

PROCLAMATION • PROKLAMASIE

PROCLAMATION 21 OF 2017

LIMPOPO PROVINCIAL ADMINISTRATION
OFFICE OF THE PREMIER

COMMENCEMENT OF THE LIMPOPO ECONOMIC DEVELOPMENT AGENCY ACT,
2016 (ACT NO.5 OF 2016)

I, Chupu Stanley Mathabatha, in terms of section 31 of the Limpopo Economic Development Agency Act, 2016 (Act No.5 of 2016), hereby determine the 2nd October 2017 as the date on which the said Act comes into operation.


CHUPU STANLEY MATHABATHA
PREMIER: LIMPOPO

DATE: 11/08/2017

ACT

To provide for the establishment of the Limpopo Economic Development Agency and the Board of the Agency; to provide for the objectives of the Agency and to confer powers and functions on the Board; and to provide for matters incidental thereto.

BE IT ENACTED by the Limpopo Provincial Legislature as follows:–

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Part I

Definitions, Objects and Establishment

1. Definitions

In this Act unless the context indicates otherwise—

"Agency" means the Limpopo Economic Development Agency established in terms of section 3;

“**Board**” means the Limpopo Economic Development Agency Board established in terms of section 5;

“**Chairperson**” means the chairperson of the Board appointed in terms of section 7(5);

“**Chief Executive Officer**” means the Chief Executive Officer appointed in terms of section 18;

“**committee**” means a committee of the Board established in terms of section 13;

“**Department**” means the Department responsible for economic development in the province;

“**Executive Council**” means the Executive Council of the province referred to in section 132 of the Constitution of the Republic of South Africa, 1996;

“**MEC**” means the Member of the Executive Council responsible for economic development in the province;

“**member**” means a member of the Board appointed in terms of section 7;

“**organ of state**” means an organ of state as defined in section 239 of the Constitution of the Republic of South Africa, 1996;

“**prescribe**” means prescribed by regulations;

“**Public Finance Management Act, 1999**” means the Public Finance Management Act, 1999 (Act No.1 of 1999);

“**senior staff**” means executive managers that report directly to the Chief Executive Officer; and

“**this Act**” includes regulations made or issued in terms of this Act.

2. Object of Act

The object of the Act is to establish an economic development agency for the province.

3. Establishment of Agency

- (1) The Limpopo Economic Development Agency is hereby established as a juristic person.

- (2) The Agency consists of –
 - (a) a Board constituted in terms of section 5;
 - (b) a Chief Executive Officer; and
 - (c) staff of the Agency.

*Part II**The Board, Chief Executive Officer, Staff and Funding of Agency***4. Objectives of Agency**

- (1) The objectives of the Agency are to –
 - (a) accelerate economic development and diversification in the provincial industrial base and to increase the competitiveness of the provincial economy in the fields of agriculture, commerce, housing, industry, mining, training, tourism, public transport and other business;
 - (b) identify short, medium and long term interventions in order to accelerate economic and industrial development and job creation;
 - (c) implement key priority catalytic projects in a coherent and integrated manner in partnership with priority stakeholders;
 - (d) support the development of strategic sectors of the economy in line with the established economic and industrial policies of the province;
 - (e) provide leadership by preventing sporadic, uncoordinated, incoherent economic development projects which are not in line with provincial policy;

- (f) increase regional economic collaboration with functional economies outside the province;
 - (g) shape the geography of industrial production and align underdeveloped regions into the economic frontiers;
 - (h) improve the province's export performance and attract a greater share of domestic and foreign investment; and
 - (i) increase the number of economic sectors capable of producing high value added products and services.
- (2) In achieving its objectives, the Agency must endeavour to progressively increase its own revenue generation and collection.

5. Board of Agency

- (1) The MEC must constitute the Limpopo Economic Development Agency Board consisting of executive and non-executive directors, which Board must annually enter into an agreement with the MEC, detailing —
- (a) how the Board will perform its functions;
 - (b) how the Board will implement policy; and
 - (c) any other matter necessary to achieve the object of this Act.
- (2) The Board is responsible for exercising the powers and performing the functions of the Agency and is the accounting authority of the Agency as contemplated in section 49(2) (a) of the Public Finance Management Act, 1999.
- (3) The Board must consist of not less than nine and not more than eleven members, consisting of —

- (a) the Head of the Department or any other official of the Department so designated by the Head of the Department, as an *ex officio* member, without voting powers;
 - (b) three executives of the Agency consisting of the Chief Executive Officer, Chief Financial Officer and Chief Operating Officer;
 - (c) a person who is qualified and admitted to practice as a legal practitioner in the Republic and has, for a cumulative period of at least five years after having so qualified, practised as a legal practitioner or performed services related to the application or administration of the law;
 - (d) a person who is qualified as a chartered accountant in terms of National Qualifications Framework and has for a cumulative period of at least five years after having so qualified practised as a chartered accountant;
 - (e) a person who has a postgraduate qualification in economic or management sciences; and
 - (f) other persons who have the requisite knowledge, skills or experience in economic development projects.
- (4) A member of the Board must be –
- (a) a fit and proper person to hold office;
 - (b) broadly representative of the population of the province; and
 - (c) a South African citizen who is ordinarily resident in the Republic.

6. Powers and functions of Board

- (1) The Board must exercise its powers and perform its functions with due regard to the Public Finance Management Act, 1999, the Borrowing Powers of Provincial

Governments Act, 1996 (Act No. 48 of 1996) and the Companies Act, 2008 (Act No. 71 of 2008) as far as it is applicable to state owned companies.

- (2) The MEC may, in terms of section 54 of the Public Finance Management Act, 1999 and in consultation with the Executive Council, grant approval for the establishment of subsidiary companies of the Agency, if necessary for its effective operation and the carrying out of the Agency's objectives. The approval of the MEC must contain the terms and conditions for the establishment of the subsidiary company.
- (3) The Board must give effect to an approval in terms of subsection (2) and comply with the terms and conditions set by the MEC for the establishment of such subsidiary company.
- (4) The Board may, subject to subsection (1) —
 - (a) initiate, promote, plan, establish, finance, co-ordinate, manage, carry on any undertaking, business or project, or acquire such undertaking and sell or otherwise dispose of any such undertaking, business or project;
 - (b) facilitate the establishment of joint ventures and in consultation with the MEC, public-private partnerships;
 - (c) develop and manage immovable property of the Agency and may acquire, hold, improve, hire, let, sell, transfer, donate, cede, hypothecate or otherwise encumber or alienate immovable property which is under the control of the Agency;

- (d) raise funds in accordance with detailed written funding proposals approved, in writing, by the MEC;
 - (e) exercise control of the subsidiaries of the Agency and ensure compliance by the subsidiaries with the Public Finance Management Act, 1999, Companies Act, 2008 (Act No.71 of 2008) and other relevant legislation; and
 - (f) subject to section 23 of this Act, acquire, hire, lease, sell, let, burden or alienate any goods, supplies or services: Provided that the MEC approves the intention to acquire or dispose of immovable property and that such acquisition or disposal is done in accordance with the laws relating thereto.
- (5) The Board must, in consultation with the Department, actively promote and market the Province as an investor-friendly destination and must increase and retain investment in the Province.
- (6) The Board must actively develop and maintain a professional and comprehensive information service and database in respect of existing and potential trade, industry, marketing, business and other investment opportunities.

7. Appointment of members of Board

- (1) The MEC must publish a notice in two newspapers circulating in the province, inviting applications from persons complying with the requirements listed in section 5.

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- (2) The applicant must, in response to the notice in terms of subsection (1), submit a comprehensive *curriculum vitae* containing –
- (a) certified copies of all qualifications; and
 - (b) supporting documents that reflect the applicant's knowledge and experience that will contribute to achieving the objectives of the Agency.
- (3) The selected applicants must before appointment, be subjected to a vetting investigation by the State Security Agency in terms of the Intelligence Services Act, 2002 (Act No.65 of 2002).
- (4) The MEC must, from the applications received and after consultation with the Executive Council, appoint the members of the Board.
- (5) The MEC must, after consultation with the Executive Council, designate from the members with voting powers, a Chairperson and Deputy Chairperson of the Board.
- (6) A person may not be appointed or remain a member if that person –
- (a) has or acquires a direct or indirect interest in any enterprise or business, which may result in a conflict of interest with that member's professional conduct as a member;
 - (b) has a family member, partner or associate with a direct or indirect interest in any enterprise or business which may result in a conflict of interest with that member's professional conduct as a member;
 - (c) is an unrehabilitated insolvent or becomes insolvent;
 - (d) is or becomes a Member of the National Assembly or National Council of Provinces, any provincial legislature, House of Traditional Leaders or local

government or is, subject to section 5 (3) (a), in the full-time employ of the State, other than the Agency;

- (e) has been, or is removed from an office of trust on account of misconduct;
- (f) is declared by a competent court to be mentally unfit;
- (g) has at any time been convicted of an offence involving dishonesty;
- (h) has at any stage, a direct or indirect interest in a matter before the Board which may reasonably preclude that person from performing his or her functions as a member in a fair, unbiased and proper manner; or
- (i) is, in terms of the Companies Act, 2008 (Act No.71 of 2008), ineligible or disqualified from being a director of a company.

(7) If a member becomes disqualified in terms of subsection (6), that member must, immediately in writing, disclose such disqualification to the MEC and the Board.

(8) The MEC must, within 30 days of appointing a member, publish the name, date and period of appointment of such member by notice in the *Government Gazette*.

8. Term of office

- (1) A member is appointed for a period not exceeding five years.
- (2) The MEC may, subject to a successful performance review and with the approval of the Executive Council, extend the appointment of a member for one additional term, not exceeding five years.

9. Resignation and removal from office

- (1) A member may resign by providing the MEC—
 - (a) two months' written notice; or
 - (b) less than two months written notice, with the approval of the MEC.

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- (2) The MEC must inform the Executive Council where a member is removed from office or resigns.
- (3) The MEC may terminate the appointment of a member if that member –
- (a) conducts himself or herself in an improper or unprofessional manner;
 - (b) is unfit to perform his or her functions;
 - (c) does not comply with any provision of this Act;
 - (d) is incapable of discharging his or her functions due to infirmity of mind or body;
 - (e) is absent from two consecutive Board meetings without the prior consent of the Board;
 - (f) fails to comply with the provisions of this Act or the Public Finance Management Act, 1999; or
 - (g) is disqualified in terms of section 7(6).
- (4) The MEC may not terminate the appointment of a member in terms of subsection (3), unless the MEC has afforded the member the opportunity to state his or her case and duly considers the matter, including any representations made or explanations or evidence provided by such member, and the MEC is satisfied that terminating the appointment is justified in the circumstances.
- (5) The MEC may suspend a member from office whilst carrying out an investigation or inquiry against such member.

10. Vacancies

- (1) The office of a member becomes vacant when –
- (a) he or she dies;
 - (b) his or her written resignation tendered to the MEC in terms of section 9(1) becomes effective:

(c) his or her appointment is terminated in terms of section 9(3).

- (2) A vacancy on the Board must be filled in accordance with section 7 by appointing another member as soon as may be reasonably practicable after the vacancy occurs, and a member so appointed remains in office for the unexpired portion of his or her predecessor's term of office.

11. Remuneration and allowances

- (1) The MEC must determine the remuneration and allowances payable to a member in accordance with the National Treasury Guidelines.
- (2) A member employed by government is not entitled to any remuneration or allowance.
- (3) The remuneration and allowances determined in terms of subsection (1), must be—
- (a) in accordance with any applicable treasury norms and standards in terms of the Public Finance Management Act, 1999; and
 - (b) paid from monies appropriated by the Limpopo Provincial Legislature for that purpose.

12. Meetings

- (1) The quorum for a meeting of the Board must be a majority of the total number of the appointed members.
- (2) A decision agreed upon by the majority of the members eligible to vote at Board meetings present at any meeting of the Board, constitutes a resolution of the Board.

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- (3) In the event of an equality of votes, the Chairperson has a casting vote in addition to the Chairperson's deliberative vote.
- (4) Whenever the Chairperson is absent, the powers, rights and functions of the Chairperson must be exercised and performed by the Deputy Chairperson and in the absence of both the Chairperson and the Deputy Chairperson, by a member designated for that purpose, from among its number, by the Board: Provided that if the office of the Chairperson is vacant or the Chairperson refuses or fails to act, the Deputy Chairperson must perform the powers, rights and functions of the Chairperson until a new Chairperson has been designated in terms of section 7(5).
- (5) (a) Whenever a matter requires the urgent attention of the Board and it is not possible for the Board to meet at the time, the Chairperson must ensure that each member –
- (i) is immediately furnished with all relevant information and documentation pertaining to the matter including the procedure to communicate the decision. The information and documentation may be provided in person or by any electronic communication; and
 - (ii) records that member's decision on the matter and forward the record to the Secretary of the Board.
- (b) A decision by the majority of the members on the matter is a resolution of the Board, and must be –
- (i) ratified by the Board at the next meeting of the Board; and
 - (ii) recorded in the minutes.

- (6) The Board must cause a record of the proceedings of its meetings to be kept and the MEC may at any reasonable time require that such record be submitted to him or her, for perusal.

13. Committees

- (1) The Board may establish committees to assist the Board with exercising its powers and functions in terms of this Act and may likewise, dissolve, extend, enlarge or limit a committee so established.

- (2) The Board must –

- (a) determine the powers and functions of the committee;
- (b) determine the operating procedures of the committee, including –
 - (i) the quorum for a meeting of the committee;
 - (ii) the manner in which the committee takes decisions;
- (c) designate members who are suitably qualified or experienced in relation to the functions of a committee; and
- (d) designate a member serving on a committee as Chairperson of such committee.

- (3) The Board may establish a committee with the power to co-opt other persons to assist the committee in performing its functions in terms of this Act.

- (4) A co-opted member of a committee serves in an advisory capacity and may not vote at any meeting of such committee.

14. Appointment of experts

The Board may, whenever it deems appropriate, appoint an expert to assist the Board or committee in performing its functions.

15. Dissolution of Board and interim Board

(1) The MEC may, after due inquiry–

(a) where the Board has failed to perform its functions in terms of this Act; or

(b) for good reason,

dissolve the Board on such terms and conditions as the MEC may determine.

(2) The MEC must, within 21 working days of dissolving the Board, appoint an interim Board for a period determined by the MEC in consultation with the Executive Council, without following the procedure set out in section 7.

(3) The interim Board must consist of at least five members with the relevant qualifications and experience referred to in section 5(3).

(4) The MEC must, from among the members of the interim Board, designate a chairperson and deputy chairperson of the interim Board.

(5) The quorum for a meeting of the interim Board is a majority of the total number of the appointed members.

(6) The interim Board has the powers and functions of the Board as set out in this Act.

16. Directives and submission of matters to MEC

(1) The MEC may issue the Board with directives with regard to the exercise of the powers and functions of the Board in section 6.

- (2) The MEC may require the Board to submit any matter with regard to the affairs of the Agency or subsidiary of the Agency, to the MEC or the Board may on its own accord, submit a matter to the MEC for consideration and decision.
- (3) A decision or condition made in terms of subsection (2), may not be revoked or amended by the Board without the written consent of the MEC.

17. Disclosure of interest

- (1) A member of the Agency may not —
- (a) engage in an activity that may undermine the integrity of the Agency;
 - (b) attend, participate in or influence the proceedings during a meeting of the Agency if, in relation to the matter before the Board, that member has an interest —
 - (i) contemplated in section 7 (6) (a) and (b); or
 - (ii) that precludes him or her from performing the duties of a member of the Board in a fair, unbiased and proper manner.
 - (c) vote at a meeting of the Board in relation with any matter contemplated in paragraph (b); or
 - (d) make private use of, or profit from, or any confidential information obtained as a result of performing that member's duties as a member of the Board.
- (2) If, at any time, it appears to a member of the Board either directly or indirectly, that a matter before the Board concerns any financial or other interest of that member, the member must —
- (a) immediately and fully disclose the nature of that interest to the meeting of the Board; and

- (b) withdraw from any further involvement in the meeting concerning the matter.
- (3) A declaration by a member disclosing an interest in terms of subsection (2), must be recorded in the minutes of the meeting.
- (4) If a member becomes disqualified in terms of section 7(6)(a) and (b), the MEC must terminate the appointment of that member with immediate effect.

18. Chief Executive Officer

- (1) The Board must, with the concurrence of the MEC –
 - (a) invite, by advertising in at least two newspapers, applications for the position of Chief Executive Officer;
 - (b) appoint a Chief Executive Officer for a fixed term on a performance-based contract, for a period of five years.
- (2) The Chief Executive Officer must be a fit and proper person with appropriate qualifications and experience.
- (3) The Board must subject the selected candidate, before appointment to a vetting investigation by the State Security Agency in terms of the Intelligence Services Act, 2002 (Act No.65 of 2002).
- (4) The Board may, subject to a successful performance review, extend the appointment of the Chief Executive Officer for an additional period, not exceeding five years.
- (5) The Chief Executive Officer is an employee of the Agency and is –

- (a) accountable to the Board;
 - (b) responsible for the efficient and effective management of the Agency and must perform the duties that the Board assigns or delegates to the Chief Executive Officer; and
 - (c) an *ex officio* member of the Board, without voting powers.
- (6) The employment contract of the Chief Executive Officer must be in writing and must incorporate in an appropriate form the provisions of section 57 of the Public Finance Management Act, 1999 and must as a minimum standard contain –
- (a) key result areas of performance;
 - (b) financial management commitments;
 - (c) performance guidelines; and
 - (d) appropriate tools for measuring performance.
- (7) The Board must review the performance agreement of the Chief Executive Officer annually, within one month of the commencement of each financial year.
- (8) The performance agreement concluded in terms of subsection (7) must include –
- (a) measurable performance objectives and targets with stipulated timeframes;
 - (b) standards and procedures for evaluating performance and intervals for evaluation; and
 - (c) the consequences of substandard performance.
- (9) Whenever the position of the chief executive officer is vacant, the Board must designate an official of the Agency to act as the Chief Executive Officer, for a period not exceeding six months.

- (10) The Chief Executive Officer may not perform any other remunerative work without the written consent of the Board.
- (11) The Chief Executive Officer may, on three months written notice to the Board, or on such shorter period as may be agreed with the Board, resign from his or her office.

19. Removal of Chief Executive Officer

- (1) The Board may, remove the Chief Executive Officer from office on account of —
- (a) a breach of the performance agreement entered into with the Board in terms of section 18;
 - (b) misconduct; or
 - (c) non-compliance with this Act, the Public Finance Management Act, 1999 or other unlawful conduct.
- (2) The Board may not terminate the appointment of the Chief Executive Officer in terms of subsection (1), unless the Board has afforded the Chief Executive Officer an opportunity to state his or her case and after having duly considered the matter, including any representations made or explanations or evidence provided by the Chief Executive Officer, and the Board is satisfied that the termination is justified in the circumstances.
- (3) The Board may suspend the Chief Executive Officer from office whilst carrying out an investigation or inquiry against the Chief Executive Officer.

20. Staff of Agency

- (1) The Chief Executive Officer must, with the concurrence of the Board —
- (a) establish a staff structure for the Agency; and
 - (b) determine terms and conditions of employment of the staff.

- (2) The Chief Executive Officer must appoint staff to assist the Agency in performing its functions: Provided that the senior staff of the Agency must be appointed with the concurrence of the Board.
- (3) The Board must, in terms of the National Treasury Guidelines, determine the remuneration levels of the staff.

21. Funding of Agency

The Agency is funded by monies –

- (a) appropriated by the Provincial Legislature for the exercise of the powers and the performance of the functions of the Agency; and
- (b) accruing to the Agency from sources approved by the MEC with the concurrence of the Member of Executive Council responsible for financial matters in the province, subject to the Public Finance Management Act, 1999.

22. Revenue of Agency

- (1) For the purpose of achieving its objectives, exercising its powers and performing its functions, the Agency must utilise as revenue –
 - (a) fees and other moneys received or raised by the Agency in terms of this Act or any other law;
 - (b) penalties, fines and proceeds from sales of forfeited items received or recovered and allocated to the Agency in terms of this Act or any other law;
 - (c) such monies as may be appropriated by the Limpopo Provincial Legislature for the exercise of the powers and the performance of the functions conferred or imposed upon the Agency in terms of this Act or any other law;

- (d) donations, grants and bequests received by the Agency from the public:
Provided that the Board may accept conditional donations, grants or bequests after obtaining the written consent of the MEC; or
- (e) any other monies which may accrue to or be appropriated to the Board, or which may be placed at its disposal from any other source.
- (2) The Board must, subject to section 7 of the Public Finance Management Act, 1999, open and maintain, with a bank registered in South Africa in terms of the Banks Act, 1990 (Act No.94 of 1990), an account to be known as the Limpopo Economic Development Agency account, into which account all moneys received by the Agency must be deposited as contemplated in subsection (1), read with section 22(5) of the Public Finance Management Act, 1999.
- (3) The Board may, subject to any other law, solicit donations, grants or bequests referred to in subsection 1(d) and utilise the monies concerned in terms of the conditions relating to such donations, grants and bequests.
- (4) Any surplus funds which stand to the credit of the Limpopo Economic Development Agency account must be utilised to achieve the objectives of this Act.

23. Procurement by Agency

When the Agency procures any goods or services, the Agency must ensure that it follows a procurement system which is fair, equitable, transparent, competitive and cost effective and which complies with the Preferential Procurement Policy Framework Act, 2000 and the Public Finance Management Act, 1999.

24. Reports of Agency

- (1) The Board must, quarterly, submit to the MEC reports that comply with the Public Finance Management Act, 1999 and Treasury Regulations and which deals with the state of affairs, the activities, the operations and the financial position of the Agency, including –
 - (a) the extent to which the Agency has achieved or advanced its objectives during the financial quarter concerned;
 - (b) the relevant performance information regarding the economic, efficient and effective utilization of resources;
 - (c) the amount of money, if any, received from government or any other source and any other financial commitment provided to the Agency; and
 - (d) detailed personnel establishment and composition of the Agency, including vacancies.

- (2) The MEC must table the quarterly reports in the Portfolio Committee within 20 days of receipt thereof if the Provincial Legislature is in session, or if the Provincial Legislature is not in session, within 14 days after commencement of its ensuing session.

- (3) Notwithstanding the provisions of subsection (1), the MEC may, at any time, request the Board to submit to him or her, an interim report pertaining to the state of affairs, the activities, the operations and the financial position of the Agency or any subsidiary of the Agency or pertaining to any specific matter identified by the MEC, and such report must be submitted to the MEC within 14 days after such request.

25. Regulations

The MEC may make regulations regarding any matter prescribed in terms of this Act or necessary to achieve the objects of this Act.

26. Delegation

(1) When necessary for the proper performance of its duties, the Board may, subject to subsection (2), delegate a power, function or duty conferred, entrusted or imposed on the Board in terms of this Act to –

- (a) a member;
- (b) a committee of the Board referred to in section 13; or
- (c) the Chief Executive Officer.

(2) The Board may not delegate the power to –

- (a) appoint a Chief Executive Officer; or
- (b) determine the conditions of service of the Chief Executive Officer.

(3) A delegation in terms of subsection (1) –

- (a) is subject to such conditions, limitations and directions that the Board may impose; and
- (b) does not divest the Board of the responsibility concerning the exercise of the delegated power or performance of the delegated function; and
- (c) does not prevent the Board from exercising the delegated power or performing the delegated function.

(4) The Chief Executive Officer may delegate any power or duty conferred or imposed upon the Chief Executive Officer by or under this Act to –

- (a) any other employee of the Board with the appropriate knowledge and experience; or

- (b) any other person, after consulting the Board.
- (5) Any person to whom a power has been delegated or who has been authorised to perform a duty under this section must exercise that power or perform that duty subject to the conditions the person who made the delegation or granted the authorisation considers appropriate.
- (6) Any delegation of a power or authorisation to perform a duty in terms of this section –
- (a) must be in writing;
 - (b) does not prevent the person who made the delegation or granted the authorisation from exercising that power or performing that duty himself or herself; and
 - (c) may at any time be withdrawn by that person.
- (7) Anything done in the exercise or performance of a delegated power, duty or function is regarded to have been done by the Board or the Chief Executive Officer, as the case may be.

27. Use of name of Agency

No person, company, business entity or association of persons may carry on business under a name that is the same as or so closely resembles that of the Limpopo Economic Development Agency.

28. Subsidiary of Agency

- (1) The Board must, subject to section 6(2), in consultation with the MEC, approve the memorandum of incorporation of a subsidiary company, prior to its adoption and registration by the Registrar of Companies.
- (2) The board of a subsidiary company of the Agency, is accountable to the Agency and must perform their powers and functions in accordance with directives issued by the Board and in terms of the Public Finance Management Act, 1999 and company legislation.

*Part III**Repeal of Laws and Transitional Arrangements***29. Repeal of law**

The Limpopo Development Corporation Act, 1994 (Act No. 5 of 1994) is hereby repealed.

30. Transitional arrangements

- (1) The Agency is the successor-in-title to the corporation established in terms of section 2 of the Limpopo Development Corporation Act, 1994 (Act No.5 of 1994).
- (2) Notwithstanding the repeal of the Limpopo Development Corporation Act, 1994 (Act No.5 of 1994), the Board established in terms of the Limpopo Development Corporation Act, 1994 continues to exist, until the term of office of such Board members come to an end or the Board is dissolved in terms of the provisions of this Act.
- (3) Any right, entitlement or privilege obtained by or obligation imposed on any person or body in terms of a provision of the Limpopo Development Corporation Act, 1994 (Act No.5 of 1994), that had not been expended, fulfilled or expired immediately

before the effective date, is considered to be a valid right, entitlement, privilege or obligation imposed on that person or body in terms of any comparable provision of this Act, as from the date that the right, entitlement, privilege or obligation first arose.

- (4) A decision of the Board in terms of any provision of the Limpopo Development Corporation Act, 1994 that was in force immediately before the effective date of this Act, continues to be in force subject to the provisions of this Act.
- (5) A member of staff appointed under the Limpopo Development Corporation Act, 1994 continues to hold that appointment in terms of this Act.

31. Short title and commencement

- (1) This Act is called the Limpopo Economic Development Agency Act, 2016 and comes into operation on a date determined by the Premier by proclamation in the *Gazette*.
- (2) Different dates may be so fixed in respect of different provisions of this Act.

PROKLAMASIE 21 VAN 2017**LIMPOPO PROVINSIALE ADMINISTRASIE
KANTOOR VAN DIE PREMIER****INWERKINGTREDING VAN DIE LIMPOPO WET OP EKONOMIESE
ONTWIKKELINGSAGENTSskap, 2016 (WET NR.5 VAN 2016)**

Ek, Chupu Stanley Mathabatha bepaal hiermee ingevolge artikel 31 van die Limpopo Wet op Ekonomiese Ontwikkelingsagentskap, 2016 (Wet nr.5 van 2016) 2 October 2017 as die datum waarop genoemde Wet in werking tree.

**CHUPU STANLEY MATHABATHA
PREMIER: LIMPOPO**

WET

Om voorsiening te maak vir die stigting van die Limpopo Ekonomiese Ontwikkelingsagentskap en die Raad van die Agentskap; om voorsiening te maak vir die oogmerke van die Agentskap en om magte en funksies toe te vertrou aan die Raad; en om te voorsien in aangeleenthede wat daarmee verband hou.

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WORD DAAR AS VOLG deur die Limpopo Provinsiale Wetgewer bepaal:–

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Deel I

Omskrywings, Oogmerke en Stigting

1. Omskrywings

In hierdie Wet tensy uit die samehang anders blyk beteken—

"Agentskap" die Limpopo Ekonomiese Ontwikkelingsagentskap gestig ingevolge artikel 3;

"Raad" die Limpopo Ekonomiese Ontwikkelingsagentskapraad gestig ingevolge artikel 5;

"Voorsitter" beteken die voorsitter van die Raad aangestel ingevolge artikel 7(5);

"Hoof Uitvoerende Beampte" beteken die Hoof Uitvoerende Beampte aangestel ingevolge artikel 18;

"komitee" beteken 'n komitee van die Raad gestig ingevolge artikel 13;

"Departement" beteken die Departement verantwoordelik vir ekonomiese ontwikkeling in die provinsie;

"Uitvoerende Raad" beteken die Uitvoerende Raad van die provinsie verwys na in artikel 132 van die Grondwet van die Republiek van Suid-Afrika, 1996;

"LUR" beteken die Lid van die Uitvoerende Raad verantwoordelik vir ekonomiese ontwikkeling in die provinsie;

"lid" beteken 'n lid van die Raad aangestel ingevolge artikel 7;

"orgaan van staat" beteken 'n orgaan soos omskryf in artikel 239 van die Grondwet van die Republiek van Suid-Afrika, 1996;

"voorskryf" beteken voorgeskryf deur regulasies;

"Openbare Finansiële Bestuurswet, 1999" beteken die Openbare Finansiële Bestuurswet, 1999 (Wet Nr.1 van 1999);

"senior personeel" beteken uitvoerende bestuurders wat direk aan die Hoof Uitvoerende Beampte rapporteer; en

"hierdie Wet" sluit regulasies in uitgereik ingevolge hierdie Wet.

2. Oogmerke van Wet

Die oogmerke van die Wet is om 'n ekonomiese ontwikkelingsagentskap te stig vir die provinsie.

3. Stigting van Agentskap

- (1) Die Limpopo ekonomiese ontwikkelingsagentskap word hiermee gestig as 'n regspersoon.
- (2) Die Agentskap bestaan uit —
 - (a) 'n Raad saamgestel ingevolge artikel 5;
 - (b) 'n Hoof Uitvoerende Beamppte; en
 - (c) personeel van die Agentskap.

Deel II

Die Raad, Hoof Uitvoerende Beamppte, Personeel en Befondsing van Agentskap

4. Oogmerke van die Agentskap

- (1) Die oogmerke van die Agentskap is om —
 - (a) ekonomiese ontwikkeling en diversifisering in die provinsiale industriële basis te versnel en om die mededingendheid van die provinsiale ekonomie op die gebiede van landbou, handel, behuising, industrie, mynwese, opleiding, toerisme, openbare vervoer en ander besighede te verhoog;
 - (b) kort, medium en langtermyn intervensies te identifiseer ten einde ekonomiese en industriële ontwikkeling en werkskepping te versnel;
 - (c) sleutel prioriteit katalistiese projekte in 'n samehangende en integrale wyse in vennootskap met prioriteitsaandeelhouers te implementeer;
 - (d) die ondersteuning en ontwikkeling van strategiese sektore van die ekonomie in lyn te bring met die vasgestelde ekonomiese en industriële beleid van die provinsie;

- (e) leierskap te voorsien ten einde sporadiese, ongekoördeneerde, onsamehangende ekonomiese ontwikkelingsprojekte wat nie in lyn is met die provinsiale beleid nie te voorkom;
 - (f) streeks ekonomiese samewerking te verhoog met funksionele ekonomiese buite die provinsie;
 - (g) die geografie van industriële produksie te vorm en bring onderontwikkelde streke in lyn met die ekonomiese grense;
 - (h) die provinsie se uitvoer vordering te verbeter en lok 'n groter aandeel van die huishoudelike en buitelandse belegging; en
 - (i) verhoog die aantal ekonomiese sektore wat in staat is om hoë waarde toegevoegde produkte te produseer en dienste te lewer.
- (2) In die bereiking van sy oogmerke moet die Agentskap daarna streef om sy eie inkomste generering en invordering progressief te verhoog.

5. Raad van Agentskap

- (1) Die LUR moet die Limpopo Ekonomiese Ontwikkelingsraad saam stel wat bestaan uit uitvoerende en nie-uitvoerende direkteure en die Raad moet jaarliks 'n ooreenkoms met die LUR sluit, oor –
- (a) hoe die Raad sy pligte gaan uitvoer;
 - (b) hoe die Raad beleid gaan implimenteer; en
 - (c) enige ander aangeleentheid wat noodsaaklik is om die oogmerke van hierdie Wet te bereik.
- (2) Die Raad is verantwoordelik vir die uitvoering van magte en die nakomng van pligte van die Agentskap en is die aanspreeklike gesag van die Agentskap ingevolge artikel 49(2) (a) van die Openbare Finansiële Bestuurswet, 1999.

- (3) Die Raad moet bestaan uit nie minder as nege en nie meer as elf lede nie, en bestaande uit –
- (a) die Hoof van die Departement of enige ander beampte van die Departement sodanig aangewys deur die Hoof van die Departement, as 'n *ex officio* lid, sonder stemregte;
 - (b) drie uitvoerende beamptes van die Agentskap, bestaande uit die Hoof Uitvoerende Beampte, Hoof Finansiële Beampte en die Hoof Bedryfsbeampte;
 - (c) 'n persoon wat gekwalifiseerd is en toegelaat was om as 'n regspraktisyn in die Republiek op te tree en het vir 'n aaneenlopende tydperk van ten minste vyf jaar na kwalifisering as 'n regspraktisyn gepraktiseer of verwante dienste gelewer het met betrekking tot die toepassing of administrasie van die wet,
 - (d) 'n persoon wat gekwalifiseerd is as 'n geoktrooieerde rekenmeester ingevolge die Nasionale Kwalifikasie Raamwerk en wat vir 'n aaneenlopende tydperk van ten minste vyf jaar na kwalifisering as geoktrooieerde rekenmeester gepraktiseer het;
 - (e) 'n persoon wat 'n nagraadse kwalifikasie in ekonomiese of bestuurswetenskappe het; en
 - (e) enige persoon wat die vereiste kennis, vaardighede of ondervinding in ekonomiese ontwikkelingsprojekte het.
- (4) 'n Lid van die Raad moet –
- (a) 'n geskikte en gepaste persoon wees om die amp te beklee;
 - (b) breedvoerig verteenwoordigend wees van die bevolking van die provinsie; en

- (c) 'n Suid- Afrikaanse burger wees wat 'n gewone inwoner van die Republiek is.

6. Magte en Pligte van die Raad

- (1) Die Raad moet sy magte en funksies uitvoer ingevolge die Openbare Finansiële Bestuurswet, 1999, die Wet op Leenregte van die Provisiale Regering, 1996 (Wet Nr. 48 van 1996) en die Maatskappywet, 2008 (Wet Nr. 71 van 2008) sover as wat dit van toepassing is op staatsbeheerde maatskappye.
- (2) Die LUR mag, ingevolge artikel 54 van die Openbare Finansiële Bestuurswet, 1999, na oorlegplegging met die Uitvoerende Raad goedkeuring verleen vir die stigting van filiaalmaatskappye van die Agentskap indien nodig vir effektiewe werksaamhede en die uitvoering van die Agentskap se oogmerke. Die goedkeuring deur die LUR moet die terme en voorwaardes van die stigting van die filiaalmaatskappye insluit.
- (3) Die raad moet uitvoering gee aan 'n goedkeuring ingevolge subartikel (2) en voldoen aan die terme en voorwaardes soos ingestel deur die LUR vir die stigting van sodanige filiaal maatskappy.
- (4) Die Raad mag, onderhewig aan subartikel (1) –
- (a) enige onderneming, besigheid of projek inisieer, bevorder beplan, stig, finansier, koördineer, bestuur, aangaan of sodanige besigheid bekom of dit verkoop of enige onderneming, besigheid of projek van die hand sit;
 - (b) die stigting fasiliteer van gesamentlike ondernemings en in oorlegplegging met die LUR openbare privaat vennootskappe;

- (c) nie-roerende eiendom van die Agentskap ontwikkel en bestuur en mag nie-roerende eiendom bekom, besit verbeter, huur, verhuur, verkoop, opgee, oordra, skenk, sedeer, verpand of andersins nie-roerende eiendom verbied of vervreem wat onder die beheer van die Agentskap is;
- (d) fondse insamel ingevolge breedvoerige skriftelike befondsings voorstelle soos skriftelik goedgekeur deur die LUR;
- (e) beheer uitoefen oor die filiale van die Agentskap en verseker dat filiale voldoen aan die riglyne van die Openbare Finansiële Bestuurswet, 1999, Maatskappywet, 2008 (Wet Nr.71 van 2008) en ander relevante wetgewing; en
- (f) ingevolge artikel 23 van hierdie Wet, enige goedere bekom, te huur, verhuur, verkoop, las of te vervreem of verskaffing van dienste: Op voorwaarde dat die LUR die voorneme om die nie-roerende eiendom te bekom of onslae van te raak goedkeur en dat sodanige verkryging of ontslae raak proses gedoen word in ooreenstemming met die verwante wette.
- (5) Die Raad moet in oorlegpleging met die Departement, die provinsie aktief bevorder en bemark as 'n beleggings-vriendelike bestemming en moet belegging in die provinsie verhoog en behou.
- (6) Die Raad moet 'n professionele en omvattende inligtingsdiens en data basis aktief ontwikkel en behou in verband met bestaande en potensiële handel, industrie, bemarking, besigheid en ander beleggings geleenthede.

7. Aanstelling van lede van die Raad

- (1) Die LUR moet 'n kennisgewing in twee sirkulerende koerante in die provinsie publiseer en sodoende aansoeke aanvra van persone wat voldoen aan die vereistes gelys in artikel 5.

- (2) Die aansoeker moet in reaksie op die kennisgewing ingevolge subartikel (1), 'n omvattende *curriculum vitae* indien wat die volgende bevat —
 - (a) gesertifiseerde afskrifte van alle kwalifikasies; en
 - (b) ondersteunende dokumente wat die applikant se kennis en ondervinding bevestig en wat sal lei tot die bereiking van die Agentskap se oogmerke.

- (3) Die geselekteerde applikante moet voor aanstelling onderworpe wees aan 'n ondersoek proses deur die Staatsveiligheidsagentskap ingevolge die Wet op Intellegensie Dienste, 2002 (Wet Nr. 65 van 2002).

- (4) Die LUR moet vanuit die aansoeke ontvang en na oorlegpleging met die Uitvoerende Raad, lede van die Raad aanstel.

- (5) Die LUR moet na oorlegpleging met die Uitvoerende Raad 'n Voorsitter en Onder-Voorsitter met stemregte op die Raad aanstel.

- (6) 'n Persoon mag nie aangestel word of 'n lid van die Raad bly indien sodanige persoon —

- (a) 'n direkte of indirekte belang in enige onderneming of besigheid bekom het, wat botsende belange tot gevolg kan hê met sodanige lid se professionele optrede as 'n lid;
 - (b) 'n familie lid, vennoot of deelgenoot met 'n direkte of indirekte belang in enige onderneming of besigheid wat botsende belange tot gevolg kan hê met sodanige lid se professionele optrede as 'n lid;
 - (c) is 'n ongerehabiliteerde insolvent;
 - (d) is of het 'n Lid geword van die Nasionale Vergadering of Nasionale Raad van Provinsies, of enige provinsiale wetgewer, Huis van Tradisionele Leiers of plaaslike regering of is ingevolge artikel 5 (3) (a), in voltydse diens van die staat, behalwe die Agentskap;
 - (e) was of is uit amp verwyder uit 'n posisie van vertrouwe as gevolg van wangedrag;
 - (f) is deur 'n bevoegde hof as geestelik ongeschik verklaar;
 - (g) was ter eniger tyd skuldig bevind aan 'n oortreding wat oneerlikheid insluit;
 - (h) het ter eniger tyd 'n direkte of indirekte belang in 'n saak voor die Raad wat sodanige persoon verhoed om hom of haar pligte as 'n lid op 'n billike, onbevooroordeelde en behoorlike wyse uit te oefen; of
 - (i) is, ingevolge die Maatskappywet, 2008 (Wet Nr.71 van 2008), ongeschik of gediskwalifiseer om as direkteur te dien in 'n maatskappy.
- (7) Indien 'n lid gediskwalifiseer word ingevolge subartikel (6), moet sodanige lid onmiddellik skriftelik sodanige diskwalifisering openbaar maak aan die LUR en die Raad.

- (8) Die LUR moet binne 30 dae nadat 'n lid aangestel is, die naam, datum en tydperk van aanstelling van sodanige lid deur kennisgewing in die Staatskoerant publiseer.

8. Ampstermyn

- (1) 'n Lid word aangestel vir 'n tydperk wat nie vyf jaar mag oorskry nie.
- (2) Die LUR mag onderhewig aan 'n suksesvolle prestasie-oorsig en met die goedkeuring van die Uitvoerende Raad, die aanstelling van 'n lid verleng vir een addisionele termyn wat nie vyf jaar mag oorskry nie.

9. Bedanking en verwydering uit amp

- (1) 'n Lid mag bedank deur die LUR te voorsien van—
- (a) twee maande skriftelike kennisgewing; of
 - (b) minder as twee maande skriftelike kennisgewing, na goedkeuring deur die LUR.
- (2) Die LUR moet die Uitvoerende Raad in kennis stel indien 'n lid uit die amp verwyder is of bedank het.
- (3) Die LUR mag die aanstelling van 'n lid opskort indien die lid —
- (a) hom of haarself op 'n ongewenste of onprofessionele wyse gedra het;
 - (b) ongeskik is om hom of haar pligte uit te voer;
 - (c) nie aan enige bepalings van hierdie Wet voldoen nie;
 - (d) onbevoegd is om hom of haar pligte uit te voer as gevolg van swakheid van gees of liggaam;
 - (e) afwesig was vir twee agtereenvolgende Raadsvergaderings sonder vooraf goedkeuring deur die Raad;
 - (f) nalaat om te voldoen aan enige bepalings in hierdie Wet of die Openbare Finansiële Bestuurswet, 1999; of

- (g) gediskwalifiseer was ingevolge artikel 7(6).
- (4) Die LUR mag nie ingevolge subartikel (3), die aanstelling van 'n lid beëindig nie tensy die LUR die lid 'n geleentheid gegun het om hom of haar saak te verdedig en die saak deuglik oorweeg was, nadat enige verhoë of verduideliking of bewyse voorgelê was deur sodanige lid en die LUR ooruiig is dat die beëindiging van die aanstelling geregverdig is onder die omstandighede.
- (5) Die LUR mag 'n lid skors terwyl 'n ondersoek teen sodanige lid aan die gang is.

10. Vakature

- (1) Die amp van 'n lid raak vakant indien –
 - (a) hy of sy afsterf;
 - (b) hom of haar skriftelike bedanking ingedien by die LUR ingevolge artikel 9(1) effektief word
 - (c) hom of haar aanstelling ingevolge artikel 9(3) beëindig word
- (2) 'n Vakature op die Raad moet gevul word ingevolge artikel 7 deur so gou as moontlik 'n ander lid aan te stel nadat die pos vakant geword het en 'n lid wat aangestel word bly in die amp vir die onverstreke tydperk van hom of haar voorganger se ampstermyn.

11. Besoldiging en toelae

- (1) Die LUR moet die besoldiging en toelae betaalbaar aan 'n lid ingevolge die riglyne van die Nasionale Tesourie vasstel.
- (2) 'n Lid in diens van die staat is nie geregtig op enige besoldiging of toelae nie.
- (3) Die besoldiging en toelae bepaal ingevolge subartikel (1), moet—
 - (a) in ooreenstemming wees met enige toepaslike tesourie norme en standarde ingevolge die Openbare Finansiële Bestuurswet, 1999; en

- (b) betaal word uit fondse bewillig deur die Limpopo Provinsiale Wetgewer vir sodanige doeleindes.

12. Vergaderings

- (1) Die kworum vir 'n vergadering van die Raad moet 'n meerderheid van die totale aantal aangestelde lede wees.
- (2) 'n Besluit soos ooreengekom deur die meerderheid stemgeregtigde lede tydens die Raadsvergadering, vorm 'n resoluëie van die Raad.
- (3) In die geval van gelykstemming het die Voorsitter die beslissende stem in byvoëging tot sy beraadslagende stem.
- (4) Wanneer die Voorsitter afwesig is, moet die magte, regte en funksies van die Voorsitter deur die Ondervoorsitter uitgevoer word en in die afwesigheid van beide die Voorsitter en die Ondervoorsitter, deur 'n aangewese lid vir daardie doel, uit sy geledere, deur die Raad: Met dien verstande dat indien die kantoor van die Voorsitter vakant is of die Voorsitter weier of versuim om op te tree, moet die Ondervoorsitter die magte, regte en funksies van die Voorsitter verrig totdat 'n nuwe Voorsitter aangewys is ingevolge artikel 7(5).
- (5) (a) Wanneer 'n aangeleentheid die dringende aandag van die Raad vereis en dit onmoontlik is vir die Raad om op die gegewe tyd te ontmoet, moet die Voorsitter verseker dat elke lid-
- (i) onmiddellik voorsien word van alle toepaslike inligting en dokumentasie rakende die aangeleentheid insluitend die prosedure om die besluit te kommunikeer. Die inligting en dokumentasie kan persoonlik of elektronies verskaf word; en

- (ii) se besluit aangeteken word oor die aangeleentheid en die rekord moet aan die Sekretaris van die Raad gestuur word.
 - (b) 'n Besluit deur die meerderheid van die lede oor die aangeleentheid is 'n resoluie van die Raad, en moet—
 - (i) deur die Raad by die volgende vergadering bekragtig word; en
 - (ii) in die notule aangeteken word.
- (6) Die Raad moet 'n rekord van die verrigtinge van sy vergaderings laat hou en die LUR mag op enige redelike tyd vereis dat sodanige rekord aan hom of haar voorgelê word vir insae.

13. Komitees

- (1) Die Raad mag komitees stig om die Raad by te staan met die uitoefening van sy magte en funksies ingevolge hierdie Wet en mag ook 'n komitee ontbind, uitbrei, vergroot of beperk wat so gestig was.
- (2) Die Raad mag—
- (a) die magte en funksies van die komitee bepaal;
 - (b) die bedryfstelsel prosedures van die komitee bepaal, insluitend—
 - (i) die kworum vir 'n vergadering van die komitee;
 - (ii) die wyse waarop die komitee besluite neem;
 - (c) lede aanwys wat toepaslik gekwalifiseerd of ervare is in verhouding tot die funksies van die komitee; en
 - (d) 'n lid aanwys wat op 'n komitee dien as Voorsitter van sodagie komitee.
- (3) Die Raad mag 'n komitee stig met die mag om ander persone te koöpteer om die komitee te help met die uitvoering van sy funksies ingevolge hierdie Wet.

- (4) 'n Gekoöpteerde lid van 'n komitee dien in 'n raadgewende kapasiteit en mag nie stem by enige vergadering van sodanige komitee nie.

14. Aanstelling van deskundiges

Die Raad mag, wanneer dit gepas ag, 'n deskundige aanstel om die Raad of komitee by te staan in die uitvoering van sy funksies.

15. Ontbinding van die Raad en tussentydse Raad

- (1) Die LUR mag, na behoorlike ondersoek—

(e) waar die Raad versuim het om sy funksies uit te voer ingevolge hierdie Wet; of

(f) met goeie rede,

die Raad ontbind op sodanige terme en voorwaarde soos die LUR mag bepaal.

- (2) Die LUR moet, binne 21 werksdae van die ontbinding van die Raad, 'n tussentydse Raad aanstel vir die tydperk bepaal deur die LUR in oorleg met die Uitvoerende Raad, sonder om die prosedure te volg soos uiteengesit in artikel 7.

- (3) Die tussentydse Raad moet bestaan uit ten minste vyf lede met die toepaslike kwalifikasies en ervaring soos verwys in artikel 5(3).

- (4) Die LUR moet, vanuit die geledere van die tussentydse Raad, 'n voorsitter en ondervoorsitter aanwys uit die tussentydse Raad.

- (5) Die kworum vir die tussentydse Raad is 'n meerderheid van die totale getal van die aangestelde lede.

- (6) Die tussentydse Raad het die magte en funksie van die Raad soos uiteengesit in die Wet.

16. Riglyne en indiening van aangeleenthede aan die LUR

- (1) Die LUR mag riglyne aan die Raad uitreik rakende die uitvoering van die magte en funksies van die Raad in artikel 6.
- (2) Die LUR mag die Raad vereis om enige aangeleentheid voor te lê met betrekking tot sake van die Agentskap of filiaal van die Agentskap, aan die LUR of die Raad mag inooreenstemming, 'n aangeleentheid by die LUR indien vir oorweging en besluitneming.
- (3) 'n Besluit of voorwaarde gemaak ingevolge subartikel (2), mag nie herroep of gewysig word deur die Raad sonder skriftelike toestemming van die LUR.

17. Openbaarmaking van belange

- (1) 'n Lid van die Agentskap mag nie —
- (a) betrokke raak aan 'n aktiwiteit wat die integriteit van die Agentskap kan ondermyn nie;
 - (b) bywoon, deelneem of die verrigtinge beïnvloed tydens 'n vergadering van die Agentskap as, in verband met die aangeleentheid voor die Raad, die lid 'n belang daaraan het —
 - (i) soos beoog in artikel 7 (6) (a) en (b); of
 - (iv) wat hom of haar verhinder om die pligte van 'n lid van die Raad op 'n regverdige, onpartydige en behoorlike wyse uit te voer.
 - (c) stem by 'n vergadering van die Raad in verband met enige aangeleentheid soos beoog in paragraaf (b); of

- (d) privaat gebruik maak van, of voordeel trek uit, of enige vertroulike inligting verkry as gevolg van die uitvoering van daardie lid se pligte as 'n lid van die Raad
- (2) Indien te eniger tyd, dit vir 'n lid van die Raad voorkom hetsy direk of indirek, dat 'n aangeleentheid voor die Raad betrekking het op enige finansiële of enige ander belange van daardie lid, moet die lid –
- (d) onmiddellik en volledig die aard van die belang in die vergadering van die Raad openbaar; en
 - (b) onttrek van enige verdere betrokkenheid in die vergadering rakende die aangeleentheid.
- (3) 'n Verklaring deur 'n lid wat 'n belang openbaar ingevolge subartikel (2) moet in die notule van die vergadering aangeteken word.
- (4) Indien 'n lid onbevoegd word ingevolge artikel 7(6)(a) en (b), mag die LUR die aanstelling van daardie lid onmiddellik beëindig.

18. Hoof Uitvoerende Beampte

- (1) Die Raad moet, met die instemming van die LUR –
- (a) uitnoui, deur in ten minste twee koerante te adverteer, aansoeke vir die posisie van Hoof Uitvoerende Raad;
 - (b) 'n Hoof Uitvoerende Beampte aanstel op 'n vasgestelde prestasie-gebaseerde kontrak, vir 'n tydperk van vyf jaar.
- (2) Die Hoof Uitvoerende Beampte moet 'n geskikte en gepaste persoon wees met toepaslike kwalifikasies en ervaring.

- (3) Die Raad moet die geselekteerde kandidaat, voor aanstelling, onderwerp aan ondersoek deur die Staatsveiligheidsagentskap ingevolge die Wet op Intellegensie Dienste, 2002 (Wet Nr. 65 van 2002)
- (4) Die Raad mag, onderhewig aan 'n suksesvolle prestasie-oorsig, die aanstelling van die Hoof Uitvoerende Beampte verleng vir 'n bykomende tydperk van hoogstens vyf jaar.
- (5) Die Hoof Uitvoerende Beampte is 'n werknemer van die Agentskap en is –
 - (a) aanspreeklik teenoor die Raad;
 - (b) verantwoordelik vir doeltreffende en doelmatige bestuur van die Agentskap en moet die pligte wat die Raad opdra of delegeer aan die Hoof Uitvoerende Raad; en
 - (c) 'n *ex officio* lid van die Raad, sonder stemregte.
- (6) Die dienskontrak van die Hoof Uitvoerende Beampte moet skriftelike wees en moet inkorporeer in 'n geskikte vorm met die bepalings van artikel 57 van die Wet op Openbare Finansiële Bestuur, 1999 en moet as 'n minimum standaard insluit –
 - (a) sleutel-areas van prestasie;
 - (b) finansiële bestuur verpligtinge;
 - (c) prestasie riglyne; en
 - (d) gepaste instrumente vir die meet van prestasie.
- (7) Die Raad moet die prestasie-ooreenkoms van die Hoof Uitvoerende Beampte jaarliks hersien, binne een maand na aanvang van elke finansiële jaar.

- (8) Die prestasie-ooreenkoms wat aangegaan was ingevolge subartikel (7) moet insluit –
- (a) meetbare prestasiedoelwitte en teikens met neergelegde spertye;
 - (b) standarde en prosedure vir die evaluering van prestasie en intervalle vir evaluering; en
 - (c) die gevolge van swak prestasie.
- (9) Wanneer die posisie van die hoof uitvoerende beampte vakant is, moet die Raad 'n beampte van die Agentskap aanwys om op te tree as Hoof Uitvoerende Beampte, vir 'n tydperk van hoogstens ses maande.
- (10) Die Hoof Uitvoerende Beampte mag nie enige ander besoldigende werk doen sonder die skriftelike toestemming van die Raad nie.
- (11) Die Hoof Uitvoerende Beampte mag, op drie maande skriftelike kennis aan die Raad, of op sodanige korter tydperk soos met die Raad ooreengekom, bedank uit sy of haar amp.

19. Verwydering van Hoof Uitvoerende Beampte

- (1) Die Raad mag, die Hoof Uitvoerende Beampte verwyder van sy amp op grond van –
- (a) 'n oortreding van die prestasie-ooreenkoms wat met die Raad aangegaan was ingevolge artikel 18;
 - (b) wangedrag; of
 - (c) die nie-nakoming van hierdie Wet, die Wet op Openbare Finansiële Bestuur, 1999 of enige onwettige gedrag.

- (2) Die Raad mag nie die aanstelling van die Hoof Uitvoerende Beampte beëindig ingevolge subartikel (1), tensy die Raad die Hoof Uitvoerende Beampte 'n geleentheid gegun het om sy of haar saak te stel en nadat die aangeleentheid behoorlik oorweeg was, insluitende enige vertoë of verduidelikings of bewyse wat verskaf word deur die Hoof Uitvoerende Beampte, en die Raad tevrede is dat die beëindiging regverdig is in die omstandighede.
- (3) Die Raad mag 'n Hoof Uitvoerende Beampte uit sy amp skors terwyl 'n ondersoek of navraag teen die Hoof Uitvoerende Beampte uitgevoer word.

20. Personeel van Agentskap

- (1) Die Hoof Uitvoerende Beampte moet, met die instemming van die Raad –
- (a) 'n personeel struktuur vir die Agentskap vestig; en
 - (b) die terme en voorwaardes van indiensneming van personeel bepaal.
- (2) Die Hoof Uitvoerende Beampte moet peesoneel aanstel om die Agentskap by te staan met die uitvoering van sy funksies: Met dien verstande dat senior personeel van die Agentskap aangestel word met instemming van die Raad.
- (3) Die Raad moet, in terme van die Nasionale Tesourie Riglyne, die vergoedingsvlakke van die personeel bepaal.

21. Befondsing van Agentskap

Die Agentskap is befonds deur geld –

- (a) wat bewillig is deur die Provinsiale Wetgewer vir die uitoefening van magte en die verrigting funksies van die Agentskap; en
- (b) wat deur die Agentskap akkumuleer uit bronne wat deur die LUR goedgekeur is met instemming van die Lid van die Uitvoerende Raad

verantwoordelik vir finansiële aangeleenthede in die provinsie, onderhewig aan die Wet op Openbare Finansiële Bestuur, 1999.

22. Inkomste van Agentskap

- (1) Vir die doel van die bereiking van sy doelwitte, uitoefening van sy magte en die uitvoering van sy funksies, moet die Agentskap benut as inkomste –
- (a) fooie en ander geld wat ontvang of ingesamel was deur die Agentskap ingevolge hierdie Wet of enige ander wet;
 - (b) strawwe, boetes en opbrengste uit die verkoop van verbeurde items ontvang of verhaal en toegeken was aan die Agentskap ingevolge hierdie Wet of enige ander wet;
 - (c) sodanige geld as wat bewillig was deur die Limpopo Provinsiale Wetgewer vir die uitoefening van magte en uitvoering van die funksies verleen of opgelê aan die Agentskap ingevolge hierdie Wet of enige ander wet.
 - (d) skenkings, toelae en bemakings deur die Agentskap van die publiek ontvang: Met dien verstande dat die Raad voorwaardelike skenkings, toelae of bemakings kan aanvaar nadat skriftelike toestemming van die LUR verkry was; of
 - (e) enige ander geld wat mag voortspruit of aan die Raad bewillig was, of wat geplaas kan word tot die beskikking van enige ander bron.
- (2) Die Raad moet, onderhewig aan artikel 7 van die Wet op Openbare Finansiële Bestuur, 1999, 'n rekening open en instand hou met 'n bank wat geregistreer is in Suid-Afrika ingevolge die Banke Wet, 1990 (Wet Nr.94 van 1990), 'n rekening wat bekend staan as die Limpopo Ontwikkeling Agentskap rekening, waarin alle geld wat deur die Agentskap ontvang word gedeponeer moet word soos uiteengesit in

subartikel (1), gelees met artikel 22(5) van die Wet op Openbare Finansiële Bestuur, 1999.

- (3) Die Raad mag, onderhewig aan enige ander wet, aangevraagde skenkings, toelae of bemakings soos verwys in subartikel 1(d) en die betrokke geld gebruik in terme van die voorwaardes wat verband hou met sodanige skenkings, toelae en bemakings.
- (4) Enige surplus fondse wat gekrediteur is in die Limpopo Ekonomiese Ontwikkeling Agentskap rekening moet aangewend word om die doelwitte van hierdie Wet te bereik.

23. Verkryging deur Agentskap

Wanneer die Agentskap enige goedere of dienste verkry, moet die Agentskap verseker dat dit 'n verkrygingstelsel volg wat regverdig, billik, deursigtig, kompetered en koste-effektief is en wat voldoen aan die Raamwerk vir Voorkeurverkrygingsbeleid, 2000 en die Wet op Openbare Finansiële Bestuur, 1999.

24. Verslae van Agentskap

- (1) Die Raad moet, kwartaalliks, verslae by die LUR indien wat voldoen aan die Wet op Openbare Finansiële Bestuur, 1999 en Tesourie Regulasie en wat handel met die stand van sake, die aktiwiteite, die bedrywighede en finansiële posisie van die Agentskap, insluitend –
 - (a) die mate waarin die Agentskap sy doelwitte bereik of bevorder het gedurende die betrokke finansiële kwartaal;
 - (b) die betrokke prestasie-inligting rakende ekonomiese, doeltreffende en effektiewe benutting van hulpbronne;

- (c) die bedrag geld, indien enige, ontvang vanaf die regering of enige ander bron en enige ander finansiële verbintenis wat aan die Agentskap voorsien was; en
 - (d) gedetailleerde dienstaat en samestelling van die Agentskap, insluitend vakatures.
- (2) Die LUR moet die kwartaallikse verslae in die Portefeuljekomitee ter tafel lê binne 20 dae van ontvangs daarvan indien die Provinsiale Wetgewer in sitting is, of indien die Provinsiale Wetgewer nie in sitting is nie, binne 14 dae na aanvang van sy daaropvolgende sessie.
- (3) Ondanks die bepalings van subartikel (1), mag die LUR, enige tyd, die Raad versoek om aan hom of haar, 'n tussentydse verslag met betrekking tot stand van sake, die aktiwiteite, die bedrywighede en finansiële posisie van die Agentskap in te dien of enige filiaal van die Agentskap of met betrekking tot 'n spesifieke aangeleentheid geïdentifiseer deur die LUR, en sodanige verslag moet binne 14 dae na sodanige versoek by die LUR ingedien word

25. Regulasies

Die LUR mag regulasies uitvaardig rakende enige voorgeskrewe aangeleentheid ingevolge die Wet of wat nodig is om die oogmerke van hierdie Wet te bereik.

26. Delegering

- (1) Wanneer dit nodig is vir die behoorlike uitvoering van sy pligte, mag die Raad onderhewig aan subartikel (2), 'n mag delegeer, funksie of plig verleen, wat toevertrou is aan die Raad ingevolge die Wet aan —
- (a) 'n lid;
 - (b) 'n komitee van die Raad soos verwys in artikel 13; of

-
- (c) die Hoof Uitvoerende Beampte.
- (2) Die Raad mag nie die mag deleger om –
- (a) 'n Hoof Uitvoerende Beampte aan te stel; of
 - (b) die diensvoorwaardes van die Hoof Uitvoerende Beampte te bepaal nie.
- (3) 'n Delegering ingevolge subartikel (1) –
- (a) is onderhewig aan voorwaardes, beperkings en voorskrifte wat die Raad mag oplê; en
 - (b) ontnem nie die Raad van sy verantwoordelikheid rakende die uitoefening van die gedelegeerde mag of die verrigting van die gedelegeerde funksie; en
 - (c) verhoed nie die Raad van die uitoefening van 'n gedelegeerde mag of verrigting van 'n gedelegeerde funksie nie.
- (4) Die Hoof Uitvoerende Beampte mag enige mag of plig deleger wat aan die Hoof Uitvoerende Beampte verleen of opgelê was kragtens hierdie Wet aan—
- (a) enige ander werknemer van Raad met die nodige kennis en ervaring; of
 - (b) enige ander persoon na oorleg van die Raad.
- (5) Enige persoon aan wie 'n mag gedelegeer was of wat gemagtig was om 'n plig te verrig ingevolge hierdie artikel moet daardie mag uitoefen of daardie plig uitvoer onderhewig aan die voorwaardes van die persoon wat die delegering gemaak of wat die magtiging toegestaan het as gepas ag.

- (6) Enige delegering van mag of magtiging om 'n plig uit te voer ingevolge hierdie artikel –
- (a) moet skriftelik wees;
 - (b) verhoed nie die persoon wat die delegering gedoen het of die magtiging toegestaan het van die uitoefening van daardie mag of die uitvoering van daardie plig deur homself of haarself; en
 - (c) mag enige tyd teruggetrek word deur daardie persoon.
- (7) Enigiets wat gedoen was in die uitoefening of verrigting van 'n gedelegeerde mag, plig of funksie word beskou as gedoen deur die Raad of die Hoof Uitvoerende Beampte, soos die geval gewees.

27. Gebruik van die naam Agentskap

Geen persoon, besigheid, besigheid entiteit of vereniging van persone mag sake doen onder 'n naam wat dieselfde is as of lyk soos dié van die Limpopo Ekonomiese Ontwikkeling Agentskap

28. Filiaal van Agentskap

- (1) Die Raad moet, onderhewig aan artikel 6(1), in oorleg met die LUR, die memorandum vir die stigting van 'n filiaalmaatskappy goedkeur, voor die aanvaarding en registrasie deur die Registrateur van Maatskappye.
- (2) Die Raad van 'n filiaalmaatskappy van die Agentskap, is aanspreeklik teenoor die Agentskap en moet hul magte en funksies uitoefen in ooreenstemming met die voorskrifte wat deur die Raad uitgereik was ingevolge die Wet op Openbare Finansiële Bestuur, 1999 en maatskappy wetgewing.

*Deel III**Herroeping van Wette en Oorgangsbepalings***29. Herroeping van die wet**

Die Limpopo Ontwikkelingskorporasiewet, 1994 (Wet Nr. 5 van 1994) word hiermee herroep.

30. Oorgangsbepalings

- (1) Die Agentskap is die opvolger in titel van die korporasie wat gestig was ingevolge artikel 2 van die Limpopo Ontwikkelingskorporasiewet, 1994 (Wet Nr.5 van 1994).
- (2) Ondanks die herroeping van die Limpopo Ontwikkelingskorporasiewet, 1994 (Wet Nr.5 van 1994), die Raad gestig ingevolge die Limpopo Ontwikkelingskorporasiewet, 1994 gaan voort om te bestaan, totdat die ampstermyn van sodanige Raadslede tot 'n einde kom of die Raad ontbind is ingevolge die bepalings van hierdie Wet.
- (3) Enige reg, aanspraak of voorreg verkry deur of verpligting opgelê aan enige persoon of liggaam ingevolge die bepalings van die Limpopo Ontwikkelingskorporasiewet, 1994 (Wet Nr.5 van 1994), wat nog nie uitgebrei, vervul of onmiddellik verval het voor die intreedatum, word beskou as 'n geldige reg, aanspraak, voorreg of verpligting opgelê aan daardie persoon of liggaam ingevolge die bepalings van hierdie Wet, vanaf die datum dat die reg, aanspraak, voorreg of verpligting eerste ontstaan.
- (4) 'n Besluit van die Raad ingevolge die bepalings van die Limpopo Ontwikkelingskorporasiewet, 1994 wat onmiddellik van krag was voor die

intreedatum van hierdie Wet, gaan voort om van krag te wees onderhewig aan die bepalings van hierdie Wet.

- (5) 'n Lid van die personeel aangestel onder die Limpopo Ontwikkelingskorporasiewet, 1994 gaan voort om die aanstelling te behou ingevolge hierdie Wet

31. Kort titel en inwerkingtreding

- (1) Hierdie Wet word die Limpopo Wetsontwerp op Ekonomiese Ontwikkelingsagentskap, 2016 genoem en tree in werking op die datum wat die Premier sal bepaal deur proklamasie in die *Staatskoerant*.
- (2) Verskillende datums mag vasgestel word ten opsigte van verskillende bepalings van hierdie Wet.

**VUFAMBISI BYA XIFUNDZANKULU XA LIMPOPO
HOFISI YA PHIRIMIYA**

**KU SUNGULA KU TIRHA KA NAWU WA EJENSI YA KU HLUVUKISA IKHONOMI YA
LIMPOPO, 2016 (NAWU WA NO.5 WA 2016)**

Mina, Chupu Stanley Mathabatha, sweswiwani hi ku landza xiyenge xa 31 xa Nawu wa Ejensi ya ku Hluvukisa Ikonomi ya Limpopo, 2016 (Nawu wa No.5 wa 2016), ni boha 2 October 2017 tanihi siku leri Nawu lowu vuriwaka wu nga ta sungula ku tirha.

**CHUPU STANLEY MATHABATHA
PHIRIMIYA: LIMPOPO**

NAWU

Ku boxa ku simekiwa ka Ejensi ya Nhluvukiso wa Ikonomi ya Limpopo na Huvo ya Ejensi; ku kombisa swikongomelo swa Ejensi na ku kombisa matimba na mitirho ya Huvo; na ku hlamusela timhaka tihi kumbe tihi leti fambelanaka na swoleswo.

WU SIMEKIWA TANIHI NAWU hi Mfumo wa Milawu wa Xifundzankulu xa Limpopo hindlela leyi landzelaka:–

MALONGOLOXELE YA SWIYENGE

Xiphemu xa I

Tinhlamuselo, Swikongomelo na ku tumbuluxiwa

1. Tinhlamuselo
2. Xikongomelo xa Nawu
3. Ku tumbuluxiwa ka Ejensi

Xiphemu xa II

Huvo, Mufambisinkulu, Vatirhi na Nkwama wa Ejensi

4. Swikongomelo swa Ejensi
5. Huvo ya Ejensi
6. Matimba na mitirho ya Huvo
7. Ku thoriwa ka swirho swa Huvo
8. Nkarhi wo tirha
9. Ku tshika na ku susiwa entirhweni
10. Swivandla swa mitirho
11. Tihakelo na swiengetelo
12. Tinhlengeletano
13. Tikomiti
14. Ku thoriwa ka van'wavutivi
15. Ku n'okisiwa ka Huvo na Huvo ya nkarhinyana
16. Switsundzuxo na ku rhumela timhaka to karhi eka Holobye

17. Ku boxa minavelo
18. Mufambisinkulu
19. Ku susiwa ka Mufambisinkulu
20. Vatirhi va Ejensi
21. Nkwama wa Ejensi
22. Nkwama wa Ejensi
23. Ku xava nhundzu hi Ejensi
24. Swiviko swa Ejensi
25. Swinawana
26. Vurhumiwa
27. Ku tirhisa vito ra Ejensi
28. Mpfuno wa Ejensi

Xiphemu xa III

Ku n'okisiwa ka milawu na Matirhelo ya nkarhinyana

29. Ku n'okisiwa ka nawu
30. Matirhelo ya nkarhinyana
31. Nhlokomhaka yo koma na ku sungula ku tirha

Xiphemu xa I

Tinhlamuselo, Swikongomelo na ku Simekiwa

1. Tinhlamuselo

Eka Nawu lowu ehandle ka loko vundzeni byi hlamusela swin'wana—

"Ejensi" swi vula Ejensi ya Nhluvukiso wa Ikonomi ya Limpopo leyi tumbuluxiweke hi ku landza xiyenge xa 3;

"Huvo" swi vula Ejensi ya Nhluvukiso wa Ikonomi ya Huvo ya Limpopo leyi tumbuluxiweke hi ku landza xiyenge xa 5;

"Mutshamaxitulu" swi vula mutshamaxitulu wa Huvo loyi a thoriweke hi ku landza xiyenge xa 7(5);

"Mufambisinkulu" swi vula Mufambisinkulu loyi a thoriweke hi ku landza xiyenge xa 18;

"Komiti" swi vula komiti of Huvo leyi tumbuluxiweke hi ku landza xiyenge xa 13;

"Ndzawulo" swi vula Ndzawulo leyi nga na vutihlamuleri bya nhluvukiso wa ikhonomi eka Xifundzankulu;

"Huvonkulu" swi vula Huvonkulu ya Xifundzankulu leyi boxiweke eka xiyenge xa 132 of Vumbiwa ra Riphaboliki ra Afrika-Dzonga, 1996;

"MEC" swi vula Xirho xa Huvonkulu lexi nga ni vutihlamuleri bya nhluvukiso wa ikhonomi eka Xifundzankulu;

"xirho" swi vula xirho of Huvo lexi thoriweke hi ku landza xiyenge xa 7;

"xiyenge xa mfumo" swi vula an xiyenge xa mfumo hilaha swi hlamuseriweke hakona eka xiyenge xa 239 of Vumbiwa ra Riphaboliki ra Afrika-Dzonga, 1996;

"hlamuseriwa" swi vula leswi hlamuseriweke hi swinawana;

"Nawu wa Malawulelo ya Timali ta Rixaka, 1999" swi vula Nawu wa Malawulelo ya Timali ta Rixaka, 1999 (Nawu No.1 wa 1999);

"vatirhinkulu" swi vula valawurinkulu lava nga na vutihlamuleri eka Mufambisinkulu; na

"Nawu lowu" wu katsa swinawana leswi tumbuluxiweke kumbe ku tirhisiwa hi ku landza Nawu lowu.

2. **Xikongomelo xa Nawu**

Xikongomelo xa Nawu lowu I ku simeka ejensi ya nhluvukiso wa ikhonomi ya xifundzankulu lexi.

3. **Ku tumbuluxiwa ka Ejensi**

- (1) Ejensi ya Nhluvukiso wa Ikhonomi ya Limpopo laha ya tumbuluxiwa tanihi munhu wa xinawu.

- (2) Ejensi yi na —
- (a) Huvo leyi simekiweke hi ku landza xiyenge xa 5;
 - (b) Mufambisinkulu; na
 - (c) vatirhi va Ejensi.

Xiphemu xa II

Huvo, Mufambisinkulu, Vatirhi na Nkwama wa Ejensi

4. Swikongomelo swa Ejensi

- (1) Swikongomelo swa Ejensi i ku —
- (a) hatlisisa nhluvukiso wa ikhonomi na ku tisa ncico eka timhaka ta bindzu ta xifundzankulu na ku ndlandlamuxa swa mphikizano eka ikhonomi ya xifundzankulu eka swiyenge swa vurimi, khomese, swa tindlu, mabindzu, swa timayini, vuleteri, vutleketli bya mani na mani na mabindzu man'wana;
 - (b) tiva swiololoxa swiphiso swa sweswi, swa nkarhinyana na swa nkarhi lowu taka yi ri ndlela yo hatlisisa nhluvukiso wa ikhonomi na swa mabindzu na ku tumbuluxa mitirho;
 - (c) simeka tiphurojeke ta nkoka hi ndlela leyi twisisekaka hi ku tihlanganisa na mihlangano leyi khumbekaka;
 - (d) seketela nhluvukiso wa swiyenge swa nkoka eka ikhonomi hi ku landza tipholisi ta swa ikhonomi na swa mabindzu eka Xifundzankulu;
 - (e) rhangela eka timhaka to sivela tiphurojeke ta nhluvukiso wa ikhonomi leti nga hlanganahlangana naswona ti nga twisisekiki, leti nga fangelangiki na pholisi ya xifundzankulu;
 - (f) ndlandlamuxa ntirhisano wa timhaka ta ikhonomi na tiikhonomi tin'wana leti kumeka ehandle ka Xifundzankulu;

- (g) antswisa matirhele ya swa mabindzu eka swifundza swo karhi na ku hluvukisa swifundza leswi nga salela endzhaku leswaku swi humelela eka timhaka ta ikhonomi;
 - (h) antswisa ku rhumeriwa ka swimakiwa swa Xifundzankulu leswi rhumeriwaka eka tindhawu tin'wana na ku kucetela mivekiso ya laha tikweni na leyi humaka entshungeni wa malwandle; na
 - (i) ku engetela nhlayo ya swiyenge swa ikhonomi leswi kotaka ku engetela nkoka wa tiphurodakiti na vukorhokeri lebyi tirhisiwaka.
- (2) Ku fikelela swikongomelo leswi, Ejensi yi fanele yi kota ku ndlandlamuxa nkwama wa yona na ku hlengeleta mali.

5. Huvo ya Ejensi

- (1) Holobye u fanele ku simeka Ejensi ya Nhluvukiso wa Ikhonomi ya Huvo ya Limpopo leyi nga na vafambisi va huvonkulu na lava nga riki va huvonkulu, Huvo leyi lembe rin'wana na rin'wana yi faneleke ku nghena eka mitwanano yo karhi na Holobye, laha ku hlamuseriwaka –
- (a) ndlela leyi Huvo yi ta ta tirha hayona;
 - (b) ndlela leyi Huvo yi ta ta andlala hakona tipholisi ta yona; na
 - (c) mhaka yihi na yihi yin'wana leyi faneleke eka ku fikelela xikongomelo xa Nawu lowu.
- (2) Huvo yi na vutihlamuleri byo tirhisa matimba na ku endla mitirho ya Ejensi hilaha swi hlamuseriweke hakona eka xiyenge xa 49(2) (a) of Nawu wa Malawulelo ya Timali ta Rixaka, 1999.
- (3) Huvo yi fanele yi va na swirho leswi nga ri ki ehansi ka kaye naswona leswi nga hundziki khummen'we, leswi nga –

- (a) Nhloko ya Ndzawulo kumbe mutirhelanfumo un'wana wa Ndzawulo loyi a rhumeriweke hi Nhloko ya Ndzawulo, tanihi xirho xa *ex officio*, lexi nga vhotiki;
 - (b) vatirhinkulu va Ejensi lava katsaka Mufambisinkulu, Mufambisinkulu wa Timali na Mufambisinkulu wa Tirhele;
 - (c) munhu loyi a thwaseleke na ku amukeriwa tanihi mutirhelanawu eka Riphabuliki naswona, eka malembe ya ntlhanu ya nhlanganelo endzhaku ka ku kuma tidyondzo toleto, a tirheke tanihi mutirhelanawu kumbe a phakeleke vukorhokeri mayelana na timhaka ta nawu;
 - (d) munhu loyi a nga na tidyondzo ta khatati akahwunteti hi ku landza Rimba ra Mathwaselo ra Rixaka naswona eka malembe ya ntlhanu ya nhlanganelo endzhaku ka ku kuma tidyondzo toleto, a tirheke tanihi khatati akahwunteti;
 - (e) munhu loyi a nga na digiri yo tlhandlekela ya tisayense ta ikhonomi kumbe vufambisi; na
 - (e) vanhu van'wana lava nga na vutivi lebyi lavekaka, vuswikoti na ntokoto eka tiphurojeke ta nhluvukiso wa ikhonomi.
- (4) Xirho of Huvo xi fanele —
- (a) xi hanyile kahle ku ta kota ku tirha;
 - (b) xi yimela rin'wana ra tinxaka leti kumekaka eka Xifundzankulu; na
 - (c) Muakatiko wa Muafrika-Dzonga loyi a kumekaka eka Riphabuliki hakanyingi.

6. Matimba na mitirho ya Huvo

- (1) Huvo yi fanele yi tirhisa matimba lama yi haverisiweke wona hi ku leteriwa hi Nawu wa Malawulelo ya Timali ta Rixaka, 1999, Nawu wa Matimba ya Vulombisi wa Mifumo ya Swifundzankulu, 1996 (Nawu No. 48 wa 1996) na Nawu wa Tikhamphani, 2008 (Nawu No. 71 wa 2008) hilaha yi tirhisiwaka hakona eka tikhamphani ta mfumo.
- (2) Holobye, hi ku landza xiyenge xa 54 of Nawu wa Malawulelo ya Timali ta Rixaka, 1999 na hi ku tihlanganisa na Huvonkulu, a nga nyika mpfumelelo wa ku tumbuluxiwa ka tikhamphani leti lawuriwaka hi tin'wana tikhamphani ta Ejensi, loko swi fanerile, leswaku swikongomelo swa Ejensi swi fikeleriwa. Mpfumelelo wa Holobye wu fanele ku kombisa swipimelo leswi vekiweke eka ku tumbuluxiwa ka khamphani leyi lawuriwaka hi yin'wana khamphani.
- (3) Huvo yi fanele yi kombisa mpfumelelo hi ku landza xiyengentsongo xa (2) na ku landzelela swipimelo leswi vekiweke hi Holobye eka ku tumbuluxiwa ka khamphani leyi lawuriwaka hi yin'wana khamphani.
- (4) Huvo, hi ku landza xiyengentsongo xa (1), yi nga —
 - (a) susumeta, tlakusa, kunguhata, simeka, hoxa xandla eka swa timali, hlanganisa, lawula, ku landzelarisa timhaka to karhi, bindzu kumbe phurojeke, kumbe ku fikelela swo karhi, bindzu kumbe phurojeke kumbe ku xavisa kumbe ku tihambanisa na swilo swo karhi, bindzu kumbe phurojeke;
 - (b) ku teka xiave eka ku simekiwa ka mitirhonhlanganelo hi ku tihlanganisa na Holobye, na vuxaka lebyi tumbuluxiweke exikarhi ka tikhamphani ta rixaka-phurayivhete;
 - (c) ku tumbuluxa na ku lawula nhundzu ya Ejensi na ku kuma, ku khoma, ku antswisa, ku hayara, ku hira, ku xavisa, ku hundzisela emahlweni, ku

xavisa, ku nyikela, ku herisa, kumbe ku veka etlhello na ku herisa nhundzu leyi lawuriwaka hi Ejensi;

(d) ku tlakusa nkwama hi ku leteriwa hi swibumabumelo swa matlakuselo ya nkwama leswi tsariweke hi ku enta naswona swi amukeriweke hi ndlela yo tsariwa hi Holobye;

(e) ku lawula swipfunetaejensi na ku vona leswaku swipfutaejensi leswi swi landzelala Nawu wa Malawulelo ya Timali ta Rixaka, 1999, Nawu wa Tikhamphani, 2008 (Nawu No.71 wa 2008) na milawu yihi na yihi yin'wana leyi khumbekaka; naswona

(f) hi ku landza xiyenge xa 23 xa Nawu lowu, ku kuma, ku hirisa, ku lisa, ku xavisa, kumbe ku hambana na nhundzu yihi na yihi, mphakelo kumbe vukorhokeri: Ehandle kaloko Holobye a pfumelela xikongomelo xa ku kuma kumbe ku hambana na nhundzu yihi na yihi naswona ku kuma nhundzu leyi kumbe ku hambana na yona swi endliwa hi ku leteriwa hi milawu leyi fambelanaka na swoleswo.

(5) Huvo, hi ku tihlanganisa na Ndzawulo, yi fanele yi tlakusa xiyimo xa Xifundzankulu na ku xi navetisa tanihi hi Xifundzankulu xa mbangu wa mbekiso na ku engetela no hlayisa mivekiso ya Xifundzankulu.

(6) Huvo yi fanele yi tumbuluxa na ku hlayisa vukorhokeri bya swa mahungu na dathabeyisi mayelana na mabindzu lama nga kona na lama nga tumbuluxiwaka, na swivangwa swa vumaki, ku maketa, bindzu na swa vuvekisi.

7. Ku thola swirho swa Huvo

- (1) Holobye u fanele a kandziyisa xitiviso eka maphephahungu mambirhi lama kumekaka eka Xifundzankulu, a kombela swikombelo eka vanhu lava fikelelaka swipimelo leswi longoloxiweke eka xiyenge xa 5.
- (2) Loko mukomberi a angula eka xitiviso hi ku landza xiyengentsongo xa (1), u fanele a rhumela *curriculum vitae* leyi nga na vuxokoxoko lebyi landzelaka —
 - (a) tikhopi leti sethifayiweke ta tidyondzo hinkwato; na
 - (b) matsalwa yo seketela lama kombisaka vutivi bya mukomberi na ntokoto wa yena leswi nga ta pfuna eka ku fikelela swikongomelo swa Ejensi.
- (3) Vakomberi lava hlawuriweke, loko va nga si thoriwa, va fanele va kambisisiwa hi Ejensi ya Vusirheleri bya Tiko hi ku landzelela Nawu wa Vukorhokeri bya Vuhlori (Nawu No. 65 wa 2012).
- (4) Holobye, hi ku languta swikombelo leswi amukeriweke na ku tihlanganisa na Huvonkulu, u fanele a thola swirho swa Huvo.
- (5) Holobye, endzaku ka ku tihlanganisa na Huvonkulu, exikarhi ka swirho leswi haverisiweke matimba yo vhota, u fanele ku thola Mutshamaxitulu na Xandla xa Mutshamaxitulu wa Huvo.
- (6) Munhu a nge thoriwi ku va xirho loko munhu yoloye —
 - (a) a ri na ku tsakela hi ndlela yo kongoma kumbe yo ka yi nga kongomi eka bindzu rihi kumbe rihi, leswi nga tisaka mikwetlembetano eka tirhele ra xirho xolexo tanihi hi xirho;
 - (b) a ri na xirho xa ndyangu wa yena, phatinara kumbe mutirhikulobye lava nga na ntsakelo wo kongoma kumbe wo ka wu nga kongomi eka bindzu

- rihi kumbe rihi, leswi nga tisaka mikwetlembetano eka tirhele ra xirho xolexo tanihi hi xirho;
- (c) a ri munhu loyi a tshikeleriweke hi swikweleti naswona a tsandzekaka ku huma eka xiyimo xolexo;
- (d) a hundzuka xirho xa Huvo ya Rixaka kumbe xa Huvo ya Rixaka ya Swifundzankulu, mfumo wa milawu wa xifundzankulu wihi na wihi, Yindlu ya Varhangeri va Ndhavuko kumbe mfumo wa miganga, hi ku landza xiyenge xa 5 (3) (a), Mutirhelamfumo wa nkarhi hinkwawo, ehandle ka Ejensi;
- (e) a nga ha tshembeki hikwalaho ka matikhomele ya yena lama nga amukelekiki;
- (f) u hlamuseriwile hi khoto leyi nga fanela leswaku a nga tshamisekangi emiehleketweni;
- (g) u gweviwile xigwevo hikwalaho ko pfumala ku tshembeka eka swin'wana;
- (h) eka nkarhi wun'wana, u vile na ntsakelo wo kongoma kumbe wok a wu nga kongomi mayelana na mhaka leyi a yi ri emahlweni ka Huvo, leswi nga endlaka leswaku munhu yaloye a nga tirhi mitirho ya yena tanihi xirho, hi ndlela leyi amukelekaka no pfumala xihlawuhlawu; kumbe
- (i) hi ku landza Nawu wa Tikhamphani, 2008 (Nawu No.71 wa 2008), a tsimbisiwaka kumbe a nga fanelangi ku va mufambisi wa khamphani.
- (7) Loko xrho xi yirisiwa hi ku landza xiyengentsongo xa (6), xi fanele ku tivisa Holobye na Huvo hi ndlela yo tsala leswaku xi yirisiwile.
- (8) Holobye, eka masiku ya 30 endzhaku ka loko xirho xi thoriwile, u fanele a kandziyisa mavito, siku na nkarhi wa ntholo wa xirho xolexo hi xitiviso eka *Gazete ya Mfumo*.

8. Nkarhi wo tirha

- (1) Xirho xi thoriwa malembe lama nga hundziki ntlhanu.
- (2) Holobye, hi ku leteriwa hi matirhele lama amukelekaka na hi mpfumelelo wa Huvonkulu, a nga engetela nkarhi wa ku thoriwa ka xirho [nkarhi wo engetela] theme yin'we yo engetela, leyi nga hundziki malembe ya ntlhanu.

9. Ku tshika ntirho na ku susiwa entirhweni

- (1) Xirho xi nga tshika ntirho loko xi nyika Holobye—
 - (a) xitiviso xo tsariwa xa tinhweti timbirhi; kumbe
 - (b) xitiviso xo tsariwa xa le hansi ka tinhweti timbirhi, xa mpfumelelo wa Holobye.
- (2) Holobye u fanele a tivisa Huvonkulu loko xirho xi susiwa entirhweni kumbe ku tshika ntirho.
- (3) Holobye a nga herisa ku thoriwa ka xirho loko xirho xolexo —
 - (a) xi tikhoma hindlela leyi nga amukelekiki;
 - (b) xi nga ringanelangi ku endla mitirho ya xona;
 - (c) xi nga landzeleri swipimelo swa Nawu lowu;
 - (d) xi tsandzekaka ku tirha mitirho ya xona hikwalaho ka mavabyi ya miehleketo kumbe ya miri;
 - (e) xi tsandzekaka ku nghenela tinhlengeletano timbirhi ta Huvo hi ku landzelelana ehandle ka mpfumelelo wa Huvo;
 - (f) xi tsandzekaka ku fikelela swipimelo swa Nawu lowu kumbe Nawu wa Malawulelo ya Timali ta Rixaka, 1999; kumbe
 - (g) xi tsimbisiwa hi ku landza xiyenge xa 7(6).
- (4) Holobye a nge kavanyeti eka ku thoriwa ka xirho hi ku landza xiyengentsongo xa (3), ehandle ka loko Holobye a nga nyikangi xirho xolexo nkarhi wo hlamusela

xiyimo xa xona mayelana na mhaka yoleyo, ku katsa vuyimeri byihi na byihi lebyi endliweke kumbe tinhlamuselo kumbe vumbhoni lebyi nyikiweke hi xirho xolexo, naswona Holobye a tienetisile leswaku swa fanela ku herisa ntholo wolowo eka nkarhi wolowo.

- (5) Holobye a nga yimisa xirho ku endla mitirho ya xona loko a ha endla vulavisisi byo karhi ehenhla ka xirho xolexo.

10. Swivandla swa mitirho

- (1) Xivandla xa ntirho xa xirho xi va kona loko –
- (a) xi hundza emisaveni;
 - (b) papila ra xona ro tshika ntirho ri amukeriwile na ku pfumeleriwa hi Holobye hi ku landza xiyenge xa 9(1);
 - (c) ku thoriwa ka xona ku herisiwile hi ku landza xiyenge xa 9(3).
- (2) Xivandla lexi tumbulukeke eka Huvo xi fanele xi siviwa hi ku landza xiyenge xa 7 hi ku thola xirho xin'wana hi xihatla hilaha swi kotekaka, endzhaku ka ku tumbuluka ka xivandla xolexo, naswona xirho lexi thoriwaka xi ta tirha ntirho wa xona eka nkarhi lowu saleke wa xirho lexi sukeleke xivandla xolexo.

11. Tihakelo na swiengetelo

- (1) Holobye u fanele a kombisa tihakelo na swiengetelo leswi hakeriwaka xirho hi ku leteriwa hi Swiletelo swa Nkwama wa Rixaka.
- (2) Xirho lexi thoriweke hi mfumo a xi fanelangi ku hakeriwa mali ya swiengetelo.
- (3) Tihakelo na swiengetelo swi vekiwa hi ku landza xiyengentsongo xa (1), naswona swi fanele –
- (a) swi leteriwa hi milawu ya nkwama leyi tirhisiwaka na swipimelo hi ku landza Nawu wa Malawulelo ya Timali ta Rixaka, 1999; na

- (b) hakeriwa hi mali leyi pimanyiteriweke swoleswo hi Mfumo wa Milawu wa Xifundzankulu xa Limpopo.

12. Tinhlengeletano

- (1) Khoramu ya nhlengenetano ya Huvo yi fanele yi va tiphesente ta 51 ta nhlayonyingi ta swirho leswi thoriweke.
- (2) Xiboho lexi tekiweke hi nhlayo ntalo ya swirho leswi fanelaka ku vhoti eka tinhlengenetano ta Bodo leti nga kona eka nhlengenetano yihi ni yihi ya Huvo, yi teka xiboho xa Huvo.
- (3) Eka xiyimo lexi ku nga ni tivhoti to ringana, Mutshamaxitulu u ni vhoti yo endla xiboho yo engetela eka vhoti yo kongoma ya Mutshamaxitulu.
- (4) Loko Mutshamaxitulu a nga ri kona, matimba, timfanelo na mintirho ya Mutshamaxitulu ma fanele ya tirhiwa na ku endliwa hi Museketeri wa Mutshamaxitulu, naswona eka xiyimo lexi Mutshamaxitulu na Museketeri wa Mutshamaxitulu ha vumbirhi va nga ri kona ku fanele ku vekiwa xirho ku suka eka nhlayo yaleyo hi Huvo: Handle kaloko hofisi ya Mutshamaxitulu yi nga ri na munhu kumbe Mutshamaxitulu u ala ku teka goza, Museketeri wa mutshamaxitulu u fanele a endla matimba, timfanelo na mintirho ya Mutshamaxitulu ku fikele Mutshamaxitulu wuntshwa a vekiwa hi ku landza xiyenge xa 7(5).
- (5) (a) Loko mhaka yi lava ku langutisiwa swa xihatla hi Huvo, naswona Huvo yi tsandzeka ku hlangana, Mutshamaxitulu u fanele a vona leswaku xirho xihi ni xihi –

- (i) xi nyikiwa mahungu hinkwawo lawa ya faneleke na matsalwa mayelana na mhaka yaleyo ku katsa na maendlelo ya vuhlanganisi eku tekeni ka xiboho. Vuxokoxoko na matsalwa ya fanele ya nyikiwa xirho hi voko kumbe vuhlanganisi bya xielekitironiki; na
 - (ii) ku rhekhoda xiboho xa xirho eka mhaka yaleyo na ku hundzisela rhekhodo eka Matsalana wa Huvo.
- (b) Xiboho xa nhlayo ntalo xa swirho eka mhaka i xiboho xa Huvo, naswona—
- (i) yi sayiniwa hi Huvo eka nhlengeletani ya Huvo; na
 - (ii) ku rhekhodiwile eka makanelwa.
- (6) Huvo yi fanele yi vona leswaku ku rhekhodiwa ka mafambisele ya tinhlengelletano ya hlayisiwa na Holobye hi nkarhi wihi ni wihi lowu lavekaka anga lava leswaku rhekhodo yo tano yi yisiwa eka yena leswaku a yi hlaya.

13. Tikomiti

- (1) Huvo yi nga tumbuluxa tikomiti to pfuna Huvo hi ku tirhisa matimba na mintirho ya yona hi ku landza Nawu lowu naswona ku fana na leswaku yi nga nokisa, ngetela, anamisa kumbe ku hunguta komiti leyi tumbuluxiweke.
- (2) Huvo yi nga –
- (a) boha matimba na mintirho ya komiti;
 - (b) boha mafambisele ya tirhele ra komiti, ku katsa na—
 - (i) khoramu ya nhlengelletani ya komiti;
 - (ii) ndlela leyi komiti yi tekaka swiboho;
 - (c) ku vekela swirho leswi swi fikelelaka swipimelo kumbe ku va ni ntokoto mayelana ni mintirho ya komiti; na
 - (d) ku vekela xirho lexi tirhaka tanihi Mutshamaxitulu wa komiti yo tano.

(3) Huvo yi nga tumbuluxa komiti ni ku va ni matimba ya ku thola vanhu van'wani vo pfuneta eka komiti eka ku tirha mintirho ya yona hi ku landza Nawu lowu.

(4) Xirho xa ku engetela eka komiti xi tirha eka xiyimo xa ku tsundzuxa naswona a nge vhoti eka nhlengeletani yihi ni yihi eka komiti yo tano.

14. Ku thoriwa ka van'wavutivi

Huvo laha yi vonaka swi fanerile yi nga thola n'wavutivi ku pfuneta Huvo kumbe komiti eku tirheni mintirho ya yona.

15. Ku n'okisiwa ka Huvo na Huvo ya nkarhinyana

(1) Holobye endzhaku ka vulavisisi –

(c) laha Huvo yi tsandzekaka ku tirha mintirho ya yona hi ku landza Nawu lowu; kumbe

(d) hi xivangelo xa kahle,

a nga n'okisa Huvo hi swiyimo na swilaveko swo karhi tanihi leswi Holobye a nga bohaka.

(2) Holobye u fanele ku nga si hela masiku ya 21 va n'okisile Huvo, a thola Bodo ya xinkarhaninyana hi nkarhi lowu bohiweke hi Holobye hi ku tihlanganisa na Huvonkulu, ku nga landzeleriwangi maendlele lama longoloxiweke eka xiyenge xa 7.

(3) Bodo ya xinkarhaninyana yi fanele yi va na ntlhanu wa swirho leswi nga fikelela swilaveko leswi faneleke na ntokoto lowu vuriweke eka eka xiyenge xa 5(3).

- (4) Holobye u fanele ku suka ka swirho swa Bodo ya nkarhinyana a vekela matshamaxitulu na museketeri wa mutshamaxitulu eka Bodo ya nkarhinyana.
- (5) Khoramu ya nhlengeletani ya Bodo ya nkarhinyana i swirho [swinharhu] ku nga nhlayonyingi eka nhlayo hinkwayo ya swirho leswi thoriweke.
- (6) Bodo ya nkarhinyana yi ni matimba na mintirho leyi longoloxiweke eka Nawu lowu.

16. Swileriso na ku yisiwa ka timhaka eka Xirho xa Huvonkulu

- (1) Holobye a nga nyika Huvo swileriso mayelana na ku tirhisiwa ka matimba na mintirho ya Huvo eka xiyenge xa 6.
- (2) Holobye a nga kombela Huvo ku yisa mhaka yihi ni yihi mayelana na timhaka ta Ejensi kumbe swipfuneto swa Ejensi, eka Holobye kumbe Huvo hi ku twanana ka yona yi nga yisa mhaka eka Holobye leswaku yi kambisisiwa na ku teka xibofo.
- (3) Xibofo kumbe xiyimo lexi endlwiweke hi ku landza xiyengentsongo xa (2), xi nge herisiwi kumbe ku hundzuluxiwa hi Huvo ku nga ri ni mpfumelelo wo tsariwa wo huma eka Holobye.

17. Ku boxa mintsakelo

- (1) Xirho xa Ejensi xi nge —
 - (a) ti ngenisi eka migingiriko leyi nga vonelaku ehansi ndzhuti wa Ejensi;
 - (b) ngeneli, hoxa xandla kumbe ku hlohlotela mafambisele hi nkarhi wa nhlengeletani mayelana ni mhaka leyi nga emahlweni ka Huvo leswaku xirho xi ni ku tsakela —

- (i) loku vuriweke eka xiyenge xa 7 (6) (a) na (b); kumbe
 - (iii) leswi n'wu tsandzisaka ku tirha mintirho ya xirho xa Huvo hi ndlela ya kahle, yi nga yimeki na munhu na ku va leyinene.
 - (c) vhotla eka nhlengeletani ya Huvo hi mayelana ni mhaka yihi ni yihi leyi vuriweke eka ndzimana ya (b); kumbe
 - (d) ku tirhisa swa purayivhete kumbe ku vuyeriwa hi ntswalo ku suka eka, kumbe mhaka yihi ni yihi ya xihundla leyi kumiwaka hikwalaho ka ku tirha mintirho ya xirho tanihi xirho xa Huvo.
- (2) Loko eka nkarhi wihi ni wihi swi humelela eka xirho xa Huvo hi ku kongoma na ku nga kongomi leswaku mhaka emahlweni ka Huvo yi khumbha swa timali swihi ni swihi kumbe mintsakelo yin'wani ya xirho xexo, xirho xi fanele xi —
- (b) xikan'we kan'we na ku humesela ehandle xiyimo xa mintsakelo eka nhlengeletani ya Huvo; na
 - (b) ku tshika ku ti ngenhisa kwihi ni kwihi ku yisa emahlweni eka nhlengeletani leyi khumbhaka mhaka leyi.
- (3) Xiboho xa xirho xa ku boxa mintsakelo hi ku landza xiyengentsongo xa (2), xi fanele xi rhekhodiwa eka makanelwa ya nhlengeletani.
- (4) Loko xirho xo tshika xi hlongoriwile hi ku landza xiyenge xa 7(6)(a) na (b), Holobye u fanele a herisa ku thoriwa ka xirho xo tani xikanwe-kanwe.

18. Mufambisinkulu

- (1) Huvo hi ku tirhisana na Holobye yi fanele —
- (a) yi rhamba hi ku navetisa eka maphepha-hungu mambirhi swikombelo xivandla xa ntirho xa xiyimo xa Mufambisinkulu;

- (b) thola Mufambisinkulu hi kontiraka ya nkarhi lowu bohiweke leyi kongomisaka eka tirhele hi nkarhi wo ringana ntlhanu wa malembe.
- (2) Mufambisinkulu u fanele a va munhu loyi a ringaneleke na ku va kahle a tlhela a va na tidyondzo leti faneleke na ntokoto.
- (3) Huvo yi fanele yi endla vulavisisi byo xikambelo eka valangiwa loko va nga se va thola hi Ejensi wa Vusirheleri bya Rixaka hikuya hi Nawu wa Vukorhokeri bya Vuhlori (Nawu wa No. 65 wa 2002).
- (4) Huvo loko yi endle vukamberi bya tirhele lebyi nga kahle, yi nga engetela nkarhi wa ku thoriwa wo ka wu nga tluli ntlhanu wa malembe wa Mufambisinkulu.
- (5) Mufambisinkulu i mutirhi eka Ejensi naswona u –
- (a) ti hlamulela eka Huvo;
- (b) u ni vutihlamuleri eka vufambisi bya kahle no tirheka bya Ejensi na ku tirha mintirho leyi Huvo yi n'wu nyikaka kumbe ku rhuma Mufambisinkulu; na
- (c) leswaku a nga va xirho xa huvo xo engetela kambe a nga ri ni matimba ya ku vhotu.
- (6) Kontiraka ya ku thoriwa ka Mufambisinkulu yi fanele yi tsariwa naswona yi fanele yi katsa fomo ya kahle ya makungu ya xiyenge xa 57 xa Nawu wa Malawulelo ya Timali ta Rixaka, 1999 naswona tani hi xitandadi xo sungula yi fanele yi va na –
- (a) tindhawunkulu ta mbuyelo wa tirhele;
- (b) swiboho swa vufambisi bya timali;
- (c) swiletelo swa tirhele; na
- (d) switirhi swa kahle swa ku pima tirhele.

- (7) Huvo yi fanele yi kambela ntwanano wa tirhele ra Mufambisinkulu lembe na lembe eka nhweti yin'we emasungulweni ya lembe ximali rin'wani na rin'wani.
- (8) Ntwanano wa tirhela wu hetisisiwa hi ku landza xiyengentsongo xa (7) wu fanele wu katsa—
- (a) swikongomelo swa tirhela leswi pimekaka na tithagete leti veke riweke minkarhi;
- (b) switandadi na maendlelo ya ku kambela tirhele na minkarhi ya swikambelo; na
- (c) na mbuyelo wa tirhelo ra xiyimo xa le hansi.
- (9) Loko xiyimo xa Mufambisinkulu xi pfulekile, Huvo yi fanele yi veka mutirhi wa le ka Ejensi ku tirha tanihi Mufambisinkulu, eka nkarhi lowu nga hundzeki tinh'weti ta ntsevu.
- (10) Mufambisinkulu a nge tirhi mintirho yin'wani yo hakela ku nga ri na mpfumelelo wo tsariwa wa Huvo.
- (11) Mufambisinkulu u ta tsala xitiviso xo tsariwa eka tinhweti tinharhu eka Huvo kumbe a nga tshika ntirho hi xinkarhani xo koma tanihi leswi Huvo yi nga twananisaka xiswona.

19. Ku susiwa ka Mufambisinkulu

- (1) Huvo yi nga susa Mufambisinkulu ehofisini hi xivangelo xa —
- (a) ku tlula ntwanano wa matirhele lowu a ngheneke eka wona ni Huvo hi ku landza xiyenge xa 18;
- (b) matikhomele yo ka ya nga ri kahle; kumbe

- (c) ku nga landzeleli Nawu lowu, Nawu wa Malawulelo ya Timali ta Rixaka, 1999 kumbe matikhomele man'wani yo ka ya nga ri enawini.
- (2) Huvo yi nge herisi ku thoriwa ka Mufambisinkulu hi ku landza xiyengentsongo xa (1), handlekaloko Huvo yi nyikile Mufambisinkulu nkarhi wa ku nyika tlhelo ra yena ra timhaka na loko a langutisisile mhaka kahle ku katsa vuyimeri byihi ni byihi lebyi endliweke kumbe tinhlamuselo kumbe vumbhoni lebyi nyikiweke hi Mufambisinkulu, na Huvo yi enetisekile leswaku ku herisa ntirho swa fanele eka xiyimo xexo.
- (3) Huvo yi nga yimisa Mufambisinkulu ehofisini loko va karhi va endla vulavisisi kumbe ndzavisiso ehenhleni ka Mufambisinkulu.

20. Vatirhi va Ejensi

- (1) Mufambisinkulu hi ku fambisana na Huvo u fanele a —
- (a) tumbuluxa xivumbeko xa xitafu xa Ejensi; na
- (b) ku boha swilaveko na swipimelo swa ku thola xitafu.
- (2) Mufambisinkulu u fanele a thola xitafu xo pfuneta Ejensi eka ku tirha mintirho: Handlekaloko vatirhinkulu va Ejensi va fanele va thoriwa hi ku fambisana na Huvo.
- (3) Huvo yi fanele hi ku landza Swiletelo swa Nkwama wa Timali ta Rixaka ku boha tilevhele ta mahakelelo ya xitafu.

21. Ku Hakela Ejensi

Ejensi yi hakeriwa hi timali leti —

- (a) aviweke hi Mfumo wa Milawu wa Xifundzankulu ku tirhisa matimba na ku endla mintirho ya Ejensi; na

- (b) yi ngeteriwa eka Ejensi ku suka eka swihlovo leswi pasisiweke hi Holobye hi ku tirhisana na Xirho xa Huvonkulu loyi a tirhanaka na swa timali eka Xifundzankulu, hi ku landza Nawu wa Malawulelo ya Timali ta Rixaka, 1999.

22. Nkwama wa Ejensi

- (1) Hi xikongomelo xa ku fikelela swikongomelo swa yona, ku tirhisa matimba ya yona na ku tirha mintirho ya yona, Ejensi yi fanele yi tirhisa tanihi xibalo –
- (a) tihakelo na mali yin'wani leyi amukeriweke kumbe ku nhlengeletwa hi Ejensi hi ku landza Nawu lowu kumbe nawu wihi ni wihi wun'wani;
- (b) swigwevo, tifayini na mbuyelo wa ku xavisa tiayitheme leti tshikiweke leti amukeriweke kumbe leti kumiweke na ku phakeriwa Ejensi hi ku landza Nawu lowu kumbe nawu wihi ni wihi wun'wani;
- (c) timali to tani tanihi hileswi swi aviweke hi Mfumo wa Milawu wa Xifundzankulu wa Limpopo ku tirhisa matimba na maendlelo ya mintirho leyi nyikiweke kumbe bohiweke ehenhleri ka Ejensi hi ku landza Nawu lowu kumbe nawu wihi ni wihi wun'wani;
- (d) minyikelo, midende na tinyiko leti amukeriweke hi Ejensi ku suka eka vanhu: Handlekaloko Huvo yi nga amukela minyikelo ya ku ya hi xiyimo, midende na tinyiko endzhaku kaloko va amukerile mpfumelelo wo tsariwa hi Holobye; kumbe
- (e) timali tihi ni tihi tin'wani leti nga kumiwaka kumbe ku averiwa Huvo, kumbe leti nga vekiwaka leswaku yi ta tirhisiwa ku suka eka swihlovo swin'wani.
- (2) Huvo hi ku landza xiyenge xa 7 xa Nawu wa Malawulelo ya Timali ta Rixaka, 1999, yi nga pfula kumbe ku hlayisa eka bangi leyi rhejisteriweke ni Afrika Dzonga hi ku landza Nawu wa Tibangi, 1990 (Nawu wa No.94 wa 1990), akhawunti leyi tivivaka tanihi akhawunti ya Ejensi ya Nhluvukiso wa Ikonomi ya

Limpopo leyi timali hinkwato leti amukeriwaka hi Ejensi ti hoxiwaka kona tanihi hileswi vuriweke eka xiyengenyana xa (1), hlaya na xiyenge xa 22(5) xa Nawu wa Malawulelo ya Timali ta Rixaka, 1999.

- (3) Huvo hi ku landza nawu wihi ni wihi wun'wani yi nga lava minyekelo, midende kumbe tinyiko leti kongomisiweke eka xiyengenyana xa 1(d) na ku tirhisa timali leti khumbhekaka hi ku landza swiyimo mayelana na minyekelo, midende kumbe tinyiko.
- (4) Timali tihi ni tihi to engetela leti nga eka xikweleti xa akhawunti ya Ejensi ya Nhluvukiso wa Ikhonomi ya Limpopo ti fanele ti tirhisiwa ku fikelela swikombelo swa Nawu lowu.

23. Ku xava ka Ejensi

Loko Ejensi yi xava nhundzu na vukorhokeri byihi ni byihi, Ejensi yi fanele yi vona leswaku sisiteme ya ku xava leyi nga kahle, ya ringanana, va erivaleni, na ku va ntsengo wa kahle leswi landzelelaka Nawu ra Rimba ra Pholisi Ya Nxavelo ra Kahle, 1999.

24. Swiviko swa Ejensi

- (1) Huvo yi fanele yi yisa swiviko swa kotara hi kotara eka Holobye leswi landzelelaka Nawu wa Malawulelo ya Timali ta Rixaka, 1999 na Swinanawana swa Nkwama wa Timali lowu wu tirhanaka na xiyimo xa swilo, migingiriko, matirhele na xiyimo xa timali ta Ejensi, ku katsa –
 - (a) xiyimo lexi Ejensi yi nga fikelela kumbe ku yisa emahlweni swikongomelo swa yona eka ka kotara ya timali leti khumbhekaka;
 - (b) mahungu ya tirhele leri faneleke mayelana ni ku tirhisiwa ka switirhisiwa hi xiikhonomi, ndlela ya kahle na ndlela leyi tirhaka;

- (c) ntsengo wa mali loko wu ri kona wu amukeriwile ku suka ka mfumo kumbe eka ndhawu yihi ni yihi yin'wani na xiboho xa timali xin'wani lexi endliweke hi Ejensi; na
- (d) ku tumbuluxiwa ka vatirhi loku heleleke na ku tumbuluxiwa ka Ejensi, ku katsa na swivandla swa mintirho.
- (2) Holobye u fanele a andlala swiviko swa kotara hi kotara eka komiti ya photifoliyo ku nga si hundza 20 wa masiku loko yi amukeriwile eka Mfumo wa milawu wa Xifundzankulu loko va nga ri eku ngeneni, eka 14 wa masiku endzhaku ka ku sungula ku tirha ka sexini leyi landzelaka.
- (3) Ku nga yiwi hi makungu ya xiyengenyana xa (1), Holobye hi nkarhi wun'wani na wun'wani a nga kombela Huvo ku tisa eka yena xiviko xa nkarhinyana lexi nga ni xiyimo xa timhaka, migingiriko, matirhelele na xiyimo xa swa timali xa Ejensi kumbe xipfuneto xa Ejensi kumbe mayelana na mhaka yihi ni yihi yo karhi leyi kombisiwaka hi Holobye, naswona xiviko xo tano xi fanele yisiwa eka Holobye ku nga si hela 14 wa masiku endzhaku ka xikombelo xo tano.

25. Swinawana

Holobye a nga endla swinawana mayelana na mhaka yihi ni yihi leyi hlamuseriweke hi ku landza Nawu lowu kumbe leswi nga ni nkoka ku fikelela swikongomelo swa Nawu lowu.

26. Vurhumiwa

- (1) Loko swi fanerile eka tirhele ra kahle ra mintirho, Huvo hi ku landza xiyengentsongo xa (2), nyika matimba, migingiriko kumbe ntirho lowu a nyikiweke, lerisiweke kumbe bohiweke hi Huvo hi ku landza Nawu lowu eka —
- (a) xirho;
- (b) komiti ya Huvo leyi kongomisiweke eka xiyenge xa 13; kumbe
- (c) Mufambisinkulu.

- (2) Huvo yi nge nyiki matimba ya ku–
- (a) thola Mufambisinkulu; kumbe
 - (b) boha swiyimo swa vukorhokeri swa Mufambisinkulu.
- (3) Vurhumiwa hi ku landza xiyengentsongo xa (1) –
- (a) byi ya hi swiyimo swo tano, swipimelo na swileriso leswi Huvo yi nga swi vekeka; na
 - (b) a byi karisi Huvo hi vutihlamuleri mayelana na ku tirhisa matimba lama havaxeriweke kumbe endlelo ra ntirho lowu vekiweke; na
 - (c) a nga sivele Huvo ku tirhisa matimba lawa yi nyikiweke wona kumbe ku tirha ntirho lowu vekiweke.
- (4) Mufambisinkulu a nga havaxela matimba wahi ni wahi kumbe ntirho lowu nyikiweke kumbe bohiweke ehenhleni ka Mufambisinkulu kumbe ehansi ka Nawu lowu –
- (a) mutirhi wihi ni wihi wun’wani wa Huvo loyi a nga ni vutivi ni ntokoto lowu faneleke; kumbe
 - (b) munhu wihi ni wihi wun’wani endzhaku ka ku tihlanganisa na Huvo.
- (5) Munhu wihi ni wihi loyi a nga havaxeriwa matimba kumbe loyi a nga pfumeleriwa ku endla ntirho ehansi ka xiyenge lexi, u fanele a tirhisa matimba yalawo kumbe a tirha ntirho walowo hi kuya hi swipimelo leswi munhu la endleke vurhumiwa kumbe a nyikeke mpfumelelo a swi vonaka swi fanerile.
- (6) Vurhumiwa byihi ni byihi bya matimba kumbe ku pfumeleriwa ku endla ntirho hi ku landza xiyenge lexi –
- (a) xi fanele xi tsariwile;

- (b) a byi sirheleri munhu loyi a endleke vurhumiwa kumbe loyi a pasiseke ku va a tirhisa matimba yalawo kumbe ku endla ntirho wo tani yena: naswona;
- (c) nkarhi wun'wani na wun'wani byi nga yimisiwa hi munhu wo tano.
- (7) Xin'wani ni xin'wani lexi endliweke hi ku tirhisa kumbe ku tirhisa matimba lawa havaxeriweke, ntirho kumbe migingiriko swi tekiwa swi tirhiwile hi Huvo kumbe Mufambisinkulu, tani hileswi xiyimo xi nga vaka xiswona.

27. Ku tirhisiwa ka vito Ejensi

A ku na munhu, khampani, ndhawu ya bindzu kumbe nhlngano wa vanhu wu nga endlaka bindzu ehansi ka vito leri fanaka na kumbe ri yelana swinene na ra Ejensi ya Nhluvukiso wa Ikonomi ya Limpopo.

28. Swo pfuneta Ejensi

- (1) Huvo hi ku landza xiyenge xa 6(1), yi fanele hi ku tsundzuxana na Holobye, yi pasisa memorandamu wa ku katsa khamphani ya ku pfuneta yi nga si amukeriwa na ku tsarisiwa hi Rhejistrara ra Tikhamphani.
- (2) Huvo ya khamphani yo pfuneta Ejensi, yi ti hlamulela eka Ejensi naswona yi fanele yi endla matimba na mintirho hi ku landzela swileriso leswi humesiweke hi Huvo na hi ku landza Nawu wa Malawulelo ya Timali ta Rixaka, 1999 na nawu wa khampani.

Xiphemu xa III

Ku n'okisiwa ka Nawu na Matirhelo ya nkarhinyana

29. Ku n'okisiwa ka Nawu

Nawu wa ku Hluvukisa Nhlngano wa Limpopo, 1994 (Nawu wa No. 5 wa 1994) sweswiwani wa herisiwa.

30. Matirhelo ya nkarhinyana

- (1) Ejensi hi yona yi nga ta va muteki wa vito eka nhlango lowu tumbuluxiweke hi ku landza xiyenge xa 2 xa Nawu wa ku Hluvukisa Nhlango wa Limpopo, 1994 (Nawu wa No.5 wa 1994).
- (2) Hi nga landzi ku herisiwa ka Nawu wa ku Hluvukisa Nhlango wa Limpopo, 1994 (Nawu wa No.5 wa 1994), Huvo yi tumbuluxiwile hi ku landza Nawu wa ku Hluvukisa Nhlango wa Limpopo, 1994 (Nawu wa No.5 wa 1994) yi ya emahlweni yi hanya ku kondza ku fika emakumu ka nkarhi wo tirha ka swirho swa Bodo yo tano kumbe Huvo yi n'okisiwa hi ku landza makungu ya Nawu lowu.
- (3) Mfanelo, vun'winyi kumbe mpfumelelo wihi ni wihi lowu kumekeke kumbe xiboho lexi tekiweke ehenhleri ka munhu wihi ni wihi kumbe nhlango hi ku landza makungu ya Nawu wa ku Hluvukisa Nhlango wa Limpopo, 1994 (Nawu wa No.5 wa 1994), lowu nga si tirhisiwaka, hetisiwa kumbe ku hundzela hi nkarhi wu voniwa tani hi mfanelo leyi faneleke, vun'winyi, mpfumelelo kumbe xiboho lexi tekiweke ehenhleri ka munhu wo tano kumbe nhlango hi ku landza makungu wahi ni wahi yo yelana ya Nawu lowu, ku sukela siku leri mfanelo, vun'winyi, mpfumelelo kumbe xiboho xi nga sungula ku va kona.
- (4) Xiboho xa Huvo hi ku landza kungu rihi ni rihi ra Nawu wa ku Hluvukisa Nhlango wa Limpopo, 1994 leri a ri ri eku tirheni xikan'we kan'we siku leri vekikeke ri nga si sungula ku tirha eka Nawu lowu, xi sungula ku ya emahlweni hi ku ya hi makungu ya Nawu lowu.
- (5) Xirho xa xitafu lexi thoriweke ehansi ka Nawu wa ku Hluvukisa Nhlango wa Limpopo, 1994 (Nawu wa No.5 wa 1994) u ta ya emahlweni a tshama eka xiyimo xa yena hi ku landza Nawu lowu.

31. Nhlokomhaka yo koma na ku sungula ku tirha

- (1) Nawu lowu wu ta vuriwa Ejensi ya Nawu wa ku Nhluvukiso wa Ikonomi ya Limpopo, 2016 naswona wu ta sungula ku tirha hi siku leri bohiweke hi Holobyenkulu hi Xitivisa-nawu eka *Gazette*.

- (2) Masiku yo hambana ya nga bohiwa hi ku landza makungu yo hambana ya Nawu lowu.

**UMBUSO WEPHROVINSI YELIMPOPO
I-OFISI KANDUNAKULU**

**UKUTHOMA UKUSEBENZA KOMTHETHO WE-EJENSI YELIMPOPO
YEZOKUTHUTHUKISWA KOMNOTHO, 2016 (UMTHETHO WESI-5 WAKA 2016)**

Mina, Chupu Stanley Mathabatha ukuya ngokwesigaba 31 somThetho we-Ejensi yeLimpopo yezokuThuthukiswa komNotho, 2016 (UmThetho wesi-5 waka-2016), lapha ngibeka ilanga langomhlaka 2 October 2017 bona kube lilanga lokuthoma ukusebenza komThetho okhulunywako.

**CHUPU STANLEY MATHABATHA
UNDUNAKULU: LIMPOPO**

UMTHETHOMLINGWA

Wokusungulwa kwe-Ejensi yeLimpopo yezokuThuthukiswa komNotho kanye neBhodo ye-Ejensi; ukuqalelelwa kweminqopho ye-Ejensi nokunikela iBhodo amandla nemisebenzi; kanye nokuqalelela ezinye iindaba ezithintana nalokho.

WENZIWA UMTHETHO siBethamthetho sePhrovinsi yeLimpopo ngendlela elandelako:–

UKUHLELWA KWEENGABA

Ingcenye I

linHlathululo, imiNqopho nokuSungulwa

1. linhlathululo
2. Umnqopho womThetho
3. Ukusungulwa kwe-Ejensi

Ingcenye II

*IBhodo, isiPhathiswa esiKhulu esiPhetheko, Abasebenzi kanye nokusizwa ngeeMali
kwee-Ejensi*

4. Iminqopho ye-Ejensi
5. Ibhodo ye-Ejensi
6. Amandla nemisebenzi yeBhodo
7. Ukuqatjiswa kwamalunga weBhodo
8. Isikhathi sokuphatha isikhundla
9. Ukuthokoza nokukhutjiswa esikhundleni
10. linkhala
11. Imirholo neembonelelo
12. Imihlangano
13. Amakomidi
14. Ukuqatjiswa kwezazi

15. Ukuphadlhalajwa kweBhodo kanye neBhodo yesikhatjhana
16. Imiyalo nokuthunyelwa kweendaba kuSomkhandlu
17. Ukuveza ikareko
18. IsiPhathiswa esiKhulu esiPhetheko
19. Ukukhutjhwa kwesiPhathiswa esiKhulu esiPhetheko
20. Abasebenzi be-Ejensi
21. Ukusizwa ngeemali kwe-Ejensi
22. Ingeniso ye-Ejensi
23. Ukuthengwa kwepahla nofana imisebenzi yi-Ejensi
24. Imibiko ye-Ejensi
25. Imithetjhwana
26. Ukudluliswa kwamandla
27. Ukusetjenziswa kwebizo le-Ejensi
28. Ikhamphani engaphasi kwe-Ejensi

Ingcenye III

Ukupheliswa kwemiThetho kanye nokuHlelwa kwamaTjhuguluko

29. Ukupheliswa komthetho
30. Ukuhlelwa kwamatjhuguluko
31. Isihloko esifitjhani nokuthoma ukusebenza

Igcenye I

linHlathululo, imiNqopho nokuSungulwa

1. linhlathululo

KilomThetho, ngaphandle kwalokha nangabe ubujamo buhlathulula ngenye indlela —

"i-Ejensi" itjho i-Ejensi yeLimpopo yezokuThuthukiswa komNotho esungulwe ngokuya ngokwesigaba 3;

“iBhodo” itjho iBhodo ye-Ejensi yeLimpopo yezokuThuthukiswa komNotho esungulwe ngokuya ngokwesigaba 5;

“usiHlalo” utjho usihlalo weBhodo oqatjhwe ngokuya ngokwesigaba 7(5);

“isiPhathiswa esiKhulu esiPhetheko” sitjho isiPhathiswa esiKhulu esiPhetheko esiqatjhwe ngokuya ngokwesigaba 18;

“ikomidi” itjho ikomidi yeBhodo esungulwe ngokuya ngokwesigaba 13;

“umNyango” utjho umNyango oqalene nezokuthuthukiswa komnotho ephrovinsini;

“umKhandlu oPhetheko” utjho umKhandlu oPhetheko wephrovinsi ekuqaliswe kiwo esigabeni 132 somThethosisekelo weRiphabhliki yeSewula Afrika, 1996;

“uSomkhandlu” utjho iLunga lomKhandlu oPhetheko eliqalene nokuthuthukiswa komnotho ephrovinsini;

“ilunga” litjho ilunga leBhodo eliqatjhwe ngokuya kwesigaba 7;

“iphiko lombuso” litjho iphiko lombuso njengombana lihlathululwe esigabeni 239 somThethosisekelo weRiphabhliki yeSewula Afrika, waka-1996 (umThetho We-108 waka-1996);

“-jamisa” kutjho okubekwe mithetjhwana;

“umThetho wokuLawulwa kweeMali zomBuso, 1999” utjho umThetho wokuLawulwa kweeMali zomBuso, 1999 (umThetho woku-1 waka-1999);

“abasebenzi abaphezulu” kutjho abaphathi ababalawuli ababika bunqopha esiPhathisweni esiKhulu esiPhetheko; begodu

“umThetho lo” ufaka hlangana imithetjhwana eyenziwe nofana ekhutjhe ngokuya ngokomThetho lo.

2. Iminqopho yomThetho

Umqopho womThetho lo kusungula i-ejensi yezokuthuthukiswa komnotho ephrovinsini.

3. Ukusungulwa kwe-Ejensi

- (1) I-Ejensi yeLimpopo yezokuThuthukiswa komNotho lapha isungulwa njengezizameleko.
- (2) I-Ejensi ibunjwa –
 - (a) yiBhodo eyakhiwe ngokuya ngokwesigaba 5;
 - (b) siPhathiswa esiKhulu esiPhetheko; kanye
 - (c) nabasebenzi be-Ejensi.

Ingcenye II

*IBhodo, isiPhathiswa esiKhulu esiPhetheko, Abasebenzi kanye nokusizwa ngeeMali
kwe-Ejensi*

4. Iminqopho ye-Ejensi

- (1) Iminqopho ye-Ejensi –
 - (a) kurhabisa ukuthuthukiswa komnotho kanye nokwakha amathuba wemikhiqizo emitjha enzinde kezamabubulo ephrovinsini kanye nokukhulisa iphaliswano lezomnotho ephrovinsini emikhakheni yezokulima, yezamarhwebo, yezezindlu, yezokumayina, yezokubandula, yezevakatjho, yezeenthuthi zomphakathi kanye namanye amabhizinisi;
 - (b) kufanisa ingenelelo lesikhathi esifitjhani, esiphakathi kanye neside ukuze kurhatjiswe ukuthuthukiswa komnotho namabubulo kanye nokwakha imisebenzi;
 - (c) kukwenza masinya amaprojekthi aqakathekileko abekwa phambili ngendlela ezwisisekako nehlangeneko ekuhlanganyeleni okubekwa phambili nababelani;
 - (d) kusekela ukuthuthukiswa kwamaqhinga wemikhakha yezomnotho ngokukhambisana nemigomo esungulweko yezomnotho namabubulo

yeprovinsi;

- (e) kunikela uburholi ngokuthi kukhandelwe amaphrojekthi wokuthuthukiswa komnotho angakajayeleki, angakathintaniswa nangakahleleki angakhambisani nomgomo weprovinsi;
 - (f) kungezelela ibumbano lezomnotho leemfunda neminotho esebenza kuhle engaphandle kweprovinsi;
 - (g) kubumba isakhiwo semikhiqizo yezamabubulo kanye nokunqophanisa iimfunda ezingakathuthuki nabadosiphambili kezomnotho;
 - (h) kukwenza ngcono ukusebenza kweprovinsi epahleni eya ngaphandle kanye nokudosa isabelo esikhudlwana sokusisa kwekhaya nekwangaphandle; kanye
 - (i) nokungezelela inani lemikhakha yomnotho ekghona ukukhiqiza imikhiqizo nemisebenzi esezingeni eliphezulu.
- (2) Ukuze ikghone ukufikelela iminqopho le, i-Ejensi kufanele isiphalazele ukungezelela ngokuragela phambili ukwenza ingeniso yayo kanye nokubuthelela.

5. IBhodo ye-Ejensi

- (1) USomkhandlu kufanele abumbe iBhodo ye-Ejensi yeLimpopo yezokuThuthukiswa komNotho ibe nabanqophisi ababaphathi nabangasibo abaphathi, iBhodo kufanele njalo ngomnyaka ingene esivumelwaneni noSomkhandlu, iveze imininingwana ngokuthi —
- (a) iBhodo izoyenza njani imisebenzi yayo;
 - (b) iBhodo izoyisebenzisa njani imigomo; kanye
 - (c) nezinye iindaba ezifaneleko ekufikelelweni kweminqopho yomThetho lo.
- (2) IBhodo inesibopho sokusebenzisa amandla nekwenzeni imisebenzi ye-Ejensi begodu isigungu esithwala ukuziphendulela kwe-Ejensi njengoba kuveziwe esigabeni 49(2)(a) somThetho wokuLawulwa kweeMali zomBuso, 1999.

- (3) IBhodo kufanele ingabi namalunga angaphasi kwethoba begodu angabi ngehla kwetjhumini nanye, kufanele ibunjwe —
- (a) yiHloko yomNyango nofana esinye nesinye isiphathiswa somNyango esikhethwe yiHloko yomNyango, njengelunga elilungele ukuba lapho ngokwesikhundla (*eliyi-ex officio*), kodwana elinganawo amandla wokuvowuda;
 - (b) baphathi abathathu be-Ejensi, ekusiPhathiswa esiKhulu esiPhetheko, isiPhathiswa esiKhulu sezeeMali kanye nesiPhathiswa esiKhulu ngokuSebenza kwe-Ejensi;
 - (c) mumuntu olungele nowamukelwe bona asebenze ngezomthetho eRiphabhlikini begodu onelemuko leminyaka emihlanu elandelanako solo afumana ukulungela bona asebenze ngezomthetho nofana enze imisebenzi ehlobene nokusetjenziswa nofana ukuphathwa komthetho;
 - (d) mumuntu olungele ukuba *yi-chartered accountant* ukuya ngokomLeyo weemFanelofundo weNarha begodu oneminyaka emihlanu elandelanako solo athola ukulungela ukusebenza *nje-chartered accountant*;
 - (e) mumuntu oneziqu ezelekako (*postgraduate*) kezomnotho nofana kezokuphatha; kanye
 - (e) nabanye abantu abanelwazi elifunekako, amakghono nofana ilemuko ngamaphrojekthi wokuthuthukisa umnotho.
- (4) Ilunga leBhodo kufanele libe —
- (a) mumuntu ofaneleko nokulungeleko ukuba sesikhundleni;
 - (b) mjameli womphakathi ngobubanzi bawo ephrovinsini; begodu
 - (c) sisakhamuzi seSewula Afrika esimhlali odabuka khona ngeRiphabhlikini.

6. Amandla nemisebenzi yeBhodo

- (1) IBhodo kufanele isebenzise amandla wayo begodu yenze nemisebenzi yayo ngokuya ngokomThetho wokuLawulwa kweeMali zomBuso, 1999, umThetho waMandla wokuBoleka kwaboRhulumende bamaPhrovinsi, 1996 (umThetho wama-48 waka-1996) kanye nomThetho wamaKhamphani, 2008 (umThetho wama-71 waka-2008) ngendlela ekungasebenziseka ngakhona emakhamphanini angowombuso.
- (2) Ngokuya ngokwesigaba 54 somThetho wokuLawulwa kweeMali zomBuso, 1999, uSomkhandlu ngokuthintana nomKhandlu oPhetheko, anganikela ngemvumo yokusungulwa kwamakhamphani azokuwela ngaphasi kwe-Ejensi, nakutlhogekako ukuze i-Ejensi isebenze ngepumelelo kanye nokuphumelelisa iminqopho ye-Ejensi. Imvumo kaSomkhandlu kufanele imumathe imikhawulo nemibandela yokusungulwa kwekhamphani ewela ngaphasi kwe-Ejensi.
- (3) IBhodi kufanele igcine nofana yenze njengokutjho kwemvumo ukuya ngokwesigatjana (2) begodu ikhambisane nemikhawulo nemibandela ebekwe nguSomkhandlu ngokusungulwa kwekhamphani ewela ngaphasi kwe-Ejensi.
- (4) Ngokuya ngokwesigatjana (1), iBhodo –
 - (a) ingathoma, ithuthukise, iplane, isungule, ifake iimali, ithintanise, ilawule, yenze nanyana ngiwuphi umsebenzi, ibhizinisi nofana iphrojekthi, nofana ithole umsebenzi onjalo begodu ithengise nofana ngenye indlela ikhuphe nanyana ngiwuphi umsebenzi, ibhizinisi nofana iphrojekthi;
 - (b) ingakghonakalisa ukusungulwa kwamabhizinisi amatjha ahlanganyelweko begodu ngokuthintana noSomkhandlu, isebenziswano lomphakathi nelangeqadi;

- (c) ingathuthukisa beyilawule ipahla engeze yasuswa ye-Ejensi begodu ingathola, ibambe, yenze ngcono, iqatjhe, iqatjhise, ithengise, idlulisele, inikele, inikele ngelungelo/ngamandla wepahla leyo, ibambise nofana ngenye indlela ikhandele nofana inikele ngepahla nofana ngamalungelo wepahla engatjhidiko engaphasi kwelawulo le-Ejensi;
- (d) ibuthelele iimali ngokuya ngokwemininingwana etloliweko yeemphakamiso zeemali enikelwe imvumo etlolwe nguSomkhandlu;
- (e) ingalawula amakhamphani awela ngaphasi kwe-Ejensi beyiqinisekise bona amakhamphani layo asebenza ngokwemibandela yomThetho wokuLawulwa kweMali zomBuso, 1999, umThetho wamaKhamphani, 2008, (umThetho wama-71 waka-2008) neminye imithetjhwana efaneleko; begodu
- (f) ngokuya ngokwesigaba 23 somThetho lo, iBhodo ingathola, iqatjhe, iqatjhise ngokwesivumelwano sekontra, ithengise, iqatjhise, inikele ngananyana ngiyiphi ipahla nofana amalungelo wepahla, abasabalalisi nofana imisebenzi: Kuye ngokuthi uSomkhandlu unikele ngemvumo yokuthola nofana yokuthengisa ipahla engatjhidiko nokuthi ukutholwa lokho nofana ukuthengiswa kwenziwa ngokuya ngokwemithetho ehlobene nalokho.
- (5) IBhodo ngokuthintana nomNyango, kufanele yazise beyimakethe iPhrovinsi njengendawo ekungasiseka kiyo begodu ifanele ingezelele beyibambe abasisi ngePhrovinsini.

- (6) IBhodo kufanele ivule beyigcine indawo esezingeni eliphezulu yemisebenzi yelwazi neyokugcina ilwazi mayelana nokurhweba okusele kukhona nalokho okusazokuba khona, ibubulo, ukuzazisa, ibhizinisi namanye amathuba wokusisa.

7. Ukuqatjhwa kwamalunga weBhodo

- (1) USomkhandlu kufanele afake isaziso emaphephandabeni amabili aziwako ephrovinsini, ameme iimbawo ezivela ebantwini abaneemfuneko ezirhenyiswe esigabeni 5.
- (2) Loyo ofaka isibawo, ekuphenduleni isibawo esenziwe ngokwesigatjana (1), kufanele athumele i-*curriculum vitae* epheleleko emumethe —
- (a) amakhophi aqinisekisiweko wazo zoke iimfanelofundo; kanye
- (b) nemitlolo esekelako eveza ilwazi nelemuko lombawi elizakusiza ekufikelelweni kweminqopho ye-Ejensi.
- (3) Labo abafake iimbawo, kufanele ukuthi baphenywe yi-Ejensi yokuVikelwa komBuso ukuya ngokomThetho wezemiSebenzi yezobuHlakani, waka-2002 (umThetho Wama-65 waka-2002) ngaphambi kokuthi bangaqatjhwa.
- (4) USomkhandlu kufanele ukuthi eembaweni azitholileko nangemva kokuthintana nomKhandlu oPhetheko, aqatjhe amalunga weBhodo.
- (5) USomkhandlu kufanele ukuthi ngemva kokuthintana nomKhandlu oPhetheko, hlangana namalunga anamandla wokuvowuda, akhethe usiHlalo neSekela lakasiHlalo weBhodo.
- (6) Umuntu angeze aqatjhwa nofana ahlale alilunga nakube umuntu loyo —

- (a) uthola ikareko nofana unekareko enqophileko nofana engakanqophi kinanyana ngiliphi irhwebo nofana ibhizinisi, engadosela ekutjhayisaneni kweenrhuluphelo zokusebenza kwelunga lelo;
 - (b) unelunga lomndeni, umlingani nofana umngani onekareko enqophileko nofana engakanqophi kinanyana ngiliphi irhwebo nofana ibhizinisi, okungathinta ukuziphatha kwelunga lelo emsebenzini;
 - (c) usebujameni bokungakabuyeli esigeni ngemva kokutjhona nofana uwela etjhonweni;
 - (d) uliLunga nofana ubaliLunga lePalamende (i-NA) nofana lomKhandlu weemFunda wesiTjhaba (i-NCOP), esinye nesinye isibethamthetho sephrovinsi, leNdlu yabaRholi beNdabuko nofana lombuso wemakhaya nofana ngokuya ngokwesigaba 5 (3) (a), ekuqatjhwani kwasafuthi kombuso, ngaphandle kwe-Ejensi;
 - (e) ukhe, nofana ukhutjwe esikhundleni sokuthembeka ngokungaziphathi kuhle;
 - (f) umenyazelwe yikhotho bona akakaphili kuhle ngokomkhumbulo;
 - (g) ukhe walahlwa licala lokungathembeki;
 - (h) kinanyana ngisiphi isigaba, unekareko enqophileko nofana engakanqophi endabeni ephambi kweBhodo engakhandela umuntu loyo ekwenzeni imisebenzi yakhe njengelunga ngendlela engasolisiko, engathathi ihlangothi nelungileko; nofana
 - (i) ngokuya ngokomThetho wamaKhamphani, 2008 (umThetho wama-71 waka-2008), usethubeni nofana ulisiswe ukulungela ukuba mqophisi wekhamphani.
- (7) Nakube ilunga liba sebujameni bokungalungeli ngokuya ngokwesigatjana (6), kufanele khonokho lazise uSomkhandlu neBhodo ngokomtlolo liveze ubujamo bokungasalungeli kwalo.

- (8) USomkhandlu kufanele, emalangeneni ama-30 aqatjhe ilunga lelo, aveze ibizo, ideyidi nesikhathi sokuqatjha kwelungelo, enze lokhu ngesaziso *kuGazedi yomBuso*.

8. Isikhathi sokuphatha isikhundla

- (1) Ilunga liqatjha isikhathi esingeqiko eminyakeni emihlanu.
- (2) USomkhandlu, ngokuya ngokokubuyekeza kokusebenza ngepumelelo, nangokunikelwa imvumo mKhandlu oPhetheko, angangezelela ukuqatjha kwelunga [isikhathi esingaba] yithemu yinye engezelelweko, engadluli iminyaka emihlanu.

9. Ukuthokoza nokukhutjha esikhundleni

- (1) Ilunga lingathokoza ngokuthi linikele uSomkhandlu–
- (a) isaziso sokuthokoza esitloliweko seenyanga embili; nofana
 - (b) isaziso esitloliweko sangaphasi kweenyanga ezimbili, esivunyelwe nguSomkhandlu.
- (2) USomkhandlu kufanele azise umKhandlu oPhetheko lapho ilunga likhutjha khona esikhundleni nofana lithokoza isikhundla.
- (3) USomkhandlu angakhupha ilunga esikhundleni nangabe ilungelo –
- (a) liziphatha ngendlela engamukelekiko nofana engasi ngokomsebenzi;
 - (b) alikakulungeli ukwenza umsebenzi;
 - (c) alikhambisani neenjamiso zomThetho lo;
 - (d) alikghoni ukwenza umsebenzi walo ngebanga lokungakaphili kuhle engqondweni nofana emzimbeni;
 - (e) alikakhambeli imihlangano yeBhodo emibili ngokulandelana ngaphandle kokwazi kweBhodo;

- (f) libhalelwa kukhambisana neenjamiso zomThetho lo nofana umThetho wokuLawulwa kweeMali zomBuso, 1999; nofana
 - (g) ukumenyezelwa njengelingakalungeli ubulunga ukuya ngokwesigaba 7(6).
- (4) USomkhandlu angeze akhupha ilunga esikhundleni ukuya ngokwesigaba (3), ngaphandle kokuthi uSomkhandlu anikele ilunga ithuba lokuveza ihlangothi lalo lendaba, begodu utjheja indaba ngefanelo, okufaka hlangana nginanyana ngiziphi izethulo ezenziweko nofana iincazelo nofana ubufakazi obunikelwe lilunga elinjalo, begodu uSomkhandlu uyaneliseka bona ukukhutjwa kwelunga esikhundleni kuyafaneleka ebujameni lobo.
- (5) USomkhandlu angajamisa ilunga esikhundleni ngesikhathi enza iphenyo nofana ifunisiso ngelunga lelo.

10. linkhala

- (1) Isikhundla selunga siba ze–
- (a) lokha ilunga lihlongakala;
 - (b) lokha umtlole welunga wokuthokoza isikhundla onikelwe uSomkhandlu ukuya ngokwesigaba 9(1) uthoma ukusebenza;
 - (c) lokha ilunga likhutjwa esikhundleni ukuya ngokwesigaba 9(3).
- (2) Isikhundla esinganamuntu eBhodini kufanele sizaliswe ngokukhambisana nesigaba 7 ngokuqatjha elinye ilunga msinya ngendlela ekungakghonakala ngayo ngemva kokuthi isikhundleso singabi nomuntu, begodu ilunga elizokuqatjwa, lizokuba sesikhundleni leso isikhathi esilingana naleso ebesisalele ilunga eliphumileko.

11. Imirholo neembonelelo

- (1) USomkhandlu kufanele abeke imirholo neembonelelo ezizokubhadelwa amalunga ngokukhambisana nomHlahlandlela wePhiko lezokuGcinwa kweeMali zeNarha.
- (2) Ilunga eliqatjhwe mbuso akukafaneli bona lithole nginyana ngiwuphi umrholo nofana isibonelelo.
- (3) Umrholo neembonelelo ezibekwe ngokuya ngokwesigatjana (1), kufanele –
 - (a) zibe ngokwananyana ngiziphi iinlinganiso namazinga asetjenziswa liphiko lokugcinwa kweemali ngokuya ngokomThetho wokuLawulwa kweeMali zomBuso, 1999; begodu
 - (b) zibhadelwe ziimali ezabiwe ngokwehloso leyo siBethamthetho sePhrovinsi yeLimpopo.

12. Imihlangano

- (1) Ikhoramu yomhlangano weBhodo kufanele ukuthi ibe [maphesende ama-51] wenani lenengi elipheleleko lamalunga aqatjhiweko.
- (2) Isiqunto ekuvunyelwana ngaso lokha ubunengi bamalunga anelungelo lokuvowuda emihlanganweni yeBhodo akhona kinanyana ngiwuphi umhlangano weBhodo, kuba siqunto seBhodo.
- (3) Esehlakalweni lapho kuba nokungalingani nofana nokunganeli kwamavowudi, (*ekuthathweni kwesiqunto esithileko*) usiHlalo uba nevowudi lokungezelela/ lokuqunta (*ivowudi elizokusiza bona kuthathwe isiqunto*), ngaphezu kwevowudi avele analo njengelunga.
- (4) Lokha usiHlalo angekho, amandla, amalungelo nemisebenzi kasiHlalo kufanele yenziwe liSekela lakasiHlalo begodu lapho bobabili usiHlalo neSekela lakasiHlalo

bangekho, imisebenzi leyo izakwenziwa lilunga elikhethwe yiBhodo hlangana namanye bona lenze imisebenzi leyo: ngaphandle kwalapho uzokuthola khona bona isikhundla sikasiHlalo asinamuntu nofana usiHlalo uyala ukusebenza, iSekela lakasiHlalo kufanele lisebenzise amandla, amalungelo lenze nemisebenzi kasiHlalo bekube kulapho usiHlalo omutjha akhonjwa khona ukuya ngokwesigaba 7(5).

- (5) (a) Lokha nakuba nendaba efuna itjhejo lamsinya leBhodo, begodu kungakghonakali bona iBhodo ihlangane ngesikhatheso, usiHlalo kufanele aqinisekise bona ilunga ngalinye –
- (i) linikelwa ilwazi elifaneleko khonokho kanye nemitlolo ephathelene nendaba leyo okufaka hlangana ikambiso yokwazisa ngesiqunto. Ilwazi nemitlolo inganikelwa umuntu esandleni nofana ithunyelwe ngendlela yobu-elekthroniki; begodu
 - (ii) arekhode isiqunto selungelo ngendaba edingidwako bese uthumela irekhodo kuNobhala weBhodo.
- (b) Isiqunto sobunengi bamalunga ngendaba, kuba siqunto sangokomthetho seBhodo, begodu kufanele –
- (i) iBhodo kufanele ivumelane ngaso emhlanganweni weBhodo olandelako; begodu
 - (ii) sirekhodwe emaminidini.
- (6) IBhodo kufanele bona yenze ukuthi iinkambiso zemihlangano yayo ziyagcinwa begodu uSomkhandlu angafuna bona amarekhodi lawo athunyelwe kuye esikhathini esizwakalako bona ayowahlola.

13. Amakomidi

- (1) IBhodo ingasungula amakomidi azakusiza iBhodo ekusebenziseni amandla nekwenzeni imisebenzi yayo ukuya ngokomThetho lo begodu ngokunjalo ingabulala, ingezelele, ikhululise nofana ebekele ikomidi esungulwe njalo imikhawulo.

- (2) IBhodo kufanele –
 - (a) ibeke amandla nemisebenzi yekomidi;
 - (b) ibeke iinkambiso zokusebenza kwekomidi, okufaka hlangana –
 - (i) ikhoramu yemihlangano yekomidi;
 - (ii) iindlela ikomidi ethatha ngayo iinqunto;
 - (c) ikhethe amalunga akulungele ngefanelo nofana anelemuko elihlobene nemisebenzi yekomidi; begodu
 - (d) ikhethe ilunga elisebenza ekomidini libe ngusihlalo wekomidi leyo.

- (3) IBhodo ingasungula ikomidi enamandla wokunyula abanye abantu bona basize ikomidi ekwenzeni imisebenzi yayo ngokuya ngokomThetho lo.

- (4) Ilunga elinyuliweko lisebenza esikhundleni sokweluleka begodu alikavunyelwa ukuvowuda kinanyana ngimuphi umhlangano wekomidi leyo.

14. Ukuqatjiswa kwezazi

Lokha iBhodo ibona kufanele, ingaqatjha isazi esithileko bona sisize iBhodo nofana ikomidi ekwenzeni imisebenzi yayo.

15. Ukuphadlhalajwa kweBhodo kanye neBhodo yesikhatjhana

- (1) USomkhandlu ngemva kwephenyo elifaneleko–

- (e) Ipho iBhodo ibhalelwe kukwenza imisebenzi yayo ukuya ngokomThetho lo; nofana
- (f) ngesizathu esizwakalako,
- Angaphadlhalaja iBhodo ngokwemikhawulo nemibandela engavezwa nguSomkhandlu.
- (2) USomkhandlu ufanele bona, emalangeneni ama-21 wokusebenza aphadlhalaje iBhodo, aqatjhe iBhodo yesikhatjhana ezakusebenza isikhathi esizakubekwa nguSomkhandlu ngokuthintana nomKhandlu oPhetheko, ngaphandle kokulandela ikambiso evezwe esigabeni 7.
- (3) IBhodo yesikhatjhana kufanele ubuncani bakhona ibe namalunga amahlanu aneemfanelofundo ezifaneleko kanye nelemuko elitjhiwo esigabeni 5(3).
- (4) USomkhandlu ufanele bona, akhethe usihlalo kanye nesekele lakasihlalo hlangana namalunga weBhodo yesikhatjhana.
- (5) Ikhoramu yokubamba umhlangano weBhodo yesikhatjhana yenziwa malunga [amathathu] okubunengi benani elipheleleko lamalunga aqatjhiweko.
- (6) IBhodo yesikhatjhana inamandla nemisebenzi yeBhodo njengoba kuveziwe kilomThetho.
- 16. Imiyalo nokuthunyelwa kweendaba kuSomkhandlu**
- (1) USomkhandlu anganikela iBhodo umyalo mayelana nokusetjenziswa kwamandla nemisebenzi yeBhodo esesigabeni 6.

- (2) USomkhandlu angafuna bona iBhodo ithumele ngananyana ngiyiphi indaba ethinta ukusebenza kwe-Ejensi nofana ikhamphani ewela ngaphasi kwe-Ejensi nofana iBhodo ngokuthanda kwayo, ingathumela indaba ethileko kuSomkhandlu bona ayoyitjheja bekathathe nesiqunto.
- (3) Isiqunto nofana umbandela owenziwe ngokwesigatjana (2), angeze waqedwa ngokomthetho nofana utjhugululwe yiBhodo ngaphandle kwemvumo etloliweko kaSomkhandlu.

17. Ukuveza ikareko

- (1) Ilunga le-Ejensi alikavunyelwa —
- (a) ukwenza umsebenzi ongathunaza isithunzi se-Ejensi;
 - (b) ukukhambela, ukuhlanganyela nofana libe nomthelela eenkambisweni ngesikhathi somhlangano we-Ejensi, nakube ilungelo linekareko ehlobene nendaba edingidwa yiBhodo —
 - (i) ikareko evezwe esigabeni 7(6)(a) kanye (b); nofana
 - (iv) ikareko elikhandela ukwenza imisebenzi yelunga leBhodo ngendlela engasolisiko, engathathi ihlangothi nelungileko.
 - (c) livowude emhlanganweni weBhodo ohlobene nendaba evezwe endimeni (b); nofana
 - (d) lisebenzise ngeqadi, nofana lizuze, elinye nelinye ilwazi elifunyenwe ngebanga lokwenza umsebenzi njengelunga leBhodo.
- (2) Nakube kinanyana ngisiphi isikhathi, kuyavela elungeni leBhodo, kungaba ngokunqophileko nofana ngokungakanqophi, bona indaba ephambi kweBhodo iphathelene nanyana ngiyiphi ikareko yemali nofana enye ikareko yelungelo, ilungelo kufanele —

- (c) khonokho livezele umhlangano weBhodo ngokuzeleko ubunjalo bekareko leyo; begodu
 - (b) lizitsomule kinanyana ngikuphi ukuzibandakanya emhlanganweni ophathelene nendaba leyo.
- (3) Isimemezelo esenziwa lilunga eliveza ikareko ngokuya kwesigaba (2), kufanele sirekhodwe emaminidini womhlangano.
- (4) Nakube ilunga libasebujameni bokungasalungeli ngokuya ngokwesigaba 7(6)
- (a) kanye (b), uSomkhandlu kufanele akhuphe ilungelo esikhundleni khonokho.

18. IsiPhathiswa esiKhulu esiPhetheko

- (1) IBhodo ngokuvumelana noSomkhandlu —
- (a) kufanele imeme, ngokukhangisa ubuncani bakhona emaphephandabeni amabili, iimbawo zesikhundla sesiPhathiswa esiKhulu esiPhetheko;
 - (b) kufanele iqatjhe isiPhathiswa esiKhulu esiPhetheko isikhathi esithileko ngokwekontraga edzimelele ekusebenzeni kuhle, isikhathi esingaba minyaka emihlanu.
- (2) IsiPhathiswa esiKhulu esiPhetheko kufanele kube mumuntu olungileko nofaneleko begodu nonemfanelofundo ezifaneleko kanye nelemuko.
- (3) IBhodo kufanele yenze bona umuntu okhethiweko uphenywa yi-Ejensi yokuVikelwa komBuso ukuya ngokomThetho wezemiSebenzi yezobuHlakani, waka-2002 (umThetho Wama-65 waka-2002) ngaphambi kobana aqatjhwe.

- (4) IBhodo ngemva kokubuyekeza ukusebenza ngepumelelo, ingangezelela ukuqatjiswa kwesiPhathiswa esiKhulu esiPhetheko ngesinye isikhathi esingeqi eminyakeni emihlanu.
- (5) IsiPhathiswa esiKhulu esiPhetheko sisisebenzi se-Ejensi begodu –
- (a) siziphendulela eBhodini;
 - (b) sinesibopho sokulawula i-Ejensi ngepumelelo nangefanelo begodu kufanele senze imisebenzi iBhodo eyinikela isiPhathiswa esiKhulu esiPhetheko; begodu
 - (c) siba lilunga leBhodo ngokwesikhundla saso, kodwana asibi namandla wokuvowuda.
- (6) Ikontraga yokuqatjiswa yesiPhathiswa esiKhulu esiPhetheko kufanele ibe ngokomtlole begodu kufanele imumathe ngendlela efaneleko iinjamo zesigaba 57 somThetho wokuLawulwa kweeMali zomBuso, 1999 begodu kufanele imumathe ubuncani bakhona –
- (a) imiphumela eqakathekileko yeendawo zokusebenza;
 - (b) iimbopho zokulawulwa kweemali;
 - (c) imihlahlandlela yokusebenza; kanye
 - (d) neensetjenziswa ezifaneleko zokulinganisa ukusebenza.
- (7) IBhodo kufanele ibuyekeze isivumelwano sokusebenza sesiPhathiswa esiKhulu esiPhetheko njalo ngomnyaka, esikhathini esiyinyanga sokuthoma komunye nomunye umnyaka weemali.
- (8) Isivumelwano sokusebenza esenziwe ukuya ngokwesigatjana (7) kufanele sifake hlangana –

- (a) iminqopho elinganisekako yokusebenza kanye nemiphumela eqothelweko enesikhathi esilinganisiweko;
 - (b) amazinga neenkambiso zokulinganisa ukusebenza kanye neenkathi zokulinganisa; kanye
 - (c) nemiphumela yamazinga angamukelekiko wokusebenza.
- (9) Lokha isikhundla sesiPhathiswa esiKhulu esiPhetheko sivulekile nofana singanamuntu, iBhodo kufanele ikhethe isiphathiswa se-Ejensi bona sirhoje sibambele isiPhathiswa esiKhulu esiPhetheko, isikhathi esingeqiko eenyangeni ezisithandathu.
- (10) IsiPhathiswa esiKhulu esiPhetheko akukafaneli senze omunye umsebenzi onengeniso ngaphandle kwemvumo etloliweko yeBhodo.
- (11) IsiPhathiswa esiKhulu esiPhetheko singathokoza umsebenzi eBhodini, ngesaziso somtlole sesikhathi esiziinyanga ezintathu ngaphambi kokulisa, nofana esikhathini esifitjhani njengokuvumelana neBhodo.

19. Ukususwa kwesiPhathiswa esiKhulu esiPhetheko

- (1) IBhodo ingasusa isiPhathiswa esiKhulu esiPhetheko esikhundleni ngebanga —
- (a) lokwephula isivumelwano sokusebenza ekungenwe kiso neBhodo ngokwesigaba 18;
 - (b) ukungaziphathi kuhle; nofana
 - (c) ukungakhambisani nomThetho lo, umThetho wokuLawula iiMali zomBuso, 1999 nofana okhunye ukuziphatha okungasisemthethweni.
- (2) IBhodo angeze yasusa isiPhathiswa esiKhulu esiPhetheko esikhundleni ukuya ngokwesigatjana (1), ngaphandle kwalapho iBhodo inikele isiPhathiswa esiKhulu esiPhetheko ithuba lokubeka ihlangothi laso lendaba, begodu ngemva kokutjhejisisa indaba, okufaka hlangana nginanyana ngikuphi ukujanyelwa

okwenziweko, nofana ubufakazi obethulwe siPhathiswa esiKhulu esiPhetheko, begodu iBhodo yanelisekile bona ukususwa esikhundleni kulinganisekile kilobo bujamo.

- (3) IBhodo ingajamisa isiPhathiswa esiKhulu esiPhetheko esikhundleni lokha yenza iphenyo nofana ifunisiso ngesiPhathiswa esiKhulu esiPhetheko.

20. Abasebenzi be-Ejensi

- (1) IsiPhathiswa esiKhulu esiPhetheko, ngokuvumelana neBhodo kufanele —
- (a) sisungule isakhiwo sabasebenzi be-Ejensi; begodu
 - (b) sibeke imikhawulo nemibandela yokuqatjiswa kwabasebenzi.
- (2) IsiPhathiswa esiKhulu esiPhetheko kufanele siqatjhe abasebenzi abazokusiza i-Ejensi ekwenzeni imisebenzi yayo: Ngombandela wokuthi abasebenzi abaseenkundleni eziphezulu baqatjiswa ngokuvumelana neBhodo.
- (3) IBhodo kufanele bona ibeke amazinga wemirholo wabasebenzi ngokuya ngokwemiHlahlandlela yePhiko lezokuGcinwa kweeMali zeNarha.

21. Ukusizwa ngeemali kwe-Ejensi

I-Ejensi isizwa ziimali —

- (a) ezabiwa siBethamthetho sePhrovinsi bona i-Ejensi ikghone ukusebenzisa amandla wayo nokwenza imisebenzi yayo; kanye
- (b) nalezo ezingatholwa yi-Ejensi ezivela emithonjeni evunyelwe nguSomkhandlu ngokuvumelana neLunga lomKhandlu oPhetheko eliphethe iindaba zeemali ephrovinsini, ngokuya ngokomThetho wokuLawulwa kweeMali zomBuso, 1999.

22. Ingeniso ye-Ejensi

- (1) Ngehloso yokufikelela iminqopho, ukusebenzisa amandla wayo kanye nokwenza imisebenzi yayo, i-Ejensi kufanele isebenzise njengengeniso –
- (a) imbadelo kanye neemali ezamukelwa nofana ezibuthelelwa yi-Ejensi ngokuya ngokomThetho lo nofana nginanyana ngiwuphi umthetho;
 - (b) iimbadelo zesijeziso, iinhlawulo kanye neemali ezitholwa ngokuthi kuthengiswe izinto ezidliweko nofana iimali ezitholwe kabutjha kanye nalezo ezabelwe i-Ejensi ngokuya ngokomThetho lo nofana nginanyana ngiwuphi umthetho;
 - (c) iimalezi zingabiwa siBethamthetho sePhrovinsi yeLimpopo ukwenzela bona i-Ejensi isebenzise amandla wayo begodu yenze imisebenzi ethweswe yona ngokuya komThetho lo nofana nginanyana ngiwuphi umthetho;
 - (d) iminikelo, amagranti kanye nelifa elitholwa yi-Ejensi elivela emphakathini: Ngombandela wokuthi iBhodo ingamukela iminikelo yobujamo, amagranti wobujamo nofana amafa wobujamo ngemva kokuthola imvumo etloliweko kuSomkhandlu; nofana
 - (e) nginanyana ngiziphi iimali ezitholwa nofana ezabelwa iBhodo, nofana ezingenziwa zitholakale kinanyana ngiwuphi umthombo.
- (2) IBhodo kufanele, ngokuya ngokwesigaba 7 somThetho wokuLawulwa kweeMali zomBuso, 1999, ivule beyigcine, i-akhawundi ebhanga etloliswe eSewula Afrika ngokuya ngokomThetho wamaBhanga, 1990 (umThetho wama-94 waka-1990), i-akhawundi leyo yaziwe *njenge-Limpopo Economic Development Agency account*, lapho kuzokufakwa khona zoke iimali ezizokutholwa yi-Ejensi, njengoba kuveziwe esigatjaneni (1), nasifundwa nesigaba 22(5) somThetho wokuLawulwa kweeMali zomBuso, 1999.

- (3) Ngokuya kwananyana ngiwuphi umthetho, iBhodo ingabawa iminikelo, amagranti nofana amafa ekuqaliswe kiwo esigatjaneni 1(d) begodu isebenzise iimali ekukhulunywa ngazo ngokuya ngokwemibandela ehlobene neminikelo enjalo, amagranti namafa anjalo.
- (4) Nanyana ngiziphi iimali ezisele ku-akhawundi ye-*Limpopo Economic Development Agency*, kufanele zisetjenziselwe ukufikelela iminqopho yomThetho lo.

23. Ukuthengwa kwepahla nofana imisebenzi yi-Ejensi

Lokha i-Ejensi ithenga ngananyana ngiyiphi ipahla nofana imisebenzi, i-Ejensi kufanele iqinisekise bona ilandela irherho lokuthenga elingasolisiko, elilingeneko, elisepepeneneni, elinephaliswano begodu elinentengo ezizwakalako begodu likhambisana nomThetho womLeyo womThethomgomo wokuThenga ngokwEnyula, 2000 kanye nomThetho wokuLawulwa kweemMali zomBuso, 1999.

24. ImiBiko ye-Ejensi

- (1) IBhodo kufanele ithumele imibiko yekota ngayinye kuSomkhandlu, imibiko leyo kufanele ikhambisane nomThetho wokuLawulwa kweemMali zomBuso, 1999 kanye nemiThetjhwana yePhiko lokuGcinwa kweemMali begodu emibikweni leyo kuvele ubujamo bezinto, imisebenzi, ukusebenza nobujamo beemali be-Ejensi, okufaka hlangana –
- (a) izinga ngalo i-Ejensi ekghone ukufikelela nofana ukuragelisa phambili iminqopho yayo ekoteni yeemali ekukhulunywa ngayo;
- (b) ilwazi lokusebenza elifaneleko mayelana nokusetjenziswa kweentlabagelo ngokubabalela, ngokufaneleko nangepumelelo;

- (c) inani lemali, nakube ikhona, etholwe embusweni nofana kinanyana ngiwuphi umthombo kanye nesinye nesinye isibopho sezeemali esinikelwe i-Ejensi; kanye
- (d) neminingwana mayelana nokusungulwa kwesakhiwo sabasebenzi be-Ejensi, okufaka hlangana neenkhalo.
- (2) USomkhandlu kufanele ethule imibiko yamakota eKomidini kungakapheli amalanga ama-20 afumene umbiko loyo, umbiko loyo kufanele awethule lokha isiBethamthetho sePhrovinsi sihlezi, lokhu kufanele kwenzeka emalangenali-14 ngemva kokuthoma kwesikhathi sokuhlala okulandelako kwesiBethamthetho.
- (3) Nangaphandle kweenjamiso zesigatjana (1), uSomkhandlu kinanyana ngisiphi isikhathi, angabawa iBhodo bona imthumele umbiko wesikhatjhana wobujamo bezinto, imisebenzi, ukusebenza kanye nobujamo beemali be-Ejensi nofana bekhamphani ewela ngaphasi kwe-Ejensi nofana umbiko ngananyana ngiyiphi indaba ekhonjwe nguSomkhandlu, begodu umbiko onjalo kufanele uthunyelwe kuSomkhandlu emalangenali-14 kwenziwe isibawo esinjalo.

25. Imithetjhwana

USomkhandlu angenza imithetjhwana mayelana nenye nenye indaba evezwe ukuya ngokomThetho lo nofana efaneleko ukuze kufikelelwe iminqopho yomThetho lo.

26. Ukudluliswa kwamandla

- (1) Lokha nakuthogekako, ekwenzeni imisebenzi yayo ngendlela elungileko, iBhodo ngokuya ngokwesigatjana (2), ingadlulisela amandla, umsebenzi enikelwe wona, ophathiswe nofana othweswe iBhodo ngokuya ngokomThetho lo –
- (a) elungeni;

- (b) ekomidini yeBhodo etjhiwo esigabeni 13; nofana
 - (c) esiPhathisweni esiKhulu esiPhetheko.
- (2) IBhodo angeze yadlulisa amandla –
- (a) wokuqatjha isiPhathiswa esiKhulu esiPhetheko; nofana
 - (b) wokubeka imibandela yokusebenza kwesiPhathiswa esiKhulu esiPhetheko.
- (3) Ukudlulisa amandla ngokwesigatjana (1) –
- (a) kuya ngokwemibandela enje, imikhawulo kanye nemiyalo engabekwa yiBhodo; begodu
 - (b) akumuki iBhodo isibopho mayelana nokusetjenziswa kwamandla adlulisiweko nofana ukwenziwa kwemisebenzi edlulisiweko; begodu
 - (c) akukhandeli iBhodo ekusebenziseni amandla adlulisiweko nofana ekwenzeni umsebenzi odlulisiweko.
- (4) IsiPhathiswa esiKhulu esiPhetheko singadlulisa nginanyana ngiwaphi amandla nofana umsebenzi onikelwe nofana othweswe isiPhathiswa esiKhulu esiPhetheko ngoko nofana ngaphasi komThetho lo –
- (a) kinanyana ngimuphi umsebenzi weBhodo onelwazi nelemuko elifaneleko; nofana
 - (b) kinanyana ngimuphi umuntu, ngemva kokuthintana neBhodo.
- (5) Noma ngimuphi umuntu odluliselwe amandla nofana onikelwe igunya lokwenza umsebenzi ngaphasi kwalesi sigaba, kufanele asebenzise amandla layo nofana enze umsebenzi loyo ngokuya ngokwemibandela umuntu omdlulisele amandla layo nofana omnikele igunya lelo abona ifanele.

- (6) Okhunye nokhunye ukudlulisela amandla nofana ukunikela igunya lokwenza umsebenzi ukuya ngokwesigabesi –
- (a) kufanele kube ngokomtlole;
 - (b) akukhandeli umuntu odlulise amandla nofana onikele igunya bona asebenzise amandla layo nofana ekwenzeni umsebenzi loyo ngokwakhe; begodu
 - (c) kungarhoqiswa mumuntu loyo kesinye nesinye isikhathi.
- (7) Enye nenye into eyenziwa ekusebenziseni amandla adlulisiweko nofana ekwenziweni komsebenzi, ithathwa ukuthi yenziwe yiBhodo nofana siPhathiswa esiKhulu esiPhetheko, kuye ngobujamo.

27. Ukusetjenziswa kwebizo le-Ejensi

Akunamuntu, ikhamphani, ibhizinisi nofana ihlangano yabantu engaraga ibhizinisi ngaphasi kwebizo elifana nofana elitjhidelene nalelo le-Ejensi yeLimpopo yezokuThuthukiswa komNotho.

28. Ikhamphani ewela ngaphasi kwe-Ejensi

- (1) IBhodo, ukuya ngokwesigaba 6(1), kufanele ngokuthinana noSomkhandlu, iphasise imemorandamu yokubunjwa kwekhamphani ewela ngaphasi kwe-Ejensi, ngaphambi kokuthi yamukelwe begodu nokuthi itloliswe ngaphasi komTlolisi wamaKhamphani (*u-Registrar of Companies*).
- (2) Ibhodo yekhamphani ewela ngaphasi kwe-Ejensi, iziphendulela ku-Ejensi begodu kufanele isebenzise amandla wayo beyenze imisebenzayo ukuya ngokwemiyalo ekhutjwa yiBhodo ngokuya ngokomThetho wokuLawulwa kweeMali zomBuso, 1999 kanye nemithetjhwana yekhamphani.

*Ingcenywe III**Ukupheliswa kwemiThetho kanye nokuHlelwa kwamaTjhuguluko***29. Ukupheliswa komthetho**

Umthetho *i-Limpopo Development Corporation Act, 1994 (Act No.5 of 1994)*.

lapha uyapheliswa.

30. Ukuhlelwa kwamatjhuguluko

- (1) Ibizo elithi i-Ejensi esihlokweni lilandela lelo elithi ihlangano yamabhizinisi elasungulwa ngokuya ngokwesigaba 2 somthetho *i-Limpopo Development Corporation Act, 1994 (umThetho weNomboro 5 waka 1994)*.
- (2) Nangaphandle kokupheliswa komthetho *i-Limpopo Development Corporation Act, 1994 (umThetho weNomboro 5 waka 1994)*, iBhodo eyasungulwa ukuya ngokomthetho *i-Limpopo Development Corporation Act, 1994* iragela phambili nokuba khona bekube lapha kuphela ithemu yokuphatha kwamalunga weBhodo nofana iBhodo leyo iphadlhalajwe ukuya ngokweenjamiso zomThetho lo.
- (3) Nanyana ngiliphi ilungelo, ukuvumeleka nofana ilungelo elikhethekileko elatholwa nofana isibopho esathweswa nanyana ngimuphi umuntu nofana ihlangano ukuya ngokwesijamiso somthetho *i-Limpopo Development Corporation Act, 1994 (umThetho weNomboro 5 waka-1994)*, elingakasetjenziswa, elingakazaliswa nofana laphelwa sikhathi khonokho ngaphambi kwedeyidi yokuthoma, lithathwa njengelungelo lamambala, elivunyelweko, elikhethekileko nofana isibopho esithweswe umuntu loyo nofana ihlangano leyo ukuya ngokwananyana ngisiphi isijamiso esiqathanisekako somThetho lo, kusukela ngedeyidi ilungelo lelo, ukuvumeleka lokho, ilungelo elikhethekileko lelo nofana isibopho leso esavela ngayo kokuthoma.

- (4) Isiqunto seBhodo ukuya ngananyana ngisiphi isijamiso somthetho i-*Limpopo Development Corporation Act, 1994* esasisebenza khonokho ngaphambi kwedeyidi yokuthoma komThetho lo, isiquntweso siragela phambili nokusebenza ukuya ngokweenjamiso zomThetho lo.
- (5) Ilunga labasebenzi eliqatjhwe ngaphasi komthetho i-*Limpopo Development Corporation Act, 1994* liragela phambili nokuba sesikhundleni lesa ukuya ngokomThetho lo.

31. Isihloko esifitjhani nokuthoma ukusebenza

- (1) UmThetho lo ubizwa bona mThetho we-Ejensi yeLimpopo yokuThuthukiswa komNotho, 2016 begodu uzokuthoma ukusebenza ngedeyidi ezokubekwa nguNdunakulu ngesimemezelo esizokwenziwa *kuGazedi*.
- (2) Amadeyidi ahlukileko angajanyiswa / angalungiswa ukuya ngokweenjamiso ezihlukileko zomThetho lo.

**NDAULO YA VUNDU LA LIMPOPO
OFISI YA MULANGAVUNDU**

**U THOMA U SHUMA HA MULAYO WA ZHENDEZI LA MVELEDZISO YA IKONOMI
WA LIMPOPO, 2016 (MULAYO NO.5 WA 2016)**

Nne, Chupu Stanley Mathabatha afha hu tshi tevhedzwa khethekanyo 31 ya Mulayo wa Zhendedzi la Mveledziso ya Ikonomi wa Limpopo, 2016 (Mulayo No.5 wa 2016), ndi khou tlanganedza 2 October 2017 sa duvha line Mulayo wo bulwaho wa do thoma u shuma ngalo.

**CHUPU STANLEY MATHABATHA
MULANGAVUNDU: LIMPOPO**

DATUMU:

MULAYOTIBE

wa u itela u thomiwa ha Zhendedzi la Mveledziso ya zwa Ekonomi wa Limpopo na Bodo ya Zhendedzi; hu u itela u netshedzwa ha ndivho dza Zhendedzi na u hwesa maanda na mishumo kha Bodo kathihi na u netshedza mafhungo a tutshelanaho na zwenezwo.

AFHA HU KHOU VHEWA MULAYO nga Vhusimamilayo ha Vundu la Limpopo nga hu tevhelaho:—

NZUDZANYO DZA KHETHEKANYO***Tshipiḁa I***

Ṙhandavhudzo, Ndivho na u Thomiwa

1. Ṙhandavhudzo
2. Ndivho dza Mulayo
3. U thomiwa ha Zhendedzi

Tshipiḁa II

Bodo, Muofisiri Muhulwane, Tshitafu na Ndambedzo dza Zhendedzi

4. Ndivho dza Zhendedzi
5. Bodo ya Zhendedzi
6. Maanda na Mishumo zwa Zhendedzi
7. U vhewa ha mirado vha Bodo
8. Tshifhinga tsha ofisi
9. U litsha mushumo na u bviswa ofisini
10. Zwikhala
11. Malamba na magavhelo

CONTINUES ON PAGE 130 - PART 2

12. Miṭangano
13. Komiti
14. U vhwewa ha vha re na ndalukano
15. U fhaladzwa ha Bodo na Bodo ya tshifhinganyana
16. Ndaela na u ṅetshedzwa ha mafhungo kha Muraḡo wa Khorotshitumbe
17. U bviselwa khagala ha madzangalelo
18. Muofisiri Muhulwane wa Khorotshitumbe
19. U bviswa ha Muofisiri Muhulwane
20. Tshitafu tsha Zhendedzi
21. U lambedzwa ha Zhendedzi
22. Mbuelo dza Zhendedzi
23. Matshimbidzelwe a u wana zwishumiswa
24. Mivhigo ya Zhendedzi
25. Ndaulo
26. Vhurumelwa
27. U shumiswa ha dzina ḷa Zhendedzi
28. Zwishumo zwa Zhendedzi

Tshipida III

U phumulwa ha Milayo na Nzudzanyo dza u Pfukisela

29. U phumulwa ha mulayo
30. Nzudzanyo dza u pfukisela
31. Dzina ḷipfufhi na mathomo

Tshipida I

Ṭhandavhudzo, Ndivho na u Thomiwa

1. **Tshandavhudzo**

Kha uyu Mulayo nga nnda ha musu zwi re ngomu zwi tshi sumbedza nga inwe ndila—

"Zhendedzi" zwi amba Zhendedzi la Mveledziso ya zwa Ekonomi la Limpopo hu tshi tevhedzwa khethekanyo 3;

"Bodo" zwi amba Bodo ya Zhendedzi la Mveledziso ya zwa Ekonomi ya Limpopo yo thomiwaho hu tshi tevhedzwa khethekanyo 5;

"Mudzulatshidulo" zwi amba mudzulatshidulo wa Bodo o vhwaho hu tshi tevhedzwa khethekanyo 7(5);

"Muofisiri Muhulwane" zwi amba Muofisiri Muhulwane o vhwaho hu tshi tevhedzwa khethekanyo 18;

"komiti" zwi amba Komiti ya Bodo yo thomiwaho hu tshi tevhedzwa khethekanyo 13;

"Muhasho" zwi amba Muhasho u re na vhuḍifhinduleli ha mveledziso ya zwa ekonomi kha vundu;

"Khorotshitumbe" zwi amba Khorotshitumbe ya vundu yo bulwaho kha khethekanyo 132 ya Ndayotewa ya Riphabuliki ya Afrika Tshipembe, 1996;

"Muraḍo wa Khorotshitumbe" zwi amba Muraḍo wa Khorotshitumbe ane a vha na vhuḍifhinduleli ha mveledziso ya zwa ekonomi kha vundu;

"muraḍo" zwi amba muraḍo wa Bodo o vhwaho hu tshi tevhedzwa khethekanyo 7;

"tshiimiswa tsha muvhuso" zwi amba tshiimiswa tsha muvhuso sa zwo talutshedzwaho kha khethekanyo 239 ya Ndayotewa ya Riphabuliki ya Afrika Tshipembe, 1996;

“u randela” zwi amba u randelwa nga ndaulo;

“Mulayo wa Ndangulo ya Masheleni a Muvhuso, 1999” zwi amba Mulayo wa Ndangulo ya zwa Masheleni a Muvhuso wa 1999 (Mulayo No.1 wa 1999);

“miraḁo vhahulwane vha tshitafu” zwi amba vhalanguli vhahulwane vhane vha vhiga kha Muofisiri Muhulwane thwii; na

“uyu Mulayo” zwi katela ndaulo dzo itwaho kana dzo bviswaho hu tshi tevhedzwa Mulayo uyu.

2. Ndivho ya Mulayo

Ndivho ya Mulayo ndi u thoma zhendedzi ḽa mveledziso ya zwa ekonomi kha vundu.

3. U thomiwa ha Zhendedzi

(1) Zhendedzi ḽa Mveledziso ya zwa Ekonomi ya Limpopo afha ḽi khou thomiwa sa ḽine ḽa vha mulayoni..

(2) Zhendedzi ḽo vhumbwa nga —

(a) Bodo yo vhumbiwaho hu tshi tevhedzwa khethekanyo 5;

(b) Muofisiri Muhulwane; na

(c) tshitafu tsha Zhendedzi.

Tshipiḁa II

Bodo, Muofisiri Muhulwane, Tshitafu na Vhalambedzi vha Bodo

4. Ndivho dza Bodo

(1) Ndivho dza Bodo ndi u —

- (a) $\text{t}\ddot{\text{u}}\text{t}\ddot{\text{u}}\text{w}\ddot{\text{e}}\text{d}\text{z}\text{a}$ mveledziso ya zwa ekonomi na u fhambanya murango wa zwa indasitiri kha vundu kathihi na u engedza vhushaka ha tshumisano ya ekonomi kha vundu kha masia a zwa vhulimi, zwa vhubindudzi, dzinn $\ddot{\text{u}}$, mimaini, vhugudisi, vhuendelamashango, vhuendi ha zwa vhathu na hu $\ddot{\text{n}}\text{w}\ddot{\text{e}}$ vhubindudzi;
- (b) vha na vhusedzi kha u vha na u dzhenelela lwa tshifhinga tshipfufhi, tsha vhukati na tshilapfu hu u itela u $\text{t}\ddot{\text{u}}\text{t}\ddot{\text{u}}\text{w}\ddot{\text{e}}\text{d}\text{z}\text{a}$ mveledziso ya ekonomi na u sikwa ha mishumo;
- (c) thomiwa ha thandela khulwane nga n $\ddot{\text{d}}$ ila yavhu $\ddot{\text{d}}$ i nahone nga n $\ddot{\text{d}}$ ila yo teaho hu na thendelano na vhashelamulenzhe vhahulwane;
- (d) tikedzwa ha sekithara dza zwitirathedzhi zwi bveleho zwa ekonomi zwi $\text{t}\ddot{\text{u}}\text{t}\text{sh}\ddot{\text{e}}\text{l}\text{a}\text{n}\text{a}\text{h}\text{o}$ na pholisi dza indasitiri na ekonomi zwo thomiwaho kha vundu;
- (e) $\text{n}\ddot{\text{e}}\text{t}\text{sh}\ddot{\text{e}}\text{d}\text{z}\text{a}$ vhurangaphan $\ddot{\text{a}}$ hu u itela u thivhela u vha hone ha mveledziso ya thandela dza ekonomi dzi vha hone nga zwi $\ddot{\text{n}}\text{w}\ddot{\text{e}}$ zwifhinga, dzi so ngo dzudzanyeaho na u langea, na u sa vhone uri dzo livha ngafhi zwi fhambanaho na pholisi dza vundu;
- (f) engedza vhu $\ddot{\text{t}}$ anganelani ha zwa ekonomi kha vundu na ekonomi dzi bvelelaho dzi re n $\ddot{\text{d}}$ a ha vundu;
- (g) vha na mveledziso ya zwa indasitiri kha shango kathihi na ba $\ddot{\text{d}}$ ekanya madzingu a saathu bvelaho na a re tsini nao nga lwa ekonomi;

- (h) khwinisa Kushumele kwa vundu kwa u tunda na u kunga u itela u nekana na u khwinisa vhubindudzi ha ngomu kha vundu na vhu re nga nnda ha vundu; na
 - (i) engedza tshivhalo tsha sekithara dza ekonomi dzi konaho u swikisa kha bveledza tshumelo na zwibveledzwa zwa ndeme.
- (2) Zhendedzi li tea u thoma u bvela phanda na u engedza u kuvhanganya mbuelo yalo hu u itela uri li swikelela ndivho dza lo.

5. Zhendedzi la Bodo

- (1) Murafo wa Khorotshitumbe u tea u vhumba Bodo ya Zhendedzi la Mveledziso ya Ekonomi ya Limpopo lo vhumbiwaho nga vhalanguli vha re mirafu na vha si mirafu, ine yeneyo Bodo ya tea u vha na thendelano na Murafo wa Khorotshitumbe nga nwa ha i dodombedzaho —
- (a) uri Bodo i do shuma hani mishumo yayo;
 - (b) uri Bodo i do shumisisa hani pholisi; na
 - (c) mafhungo ma nwe afhio na afhio o fanelaho u swikelelwa nga uyu Mulayo.
- (2) Bodo i na vhudifhinduleli ha u shumisa maanda na u shuma mishumo ya Zhendedzi nahone ya dovha ya vha na vhudifhinduleli kha Zhendedzi sa zwo sumbedziswa kha khethekanyo 49(2) (a) ya Mulayo wa Ndango ya zwa Masheleni a Vhathu wa 1999.
- (3) Bodo yo tea u vhumbiwa nga vhathu vha siho fhasi ha tahe nahone vha si ntha ha fumi nthihi wa mirafu, hune ha vha —

- (a) Thoho ya Muhasho kana muofisiri muñwe ufho na ufho wa Muhasho o tiwaho nga u ralo nga Thoho ya Muhasho u vha murađo muđadzisi, a si na maanđa a u vouta;
 - (b) vhalanguli vhararu vha Zhendedzi vho vhumbiwaho Muofisiri Muhulwane, Muofisiri Muhulwane wa zwa Masheleni na Muofisiri Muhulwane wa Mushumo;
 - (c) muthu ane a vha na ndalukano a țanganedzwa kha u shuma sa ramulayo kha Riphabuliki nahone lwa tshifhinga tshilapfu lune zwițukusa ya vha miñwaha mițanu nga murahu ha ndalukano dzawe kana o vha kha tshumelo i țutshelanaho na zwa ndaulo ya mulayo;
 - (d) muthu a na vhutshata akhaunthu hu tshi tevhedzwa zwa Muhanga wa Ndalukano dza Lushaka nahone o shuma miñwaha i siho fhasi ha mițanu sa tshatha akhaunthu;
 - (e) muthu a na ndalukano dza digirii, pfunzo dza zwa saentsi dza ekonomi na ndangulo; na
 - (e) vhañwe vhathu vha re na nđivho dza pfunzo dzo teaho, zwikili na tshenzhemo kha thandela dza mveieldziso ya zwa ekonomi.
- (4) Murađo wa Bodo u tea —
- (a) u vha muthu o teaho u vha kha yeneyo ofisi;
 - (b) u vha muimeleli wa vhathu vhoțhe kha vundu; na
 - (c) u vha e mudzulapo wa Riphabuliki ya Afrika Tshipembe

6. Maanda na mishumo ya Bodo

- (1) Bodo i tea u shumisa maanda ayo kha u shuma mishumo yayo malugana na Mulayo wa Ndangulo ya Masheleni a Muvhuso wa 1999, Mulayo wa Maanda a Khadzimiso wa Muvhuso wa Vundu wa 1996 (Mulayo No. 48 wa 1996) na Mulayo wa Dzikhamphani (Mulayo No. 71 wa 2008) zwi tshi ya nga hune zwa konadzea kha khamphani dza muvhuso.
- (2) Muraḁo wa Khorotshitumbe a nga, hu tshi tevhedzwa khethekanyo 54 ya Mulayo wa Ndangulo ya Masheleni a Muvhuso wa 1999, nahone hu na vhukwamani na Khorotshitumbe, netshedza thendelo ya u thomiwa ha khamphani tshukhu dza zhendedzi, arali zwo fanela kha u shuma hu u itela u bvelela ha leneḁo zhendedzi kathihi na u bvisela phanda ndivho dza Zhendedzi. Thendelo ya Muraḁo wa Khorotshitumbe i tea u vha na nyimele na milayo ya u thomiwa ha khamphani tshukhu.
- (3) Bodo i tea u khwaḁhisa u tenda hayo ha u thomiwa ha khamphani dzenedzo tshukhu hu tshi tevhedzwa khethekanyo tshukhu (2) na u tevhedzelana na milayo na nyimele zwo vhwaho nga Muraḁo wa Khorotshitumbe.
- (4) Bodo i nga ri hu tshi tevhelwa khethekanyo tshukhu (1) —
 - (a) ya thoma, phuromota, pulana, lambedza, tanganya na u langa kushumele kuḁwe na kuḁwe, bindu kana thandela, kana u vha na kwonokwo kushumele na u rengisa kana nga iḁwe ndila u shumiwa ha kushumele kwonokwo kufhio na kufhio, bindu kana thandela.

- (b) tšutšuwedza u thomiwa ha bindu lo tšanganelanaho nahone hu na vhukwamani na Murađo wa Khorotshitumbe,
- (c) u bveledza na u langa ndaka i sa sudzuluswi ya Zhendzi na u vha na, u fara, u khwinisa, u hira, u tendela u dzhena, u rengisa, u pfukhisela, u lambedza, u imisa, zwine zwi nga konadzea kana nga iñwe ndila zwi lemela ho lu sa hwalei kana ndaka i sa sudzulusei ya thungo ine ya vha kha ndango ya Zhendedzi;
- (d) u engedza masheleni zwi tshi ya nga nzudzanyo ya masheleni yo vhaho hone nga u tou ñwalwa nga Murađo wa Khorotshitumbe;
- (e) ya shumisa khamphani tšukhu dza Zhendedzi na u vhona zwauri hu vhe na thevhedzelo ya khamphani tšukhu ha Mulayo wa Ndangulo ya zwa Masheleni a Vhathu wa 1999, Mulayo wa Dzikhamphani, 2008 (Mulayo No 71 wa 2008) na miñwe milayo yo teaho; na
- (f) hu tshi tevhelwa khethekanyo 23 ya uyu Mulayo, u vha na, u hira, u renndiswa, u rengisa, u tšutshela, u vha na mulandu kana u fhambanyisa dziñwe thundu dzifhio na dzifhio, u tšanganedza kana tshumelo: Tenda ha vha hu uri Murađo wa Khorotshitumbe o tendela khonadzeo ya u vha na kana u shumiwa ha ndaka i sudzuluseaho na uri honoho u wanala kana u shumiwa hu tshi itwa hu tevhedzele milayo i tšutshelanaho na zwenezwo.

- (5) Bodo i tea uri hu na vhukwamani na Muhasho, i phuromote na u maketa nga lwo ḡalaho vundu sa fhethu ha khwine ha u vhubindudzi nahone i tea u engedza na u vhulunga zwa vhubindudzi kha vundu.
- (6) Bodo i tea u vhulunga na u bveledza nga lwo fhelelaho tshumelo yoṭhe ya zwa mafhungo na phurofesheni malugana na khonadzeo kathihi na u vha hone ha mbambadzo, indaisitiri, u maketa, bindu na zwiṅwe zwickhala zwa vhubindudzi..

7. U vhewa ha mirado vha Bodo

- (1) Murado wa Khorotshitumbe u ita ndivhadzo kha bammbiri mbili dzi monaho na vundu, ine ya ḡo ramba khumbelo u bva kha vhathu vha tevhedzelanaho na ṭhoḡea dzo sumbedziswaho kha khethekanyo 5.
- (2) Muhumbeli u tea uri kha u fhindula have ndivhadzo hu tshi tevhedzwa khethekanyoṭhukhu (1), a ṅetshedza kharikhulamu vitae yo dodombedzwaho ine ya vha na –
 - (a) kopi dzo khwaṭhisedzwaho dza ṭhanziela dzavho dzoṭhe; na
 - (b) maṅwalo mutikedzi a sumbedzisaho ndivho ya muhumbeli na tshenzhemo zwine zwa ḡo swikisa kha u swikelela ndivho dza Zhendedzi.
- (3) Vhahumbeli vho khethiwaho vha tea uri phanda ha musi vha tshi nangiwa vha ṭolwe ḡivhazwakale yavho na vhuvha havho nga Zhendedzi ḡa zwa

Tsireledzo ya Muvhuso hu tshi tevhedzwa Mulayo wa Tshumelo dza zwa Vhuṭoli, 2002 (Mulayo No.65 wa 2002)

- (4) Muraḁo wa Khorotshitumbe u tea u nanga miraḁo vha Bodo u bva kha khumbelo dzo ṭanganedzwaho nga murahu ha vhukwamani na Khorotshitumbe.
- (5) Muraḁo wa Khorotshitumbe u tea u vhea u bva kha miraḁo nga maanḁa a u tou vouta, nga murahu ha thendelano na Khorotshitumbe, Mudzulatshidulo na Mufarisamudzulatshidulo.
- (6) Zwi a konadzea muthu a sa nangiwe kana a dzula e muraḁo arali onoyo muthu –
 - (a) e na kana a ṭoda dzangalelo lo livhaho kana li so ngo livhaho kha bindu zwine zwa nga swikisa kha phambano dza madzangalelo na vhuḁifari ha phurofesheni ha uyo muraḁo;
 - (b) e muraḁo wa muṭa, mushumisani kana ṭhanganelano ine ya nga swikisa kha khuḁano dza madzangalelo kha bindu liṅwe na liṅwe lo livhaho kana li so ngo livhaho zwine zwi nga swikisa kha khuḁano dza madzangalelo na vhuḁifari ha uyo muraḁo;
 - (c) e muthu a re zwikolodoni zwi sa lifhei kana u vha muthu ane a khou vha khou dzhenaho kha zwikolodo;
 - (d) e kana a tshi vha Muraḁo wa Buthano la Lushaka kana wa Khoro ya Lushaka ya Mavundu, vhusimamilayo ha vundu vhuḁhio na vhuḁhio, Murangaphanḁa wa zwa Dzinṅḁu wa Sialala

kana muvhuso wapo kana e, hu tshi tevhelwa khethekanyo

5 (3) (a), kha mushumo wa tshoṭhe wa Muvhuso, nga nṅa ha Zhendedzi;

- (e) o vha e, kana o pandelwa ofisini nga nṅhani ha vhuḍifari vhu si havhuḍi;
- (f) a dzhiwa a so ngo fhelela maluvhini nga khothe ya mulayo;
- (g) e muthu we nga tshiṅwe tshifhinga a farelwa vhukhakhi ha u sa fulufhedzea;
- (h) e muthu we nga tshiṅwe tshifhinga a vha na madzangalelo o livhaho kana a so ngo livhaho kha mafhungo a Bodo hune zwine zwa nga swikisa kha u mu thivhela u shuma mishumo yawe sa muraḍo nga nḍila i sa ṭaluli, i sa dzhiyi sia na maitete kwao; kana
- (i) e muthu ane, hu tshi tevhedzwa Mulayo wa Dzikhamphani wa 2008 (Mulayo No.71 wa 2008), a kundelwa kana a so ngo teaho u vha mulanguli wa khamphani.

(7) Arali muraḍo a vha o tea hu tshi tevhedzwa khethekanyoṭhukhu (6), onoyo muraḍo u tea uri nga u tou ṅwala nga u ṭavhanya, a bvisela khagala uho u sa tea zwo livhiswa kha Muraḍo wa Khorotshitumbe wa Bodo.

(8) Muraḍo wa Khorotshitumbe u tea uri vhukati ha maḍuvha a 30 a u vhewa ha muraḍo a anḍadze dzina, datumu na tshifhinga tsha u vhewa ha onoyo muraḍo nga nḍivhadzo kha Gazethe ya vundu.

8. Tshifhinga tsha u vha ofisini

(1) Muraḍo u nangiwa lwa tshifhinga tshi sa fhiri miṅwaha miṅanu.

- (2) Muraḁo wa Khorotshitumbe a nga ri hu tshi tevhelwa u ḁolwa ha u shuma hawe zwavhuḁi nahone hu na thendelo ya Khorotshitumbe, a engedza u vhewa ha muraḁo lwa tshifhinga tsho engedzwaho tshi sa fhiraho miḁwaha miḁanu.

9. U litsha mushumo na u bviswa ofisini

- (1) Muraḁo a nga kha ḁi litsha mushumo nga u ḁetshedza Muraḁo wa Khorotshitumbe—

- (a) ḁḁivhadzo yo tou ḁwalwaho ya miḁwedzi mivhili a saathu litsha; kana
- (b) ḁḁivhadzo yo tou ḁwalwaho ya miḁwedzi i sa swiki mivhili, hu na thendelo ya Muraḁo wa Khorotshitumbe.

- (2) Muraḁo wa Khorotshitumbe u tea u ḁivhadza Khorotshitumbe hune muraḁo a vha a tshi khou bviswa ofisini kana u litsha.

- (3) Muraḁo wa Khorotshitumbe a nga fhelisa u vhewa ha muraḁo arali onoyo muraḁo —

- (a) e na vhuḁifari vhu so ngo teaho kana maitele a si kwao;
- (b) a so ngo lugela u shuma mishumo yawe;
- (c) a sa tevhedzelani na mbetshelo ifhio na ifhio ya uyu Mulayo;
- (d) a si na vhukoni ha u shuma mishumo yawe nga ḁḁhani ha vuholefhali ha muvhili kana maluvhi;
- (e) a so ngo vha hone miḁanganoni ya Bodo luvhili zwi tshi khou tevhekana a so ngo thoma a tendelwa nga Bodo;
- (f) a kundelwa u tevhedzela mbetshelo dza uyu Mulayo wa Ndangulo ya zwa Masheleni a Muvhuso wa 1999, kana

- (g) a so ngo tendelwa zwi tshi tevhedza khethekanyo 7(6).
- (4) Murado wa Khorotshitumbe a nga fhelisa u vhewa ha murado hu tshi tevhedzwa khethekanyothukhu (3), nga nnda ha musi Murado wa Khorotshitumbe o nea murado tshifhinga tsha uri a imelele mafhungo awe a kona u dzhia mafhungo awe, zwi tshi katela na vhuimeleli vhufhio na vhufhio ho itwaho u talutshedza kana vhuṭanzi ho netshedzwaho nga onoyo murado, na uri Murado wa Khorotshitumbe a vha a tshi fushea zwauri u pandelwa kha u vhewa zwi a pfala nga kha zwiitisi.
- (5) Murado wa Khorotshitumbe a nga imisa murado ofisini musi hu tshi kha di itwa tsedzuluso kana u vhudzisa nga ha onoyo murado.

10. Zwickhala

- (1) Ofisi ya murado i vha na tshikhala musi –
- (a) ene 'murado' a tshi lovha;
- (b) linwalo lawe la u litsha mushumo lo netshedzwaho murado wa Khorotshitumbe hu tshi tevhedzwa khethekanyo 9(1) la vha li tshi khou shuma;
- (c) u vhewa hawe hu tshi khou fheliswa hu tshi tevhedzwa khethekanyo 9(3).
- (2) Tshikhala kha Bodo tshi tea u dadzwa hu tshi tevhelwa khethekanyo 7 zwo itwa nga u vhewa ha muṅwe murado nga u tshavhanya nga hune zwa konadzea nga murahu ha u vha hone ha tshenetsho tshikhala, nahone

muraḁo o vhwaho nga u ralo u vha ofisini lwa tshifhinga tsha u fhela ha tshenetsho tshikhala tsha we a vha e kha tshikhala tshenetsho ofisini.

11. Malamba na magavhelo

- (1) Muraḁo wa Khorotshitumbe u tea u ta malamba na magavhelo a badelwaho muraḁo hu tshi tevhelwa Maga a Vhufaragwama ha Lushaka.
- (2) Muraḁo o tholwaho nga muvhuso ha tei u wana magavhelo kana malamba afhio na afhio.
- (3) Malamba na magavhelo o tiwaho hu tshi tevhedzwa khethekanyoꝑhukhu (1), a tea –
 - (a) uri ho sedzwa zwitandadi na maitete afhio na afhio o teaho a vhwufaragwama hu tshi tevhedzwa Mulayo wa Ndangulo ya Masheleni a Muvhuso wa 1999; na
 - (b) u badela tshelede yo teaho nga Vhusimamilayo ha Vundu la Limpopo u itela yeneyo ndivho.

12. Miꝑangano

- (1) Foramu ya muꝑangano wa Bodo i tea u vhumbiwa nga vhathu vha phesenthe dza 51 dza miraḁo vho vhwaho.
- (2) Tsheo ye ya tendelwana khayi nga vhumzhi ha miraḁo vho tendelwaho u vouta kha miꝑangano ya Bodo vha re hone kha muꝑangano ufhio na ufhio wa Bodo i vhumba makumedzwa a Bodo.

- (3) Musi hu tshi vha na u lingana ha dzivoutu, Mudzulatshidulo ndi ene amba dzi fhele kha u vhona uri voutu dzi khou wela sia jifhio.
- (4) Musi Mudzulatshidulo a siho, maanda, ppaneloo na mishumo ya Mudzulatshidulo zwi tea u itwa na u shumiwa nga Mufarisamudzulatshidulo, honeha arali Mudzulatshidulo na Mufarisamudzulatshidulo vhe siho muraḁo o tiwaho u itela yeneyo ndivho u tea u bva kha nomboro ya miraḁo kana Bodo: Tenda ha vha hu uri hune Ofisi ya Mudzulatshidulo ya vha na tshikhala kana Mudzulatshidulo a hana kana a kundelwa u dzhia tsheo, Mufarisamudzulatshidulo u tea u ita mishumo na ppanelo dza Mudzulatshidulo u swikela Mudzulatshidulo muswa o no tiwa hu tshi tevhedzwa khethekanyo 7(5).
- (5) (a) Hune ha vha na mafhungo a tshihadu a todaho Bodo nahone nga tshenetsho tshifhinga Bodo i tshi nga kundelwa u tangana Mudzulatshidulo u tea u vhona zwauri muraḁo muñwe na muñwe –
- (i) u khou netshedzwa nga u tavhanya mafhungo na manwalwa zwi tshi katela na matshimbizelwe a u dzhiwa ha tsheo. Mafhungo na manwalwa a nga iswa nga muthu ene muḁe kana a tou rumelwa nga nyambedzano inwe na inwe ya elekithironiki; na
- (ii) u khou rekhoda tsheo ya onoyo muraḁo a pfukhisela rekhodo kha Muñwaleli wa Bodo.

- (b) Tsheo nga vhunzhi ha mirado nga ha mafhungo a re tafulani, i vha likumedzwa la Bodo, nahone i tea u –
- (i) khwaṭhisedzwa nga Bodo kha mutangano wa Bodo u tevhelaho; na
 - (ii) rekhodiwa kha maambiwa.
- (6) Bodo i tea u vhona zwauri rekhodo ya maambiwa a Bodo yo vhulungiwa hune arali Murado wa Khorotshitumbe a tshi toda u a shumisa tshifhinga tshine a vhona tsho tea a wane yeneyo rekhodo uri i netshedzwe khae uri a i vhale.

13. Komiti

- (1) Bodo i nga thoma Komiti dzine dza i thusa kha u ita mishumo yayo hu tshi tevhedzwa uyu Mulayo nahone ngauralo i nga fhaladzwa, y engedza, ya hudza kana ya fhungudza yeneyo Komiti yo thomiwaho.
- (2) Bodo i tea u –
- (a) ta maanda na mishumo ya komiti.
 - (b) ta matshimbizelwe a Kushumele kwa Komiti zwi tshi katela na
 - (i) khoramu ya mutangano wa komiti,
 - (ii) ndila ine komiti ya dzhia tsheo ngaho.
 - (c) nanga mirado vha ra na ndalukano nahone vho teaho kana vha re na tshenzhemeo zwi tutshelana na mishumo ya komiti,
 - (c) nanga mirado vha re na ndalukano nahone vho teaho kana vha re na tshenzhemo zwi tutshelanaho na mishumo ya komiti; na

- (d) nanga mirađo vha shumaho kha komiti sa Mudzulatshidulo wa yeneyo komiti.
- (3) Bodo i nga thoma komiti i na maanda a u dzheniswa ha vhañwe vhathu uri vha thuse komiti kha u shuma mishumo yayo hu tshi tevhedzwa uyu Mulayo.
- (4) Mirađo vho dzheniswaho vha shuma kha tshiimo tsha u vha vhaeletshedzi nahone vha nga si voute kha muřangano ufho na ufho wa yeneyo komiti.

14. U vhewa ha vha re na ndalukano

Bodo musi i tshi vhona zwo fanela, i nga vhea muthu a re na ndalukano dza mushumo uri a thuse kha Bodo kana komiti hu tshi khou shumiwa mishumo yayo.

15. U fhaladzwa ha Bodo na Bodo ya tshifhinganyana

- (1) Murađo wa Khorotshitumbe nga murahu ha tsedzuluso yo teaho—
- (a) hune Bodo ya vha yo kundelwa u shuma mishumo yayo hu tshi tevhedzwa uyu Mulayo; kana
- (b) nga muhumbulo wo teaho,
a nga fhaladza Bodo nga henefho hune Murađo wa Khorotshitumbe a nga ta.

- (2) Muraḁo wa Khorotshitumbe u tea uri, vhukati ha maḁuvha a u shuma a 21 a u fhaladzwa ha Bodo, a nange Bodo ya tshifhinganyana lwa tshifhinga tsho tiwaho nga Muraḁo wa Khorotshitumbe hu na thendelano na Khorotshitumbe, hu si khou tevhelwi maga o sumbedziswa kha khethekanyo 7.
- (3) Bodo ya tshifhinganyana i tea u vhumbwa nga miraḁo vha siho fhasi ha vhaḁanu vha na ndalukano dzo teaho na tshenzhemo dzo bulwaho kha khethekanyo 5(3).
- (4) Muraḁo wa Khorotshitumbe u tea, u bva kha miraḁo vha Bodo ya tshifhinganyana, nanga mudzulatshidulo na mufarisamudzulatshidulo wa Bodo ya tshifhinganyana.
- (5) Khoramu ya muḁangano wa Bodo ya tshifhinganyana ndi vhunzhi ha miraḁo guḁe vho nangwaho.
- (6) Bodo ya tshifhinganyana i na maanḁa na mishumo ya Bodo sa zwine zwa vhiswa zwone kha uyu Mulayo

16. Ndaela na makumedzwa a mafhungo kha Muraḁo wa Khorotshitumbe

- (1) Muraḁo wa Khorotshitumbe a nga netshedza ndaela kha Bodo malugana na u shumiswa ha maanḁa na mishumo ya Bodo kha khethekanyo 6.
- (2) Muraḁo wa Khorotshitumbe a nga humbela Bodo uri i netshedze mafhungo afhio na afhio malugana na mafhungo a Zhendedzi kana

khamphani tšukhu ya Zhendedzi kha Muraḁo wa Khorotshitumbe kana Bodo nga hune ya vhona zwo tea i nga netshedza mafhungo kha Muraḁo wa Khorotshitumbe u itela tsedzuluso na u dzhia tsheo.

- (3) Tsheo kana nyimele yo dzhiwaho hu tshi tevhedzwa khethekanyotšukhu (2), i nga si humiswe kana u khwiniswa nga Bodo hu si na thendelo yo tou nwalwaho ya Muraḁo wa Khorotshitumbe.

17. U bviselwa khagala ha madzangalelo

- (1) Muraḁo wa Zhendedzi a nga si—
- (a) didzhenise kha zwiito zwine zwa dzhiela fhasi vhuvha ha Zhendedzi;
 - (b) dzhenele, vha tshipiḁa tsha kana a tšutšuwedza matshimbidzelwe nga tshifhinga tsha muḁangano wa Zhendedzi, zwi tshi tšutshelana na mafhungo a re kha Bodo, arali onoyo muraḁo e na dzangalelo —
 - (i) lo sumbedziswa kha khethekanyo 7 (6) (a) na (b); kana
 - (ii) li mu hanelaho u shuma mishumo ya muraḁo wa Bodo nga nḁila yo teaho, i sa dzhiyi sia nahone nga maitele kwao.
 - (c) voute kha muḁangano wa Bodo malugana na mafhungo afhio na afho o sumbedziswa kha phara (b); kana
 - (d) shumise lwa phuraivete, kana a vha na phorofita u bva kha, kana mafhungo afhio na afhio a tshidzumbe o wanalaho nga nḁhani ha u shuma mishumo ya onoyo muraḁo sa muraḁo wa Bodo.

- (2) Arali nga tshifhinga tshiñwe na tshiñwe ha wanala zwauri muraḁo wa Bodo lwo livhaho kana lu so ngo livhaho, hu na u kwamea ha muraḁo wa Bodo kha mafhungo a zwa masheleni kana madzangalelo, muraḁo, muraḁo u tea —
- (a) uri nga u ṽavhanya nahone nga lwo fhelelaho a bwisele khagala tshiimo tsha aneo madzangalelo kha muṽangano wa Bodo; na
- (b) u ḁibvisa kha u dovha hafhu a dzhenelela kha muṽangano malugana na aneyo mafhungo.
- (3) U bviselwa khagala ha madzangalelo nga muraḁo hu tshi tevhedzwa khethekanyoṽhukhu (2), hu tea u rekhodiwa kha maambiwa a muṽangano.
- (4) Arali muraḁo a tumulwa u vha muraḁo hu tshi tevhedzwa khethekanyo 7(6)(a) na (b), Muraḁo u tea u fhelisa vhumuraḁo hawe nga u ṽavhanya.

18. Muofisiri Muhulwane wa Khorotshitumbe

- (1) Bodo i tea u, musi hu na thendelano na Muraḁo wa Khorotshitumbe —
- (a) ramba, nga u ita khunguwedzo kha gurannḁa mbili, khumbelo dza vhuimo ha Muofisiri Muhulwane wa Khorotshitumbe;
- (b) ta Muofisiri Muhulwane wa Khorotshitumbe lwa tshoṽthe kha khonṽhiraka ya mashumele-ndivhiswa, lwa tshifhinga tshi eḁanaho miñwaha miṽanu.
- (2) Muofisiri Muhulwane wa Khorotshitumbe u tea u vha muthu o teaho nahone o fanelwaho a re na ndalukanyo dzone khathihi na tshenzhemo.

- (3) Bodo i tea u vha fhasi ha u ḡiimisela uri muthu o nangwaho a thome a ṭolwe nga Zhendedzi ḡa zwa Tsireledzo ya Muvhuso hu tshi tevhedzwa Mulayo wa Tshumelo ya zwa Vhuṭoli, 2002 (Mulayo. No 85, 2002).
- (4) Bodo i nga, fhasi ha u sedzuluswa ha mashumele hu re na u kunda, engedza u tiwa ha Muofisiri Muhulwane wa Khorotshitumbe lwa tshifhinga tsho engedzwaho, tshi sa fhiri miṅwaha miṭanu.
- (5) Muofisiri Muhulwane wa Khorotshitumbe ndi mushumi wa Zhendedzi nahone u –
- (a) hwala vhuḡifhinduleli ha Bodo;
 - (b) hwala vhuḡifhinduleli ha ndangulo ho dzudzanyeaho nahone hu re na u bveledza Zhendedzi nahone u tea u ita mishumo ye Bodo ye a i hweswa kana u laedza Muofisiri Muhulwane wa Khorotshitumbe; na
 - (c) muraḡo o wanaho vhuimo hu si nga voutu kana u tiwa nga Bodo, a si na maandḡa a u vouta.
- (6) Khonṭhiraka ya mushumo wa Muofisiri Muhulwane wa Khorotshitumbe i tea u vha yo tou ṅwalwa nahone i tea u katela nyimele yo teaho ya mbetshelo dza khethekanyo 57 dza Mulayo wa Ndangulo ya Masheleni a Muvhuso, 1999 nahone khaa maimo a fhasi i tea u katela –
- (a) mvelelo dza ndeme dza mashumele;
 - (b) vhuḡiimiseli ha ndangulo ya masheleni;
 - (c) milayo ya mashumele; na

- (d) zwishumiswa zwo teaho kha u kala mashumele.
- (7) Bodo i tea u ṭola thendelo ya mashumele ya Muofisiri Muhulwane wa Khorotshitumbe kha ñwaha nga ñwaha, vhukati ha ñwedzi muthihi musi ho thoma ñwaha wa muvhalelano.
- (8) Thendelo ya mashumele yo khunyeledzwa hu tshi tevhedzwa khethekanyo ṭhukhu (7) nahone i tea u katela –
- (a) ndivho dzi kaleaho dza mashumele na zwipikwa zwi ra na maḁuvha a u guma o buletshedzwaho;
- (b) maimo na matshimbizelwe a u lingulula mashumele na zwikhala-vhukati kha u lingulula; na
- (c) masiandaitwa a maimo a fhasi a mashumele.
- (9) Musi poswo ya muofisiri muhulwane wa khorotshitumbe i si na muthu, Bodo i tea u rumela muofisiri kha Zhendedzi uri a shume sa Muofisiri Muhulwane wa Khorotshitumbe lwa tshifhinganyana, lwa tshifhinga tshi sa fhiriho miñwedzi ya rathi.
- (10) Muofisiri Muhulwane wa Khorotshitumbe a nga si ite mushumo na muthihi u re na malamba hu si na thendelo yo tou ñwalwaho nga Bodo.
- (11) Muofisiri Muhulwane wa Khorotshitumbe a nga, hu na ndivhadzo yo tou ñwalwaho kha miñwedzi miraru kha Bodo, kana kha tshetsho tshifhinga tshiṭuku tsho tendelanwaho nga Bodo, litsha mushumo wawe.

19. U bviswa ha Muofisiri Muhulwane wa Khorotshitumbe

- (1) Bodo i nga, bvisa Muofisiri Muhulwane wa Khorotshitumbe ofisini nga murahu ha muso —
- (a) pfuka thendelano ya mashumele ye ya dzhenwa khayona Bodo hu tshi tevhedzwa khethekanyo 18;
 - (b) vhuḁifari hu si havhuḁi; kana
 - (c) u sa tevhedza Mulayo wa Ndangulo ya Masheleni a Muvhuso, 1999 kana vhuḁifari vhu si ho mulayoni.
- (2) Bodo i nga si fhelise a tiwa ha Muofisiri Muhulwane wa Khorotshitumbe hu tshi tevhedzwa khethekanyoḁhukhu (1), nga nḁa ha muso Bodo yo zwi kona u ḁetshedza Muofisiri Muhulwane wa Khorotshitumbe tshikhala tsha u amba nga ha mulandu wawe nahone nga murahu ha muso sedzulusa mafhungo ayo, hu tshi katelwa u imelelwa ho itwaho kana ḁhalutshedzo kana vhuḁanzi ho ḁetshedzwaho nga Muofisiri Muhulwane wa Khorotshitumbe, nahone Bodo yo fushea nga zwauri u fheliswa uho ho vha ho fanela na nyimele iyo.
- (3) Bodo i nga imisa lwa tshifhinganyana Muofisiri Muhulwane wa Khorotshitumbe kha ofisi muso i tshi khou ita ḁhoḁisiso kana u vhudzisa Muofisiri Muhulwane wa Khorotshitumbe.

20. Tshiḁafu tsha Zhendedzi

- (1) Muofisiri Muhulwane wa Khorotshitumbe u tea u, hu na thendelano na Bodo —
- (a) thoma tshivhumbeo tsha tshiḁafu tsha Zhendedzi; na
 - (b) u dzudzanya milayo yo tiwaho ya mushumo wa tshiḁafu.

- (2) Muofisiri Muhulwane wa Khorotshitumbe u tea u ta tshiṭafu kha u thusa Zhendedzi kha u ita mishumo yaḷo: Nga nṅa ha musu muofisiri muhulwane wa tshiṭafu tsha Zhendedzi o tea u tiwa ho vha na thendelano na Bodo.
- (3) Bodo i tea u, hu tshi tevhezwa Ndayo dza Vhufaragwama ha Lushaka, dzudzanya maimo a malamba a tshiṭafu.

21. Ndambedzo ya Zhendedzi

Zhendedzi ḷi lambedzwa nga tshelede –

- (a) yo kovhelwaho nga Vhusimamilayo ha Vundu u itela u tshimbidza maanḅa na u itwa ha mishumo ya Zhendedzi; na
- (b) nyaluwo ya Zhendedzi u bva kha zwiko zwo themendelwaho nga Muraḅo wa Khorotshitumbe hu na thendelano nga Muraḅo wa Khorotshitumbe a re na vhuḅifhinduleli ha zwa masheleni kha vundu, mafhungo a re nga fhasi ha Mulayo wa Ndangulo ya Masheleni a Muvhuso, 1999.

22. Mbuelo ya Zhendedzi

- (1) U itela u swikelela ndivho dzaḷo, u shumisa maanḅa aḷo na u ita mishumo yaḷo, Zhendedzi ḷi tea u shumiswa sa mbuelo –
- (a) tshelede na dziṅwe tshelede dzo wanalaho kana dzo bviswaho nga Zhendedzi hu tshi tevhezwa Mulayo uyu kana muṅwe mulayo;
- (b) ndaṭiso, faini kana phurofiti dza thengiso ya zwithu zwo wanalaho kha zwo dzhiululwaho murahu kana u wanala na u kovhelwa Zhendedzi hu tshi tevhezwa Mulayo uyu na miṅwe milayo;

- (c) tshelede idzo dzi do kovhelwa Vhusimamilayo ha Vundu la Limpopo u itela uri li ite mishumo yalo na u shuma mishumo yalo ye ya hweswa kana u tetselwa nga Zhendedzi hu tshi tevhedzwa Mulayo uyu kana miñwe milayo;
- (d) donesheni, mphomali na zwifhiwa zwo wanalaho nga Zhendedzi u bva kha tshitshavha: Nga nnda ha musu Bodo i tshi nga tangedza donesheni dzi re na milayo, mphomali kana zwifhiwa nga murahu ha musu ho wanala thendelo yo tou ñwalwaho nga Murafo wa Khorotshitumbe; kana
- (e) dziñwe tshelede dzine dza nga wanala u bva kana dzo kovhelwa Bodo, kana dzine dza nga vhewa hune dza dzula hone u bva kha tshiko tshifhio na tshifhio.
- (2) Bodo i tea u, nga fhasi ha khethekanyo 7 ya Mulayo wa Ndangulo ya Masheleni a Muvhuso, 1999, vula na u londola, u bva kha bannga yo redzhisiariwaho Afurika Tshipembe hu tshi tevhedzwa Mulayo wa Dzibannga, 1990 (Mulayo No.94 wa 1990), akhaunthu i tea u divhiwa sa akhaunthu ya Zhendedzi la Mveledziso ya Ikonomi ya Limpopo, hune iyo akhaunthu tshelede dothe dzi wanalaho nga Zhendedzi dza tea u diposithwa hone sa zwo sumbedziswaho kha thethekanyothukhu (1), i tshi vhalwa na khethekanyo 22(5) ya Mulayo wa Ndangulo ya Masheleni a Muvhuso, 1999.
- (3) Bodo i nga, nga fhasi ha miñwe milayo, humbela donesheni, mphomali kana zwifhiwa zwo bulwaho kha khethekanyothukhu 1(d) na u shumisa

tshelede i kwameaho hu tshi tevhedzwa milayo i elanaho na idzo donesheni, mphomali na zwifhiwa.

- (4) Tshelede yo salaho i kha akhaunthu ya Zhendedzi la Mveledziso ya Ikonomi Limpopo i tea u shumiswa u itela u swikelela ndivho dza Mulayo uyu.

23. Matshimbidzelwe a u wana zwishumiswa

Musi Zhendedzi li tshi wana thundu kana tshumelo, Zhendedzi li tea u vhona uri li khou tevhedza sisiteme ya u wana zwithu yo fanelaho, i pfadzaho, i re khagala, yo diimiselaho nahone i vhulungaho tshelede ya tevhedza na Mulayo wa Muhangarambo wa Mbekanyamaitele ya u Wana Zwishumiswa Iwo Khetheaho, 2000 na Mulayo wa Ndangulo ya Masheleni a Muvhuso, 1999.

24. Mivhigo ya Zhendedzi

- (1) Bodo i tea u, nga kotara, netshedza mivhigo kha Murado wa Khorotshitumbe i tevhedzaho Mulayo wa Ndangulo ya Masheleni a Muvhuso, 1999 na Ndayo dza Vhufaragwama nahone dzi shumanaho na mafhungo a muvhuso, mishumo, mashumele na vhuimo ha masheleni ha Zhendedzi, hu tshi katelwa –
- (a) vhuimo hune Zhendedzi la vha lo swikelela kana u swikisa ndivho dza lo nga kotara ya zwa masheleni i kwameaho;
- (b) vhuṭanzi ha mashumele one zwi tshi kwama ikonomi, u swikelelea na u shumiswa ho teaho ha zwiko;

- (c) vhunzhi ha tshelede, arali i hone, yo wanalaho u bva kha muvhuso kana tshiñwe tshiko na huñwe u ðivhofha kha zwa masheleni ho ñetshedzwaho nga Zhendedzi; na
- (d) u ðibveledzisa nga mushumi ho fhelelaho na mbumbo ya Zhendedzi, hu tshi katelwa mishumo.
- (2) Muraðo wa Khorotshitumbe u tea u ñetshedza mivhigo ya kotara kha Komiti ya potofolio hu saathu fhira maðuvha a 20 a musu yo wanala arali Vhusimamilayo ha Vundu hu tshe ho awela, kana arali Vhusimamilayo ha Vundu vhu songo dzula, hu songo fhela maðuvha a 14 nga murahu ha u thoma u tevhela ha madzulo aho.
- (3) Nga nñda ha mbetshelo dza khethekanyoñhukhu (1), Muraðo wa Khorotshitumbe a nga, tshifhinga tshiñwe na tshiñwe, a nga humbela Bodo uri i mu ñetshedze, muvhigo wa tshifhinganyana zwi tshi kwama tshiimo tsha zwithu, mishumo, mashumele na vhuimo ha zwa masheleni kha Zhendedzi kana matavhi afhio na afhio a Zhendedzi kana zwi kwamaho mafhungo afhio na afhio o khetheaho o topolwaho nga Muraðo wa Khorotshitumbe, nahone muvhigo uyo u tea u ñetshedzwa Muraðo wa Khorotshitumbe hu saathu fhela maðuvha 14 nga murahu ha khumbelo iyo.

25. Milayo

Muraðo wa Khorotshitumbe a nga sika milayo zwi tshi kwama mafhungo e a randelwa hu tshi tevhedzwa Mulayo uyu kana zwi zwa ndeme kha u swikelela ndivho dza Mulayo uyu.

26. Vhurumelwa

- (1) Musi i tshi vhona zwo fanela u itela kushumele kwavhudi kha mishumo yaho, Bodo i nga, fhasi ha khethekanyo \uparrow hukhu (2), rumela maanda, mushumo kana ndivhanelo dzo bulwaho, \uparrow netshedzwaho kana u swikiswa nga Bodo hu tshi tevhedzwa Mulayo uyu –
- (a) mura \uparrow o;
 - (b) komiti ya Bodo yo bulwaho kha khethekanyo 13; kana
 - (c) Muofisiri Muhulwane wa Khorotshitumbe.
- (2) Bodo i nga si pfukisele maanda kha u –
- (a) tiwa ha Muofisiri Muhulwane wa Khorotshitumbe; kana
 - (b) dzudzanya maga a tshumelo dza Muofisiri Muhulwane wa Khorotshitumbe.
- (3) Vhurumelwa hu tshi tevhedzwa khethekanyo \uparrow hukhu (1) –
- (a) vhu nga fhasi ha maga ayo, phimo na sumbandila dzine Bodo ya nga dzi kombetshedza uri dzi tevhelwe; nahone
 - (b) vhu nga si khethekanye Bodo kha vhu \uparrow difhinduleli vhu kwamaho u shumisa maanda e ha hweswa kana u itwa ha mishumo ye ya pfukiselwa; nahone
 - (c) a vhu thivheli Bodo kha u shuma mishumo ye ya hweswa kana u ita mishumo ye ya rumelwa.

- (4) Muofisiri Muhulwane wa Khorotshitumbe a nga pfukisela maanḁa afhio na afhio kana mushumo wo rangwaho phanḁa nga Muofisiri Muhulwane wa Khorotshitumbe nga kana fhasi ha Mulayo uyu —
- (a) mushumi ufhio na ufhio wa Bodo a re na nḁivho yo teaho na tshenzhemo; kana
- (b) muthu ufhio na ufhio, nga murahu ha u kwamana na Bodo.
- (5) Muthu ufhio na ufhio ane o hweswa maanḁa kana ane o tendelwa uri a ite mushumo nga fhasi ha khethekanyo iyi u tea u hwala maanḁa ayo kana u ita mushumo uyo zwi nga fhasi ha milayo ye muthu o swikisaho vhurumelwa kana a nḁea thendelo a vhona zwo tea.
- (6) Vhurumelwa vhufhio na vhufhio ha maanḁa kana thendelo ya u ita mushumo hu tshi tevhedzwa khethekanyo iyi —
- (a) vhu tea u vha ho tou nḁwalwa;
- (b) a vhu thivheli muthu ufhio na ufhio we a swikisa vhurumelwa kana we a ḁo vhu tendela kha u dzhia maanḁa kana u ita mushumo waho; nahone
- (c) tshifhinga tshiḁwe na tshiḁwe zwi nga fhedza zwi tshi rulwa nga muthu uyo.
- (7) Zwiḁwe na zwiḁwe zwi itwaho hu tshi khou itwa kana u shumiwa ha maanḁa o rumelwaho, nḁivhanelo kana mushumo zwi dzhiiwa sa zwo itwaho nga Bodo kana nga Muofisiri Muhulwane wa Khorotshitumbe, sa zwine zwa nga itea.

27. U shumiswa ha dzina la Zhendedzi

A hu na muthu, khamphani, tshiimiswa tsha bindu/ bisimusi kana madzangano a vathu ane a nga isa phanda na bindu nga fhasi ha dzina li fanaho kana li tutshelanaho tshothe kana u imela ili la Zhendedzi la Mveledziso ya Ikonomi ya Limpopo.

28. Matavhi a Zhendedzi

- (1) Bodo i tea u, nga fhasi ha khethekanyo 6(1), hu na vhukwamani na Murafo wa Khorotshitumbe, tendela memorandamu wa u tanganela ha matavhi a dzikhamphani, phanda ha u tangedzwa na u redzhisitariwa nga Tshiimiswa tsha u Redzhisitara Dzikhamphani.
- (2) Bodo ya davhi la khamphani ya Zhendedzi, i hwala vhudifhinduleli ha Zhendedzi nahone i tea u hwala maanda ayo na mishumo yayo u ya nga ndaela dzo bviswaho nga Bodo hu tshi tevhedzwa Mulayo wa Ndangulo ya Masheleni a Muvhuso, 1999 na mulayo wa khamphani.

*Tshipida tsha III**U phumulwa ha Milayo na Nzudzanyo dza Pfukiselo***29. U phumulwa ha mulayo**

Mulayo wa Mveledziso ya Koporasi wa Limpopo, 1994 (Mulayo No. 5 wa 1994) afha u khou phumulwa.

30. Nzudzanyo dza pfukiselo

- (1) Zhendedzi ndi lone lo dzhenaho vhuimoni ha dzina la koporasi yo thomiwaho hu tshi tevhedzwa khethekanyo 2 ya Mulayo wa Mveledziso ya Koporasi ya Limpopo, 1994 (Mulayo No.5 wa 1994).
- (2) Nga nnda ha u phumulwa ha Mulayo wa Mveledziso ya Koporasi ya Limpopo, 1994 (Mulayo No.5 wa 1994), Bodo yo thoma hu tshi tevhedzwa Mulayo wa Mveledziso ya Koporasi wa Limpopo, 1994 u isa phanda na u shuma, u swika theme ya ofisi ya mirado vha Bodo i tshi swika magumoni kana Bodo ya fhaladzwa hu tshi tevhedzwa mbetshelo dza Mulayo uyu.
- (3) Pfanelo dzifhio na dzifhio, maanda kana mbuelo dze dza wanala nga kana u hweswa muthu ufhio na ufhio kana tshiimiswa hu tshi tevhedzwa mbetshelo dza Mulayo wa Mveledziso ya Koporasi ya Limpopo, 1994 (Mulayo No.5 wa 1994), zwi songo fhelelaho, swikelelwa kana u fhelelwa nga tshifhinga khathihi fhedzi musi duvha la u thoma u shuma li saathu swika, zwi dzhiwa sa pfanelo ya tshiofisi, maanda, mbuelo kana vhudifhinduleli ho hweswaho muthu uyo kana tshiimiswa hu tshi tevhedzwa mbetshelo ifhio na ifhio i vhambedzeaho ya Mulayo uyu, u bva duvha le pfanelo, maanda, mbuelo kana vhudifhinduleli ha thoma u vha hone.
- (4) Tsheo ya Bodo hu tshi tevhedzwa mbetshelo ifhio na ifhio ya Mulayo wa Mveledziso ya Koporasi wa Limpopo, 1994 we wa vha u tshi khou shuma khathihi fhedzi musi datumu ya Mulayo uyu i saathu thoma u shuma, yo isa phanda na u shuma nga fhasi ha mbetshelo dza Mulayo uyu.

- (5) Murado wa tshifafu we a tiwa nga fhasi ha Mulayo wa Mveledziso ya Koporasi wa Limpopo, 1994 u khou isa phanda na u shuma hu tshi tevhedzwa Mulayo uyu.

31. Dzina Lɪpfufhi na u thoma u shuma

- (1) Mulayo uyu u vhidzwa upfi Mulayo wa Zhendedzi la Mveledziso ya zwa Ikonomi wa Limpopo, 2016 nahone u khou thoma u shuma nga diuvha lo dzudzanywaho nga Mulangavundu fhasi ha nqivhadzo ya muvhuso i re kha *Gazethe*.
- (2) Datumu dzo fhambanaho dzi nga di vhewa ho sedzwa mbetshelo dzo fhambanaho dza Mulayo uyu.

**MMUŠO WA PROFENSE YA LIMPOPO
OFISI YA TONAKGOLO****GO THOMA GA MOLAO WA ETŠENTSHI YA TLHABOLLO YA IKONOMI YA
LIMPOPO, 2016 (MOLAO NO.5 WA 2016)**

Nna, Chupu Stanley Mathabatha, ke phetha gore go ya ka karolo 31 ya Molao wa Etšentshi ya Tlhabollo ya Ikonomi ya Limpopo, 2016 (Molao No. 5 wa 2016), 2 October 2017 e tšewe bjalo ka letšatšikgwedi leo Molao wo go boletšwego ka ona o tla thomago go šoma.

**CHUPU STANLEY MATHABATHA
TONAKGOLO: LIMPOPO**

LETŠATŠIKGWEDI:

MOLAO

Go dira gore go hlongwe Etšentshi ya Tlhabollo ya Ikonomi ya Limpopo le Boto ya Etšentshi; go hloma maikemišetšo a Etšentshi le go fa Boto maatla le mešomo, le go hloma ditaba tše di amanago le tšeo.

O TLA BEWA BJALO KA MOLAO ke Lekgotlatheramelao la Profense ya Limpopo ka mo go latelago:–

PEAKANYO YA DIKAROLO

Kgaolo I

Ditlhaloso, Merero le Go hlongwa

1. Ditlhaloso
2. Merero wa Molao
3. Go hlongwa ga Etšentshi

Kgaolo II

Boto, Molaodimogolphethiši, Bašomedi le go Thekga Etšentshi ka Mašeleng

4. Mereo ya Etšentshi
5. Boto ya Etšentshi
6. Maatla le mešomo ya Boto
7. Go thwalwa ga maloko a Boto
8. Nako ya go šoma ka ofising
9. Go tlogela mošomo le go tlošwa ofising
10. Dikgoba tša Mešomo
11. Ditefelo le di putseletšo
12. Dikopano
13. Dikomiti
14. Go thwalwa ga ditsebi

15. Go fediša Boto le Boto ya nakwana
16. Tshepedišo ya melao le go iša ditaba go Molekgotlaphethiši
17. Go tšweletša dikgahlego
18. *Molaodimogolophethiši,*
19. Go tlošwa ga *Molaodimogolophethiši,*
20. Bašomedi ba Etšentshi
21. Go thekga Etšentshi ka mašelang
22. Matlotlo a Etšensthi
23. Gi hwetša dithoto ka Etšentshi
24. Dipego tša Etšentshi
25. Melawana
26. Kemedi
27. Go šomiša leina le Etšentshi
28. Tlaleletšo ya Etšentshi

Kgaolo III

Go khantshela Melao le Ditokišetšo tša Lebakanyana

29. Go khantshela molao
30. Ditokišetšo tša lebakanyana
31. Thaetlele ye kopana le go thongwa

Kgaolo I

Ditlhaloso, Melao le go Thongwa

1. Ditlhaloso

Ka mo gare ga Molao wo, ka ntle le ge ditaba tša ka mogare di e laetša ka mokgwa wo mongwe—

"**Etšentshi**" e ra gore Etšentshi ya Tlhabollo ya Ikonomi ya Limpopo go ya ka karolo3;

"**Boto**" e ra gore Boto ya Etšentshi ya Tlhabollo ya Ikonomi ya Limpopo e thpmilwe go ya ka karolo 5;

"**Modulasetulo**" e ra gore Modulasetulo wa Boto yo a thwetšwego go ya ka karolo 7(5);

"**Molaodimogolophethiši**," e ragore *Molaodimogolophethiši*, yo a thwetšwe go ya ka karolo 18;

"**komiti**" e ra gore komiti ya Boto e thomilwego go ya ka karolo 13;

"**Kgoro**" e ra gore Kgoro yeo e rwelego maikarabelo a tlhabollo ya ikonomi profenseng;

"**Khansele ya Khuduthamaga**" e ra gore Khansele ya Khuduthamaga ya profense ye go boletšwego ka yona go karolo 132 ya Molaotheo wa Rephabliki ya Afrika Borwa, 1996;

"**Khantshela ya Khuduthamagal**" e ra gore Khanthsele ya Khuduthamaga ya profense ye go boletšwego ka yona go karolo 132 ya Molaotheo wa Rephabliki ya Afrika Borwa., 1996;

"**Molekgotlaphethiši**" e ra gore Molekgotlaphethiši yoo a rwelego maikarabelo a tlhabollo ya ikonomi profenseng ;

"**leloko**" e ra gore leloko la Boto le le thwetšwego go ya ka karolo 7;

"**setho sa mmušo**" e ra gore setho sa mmušo bjalo ka ge go hlalositšwe ka go karolo 239 ya Molaotheo wa Riphapoliki ya Afrika Borwa, 1996;

"**beakanyetša**" e ra gore dipeelano;

"**Molao wa Taolo ya Matlotlo a Setšhaba, 1999** , e ra gore Molao wa Taolo ya Matlotlo a Setšhaba, 1999 (Nomoro ya Molao 1 wa 1999);

“**bašomedi ba ba golo**” e ra gore balaodi bagolo bao ba lego ka tlase ga *Molaodimogolophethiši*, thwii; le

“**Molao wo**” o tsenyeletša dipeelano tšeo di dirilwego goba di beilwego go ya ka Malo wo.

2. **Morero wa Molao**

Morero wa Molao wo ke go hloma etšentshi ya tlhabollo ya ikonomi ya profense.

3. **Go hlongwa ga Etšentshi**

(1) Etšentshi ya Tlhabollo ya Ikonomi ya Limpopo e a hlongwa bjale ka sehlongwa sa toka.

(2) Etšentshi e na le —

- (a) Boto ye e beilwego go ya ka karolo 5;
- (b) *Molaodimogolophethiši*; le
- (c) bašomedi ba Etšentshi.

Kgaolo II

Boto, Molaodimogolophethiši, Bašomedi le go Thekga Etšentshi ka mašelang

4. **Maikemišetšo a Etšentshi**

(1) Maikemišetšo a Etšentshi ke go —

- (a) potlakiša tlhabollo ya go tliša phetogo intastering ya profense le go oketša gore ikonomi ya profense e be le go kgona go phalaphadišana mafelong a go swana le temo, kgwebo, mengwako, intasteteri, mmaene, tlhahlo, boeti, dinamelwa tša bohle le mešomo le dikgwebo tše dingwe;

- (b) kghethwe mekgwa ya go tsenda ka bogare ya nako ye kopana, ya magareng le ya nako ye telele go re go kgonwe go potlakiša tlhabolo ya ikonomi le ya intasteri le go hlola mešomo;
 - (c) tsenyatirišong diprotšeke tše bohlokwa ka mokwa wa maleba le go tsenelelana ka go šoma mmogo le ba badirišane ba bohlokwa;
 - (d) thekga tlhabollo ya disektara tše itšego tša ikonomi tše di sepelelanago le dipholosi tše dihlonngwego tša ikonomi le intasteri tša profense;
 - (e) tliša boetapele ka go thibela, diprotšeke tša tlhabollo ya ikonomi tša go šoma ka nako ye itšego, tše di sa sepelelanego le pholisi ya profense;
 - (f) oketša tšhomišanommogo le diikonomi tše di šomago ka ntle ga profense;
 - (g) beakanya tikologo ya tšweletšo ya Intasteri mafelo ao a sego a hlabologa a sepelelane le diikonomi tše di tšwetšego pele;
 - (h) kaonafatša ka mokgwa woo profense e šomšago ka gona ka tša diromelwa-ntle le go goga peeletšo ya ka mo nageng le ya dinaga tša ka ntle; le
 - (i) oketša nomoro ya disekhara tša ikonomi tše di kgonago go ka tšweletša ditšweletšwa le ditirelo tša boleng bja godimo.
- (2) Ka go fihlelela di maikemišetšo a yona, Etšentshi e swanetše e leke go oketša ka mokgwa wa go tšwetšašpele mokgwa wa yona wa go tšweletša tšhelete le go e kgoboketša .

5. Boto ya Etšentshi

- (1) Molekgotlaphethiši o swanetše a hlome Boto ya Etšentshi ya Tlhabollo ya Ikonomi ya Limpopo yeo e na lego balodi ba khuduthamaga le bao e sego ba khuduthamaga, bao e lego gore Boto e swanetše e re ngwaga le ngwaga e be le tumelano le Molekgotlaphethiši, yeo e hlalosago —

- (a) ka moo Boto e tlogo dira mešomo ya yona;
 - (b) ka moo Boto e tlo tsenya pholising tirišong; le
 - (c) taba e fe goba e fe ye bohlokwa go fihlelela morero wa Molao wo.
- (2) Boto e rwele maikarabelo a go šomiša maatla le go dira mediro ya Etšentshi e bile ke yona e rwalago maikarabelo a ya Etšentshi bjale ka ge go lebeletšwe ka go karolo 49(2) (a) ya Molao wa Taolo ya Matlotlo a Setšhaba, 1999.
- (3) Boto e swanetše e be le maloko ao a sego ka tlase ga a senyane le ao a sego ka godimo ga lesometee, e be le —
- (a) Moetalepele wa Kgoro goba mošomedi o fe goba o fe wa Kgoro yo a kgethilwego ke Moetapele wa Kgoro, bjalo ka leloko la maemo a itšego, eupša le sena maatla a go kgetha;
 - (b) Maloko a mararo a khuduthamaga tša Etšentshi gobe le *Molaodimogolphethiši*, Molaodimogolo wa Ditšhelete le Molaodimogolo wa Tshepedišo;
 - (c) motho yoo a na lego maswanedi e bile a a mogetšwego go šoma bjalo ka mošomedi wa semolao mo Rephapliking e bile a na le nako ye e kabago mengwaga ye mehlano a hweditše maswanedi ao, a šomilego bjalo ka mošomedi wa semolao goba a šomilego mešomo ya go sepelelana le go šoma ka ditaba tša go sepelelana le molao;
 - (d) motho yoo a nalego maswanedi a go ba Ramatlotlo Mogolo go ya ka Tlhamo ya Ditshwanelo tša Thuto tša e bile a šomile mengwaga ye mehlano ka morago ga ge a hweditše maswanedi a go ba ramatlotlo mogolo;
 - (e) motho yo a na lego maswanedi a postgraduate ka ikononi goba mahlale a tša taolo; le

(e) batho ba bangwe bana lego tsebo ye bohlokwa, bokgoni goba boitemogelo ka ga diprotšeke tša tlhabollo ya ikonomi.

(4) Leloko la Boto le swanetše le be—

(a) motho wa maleba wa go itekanela go šoma ka ofising;

(b) moemedi wa setšhaba sa profense ka bophara; le

(c) modudi wa Afrika Borwa yo a dulago mo Rephapholiking.

6. Maatla le mešomo ya Boto

(1) Boto e swanetše e šomiše maatla a yona le go šoma mešomo ya yona ka mošito o tee le Molao wa Taolo ya Matlotlo a Setšhaba, 1999, Molao wa Maatla a go Adimiša wa Mebušo ya Diprofense, 1996 (Nomoro ya Molao 48 ya 1996) le Molao wa Dikhamphani, 2008 (Nomoro ya Molao 71 ya 2008) go ya le ka mo o šomišwago go khamphani tša mmušo.

(2) Molekgotlaphethiši a ka re go ya ka karolo ya Molao wa Taolo ya Matlotlo, 1999 ka go šomišana le Khansele ya Khuduthamaga, a fa tumelelo ya hloma dikhamphani tša tlaleletšo ya Etšentshi, ge go nyakega gore e šome ka bokgwari le go tšweletša maikemišetšo a Etšentshi. Tumelelo ya Molekgotlaphethiši e swantše e be le melao le dipeelano tša go hlongwa dikhamphani tša tlaleletšo.

(3) Boto e swantše e fe ditlamorago tša tumelelo go ya ka karolwana (2) le go latela melawana le dipeelano tšeo di beilwego ke Molekgotlaphethiši go hlongweng ga dikhamphani tša tlaleletšo.

(4) Boto e ka, go ya ka karolwana (1) —

- (a) Thoma, godiša, logamaano, thekga ka tšhelete, beakanya, laola, dira mošomo ofe goba ofe, kgwebo goba mošomo, hwetša mošomo wo bjalo le go rekiša goba go lahla modiro o bjalo, kgwebo goba protšeke;
- (b) Thuša gore go be le go thongwa ga go šoma mmogo gomme ka go šomišana le Molekgotlaphethiši, kgwebišano ya setšhaba goba ya phoraefete,
- (c) godiša le go laola thoto dithoto tša go se šuthišege dithoto tše di sa šuthego tša Etšentshi le go hwetša, swara, kaonafatša, hirisha, rekiša, fetišetša, aba, gafela, goba mohlomongwe palediša goba hlokomologa dithoto tsa go se šuthe yeo e lego ka tlase ga taolo ya Etšentshi;
- (d) Kgoboketša mašeleng go ya ka kakanyo ye e tseneletšego ye e ngwadilwego ye e amogetšwego, tšeo di ngwadilwego ke Molekgotlaphethiši;
- (e) go be le go laola dikhamphani tša Etšentshi le go netefatša gore dikhamphani di latela melao ya Molao wa Taolo ya Matlotlo a Setšhaba, 1999, Moalo wa Dikhamphani, 2008 (Nomoro ya Molao.71 wa 2008) le melao ye mengwe ye bohlokwa; le
- (f) go ya ka karolo 23 ya Molao, hwetša, hiriša, rekiša, burden or alienate any thoto e fe gob e fe, diphahla goba ditirelo; ge fela Molekgotlaphethiši a amogela maikemišetšo a go hwetša goba go lahla dithoto tša go se šuthe le gore go hwetša le go lahla go dirwa go ya le ka mealo yeo e sepelelnago le tšeo.

- (5) Boto e swanetše e re, ka tšhomišano le Kgoro e godiše le go rekiša Profense bjalo ka lefelo la gobeletša mašeleng la makgonthe le go oketša le go swarelela dipeeletšo ka mo Profenseng.
- (6) Boto e swanetše e hlame le go hlokomela tirelo ya tshedimošo ya mmakgonthe le sebolokela dintlha malebana le kgonagalo ya kgwebo goba kgwebo yeo e lego gona, intasteri, thekišong, kgwebo le dibaka tše dingwe tša go beeletša.

7. Go thwala ga maloko a Boto

- (1) Molekgotlaphethiši o swanetše a phatlalatše tsebišo go kuranta tše pedi tše di balwago mo profenseng, a laletša mangwalo a dikgopelo go tšwa go batho bohle bao ba latelago dinyakwa tše dilego ka go karolo 5.
- (2) Modirakgopelo o swanetše a re, ge a dirakgopelo ya tsebišo go ya ka karolwana (1) tliša lenanego-phelo ya go tlala e na le go —
 - (a) dikhophi tša go nnete tša di ditshwanelo tša thuto; le
 - (b) mangwalo ao a laetšago tsebo le tše di tla thušago go fihlelela morero wa Etšentshi.
- (3) Ba dira dikgopelo bao ba kgethilwego ba swanetše ba tsinkelwe pele ba thwalwa.
- (4) Molekgotlaphethiši o swanetše a re, go dikgopelo tše di dirilwego le ka morago ga go boledišana le Khansele ya Khuduthamaga, a thwale leloko la Boto.
- (5) Molekgotlaphethiši o swanetše a re, ka morago ga go boledišana le Khansele ya Khuduthamaga, a kgethe go tšwa go maloko ao a nalego maatla a go kgetha, Modulasetulo le Motlatšamodulasetulo ba Boto.
- (6) Motho a ka se thwalwe gore a dule e le leloko ge motho yoo —

- (a) a na le goba a hweditše kgahlego thwii goba ka mokgwa wo mongwe go se sengwe le sengwe sa dikgwebo goba kgwebo, yeo e ka tlišago thulano go dikgahlego ya leloko go ya le boitshwaro bja gagwe bja seprofešinale bjalo ka leloko;
 - (b) na le leloko la wa lapa, modirišani goba mogwera yo a analego kgahlego thwii goba ka mokgwa wo mongwe go dikgwebo goba kgwebo yeo e ka tlišago thulano go kgahlego ya leloko go ya le boitshwaro bja gagwe bja seprofešinale bjalo ka leloko;
 - (c) motho wa dikoloto tše dimopalelago,
 - (d) ke goba a ba Leloko la Ngwako wa Bosetšhaba goba Khantshele ya Bosetšhaba ya diprofense, Lekgotlatheramelao le fe goba le fe, Ngwako wa Baetapele ba Setšo goba mmušo wa selegae goba o laeditšwe go karolo 5 (3) (a), mošomedi wa go ya go ile wa mmušo, ntle le Etšentshi;
 - (e) o kile a, goba o tlošedišitšwe mošomong maitshwaro a mabe;
 - (f) o bonwa goba a se a felele monaganong ke kgorotsheko ya go tseba mošomo;
 - (g) o ile a swarwa neng kapa neng ka lebaka la go setshephagale;
 - (h) o ile aba le kgahlego tabeng yeo e lego pele ga Boto yeo e ka paledišago motho yoo go dira mešomo ya gagwe ka botshephegi le go se tšee mahlakore bjalo ka leloko; goba
 - (i) go ya ka Molao wa Dikhamphani 2008 (Nomoro ya Molao.71 wa 2008), o ganetšwa go ba molaodi wa khamphani.
- (7) Ge leloko le ganetšwa go ya ka karolwana (6), leloko leo le swanetše, a ngwale ka yona nako yeo, a laetše kganetšo yeo go Molekgotlaphethiši le Boto.

- (8) Molekgotlaphethiši o swanetše, pele go feta matsatši a 30 go thwetše leloko, a phatlalatše leina, letšatšikgwedi le nakoya go thwalwa ga leloko leo, ka tsebišo go kuranta ya mmušo.

8. Nako ya go šoma

- (1) Leloko le thwalwa nako yeo e sa fetego mengwag ye mehlano.
- (2) Molekgotlaphethiši a ka, go ya ka go šoma ga go tšwelelela ya go tšwelelela, gape le go tumelelo ya Khansele ya Khuduthamaga, oketša nako ya go šoma ya leleloko eupša yeo e sa fetego mengwaga ye mehlano.

9. Go tlogela mošomo goba go rakwa mošomong

- (1) Leloko le ka tlogela mošomo ka go fa Molekgotlaphethiši –
- (a) tsebišo ya lengwalo ya dikgwedi tše pedi; goba
 - (b) tsebišo ya lengwalo ye e lego ka tlase ga dikgwedi tše pedi, le tumelelo ya Molekgotlaphethiši.
- (2) Molekgotlaphethiši o swanetše a tsebiše Khansele ya Khuduthamaga moo e lego gore leloko le rakwa mošong goba le tlogela mošomo.
- (3) Molekgotlaphethiši a ka fediša mošomo wa leloko ge leloko leo le –
- (a) itshwara ka mokgwa wo e sego wa maleba e bile e sego wa boprofešinale;
 - (b) ga se a itekanela go šoma mešomo ya gagwe;
 - (c) ga a latele tšeo di lego ka go Molao wo;
 - (d) ga a kgone go šoma mešomo ya gagwe ka lebaka la go se itekanele ga kgopolo goba mmele;
 - (e) ga se a be gona dikopanong tše pedi tša go latelana tša Boto ntle le tumelelo ya Boto;

- (f) o palelwa ke go latela tšeo di lego go Molao wo goba Molao wa Taolo ya Matlotlo, 1999; goba
 - (g) o ganeditšwe go ya ka karolo 7(6).
- (4) Molekgotlaphethiši a ka se rake leloko mošomong go ya ka karolwana (3), ntle le ge Molekgotlaphethiši a file leloko sebaka sa go ipobola le go lebeledišiša taba yeo, go akaretšwa ditlhaloso le magato ao a tšerwego le bohlatse bjo bo filwego ke leloko leo , gomme Molekgotlaphethiši a kgotsotetse gore go fediša mošomo keg a maleba seeming seo.
- (5) Molekgotlaphethiši a ka fega leloko mošomong ge a sa dira dinaykišišo kgahlanong le leloko leo.

10. Dikgoba tša mešomo

- (1) Ofisi ya leloko e bulega sekgoba sa mošomo ge –
- (a) a ka hlokofala;
 - (b) lengwalo la gagwe la go itokolla mošomong le fihlile go Molekgotlaphethiši go ya ka karolo 9(1) le thoma go šoma;
 - (c) a rakwa mošomong go ya ka karolo 9(3).
- (2) Sekgoba sa mošomo mo go Boto se swanetše se thibjwe go ya ka karolo 7 ka go thwala leloko le lengwe ka pela ka moo go ka kgonegago ka morago ga gore sekgoba se bulege, gomme leloko leo le thwetšwego le dula ofising nako yeo e sego ya fela ya leloko leo le bego le le pele ga gagwe.

11. Meputso le diputseletšo

- (1) Molekgotlaphethiši o swanetše a beye meputso le diputseletšo tšeo di lefelwago leloko go sepelelana le Manego Tlhahlo a Matlotlo a Bosetšhaba.
- (2) Leloko leo le thwetšwego ke mmušo ga se la swanelwa ke moputso goba putseletšo.
- (3) Meputso le diputseletšo tšeo di beilwego go ya ka karolwana (1), di swanetše di be—
 - (a) go ya le ka ditlwaedi tša matlotlo go ya ka Molao wa Taolo ya Matlotlo, 1999 le
 - (b) lefa ka ditšhelete tšeo di lekanyeditwego ke Lekgotlatheramelao la Profense ya Limpopo go dira mošomo woo.

12. Dikopano

- (1) Khoramo ya kopano ya Boto e swanetše go ba le palomoka ya diphesente tše 51 ya maloko ao a thwetšwego.
- (2) Sephetho seo go kwanetšwego ke bontši bja maloko ao a hlaotšwego go kgetha mo dikopanong tša Boto, ao a le gona kopanong efe goba efe ya Boto, a thea sephetho sa Boto.

Kgabagareng ya ge diboutu di lekana, Modulasetulo o na le boutu ya go tlaleletša boutu ya go ba leloko ga Modulasetulo.

Nako le nako ge Modulasetulo a se gona kopanong, maatla, ditokelo le mešomo ya Modulasetulo e swanetšwe go dirwa ke Motlatšamodulasetulo, gomme ge bobedi bja bona, Modulasetulo le Motlatšamodulasetulo ba se gona, leloko leo le lebagantšwego le modiro woo gare ga palo ya maloko ao ke Boto: Ntle le ge kantoro ya Modulasetulo e e na le sekgoba goba Modulasetulo a gana goba a

palelwa ke go dira seo, Motlatšamodulasetulo o swanetše go phethagatša maatla ao, ditokelo le mešomo ya Modulasetulo go fihlela Modulasetulo o moswa a neelwa modiro woo go ya ka karolo 7(5).

(5) Nako le nako ge taba e nyaka go elwa tlhoko ka bjako ke Boto gomme go sa kgonege gore Boto e kopane ka nako yeo, Modulasetulo o swanetše gore leloko le lengwe le le lengwe -

(i) le humane tshedimošo ya maleba le ditokumente tša go lebagana le taba yeo le semetseng;

(ii) a rekhote sepheto sa leloko leo mabapi le taba yeo le go romela rekhoto go Modulasetulo.

(b) Sephetho ka bontši bja maloko go taba yeo ke sephetho sa Boto, gomme se swanetšwe go -

(i) kgonthišwa ke Boto ka kopano ye e latelago; le

(ii) go rekhotwa ka gare ga metsotso.

(6) Boto e swanetše go hlola rekhoto ya ditshepedišo ya dikopano gore Molekgotlaphethiši ge a di nyaka ka nako ye ye nngwe le ye nngwe ye e kwišišagalago, a neelwe tšona go di lebelediša.

13. Dikomiti

(1) Boto e ka hloma dikomiti gore di thuše Boto go phethagatša maatla le mešomo ya ya wona go ya ka Molao wo le go ka fediša, oketša, katološa goba go fokotša komiti ye e šetšego e hlomilwe.

(2) Boto e swanetše go -

akanya maatla le mešomo ya komiti;

(b) akanye mokgwa wa tshepedišo ya komiti, go akaretša -

- (i) khoramo ya kopano ya komiti;
 - (ii) mokgwa woo komiti o tšeago sepheto ka gona;
- lebaganya maloko ao a nago le ditshwanelo goba maitemogelo malebana le mešomo ya komiti; le
- (d) lebaganya leloko leo le šomelago komiti bjalo ka Modulasetulo wa komiti yeo.

Boto e ka hloma komiti ya maatla a go kgetha batho ba bangwe go thuša komiti go dira mešomo ya wona go ya ka Molao wo.

Leloko leo le kgethilwego le šoma go eletša gomme ga le a swanela go bouta go kopano ye nngwe le ye nngwe ya komiti yeo.

14. Go thwalwa ga ditsebi

Boto e ka re nako le nako ge e bona go swanela, ya thwala setsebi go thuša Boto goba komiti go dira mešomo ya wona.

15. Go fedišwa ga Boto goba Boto ya nakwana

- (1) Molekgotlaphethišo a ka re morago ga dinyakišišo-

- (c) fao Boto e paletšwego ke go dira mešomo ya wona go ya ka Molao wo; goba

- (d) ka mabaka a go kwagala

fediša Boto ka mabaka ao le dipeelano ka fao Molekgotlaphethiši a ka akanyago ka gona.

- (2) Molekgotlaphethiši o swanetše gore pele matsatši a 21 a fela, a mošomo a go fediša Boto, a thwale Boto ya nakwana go lebaka leo le akantšwego ke Molekgotlaphethiši ka therišano le Khansele ya Bolekgotlaphethiši, ntle le go latela tshepedišo ye e beakantšwego ka go karolo 7.
- (3) Boto ya nakwana e swanetše go ba le maloko a hlano ao a nago le ditshwanelo tša maleba le maitemogelo ka fao go laeditšego ka go karolo 3(5).
- (4) Molekgotlaphethiši o swanetše gore a re gare ga maloko a Boto ya nakwana, a thwale modulasetulo le motlatšamodulasetulo wa Boto ya nakwana.
- (5) Khoramo ya kopano ya Boto ya nakwana ke maloko a mararo.
- (6) Boto ya nakwana e na le maatla le mešomo ya Boto ka ge e beakantšwe ka gare ga Molao wo.

16. Ditaelo le thomelo ya ditaba go Molekgotlaphethiši

- (1) Molekgotlaphethiši a ka fa Boto ditaelo malebana le go šomiša ga maatla le mešomo ya Boto ka go karolo 6.
- (2) Molekgotlaphethiši a ka kgopela Boto go iša taba ye nngwe le ye nngwe mabapi le merero ya Etšentshi goba dithuši tša Etšentshi go Molekgotlaphethiši goba Boto ka bo yona ya iša taba go Molekgotlaphethiši go e lebeledišiša le go e tšeela sephetho.
- (3) Sephetho goba peelano ye e dirilwego go ya ka karolwana (2), ga se ya swanelwa go gomišwa goba go phošollwa ke Boto ntle le tumelelo ya go ngwalwa ke Molekgotlaphethiši.

17. Go tšweletša dikgahlego

- (1) Leloko la Etšentshi ga le a swanela go -
- ikamanya le mediro yeo e tla išago seriti sa Etšentshi fase;
- (b) go tšenela, go tšea karolo goba go ba le khuetšo go ditshepedišo ka nako ya kopano ya Etšentshi ge e le gore taba yeo e sekasekwago pele ga Boto, leloko leo le na le kgahlego -
- (i) e sekasekilwe ka go karolo 7(6)(a) le (b); goba
- (iii) ye la pele e dirago gore mešomo ya gagwe bjalo ka leloko la Boto e se tšee mahlakore le ka tsela ye e nepagetšego.
- (c) go bouta kopanong ya Boto malebana le taba efe goba efe yeo e sekasekilwego ka go temana (b); goba
- (d) go itšhomišetša ka bowena, goba go holega go tšwa go, goba tshedimošo ye nngwe le ye nngwe ya sephiri ye e humanwego ka lebaka la ge go dirwa mešomo bjalo ka leloko la Boto.
- (2) Ge, ka nako efe goba efe, go tšwelela go leloko la Boto, e ka ba thwii goba go sa hlakago gore taba ye e le go pele ga Boto e ama ditšhelete goba kgahlego efe goba efe ya leloko leo, leloko le swanetše -
- (c) semetseng le go tšweletša ka botlalo mokgwa wa kgahlego yeo go kopano ya Boto; le
- (b) go ikogela morago ka go tšwela pele go ba karolo ya kopano malebana le taba yeo.
- (3) Pego ka leloko le tšweletša kgahlego go ya ka karolwana (2), e swanetše e rekhotwe ka gare ga metsotso ya kopano.
- (4) Ge leloko le ntšhwa go ya ka karolo 7(6)(a) le (b), Molekgotlaphethiši o swanetšwe ke go fediša thwalo ya leloko leo le semeetseng.

18. Molaodimogolophethiši

- (1) Boto e swanetše, ka tumelelano le Molekgotlaphethiši -
 - (a) laletša, ka go kwalakwatša ka gare ga fela dikuranta tše pedi, dikgopelo tša sekgoba sa Molaodimogolophethiši;
 - (b) thwala Molaodimogolophethiši go lebaka la go ya go ile ka konteraka ya go laolwa ke ka fao a šomago ka gona.
- (2) Molaodimogolophethiši o swanetše go ba motho wa kgonthe ka mangwalo a dithuto le maitemogelo a maleba
- (3) Boto e swanetše gore e dire gore mohlahlobjwa a nyakišišwe semmušo pele a thwalwa.
- (4) Boto e ka oketša thwalo ya Molaodimogolophethiši go tlaletša lebaka la thwalo go ya ka tekolo ya tšhomo ya go atlega go se fete mengwaga ye mehlano.
- (5) Molaodimogolophethiši ke mošomedi wa Etšentshi gomme o -
 - (a) rwala maikarabelo a Boto.
 - (b) a hlokomele go šoma gabotse ga taolo ya Etšentshi le go dira mešomo ye Boto e e laelago Molaodimogolophethiši wa Boto; le
 - (c) leloko la Boto ka lebaka la maemo a itšego, la go se be le maatla a go bouta.
- (6) Konteraka ya mošomo wa Molaodimogolophethiši e swanetše go ba ye e ngwadilwego le go tsenywa ka gare ga fomo ya maleba ya dipeelano tša karolo

57 ya Molao wa Taolo ya Ditšhelete tša Setšhaba, 1999 gomme bjalo ka maemo ya minimamo e be le -

mafelo a dipoelo a motheo a tšhomo;

- (b) ditirišo tša taolo ya ditšhelete
- (c) lenaneotlhahlo la tšhomo; le
- (d) ditlabelo tša maleba tša go kala tšhomo.

(7) Boto e swanetše go lekola kwano ya tšhomo ya Molaodimogolophethiši ngwaga ka ngwaga, ka kgwedi e tee ya go thoma ga ngwaga wo mongwe le wo mongwe wa ditšhelete.

(8) Kwano ya tšhomo ye e phethilwego go ya ka karolwana (7) e swanetše e akaretše -

maikemišetšo a tšhomo ao a ka kalwago le dithakete tša go laetša lebaka la nako.

- (b) maemo le mekgwa ya go akanyetša tšhomo le paka ya kelo; le ditlamorago tša tšhomo ya maemo ya fase.

(9) Nako le nako ge sekgoba sa Molaodimogolophethiši se bulegeile, Boto e swanetše go romela leloko la semmušo la Etšentshi go šoma lebakanyana bjalo ka Molaodimogolophethiši wa Etšentshi, go lebaka la go se fete dikgwedi tše tshela.

(10) Molaodimogolophethiši ga a swanela go šoma mošomo wo mongwe le wo mongwe wa go nyaka tefelo ntle le kwano ye e ngwadilwego ke Boto.

(11) Molaodimogolophethiši a ka re ka tsebišo ya go ngwalwa ya dikgwedi tše tharo, goba ka lebaka le le kopana, e le ge go kwanwe le Boto, a itokolla go tšwa ofising.

19. Go tlošwa ga Molaodimogolophethiši

- (1) Boto e ka tloša Moalodimogolophethiši go ofisi ka mabaka -
- (a) go se obamele kwano ya tšhomo ye e tsenetšwego le Boto go ya ka karolo 18;
 - (b) go se itshware gabotse; goba
go se obamele Molao wo, Molao wa Taolo ya Ditšhelete tša Setšhaba, 1999 goba maitshwaro a mangwe a go ba kgahlanong le molao.
- (2) Boto e ka fediša thwalo ya Molaodimogolophethiši go ya ka karolwana (1), ntle le ge Boto e file Molaodimogolophethiši wa Ofisi monyetla wa go ipobola taba ya gagwe le go lebeledišiša taba, go akaretša mabaka ao a bontšhitšwego goba dihlalošo goba bohlatse bjo bo filwego ke Molaodimogolophethiši, le Boto e kgotsofetše gore phedišo yeo e tloga e filwe toka go mabaka ao.
- (3) Boto e ka fega Molaodimogolophethiši go ofisi ba dutše ba dira dinyakišišo goba potšolotšo kgahlanong le Molaodimogolophethiši.

20. Bašomedi ba Etšentshi

- (1) Molaodimogolophethiši, ka kwano le Boto o swanetše go -
- (a) hloma tlhamo ya bašomedi ba Etšentshi; le
 - (b) go akanya mabaka le dipeelano tša mošomo wa bašomedi.
- (2) Moalodimogolophethiši o swanetše go thwala bašomedi go thuša Etšentshi go dira mešomo ya wona: ntle le ge bašomedi ba bagolo ba Etšentshi ba swanetše go thwalwa ka kwano ya Boto.
- (3) Boto e swanetše go ya ka Lenaneotlhaolo la Matlotlo a Bosetšhaba, e akanye dilebele tša meputso ya bašomedi.

21. Tefelo ya Etšentshi

Etšentshi e lefelwa ka ditšhelete

- (a) tše di lekaneditšwego ke Lekgotlatheamelao la Profense go phethagatša maatla le tšhomo ya mešomo ya Etšentshi; le
- (b) go okeletša Etšentshi go tšwa go methopo yeo e dumeletšwego ke Molekgotlaphethiši ka kwano le leloko la Khuduthamaga ye e lebaganego le ditaba tša ditšhelete ka mo profenseng, go šeditšwe Molao wa Taolo ya Ditšhelete ya Setšhaba, 1999.

22. Matlotlo a Etšentshi

- (1) Ka nepo ya go fihlelela maikemišetšo, go phethagatša maatla a yona le go dira mešomo, Etšentshi e swanetše go šomiša matlotlo -

ditefelo le ditšhelete tše dingwe tše di amogetšwego goba di kgobokeditšwego ke Etšentshi go ya ka Molao wo goba molao ofe goba ofe;

- (b) dikotlo, difaene le mašokotšo go tšwa go dithekišo tša dilo tše khamphani e lahlegetšwego,...amogetšwego goba di bušitšwe morago gomme di abetšwego Etšentshi go ya ka Molao wo goba molao wo mongwe le wo mongwe;
- (c) ditšhelete tše di ka lekanyetšwa ke Lekgotlatheramelao la Profense ya Limpopo go šomiša maatla le go phethagatša mešomo ye e reretšwego goba laetšwego Etšentshi go ya ka Molao wo goba molao wo mongwe le wo mongwe;
- (d) dimpho, dithušo le lefa la go šielwa le di amogetšwego ke Etšentshi go tšwa go setšhaba: go ya le ge Boto e amogela dimpho tša dipeelano, dithušo goba lefa la go šielwa ka morago ga go amogela kwano ye e ngwadilwego ke Molekgotlaphethiši; goba

- (e) tšhelete ye nngwe le ye nngwe ye e ka oketšegago goba ya lekanyetšwa ke Boto, goba ka taolo go tšwa go mothopo wo mongwe le wo mongwe.
- (2) Boto e swanetše go ya ka karolo 7 ya Molao wa Taolo ya Ditšhelete tša Setšaba, 1999, e bule le go tšwela pele le panka ye e retšisetarilwego ka mo Afrika Borwa go ya ka Molao wa Dipanka, 1990 (Molao N0.94 wa 1990), akhaonte ye e tsebjago ka akhaonte ya Etšentshi ya Tlhabollo ya Ikonomi ya Limpopo, ka fao ditšhelete ka moka tše di amogetšwego ke Etšentshi di swanetšwe di tipositwe go ya ka fao go beakantšwego ka go karolwana (1), e balwa le karolo 22(5) ya Molao wa Taolo ya Ditšhelete tša Setšaba, 1999.
- (3) Boto e ka kgopela dimpho, dithušo goba lefa la go šielwa go ya ka molao wo mongwe le wo mongwe tše go bolelwago ka tšona ka go karolwana 1(d) le go šomiša ditšhelete tše di amemgago go ya ka mabaka ao a sepelelenago le dimpho, dithušo, le lefa la go šielwa.
- (4) Ditefelo tše dingwe le tše dingwe tša tlaleletšo tše di laetšago go ba tšhelete fela ya sekhwama sa Etšentshi ya Tlhabollo ya Ikonomi ya Limpopo e swanetšwe go šomišwa go fihlelela maikemišetšo a Molao wo.

23. Go humana ga dithoto ke Etšentshi

Ge Etšentshi e humana dithoto tše dingwe le tše dingwe goba ditirelo, Etšentshi e swanetše go latela mokgwa wa humanaa dithoto wo o sa tšeego lehlakore, wa tekatekano, wo o lego, o bolokago le go obamela Molao wa Tlhamo a Pholisi ye e Kgethilwego ya go Humana dithoto, 2000 le Molao wa Taolo ya Ditšhelete tša Setšaba, 1999.

24. Dipego tša Etšentshi

- (1) Boto e swanetše go romela kotara ka kotara go Molekgotlaphethiši dipego tše di sepelelanago le Molao wa Taolo ya Ditšhelete tša Setšhaba, 1999 le Melawana ya Matlotlo le ye e šomago ka merero ya naga, mediro, tshepedišo le maemo a ditšhelete a Etšentshi, go akaretša -
- bokaalo bjo Etšentshi e bo fihleletšego goba e laeditšego maikemišetšo a yona ka nako ya kotara ya ditšhelete ye e amegago; ggg
- (b) tshedimošo ya tšhomo ya maleba malebana le ikonomi, tšhomišo ye botse ya methopo;
- (c) palo ya tšhelete, ge e le gona, e amogetšwe go tšwa go mmušo goba mothopo wo mongwe le wo mongwe le tshepišo ya tšhelete efe goba efe ye e abelwago Etšentshi; le
- (d) Tlhomo ya bašomedi ye e otlolotšwego le tllhomo ya Etšentshi, go akaretša dikgoba.
- (2) Molekgotlaphethiši o swanetše go fa pego ya kotara ka kotara ka go Komiti ya Phothofolio ka go se fete matšatši a 20 ao a e humanego ka nako ya gona ge e le nako ya tulo ya Lekgotlatheramelao la profense, goba ge e se nako ya tulo ya Lekgotlatheramelao la profense, e be go se fete matšatši a 14 ka morago ga go thoma tulo ya yona.
- (3) Go sa lebalwe dipeelano tša karolwana (1), Molekgotlaphethiši a ka kgopela Boto nako ye nngwe le ye nngwe go mo romela pego ya lebakanyana go ya ka seemo sa ditaba, mešomo, tshepedišo le seemo sa ditšhelete sa Etšentshi goba dithuši tše dingwe le tše dingwe tša Etšentshi goba e lebagane le taba ye e itšego ye e laeditšwego ke Molekgotlaphethiši, gomme pego yeo e swanetšwe go romelwa go Molekgotlaphethiši go se fete matšatši a 14 ka morago ga kgopelo yeo.

25. Melawana

Molekgotlaphethiši a ka dira melawana malebana le taba ye nngwe le ye nngwe ye e akantšwego go ya ka Molao wo goba ye e swanelago go fihlelela maikemišetšo a Molao wo.

26. Kemedi

(1) Ge go hlokega gore go dirwe mešomo ya wona gabotse, Boto e ka, go ya ka karolwana (2), neela maatla, mošomo wo o reretšwego goba e beelwago Boto go ya ka Molao wo -

(a) leloko

(b) komiti ya Boto ye go bolelwago ka yona ka go karolo 13; goba Molaodimogolophethiši.

(2) Boto ga ya swanelwa ke go abela maatla go

(a) thwala Molaodimogolophethiši; goba

(b) akanye mabaka a tirelo ya Molaodimogolophethiši.

(3) kemedi go ya ka karolwana (1) -

(a) e sepetšwa go ya ka mabaka, go fokotša le lemanoga leo Boto e ka le beago; le

(b) ga e ganetše Boto ka maikemišetšo malebana le šomiša maatla goba go dira mošomo wo o abetšwego; le

(c) ga e thibele Boto go šomiša maatla ao e abetšwego goba go dira mošomo wo e o abetšwego.

(4) Molekgotlaphethiši a ka abela maatla afe goba afe goba mošomo wo o filwego Molaodimogolophethiši ka goba ka tlase ga Molao wo go -

(a) mošomedi wo mongwe le wo mongwe wa Boto ka tshedimošo ya maleba le maitemogelo; goba

- (b) motho yo mongwe le yo mongwe, ka morago ga go rerišana le Boto.
- (5) Motho yo mongwe le yo mongwe yoo a abetšwego maatla goba a dumeletšwego go dira mošomo ka tlase ga karolo ye o swanetše go šomiša maatla go ya ka mabaka ao motho yoo a abilego a a bonago go swanela.
- (6) Kabelo ye nngwe le ye nngwe ya maatla goba tumelelo go dira mošomo go ya ka karolo ye
- (a) e swanetšwe go ngwalwa
- (b) ga e thibele motho yo a dirilego kabelo goba a filego tumelelo go šomiša maatla ao goba go dira mošomo woo ka boyena; le
- (c) go ka tlošwa nako efe goba efe ke motho yoo.
- (7) Se sengwe le se sengwe se se dirwago e le ka kabelo ya maatla goba mošomo e tšewa gore e dirilwe ke Boto goba Molaodimogolophethiši, go ya fao mabaka a tla be go a le ka gona.

27. Tšhomišo ya leina la Etšentshi

Ga go motho, khamphani, kgwebo goba mekgatlo ya batho yeo e ka dirago kgwebo ka tlase ga leina la go swana goba la go nyaka go swana le la Etšentshi ya Tlhabollo ya Ikonomi ya Limpopo.

28. Dithuši tša Etšentshi

- (1) Boto e swanetše gore go ya ka karolo 6(1), ka therišano le Molekgotlaphethiši, e dumelele memorantamo wa go tsenya ka gare wa khampani ya go thuša, pele e ka amogelwa le go retšisetarwa ke Dikhampahani tša go Retšisetara.

- (2) Boto ya khamphani ya dithuši ya Etšentshi, e na le maikarabelo go Etšentshi gomme e swanetše go phethagatša maatla a yona le mešomo go ya ka ditaelo tše di filwego ke Boto le go ya ka Molao wa Taolo ya Ditšhelete tša Setšhaba, 1999 le go obamela molao.

Karolo III

Go fediša ga melao le dipeakanyetšo tša ditšhutišo

29. Phedišo ya molao

Molao wa Tshomišano wa Tlhabollo ya Limpopo, 1994 (Molao No.5 wa 1994) o a tsošološwa.

30. Dipeakanyetšo tša dithutišo

- (1) Etšentshi ke moetalamorago-ka-thaetlele go tšhomišano ye e hlamilwego go ya ka karolo 2 ya Molao wa Tšhomišano wa Tlhabollo ya Limpopo, 1994 (Molao No. 5 wa 1994).
- (2) Go sa lebalwe go fedišwa ga Molao wa Tšhomišano wa Tlhabollo ya Limpopo, 1994 (Molao No.5 wa 1994), Boto e hlomilwe go ya ka Molao wa Tšhomišano wa Tlhabollo ya Limpopo, 1994 o tšwela pele go šoma, go fihlela nako ya ofisi ya maloko ao a Boto e fihla mafelelong goba Boto e phatlalatšwa go ya ka dipeelano tša Molao wo.
- (3) Tokelo ye nngwe le e nngwe goba monyetla wo o humanwego ka gobago motho yo mongwe le yo mongwe goba mokgatlo go ya ka dipeelano tša Molao wa Tšhomišano wa Tlhabollo ya Limpopo, 1994 (Molao No.5 wa 1994), wo o se go wa ntšhwa, phethagatšwa goba fetilego ke nako ka bjako pele ga letšatsikgwedi le o swanetšego go šoma, o tšewa go ba tokelo ya kgonthe monyetla goba tlamego go motho yoo goba mokgatlo go ya ka peelano ye nngwe le ye nngwe ya peelano ye e

ka bapetšwago ya Molao wo, go tloga ka letšatšikgwedi leo e le go gore tokelo, monyetla goba tlamego e thomilego.

- (4) Sephetho sa Boto go ya ka dipeelano dife goba dife tša Molao wa Tšhomišano wa Tlhabollo ya Limpopo, 1994 wo o gapeleditšwego pele ga letšatšikgwedi la kgonthe la Molao wo, o tšwtšwa pele go šoma go ya ka dipeelano tša Molao wo.
- (5) Leloko la bašomedi leo le thwetšwego ka tlase ga Molao wa Tšhomišano wa Tlhabollo ya Limpopo, 1994 o tšwela pele go swara thwalo yeo go ya ka Molao wo.

31. Thaetlele ye kopana le go thoma

- (1) Molao wo o bitšwa Molao wa Etšentshi ya Tlhabollo ya Ikonomi ya Limpopo, 2016 gomme o tla šomišwa ka letšatšikgwedi le le akantšwego ke Tonakgolo ka Tsebišo ka gare ga Kurata ya mmušo.
- (2) Matšatšikgwedi a ka ba a go ya go ile go ya ka dipeelano tša Molao wo.