

Molaotheo Wa

Rephaboliki Ya

Aforika Borwa Wa

—

1996

Jaaka o amogetswe ka 8 Motsheganong

1996 le go tlhabololwa ka 11 Diphilane

1996 ke Lekgotlatheomolao

MOLAO THEO WA REPHABOLIKI YA AFORIKA BORWA WA 1996

Mokgwa wa tshupetso ya Molao, maloba “Molaotheo wa Rephaboliki ya Aforika Borwa, Molao wa 108 wa 1996”; o emetswe ke k. 1 (1) wa Nopolo ya Molao ya Molaotheo wa 2005 (Molao wa No. ya bo 5 wa 2005.)

[O AMOGETSWE KA 16 SEDIMONTHOLE 1996]

[LETLHA LA KGOELETSO: 18 SEDIMONTTHOLE, 1996]

LETLHA LA TSHIMOLOGO: 4 TLHAKOLE, 1997

(Ntle le fa go tlhalositswe ka mokgwa o monngwe – lebelela gape k. 243(4))
(Tokomane ya Seesimane e saenilwe ke Moporesidente)

jaaka e tlhabolotswe ka

Molaotheo Tlhabololo wa Ntlha wa Molao wa 1997
Molaotheo Tlhabololo wa Bobedi wa Molao wa 1998
Molaotheo Tlhabololo wa Boraro wa Molao wa 1998
Molaotheo Tlhabololo wa Bone wa Molao wa 1999
Molaotheo Tlhabololo wa Botlhamo wa Molao wa 1999
Molaotheo Tlhabololo wa Borataro wa Molao wa 2001
Molaotheo Tlhabololo wa Bosupa wa Molao wa 2001
Molaotheo Tlhabololo wa Borobedi wa Molao wa 2002
Molaotheo Tlhabololo wa Borobongwe wa Molao wa 2002
Molaotheo Tlhabololo wa Bolesome wa Molao wa 2003
Molaotheo Tlhabololo wa Bolesomengwe wa Molao wa 2003
Molaotheo Tlhabololo wa Bolesomapedi wa Molao wa 2005
Molaotheo Tlhabololo wa Bolesometharo wa Molao wa 2007
Molaotheo Tlhabololo wa Bosomenne wa Molao wa 2008
Molaotheo Tlhabololo wa Bosomethano wa Molao 2008
Molaotheo Tlhabololo wa Bosomethataro wa Molao wa 2009
Molaotheo Tlhabololo wa Bolesomesupa wa Molao wa 2012

Go ya ka Kgoeletso 26 ya 26 Moranang, 2001, tsamaiso ya Molao o e neetswe Tona ya Bosiamisi le
Tlhabololo ya Molaotheo

MOLAO

Go tlhagisa Molaotheo o mošwa wa Rephaboliki ya Aforika Borwa le go tlamela ka dintlha tsa tlaeletso.

MOLAO

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LENANEO LA DITENG

PULAMADIBOGO

*Rona, batho ba Aforika Borwa,
Re itse ditshiamololo tsa rona tse di fetileng;
Re tlotla ba ba bogileng ka ntlha ya tshiamo le kgololosego mo lefatsheng
la rona;
Re tlotla ba ba diretseng go aga le go tlhabolola naga ya rona; mme
Re dumela fa Aforika Borwa e le ya botlhe ba ba tshelang mo go yona, re le
ngata e le nngwe ka go farologana.
Rona ka jalo, ka baemedi ba re ba itlhophetseng ka kgololosego, re amogela
Molaotheo o jaaka Molao-Mogolo wa Rephaboliki gore re –*

*Alafe dikgogakgogano tse di fetileng mme re age Setšhaba se
se theilweng ka meetlo ya demokerasi, bosiamisi jwa batho le
ditshwanelo tse di bothokwa tsa botho;*

*Tlhome metho ya demokerasi le setšhaba se se gololesegileng
moo puso e theilweng ka thato ya batho e bile moagi mongwe le
mongwe a sireleditswe ka go lekana ke molao.*

*Tokafatse matshelo a baagi botlhe le go golola neo ya mongwe
le mongwe le;*

*Aga Aforika Borwa e e kopaneng ya demokerasi e e kgonang go
tsaya maemo a yona a a siameng jaaka naga e e ipusang mo
tshikeng ya mafatshe.*

*A Modimo a sireletse Setšhaba sa rona.
Nkosi Sikelel' iAfrika. Morena boloka setšhaba sa heso.
God seën Suid-Afrika. God bless South Africa.
Mudzimu fhatutshedza Afurika. Hosi katekisa Afrika.*

KGAOLO 1

DIKAELO TSA MOTHEO

Rephaboliki ya Aforika Borwa

1. Rephaboliki ya Aforika Borwa ke naga e le nngwe e e ipusang ya demokerasi e e theilweng godimo ga meetlo e e latelang:
 - (a) seriti sa botho, phitlhelelo ya tekatekano le tswेतsetso ya ditshwanelo tsa botho le dikgololosego.
 - (b) go sa kgethololeng ka bomorafe le ka bong.
 - (c) Bogolo jwa Molaotheo le puso ya molao.
 - (d) Tshwanelo ya bagolo botlhe ya go tlohpha lefats'heng lotlhe, lenaane la bosetšhaba le le tswaellegileng la batlhophi, ditlhopho tsa nako le nako, le mokgwa wa puso ya demokerasi ya makoko-mantsi, go netefatsa maikarabelo, bodiredi bo bo tsibogelang ditlhagiso le tirelo e e mo phatlalatseng.

Bogolo jwa Molaotheo

2. Molaotheo o, ke molao-mogolo wa Rephaboliki; molao kgotsa maitsholo a a kgatlhonong le ona ga a na boleng, le ditlamego tse o di abang di tshwanelwa go diragatswa.

Boagi

3.
 - (1) Go na le boagi bo le nosi jwa Aforika Borwa.
 - (2) Baagi botlhe ba -
 - (a) nale tetla ya ditshwanelo ka go lekalekana, ditshiamelo le molemo wa boagi; le
 - (b) ka tekatekano go rwala ditiro le maikarabelo a boagi,
 - (3) Molao wa naga o tshwanetse go tlamela ka phitlhelelo, tatlhegelo le pusetso ya boagi.

Pina ya bosetšhaba

4. Pina ya bosetšhaba ya Rephaboliki e tshomamiswa ke Poresidente ka kgoeletso.

Folaga ya bosetšhaba

5. Folaga ya bosetšhaba e bontsho, bogauta, botala, bosweu, bohobidu le botala jwa legodimo jaaka fa e tlhalosiwa e bile e takilwe mo Mametlelelo 1.

Dipuo

6. (1) Dipuo tsa semmuso tsa Rephaboliki ke Sepedi, Sesotho, Setswana, Seswati, Tshivenda, Xitsonga, Afrikaans, English, isiNdebele, isiXhosa le isiZulu.
- (2) Ka go lemoga go nyelela ga tiriso le serodumo sa dipuo tsa batho ba rona, puso e tshwanela go tsaya dikgato tse di bonalang le tse di bontshang kgatelopele go tlhatlosa seemo le ntshetsopele ya tiriso ya dipuo tseno.
- (3) (a) Puso ya bosetšhaba le dipuso tsa diporofense di ka dirisa dipuo tsa semmuso dingwe le dingwe mo mabakeng a puso, go tsewa tsia tiriso, kgonagalo, ditshenyegelo, mabaka a karolo ya naga, le tekatekano ya ditlhokego le dikgatlhegelo tsa baagi ka bophara kgotsa mo porofenseng e e amegang puso ya bosetšhaba le puso nngwe le nngwe ya porofense di tshwanetse go dirisa di le pedi tsa semmuso.
- (b) Bommasepala ba tshwanetse go tsaya tsia puo e e dirisiwang le go kgatlhegelwa ke baagi ba bona.
- (4) Puso ya bosetšhaba le dipuso tsa diporofense, ka melao le dikgato dingwe di tshwanetse go laola le go tlhokomela tiriso ya dipuo tsa semmuso. Ntle le go fapoga dithulaganyo tsa karolwana(2), dipuo tsothe tsa semmuso di tshwanela go newa tlotlomatso e e lekanang e bile di tshwanelwa go tsewa ka tekatekano.
- (5) Boto ya Dipuo ya Aforika Borwa e e tlhomilweng ke molao wa bosetšhaba e tshwanetse –
- (a) go tsweletsa le go tlhola maemo a tlhabololo le tiriso ya –
- (i) dipuo tsothe tsa semmuso;
- (ii) dipuo tsa seKhoi, seNama le seSan; le
- (iii) puo ya diatla, le
- (b) go tsweletsa le go netefatsa tlotlo ya-
- (i) dipuo tsothe tse di dirisiwang ka gale ke ditlhopho tsa batho mo Aforika Borwa, go akarediwa German, Greek, Gujarati, Hindu, Portuguese, Tamil, Telegu, le Urdu; le

- (ii) Arabic, Hebrew, Sanskrit le dipuo dingwe tse di dirisediwa maikaelelo a tumelo mo Aforika Borwa.

KGAOLO 2

MOLAOTLHOMO WA DITSHWANELO

Ditshwanelo

7. (1) Tokomane ya Ditshwanelo ke motheo wa demokerasi mo Aforika Borwa. O babaletse ditshwanelo tsa batho botlhe mo lefatsheng la rona e bile o tlhomamisa meetlo ya demokerasi ya seriti sa botho, tekatekano le kgololosego.
- (2) Puso e tshwanela go tlotla, go sireletsa, go etleetsa le go diragatsa ditshiamelo tsa Molaotlhomo wa Ditshwanelo.
- (3) Ditshwanelo tsa Molaotlhomo wa Ditshwanelo di laolwa ke dikiletso tsa karolo 36, kgotsa felo gongwe mo Molaotlhomong.

Tiragatso

8. (1) Tokomane ya Ditshwanelo e ama molao mongwe le mongwe e bile o tlama kgotlaapeomolao, tsamaiso le bosiamisi, le ditheo tsothe tsa puso.
- (2) Thulaganyo ya Tokomane ya Ditshwanelo e tlama motho fela le mothomolaong, le go fitlha, moo go kgonegang go tsewa tsia mokgwa wa tshwanelo le tiro nngwe le nngwe e e pateletswang ke tshwanelo eo.
- (3) Mo go diragatseng dithulaganyetso tsa Molaotlhomo mo mothong fela le mothomolaong go ya ka karolwana (2), kgotlatshekelo –
 - (a) go tsamaelana le tiragatso ya tokomane ya ditshwanelo, e tshwanetse go diragadiwa la go dirisa, kgotsa fa go tlhokegang, go tlhabolola molao wa selegae go fitlha fa peomolao e sa nyeng nonofo go tshwanelo eo; e bile
 - (b) e ka tlhabolola melawana ya molao wa tlwaelo go iletsa tshwanelo, fa fela kiletso e tsamaelana le karolo 36(1).
- (4) Motho mongwe le mongwe o na le tshiamelo ya ditshwanelo tsa botho go tsamaelana le dithokego tsa tlhologo ya ditshwanelo le tlhologo ya motho oo.

Tekatekano

9. (1) Botlhe ba a lekana fa pele ga molao, e bile ba na le tshwanelo ya tshireletso le tshiamelo e e lekanang ya molao.

- (2) Tekatekano e akaretsa tiriso le natefaletso ka bottlalo le dikgololosego. Go etleetsa phitlhelelo ya tekatekano, molao le dikgato dingwe, tse di diretsweng go sireletsa kgotsa go tswellets batho, kgotsa dikarolo dingwe tsa batho ba ba neng ba patikilwe ke kgethololo e e neng e sa lolama, di ka tsewa.
- (3) Puso ga ya tshwanela go kgetholola ka moo go sa tshwanelang ka tlhamalalo kgotsa bofitlha kgatlanong le mongwe le mongwe, ka lebaka le lenosi kgotsa go feta go akarediwa ka bosemorafe, bong, boimana, seemo sa lenyalo, lotso kgotsa lefelo la loago, mmala, tshkamelobong, dingwaga, bogole, bodumedi, maikutlo, tumelo, setso, puo, le matsalo.
- (4) Ga go motho ope yo o tshwanetseng go kgethololwa ka moo go sa tshwanelang, ka tlhamalalo kgotsa bofitlha ka lebaka le lenosi kgotsa go feta go tsamaelana le karolwana (3). molao wa bosetšhaba o tshwanetse go atlenegisiwa go thibela kgotsa go iletsa kgethololo e e sa tshwanelang.
- (5) Kgethololo go tsamaelana ka lebaka le lenosi kgotsa mabaka mangwe a a umakilweng mo karolwana (3) e ilelitswe, ntle le fa kgethololo e lolame.

Seriti sa botho

10. Mongwe le mongwe o na le seriti sa botho ka tlhago le tshwanelo ya tlotlo ya seriti le tshireletso.

Botshelo

11. Mongwe le mongwe o na le seriti sa botho ka tlhago le tshwanelo ya tlotlo ya seriti le tshireletso.

Kgololosego le tshireletsego ya botho

12. (1) Mongwe le mongwe o na le tshwanelo ya kgololosego le tshireletsego ya botho, e e akaretsang tshwanelo ya –
 - (a) go ilelwa kgololosego ka kgobelelo kgotsa ntle le lebaka la tshiamo,
 - (b) go se thatlhelwe ntle le go sekisiwa;
 - (c) kgololosega ya methale yotlhe ya tirisodikgoka go tswa mo makala puso kgotsa a poraefete;
 - (d) go se bogisiwe ka tsela epe; le

- (e) go se tsholwe kgotsa go otlhaiwa ka mogwa o setlhogo, o o seng botho kgotsa wa tshotlo.
- (2) Mongwe le mongwe o na le tshwanelo ya seriti sa mmele le boitekanelo, e e akaretsang tshwanelo ya –
 - (a) go dira tshwetso tebang le tsa pelegi,
 - (b) tshireletsego le taolo ya mmele; le
 - (c) go dirisiwa ditoko tsa bongaka le bonetetshi ntle ga tetla.

Bokgoba, bolala le tiro ya pateletso

13. Ga go ope yo o tshwanetseng go patelediwa go nna lekgoba kgotsa lelata kgotsa go dirisia tiro ka kgapeletso.

Sephiri

14. Mongwe le mongwe o na le tshwanelo ya sephiri go akarediwa tshwanelo ya go se –
- (a) phuruphudiwe kgotsa ya go phuruphutsa ntlo;
 - (b) phuruphutse dithoto tsa bona;
 - (c) go amogiwa dithoto; kgotsa
 - (d) kgoreletso ya sephiri sa puisano ya batho.

Kgololosego ya bodumedi, tumelo le kakanyo

15. (1) Mongwe le mongwe o na le tshwanelo ya kgololosego ya maikutlo, bodumedi, mogopolo, tumelo le kakanyo.
- (2) Ditirelo tsa bodumedi di ka tshwanelwa mo dikagong tsa puso kgotsa tse di tlamelwang ke puso fa fela:
- (a) ditirelo tseo di latela melawana e e beilweng ke bothati jo bo maleba jwa puso;
 - (b) ditirelo di tsamaisiwa ka tsela ya tekatekanyo; le
 - (c) di tsenela di gololesegile e bile di le ka boithaopo.
- (3) (a) Karolo eno, ga e kgoreletse molao go amogela –
- (i) manyalo a tumelano ngwe le ngwe ya setso, kgotsa kamogelo ya bodumedi jo bo rileng, kgotsa;
 - (ii) manaane a melao ya botho kgotsa ya malapa go ya ka setso sengwe le sengwe kgotsa batho ba bodumedi jo bo rileng.

- (b) kamogelo go ya ka temana(a) e tshwanetse go tsamaelana le dithulaganyo dingwe tsa Molaotheo.

Kgololosego ya tthagiso ya maikutlo

16. (1) Mongwe le mongwe o na le tshwanelo ya kgololosego ya go tthagisa maikutlo, go akarediwa –
- (a) kgololosego ya dikgatiso le metswedi e mengwe ya phasalatso;
 - (b) kgololosego ya go amogela kgotsa go neelana ka tshedimotsetso kgotsa dikakanyo;
 - (c) kgololosego ya botaki ba botlhami; le
 - (d) kgololosego ya thuto le kgololosego ya dipatlisiso tsa bonetetshi.
- (2) Tshwanelo ya karolotlaleletso (1) ga e akaretse –
- (a) tlhotlheletso ya ntwa; 10
 - (b) tlhotlheletso ya dikhuduego; kgotsa
 - (c) tlhotlheletso ya letlhoo le le ikaegileng ka bomorafe, lotso, bong, kgotsa bodumedi, le le ka bakang kgobalo.

Kokoano, ditshupetso, phiketo le tokomane ya dingongorego

17. Mongwe le mongwe o na le tshwanelo ya go kokoana, go dira tshupetso, go phiketa, le go neelana ka tokomane ya dingongorego ka kagiso le ntle ga tiriso ya dibetsa.

Kgololosego ya go nna leloko la mokgatlho

18. Mongwe le mongwe o na le tshwanelo ya kgololosego go nna leloko la mokgatlho.

Ditshwanelo tsa sepolotiki

19. (1) Moagi mongwe le mongwe o na le tetla ya go dira boikgethelo jwa sepolotiki go akarediwa tshwanelo ya –
- (a) go itlhamela leloko la sepolotiki;
 - (b) go tsaya karolo go merero ya mokgatlho, kgotsa go ngoka ditokololo boemong jwa mokgatlho wa sepolotiki; le
 - (c) go kgaratlhela leloko kgotsa lebaka lengwe.
- (2) Moagi mongwe le mongwe o na le tshwanelo ya ditlhopho tse di gololesegileng, lolameng, tsa gangwe le gape boemong jwa mokgatlho mongwe le mongwe yo o

theilweng ka molao go ya ka Molaotheo.

- (3) Mogolo mongwe le mongwe o na le tshwanelo ya—
- (a) go tlhophha, mokgatlho mongwe le mongwe yo o theilweng ka molao go yaka Molaotheo ka nako ya ditlhopo, mme a dira jalo mo sephiring; le
 - (b) go nna nthopheng mo tirong ya setšhaba, fa a tlhophilwe go dira tiro eo.

Boagi

20. Ga go moagi ope yo o tshwanetseng go ilediwa boagi.

Kgololosego ya motsamao le bodulo

21. (1) Mongwe le mongwe o na le kgololosego ya go ya kwa a ratang teng.
(2) Mongwe le mongwe o na le tshwanelo ya go tswa mo gare ga Rephaboliki.
(3) Moagi mongwe le mongwe o na le tshwanelo ya go tsena, go nna, le go aga gongwe le gongwe mo gare ga Rephaboliki.
(4) Moagi mongwe le mongwe o na le tshwanelo ya lokwalo lwa mosepele.

Kgololosego ya go gwebelana, tiro le boithutelo

22. Moagi mongwe le mongwe o na le tshwanelo ya go kgetha kgwebo, tiro kgotsa boithutelo ka kgololosego. Tiragatso ya kgwebo, tiro kgotsa boithutelotiro, bo ka laolwa ke molao.

Dikamano tsa bodiri

23. (1) Mongwe le mongwe o na le tshwanelo ya tiragatso ya melao e lolameng ya badiri.
(2) Modiri mongwe le mongwe o na le tshwanelo ya –
(a) go tlhama le go nna tokololo ya mokgatlho wa badiri,
(b) go tsaya karolo go merero le manaane a mokgatlho wa badiri; le
(c) go ngala tiro.
(3) Mothapi mongwe le mongwe o na le tshwanelo ya –
(a) go tlhama le go nna tokololo ya mokgatlho wa bathapi; le
(b) go tsaya karolo go merero le manaane a mekgatlho ya bathapi;
(4) Mokgatlho mongwe le mongwe wa badiri le mokgatlho mongwe le mongwe wa bathapi o na le tshwanelo ya –
(a) go tlhomamisa tsamaiso, manaane, le merero ya ona;
(b) go rulaganya; le

- (c) go tlhama le go nna tokololo ya mokgatlho wa tlhakanelo.
- (5) Mokgatlho mongwe le mongwe wa badiri, mokgatlho wa bathapi le mothapi, di na le tshwanele ya go kgaratlhela ditshiamelo ka mogoso. Peomolao ya bosetšhaba e ka tlhama molao wa bosetšhaba go rulaganya dipuisano tsa tlhakanelo. Go ya ka tekanyetso e e ileditšweng ya tshwanele mo Karolo eno, tekanyetso e tshwanetse go tsamaelana le Karolo 36(1).
- (6) Moalo wa bosetšhaba e ka amogela dithulaganyo tsa tshireletsego tsa mokgatlho wa badiri, tse di kwadilweng mo tumelelanong ya tlhakanelo. Go fitlha moo peomolao e ka lekanyetsang tshwanele mo Kgaolong e, tekanyetso e tshwanetse go dumelelana le Karolo 36(1).

Tikologo

24. Mongwe le mongwe o na le tshwanele ya –
- (a) tikologo e e senang kotsi go botshelo kgotsa botho jwa bona; le
- (b) go nna le tikologo e e sireletsegileng, mo molemong wa dikokomane ga jaana le tsa isago, go ya ka peomolao ya bosetšhaba le dikgato dingwe tse di utlwalang tse di-
- (i) go thibela kgotlelego ya loapi le kelotlase ya tlhago;
- (ii) go etleetsa tshomarelo ya tlhago; le
- (iii) go babalela ntshetsopele ya tlhabololo ya ditschedi le tiriso ya metswedi ya tlhago ka go mametlela tlhabololo ya moruo le loago.

Thoto

25. (1) Ga go ope yo o tshwanetseng go tselwa thoto ya gagwe ntle le tiragatso ya molao wa kakaretso, e bile ga go molao ope yo o tla letlelang go gapiwa ga thoto ka kgobebelelo.
- (2) Thoto e ka gapiwa fela go tsamaelana le moolao wa tiragatso ya molao wa kakaretso –
- (a) boemong jwa setšhaba kgotsa go tsamaelana le dikgatlhegelo tsa setšhaba; le
- (b) go tsamaelana le tuelo ya phimola-keledi, tlhotlha e e leng, le nako le e e sweditšweng kgotsa e e tlhomamisitsweng ke kgotlatshekelo.
- (3) Tlhotlha ya phimola-keledi, nako le mokgwa wa tuelo, e tshwanetse go nna le tolamo le tshiamo, o supa tekanyo gare ga dikgatlhego tsa setšhaba le dikgatlhego

- tša ba ba amegang, go etswe tlhoko mabaka otlhe a a maleba, go akarediwa –
- (a) tiriso ya ga jaana ya thoto;
 - (b) lemorago, tsela e thoto e bonweng ka wona le tiriso ya thoto;
 - (c) tekanyetso ya tlhothlwa ya thoto go ya ka mebaraka;
 - (d) boleng ba peeletso ya puso le ketletso ya phitlhelelo ya thoto le tlhabololo ya tlhothlwa ya dithoto; le
 - (e) lebaka la go amogiwa dithoto.
- (4) Mabapi le maitlhomō a karolo e –
- (a) dikgatlhego tša setšhaba di akaretsa boitlamo jwa setšhaba mo tlhabololong ya lefatshe, le ditlhabololo go tliša phitlhelelo ya metwedi ya tlhologo yotlhe mo Aforika Borwa ka tekano; le
 - (b) thoto ga e akaretse fele lefatshe.
- (5) Puso e tshwanetse go tsaya dikgato tse di maleba tša semolao go tsamaelana le bokgoni jwa puso, go tlhola maema a kgontshang baagi go fitlhelela lefatshe ka mogwa wa tekatekano.
- (6) Motho kgotsa baagi bao lefatshe la bona le amogilweng ka mogwa o o sa siamang ka ntlha ya melao ya kgale ya kgethololo kgotsa ditlwaelo, go ya tsamaiso ya Molao wa Palamente o ke bonno jo bo sireletsegileng ka fa molaong, kgotsa go siamisisa kgethololo.
- (7) Motho kgotsa baagi ba ba amogilweng thoto morago ga la 19 Seetebosigo 1913 ka ntlha ya melao ya kgale ya kgethololo kgotsa tlwaelo, o ne le tshwanelo go ya ka thulaganyo ya Molao wa Palamente go busediwa thoto eo, kgotsa tshiamelo e e lekaneng.
- (8) Ga go taelo ya karolo eno e e tshwanetseng go kgoreletsa puso go tsaya dikgato tša semolao le tse dingwe go tsaya lefatshe, metsi kgotsa tlhabololo e e maleba, ka maikaelelo a go maemo a tshiamololo ya maloba tlwaelong, fa fela thulano ngwe le ngwe le ditaello tša karolo eno di tsamaelana le ditaello tša karolo 36(1).
- (9) Palamente e tshwanetse go tlhama molao o o umakiwang mo karolotlaleletso (6).

Matlo

26. (1) Mongwe le mongwe o na le tshwanelo ya go nna le bodulo jo bo tshwanetseng.
- (2) Puso e tshwanetse go tsaya dikgato tša semolao le tse dingwe tse di maleba go ya bokgoni jwa puso go netefatsa ntshetsopele ya tshwanelo eno.

- (3) Ga go motho ope yo o tshwanetseng go kobiwa mo ntlong ya gagwe, kgotsa go riplitiwa ga ntlo ya gagwe, ntle le taelo e e dirilweng ke kgotlatshekelo morago ga tshekatsheko ya mabaka otlhe. Ga molao ope yo o tshwanetseng go letlelela go ntshiwa ga batho mo matlong ntle le lebaka.

Tlhokomelo ya boitekanelo, dijo, metsi le tshireletsego ya loago

27. (1) Mongwe le mongwe o na le tshwanelo ya go phithlelelo –
- Ditirelo tsa tlhokomelo ya boitekanelo go akarediwa tlhokomelo ya boitekanelo jwa tsa pelegi;
 - Dijo tse di lekaneng le metsi a phepa; le
 - Tshireletso ya loago e e akaretsang tlamelo e e maleba ka ketletso ya puso, fa ba sa kgone go itlamela le bana ba bona, go ba tlamela ka thuso ya puso e e maleba.
- (2) Puso e tshwanetse go tsaya dikgato tsa semolao le tse dingwe tse di maleba go ya bokgoni jwa puso go netefatsa ntshetsopele ya tshwanelo eno.
- (3) Ga go ope yo o tshwanetseng go ilelwa kalafi ya tshoganyetso.

Bana

28. (1) Ngwana mongwe le mongwe o na le tshwanelo ya –
- go tewa leina le bosetshaba go simologa ka motsi wa pelego;
 - tlhokomelo ya losika kgotsa ya batsadi, kgotsa tlhokomelo nngwe e e maleba fa a tlositswe mo tlhokomelong ya lelapa la gaabo;
 - phepo ya motheo, tshireletso, ditirelo tse ditlhokegang tsa boitekanelo, le ditirelo tsa loago;
 - go sirelediwa mo tlhokomelong e e makgwakgwa, tshotlo, tlhokofatso le lenyaenyefatso;
 - go sireletswa kgatlhanong le tshotlo ka go dirisiwa ditiro tse di sa dumelelwang;
 - tshireletso kgotsa thibelo ya go batla go dira kgotsa go tlamela ka ditirelo tse di sa –
 - tshwanelang dingwaga tsa ngwana, kgotsa
 - tse di beyang botshelo jwa ngwana mo kotsing, thuto, boitekanelo jwa mmele, tlhaloganyo, mowa, maitseo kgotsa kgolo ya ngwana;

- (g) ga a tshwanelwa go tthatlhelwa mo kgolegong ntle le fa e le kgato ya bofelo, fa a ka tthatlhelwa, go tlaleletsa mo ditshwanelong tsa ngwana go tsamaelana le karolo 12 le 35, ngwana a ka tthatlhelwa fela nako e khutshwane tota, e bile o na le tshwanelo ya –
 - (i) go se kopanngwe le batshwara ba ba fetang dingwaga di le 18 ; le
 - (ii) go tsholwa ka mogkwa, le ka fa tlase ga maemo a tsayang tsia dingwaga tsa ngwana;
- (h) go abela ngwana mmueledi wa puso, e bile ka ditshenyegelo tsa puso, mo dikgetsing tsa ngangisano tse di amang ngwana, fa go ka nna le kgonagalo ya thibelo ya tiriso ya molao; le
 - (i) go se dirisiwe ka tlhamalalo gare ga kgotlhang ya dibetsa, le go sirelediwa ka dinako ya kgotlhang ya dibetsa.
- (2) Dikgathegelo tsa ngwana di elwa tlhoko thata mo mabakeng otlhe a amang ngwana.
- (3) Go ya ka karolo eno, “ngwana” ke motho wa dingwaga tse di fa tlase ga 18.

Thuto

29. (1) Mongwe le mongwe o na le tshwanelo –
- (a) go fitlhelela thuto ya motheo, go akarediwa le thuto ya bagolo; le
 - (b) go fitlhelela thuto e kgolwane, eo e tshwanetseng go ntshetswapele ke puso ka tiriso ya dikgato tse di maleba.
- (2) Mongwe le mongwe o na le tshwanelo ya go amogela thuto ka puo ya semmuso kgotsa puo ya boikgethelo mo ditheong tsa thuto tsa botlhe, fa seo se kgonagala. Go netefatsa phitlhelelo ya nnete ya se, le tiragatso ya tshwanelo eno, puso e tshwanetse go sekaseka maphata otlhe a a kgonengang a thuto, go akaretsa ditheo tse di rutang ka loleme lo le nosi, e bile go etswe tlhoko –
- (a) tekatekano;
 - (b) kgonagalo; le
 - (c) tlhokego ya go busetsa sekeng ditlamorago tse di tlhodilweng ke melao le tiragatso ya kgethololo ya bomorafe jo bo fetileng.
- (3) Mongwe le mongwe o na le tshwanelo ya go tlhama le go mametlelela, ka ditshenyegelo tsa bona, ditheo tsa thuto tse di ikemetseng tse –
- (a) di sa kgethololeng go ya ka lotso;

- (b) di kwadisitsweng ke puso; le
 - (c) botlhokwa jwa go siamisa melao le ditlwaelo tsa kgethololo ya maloba tsa thuto tsa botlhe fa a tshwantshangngwa.
- (4) Karolotlaleletso (3) ga e thibele ketletso ya puso go ditheo tsa thuto tse di ikemetseng.

Puo le setso

30. Mongwe le mongwe o na le tshwanelo ya go dirisa puo le go tsaya karolo go ditiragalo tsa setso go ya ka boikgethelo jwa gagwe, mme ga go ope yo o tshwanelang go dirisa ditshwanelo tseo ka mokgwa o kgatlhanong le taelo ngwe le ngwe ya Ditshwanelo tsa Botho.

Ditlhopa tsa Setso, bodumedi, le puo

31. (1) Batho ba ditlhopho tsa setso, bodumedi kgotsa puo ga ba tshwanelwa go ilediwa tshwanelo, le maloko mangwe a setšhaba seo, go –
- (a) itumelela setso sa bona , go diragatsa bodumedi jwa bona, le go dirisa puo ya bona; le
 - (b) tlhama, go nna leloko, le go mametlelela mekgatlho ya setso, borapedi le puo le ditheo tse dingwe tsa setšhaba.
- (2) Ditshwanelo tse di mo Karolotlaleletso (1) ga di a tshwanela go diragadiwa ka mokgwa o kgatlhanong le taelo ngwe le ngwe ya Tshwanelo ya Botho.

Phitlhelelo go tshedimosetso

32. (1) Mongwe le mongwe o na le tshwanelo ya go fitlhelela –
- (a) tshedimosetso nngwe le nngwe ya puso; le
 - (b) tshedimosetso nngwe le nngwe e e mo mothong yo mongwe, e e tlhokegang go diragatsa kgotsa tshireletso ya tshwanelo ngwe le ngwe.
- (2) Go tshwanetse gore go tlhamiwa molao wa bosetšhaba go diragatsa tshwanelo eno, e bile e tshwanetse go tlamela ka dikgato tse di naleba go fokotsa morwalo wa botsamaisi le ditshenyegelo tsa madi mo pusong.

Tiragatso ya tsamaiso ya bosiamisi

33. (1) Mongwe le mongwe o na le tshwanelo ya tsamaiso ya bosiamisi go ya ka molao, le

tsamaiso e e lolameng e bile e tlhomame.

- (2) Mongwe le mongwe yo ditshwanele tsa gagwe di digatakilweng mašwe ka nthla ya tiragatso ya tsamaiso ya bosiamisi, o na le tshwanele ya go tlamelwa ka mabaka a a kwadilweng.
- (3) Go tshwanetse gore go tlhamiwa molao wa bosetšhaba go diragatsa ditshwanele tšeno, le go –
 - (a) netefatsa gore tiragatso ya tsamaiso e sekasekwa ke kgotlatshekelo kgotsa, fa go le bothokwa, ke lekgotla tsamaiso le le ikemetseng;
 - (b) go gapeletsa puso go rwala maikarabelo a go diragatsa ditshwanele tse di mo karolotlaleletso (1) le (2); le
 - (c) mametlelelo ya tsamaiso e e manontlhotlho.

Phitlhelelo go dikgotlatshekelo

34. Mongwe le mongwe o na le tshwanele ya gore kgotlhang nngwe le nngwe e ka rarabolwa ka tiragatso ya molao ka tirisano ya kgotlatshekelo ya baagi e e lolameng kgotsa, fa go tshwanele, lekgotla lengwe le le ikemetseng kgotsa bolaodi bongwe.

Batshwarwa, batlhatlhelwa le balatofadiwa

35. (1) Mongwe le mongwe yo o tshwaretšweng bosenyi o na le tshwanele ya –
- (a) go didimala;
 - (b) go itsisiwe ka botlalo –
 - (i) tshwanele ya go didimala; le
 - (ii) ditlamorago tsa go se didimale;
 - (c) go se patelediwe go ipobola kgotsa kamogelo ya molato e e ka dirisiwang jaaka bopaki kgatlanong le motho yoo;
 - (d) go tlhagisiwa fa pele ga kgotlatshekelo ka bonako jo bo kgonegalang, mme e seng morago ga –
 - (i) diura tdi le 48 morago ga go tshwarwa; kgotsa
 - (ii) ka bokhutlo jwa letsatsi la nthla la kgotlatshekelo, morago ga go feta ga diura di le 48, fa diura di le 48 di fetile e se nako ya tiro ya kgotlatshekelo, kgotsa ka letsatsi le e e seng la kgotlatshekelo la tlwaelo.
 - (e) ka letsatsi la nthla morago ga go tlhatlhelwa, go latofadiwa kgotsa go bolelelwa lebaka la tšwelelopele ya go tlhatlhelwa, kgotsa la go gololwa; le

- (f) go gololwa mo kgolegong fa dikgatlhego tsa bosiamisi di letla, go ya ka mabaka a maleba.
- (2) mongwe le mongwe yo o thathletsweng, go akarediwa motshwara mongwe le mongwe yo o bonweng molato, o na le tshwanelo ya –
- (a) go itsisiwe ka bonako mabaka a go thathelwa;
- (b) go kgetha, le go rerisana le mmueledi, le go itsisiwe ka tshwanelo eno ka botlalo;
- (c) go fiwa mmueledi ke puso, le ka ditshenyegelo tsa puo fa go ka nna le kgoreletso ya bosiamisi le go itsisiwe ka tshwanelo eno ka botlalo;
- (d) go gwetlha tolamo ya go thathelho ga gagwe ka namana fa pele ga kgotlatshekelo, le go gololwa fa go thathelwa ga gagwe go sa tsamaelane le molao;
- (e) maemo a a tsamaelanang le seriti sa botho, go akarediwa bonnye maitemogelo le tlamelo ya bonno jo bo maleba, phepo, dikwalo tsa go buisa le kalafi, ka ditshenyegelo tsa puso; le
- (f) go letlwa go golagana le go etelwa ke -
- (i) mogatse kgotsa molekane;
- (ii) ba losika;
- (iii) moruti yo tlhophilweng wa bodumedu; le
- (iv) ngaka e e tlhophilweng.
- (3) Motho mongwe le mongwe yo o latofadiwang o na le tshwanelo ya tsheko e e lolameng go akarediwa tshwanelo ya –
- (a) go itsisiwe molato ka botlalo go mo kgontsha go araba;
- (b) go nna le nako e e lekaneng le didiriswa go baakanya bopaki;
- (c) go sekisiwa phatlhalatsa mo kgotlatshekelong ya tlwaelo,
- (d) go simolola le go khutla ga tsheko ntle le tiego e e sa tlhokagaleng;
- (e) go nna teng fa a sekisiwa;
- (f) go kgetha, le go emelwa ke, muedi le go itsisiwe ka tshwanelo eo ka bonako;
- (g) go fiwa mmueledi ke puso, ka ditshenyegelo tsa puso, fa go na le kgonagalo ya tshiamololo ya bosiamisi, le go itsisiwe ka tshwanelo eo ka botlalo;
- (h) go tsewa o se molato, le go didimala, le go se nelane ka bopaki ka nako ya ditsamaiso tsa tsheko;
- (i) go ntsha bopaki le go ganetsa bopaki;
- (j) go se patelediwa go ntsha bopaki jo bo bofelelang;

- (k) go sekisiwa ka puo e tlhalogangwang ke molatofadiwa kgotsa, fa seo se sa kgonagale, ranolela ditsamaisotsa tshoko go puo eo;
 - (l) go se atholwe mabapi le molao mongwe kgotsa tlogelo nngwe e e neng e se tlolomolao go ya ka molao wa bosetšhaba kgotsa wa boditšhabatšhaba ka nako ya tiragalo kgotsa tlogelo;
 - (m) go se sekisiwe boemong jwa tlolomolao kgotsa tlogelo eo motho a kileng a bonwa molato mabapi le yona kgotsa katlholo;
 - (n) go atholwa ka kotlo e bothofo ya tse di umakilweng boemong jwa tatofatso e fetotsweng ka nako ya go diriwa ga tatofatso le nako ya katlholo; le
 - (o) go ikuela go, kgotsa tshokatsheko sešwa ke kgotlatshekelo e kgolwane.
- (4) Gangwe le gape fa karolo eno e batla gore motho a fiwe tshedimosetso, tshedimosetso eo, e tshwanetse go fiwa motho oo ka puo a e tlhaloganyang.
- (5) Bopaki jo bo bonweng ka mokgwa o o kgalthanong le Tshwanele nngwe le nngwe ya Both obo tshwanetse go kgaphelwa thoko fa go na le kgonagalo ya gore bopaki jo bo ka ama tolamo ya tshoko kgotsa ka tsela nngwe bo ka nna kotsi go tsamaiso ya bosiamisi.

Tekanyetso ya ditshwanele

36. (1) Ditshwanele tsa Ditshwanele tsa Botho di lekanyediwa fela go tsamaelana le ditaello tsa molao wa tiragatso ka kakaretso, fa fela tekanyetso e le maleba e bile o lolame go mametlelela kgoLOSEGO ya demokrasi le seriti sa botho, tekatekano le kgoLOSEGO, go etswe tlhoko dintlha tsotlhe tse di maleba go akarediwa –
- (a) mokgwa wa tshwanele;
 - (b) bothokwa jwa maikaelelo a tekanyetso;
 - (c) mokgwa le bogolo jwa tekanyetso;
 - (d) kgoLAGANO gare ga tekanyetso le maikaelelo a yona; le
 - (e) mekgwa e e sa ileldiwang ka botlalo go fitlhelela maikaelelo.
- (2) Ntle le go tsamaelana ka ditaello tsa karotlaleletso (1) kgotsa go taelo ngwe le ngwe ya Molaotheo, ga go molao ope o o tshwanetseng go lekanyetsa tshwanele nngwe le nngwe e e umakilweng mo molaong wa Ditshwanele tsa Botho.

Maemo a tshoganyetso

37. (1) Maemo a tshoganyetso a phasaladiwa fela go tsamaelana le Molao wa Palamente, fela fa –
- botshelo jwa setšhaba bo le mo kotsing ya ntwa, tlhaselo, khuduego ka kakaretso, tlhakatlhakano, matshosetsi a tlhago kgotsa tshoganyetso mangwe a setšhaba; le
 - kgoeletso e botlhokwa go tliša kagiso le tolamo.
- (2) Kgoeletso ya maemo a tshoganyetso, le molao mongwe le mongwe o o rebotsweng kgotsa kgato ngwe le ngwe e e tsewang go tsamaelana le kgoeletso eo, e ka dira fela –
- fa go nale kgonagalo; le
 - eseng go feta matsatsi a le 21 go simolola ka letlha la kgoeletso ntle le fa Kokoano ya Bosetšhaba e ka tsaya tshwetso ya go atolosa kgoeletso. Ntlokokoano Bosetšhaba e ka atolosa ka kgoeletso ya maemo a tshoganyetso ka nako e e sa feteng dikgwedi du le tharo ka nako. Katoloso ya ntliša ya maemo a tshoganyetso e tshwanetse go diriwa ka tshwetso e e amogetswe ke boutu ya bontsi jwa maloko a Ntlokokoano Bosetšhaba. Katoloso nngwe le nngwe Morago ga moo, e tshwanetse go diriwa ka tshwetso e e amogetswe ke boutu ya bontsi jwa diperesente di le 60 tsa maloko a Ntlokokoano Bosetšhaba. Tshwetso go tsamaelana le temana eno, e ka amogelwa fela go ya ka dipuisano tsa botlhe mo Ntlokokoano Bosetšhaba.
- (3) Kgotlatshekelo nngwe le nngwe e e nang le bokgoni e ka dira tshwetso ka botlhokwa jwa –
- kgoeletso ya maemo a tshoganyetso;
 - katoloso nngwe le nngwe ya kgoeletso ya maemo a tshoganyetso; kgotsa.
 - molao mongwe le mongwe yo o rebotsweng , kgotsa kgato ngwe e e tserweng ka ntliša ya mabaka a kgoeletso ya maemo a tshoganyetso.
- (4) Molao mongwe le mongwe yo o rebotsweng ka ntliša ya kgoeletso ya maemo a tshoganyetso o ka nna kgatlhanong le molao wa Ditshwanele tsa Botho fa fela –
- go fapoga go le botlhokwa go tsamaelana le maemo a tshoganyetso; e bile
 - molao –
 - o tsamaelana le maitlomo a Rephaboliki go tsamaelana le molao wa boditšhabatšhaba wa maemo a tshoganyetso;

- (ii) o tsamaelana le karollaleletso(5); mme
 - (iii) o phasaladitswe mo Lokwalodikgang la Puso ka bonako jo bo kgonagalang morago ga go rebolwa.
- (5) Ga go Molao wa Palamente yo o mamelelelang kgoeletso ya maemo a tshoganyetso, le molao yo o tihomilweng kgotsa kgato nngwe e e tserweng ka ntsha ya kgoeletso, e e ka letlang kgotsa ya dumelela –
- (a) go se latofadiwe ga puso, kgotsa mongwe le mongwe, tebang le tiragalo nngwe le nngwe ya tlolomolao;
 - (b) tlontlololo nngwe le nngwe mo karolong eno; kgotsa
 - (c) tlontlololo nngwe le nngwe mo karolong e e umakilweng mo kholomong ya 1 ya Lenaane la Ditshwanele-Tse-Di-sa Tlontlololeng, go tsamaelana le ditekanyetso tse di lebaganeng le karolo eo, mo kholomong ya 3 ya lenaane leo.

Lenaane la Ditshwanele tse di sa Tlontlololegeng

1 Nomoro ya Karolo	2 Setlhogo sa karolo	3 Selekano seo tshwanele e sireleditsweng ka wona
9	Tekatekano	Tebang le kgethololo e ikaegileng ka Lebaka la bomorafe, mmala, lotso , tshika, bong, bodumedi kgotsa puo
10	Seriti sa botho	Gotlhelele
11	Botshelo	Gotlhelele
12	Kgololosego le tshireletsego ya motho	Tebang le dikarolwana(1)(d) le(e) le 2(c)
13	Bokgoba, tiro ya bolata le ya pateletso	Tebang le bokgoba le bolata

KGAOLO 2: MOLAOTLHOMO WA DITSHWANELO

1 Nomoro ya Karolo	2 Setlhogo sa karolo	3 Selekano seo tshwanelo e sireleditsweng ka wona
28	Bana	Tebang le - karolwana (1)(d) le(e); - ditshwanelo mo dikatemaneng(i) le(ii) tsa karolwana(1) (g); le - karolwana(1)(i) tebang le bana ba dingwaga di le 15 le tse di kwa tlase
35	Batshwarwa, batlhatlhelwa le ba ba latofadiwang	Tebang le: - karolotlaleletso (1)(a), (b) le (c) le (2)(d) - ditshwanelo mo ditemana (a) go fitlha (0) tsa karolotlaleletso (3), ntle le temana (d); - karolotlaleletso (4), le - karolotlaleletso (5) tebang le kgaphelothoko ya bopaki fa kamogelo ya bopaki bo bo ka dirang gore tsheko e tlhoke tolamo

- (6) Fa mongwe a tlhatlhetswe ntle le go sekisiwa ka ntlha ya tlontlololo ya ditshwanelo go tsamaelana le kgoeletso ya maemo a tshoganyetso, mabaka a a latelang a tshwanetse go elwa tlhoko:
- Mogolo wa losika kgotsa tsala ya motlhatlhelwa e tshwanetse go itsisiwe ka bonako jo bo kgonagalang fa motho yoo a tlhatlhetswe.
 - Kitsiso e tshwanetse go phasaladiwa mo Lokwalodikgang la Puso mo nakong ya matsatsi a le a mathano morago ga go tshwariwa ga motho yoo, mme e tshwanetse go tlhalosa leina la motlhatlhelwa, lefelo la tlhatlhelo le tatofatso ya motlhatlhelwa.
 - Motlhatlhelwa o tshwanetse go dumelelwa go ikgethela le go tlhatlhoibiwa ke ngaka nako nngwe le nngwe fa go kgonagala.
 - Motlhatlhelwa o tshwanetse go letlelelwa go ikgethela le go etelwa ke mmueledi nako nngwe le nngwe.
 - kgotlatshekelo e tshwanela go sekaseka tlhatlhelo ka bonako jo bo kgonagalang, ya matsatsi a le 10 morago ga go tswalelwa ga motho yoo, e bile

- kgotlatshekelo e tshwanaela go golola motlhatlhelwa ntle le fa go le botlhokwa go mo tswalelela go tseweletsa kagiso le tolamo.
- (f) Motlhatlhelwa yo o sa gololweng go ya ka tshkatsheko ya temana (e) kgotsa yo a sa gololweng go ya ka tshkatsheko mo temana eno, a ka dira kopo go kgotlatshekelo go sekaseka sešwa go tswalelwa ga gagwe nako nngwe le nngwe morago ga go feta matsatsi a le 10 morago ga tshkatsheko e e fetileng, mme kgotlatshekelo e tshwanetse go golola motlhatlhelwa, ntle le fa go sa ntse go botlhokwa go tswalela motlhatlhelwa go ntshetsapele kagiso le tolamo.
- (g) Motlhatlhelwa o tshwanetse go dumelelwa go tlhagelela ka namana pele ga kgotlatshekelo nngwe le nngwe e e sekasekang go tlhatlhelwa ga gagwe, le go emelwa ke mmueledi mo tshelong, mme le go dira boikuelo kgatlhanong le ntshetsapele ya go tlhatlhelwa ga gagwe;
- (h) Puso e tshwanaela go bolelela kgotlatshekelo mabaka a a dirang gore motlhatlhelwa a dule a mo kgolegelong, e bile le tshwanetse go neela motlhatlhelwa kgatiso ya lokwalo la mabaka a go tlhatlhelwa bonnye matsatsi a le mabedi pele lekgotla le sekaseka go tlhatlhelwa ga gagwe.
- (7) Fa lekgotla le golola motlhatlhelwa, motho yoo ga a tshwanaela go tshwariwa gape ka ntsha mabaka ao gape ntle le fa puso e ka bontsha kgotlatshekelo lebaka le le botlhokwa go matlafatsa go tlhatlhelwa ga motho yoo gape.
- (8) Karolotlaleletso (6) le (7) ga di ame batho ba e seng baagi ba Rephaboliki ya Aforika Borwa, e bile ba tlhatlhetswe ka ntsha ya kgotlhang ya dibetsa ya boditšhabatšhaba. Fa go le jaalo, puso e tshwanetse go itepatepanya le maemo a a tlamang Rephaboliki go ya ka molao wa botho wa boditšhabatšhaba mabapi le go tlhatlhelwa ga batho bao.

Pateletso ya ditshwanelo

38. Mongwe le mongwe yo o umakilweng mo karolong eno, o na le tshwanelo ya go tlhagelela fa pele ga kgotla-tshekelo e e ikemetseng, ka ngongorego ya gore Tshwanelo ya Botho e gatakilwe, kgotsa tshosedwa, e bile kgotlatshekelo e ntsha katlholo e e maleba , go akarediwa le tumelano ya ditshwanelo. Batho ba ba ka dirang kopo go kgotlatshekelo ke –
- (a) mongwe le mongwe yo o emetseng dikgatlhegelo tsa gagwe;

- (b) mongwe le mongwe yo o dirang seo boemong jwa motho yo mongwe yo sa kgoneng go ikemela ka boena;
- (c) mongwe le mongwe yo o dirang jaaka tokololo ya, kgotsa mo dikgatlhegelong tsa, lekoko kgotsa setlhopa sa batho;
- (d) mongwe le mongwe yo o dirang boemong jwa dikgatlhagelo tsa setšhaba;
- (e) mokgatlho yo o dirang boemong jwa dikgatlhagelo tsa ditokololo tsa sona.

Tlhaloso ya Molao wa Ditshwanelo tsa Botho

39. (1) Fa go tlhalosiwa molao wa Ditshwanelo tsa Botho, kgotlatshekelo, lekgotlatheetso kgotsa foramo –
- (a) e tshwanetse go tsweletsa meetlo setšhaba sa demokerasi e e ikaegileng ka seriting sa botho, tekatekano le kgololosego.
 - (b) e tshwanetse go ela tlhoko molao wa boditšhabatšhaba, le
 - (c) go sekaseka molao wa dinaga-ntle.
- (2) Fa go tlhalosiwa molao mongwe le mongwe, le fa go tlhabololwa molao wa tlwaelo, kgotsa wa setso, kgotsatshekelo nngwe le nngwe, lekgotlatheetso kgotsa foramo e tshwanetse go tsweletsa mowa, moonoo le maikaelelo a Molao wa Ditshwanelo tsa Botho.
- (3) Molao wa Ditshwanelo tsa Botho ga ganele go nna teng ga tshwanelo nngwe le nngwe kgotsa kgololosego e e amogelwang kgotsa atlenegisitsweng mo molaong wa setso kgotsa molao, fa fela e tsamaelana le Molaotlhomoo.

KGAOLO 3

PUSO YA TIRISANO

Popego ya Rephaboliki

40. (1) Mo gare ga Rephaboliki, puso e tlamilwe jaaka puso ya bosetšhaba, porofense, le ya selegae, tse di kgethegileng, thusanang le go golagana.
- (2) Makala otlhe a puso a tshwanetse go obamela le go itepatepanya le moonno wa Kgaolo eno, le go dira ditiro tsa tsona go ya ka metho e e tshalositsweng mo Kgaolong eno.

Meono ya tirisanomogogo ya puso le dikamano tsa tlhakanelo-puso

41. (1) Makala otlhe a puso le ditheo tsothle tsa puso go lekala lengwe le lengwe a rshwanetse go –
- (a) go mametlelela kagiso, kitlano ya bosetšhaba le kopano ya Rephaboliki;
 - (b) go boloka tshireletsego ya batho ba Rephaboliki;
 - (c) go tlamela ka puso e e manontlotlho, mo pontsheng, e e na leng maikarabelo, le e e tsepameng mo Rephaboliki yotlhe;
 - (d) boikanyego go Molaotheo, Rephaboliki, le baagi ba naga;
 - (e) tlhompfo ya maemo a molaotheo, ditheo, dithata le ditiro tsa puso mo makalaeng a mangwe a puso;
 - (f) go se dirisa thata epe kgotsa tiro ntle le tse e direboletsweng go ya ka Molaotheo;
 - (g) go dirisa maatla a tsona le go diragatsa ditiro tsa yona ka mogwa o o sa ameng seriti sa tikologo, ditiro, kgotsa matla a setheo sa lekala le lengwe; le
 - (h) go dirisana mmogo ka mogwa wa go tshepana le boikanyego ka go –
 - (i) go mametlelela dikamano tse di namatshang tsa botsalano;
 - (ii) go thusana le go tshegetsana;
 - (iii) go itsisesana, le go rerisana ka mabaka a dikgatlhegelo tse di maleba;
 - (iv) go rulaganya mmogo ditiro tsa bona le molao; le
 - (v) go itepatepanya le tsamaiso e e dumetsweng; le
 - (vi) go tila go tseelana dikgato tsa semolao.
- (2) Molao wa Palamente o tshwanetse go -

- (a) tlhoma kgotsa go tlamela makala le ditheo go tsweletsa le go mametlelela dikamano tsa puso; le
 - (b) go rulaganyetsa mekgwa le ditsela tsa go kgontsha tharabolo ya dikganetsano gareng ga puso.
- (3) Setheo sa puso se se nang le kgotlhang le setheo se sengwe sa puso, se tshwanetse go dira ka bo jotle go rarabolola kgotlhang eo ka mekgwa le ditsela tse di rulaganyeditsweng lebaka leo, e bile se tshwanetse go dirisa mefuta yotle ya ditharabololo pele e dirisa kgotlatshekelo go rarabolola kgotlhang.
- (4) Fa kgotlatshekelo e sa kgotsafala gore ditlhokego tsa karotlaleletso (3) di diragaditswe, e ka busetsa kgotlhang eo morago go ditheo tsa puso tse di amegang.

KGAOLO 4**PALAMENTE****Popego ya Palamente**

42. (1) Palamente e arognatswe ka –
- Ntlokokoano Bosetšhaba; le
 - Khansela ya Bosetšhaba ya Diporofense.
- (2) Ntlokokoano Bosetšhaba le Khansela ya Bosetšhaba ya Diporofense di tsaya karolo mo go tlhameng molao go ya ka mokgwa o o tthalositsweng mo Molaotheo.
- (3) Ntlokokoano Bosetšhaba e tlhophilwe go emela batho le go netefatsa puso ya batho go ya ka Molaotheo. E dira seo ka go thopa Moporesidente, ka go tlamela ka foramo ya bosetšhaba go sekaseka merero ya setšhaba, ka go tlhama molao, go thatlhoba le go lebelela tiro ya khuduthamaga/puso.
- (4) Khansela ya Bosetšhaba ya Diporofense e emetse diporofense go netefatsa fa puso ya bosetšhaba e e la tlhoko dikgatlhegelo tsa diporofense. E dira seo bogolo ka go tsaya karolo go ditsamaiso tsa peomolaole go tlamela ka foramo ya bosetšhaba gore setšhaba se sekaseke merero e e amang diporofense.
- (5) Moporesidente a ka bitsa kopano e e kgethegileng ya Palamente nako nngwe le nngwe go dira tiro e e kgethegileng;
- (6) Bonno jwa Palamente ke Motse Kapa, mme Molao wa Palamente yo o rebotswebg go tsamaelana le karotlaleletso 76(1) le(5), o ka tlhomasisa gore bonno jwa Palamente bo nne felo gongwe.

Matla a semolao a Rephaboliki

43. Mo Rephaboliking, matla a go tlhama molao a –
- makala a bosetšhaba a puso a rwele ke Palamente, go ya ka tlhaloso ya karolo 44;
 - makala a puso ya porofense a rwele ke ntlopeomolao ya porofense go ya ka tlhaloso ya karolo 104; mme
 - ya makala a puso selegae e rwele ke Dikhansela tsa Bommasepala go ya ka tlhaloso ya karolo 156.

Matla a semolao a naga

44. (1) Bothati ba peomolao ya bosetšhaba jaaka bo rwele ke Palamente –
- (a) matla ao a reboletswe Ntlokokoano Bosetšhaba –
 - (i) go tlabelola Molaotheo;
 - (ii) go atlenegisa molao tebang le morero mongwe le mongwe, go akarediwa morero o o wa tiro o o tlabelositsweng mo Mametlelelo 4, mme go sa akarediwe, fela go tsamaelana le karolo (2), morero wa tiro o o tlabelositsweng mo Mametlelelo 5; le
 - (iii) go abela bothati bongwe le bongwe jwa semolao jwa lekala lengwe le lengwe la puso dithata tsa yona tsa molao; ntle le thata ya go tlabelola Molaotheo; le
 - (b) go mametlelela Khansela ya Bosetšhaba ya Diporofense ka maatla –
 - (i) a go tlabelola Molaotheo, go ya ka karolo 74;
 - (ii) go atlenegisa molao go ya ka karolo 76, tebang le morero mongwe le mongwe wa tiro e e tlabelositsweng mo Mametlelelo 4, le morero mongwe le mongwe yo go tlabelo gang gore o atlenegisiwe go tsamaelana le karolo 76 ya Molaotheo, le
 - (iii) go sekaseka go ya ka karolo 75, molao mongwe le mongwe yo o atlenegisitsweng ke Ntlokokoano Bosetšhaba.
- (2) Palamente e ka tsereganya ka go aatlenegisa molao go ya ka karolo 76(1) tebang le morero yo o lebaganyeng le tiro e e tlabelositsweng mo Mametlelelo 5, fa go tlabelo kega –
- (a) go tshegetsatshireletso ya bosetšhaba;
 - (b) go tshegetsatsitso jwa ikonomi;
 - (c) go tshegetsatsa maemo a kelo ya bosetšhaba a a botlhokwa;
 - (d) go tlabelama maemo tekanyetso a a lebaganeng le thebolo ya ditirelo; kgotsa
 - (e) go tlabela porofense go tsaya dikgato tse di sa isa itumediseng, tse di amang dikgatlabelogelo tsa porofense e nngwe ka mokgwa o sa itumediseng, kgotsa naga ka bophara.
- (3) Molao tebang le morero o o botlhokwa go, kgotsa o maleba le tiragatso ya thata e amang morero mongwe le mongwe o o kwadilweng mo Mametlelelo 4.
- (4) Fa e diragatsa matla a yona a semolao, Palamente e tlabelang fela ke Molaotheo, e bile e tshwanela go dira go ya ka Molaotheo le mo maparego a Molaotheo.

Melawana le ditaelo tlhakanelo le dikomiti tlhakanelo

45. (1) Ntlokokoano Bosetšhaba le Khansele ya Bosetšhaba ya Diporofense e tshwanetse go tlhama komiti ya melawana le ditaelo tlhakanelo go dira melawana le ditaelo tebang le merero ya ntlokokoano le Khansele go akarediwa melawana le ditaelo –
- go tlhohlomisa tsamaiso tebang le ntshetsopele ya thulaganyo ya molao, go akarediwa go tlhoma ga selekanyetso sa nako mabapi le go wediwa ga kgatho nngwe le nngwe mo tiragatsong;
 - go tlhama dikomiti tlhakanelo tse na leng maloko go tswa go Ntlokokoano Bosetšhaba le Khansele ya Diporofense go sekaseka le go bega ka Melaotlhommo e e akannngwang mo karolo 74 le 75 e e rometsweng go komiti ya mothale oo;
 - go tlhama komiti ya tlhakanelo go sekaseka Molaotheo bonnyeng gangwe ka ngwaga; le
 - go laola merero ya –
 - melawana ya komiti tlhakanelo;
 - komiti ya botsereganyi;
 - komiti ya tshekatsheko ya Molaotheo; le
 - komiti tlhakanelo nngwe le nngwe e e tlhomilweng go ya ka mabaka a temana (b).
- (2) Ditokololo tsa kabinete, ditokololo tsa Ntlokokoano Bosetšhaba le baemedi bao Khansele ya Bosetšhaba ya Diporofense ba na le ditshwanelo le ditshireletesego fa pele ga Komiti tlhakanelo ya Ntlokokoano Bosetšhaba le Khansele ya Bosetšhaba ya Diporofense fela jaaka ba nale ditshwanelo tseo fa pele ga Ntlokokoano kgotsa Khansele ya Diporofense.

Kokoano Bosetšhaba**Sebopego le ditlhopho**

46. (1) Ntlokokoano Bosetšhaba e tlhamilwe ka maloko a fa tlase ga 350, mme eseng e go feta banna le basadi ba le 400 ba ba tlhophilweng jaaka ditokololo go ya ka lenaane la ditlhopho le le –
- tlhalosiwang ke molao wa bosetšhaba;
 - ikaegileng ka lenaane le le twaelegileng la bosetšhaba ya leano la ditlhopho;

- (c) letlelelang selekanyetso sa dingwaga di le 18 mabapi le go tlhophha; le
 - (d) tlamelang, ka kakaretso kemedi ya tekanyetso.
- (2) Molao wa Palamente o tshwanetse go tthomamisisa selekanyo sa palo ya maloko a Ntlokokoano Bosetšhaba.

[Karolotlaetso. (1) e e tlhabolotsweng ka karolo 1 ya Tlhabololo ya Bolesome ya Molaotheo wa Molao wa 2003 le ka k. 1 ya Tlhabololo ya Bosometlhano ya Molaotheo wa Molao 2008.]

Botokololo

47. (1) Moagi mongwe le mongwe yo o letleletsweng go tlhophha mo Ntlokokoano Bosetšhaba e ka nna tokololo ya Ntlokokoano kwa ntle ga –
- (a) mongwe le mongwe yo o thapilweng ke puso kgotsa a direla puso, e bile a amogela moputso boemong jwa tiro eo, kgotsa tirelo ntle le –
 - (i) Moporesidente, Motlatsa Moporesidente, Ditona le Batlatsa Ditona; le
 - (ii) Batlhankedi bangwe ba ditiro tsa bona di tshwanang le ditiro tsa maloko a Ntlokokoano, e bile Ntlokokoano Bosetšhaba e tthomamisitse ditiro tseo ka go tshwana ka molao wa bosetšhaba;
 - (b) Barongwa ba leruri ba Khansele ya Bosetšhaba ya Diporofense kgotsa ditokololo tsa kgotla peomolao ya Porofense kgotsa lekgotla la bommasepala;
 - (c) Mokoloti yo o sa tlhabologeng;
 - (d) Mongwe le mongwe yo o tthomamisistweng a sa itekanela ke kgotlatshekelo ya Rephaboliki ya Aforika Borwa; kgotsa
 - (e) Mongwe le mongwe yo o othhailweng Morago ga go tsengwa tirisong ga karolo eno, e bile a otlhaiwa dikgwedi di feta 12 mo teng ga kgolegelo, ntle le boikgethelo ja tuelo ya tšhelete, le fa e le mo teng ga Rephaboliki, kgotsa kwa ntle ga Rephaboliki; fa maitshwaro a bontshang bosenyi e ka nna tlololomolao mo Rephaboliking; mme, ga go ope yo o tla tselwang gore o othhailwe go fitlhela boikuelo kgatthanong le katlhoho le kotlhao di tthomamisiswa, kgotsa go fitlhela boikuelo bo felelwa ke nako. Pelesetso go ya ka temana eno e fela dingwaga di le tlhano morago ga go wediwa ga katlhoho.
- (2) Motho yo go sa kgonagaleng gore a nne leloko la Ntlokokoano Bosetšhaba go ya ka ditaello tsa karolotlaletso (1)(a) kgotsa (b) a ka nna ntlhopheng wa Ntlokokoano go tsamaelana le tekanyetso ngwe le ngwe e e tthomilweng ka molao wa bosetšhaba.

- (3) Motho o latlhegelwa ke go naa le tokololo ya Ntlokokoano Bosetšhaba fa motho yoo –
- a sa kgone go ka tlhophiwa; kgotsa
 - a seyo mo Ntlokokoano ntle le tumelelo mme melao le ditaelo le melao ka Ntlokokoano di tthalosa gore o tshwanetse go latlhegelwa ke boloko, kgotsa
 - o kgaotsa go nna leloko la lekoko le le motlhophileng jaaka leloko la Ntlokoko.

[Karolwana. (3) boemong jwa karolo 2 ya Tlhabololo ya Bolesome ya Molaotheo wa Molao wa 2003 le ka k. 2 ya Tlhabololo ya Bosomethano ya Molaotheo wa Molao 2008.]

- (4) Diphatlhatiro tsa Ntlokokoano Bosetšhaba di tshwanetswe go tladiwa go ya ka molao wa bosetšhaba.

Go Ikano kgotsa boitlamo

48. Pele ditokololo tsa Ntlokokoano Bosetšhaba di simolola go dira ditiro tsa bona tsa bokhuduthamaga, di tshwanetse go ikana kgotsa go itlama ka boikanyego go Rephaboliki le kobamelo ya Molaotheo, go ya ka Mametelelo 2.

Paka ya Kokoano Bosetšhaba

49. (1) Ntlokokoano Bosetšhaba e tlhophiwa paka ya dingwaga di le tlhano.
- (2) Fa Ntlokokoano Bosetšhaba e fedisiwa go ya ka karolotlaletso 50 kgotsa fa paka ya yona e fela, Moporesidente, ka kgoeletso, o tshwanetse go bitsa le go baya matsatsi a ditlhopho, tse di tshwanetseng go tshwarwa mo nakong ya matsatsi a le 90 morago ga letsatsi la go nyelediwa ga Ntlokokoano, kgotsa go fela ga paka eo. Kgoeletso ya go umaka le tshomamiso ya matsatsi a ditlhopho a ka umakiwa pele kgotsa Morago ga go fela gap aka ya Ntlokokoano Bosetšhaba.

[KI(2) e emetswe k. 1 ya Tlhabololo ya Bothano ya Molaotheo wa Molao wa 1999.]

- (3) Fa dipholo tsa ditlhopho tsa Ntlokokoano Bosetšhaba di sa itsisiwe ka nako e boletseng go ya ka karolo 190, kgotsa fa ditlhopho di kgapelwa thoko ke kgotlatshekelo, Moporesidente o tshwanetse go itsise le go tshomamisa letlha le lengwe la ditlhopho, tseo di tshwanetseng go tshwarwa mo nakong ya matsatsi a le 90 morago ga go fela ga paka eo kgotsa ka letlha le ditlhopho le di kgaphetseng thoko ka lona.
- (4) Ntlokokoano Bosetšhaba e dula e na le matla a go dira go simolola ka nako eo e

fedisitsweng ka yona, kgotsa nako ya go fela gap aka ya yona, go fitlhela ka letsatsi pele ga ditlhopho tsa Ntlokoano e nngwe.

Go fedisiwa ga Ntlokoano Bosetšhaba pele ga bokhutlo jwa paka ya yona

50. (1) Moporesidente o tshwanetse go fedissa Ntlokoano Bosetšhaba fa –
- (a) Ntlokoano e amogetse tshwetso ya go fedisiwa go ya ka diboutu tsa bontsi jwa ditokololo tsa yona; le
 - (b) fa go fetile dingwaga di le tlhano e sale Khuduthamaga e tlhopilwe.
- (2) Moporesidente wa nama-o tshwere o tshwanetse a fedisa Ntlokoano Bosetšhaba fa –
- (a) go na le phatlhatiro mo ofising ya Moporesidente; le
 - (b) fa khuduthama e palelwa ke go tlhopho Moporesidente o mošwa mo nakong ya matsatsi a le 30 morago ga go tlhagelela ga phatlhatiro.

Dipitso le dipaka tsa khunologo

51. (1) Morago ga ditlhopho, pitso ya ntlha ya Ntlokoano Bosetšhaba e tshwanetse go tshwariwa ka nako le letlha le le tlhomamisistweng ke Molaodi Mogolo, mme e seng fela morago ga matsatsi a le 14 fa dipholo tsa ditlhopho di fetsa go itsisiwe. Khuduthamaga e ka tlhomamisa nako le bolelele jwa nako ya dipitso le dipaka tsa khunologo.

[Kl.(1) boemong jwa k. 1 ya Tlhabololo ya Bothano ya Molaotheo wa Molao wa 2001.]

- (2) Moporesidente a ka bitsa kopano e e kgethegileng ya Ntlokoano Bosetšhaba, nako nngwe le nngwe go tshotla merero e e kgethegileng.
- (3) Dikopano tsa Ntlokoano Bosetšhaba di letleletswe go nna mo lefelong le lengwe ntle le bodulo jo bo tlwaelegileng jwa Palamente fela ka ntlha ya mabaka a dikgatlhegelo tsa setšhaba, pabalesego kgotsa kgonagalole le fa seo se letleletswe go ya melao le ditaello tsa Ntlokoano.

Mmusakgotla le Motlatsa Mmusakgotla

52. (1) Mo kopanong ya ntlha morago ga ditlhopho tsa yona, kgotsa fa go le botlhokwa go tlatsa phatla, Ntlokoano Bosetšhaba e tshwanetse go kgetha Mmusakgotla le

Motlatsa Mmusakgotla mo gare ga ditokololo tsa yona.

- (2) Moatlhodi Mogolo o tshwanetse go etelapele tsamaiso fa go tlhophiwa 36 Mmusakgotla, kgotsa go laela moatlhodi mongwe go dira jaalo. Mmusakgotla o tshwanetse go etelapele tsamaiso fa go tlhophiwa Motlatsa Mmusakgotla.
- [Kl.(2) boemong jwa k. 2 ya Molaotheo Tlhabololo ya Borataro Molao wa 2001.]
- (3) Tsamaiso e e tlhalositsweng mo Kgaolo A ya Mametlelelo 3 e dirisiwa fa go tlhophiwa Mmusakgotla le Motlatsa Mmusakgotla.
 - (4) Ntlokokoano Bosetšhaba e ka tlosa Mmusakgotla kgotsa Motlatsa Mmusakgotla mo tirong fa go na le tumelano. Bontsi jwaa ditokololo tsa Ntlokokoano di tshwanetse go nna teng fa go diriwa tshwetso.
 - (5) Go ya melao le ditaello tsa yona, Ntlokokoano Bosetšhaba e ka tlhophiwa mo gare ga ditokololo tsa yona batlhankedi ba bangwe go thusa Mmusakgotla le Motlatsa Mmusakgotla.

Ditshwetso

53. (1) Ntle le fa Molaotheo o laola ka tsela nngwe –
 - (a) bontsi ba ditokololo tsa Ntlokokoano Bosetšhaba di tshwanetse go nna teng pele go boutelwa Molaotlhommo kgotsa tlhabololo ya Molaotlhommo.
 - (b) bonnye nngwe-tharo ya ditokololo e tshwanetse go nna teng pele go diriwa boutu ka ga morero mongwe le mongwe fa pele ga Ntlokokoano; mme
 - (c) dipotso tsothe tsa Ntlokokoano di rarabololwa ka tumelano ya bontsi jwa diboutu.
- (2) Tokololo ya Ntlokokoano Bosetšhaba e etelelang pele ditsamaiso ga e ena boutu ya tlwaelo; mme–
 - (a) o tshwanetse go dira boutu ya makgaolagang fa diboutu di le maleka matlhakore oo mabedi; bile
 - (b) a ka boutu ka tlwaelo fa potso e tshwanetse go swediwa ka tumelano ya bonnye jwa pedi-tharo ya ditokololo tsa Ntlokokoano.

Ditshwanelo tsa ditokololo dingwe tsa Kabinete le Batlatsa Tona mo Ntlokokoano Bosetšhaba

54. Moporesidente le tokololo nngwe le nngwe ya Kabinete kgotsa Motlatsa Tona mongwe le mongwe yo e seng tokololo ya Ntlokokoano Bosetšhaba go tsaamaelana le melao le ditaello tsa Ntlokokoano a ka, tsenela kopano e bile a ka bua mo Ntlokokoano, mme fela ga a tshwanela go bouta.

[Kl.(54) boemong jwa k. 4 ya Tlhabololo ya Borataro ya Mplaptheo wa Molao wa 2001.]

Dithata tsa Ntlokokoano Bosetšhaba

55. (1) Go diragatsa dithata tsa yona tsa semolao, Ntlokokoano Bosetšhaba e ka—
- sekaseka, atlanegisa, tlhabolola kgotsa kgaphela thoko molao mongwe le mongwe yo o tlhagelelang fa pele ga Ntlokokoano; le
 - go simolola kgotsa go baakanya molao, ntle le Melaotlhommo ya ditšhelete.
- (2) Ntlokokoano Bosetšhaba e tshwanetse go tlamela ka maemo —
- go netefatsa fa ditheo tsotlhe tsa khuduthamaga tsa lekala la puso ya bosetšhaba a ikarabela go Ntlokokoano Bosetšhaba; le
 - go netefatsa tebelelo go —
 - tiragatso ya bolaodi jwa khuduthamaga ya bosetšhaba, go akarediwa le tiragatso ya molao; le
 - setheo sengwe le sengwe sa puso.

Bopaki kgotsa tshedimosetso fa pele ga Ntlokokoano Bosetšhaba

56. Ntlokokoano Bosetšhaba kgotsa ngwe le ngwe ya dikomiti tsa yona di ka —
- bitsa mongwe le mongwe go tlhagelela fa pele ga yona go tlamela ka bopaki a ikanne kgotsa tshepisitse kgotsa go tlhagisa ditokomane;
 - kopa mongwe le mongwe kgotsa setheo sengwe le sengwe go dira pegelo go Ntlokokoano Bosetšhaba;
 - pateletsa go tsaamaelana le ditaello tsa molao wa bosetšhaba kgotsa melawana le ditaello, mongwe le mongwe kgotsa setheo sengwe le sengwe go itepatepanya le mabaka a tagafara kgotsa ditlhokego go tsaamaelana le ditaello tsa temana (a) kgotsa (b); le
 - go amogela diphetišene, dingongorego kgotsa ditlhogiso tsa batho ba ba na leng kgaltheho kgotsa ditheo.

Dithulaganyo tsa ka fa teng, ditsamaiso le taolo ya Ntlokokoano Bosetšhaba

57. (1) Ntlokokoano Bosetšhaba e ka –
- Tlhomamisa le go laola dithulaganyo tsa yona tsa tsamaiso le ditsela ya tsamaiso, le—
 - go dira melaa le ditaelo tebang le merero ya yona, mme e etse tlhoko kemedi le botsaya karolo jwa botlhe ka kgololosego.
- (2) Melawana le ditaelo tsa Ntlokokoano Bosetšhaba di tshwanetse go tlamela ka –
- go tlhamiwa, sebopego, dithat, ditiro, tsamaiso le paka ya dikomiti tsa yona;
 - botsaya karolo mo ditsamaisong tsa Ntlokokoano le dikomiti tsa yona tsa makoko a potlana a na leng boemedi mo Ntlokokoano, ka mokgwa wa kgololosego;
 - thuso ya tšhelete le tsamaiso ya lekoko lengwe le lengwe le le na leng kemedi mo Ntlokokoano go ya ka selekanyo sa baemedi ba sona, go kgontsha lekoko le moeteledipele wa lona go dira ditiro tsa bona mo Ntlokokoano ka manontlhotlho; le
 - kamogelo ya moeteledi wa lekoko le legolo la kganetso mo Ntlokokoano jaaka Moeteledi wa Kganetso.

Ditetelelo

58. (1) Ditokololo tsa Kabinete, Batlatsa Ditona le ditokololo tsa Ntlokokoano Bosetšhaba –
- ba na le kgololosego ya puo mo Ntlokokoano le mo dikomiting tsa yona, go ya ka melawana le ditaelo tsa yona; e bile
 - ga ba rwale maikarabelo a kgetsi ya ngongorego ya semolao kgotsa ya bosenyi, go tshwarwa, kotlhao ya kgolegelo kgotsa tuelo boemong jwa molato ka ntlha ya –
 - sengwe le sengwe se ba se buileng, ba se kwadileng kgotsa tlhagisitseng mo Ntlokokoano kgotsa go nngwe le nngwe ya dikomiti tsa yona; kgotsa
 - sengwe le sengwe se se utulotsweng ka ntlha ya se ba se buileng mo, se rebotseng fa pele ga, kgotsa tlhagisitseng mo Ntlokokoano kgotsa nngwe le nngwe ya dikomiti tsa yona.

[K.58 boemong jwa k. 4 ya Molaotseo wa Tlhabololo ya Borataro ya Molao wa 2001.]

- (2) Ditetelelo le ditshireletsego tse dingwe tsa Ntlokokoano Bosetšhaba, ditokololo tsa

kabinete le ditokololo tsa Ntlokokoano di ka atlenegisiwa ka molao wa Bosetšhaba.

- (3) Meputso, diallawanse le ditshiamelo tse di duelwang ditokololo tsa Ntlokokoano Bosetšhaba di duelwa ka tlhamalalo go tswa go Letlole la Lotseno la Bosetšhaba.

Go Phitlhelelega ga le botsaya karolo jwa setšhaba mo Ntlokokoano Bosetšhaba

59. (1) Ntlokokoano Bosetšhaba e tshwanetse –
- (a) go kgonagatsa botsaya karolo jwa setšhaba mo melaong le mo mererong e mengwe ya Ntlokokoano le dikomiti tsa yona; le
 - (b) go tsamaisa merero ya yona mo phatlalatseng, le go tshwara dikopano tsa yona, le ya dikomiti tsa yona mo phatlalatseng; mme, go tshwanetse go tsewa dikgato tse di maleba –
 - (i) go laola phitlhelelo ya botlhe, go akarediwa phitlhelelo ya Ntlokokoano le dikomiti tsa yona ke baphasalatsi; le
 - (ii) go rulaganya phuruphutso ya mongwe le mongwe, mme fa go le maleba, kiletso ya go tsena kgotsa go tlosiwa ga mongwe le mongwe.
- (2) Ntlokokoano Bosetšhaba ga ya tshwanela go thibela setšhaba, go akarediwa le baphasalatsi go tsenela kopano ya nngwe ya dikomiti tsa yona, ntle le fa go le matshwanedi e bile go siame go dira jaalo mo pontsheng le kgololosego ya mo setšhaba.

Khansele ya Bosetšhaba ya Diporofense

Sebopego sa Khansele ya Bosetšhaba

60. (1) Khansele ya Bosetšhaba ya Diporofense e bopilwe ka moemedi a le nosi go tswa go porofense nngwe le nngwe, e na le baemedi ba le lesome.
- (2) Baemedi ba ba lesome ke –
- (a) Baemedi ba bane ba ba kgethegileng e leng –
 - (i) Tonakgolo ya porofense kgotsa, fa Tonakgolo e seyo, tokololo nngwe le nngwe ya kgotla-peomolao ya porofense e e tlhopilweng ke Tonakgolo ka kakaretso kgotsa mabapi le tiro e e kgethegileng fa pele ga Khansele ya Bosetšhaba ya Diporofense; le
 - (ii) baemedi ba bangwe ba bararo ba ba kgethegileng, le

- (b) baemedi ba ba rataro ba leruri ba ba kgethilweng go ya ka ditaelo tsa karolo 61(2).
- (3) Tonakgolo ya porofense, kgotsa fa Tonakgolo a seyo, tokololo ya barongwa ba porofense yo o tihopilweng ke Tonakgolo, Tonakgolo ke ena moeteledipele wa kemedi.

Kabelo ya baemedi

61. (1) Makoko a a na leng boemedi mo Kgotla-peomolao ya porofense ba letleletswe go nna le barongwa mo boemeding jwa porofense go ya ka tekanyetso e e tthalositsweng mo Karolo B ya Mametlelelo 3.
- (2) (a) Mo malatsing a le 30 morago ga phatlatsa ya dipholo tsa ditlhopho, kgotla-peomolao ya porofense, e tshwanetse –
- (i) go tihomamisa, go tsamaelana le molao wa bosetšhaba gore ke barongwa ba le kae ba ba tla nna kemedi ya leruri, e bile gape ke ba kae ba ba tla nnang baemedi ba ba kgethegileng; le
- (ii) go tihopa barongwa ba leruri go ya ka mokgwa tihagiso ya makoko.
- (b)

[Tema (b) e tlogetswe ke Molaotheo Tlhabololo ya Bosomenne wa Molao wa 2008.]

[Kl.(2) [Kl.(2) boemong jwa k. 1 ya Molaotheo Tlhabololo ya Borobongwe ya Molao wa 2002 le ka k. 1 ya Molaotheo Tlhabololo ya Bosomenne wa Molao wa 2008]

- (3) Molao wa bosetšhaba o o tthalositsweng mo karolotlaleletso (2)(a) e tshwanetse go netefatsa kemedi botsaya karolo jwa makoko-potlana mo maphateng oo mabedi, go kemedi ya leruri le kemedi e e kgethegileng ka mokgwa wa kgololosego.
- (4) Kgotla-peomolao ya porofense ka tumelelano ya Tonakgolo le baeteledipele ba makoko a a na leng tetla ya baemedi ba ba kgethegileng go barongwa ba porofense, e tshwanetse go tihopa barongwa ba ba kgethegileng, nako le nako ga go tihokega, go tswa go maloko mangwe a kgotla-peomolao.

Baemedi ba leruri

62. (1) Motho yo o kgethilweng jaaka moemedi wa leruri o tshwanetse go nna le tshiamelo ya go nna tokololo ya kgotla-peomolao ya porofense.
- (2) Fa motho yo e leng tokololo ya kgotla-peomolao ya porofense a tlohiwa jaaka

moemedi wa leruri, motho yoo o tlogela go nna tokololo ya kgotla-peomolao ya porofense.

- (3) Baemedi ba leruri ba tlhophiwa paka e felang -
- (a) ka bonako, pele ga kopano ya ntlha ya kgotla-peomolao ya porofense morago ga tlhopho
- (b)

[Tema (b) e tlogetswe ka k. 2 ya Molaotheo Tlhabololo ya Bosomenne ya Molao wa 2008.]

[Kl.(3) e emetswe ke k. 2 ya Molaotheo Tlhabololo ya Borobongwe ya Molao wa 2002 le go emelwa ke kl 2 ya Molaotheo Tlhabololo ya Bosomenne ya Molao wa 2008]

- (4) Motho o khutla go nna moemedi wa leruri fa motho yoo –
- (a) a khutla go nonofela go ka tlhophiwa go nna tokololo ya kgotla-peomolao ya porofense; ka ntlha ya lebaka lengwe ntle le go kgethiwa go nna moemedi wa leruri;
- (b) a kgethetswe go ya kwa Kabineteng;
- (c) a latlhegetswe ke boikanyego jwa kgotla-peomolao e bile a bilelwa morago ke lekoko le le tlhagisitseng motho yoo;
- (d) a khutla go nna tokololo ya lekoko le le mo kgethileng e bile a bilelwa morago ke lekoko leo; kgotsa
- (e) a seyo mo Khanseleng ya Bosetšhaba ya Diporofense ntle le tetla mo mabakeng a melawana le ditaello tsa Khansela le laetseng tatlhegelo ya tiro jaaka moemedi wa leruri.
- (5) Diphatlhatiro mo baemeding ba leruri di tshwanetse go tlatlwa ka mabaka a peomolao ya bosetšhaba.
- (6) Pele ditokololo di simolola go dira ditiro tsa tsona mo Khanseleng ya Bosetšhaba ya Diporofense, di tshwanetse go ikana, kgotsa go dumela boikanyego ba bona mo Rephaboliking le boikobo mo Molaotheong, go ya ka Mametlelelo 2.

Dipitso tsa Khansela ya Bosetšhaba

63. (1) Khansela ya Bosetšhaba ya Diporofense e ka tlhoma nako le bolelele ba dipitso tsa yona le dipaka tsa khunologo.
- (2) Poresidente a ka epa pitso ya Khansela ya Bosetšhaba go tla pitsong e e kgethegileng ka nako nngwe le nngwe go tsamaisa merero e e kgethegileng.

- (3) Dipitso tsa Khansele ya Bosetšhaba ya Diporofense di letleletswe go nna kwa mafelong mangwe ntle le bodulo ba Palamente fela mo mabakeng a kgalhego ya botlhe, pabalesego kgotsa tshiamelo le fa go rulaganyeditswe mo melawaneng le ditaelo tsa Khansele.

Modulasetulo le Batlatsa Modulasetulo

64. (1) Khansele ya Bosetšhaba ya Diporofense e tshwanetse go tlhophisa Modulasetulo le Batlatsamodulasetulo ba babedi go tswa mo baemeding.
- (2) Modulasetulo le mongwe wa Batlatsamodulasetulo ba tlhophiwa go tswa mo baemeding ba leruri, dingwaga di le tlhano ntle le fa paka ya bona jaaka baemedi e fela pele ya nako.
- (3) Motlatsa Modulasetulo o mongwe o tlhophiwa paka ya ngwaga o le mongwe, e bile o tshwanetse go latelwa ke moemedi go tswa porofenseng e nngwe, gore porofense nngwe le nngwe e emelwe ka go latelana jalo.
- (4) Moatlhodimogolo o tshwanetse go okama ditlhopho tsa Modulasetulo, kgotsa a tlhoma yo mongwe wa baatlhodi go dira jalo. Modulasetulo o okama go tlhophiwa ga Batlatsamodulasetulo.

[Kl.(4) e emetswe ke k. 5 ya Molaotseo Tlhabololo wa Borataro wa Molao wa 2001 e]

- (5) Thulaganyo e e atoloswang mo Karolong A ya Mametlelelo 3 e dira mo go tlhophiweng ga Modulasetulo le Batlatsamodulasetulo.
- (6) Khansele ya Bosetšhaba e ka rola Modulasetulo kgotsa Motlatsamodulasetulo tiro.
- (7) Go ya ka melao le ditaelo tsa yona Khansele ya Bosetšhaba ya Diporofense e ka tlhophisa go tswa mo baemeding baokamedi ba bangwe gape go thusa Modulasetulo le Batlatsabadulasetulo.

Ditshwetso

65. (1) Ntle le fa Molaotseo o rulaganyeditseng ka mokgwa o sele –
- (a) porofense nngwe le nngwe e na le boutu e le esi e e neewang mo boemong ba porofense ke tlhogo ya kemedi ya yona; le
- (b) dipotso tsotlhe tse di fa pele ga Khansele ya Bosetšhaba ya Diporofense di rarabolwa ke fa bonnye diporofense tse tlhano di boutu go dumelelana le potso.

- (2) Molao wa Palamente, o o tlhomilweng go ya ka tsamaiso e e beilweng ka karolwana(1) kgotsa karolwana(2) ya karolo 76, o tshwanetse go rulaganyetsa tsamaiso e e tshwanang mo mabakeng a diporofense di rolelang thata mo dikemeding tsa tsona go neela diboutu mo boeng ba tsona.

Go tsaya karolo ga ditokololo tsa khuduthamaga ya Bosetšhaba

66. (1) Ditokololo tsa Kabinete le Batlatsa Tona, ba ka tsena pitso, e bile ba ka bua mo Khanseleng, mme ga ba letlelwe go bouta.
- (2) Khansele ya Bosetšhaba ya diporofense e ka lopa tokololo ya Kabinete, Motlatsa Tona, kgotsa motlankedi mo khuduthamageng ya bosetšhaba kgotsa ya porofense go tsena pitso ya Khansele kgotsa ya komiti ya Khansele.

Go tsaya karolo ga baemedi ba dipuso selegae

67. Palo e e sa feteng lesome ya baemedi ba nakwana ba ba rebotsweng ke pusoselegae e e rulaganeng, mo mabakeng a karolo 163, go emela ditlhopa tse di farologaneng tsa bommasepala, ba ka tsaya karolo fa go tlhokega mo ditsamaisong tsa Khansele ya Bosetšhaba ya Diporofense, mme ga ba na go bouta.

Dithata tsa Khansele ya Bosetšhaba

68. Mo go diragatseng dithata tsa yona tsa peomolao, Khansele ya Bosetšhaba ya Diporofense e ka –
- (a) sekaseka, atlanegisa, tlhabolola, tlhagisa nthla ya tlhabolola, kgotsa ya kgaphela thoko peomolao nngwe le nngwe e e fa pele ga Khansele go ya ka kgaolo e; e bile
- (b) e ka simolola kgotsa ya baakanya peomolao e e welang mo karolong ya tiragatso e e kwadilweng mo lenaneong la Mametlelelo 4 kgotsa peomolao nngwe e e umakiwang mo karolong 76(3), fela e ka se simolole kgotsa ya baakanya Melaotlomo ya ditshelete.

Bopaki kgotsa tshedimosetso fa pele ga Khansele ya Bosetšhaba

69. Khansele ya Bosetšhaba ya Diporofense kgotsa nngwe le nngwe ya dikomiti tsa yona e ka –

- (a) bitsa ka molao motho mongwe le mongwe go tlhagelela fa pele ga yona go neela bopaki ka go ikana kgotsa go dumela kgotsa go supa dikwalo;
- (b) e ka lopa setheo kgotsa motho mongwe le mongwe go e neela pego; e ka pateletsa, ka mabaka a peomolao ya bosetšhaba kgotsa melawana le ditaelo, motho mongwe le mongwe kgotsa setheo go inaakanya le taelo ya go tlhagelela fa pele ga yona mo mabakeng a temana(a) kgotsa(b); le
- (c) go amogela diphethišene, boemedi kgotsa diithagiso go tswa go batho kgotsa ditheo dingwe le dingwe tse di nang le kgalhego.

Dithulaganyo tsa ka fa teng, ditsweletso le ditsamaiso tsa Khansele ya Bosetšhaba

70. (1) Khansele ya Bosetšhaba ya Diporofense e ka –
- (a) tlhomamisa le go laola dithulaganyo tsa yona tsa ka fa teng, ditsweletso le ditsamaiso; le
 - (b) go tlhama melawana le ditaelo tebang le merero ya yona, ka tlhokomelo ya boemedi le tseokarolo ya demokerasi, maikarabelo, e e mo pontsheng le kamego ya botlhe.
- (2) Melawana le ditaelo tsa Khansele ya Bosetšhaba ya Diporofense e tshwanela go rulaganyetsa –
- (a) go tlhomiwa, go bopiwa, maatla, ditiro, ditsamaiso le pakatiro ya dikomiti tsa yona;
 - (b) go tsaya karolo ga diporofense mo ditsamaisong tsa yona ka mokgwa o o tsamaelanang le demokerasi;
 - (c) go tsaya karolo mo ditsamaisong tsa Khansele, le dikomiti tsa yona, ga makokopotlana a a emetsweng mo Khanseleng, ka mokgwa o o tsamaelanang le demokerasi, gangwe le gape fa morero o tshwanetse go swediwa go ya ka karolo 75.

Ditetelele

71. (1) Baemedi go Khanseleng ya Bosetšhaba ya Diporofense, le batho ba ba umakiwang mo dikarolong 66 le 67 –
- (a) ba na le kgololosego ya go bua mo Khanseleng le mo dikomiting tsa yona, go ya ka ga taolo ya melawana le ditaelo tsa yona; gape

- (b) ga go dikgato fa tlase ga molao wa selegae kgotsa wa tshenyo tse di katsewang kgatthanong le bona, ga ba na ba tshwarwa, ba tlhatlhelwa kgotsa ba duela di tshenyegelo ka ntsha ya –
 - (i) sengwe le sengwe se ba se buileng mo, ba se supileng fa pele, kgotsa ba se tlhagisitseng go Khansele, kgotsa nngwe ya dikomiti tsa yona; kgotsa
 - (ii) sengwe le sengwe se se upulotseng ka ntsha ya sengwe le sengwe se ba se buileng mo, ba se supileng fa pele, kgotsa ba se tlhagisitseng go Khansele, kgotsa nngwe ya dikomiti tsa yona.
- (2) Ditetelelelo le ditshireletsego dingwe tsa Khansele ya Bosetšhaba ya Diporofense, baemedi go Khansele, le batho ba ba umakilweng mo dikarolong 66 le 67, di ka bewa ke peomolao ya bosetšhaba.
- (3) Dituelo, ditshiamelo-ketla le dithuso tse di duelwang ditokololo tsa leruri tsa Khansele ya Bosetšhaba ya Diporofense ke tsa tuelo e e tlhamaletseng go tswa Letloleng la Lotseno la Bosetšhaba.

Phitlhelelo le go tsaya karolo ga botlhe mo Khanseleng ya Bosetšhaba

72. (1) Khansele ya Bosetšhaba ya Diporofense e tshwanela go –
- (a) kgontsha go tsaya karolo ga botlhe mo peomolaong le mo ditiragalong tsothle tsa Khansele le dikomiti tsa yona, le
 - (b) go tsamaisa merero ya yona ka mokgwa o o mo pontsheng, le go tsenya dipitso, le ka ga dikomiti tsa yona, mo phatlalatseng; mme, dikgato tse di isegang di ka tsewa –
 - (i) go laola phitlhelelo ya botlhe, go akarediwa phitlhelelo ya bophasalatsi, go Khansele le dikomiti tsa yona; le
 - (ii) go rulaganyetsa phuruphutso ya motho mongwe le mongwe, le, fa go tshwanela, go kganela go tsena kgotsa go tloswa ga motho mongwe le mongwe.
- (2) Khansele ya Bosetšhaba ya Diporofense e ka seka ya thibela setšhaba, go akaretsa le bophasalatsi, mo pitsong ya komiti ya yona, ntle le fa go le matshwanedi e bile go siame go dira jalo mo boaging jo bo buletsweng botlhe le ba demokerasi.

Tiragatso ya Peomolao ya Bosetšhaba

Melaotlhomong Yotlhe

73. (1) Melaotlhomong mongwe le mongwe o ka tlhagisiwa mo Kokoanong ya Bosetšhaba.
- (2) Ke fela tokololo ya Kabinete kgotsa Motlatsa Tona, kgotsa tokololo, kgotsa komiti, ya Kokoano, e e ka tlhagisang Melaotlhomong mo Kokoanong, mme ke fela tokololo ya Kabinete e e rweleng maikarabelo a merero ya ditšhelete tsa bosetšhaba e ka tlhagisang Melaotlhomong e e latelang mo Kokoanong:
- (a) Melaotlhomong wa madi, kgotsa
- (b) Melaotlhomong o o tlamelang peomolao e e akanngwang mo karolong 214.
- [Kl.(2) e emetswe ke k. 1(a) ya Molaotheo Tlhabololo wa Bosupa wa Molao wa 2001]
- (3) Melaotlhomong o o umakiwang mo karolong 76(3), ntle le Melaotlhomong o o kailweng mo karolwaneng(2)(a) kgotsa(b) ya karolo e, o ka tlhagisiwa mo Khanseleng ya Bosetšhaba ya Diporofense.
- [Kl.(3) e emetswe ke k. 1(b) Molaotheo Tlhabololo wa Bosupa wa Molao wa 2001.]
- (4) Ke fela tokololo, kgotsa komiti ya Khansela ya Bosetšhaba ya Diporofense e ka tlhagisang Melaotlhomong mo Khanseleng.
- (5) Melaotlhomong o o fetisisweng ke Kokoano Bosetšhaba o tshwanelwa go romelwa go Khansela ya Bosetšhaba ya Diporofense, fa o tshwanela go sekegelwa ke Khansela; Melaotlhomong o o fetisisweng ke Khansela o tshwanetse go romelwa go Kokoano Bosetšhaba.

Melaotlhomong e e tlhabololang Molaotheo

74. (1) Karolo 1 le karolwana e, di ka tlhabololwa ke Melaotlhomong o o fetisisweng ke –
- (a) Kokoano Bosetšhaba ka tshegetso ya diboutu tsa bonnye ba diperesente di le 75 tsa maloko a yona; le
- (b) Khansela ya Bosetšhaba ya Diporofense, ka tshegetso ya diboutu tsa bonnye ba diporofense di le thataro.
- (2) Kgaolo ya 2 e ka tlhabololwa ke Melaotlhomong o o fetisisweng ke –
- (a) Kokoano Bosetšhaba ka tshegetso ya diboutu tsa bonnye ba pedi-tharong tsa maloko a yona; le
- (b) Khansela ya Bosetšhaba ya Diporofense, ka tshegetso ya diboutu tsa bonnye ba

- diporofense di le thataro.
- (3) Kaelo nngwe le nngwe ya Molaotseo e ka tlhabololwa ke Molaotseo o o fetisitsweng ke –
 - (a) Kokoano Bosetšhaba, ka tshegetso ya diboutu tsa bonnye ba pedi-tharong tsa maloko a yona; le
 - (b) Gape ke Khansele ya Bosetšhaba ya Diporofense, ka tshegetso ya diboutu tsa bonnye ba diporofense di le thataro, fa tlhabololo –
 - (i) e golagane le ntlha e e amang Khansele;
 - (ii) e fetola melwane ya porofense, dithata, ditiro kgotsa ditheo; kgotsa
 - (iii) e tlhabolola kaelo e e golaganeng ka tlhamalalo le ntlha ya porofense.
 - (4) Molaotlomo o o tlhabololang Molaotseo o ka seka wa akaretsa dikaelo dingwe ntle le ditlhabololo tsa molaotseo le dintlha tse di golaganeng le ditlhabololo.
 - (5) Bonnye malatsi a le 30 pele Molaotseo o o fetolang Molaotseo o tlhagisiwa go ya ka karolo 73(2), motho kgotsa komiti e e ikaelelang go tlhagisa Molaotlomo e tshwanetse –
 - (a) Go phasalatsa mo kaseteng ya bosetšhaba ya puso, go ya ka melao le ditaello tsa Kokoano Bosetšhaba, dintlha tsa tlhabololo e e ikaeletseng gore botlhe ba tshwaele mo go yona;
 - (b) Go neela, go ya ka melao le ditaello tsa Kokoano, dintlha tseo go Kgotlepeomolao ya Porofense go tlhagisa maikutlo a bona; le
 - (c) Go neela go ya ka melao le ditaello tsa Khansele ya Bosetšhaba ya Diporofense, dintlha tse go kgontsha gore botlhe ba ganetsane ka tsona, fa tlhabololo e e tsikingwang e se tlhabololo e go tlhokegang gore e fetisiwe ke Khansele.
 - (6) Fa Molaotlomo o o tlhabololang Molaotseo o tlhagisiwa la ntlha, motho kgotsa komiti e e tlhagisang Molaotlomo e tshwanetse go neela ditswaelo dingwe le dingwe tse di kwadilweng tse di amogetsweng go tswa mo bathong botlhe le dikgotlapeomolao tsa diporofense –
 - (a) go Mmusakgotla go di tlhagisa mo Kokoanong Bosetšhaba; le
 - (b) go ya ka ditlhabololo tse di umakiwang mo karolwaneng(1)(2) kgotsa(3)(b), go Modulasetilo wa Khansele ya Bosetšhaba ya Diporofense go di sekaseka mo Khanseleng.
 - (7) Molaotlomo o o tlhabololang Molaotseo o ka seka wa boutelwa mo Kokoanong Bosetšhaba mo malatsing a le 30 a –

- (a) go tlhagisiwa ga ona, fa Kokoano e le mo pitsong fa Molaotlhom o tlhagisiwa; kgotsa
 - (b) go sekasekwa ga ona mo Kokoanong, fa Kokoano e le mo boikhutsong fa Molaotlhom o tlhagisiwa.
- (8) Fa Molaotlhom o o umakiwang mo karolwaneng 3(b), kgotsa karolo nngwe le nngwe ya Molaotlhom, o ama fela porofense e e rileng kgotsa diporofense, Khansele ya Bosetšhaba ya Diporofense e ka seka ya fetisa Molaotlhom kgotsa karolo e e amegang, ntle le fa e amogetswe ke Kgotlepeomolao kgotsa Dikgotlapeomolao tsa porofense kgotsa diporofense tse di amegang.
- (9) Molaotlhom o o tlhabololang Molaotheo o o amogetsweng ke Kokoano Bosetšhaba, le foo go leng maleba, ke Khansele ya Bosetšhaba ya Diporofense, o tshwanetse go neelwa Poresidente gore a o rebole.

Melaotlhom o ya gale e e sa ameng diporofense

75. (1) Fa Kokoano Bosetšhaba e atlanegisa Molaotlhom o o welang kwa ntle ga makala a tiragatso a a kwadilweng mo karolong 74 kgotsa 76 e dirang, Molaotlhom o tshwanetse o go romelwa go Khansele ya Bosetšhaba ya Diporofense le gore o sekasekwe go ya ka thulaganyo e e latelang:
- (a) Khansele e tshwanela go –
 - (i) atlanegisa Molaotlhom;
 - (ii) atlanegisa Molaotlhom ka taolo ya ditlhabololo tse di tshisintsweng ke yona; kgotsa ya
 - (iii) kgapela Molaotlhom thoko.
 - (b) Fa Khansele e atlanegisa Molaotlhom ntle le go tshitshinya ditlhabololo, Molaotlhom o tshwanelwa go neelwa Poresidente go o rebola.
 - (c) Fa Khansele e kgapela Molaotlhom thoko kgotsa e o fetisa ka ditlhabololo, Kokoano Bosetšhaba e tshwanetse go sekegela Molaotlhom gape, go tswa tsiya tlhabololo nngwe le nngwe e e tshitshintsweng ke Khansele, gape e ka –
 - (i) fetisa Molaotlhom gape, o na le kgotsa ntle le ditlhabololo; kgotsa
 - (ii) ya swetsa go se tswelole ka Molaotlhom.
 - (d) Molaotlhom o o atlanegisitweng ke Kokoano Bosetšhaba mo mabakeng a tema(c) o tshwanela go tlhagisiwa go Poresidente go rebola.
- (2) Fa Khansele ya Bosetšhaba ya Diporofense e boutela ntlha e e atlhaatlhiwang mo

mabakeng a karolo e, karolo 65 ga e dire; mme boemong ba se –

- (a) mongwe le mongwe wa baemedi ba porofense o na le boutu e le esi;
- (b) nngwe-tharong ya baemedi ba tshwanetse go nna teng pele go boutelwa ntlha eo;
- (c) ntlha e swetswa ka bontsi ba diboutu tse di neetsweng, mme fa go le palo e e maleka ya diboutu ka fa mathakoreng oomabedi a ntlha, moemedi o a okameng o tshwanela go neela boutu ya makgaolakgang.

Melaotlhomong ya gale e e amang diporofense

76. (1) Fa Kokoano Bosetšhaba e fetisa Molaotlhomong o o kwadiilweng mo dikarolwaneng(3),(4) kgotsa(5) mo Molaotlhomong o, o tshwanetse go romelwa kwa Khanseleng ya Bosetšhaba ya Diporofense gore o sekasekwe go ya ka dithulaganyo tse di latelang:
- (a) Kokoano Bosetšhaba e tshwanelwa ke go –
 - (i) fetisa Molaotlhomong;
 - (ii) fetisa Molaotlhomong o o tlhabolotsweng; kgotsa
 - (iii) go kgapela Molaotlhomong thoko.
 - (b) Fa Molaotlhomong o o amogetsweng ke Kokoano Bosetšhaba ntle le tlhabololo, Molaotlhomong o tshwanelwa ke go neelwa Poresidente go rebola.
 - (c) Fa Kokoano Bosetšhaba e fetisa Molaotlhomong o o tlhabolotsweng, Molaotlhomong o o tlhabolotsweng o tshwanelwa go romelwa go Khanseleng ya Bosetšhaba, mme fa Khansela e fetisa Molaotlhomong o o tlhabolotsweng, o tshwanelwa go neelwa Poresidente go o rebola.
 - (d) Fa Khansela ya Bosetšhaba e kgapela Molaotlhomong thoko, kgotsa fa Kokoano Bosetšhaba e kgapela thoko Molaotlhomong o o tlhabolotsweng oo rometsweng kwa go yona go ya ka mabaka a temana(c), Molaotlhomong o, fa go le maleba, le, 52 Molaotlhomong o o tlhabolotsweng, e tshwanelwa go romelwa wa Komiting ya Botsereganyi, e e ka dumelelanang ka –
 - (i) Molaotlhomong jaaka o fetisitswe ke Kokoano;
 - (ii) Molaotlhomong o o tlhabolotsweng jaaka o fetisitswe ke Khansela; kgotsa
 - (iii) Sebopego se sengwe sa Molaotlhomong.
 - (e) Fa Komiti ya Botsereganyi e sa kgone go dumelelana mo malatsing a le 30, Ka Molaotlhomong o rometsweng mo go yone, Molaotlhomong ga o sa tlhoke o dira ntle le fa Kokoano Bosetšhaba e ka fetisa Molaotlhomong gape, mme e

- tshegeditswe ke boutu ya bonnye pedi-tharong ya ditokololo tsa yona.
- (f) Fa Komiti ya Botsereganyi e dumelelana ka Molaotlhom o fetisitswe ke Kokoano Bosetšhaba, Molaotlhom o tshwanela go romelwa Khansele ya Bosetšhaba, mme fa Khansele e fetisa Molaotlhom, Molaotlhom o tshwanela go newa Poresidente go o rebola.
- (g) Fa Komiti ya Botsereganyi e dumelelana ka Molaotlhom o o tlhabolotsweng jaaka o fetisitswe ke Kokoano Bosetšhaba, Molaotlhom o tshwanelwa go romelwa kwa Khanseleng ya Bosetšhaba, mme fa o fetisiwa ke Khansele, o tshwanelwa wa neelwa Poresidente go o rebola.
- (h) Fa Komiti ya Botsereganyi e dumelelana ka sebopego sengwe sa Molaotlhom, sebopego seo sa Molaotlhom se tshwanela go romelwa go Kokoano Bosetšhaba le Khansele ya Bosetšhaba, mme fa se fetisiwa ke Kokoano le Khansele, se tshwanetse go neelwa Poresidente go se rebola.
- (i) Fa Molaotlhom o rometswe kwa Khanseleng ya Bosetšhaba go ya ka tema(f) kgotsa(h) mme o sa fetisiwe ke Khansele, Molaotlhom ga o sa tlhole o dira, ntle le fa Kokoano Bosetšhaba e fetisa Molaotlhom e tshegeditswe ke boutu ya bonnye ba pedi-tharong ya maloko a yona.
- (j) Fa Molaotlhom o rometswe kwa Kokoanong ya Bosetšhaba ka mabaka a tema (g) kgotsa(h) o sa fetisiwe ke Kokoano, Molaotlhom ga o sa tlhole o dira, mme Molaotlhom jaaka o ne o fetisitswe ke Kokoano pele, o ka fetisiwa gape ke Kokoano, mme o tshegediwa ke boutu ya bonnye peditharong ya ditokololo tsa yona.
- (k) Molaotlhom o o fetisitsweng ke Kokoano Bosetšhaba mo mabakeng a tema(e),(i) kgotsa (j) o tshwanelwa go romelwa go Poresidente go o rebola.
- (2) Fa Khansele ya Bosetšhaba ya Diporofense e fetisa Molaotlhom o o welang mo lekaleng la tiragatso e e kwadilweng mo karolwaneng (3), Molaotlhom o tshwanelwa go romelwa go Kokoano Bosetšhaba gore go dirwe ka ona go ya ka thulaganyo e e latelang:
- (a) Kokoano Bosetšhaba e tshwanelwa ke go –
- fetisa Molaotlhom;
 - fetisa Molaotlhom o o fetotsweng; kgotsa
 - go kgaphela Molaotlhom thoko.
- (b) Molaotlhom o o amogetsweng tse Kokoano Bosetšhaba go ya ka temana (a)(i) o tshwanelwa go neelwa Poresidente go o rebola.

- (c) Fa Kokoano Bosetšhaba e fetisa Molaotlhom o o tlabolotsweng, Molaotlhom o o tlabolotsweng o tshwanetse go romelwa go Khansele ya Bosetšhaba, mme fa Khansele e fetisa Molaotlhom o o tlabolotsweng o tshwanelwa go romelwa go Poresidente go o rebola.
 - (d) Fa Kokoano Bosetšhaba e kgaphela Molaotlhom thoko, kgotsa fa Khansele ya Bosetšhaba e gana go fetisa Molaotlhom o o tlabolotsweng o o rometsweng go yona go ya ka tema(c), Molaotlhom, fa go le maleba, Molaotlhom o o tlabolotsweng, di tshwanelwa go romela kwa Komiting ya Botsereganyi, e e ka nnang ya dumelelana ka –
 - (i) molaotlhom jaaka e fetisitse ke Khansele;
 - (ii) molaotlhom o o tlabolotsweng jaaka o fetisitse ke Kokoano; kgotsa
 - (iii) sebopego se sengwe sa Molaotlhom.
 - (e) Fa komiti ya Botsereganyi e sa kgone go dumelelana mo malatsing a le 30 ka Molaotlhom o rometsweng mo go one, Molaotlhom ga o sa tlhole o dira.
 - (f) Fa Komiti ya Botsereganyi e dumelelana ka Molaotlhom jaaka o fetisitse ke Khansele ya Bosetšhaba, Molaotlhom o tshwanetse go romelwa kwa Kokoano Bosetšhaba, mme fa Kokoano e fetisa Molaotlhom, Molaotlhom o tshwanelwa wa neelwa Poresidente go o rebola.
 - (g) Fa Komiti ya Botsereganyi e dumelana ka Molaotlhom o o tlabolotsweng jaaka o fetisitse ke Kokoano Bosetšhaba, Molaotlhom o tshwanelwa wa romelwa go Khansele ya Bosetšhaba, mme fa o fetisiwa ke Khansele, o tshwanelwa wa neelwa Poresidente go o rebola.
 - (h) Fa Komiti ya Botsereganyi e dumelelana ka sebopego se sengwe sa Molaotlhom, sebopego seo sa Molaotlhom se tshwanela go romelwa kwa Khanseleng ya Bosetšhaba le Kokoano Bosetšhaba ka bobedi, mme fa se fetisiwa ke Khansele le Kokoano, se tshwanelwa go romelwa go Poresidente go se rebola.
 - (i) Fa Molaotlhom o rometswe go Kokoano Bosetšhaba go ya ka tema(f) kgotsa(h) mme o sa fetisiwe ke Kokoano Bosetšhaba, Molaotlhom ga o sa tlhole o dira.
- (3) Molaotlhom o ka sekasekwa go ya ka thulaganyo e t thomamisitsweng mo karolwaneng(1) kgotsa(2) fa go rulaganyetswa peomolao ka ponelopele mo go nngwe le nngwe ya dikarolo tse di latelang,
- (a) karolo 65(2);

- (b) karolo 163;
 - (c) karolo 182;
 - (d) karolo 195(3)le(4);
 - (e) karolo 196; le
 - (f) karolo 197.
- (4) Molaotlhom o tshwanelwa go sekasekwa go ya ka thulaganyo e e tlhomamisitsweng ke karolwana (1) fa e o rulaganyetsa peomolao—
- (a) e e bonelwang pele mo karolong 44(2), kgotsa 220(3); kgotsa
 - (b) e e bonelwang pele golo gongwe mo Kgaolong 13, e e amang dikgatlhego tsa matlotlo tsa lekala la puso ya porofense.

[Tema(b) e emetswe ke k. 1 Molaotheo Tlhabololo wa Bosomenngwe wa Molao wa 2003.]

- (5) Molaotlhom o o akantsweng mo karolo 42(6) o tshwanelwa go sekasekwa go ya ka thulaganyo e e tlhomilweng mo go karolwana (1), ntle le fa –
- (a) fa Kokoano Bosetšhaba e boutela ka Molaotlhom, dikaelo tsa karolo 53 (1) ga di dire; boemong ba se, Molaotlhom o ka fetisiwa fela fa bontsi ba ditokololo tsa Kokoano di bouta go dumelelana le ona; le
 - (b) fa Molaotlhom o romelwa go Komiti ya Botsereganyi, melawana e e latelang e a dira:
 - (i) Fa Kokoano Bosetšhaba e sekaseka Molaotlhom jaaka o akantswe mo go karolwana(1) (g) kgotsa(h), Molaotlhom oo, o ka fetisiwa fela fa bontsi ba ditokololo tsa Kokoano ba bouta go dumelelana le ona.
 - (ii) Fa Kokoano Bosetšhaba e sekaseka Molaotlhom jaaka o akantswe mo go karolwana(1)(e),(i) kgotsa (j), Molaotlhom oo o ka fetisiwa fela fa bonnye pedi-tharong ba ditokololo tsa Kokoano ba bouta go dumelelana le ona.
- (6) Karolo e, ga e amane le Melaotlhom ya ditšhelete.

Melaotlhom ya Tšhelete

77. (1) Molaotlhom ke Molaotlhom wa tšhelete fa o,
- (a) lekanyetsa tšhelete,
 - (b) duedisa makgetho a bosetšhaba, makgethwana, ditefelo kgotsa dituediso tsa tlaleletso,
 - (c) fedisa kgotsa o fokotsa, kgotsa o rebola dikgololo mo makgethong mangwe le

- mangwe a bosetšhaba, makgethwana, ditefelo kgotsa dituediso tsa tlaleletso, kgotsa
- (d) dumelela dituediso tsa tlhamalalo kgatthanong le Letlole la Lotseno la Bosetšhaba, ntle le Molaotlhommo o o akanngwang mo karolong 214 o o dumelelang dituediso tsa tlhamalalo.
- (2) Molaotlhommo wa tšhelete ga o tshwanelwa go samagana le morero mongwe ntle le -
- (a) morero o monnye malebana le tekanyetso ya tšhelete,
- (b) go duedisa makgetho a bosetšhaba, makgethwana, ditefelo kgotsa dituediso tsa tlaleletso, go fedisa kgotsa go fokotsa,
- (c) go rebola dikgololo mo makgethong a bosetšhaba, makgethwana, ditefelo kgotsa dituediso tsa tlaleletso, kgotsa
- (d) Tumelelo ya dituediso tsa tlhamalalo kgatthanong le Letlole la Lotseno lwa Bosetšhaba.
- (3) Melaotlhommo yotlhe ya tšhelete e tshwanetse go sekasekiwa go ya ka thulaganyo e e tlhagisiwang ke karolo 75. Molao wa Palamente o tshwanetse go tlamela thulaganyo go tlhabolola Melaotlhommo ya tšhelete fa pele ga Palamente.

[K. 77 e emetswe ke k. 2 ya Molaotheo Tlhabololo wa Bosupa wa Molao wa 2001.]

Komiti ya Botsereganyi

- 78 . (1) Komiti ya Botsereganyi e dirwa ke –
- (a) Ditokololo di le robongwe tsa Kokoano Bosetšhaba di tlhophilwe ke ditokololo tsa Kokoano go ya tsamaiso e e beilweng ka melawana le ditaelo tsa Kokoano mme e dira gore boemedi ba makoko bo nne ka mogwa o makoko a emetswang ka gone mo Kokoanong; mme
- (b) moemedi a le mongwe go tswa mo go nngwe le nngwe ya dikemedi tsa diporofense mo Khanseleng ya Bosetšhaba ya Diporofense, a supilwe ke kemedi.
- (2) Komiti ya Botsereganyi e dumelelane ka sebopego sa Molaotlhommo, kgotsa e sweditse ka kgang, fa sebopego seo, kgotsa lethakore lengwe la kgang, le engwe nokeng ke –
- (a) bonnye ba le batlhano ba dikemedi tsa Kokoano Bosetšhaba; le
- (b) bonnye ba le batlhano ba baemedi ba Khansele ya Bosetšhaba ya Diporofense.

Thebolo ya Melaotlhommo

79. (1) Poresidente o tshwanelwa ke go rebola le go saena Molaotlhommo o o fetisisweng go ya ka kgaolo e, kgotsa fa Poresidente a na le dipelaelo ka ga bomolaotheo ba Molaotlhommo, o o busetsa morago go Kokoano Bosetšhaba go sekwasekwa sešwa.
- (2) Melawana e e tshwaraganetsweng e tshwanetse go neela thulaganyo go, le mokgwa wa, go tsaya karolo mo go sekasekeng sešwa ga molaotlhommo ke Kokoano Bosetšhaba le Khansele ya Bosetšhaba ya Diporofense.
- (3) Khansele ya Bosetšhaba ya Diporofense e tsaya karolo mo go sekasekiweng sešwa ga Molaotlhommo o Poresidente a o buseditseng morago go Kokoano Bosetšhaba fela fa –
- (a) go sa kgotsofale ga Poresidente ka bomolaotheo ba molaotlhommo bo golagana le morero wa botsamaisi jo bo amang Khansele; kgotsa
- (b) karolo 74(1),(2) kgotsa(3)(b) kgotsa 76 e ne e dira mo go fetisiweng ga Molaotlhommo.
- (4) Fa, morago ga kakanyo sešwa, Molaotlhommo o arabela dipelaelo tsa ga Poresidente ka botlalo, Poresidente o tshwanetse go rebola a ba a saena Molaotlhommo; go seng jalo, Poresidente o tshwanela ke go –
- (a) rebola a bo a saene Molaotlhommo; kgotsa
- (b) a o romele go kgotlatshekelo ya Molaotheo go tsaya tshwetso ka bomolaotheo ba ona.
- (5) Fa Kgotlatshekelo ya Molaotheo e swetsa gore Molaotlhommo o mo Molaotheong, Poresidente o tshwanela go o rebola le go o saena.

Kopo ya ditokololo tsa Kokoano Bosetšhaba go Kgotsatshekelo ya Molaotheo

80. (1) Ditokololo tsa Kokoano Bosetšhaba di ka dira kopo go Kgotsatshekelo ya Molaotheo go senka taelo e e atholang gore Molao otlhe kgotsa karolo ya Molao, o o fetisisweng ke Kokoano ga o ka fa molaotheong.
- (2) Kopo –
- (a) e tshwanetse ya tshagediwa ke bonnye nngwe-tharong ya ditokololo tsa Kokoano; e bile
- (b) e tshwanelwa go dirwa morago mo malatsing a le 30, go simolola fa Poresidente a rebola e bile a saena Molao;

- (3) Kgotlatshekelo ya Molaotheo e ka laela gore molao otlhe, kgotsa karolo eo e leng setlhogo sa kopo, ka mabaka a karolotlaleletso (1), ga e na matla go fitlha Kgotlatshekelo e tlhomamisa ka mokgwa mongwe, fa –
 - (a) dikgatlhego tsa bosiamisi di tlhoka seo; le
 - (b) fa kopo e na le tšhono ya go atlega.
- (4) Fa kopo e sa atlega, e bile e sena kgonagalo ya go atlega, Kgotlatshekelo ya Molaotheo e tshwanetse go laela bakopi go duela ditshenyegelo.

Phasalatso ya Melao

81. Molaotlhommo o amogetsweng le go saeniwa ke Mopresidente e nna Molao wa Palamente, e bile o tshwanetse go phasaladiwa ka bonako, mme o simolola go dira Morago ga go phatlalatswa, kgotsa ka motlha o tlhomamisitsweng go ya ka ditaelo tsa Molao.

Polokese go ya Melao ya Palamente

82. Kgatiso e e amogetsweng ya Molao wa Palamente ke bopaki bo bo feleletseng jwa ditsamaiso tsa Molao oo e bile, morago ga phasalatso, o tshwanetse go bewa mo polokese go ya Kgotlatshekelo ya Molaotheo.

KGAOLO 5

MOPORIDENTE LE KHUDUTHAMAGA YA BOSETŠHABA

Moporesidente

83. Moporesidente –
- (a) ke Tlhogo ya Naga e bile ke tlhogo ya khuduthamaga ya bosetšhaba;
 - (b) o tshwanetse go obamela, go sireletsa le go tlotla Molaotheo jaaka molaomogolo wa Rephaboliki;
 - (c) o godisa kopano ya setšhaba le ntshetsopele ya Rephaboliki.

Dithata le ditiro tsa Moporesidente

84. (1) Moporesidente o na le dithata go ya ka Molaotheo le molao, go akarediwa tse di tlhokegang go dira ditiro tsa Tlhogo ya Naga le tlhogo ya Khuduthamaga ya Bosetšhaba.
- (2) Moporesidente o rwele maikarabelo a –
- (a) go amogela le go saena Melaotlhomō;
 - (b) go busetsa Melaotlhomō morago go Palamente gore o sekasekwe go tsamaelana le bomolaotheo;
 - (c) go romela Melaotlhomō go Kgotlatshekelo ya Molaotheo go dira tshwetso ka bomolaotheo ba Melaotlhomō oo;
 - (d) go bitsa kopana e e sa tlwaelegang ya Ntlokokoano Bosetšhaba, Khansele ya Bosetšhaba ya Diporofense kgotsa Palamente go sekaseka merero e e kgethegileng;
 - (e) go thapa batho mo maemong a farologaneng go tsamaelana le ditlhokego tse di tshwanetseng go diriwa ke Moporesidente go ya ka Molaotheo kgotsa molao, ntle le jaaka e le tlhogo ya khuduthamaga ya bosetšhaba;
 - (f) go tlhoma dikhomišene tsa dipatlisiso;
 - (g) go goeletsa referentamo go ya ka Molao wa Palamente;
 - (h) go amogela le go tlotla baemedi ba dinaga disele/didipolomate, le baemedi pharaphare;
 - (i) go kgetha baambasatara; le baemedipuso, badipolomate le baemedi pharaphare go emela naga;

- (j) go tshwarela kgotsa go kgaolelwa le phokoletso ya kotlhao nngwe le nngwe ya tuelo, kgotsa go gapelwa thoto;
- (k) go aba diala tsa tlotlo.

[Nthakakaretso: Ditebogo tsa tlotlo tse di tseentsweng mo Kuranteng ya Puso 24155 ya 6 Sedimont-hole, 2002 le mo Kuranteng ya Puso 25213 ya 25 Phukwi, 2003.]

Bothati taolo jwa Rephaboliki

85. (1) Bothati taolo jwa Rephaboliki bo rwelwe ke Moporesidente.
- (2) Moporesidente o diragatsa taolo ya bokhuduthamaga, le ditokololo dingwe tsa Kabinete, ka –
- (a) go diragatsa molao wa bosetšhaba ntle le fa Molaotheo kgotsa Molao wa Palamente o thomamisitse ka mkgwa mongwe;
 - (b) go tlhabolola le go diragatsa maikemisetso a bosetšhaba;
 - (c) go rulaganya ditiro tsa mafapha a puso le tsamaiso;
 - (d) go tshitsinya le go simolola molao;
 - (e) go dira tiro nngwe le nngwe ya bokhuduthamaga e e thomamisitsweng ke Molaotheo kgotsa molao wa bosetšhaba.

Go tlhophiwa ga Moporesidente

86. (1) Mo kopanong ya ntlha, morago ga ditlhopho fa go tshwanetse go tladiwa phatlha, Ntlokokoano Bosetšhaba e tshwanetse go kgetha monna kgotsa mosadi mo ditokololong tsa yona go nna Moporesidente.
- (2) Moatlhomogolo o tshwanetse go okama ditlhopho pele go tlhophiwa Moporesidente kgotsa a kgethe Moatlhodi mongwe go dira jaalo. Go dirisiwa tsamaiso e e tlhalositsweng mo Karolo A ya Mametlelelo 3 fa go tlhophiwa Moporesidente.

[KI(2) e emetswe ke k. 6 Molaotheo Tlhabololo wa Borataro wa Molao wa 2001.]

- (3) Ditlhopho tsa go tlatsa phatlha mo kantorong ya Moporesidente di tshwanetse go tshwarwa ka nako le letlha le le kgethilweng ke Moatlhomogolo, mme fela e seng morago ga matsatsi a le 30 morago ga tlhagelela ga phatlha.

[KI(3) e emetswe ke k. 6 ya Molaotheo Tlhabololo wa Borataro wa Molao wa 2001.]

Go simolola tiro ya Boporesidente

87. Fa motho a tlhophilwe go nna Moporesidente o kgaotsa go nna tokololo ya Ntlokokoano Bosetšhaba o tshwanetse go simolola tiro mo nakong ya matsatsi a le matlhano(5) ka go ikana le go tshepisa boikanyego go Rephaboliki le go ikobela Molaotheo go ya ka Mametlelelo 2.

Paka-tiro ya Boporesidente

88. (1) Paka ya tiro ya Boporesidente e simolola fa motho a simolola tiro mme e fela fa phatlha e tlhagelela kgotsa fa motho yo a tlhophilweng go mo tlhatlhama a simolola tiro.
- (2) Ga go motho ope yo o tshwanetseng go nna Moporesidente go feta dipaka di le pedi tsa tiro, mme fa mongwe a tlhophilwe go tlatsa phatlha ya Boporesidente, nako magareng ga dithopho le dithopho tse di latelang tsa Boporesidente, ga e tsewe e le paka ya tiro.

Go tlosiwa ga Moporesidente

89. (1) Ntlokokoano Bosetšhaba, ka tshegetso ya bonnye diboutu tsa pedi-tharo ya ditokololo tsa yona, e ka kgona go tlosa Moporesidente mo maemong a gagwe, fela ka ntlha ya mabaka a-
- (a) Tshiamololo e e masisi ya Molaotheo;
- (b) Maitshwaro a makgwakgwa;
- (c) Tlhokego ya bokgoni jwa go dira ditiro tsa gagwe.
- (2) Mongwe le mongwe yo o tlositsweng mo maemong a boporesidente go ya ka mabaka a 62 karolotlaleletso (1)(a) kgotsa (b) gag a tshwanela go amogela ditshwanelo tsa tiro ya maemo ao, e bile ga a tshwanela go dira jaaka motlhankedi wa setšhaba.

Moporesidente wa Nama-o-tshwere

90. (1) Fa Moporesidente a se teng mo nageng kgotsa a sa kgone go dira ditiro tsa kantoro ya boPoresidente kgotsa fa go nale phatlha mo kantorong ya Moporesidente, motlhankedi yo o na leng matla a go dira jaaka Poresidente go ya ka tatelano e fa tlase, ke:

- (a) Motlatsa Mopresidente.
 - (b) Tona e e kgethilweng ke Mopresidente.
 - (c) Tona e e kgethilweng ke ditokololo tse dingwe tsa Kabinete.
 - (d) Mmusakgotla wa Palamente go fitlhelela Ntlokokoano Bosetšhaba e kgetha mongwe wa maloko a yona.
- (2) Mopresidente wa nama-o-tshwere o na le maikarabelo, maatla, le ditiro tsa Presidente.
 - (3) Pele a simolola ka maikarabelo, matla le ditiro tsa boPresidente, Mopresidente wa nama-o-tshwere o tshwanetse go ikana kgotsa go tshepisa botshepegi go Rephaboliki le kobamelo ya Molaotseo, go ya ka Mametlelelo 2.
 - (4) Motho yoo, jaaka Mopresidente wa nama-o-tshwere a ikanneng kgotsa a tshepisiseng botshepegi go Rephaboliki ga a tshwanela go ikana kgotsa go tshepisa gape botshepegi mo pakeng e e latelang jaaka Mopresidente wa nama-o-tshwere ka bokhutlo jwa paka fa motho yo o tlhophilweng a simolal tiro jaaka Mopresidente.

[Kl.(4) e tlaleditswe ke k. 1 ya Molao ya Molaotseo Tlhabololo wa Borataro wa Molao wa 1997.]

Kabinete

91. (1) Kabinete e bopilwe ke Mopresidente, jaaka tlhogo ya Kabinete, Motlatsa Mopresidente le Ditona.
- (2) Mopresidente o tlhopha Motlatsa Mopresidente le Ditona, o ba abela dithata le ditiro, e bile o kgona go ba tlogedisa tiro.
- (3) Mopresidente –
 - (a) o tshwanetse go kgetha Motlatsa Mopresidente mo ditokololong tsa Ntlokokoano Bosetšhaba;
 - (b) a ka kgetha palo nngwe le nngwe ya Ditona go tswa go ditokololo tsa Ntlokokoano Bosetšhaba;
 - (c) a ka kgetha Ditona tse disa sa feteng palo ya pedi go tswa kwa ntle ga Ntlokokoano.
- (4) Mopresidente o tshwanetse go kgetha tokololo ya Kabinete go nna moeteledipele wa merero ya puso mo Ntlokokoano Bosetšhaba.
- (5) Motlatsa Mopresidente o tshwanetse go thusa Mopresidente go dira ditiro tsa puso.

Maikarabelo le ditlamego

92. (1) Motlatsa Moporesidente le Ditona ba rwele maikarabelo a dithata le ditiro tsa khuduthamaga tse ba di abetsweng ke Moporesidente.
- (2) Ditokololo tsa Kabinete di na le maikarabelo ka bojotlhe le ka bonngwe go Palamente go diragatsa tsa ditiro tsa bona.
- (3) Ditokololo tsa Kabinete di tshwanetse –
- (a) go dira go ya ka Molaotheo;
- (b) go neela Palamente dipegelo ka botlalo nako le nako tebang le merero e e mo taolong ya bona.

Batlatsa Ditona

93. (1) Moporesidente a ka tlhophisa
- (a) Batlatsa Ditona go tswa mo ditokololong tsa Ntlokokoano Bosetšhaba, le go
- (b) Ga go a tshwanetse go tlhophisa Batlatsa Ditona ba ba fetang pedi go tswa kwa ntle ga Ntlokokoano Bosetšhaba, go thusa ditokololo tsa Kabinete, e bile a ka ba koba mo tirong.
- (2) Batlatsa Ditona ba ba tlhophilweng go ya ka karolotlaleletso (1)(b) ba ka fa tlase ga taolo ya Palamente go diragatsa dithata tsa bona le ditiro tsa bona.

[K. 93 e emetswe ke k. 7 ya Molaotheo Tlhabololo wa Borataro wa Molao wa 2001.]

Go tswelapele ga Kabinete morago ga ditlhopho

94. Fa go tshwerwe ditlhopho tsa Ntlokokoano Bosetšhaba, Kabinete, Motlatsa-Moporesidente, Ditona le Batlatsa Ditona ba na le tetla ya go dira go fitlhelela motho yo tlhophilweng jaaka Moporesidente ke Ntlokokoano e e latelang a simolola go dira.

Maikano kgotsa tshepiso

95. Pele Motlatsa Moporesidente, Ditona le Moatlatsa Tona nngwe le nngwe a simolola go dira tiro ya bona, o tshwanetse go ikana kgotsa go tshepisa go nna le boikanyego go Rephaboliki le go obamela Molaotheo go ya ka Mametlelelo 2.

Maitsholo a Ditokololo tsa Kabinete le Batlatsa Ditona

96. (1) Ditokololo tsa Kabinete le Batlatsa Ditona ba tshwanetse go itshwara go tsamaelana

le khoutu ya maitshwara e e tlhomamisistweng ke molao wa bosetšhaba.

- (2) Ditokololo tsa Kabinete le Batlatsa Ditona gab a tshwanela, go –
- (a) dira tiro nngwe e e duelang;
 - (b) itshwara ka mokgwa mongwe o o kगतलhanong le maemo a tiro ya bona, kgotsa go ipaya mo maemong a a na leng kotsi kotsi ya go tšhao kgotlhang garen ga maikarabelo a bona a semmuso le dikगतलhagelo tsa poraefete.

Kabelo ya ditiro

97. Ka kgoeletso MoPoresidente a ka abela tokololo ya Kabinete –
- (a) tsamaiso ya molao mongwe le mongwe o o neng o abetsweng tokololo e nngwe; kgotsa
 - (b) thata kgotsa tiro nngwe le nngwe e e neng e abetswe tokololo e nngwe ka molao.

Kabelo ya ditiro tsa nakwana

98. Moporesidente a ka abela tokololo ya Kabinete thata kgotsa tiro ya tokololo nngwe e e se yong mo tirong kgotsa e e sa kgoneng go diragatsa maatla ao, kgotsa tiro eo.

Kabelo ya ditiro

99. Tokololo ya Kabinete e ka abela tokololo nngwe le nngwe ya Kgottla ya Khuduthamaga ya porofense kgotsa go Khansele ya Mmasepala thata kgotsa tiro nngwe le nngwe e e tshwanetseng go diriwa go tsamaelana le Molao wa Palamente. Tiro –
- (a) e tshwanela go diriwa ka tumelano gare ga tokololo ya Kabinete e e maleba le Mokhuduthamaga oo, kgotsa tokololo ya Khansele ya Mmasepala;
 - (b) e e diriwang kgotsa matla ao, a tshwanetse go tsamaelana le Molao wa Palamente;
 - (c) e simolola go diriwa Morago ga phatlalatso ya kgoeletso ke Moporesidente.

Thuso ya bosetšhaba go tsamaiso ya diporofense

100. (1) Fa porofense e retelelwa kgotsa e sa dire ditshwanelo tsa yona go ya ka molao kgotsa Molaotheo, khuduthamaga ya bosetšhaba e ka tsereganya ka go tsaya dikgato tse di maleba go netefatsa ntshetsopele ya ditshwanelo eo, go akarediwa –
- (a) go ntsha taelo go khuduthamaga ya porofense, e e tlhalosang selekano sa go

palelelwa go dira tiro ya yona le tthaloso ya dikgato tse di tlhokegang go dira tiro eo; le

- (b) go tsaya maikarabelo tebang le tiro ya porofense ka moo go tlhokegang go –
 - (i) netefatsa maemo a a botlhokwa a tekanyetso ya bosetšhaba kgotsa go fitlhelela maemo a tlhomamisitsweng a tekanyetso ya bosetšhaba go fitlhelela tiro eo;
 - (ii) netefatsa kgolo ya moruo; 66
 - (iii) netefatsa tshireletso ya setšhaba; kgotsa
 - (iv) kganela porofense eo go tsaya kgato e tla kgobelelang kgatlhego ya porofense e nngwe kgotsa ya naga ka bophara.

[Kl.(1) e tlhabolotswe ke k. 2(b) ya Molatheo Tlhabololo wa Bosomengwe wa Molao wa 2003.]

- (2) Fa khuduthamaga ya bosetšhaba e thusa mo porofenseng go ya ka mabaka a karolotlaleletso (1)(b)–
 - (a) e tshwanetse go kwala kitsiso e e tlhalosang mokgwa wa tsereganyo wa Khansele ya Bosetšhaba ya diporofense mo nakong ya matsatsi a le 14 morago ga tshimologo ya tsereganyo;
 - (b) tsereganyo e tshwanela go emisiwa fa Khansele e sa amogele thuso eo mo nakong ya matsatsi a le 180 morago ga tshimologo ya tsereganyo kgotsa fa ka nako ya bokhutlo jwa paka eo e se e amogela thuso eo, gape
 - (c) fa tsereganyo e ntse e tswelapele Khansele e tshwanetse go sekaseka maemo gangwe le gape le go rebolela khuduthamaga ya bosetšhaba ditshwaelo tse di maleba.

[Kl.(2) e emetswe ke k. 2(c) ya Molatheo Tlhabololo wa Bosomengwe wa Molao wa 2003.]

- (3) Molao wa bosetšhaba o tshwanetse go rulaganya tsamaiso e e tlhomamisitsweng mo karolong eno.

[K. 100 e tlhabolotswe ke k. 2(a) ya Molatheo Tlhabololo wa Bosomengwe wa Molao wa 2003.]

Ditshwetso tsa khuduthamaga

- 101. (1) Tshwetso ya Moporesidente e tshwanetse go kwadiwa fa fatshe, fa –
 - (a) e tsamaelana molao; kgotsa
 - (b) e na le ditlamorago tsa semolao.
- (2) Tshwetso e e kwadilweng ya Moporesidente e tshwanetse go saeniwa ke tokololo

nngwe gape ya Kabinete, fa tshwetso eo e ama tiro e e abetsweng tokololo eo ya Kabinete.

- (3) Dikgoeletso, melawana le didiriswa tse dingwe tsa melawana e e maleba di tshwanetse go fitlhelelwa ke botlhe.
- (4) Molao wa bosetšhaba o tshwanetse go totobatsa mokgwa o ka ona, le selekano seo, didiriswa tse di umakilweng mo karolotlaetso (3) di tshwanetseng go –
 - (a) tlhagisiwa mo Palamenteng; le
 - (b) go amogelwa ke Palamente.

Ditshitsinyo ya go tlhoka boikanyego

102. (1) Fa Ntlokokoano Bosetšhaba ka boutu ya bontsi jwa ditokololo e atlenegisa tshitsinyo ya go tlhoka boikanyego go Kabinete, ntle le Moporesidente, Moporesidente o tshwanetse go tlhopa Kabinete sešwa.
- (2) Fa Ntlokokoano Bosetšhaba ka boutu ya bontsi jwa ditokololo e atlanegisa tshitsinyo ya go tlhoka boikanyego go Moporesidente, Moporesidente le ditokololo tsa Kabinete le Batlatsa Ditona mongwe le mongwe ba tshwanetse go tlogela tiro.

KGAOLO 6

DIPOROFENSE

Diporofense

103. (1) Rephaboliki e na le diporofense tse di latelang:
- (a) Kapa Botlhaba
 - (b) Foreistata
 - (c) Gauteng
 - (d) Kwa Zulu-Natal
 - (e) Mpumalanga
 - (f) Kapa Bokone
 - (g) Limpopo
 - (h) Bokone Bophirima
 - (i) Kapa Bophirima

[K. 1 e emetswe ke k. 3 ya Molaotheo Tlhabololo wa Bosomenngwe wa Molao wa 2003.]

- (2) Mafelo a diporofense ka go farologana a akaretsa palo ya mafelo a tlhagelelang mo dimmepeng ka go farologana tse di thalositsweng mo Kitsisong ya Mametlelelo ya A1.

[K.1 (2) e emetswe ke k. 1 ya Molaotheo Tlhabololo wa Bosomepedi wa Molao wa 2005.]

- (3) (a) Gangwe le gape fa kgaolo ya porofense e tlhomamisiwa sešwa ka tlhabololo ya Molaotheo, Molao wa Palamente o tshwanetse go tlamela ka tsamaiso ya thulaganyo mo nakong e sa fediseng pelo, bomolao, kgonagalo le ditlamorago dingwe tse di ka tlholwang ke thulaganyo entshwa.
- (b) Molao wa Palamente o o tlhomamisistweng mo temana (a) o ka atlenegisiwa le go tsengwa tirisong pele tlhabololo eo e diriwa go Molaotheo, mm fela iro ngwe le ngwe ya porofense, dithoto, ditshwanelo, ditlamego, ditiro kgotsa maikarabelo a tshwanetse go sutisewa fela go ya ka Molao oo morago ga go tsengwa tirisong ga tlhabololo ya Molaotheo.

[K. 103 e emetswe ke k. 1 ya Molaotheo Tlhabololo ya Bosomepedi ya Molao wa 2005.]

Dikgotla-peomolao tsa Diporofense

Bothati taolo jwa dikgotla-peomolao tsa diporofense

104. (1) Bothati taolo jwa porofense bo rwelwe kgotla-peomolao ya porofense, e bile bo naya kgotla-peomolao ya porofense maatla –
- (a) go atlanegisa molaothero wa porofense kgotsa go tlhabolola molaothero o o atlanegisitsweng ke yona, go ya ka ditaelo tsa dikarolo 142 le 143;
 - (b) go atlanegisa molao boemong jwa porofense tebang le –
 - (i) morero mongwe le mongwe o o tthalositsweng mo lenaane la Mametlelelo 4;
 - (ii) morero mongwe le mongwe o o tthalositsweng mo lenaane la Mametlelelo 5; le
 - (iii) morero mongwe le mongwe yo o sa tthalosiwang mo manaaneong ao, o abetsweng porofense ka tthamalalo go ya ka molao wa bosetšhaba; le
 - (iv) morero mongwe le mongwe oo taelo ya Molaothero e tthomamisitseng katlanegiso ya kgotla-peomolao ya porofense; le
 - (c) go abela Khansele ya Mmasepala nngwe le nngwe ya dithata tsa yona tsa semolao.
- (2) Kgotla-peomolao ya porofense, ka tshwetso ya bontsi jwa pedi-tharo ya ditokololo tsa yona, e ka, lopa Palamente go fetola leina la porofense eo.
 - (3) Kgotla-Peomolao ya porofense e tلاميwa fela ke Molaothero, le ke Molaothero wa porofense fa e setse e atlanegisitse Molaothero wa porofense, mme e tshwanetse go dira go ya ka ditaelo tsa Molaothero oo, le molaothero wa porofense eo.
 - (4) kgotla-Peomolao ya porofense tebang le morero yo bothokwa mabapi le, kgotsa wa tlaleletso le tiragatso ya thata ka manonthotho tebang le morero mongwe le mongwe o o mo lenaane la Mametlelelo 4, ke peo ka mabaka otlhe go ya ka lenaane la Mametlelelo 4.
 - (5) Kgotla-peomolao ya porofense e ka dira tshitsinyo go Ntlokokoano Bosetšhaba ya molao tebang le morero mongwe le mongwe o o kwa ntle ga bothati taolo jwa kgotla-peomolao, kgotsa e okamweng ke Molao wa Palamente godimo ga molao wa porofense.

Sebopego le ditlhopho tsa dikgotla-peomolao tsa Diporofense

105. (1) Kgotla-peomolao tsa porofense di bopiwa ke basadi le banna ba ba tlhophilweng jaaka ditokololo tsa lenaane la tsamaiso ya ditlhopho, e –

- (a) tlhamiwang ka molao ya bosetšhaba;
- (b) ikaegileng ka karolo ya lenaane la batlhophi ba Porofense eo; le
- (c) rulaganyang bonnye selekanyetso sa go bouta sa dingwaga di le 18; le
- (d) dipholo, ka kakaretso, ka tekanyetso ya baemedi.

[K.(1) e tlhabetse ke k. 3 ya Molaotheo Tlhabololo ya Bolesome ya Molao wa 2003 le ka k. 3 ya Molaotheo Tlhabololo ya Bosomenne ya Molao wa 2008.]

(2) Kgotla-peomolao ya porofense e na le ditokololo tse di le gare ga 30 le 80. Palo ya ditokololo e ka farologana go ya ka diporofense fa seo se rulagantswe ka selekanyo sa mogwa o tlhomamisitsweng ka molao wa bosetšhaba.

Botokololo

106. (1) Moagi mongwe le mongwe yo o letleletswe go tlhophi mo Ntlokokoano Bosetšhabeng e ka nna tokololo ya Kgotlepeomolao ya porofense ntle le –
- (a) mongwe le mongwe yo o thapilweng ke puso kgotsa moredi puso yo o amogelang moputso boemong jwa maemo a gagwe kgotsa tirelo, ntle le –
 - (i) tonakgolo le ditokololo dingwe tsa khuduthamaga ya porofense; le
 - (ii) batlhankedi bangwe ba ditiro tsa bona di tsamaelanang le ditiro tsa tokololo ya kgotlepeomolao ya porofense, mme ditiro tsa bona di tlhomamisitse fa di tshwana go ya ka molao wa bosetšhaba.
 - (b) ditokololo tsa Ntlokokoano Bosetšhaba, baemedi ba leruri ba Khansela ya Bosetšhaba ya Diporofense kgotsa ditokololo tsa Lekgotla la Mmasepala;
 - (c) mokoloti yo o sa kgopologeng;
 - (d) mongwe le mongwe yo Kgotlepeomolao ya Rephaboliki e tsayang a sa itekanela mo tlhologanyong;
 - (e) mongwe le mongwe yo e rileng fa karolwana eno ya molao tswana tirisong a bonwa molato, mme a atlhola dikgwedi tse di fetang 12 mo kgolegelong ntle le tšhono ya go duela, le fa e le mo gare ga Rephaboliki, kgotsa kwa ntle ga Rephaboliki; fa tiragalo eo e bonwa jaaka molato mo Rephaboliking, mme ga go ope yo tshwanetseng go amogelwa a atlhotswe go fitlhelela boikuelo kgatlhanong le kotlo kgotsa katlhola e tlhomamisiwa, kgotsa go fitlhelela

nako ya boikuelo e feta. Go latlhegelwa ke ditshwanelo fa tlase ga kgaolo e go khutla morago ga ngwaga tse tlhano katlholo e weditswe.

- (2) Motho yo o sa tshwanelang go nna tokololo ya Kgotlepeomolao ya porofense go ya ka ka ditaelo tsa karolotlaleletso (1)(a) kgotsa (b) e ka nna ntlopheng wa kgotlepeomolao go tsamaelana le tekanyetso nngwe le nngwe kgotsa kgotsa mabaka a tlhomamisitsweng ka molao wa bosetšhaba.
- (3) Motho o latlhegelwa ke botokololo jwa Kgotlepeomolao ya porofense fa motho yoo a –
 - (a) kgaotsa go nna yo o ka tlhopiwang;
 - (b) sa tlhagelele mo kgotlepeomolao ya porofense ntle le tetla le mororo melawana le ditaelo tsa kgotlepeomolao di tlhomamisa go latlhegelwa ke botokololo; kgotsa
 - (c) kgaotsa go nna tokololo ya lekoko le le tlhophileng motho yoo jaaka tokololo ya kgotlepeomolao.

[KI.(3) e emetswe ke k. 4 ya Molaotheo Tlhabololo wa Bolesome wa Molao wa 2003.]

- (4) Diphathathiro tsa kgotlepeomolao Porofense di tshwanetse go tlatswa go ya ka molao ya bosetšhaba.

Maikano kgotsa tshetiso ya boikanyego

107. Pele ditokololo tsa kgotlepeomolao ya Porofense di simolola go dira ditiro tsa tsona mo kgotlepeomolao, di tshwanetse go ikana kgotsa go tshetisa boikanyego go Rephaboliking le go obamela Molaotheo go ya ka Mametlelelo ya 2.

Paka ya kgotlepeomolao ya porofense

108. (1) kgotlepeomolao ya porofense e tlhophiwa go dira paka ya dingwaga di le tlhano.
- (2) Fa kgotlepeomolao ya porofense e phatlaladiwa go ya ka karolotlaleletso 109 kgotsa fa nako ya yona e fela, Tonakgolo ya porofense ka tiriso ya kgoeletso e tshwanetse go bitsa le go tlhomamisa letlha la ditlhopho, tse di tshwanetseng go tshwarwa mo nakong ya matsatsi a le 90 morago ga go phatlaladiwa ga kgotlepeomolao, kgotsa go fela ga paka ya yona peomolao, kgotsa nako e e fedileng ka yona. Go tshwanetse go ntshiwa Kgoeletso e e bitsang kopano le go totobatsa letlha ditlhopho pele kgotsa morago ga go fela ga paka ya kgotlepeomolao ya

porofense.

[Kl.(2) e emetswe ke k. 1 ya Molatheo Tlhabololo wa Bone wa Molao wa 1999.]

- (3) Fa dipholo tsa ditlhopo tsa kgotlapeomolao ya porofense di sa phasaladiwe ka nako e e tlhalositsweng mo a karolo 190 kgotsa fa ditlhopo di kgapelwa thoko ke kgotlatshekelo, Moporesidente o tshwanetse go ntsha kgoeletso e e bitsang kopano le go tlhomamisa letlha le lengwe la ditlhopo, tse di tshwanetseng go tshwarwa mo nakong ya matsatsi a le 90 a paka e felang kgotsa ka letlha le ditlhopo di kgapetsweng thoko ka lona.
- (4) Peomolao ya porofense e sala e nonofile go dira go simolola motsing o e phatlaladitsweng kgotsa nako ya yona e khutlang, go fitlhelela motsing o o fa pele ga letsatsing la ntlha la ditlhopo tsa kgotlapeomolao e e latelang.

Go phatlaladiwa ga dikgotlapeomolao tsa diporofense pele ga bokhutlo jwa paka ya tsona

109. (1) Tonakgolo ya porofense o tshwanetse go phatlalatsa kgotlapeomolao ya porofense fa –
 - (a) kgotlapeomolao e amogetse tshwetso ya go phatlalala ka tshegetso ya bontsi jwa ditokololo tsa yona; le
 - (b) go fetile dingwaga di le tharo e sa le kgotlapeomolao e tlhophilwe.
- (2) Tonakgolo ya nama-o-tshwere e tshwanetse go phatlalatsa kgotlapeomolao ya porofense fa –
 - (a) go na le phatlha-tiro mo ofising ya Tonakgolo; le fa
 - (b) kgotlapeomolao e retelelwa ke go tlhopho Tonakgolo e ntšhwa mo nakong ya matsatsi a le 30 morago ga phatlhatiro e ntse e le teng.

Dipitso le dipaka tsa khunologo

110. (1) Morago ga ditlhopo, kopano ya ntlha ya kgotlapeomolao ya porofense e tshwanetse go epiwa ka nako le letlha le le tlhomamisitsweng ke moatlhodi yo o tlhophilweng ke Moatlhodimogolo, mme fela, e seng morago ga matsatsi a 14 dipholo tsa ditlhopo di itsisitswe. Kgotlapeomolao ya porofense e ka tlhomamisa nako, bolelele jwa dikopano le dipaka tsa khunologo.

[Kl.(1) e emetswe ke k. 8 ya Molatheo Tlhabololo wa Borataro wa Molao wa 2001.]

- (2) Tonakgolo ya porofense e ka bitsa kopano e e kgethegileng ya Kgotlepeomolao ya porofense nako nngwe le nngwe go rerisa ka merero o kgethegileng.
- (3) Kgotlepeomolao ya porofense e ka tlhomamisa moo e tshwarelang dikopano gona.

Babusakgotla le Batlatsa-Babusakgotla

111. (1) Mo kopanong ya ntlha morago ga ditlhopho tsa yona, kgotsa fa go tlhokagala go tlatsa phatlha, Kgotlepeomolao ya porofense e tshwanetse go kgetha Mmusakgotla le Motlatsa Mmusakgotla mo ditokololong tsa yona.
- (2) Moatlhodi yo o tlhophilweng ke Moatlhodimogolo o tshwanetse go okama tsamaiso ya go tlhophiwa ga Mmusakgotla. Mmusakgotla o okama tsamaiso ya ditlhopho tsa Motlatsa Mmusakgotla.
[Kl.(2) e emetswe ke k. 9 ya Molaotheo Tlhabololo wa Borataro wa Molao wa 2001.]
- (3) Tsamaiso e e tlhalositsweng mo Karolo A ya Mametlelelo 3 e dirisiwa fa go tlhophiwa Babusakgotla le Batlatsa Mmusakgotla.
- (4) Kgotlepeomolao ya porofense e ka tlosa Mmusakgotla mo tirong kgotsa 74 Motlatsa Mmusakgotla ka tshwetso. Bontsi jwa ditokololo tsa kgotlepeomolao di tshwanetse go nna teng fa tshwetso e atlanegisiwa.
- (5) Go ya ka melawana le ditaelo, kgotlepeomolao e ka tlhophiwa mo ditokololong tsa yona baeteledipele go thusa Mmusakgotla le Motlatsa Mmusakgotla.

Ditshwetso

112. (1) Ntle le fa Molaotheo o tlhalosa ka tsela e nngwe –
 - (a) bontsi jwa ditokololo tsa Kgotlepeomolao ya porofense di tshwanetse go nna teng pele go ka boutelwa Molaotlhomologo kgotsa tlhabololo ya Molaotheo;
 - (b) bonnye nngwe-tharo ya ditokololo e tshwanetse go nna teng pele go boutelwa potso nngwe le nngwe e e fa pele ga kgotlepeomolao;
 - (c) dintlha tsothe tse di fa pele ga Kgotlepeomolao ya porofense di amogelwa ka bontsi jwa diboutu tse di dirilweng.
- (2) Tokololo ya Kgotlepeomolao ya porofense e okameng ga e letlwe go bouta ka tlwaelo, mme –
 - (a) o tshwanetse go bouta go kgaolakgang fa diboutu tsa matlhakore oo mabedi di le maleka, e bile
 - (b) o tshwanetse go bouta ka mokgwa wa tlwaelo fa, potso e tshwanetse go

amogelwa ka tshegetso ya bonnye diboutu tsa pedi-tharo ya ditokololo tsa kgotlapeomolao.

Ditshwanelo tsa baemedi ba leruri mo kgotlapeomolao ya Porofense

113. Baemedi ba porofense ba leruri ba Khansela ya Bosetšhaba ya Diporofense ba ka tsenela, e bile ba ka bua mo kgotlapeomolao ya porofense ya bona le dikomiti tsa yona, fela ga ba tshwanela go bouta. Kgotlapeomolao e ka tlhoka moemedi wa leruri go tsena pitso ya yona kgotsa ya dikomiti tsa yona.

Dithata tsa dikgotlapeomolao tsa diporofense

114. (1) Mo go diragatseng thata ya yona ya molao, Kgotlapeomolao ya porofense e ka –
- sekaseka, atlenegisa, tlhabolola kgotsa ya gana Molaotlhomongwe le mongwe o fa pele ga kgotlapeomolao; le
 - go tshitsinya kgotsa go baakanya molao, ntle le Melaotlhomongwe wa ditšhelete.
- (2) Kgotlapeomolao ya porofense e tshwanetse go tlhomamisana mekgwa ya go –
- netefatsa fa ditheo tsothe tsa puso mo porofenseng rwala maikarabelo a tsona; le
 - go sekaseka –
 - bolaodi taolo mo porofenseng go akarediwa le tiragatso ya molao; le
 - setheo sengwe le sengwe sa puso ya porofense.

Bopaki kgotsa tshedimosetso fa pele ga dikgotla peomolao tsa diporofense

115. Kgotlapeomolao ya porofense kgotsa nngwe le nngwe ya dikomiti tsa yona e ka –
- bitsa mongwe le mongwe go tlhagelela fa pele ga tsona go neela bopaki a ikanne kgotsa ka go dira tshepisano kgotsa go tlhagisa ditokomane;
 - go laela motho kgotsa setheo sengwe le sengwe go tlhagisa pego fa pele ga yona; le
 - go gapeletsana, go tsamaelana le ditaello tsa kgotlapeomolao ya porofense kgotsa melawana le ditaello, motho kgotsa setheo sengwe le sengwe go itepatepanya le mabaka a tagafara kgotsa ditlhokego tsa temana (a) kgotsa (b); le
 - go amogela dipheletšene, ditshwaelo kgotsa ditlhagiso go tswa go mongwe le mongwe yo o na leng kgatlhego kgotsa setheo.

Dithulaganyo tsa ka fa teng, ditsweletso le ditsamaiso tsa dikgotlapeomolao tsa diporofense

116. (1) Kgotlapeomolao ya porofense e ka –
- Tlhomamisa le go laola merero ya yona mo teng, ditsweletso le ditsamaiso, le—
 - go dira melawana le ditaello tebang le tiro ya yona, go etswe tlhoko kemedi le botsayakarolo jo bo gololesegileng, maikarabelo, puso ya botlhe le botsayakarolo jwa setšhaba.
- (2) Melawana le ditaello tsa Kgotlapeomolao ya porofense di tshwanetse go tlamela ka –
- tlhamo, popego, maatla, ditiro, ditsamaiso le paka-tiro ya dikomiti tsa yona; le
 - botsaya karolo jwa makokopotlana a a na leng baemedi mo ditsamaisong tsa kgotlapeomolao ka mokgwa o o tsamaelang le demokerasi;
 - thuso ya tšhelete le tsamaiso go lekoko lengwe le lengwe la sepolotiki le le na leng baemedi mo kgotlapeomolao, go ya ka tekanyetso ya kemedi go kgontsha lekoko le moeteledipele wa lona go dira ditiro tsa bona mo Kgotlapeomolao; le
 - go amogela moeteledipele wa lekoko le legolo la kganetso mo kgotlapeomolao, jaaka Moeteledipele wa Lekoko Kganetso.

Ditetelelo

117. (1) Ditokololo tsa Kgotlapeomolao ya porofense le ditokololo tsa porofense tsa leruri tsa Khansele ya Bosetšhaba ya Diporofense –
- di na le kgololosego puo mo Kgotlapeomolao le mo dikomiting tsa yona, go tsamaelana le melawana le ditaello tsa yona; e bile
 - ga ba rwale maikarabelo a ditatofatso tsa dikgetsi tsa ngangisano kgotsa bosenyi, go tshwariwa, kotlha ya kgolegelo kgotsa ditsheyegelo ka ntlha ya –
 - sengwe le sengwe se ba se buileng, ba se tlhagisitseng, kgotsa neetseng Kgotlapeomolao kgotsa nngwe le nngwe ya dikomiti tsa yona; kgotsa
 - sengwe le sengwe se se utulotsweng ka ntlha ya sengwe se ba se buileng, tlhagisitseng fa pele, kgotsa neetsweng Kgotlapeomolao kgotsa nngwe ya dikomiti tsa yona.
- (2) Ditetelelo le dishireletsego dingwe tsa Kgotlapeomolao le ditokololo tsa yona di ka

tlhomamisiwa ka molao wa bosetšhaba.

- (3) Meputso, diallawanse le ditshiamelo tse di duelwang ditokololo tsa Kgotlapeomolao ya porofense di tsewa ka tlhamalalo go tswa go Lotlele la Lotseno la porofense.

Phitlhelelo le botsaya karolo jwa botlhe mo dikgotlapeomolao tsa diporofense

118. (1) Kgotlapeomolao ya porofense e tshwanetse go –
- ntshetsapele botsaya karolo jwa setšhaba mo molaong le ditsamaiso tse dingwe tsa Kgotlapeomolao le dikomiti tsa yona; le
 - akaretsa botlhe mo tsamaisang ya ditiro tsa yona, le go tshwara dikopano tsa yona, le tsa dikomiti tsa yona mo pepeneneng; mme dikgato tse maleba di tshwanetse go tsewa –
 - go laola phitlhelelo ya batho, go akarediwa phitlhelelo ya bogasi go Kgotlapeomolao le dikomiti tsa yona; le
 - go rulaganya phuruphutso ya mongwe le mongwe, mme fa go le maleba, go thibelwa go tsena kgotsa go tloswa ga mongwe le mongwe.
- (2) Kgotlapeomolao ya porofense gay a tshwanela go thibela setšhaba go akaretsa bogasi mo dikopanong tsa komiti ya yona ntle le fa le go le matshwanedi e bile go siame go dira jaalo mo dikgatlhegolong tsa setšhaba le demokerasi.

Kitsiso ya Melaotlhomomo

119. Ke fela ditokololo tsa Kgotlakhuduthamaga ya porofense kgotsa komiti kgotsa tokololo ya kgotlapeomolao ya porofense e ka itsiseng Melaotlhomomo mo Kgotlapeomolao; mme ke fela tokololo ya Kgotlakhuduthamaga e e rweleng maikarabelo a merero ya matlotlo mo porofenseng, kgotsa tokololo e e kgethilweng ke Tonakgolo, e ka itsiseng Melaotlhomomo wa ditšhelete mo kgotlapeomolao.

Melaotlhomomo ya Ditšhelete

120. (1) Melaotlhomomo ke Melaotlhomomo wa tšhelete fa o,
- thala tekanyetsokabo ya tšhelete,
 - rulaganya lekgetho la porofense, makgethwana, ditefelo kgotsa dituediso tsa tlaleletso,
 - fedisa kgotsa fokotsa, kgotsa o letlelela dikgololo tsa lekgetho lengwe le

- lengwela porofense, makgethwana, ditefelo kgotsa dituediso tsa tlaaleletso, kgotsa
- (d) katlanegisa ya dituelo ka tlhamalalo go tswa go Letlole la Lotseno la Porofense.
- (2) Molaotlhommo wa tšhelete ga o tshwanelwa go samagana le morero mongwe ntle le -
- (a) morero o monnye malebana le tekanyetso ya tšhelete,
- (b) taelo, phediso kgotsa phokoletso ya makgetho a porofense, makgethwana, ditefelo kgotsa dituediso tsa tlaaleletso,
- (c) go rebola dikgololo tsa makgetho a porofense, makgethwana, ditefelo kgotsa dituediso tsa tlaaleletso, kgotsa
- (d) katlanegiso ya dituelo ka tlhamalalo go tswa go Letlole la Lotseno lwa Porofense.
- (3) Molao wa porofense o tshwanetse go tlamela ka tsela e ka yona kgotlapeomolao ya porofense e ka tlhabololang Molaotlhommo wa tšhelete.

[K. 120 e emetswe ke k. 3 ya Molaotheo Tlhabololo wa Bosupa wa Molao wa 2001.]

Katlanegiso ya Melaotlhommo

121. (1) Tonakgolo ya porofense e tshwanetse go atlenegisa kgotsa go saena Molaotlhommo o o amogetsweng ke kgotlapeomolao ya porofense go ya ka Kgaolo eno, kgotsa fa Tonakgolo o na le dipelaelo ka bomolaotheo jwa Molaotlhommo, o tshwanetse go busetsa Molaotlhommo morago go kgotlapeomolao go sekasekwa.
- (2) Fa morago ga go sekwasekwa bošwa ga Molaotlhommo, Molaotlhommo o kgotsafatsa dipelaelo tsa Tonakgolo, Tonakgolo e tshwanetse go atlenegisa le go saena Molaotlhommo, kgotsa fa go se jaalo, Tonakgolo e tshwanetse go –
- (a) atlenegisa le go saena Molaotlhommo; kgotsa
- (b) o romela go Kgotlatshekelo ya Molaotheo go tthomamisa bomolaotheo jwa one.
- (3) Fa Kgotlatshekelo ya Molaotheo e tthomamisa gore Molaotlhommo o tsamaelana le molaotheo, Tonakgolo e tshwanetse go atlenegisa le go saena Molaotlhommo.

Kopo ka ditokololo go Kgotsatshekelo ya Molaotheo

122. (1) Ditokololo tsa kgotlapeomolao ya porofense di ka dira kopo go Kgotsatshekelo ya Molaotheo go dira taelo go netefatsa fa molao otlhe kgotsa karolo ya Molao o atlenegisitweng ga e tsamaelane le Molaotheo.
- (2) Kopo –
- (a) e tshwanetse go emiwa nokeng ke diperesente di le 20 tsa ditokololo tsa kgotlapeomolao; e
- (b) e tshwanetse go dirwa mo nakong ya matsatsi a le 30 morago ga katlanegiso le go saeniwa ga molao ke Tonakgolo.
- (3) Kgotsatshekelo ya Molaotheo e ka laela gore Molao otlhe kgotsa karolo ya Molao o go dirilweng kopo boemong jwa yona, go ya ka karolotlaletso 1 o se dirisiwe go fitlhela Kgotsatshekelo e dira tshwetso ya kopo, fa –
- (a) dikgatlhego tsa bosiamisi di tlhoka seo; e bile
- (b) go na le kgonagalo ya go atlega ga kopo.
- (4) fa kopo e sa atlega, e bile e sena kgonagalo ya katlego, Kgotsatshekelo ya Molaotheo e tshwanetse go laela bakopi go duela ditshenyegelo.

Phatlalatso ya Molao ya porofense

123. Molaotlhome yo o atlenegisitweng le go saeniwa ke Tonakgolo ya Porofense o nna Molao wa Porofense, o tshwanetse go phatlaladiwa ka bonako e bile o simolola go dira fa o phatlaladitswe ka letlha le le tlhomamisitsweng ke Molao.

Polokego ya Molao ya porofense

124. Kgatiso e e saenilweng ya Molao wa Porofense ke bopaki jo bo feletseng jwa ditaello tsa Molao, e bile morago ga phatlalatso o tshwanetse go bolokwa kwa Kgotsatshekelo ya Molaotheo.

Dikhuduthamaga tsa diporofense

Bothati taolo jwa khuduthamaga ya diporofense

125. (1) Bothati taolo jwa khuduthamaga ya porofense bo abetswe Tonakgolo ya Porofense eo.

- (2) Tonakgolo e dirisa matla a bothati taolo jwa khuduthamaga, mmogo le ditokololo tse dingwe tsa Khansele ya Kgotla Khuduthamaga, ka –
- go dirisa molao wa porofense;
 - go tsenya tirisong melao yotlhe ya bosetšhaba go ya ka tthaloso ya Mametlelelo 4 kgotsa 5, ntle le fa Molaotheo kgotsa Molao wa Palamente o tthalosang ka mokgwa mongwe;
 - go tsamaisa mo Porofenseng, molao wa bosetšhaba ntle le ditiro tse di tthalositsweng Mametlelelo 4 le 5, eo tsamaiso ya yona e abetsweng khuduthamaga ya porofense go ya ka Molao wa Palamente;
 - tthabololo le tiragatso ya maikamisetso a Porofense;
 - tthulaganyo ya ditiro tsa tsamaiso ya Porofense le mafapha a yona;
 - tshitsinyo le tshimololo ya molao wa Porofense; le
 - tiragatso ya tiro ngwe le ngwe e e abetsweng khuduthamaga ya porofense go ya ka Molaotheo kgotsa Molao wa Palamente.
- (3) Porofense e na le bothati taolo jwa khuduthamaga go ya ka karolotlaleletso (2)(b) fela fa Porofense e nale bokgoni jwa go rulaganya tsamaiso maikarabelo a yona ka manontlholtho. Puso ya setšhaba ka molao le dikgato tse dingwe e tshwanetse go thusa Porofense go tthabolola bokgoni jo bo tthokegang jwa tsamaiso go diragatsa matla a yona botwerere le ditiro tsa yona, tse di tthalositsweng mo karolotlaleletso (2).
- (4) Ngongorego nngwe le nngwe e e amanang le bokgoni jwa tsamaiso ya Porofense mabapi le tiro nngwe le nngwe, e tshwanetse go romelwa go Khansele ya Setšhaba ya Diporofense go rarabololwa mo nakong ya matsatsi a le 30 ka letlha la go romelwa go Khansele.
- (5) Go ya ka karolo 100, tiragatso ya molao wa porofense mo porofenseng ke thata e e kgethegileng ya khuduthamaga ya Porofense.
- (6) Khuduthamaga ya Porofense e tshwanetse go dira go ya ka –
- Molaotheo; le
 - Molaotheo wa Porofense, fa molaotheo wa porofense o atlenigisitse.

Kabo ya ditiro

126. Tokololo ya Khansele ya Khuduthamaga ya Porofense e ka abela Khansele ya Mmasepala thata kgotsa tiro nngwe le nngwe e e tshwanetsweng go dirwa go ya ka Molao wa

Palamente, kgotsa Molao wa porofense. Kabo ya tiro –

- (a) e tshwanetse go diriswa ka tumelano gareng ga tokololo ya Khansele ya Khuduthamaga e e maleba le Khansele ya Mmasepala;
- (b) e tshwanetse go tsamaelana le Molao go ya ka thata e e maleba kgotsa tiro e e diriwang; e bile
- (c) e tsena tirisong fa Tonakgoloe dirile kgoeletso.

Dithata le Ditiro tsa Ditonakgolo

127. (1) Tonakgolo ya Porofense e na le dithata le ditiro tse di abetsweng kantoro ka Molaotheo le molao monngwe le monngwe.
- (2) Tonakgolo ya Porofense e na le maikarabelo a go –
- (a) atlanegisa le go saena Melaotlhomu;
 - (b) go romela Melaotlhomu morago go kgotlapeomolao ya porofense go sekaseka bomolaotheo jwa Melaotlhomu;
 - (c) go romela Melaotlhomu go Kgotlatshekelo ya Molaotheo go sekaseka bomolaotheo jwa Melaotlhomu;
 - (d) go bitsa kopano e e kgethegileng ya Kgotlapeomolao go rarabolola merero e e kgethegileng;
 - (e) go tlhoma dikhomisene tsa patlisiso; le
 - (f) go tshwara referantamo mo Porofenseng go ya ka molao wa bosetšhaba.

Go tlhophiwa ga Ditonakgolo

128. (1) Ka kopano ya bona ya ntlha morago ga ditlhopho, le fa go tlhokega go tlatsa phatlhatiro, kgotlapeomolao ya porofense e tshwanetse go tlhophisa mosadi kgotsa monna fa gare ga ditokololo tsa yona go nna Tonakgolo ya porofense.
- (2) Moatlhodi yo o kgethilweng ke Moatlhodimogolo o okama ditsamaiso tsa ditlhopho tsa Tonakgolo. Tsela e e tlhaositsweng Karolo A ya Mametlelelo 3 e dirisiwa fa go tlhophiwa Tonakgolo.

[Kl.(2) e emetswe ke k. 10 ya Molaotheo Tlhabololo wa Borataro wa Molaowa 2001.]

- (3) Tlhopho ya go tlatsa phatlhatiro ya boTonakgolo e tshwanetse go tshwarwa ka nako le letlha le le tlhomamisitsweng ke Moatlhodimogolo, fela e seng morago ga matsatsi a le 30 morago ga go nna teng ga phatlha.

[Kl.(3) e emetswe ke k. 10 ya Molaotheo Tlhabololo wa Borataro wa Molao wa 2001.]

Tshimololo ya tiro ya Ditonakgolo

129. Tonakgolo e e kgethilweng e tshwanetse go simolola tiro mo nakong ya matsatsi a matlhano Morago ga go kgethiwa, ka go ikana kgotsa go dira tshepiso ya boikanyego go Rephaboliki le kobamelo ya Molaotheo go ya ka Mametlelelo 2.

Paka-Tiro le go tloswa ga Ditonakgolo

130. (1) Paka-tiro ya tonakgolo e simolola fa Tonakgolo e simolola tiro mme e khutla morago ga go tlhagelela ga phatlhatiro kgotsa fa motho yo o kgethilweng go nna motlhatlhami jaaka Tonakgolo a simolola tiro.
- (2) Ga go ope yo o letleletsweng go nna Tonakgolo go feta dipaka di le pedi, mme fa motho a kgethilwe go tlatsa phatlhatiro mo maemong a Tonakgolo, paka gare ga ditlhopho tseo le ditlhopho tse di latelang tsa boTonakgolo ga di tswa jaaka paka ya tiro.
- (3) Kgotapeomolao ya porofense, ka tshwetso ya tshegetso ya bonnye diboutu tsa pedi-tharo ya maloko a yona, a ka tlosa Tonakgolo mo tironng fela ka ntlha ya –
- tshimololo e e masisi ya Molaotheo kgotsa molao;
 - maitshwara a makgwakgwa;
 - go palelwa ke go dira tiro ya maemo a gagwe.
- (4) Mongwe le mongwe yo o tlositsweng mo tironng ya Botonakgolo go ya ka karolotlaleletso 3(a) kgotsa (b) ga a tshwanela go amogela ditshwanelo dipe go tswa go kantoro eo, e bile ga a tshwanela go modiredi wa setšhaba.

Ditonakgolo tsa Nama-o-tshwere

131. (1) Fa Tonakgolo e se teng kgotsa a sa kgone go dira tiro ya boTonakgolo, kgotsa fa go nale phatlhatiro boTonakgolo, motlankedi yo tthatlhamang Tonakgolo ka maemo o nama-a-tshwere jaaka Tonakgolo:
- Tokololo ya Kgotla Khuduthamaga e e kgethilweng ke Tonakgolo.
 - Tokololo ya Kgotla Khuduthamaga e e kgethilweng ke ditokololo tsa Khansele
 - Mmusakgotla, go fitlhela kgotapeomolao e tlhopa mongwe wa ditokololo tsa yona.
- (2) Tonakgolo ya nama-o-tshwere e na le maikarabelo, dithata le ditiro tsa Tonakgolo.
- (3) Pele a rwala maikarabelo, ditlamego le ditiro tsa boTonakgolo, Tonakgolo ya nama-

o-tshwere e tshwanetse go ikana kgotsa tshepisa boikanyego go Rephaboliki le go obamela Molaotheo go ya ka Mametlelelo 2.

Dikhansale tsa Khuduthamaga

132. (1) Khansale ya Khuduthamaga ya porofense e bopiwa ke Tonakgolo jaaka tlhogo ya Khansale, le palo e e seng fa tlase ga tlhano le e e sa feteng lesome ya ditokololo tse di tlhophilweng ke Tonakgolo mo ditokololong tsa kgotlapeomolao ya porofense.
- (2) Tonakgolo ya porofense o tlhopha ditokololo tsa Khansale ya khuduthamaga, a ba abele dithata le ditiro, e bile a ka ba rola tiro.

Maikarabelo le ditlamago

133. (1) Ditokololo tsa Khansale ya khuduthamaga ya porofense di rwele maikarabelo a ditiro tsa khuduthamaga jaaka ba e abetswe ke Tonakgolo.
- (2) Ditokololo tsa Khuduthamaga ya porofense ba rwele maikarabelo ka bojotle le ka bongwe ka bongwe go kgotlapeomolao ka tiragatso ya ditiro tsa bona.
- (3) Ditokololo tsa Khansale ya Khuduthamaga ya porofense di tshwanetse –
- (a) go dira go tsamaelana le Molaotheo; le
 - (b) go tlamela kgotlapeomolao ka dipegelo tsa merero e e fa tlase ga kgotlapeomolao.

Tswelelopele ya Dikgotla Khuduthamaga morago ga Ditlhopho

134. Fa go tshwariwa ditlhopho tsa kgotlapeomolao, Kgotla ya khuduthamaga le ditokololo tsa yona di dula di ntse na le maatla a go dira go fitlha motho yo o tlhophilweng jaaka Tonakgolo ke Kgotlapeomolao e e latelang a simolola tiro.

Maikano kgotsa tshepiso

135. Pele ditokololo tsa Kgotla Khuduthamaga ya porofense di simolola go dira ditiro tsa bona, ba tshwanetse go ikana kgotsa go tshepisa boikanyego jwa bona go Rephaboliki le go obamela Molaotheo, go ya ka Mametlelelo 2.

Maitshwaro a ditokololo tsa Dikgotla Khuduthamaga

136. (1) Ditokololo tsa Kgotla Khuduthamaga ya porofense di tshwanetse go dira go ya

ka Khoutu ya melawana ya maitshwaro o o tihomamisitsweng ke molao wa bosetšhaba.

- (2) Ditokololo tsa Khansele ya Bosetšhaba ga di a letlelelwa go –
- (a) dira tiro e nngwe gape e e duelang;
 - (b) itshwara ka mokgwa o o kgatlhanong le seriti sa tiro ya bona kgotsa go ikgolaganya le maemo a tla bakang thulano ya dikgatlhegelo gare ga maikarabelo a bona a semolao le dikgatlhego tsa poraefete; kgotsa
 - (c) dirisa maemo a bona kgotsa tshedimoso e ba filwengt yona ka botshepegi go ikhumisa kgotsa go dira gore motho yo mongwe a une molemo ka mokgwa o sa siamang.

Kabelo ya ditiro

137. Tonakgolo ka phatlalatsa a ka abela tokololo ya kgotla khuduthamaga –
- (a) tsamaiso ya molao monngwe le monngwe yo o roletsweng tokololo eo; kgotsa
 - (b) thata kgotsa tiro nngwe le nngwe e e roletsweng tokololo eo go ya ka molao.

Kabelo ya nakwana ya ditiro

138. Tonakgolo ya porofense e ka abela tokololo ya Khansele ya Khuduthamaga thata kgotsa tiro nngwe le nngwe ya tokololo engwe e e seyong mo ofising kgotsa e e palelwang go diragatsa dithata kgotsa tiro eo.

Go tsereganya ga porofense mo puso selegae

139. (1) Fa mmasepala a palelwa kgotsa a sa kgone go dira ditshwanelo tsa yona bokhuduthamaga go ya ka Molaotheo kgotsa Molao, khuduthamaga ya porofense e e amegang e ka thusa ka go tsaya dikgato tse di maleba go netefatsa tiragatso tiro eo, go akarediwa –
- (a) go ntsha taelo go Khansele ya Mmasepala, e e tlhalosang selekano sa go palelwa ke go dira tiro eo, le go tlhalosa kgato nngwe le nngwe e e tshwanetseng go dirwa go netefatsa tiro eo; le
 - (b) go rwala maikarabelo a tiro go mmasepala yoo, go ya ka moo go tlhokegang go –
 - (i) diragatsa maemo a a botlhokwa a setšhaba kgotsa go fithelela maemo a tekanyetso a tlhomilweng a bosetšhaba a thebolo ya ditirelo;

- (ii) thibela mmasepala go tsaya kgato e e sa siamang e e leng kgatlhanong le dikgatlhegelo tsa mmasepala yo mongwe kgotsa go porofense ka bophara; kgotsa
 - (iii) netefatsa kgolo ya ikonomi, kgotsa
 - (c) Go phatlalatsa Khansele ya Mmasepala le go thapa motsamaisi go fitlha go tlhophiwa Khansele e ntšhwa ya Mmasepala, fa maemo a kgethegileng a letlelela kgato ya mofuta oo.
- (2) Fa khuduthamaga ya porofense e thusa mmasepala go ya ka mabaka a karolotlaleletso (1)(b) –
- (a) e tshwanetse go romela kitsiso e e kwadilweng ya go thusa go -
 - (i) tokololo ya Kabinete e e rweleng maikarabelo a merero ya pusoselegae; le
 - (ii) kgotlapeomolao ya porofense e e maleba le Khansele ya Bosetšhaba ya Diporofense thuso ya go tsereganya e tshwanetse go khutla mo nakong ya matsatsi a le 14 morago ga tshimolola ga thuso ya tsereganyo,
 - (b) thuso ya tsereganyo e tshwanetse go khutla fa -
 - (i) tokololo ya Kabinete e e rweleng maikarabelo a merero ya pusoselegae a sa amogele thuso ya tsereganyo mo nakong ya matsatsi a le 28 morago ga tshimololo ya thuso ya tsereganyo kgotsa ka bokhutlo jwa paka eo a sa amogela thuso ya tsereganyo, kgotsa
 - (ii) Khansele e kgaphela thoko thuso ya tsereganyo mo nakong ya matsatsi a le 180 morago ga tshomologo ga thuso ya tsereganyo kgotsa fa ka bokhutlo jwa paka eo a se a amogela thuso ya tsereganyo, mme
 - (c) fa thuso ya tsereganyo entse e tswelela pele, Khansele e tshwanetse go sekaseka thuso ya tsereganyo gangwe le gape e bile e ka dira ditshitsinyo go khuduthamaga ya porofense .
- (3) Fa Khansele ya Mmasepala e phatlaladiwa go ya ka karolotlaleletso (1)(c)-
- (a) khuduthamaga ya porofense e tshwanetse go romela kitsiso e e kwadilweng ya phatlalatsa ka bonako, go -
 - (i) tokololo ya Kabinete e e rweleng maikarabelo a merero ya pusoselegae, le go
 - (ii) kgotlapeomolao ya porofense e e maleba le Khansele ya Bosetšhaba ya Diporofense, e bile
 - (b) phatlalatsa e tsena tirisong mo nakong ya matsatsi a le 14 go simolola ka letlha

la kamogelo ya kitsiso ke Khansele ntle le fa e kgaphetswe thoko ke tokololo eo ya Kabinete kgotsa Khansele pele go fela matsatsi a le 14.

- (4) Fa mmasepala o sa kgone kgotsa o sa diragatse tiro go ya ka Molaotseo kgotsa molao go amogela tekanyetsokabo kgotsa dikgato tsa go kgobokanya matlole tse di leng botlhokwa go diragatsa tekanyetsokabo, khuduthamaga ya porofense e e maleba e tshwanetse go tsereganya ka go tsaya kgato nngwe le nngwe e e maleba go netefatsa fa tekanyetsokabo kgotsa dikgato tsa go kgobokanya matlole di a amogelwa, go akaretsa le go phatlalatsa ga Khansele ya Mmasepala le go -
- (a) thapa motsamaisi go fitlha go tlhophiwa Khansele e ntšhwa ya Mmasepala, le go
- (b) amogela tekanyetsokabo ya nakwana kgotsa dikgato tse di kgobokanyang matlole go ntshetsapele tiro ya mmasepala.
- (5) Fa mmasepala, ka ntsha ya mathata a merero ya yona ya ditšhelete, o le mo mathateng kgotsa o tlhologa go tlamela ka ditirelo tse di botlhokwa kgotsa go fitlhelela ditlamego tsa ona tsa ditšhelete, kgotsa o amogela fa o palelewa ke go fitlhelela ditlamego tsa ona kgotsa ditlamego tsa ditšhelete, khuduthamaga e e maleba ya porofense e tshwanetse go-
- (a) tsenyatirisong leano thabololo ka maikaelelo a go matlafatsa bokgoni jwa mmasepala go fitlhelela ditlamego tsa ona malebana le go tlamela ka ditirelo tse di botlhokwa kgotsa ditlamego tsa ona tsa ditšhelete, eo e tshwanetseng -
- (i) go rulagannngwa go ya ka molao wa bosetšhaba, e bile
- (ii) o tlama mmasepala go diragatsa bothati molao le taolo ya bokhuduthamaga, fela ka maikaelelo a go fitlhelela maano a go rarabolola mathata ona a ditšhelete, le
- (b) phatlalatsa Khansele ya Mmasepala, fa mmasepala o sa kgone kgotsa o sa amogele dikgato tsa semolao, go akarediwa le tekanyetsokabo kgotsa kgato nngwe le nngwe ya go kgobokanya matlole tse di leng botlhokwa go tsenyatirisong leano thabololo, le go -
- (i) thapa motsamaisi go fitlha go tlhophiwa Khansele e ntšhwa ya Mmasepala, le go
- (ii) amogela tekanyetsokabo ya nakwana kgotsa dikgato tsa go kgobokanya matlole kgotsa kgato nngwe le nngwe fela e e ka tsenyangtirisong leano thabololo go ntshetsapele tiro ya mmasepala, kgotsa

- (c) fa Khansele ya Mmasepala e sa phatlaladiwe go ya ka temana (b), e tshwanetse go rwala maikarabelo a go tsenyatisong leano tlhabololo go fitlha go bonaga gore mmasepala ga o kgone kgotsa ga o tsenyatisong leano tlhabololo.
- (6) Fa khuduthamaga ya porofense e tsereganya mo mmasepaleng go ya ka karoltlaleletso (4) kgotsa (5), e tshwanetse go romela kitsiso e e kwadilweng ya thuso ya tsereganyo go-
- (a) tokololo ya Kabinete e e rweleng maikarabelo ya merero ya pusoselegae, le go
- (b) kgotlapeomolao ya porofense e e maleba le Khansele ya Bosetšhaba ya Diporofense, mo nakong ya matsatsi a le supa morago ga thuso ya tsereganyo.
- (7) Fa khuduthamaga ya porofense e sa kgone kgotsa e sa diragatse dithata ka tshwanelo kgotsa e sa dire ditiro tsa yona go ya ka tlhaloso ya karoltlaleletso (4) kgotsa (5), khuduthamaga ya bosetšhaba e tshwanetse go tsereganya go ya ka karoltlaleletso (4) kgotsa (5) boemong jwa khuduthamaga ya porofense e e maleba.
- (8) Molao wa bosetšhaba o tshwanetse go laola tiragatso ya karolo eno, go akaretsa ditsela tse di tlhalositsweng ke karolo eno.

[K. 139 e emetswe ke k. 4 Molatheo Tlhabololo wa Bosomengwe wa Molaowa 2003.]

Ditshwetso tsa khuduthamaga

140. (1) Tshwetso ya Tonakgolo ya porofense e tshwanetse go kwadiwa fa fatshe, fa –
- (a) e dirilwe go tsamaelana le molao; kgotsa
- (b) e na le ditlamorago tsa semolao.
- (2) Tshwetso e e kwadilweng ya Tonakgolo e tshwanetse go saeniwa sa bobedi ke tokololo e nngwe ya Khuduthamaga ya Khansele, fa tshwetso eo e amana tiro e e abetsweng tokololo eo.
- (3) Dikgoeletso, melawana le didiriswa dingwe tsa molao wa porofense di tshwanetse go fitlhelelwa ke batho botlhe.
- (4) Molao wa porofense o tshwanetse go totobatsa mokgwa o ka ona, le phitlhelelo e ka yona, didiriswa tse di tlhalositsweng mo karoltlaleletso (3) di tshwanetseng go –
- (a) rarabololwa ka ona mo kgotlapeomolao ya porofense; le
- (b) go atlanegisiwa ke kgotlapeomolao ya porofense.

Ditshitsinyo tsa go tlhoka boikanyego

141. (1) Fa Kgotlepeomolao ya porofense ka tshagetso ya bontsi jwa diboutu tsa ditokololo tsa yona e amogela tumelano ya go tlhoka boikanyego go Khansele ya Khuduthamaga ya porofense, ntle le Tonakgolo, Tonakgolo o tshwanetse go tlhama Khansele sešwa.
- (2) Fa kgotlepeomolao ya porofense ka tlhopho ya bontsi jwa diboutu tsa ditokololo tsa yona e amogela tumelano ya go tlhoka boikanyego go Tonakgolo ya porofense, Tonakgolo le ditokololo dingwe tsa Khansele di tshwanetse go leboga tiro.

Melaotheo ya Porofense**Kamogelo ya melaotheo ya porofense**

142. Kgotlepeomolao ya porofense e ka atlenegisa molaotheo wa porofense, kgotsa fa go kgonega ya fetola molaotheo wa yona, fa fela bonnye ditokololo di le pedi-tharo di bouta go dumelana le molaothomo.

Diteng tsa melaotheo ya porofense

143. (1) Molaotheo wa porofense kgotsa tlhabololo ya molaotheo e tshwanetse go tsamaelana, le Molaotheo ono, fela o tshwanetse go tlamela –
- (a) kgotlepeomolao ya porofense kgotsa ditheo tsa Khuduthamaga le ditsamaiso tse di farologanang go na le tse di tlhalositsweng mo Molaotheong ono; kgotsa
- (b) setheo, seabe, bothati le maemo a bogosi ba setso, fa go le botlhokwa.
- (2) Ditaalo tse di akareditsweng mo molaotheong wa porofense kgotsa tlhabololo ya molaotheo go ya ka temana (a) kgotsa (b) tsa karotlaleletso (1) –
- (a) di tshwanetse go tsamaelana le meetlo ya karolo 1 le Kgaolo 3, e bile
- (b) gay a tshwanela go abela porofense thata efe kapa efe kgotsa tiro e e welang–
- (i) kwa ntle ga tikologo ya bokgoni jwa porofense ka ditaalo tsa Mametlelelo 4 le 5; kgotsa
- (ii) kwa ntle ga dithata le ditiro tse di abetsweng porofense go ya ka dikarolo dingwe tsa Molaotheo.

Kamogelo semmuso ya melaotheo ya porofense

144. (1) Fa kgotlapeomolao ya porofense e atlanegisitse kgotsa e tlhabolotse melaotheo, Mmusakgotla wa Kgotlapeomolao o tshwanetse go tokomane ya melaotheo oo kwa kgotlatshekelo ya Molaotheo go amogelwa semmuso.
- (2) Ga go tokomane ya melaotheo wa Porofense kgotsa tlhabololo ya melaotheo e e tshwanetseng go nna molao go fitlhelela kgotlatshekelo ya melaotheo go o amogela semmuso –
- (a) gore tokomane e atlanegisitswe go ya ka karolo 142; le
- (b) gore tokomane yotlhe e tsaemaelana le Karolo 143.

Go saeniwa, phasalatso le polokego ya melaotheo wa porofense

145. (1) Tonakgolo ya porofense o tshwanetse go amogela le go saena tokomane ya melaotheo wa porofense kgotsa tlhabololo ya melaotheo e e amogetseng semmuso ke kgotla ya Molaotheo.
- (2) Molaotheo o o atlanegitsweng e bile o saennwe ke Tonakgolo o tshwanetse go phasaladiwa mo Lokwalo Puso la Bosetšhaba, e bile o tsena tirisong ka letlha la phasalatso kgotsa ka letlha la moragonyana le le tlhomamisitsweng go ya ka melaotheo oo, kgotsa tlhabololo.
- (3) Molaotheo wa porofense o o saenilweng kgotsa tlhabololo ya Molaotheo ke bopaki jo bo feletseng jwa ditaelo tsa yona, e bile morago ga phasalatso, o tshwanetse go romelwa go Kgotlatshekelo ya Molaotheo go bolokiwa gona.

Melao e sa dumelelaneng

Dikgotlhang fa gare ga kgotlapeomolao ya bosetšhaba le ya Porofense

146. (1) Karolo eno, e ama dikgotlhang gare ga kgotlapeomolao ya bosetšhaba le kgotlapeomolao ya porofense o o tsamaelanang le tlhaloso ya Mamelelelo 4.
- (2) Molao wa bosetšhaba o o amang naga ka bophara o na le matla godimo ga molao wa porofense fa fela lengwe ya mabaka a latelang le fitlheletswa:
- (a) Kgotlapeomolao ya bosetšhaba e dira ka lebaka le le sa kgoneng go laolwa sentle ke molao o o dirilweng ke porofense eo ka namana.
 - (b) Kgotlapeomolao ya bosetšhaba e dira ka lebaka leo le tla kgonang fela fa tiragatso e ka tshwana na ka bophara, mme kgotlapeomolao ya bosetšhaba e neelana ka go tshwana goo, ka go tlhama –
 - (i) meono le mabaka;
 - (ii) manaanetsamaiso; kgotsa
 - (iii) dipholisi tsa bosetšhaba.
 - (c) Molao wa bosetšhaba o botlhokwa go –
 - (i) matlafatsa pabalesego ya bosetšhaba;
 - (ii) matlafatsa kgolo ya ikonomi;
 - (iii) tshireletso ya mebaraka yotlhe go ya ka tshutiso ya dithoto, ditirelo matlotlo le badiri;
 - (iv) kgodiso ya ditirelo tsa ikonomi porofense ka bophara;
 - (v) kgodiso ya ditšhono tse di lekanang kgotsa phitlhelelo ya ditirelo tsa puso ka tekano; kgotsa
 - (vi) tshireletso ya tikologo.
- (3) Molao wa bosetšhaba o okama molao wa porofense fa molao wa bosetšhaba o tobile go thibela kgato e e senang boikarabelo ke porofense, ya –
- (a) e gobelegileng mo go tsa ikonomi, boitekanelo le dikgatlhagelo tsa tshireletso ya porofense e nngwe kgotsa naga ka bophara; kgotsa
 - (b) e kgoreletsa tiragatso ya dipholisi tsa bosetšhaba tsa ikonomi.
- (4) Fa go na le kgotlhang mabapi le molao wa bosetšhaba o botlhokwa go tsamaelana le makaelelo a karolotlaleletsi 2(c), mme kgotlhang eo e tlhagelela fa pele ga Kgotlatshekelo go rarabololwa, Kgotlatshekelo e tshwanetse go ela tlhoko kamogelo kgotsa go se amogelwa ga molao oo, ke Khansele ya Bosetšhaba ya diporofense.

- (5) Molao wa porofense o okama molao wa bosetšhaba fa karolotlaleletso (2) kgotsa (3) e sa dirisiwe.
- (6) Molao o o dirilweng go ya ka Molao wa Palamente kgotsa molao wa porofense o dira fela fa molao oo o atlanegisitswe ke Khansele ya Bosetšhaba ya Diporofense.
- (7) Fa Khansele ya Bosetšhaba e sa fitlhelele tshwetso mo nakong ya matsatsi a le 30 a kopano ya yona ya ntlha morago ga go romelwa molao, molao oo, o tshwanetse go sekasekelwa ekare o atlanegisitswe ke Khansele.
- (8) Fa Khansele ya Bosetšhaba ya Diporofense e sa atlanegise molao yo o tthalosiwang jaaka wa karolotlaleletso (6), e tshwanetse gore mo nakong ya matsatsi a le 30 a tshwetso ya yona, e tshwanetse go bolelela bothati jo bo e rometseng molao mabaka goreng molao oo, o sa atlanegisiwa.

Dikgotlhang tse dingwe

147. (1) Fa go na le kgotlhang fa gare molao wa bosetšhaba le taelo ya molaotheo wa porofense mabapi le –
- (a) morero o o amang Molaotheo yo o batlang kgotsa yo o tshitsinyang tthabololo ya molao wa bosetšhaba, molao wa bosetšhaba o okama taelo ya molaotheo wa porofense; kgotsa
 - (b) thuso tsereganyo ya molao ya bosetšhaba go ya ka mabaka a karolo 44(2), molao wa bosetšhaba e e okama molaotheo wa porofense; kgotsa
 - (c) morero wa tiro e e tthalositsweng mo Mametlelelo 4, karolo 146 e dirisiwa eketse taelo ya molaotheo wa porofense ke peomolao ya porofense e e tthalositsweng mo karolong eo.
- (2) Molao wa bosetšhaba o umakiwang mo karolo 44(2) e okama molao wa porofense fa e le merero e e tthalositsweng mo lenaane la Mametlelelo 5.

Dikgotlhang tse di ka se kgoneng go rarabololwa

148. Fa ngongorego e e amang kgotlhang e sa kgone go rarabololwa ke kgotlatshekelo, molao wa bosetšhaba ke ona o tla okamang molao wa porofense kgotsa molaotheo wa porofense.

Maemo a molao yo o seyong

149. Tshwetso ya kgotla ya gore molao yo mongwe o okame yo mongwe, ga e tsele molao yo mongwe matla, fela molao yoo ga o dire go fitlhela kgotlhang e rarabololwa.

Tlhaloso ya dikgotlhang

150. Fa go sekwasekwa kgotlhang e e bonalang gare ga molao wa bosetšhaba le molao wa porofense, le molaotheo wa porofense, kgotlatshekelo nngwe le nngwe e tshwanetse go amogela tlholoso e e maleba ya molao kgotsa ya molaotheo, e e sa bakeng kgotlhang, godimo ga tlhaloso nngwe le nngwe e e tla bakeng kgotlhang.

KGAOLO 7

PUSO SELEGAE

Maemo a bommasepala

151. (1) Lekala la puso selegae le kgaogantswe ka bommasepala, bao ba tshwanetseng go tlhomiwa mo melerwaneng yotlhe ya Rephaboliki.
- (2) Khuduthamaga le bothati taola jwa mmasepala bo rwelwe Khansela ya Mmasepala wa yona.
- (3) Mmasepala o na le tshwanelo ya go laola go ya ka pono ya yona, merero ya puso selegae ya baagi ba yona go tsamaelana le molao wa bosetšhaba le ya porofense, jaaka go rulaganyeditswe ke Molaotheo.
- (4) Puso ya bosetšhaba kgotsa ya porofense ga di a tshwanela go kgobelela kgotsa go kgoreletsa bokgoni jwa mmasepala kgotsa tshwanelo ya go diragatsa maatla a ona kgotsa go dira ditiro ya ona.

Maikaelelo a puso ya selegae

152. (1) Maikaelelo a puso ya selegae ke –
- (a) go tlamela baagi ka puso e e gololesegileng le e e na leng maikarabelo;
- (b) go netefatsa gore baagi ba fitlhelela ditirelo ka dinako tsotlhe;
- (c) go godisa tlhabololo ya leago le ikonomi;
- (d) go godisa tikologo e e sireletsegileng le e e itekanetseng;
- (e) go rotloetsa go botsaya karolo jwa baagi le mekgatlho ya baagi mo mererong ya pusoselegae.
- (2) Mmasepala o tshwanela go kgaratlhela, go ya ka dithata tsa tšhelete le bokgoni jwa tsamaiso go fitlhelela maikaelelo a tlhalositsweng mo karolotlaleletso (1).

Ditiro tsa tlhabololo tsa bommasepala

153. Mmasepala o tshwanetse –
- (a) go rulaganya le go laola botsamaisi, tekanyetso, le go loga maano go beya kwapele dihlhokego tsa motheo tsa baagi, le ntshetsa pele tlhabololo ya loago le ikonomi ya baagi; le
- (b) go tsaya karolo mo Manaaneong a tlhabololo ya bosetšhaba le ya diporofense.

Tlhakanelo-puso ya Bommasepala

154. (1) Puso ya bosetšhaba le ya porofense, ka molao le dikgato dingwe di tshwanetse thusa le go matlafatsa bokgoni jwa bommasepala go laola merero le ditiro tsa yona.
- (2) Molaotlhommo o o tshitsintsweng wa bosetšhaba kgotsa wa porofense o o amang maemo, ditheo, maatla kgotsa ditiro tsa pso ya selegae di tshwanela go phasaladiwa gore baagi ba kgone go tshwaela pele e tlhagisiwe mo Palamenteng kgotsa mo kgotlapeomolao ya porofense, ka mokgwa o o letlang puso selegae e e rulagantsweng, bommasepala, le batho bangwe ba ba na leng kgatlhego, ba tshwanetse go fiwa tšhono ya go dira ditlhagiso mabapi le Molaotlhommo.

Go tlhomiwa ga bommasepala

155. (1) Go na le magato a a latelang a bommasepala:
- (a) Legato la A: Mmasepala yo o na leng bothati jwa khuduthamaga le taolo ya molao mo kgaolong ya yona fela.
- (b) Legato la B: Mmasepala yo o aroganyang bothati jwa bokhuduthamaga le jwa taolo ya semolao mo kgaolong ya yona le mmasepala wa legato la C, yo o welang mo kgaolong ya ona.
- (c) Legato la C: Mmasepala yo o na leng bothati jwa bokhuduthamaga le jwa taolo ya semola molao mo kgaolong e akaretsang bommasepala ba ba fetang nngwe.
- (2) Molao wa bosetšhaba o tshwanetse go tlhalosa bommasepala ka go farologana, ba ba tshwanetseng go tlhomiwa go logato lenngwe lele nngwe.
- (3) Molao wa bosetšhaba o tshwanetse –
- (a) go tlhama dielo tsa go tlhomamisa fa kgaolo e tshwanetse go nna mmasepala wa legato A kgotsa fa e tshwanetse go nna mmasepala wa legato la B le C.
- (b) go tlhama dielo le dithulaganyo ya tlhomamiso ya melelwane ya bommasepala ke bothati jo bo ikemetseng; le
- (c) go dira ditaello tse di amang kgaoganyo ya matla le ditiro fa gare ga bommasepala, fa kgaolo e na le bommasepala ba logato la B le C ka bobedi go tsamaelana le karolo 229. Kgaoganyo ya dimatla le ditiro gare ga mmasepala wa logato la B le mmasepala wa logato la C, mmasepala e ka farologana go ya ka kgaoganyo ya matla le ditiro gareng ga mmasepala o mongwe wa logato la B le mmasepala wa logato la C.

- (4) Molao o o tthalositsweng karolotlaleletso (3) e tshwanetse go ela tlhoko bothokwa jwa kaabo ya ditirelo ke mmasepala ka tekatekano le ka dinako tshotlhe.
- (5) Molao wa porofense e tshwanetse go tlhomamisa mefuta e farologaneng ya bommasepala e tshwanetseng go tlhamiwa mo porofenseng.
- (6) Puso nngwe le nngwe ya porofense e tshwanetse go tlhama bommasepala mo porofenseng ya yona ka tsela e e tsamaelanang le molao o o atlenegisitsweng go ya ka karolotlaleletso (2) le (3) le, ka molao kgotsa dikgato dingwe, e tshwanetse go –
- (a) go tlamela ka tshakatsheko le thuso ya pusoselegae mo porofenseng; le
- (b) go tlhabololo bokgoni jwa pusoselegae go kgontsha bommasepala go dira ditiro tsa bona le go tsamaisa merero ya bona.
- (6A) ...
- [Karolotlaleletso. (6A) ya Molaotheo wa Tlhabololo ya Boraro ya Molao wa 1998, le go tlosiwa ka k 2 ya Molaotheo ya Tlhabololo ya bolesome pedi ya Molao wa 2005.]
- (7) Puso ya bosetšhaba, go ya ka karolo 44, le dipuso tsa diporofense di na le taolo ya semolao le ya bokhuduthamaga go netefatsa tiro ya bommasepala ka botlalo tebang le merero e e tlhalositsweng mo lenaane la Mametlelelo 4 le 5, ka go laola tiragatso ya bothati jwa bommasepala go ya ka tlhaloso ya karolo 156(1).

Dithata le ditiro tsa bommasepala

156. (1) Mmasepala o na le taolo ya bokhuduthamaga mabapi le, e bile o na le thata ya go tsamaisa –
- (a) merero ya puso selegae e e tlhalositsweng mo lenaane la Karolo B ya Mametlelelo 4 le karolo B ya Mametlelelo 5, ka taolo ya molao ya bosetšhaba le wa porofense; le
- (b) morero mongwe le mongwe yo o abetsweng mmasepala ka molao wa bosetšhaba kgotsa wa porofense.
- (2) Mmasepala o ka tlhama le go laola melawana ya mmasepala ka maikaelelo a go dira tiro ya mmasepala ka manontlhotlho; le
- (3) Ka taolo ya karolo 151(4), molawana o o kगतthanong le molao wa bosetšhaba le wa porofense ga o na matla a go dirisiwa. Fa go nale kgotlhang ga reng ga molawana le molao wa bosetšhaba le wa porofense yo sa direng ka ntsha ya kganetsano e e tlhalositsweng mo karolo 149, molawana o tshwanetse go tsewa o na le boleng nako yotlhe fa molao eo e sa dirisiwe.

- (4) Pusō ya bosetšhaba le ya diporofense di tshwanetse go abela ka tumelano le go tsamaelana le lebaka lengwe lengwe Mmasepala taolo ya morero o tthalositsweng mo karolo A ya Mametlelelo 4 kgotsa karolo A ya Mametlelelo 5 e e amang pusō selegae, fa –
- morero oo o ka tsamaisiwa ka manonthlotlho ke pusō selegae; le
 - Mmasepala a na le bokgoni jwa go o diragatsa.
- (5) Mmasepala o na le tetla ya go diragatsa thata ngwe le ngwe tebang le morero o o botlhokwa, kgotsa o o maleba le, tiragatso ya ditiro ka manonthlotlho.

Sebopego le tlhopho ya Dikhansale tsa Mmasepala

157. (1) Khansale ya Mmasepala e bopiwa ke –
- ditokololo tse di tlhomilweng go ya dikarotlaleletso (2) le (3); kgotsa
 - fa molao wa bosetšhaba o tlhomamisa jaalo –
 - ditokololo tse di tlhophilweng ke Dikhansale tse dingwe tsa Mmasepala go emela Dikhansale tseo; kgotsa;
 - ditokololo tsoopedi tse di tlhophilwe go ya ka temana (a) le ditokololo tse di tlhophilweng go ya ka temanatlaleletso (i) ya temana eno.

[KI(1) e emetswe ka k. 1(a) ya Molaotheo Tlhabololo ya Borobedi ya Molao wa 2002 le ka k. 3 ya Molaotheo Tlhabololo ya Bosometlhano ya Molao wa 2008.]

- (2) Go tlhophiwa ga ditokololo tsa Khansale ya Mmasepala go ya ka tlhaloso ya karotlaleletso (1)(a) di tshwanetse go tsamaelana le molao wa bosetšhaba, o o tshwanetseng go rulaganya tsamaiso –
- wa boemedi ba kabelano bo bo ikaegileng mo karolong ya batlhophi ba mmasepala yoo ba ba mo lenaaneng le le lengwe la batlhophi, le le rulaganyeditsweng go kgethiwa ga ditokololo mo gare ga manaane a maina a bonthlopheng a a latelanang ka fa kgatlhegong ya lekoko; kgotsa
 - kemedi ya tekanyetso ya makoko go ya ka tlhaloso ya temana (a) e golagantswe le le kemedi ya dikgaolo, e e theilweng go tsamaelana le dikarolo tsa Mmasepala ya lenaneo la bosetšhaba la batlhophi.
- (3) Thulagano ya ditlhopho go ya ka karotlaleletso (2), ka kakaretso e tshwanetse go tsamaelana le selekanyo sa kemedi diboutu.

[KI.(3) e emetswe ke k. 1(b) ya Molaotheo Tlhabololo wa Borataro wa Molao wa 2002.]

- (4) (a) Fa thulaganyo ya ditlhopha e akaretsa boemedi jwa dikarolo, go kgaogangngwa ga dikarolo bo tshwanetse go diriwa ke bothati jo bo ikemetseng jo bo tlhophilweng ka mabaka, e bile bo diragatsa ka tsamaiso le tsela e e lhalositsweng go ya ka molao wa bosetšhaba.
- (b)

[Tema (b) e phimolwa ka k.3 ya Molaotseo Tlhabololo wa Bosomepedi wa Molao wa 2005.]

[Kl.(4) e emetswe ke k. 2 ya Molaotseo Tlhabololo wa Boraro wa Molaowa 1998.]

- (5) Motho a ka bouta mo Mmasepala fela fa motho yoo a kwadisitswe mo karolong ya Mmasepala yoo, mo lennane la batlhophi ba bosetšhaba.
- (6) Molao wa bosetšhaba o o tthalositsweng mo karolotlaleletso (1)(b) e tshwanetse go tlhama thulaganyo e e letlang makoko le dikgatlhego tse di thagisitsweng mo Khanseleng ya Mmasepala e e thapang badiri, go nna le kemedi ka tekatekano mo Khansele ya Mmasepala e go thapiwang mo go yona.

Botokololo jwa Dikhansele tsa Mmasepala

158. (1) Moagi mongwe le mongwe yo o mo maemomg a go boutela Khansele ya Mmasepala o na le tshiamelo ya go tlhophiwa go nna tokololo ya Khansele eo, ntle le –
- (a) mongwe le mongwe yo thapilweng ke, kgotsa yo o direlang Mmasepala, e bile a amogela moputso kgotsa tuelo boemong jwa tiro eo, e bile a sa ilelwa go ya ka mabaka a molao wa bosetšhaba;
- (b) mongwe le mongwe yo thapilweng ke, kgotsa mo tirong ya Puso mo lekaleng le lengwe, e bile a amogela moputso kgotsa tuelo boemong jwa tiro eo, e bile a ilelwa go nna tokololo ya Khansele go ya ka mabaka a molao wa bosetšhaba;
- (c) mongwe le mongwe yo o ilelwa go boutela Ntlokokoano Bosetšhaba kgotsa yo ilelwa go ya ka mabaka a karolo 47(1)(c), (d) kgotsa (e) go nna tokololo ya Ntlokokoano;
- (d) tokololo ya Ntlokokoano Bosetšhaba, kemedi ya Khansele ya Bosetšhaba ya Diporofense kgotsa tokololo ya kgotapeomolao ya porofense; mme fela kiletso eo e sa ame tokololo ya Khansele ya Mmasepala e e emetseng puso-selegae mo Khanseleng ya Bosetšhaba; kgotsa

- (e) tokololo ya Khansele ya Mmasepala o mongwe; mme kiletso eo e sa ame tokololo ya Khansele ya Mmasepala, e e emetseng Khansele mo Khanseleng ya Mmasepala engwe ya logato le le farologaneng.
- (2) Motho yo o se nang tshiamelo ya go nna tokololo ya Khansele ya Mmasepala go ya ka mabaka a karolo (1)(a), (b), (c) kgotsa (d) le (e) e ka nna ntlhopheng wa Khansele go tsamaelana le dikiletso kgotsa mabaka a molao wa bosetšhaba.

[KI (3) e okeditswe ka k.4 ya Molatheo Tlhabololo ya Bobedi wa Molao wa 2008.]

Dipaka tsa Mmasepala

159. (1) Paka ya Khansele ya Mmasepala ga ya tshwanela go feta dingwaga di le tlhano, go ya ka tlhomamiso ya molao wa bosetšhaba.
- (2) Fa Khansele ya Mmasepala e phatlaladiwa go ya ka molao wa bosetšhaba, kgotsa fa paka ya yona e fela, ditlhopho di tshwanetse go tshwariwa mo nakong ya matsatsi a le 90 go simolola ka letlha le Khansele e phatlaladitsweng ka lona kgotsa letlha la go fela ga paka ya yona.
- (3) Khansele ya Mmasepala, ntle le Khansele e e phatlaladitsweng ka ntlha ya thuso ya tseraganyo go ya ka karolo 139, e tswelela go nna le bokgoni jwa go dira go simolola ka nako e e phatlaladiwang ka yona, kgotsa ka nako ya go fela ga paka ya yona, go fitlha Khansele e ntšhwa e tlhophiwa semmuso.

[KI. 159 e emetswe ke k. 1 ya Molatheo Tlhabololo wa Bobedi wa Molao wa 1998.]

Ditsamaiso tsa ka fa teng

160. (1) Khansele ya ga Mmasepala –
- (a) e dira ditshwetso mabapi le tiragatso ya dithata tsotlhe le tiragatso ya ditiro tsotlhe tsa mmasepala;
- (b) e tshwanetse go tlhophisa modulasetilo wa yona;
- (c) e tshwanetse go tlhophisa komiti ya khuduthamaga le dikomiti tse dingwe go ya ka molao wa bosetšhaba;
- (d) e ka thapa badiri ba ba tshwanetseng go diragatsa ditiro tsa yona ka bottlalo.
- (2) Ditiro tse di latelang ga di a tshwanela go dirwisa ke Khansele ya Mmasepala:
- (a) katlanegiso ya melawana;
- (b) kamogelo ya ditekanyetsokabo;

- (c) tuelo ya makgetho, merokotso, makgethwana, dituelo;
 - (d) koketso madi a kadimo.
- (3) (a) Bontsi jwa maloko a Khansele ya Mmasepala a tshwanetse go nna teng pele go boutela morero mongwe le mongwe.
- (b) Dipotso tsothe mabapi le dintlha tse di tshalosistsweng mo karotlaleletso (2) di laolwa ke tshwetso e e dirilweng ke Khansele ya Mmasepala ka tumelano ya bontsi jwa diboutu tsa maloko a yona.
- (c) Dipotso tse dingwe tsothe tse di fa pele ga Khansele ya Mmasepala di amogelwa ka bontsi jwa diboutu tse di dirilweng.
- (4) Ga go molawana ope o o tshwanetseng go atlenegisiwa ke Khansele ya ga Mmasepala ntle le fa –
- (a) Maloko otlhe a Khansele a itsisiswe pele ga nako; le
 - (b) Molawana o o tshitsingwang, o setse o phasaladitswe gore baagi botlhe ba kgone go tshwanelo.
- (5) Molao wa bosetšhaba o tshwanetse go tlamela ka tselo ya go tlhomamisa –
- (a) bogolo jwa Khansele ya Mmasepala;
 - (b) fa Dikhansele tsa Mmasepala di na le bokgoni jwa go tlhophisa Komiti ya Khuduthamaga kgotsa komiti enngwe; kgotsa
 - (c) bogolo jwa komiti ya Khuduthamaga kgotsa komiti nngwe le nngwe ya Khansele ya Mmasepala.
- (6) Khansele ya Mmasepala e ka dira melawana e e tshalosang melao le ditaelo boemong jwa –
- (a) Dithulaganyo tsa yona tsa mo teng;
 - (b) Ditiro le ditsamaiso tsa yona;
 - (c) Go tlhamiwa, sebopego, tsamaiso, dithata le ditiro tsa dikomiti tsa yona.
- (7) Khansele ya Mmasepala e tshwanetse go dira tiro ya yona mo pontsheng, e bile e ka tshwanela dikopano tsa yona mo sephiring, kgotsa tsa dikomiti tsa yona, fa fela go le matshwanedi go dira jalo go lebilwe bomasisi jwa morero o tshwerweng.
- (8) Maloko a Khansele ya Mmasepala a letleletswe go tsaya karolo mo ditsamaisong tsa yona le tsa dikomiti tsa yona ka mogwa o –
- (a) letlelang makoko le batho ba ban a leng kgalhego mo Khansele go nna le kemedi ka tekatekano;
 - (b) go tsamaelana le demokerasi; le
 - (c) o ka laolwa ka molao wa bosetšhaba.

Ditellelelo

161. Kgotlapeomolao ya porofense mo lenaanetsamaiso la molao wa bosetšhaba e ka tlamela ka ditellelelo le ditshireletsego tsa Dikhansele tsa Mmasepala le ditokololo tsa yona.

Phasalatso ya melawana ya bommasepala

162. (1) Molawana wa Mmasepala o ka tsenngwa tirisong fa fela o setse o phasaladitswe mo Lokwalodikgang la semmuso la porofense e e maleba.
- (2) Lokwalodikgang la semmuso la porofense le tshwanetse go phasalatsa molawana wa Mmasepala fa mmasepala a kopa jaalo.
- (3) Melawana ya Mmasepala e tshwanetse go ka fitlhelelwa ke baagi botlhe.

Puso selegae e e rulagantsweeng

163. Molao wa Palamente o amogetsweng go tsamaelana le tsamaiso e e tlhomamisitsweng o go ya ka karolo 76 o tshwanela –
- (a) go tlotla mekgatlho ya bosetšhaba le ya porofense e e emetseng bommasepala; le
- (b) go tlhomamisa tsamaiso eo puso ya selegae e ka –
- (i) rerisanang le puso ya bosetšhaba kgotsa ya porofense.
- (ii) tlhopa baemedi go tsaya karolo mo mererong ya Khansele ya Bosetšhaba ya Diporofense; le
- (iii) go tsaya karolo mo mererong e e tlhalositsweng mo molaong wa bosetšhaba go tsamaelana le karolo 221(1)(c).

[K. 163(b) e emetswe ke k. 4 ya Molaotheo Tlhabololo wa Bosupa wa Molao wa 2001.]

Merero e mengwe

164. Merero mongwe le mongwe yo o lebaganyeng le puso ya selegae, mme o sa tlhalosiwa mo Molaotheo, o tshwanetse go tlhalosiwa ka molao wa bosetšhaba kgotsa ka molao wa porofense mo lenaanetsamaiso la molao wa bosetšhaba.

KGAOLO 8

DIKGOTLATSHEKELO LE TSAMAIISO YA BOSIAMISI

Bothati jwa boatlhodi

165. (1) Bothati taolo jwa boatlhodi jwa Rephaboliki bo tlhomilwe mo dikgotlatshekelo.
 (2) Dikgotlatshekelo di ikemetse ka botsona, e bile di laolwa fela ke Molaotheo le molao, o di tshwanetseng go o diragatsa ka go se tseye matlhakore le ntle le poifo, ditlhotlho, kgotsa kgobelelo.
 (3) Ga go na motho kgotsa sethwe sepe sa puso se se tla kgoreletsang tsamaiso ya dikgotlatshekelo.
 (4) Ditheo tsa puso, go ya ka peomolao le dikgato dingwe, di tshwanetse go thusa le go sireletsa dikgotlatshekelo go netefatsa go ikemela, go se tseye matlhakore, seriti, phitlhelelo le bokgoni ba dikgotlatshekelo.
 (5) Taelo kgotsa tshwetso e e filweng ke kgotlatshekelo e tlama batho botlhe le ditheo tsa puso fa e dirang gone.
 (6) Moatlhodimogolo ke molaodi wa dikgotlatshekelo, e bile o rwele maikarabelo a setheo le a go sekaseka dipeelo le maemo a tiragatso ya ditiro tsa dikgotlatshekelo tsotlhe.

[Karolotlaletso (6) tlaleditswe ka k. 1 ya Molaotheo Tlhabololo wa Bolesomesupa wa Molao wa 2012.]

Ditheo tsa boatlhodi

166. Dikgotlatshekelo ke –
- Kgotlatshekelo ya Molaotheo;
 - Kgotlatshekelokgolo ya Boikuelo;
 - Kgotlatshekelokgolo ya Aforika Borwa, le kgotlatshekelokgolo ngwe le ngwe ya boikuelo e e ka tlhamiwang go tsamaelana le Molao wa Palamente go reetsa dikgetsi tsa boikuelo go tswa go kgotlatshekelo ngwe le ngwe ya maemo a a tshwanang le a Kgotlatshekelokgolo ya Aforika Borwa;
 - Dikgotlatshekelo tsa boMagiseterata;
 - Kgotlatshekelo ngwe le ngwe e e tlhomilweng kgotsa e e amogetsweng go tsamaelana le Molao wa Palamente, go akarediwa kgotlatshekelo ngwe le

ngwe ya maemo a a tshwanang le a Kgotlatshekelokgolo ya Aforika Borwa
kgotsa Dikgotlatshekelo tsa Magiseterata.

[Dikarolotlaleletso (c) le (e) e emetswe ke k. 2 ya Molaotheo Tlhabololo wa Bolesomesupa wa Molao wa 2012.]

Kgotlatshekelo ya Molaotheo

167. (1) Kgotlatshekelo ya Molaotheo e na le Moatlhodimogolo wa Aforika Borwa, Motlatsa-Moatlhodimogolo, le baatlhodi ba bangwe ba le robongwe.

[Kl.(1) e emetswe ke k. 11 ya Molaotheo Tlhabololo wa Borataro wa Molao wa 2001.]

- (2) Morero o o fa pele ga Kgotlatshekelo ya Molaotheo o tshwanetse go swediwa ka bonnye baatlhodi ba le robedi.
- (3) Kgotlatshekelo ya Molaotheo –
- (a) ke kgotlatshekelo e e kwa godimo ya Rephaboliki; e bile;
 - (b) e ka dira tshwetso
 - (i) ka ga merero ya Molaotheo; le
 - (ii) morero mongwe le mongwe, fa Kgotlatshekelo ya Molaotheo e atlanegisa tumelo ya go dira boikuelo ka ga mabaka tlhlang ngangisano go ya ka molao tebang le botlhokwa jwa baagi ka kakaretso, e bile e tshwanetse go sekasekwa ke Kgotlatshekelo eo, le
 - (c) e dira tshwetso ya bofelo go sa nyatswe le fa morero o wela ka fa tlase ga maatlataolo a yona.

[Karolotlaleletso (3) e emetswe ke k. 3 ya Molaotheo Tlhabololo wa Bolesomesupa wa Molao wa 2012.]

- (4) Ke kgotlatshekelo ya Molaotheo fela e ka –
- (a) swetsang dikgotlhang magareng ga ditheo tsa puso mo lekaleng la bosetshaba kgotsa la porofense tse di amanang le maemo a Molaotheo, dithata kgotsa ditiro tsa ditheo dingwe le dingwe tsa puso;
 - (b) swetsang ka bomolaotheo ba Molaatlhomo mongwe le mongwe wa palamente kgotsa porofense, mme e ka dira jalo fela mo mabakeng a a solofetsweng mo karolong 79 kgotsa 121;
 - (c) swetsang dikopo tse di solofelwang mo karolong 80 kgotsa 122;
 - (d) swetsang ka ga bomolaotheo ba tlhabololo nngwe le nngwe go Molaotheo;
 - (e) tlhomamisang gore Palamente kgotsa Poresidente o paletswe ke go dira ka fa

Molaotheong; kgotsa

- (f) go tlhomamisa Molaotheo wa porofense mo mabakeng a karolo 144.
- (5) Kgotlatshekelo ya Molaotheo e dira tshwetso ya makgaolakgang go netefatsa fa molao wa Palamente, molao wa Porofense kgotsa maitshwaro a Moporesidente a tsamaelana le molaotheo, e bile e tshwanetse go netefatsa taelo nngwe le nngwe e e sa tsamaelaneng le molao e e dirilweng ke Kgotlatshekelokgolo ya Boikuelo, Kgotlatshekelekgolo ya Aforika Borwa kgotsa Kgotlatshekelokgolo ya maemo a a tshwanang pele ga tiragatso ya taelo eo.
- [Karolotlaletso (5) e emetswe ke k. 3 ya Molaotheo Tlhabololo Bolesomesupa wa Molao wa 2012.]
- (6) Peomolao ya bosetshaba kgotsa melawana ya Kgotlatshekelo ya Molaotheo e tshwanetse go letla motho, fa e le mo kgatlegong ya bosiamisi le ka tetla ya Kgotlatshekelo ya Molaotheo –
- (a) go tlisa morero ka tlhamalalo kwa Kgotlatshekelong ya Molaotheo;
- (b) go dira boikuelo ka tlhamalalo kwa Kgotlatshekelong ya Molaotheo go tswa kwa Kgotlatshekelong nngwe le nngwe.
- (7) Morero wa molaotheo o akaretsa ntlha nngwe le nngwe e e amang thanolo, tshireletso kgotsa tiragatso ya Molaotheo.

Kgotlatshekelokgolo ya Boikuelo

168. (1) Kgotlatshekelokgolo ya Boikuelo e na le Poresidente, Motlatsa Poresidente le palo ya baatlhodi ba boikuelo e e tlhomamiswang ka Molao wa Palamente.
- [Kl.(1) e emetswe ke k. 12 ya Molaotheo Tlhabololo wa Borataro wa Molao wa 2001.]
- (2) Morero o o fa pele ga Kgotlatshekelokgolo ya Boikuelo o tshwanetse go swetswa ke palo ya baatlhodi e e tlhomamisitsweng ke Molao wa Palamente.
- [Kl.(2) e emetswe ke k. 12 ya Molaotheo Tlhabololo wa Borataro wa Molao wa 2001.]
- (3) (a) Kgotlatshekelokgolo ya Boikuelo e ka dira tshwetso ya boikuelo ka ga morero mongwe le mongwe yo o tlhagang kwa Kgotlatshekelokgolo ya Aforika Borwa kgotsa kgotlatshekelo ya maemo a a tshwanang le a Kgotlatshekelokgolo ya Aforika Borwa, ntle le merero ya badiri le ya kgwebelano go tsamaelana le tlhomamiso e e dirilweng ka Molao wa Palamente.
- (b) Kgotlatshekelokgolo ya Boikuelo e ka dira tshwetso fela; ka—

- (i) dikgetsi tsa boikuelo;
- (ii) dintlha tse di amang boikuelo; le
- (ii) morero mongwe le mongwe yo e ka o romelwang go tsamaelana le mabaka a a thalositsweng ke Molao wa Palamente.

[Karolotlaleletso (3) e emetswe ke k. 4 ya Molaotheo Tlhabololo wa Bolesomesupa wa Molao wa 2012.]

Kgotlatshekelogolo ya Aforika Borwa

169. (1) Kgotlatshekelogolo ya Aforika Borwa e ka dira tshwetso—
- (a) ka ga morero mongwe le mongwe ntle le morero yo –
 - (i) Kgotlatshekelo ya Molaotheo e dirileng tshwetso ya gore o tlhagelela fa pele ga yona ka tlhamalalo go ya ka karolo 167(6)(a); kgotsa
 - (ii) e rometswe go ya ka Molao wa Palamente go kgotlatshekelo e nngwe ya maemo a tshwanang le a Kgotlatshekelogolo ya Aforika Borwa; le
 - (b) morero mongwe le mongwe yo o sa tshwanelang go romelwa go Kgotlatshekelo e nngwe go ya ka Molao wa Palamente.
- (2) Kgotlatshekelogolo ya Aforika Borwa e kgaogantswe ka Makala go ya ka Molao wa Palamente, Molao yo o tshwanetseng go tlamela ka---
- (a) go tlhamiwa ga Makala, setheo se le nosi kgotsa tse pedi mo gare ga Lekala; le;
 - (b) Taelo ya maatlatao ya Lekala kgotsa setheo fa gare ga Lekala
- (3) Lekala lengwe le lengwe la Kgotlatshekelogolo ya Aforika Borwa----
- (a) le nale Moatlhodimogolo
 - (b) le ka nna le Motlatsa Moatlhodimogolo a le nosi kgotsa go feta; le
 - (c) na le palo ya baatlhodi ba bannngwe go ya ka tlhomamiso ya molao wa bosetšhaba

[KI 169 e emetswe ke k. 5 ya Molaotheo Tlhabololo wa Bolesomesupa wa Molao wa 2012.]

Dikgotlatshekelo tse Dingwe

170. Dikgotlatshekelo tsothe ntle le tse di thalositsweng mo dikarolotlaleletso 167, 168 le 169 di ka na tsa rarabolola morero mongwe le mongwe yo o tlhomamisitsweng ka Molao wa Palamente, mme kgotlatshekelo ya maemo a fa tlase go a Kgotlatshekelogolo ya Aforika Borwa ga di a tshwanela go atlatlha merero kgotsa taelo ya bomolaotheo jwa molao

mongwe le mongwe kgotsa maitshwaro mangwe le mangwe a Moporesidente.

[KI 170 e emetswe ke k. 6 ya Molaotheo Tlhabololo wa Bolesomesupa wa Molao wa 2012.]

Tsamaiso ya Dikgotlatshekelo

171. Dikgotlatshekelo tsotlhe di dira mo mabakeng a peomolao ya bosetšhaba, mme melawana le dithulaganyo tsa yona di tshwanetse go rulaganyediwe mo mabakeng a peomolao ya bosetšhaba.

Maatla a Dikgotlatshekelo mo mabakeng a molaotheo

172. (1) (a) Fa e sekaseka morero wa molaotheo o o mo taolong ya yona, Kgotslatshekelo –
- (a) e tshwanetse ya tihomamisisa gore molao mongwe le mongwe kgotsa maitsholo a a sa tsamaisaneng le Molaotheo ga a na boleng go ya ka go sa tihomamang ga ona; e bile 110
 - (b) e ka dira taelo nngwe le nngwe e e tshiamo le tekatekano, go akarediwa –
 - (i) taelo e e ngotlang boleng jwa tihomamisiso ya go tlhoka boleng e e direlang kwa morago; le
 - (ii) taelo e e sekegang taelo ya go sa tihomamang mo nakong nngwe le nngwe le mo mabakeng mangwe le mangwe, go letla bothati bo bo nonofileng go siamisisa phoso.
- (2) (a) Kgotslatshekelokgolo ya Boikuelo, Kgotslatshekelokgolo ya Aforika Borwa kgotsa Kgotslatshekelo ya maemo a a tshwanang e ka dira taelo tebang le boleng ba bomolaotheo ba molao wa Palamente, kgotsa molao wa Porofense, kgotsa maitsholo mangwe le mangwe a Moporesidente, mme taelo e e mabapi le go tlhoka boleng jwa molaotheo ga e na maatla a tiragatso ntle le fa e dumetswe ke Kgotslatshekelo ya Molaotheo.

[Tema (a) e emetswe ke k. 7 ya Molaotheo Tlhabololo wa Bolesomesupa wa Molao wa 2012.]

- (b) Kgotslatshekelo e e dirang taelo ya go tlhoka boleng ga molaotheo e ka neela thibelo ya nakwana kgotsa kimologo nngwe ya nakwana go lekoko kgotsa e ka emisa ditsamaiso nakwana, go letetswe tshwetso ya kgotslatshekelo ya Molaotheo ka ga boleng ba Molao oo kgotsa maitsholo ao.
- (c) Peomolao ya bosetšhaba e tshwanela go rulaganyetsa thomelo ya taelo ya go tlhoka boleng ba molaotheo go Kgotslatshekelo ya Molaotheo.

- (d) Motho mongwe le mongwe kgotsa setheo sa puso se se nang le kgatlhego e e lekaneng se ka ikuela, kgotsa sa dira kopo ka tlhamalalo, go kgotlatshekelo ya Molatheo go tlhomamisa kgotsa go fetola taelo ya go tlhoka boleng ba molatheo ka kgotlatshekelo mo mabakeng a karolwana e.

Maatla a dikgotlatshekelo

173. Kgotlatshekelo ya Molatheo, Kgotlatshekelokgolo ya Boikuelo; le Dikgotlatshekelokgolo ya Aforika Borwa ngwe le ngwe ya tsona e na le maatla a tshireletso le a taolo ya ditsamaiso tsa tsona, le go tlhabolola molao wa selegae, go etswe tlhoko dikgatlhago tsa bosiamisi.

[KI 173 e emetswe ke k. 8 ya Molatheo Tlhabololo wa Bolesomesupa wa Molao wa 2012.]

Go thapiwa ga batlhankedi ba boatlhodi

174. (1) Mosadi kgotsa monna mongwe le mongwe yo a nang le borutegi bo bo maleba, e le motho yo a itekanetseng yo o tshwanetseng a ka tlhophiwa go nna motlhankedi wa boatlhodi. Motho mongwe le mongwe yo a tla kgethelwang mo Kgotlatshekelong ya Molatheo o tshwanetse gape e be e le moagi wa Aforika Borwa.
- (2) Tlhokego ya gore bothati ba bosiamisi bo lebisise ka bophara sebopego sa bomorafe le bong sa Aforika Borwa e tshwanela go akanngwa fa batlhankedi ba boatlhodi ba tlhomiwa.
- (3) Poresidente, jaaka tlhogo ya khuduthamaga ya bosetšhaba, morago ga go rerisana le Khomišene ya Tirelo ya Bosiamisi, le baeteledipele ba makoko a a emetsweng mo Kokoano Bosetšhaba o tlhopha Moatlhodimogolo le Motlatsa Moatlhodimogolo gape, morago ga go rerisana le Khomišene ya Tirelo ya Bosiamisi, o tlhopha Poresidente le Motlatsa Poresidente wa Kgotlatshekelokgolo ya Boikuelo.

[KI.(3) e emetswe ke k. 13 ya Molatheo Tlhabololo wa Borataro wa Molao wa 2001.]

- (4) Baatlhodi ba bangwe ba Kgotlatshekelo ya Molatheo ba tlhophiwa ke Poresidente jaaka tlhogo ya khuduthamaga ya bosetšhaba, morago ga ditherisano le Moatlhodimogolo le baeteledipele ba makoko a a nang le kemedi mo Kokoanong ya Bosetšhaba go ya ka thulaganyo e e latelang:
- (a) Khomišene ya Tirelo ya Bosiamisi e tshwanetse go rulaganya lenaane la bontlhopheng la maina a mararo go feta palo ya ba ba tshwanetseng go

tlhophiwa, e be e ise lenaane kwa go Poresidente.

- (b) Poresidente o tshwanela go tlhophha mo lenaaneng a ba a gakolole Khomišene ya Tirelo ya Bosiamisi, ka mabaka, fa go le bangwe ba bakgethiwa ba ba sa amogelegeng, le fa go tshwanetse go dirwa ditlhopho tse dingwe.
- (c) Khomišene ya Tirelo ya Bosiamisi e tshwanetse go tlaleletsa lenaane ka bakgethiwa ba bangwe mme Poresidente o tshwanetse go dira ditlhopho tse di saletseng mo lenaaneng le le okeditsweng.

[Kl.(4) e emetswe ke k. 13 ya Molaotheo Tlhabololo wa Borataro wa Molao wa 2001.]

- (5) Ka dinako tsotlhe, bonnye ditokololo tse nne tsa Kgotlatshekelo ya Molaotheo di tshwanetse ya bo e le batho ba e leng baatlhodi ka nako ya fa ba kgethwa kwa Kgotlatshekelo ya Molaotheo.
- (6) Poresidente o tshwanetse go kgetha baatlhodi ba dikgotlatshekelo tsotlhe tse dingwe ka kgakololo ya Khomišene ya Tirelo tsa Bosiamisi.
- (7) Batlhankedi ba bangwe ba baatlhodi ba tshwanetse go tlhomiwa go ya ka Molao wa Palamente o o tshwanetseng go netefatsa gore go tlhomiwa, go tlhatlhoisiwa, go sutisiwa kgotsa go rolwa tiro kgotsa go tselwa dikgato tsa kgalemo ga batlhankedi ba ba, baatlhodi go diragala ntle le ditlhotlho kgotsa kgobelelo.
- (8) Pele batlhankedi ba baatlhodi ba simolola go dira ditiro tsa bona, ba tshwanetse go ikana, kgotsa go dumela, go ya ka Mametlelelo 2 gore ba tla tshegetsela le go sireletsela Molaotheo.

Go thapiwa ga baatlhodi ba nama-o-tshwere

175. (1) Moporesidente a ka tlhophha mosadi kgotsa monna go dira jaaka Motlatsa Moatlhodimogolo wa nama-o-tshwere kgotsa Moatlhodi wa Kgotlatshekelo ya Molaotheo fa go nale phatlhatiro mo go ngwe le ngwe ya dikantoro tseo, kgotsa fa motho yo o dirang tiro eo a seyo. Go thapiwa ga motho yo o, go tshwanetse go diriwa go tsamaelana le tshitsinyo ya tokololo ya Kabinete e e rweleng maikarabelo a tsamaiso ya bosiamisi le ka tumelano ya Moatlhodimogolo, go thapiwa jaaka Motlatsa Moatlhodimogolo wa nama-o-tshwere go tshwanetse go diriwa go tswa go maemo a baatlhodi ba ba setseng ba thapilwe mo Kgotlatshekelo ya Molaotheo go tsamaelana le karolo 174(4).

[Karolotlaleletso.(1) e emetswe ke k. 14 ya Molaotheo Tlhabololo wa Borataro wa Molao wa 2001 le

ke k. 9 ya Molatheo Tlhabololo wa Bolesomesupa wa Molao wa 2012.]

- (2) Tokololo ya Kabinete e e rwelang maikarabelo a tsamaiso ya bosiamisi e tshwanetse go tlhophisa baatlhodi ba nama-o-satshwere go dikgotlatshekelo tse dingwe morago go puisano le moatlhodi yo mogolo wa kgotlatshekelo e moatlhodi wa nama-osa-tshwere a tla dirang mo go yona.

[KI 175 e emetswe ke k.96 ya Molatheo Tlhabololo wa Bolesomesupa wa Molao wa 2012.]

Dipaka tsa tiro le moputso

176. (1) Moatlhodi wa Kgotsatshekelo ya Molatheo o tshwara marapo paka e e sa ntshwafadiwang ya dingwaga di le 12, kgotsa go fitlhela a tahwara dingwaga di le 70, kgotsa ngwe le ngwe e e diragalang pele, ntle le fa Molao wa Palamente o atolosa paka ya tiro ya Moatlhodi wa Kgotsatshekelo ya Molatheo.

[Karolotlaleletso.(1) e emetswe ke k. 15 ya Molatheo Tlhabololo wa Borataro wa Molao wa 2001.]

- (2) Baatlhodi ba bangwe ba nna mo tirong go fitlha ba gololwa go dira go ya ka Molao wa Palamente.
- (3) Moputso, diallawanse le ditshiamelo tsa baatlhodi ga di a tshwanela go fokodiwa.

Go tlosiwa mo tirong

177. (1) Moatlhodi a ka tlosiwa mo tirong fela fa –
- (a) Khomišene ya Tirelo ya Bosiamisi e fitlhela gore moatlhodi ga a kgone go dira tiro, ga a tlhole a na le bokgoni, o molato ka ntsha ya maitshwara a makgwakgwa; le
- (b) Ntlokokoano Bosetšhaba e dira tshwetso ya gore moatlhodi a tlosiwe mo tirong ka tumelano ya bonnye jwa diboutu di le pedi-tharo ya ditokololo tsotlhe.
- (2) Moporesidente o tshwanetse go rola moatlhodi mo tirong fa go atlenegisitswe tshwetso ya gore Moatlhodi oo, a tlosiwe mo tirong.
- (3) Moporesidente, go ya ka kgakololo ya Khomišene ya Tirelo ya Bosiamisi, a ka sekega moatlhodi yo e leng lebaka la tsamaiso go ya ka mabaka a karolotlaleletso (1).

Khomišene ya Tirelo ya Boatlhodi

178. (1) Go na le Khomišene ya Tirelo ya Boatlhodi, e bopiwa ke –
- Moathlodimogolo, yo o okamang dikopano tsa Khomišene;
 - Moporesidente wa Kgotlatshekelogolo ya Boikuelo;
- [Tema (b) e emetswe k. 16(a) ya Molatheo Tlhabololo wa Borataro wa Molao ya 2001.]
- Moathlodi Moporesidente a le nosi yo o tlhopilweng ke Baatlhodi baPoresidente;
 - Tokololo ya Kabinete e e rweleng maikarabelo a tsamaiso ya bosiamisi, kgotsa mongwe yo o tlhopilweng ke tokololo eo ya Kabinete; 114
 - baadfokata ba le babedi, ba ba tlhopilweng go tswa mo borutegi ba boadfokata go emela borutegi joo ka kakaretso, e bile ba tlhophilwe ke Moporesidente;
 - babueledi ba le babedi ba ba tlhopilweng go tswa mo borutegi ba bobueledi go emela borutegi joo ka kakaretso, e bile ba tlhopilwe ke Moporesidente;
 - Morutamolao a le nosi yo o tlhophilweng ke barutamolao ba diyunibesithi tsa Aforika Borwa;
 - batho ba le barataro ba ba tlhopilweng ke Ntlokokoano Bosetšhaba mo ditokololong tsa yona, bonnye ba bararo ba bona ba tshwanetse go nna ditokololo tsa makoko kganetso a a na leng baemedi mo Ntlokokoano;
 - baemedi ba le bane ba leruri ba Khansele ya Bosetšhaba ya Diporofense ba ba tlhophilweng ke Khansele ka tshetsetso ya bonnye diboutu tsa diporofense di le thataro;
 - batho ba le bane ba ba tlhopilweng ke Moporesidente jaaka tlhogo ya Khuduthamaga ya bosetšhaba morago ga dipuisano le makoko otlhe mo Ntlokokoano Bosetšhaba; le
 - fa go sekwasekwa merero e e amanang Lekala le le rileng la Kgotlatshekelogolo ya Aforika Borwa, Moporesidente wa Moatlhodi wa Lekala le Tonakgolo ya porofense e e amegang, kgotsa motshwaramarapo yo o tlhophilweng ke mongwe le mongwe wa bona.

[Ditema (k) e emetswe ke k. 2(a) ya Molatheo Tlhabololo wa Bobedi wa Molao wa 1998 le k.

16(b) ya Molatheo Tlhabololo wa Borataro wa Molao wa 2001 le k 10 ya Molatheo Tlhabololo wa Bolesomesupa wa Molao wa 2012.]

- (2) Fa palo ya batho ba ba tlhopilweng go tswa go lephata la baadfokata kgotsa

ba baueledi go ya ka mabaka a karolotlaleletso (1)(e) kgotsa (f) e lekana palo ya diphatlhathiro tse di tshwanetseng go tladiwa, Moporesidente o tshwanetse go ba thapa. Fa palo ya batho ba tlhophilweng e feta palo ya bontlhopheng go tlatsa diphatlha, Moporesidente, morago ga go buisana le barutegi ba ba maleba, o tshwanetse go thapa palo e e lekaneng go tlatsa diphatlhathiro, a etse tlhoko botlhokwa jwa go netefatsa gore ba ba tlhophilweng ba emela borutegi ka kakaretso.

- (3) Ditokololo tsa Khomišene tse di tlhophilweng ke Khansele ya Bosetšhaba ya Diporofense di tla dira botlhe go fitlha go tlhopiwa ba bangwe, kgotsa go fitlhela go tlhagelela phatlhathiro mo palong ya bona. Ditokololo dingwe tse di tlhophetsweng Khomišene di dira go fitlha maemo a bona a tsewa ke bao ba ba laetsweng kgotsa ba ba tlhophileng.
- (4) Khomišene ya Tirelo ya Bosiamisi e na le dithata le ditiro tse e diabetsweng ka Molaotheo le molao ya bosetšhaba.
- (5) Khomišene ya Tirelo ya Bosiamisi e ka gakolola puso ya bosetšhaba ka morero mongwe le mongwe yo o amanang boathodi kgotsa tsamaiso ya bosiamisi; fela, fa e sekaseka morero mongwe le mongwe ntle le go kgethiwa ga moathodi, e tshwanetse go dira jaalo ntle le ditokololo tse di kgethilweng go ya ka karolotlaleletso (1)(h) le(i).
- (6) Khomišene ya Tirelo ya Bosiamisi e ka tlhomamisa tsamaiso ya yona, mme fela ditshwetso tsa Khomišene di tshwanelwa go dumelwa ke bontsi jwa ditokololo tsa yona.
- (7) Fa Moathlodimogolo kgotsa Moporesidente wa Kgotlatshekelo Kgolo ya Boikuelo ka nakwana a sa kgone go dira mo Khomišeneng, Motlatsa Moathlodimogolo kgotsa Motlatsa Moporesidente wa Kgotlatshekelo Kgolo ya Boikuelo, o tshwara marapo boemonng jwa gagwe mo Khomišeneng.

[Kl.(7) e tlaleleditswe ke k. 2 ya Molaotheo Tlhabololo wa Bobedi wa Molao wa 1998 le go emelwa ke k. 16(c) ya Molaotheo Tlhabololo wa Borataro wa Molao wa 2001.]

- (8) Moporesidente le batho ba ba thapang, tlhophang, le ba ba laelang ditokolo tsa Khomišene go ya ka karolotlaleletso (1)(c),(e),(f) le (g), ka mokgwa o o tshwanang, ba ka thapa, tlhopha, kgotsa go laela mongwe le mongwe boemong jwa ditokololo tseo, go dira mo Khomišeneng fa tokololo e e amegang ka nakwana e sa kgone

go dira jaalo ka ntlha ya go tlhoka bokgoni jwa go dira kgotsa go sa nne teng mo Rephaboliking kgotsa ka ntlha ya lebaka lengwe le lengwe le le utlwalang.

[Kl.(8) e tlaleditswe ke k. 2(b) ya Molaotheo Tlhabololo wa Bobedi wa Molao wa 1998.]

Bothati ba Botšhotšhisi

179. (1) Go nale bothati bo le nosi ba botšhotšhisi mo Rephaboliking jo bo tlhamilweng go ya ka Molao wa Palamente, bo tlhamilwe ke –
- Mokaedi wa Bosetšhaba wa Botšhotšhisi, yo e leng tlhogo ya bothati ba botšhotšhisi, e bile a tlhopilwe ke Moporesidente jaaka tlhogo ya khuduthamaga ya bosetšhaba; le
 - Bakaedi ba Botšhotšhisi le batšhotšhisi ba thapilwe go ya ka molao wa Palamente.
- (2) Bothati ba botšhotšhisi bo na le maatla a go tthatlhela molato wa tsheny, boemong jwa puso, le go dira tiro ngwe le ngwe e e tshwanag ya go tthatlhela molato wa tsheny.
- (3) Molao wa bosetšhaba o tshwanetse go netefatsa gore Bakaedi ba Botšhotšhisi–
- ba nale borutegi jo bo tshwanetseng;
 - ba rwala maikarabelo a botšhotšhisi go ya dikgaolo tse di kgethegileng go tsamaelana le karolotlaleletso (5).
- (4) Molao wa bosetšhaba o tshwanetse go netefatsa gore bothati ba botšhotšhisi go diragatsa ditiro tsa bona ntle le poifo, go tsaya matlhakore kgotsa kgobelelo.
- (5) Mokaedi wa Bosetšhaba wa Botšhotšhisi –
- o tshwanetse go tlotlhomisa, ka tumalano ya tokololo ya Kabinete e e rweleng maikarabelo a tsamaiso ya bosiamisi, le morago ga dipuisano le Bakaedi ba Botšhotšhisi, pholisi ya botšhotšhisi e e tshwanetseng go elwa tlhoko mo tsamaisong ya botšhotšhisi;
 - o tshwanetse go rebola ditaelo tse di tshwanetseng go elwa tlhoko mo tsamaisong ya botšhotšhisi;
 - a ka tsereganya mo tsamaisong ya botšhotšhisi fa ditaelo di sa dirisiwa; le
 - a ka sekaseka tshwetso ya go tšhotšhisa kgotsa go se tšhotšhise, morago ga go rerisana le Mokaedi wa Botšhotšhisi yo o maleba, le morago ga go amogela boipiletso mo nakong e e tlhomamisitsweng ke Mokaedi wa Bosetšhaba wa Botšhotšhisi, go tswa go ba ba latelang:

- (i) Molatofadiwa.
 - (ii) Mongongoregi.
 - (iii) Motho mongwe le mongwe yoo Mokaedi wa Bosetšhaba a mo kayang a le maleba.
- (6) Tokokolo ya Kabinete e e rweleng maikarabelo a tsamaiso ya bosiamisi e nale maikarabelo ka botlalo boemong jwa bothati ba botšhotšhisi.
- (7) Merero yotlhe e e lebaganeng le bothati ba botšhotšhisi e tshwanetse go tlhomamisiwa ka molao wa bosetšhaba.

Merero mengwe e e amang tsamaiso ya bosiamisi

180. Molao wa Bosetšhaba e ka tlamela ka morero mongwe le mongwe tebang le tsamaiso ya bosiamisi, o o sa rarabololweng ka Molaotheo, go akarediwa –
- (a) manaane katiso a batlhankedi ba boatlhodi;
 - (b) dithulaganyo tsa go sekaseka dingongorego mabapi le batlhankedi ba boatlhodi; le
 - (c) tsela ya go rarabololo dingongorego kgalhanong le batlhankedi ba boatlhodi tsa ditshwetso tsa kgotlatshekelo.

KGAOLO 9

DITHEO TSA PUSO TSE DI TSHEGETSANG DEMOKERASI YA MOLAOTHEO

Go tlhomiwa ga tsona le metheo ya taolo

181. (1) Ditheo tse di latelang di tiisa demokerasi ya molaotseo mo Rephaboliking:
- (a) Mosireletsi wa Setšhaba.
 - (b) Khomišene ya Ditshwanelo tsa Botho ya Aforika Borwa.
- [Tema(b) e tlhabolotswe ke k. 4 ya Molao 65 wa 1998.]
- (c) Khomišene ya Tsweletso le Tshireletso ya Ditshwanelo tsa Setso, Bodumedi, le Ditlhophu tsa dipuo.
 - (d) Khomišene ya Tekatekano ya Bong.
 - (e) Moruni-Kakaretso.
 - (f) Khomišene ya Ditlhopho.
- (2) Ditheo tse di ikemetse ka nosi, e bile di laolwa fela go ya ka Molaotseo le molao, mme ga di a tshwanela go tsaya lethakore e bile di tshwanetse go dirisa maatla a tsona le go dira ditiro tsa tsona ntle le poifo, ditlhotlho le kgobelelo.
- (3) Ditheo tse dingwe tsa puso, ka mokgwa wa dikgato tsa semolao le tse dingwe, di tshwanetse go thusa le go sireletsa ditheo tseno, go netefatsa go ikemela ga tsona, go se tseye lethakore, seriti le bokgoni ka botswererere jwa ditheo tseno.
- (4) Ga go motho ope kgotsa setheo sepe sa puso se se tshwanetseng go itshunya-tshunya le ditiro tsa ditheo tseno.
- (5) Ditheo tse di ikarabela go Ntlokokoano Bosetšhaba, mme di tshwanetse go bega ka ditiro le tiragatso ya ditiro tsa tsona mo Ntlokokoano, bonnye gangwe ka ngwaga.

Mosireletsi wa Setšhaba Botlhe

Ditiro tsa Mosireletsi wa Setšhaba

182. (1) Mosireletsi wa Setšhaba o na le dithata go ya ka tlhomamiso ya molao wa bosetšhaba –
- (a) go tlhotlhomisa maitsholo mangwe le mangwe mo mererong ya puso, kgotsa

mo tsamaisong ya Setšhaba mo lekaleng lengwe le lengwe la puso leo le latofadiwang, belaelwang ka tsamaiso e motsopodia kgotsa maitshwaro a sa lolamang kgotsa kgobelelo;

- (b) o tshwanetse go bega ka maitshwaro ao; le
 - (c) go tsaya dikgato tsa tshiamiso tse di maleba.
- (2) Mosireletsi wa Setšhaba o na le dithata le ditiro tsa tlaletso gape tse a di abelwang go ya ka molao ya bosetšhaba.
- (3) Mosireletsi wa Setšhaba ga a tshwanela go batlisisa ditshwetso tsa kgotlatshekelo.
- (4) Mosireletsi wa Setšhaba o tshwanetse go fitlhelelwa ke batho le baagi botlhe.
- (5) Pegelo nngwe le nngwe e e tlhagisitsweng ke Mosireletsi wa Setšhaba e tshwanetse go fitlhelelwa ke botlhe, ntle le fa mabaka a a kgethegileng, a tla tlhomamisiwang go ya ka ditaello tsa molao wa bosetšhaba a tlhoka gore pegelo e bolokiwe e le sephiri.

Pakatiro

183. Mosireletsi wa Setšhaba o thapiwa paka ya ngwaga di le supa tse di sa ntšhafadiwang.

Khomišene ya Ditshwanelo tsa Botho ya Aforika Borwa

Ditiro tsa Khomišene ya Ditshwanelo tsa Botho ya Aforika Borwa

184. (1) Khomišene ya Ditshwanelo tsa Botho ya Aforika Borwa e tshwanetse go –
- (a) godisa tlotlo ya ditshwanelo tsa botho le mowa wa ditshwanelo tsa botho;
 - (b) godisa, tshireletso, tlhabololo le phitlhelelo ya ditshwanelo tsa botho; le
 - (c) tshakatsheko le tlhomamiso ya mametlelelo a maemo a ditshwanelo tsa botho mo Rephaboliking.
- (2) Khomišene ya Ditshwanelo tsa Botho ya Aforika Borwa e na le dithata, jaaka go tlhomamisitse ka molao ya bosetšhaba, tse di tlhokegang go tiro ya yona, go akaretswa matla–
- (a) a go batlisisa le go dira pegelo mametlelelo ya ditshwanelo tsa botho;
 - (b) a go tsaya dikgato tsa go siamisa mabaka moo, ditshwanelo tsa botho digatakilweng gona;
 - (c) a go dira dipatlisiso; le
 - (d) a go ruta.

- (3) Ngwaga mongwe le mongwe, Khomišene ya Ditshwanelo tsa Botho e tshwanetse go lopa ditheo tsa puso tse di maleba go tlamela Khomišene ka tshedimoso ya dikgato tse ba di tsereng go fitlhelela ditshwanelo tsa botho tebang le matlo, tlhokomelo ya boitekanelo, dijo, metsi, tshireletsego ya loago, thuto le tikologo.
- (4) Khomišene ya Ditshwanelo tsa Botho ya Aforika Borwa e na le dithata le ditiro tsa tlaleletso gape tse di tlhalositsweng mo molao wa bosetšhaba.

[K. 184 e tlhabolotswe ke k. 4 ya Molao 65 wa 1998.]

Khomišene ya Tsweletso le Tshireletso ya Ditshwanelo tsa setso, Bodumedi le Ditlhopho tsa Dipuo

Ditiro tsa Khomišene

185. (1) Maikaelelo magolo a Khomišene ya Tsweletso le Tshireletso ya Ditshwanelo tsa setso, Bodumedi le Ditlhopho tsa Dipuo ke –
- (a) go godisa tlotlo ya ditshwanelo tsa setso, bodumedi le ditlhopho tsa dipuo;
 - (b) go godisa le go atisa kagiso, botsalana, botho, kgotlelelo le bongwe fela jwa bosetšhaba fa gare ga ditlhopho tsa setso, bodumedi le tsa ditlhopho tsa dipuo, ka itepatepanya le maemo a tekano, go se kgethololwe, le kamano e e gololosegileng; le
 - (c) go tshitsinya go tlhomiwa kgotsa kamogelo, go ya ka molao wa bosetšhaba, ya lekgotla la setso kgotsa makgotla a mangwe kgotsa makgotla a baagi kgotsa ditlhopho mo Aforika Borwa.
- (2) Khomišene e na le thata, jaaka go tlhomamisitswe ka molao wa bosetšhaba, o o tlhokegang go fitlhelela maikaelelo magolo a yona , go akarediwa le maatla a go sekaseka, go tlhatlhoba, go batlisisa, go ruta, go ngoka, go gakolola le go bega ka merero e e amang ditshwanelo tsa ditlhopho tsa setso, bodumedi le ditlhopho tsa dipuo.
- (3) Khomišene e ka begela Khomišene ya Ditshwanelo tsa Botho ya Aforika Borwa go batlisisa morero mongwe le mongwe o o welang ka fa tlase ga dithata tsa ona le tiro ya yona.

[Kl.(3) e tlhabolotswe ke k. 4 ya Molao 65 wa 1998.]

- (4) Khomišene e na dithata le ditiro tsa tlaleletso gape tse di tlhalosiwang ke molao wa bosetšhaba.

Sebopego sa Khomišene

186. (1) Palo ya ditokologo tsa Khomišene ya Tsweletso le Tshireletso ya Ditswanelo tsa Ditlhophha tsa setso, Bodumedi le Dipuo, thapiwa ga bonale le ditaello tsa bona di tshwanetse go tshwanetse go tshwanetse se tshwanetse –
- (2) Sebopego sa Khomišene se tshwanetse –
- (a) go nna le baemedi ka kakaretso ba ditlhophha tsotlhe tsa setso, bodumedi le dipuo tsa mo Aforika Borwa; le
- (b) go bontsha ka kakaretso sebopego sa bong sa Aforika Borwa.

Khomišene ya Tekatekano ya Bong

Ditiro tsa Khomišene ya Tekatekano ya Bong

187. (1) Khomišene ya Tekatekano ya Bong e tshwanetse go tswelletsa tlotlo ya tekatekano ya bong le tshireletso, kgodiso le phitlhelelo ya tekatekano ya bong.
- (2) Khomišene ya Tekatekano ya Bong e na le maatla, jaaka go theilwe ka molao wa bosetšhaba, o o tshohegang go dira ditiro tsa yona, go akarediwa thata ya go sekaseka, go tlotlhomisa, go batlisisa, go ruta, go ngoka, go gakolola le go bega merero e e amang tekatekano ya bong.
- (3) Khomišene ya tekatekano ya bong e na le dithata le ditiro tsa tlaleletso gape go ya ka molao wa bosetšhaba.

Moruni-Kakaretso

Ditiro tsa Moruni-Kakaretso

188. (1) Moruni-Kakaretso o tshwanetse go runa le go dira pegelo ka matlotlo, kanegelo ya matlotlo le tsamaiso ya matlotlo ya –
- (a) mafapha otlhe a bosetšhaba le diporofense le ditsamaiso;
- (b) bommasepala botlhe; le
- (c) setheo sengwe le sengwe kgotsa kemedi nngwe le nngwe e e rweleng

maikarabelo a a tlokegang ka taolo ya molao wa bosetšhaba kgotsa wa porofense go runwa ke Moruni-Kakaretso.

- (2) Mo godimo ga ditiro tse di tshalositsweng mo karotlaleletso (1), e bile le go tsamaelana le laola ya molao nngwe le nngwe, Moruni Kakaretso a ka runa le go bega ka ga tiriso ya matlotlo, dikanegelo tsa matlotlo le tsamaiso ya matlotlo ya –
 - (a) setheo sengwe le sengwe se se duelwang go tswa mo Letloleng la Lotseno la Bosetšhaba, lotseno la porofense kgotsa la mmasepala; kgotsa
 - (b) setheo sengwe le sengwe, se se na leng thata go ya ka molao mongwe le mongwe go amogela madi a boemong mabaka a go thusa setšhaba.
- (3) Moruni-Kakaretso o tshwanetse go dira dipego tsa boruni mo kgotlapeomolao nngwe le nngwe e e na leng kgatlhego e e maleba mo thunong, le go bothati bongwe le bongwe jo bo tshalositsweng ke molao wa bosetšhaba. Dipegelo tsothe di tshwanetse go dirwa phatlalatsa.
- (4) Moruni-Kakaretso o na le dithata le ditiro tsa tlaleletso tse di tshalositsweng ke molao wa bosetšhaba.

Pakatiro

189. Moruni-Kakaretso o tshwanetse go thapiwa paka e e lekanyeditsweng, e e sa ntšhwafadiweng, ya gare ga dingwaga di le tlhano go ya go di le lesome.

Khomišene ya Dithopho

Ditiro tsa Khomišene ya Dithopho

190. (1) Khomišene ya Dithopho e tshwanetse go –
 - (a) laola dithopho tsa bosetšhaba, tsa porofense, le makgotla a peomolao ya bommasepala go ya ka molao wa bosetšhaba;
 - (b) netefatsa fa dithopho di gololesegile e bile di lolame; le
 - (c) go phasalatsa dipholo tsa dithopho mo nakong e e tshomamisitsweng ka molao wa bosetšhaba, ka bonako jo bo kgonagalang.
- (2) Khomišene ya Dithopho e na le dithata le ditiro tsa tlaleletso tse di tshalositsweng ke molao wa bosetšhaba.

Sebopego sa Khomišene ya Ditlhopho

191. Khomišene ya Ditlhopho e tshwanetse gore bonnye e nne le batho ba le bararo. Palo ya ditokololo le paka ya go dira ga bona, e tshwanetse tlhomamisiwa ke molao wa bosetšhaba.

Bolaodi jo bo Ikemetseng jwa Taolo ya Kgaso

Bolaodi jwa Kgaso

192. Molao wa bosetšhaba o tshwanetse go tlhoma bolaodi jo bo ikemetseng jwa taola ya kgaso go laola dikgatlhego tsa setšhaba, le go netefatsa tolamo le pharologanyo ya dikakanyo tsa setšhaba sa Aforika Borwa ka bophara.

Dikaelo-Kakaretso

Go thapiwa

193. (1) Mosireletsi wa Setšhaba le ditokololo tsa Khomišene ngwe le ngwe e e tlhomilweng go ya ka Kgaolo eno, e tshwanetse go nna le basadi le banna ba e leng –
- (a) baagi ba mo Aforika Borwa;
 - (b) ba ba nonofileng, e bile ba siametse go tshwara maemo a tiro e e kgethegileng eo; e bile
 - (c) ba ikamanya le ditlhokego tse di tlhomamisiweng ke molao wa bosetšhaba.
- (2) Tlhokego ya go tlhama khomišene go tsamaelana le kgaolo ê, go bontsha ka bophara sebopego sa merafe le bong jwa maAforika Borwa se tshwanetse go elwa tlhoko fa go thapiwa badiredi ba Khomišene.
- (3) Moruni-Kakaretso o tshwanetse go nna mosadi kgotsa monna yo e leng moagi wa Aforika Borwa e bile a nonofile, a siametse go tshwara maemo a tiro eo. Boitseanape jwa, kgotsa maitemogelo, a boruni, matlotlo a puso, le tsamaiso ya puso di tshwanetse go elwa tlhoko fa go thapiwa Moruni-Kakaretso.
- (4) Moporesidente, ka tshitsinyo ya Kokoano Bosetšhaba, o tshwanetse go thapa Mosireletsi wa Setšhaba, Moruni-Kakaretso le Ditokololo tsa –
- (a) Khomišene ya Ditshwanelo tsa Botho ya Aforika Borwa;

[Tema(a) e tlhabolotse ke k. 4 ya Molao 65 wa 1998.]

- (b) Khomišene ya Tekatekano ya Bong; le
- (c) Khomišene ya Ditlhopho.
- (5) Ntlokokoano Bosetšhaba e tshwanetse go tshitsinya maina a batho –
 - (a) ba ba kgethilweng ke komiti ya Ntlokokoano ka tekatekano go ya ka kemedi ya ditokololo tsa makoko otlhe a emetsweng mo Ntlokokoano;
 - (b) ba ba amogetsweng ke Ntlokokoano ka tshwetso ya tshegetso ya diboutu -
 - (i) dile bonnye diperesente di le 60, tsa maloko a Ntlokokoano, fa kamogelo e ama go thapiwa ga Mosireletsi wa Setšhaba kgotsa Moruni-Kakaretso; kgotsa
 - (ii) bontsi jwa maloko a Ntlokokoano, fa kamogelo e ama go thapiwa ga leloko la Khomišene.
- (6) Kamego ya baagi mo tsamaisong ya ditshitsinyo e ka rulaganwa go ya ka tlhomamiso ya karolo 59(1)(a).

Go ntshiwa mo tirong

194. (1) Mosireletsi wa Setšhaba, Moruni Kakaretso kgotsa tokololo ya Khomišene e e tlhomilweng ka Kgaolo ê, a ka ntshiwa mo tirong fela –
- (a) ka ntlha ya lebaka la maitshwaro a makgwakgwa, tlhabela ya bokgoni kgotsa maitemogelo;
 - (b) fa Komiti ya Ntlokokoano Bosetšhaba e dirile tshwetso ya mofuta oo; le
 - (c) fa Ntlokokoano e amogetse tshwetso ya gore motlhankedi yoo, a tlosiwe mo tirong.
- (2) Tshwetso ya Ntlokokoano Bosetšhaba mabapi le go tlosiwa mo tirong ga –
- (a) Mosireletsi wa Setšhaba, kgotsa Moruni-Kakaretso e tshwanetse go diriwa ka kamogelo ya bonnye pedi-tharo ya diboutu tsa maloko a Ntlokokoano; kgotsa
 - (b) leloko la Khomišene le tshwanetse go amogelwa ka tshegetso ya bontsi jwa diboutu tsa maloko a Ntlokokoano.
- (3) Moporesidente –
- (a) a ka kgaola motho mo tirong nako nngwe le nngwe morago ga tshimologo ya ditsamaiso tsa komiti ya Ntlokokoano Bosetšhaba mabapi le go ntsha motho yoo mo tirong; le
 - (b) a ka ntsha motho mo tirong fa Ntlokokoano e dirile tshwetso ya gore motho yoo a ntshiwe mo tirong.

KGAOLO 10

TSAMAISO YA PUSO

Metheo ya meetlo le meono e e laolang tsamaisopuso

195. (1) Tsamaiso ya puso e tshwanetse go laolwa ke moonwa wa temokrasii le meetlo ya Molaotheo, go akarediwa meetlo e e latelang:
- (a) Kgodiso le mamelelelo ya maemo a maitsholo a kwa godimoa a meetlo ya borutegi.
 - (b) kgodiso ya moruo le tiriso e e manontlhotlo ya didiriswa.
 - (c) Tsamaiso ya puso e tshwanetse go ntshetsapele tlhabololo.
 - (d) Ditirelo di tshwanetse go abiwa ntle le ditlhotlo, ka tolamo, ka tekano, le kwa ntle ga go tlhopa mathakore.
 - (e) Ditlhokego tsa batho di tshwanetse go elwa tlhoko, e bile setšhaba se tshwanetse go rotloediwa go nna le seabe mo tlhamong ya molao.
 - (f) Tsamaiso yo puso e tshwanetse go nna le maikarabelo.
 - (g) Tsamaiso e tshwanetse go dirilwa mo pontsheng ka go abela setšhaba tshedimosetso ka bonako, e e fitlhelesegang, le ya boamaruri.
 - (h) Go tshwanetse go netefatsa taolo ya tsamaiso ya bokgoni, le tlwaelo ya tlhabololo ya borutegi, go rotloetsa matlafatso ya badiri mo tironong gore ba ba fitlhelele bokgoni jo bo kwa godimo.
 - (i) Tsamaiso ya puso e tshwanetse go emela batho ba Aforika Borwa ka bophara, ka ditlwaelo tsa botsamaisi le badiri jo bo ikaegileng ka bokgoni, phitlhelelo ya boamaruri, tolamo, le tlhokego ya go siamisana ditshokamo tsa nako e fetileng go akaretsa setšhaba ka bophara.
- (2) Meetlo e e latelang, e ka dirisiwa –
- (a) tsamaiso ya lekala lengwe le lengwe la puso;
 - (b) ditheo tsa puso;
 - (c) dikgwebo tsa baagi.
- (3) Molao wa bosetšhaba o tshwanetse go netefatsa ntshetsopele ya meono le meetlo e e tlhalositsweng mo karolotlaleletso (1).
- (4) Palo ya batho ba ba rileng e ka thapiwa ka go ela tlhoko pholisi, mme fela, molao wa bosetšhaba o tshwanetse go laola go thapiwa ga batlhankedi ba puso.

- (5) Molao o o laolang tsamaiso ya puso e ka farologanya gareng ga maphata, ditsamaiso, kgotsa ditheo tsa tsamaiso ya puso.
- (6) Mokgwa le ditiro tsa maphata a farologaneng, ditsamaiso kgotsa ditheo tsa tsamaiso ya puso ke dintlha tse di botlhokwa go elwa tlhoko mo molaong o o laolang tsamaiso ya puso.

Khomišene ya Bodiredipuso

- 196.
- (1) Go na le Khomišene ya Bodiredipuso e le nosi mo Rephaboliking.
 - (2) Khomišene e ikemetse e bile e tshwanetse go sa tseye matlhakore, mme e tshwanetse go diragatsa matla a yone le go dira ntle le poifo, ka tolamo kgotsa kgobelelo mo dikgatlhegelong tsa go matlafatsa tsamaiso ya puso le phitlhelelo ya maemo a kwa godimo boporofeshe nale mo ditirelong tsa puso. Khomišene e tshwanetse go laolwa ka molao wa bosetšhaba.
 - (3) Ditheo tse dingwe tsa puso, ka tiriso ya molao le dikgato tse dingwe, di tshwanetse go thusa le go sireletsa Khomišene go tshomamisa boipuso jwa yona, go dira ka tolamo, seriti le bokgoni jwa Khomišene. Ga go motho ope kgotsa setheo sa puso se se tshwanetseng ho itshunyatsshunya mo mererong ya Khomišene.
 - (4) Dithata le ditiro tsa Khomišene ke –
 - (a) go ntshetsapele moonono le meetlo e e kwadilweng mo karolo 195, bodiredi puso ka bophara;
 - (b) go sekaseka, lekola le go tthatlhoba tsamaiso le setheo le meetlo ya bodiredi jwa puso;
 - (c) go tshitsinya dikgato go netefatsa tiragatso ya ditiro ka manontlhotlho le botswerere mo taolong ya bodiredi jwa puso;
 - (d) go netefatsa ditaello tse di tshomamisang tsamaiso ya badiri e e lebaganyeng le go thapiwa, go fetola mafapha, go tthatlosiwa le go kobiwa di lepalepana le meono le meetlo e e tshalositsweng mo karolo 195;
 - (e) go dira pegelo ka ditiro tsa yone, le tiragatso ya ditiro tsa yone, go akarediwa tshwetso ngwe le ngwe, taelo le kgakolo, le go tlamela ka tshakatsheko ya tshalosore gore meono le meetlo e e tshalositsweng mo karolo 195 ya diragadiwa.
 - (f) Ka boyona kgotsa ka go amogela ngongorego –
 - (i) go batlisisa le go tthatlhoba tiragatso ya ditiro tsa bodiredi le meetlo ya

- tsamaiso, le go begela bothati taolo jo bo maleba jwa kgotlapeomolao;
- (ii) go batlisisa dingongorego tsa badiri ba ditirelo tsa puso mabapi le maitshwara a batlhankedi kgotsa ditlogelo, le go tshitsinya ditharabololo;
 - (iii) go sekaseka le go batlisisa kobamelo ya ditsamaiso tse di tshwanetseng mo tirelong ya puso; le
 - (iv) go gakolola ditheo tsa puso tsa bosetšhaba le porofense mabapi le meetlo ya badiri ba ditirelo tsa puso go akarediwa tse di lebaganyeng le go, ngoka badiri, go thapiwa, go fetola mafapha, go ntshiwa mo tirong le dintlha tse dingwe tsa ditiro tsa badiri ba to bodire jwa dipuso.
- (g) go dira kgotsa go diragatsa dithata tsa tlaleletso kgotsa ditiro tse di tlhagisiwang ke Molao wa Palamente.

[Tema (g) e tlaleleditswe ke k. 3 ya Molatheo Tlhabololo wa Bobedi wa Molao wa 1998.]

- (5) Khomišene e ikarabela go Ntlokokoano Bosetšhaba.
- (6) Khomišene e tshwanetse go dira pegelo bonnye, gangwe ka ngwaga go ya ka karolo (4)(e) –
 - (a) go Ntlokokoano Bosetšhaba; le
 - (b) mabapi le ditiro tsa yone mo porofenseng, e tshwanetse go begela kgotlapeomolao ya porofense eo.
- (7) Khomišene e na le baKomišenara ba ba latelang ba le 14, ba ba tlhopilweng ke Moporesidente:
 - (a) Bakomišenara ba le batlhano ba atlenegisiwa ke Ntlokokoano Bosetšhaba go ya ka karolotlaleletso 8(a); le
 - (b) Mokomišenara a le mongwe boemong jwa porofense nngwe le nngwe, yo o tlhopilweng ke Tonakgolo ya porofense go ya ka karolotlaleletso 8(b).
- (8) (a) Mokomišenara yo o tlhopilweng go ya ka karolotlaleletso 7(a) o tshwanetse go –
 - (i) go atlenegisiwa ke komiti ya Ntlokokoano Bosetšhaba eo, e na leng maloko a makoko otlhe ka tekatekano, ao a leng kemedi mo Ntlokokoano; le
 - (ii) go amogelwa ke Ntlokokoano ka tshwetso e e dirilweng ka bontsi jwa diboutu tsa maloko a yona.
- (b) Mokomišenara yo o kgethilweng ke Tonakgolo ya porofense o tshwanetse go –

- (i) go atlenegisiwa ke komiti ya kgotlapeomolao ya porofense, e e nang le maloko a makoko otlhe ka tekatekano mo kgotlapeomolaong; le
 - (ii) go amogelwa ke kgotlapeomolao ka tshwetso ya bontsi jwa diboutu tsa maloko a yona.
- (9) Molao wa Palamente o tshwanetse go laola tsamaiso ya go tlhopiwa ga baKomišenara.
- (10) Mokomišenara o tlhopiwa sebaka sa dingwaga di le tlhano, se se ntšhafadiwang paka e le nngwe fela, mme e tshwanetse go nna mosadi kgotsa monna yo e leng –
- (a) moagi wa Aforika Borwa, gape a
 - (b) motho yoo a nonofile e bile a itekanetse, a na le kitso le maitemogelo a botsamaisi, boeteledipele kgotsa ditaelo tsa bodiredipuso.
- (11) Mokomišenara a ka tloisiwa mo tirong fela –
- (a) ka ntlha ya maithwaro a makgwakgwa, tlhaelo ya bokgoni kgotsa tlhokego ya maitemogelo;
 - (b) ka ntlha ya tshwetso ya Komiti ya Ntlokokoano Bosetšhaba kgotsa mo lebakeng la Mokomišenara yo o tlhopilweng ke Tonakgolo ya porofense, ke Komiti ya Kgotlapeomolao ya porofense eo; le kamogelong ya Ntlokokoano kgotsa Kgotlapeomolao ya porofense e e amegang, ka tshwetso ya bontsi jwa diboutu tsa maloko a yona, a a mogetseng tshwetso ya gore Mokomišenara a tlosiwe mo tirong.
- (12) Moporesidente o tshwanetse go tlosa Mokomišenara yo o amegang mo tirong fa –
- (a) kamogelo ya tshwetso ke Ntlokokoano e e atlenegisang go tloisiwa mo tirong ga Mokomišenara; kgotsa
 - (b) kitsiso e e kwadilweng ke Tonakgolo gore Kgotlapeomolao e amogetse tshwetso ya go tlosa Mokomišenara mo tirong.
- (13) Bakomišenara ba ba tlhalositweng mo karolotlaleletso 7(b) ba ka diragatsa dithata le go dira ditiro tsa Khomišene mo diporofenseng tsa bona go ya ka taolo ya molao wa bosetšhaba.

Bodiredipuso

197. (1) Mo taolong ya tsamaiso ya puso, go na le tirelo ya puso ya Rephaboliki, e e tshwanetseng go dira, le go theiwa go tsamaelana le molao wa bosetšhaba, e bile

e e tshwanetseng go diragatsa ka boikanyego, maikemisetso a melao ya puso ya ga jaana.

- (2) Dipeelo le mabaka a go thapiwa ga batho mo bodiredipuso bo tshwanetse go laolwa ka molao ya bosetšhaba. Badiredi ba tshwanelwa ke phenšene e e siameng jaaka go laotswe ka molao wa bosetšhaba.
- (3) Ga go modiredipuso ope yo o tshwanetseng go godisiwa go feta ba bangwe kgotsa go gobelwa, fela ka gonne motho yoo a ema nokeng lekoko le le rileng la sepolotiki kgotsa maikemisetso a lekoko leo.
- (4) Mebuso ya diporofense e rwele maikarabelo a go ngoka badiri, go thapa, go tihatlosa, go sutisa le go tloswa mo tirong ga maloko a bodiredipuso mo botsamaising go ya ka lenaane tsamaiso la meono le meetlo e e tsepameng ya bodiredipuso.

KGAOLO 11**DITIRELO TSA PABALESEGO****Metheo e e laolang**

198. Metheo e e latelang e laola pabalesego ya bosetšhaba mo Rephaboliking:
- Pabalesego ya bosetšhaba e tshwanetse go bontsha maikaelelo a baagi ba Aforika Borwa, a mongwe le mongwe kgotsa jaaka setšhaba, go tshela ka tekatekano, go tshela ka kagiso le kutlwano, kgololosego ya letshogo, le go batla botshelo jo bo botoka.
 - Go tshela ka kagiso le kutlwano, go thibela moagi mongwe le mongwe wa Aforika Borwa go nna le seabe go kgotthang ya dibetsa, e ka nna ya bosetšhaba kgotsa boditšhabatšhaba, ntle le go tsamaelana le mabaka a Molaotheo kgotsa molao wa bosetšhaba.
 - Pabalesego ya bosetšhaba e tshwanetswe go latelwa go ya molao, go akarediwa le molao wa boditšhabatšhaba.
 - Pabalesego ya bosetšhaba e ka fa tlase ga taolo ya khuduthamaga ya bosetšhaba.

Go tlhomiwa, thulaganyo le maitsholo a ditirelo tsa pabalesego

199. (1) Ditirelo tsa pabalesego ya Rephaboliki di na le letsholotshireletso le le nosi fela, tirelo ya sepodisi e nosi le ditirelo tsa bothodi tse di tlhamilweng go ya ka Molaotheo.
- Letsholotshireletso ke lona fela sesole se le nosi go ya ka molao mo Rephaboli.
 - Kwa ntle ga ditirelo tsa pabalesego tse di tlhamilweng go ya ka Molaotheo, mekgatlho e e tshwarang dibetsa kgotsa ditirelo tse di ntseng jalo di tlhomiwa fela go ya ka molao ya bosetšhaba.
 - Ditirelo tsa pabalesego di tshwanetse go rulagangwa le go laolwa ka molao wa bosetšhaba.
 - Ditirelo tsa pabalesego di tshwanetse go dira, di tshwanetse go ruta, le go laela ditokololo tsa tsona go dira, go ya ka Molaotheo le molao, go akarediwa molao o o tswaelgileng wa boditšhabatšhaba le ditumelano tsa boditšhabatšhaba tse di tlamang Rephaboliki.

- (6) Ga go na tokololo epe ya tirelo efe kgotsa efe ya pabalesego e e tshwanetseng go obamela taelo e e bonagalang e se ka fa molaong.
- (7) Ga go epe ya ditirelo tsa tshireletsego kgotsa mongwe wa ditokololo tsa tsona, fa ba dira ditiro tsa bona, ga ba a tshwanela –
 - (a) go kgobelela lekoko la sepolotiki le le theilweng go ka Molaotheo, kgotsa
 - (b) go ntshetsapele, ka mogwa wa go mpampetsa kgatlhego ya lekoko la sepolotiki.
- (8) Go Ntshetsapele moono wa go dira dilo mo pontsheng le wa go nna le maikarabelo, dikomiti tsa makoko otlhe di tshwanela go baya leitlho ditirelo tsa tshireletsego go ya ka mogwa o o tihomamisitsweng ke molao wa bosetšhaba kgotsa melawana le ditaello tsa Palamente.

Tshireletso

Letsholotshireletso

200. (1) Letsholo la tshireletso le tshwanetse go agiwa le go tsamaisiwa go ya ka mogwa wa sesole wa maitshwara a a siameng.
- (2) Maikaelelo magolo a letsholo la tshireletso ke go sireletsa le femela Rephaboliki, seriti sa melelwane ya naga, le batho ba yona, go ya ka Molaotheo le metheo ya melao ya boditšhabatšhaba e e laolang tiriso ya matsholotshireletso.

Maikarabelo a sepolotiki

201. (1) Tokololo ya Kabinete e tshwanetse go rwala maikarabelo a tshireletso.
- (2) Ke Moporesidente fela jaaka tlhogo ya Khuduthamaga ya bosetšhaba, yo o laolang tiro ya matsholotshireletso –
 - (a) mmogo le tirelo ya sepodisa ka;
 - (b) ka maikaelelo a go sireletsa Rephaboliki; kgotsa
 - (c) ka go diragatsa maikarabelo a boditšhabatšhaba.
- (3) Fa letsholo tshireletso le dirisediwa mabaka a a tlhalositsweng mo karolotlaleletso (2), Moporesidente o tshwanetse go itsise Palamente, ka bonako le dintlha ka botlalo tsa –
 - (a) mabaka a tiriso ya Letsholotshireletso;

- (b) lefelo lengwe le lengwe mo letsholotshireletso le dirisiwang gone;
 - (c) palo ya batho ba ba amegang; le
 - (d) paka eo letsholotshireletso le solofetsweng go e dire koo.
- (4) Fa Palamente e sena kopano mo nakong ya matsatsi a le supa a ntlha morago ga thomelo ya letsholotshireletso gongwe go tsamaelana le mabaka a karolotlaleletso (2), Moporesidente o tshwanetse go romela tshedimoso e e tlhokegang go ya ka tthaloso ya karolotlaleletso (3) go komiti e e maleba ya tekolo.

Taolo ya matsholotshireletso

202. (1) Moporesidente jaaka tlhogo ya khuduthamaga ya bosetšhaba ke ena Molaodi-Mogolo wa letsholotshireletso, e bile o tshwanetse go kgetha Molaodi wa letsholotshireletso.
- (2) Taolo ya letsholotshireletso e tshwanetse go dirwa go ya ka dikaelo tsa tokololo ya Kabinete e e rweleng maikarabelo a tshireletso, fa tlase ga bolaodi jwa Moporesidente.

Maemo a tshireletso ya bosetšhaba

203. (1) Moporesidente, jaaka tlhogo ya khuduthamaga a ka goeletsa maemo a tshireletso ya bosetšhaba, mme o tshwanetse go itsise Palamente ka bonako le ka dintlha tse di latelang ka botlalo –
- (a) mabaka a kgoeletso;
 - (b) lefelo lengwe le lengwe letsholotshireletso le dirisiwang gone;
 - (c) palo ya batho ba ba amegang.
- (2) Fa Palamente e sa dula ka nako ya kgoeletso ya maemo a tshireletso ya bosetšhaba, Moporesidente o tshwanetse go bitsa Palamente go tshwara kopano e e kgethegileng mo nakong ya matsatsi a le supa morago ga kgoeletso.
- (3) Kgoeletso ya maemo a tshireletso ya bosetšhaba e felelwa ke nako, ntle le fa e atlenegisitse ke Palamente mo nakong ya matsatsi a le supa morago ga kgoeletso.

Bokwaleditshireletso ba baagi

204. Bokwaledi jwa baagi ba tirelo ya tshireletso bo tshwanetse go tlhamiwa go ya ka molao wa bosetšhaba, go dira ka fa tlase ga bokaedi ba tokololo ya Kabinete e e rweleng maikarabelo a tshireletso.

Sepodisi

Tirelo ya Sepodisi

205. (1) Tirelo ya sepodisi ya bosetšhaba e tshwanetse go rulagangwa go dira mo lekaleng la bosetšhaba, diporofense, le moo go tlhokegang, mo makaleng la puso ya selegae.
- (2) Molao wa bosetšhaba o tshwanetse go thalosa dithata le ditiro tsa tirelo ya sepodisi, e bile e tshwanetse go kgontsha tirelo ya sepodisi go diragatsa maikarabelo a sona ka manonthlotlo go etswe tlhoko ditlhokego tsa diporofense.
- (3) Maikaelelo a tirelo ya sepodisi ke go sireletsa , go thibela bosenyi, le go batlisisa bosenyi go netefatsa botsiso mo setšhabeng, go sireletsa le go babalela baagi ba Rephaboliki, le thoto ya bona, le go tlotlomatsa molao le tiragatso ya ona.

Maikarabelo a sepolotiki

206. (1) Tokololo ya Kabinete e tshwanetse go rwala maikarabelo a sepodisi, e bile o tshwanetse go thomamisa maikemisetso a sepodisi sa bosetšhaba morago ga go rerisana le dipuso tsa diporofense le go ela tlhoko naikaelelo a diporofense go ya ka thomamiso ya bolaodi taolo jwa diporofense.
- (2) Pholisi ya tsamaiso ya sepodisi e ka tlamela ka diholisi tse di farologaneng tebang le diporofense tse di farologaneng morago ga go ela tlhoko itlhokego le dintlha tsa botlhokwa tsa sepodisi mo diporofenseng tse.
- (3) Porofense nngwe le nngwe e na le tetla –
- go baya maitshwara a sepodisi leitlho;
 - go tlhokomela bokgoni le manonthlotlo a ditirelo tsa sepodisi; go akarediwa kamogelo ya repoto ka ga tirelo ya sepodisi
 - go godisa botsalano jo bo siameng gareng ga sepodisi le baagi;
 - go tlhatlhaba bokgoni jwa go bonala ga mapodisi; le
 - kgolagano le tokololo ya Kabinete e e rweleng maikarabelo a sepodisi mabapi le bosenyi le sepodisi sa porofense.
- (4) Khuduthamaga ya porofense e na le maikarabelo a ditiro tsa bopodisi –
- a theilweng go ya ka Kgaolo eno;
 - a atlenegisitsweng go ya ka molao wa bosetšhaba; le
 - a filweng sepodisi go ya ka pholisi ya bosetšhaba ya sepodisi.
- (5) Gore e tle e kgone go dira ditiro tse di thalosisitsweng mo karolotlaleletso (3)

porofense –

- (a) e ka sekaseka, kgotsa ya tlhoma khomišene ya dipatlisiso go battlisisa ngongoregong nngwe le nngwe ka ga bokgoni jwa sepodisi kgotsa go phuthlhamaga ga dikgolagano gare ga sepodisi le setlhopha sengwe le sengwe sa baagi.
 - (b) e ka dira ditshwetso go tokololo ya Kabinete e e rweleng maikarabelo a sepodisi.
- (6) Morago ga go amogela ngongorego e e tlhagisiwang ke Khuduthamaga ya porofense, lephata le le ikemetseng la dingongorego ka ga sepodisi le le thamilweng ka molao wa bosetšhaba, le tshwanetse go thothomisa tatofatso ngwe le ngwe ka ga tlolo molao kgotsa bosenyi jo bo tlhodilweng ke tokololo ya ditirelo tsa mo porofenseng.
- (7) Molao wa bosetšhaba o tshwanetse go tlamela ka lenaanetsamaiso la go tlhomiwa, dithata, ditiro le taolo ya tirelo ya sepodisi sa mmasepala.
- (8) Komiti e e bopiwang ke tokololo ya kabinete le ditokololo tsa dikhuduthamaga tsa dikhansele e rweleng maikarabelo a sepodisi e tshwanetse go thlongwa, go netefatsa kgolagano e matla ya ditirelo tsa sepodisi le kgolagano e matla gare ga makala puso.
- (9) Kgotlapeomolao ya porofense e ka kopa Komisenara wa porofense go tlhagelela fa pele ga yona kgotsa nngwe le nngwe ya dikomiti tsa yona go araba dipotso.

Taolo ya tirelo ya sepodisi

207. (1) Moporesidente jaaka tlhogo ya khuduthamaga ya bosetšhaba o tshwanetse go tlhopha mosadi kgotsa monna jaaka Mokomišenara wa Bosetšhaba wa tirelo ya sepodisi, go laola le go tsamaisa tirelo ya sepodisi.
- (2) Mokomišenara wa Bosetšhaba o tshwanetse go laola le go tsamaiso tirelo ya sepodisi go ya ka ditaello tsa pholisi ya bosetšhaba ya sepodisi, le ditaello tsa tokololo ya Kabinete e e rweleng maikarabelo a sepodisi.
- (3) Mokomišenara wa Bosetšhaba, go ya ka tumelano le khuduthamaga ya porofense o tshwanetse go tlhopha mosadi kgotsa monna jaaka mokomišenara wa porofense eo, mme fa Mokomišenara wa Bosetšhaba le khuduthamaga ya porofense bas a kgone go dumelana ka go tlhopa motho yoo, tokololo ya Kabinete e e rweleng

- maikarabelo a sepodisi e tshwanetse go namola kgotlhang eo.
- (4) Bakomišenara ba diprofense ba rwele maikarabelo a bopodisi mo diprofenseng tse di farologaneng –
 - (a) go ya ka taolo ya molao wa Bosetšhaba; le
 - (b) go tsamaelana le matla a Mokomišenara wa Bosetšhaba go laola le go tsamaisa tirelo ya sepodisi go ya ka karolotlaleletso (2).
 - (5) Mokomišenara wa porofense o tshwanetse go dira pegelo mo Kgotlapeomolao ya porofense ngwaga le ngwa ka bopodisi mo porofenseng, e bile o tshwanetse go romela khopi ya pegelo go Mokomišenara wa Bosetšhaba.
 - (6) Fa mokomišenara wa porofense a tlhoka tshepo ya go ikanya Khuduthamaga ya porofense, Khuduthamaga eo e tshwanetse go tsaya dikgato tse di maleba tsa go tlosa kgotsa go sutisa, kgotsa dikgato tsa kgalemo kgatlhanong le Mokomišenara yoo, go ya ka molao wa bosetšhaba.

Bokwaledisepodisi jwa baagi

208. Bokwaledi jwa baagi jwa tirelo ya sepodisi bo tshwanetse go tlhomiwa ka molao wa bosetšhaba go dira ka fa tlase ga taolo ya tokololo ya Kabinete e e rweleng maikarabelo a sepodisi.

Botlhodi

Go tlhomiwa le taolo ya ditirelo tsa botlhodi

209. (1) Tirelo nngwe le nngwe ya botlhodi, ntle le karolo nngwe ya botlhodi ya matsholotshireletso kgotsa tirelo ya sepodisi, e ka tlhomiwa fela ke Moporesidente jaaka tlhogo ya Khuduthamaga ya bosetšhaba, le fela go ya ka molao wa bosetšhaba.
- (2) Moporesidente jaaka tlhogo ya khuduthamaga ya bosetšhaba o tshwanetse go tlhophisa mosadi kgotsa monna jaaka tlhogo ya tirelo nngwe le nngwe ya tirelo ya botlhodi go ya ka karolotlaleletso (1) e bile o tshwanetse go rwala maikarabelo a taolo ya sepolotiki a tsamaiso le taolo ya nngwe le nngwe ya ditirelo tseo, kgotsa a tlhophisa tokololo ya Kabinete go rwala maikarabelo ao.

Dithata, ditiro le taolo

210. Molao wa bosetšhaba o tshwanetse go laola didiriswa, matla le ditiro tsa ditirelo tsa botlhodi, go akarediwa karolo nngwe le nngwe ya tsa matlhale ya matsholotshireletso kgotsa tirelo ya sepodisi, e bile e tshwanela go tlamela ka –
- (a) kgolagano ya ditirelo tshotlhe tsa matlhale, le
 - (b) botlhokomedi jwa ditirelo tseo ke motlathlhabi yo o tlhophilweng ke Moporesidente jaaka tlhogo ya khuduthamaga ya bosetšhaba, e bile go rebotswe ka tshwetso e e atlanegisitsweng ke Kokoano ya Bosetšhaba ka bonnye bontsi jwa diboutu di le pedi-tharo ya ditokololo tsa yona.

KGAOLO 12

BAETELEDIPELE BA SETSO/MAGOSI

Kamogelo

211. (1) Setheo, maemo le seabe sa dipuso tsa setso, go ya ka molao wa setso di amogelesegile, go ya ka Molaotheo.
- (2) Bolaodi jwa taolo ya setso e e letlang tsamaiso ya molao wa setso, tsamaiso ya molao wa setso o ka dirisiwa go tsamaelana le molao mongwe le mongwe le meetlo e e akaretsang diphetogo go, kgotsa go phimolwa ga molao oo kgotsa meetlo.
- (3) Dikgotlatshekelo di tshwanetse go dirisa molao wa setso fa molao oo, o amega, go tsamaelana le Molaotheo le molao mongwe le mongwe o o amang molao wa setso.

Seabe sa magosi

212. (1) Molao wa bosetšhaba o tshwanetse go tlamela ka seabe sa boeteledipele jwa setso jaaka setheo sa lekala la puso ya selegae mo mererong e e amang baagi ba magae.
- (2) Go dira ka merero e e amang bogosi, seabe sa magosi, molao wa setso le meetlo ya baagi ba magae ba ba dirisang meetlo ya molao wa setso –
- (a) molao wa bosetšhaba kgotsa wa porofense o ka tlamela ka go tlhomiwa ga makgotla a boeteledipele jwa setso; ebile
- (b) molao wa bosetšhaba o ka tlhoma Khansele ya baeteledipele ba setso.

KGAOLO 13

DITŠHELETE

Mabaka a Ditšhelete a Kakaretso

Letlole la Lotseno lwa Bosetšhaba

213. (1) Go na le Letlole la Lotseno la Bosetšhaba le tšhelete yotlhe ya puso ya bosetšhaba e tshwanetseng go duelwa go lona, ntle le tšhelete e e tšhopolotsweng ke Molao wa Palamente.
- (2) Tšhelete e ka gogiwa go tswa go Letlole la Lotseno la Bosetšhaba, fela –
- go ya ka tekanyetsokabo ya Molao wa Palamente; kgotsa
 - ka tšhamalalo go tswa go Letlole la Lotseno la Bosetšhaba, fa Molaotheo o tšhomamisitse jaalo kgotsa mo Molao wa Palamente.
- (3) Selekanyo sa karolo ya lotseno la porofense le le kgobokantšweng naga ka bophara, e gogiwa ka tšhamalalo go tswa go sekgwama sa Letlole la Lotseno la Bosetšhaba.

[Letlha la tsenyotirisong ya k. 213: 1 Ferikgong 1998.]

Dikgaogano ka tekatekano le dikabo tsa lotseno

214. (1) Molao wa Palamente o tshwanetse go tlamela ka –
- Selekanyo sa karolo ya lotseno la porofense le le kgobokantšweng gare ga puso ya bosetšhaba ya selegae le ya diporofense;
 - tšhomamiso ya kabelo ya porofense nngwe le nngwe ya kabelo ya selekanyo sa karolo ya lotseno la porofens, le
 - dikabelo ngwe le ngwe e e fiwang diporofense, pusoselegae kgotsa bommasepala go tswa go kabelo ya lotseno leo la puso ya bosetšhaba, le legwe le ngwe la dikabelo tseo di ka diriwang ka ona.
- (2) Molao o o tšhalositsweng mo karolotšaleletso (1) o ka atlenegisiwa fela morago go buisanwe le puso ya diporofense, puso e e rulagantšweng ya selegae le Khomišene ya Ditšhelete le ya Matlotlo, le ditšhisinyo tsa Khomišene di setse di sekasikilwe, e bile e tshwanetse go ela tšhoko -
- dikgatšhegelo tsa bosetšhaba;

- (b) taelo nngwe le nngwe e e tshwanetseng go dirwa malebana le molato wa bosetšhaba le ditlamego tse dingwe tsa bosetšhaba;
- (c) ditlhokego le dikgatlhego tsa puso ya bosetšhaba tse di rulagantsweng ka maikaelelo;
- (d) bothokwa jwa go netefatsa fa diporofense le bommasepala di kgona go tlamela ka ditirelo tse di bothokwa le go dira ditiro tse ba di abetsweng;
- (e) bokgoni jwa diporofense le bommasepala go dirisa matlole ka bokgeleke;
- (f) ditlhokego tsa tlhabololo le tse dingwe tsa diporofense le bommasepala;
- (g) go sa lekane ga ikonomi gareng ga diporofense le bommasepala;
- (h) ditlamego tsa diporofense le bommasepala go ya ka molao wa bosetšhaba;
- (i) keletso ya ditekanyetso tse di na leng botsitso le tse di na leng ponelopele ya kgaoganyo ya lotseno, le
- (j) tlhokego ya tiriso ya tsamaiso e e farologaneng go ya ka maemo fa go nale maemo a tshoganyetso, kgotsa ditlhokego tsa lobakanyana, le ditlhokego tse dingwe ikaegileng ka dimaikaelelo a a tshwanang.

[Letlha la tsenyotirisong ya k. 214: 1 Ferikgong 1998.]

Ditekanyetsokabo tsa bosetšhaba, diporofense le Bommasepala

215. (1) Ditekanyetsokabo le ditsamaiso tsa ditekanyetsokabo tsa Bosetšhaba, Diporofense le Bommasepala di tshwanetse go ntshetsapele puso e lolameng, maikarabelo le taolo ya moruo wa ikonomi ka manontlhotlho, melato le lephata la baagi.
- (2) Molao wa Bosetšhaba o tshwanetse go tshomamisa –
- (a) mofuta wa ditekanyetsokabo tsa bosetšhaba, porofense le Mmasepala;
 - (b) dipaka fa ditekanyetsokabo tsa bosetšhaba le porofense di tshwanetseng go tlhagisiwa ka yona; le
 - (c) ditekanyetsokabo tsa lekala lengwe le lengwe la puso di tshwanetse go bontsha metswedi ya lotseno le tselo eo ditshenyegelo tse di tshisintsweng di tla tsamaelanang le molao wa bosetšhaba ka yona.
- (3) Ditekanyetsokabo mo lefapheng lengwe le lengwe la puso di tshwanetse go nna le –
- (a) diponelopele tsa lotseno le ditshenyegelo, go farologantswe gare ga letseno le ditshenyegelo;
 - (b) ditshitsinyo tebang le tuela ya melato e e solofetsweng mo nakong ya kopo; le

- (c) tshupo ya maikaelelo tebang le madikadimo le mekgwa e mengwe ya dikoloto e e tla oketsang sekoloto sa setšhaba mo nakong ya ngwaga o o latelang.

[Letlha la tsenyotirisong ya k. 215: 1 Ferikgong 1998.]

Taolo ya lefapha la bosetšhaba la matlole

216. (1) Molao wa Bosetšhaba e tshwanetse go tlhoma lefapha la matlotlo a bosetšhaba le go tlhomamisa mekgwa go netefatsa taolo e e mo pontsheng go lefapha lengwe le ngwe la puso, ka go itsise—
- mekgwa ka kakaretso e e maogetsweng ya boruni jwa matlole;
 - tlhaloselo ya ditshenyegelo ka mokgwa o o tshwanang; le
 - dipeelo le mabaka a matlole a a tshwanang.
- (2) Lefapha la Matlole a bosetšhaba le tshwanetse go gapeletsa tsamaiso e e tlhalositsweng mo karootlaleletso (1), e bile le ka emisa kabelo ya setheo sa puso, fa setheo seo sa puso se dira tlolomolao e e masisi kgotsa se dira kगतलhang le ditaelo tse di tlhalositsweng.

[Kl.(2) e emetswe ke k. 5(a) ya Molaotheo Tlhabololo wa Bosupa wa Molao wa 2001.]

- (3) Tshwetso ya go emisa kabelo ya matlotlo go porofense go ya ka karolo 214(1)(b) e ka tsewa fela mo maemong a a tlhalositsweng mo karolotlaleletso (2) mme —
- ga ya tshwanela go emisa kabelo ya matlotlo go feta nako ya matsatsi a 120; e bile
 - e ka tsenngwa tirisong ka bonako, fela e tla felelwa ke nako, ntle le fa e amogelwa ke Palamente ka mokgwa o o tshwanang le o o tlhalositsweng mo karolo 76(1) mme o tlhomimisitswe ka melao le ditaelo tsa ntlo-tlhakanelo ya Palamente. Thulaganyo eno e tshwanetse go konesediwa mo nakong ya matsatsi a le 30 morago ga go dirwa ga tshwetso ke lefapha la matlole la bosetšhaba.

[Kl.(3) e tlhabolotswa ke k. 5(b) ya Molaotheo Tlhabololo wa Bosupa wa Molao wa 2001.]

- (4) Palamente e ka ntšhwafatsa tshwetso ya go emisa kabelo ya matlole mo nakong ya matsatsi a sa feteng 120, go tsamaelana le tlhaloso ya karolotlaleletso (3).
- (5) Pele ga Palamente e ka amogela kgotsa ya ntšhwafatsa tshwetso ya go emisa kabelo ya ya matlole ya porofense —
- Moruni Kakaretso o tshwanetse go begela Palamente; le

- (b) porofense e tshwanetse tshono ys go ikrsbels kgstlhnong le ditatofatso le go tthagisa mabaka a yona fa pele ga komiti.

Theko ya thoto

217. (1) Fa setheo sa puso sa puso ya bosetšhaba, ya porofense kgotsa ya selegae, kgotsa setheo sengwe le sengwe se se tthalositsweng ka molao wa bosetšhaba se dira konteraka ya go reka hoto le ditirelo, se tshwanetse go dira jaalo go ya ka tsamaiso e e lolameng, ya tekatekano le kelotlase le e e tlhokang ditshenyegelo.
- (2) Karolotlaleletso (1) ga e thibele ditheo tsa puso kgotsa tse di tthalositsweng mo karolotlaleletso go diragatsa pholisi ya theko ya thoto, e e tlamelang –
- (a) dikgato tse di letleletsweng fa go abiwa dikonteraka; le
- (b) tshireletso kgotsa ntshetsopele ya batho kgotsa ditlhopha tsa batho tseo di neng di sa fiwe ditšhono ka ntlha ya kgethololo e e sa lolamang.
- (3) Molao wa Bosetšhaba o tshwanetse go tthomamisa lenaansamaiso leo pholisi e e tthalositsweng mo karolotlaleletso (2) a ka tsengwa tirisong.

[Kl.(3) e emetswe ke k. 6 ya Molaotheo Tlhabololo wa Bosupa wa Molao wa 2001.]

Dinetfaletso tsa puso

218. (1) Puso ya bosetšhaba, puso ya porofense kgotsa Mmasepala e ka dumela kadimo ya tšhelete fela fa, e tshepisa eo e tsamaelana le lebaka lengwe le lengwe le le tthalositsweng mo molaong wa bosetšhaba.
- (2) Molao wa bosetšhaba o o tthalositsweng mo karolotlaleletso (1) e ka diragatswa fela morago fa tshitshinyo ngwe le ngwe ya khomišene ya tšhelete le matlole e sekasekilwe.
- (3) ngwaga mongwe le mongwe, Puso nngwe le nngwe e tshwanetse go phasalatsa kitsiso ya ditirelo tse e tl di dirang.

[Letlha la tsenyotirisong ya k. 218: 1 Ferikgong 1998.]

Tuelo ya batlhankedi ba ba dirang tiro ya setšhaba

219. (1) Molao wa Palamente o tshwanetse go tthomamisa lenaansamaiso go –
- (a) meputso, diallawanse, le ditshiamelo tsa maloko a Ntlokokoano Bosetšhaba,

baemedi ba leruri ba Lekgotla la Bosetšhaba la Diporofense, Maloko a Kabinete, Batlatsatona, Baeteledipele ba setso le maloko a lekgotla lengwe le lengwe la Boeteledipele jwa setso; le

- (b) tekanyetso e kwa godimo ya meputso, diallowanse kgotsa ditshiamelo tsa maloko a kgotlapeomolao ya diporofense, maloko a Lekgotla la Khuduthamaga le maloko a makgotla a Mmasepala a ditlhophha tse di farologaneng.
- (2) Molao wa Bosetšhaba e tshwanetse go tlhoma khomišene e e ikemetseng go dira dikatlanegiso mabapi le meputso, diallowanse le ditshiamelo tse di tlhalositsweng mo karotlaleletso (1).
- (3) Palamente e ka atlenegisa molao o o tlhalositsweng mo karotlaleletso (1) fela morago ga go sekaseka tshitsinyo ngwe le ngwe ya khomišene go ya ka karotlaleletso (2).
- (4) Khuduthamaga ya bosetšhaba le ya porofense, Mmasepala kgotsa bothati bongwe le bongwe jo bo maleba e ka tsenya tirisong molao wa bosetšhaba o o tlhalositsweng mo karotlaleletso (1), fela morago ga go sekaseka ditshitsinyo tsa khomišene e e tlhomileng go ya ka karotlaleletso (2).
- (5) Molao wa Bosetšhaba o tshwanetse go tlhoma lenaanetsamaiso go rulaganya meputso, diallowanse le ditshiamelo tsa baatlhodi, basireletsi ba setšhaba, Moruni Kakaretso, le maloko a khomišene nngwe le nngwe e e tlamelwang ke Molaotheo, go akaretswa le bolaoditaolo jwa kgaso e e tlhalositsweng mo karolo 192.

Khomišene ya Ditšhelete le Matlole

Go tlhomiwa le ditiro

220. (1) Go na le Khomišene ya Ditšhelete le Matlole a Rephaboliki, e e dirang ditshwaelo tse di tthomamisitsweng mo kgaolong eno, kgotsa molao wa bosetšhaba, Palamente, kgotlapeomolao ya diporofense le botsamaisi bongwe le bongwe jo bo tthomamisitsweng ke molao wa bosetšhaba.
- (2) Khomišene e, ikemetse ka bonosi, mme e laolwa fela ke Molaotheo le molao, mme e tshwanetse go dira ka tolamo.
- (3) Khomišene e tshwanetse go dira, go ya ka Molao wa Palamente, mme fa e dira

ditiro tsa yona, e tshwanelwa go ela tlhoko mabaka otlhe, a a botlhokwa, go akarediwa le mabaka a tlhalositsweng mo karolo 214(2).

Go thapiwa le pakatiro ya ditokololo

221. (1) Khomišene e na le basadi le banna ba ba latelang, ba thapilwe ke Moporesidente jaaka tlhogo ya Khuduthamaga ya Bosetšhaba:
- Modulasetulo le motlatsamodulasetulo;
 - Batho ba le bararo ba ba tlhophilweng, morago ga puisano le ditonakgolo, go tswa go lenaane le le rulagantsweng go ya ka mokgwa o o tlhalositsweng ke molao wa bosetšhaba;
 - Batho ba le babedi, ba ba tlhophilweng, morago ga puisano le puso ya selegae go tsamaelana le tsamaiso e e tlhalositsweng ka molao wa bosetšhaba, le
 - batho ba bangwe ba le babedi.

[K.1 e emetswe ke k.2 ya Molatheo Tlhabololo wa Botlhano wa Molao wa 1999.]

[Kl.(1) e emetswe ke k. 7(a) ya Molatheo Tlhabololo wa Bosupa wa Molao wa 2001.]

- (1A) Molao wa Bosetšhaba o o tlhalositsweng mo karotlaleletso (1) o tshwanetse go tlamela ka botsaya karolo jwa -
- Ditonakgolo go ya ka lenaane le le tlhomamisitsweng mo karotlaleletso (1) (b); le
 - puso ya selegae e e rulagantsweng go tlhama lenaane le le tlhomamisitsweng ka karotlaleletso (1) (c).

[Kl. (1A) e tsentswe ka k. 7 (b) ya Molatheo Tlhabololo wa Bosupa wa Molao wa wa 2001.]

- Ditokololo tsa Khomišene, di tshwanetse go nna le maitmogelo a a maleba.
- Ditokololo di dira nako e e tlhomamisitsweng ka molao ya bosetšhaba. Moporesidente a ka tlosa tokololo mo tirong ka mabaka a maitshwaro a makgwakgwa, tlhalelo ya bokgoni, le go sa dire tiro ka manontlhotlho.

Dipegelo

222. Khomišene e tshwanetse go begela Palamente le diporofense gangwe le gape.

Banka ya Naga

Go tlhomiwa

223. Banka ya Resefe ya Aforika Borwa, ke banka ya naga ya Rephaboliki, mme e laolwa go ya ka molao wa Palamente.

Maikaelelo magolo

224. (1) Maikaelelomagolo a Banka ya Resefe ya Aforika Borwa, ke go sireletsa boleng jwa tšhelete ka maikaelelo a go sireletsa botsitso le kgodiso ya ikonomi mo Rephaboliking.
- (2) Banka ya Resefe ya Aforika Borwa, fa e diragatsa maikaelelo a yona, e tshwanetse go dira ditiro tsa yona e ikemetse, ntle le poifo, go kgetha mathakore, le kgethololo, kgotsa go gobelega, mme go tshwanetse ga nna le ditherisano ka methla gareng ga Banka le tokololo ya Kabinete e e rweleng maikarabelo a ditšhelete tsa bosetšhaba.

Dithata le ditiro

225. Dithata le Ditiro tsa Banka ya Resefe ya Aforika Borwa ke tseo ka tlwaelo di dirwang ke dibanka tsa bogare, mme dithata le ditiro di tshwanetse go tlhomamisiwa ka molao wa Palamente, le go diragatswa le go diriwa go ya ka mabaka a Molao oo.

Merero ya Ditšhelete ya Diporofense le Pusoselegae

Letlole la Lotseno Iwa Porofense

226. (1) Gona le Sekgwama sa Lotseno la Porofense e nngwe le nngwe, mo go duelwang gona tšhelete yotlhe e e amogetsweng ke puso ya porofense, ntle le tšhelete e e kgetholotsweng ka molao wa Palamente.
- (2) Tšhelete e ka gogiwa go tswa Sekgwama sa Lotseno la Porofense fela –
- (a) go ya ka tekayetsokabo ya molao wa Porofense; kgotsa
- (b) fa e gogiwa ka tlhamalalo go tswa Sekgwama sa Lotseno la Porofense, fa Molaotheo kgotsa molao wa Porofense o tlamela ka mokgwa oo.
- (3) Letlole le le abetsweng Porofense boemong jwa puso ya selegae ya porofense eo,

go ya ka karolo 214(1) e gogiwa ka tlhamalalo go tswa go Sekgwama sa Lotseno la Porofense eo.

- (4) Molao wa bosetšhaba o ka tlhomamisa lenaanetsamaiso leo ka lona -
- (a) Molao wa porofense o go ya ka karolotlaleletso (2)(b) o letlelelang go gogowa ga tšhelete ka tlhamalalo go tswa go Sekgwama sa Lotseno la Porofense; le
 - (b) Letlole le le abetsweng porofense boemong jwa pusoselegae ya porofense eo go ya ka karolotlaleletso (3) le tshwanetse go duelwa bommasepala ba porofense.

[KI.(4) e tlaleleditswe ke k. 8 ya Molatheo Tlhabololo wa Bosupa wa Molao wa 2001.]

[Letlha la tsenyotirisong ya k. 226: 1 Ferikgong 1998.]

Metswedi ya bosetšhaba ya tlamelo ka tšhelete go diporofense le dipusoselegae

227. (1) Pusoselegae le Porofense nngwe le nngwe –
- (a) e na le tshiamelo ya selekanyo sa lotseno le le kgobokantsweng naga ka bophara, go kgontsha go tlamela ka ditirelo tse di bothokwa le go diragatsa ditiro tse e di abetsweng; le
 - (b) e ka amogela dikabelo tse dingwe go tswa go lotseno la bosetšhaba, ka mabaka a a rileng, kgotsa go se mabaka ape.
- (2) Lotseno la koketso le le kgobokantsweng ke diporofense kgotsa bommasepala ga la tshwanelwa go gogiwa go tswa go selekanyo sa karolo, e e kgobokantsweng naga ka bophara, kgotsa go tswa go dikabelo tse dingwe tse di gogiwang go lotseno la puso ya bosetšhaba. Le fa go ntse jalo, puso ya bosetšhaba ga e pateletsege go duela diporofense kgotsa bommasepala ba ba sa kgobokanyeng lotseno go tsamaelana le bokgoni le selekanyo sa lekgetho.
- (3) Selekanyo sa kabelo ya porofense e e kgobokantsweng naga ka bophara, e tshwanetse go fetisediwa go porofense ka bonako, ntle le phokoletso, ntle le fa phitisetso eo e emisitswe go tsamaelana le mabaka a karolo 216.
- (4) Porofense e tshwanetse go itlamela ka ditlhokego tse e di tlhokang, go ya ka kabelo ya Molatheo wa Porofense eo, tseo e leng tlaleletso ya ditlhokego tsa yona tse di tlhalositsweng mo Molatheoeng.

[Letlha la tsenyotirisong ya k. 227: 1 Ferikgong 1998.]

Makgetho a diporofense

228. (1) Lekgotlapeomolao la porofense le ka tlhomamisa –
- makgetho, leghwana le maikarabelo a mangwe ntle le lekgetho la letlole, lekgetho la puso, lekgetho la theko le merokotso ya meelwane; le
 - selekanyo se se lekanyeditsweng sa merokotso ya lekgetho kgotsa lekgetho le le tlhomamisitsweng ka molao wa Bosetšhaba, ntle ga lekgetho la kgwebelano, lekgetho la theko, lekgetho la thoto kgotsa lekgetho la meelwane.

[Tema (b) e emetswe ke k. 9 ya Molao 61 wa 2001.]

- (2) Thata ya kgotlapeomolao wa porofense go tlhomamisa makgetho, merokotso, ditefelo le dituelo tsa tlaleletso –
- ga ya tshwanela go dirisiwa ka mokgwa o kgobelelang ka tlhamalalo kgotsa ka mokgwa mongwe yo o kgobelelang dipholisi tsa bosetšhaba ya ikonomi, ditirelo tsa ikonomi go kgabaganya meelwane ya diPorofense, kgotsa tsamaiso ya dithoto mo nageng, ditirelo, lotseno kgotsa ditiro; le; 152
 - e tshwanetse go laolwa go ya ka molao wa Palamente, o o ka amogelwang fela, morago ga tshisinyo ngwe le ngwe ya Khomišene ya Ditšhelete le Matlole di sekasekilwe.

[Letlha la tsenyotirisong ya k. 228: 1 Ferikgong 1998.]

Dithata tsa matlole tsa mmasepala le ditiro tsa ona

229. (1) Go ya ka dikarotlale (2),(3) le(4), mmasepala a ka tlhoma –
- selekanyo sa lekgetho la thoto le lekgetho la dituelotse di tlamelwang kgotsa mo boemong jwa mmasepala; le
 - fa e amogetswe ka molao wa bosetšhaba, makgetho a mangwe, makgethwana le makgetho a ditirelo a a lebaneng le pusoselegae kgotsa logato la pusoselegae leo mmasepala yoo a welang mo go yona, mme ga go mmasepala yo o ka tlhomang lekgetho la lotseno, lekgetho la tlaleletso-boleng, lekgetho la theko kgotsa lekgetho la meelwane.
- (2) Thata ya mmasepala go tlhoma selekanyetso sa theko ya thoto, lekgetho la dituelo tsa ditirelo kgotsa boemong jwa ga mmasepala, kgotsa makgetho mangwe,

makgethwana kgotsa makgetho a ditirelo –

- (a) ga go a tshwanelwa go diriwa ka mokgwa yo o tla kgobelelang ka tlhamalalo kgotsa ka mokgwa yo mongwe go kgobelela pholisi ya ikonomi ya bosetšhaba, ditiro tsa ikonomi go kgabaganya melelwane ya mmasepala, kgotsa tsamaiso ya dithoto ya bosetšhaba, lotseno kgotsa ditiro; le
 - (b) o ka laolwa ka molao wa bosetšhaba.
- (3) Fa bommasepala ba babedi ba na le dithata tse di tshwanang tsa matlole le ditiro mo kgaolong e e tshwanang, kgaoganyo e e siameng ya dithata le ditiro tseo, e tshwanetse go diriwa ka molao wa bosetšhaba. Kgaoganyo e ka diriwa fela morago ga go ela tlhoko bonnye dikaelo tse di latelang:
- (a) Tlhokego ya go obamela metho e e lolameng ya lokgetho.
 - (b) Dithata le ditiro tse di diriwang ke mmasepala mongwe le mongwe.
 - (c) Bokgoni jwa ditšhelete jwa mmasepala mongwe le mongwe.
 - (d) Bokgoni jwa go kgobokanya makgetho, makgethwana le makgetho a ditirelo; le
 - (e) Tekatekano.
- (4) Ga go sepe mo karolong eno, se se thibelang kgaogano ya lotseno le le kgobokantsweng go ya ka karolo eno, gare ga bommasepala ba ba nang le dithata tsa ditšhelete le ditiro mo kgaolong e e tshwanang.
- (5) Molao wa bosetšhaba o o tshalositsweng mo karolong eno, o tshwanetse go amogelwa fela morago ga ditherisano gare ga puso selegae e e rulaganeng, le Khomišene ya Ditšhelete le Matlole, le Morago fa tshwaelo ngwe le ngwe ya Khomišene e sekasekilwe.

[Letlha la tsenyotirisong ya k. 229: 1 Ferikong 1998.]

Dikadimo tsa Porofense

230. (1) Porofense e ka kokoanya dikadimo tsa tšhelete kgotsa tsa ditshenyegelo tsa jaanong go ya ka molao wa bosetšhaba, mme dikadimo tsa ditshenyegelo tsa jaanong di ka batliwa fa fela go le botlhokwa go ya ka mabaka a tshiamiso ya matlole a ngwaga.
- (2) Molao wa bosetšhaba o o tshalositsweng mo karotlaleletso (1) o ka tlhamamisiwa fela morago fa ditshwaelo tsa Khomišene ya Tsamaiso ya Ditšhelete e sekasekilwe.

[K. 230 e emetswe ke k. 10 ya Molaotseo Tlhabololo wa Bosupa wa Molao wa 2001.]

Dikadimo tsa mmasepala

- 230A. (1) Khansele ya Mmasepala e ka, go ya ka molao wa bosetšhaba -
- (a) e ka kokoanya dikadimo tsa tšhelete kgotsa tsa ditshenyegelo tsa jaanong malebana le mmasepala, mme dikadimo tsa ditshenyegelo tsa jaanong di ka batliwa fa fela go le botlhokwa go ya ka mabaka a tshiamiso ya matlole a ngwaga; le 154
 - (b) go itlamba le Khansele e e tlang go diragatsa thata ya ona le bolaodi taolo jwa khuduthamaga go bona dikadimo kgotsa dipeeletso malebana le mmasepala.
- (2) Molao wa bosetšhaba o o tshalositsweng mo karotlaleletso (1) o ka amogelwa fela morago ga ditshwaelo tsa Khomišene ya Ditšhelete le Matlole e sekasekilwe.

[K. 230A e tsentswe ke k. 17 ya Molaotheo Tlhabololo wa Borataro wa Molao wa 2001.]

KGAOLO 14

DIKAELO-KAKARETSO

Molao wa Boditšhabatšhaba

Ditumalano tsa boditšhabatšhaba

231. (1) Ditherisano le go saeniwa ga ditumelano tsotlhe tsa boditšhabatšhaba ke maikarabelo a khuduthamaga ya bosetšhaba.
- (2) Tumalano ya boditšhabatšhaba e tlama Rephaboliki fela fa e rebotswe ka tshwetso mo go Ntlokokoano Bosetšhaba le Khansele ya Bosetšhaba ya Diporofense ka bobedi, ntle le fa e le tumelano e e umakiwang mo karolwaneng(3).
- (3) Tumalano nngwe le nngwe ya boditšhabatšhaba ya mothale wa botegeniki, botsamaisi kgotsa mokgwa wa bodiragatsi, kgotsa tumalano e e sa tlhokeng kana netefaletso kgotsa koketso, e e tsenwang ke khuduthamaga, e golega Rephaboliki ntle le thebolo ya Kokoano Bosetšhaba le Khansele ya Bosetšhaba ya Diporofense, mme e tshwanela go atlhaatliwa mo Kokoanong le Khansele mo nakong e e isegang.
- (4) Tumalano nngwe le nngwe ya boditšhabatšhaba e nna molao mo Rephaboliking fa e atlanegisitse go nna molao wa bosetšhaba; mme thulaganyo e e itiragatsang ya tumelano e e rebotsweng ke Palamente ke molao mo Rephaboliking ntle le fa e sa dumelane le Molatheo kgotsa Molao wa Palamente.
- (5) Rephaboliki e tلاميwa ditumelano tsa boditšhabatšhaba tse di neng di tlama Rephaboliki fa Molatheo o tsena mo tirisong.

Molao wa setso wa boditšhabatšhaba

232. Molao wa Setso wa Boditšhabatšhaba o dira karolo ya molao wa Rephaboliki ntle le fa o sa dumelane le Molatheo kgotsa Molao wa Palamente.

Tiriso ya molao wa boditšhabatšhaba

233. Fa go tlhalosiwa molao, kgotlatshekelo nngwe le nngwe e tshwanetse go dirisa tlhaloso e e maleba ya molao o o dumalanang le molao wa boditšhabatšhaba mo godimo ga tlhaloso ya mothale o mongwe o o sa dumelaneng le molao wa boditšhabatšhaba.

Merero e Mengwe

Dipapetlana ya ditshwanelo

234. Go ya ka mabaka a go matlafatsa demokerasi e e theilweng ka Molaotheo, Palamente e ka amogela Papetlana ya Ditshwanelo tse di tsamaelanang le diithulaganyo tsa Molaotheo.

Boikemisetso jwa botho

235. Tshwanelo ya maAforika Borwa otlhe go boikemisetso jwa botho, go ya ka tlhaloso ya Molaotheo, ga e thibele, lenaanetsamaiso la tshwanelo eno, kamogelo ya tshwanelo ya boikemisetso ya setlhopho sengwe le sengwe se se na leng setso le puo ya setso e e tshwanang, mo melwaneng ya Rephaboliki kgotsa ka mokgwa mongwe gape, o o tthomamisitsweng ka molao wa bosetšhaba.

Kabelo matlole ya makoko a sepolotiki

236. Go matlafatsa demokerasi ya makoko mantsi, molao wa bosetšhaba o tshwanetse go abela matlole makoko a sepolotiki a a tsayang karolo mo makgotlapeomolao a bosetšhaba le a diporofense ka mokgwa wa tekatekano le mokgwa wa tekanyetso.

Tlamego ya go dira ka Boineelo

237. Ditlamego tsotlhe tsa Molaotheo di tshwanelwa go dirwa ka botswerere le ka bonako.

Boemedi le thebolelo-tiro

238. Setheo sa taolo ya Khuduthamaga ya puso mo lekaleng lengwe le lengwe la puso se ka –
- aba tiro nngwe le nngwe e e tshwanetseng go dirwa go ya ka molao wa setheo sengwe le sengwe sa khuduthamaga sa puso, fa fela thebolelo eo e tsamaelana le molao oo matla a dirisiwang kgotsa tiro e e tshwanetseng go dirwa.
 - dira tiro nngwe le nngwe kgotsa diragatsa tiro nngwe le nngwe boemong jwa setheo sa khuduthamaga sa puso kgotsa boemedi kgotsa selekanyetso sa taelo.

Ditlhaloso

239. Go ya ka Molaotheo ntle le fa bokao, bo tlhalosa ka mokgwa yo mongwe –
 “molao wa boditšhabatšhaba” o akaretsa –
- (a) molao o monnye yo o o dirilweng go ya ka Molao wa Palamente; le
 - (b) molao yo o neng o dirisiwa fa Molaotheo o tsena tirisong, e bile o laolwa ka molao wa bosetšhaba;
- “setheo sa puso” se bolela –
- (a) lefapha lengwe le lengwe la puso kgotsa tsamaiso mo lekaleng la bosetšhaba, porofense kgotsa puso selegae; kgotsa
 - (b) tirelo nngwe le nngwe kgotsa setheo –
 - (i) se se diragatsang matla kgotsa se se dirang tiro go ya ka Molaotheo kgotsa molaotheo wa porofense; kgotsa
 - (ii) se se diragatsang matla a setšhaba kgotsa se se dirang ditiro tsa setšhaba go ya ka molao mongwe le mongwe, mme ga e akaretse kgotlatshekelo kgotsa motlhankedi wa boatlhodi.
- “molao wa porofense” o akaretsa-
- (a) molao yo monnye, yo o dirilweng go ya ka Molao wa porofense; le
 - (b) molao yo o neng o dirisiwa fa Molaotheo o tsena tirisong e bile o laolwa ke puso ya porofense.

Go sa dumelelane ga dikwalo tse di farologaneng

240. Fa go na le thulano gare ga dikwalo tsa tsa Molaotheo, go tla laola tlhaloso ya tokomane ya Seesimane.

Dithulaganyo tsa kgabaganyo

241. Mametlelelo 6 e dira mo nakong ya kgabaganyetso ya thulaganong ya molaotheo o mošwa e e theilweng ke Molaotheo oo, le morero mongwe le mongwe yo o amanang kgabaganyo eo.

Go phimolwa ga melao

242. Melao e e tlhalositsweng mo Mametlelelo 7 e phimotswe, ka taolo ya 243 le Mametlelelo 6.

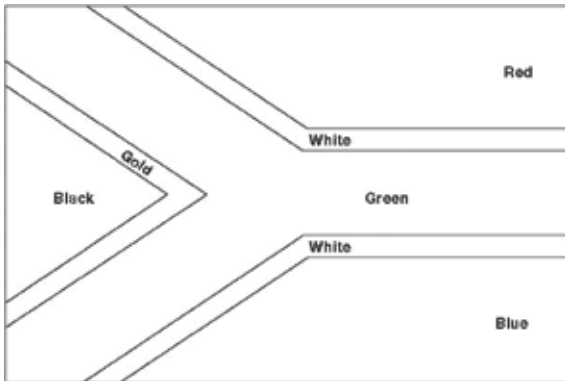
Setlhogo se se khutshwane le tshimologo

243. (1) Molao o, o bidiwa Molaotheo wa Rephaboliki ya Aforika Borwa, 1996, e bile o tsena mo tirisong ka bonako jo bo kgonagalang ka letlha le le tthomamisitsweng ke Moporesidente ka kgoeletso, mme ga go a tshwanela go nna letlha morago ga 1 Phukwi 1997.
- (2) Moporesidente ka tthomamisa matlha a farologaneng, pele ga letlha le le tthalositsweng mo karolotlaleletso (1), go ya ka ditaelo tse di farologaneng tsa Molaotheo.
- (3) Ntle le fa bokao bo tthalosa ka mokgwa o mongwe, tthaloso ka ga taelo ya Molaotheo ka nako fa Molaotheo o ne o tsena mo tirisong, e tshwanetse go amogelwa jaaka taelo ya nako fa taelo eo, e ne e tsena tirisong.
- (4) Fa go tthomamisitswe letlha le le farologaneng boemong jwa taelo e e rileng ya Molaotheo, go ya ka karolotlaleletso (2), taelo nngwe le nngwe e e tshwanang le yona, ya Molaotheo wa Rephaboliki ya Aforika Borwa wa 1993 (Molao 200 wa 1993) e e tthalositsweng mo kgoeletsong, e tla kgaphelwa thoko go tloga ka letlha leo.
- (5) Dikarolo 213, 214, 215, 216, 218, 226, 227, 228, 229 le 230 di tsena tirisong ka 1 Ferikgong 1998, mme se ga se thibele kamogelo ya taelo nngwe le nngwe ya molao o o tthalositsweng pele ga letlha go ya ka Molaotheo o. Go fitlha ka letlha leo, taelo nngwe le nngwe e e tshwanang le ditaelo tse di maleba tsa Molaotheo wa Rephaboliki ya Aforika Borwa, wa 1993, di tla dula di dirisiwa.

MAMETLELELO 1

FOLAGA YA BOSETŠHABA

- (1) Folaga ya bosetšhaba e khutlonnetsepa, e boleleele jwa nngwe le seripa go feta bophara.
- (2) E bontsho, bogauta, botala jwa tlhaga, bosweu, bokhibidu jwa tšhilisi le botala jwa loapi.
- (3) E nale le banta le le tala la popego ya Y e e leng bophara jwa nngwe-tlhano ya fologa. Methalo e e fa gare ya banta e simolola mo dikhutlong tse di fa godimo le kwa tlase go bapa le seikokotlelo sa folaga, di kopanela fa gare ga folaga, e tsewelele ka go rapalala go fitlha bogare-bofelo jwa karolo e e phaphalalang.
- (4) Lebanta le letala, le tsentswe fa gare ke bosweu, kwa godimo le kwa tlase, mme go ya kwa seikokotlelong sa folaga, ke losi la gauta. Losi lengwe le lengwe lo bophara ba nngwe-sometlhano jwa folaga.
- (5) Khutlotharo e e fa thoko ga seikokotlelo sa folaga e ntsho.
- (6) Lebanta le le rapaletseng kwa godimo, le bokhibidu jwa tšhilisi, mme lebanta le le rapaletseng kwa tlase le botala jwa loapi. Bophara jwa lebanta lengwe le lengwe le bophara jwa nngwe-tharo ya fologa.



Black = Bontšho

Gold = Gauta

White = Botšhweu

Green = Botala

Red = Khibidu

Blue = Botala jwa loapi

MAMETLELELO 1A

MAFELO A DIPOROFENSE

[Mamettlelelo 1A e tsemswe ke k. 4 ya Molaotheo Tlhabololo ya Bolesomepedi ya Molao wa 2005 mme e emetswe ke k. 1 Molaotheo Tlhabololo ya Bolesometharo ya Molao wa 2007 le Molaotheo Tlhabololo ya Bosomethataro ya Molao wa 2009.]

Porofense ya Kapa Botlhaba

[Kgaoganyo ya Porofense ya Kapa Botlhaba e emetswe ke Molaotheo Tlhabololo ya Bolesometharo ya Molao wa 2007.]

Mmepe No. 3 wa Mamettlelelo 1 mo Kitsisong 1998 ya 2005
Mmepe No. 6 wa Mamettlelelo 2 mo Kitsisong 1998 ya 2005
Mmepe No. 7 wa Mamettlelelo 2 mo Kitsisong 1998 ya 2005
Mmepe No. 8 wa Mamettlelelo 2 mo Kitsisong 1998 ya 2005
Mmepe No. 9 wa Mamettlelelo 2 mo Kitsisong 1998 ya 2005
Mmepe No. 10 wa Mamettlelelo 2 mo Kitsisong 1998 ya 2005
Mmepe No. 11 wa Mamettlelelo 2 mo Kitsisong 1998 ya 2005

Porofense ya Foreisetata

Mmepe No. 12 wa Mamettlelelo 2 mo Kitsisong 1998 ya 2005
Mmepe No. 13 wa Mamettlelelo 2 mo Kitsisong 1998 ya 2005
Mmepe No. 14 wa Mamettlelelo 2 mo Kitsisong 1998 ya 2005
Mmepe No. 15 wa Mamettlelelo 2 mo Kitsisong 1998 ya 2005
Mmepe No. 16 wa Mamettlelelo 2 mo Kitsisong 1998 ya 2005

Porofense ya Gauteng

[Kgaoganyo ya Porofense ya Gauteng e fetotsewe ke Molaotheo Tlhabololo ya Bosomethataro ya Molao wa 2009.]

Mmepe No. 4 mo Kitsisong 1490 ya of 2008 ya Mamettlelelo 1 go Kitsiso 1998 ya 2005

[Go kaiwa ga Mmepe No. 4 go emetswe ke k. 1(a) ya Molaotheo Tlhabololo ya Bosomethataro ya Molao wa 2009.]

Mmepe No. 17 wa Mamettlelelo 2 mo Kitsisong 1998 ya 2005

- Mmepe No. 18 wa Mametlelelo 2 mo Kitsisong 1998 ya 2005
- Mmepe No. 19 wa Mametlelelo 2 mo Kitsisong 1998 ya 2005
- Mmepe No. 20 wa Mametlelelo 2 mo Kitsisong 1998 ya 2005
- Mmepe No. 21 wa Mametlelelo 2 mo Kitsisong 1998 ya 2005

Porofense ya KwaZulu-Natal

[Kgaoganyo ya Porofense ya KwaZulu-Natal e emetswe ke Molaotho Tlhabololo ya Bolesometharo ya Molao wa 2007.]

- Mmepe No. 22 wa Mametlelelo 2 mo Kitsisong 1998 ya 2005
- Mmepe No. 23 wa Mametlelelo 2 mo Kitsisong 1998 ya 2005
- Mmepe No. 24 wa Mametlelelo 2 mo Kitsisong 1998 ya 2005
- Mmepe No. 25 wa Mametlelelo 2 mo Kitsisong 1998 ya 2005
- Mmepe No. 26 wa Mametlelelo 2 mo Kitsisong 1998 ya 2005
- Mmepe No. 27 wa Mametlelelo 2 mo Kitsisong 1998 ya 2005
- Mmepe No. 28 wa Mametlelelo 2 mo Kitsisong 1998 ya 2005
- Mmepe No. 29 wa Mametlelelo 2 mo Kitsisong 1998 ya 2005
- Mmepe No. 30 wa Mametlelelo 2 mo Kitsisong 1998 ya 2005
- Mmepe No. 31 wa Mametlelelo 2 mo Kitsisong 1998 ya 2005
- Mmepe No. 32 wa Mametlelelo 2 mo Kitsisong 1998 ya 2005

Porofense ya Limpopo

- Mmepe No. 33 wa Mametlelelo 2 mo Kitsisong 1998 ya 2005
- Mmepe No. 34 wa Mametlelelo 2 mo Kitsisong 1998 ya 2005
- Mmepe No. 35 wa Mametlelelo 2 mo Kitsisong 1998 ya 2005
- Mmepe No. 36 wa Mametlelelo 2 mo Kitsisong 1998 ya 2005
- Mmepe No. 37 wa Mametlelelo 2 mo Kitsisong 1998 ya 2005

Porofense ya Mpumalanga

- Mmepe No. 38 wa Mametlelelo 2 to Notice 1998 of 2005
- Mmepe No. 39 wa Mametlelelo 2 to Notice 1998 of 2005
- Mmepe No. 40 wa Mametlelelo 2 to Notice 1998 of 2005

Porofense ya Kapa Bokone

Mmepe No. 41 wa Mametlelelo 2 mo Kitsisong 1998 ya 2005

Mmepe No. 42 wa Mametlelelo 2 mo Kitsisong 1998 ya 2005

Mmepe No. 43 wa Mametlelelo 2 mo Kitsisong 1998 ya 2005

Mmepe No. 44 wa Mametlelelo 2 mo Kitsisong 1998 ya 2005

Mmepe No. 45 wa Mametlelelo 2 mo Kitsisong 1998 ya 2005

Porofense ya Bokone Bophirima

[Kgaoganyo ya Porofense ya Bokone Bophirima go fetotswe ke Molatheo Tlhabololo ya Bosomethataro ya Molao wa 2009.]

Mmepe No. 5 in Notice 1490 of 2008

[Go kaiwa ga Mmepe No. 5 go emetswe ke k. 1(b) ya Molatheo Tlhabololo ya Bosomethataro ya Molao wa 2009.]

Mmepe No. 46 wa Mametlelelo 2 mo Kitsisong 1998 ya 2005

Mmepe No. 47 wa Mametlelelo 2 mo Kitsisong 1998 ya 2005

Mmepe No. 48 wa Mametlelelo 2 mo Kitsisong 1998 ya 2005

Porofense ya Kapa Bophirima

Mmepe No. 49 wa Mametlelelo 2 mo Kitsisong 1998 ya 2005

Mmepe No. 50 wa Mametlelelo 2 mo Kitsisong 1998 ya 2005

Mmepe No. 51 wa Mametlelelo 2 mo Kitsisong 1998 ya 2005

Mmepe No. 52 wa Mametlelelo 2 mo Kitsisong 1998 ya 2005

Mmepe No. 53 wa Mametlelelo 2 mo Kitsisong 1998 ya 2005

Mmepe No. 54 wa Mametlelelo 2 mo Kitsisong 1998 ya 2005

MAMETLELELO 2

MAIKANO LE DITUMELO TSE DI MASISI

[Mametlelelo 2 tlhabolotswe k. 2 ya Molao 35 wa 1997 e bile e emetswe ke k. 18 ya Molaotheo Tlhabololo wa Borataro wa Molao wa 2001.]

Maikano kgotsa tshepiso ya boikanyego jwa Moporesidente le Moporesidente wa nama-o-tshwere

1. Moporesidente kgotsa Moporesidente wa nama-o-tshwere, fa pele ga Moatlhodimogolo, o tshwanetse go ikana/tshepisa boikanyego jaana:

Fa pele ga botlhe ba ba kokoaneng fano, le ka temogo e e tletseng ya tiro e e masisi ya go amogelwa jaaka Moporesidente wa Rephaboliki ya Aforika Borwa, nna, A.B. ke ikana/tshepisa ka tlhoafalo gore ke tla nna boikanyego go Rephaboliki ya Aforika Borwa, mme ke tla obamela, ela tlhoko, tshegetsa le go babalela Molaotheo le melao yotlhe ya Rephaboliki, e bile ke tlhomamisa le go solofetsa ka pelo yotlhe gore ka metlha ke tla-

- rotloetsa se se tla tswelatsang, le go ema kgatlhanong tsotlhe tse di ka senyang Rephaboliki;
- Sireletsa le go tswelatsa ditshwanelo tsa maAforika Borwa otlhe;
- go dira ditiro tsa me ka nonofo le dineo tsotlhe tsa me le go ya ka kitso le bokgoni jotlhe jwa me;
- go direla botlhe tshiamo; le
- Go direla Rephaboliki ka boineelo le batho botlhe ba yona

(Fa a ikana: Ka ga jaalo a Modimo a nthuse.)

Maikano kgotsa tshepiso ya boikanyego jwa motlatsa-Poresidente

2. Motlatsa-Moporesidente fa pele ga Moatlhodimogolo, kgotsa moatlhodi yo mongwe yo o tlhophilweng ke Moatlhodimogolo o tshwanetse go ikana/tshepisa boikanyego jaana:

Fa pele ga botlhe ba ba kokoaneng fano, le ka temogo e e tletseng ya tiro e e masisi ya go amogelwa jaaka Motlatsa-Moporesidente wa Rephaboliki ya Aforika Borwa, nna

A.B. ke ikana/tshepisa ka tlhoafalo gore ke tla nna boikanyego go Repaboliki ya Afrika Borwa, ke tla obamela, ela tlhoko, tshegetsa le go babalela Molaotheo le melao yotlhe ya Rephaboliki, e bile ke tthomamisa le go solofetsa ka pelo yotlhe gore ka metlha ke tla –

- rotloetsa se se tla tswelatsang, le go ema kgatlanong tsotlhe tse di ka senyang Rephaboliki;
- nna mokhanselara yo o bonnete le boikanyego;
- go dira ditiro tsa me ka nonofo le dineo tsotlhe tsa me le go ya ka kitso le bokgoni jotlhe jwa me le bonnete go ya ka letswalo la me;
- go direla botlhe tshiamo, le
- Go direla Rephaboliki ka boineelo le batho botlhe ba yona.

(Fa aikana: Ka ga jaalo a Modimo a nthuse.)

Maikano kgotsa ditumelo tse di masisi tsa Ditona le Batlatsatona

3. Tona nngwe le nngwe le Motlatsatona mongwe le mongwe, fa pele ga Moatlhodimogolo kgotsa moatlhodi a neetswe dithata ke Poresidente ya Lekgotla la Molaotheo, o tshwanetse go ikana/dumela jaana:

Nna, A.B. ke ikana/tlatsa ka tlhoafalo gore ke tla nna boikanyego go Rephaboliki ya Aforika Borwa, ke tla ikobela, tlotla le go tshetsa Molaotheo le melao yotlhe e mengwe ya Rephaboliki, e bile ke ikemisetsa go dira tiro ya me jaaka Tona/Matlatsatona ka tlotlo le seriti, go nna mokhanselara yo o bonnete le boikanyego, ga nkitla ke ntsha diphiri ka tthamalalo kgotsa e seng ka tthamalalo, le go dira tiro ya me ka boineelo le bokgoni jwa me.

(Fa e le maikano: A Modimo a nthuse jalo.)

Maikano kgotsa ditumelo tse di masisi tsa ditokololo tsa Kokoano Bosetšhaba, baemedi ba leruri ba diporofense mo Khanseleng ya Bosetšhaba le ditokololo tsa palamente ya Porofense

4. (1) Ditokololo tsa Kokoano Bosetšhaba, baemedi ba leruri mo Khanseleng ya Bosetšhaba ya Diporofense le Ditokololo tsa Palamente ya Porofense, fa pele ga Moatlhodimogolo kgotsa Moatlhodi yo o neilweng dithata ke Moatlhodimogolo, ba tshwanetse ba ikana kgotsa go tlatsa jaana:

Nna, A.B. ke ikana/dumela ka tlhoafalo gore ke tla nna boikanyego go Rephaboliki

ya Aforika Borwa le go ikobela, tlotla le go tshegetsatsa Molaotheo le melao yotlhe e mengwe ya Rephaboliki, ke solofetsa ka tlhomamiso go dira ditiro tsa me jaaka tokololo ya Kokoano Bosetšhaba/moemedi wa leruri mo Khanseleng ya Bosetšhaba ya Diporofense/tokololo ya Palamente ya Porofense ya C D ka moo ke tla kgonang. (Fa e le maikano: A Modimo o nthuse jalo.)

- (2) Batho ba ba tlatsang phatlalano mo Kokoanong Bosetšhaba, boemedi jwa leruri mo Khanseleng Bosetšhaba ya Diporofense kgotsa Palamente ya Porofense ba ka ikana kgotsa ba tlatsa go ya ka karolwana ya(1) fa pele go motshwara marapo wa Kokoano, Khansela kgotsa Palamente, go ya fela gore seemo ke sefe.

Maikano kgotsa ditumelo tse di masisi tsa ditonakgolo le ditokololo tsa Makgotlakhuduthamaga a Diporofense

5. Tonakgolo ya porofense, le tokololo nngwe le nngwe ya kgotla ya Khuduthamaga ya porofense, fa pele ga Moathlodimogolo kgotsa moatlhodi o a nopotsweng ke Moathlodimogolo, o tshwanetse go ikana/ itlama jaaka go latela: Nna, A.B. ke ikana/itlama ka tlhoafalo, gore ke tla nna boikanyego go Rephaboliki ya Aforika Borwa le gore ke tla obamela, ka tlotla le go tshegetsatsa Molaotheo le molao otlhe o mongwe wa Rephaboliki; e bile ke imemisetsa go tshegetsatsa maemo a ofisi ya me jaaka Tonakgolo/tokololo ya Lekgotla la Khuduthamaga ya porofense ya CD ka tlotlo le seriti; go nna mogakolodi wa boamaruri le boikanyego; go se upolole ka tlhamalalo kgotsa ka go se tlhamalale morero mongwe le mongwe, o beilweng mo botshepegeng ba me; le go dira ditlamago tsa ofisi ya me ka tlhoafalo le ka bojotlhe ba bokgoni ba me. (Mo lebakeng la ikano: A Modimo a nthuse jalo.)

Maikano kgotsa ditumelo tse di masisi tsa Batlhankedi ba Boatlhodi

6. (1) Moatlhodi mongwe le mongwe kgotsa moatlhodi wa nama-osa- tshwere, fa pele ga Moathlodimogolo kgotsa moatlhodi yo mongwe yo o nopotsweng ke Moathlodimogolo, o tshwanetse a ikana kgotsa a tlhomamisa jaaka go latela: Nna A.B. ke ikana/tlhomamisa ka tlhoafalo gore, jaaka Moatlhodi wa Kgotlatshekelo ya Molaotheo/ Kgotlatshekelokgolo ya E.F./G.H. Kgotlatshekelo, ke tla nna boikanyego go Rephaboliki ya Aforika Borwa, ke tla tshegetsatsa ba ka ba sireletsa Molaotheo; e bile ke tla tsamaisa bosiamisi go batho botlhe ka go lekana ntle le

poifo, ditlhotlho kgotsa kgobeelo, go ya ka Molaotheo le molao.

(Fa e le mo lebakeng la ikano: A Modimo o nthuse jalo.)

- (2) Motho yo o tlhomilweng mo ofising ya Moatlhodimogolo wa Kgotlakgolo ya makgaolakgang yo o setseng e se moatlhodi ka nako ya go tlhomiwa go o o tshwanetse a ikana kgotsa a tlhomamisa fa pele ga Moatlhodimogolo wa Kgotlatshekolo ya Molaotheo.
- (3) Batlhankedi ba bosiamisi, le batlhankedi ba bosiamisi ba namao- sa-tshwere, ba e seng baatlhodi, ba tshwanetse go ikana/go tlhomamisa mo mabakeng a peomolao ya bosetšhaba.

MAMETLELELO 3

DITSAMAISO TSA DITLHOPHO

[Mametelelo 3 e tlhabetse ke k. 2 ya Molaotheo Tlhabololo wa Bone wa Molao wa 1999 le k. 19 ya Molaotheo Tlhabololo wa Borataro wa Molao wa 2001, k. 3 ya Molaotheo Tlhabololo wa Borobongwe Molao 21 ya 2002 le k. 1 ya Molaotheo Tlhabololo ya Bosomenne ya Molao wa 2008.]

KAROLO-A

Ditsamaiso tsa Ditlhopho tsa Badiredipuso go ya Molaotheo

Tiriso

1. Tsamaiso e e tlhalosiwang mo Mametelelong e, e diragadiwa ka nako tsotlhe fa –
 - (a) Kokoano Bosetšhaba e kopana go tlhophha Poresidente, kgotsa Mmusakgotla kgotsa Motlatsa Mmusakgotla wa Kokoano ;
 - (b) Lekgotla la Bosetšhaba la Diporofense le kopana go tlhophha Modulasetilo, Motlatsa-Modulasetilo; kgotsa
 - (c) Kgotlapeomolao ya porofense e kopana go tlhophha Tonakgolo ya porofense kgotsa Mmusakgotla kgotsa Motlatsa-Mmusakgotla wa Kgotlapeomolao.

Ditlhagiso

2. Motho yo o tshwereng marapo mo pitsong e mo go yone mametelelo e, e dirang o tshwanetse go kopa gore go tlhagisiwe bontlhopheng mo pitsong.

Ditlhokego tse di tshwanetseng

3. (1) Tlhagiso e tshwanelwa go dirwa mo foromong e e beilweng go ya ka melao e e umakilweng mo temaneng 9.
 - (a) Foromo e mo go yone go tlhagisiwang maina e tshwanelwa go saenwa –
 - (a) ke ditokololo di le pedi tsa Kokoano Bosetšhaba, fa Poresidente kgotsa Mmusakgotla kgotsa Motlatsa-Mmusakgotla wa Kokoano a tlhophiwa;
 - (b) mo boemong jwa baemedi ba le babedi ba Porofense, fa modulasetulo kgotsa Motlatsamodulasetulo wa Lekgotla la Bosetšhaba la Porofense a tlhophiwa;

kgotsa

- (c) ke ditokololo di le pedi tsa Kgotlapeomolao ya Porofense e e maleba, fa Tonakgolo ya Porofense kgotsa Mmusakgotla kgotsa Motlatsa-Mmusakgotla wa Palamente a tlhophiwa.
- (3) Motho yo go tlhagisitsweng leina la gagwe o tshwanela go bontsha fa a amogela go tlhophiwa ka go saena foromo ya tlhagiso kgotsa foromo nngwe ya mofuta mongwe e e kwadilweng go netefatsa.

Kitsiso ya maina a bontlhopheng

- 4. Mo pitsong e mo go yone Mametlelelo e, e dirang, motshwaramarapo o tshwanelwa go itsise maina a batho ba ba tlhagisitsweng jaaka bontlhopheng, mme ga a letle kganetsanyo.

Ntlhopheng a le mongwe

- 5. Fa go tlhagisiwa ntlhopheng a le mongwe, motshwaramarapo o tshwanelwa ke go bolela fa ntlhopheng yo, a tlhophilwe.

Tsamaiso ya ditlhopho

- 6. Fa go tlhagisitswe bontlhopheng ba feta bongwe –
 - (a) Boutu e tshwanelwa go dirwa kwa kopanong ka bolato ya sephiri;
 - (b) tokololo nngwe le nngwe e e teng, kgotsa fa e le kopano ya Lekgotla la Bosetšhaba la Diporofense, Porofense nngwe le nngwe e e emetsweng mo pitsong e ka nna ya latlhela boutu e le nngwe; mme
 - (c) motshwaramarapo o tshwanelwa ke go bolela ntlhopheng yo o boneng diboutu di le dintsi gore ke ena yo o tlhophilweng.

Tsamaiso ya go ntshetsantle/tlosa

- 7. (1) Fa go se na ntlhopheng yo o boneng diboutu di le dintsi, ntlhopheng yo o boneng diboutu tse di kwa tlase, o tshwanelwa go tlosiwa mme go tswelelwa go boutelwa bontlhopheng ba ba setseng go ya ka temana ya 6, Tsamaiso e e tshwanelwa ya boelediwa go fitlhela ntlhopheng a bona palo ya bontsi ba diboutu.
- (2) Fa go dirisiwa karolwana ya(1), ba le babedi kgotsa go feta ba bontlhopheng o mongwe le mongwe a bone diboutu tse di kwa tlase, boutu e nngwe e tshwanetse

ya dirwa ya bontlhopheng ba, mme ya boelediwa ka mo go kgonegang go tthomamisa gore ke ofe wa bontlhopheng yo o tshwanelwang ke go tloisiwa.

Dipitso tse dingwe

- 8 . (1) Fa go tlhagisitse bontlhopheng ba le babedi fela, kgotsa fa go sala bontlhopheng ba le babedi morago ga tsamaiso ya ntshetsontle e sena go dirisiwa, mme bontlhopheng bao ba bona diboutu tse di lekanang, kopano e nngwe e tshwanetse ya tshwarwa mo malatsing a le supa ka nako e e tla bong e beilwe ke motshwaramarapo.
- (2) Fa go bidiwa kopano e nngwe gape go ya ka karolwana ya(1), tsamaiso e e beilweng mo mametlelong e, e tshwanelwa ya salwa morago kwa kopanong/pitsong eo jaaka o kare ke kopano ya ntlha ya dithopho tsa go nna jalo.

Melawana

9. (1) Moatlhodimogolo o tshwanetse go dira melawana e e kaelang –
- (a) tsamaiso ya dipitso tse di amiwang ke Mametlelelo e;
 - (b) ditiro tsa motho mongwe yo o tshwereng marapo mo kopanong yo mothale o, le motho mongwe yo o thusang motho yo a tshwerweng marapo;
 - (c) foromo e ditlhagiso(maina) di diriwang mo go yone; le
 - (d) mokgwa o go bouta go tshwanelang go dirwa ka teng.
- (2) Melawana e, e tshwanetse ya anamisiwa ka tsela e Moatlhodimogolo a beileng ka teng.

[Karolo 9 e emetswe ke k. 19 ya Molao 34 wa 2001.]

KAROLO B

Kaelo ya go Tlhomamisa Botsayakarolo jwa Makoko mo Dikemeding tsa Khansele ya Bosetšhaba ya Diporofense

1. Palo ya baemedi mo kemeding ya porofense go Khansele ya Bosetšhaba ya Diporofense eo lekoko le nang le tshwanelo ya bona, e tshwanetse go tlhomamisiwa ka go ntsifatsa palo ya manno a lekoko le a tshwereng mo kgotlapeomolaong ya porofense ka lesome le go arola karabo ka palo ya manno mo kgotlapeomolaong, go bo go tlhakannwa le nngwe.
2. Fa palelo mo mabakeng a 1 e naya phetiso e e sa monngweng ke baemedi ba ba neilweng lekoko mo mabakeng, phetiso e tshwanetse go gaisana le diphetiso tse di tshwanang le ona a a kokoanelang ke lekoko kgotsa makoko mangwe le mangwe, mme baemedi bangwe le bangwe ba ba sa abiwang mo boemeding ba tshwanelwa ke go abelwa lekoko kgotsa makoko ka tlhomagano ya lefetiso le le kwa godimodimo.
3. Fa diphetiso tse di akanngwang mo karolong 2 di lekana, baemedi ba ba sa abiwang mo boemeding ba tshwanetse go abelwa lekoko kgotsa makoko, le phetiso e e tshwanang ka tatelano ya palo ya diboutu e e kwa godimo go ya go e e kwa tlase, tse do rekotilweng tsa makoko ao, ka motsi wa ditlhopho tsa bofelo malebana le leggotlapeomelao la porofense e e amegang,

[Karolo 3 e tlaleleditswe ke k. 2 ya Molaotheo Tlhabololo ya Bone ya Molao wa 1999 le go emelwa ke k. 3 ya Molaotheo Tlhabololo ya Borobongwe ya Molao wa 2002 le k. 5(a) ya Molaotheo Tlhabololo ya Bosomenne ya Molao wa 2008.]

4. Fa makoko a feta bongwe a a nang le tshalo e e lekanang a rekotile palo e e lekanang ya diboutu mo ditlhophong tsa bofelo tsa leggotlapeomelao la porofense e e amegang, leggotlapeomelao le le amegang le tshwanetse go abela baemedi ba ba sa abiwang mo kemeding ya lekoko ka tshalo eo ka tsela e e inyalanang le temokerasi.

[Nttha 4 e tlaleleditswe ke k. 5(b) ya Molaotheo Tlhabololo ya Bosomenne ya Molao wa 2008.]

MAMETLELELO 4

MAKALA A KGOLAGANO A TIRAGATSO A BOKGONI JWA PEOMOLAO A BOSETŠHABA LE A POROFENSE

KAROLO A

- Tsamaiso ya dikgwa tsa tlhologo
- Bolemi
- Boemelaofane, ntle le a boditšhabatšhaba le a bosetšhaba
- Taolo ya dipholo golo le malwetse
- Dikhasino, tsa mabelo, go iteka lesego la madi, ntle le kemonokeng ya dikgogo tsa madi tsa bosetšhaba le tsa metshameko
- Tshireletso ya badirisi
- Tsa setso
- Tsamaiso ya tsa matlhotlhapelo
- Thuto mo dikgatong tsotlhe ntle le thuto ya diyunibesithi le dikolo tsa katiso;
- Tikologo
- Ditirelo tsa boitekanelo
- Matlo
- Molao wa tlhago le wa setso mo taolong ya Kgaolo 12 ya Molaotheo.
- Tsweletso ya intaseteri
- Maikaelelo a puo le taolo ya dipuo tsa semmuso go fitlha fa dikaelong tsa karolo 6 ya Molaotheo e rolela ka totobalo go peomolao ya porofense bokgoni ba peomolao
- Ditirelo tsa phasalatso tse di laolwang kgotsa tse di rulaganyeditsweng ka tthamalalo ke puso ya porofense ka taelo ya karolo 192
- Pabalelo ya tlhago, ntle le diphaka tsa bosetšhaba, ditshingwana tsa tlhago tsa bosetšhaba le metswedi ya lewatle
- Sepodisi go fitlha fa ditaelo tsa kgaolo 11 ya Molaotheo di rolelang lekgotlapeomolao la porofense bokgoni ba peomolao.
- Taolo ya kgotlelego
- Tlhabololo ya setšhaba
- Dituelo tsa tshutiso ya dithoto

- Madirelomagolo a porofense tebang le makala a tiragatso ya Mametlelelo ê, le Mametlelelo 5.
- Dipalangwa tsa botlhe
- Ditiro tsa botlhe go ya ka ditlhokego tsa mafapha/porofense fela, mo go diragatseng maikarabelo a bona, go tsamaisa ditiro, segolo jang tse ba di abetsweng go ya ka Moloatheo kgotsa molao mongwe.
- Togamaano le tlhabololo ya Kgaolo
- Melao ya dirori le dipalangwa tsa tsela
- Tshomarelo ya mmu
- Bojanala
- Kgwebo
- Boeteledipele ba setso go ya ka dikaelo tsa Kgaolo 12 ya Moloatheo
- Kgolo/Tlhabololo ya metsesetoropo le magae
- Dilaesense tsa dirori
- Ditirelo tsa loago

KAROLO B

Merero e e latelang ya pusoselegae go ya ka tlhaloso ya karolo 155(6)(a) le(7):

- Kgotlelego ya loapi
- Melawana ya go aga
- Ditlamelo tsa tlhokomelo ya bana
- Tlamelo ya motlakase le gase
- Ditirelo tsa botimamolelo
- Bojanala ba selegae
- Boemeladifofane tsa bommasepala
- Bologamaano ba bommasepala
- Ditirelo tsa boitekanelo tsa bommasepala
- Dipalangwa tsa botlhe tsa bommasepala
- Ditirelo tsa ditiro tsa bommasepala tsa botlhe tebang fela le ditlhokego tsa ga mmasepala mo go diragatseng maikarabelo a go tsamaisa ditiro tse ba di rwesitsweng ka totobalo mo Moloatheong o, kgotsa molao mongwe le mongwe.
- Dipontune, diferi, dijiti, dipier le maemelo kepe ntle le taolo ya tsamaiso ya dikepe le merero ya boditšhabatšhaba le ya bosetšhaba le merero mengwe e e amegang.

MAMETLELELO 4: MAKALA A KGOLAGANO A TIRAGATSO A BOKGONI JWA PEOMOLAO A BOSETŠHABA LE A POROFENSE

- Tsamaiso ya mekgwa ya go laola merwalela mo mafelong a go agilweng mo go ona Melawana ya kgwebo
- Metsi le ditirelo tsa go tloswa ga leswe go totilwe fela dithulaganyo tsa dikabelo tsa metsi a a leswe a selegae le dithulaganyo tsa go tsholola metsi a matlwana-boithusetso.

MAMETLELELO 5

MAKALA A TIRAGATSO A BOKGONI JWA MOLAO WA POROFENSE FELA

KAROLO A

- Matlhabelo
- Tirelo ya diambulense
- Diakhaefe ntle le diakhaefe tsa bosetšhaba
- Dilaaborari ntle le dilaaborari tsa bosetšhaba
- Dilaesense tsa nnotagi
- Dimmusiamo ntle le dimmusiamo tsa bosetšhaba
- Togomaano ya Porofense
- Merero ya setso ya porofense
- Boitapoloso le mafeloboitapoloso le didiriswa tsa porofense
- Metshameko ya porofense
- Ditsela le pharakano ya porofense
- Ditirelo tsa kalafo ya diruiwa ntle le taolo ya borutegi

KAROLO B

Merero e e latelang ya pusoselegae go fitlha fa e atolotsweng ka karolotlaleletso 155(6)(a) le(7):

- Mabopo le mafelo a boitumediso
- Diboto tsa papatso le go bewa mo pepeneneng ga dipapatso mo mafelong a botlhe
- Diphuphu, dintlo tsa pabalelo ya baswi, mafelo a go fisiwa ga ditopo
- Phepafatso
- Taolo ya letshwenyo go botlhe
- Taolo ya ditheo tse di gwebang ka nnotagi
- Mafelo a bonno, tlhokomelo le go epelwa ga diphologolo
- Go dirwa ga magora le magora
- Neelo ya dilaesense tsa dintšwa
- Neelo ya dilaesense le taolo ya ditheo tse di rekisetsang botlhe dijo

- Didirisiwa tsa mafelo-selegae
- Mafelo a metshameko mo mafelong-selegae
- Dimmaraka
- Matlhabelo a ga mmasepala
- Diphaka le mafeloboitapoloso a ga mmasepala
- Ditsela tsa ga mmasepala
- Lerata le le kgotlelang tidimalo
- Matlhatlhelo a diphologolo tse di mo kgolegelong Mafelo a botlhe
- Go tlosiwa ga matlakala, dithothobolo, le tshololo ya mantle
- Kgwebo ya mo mmileng
- Dipone tsa mo mmileng
- Pharakano le boemeladirori

MAMETLELELO 6

DITHULAGANYO TSA KGABAGANYO

[Mametlelelo 6 e tshabotswe ke k. 20 ya Molaotheo Tlhabololo wa Ntliha wa Molao wa 1997, ke k. 5 ya Molaotheo Tlhabololo wa Bobedi wa Molao wa 1998 le ke k.20 ya Molaotheo Tlhabololo wa Boratari wa Molao wa 2001.]

Dithanolo

1. Mo Mametlelelong e, ntle le fa go sa nyalane le bokao –

“Nagalegae” e bolela karolo ya Rephaboliki eo, pele ga Molaotheo wa pele o simolola go dirisiwa, e neng e kaiwa, go ya ka molao wa maloba wa Aforika Borwa, jaaka e e ikemetseng kgotsa e e ipusang;

“Molaotheo o mošwa” bolelela Molaotheo wa Rephaboliki ya Aforika Borwa wa 1996;

“Thulaganyo Taolo ya Maloba” e bolela melao e e neng ya gatisiwa le go dirisiwa pele ga Molaotheo wa pele;

“Molaotheo wa pele” e bolela Molaotheo wa pele wa Rephaboliki ya Aforika Borwa wa 1993 (Molao 200 wa 1993).

Tsweletso ya molao o o leng teng

2. (1) Melao yotlhe e e neng e dirisiwa fa Molaotheo o mošwa o tsena tirisong, e tla tswelela go nna mo tirisong, go ya ka –
- (a) Tlhabololo nngwe le nngwe kgotsa go phimolwa gotlhelele; le
 - (b) kgolagano le Molaotheo o mošwa.
- (2) Molao wa pele o tswelelang go diriswa go ya ka tematlaleletso (1) –
- (a) ga o na tiriso ya kakaretso, go dikgaolo kgotsa ka mokgwa mongwe go feta eo, e neng e nale yona pele Molaotheo wa maloba o tsengwa tirisong, ntle le fa o tshabotswe go nna le matla a kakaretso; le
 - (b) o tswelela pele go diriswa ke bothati jo bo neng bo o dirisa fa Molaotheo o mošwa o tsena tirisong, go ya ka Molaotheo o mošwa.

Tihaloso ya molao o o leng teng

3. (1) Ntle le fa go sa tsamaelaneng le bokao kgotsa go se maleba, taelo ka ga molao mongwe le mongwe yo o neng o dirisiwa fa Molaotheo o mošwa o tsena taolong –
- tebang le Rephaboliki ya Aforika Borwa kgotsa naga legae (ntle le fa e ama tikologo e ya sedika) e tshwanetse go tsewa jaaka taelo e bolelang ka ga Rephaboliki ya Aforika Borwa go ya ka Molaotheo o mošwa;
 - tebang le Palamente, Ntlokokoano Bosetšhaba, kgotsa Senoto, e tshwanetse go tsewa jaaka taelo e bolelang ka ga Palamente, Ntlokokoano Bosetšhaba kgotsa Khansele ya Bosetšhaba ya diporofense go ya ka Molaotheo o mošwa;
 - tebang le Moporesidente, Motlatsa Moporesidente, Tona, Motlatsa Tona kgotsa Kabinete, e tshwanetse go tsewa jaaka e bolelang ka ga moporesidente, Motlatsa Moporesidente, Tona, Motlatsa Tona kgotsa Kabinete go ya ka Molaotheo mošwa, go ikaegilwe ka temana 9 ya Mametlelelo eno;
 - tebang le Moporesidente, ya Senoto, e tshwanetse go tsewa jaaka e bolelang ka ga Modulasetulo wa Khuduthamaga Bosetšhaba ya Diporofense;
 - tebang le kgotlapeomolao ya Porofense, Tonakgolo, Khuduthamaga ya Khansele kgotsa leloko la Khuduthamaga ya Khansele ya Porofense, e tshwanetse go tsewa jaaka e bolelang ka ga kgotlapeomolao ya Porofense, Tonakgolo, Khuduthamaga ya Khansele kgotsa leloko la Khuduthamaga phetisi go ya ka Molaotheo o mošwa, karolotlaleletso 12 ya Mametlelelo e; kgotsa
 - tebang le puo ya semmuso kgotsa dipuo, e tshwanetse go tsewa fa e bolela e nngwe ya dipuo tsa semmuso go ya ka molaotheo o mošwa.
- (2) Ntle le fa go sa tsamaelane le bokao kgotsa go se maleba, taelo ya molao wa maloba e e sa ntse e setse –
- tebang le Palamente, kgotla ya Palamente, kgotsa Ntlokokoano Khuduthamaga ya theomelao kgotsa karolo ya Rephaboliki kgotsa nagalegae, e tshwanetse go tsewa fa e bolela –
 - Palamente go ya ka Molaotheo o mošwa, fa taelo ya molao o, e abilwe kgotsa e rebotswe go ya ka Molaotheo wa pele kgotsa Mametlelelo eno, go Khuduthamaga ya bosetšhaba; kgotsa
 - Kgotlapeomelao ya Porofense, fa taolo ya molao o, e abilwe kgotsa e rebotswe go ya ka Molaotheo wa pele kgotsa Mametlelelo e, go Khuduthamaga ya Porofense.

- (b) tebang le Moporesidente wa Naga, Tonakgolo, Motsamaisi kgotsa Mokhuduthamaga-mogolo mongwe, Kabinete, Khansele ya ditona kgotsa Khansele ya Khuduthamaga ya Rephaboliki kgotsa ya nagalegae, e tshwanetse go tsewa fa e bolela –
 - (i) Moporesidente go ya ka Molaotheo o mošwa, fa taolo ya molao o, e abetswe Khuduthamaga ya bosetšhaba go ya ka Molaotheo wa pele kgotsa go ya ka Mametlelelo e; kgotsa
 - (ii) Tonakgolo ya Porofense go ya ka Molaotheo o mošwa, fa taelo ya molao o, e abetswe Khuduthamaga ya Porofense, go ya ka Molaotheo.

Ntlokokoano Bosetšhaba

- 4. (1) Mongwe le mongwe yo e neng e le leloko, kgotsa mongwe wa batsamaisi ba Ntlokokoano Bosetšhaba fa Molaotheo o mošwa o tsena mo taolong, o tla nna leloko kgotsa mongwe wa batsamaisi ba Kokoano Bosetšhaba go ya ka Molaotheo o mošwa, e bile o tla nna mo tirisong go ya ka Molaotheo mošwa.
- (2) Go ya ka tlhaloso ya tematlaleletso (1), Ntlokokoano Bosetšhaba e tshwanetse go tsewa jaaka ekare e tlhomilwe go ya ka Molaotheo o mošwa go fitlha ka 30 Moranang, 1999.
- (3) Go ya karolo 49(4) ya Molaotheo o mošwa, Ntlokokoano Bosetšhaba e bopilwe ka maloko a le 400 boemong jwa paka ya yona, e e khutlang ka 30 Moranang 1999.
- (4) Melawana le ditaolo tsa Ntlokokoano Bosetšhaba tse di dirisiwang fa Molaotheo o mošwa o tsena mo tirisong, di tla tswela go dirisiwa ntle le fa di ka tlhabololwa kgotsa tsa phimolwa.

Tiro ya Palamente e e sa fediwang

- 5. (1) Tiro nngwe le nngwe ya Ntlokokoano Bosetšhaba e e sa fediwang fa Molaotheo o mošwa o tsena tirisong e tshwanetse go tsweliswa go ya ka Molaotheo o mošwa.
- (2) Tiro nngwe le nngwe ya Senoto e e sa fediwang fa Molaotheo o mošwa o tsena tirisong e tshwanetse go fitsetsa go Khansele ya Bosetšhaba ya Diporofense go tsweliswa ke Khansele go ya ka Molaotheo o mošwa.

Ditlhopho tsa Kokoano Bosetšhaba

6. (1) Ga go ditlhopho tsa Ntlokokoano Bosetšhaba tse di tla tshwarwang pele ga 30 Moranang, 1999 ntle le fa Ntlokokoano Bosetšhaba e phatlaladitswe go ya ka karolo 50(2) ya Molaotheo o mošwa, morago ga godiriwa ga tshitshinyo ya go tlhoka boikanyego go Moporesidente go ya ka karolo 102(2) ya Molaotheo o mošwa.
- (2) karolo 50(1) ya Molaotheo o mošwa e kgaphelwa thoko go fitlhela ka 30 Moranang, 1999.
- (3) Le fa Molaotheo wa pele o phimotswe, Mametlelelo 2 ya Molaotheo o, jaaka o tlhabolotswe ka Tlaetso A mo Mametlelelong eno, o ama –
 - (a) ditlhopho tsa ntlha tsa Ntlokokoano Bosetšhaba go ya ka Molaotheo o mošwa;
 - (b) go latlhegelwa ke boloko jwa Ntlokokoano go ka ka mabaka ntle le a a tlhalositsweng mo karolo ya 47(3) ya Molaotheo o mošwa; le
 - (c) go tlatswa ga diphatlhatiro tsa Ntlokokoano, le tlaleletso, tshekatsheko, le tiriso ya manaane a maina a makoko a sepolotiki, go tlatso diphatlhatiro, go emela ditlhopho tsa bobedi tsa Ntlokokoano go ya ka Molaotheo o mošwa.
- (4) Karolo 47(4) ya Molaotheo o mošwa e kgaphelwa thoko go fitlhela ditlhopho tsa bobedi tsa Ntlokokoano Bosetšhaba go ya ka Molaotheo o mošwa.

Khansela ya Bosetšhaba ya Diporofense

7. (1) Boemong jwa nako e e felang ka bonako, pele ga kopano ya ntlha ya kgotlapeomolao ya Porofense, e e tshwariwang fela morago ga ditlhopho tsa yona tsa ntlha go ya ka Molaotheo o mošwa –
 - (a) selekanyo sa baemedi ba makoko a sepolotiki mo Khansela Bosetšhaba ya Diporofense e tshwanetse go tshwana le selekanyo se se dirisitsweng go tlhophela kemedi ya maloko a le (10) lesome ya basenoto, ba ba tlhophilweng go ya ka karolo 48 ya Molaotheo wa pele; le
 - (b) kabo ya baemedi ba leruri le baemedi ba ba kgethegileng ba makoko a a emetsweng mo kgotlapeomolao wa diporofense bo ntse jaana:

MAMETLELELO 6: DITHULAGANYO TSA KGABAGANYO

POROFENSE	BAEMEDI BA LERURI	BAEMEDI BA BA KGETHEGILENG
1. Kapa Botlhaba	ANC5 NP 1	ANC 4
2. Foreisetata ANC4	VF1 NP 1	ANC 4
3. Gauteng	ANC3 DP1 VF1 NP 1	ANC3 NP 1
4. KwaZulu-Natal	ANC3 DP1 VF1 NP 1	ANC2 IVP 2
5. Mpumalanga	ANC4 VF1 NP 1	ANC 4
6. Kapa Bokone ANC3	VF1 NP 2	ANC2 NP 2
7. Porofense ya Bokone	ANC 6	ANC 4
8. Bokone Bophirima	ANC4 VF1 NP 1	ANC 4
9. Kapa Bophirima ANC2	DP1 NP 3	ANC1 NP 3

- (2) Lekoko le le emetsweng mo go Kgotlapeomelao ya Porofense le –
- tshwanetse go supa baemedi ba leruri go tswa go ba e neng e le maloko a Senoto fa Molaotheo o mošwa o tsena mo taolong, ba bile ba ikemiseditse go nna baemedi ba leruri; le
 - ka go tlhopa batho ba bangwe go nna baemedi ba leruri fa go se ope wa basenatoro kgotsa palo e e sa lekaneng e sa ikemisetsa.

- (3) Kgotlapeomelao ya Porofense e tshwanetse go supa baemedi ba leruri go ya ka tekanyetso ya makoko a emetsweng.
- (4) Ditematlaleletso (2) le (3) di dira fela mo go tlhlongweng ga ntlha ga baemedi ba leruri ba Khasele ya Bosetšhaba ya Diporofense.
- (5) Karolo 62(1) ya Molaotheo mošwa ga e amane le go supiwa le go tlhlongwa ga Basenatoro jaaka baemedi ba leruri go ya ka karolo e.
- (6) Melawana le ditaolo tsa Senoto tse di dirisiwang fa Molaotheo o Mošwa o tsena mo taolong, di tshwanetse go dirisiwa mo mererong ya Khuduthamaga ya Bosetšhaba go ya ka fa di ka dirisiwang, go fitlha di tlhabololwa kgotsa di phimolwa.

Ba ba kileng ba nna Basenatoro

8. (1) Yo o kileng a nna mosenatoro a bile a se mo boemeding ba Khuduthamaga ya Bosetšhaba ya Diporofense, o tshwanetse go nna leloko la kgotlatheomelao ya Porofense e a neng a e emetse jaaka mosenatoro go ya ka karolo 48 ya Molaotheo wa pele.
- (2) Fa mosenatoro a ithlaphela go se nne leloko la kgotlapeomelao ya Porofense, o tla tsewa gore o rotse tiro jaaka mosenatoro letsatsi pele ga Molaotheo o mošwa o tsena taolong.
- (3) Tuelo, ditetlo le ditshiamelo tsa yo a neng a le mosenatoro mme a tlhomilwe jaaka moemedi wa leruri kgotsa e le leloko la Kgotlatheomelao ya Porofense, ga di a tshwanela go fokotswa ka gope fa a tsena tirong e.

Khuduthamaga ya Bosetšhaba

9. (1) Mongwe le mongwe yo o neng a le Moporesidente, Motlatsa Moporesidente, Tona kgotsa Motlatsa Tona go ya ka Molaotheo wa pele, o tswellets ka maemo a jaana fa Molaotheo o mošwa o tsena mo taolong, go dumelelang le karolwana(2) ya Molaotheo mošwa.
- (2) Go fitlha ka 30 Moranang, 1999, dikarolo 84, 89, 90, 91, 93 le 96 tsa Molaotheo o Mošwa, di tshwanetse go tsewa le go utlwiswa jaaka di thagelela mo Tlaleletsong B ya Mametlelelo e.
- (3) Karolwana(2) ga e thibele Tona e e neng e le mosenatoro fa Molaotheo o mošwa o tsena taolong go tswellets go nna Tona, jaaka go thagisitswe mo karolo 91(1)(a) ya Molaotheo o Mošwa, go ya ka fa karolo e e beilweng ke Tlaleletso B.

Dikgotlatheomelao tsa Diporofense

10. (1) Mongwe le mongwe yo e neng e le leloko kgotsa mongwe wa Batsamaisi ba Kgotlapeomelao fa Porofense ya Molaotheo o mošwa o tsena mo taolong, o tla tswelela go nna leloko kgotsa mongwe wa batsamaisi ba Kgotlapeomolao ya Porofense go ya ka Molaotheo o mošwa, mme a tsweletsapele tiro ya gagwe ya boloko kgotsa botsamaisi go ya ka Molaotheo o mošwa le Molaotheo wa Porofense o o ka tlhangwang.
- (2) Kgotlapeomolao ya Porofense e e tlhamilweng go ya ka karolwana(1) e tshwanetse go kaiwa jaaka e e tlhophilweng ka Molaotheo o mošwa go fitlhelela ka 30 Moranang 1999 fa letlha la yona le khutla.
- (3) Go fitlha bokhutlo jwa paka ya yona e e khutlang ka 30 Moranang 1999, le go ya ka karolo 108(4), kgotlatheomelao ya Porofense e tla botšwa ke palo e e akaretsang maloko a kgotlapeomolao ya Porofense go ya ka Molaotheo wa pele le palo ya basenatoro ba ba fetogileng maloko a kgotlapeomolao ya Porofense go ya ka karolwana 8 ya Mametlelelo e.
- (4) Melawana le ditaolo tsa kgotlapeomelao ya Porofense, tse di neng di dirisiwa fa Molaotheo o mošwa o tsena mo taolong, di tswelela go dirisiwa, ntle le fa di ka tlhabololwa kgotsa tsa fetolwa.

Ditlhopho tsa Dikgotlapeomolao tsa Diporofense

11. (1) Le fa Molaotheo wa pele o phimotswe, Mametlelelo 2 ya Molaotheo oo, jaaka e tlhabolotswa ka Tlaleletso A mo Mametlelelong e, e a dira –
- (a) go ditlhopho tsa ntlha tsa kgotlapeomolao ya Porofense go ya ka Molaotheo o mošwa;
- (b) go lathegelwa ke boloko ba kgotlapeomolao ka mabaka mangwe ntle le a a neetsweng go karolo 106(3) ya Molaotheo o mošwa; le
- (c) go thiba diphatlatiro tsa kgotlapeomolao, go emisetsa, go boeletsela le go dirisa manaane a maina a makoko go thiba diphatlatiro, go fitlhelela ka nako ya ditlhopho tsa bobedi tsa kgotlapeomolao go ya ka Molaotheo o mošwa.
- (2) Karolo 106(4) ya Molaotheo o mošwa e emisitswe nakonyana tebang le kgotlapeomolao ya Porofense go fitlha nako ya ditlhopho tsa bobedi go ya ka Molaotheo o mošwa.

Dikhuduthamaga tsa Diporofense

12. (1) Mongwe le mongwe yo e neng e le Tonakgolo kgotsa leloko la khuduthamaga ya Porofense fa Molaotheo o mošwa o tsena mo tirisong/taolong, o tla tswelela ka maemo a, go ya ka Molaotheo o mošwa le fa e le Molaotheo mongwe le mongwe wa Porofense, o o ka tlhomiwang, go ikaegilwe ka tematlaleletso (2).
- (2) Go fitlhelela fa Tonakgolo e e tlhophilweng ka ditlhopho tsa pele tsa kgotlatheomelao ya Porofense, go ya ka Molaotheo o mošwa, e simolola tiro, kgotsa Porofense e tsenya Molaotheo wa yona taolong, go laola gore go tlike eng pele, dikarolo 132 le 136 tsa Molaotheo o mošwa, di tshwanetse go tsewa jaaka di tlhagelela mo go Tlaleletso C ya Mametlelelo e.

Melaotheo ya Diporofense

13. Molaotheo wa Porofense o o amogetsweng pele Molaotheo o mošwa o tsena tirisong, o tshwanetse go dumelelana le karolo 143 ya Molaotheo o mošwa.

Thebolelo ya melao go Diporofense

14. (1) Molao malebana le morero o o tlhalositsweng mo Mametlelelo 4 kgotsa 5 tsa Molaotheo o mošwa, tse, pele Molaotheo o mošwa o tsena tirong, di neng ditsamaisiwa ke bothati jwa khuduthamaga ya Bosetšhaba, e ka rebolwa ke Moporesidente ka kgoeletso, go bothati taolo jo bo leng mo khuduthamaga ya Porofense e e tlhophilweng ke Khansele ya Khuduthamaga ya Porofense.
- (2) Go fitlha mo mabakeng a kgontshang thebolo ya molao mo tematlaleletso (1) gore e diragatswe ka botlalo, Moporesidente a ka dira kgoeletso ya go –
 - (a) tlhabolola kgotsa baakanya molao o gore o tlhaloganyeye le go dirisiwa;
 - (b) fa thebolo e sa ame karolo yotlhe ya molao, go fedisiwa le go amogelwa seshwa kgotsa ntle le ditlhabololo le dipakaanyo kgotsa ntle le tsona go tswana le mo go temana (a), ditaelo tseo tirelo e welang ka fa tlase ga tsona, kgotsa ka moo di amegang ka teng ke ditirelo; kgotsa
 - (c) laola nthla nngwe le nngwe e e tlhokegang, e e bakilweng ke thebolelo, go akaretsa go sutisiwa kana go sutiswa nakwana ga badiri le fa e le go sutisiwa ga matlotlo, disuga, ditshwanelo le ditlamego, go tswa kgotsa go ya go khuduthamaga ya bosetšhaba kgotsa ya porofense kgotsa lefapha lengwe le lengwe la puso, botsamaisi, ditirelo tsa pabalesego kgotsa setheo sengwe.

- (3) (a) Kgatiso ya lekwalothebolo kgoeletso lengwe le lengwe le le ntshitsweng go ya ka temana(1) kgotsa(2) le tshwanetse go fetisetwa go Kokoano Bosetšhaba le go Khuduthamaga ya Bosetšhaba ya Diporofense mo matsatsing a a lesome 10 morago ga kgatiso ya lekwalothebolo kgoeletso.
- (b) Fa bobedi, Kokoano Bosetšhaba le Khuduthamaga ya Bosetšhaba ya Diporofense, bo ka swetsa go se amogele lekwalokgoeletso kgotsa kaelo nngwe ya lona, lekwalokgoeletso kgotsa kaelo ya lona, e a fela ntle le go ama kapa go akaretsa –
- (i) boleng jwa ditiro tsotlhe tse di simolotsweng go ya ka lekwalokgoeletso kgotsa kaelo ya lona, pele e fela; kgotsa
- (ii) ditshiamelo le ditšhono, kana ditlamego le dikoloto tse di nnileng teng pele ga go fedisiwa.
- (4) Fa molao o rebotswe go latela temana (1), kumako mo molaong o o ka ga bothati jo bo o diragatsang, e tshwanetse go tsewa fa e kaya bothati jo bo neetsweng taelo ke thebolo eo.
- (5) Thebolo nngwe le nngwe ya molao go ya ka karolo 235(8) ya Molaotheo wa pele, go akarediwa ditlholobolo, dipaakanyo kgotsa go phimolwa le go tlhongwa gape ga molao, le fa ele kgato nngwe le nngwe e e tserweng mabapi le karolo eo, e kaiwa fa e dirilwe go ya ka karolwana e.

Melao e e leng teng, e e leng kwa ntle ga dithata tsa peomolao ya Palamente

15. (1) Bothati jwa Khuduthamaga ya Bosetšhaba jo bo diragatsang taelo ya melao mengwe e e leng kwa ntle ga dithata tsa peomolao ya Palamente fa Molaotheo o mošwa o tsena tirisong, bo tla tsewelelopele go diragatsa melao ya ga jaana go fitlhelela bolaodi taolo jwa bothati jwa khuduthamaga ya Porofense, go ya ka karolwana 14 ya Mametlelelo e.
- (2) karolwana (1) e tla fedisiwa dingwaga tse pedi fa morago ga Molaotheo o mošwa o tsene mo tirisong.

Dikgotlatshekelo

16. (1) Dikgotlatshekelo tsoatlhe tse di leng teng, go akaretswa le tsa setso tsa magosi, fa molaotheo o mošwa o tsena mo taolong, di tla tswelapele go dira le go diragatsa boatlhodi go latela molao o o amanang le tsona, mme mongwe le mongwe yo o dirang mo dikgotlatshekelong tse, jaaka motlhankedi wa boatlhodi, le ena o tla ntshetsapele tiro kgotsa go dira, go ya ka melao e e maleba, a laolwa ke –
- (a) tlhabololo nngwe le nngwe kgotsa go phimolwa ga molao oo; le
(b) kgolagano le Molaotheo o mošwa.
- (2) (a) Kgotlatshekelo ya Molaotheo e e tlhomilweng go ya ka Molaotheo wa pele e tla nna Kgotlatshekelo ya Molaotheo go ya ka Molaotheo o mošwa.
(b) ...

[Tematlaleletso 16(2)(b) e phimotswe ke k. 20(a) ya Molaotheo Tlhabololo wa Borataro wa Molao wa 2001.]

- (3) (a) Karolo ya 'Boikuelo' ya Kgotlatshekelo-kgolo ya Aforika Borwa e tla nna Kgotlatshekelo-kgolo ya Boikuelo go ya ka Molaotheo mošwa.
(b) ...

[Tematlaleletso 16(3)(b) e phimotswe ke k. 20(a) ya Molaotheo Tlhabololo wa Borataro wa Molao wa 2001.]

- (4) (a) Karolo ya Porofense kgotsa ya selegae, ya kgotlatshekelo kgolo ya Aforika Borwa, kgotsa Kgotlatshekelokgolo ya Nagalegae kgotsa karolo nngwe ya Kgotlatshekelo eo, e tla nna Kgotlatshekelokgolo go ya ka Molaotheo o mošwa, ntle le go fetola tokologotaelo ya tsona, go ikaegilwe ka dikakanyetso tse di ka tsokaneng di tlhagisiwa ke karolwana(6).
(b) Mang kapa mang yo o dirang kgotsa a tsewa a dira jaaka Poresidente wa Boatlhodi kgotsa motlatsa-Poresidente kgotsa moatlhodi wa Kgotlatshekelo e e jalo, go ya ka Molaotheo o mošwa, go ikaegilwe ka dikakanyetso tse di ka tsokaneng di tlhagisiwa ke karolwana (6).
- (5) Ntle le fa go sa nyalane le diteng kgotsa go fapaane le tsona gotlhelele, kumako ya molao kgotsa tiragatso e kaya –
- (a) kgotlatshekelo Molaotheo go ya ka Molaotheo wa pele, e tshwanetse go bonwa/go tsewa fa e kaya kgotlatshekelo ya Molaotheo go ya ka Molaotheo o mošwa;

- (b) karolo ya Boikuelo ya Kgotlatshekelokgolo ya Aforika Borwa, e tshwanetse go tsewa fa e kaya Kgotlatshekelo kgolo ya Boikuelo; gape karolo ya Porofense kgotsa ya selegae ya Kgotlatshekelokgolo ya Aforika Borwa, kgotsa Kgotlatshekelokgolo ya naga legae kgotsa, karolo kakaretso ya Kgotlatshekelo eo, e tshwanetse go tsewa fa e kaya Kgotlatshekelokgolo.
- (6) (a) Fela fa morago ga Molaotheo o mošwa o tsena mo tirisong, dikgotlatshekelo tsotlhe, go akaretswa popego, tlhamo, tiro ya tsona, maatlataola a tsona le melao yotlhe e e maleba, di tshwanetse go akanyediwa/lekanyediwa ka bonako bo bo kgonegang, go lebilwe thulaganyo ya semolao e e tshwanelang ditlhokego tsa Molaotheo o mošwa.
- (b) Leloko la Kabinete le le lebaneng le tiragatso ya tsa Bosiamisi, morago ga go rerisana le Komisiene ya Ditirelo tsa Boatlhodi, le tshwanetse go laola dikakanyetso tse di lebeletsweng, go ya ka temana (a).
- (7) (a) Mongwe le mongwe yo o dirang, fa Molaotheo wa Rephaboliki ya Aforika Borwa, Tlhabololo ya Molao 2001, o tsena mo tirisong, jaaka-
 - (i) Moporesidente wa Kgotlatshekelo ya Molaotheo, o nna Moatlhodimogolo go ya ka tlhaloso ya karolo 167(1) ya Molaotheo o mošwa,
 - (ii) Motlatsa Moporesidente wa Kgotlatshekelo ya Molaotheo, o nna Motlatsa Moatlhodimogolo go ya ka tlhaloso ya karolo 167(1) ya Molaotheo o mošwa,
 - (iii) Moatlhodimogolo, o nna Moporesidente ya Kgotlatshekelokgolo ya Boikuelo go ya ka tlhaloso ya karolo 168(1) ya Molaotheo o mošwa, gape
 - (iv) Motlatsa Moatlhodimogolo, o nna Motlatsa Moporesidente wa Kgotlatshekelokgolo ya Boikuelo go ya ka tlhaloso ya karolo 168(1) ya Molaotheo o mošwa.
- (b) Melao yotlhe, melawana kgotsa dikaelo tse di mo tirisong tse di diriwang ke Moporesidente wa Kgotlatshekelo ya Molaotheo kgotsa Moatlhodimogolo ka bonako pele Molaotheo wa Rephaboliki ya Aforika Tlhabololo ya Molao 2001 e tsena tirisong, e tswelela go tsena tirisong go fitlha e phimolwa kgotsa e tlhabololwa.
- (c) Fa fela e sa tsamaelane le bokao kgotsa e se maleba thata, kaetso malebana

le molao mongwe le mongwe kgotsa thulaganyo go Moatlhodimogolo kgotsa go Moporesidente wa Kgotlatshekelo ya Molaotheo, e tshwanetse go ranolwa jaaka kaetso e mabapi le Moatlhodimogolo jaaka go akanngwa mo karolong 167(1) ya Molaotheo o mošwa.

[Tematlaleletso 16(7) e tlaleleditswe ke k. 20(b) ya Molaotheo Tlhabololo wa Borataro wa Molao wa 2001.]

Dikgetse tse di sa welang

17. Dithulaganyo tsotlhe tse di neng di emisitswe mo kgotlatshekelo pele ga Molaotheo o mošwa o tsena mo tirisong, di tshwanetse di atlolwa fela jaaka e kete Molaotheo o mošwa ga o ise o dirisiwe, ntle le fa ditlhokego tsa bosiamisi di bona go le maleba.

Bothati ba Botšhotšhisi

18. (1) Karolo 108 ya Molaotheo wa pele e tla tswelela go dirisiwa go fitlhelela fa Molao wa Palamente, o o solofetsweng go ya ka karolo 179 ya Molaotheo o mošwa, o tsena mo tirisong. Le fa go le jalo, temana e ga e amane ka gope le go tlhngwa ga Mokaedi wa Bosetšhaba wa Botšhotšhisi ba Botlhe, go ya ka karolo 179.
- (2) Mmueleli kakaretso, yo o mo tirong a fa Molaotheo o mošwa o tsena mo tirisong, o tla tsweletsa tiro ya gagwe, go ya ka molao o o amanang le yona, a ikaegile ka tematlaleletso (1).

Maikano le tshepisano ya boikanyego

19. Motho yo a tswelelang go dira go ya ka Mametlelelo e, mme a kanne kgotsa a dirile tumelo ya boammaaruri go ya ka Molaotheo wa pele, ga a patelesege go boeletsana maikano a kgotsa tumelo ya boammaaruri, go ya ka Molaotheo o mošwa.

Ditheo Dingwe tsa Molaotheo

20. (1) Mo karolong e, "Ditheo tsa Molaotheo" di kaya;
- (a) Mosireletsi wa Botlhe;
- (b) Khomišene ya Ditshwanelo tsa Botho;

[Tema(b) e tlhabolotswa ke k. 4 ya Molaotheo Tlhabololo wa Bobedi wa Molao wa 1998.]

- (c) Khomišene ya Tekatekano ya Bong;

- (d) Moruni-Kakaretso;
 - (e) Banka ya Resefe ya Aforika Bowa;
 - (f) Khomišene ya Ditšhelete le Matlole;
 - (g) Khomišene ya Tirelo ya Boatlhodi; kgotsa
 - (h) Boto ya Dipuo Tsoatlhe tsa Aforika Borwa.
- (2) Ditheo tsa Molaotheo tse di tlhomilweng go ya ka Molaotheo wa pele di tla tsweletsa tiro go ya ka molao o maleba, mme mongwe le mongwe yo o nang le tiro jaaka leloko la, khomišene, boto ya Banka ya Resefe, Boto ya dipuo tsoatlhe ya Aforika Borwa, Mosireletsi wa botlhe kgotsa Moruni-Kakaretso, fa Molaotheo o mošwa o tsena taolong, o tla tswelela go nna mo tironng eo, go ya ka molao o lebaneng maemo a a jalo, go ikaegilwe ka –
- (a) go tlhabololwa gongwe le gongwe kgotsa go phimolwa ga molao; le
 - (b) go nyalana le Molaotheo o mošwa.
- (3) Dikarolo, 199(1), 200(1),(3) le(5) le (11) go fitlha go 201 le 206, tsa molaotheo wa pele, di tswelela go dirisiwa go fitlha fa di phimolwa ka Molao wa Palamente o o rebolwang go ya ka karolo 75 ya Molaotheo o mošwa.
- (4) Maloko a Khomišene ya Tirelo ya Boatlhodi, e e umakiwang mo go karolo 105(1) (h) ya Molaotheo wa pele, a felelwa ke boloko jwa khomišene fa maloko a a umakilweng mo karolong 178(1)(i) ya Molaotheo o mošwa a tlhomiwa.
- (5) (a) Khansele ya Volkstaat e e tlhamilweng go ya ka Molaotheo wa pele e tswelela go dira go ya ka molao o maleba, mme mongwe le mongwe yo o dirang jaaka leloko la Khansele fa Molaotheo o mošwa o tsena mo tirisong, o tla tswelela ka maemo a go latela molao o maleba go lebeletswe –
- (i) tlhabololo efe kapa efe kgotsa go phimolwa ga molao; le
 - (ii) go nyalana le Molaotheo o mošwa.
- (b) Dikarolo 184A le 184B (1)(a), (b) le (d) tsa Molaotheo wa pele di tswelela go dirisiwa go fitlhelela fa di phimolwa ka Molao wa Palamente ya Molaotheo o mošwa go ya ka karolo 75 o o rebotsweng.

Peo ya Melao go ya ka Molaotheo o mošwa

21. (1) Fa go ya ka Molaotheo o mošwa, go tlhokega go bewa ga molao wa puso ya bosetšhaba kgotsa ya Porofense, molao o o jalo o tshwanela go bewa ke bothati bo bo lebaneng ka bonako bo bo kgonegang, morago ga letlha le Molaotheo o mošwa

o tseatsweng mo tirisong.

- (2) Karolo 198(b) ya Molaotheo o mošwa, ga e a tshwanela go tsena mo tirisong go fitlhelela fa molao o, go ya ka yona o tshwanetseng go bewa o beilwe.
- (3) Karolo 199(3)(a) ya Molaotheo o mošwa ga e a tshwanela go tsena mo tirisong pele ga dikgwedi tse tharo fa morago ga go amogelwa ga molao o.
- (4) Molao wa bosetšhaba o o lebeletsweng go ya ka karolo 217(3) ya Molaotheo o mošwa o tshwanetse go bewa mo nakong ya dingwaga tse tharo morago ga go tsena mo tirisong ga Molaotheo o mošwa, fela go se nne teng ga molao o mo nakong e e beilweng ga go itse tsewetso ya maikemisetso a a umakiwang ke karolo 217(2).
- (5) Go fitlhelela Molao wa Palamente o o tthalositweng mo karolo 65(2) ya Molaotheo o mošwa o tsenngwa mo tirisong, Kgotlapeomolao nngwe le nngwe ya porofense e tla swetsa tsamaiso ya yona ya gore ke bothati bofe jo e bo neelang baemedi ba bona go neelana ka diboutu boemong jwa bona mo Khanseleng ya Bosetšhaba ya Diporofense.
- (6) Go fitlhelela molao yo o tthalositweng mo karolo 229(1)(b) ya Molaotheo o mošwa e tsenngwa mo tirisong, mmasepala o tsewela go kgona go tlhoma makgetho, makgethwana le makgetho a dithoto, a a neng a ntse a rebotswe go a tlhoma fa Molaotheo o simolola.

Tshwaragano Bosetšhaba le Poelano

22. (1) Mo godimo ga dikaelo tse dingwe tsa Molaotheo o mošwa le ntle le go phimolwa ga Molaotheo wa pele, dikaelo tsotlhe tse di amanang le tebelelo, go ya ka Molaotheo wa pele, tse di akareditsweng ka setlhogo “Tshwaragano Bosetšhaba le Poelano”, di tsewa jaaka karolo ya Molaotheo o mošwa. ka maikaelelo a Dikaelo tsotlhe tsa Molao wa Tsewetso ya Tshwaragano Bosetšhaba le Poelano, 1995 (Molao 34 wa 1995), o o tlhabolotsweng, go akarediwa maikaelelo a botlhokwa jwa ona.
- (2) Malebana le karolwana (1), letlha ‘6 Sedimonthole 1993’ mo le tlhagelelang teng mo dikaelong tsa Molaotheo o o fetileng ka fa tlase ga setlhogo ‘Tshwaragano ya Bosetšhaba le Poelano’, le tshwanetse go buisiwa e le ‘11 Motsheganong 1994’.

[Tematlaleletso (2) e tlaleleditswe ke k. 3 ya Molaotheo Tlhabololo wa Ntliha wa Molao wa 1997.]

Molaotlhommo wa Ditshwanelo

23. (1) Melao ya bosetšhaba e e solofetsweng go ya ka dikarolo 9(4), 32(2) le 33(3) tsa Molaotheo o mošwa, e tshwanetse go tlhongwa mo nakong ya dingwaga tse tharo morago ga letsatsi le Molaotheo o mošwa o tseneng mo tirisong ka lona.
- (2) Go fitlhelela melao e e lebeleletsweng go ya ka dikarolo 32(2) le 33(3) tsa Molaotheo o mošwa, e bewa –
- (a) kgato ya botsamaisi jo bo ka fa molaong fa nngwe ya ditshwanelo kana dikgatlego tsa gagwe di amega kgotsa di tshosediswa;
 - (b) dikgato tse di rulaganeng tsa tsamaiso e e lolameng fa nngwe ya ditshiamelo kgotsa ditsholofelo tse di amogelesegang di amega kana di tshosediswa;
 - (c) go neelwa mabaka a kwadilwe tebang le tsamaiso e e amanang le nngwe ya ditshwanelo kana dikgatlhegelo tsa gagwe, ntle le fa mabaka a tsamaiso e e jalo a itsisitswe phatlalatsa; le
 - (d) tsamaiso e e lolameng tebang le mabaka a a jaana a a neilweng, fa e nngwe ya ditshwanelo e amega kgotsa e tshosediswa.”
- (3) Dikarolo 32(2) le 33(3) tsa Molaotheo o mošwa, di a fela fa melao e e lebeleletsweng mabapi le tsona e sa tsweletswa mo nakong ya dingwaga tse tharo fa morago ga go tseno tirisong ga Molaotheo o mošwa.

Tsamaiso-puso le Ditirelo tsa Pabalesego

24. (1) Dikarolo 82(4)(b), 215, 218(1), 219(1), 224 go isa go 228, 236(1),(2),(3),(6), (7)(b), le(8), 237(1) le(2)(a) le 239(4) le(5) tsa Molaotheo wa pele, di tswela go dirisiwa fela go tswana le fa Molaotheo o o sa phimolwa, go ikaegilwe ka –
- (a) ditlhabololo tsa dikarolo tse di tlhagisitsweng mo go
 - (b) tlhabololo nngwe le nngwe e e ka dirwang kgotsa go phimolwa ga dikarolo tseo ka Molao wa Palamente o o ka bewang go ya ka karolo 75 ya Molaotheo o mošwa; le
 - (c) go dumelana ga tsona le Molaotheo o mošwa.
- (2) Khomišene ya Bodiredipuso le dikhomišene tsa ditirelo tsa Porofense tse di umakiwang mo kgaolong 13 ya Molaotheo wa pele, di tswela go dirisiwa go ya ka kgaolo e, le melao e e amanang le kgaolo e, jaaka e kete kgaolo e ga e a phimolwa, go fitlhela Khomišene le dikhomišene tsa diporofense di tlošwa, ka Molao wa

Palamente o o amogelang, go ya ka karolo 75 ya Molaotheo o mošwa.

- (3) Go phimolwa ga Molaotheo wa pele ga go amane le kgoeletso e e ka dirwang go ya ka karolo 237(3) ya Molaotheo wa pele mme dikgoeletso tse dingwe tse di jalo di tla tswelela go dirisiwa, go ikaegilwe ka –
- (a) go tlhabololwa gongwe le gongwe kgotsa go phimolwa; le
 - (b) go dumelelana le Molaotheo o mošwa.

Tlaleletso ya dikiletso/dikganelo mo dikgotlatheomolaong

25. (1) Mongwe le mongwe mo Rephaboliki yo o neng a goga kotlo ya go feta dikgwedi tse 12 mo kgolegong ntle le tumelelo ya faene, fa Molaotheo o mošwa o tsena tirisong, ga a dumelelwa go nna leloko la Kokoano Bosetšhaba kana ya kgotlatheomolao ya Porofense.
- (2) Go ilelwa ga motho go ya ka temana (1) –
- (a) go khutla fa kotlo e ka emiswa ke go ikuela ka ngongorego kgatlanong le katlholo, kgotsa ya khutswafatswa go nna e e sa lekaneng go mo iletsa; le
 - (b) go khutla fa morago ga dingwaga tse tlhano a ntse a atlhotswe.

Puso selegae

26. (1) Go sa nyatwe ditaello tsa karolo 151, 155, 156 le 157 tsa Molaotheo o mošwa –
- (a) dikaelo tsa Molao wa Kgabaganyo wa Pusoselegae, 1993 (Molao 209 wa 1993) jaaka fa o ka tlhabololwa nako le nako ke peomolao ya bosetšhaba go lepalepana le Molaotheo o mošwa, di nna mo tirisong malebana le Khansele ya Mmasepala go fitlha Khansele ya Mmasepala e e tsenang mo boemong jwa Khansele eo e kaiwa e tlhophilwe ka ntlha ya ditlhopo tsa kakaretso tsa ntlha tsa Dikhansele tsa Bommasepala morago ga tsenyotirisong ya Molaotheo o mošwa; le

[Tematlaleletso 26(1)(a) e emetswe ke k. 5(a) ya Molaotheo Tlhabololo wa Bobedi wa Molao wa 1998.]

- (b) moeteledipele wa setso wa morafe o o laolang ke thulaganyo ya molao wa setso, mme a nna mo karolong ya taolo ya Khansele ya Kgabaganyo ya Pusoselegae, Khansele ya kgabaganyo ya pusomorafe kgotsa khansele ya kgabaganyo ya boemedi, tse di umakiwang mo Molaong wa Kgabaganyo wa Pusoselegae, 1993, mme e bile a supilwe go ya ka karolo 182 ya Molaotheo

wa pele, ke mookamedi-wa-kwa-ntle, yo a tshwanelwang ke go nna leloko la Khansele eo go fitlha Khansele ya Mmasepala e e tsenang mo boemong jwa khansele eo e kaiwa e tlhophilwe ka ntlha ya ditlhopho tsa kakaretso tsa ntlha tsa Dikhansele tsa Bommasepala morago ga tsenyotirisong ya Molaotheo o mošwa.

[Tematlaleletso (b) e emetswe ke k. 5(a) ya Molao 65 wa 1998.]

- (2) Karolo 245(4) ya Molaotheo wa pele e tswelala go dira, go fitlhelela tiriso ya karolo eo e khutla. Karolo 16(5) le(6) ya Molao wa Kgabaganyo wa Pusoselegae, 1933, o ka seka wa phimolwa pele ga di 30 Moranang 2000.

[Tematlaleletso (2) e tlhabolotswe ke k. 5(b) ya Molao 65 wa 1998.]

Polokego/tshomarelo ya Melao ya Palamente le ya Diporofense

- 27 . Dikarolo 82 le 124 tsa Molaotheo o mošwa ga di ame go bolokwa ga melao ya Palamente le ya Diporofense e e amogetsweng pele ga Molaotheo o mošwa o tsena mo tirisong.

Kwadiso ya dithoto tse di sa suteng tse e leng tsa puso

28. (1) Fa bothati jo bo nang le bokgoni bo tlhagisa setifikeiti se se reng thoto e e sa suteng e e leng ya puso e beilwe mo mmusong o o rileng go ya ka Karolo 239 ya Molaotheo o o fetileng, mokwadisi wa makwalo a dithoto o tshwanetse go dira dikwadiso kgotsa ditlanyo, mo rejisetareng e e maleba, setifikeite sa bosupi jwa dithoto kgotsa lokwalo lengwe go kwadisa thoto e e sa suteng eo mo leineng la mmuso oo.
- (2) Ga go na lekgetho la dithoto, tuelo kgotsa tuediso epe e e duelwang mabapi le go kwadisa go ya ka tematlaleletso (1).

TLALELETSO A

Ditlhabololo go Mametlelelo 2 ya Molaotheo wa pele

1. Go kwadiwa bošwa ga ntlha ya 1, ka ntlha e e latelang:

“1. Makoko a a kwadisitsweng go ya ka molao wa bosetšhaba le kgaisano ya ditlhopho tsa Ntlokokoano Bosetšhaba e tla kgetha bontlhopheng boemong jwa ditlhopho tseo, go tsamaelana le naanetlhopho le le rulagantsweng go ya ka Mametlelelo e, le molao wa bosetšhaba.”

2. Go kwadiwa bošwa ga ntlha ya 2, ka ntlha e e latelang

“(2) Palo ya ditokololo mo Ntlokokoano Bosetšhaba, jaaka go tihomamisitswe go ya ka karolo 46 ya Molaotheo o mošwa, di tla nna palo e e latelang:

- (a) Nngwe ya halofo ya palo ya manno, a tswa go lenaanepalo la dikgalo, a a rulagantsweng ke makoko a amegang, ka palo e e tihomamisitsweng go emala boloko jwa kgaolo nngwe le nngwe jaaka go rulagantswe ke Khomišene boemong jwa ditlhopho tse di latelang tsa Ntlokokoano, go etswe tlhoko tshedimosetso ya batlhophi ya dipalopalo, le ditshwaelo tsa makoko a a na leng kगतhego.
- (b) halofo e nngwe ya manno e tlopiwa go tswa go lenaanetlhopho la bosetšhaba le le rometsweng ke ke makoko a farologaneng, kgotsa go tswa go lenaanetlhopho la dikgaolo moo manaanetlhopho a bosetšhaba a neng a sa romelwa.”

3. Kemisetso ya ntlhana 3, ka ntlhana e e latelang:

“(3) Manaane a bontlhopheng a a rometsweng ke lekoko, ka kakaretso le tla kwadiwa maina a a sa feteng palo ya bontlhopheng e e lekanang le palo ya manno mo Ntlokokoano Bosetšhaba, mme lenaanetlhopho lengwe le lengwe le tla tlhagisa maina ka tatelano ya go ratega ga bona go ya ka tihomamiso ya lekoko.”

4. Tlhabololo ya ntlhana 5 ka go emisetsa mafoko a eteletseng temana(a) ka mafoko a a latelang:

“5. Bonno jo bo tlhalositsweng mo ntlha ya 2(a), di tla abiwa go ya ka dikgaolo go makoko a a gaisanelang ditlhopho ka mkgwa o o latelang.”

5. Tlhabololo ya ntlha ya 6 –

- (a) ka go fetola mafoko a a fa pele ga temana (a) ka mafoko a a latelang:
 “6. Bonno jo bo tlhalositsweng mo ntlha ya 2(b) bo tla abelwa makoko a gaisanelang ditlhopho, jaana;”;
- (b) Ka go kwala boemong jwa temana (a) temana e e latelang:
 “(a) Khouta ya diboutu tsa manodi tla tlhomamisiwa ka go arola palogotlhe ya diboutu tse di amogetsweng naga ka bohara, tlhagisitsweng mo Ntlokokoano Bosetšhaba ka palo ya manno mo Ntlokokoanong bosetšhaba, e tlhakana le nngwe, le dipholo di tlhakannwa le nngwe, go tlhokomologwa dipalophatlo, e tla nna khouta ya diboutu ka bonno ka bonngwe.”

6. Tlhabololo ya ntlhana 7(3) ka go emisetsa temana(b) ka temana e e latelang:

“(b) Khouta e e tlhabolotsweng ya diboutu tsa bonno e tla tlhomamisiwa ka go aroganya palogotlhe ya diboutu tseo di dirilweng bosetšhaba, go ntshiwa palo ya diboutu tse di amogetsweng naga ka bophara boemong jwa lekoko le le tlhalositsweng mo temana (a) ka palo ya manno mo Ntlokokoano, go tlhakannwa le nngwe, go tloswa palo ya manno a abetsweng lekoko le le tlhalositsweng mo temana (a).”

7. Go kwadiwa bošwa ga ntlha ya 10 ka ntlha e e latelang:

“10. Palo ya manno mo kgotlapeomolao ya porofense e tla tlhomamisiwa go ya ka karolo 105 ya Molaotheo o mošwa.”

8. Go kwadiwa bošwa ga ntlha ya 11 ka ntlha e e latelang:

“11. Makoko a kwadisitsweng go ya ka molao ya bosetšhaba, mme a gaisanela ditlhopho, tsa kgotlapeomolao ya porofense, di tla tlhophela kgotlapeomolao ya porofense bontlhopheng boemong jwa ditlhopho tseo, ka manaanetlhopho a porofense a rulagantsweng go ya ka Mametelelo eno le molao wa bosetšhaba.”

9. Go kwadiwa bošwa ga ntlha ya 16 ka ntlha e e latelang:

Tlhomamo ya baemedi

- 16 (1) Morago fa palo ya diboutu e se na go badiwa, palo ya baemedi ba lekoko lengwe le lengwe e tlhomamisitswe le dipholo tsa diitlhopho di itsisitswe go

ya ka karolo 190 ya Molaotheo o mošwa, mo nakong ya matsatsi a mabedi, Mokhomišene morago ga tshwaelo, o tla tlhopa go tswa go lenaanethlopho la bontlhophen, le le phatlalditsweng go ya ka molao wa bosetšhaba, baemedi ba lekoko lengwe le lengwe mo Kgotlapeomolao.

- (2) Go ya ka taelo ya karolo(1) fa leina la ntlhopheng le tlhagelela mo manaane a fetang bongwe a Ntlokokoano Bosetšhaba kgotsa mo manaane a Ntlokokoano Bosetšhaba le a kgotlapeomolao ya porofense (fa ditlhopho tsa Ntlokokoano le tsa kgotlapeomolao ya porofense di tshwarwa ka nako e le nngwe) mme ntlhopheng oo, o tshwanelwa ke go nna moemedi mo lebakeng le le fetang bongwe, lekoko le le tlišiseng manaane ao, le tshwanetse gore mo nakong ya matsatsi a le mabedi morago ga tshwaelo eo, e tla tlohesetsa Mokhomišene lenaane leo ntlhopheng a tsayang tiro mo go lona kgotsa o kgotlapeomolao eo ntlhopheng a tla tsayang tiro mo go yona, jaaka go ka nna, mme leina la ntlhopheng o le tla phimolwa mo manaane a mangwe.
- (3) Khomišene e tla re kwa ntle ga tiego ya phasalatsa lenaane la maina a baemedi mo kgotlapeomolaong kgotsa mo dipalamenteng.”

10. Tlhabololo ya ntlhana 18 ka go emisetsa temana (b) ka temana e e latelang:

“(b) Moemedi o supywa jaaka moemedi wa leruri mo Khanseleleng ya Bosetšhaba ya Diporofense;”

11. Kemisetso ya ntlhana 19 ka ntlhana e e latelang:

“19. Manaane a bontlhopheng a lekoko a a kailweng mo ntlhana 16(1) a ka tlaleletswa mo motlheng mongwe fela mo nakong nngwe le nngwe mo dikgweding tsa ntlha tse 12 tse di latelang letlha leo go tlhomilweng baemedi go ya ka ntlhana 16 le weditswe go tlatsa diphatlhatiro tsa nakwana; Fa fela tlaleletso ya go nna jalo e dirwa kwa bokhutlong jwa lenaane.”

12. Kemisetso ya ntlhana 23 ka ntlhana e e latelang:

“Diphatlhatiro

23 (1) Fa go na le phatlhatiro mo peomolaong e Mametlelelo e, e kayang, lekoko le le

tlhophileng leloko le le tlogelang phatlhatiro, le tla tlatsa phatlhatiro ka go tlhophatho –

- (a) yo leina la gagwe le tlhagelelang mo lenaaneng la bontlhopheng leo leloko le le tlogelang tiro le neng le tlhophilwe go tswa mo go lona; le
 - (b) yo e leng ene a latelang, a nonofile e bile e le motho yo a leng teng mo lenaaneng.
- (2) Tlhagiso ya go tlatsa phatlhatiro e tla isiswa kwa go Mmusakgotla e kwadilwe.
- (3) Fa lekoko le le emetsweng mo peomolaong le tlhatlhamologa kgotsa le emisa go nna teng mme le maloko a lona a tlogela manno go ya ka karolo 23A(1) Manno a a amegang a tla abelwa makoko a a setseng ka tekatekano ya boemedi, jaaka e kete manno ao ke a a tlogetsweng go ya ka temana 7 kgotsa 14, go laola gore ke lebaka lefe.”

13. Go tsennngwa ga ntlhana e e latelang morago ga ntlhana 23:

“Mabaka a tlaletso a go latlhegelwa ke botokololo jwa dikgotlapeomolao”

- 23A (1) Motho o latlhegelwa ke botokololo ba peomolao eo Mametlelelo e e dirang mo go yona, fa motho yoo a emisa go nna leloko la lekoko leo le mo tlhophileng jaaka leloko la peomolao.
- (2) Lekoko lengwe le lengwe la Sepolotiki le ka fetola leina la lona mo nakong nngwe le nngwe le sa thibelelwe ke ntlhana(1).
- (3) Molao wa Palamente, mo nakong e e isegang ya go tsennngwa tirisong ga Molaotheo o mošwa o ka fetisiwa go ya ka karolo 76(1) go tlhabolola ntlhana e le 23 go neela mokgwa o ka ona go kgonagalang gore leloko la peomolao leo le latlhegelwang ke botokololo jwa lekoko le le mo tlhophileng, le tswelele go tshola botokololo jwa peomolao ya go nna jalo.
- (4) Molao wa Palamente o o kailweng mo ntlhana(3) o ka neela –
- (a) lekoko lengwe le lengwe le le leng teng go kopana le lekoko le lengwe; kgotsa
 - (b) lekoko lengwe le lengwe go kgaogana mo makokong a a fetang bongwe.”

14. Go phimolo ga ntlha ya 24.

15. Tlhabololo ya ntlha ya 25 –

- (a) ka go emisetsa tlhaloso ya “Khomišene” ka tlhaloso e e latelang: “‘Khomišene’ e raya/kaya Khomišene ya Ditlhopho e e kailweng mo karolong 190 ya Molaotheo o mošwa;” le
- (b) Go tsenya tlhaloso e e latelang morago ga tlhaloso ya “Ienaane la bosetšhaba “Molaotheo o mošwa’ o raya Molaotheo wa Rephaboliki ya Aforika Borwa 1996;”

16. Go phimolo ga ntlha ya 26.

TLALELETSO B

Puso-tshwaraganelo ya Botsetšhaba: Lekala la Bosetšhaba

1. **Karolo 84 ya Molaotseo o mošwa e tseelwa go nna le dikarolotlaleletso tsa tlaleletso tse di latelang:**

“(3) Moporesidente o tshwanetse go rerisana le Batlatsabaporesidente ba khuduthamaga:

 - (a) go ntshetsapele tšhapololo le tiragatso ya dipholisi tsa puso ya bosetšhaba;
 - (b) mo mererong yotlhe e e amang taolo ya Kabinete le tiragatso ya ditiro tsa Kabinete;
 - (c) mo tiragatsong ya ditiro tsa Batlatsabaporesidente ba Khuduthamaga;
 - (d) pele go thapiwa go ya Molaotseo kgotsa molao mongwele mongwe, go akarediwa le go thapiwa ga baemediphaphare kgotsa baemedi babusisi;
 - (e) pele go tlhophiwa dikhomišene tsa dipatlisiso;
 - (f) pele a dira kgoeletso ya referantamo;
 - (g) pele a itshwarela kgotsa a emisa kotlhao ya basenyi.”

2. **Karolo 89 ya Molaotseo o mošwa e e tseelwa go nna le dikarolotlaleletso tsa tlaleletso tse di latelang:**

“(3) Dikarolwana(1) le(2) di akaretsa le Motlatsa-Poresidente wa Khuduthamaga.”

3. **Temana (a) ya karolo 90(1) ya Molaotseo o mošwa e tshwanetse buisega jaana:**

“(a) Motlatsa-Moporesidente wa Khuduthamaga yo o tlhomilweng ke Moporesidente;”

4. **Karolo 91 ya Molaotseo o mošwa e tshwanetse go buisega jaana:**

“Kabinete

91 (1) Kabinete e bopiwa ke Moporesidente, Batlatsa-BaPoresidente ba Khuduthamaga le –

 - (a) Ditona tse di sa feteng 27 mme e le maloko a Ntlokokoano Bosetšhaba a tlhophilweng go ya ka karolotlaleletso (8) go fitlha (12);le
 - (b) Eseng go feta Tona e nosi, e e seng leloko la maloko a 175 a Ntlokokoano Bosetšhaba mme le tlhophilwe go ya ka karolotlaleletso (13), fa fela

Moporesidente ka ditherisano le Batlatsa-BaPoresidente ba Khuduthamaga le baeteledipele ba makoko a a tsayang karolo, ba bona go le bothokwa gore Tona eo, e lthopiwe ka bonako.

- (2) Lekoko lengwe le lengwe le le nang le manno bonnye a le 80 mo Ntlokokoano Bosetšhaba le na le tumelelo ya go kgetha Motlatsa-Moporesidente wa khuduthamaga mo gare ga ditokololo tsa Ntlokokoano.
- (3) Fa go se lekoko kgotsa lekoko le le lengwe fela le na le manno a le 80 kgotsa go feta, mo Ntlokokoano, lekoko le le nnang le manno a mantsi go gaisa, le lekoko le le nang le palo ya bobedi e e kwa godimo ya manno, makoko ao ka bobedi a tshwanetse go tlopha Motlatsa-Moporesidente wa Khuduthamaga mo ditokololong tsa Ntlokokoano.
- (4) Fa Motlatsa-Moporesidente wa Khuduthamaga a se na go tlophiwa, a ka ikgethela go nna dula entse e le leloko la Ntlokokoano kgotsa go tlogela go nna leloko la Ntlokokoano.
- (5) Motlatsa-Moporesidente wa Khuduthamaga, a ka diragatsa dithata le go dira ditiro tseo di neetsweng kantoro ya Motlatsa-Moporesidente wa Khuduthamaga ke Molaotheo kgotsa Moporesidente.
- (6) Motlatsa-Moporesidente wa khuduthamaga o tshwara marapo –
 - (a) go fitlha 30 Moranang 1999 ntle le fa a ka belesediwa kgotsa a tlosiwa ke lekoko le le maleba go ya ka mabaka a karotlaleletso (2)le(3); kgotsa
 - (b) go fitlha motho yo o tlophilweng jaaka Moporesidente morago ga tlhopho ngwe le ngwe ya Ntlokokoano Bosetšhaba e e dirilweng pele ga 30 Moranang 1999, a simolola tiro.
- (7) Phatlhathi mo kantorong ya Motlatsa-Moporesidente wa Khuduthamaga e ka tladiva ke lekoko le le tlophileng Motlatsa-Moporesidente yoo.
- (8) Lekoko le le nang le bonnye manno ale 20 mo Ntlokokoano Bosetšhaba e bile le dirile tshwetso ya go tsaya karologo puso ya bosetšhaba ya tshwaraganelo, le tshwanelwa ya go abelwa maemo le le nosi kgotsa go fetsa la Kabinete ya lefapha, go ya ka mokgwa o go tlophiwang Ditona ka wona go ya karotlaleletso (1)(a) go tsamaelana le selekanyo sa palo ya manno a sona mo Ntlokokoano Bosetšhaba, go tsamaelana le palo ya manno a makoko a mangwe a a tsayang karolo.
- (9) Mafapha a Kabinete a tshwanelwa ke go abelwa makoko a a tsayang karolo go ya ka

sekaelo se se latelang:

- (a) Khouta ya manno go ya ka lefapha e tshwanetse go laolwa ka go aroganya palogotlhe ya manno mo Ntlokokoano Bosetšhaba ao a kopanetsweng ke makoko a a tsayang karolo ka palo ya mafapha go tsamaelana le go tlhophiwa ga Ditona tse di umakilweng mo karolotlaleletso (1)(a), go thakangwa le lengwe.
 - (b) Dipholo, tse di sa kgaphelang thoko palo ya boraro le palo e e latelang, fa di le teng, ke khouta ya manno a lefapha.
 - (c) Palo ya mafapha a tshwanetseng go abelwa lekoko le le tsayang karolo le tlhomamiswa ka go arola palogotlhe ya manno a lekoko leo mo Ntlokokoano Bosetšhaba ka khoutha e e tlhalosistweng mo temana (b).
 - (d) Dipholo, go ya ka temana (e), di kaya palo ya mafapha a a tshwanetseng go abelwa lekoko leo.
 - (e) Fa tiragatso ya selekano se se fa godimo se tlhagiso kokeletso e e sa balelweng mo palong ya mafapha a abetsweng lekoko, kokeletso eo, e tla gaisana le dikokeletso tse dingwe tse di tshwanang tse di kokoantsweng fa lekoko lengwe kgotsa makoko mangwe, mme lefapha lengwe le lengwe kgotsa mafapha mangwe le mangwe a a salang a sa abiwa a tshwanetse go abelwa lekoko kgotsa makoko a a amegang ka tatelano ya dipalo tsa kokeletso e e kwa godimodimo.
- (10) Morago ga therisano le Batlatsabaporesidente ba Khuduthamaga le baeteledipele ba makoko a a tsayang karolo, Poresidente o tshwanetse go –
- (a) tlhomamisa mafapha ka totobalo a a tshwanetseng go abelwa makoko a tsayang karolo ka go farologana, go ya ka palo ya mafapha go tsamaelana le ditaello tsa karolotlaleletso (9);
 - (b) tlhopa boemong jwa leloko lengwe le lengwe la Ntlokokoano Bosetšhaba leo, e leng leloko la lekoko la lefapha leo, le le abetsweng go ya ka temana (a), jaaka Tona e e rweleng maikarabelo a lefapha leo;
 - (c) Fa go bonagala go le botlhokwa, go ya ka mabaka a Molaotheo, kgotsa dikgatlhagelo tsa taolo ya puso ka manontlhotlho, di sa tsamaelane le tlhomamiso ya temana (a) go tsamaelana le karolotlaleletso (9);
 - (d) go fedisa go tlhopho nngwe le nngwe ka fa tlase ga temana (b) –
 - (i) Fa Moporesidente a kopiwa go dira jalo ke moeteledipele wa lekoko leo leloko la Lekgotla la Khuduthamaga le amegang e leng leloko la lona;

- kgotsa
- (ii) Fa go tlohega mo mabakeng a Molatheo kgotsa mo kgatlhegong ya Puso e e lolameng; kgotsa
- (e) go tlatsa, fa go tlohega, ka taolo ya tema(b), phatlhatiro mo ofising ya Tona.
- (11) Karolwana (10) e tshwanetse go diragatswa ka mowa o o akarediwang mo kakanyong ya puso ya tshwaraganelo ya bosetšhaba, mme Moporesidente le ba ba amegang ba tshwanetse ba batla go fitlhelela ditumelelano ka nako tsothe mo tirisong ya karolwana eo: ntle le fa ditumelelano di sa kgone go fitlhelelwe mo –
- (a) go diriseng thata e e tlhalositsweng mo temana (a),(c) kgotsa (d)(ii) ya karolotlaleletso eo, tshwetso ya Moporesidente e tla nna tshwetso ya bofelo;
- (b) go diriseng thata e e tlhalositsweng mo temana (b),(d)(i) kgotsa (e) ya karolotlaleletso eo, e ama motho yo e seng leloko la lekoko la Moporesidente, tshwetso ya moeteledipele wa lekoko leo motho yoo e leng leloko la lona e tla nna tshwetso ya bofelo; le
- (c) go diriseng thata e e tlhalositsweng mo temana (b) kgotsa (e) ya karolotlaleletso eo e amang motho yo e leng leloko la lekoko la Moporesidente, tshwetso ya Moporesidente e tla nna lefoko la bofelo.
- (12) Fa tlhomamiso nngwe ya dikabo tsa mafapha e fetolwa mo karolwaneng (10)
- (c) Ditona tse di amegang di tshwanetse go tlogela mafapha a bona, mme ba na le go ka thapiwa gape mo mafapheng a mangwe a a abetsweng makoko a a farologaneng a bona go ya ka tlhomamiso e e fetotsweng.
- (13) Poresidente –
- (a) ka therisano le Batlatsa-Poresidente ba Khuduthamaga le baeteledipele ba makoko a a tsayang karolo o tshwanetse –
- (i) go tlhoma lefapha le le rileng la Tona e e kailweng mo karolwaneng(1)
- (b) fa go ka tlohega;
- (ii) go thapa go ya ka lefapha leo, motho yo e seng leloko la Kokoano ya Bosetšhaba, jaaka Tona e e nang le maikarabelo a lefapha leo; le
- (iii) go tlatsa, fa go tlohega, phatlhatiro go ya ka lefapha leo; kgotsa
- (b) morago ga therisano le Batlatsa-Poresidente ba Khuduthamaga le baeteledipele ba makoko a a tsayang karolo, o tshwanetse go fedisa thapo nngwe le nngwe go ya ka temana(a) fa go ka nna botlhokwa mo mabakeng a Molatheo kgotsa mo kgatlhegong ya puso e e siameng.

- (14) Dikopano tsa kabinete di tshwanetse tsa tshwarwa marapo ke Moporesidente, kgotsa ke Motlatsa-Moporesidente wa Khuduthamaga fa Moporesidente a laela jalo. Fa fela Batlatsa-Poresidente ba Khuduthamaga ba tshwara marapo mo dikopanong tsa Kabinete ka go refosana ntle le fa go na le ditlhokego tsa potlako tsa puso le fa mowa wa kopano ya bosetšhaba o tlhoka jalo.
- (15) Kabinete e tshwanelwa ke go dira ka mokgwa o o tla nayang tshiamisetso go mowa wa tirisano mmogo o akarediawang mo pusong ya tshwaraganelo ya bosetšhaba le fela jaaka tlhokego ya puso e e nang le bokgoni.”

5. Karolo 93 ya Molaotseo o mošwa e tshwanetse go buisega jaana:

“Go thapiwa ga Batlatsa-Baporesidente

- 93 (1) Moporesidente morago ga buisana le Batlatsa-Baporesidente ba Khuduthamaga le baeteledipele ba makoko a tsayang karolo mo Kabineteng, a ka rebola diphatlhatiro tsa Batlatsa-Baporesidente.
- (2) Lekoko le na le tshiamelo ya go abelwa phatlha ya Motlatsa- Moporesidente e le nngwe kgotsa go feta go ya ka tekanyo e mafapha a Kabinete a abiwang ka yona.
- (3) Dikaelo tsa karolo 90 (10) go fitlha (12) di a dira, ka diphetogo tse di tlhokegang go Batlatsaditona, mme mo tiragatsong ya go nna jalo, taelo ya karolo eo go Tona kgotsa lefapha e tshwanetse go buisiwa jaaka taelo go Motlatsa-Moporesidente kgotsa phatla ya Botlatsa-Moporesidente ka go tshwana.
- (4) Fa motho a thapiwa jaaka Motlatsa-Moporesidente wa lefapha lengwe le lengwe leo le leng ka fa tlase ga tlhokomelo ya Tona –
- (a) Motlatsa-Moporesidente yoo, o tshwanetse go diragatsa le go dira mo boemong ba Tona e e maleba dithata dingwe le dingwe le ditiro tse di neetsweng Tona eo go ya ka peomolao nngwe le nngwe kgotsa ka ditaelo tsa Poresidente tseo di neetsweng Motlatsatona yoo ke Tona eo; le
- (b) go umakiwa gongwe le gongwe mo peomolaong nngwe le nngwe ga Tona eo, go tshwanelwa go thaloganyega jaaka go akaretsa go umakiwa ga Motlatsa Tona yo o diragatsang ditiro go ya ka ditaelo tsa temana (a) ke Tona yo Motlatsa- Moporesidente yoo a dirang boemong jwa gagwe.
- (5) Fa Motlatsa-Moporesidente a se teng kgotsa ka mabaka a a rileng a sa kgone go diragatsa nngwe ya dithata kgotsa ditiro tsa ofisi ya gagwe, Moporesidente a ka thapa Motlatsa-Moporesidente mongwe kgotsa motho mongwe go dira mo

maamong a Motlatsa-Moporesidente o o kaiwang, e ka nna go dira ka kakaretso kgotsa go dira thata kgotsa tiro nngwe e e kgethegileng.”

6. Karolo 96 ya Molatheo o mošwa e tshwanetse go nna le dikarotlaleletso tsa tlaletso tse di latelang:

- “(3) Ditona di ikarabela ka bongwe go Moporesidente le mo Ntlokokoano Bosetšhaba mo tsamaisong ya mafapha a bona, mme maloko otlhe a Kabinete a na le maikarabelo a kopanetsweng mo tiragatsong ya ditiro tsa puso ya bosetšhaba le maikemisetso a yona.
- (4) Ditona di tshwanetse go tsamaisa mafapha a bona go ya ka maikemisetso a a tthomamisitsweng ke Kabinete.
- (5) Fa Tona e palelwa ke go tsamaisa lefapha go ya ka maikemisetso a a tthomamisitsweng ke Kabinete, Moporesidente a ka batla gore Tona e e amegang, go ya ka tsamaiso ya lefapha le maikemisetso a lona.
- (6) Fa tona e e amegang e palelwa go inakanya le se se batlwang ke Poresidente mo tlase ga karotlaleletso (5), Moporesidente a ka tlosa Tona mo ofising –
- (a) fa e le Tona, e e tthalositsweng mo karolo 91(1)(a), morago ga dipuisano le Tona gape, fa Tona e se tokololo ya lekoko la ga Poresidente kgotsa e se moeteledipele wa lekoko le le tsayang karolo, le gona morago ga therisano le moeteledipele wa lekoko la Tona eo; kgotsa
- (b) fa e le Tona e e tthlositsweng mo karolo 91(1)(b), morago ga therisano le Batlatsa Moporesidente ba Khuduthamaga le baeteledipele ba makoko a a tsayang karolo.”

TLALELETSO C

Puso tshwaraganelo ya Bosetšhaba: Lekala la Porofense

1. Karolo 132 ya Molatheo o mošwa e tshwanetse go buisega jaana:

“Dikhansela tsa Khuduthamaga

- 132 (1) Dikhuduthamaga tsa Porofense di bopiwa ke Tonakgolo, le maloko a a sa feteng 10, a a supilweng ke Tonakgolo go ya ka karolwana e.
- (2) Lekoko leo le nang le maloko a a ka nnang diperesente tse 10 tsa manno mo peomolaong ya Porofense le tsere tshwetso ya go tsaya karolo mo pusong ya bosetšhaba ya kopanelo, le tshwanelwa go abelwa lefapha le le lengwe kgotsa go feta mo Khanseleng ya Khuduthamaga go lekana le palo ya manno a le a tshotseng mo leggotlapeomolao go lekanalekana le palo ya manno a a tshotseng ke makoko a mangwe a a tsayang karolo.
- (3) Mafapha a Lekgotla la Khuduthamaga a tshwanelwa ke go abelwa makoko a a farologaneng a a tsayang karolo go ya ka kaelo e e neetsweng mo karolong 91 (9) le mo go diragatseng taelo eo, taelo mo karolo eo, go –
- (a) kabinete, e tshwanetse go buisiwa jaaka taelo go Kgotla Khuduthamaga;
- (b) Tona, e tshwanetse go buisiwa aaka taelo go Kgotla Khuduthamaga; le
- (c) Ntlokokoano Bosetšhaba e tshwanetse go tsewa jaaka taelo ya kgotlapeomolao ya porofense.
- (4) Tonakgolo ya Porofense morago ga dipuisano le baeteledipele ba makoko a a tsayang karolo o tshwanetse –
- (a) go tlhomamisa mafapha a a tsepameng go abelwa makoko a farologaneng a a tsayang karolo go ya ka palo ya mafapha a abetsweng go ya ka karotlaleletso (3);
- (b) go thapa boemong jwa lefapha lengwe le lengwe, tokololo ya Kgotlapeomolao ya porofense, yo e leng tokololo ya lekoko leo lefapha leo le le abetsweng go ya ka temana(a) jaaka tokololo ya Lekgotla Khuduthamaga e e rweleng maikarabelo a lefapha leo;
- (c) fa go le botlhokwa go tsamaelana le mabaka a Molatheo, kgotsa mo

- kgatlhegong ya puso e manonthlotlho kgotsa phetolo ya tlhomamiso ngwe le ngwe go tsamaelana le temana (a) go ya ka karotlaleletso (3);
- (d) go fedisa kgetho nngwe le nngwe e e mo temana (b) –
- (i) fa Tonakgolo a kopiwa go dira jalo ke moeteledipele wa lekoko leo tokololo ya Kgotla Khuduthamaga ya go nna jalo e leng leloko; kgotsa
 - (ii) fa go le bothokwa go tsamaelana le mabaka a Molaotseo kgotsa mo dikgatlhegong tsa puso e e manonthlotlho; kgotsa
- (e) go tlatsa phathatiro mo kantorong ya tokololo ya kgotla Khuduthamaga, fa go tlhokega, go ya ka temana (b).
- (5) Karotlaleletso (4) e tshwanetse go diragatswa ka mowa wa go matlafatsa puso ya tshwaraganelo ya bosets'haba, mme Tonakgolo le ba ba amegang ba tshwanetse go batla go fitlhelela ditumelelano ka nako tsotlhe mo tiragatsong ya karotlaleletso eo: ntle le fa ditumelelano di sa fitlhelelwe mo –
- (a) go diriseng thata e e tlhalositsweng mo temana (a),(c) kgotsa (d)(ii) ya karotlaleletso eo, tshwetso ya Tonakgolo ke yona e dirang;
 - (b) go diriseng thata e e tlhalositsweng mo temana (b),(d)(i) kgotsa (e) ya karotlaleletso eo, e ama motho yo e seng leloko la lekoko la Tonakgolo, tshwetso ya moeteledipele wa lekoko leo motho yoo e leng leloko la yona e tla nna lefoko la bofelo; le
 - (c) go diriseng thata e e tlhalositsweng mo temana (b) kgotsa (e) ya karotlaleletso e amang motho yo e leng leloko la lekoko la Tonakgolo, tshwetso ya Tonakgolo e tla nna lefoko la bofelo.
- (6) Fa kaelo nngwe le nngwe ya kabelo ya mafapha e fetolwa mo karotlaleletso (4) (c), ditokololo tse di amegang di tshwanetse go tlogela mafapha a bona mme ba na le go ka thaphiwa, fa go le maleba, gape mo mafapheng a mangwe a a abetsweng makoko a farologaneng a bona go ya ka mabaka a dikabo ka go farologana.
- (7) Dikopano tsa Kgotla Khuduthamaga di tshwanetse go okamiwa ke Tonakgolo ya Porofense.
- (8) Kgotla Khuduthamaga e tshwanetse go dira ka mokgwa o o tla nayang tshiamisetso go mowa wa tirisano mmogo o akarediawang mo pusong ya tshwaraganelo ya bosets'haba le fela jaaka tlhokego ya puso e e nang le bokgoni."

2. Karolo 136 ya Molaotheo o mošwa e tshwanetse go nna le dikarolwana tsa tlaletso tse di latelang:

- “(3) Ditokololo tsa Makgotla Khuduthamaga di na le maikarabelo ka bongwe ka bongwe go Tonakgolo le go kgotlapeomolao ka tsamaiso ya mafapha a bona, mme ditokololo tsothe tsa Kgotla Khuduthamaga ka tsamaelano ba na le maikarabelo ka bojotlhe ka tiragatso ya ditiro tsa puso ya porofense le maikemisetso a yona.
- (4) Ditokololo tsa Makgotla Khuduthamaga di tshwanetse go tsamaisa mafapha a bona go ya ka maikaelelo a tihomamisitsweng ke Kgotla Khuduthamaga.
- (5) Fa tokololo ya Khuduthamaga e palelwa ke go tsamaisa lefapha go ya ka maikaelelo a Khuduthamaga, Tonakgolo a ka lopa tokololo e e amegang go lere tsamaiso ya lefapha mo tsamaelanong le maikaelelo a.
- (6) Fa tokololo e e amegang e palelwa ke go inaakanya le ditlhokego tsa Tonakgolo mo karolwaneng(5), Tonakgolo a ka tlosa tokololo eo mo tirong morago ga go rerisana le yona, le fa tokololo e se tokololo ya lekoko la Tonakgolo kgotsa e se moeteledipele wa lekoko le le tsayang karolo, le morago ga go rerisana le moeteledipele wa lekoko la tokololo eo.”

TLALELETSO D

Tsamaiso ya puso le Ditirelo tsa Pabalesego: Ditlhabololo ya Dikarolo tsa Molaotheo wa pele

1. Tlhabololo ya karolo 218 ya Molaotheo wa pele –

- (a) ka go kwala boemong jwa karolo(1) mafoko a fa pele ga temana (a) ka mafoko a a latelang:
“(1) ka taolo ya ditaello tsa Tona ya Polokego le Pabalesego, Mokomišenara wa Bosetšhaba o tla rwala maikarabelo a –”;
- (b) ka go kwala boemong jwa temana(b) ya karotlaleletso (1) ka temana e e latelang:
“(b) go thapiwa ga Bakomišenara ba Diporofense;”;
- (c) ka go kwala boemong jwa temana (d) ya karotlaleletso (1) ka temana e e latelang:
“(d) tlhotlhomiso le thibelo ya bosenyi bo bo rulagantsweng kgotsa bosenyi jo bo tlhokang tlhotlhomiso le thibelo ya bosetšhaba kgotsa bokgoni jo bo kgethegileng;” le
- (d) ka go kwala boemong jwa temana (k) ya karotlaleletso (1) ka temana e e latelang:
“(k) go tlhomiwa le ntshetsapele ya tolamo ya tshireletsego ya bosetšhaba go thapiwa ka maikaelele le ka kopo ya Mokomišenara wa Porofense;”;

2. Tlhabololo ya karolo 219 ya Molaotheo wa pele ka go kwala boemong jwa karotlaleletso (1) mafoko a fa pele ga temana (a) ka mafoko a a latelang:

“(1) ka taolo ya karolo 218(1), Mokomišenara wa Porofense o tla rwala maikarabelo a go –”.

3. Tlhabololo ya karolo 224 ya Molaotheo wa pele ka go kwala boemong jwa karotlaleletso (2) ditaello tse di latelang:

“Fa fela karolwana e le yona e tla dira go ditokololo tsa letsholo lengwe le lengwe le le tlhamseng le le tlhagisitseng lenaneo la bathhankedi ba lona morago ga tshimologo ya Molaotheo wa Rephaboliki ya Aforika Borwa, 1993 (Molao 200 wa 1993), mme pele ga

kamogelo ya molao o mošwa o o kwadilweng go ya ka tthaloso ya karolo 73 ya Molaotheo oo, fa lekoko la sepolotiki le mo tlase ga bothati le taolo ya lona le emeng kgotsa le golagangwang le lona, e bile le ntshetsapele maikaelelo a lona le go tsaya karolo mo mererong ya Khansela ya Ntlokokoano Bosetšhaba le Makgotlapeomolao a Diporofense mo tlase ga Molaotheo o o tthalositsweng”.

4. Tlhabololo ya karolo 227 ya Molaotheo wa pele ka go emisetsa karolwana(2) ka karolwana e e latelang:

“(2) Letsholo la Bosetšhaba la Tshireletso le tla diragatsa dithata tsa lona le go dira ditiro tsa lona fela mo kgatlhegong ya bosetšhaba ka ditaelo tsa Kgaolo 11 ya Molaotheo wa Rephaboliki ya Borwa, 1996.”

5. Tlhabololo ya karolo 236 ya Molaotheo wa pele –

- (a) ka go kwala boemong jwa karolotlaleletso (1) ka karolotlaleletso e e latelang:
 “(1) Botlhankedi ba puso, lefapha la puso, tsamaiso kgotsa tirelo ya pabalesego pele fela ga tshimologo ya Molaotheo wa Rephaboliki ya Aforika Borwa, 1996 (fa morago ga fa o kaiwang jaaka Molaotheo o mošwa”), e dirileng ditiro tsa puso, e tswelwang go dira mo ditaelong tsa peomolao e e dirang mo go yona go fitlha e fedisiwa kgotsa e tsennngwa kgotsa e kopannngwa mo setheong sengwe le sengwe se se maleba kgotsa e lekanyeditswe kgotsa e kopantswe le setheo sengwe le sengwe.”;
- (b) ka go emisetsa karolwana(6) ka karolwana e e latelang:
 “(6)(a) Moporesidente a ka tlhoma Khomišene go sekaseka bokhutlo kgotsa tlhabololo ya konteraka, go thapiwa kgotsa go tthatlosiwa, kgotsa go abelwa lebaka la tiro kgotsa maemo a go dira poelo nngwe, e e tlhageletseng fa gare ga 27 Moranang 1993 le 30 Phatwe 1994 tebang le motho mongwe le mongwe yo o tthalositsweng mo karolotlaleletso (2) kgotsa setlhophla sa batho ba ba maleba.
 (b) Khomišene e ka busetsa morago kgotsa ya fetola konteraka, go thapiwa, go tthatlosiwa kgotsa kabelo fa go sa siama kgotsa go sa supe tolamo mo mabakeng a morero.”; le
 (c) ka go dirisa “Molaotheo o”, gongwe le gongwe mo se se tlhagelelang gona mo karolo 236, ka “Molaotheo o mošwa”.

6. Tlhabololo ya karolo 237 ya Molaotheo wa pele –

- (a) ka go kwala boemong jwa temana (a) ya karolotlaleletso (1) ka temana e e latelang:
 “(a) Tekanyetso mo ditheong tse di tlhalositsweng mo karolo 236(1), go sa akarediwe matsholo a ntwana a tlhalositsweng mo karolo 224(2), e tla re morago ga tshimologo ya Molaotheo wa Rephaboliki ya Aforika Borwa, 1996, di tsewelele ka maikaelelo a go tlhoma –
- (i) tsamaiso e e nang le bokgoni mo makaleng a bosetšhaba a puso go dira ka merero e e mo taolong ya molao wa makala a bosetšhaba; le
 - (ii) tsamaiso e e nang le bokgoni mo porofenseng nngwe le nngwe go dira ka merero e e mo taolong ya molao wa puso nngwe le nngwe ya porofense.”; le
- (b) ka go kwala boemong jwa temana (i) ya karolotlaleletso (2)(a) ka temana e e latelang:
 “(i) ditheo tse di tlhalositsweng mo karolo 236(1), ntle le matsholo a ntwana, di tla nna di le mo taolong ya puso ya bosetšhaba, e e tla nna di maikarabelo a a lebaganeng le tirisano ya mebuso ya diporofense.”

7. Tlhabololo ya karolo 239 ya Molaotheo wa pele ka go fetola karolotlaleletso (4) ka karolotlaleletso e e latelang:

- “(4) Ka taolo ya le go ya ka molao mongwe le mongwe o o maleba, dithoto, ditshwanelo, ditiro le disuga tsa matsholo otlhe a a tlhalositsweng mo karolo 224(2) di rwalwa ke Letsholo la Tshireletso la Bosetšhaba go ya ka ditaello tsa Tona ya Tshireletso.”

MAMETLELELO 6A

[Mametlelelo 6A e tsentswe ke k. 6 ya Molaothero Tlhabololo ya Bolesome ya Molao wa 2003 mme ya phimolwa ke k. 6 ya Molaothero Tlhabololo ya Bosomenne ya Molao wa 2008.]

MAMETLELELO 6B

[Mametelelelo 6B, eo pele e neng e le Mametelelelo 6A, e e tsentsweng ke k. 2 ya Molaotheo Tlhabololo ya Borobedi ya Molao wa 2002 e bile e kwadilwe gape k. 6 Molaotheo Tlhabololo ya Bolesome ya Molao wa 2003 mme e phimotswe ke k. 5 ya Molaotheo Tlhabololo ya Bosomethano ya Molao 2008.]

MAMETLELELO 7

MELAO E E PHIMOTSWENG

NOMORO LE NGWAGA WA MOLAO	SETLHOGO
Molao 2 wa 1993	Molaotheo wa Rephaboliki ya Aforika Borwa, 1993
Molao 2 wa 1994	Molaotheo wa Rephaboliki ya Aforika Borwa, 1994
Molao 3 wa 1994	Molaotheo wa Rephaboliki ya Aforika Borwa, Tlhabololo ya Bobedi ya Molao, 1994
Molao 13 wa 1994	Molaotheo wa Rephaboliki ya Aforika Borwa, Tlhabololo ya Boraro ya Molao, 1994
Molao 14 wa 1994	Molaotheo wa Rephaboliki ya Aforika Borwa, Tlhabololo ya Bone ya Molao, 1994
Molao 24 wa 1994	Molaotheo wa Rephaboliki ya Aforika Borwa, Tlhabololo ya Borataro ya Molao, 1994
Molao. 29 wa 1994	Molaotheo wa Rephaboliki ya Aforika Borwa, Tlhabololo ya Botlhano ya Molao, 1994
Molao 20 wa 1995	Molaotheo wa Rephaboliki ya Aforika Borwa, Molao o o Tlhabolotsweng, 1995
Molao 44 wa 1995	Molaotheo wa Rephaboliki ya Aforika Borwa, Tlhabololo ya Bobedi ya Molao, 1995
Molao 7 wa 1996	Molaotheo wa Rephaboliki ya Aforika Borwa, Molao o o Tlhabolotsweng, 1996
Molao 26 wa 1996	Molaotheo wa Rephaboliki ya Aforika Borwa, Tlhabololo ya Boraro ya Molao, 1996

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