona i muofisiri wa tinkota na mufambisinkulu wa Nkwama.

(2) Eka lembe-ximali rin'wana na rin'wana Matsalana wa Xifundzankulu wa Mfumo wa Milawu wa Xifundzankulu xa Limpopo u fanele a hlayisa tirhekodo hi ku landza mafambisele na maendlele ya swa tinkota, swa-

(a) mali leyi amukeriweke kumbe ku engeteleka eka Nkwama;

(b) mali leyi aviweke kumbe tihakelo leti endliweke;

(c) mali leyi tirhisiweke eka nkavelo wa mali ya Nkwama; na

(d) rhekhodo ya mali leyi veke kona eka Nkwama na leyi tirhisiweke elembeni.

(3) Lembe-ximali ro sungula ra Nkwama ri fanele ri sungula siku leri Nawu lowu wu sungulaka ku tirha ku fikela 31 Nyenyankulu leyi landzelaka, ku katsiwa masiku hamambirhi.

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Miavo yo huma eka Nkwama

5. (1) Vandla rin'wana na rin'wana ra tipolitiki wu fanele wu fanele wu averiwa mali yo huma eka Nkwama eka lembe leri ntlawa wolowo wo veke xiphemu xa Mfumo wa Milawu wa Limpopo.

(2) Hi ku leteriwa hi xiyengentsongo xa (7), mali leyi averiweke vandla ra tipolitiki yi fanele yi tirhisa ku ya hi swikongomelo leswi vandla rolero wu tirhaka hakona eka xidemokhirasi xa manguva lama.

(3) Matirhele ya vandla ra tipolitiki hilaha ya hlamuseriweke hakona eka xiyengentsongo xa (2) ya katsa, kambe a ya pimeriwangi-

(a) ku hlukisiwa ka ku tinyiketela ka vanhu eka swa tipolitiki;

(b) ku humesela erivaleni nkucetelo wa vandla ra tipolitiki eka ku hundzuluxa mavonele ya vanhu;

(c) ku hlohletela no yisa emahlweni dyondzo ya swa tipolitiki;

(d) ku kucetela leswaku vaakatiko ha un'we-un'we va nghenelela eka swa tipolitiki;

(e) ku va na nkucetelo eka mafambisele ya swa tipolitiki; na

(f) ku yisa emahlweni vuxaka exikarhi ka vanhu na swiyenge swa mfumo, ngopfungopfu, exikarhi ka vanhu na Mfumo wa Milawu wa Limpopo.

(4) Minkavelo yo huma eka Nkwama yi ya eka mavandla ya tipolitiki yi fanele yi endliwa hi minkarhi yo karhi leyi kombisiweke, hi tindlela leti hlamuseriweke ta mahakelele, na hi tindlela leti boxiweke.

(5) Matsalana wa Xifundzankulu wa Mfumo wa Milawu wa Xifundzankulu xa Limpopo u fanele a ava mali yo huma eka Nkwama eka mavandla ya tipolitiki hi ku leteriwa hi maendlele lama hlamuseriweke lama-

(a) lawuriwaka hi vukulu bya mintlawa leyi, ku tekeriwa enhlokweni leswaku nhlayo ya vayimeri va vandla rolero eka Mfumo wa Milawu wa Limpopo yi fambelana njhani na phesente leyi mintlawa ya tipolitiki yi yi kumeke eka nhlawuwulo wa mani na mani lowu nga hundza; na

(b) xiphemu xin'wana i xa nawu wa ndzinganiso, laha ku tekeriwaka enhlokweni exikarhi ka swin'wana, xiyimo xa maavele ya le hansi eka vandla rin'wana na rin'wana ra tipolitiki leri yimeriwaka eka Mfumo wa Milawu wa Limpopo, na xikalo xa vuyimeri bya maavelo eka vandla rin'wana na rin'wana ra tipolitiki leri nga eka Mfumo wa Milawu wa Limpopo.

(6) Mahungu na vuxokoxoko lebyi nga ta tirhisiwa eka maendlele lama hlamuseriweke eka vandla ro karhi ra tipolitiki swi fanele swi tiyisiswa ku ya hi mahungu na swiyimo swa nkarhi lowu nkavelo wu nga ta endliwa ha wona.

(7) Mali leyi averiweke vandla ra tipolitiki ku suka eka Nkwama a yi fanelangi ku tirhiseriwa-

(a) hi ndlela yo kongoma kumbe yi nga kongomi ku hakela, mali, xikhenso, xikombelo kumbe mbuyelo wun'wana eka munhu loyi a yimeleke vandla ro karhi eka Mfumo wa Milawu wa Limpopo kumbe loyi a thoriweke hi Mfumo.

(b) hi xikongomelo xo humesa mali kumbe ku hlenga eka swin'wana hi ndlela yo kongoma kumbe yo ka yi nga kongomi, leswi hambanaka na matikhomele ya swirho swa Mfumo wa Milawu wa Limpopo, hi ndlela yihi kumbe yihi;

(c) Hi ndlela yo kongoma kumbe yo ka yi nga kongomi, hi xikongomelo xo tumbuluxa kumbe ku hakelela bindzu na ku kuma kumbe ku hlayisa mfanelo kumbe vunavetisi bya swa bindzu hi ndlela yihi kumbe yihi;

- (d) ku kuma mfanelo kumbe ntsakelo wo karhi eka nhundzu leyi nga sukiki, ehandle kaloko mfanelo kumbe ntsakelo wolowo eka nhundzu leyi nga sukiki swi ta tirhisiwa hi vandla ra tipolitiki ku fikelela swikongomelo ntsena swa vandla rolero; kumbe
- (e) hi xikongomelo xihhi kumbe xihhi xin'wana lexi nga fambelaniki na matirhele ya vandla ra tipolitiki eka xidemokhirasi xa manguva lama, hilaha xi hlamuseriweke.
- (8) (a) Maavele ya mali yo huma eka Nkwama eka vandla ra tipolitiki ma ta fika eka makumu loko vandla rolero ri nga ha ri na mfanelo yo kuma mali hi ku landza xiyengentsongo xa (1); na
- (b) eka masiku ya 21 loko vandla ra tipolitiki ri nga ha ri na mfanelo yo kuma mali, ri fanele wu tlherisela balansi leyi nga tirhisiwangiki ya mali hinkwayo leyi a ri averiwile yona.

Mavandla ya tipolitiki yi na vutihlamuleri ehenhla ka mali leyi aviweke ku suka eka Nkwama

6. (1) Vandla ra tipolitiki leri averiweke mali ku suka eka Nkwama ri fanele ri-
- (a) hlayisa, na bangi leyi tsarisiweke eka Riphabliki, akhawunti ya bangi ya le tlhelo laha mali yi nga ta dipozitiwa kona; naswona
- (b) thola muofisiri wa ntlawa wolowo tani hi muofisiri wa tinkota mayelana na mali leyi averiweke vandla rolero ku suka eka Nkwama.
- (2) Ntirho wa muofisiri wa tinkota i ku va na vutihlamuleri ehenhla ka mali leyi averiweke vandla ra tipolitiki, naswona swi katsa-
- (a) ku katsa na mintirho yin'wana leyi nga eka Nawu, ntirho wo vona leswaku vandla rolero ri landzelela swipimelo swa Nawu; na
- (b) ngopfungopfu ku vona leswaku mali leyi aviweke a yi tirhisiweke hi swikongomelo swo hambana na swa Nawu lowo.
- (3) Muofisiri wa tinkota u fanele a hlayisa tibuku to hambana na tirekhodo ta vutihlamuleri, hi ndlela leyi hlamuseriweke, mayelana na mali leyi aviweke yi huma eka Nkwama na ndlela leyi mali yaleyo yi tirhisiweke hakona.
- (4) Endzhaku ka tinhweti timbirhi loko lembe-ximali ri herile muofisiri wa tinkota u fanele ku lulamisa xitatimende lexi
- (a) kombisa timali hinkwato leti amukeriweke hi vandla ra tipolitiki ku suka eka Nkwama eka lembe-ximali rolero na ndlela leyi mali yaleyo yi tirheke hakona; naswona
- (b) ku nyika swivangelo swa ku va timali toleto ti tirhisiwile.
- (5) Tibuku na tirekhodo ta tinkota leti hlamuseriweke eka xiyengentsongo (3) na xitatimende lexi hlamuseriweke eka xiyengentsongo (4) swi fanele swi oditiwa hi muakhawutenta wa tiko na oditara lava tsarisiweke ku ya hi Public Accountants' and Auditors' Act, 1991 (Nawu No. 80 wa 1991).
- (6) Oditara loyi a oditaka hi ku landza xiyengentsongo xa (5) u fanele a kombisa eka xiviko xa oditara mavonele ya yena loko mali yi tirhisiwile hi swikongomelo swo hambana na swa Nawu.
- (7) Eka tinhweti tinharhu endzhaku ka ku hela ka lembe-ximali rolero, muofisiri wa tinkota u fanele a yisa tinkota leti nga oditiwa, switatimende na xiviko xa oditara eka Matsalana wa Xifundzankulu xa Mfumo wa Milawu wa Xifundzankulu xa Limpopo.

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(8) Ehandle ka xiyengentsongo xa (4), Oditara-Jenerali hi nkarhi wihi kumbe wihi a nga odita tibuku na tirekhodo ta tinkota na switatimende swa mali leyi averiweke vandla ro karhi ra tipolitiki yo huma eka Nkwama.

(9) (a) Hi ku leteriwa hi pharagirafu (b), Matsalana wa Xifundzankulu xa Mfumo wa Milawu wa Xifundzankulu xa Limpopo-

(i) u ta lerisa leswaku avelo wa mali eka ntlawa wa tipolitiki ku huma eka Nkwama wu yimisiwa nkarhinyana loko a tinetile hikwalaho ka swivangelo swo karhi leswaku vandla rolero ri tsandzekile ku landzelela swipimelo swa Nawu; naswona

(ii) u ta herisa ku yimisiwa ka nkarhinyana koloko loko a enetiwile leswaku matikhomele ya vandla rolero ya nkarhi wolowo ya endla leswaku swi nga ha faneri ku yimisanyana;

(b) ku yimisiwanyana ka nkavelo wa mali eka vandla ra tipolitiki swi nga endliwa hi ku leteriwa hi ndzimana ya (a) ntsena loko Matsalana wa Xifundzankulu xa Mfumo wa Milawu wa Xifundzankulu xa Limpopo-

(i) a tivisile vandla rolero hi xitiviso xo tsariwa mayelana na ku yimisiwa ka nkarhinyana loko bumabumeriwaka na swivangelo swa kona; na

(ii) a komberile vandla ku tisa swivangelo, eka nkarhi lowu kombisiweke eka xitiviso, leswaku hikwalaho ka yini nkavelo wo huma eka Nkwama wu fanele wu nga yimisiwinyana.

(c) nkarhi lowu boxiweke eka ndzimana ya (b) wu fanele wu nga fiki ehansi ka masiku ya 30 ku sukela siku leri xitiviso xi nga endliwa.

Makumele ya mali leyi nga tirhisiwa hi mintlawwa ya tipolitiki hi ndlela leyi nga ri ki yona

7. (1) Loko mali leyi averiweke vandla ra tipolitiki hi ku landza xiyenge xa 5 yi nga tirhisiwangi hi ku leteriwa hi swipimelo swa Nawu lowu, muofisiri wa tinkota wa vandla rolero loyi a boxiweke eka xiyenge xa 6(1)(b) u na vutihlamuleri byo tlherisela mali leyi nga tirhangiki hi mfanelo eka Matsalana wa Xifundzankulu xa Mfumo wa Milawu wa Xifundzankulu xa Limpopo.

(2) Mufambisinkulu wa Nkwama u fanele a kuma mali leyi nga tirhisiwangiki kahle naswona a nga endla swoleswo hi ku-

(a) teka magoza ya xinawu mayelana na mali leyi nga tirhangiki hi mfanelo eka muofisiri wa tinkota wa vandla ra tipolitiki lowu boxiweke eka xiyenge xa 6(1)(b); kumbe

(b) teka mali yaleyo yi nga tirhangiki hi mfanelo eka nkavelo lowu nga ta hakeriwa vandla rolero ra tipolitiki.

Xipikara u ta nyika xiviko eka Mfumo wa Milawu wa Xifundzankulu mayelana na Nkwama

8. (1) Hi xihatla endzhaku ka ku hela ka lembe-ximale, Xipikara u fane a –

(a) lulamisa xiviko mayelana na malawulele na mafambisela ya Nkwama eka lembe-ximali rolero; naswona

(b) lulamisa switatimende swa timali mayelana na Nkwama leswi kombisaka-

(i) mintsengo leyi amukeriweke no nghena eka Nkwama eka lembe-ximali rolero;

(ii) nkavelo wo huma eka Nkwama wa mavandla ya tipolitiki eka lembe-ximali rolero;

- (iii) mintsengo leyi tirhisiweke exikarhi ka lembe hi vandla rin'wana na rin'wana ra tipolitiki mayelana na swikongomelo leswi boxiweke ehansi ka swiyenge swo hlamusela hilaha swi kombisiwaka nkarhi na nkarhi;
- (iv) Nsalo wa Nkwama na mali leyi kolotiwaka hi kumbe eka Nkwama eku heleni ka lembe rolero; na
- (v) Xipikara u fanele a tisa xiviko xolexo na tibuku na tirekhodo ta Xipikara ta tinkoka ta Nkwama eka Oditara-Jenerali leswaku swi oditiwa.
- (2) Eka masiku ya 30 endzhaku ka ku kuma xiviko xa Oditara-Jenerali, Xipikara u fanele a andlala xiviko xa yena eka Mfumo wa Milawu wa Xifundzankulu xa Limpopo na switatimende swa timali leswi nga oditiwa swa Nkwama na xiviko lexi nga oditiwa xa Xipikara.

Mali leyi nga tirhangiki emakumu ka lembe-ximali

9. (1) Mali leyi nga tirhisiwangiki hi vandla ra tipolitiki emakumu ya lembe-ximali yi fanele yi kombisiwa eka tibuku na tirekhodo ta tinkota ta vandla tani hi nsalo wa khirediti lowu hundziseriwaka emahlweni eka lembe-ximali leri landzelaka: Ntsena loko-
- (a) mali leyi hundziseriwaka emahlweni yi nga hungutiwa yi va ntsengo lowu yimelaka phesente yo karhi ya nkavelo lowu endliweke eka lembe-ximali; naswona
 - (b) mali leyi hundziseriweke lembe-ximali leri landzelaka a yi nge tekeriwi enhlokweni loko ku tekiwa xiboho xa nkavelo wa vandla rolero wa lembe-ximali rolero.
- (2) Mali leyi saleke tani hi khirediti eka Nkwama emakumu ka lembe-ximali yi fanele yi hundziseriwa emahlweni eka lembe-ximali lerintshwa tani hi nsalo wa khirediti.
- (3) Loko Mfumo wa Milawu wa Limpopo wu hangalasiwa hi ku landza Vumbiwa, vandla ra tipolitiki leri yimeriwaka eka Mfumo wa Milawu wa Limpopo ri fanele ku pfala tibuku ta rona na tirekhodo ta tinkota-
- (a) ku nga si hundza 21 wa masiku ku ya eka siku leri vekiweke ra nhlawulo naswona eka masiku ya 14 endzhaku ka leswo ri tisa xitatimende lexi nga oditiwa mayelana na tibuku toleto na tirekhodo ta tinkota eka Matsalana wa Xifundzankulu xa Mfumo wa Milawu wa Xifundzankulu xa Limpopo; naswona
 - (b) naswona ku nga si fika siku rin'we leri vekiweke nhlawulo, vandla rolero ra tipolitiki ri fanele ri hakela Matsalana wa Xifundzankulu xa Mfumo wa Milawu wa Xifundzankulu xa Limpopo nsalo lowu nga tirhisiwangiki ku ya hi siku leri tibuku na tirekhodo ta tinkota ti pfariweke hi ku leteriwa hi ndzimana ya (a).
- (4) Loko Mfumo wa Milawu wa Limpopo wu hangalasiwa hi ndlela yihi kumbe yihi yin'wana, vandla ra tipolitiki leri nga na vuyimeri eka Mfumo wa Milawu wa Limpopo ri fanele ri pfala tibuku na rekhodo ya tinkota-
- (a) ku nga si hundza masiku ya 21 ku ya eka siku leri vekiweke nhlawulo;
 - (b) eka masiku ya 14 endzhaku ka leswo ri tisa xitatimende lexi nga oditiwa mayelana na tibuku toleto na tirekhodo ta tinkota eka Matsalana wa Xifundzankulu xa Mfumo wa Milawu wa Xifundzankulu xa Limpopo;
 - (c) Matsalana wa Xifundzankulu xa Mfumo wa Milawu wa Xifundzankulu xa Limpopo u fanele a hlayela vuyimeri bya vandla ra tipolitiki leri hlamuseriweke eka xiyengentsongo xa (4) tanihi phesente ya vuyimeri bya vandla rolero eka Mfumo wa Milawu wa Limpopo hi ku leteriwa hi xiyengentsongo xa (3); naswona

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(d) naswona ku nga si fika siku rin'we leri vekeraweke nhlawulo, vandla rolero ra tipolitiki ri fanele ri hakela Matsalana wa Xifundzankulu xa Mfumo wa Milawu wa Xifundzankulu xa Limpopo nsalo lowu nga tirhisiwangiki wa phesente leyi hlamuseriweke ku ya hi siku leri tibuku na tirekhodo ta tinkota ti pfariweke hi ku leteriwa hi ndzimana ya (a).

Swinawana

10. Xipikara, hi ku leteriwa hi xibumabumelo xa komiti ya Mfumo wa Milawu wa Xifundzankulu xa Limpopo, a nga nyika xitiviso eka *Gazete ya Xifundzankulu* xa swinawana leswi fambelanaka na Nawu lowu-

- (a) leswi kombisaka ndlela leyi, na minkarhi leyi, na timali leti nga ta hakeriwa ku suka eka Nkwama swi nga ta endliwa hakona;
- (b) leswi kombisaka tindlela leti tirhisiweke ku endla minkavelo;
- (c) ku kombisa xivangelo lexi eku tirhisiweni ka xiyenge xa 5(1) xi nga fambelaniki na matirhele ya ntlawa wa tipolitiki eka xidemokhirasi xa manguva lama;
- (d) ku hlamusela mahungu na vuxokoxoko lebyi mavandla ya tipolitiki ya faneleke ku swi tisa eka Matsalana wa Xifundzankulu xa Mfumo wa Milawu wa Xifundzankulu xa Limpopo hi xikongomelo xo vona leswaku Nawu lowu wa landzeleriwa no tirhisiwa; naswona
- (e) eka mhaka yihi kumbe yihi leyi nga kumbe yi faneleke ku hlamuseriwa hi swipimelo swa Nawu lowu;

Nhlokombhaka yo koma na ku sungula ku tirha

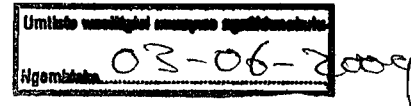
11. (1) Nawu lowu wu vuriwa Nawu wa Nkwama wa Mavandla ya Tipolitiki ya Limpopo, 2008, naswona wu ta sungula ku tirha hi siku leri vekiweke hi Phirimiya hi Xitiviso eka *Gazete ya Xifundzankulu*.

(2) Swipimelo swo hambana swa Nawu lowu swi nga tirhisiwa hi masiku yo hambana.

This is to certify that this Act has complied
With the Standing Rules and Orders of the
House and was thus adopted by the Honourable
House on this Day of 2008

Signed: Date: 20/11/08

SPEAKER OF THE LIMPOPO LEGISLATURE



UMTHETHO

UMTHETHO WELIMPOPO WESIHWAMA SEEMALI ZOMBANGANARHA

Kuqalelela ukusekelwa ngeemali kweenhlangano zombanganarha esiBethamthethweni sePhrovinsi yeLimpopo; kuhloma isiKhwama seemali seenhlangano zombanganarha zeLimpopo; kuqalelela ukuziphendulela mayelana nesiKhwama; kunikela ngokulawula kokuveza ziinhlangano zombanganarha; kanye nokuqalelela ezinye iindaba ezikhambelana nalokhu.

ISINGENISO

NJENGOMBANA umThethosisekelo uhloma ikambisolawulo esisekelo yentando yenengi yeenhlangano ezinengi;

BEGODU NJENGOMBANA umThethosisekelo uphakamisa lekambisolawulo kiwo woke amazinga wombuso;

BEGODU NJENGOMBANA isigaba 236 somThethosisekelo siphakamisa ikambisolawulo le begodu, khulukhulu, sifuna umthetho wesitjhaba ukuqalelela ukusekelwa ngeemali kweenhlangano zombanganarha ezizibandakanya eemBethamthethweni zesiTjhaba nezamaPhrovinsi ngesisekelo sokulingana nokujanyelwa ukuqinisa intando yenengi yeenhlangano ezinengi;

BEGODU NJENGOMBANA umthetho wesitjhaba wenziwe ukuqalelela ukusekelwa ngeemali kweenhlangano zombanganarha ezizibandakanya eemBethamthethweni zesiTjhaba nezamaPhrovinsi kanye nokuhloma isikhwama seemali ngomnqopho wokusekela ngeemali iinhlangano zombanganarha ezizibandakanya eemBethamthethweni zesiTjhaba nezamaPhrovinsi;

BEGODU NJENGOMBANA ukusekelwa ngeemali okungezelelweko kweenhlangano ezizibandakanya esiBethamthethweni sePhrovinsi yeLimpopo ngesisekelo sokulingana nokujanyelwa kanye nokuqinisa khulu intando yenengi yeenhlangano ezinengi;

BEGODU NJENGOMBANA imali ebekelwe lokhu kufanele isetjenziswe ziinhlangano zombanganarha ukwenzela iminqopho esuka ekusebenzeni njengeenhlangano zombanganarha kuntando yenengi yanjesi;

WENZIWE UMTHETHO siBethamthetho sePhrovinsi yeLimpopo ngendlela elandelako :-

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Iinhlathululo

1. KilomThetho, ngaphandle kwalokha ubujamo butjho ngenye indlela -
"unyaka weemali" utjho isikhathi seenyanga ezilitjumi nambili ukusuka ngomhlaka 1 5
 Apreli unyaka omunye nomunye ukufika ngomhlaka 31 Matjhi ngonyaka olandelako,
 kufaka womabili amalanga;
"isiKhwama" kutjho isiKhwama sokuSekela ngeeMali iinHlangano
 zomBanganarha zeLimpopo esihlonywe ngokuya kwesigaba 2(1);
"ukubeka" kutjho ukubeka komthetjhwana owenziwe ngaphasi kwesigaba 10; begodu
"lomThetho" ufaka imithetjhwana eyenziwe ngaphasi kwesigaba 10.

Ukuhlonywa KwesiKhwama SeeMali SeenHlangano ZomBanganarha ZeLimpopo 10

2. (1) IsiKhwama lapha siyahlonywa ngomnqopho wokusekela ngeemali,
 njengombana kubeka ngemva kwalokhu, iinhlango zombanganarha
 ezizibandakanya esiBethamthethweni sePhrovinsi yeLimpopo.
 (2) IsiKhwama kufuze sifakwe -
 (a) imali eyabelwe isiKhwama siBethamthetho sePhrovinsi yeLimpopo;
 (b) ukuphosela neminkelo esiKhwameni esuka emithombeni engaphakathi 15
 nengaphandle kweRiphabhligi;
 (e) inzalo efunyenwe ngemali efakwe ngokuya kwesigaba 3(1) kanye nemali
 esiswe ngokuya kwesigaba 3(2); kanye
 (d) nemali ebuyisiweko namkha eyandele esiKhwameni ebuya komunye umthombo.

Ukufaka Nokusiswa Kwemali YesiKhwama

3. (1) Ngaphandle kwalokha nakubekwe njalo esigatjaneni (2), imali elindelwe
 ukufakwa esiKhwameni kufuze ifakwe e-akhawuntini yebhanka ehlukeleko
 evulwe nguNobhala wePhrovinsi wesiBethamthetho sePhrovinsi yeLimpopo
 ebhanka etloliswe ngaphakathi kweRiphabhligi.
 (2) Imali esesiKhwameni engafuneki msinyana bona yabelwe iinhlango 2
 zombanganarha ngokuya kwesigaba 5, ingasiswa kiboKomitjhinara bokuSiswa
 kweeMali zomBuso (*i-Public Investment Commissioners*) abatjhiwo emThethweni
i-Public Investment Commissioners waka-1984 (umThetho weNomboro 45 waka-1984).

Ukuphathwa Nokulawulwa KwesiKhwama

4. (1) UNobhala wePhrovinsi wesiBethamthetho sePhrovinsi yeLimpopo 10
 usebenza ukuphatha nokulawula isiKhwama begodu usiphathiswa
 esiphendulako nesiKhulu esiPhezulu (*u-chief executive officer*) sesiKhwama.
 (2) Komunye nomunye unyaka weemali uNobhala wePhrovinsi
 wesiBethamthetho sePhrovinsi kufuze agcine amarekhodi, ngokuya
 kwemikghwa neenkambiso ezamukelekako ze-akhawuntighi - 15
 (a) wemali efunyenweko namkha eyandele esiKhwameni;
 (b) wokwabiwa kanye nokubhadela okwenziwe ukusuka kiso;
 (e) wemali esetjenziswe ukusuka ekwabiweni kwemali esiKhwameni; kanye
 (d) nerekhodi lemali yokusikimisa neenkolodo zesiKhwama ngonyaka weemali lowo.

(3) Unyaka weemali wokuthoma wesiKhwama kufuze ukhamba ukusuka ngelanga lomThetho othoma ukusebenza ngalo bekufike umhlaka 31 Matjhi, kufaka womabili amalanga. 20

Ukwabiwa Kweemali Ukusuka EsiKhwameni

5. (1) Enye nenye ihlangano yezombanganarha ifanelwe kufumana imali ebuya esiKhwameni enyakeni weemali ezibandakanye ngawo esiBethamthethweni sePhrovinsi yeLimpopo.
- (2) Ngokuya komthethwana (7), imali eyabelwe ihlangano yezombanganarha kufuze isetjenziselwe imisebenzi ekhambelana nokusebenza kwayo njengehlangano yezombanganarha entandweni yenengi yanjesi. 25
- (3) Ukusebenza kwehlangano yezombanganarha njengombana kutjhiwo esigatjaneni (2) kufaka, kodwana akupheleli -
- (a) ekuthuthukisweni kweemfiso zombanganarha zabantu;
- (b) ekuletheni ukuthelela kwehlangano yezombanganarha bona ibe nomthelela ekubunjweni kombono womphakathi; 30
- (c) ekuhlohlomezeleni nekurageliseni phambili ifundo yezombanganarha;
- (d) ekuphakamiseni ukuzibandakanya okubonakalako kwezakhamizi ekorweni yezombanganarha;
- (e) ekubeni nomthelela emikghweni yezombanganarha; kanye
- (f) nekuqinisekiseni ithintwano eliragela phambili neliqakathekileko phakathi kwabantu nezakhiwo zombuso, khulukhulu, phakathi kwabantu nesiBethamthetho sePhrovinsi yeLimpopo. 35
- (4) Ukwabiwa okusuka esiKhwameni okuya eenhlanganweni zombanganarha kufuze kuquntwe begodu kwenziwe ngeenkhati ezibekiweko, ngeentolmende ezibekiweko kanye nangendlela ebekiweko.
- (5) UNobhala wesiBethamthetho sePhrovinsi yeLimpopo kufuze abele iihlangano ngokuya kwendlela ebekiweko - 40
- (a) isiquntu, ngekambisolawulo yokujanyelwa, kuqalwe bona isibalo sabajameli behlangano esiBethamthethweni siyikomba yabajameli behlangano leyo esiBethamthethweni kanye nephesente lamavowudi afunyenwe ziinhlangano emakhethweni mazombe adlulileko; begodu 45
- (b) ngakwelinye ihlangothi, ekambiswenilawulo yokulingana, ngokutjheja, hlangana nokhunya, ubuncani besiquntu sokwabelwa kwenye nenye ihlangano yezombanganarha ejanyelwe esiBethamthethweni sePhrovinsi yeLimpopo kanye nesilinganiso sokujanyelwa esisetjenziselwa ukwabelwa kwenye nenye yeenhlangano zombanganarha ezizibandakanya esiBethamthethweni sePhrovinsi yeLimpopo. 50
- (6) Ilwazi neminingwana ethloge kako ukusebenzisa indlela ebekiweko ehlanganweni kufuze liqinisekiswa ngokuqala amaqiniso nobujamo obufaneleko ngendlela elingayo esikhathini okuzakwenziwa ngaso ukwabiwa.
- (7) Imali eyabelwa ihlangano yezombanganarha ukusuka esiKhwameni akukafaneli isetjenziselwe -
- (a) iminqopho bunqopho namkha ingasi bunqopho yokubhadela imirholo, imbhadelo yokuthileko, umvuzo, ifuneko namkha umvuzo emuntwini ojamele 55

LIMPOPO POLITICAL PARTY FUND ACT, 2008

- ihlangano esiBethamthethweni sePhrovinsi yeLimpopo namkha ophethe i-ofisi ngaphasi komBuso;
- (b) ngombono wokubhadela namkha wokufaka isandla endabeni, ibanga namkha isehlakalo, kungaba bunqopha namkha ingasi bunqopha, ekwephuleni irhelo lokuziphatha lamalunga wesiBethamthetho sePhrovinsi yeLimpopo, kuye ngobujamo;
- (c) bunqopha namkha ingasi bunqopha ngomnqopho wokuhloma namkha wokusekela ngeemali ibhizinisi namkha wokufumana namkha wokugcina ilungelo namkha ikareko yezeemali nanyana njani ebhizinisini; 5
- (d) ukufumana ilungelo namkha ikareko epahleni engatjhidiko, ngaphandle kwalapho ilungelo namkha ikareko epahleni engatjhidiko lizakusetjenziselwa yihlangano yezombanganarha, khulukhulu, ukufeza iminqopho ejayelekileko yezombanganarha yehlangano yezombanganarha; namkha
- (e) ukwenzela omunye weminqopho engakhambisaniko nokusebenza kwehlangano yezombanganarha, kuye ngokubeka. 10
- (8) (a) Ukwabiwa kwemali ukusuka esiKhwameni ukuya ehlanganweni yezombanganarha kufuze kuphele lokha ihlangano nayiphelelwa kufaneleka ngokuya kwesigaba (1); begodu
- (b) kungakapheli amalanga ama-21, ngemva kwelanga lapho ihlangano yezombanganarha iphelelwa kufaneleka, kufuze ibuyise imali esaleleko engakasebenzi ebeyinikelwe yona.
- Iihlangano Zombanganarha Zizaziphendulela Ngeemali Ezabiwe Ukusuka EsiKhwameni** 15
6. (1) Ihlangano yezombanganarha enikelwe imali ukusuka esiKhwameni kufuze -
- (a) ibe, ebhanka etloliswe ngaphakathi kweRiphabhligi, ne-akhawunti yebhanka ehlukileko kiyo okuzakufakwa imali; begodu
- (b) ikhombe isiphathiswa sehlangano yezombanganarha njengesiphathiswa esiphendulako mayelana nemali enikelwe ihlangano yezombanganarha ukusuka esiKhwameni. 20
- (2) Umsebenzi wesiphathiswa esiphendulako mayelana nemali kuphendula imibuzo ngemali enikelwe ihlangano yezombanganarha leyo begodu ufaka -
- (a) ukungezelela kweminye imisebenzi ebekwe mThetho, umsebenzi wokuqinisekisa bona ihlangano ikhambisana neemfuno zalomThetho; begodu
- (b) khulukhulu, ukuqinisekisa bona imali enikelweko ayikhutjhelwa ukufeza iminqopho engakavunyelwa mThetho. 25
- (3) Isiphathiswa esiphendulako kufuze sigcine iincwadi ezihlukileko namarekhodi we-akhawunti, ngendlela ebekiweko, mayelana nemali enikelwa ngokukhutjhwesiKhwameni kanye nakho koke ukuthengiselana okuthinta imali enjalo.
- (4) Kungakapheli iinyanga ezimbili ngemva kokuphela konyaka weemali, isiphathiswa esiphendulako kufuze senze isitatimende - 30
- (a) esitjengisa zoke iimali ezifunyenwe yihlangano yezombanganarha ukusuka esiKhwameni ngesikhathi sonyaka weemali loyo kanye nokusebenzisa kwayo imali eyabiweko; kanye
- (b) nokuhlathulula iminqopho iimali ezihlukeneko ezisetjenziselwe yona.
- (5) Iincwadi namarekhodi we-akhawunti okukhulunywe ngawo esigatjaneni (3) 35

- kanye nesitatimende okukhulunywe ngaso esigatjaneni (4) kufuze zihlolwe mhloli ma-akhawunti womphakathi kanye nomhloli otloliswe nosebenza ngokuya komThetho wabaPhathi beeNcwadi zeeMali nabaHlolincwadi waka-1991 (*i-Public Accountants' and Auditors' Act, 1991* (umThetho weNomboro 80 waka-1991).
- (6) Umhloli owenza ukuhlola okukhulunywe ngakho esigatjaneni (5), kufuze embikweni womhloli, azeze umbono wokobana imali eyabiweko isetjenziselwe iminqopho engakabelwa yona ngilomThetho. 40
- (7) Kungakapheli iinyanga ezintathu ngemva kokuphela konyaka weemali loyo, isiphathiswa esiphendulako kufuze silethe ama-akhawunti ahloliweko, iintatimende nombiko womhloli kuNobhala wesiBethamthetho sePhrovinsi yeLimpopo.
- (8) Ngaphandle kwesigatjana (4), umHlolincwadi Mazombe ngesinye nesinye isikhathi angahlola iincwadi namarekhodi we-akhawunti kanye neentatimende zeemali eziphathelele nehlango zezombanganarha esiKhwameni. 45
- (9) (a) Ngokuyama endimeni (b), uNobhala wePhrovinsi wesiBethamthetho sePhrovinsi yeLimpopo kufuze -
- (i) alaye bona ukwabelwa kwehlango zezombanganarha imali ukusuka esiKhwameni kujanyiswe nayikuthi kunamabanga azwakalako wokobana ihlango ihlulekile kukhambisana nefuno yalomThetho; begodu 50
- (ii) kufuze aphelise ukujanyiswa nayikuthi uyaneliswa, ngokuziphatha kwamuva kwehlango, bona ukujanyiswa akusatlhogekali;
- (b) Ukujanyiswa kokwabelwa kwehlango kungalaywa ngokuya kwendima (a) kuphela nayikuthi uNobhala wePhrovinsi wesiBethamthetho sePhrovinsi yeLimpopo - 55
- (i) ngesaziso esitloliweko, wazise ihlango ngesihlongozo sokujamisa; kanye nangamabanga walokho; begodu
- (ii) wabawa ihlango bona ilethe amabanga kungakadluli isikhathi esitjhiwoko esazisweni ukobana kungani ukwabiwa ukusuka esiKhwameni kungakafaneli kujanyiswe. 60
- (c) Isikhathi okukhulunywe ngaso endimeni (b) kufuze singabi sincani kunamalanga ama-30 ukuthoma ngelanga lesaziso.

Ukubuyiswa Kweemali Ezisetjenziswe Kumbi Ziinhlangano Zombanganarha

7. (1) Lapho imali eyabelwe ihlango zezombanganarha ngokuya kwesigaba 5 ingakasetjenziswa ngokuya kwefuno yalomThetho, isiphathiswa esiphendulako sehlangano leyo okukhulunywe ngayo esigabeni 6(1)(b) sizakubhadela kuNobhala wesiBethamthetho sePhrovinsi imali engakasetjenziswa kuhle. 5
- (2) Isiphathiswa esikhulu sesiKhwama kufuze sibuyise imali esetjenziswe kumbi begodu singenza lokho -
- (a) ngokwenza isimangalo somlandu wombango mayelana nenani elisetjenziswe kumbi esiphathisweni esiphendulako sehlangano okukhulunywe ngayo esigabeni 6(1)(b); namkha 10
- (b) ngokusula isikolodo senani elisetjenziswe kumbi ngokulidosa esabelweni esingahle sibhadelwe ihlango zezombanganarha.

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USomlomo Uzakubika EsiBethamthethweni SePhrovinsi YeLimpopo NgesiKhwama

8. (1) Msinyana ngokurhaba okukghonekako ngemva kokuphela konyaka weemali, uSomlomo kufuze - 15
- (a) enze umbiko omayelana nokuphatha kwakhe isiKhwama ngesikhathi sonyaka weemali; begodu
- (b) enze iintatimende zeemali ezimayelana nesiKhwama, ezitjengisa -
- (i) amanani afunyenwe nandele isiKhwama ngesikhathi sonyaka weemali; 20
- (ii) ukwabiwa okwenziwe ukusuka esiKhwameni mayelana neenhlango zombanganarha ezifaneleko ngonyaka loyo;
- (iii) amanani asetjenziswe ngonyaka weemali loyo ngenye nenyehlangano yezombanganarha mayelana neminqopho ewela ngaphasi kwamahlangothi wokuhlathulula mazombe njengombana kubekwa isikhathi nesikhathi; 25
- (iv) ibhalansi yesiKhwama kanye namanani akolodwa isiKhwama nakolodwa siKhwama ekupheleni konyaka weemali; begodu
- (v) uSomlomo kufuze alethe umbiko loyo, iintatimende lezo kanye namarekhodi we-akhawunti akhambelana nesiKhwama kumHlolincwadi Mazombe bona azokuhlolwa. 30
- (2) Kungakapheli amalanga ama-30 ngemva kokufumana umbiko womHlolincwadi Mazombe, uSomlomo kufuze alethe umbiko loyo esiBethamthethweni sePhrovinsi yeLimpopo kanye neentatimende ezihloliweko zesiKhwama kanye nombiko kaSomlomo ohloliweko.

Imali Engakasetjenziswa Ekupheleni Konyaka Weemali

- 9.(1) Imali engakasetjenziswa yihlangano yezombanganarha ekupheleni konyaka weemali kufuze ivezwe encwadini nemarekhodini we-akhawunti wehlangano njengebhalansi yesikolodo esidluliselwa enyakeni weemali olandelako: 35
- Kuye ngokuthi -
- (a) imali engadluliselwa phambili, ingaqintelwa emalini ejamele iphesente elibekiweko lonyaka weemali loyo; begodu 40
- (b) imali edluliselwe phambili enyakeni weemali olandelako angeze yaqalwa nakuquntwa ngesabelo sehlangano ethintekako ngesikhathi sonyaka weemali loyo.
- (2) Imali ebhadlwe esiKhwameni ekupheleni konyaka weemali kufuze idluliselwe phambili enyakeni weemali olandelako njengebhalansi yesikolodo. 45
- (3) Nayikuthi isiBethamthetho sePhrovinsi yeLimpopo siphadlhalajwa ngokuya komThethosisekelo, ihlangano yezombanganarha ejanyelwe esiBethamthethweni sePhrovinsi yeLimpopo kufuze ivale iincwadi namarekhodi wama-akhawunti wayo -
- (a) kungakapheli amalanga ama-21 ngaphambi kwelanga elibekelwe amakhetho begodu kungakapheli amalanga ali-14, ilethe isitatimende esihloliweko mayelana neencwadi namarekhodi lawo kuNobhala wesiBethamthetho sePhrovinsi yeLimpopo; 50
- (b) kungakadluli ilanga msinyana ngaphambi kwelanga elibekelwe amakhetho,

- ihlangano yezombanganarha enjalo kufuze ibuyisele kuNobhala wesiBethamthetho iimali ezisaleleko ezingakasetjenziswa ngendlela ezingayo mhlana iincwadi namarekhodi wayo wama-akhawunti avalwa njengombana kutjhiwo endimeni (a). 55
- (4) Nayikuthi isiBethamthetho sePhrovinsi yeLimpopo siphadlhalajwa kobunye nobunye ubujamo, ihlangano yezombanganarha ejanyelwe esiBethamthethweni sePhrovinsi yeLimpopo kufuze ivale iincwadi namarekhodi wayo we-akhawunti -
- (a) kungakapheli amalanga ama-21 ngaphambi kwelanga elibekelwe amakhetho; 5
- (b) kungakapheli amalanga ali-14 kuthi ngemva kwalokho ilethe isitatimende esihloliweko mayelana neencwadi namarekhodi we-akhawunti lawo kuNobhala wesiBethamthetho sePhrovinsi yeLimpopo;
- (c) uNobhala wePhrovinsi wesiBethamthetho sePhrovinsi yeLimpopo kufuze abalisise ukujanyelwa kwehlangano yezombanganarha okukhulunywe ngayo esigatjaneni (4) njengephesente lokujanyelwa kwehlangano leyo esiBethamthethweni sePhrovinsi yeLimpopo okukhulunywe ngakho esigatjaneni (3); begodu 10
- (d) kungakapheli ilanga linye msinyana ngaphambi kwelanga elibekelwe amakhetho, ihlangano yezombanganarha enjalo kufuze ibuyisele kuNobhala wesiBethamthetho sePhrovinsi yeLimpopo imali esaleleko engakasetjenziswa yephesente eliquntiweko ngendlela ebelingayo ngelanga lapho iincwadi namarekhodi wama-akhawunti avalwa ngalo njengombana kutjhiwo endimeni (a). 15

Imithetjhwana

10. USomlomo, ngokwenza ngesiphakamiso sekomidi yesiBethamthetho sePhrovinsi yeLimpopo, ngesaziso eGazedini yePhrovinsi angenza imithetjhwana ekhambelana nalomThetho - 20
- (a) ebeka ikambiso ngokuya kwayo, indlela, neenkhathe namkha ukubhadela ngeentolmende okuzakwenziwa ngayo ukusuka esiKhwameni okuzakuquntwa begodu kwenziwe ngayo;
- (b) ebeka indlela ukwabiwa kweemali okuzakubalwa ngayo;
- (c) equnta umnqopho ekusetjenzisweni kwesigaba 5(1) okungakhambelaniko nokusebenza kwehlangano yezombanganarha entandweni yenengi yanjesi; 25
- (d) ebeka ilwazi neminingwana iihlangano zombanganarha okufuze ziyilethe kuNobhala wesiBethamthetho sePhrovinsi yeLimpopo ngombono wokuqinisekisa ukusetjenziswa kuhle nangokunetlha kwesikhwama kanye nokuphathwa nokukhambisana nalomThetho; kanye 30
- (e) nangenye indaba okufuze namkha engabekwa ngokuya kwalomThetho;

Ithayithili Efitjhani Nokuthoma Ukusebenza

11. (1) LomThetho ubizwa ngomThetho weLimpopo wesiKhwama sokuSekela ngeeMali iihlangano zombanganarha waka-2008 begodu uthoma ukusebenza ngelanga elizakubekwa nguNduvakulu ngesiMemezelo eGazedini yePhrovinsi. 35
- (2) Iinjamiliso ezihlukeneko zalomThetho zingathoma ukusebenza ngamalanga ahlukeneko.

This is to certify that this Act has complied
With the Standing Rules and Orders of the
House and was thus adopted by the Honourable
House on this Day of 2009

Signed: Date: 20/11/09
SPEAKER OF THE LIMPOPO LEGISLATURE