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**GENERAL NOTICE  
ALGEMENE KENNISGEWING**

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**NOTICE 434 OF 2008**

**LIMPOPO PROVINCIAL ADMINISTRATION**

**DEPARTMENT OF ECONOMIC DEVELOPMENT, ENVIRONMENT  
AND  
TOURISM**

**LIMPOPO TOURISM BILL, 2008**

In terms of rule 113 of the Standing Rules and Orders of the Limpopo Legislature the Limpopo Tourism Bill, 2008 is hereby published for comments.

Any person or organization wishing to comment on the said document may do so in writing, before 6 February 2009 with:

**The Head  
Department of Economic Development,  
Environment and Tourism  
Private Bag X9484  
POLOKWANE  
0700**

**FOR ATTENTION: Ms Anemmie de Klerk  
Tel: (015) 293 8514 / 082 806 3190  
[dekkerka@ledet.gov.za](mailto:dekkerka@ledet.gov.za)**

**LIMPOPO PROVINCIAL LEGISLATURE**

**LIMPOPO TOURISM BILL, 2008**

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**as introduced by**

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**(MEMBER OF THE EXECUTIVE COUNCIL FOR ECONOMIC DEVELOPMENT,  
ENVIRONMENT AND TOURISM)**

**Limpopo Tourism Act, 2008**

To provide for the sustainable development, management and promotion of tourism in Limpopo; to provide for the registration of tourism amenities; to establish the Limpopo Tourism Agency; to provide for the governance and functions of the Agency; to repeal the Limpopo Tourism and Parks Board Act, 2001 (Act No. 8 of 2001); and to provide for matters incidental thereto.

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

**1. Definitions**

In this Act unless the context indicates otherwise—

“Agency” means the Limpopo Tourism Agency established in section 5;

“Board” means the Limpopo Tourism Board constituted in terms of section 7;

“Chairperson” means the person designated by the MEC in terms of section 12;

“Chief Executive Officer” means the Chief Executive Officer of the Agency appointed in terms of section 24;

“Department” means the Department responsible for tourism matters in the province;

“Head of Department” means the head of the department responsible for tourism matters in the province;

“member” means a member of the Board referred to in section 8(1);

“MEC” means the Member of the Executive Council responsible for tourism matters in the province;

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

**“prescribed”** means prescribed by regulation; and

**“this Act”** includes any subordinate legislation made in terms of this Act.

### **Objects of Act**

2. The objectives of this Act are to–
- (a) provide for the sustainable development and management of tourism in the province;
  - (b) promote tourism in the province;
  - (c) stimulate tourism development and investment in the province; and
  - (d) provide for the establishment of a tourism Agency to assist in achieving the objectives of this Act.

### **Role of provincial government**

3. (1) The provincial government may, through the MEC–
- (a) issue a policy statement in respect of any matter concerning the management, development, promotion and control of tourism in the province; and
  - (b) determine norms and standards for the performance by the Agency of its functions.
- (2) The provincial government must, through the MEC–
- (a) monitor and support the implementation of tourism strategies in the provincial and local spheres of government;
  - (b) monitor and support transformation programmes in the tourism industry;

- (c) implement measures to ensure tourism skills development and capacity building programmes;
- (d) facilitate tourism transformation;
- (e) facilitate the participation of all stakeholders in the tourism industry;
- (f) lead international tourism cooperation, agreements and liaison;
- (g) approve and monitor implementation of the strategic and annual performance plans of the Agency;
- (h) register tourist guides; and
- (i) register tourist services and tourism amenities in terms of the prescribed procedure.

#### **Delegations by MEC**

4. The MEC may, in writing, delegate any power or function conferred, entrusted or imposed upon the MEC under this Act, except the power to –
- (a) appoint members of the Board; and
  - (b) make regulations,
- to the Head of Department with or without the authority to further delegate such power or function.

#### **Establishment of Agency**

5. (1) A juristic person known as the Limpopo Tourism Agency is hereby established.
- (2) The Agency comprises of –

- (a) a Board constituted by the MEC in terms of this Act;
- (b) a Chief Executive Officer; and
- (c) staff of the Agency.

### **Functions of Agency**

#### **6. The Agency must –**

- (a) develop and implement a tourism marketing strategy within the framework of the provincial tourism strategies;
- (b) undertake and facilitate tourism research approved by the department;
- (c) support tourism transformation and capacity building programmes;
- (d) enhance and enable tourism investment opportunities on state owned nature reserves;
- (e) initiate tourism product development in state owned nature reserves;
- (f) provide hospitality services in state owned nature reserves;
- (g) subject to the PFMA and other applicable legislation, establish strategic partnerships with communities, organisations, government structures and tourism organisations for enhancing tourism marketing;
- (h) establish and maintain a database containing information relating to -
  - (i) existing tourist attractions, infrastructure, facilities, services, location and access;
  - (ii) natural and cultural attractions that may be developed as tourist attractions in the province; and
  - (iii) new areas of tourism activity and potential sites for these activities;
- (i) advise the MEC on any matter relating to the tourism industry; and

- (j) perform any other function the MEC may assign or delegate to the Agency.

### **Board of Agency**

- 7. (1) The MEC must constitute the Limpopo Tourism Board which must annually enter into an agreement with the MEC, concerning–
  - (a) performance of the functions of the Board;
  - (b) compliance with policies; and
  - (c) any other matter necessary to achieve the objects of this Act.
- (2) The Board is responsible for performing the functions of the Agency.
- (3) The Board is the accounting authority contemplated in section 49(2)(a) of the PFMA.
- (4) The Board must regularly review processes and procedures to ensure the effectiveness of the internal control system of the Board.
- (5) The Board may appoint a secretariat to assist the Board in performing its functions.

### **Composition of Board**

- 8. (1) The Board must consist of –
  - (a) a representative of the–
    - (i) Department, designated by the Head of Department; and



- (ii) South African Local Government Association, designated by the chief executive officer of that institution;
  - (b) two members with experience and skills in tourism marketing, development and research;
  - (c) one member with experience and skills in the wildlife industry;
  - (d) one member with experience and skills in managing protected areas and biodiversity conservation;
  - (e) two members with experience and skills in business management; and
  - (f) two members with experience and skills in community development.
- (2) The Chief Executive Officer is, by virtue of office, a non-voting member.

#### **Appointment of Board**

9. (1) The MEC must -
- (a) invite nominations for appointment to the Board by publishing a notice in at least two newspapers; and
  - (b) subject to section 10 and from nominations received, appoint members of the Board.
- (2) A nomination made pursuant to the notice in terms of subsection (1) must be supported by -
- (a) a detailed *curriculum vitae* of the nominee;
  - (b) supporting documents that reflect the nominee's knowledge and experience that will contribute to the functioning of the Agency;
  - (c) a letter from the nominee accepting the nomination; and

- (d) a declaration by the nominee wherein the nominee declares any direct or indirect interest, which may constitute a conflict of interest with regard to that nominee's responsibilities if appointed to the Board.
- (4) When appointing members, the MEC must ensure that the Board collectively possesses sufficient knowledge and experience concerning corporate governance principles and issues relevant to the functions of the Agency.

#### **Qualifications and disqualifications of members**

10. (1) A person must be fit and proper to hold office as a member.
- (2) A person may not be appointed or remain a member if that person-
- (a) is a member of the provincial legislature;
  - (b) has been declared unable to conduct his or her own affairs by a competent court;
  - (c) has been declared by a court of law to be of unsound mind;
  - (d) has at any time been convicted of an offence involving dishonesty;
  - (e) has at any time been removed from an office of trust on account of misconduct; or
  - (f) subject to *section 8(1) (a) (i) and (ii)*, is employed in the public service or the holder of any other remunerated position within government.

**Allowances and remuneration of members**

11. (1) The MEC, in consultation with the Member of the Executive Council responsible for financial matters in the province, may from time to time determine the remuneration or allowances payable to a member.
- (2) A member employed by government is not entitled to any remuneration or allowance.
- (3) The remuneration and allowances determined in terms of subsection (1) must be-
- (a) in accordance with any applicable treasury norms and standards in terms of the PFMA; and
  - (b) paid from monies appropriated by the Provincial Legislature for that purpose.

**Chairperson and Deputy Chairperson**

12. (1) The MEC must designate a member, as Chairperson, and another member as Deputy Chairperson of the Board, for a period not exceeding that member's term of office as a member.
- (2) The MEC may not designate a member mentioned in section 8(1) (a) as Chairperson or Deputy Chairperson of the Board.
- (3) The Deputy Chairperson must exercise the powers and perform the duties of the Chairperson whenever the Chairperson is unable to do so.

**Term of office**

13. (1) A member holds office for a period not exceeding three years from date of appointment.
- (2) The MEC may extend a member's term of office once only, for a period not exceeding three years, without following the procedures set out in section 9.

**Vacancies**

14. (1) When the office of a member becomes vacant, the MEC may, in terms of the procedure provided for in section 9, fill that vacancy.
- (2) A member appointed in terms of subsection (1) holds office for the unexpired portion of the vacating member's term of office.

**Resignation of member**

15. (1) A member may resign from the Board by giving at least two months' written notice to the MEC.
- (2) The MEC may accept a shorter notice period in a specific case.

**Removal of member**

16. (1) The MEC may remove a member from office on account of –
- (a) conduct that is unbecoming of a member;
  - (b) conduct that brings the Board into disrepute;
  - (c) failure to comply with the provisions of this Act or the PFMA;

- (d) inability to perform the duties of the member efficiently;
  - (e) absence from three consecutive meetings without the consent of the Board; or
  - (f) being disqualified in terms of section 10.
- (2) The MEC may not remove a member from office in terms of subsection (1) unless the MEC has afforded the member an opportunity to make representations to the MEC.
- (3) The MEC may suspend a member from office whilst carrying out an investigation or inquiry against such member.

#### **Delegation of powers and duties**

17. (1) When necessary for the proper performance of its duties, the Board may, subject to subsection (2), delegate any of its powers or functions to -
- (a) a member;
  - (b) a committee of the Board referred to in section 18; or
  - (c) the Chief Executive Officer.
- (2) The Board may not delegate the power to—
- (a) appoint a Chief Executive Officer; or
  - (b) determine the conditions of service of the Chief Executive Officer.
- (3) A delegation in terms of subsection (1) –
- (a) is subject to such conditions, limitations and directions that the Board may impose;

- (b) must be in writing;
  - (c) does not divest the Board of the responsibility concerning the exercise of the delegated power or performance of the delegated function; and
  - (d) does not prevent the Board from exercising the delegated power or performing the delegated function.
- (4) The Board may confirm, vary or revoke any decision taken as a result of a delegation in terms of subsection (1), subject to any right that may have vested as a consequence of the decision.

#### **Committees of Board**

18. (1) The Board may establish one or more committees to assist the Board with exercising its powers and functions in terms of this Act.
- (2) The Board must –
- (a) determine the functions of the committee;
  - (b) determine the operating procedures of the committee, including-
    - (i) the quorum for a meeting of the committee;
    - (ii) the manner in which the committee takes decisions;
  - (c) designate members who are suitably qualified or experienced in relation to the functions of a committee; and
  - (d) designate a member serving on a committee as Chairperson of such committee.
- (3) The Board may, at any time –

- (a) remove a member from a committee; or
- (b) dissolve a committee.

### **Meetings of Board**

19. (1) The Board must meet at least four times a year.
- (2) The Chairperson decides when and where the Board meets, but the majority of the members may, in writing, request the Chairperson to convene a meeting at a time and place set out in the request.
- (3) The Chairperson presides at meetings of the Board, but if the Chairperson and the Deputy Chairperson are absent from a meeting, the members present must elect another member to preside at the meeting.
- (4) The Chairperson or presiding member may, after consultation with the Board allow any person who is not a member to attend a meeting of the Board as an observer, on such conditions as the Chairperson or presiding member may determine.
- (5) The Chief Executive Officer must –
- (a) ensure that minutes of all meetings are kept; and
  - (b) furnish the MEC with a copy of the minutes.

### **Procedure at meeting**

20. The Board may, subject to the provisions of this Act, determine its own meeting procedures.

#### **Quorum and decisions**

21. (1) The quorum for a meeting of the Board must be at least two thirds of the total number of members.
- (2) A matter before the Board is decided by the votes of a majority of the members present at the meeting.
- (3) In the event of an equality of votes regarding a matter voted upon, the Chairperson has a casting vote in addition to the Chairperson's deliberative vote.
- (4) (a) Whenever a matter requires the urgent attention of the Board and it is not possible for the Board to meet at the time, the Chairperson must ensure that each member –
- (i) is immediately furnished with all relevant information and documentation pertaining to the matter; and
  - (ii) records that member's decision on the matter and forward the record to the Chairperson.
- (b) A decision of the majority of the members on the matter is a resolution of the Board, and must be –
- (i) ratified by the Board at the next meeting of the Board; and
  - (ii) recorded in the minutes.



**Appointment of experts**

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

**Absence of functional Board**

23. The MEC must, in the absence of a functional Board, perform the functions and duties of the Board.

**Chief Executive Officer**

24. (1) The Board must –
- (a) publish an advertisement in at least two newspapers inviting applications for a Chief Executive Officer; and
  - (b) appoint a Chief Executive Officer of the Agency.
- (2) The Chief Executive Officer must be a fit and proper person with appropriate qualifications and experience.
- (3) The Chief Executive Officer is employed subject to such terms and conditions of employment as the Board may determine, in terms of a policy determined and approved by the MEC.
- (4) The Chief Executive Officer -
- (a) is appointed for a term not exceeding three years;
  - (b) is accountable to the Board;
  - (c) must, annually enter into a written performance agreement with

the Board; and

- (d) may not perform any other remunerative work without the written consent of the Board.
  
- (5) Whenever the position of the chief executive officer is vacant, the Board must designate an official of the Agency as acting Chief Executive Officer, for a period not exceeding six months.
  
- (6) The Board may not designate a member as an acting Chief Executive Officer.

#### **Staff of Agency**

- 25. (1) The Chief Executive Officer must, with the concurrence of the Board-
  - (a) establish a staff structure for the Agency;
  - (b) appoint staff to assist the Agency in performing its functions; and
  - (c) determine terms and conditions of employment of the staff.
- (2) The Board must, with the concurrence of the MEC and the Member of the Executive Council responsible for finance, determine the remuneration levels of the staff.

#### **Delegation of powers or functions of Chief Executive Officer**

- 26. (1) The Chief Executive Officer may, subject to subsection (2), delegate any of the Chief Executive Officer's powers or functions to a staff member of the Agency.

- (2) The Chief Executive Officer may not delegate any of the duties mentioned in section 25(1).
- (3) A delegation in terms of subsection (1) –
- (a) is subject to such conditions, limitations and directions that the Chief Executive Officer may impose;
  - (b) must be in writing;
  - (c) does not divest the Chief Executive Officer of the responsibility concerning the exercise of the delegated power or performance of the delegated function; and
  - (d) does not prevent the Chief Executive Officer from exercising the delegated power or performing a delegated duty.
- (4) The Chief Executive Officer may confirm, vary or revoke any decision taken as a result of a delegation in terms of subsection (1), subject to any right that may have vested as a consequence of the decision.

#### **Funding of Agency**

27. The funds of the Agency consists of –
- (a) monies appropriated by the Provincial Legislature for the exercise of the powers and the performance of the functions of the Agency; and
  - (b) subject to the PFMA, money accruing to the Agency from sources approved by the MEC with the concurrence of the Member of Executive Council responsible for financial matters in the province.

#### **Regulations**

**28.** The MEC may make regulations regarding any matter—

- (a) prescribed in terms; or
- (b) necessary to achieve the objects

of this Act.

#### **Transitional provisions**

**29.** (1) All monies which immediately before the commencement of this Act, was to the credit of the Limpopo Tourism Board Trust Fund established in terms of section 27 of the Limpopo Tourism and Parks Board Act, 2001 (Act No.8 of 2001) must devolve to the Agency.

(2) All assets and liabilities of the Limpopo Tourism and Parks Board established in terms of section 2 of the Limpopo Tourism and Parks Board Act, 2001 (Act No. 8 of 2001) vests in the Agency.

(3) All rights and obligations of the Limpopo Tourism and Parks Board established in terms of section 2 of the Limpopo Tourism and Parks Board Act, 2001 (Act No. 8 of 2001) vests in the Agency, in so far as this Act makes provision for those rights and obligations by the Agency.

(4) The Agency is, in so far as tourism matters are concerned, substituted as litigating party for the Limpopo Tourism and Parks Board established in terms of section 2 of the Limpopo Tourism and Parks Board Act, 2001 (Act No. 8 of 2001) in all pending litigation, including arbitrations, labour disputes and mediation.

- (5) All persons employed by the Limpopo Tourism and Parks Board established in terms of section 2 of the Limpopo Tourism and Parks Board Act, 2001 (Act No. 8 of 2001) are transferred to the Agency on the same terms and conditions of employment.

**Repeal of law**

30. The Limpopo Tourism and Parks Board Act, 2001 (Act No. 8 of 2001) is hereby repealed.

**Short title and commencement**

31. This Act is called the Limpopo Tourism Act, 2008, and comes into operation on a date determined by the Premier by proclamation in the *Gazette*.

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**MEMORANDUM ON THE OBJECTS OF THE  
LIMPOPO TOURISM BILL, 2008**

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**1. BACKGROUND**

The Limpopo Tourism and Parks Board currently manages tourism and parks in the Province, in terms of the Limpopo Tourism and Parks Board Act, 2001 (Act No. 8 of 2001). During 2006, the Member of Executive Council responsible for the Department of Economic Development, Environment and Tourism (MEC), took a strategic decision to separate the management of parks from the management of tourism in order to align the management of the two institutions with national legislative developments and to maximise tourism economic opportunities. The aim of the Limpopo Tourism Bill, 2008 is to give effect to the decision of the MEC and to repeal the Limpopo Tourism and Parks Board Act, 2001 which has become obsolete and no longer responsive to the strategies and programmes of the Limpopo Provincial Government.

**2. OBJECTIVES OF THE BILL**

The objectives of this Act are to-

- a. provide for the sustainable development and management of tourism in the province;
- b. promote tourism in the province;
- c. stimulate tourism development and investment in the province; and
- d. provide for the establishment of a tourism Agency.

**3. SOCIAL IMPACT**

3.1. Tourism has the potential to promote social development through creating employment, which in turn results in assisting with poverty alleviation. The Bill

seeks to promote sustainable tourism in the province. The creation of tourism facilities and services which the people of Limpopo will also be able to enjoy will improve the living standards of local communities.

- 3.2. The tourism industry is increasingly gaining recognition as a key driver of economic growth and development. The Limpopo Tourism Agency will be dedicated to marketing Limpopo as a tourist destination. This will increase economic opportunities in the province.

#### **4. CLAUSE BY CLAUSE ANALYSIS**

- 4.1. Clause 1 of the Bill provides for definitions.
- 4.2. Clause 2 deals with the objects of the Bill.
- 4.3. Clause 3 deals with the role of Provincial Government in tourism.
- 4.4. Clause 4 empowers the MEC to delegate powers conferred to him or her in the Bill.
- 4.5. Clause 5 provides for the establishment of the Limpopo Tourism Agency.
- 4.6. Clause 6 deals with the functions of the Agency.
- 4.7. Clause 7 provides for the establishment of the Limpopo Tourism Board.
- 4.8. Clause 8 provides for the composition of Board.
- 4.9. Clause 9 deals with appointment of members to the Board.
- 4.10. Clause 10 deals with qualifications and disqualifications of members.
- 4.11. Clause 11 provides for allowances and remuneration of members of the Board.
- 4.12. Clause 12 deals with the appointment of chairperson and deputy chairperson of the Board.
- 4.13. Clause 13 deals with the term of office of members of the Board.

- 4.14. Clause 14 deals with vacancies on the Board.
- 4.15. Clause 15 deals with resignation of members of the Board.
- 4.16. Clause 16 makes provision for the removal of members from the Board.
- 4.17. Clause 17 provides for delegation by the Board of its powers and duties.
- 4.18. Clause 18 provides for the establishment of Committees of the Board.
- 4.19. Clause 19 deals meetings of the Board.
- 4.20. Clause 20 deals with procedures at Board meetings.
- 4.21. Clause 21 deals with the quorum and decisions at meetings.
- 4.22. Clause 22 deals with the appointment of experts to assist the Board in performing its functions.
- 4.23. Clause 23 makes provision for the functions of a Board to be performed by the MEC in the absence of a functional Board.
- 4.24. Clauses 24 provides for the appointment of a Chief Executive Officer (CEO) of the Agency.
- 4.25. Clause 25 provides for the appointment of the staff of Agency.
- 4.26. Clause 26 deals with the delegation of powers of the CEO.
- 4.27. Clause 27 deals with the funding of the Agency.
- 4.27. Clause 28 provides for the MEC's power to make regulations.
- 4.29. Clause 29 makes provision for transitional arrangements.
- 4.30. Clause 30 repeals the Limpopo Tourism and Parks Board Act, 2001 (Act No. 8 of 2001).
- 4.31. Clause 31 provides for the short title and commencement.

### **ORGANISATIONAL IMPLICATIONS**

The Bill provides for the establishment of the Limpopo Tourism Agency, as a Public entity in accordance with the Public Finance Management Act, 1999 (Act No. 1 of 1999).



The Agency will have a management Board, a Chief Executive Officer and a staff structure of its own.

**6. FINANCIAL IMPLICATIONS**

The Limpopo Tourism and Parks Board receives a budget allocation from the Department each year. Since the Agency is intended to substitute the Limpopo Tourism and Parks Board, it is envisaged that the Department will, in the same way continue to fund the new Agency. No new financial implications are foreseen.

**7. CONSTITUTIONAL IMPLICATIONS**

In terms of schedule 5 (Part A) of the Constitution of the Republic of South Africa, Tourism is a shared National and Provincial legislative competence. The Bill is consistent with the Constitution.

**8. CONSULTATION**

The Executive Management of the Department of Economic Development, Environment and Tourism and other senior government officials were consulted when the Bill was drafted.

**KENNISGEWING 434 VAN 2008****LIMPOPO PROVINSIALE ADMINISTRASIE****DEPARTEMENT VAN EKONOMIESE ONTWIKKELING, OMGEWING  
EN  
TOERISME****2008 LIMPOPO TOERISME WET**

In terme van bepaling 113 van die Staande Bepalings en Verordening van die Limpopo Wetgewer word die 2008 Limpopo Toerisme Wet gepubliseer vir kommentaar.

Enige persoon of organisasie wat kommentaar wil lewer op die betrokke dokumente, moet dit skriftelike doen voor 6 Februarie 2009 by:

**Die hoof  
Departement van Ekonomiese Ontwikkeling,  
Omgewing en Toerisme  
Privaatsak X9484  
POLOKWANE  
0700**

**Vir aandag: Me. Anemmie de Klerk  
Tel: (015) 293 8514 / 082 806 3190  
[deklerka@ledet.gov.za](mailto:deklerka@ledet.gov.za)**

**LIMPOPO PROVINSIALE WETGEWER**

**2008 LIMPOPO TOERISME WET**

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soos aangebied deur

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**(DIE LID VAN DIE UITVOERENDE RAAD VIR EKONOMIESE ONTWIKKELING,  
OMGEWING EN TOERISME)**

**2008 Limpopo Toerisme Wet**

Om voorsiening te maak vir volhoubare ontwikkeling, bestuur en bevordering van toerisme in Limpopo; om voorsiening te maak vir die registrasie van toerisme geriewe; om die Limpopo Toerisme Agentskap te skep; om die funksies en bestuur van die Agentskap te organiseer; om die 2001 Limpopo Toerisme en Parke Raad Wet (Wet Nr. 8 van 2001) te herroep en sake wat hieruit voortspuit te organiseer.

UITGEVOER deur die Limpopo Provinsiale Wetgewer soos volg:-

#### 1. Definisies

In die Wet, tensy die deur die konteks anders aantoon –

“**Agentskap**” beteken die Limpopo Toerisme Agentskap soos saamgestel in seksie 5;

“**Raad**” beteken die Limpopo Toerisme Raad soos saamgestel in seksie 7;

“**Voorsitter**” beteken die persoon aangestel deur die LUK in terme van seksie 12;

“**Hoof Uitvoerende Amptenaar**” beteken die Hoof Uitvoerende Amptenaar van die Agentskap aangestel in terme van seksie 24;

“**Departement**” beteken die Departement verantwoordelik vir toerisme sake in die provinsie;

“**Lid**” beteken lid van die Raad soos verwys word na in seksie B(1);

“**LUK**” beteken die Lid van die Uitvoerende Raad verantwoordelik vir toerisme sake in die provinsie;

“**PFBW**” beteken die 1999 Publieke Finansiële Bestuurswet (Wet Nr. 1 van 1999);

**"voorskryf"** beteken voorgeskryf deur die regulasie; en

**"die Wet"** sluit alle bykomstige wetgewing in terme van die Wet in.

### **Doelwitte van die Wet**

2. Die doelwitte van die Wet is:-

- (a) maak voorsiening vir volhoubare ontwikkeling en bestuur van toerisme in die provinsie;
- (b) bevorder toerisme in die provinsie;
- (c) stimuleer ontwikkeling en investering in die provinsie; en
- (d) maak voorsiening vir die ontwikkeling van 'n toerisme Agentskap om die doelwitte van die Wet te verwesenlik.

### **Rol van die provinsiale regering**

3. (1) Die provinsiale regering kan deur die LUK:-

- (a) beleid vir bestuur en ontwikkeling bevordering en beheer van toerisme in die provinsie uitoefen; en
- (b) die norme en standaarde vir die werking van die Agentskap en sy funksies bepaal.

(2) Die provinsiale regering moet deur die LUK:-

- (a) die toerisme strategieë in die provinsie en plaaslike omgewind van regering monitor en ondersteun;
- (b) transformasie programme in die toerisme industrie monitor en ondersteun;

- (c) toerisme ontwikkelingsvaardighede en bevoegdheids-programme implementeer;
- (d) toerisme transformasie fasiliteer;
- (e) die deelname van al die aandeelhouders in die toerisme industrie fasiliteer;
- (f) internasionale toerisme samewerking, ooreenkomste en akkoorde lei;
- (g) die strategiese en jaarlikse beplanning van die Agentskap goedkeur en monitor;
- (h) toeriste gidse registreer; en
- (i) toeriste dienste en geriewe in terme van die voorgeskrewe prosedure registreer.

#### **Delegasie deur LUK**

4. Die LUK mag skriftelik enige gesag of funksie aan hom/haar toegeken, opgedra of opgelê deur die Wet delegeer, behalwe die mag om:-

- (a) lede van die Raad aan te stel; en
- (b) regulasies te maak,

aan die Hoof van die Departement, met of sonder die mag om die mag of funksie verder te delegeer.

#### **Stigting van 'n Agentskap**

5. (1) 'n Juridiese liggaam bekend as die Limpopo Toerisme Agentskap word saamgestel.
- (2) Die Agentskap bestaan uit:-

- (a) 'n Raad saamgestel deur die LUK in terme van die Wet;
- (b) 'n Hoof Uitvoerende Beamppte; en
- (c) personeel van die Agentskap.

### **Funksies van die Agentskap**

#### **6. Die Agentskap moet:-**

- (a) 'n toerisme bemarkingsstrategie binne die raamwerk van die provinsiale toerismestrategie ontwikkel en implementeer;
- (b) toerisme navorsing goedgekeur deur die Departement onderneem en fasiliteer;
- (c) toerisme transformasie en opbouprogramme ondersteun;
- (d) toerisme investering geleenthede op staatsnatuurreservate inwerking stel en ontwikkel;
- (e) toerisme produkte op staatsnatuurreservate inisieer;
- (f) hospitaalfasiliteite in staatsnatuurreservate voorsien;
- (g) onderhewig aan die PFBW en ander toepaslike wetgewinde strategiese vennootskappe, gemeenskappe, organisasies, regerings strukture en toerisme organisasies sluit, om toerisme bemarking te verbeter;
- (h) 'n databasis wat die volgende inligting bevat saamstel en onderhou:
  - (i) bestaande toerisme attraksies, infrastruktuur, fasiliteite, dienste en toeganklikheid;
  - (ii) natuurlike en kulturele attraksies wat as toerisme attraksies ontwikkel kan word;
  - (iii) nuwe areas waar toerisme aktiwiteite ontwikkel kan word;
- (i) die LUK adviseer op enige saak rakende die toerisme industrie;

- (j) enige ander funksie wat deur die LUK aan die Agentskap toegesê of gedelegeer word, uitvoer.

### **Raad van die Agentskap**

7. (1) Die LUK moet die Limpopo Toerisme Raad wat jaarliks in ooreenkoms met die LUK oor die volgende sake besluit, saamstel:-
- (a) die uitvoering van die funksies van die Raad;
  - (b) toepassing van beleid; en
  - (c) enige ander saak noodsaaklik vir die doelwitte van die Wet.
- (2) Die Raad is verantwoordelik vir die uitvoering van die funksies van die Agentskap.
- (3) Die Raad is die verantwoordelike outoriteit soos voorgeskryf in seksie 49(2)(a) van die PFBW.
- (4) Die Raad moet gereeld die prosesse en prosedures hersien om te verseker dat die Raad se kontrolestelsel effektief werk.
- (5) Die Raad mag 'n sekretariaat aanstel om behulpsaam te wees met die uitvoering van die Raad se pligte.

### **Samestelling van die Raad**

8. (1) Die Raad moet bestaan uit:-
- (a) 'n verteenwoordiger van die:-
    - (i) Departement, aanbeveel deur die Hoof van die Departement: en



- (ii) Plaaslike Suid-Afrikaanse Regerings Assosiasie, aanbeveel deur die Hoof Uitvoerende Beampste van die vereniging;
- (b) twee lede met ondervinding en vaardighede in toerisme bemarking, ontwikkeling en navorsing;
- (c) een lid met ondervinding en vaardighede in die wild industrie;
- (d) een lid met ondervinding en vaardighede in bestuurde veilige area en
- (e) twee lede met ondervinding en vaardighede in besigheidsbestuur; en
- (f) twee lede met vaardighede en ondervinding in gemeenskaps-ontwikkeling.

- (2) Die Hoof Uitvoerende Beampste is uit hoofde van die kantoor, 'n lid sonder stemreg.

#### **Aanstelling van die Raad**

- 9. (1) Die LUK moet:-
  - (a) uitnodigings vir nominasies vir aanstellings vir die Raad in ten minste twee koerante publiseer;
  - (b) onderhewig aan seksie 1 uit die potensiële nominasies die lede van die Raad aanstel.
- (2) 'n Nominasie vir die pos in terme van seksie (1) moet deur die volgende dokumentasie ondersteun word:-
  - (a) 'n gedetailleerde *curriculum vitae* van die genomineerde;
  - (b) dokumentasie wat die genomineerde se kennis en ondervinding wat sal bydra tot die funksionering van die Agentskap sal aantoon;
  - (c) 'n brief van die genomineerde om die nominasie te aanvaar; en

- (d) 'n verklaring van die genomineerde waarin die genomineerde enige direkte of indirekte belange het wat 'n konflik van belange van die genomineerde se verantwoordelikhede sal wees, verklaar as die genomineerde aangestel word tot die Raad.
- (3) As die LUK die lede van die Raad aanstel moet daar verseker word dat die Raad kollektief voldoende kennis en ondervinding het van koöperatiewe regerings beginsels en sake wat relevant is tot die funksies van die Agentskap.

#### **Kwalifikasies en diskwalifikasies van lede**

10. (1) Die persoon moet geskik wees om die amp as lid te vul.
- (2) 'n Persoon mag nie aangestel word, of die pos as lid behou nie, as die persoon:-
- (a) lid is van die provinsiale wetgewer is;
  - (b) as onbekwaam bevind word om eie sake te hanteer deur 'n hof;
  - (c) indien 'n hof die persoon geestelik onstabiel bevind het;
  - (d) as die persoon skuldig bevind is op aanklag van bedrog of oneerlikheid;
  - (e) indien die persoon verwyder is uit 'n amp van vertrouwe weens wangedrag;
  - (f) onderhewig aan seksie 8(1) (a) (i) en (ii) aangestel is in 'n publieke diens of indien die persoon enige betaalde pos binne die regering vul.

**Toelae en vergoeding van lede**

11. (1) Die LUK in samewerking met die Lid van die Uitvoerende Komitee verantwoordelik vir die finansies van die provinsie, mag van tyd tot tyd die vergoeding en toekenning van toelaes aan lede bepaal.
- (2) 'n Lid wat in diens is van die regering is nie geregtig op vergoeding nie.
- (3) Die vergoeding en toelaes soos bepaal in terme van subseksie (1) moet:-
- (a) in verhouding met enige toepaslike skatkis norme en standaarde van die PFBW wees; en
  - (b) betaal word uit die geld wat daarvoor deur die Provinsiale Wetgewer toegeken is.

**Voorsitter en Onder Voorsitter**

12. (1) Die LUK moet 'n lid aanstel as Voorsitter en 'n ander as 'n Ondervoorsitter vir 'n periode wat nie langer is as die lid se aangewese tydperk van Lidmaatskap nie.
- (2) Die LUK mag die 'n lid soos genoem in 8(1) (a) as Voorsitter of Ondervoorsitter van die Raad aanstel.
- (3) Die Ondervoorsitter moet die magte en funksies van die Voorsitter oorneem, indien die Voorsitter dit nie kan doen nie.

**Dienstydperk**

13. (1) Die lid word aangestel in die amp vir 'n tydperk nie langer as drie jaar van af die aanstellingsdatum.
- (2) Die LUK mag die dienstydperk van 'n lid slegs een keer verleng, vir 'n tydperk nie langer as drie jaar, sonder die prosedure soos uiteengesit in seksie 9.

**Vakatures**

14. (1) Wanneer 'n pos van 'n lid vakant word, mag die LUK in terme van seksie 9 die pos vul.
- (2) Die persoon wat aangestel word volgens subseksie (1) behou die pos vir die tydperk tot die voorgestelde dienstydperk verstryk het.

**Reglstrasie van 'n lid**

15. (1) 'n Lid mag van die Raad bedank mits die persoon ten minste twee maande skriftelike kennis gegee het aan die LUK.
- (2) Die LUK mag 'n korter kennisgewing aanvaar onder spesifieke omstandighede.

**Ontslag van Lede**

16. (1) Die LUK mag 'n lid onder die volgende omstandighede ontslaan:-
- (a) onwaardige gedrag van die lid;
  - (b) gedrag wat die Raad skade sal aandoen;
  - (c) wanneer nie aan die vereiste van Wet of die PFBW voldoen word;

- (d) wanneer die lid nie meer die pligte kan uitvoer nie;
  - (e) as die lid vir drie agtereenvolgende vergaderings van die Raad nie bygewoon het sonder toestemming van die Raad; en
  - (f) wanneer die lid gediskwalifiseer word onder seksie 10.
- (2) Die LUK mag nie die lid ontslaan onder seksie (1) sonder dat lid kans gehad het om aan die LUK te verduidelik nie.
- (3) Die LUK mag 'n lid ontslaan terwyl 'n ondersoek gelas is om die klagte teen die lid te ondersoek.

### **Delegering van magte en pligte**

17. (1) Vir die deeglike uitvoering van die pligte van die Raad mag onder subseksie (2) die pligte en funksies gedelegeer word aan:-
- (a) 'n lid;
  - (b) 'n komitee van die Raad soos na verwys word in seksie 18; of
  - (c) die Hoof Uitvoerende Beampte.
- (2) Die Raad mag nie die volgende pligte delegeer nie:
- (a) die aanwys van die Hoof Uitvoerende Beampte; of
  - (b) die bepaling van die diensomstandighede van die Hoof Uitvoerende Beampte.
- (3) 'n Delegasie onder subseksie (1):-
- (a) is onderhewig aan die omstandighede, beperkinge en aanwysings soos deur die Raad bepaal;

- (b) moet skriftelik wees;
  - (c) ontnem nie die Raad se verantwoordelikheid vir die beoefening van die gedelegeerde funksie of die deeglikheid van die uitvoering van die gedelegeerde funksie nie.
  - (d) Dit verhoed nie die Raad om hulle mag en funksies uit te oefen nie.
- (4) Die Raad mag die delegasie in terme van subseksie (1) bevestig, verander of onttrek om die uitkoms van die besluit te verander.

### **Komitees van die Raad**

18. (1) Die Raad mag een of meer komitees aanstel wat die Raad in terme van die Wet sal help met die uitvoering van sy pligte.
- (2) Die Raad moet:-
- (a) die komitee se funksies bepaal;
  - (b) die prosedure wat die komitee bepaal, insluitend:-
    - (i) die kworum vir die vergadering van die komitee;
    - (ii) die wyse waarop die komitee besluite neem.
  - (c) lede wat genoegsame ondervinding en bekwaamheid besit aanstel as lede van die komitee wat die pligte moet uitvoer; en
  - (d) 'n lid aanstel om as Voorsitter van die komitee op te tree.
- (3) Die Raad mag ter enige tyd:-

- (a) 'n lid van die komitee ontslaan; of
- (b) 'n komitee ontbind.

### **Vergadering van die Raad**

- 19.**
- (1) Die Raad moet ten minste vier keer per jaar vergader.
  - (2) Die Voorsitter besluit waar en wanneer die Raad, vergader, maar die meerderheid van die lede mag skriftelik aansoek doen dat 'n vergadering op 'n bepaalde tyd en plek geskeduleer word.
  - (3) Die Voorsitter beheer die vergadering van die Raad maar as die Voorsitter en die Ondervoorsitter afwesig is kan die Raad 'n ander lid verkies om die taak te doen.
  - (4) Die Voorsitter of verkose lid kan na konsultasie met die Raad enige persoon toelaat om die vergadering by te woon as waarnemer, soos die Voorsitter of verkose persoon sal bepaal.
  - (5) Die Hoof Uitvoerende Beamppte moet:-
    - (a) toesien dat notules van al die vergaderings geneem word; en
    - (b) 'n kopie van die notules aan die LUK besorg.

### **Prosedure van die vergadering**

20. Die Raad mag volgens die voorskrifte van die Wet die prosedures van die vergaderings bepaal.

#### **Kworum en besluite**

21. (1) Die kworum vir die vergadering van die Raad moet ten minste twee derdes van die totale aantal lede wees.
- (2) Die meerderheid stemme van die lede van die Raad teenwoordig by 'n vergadering bepaal die aanvaarding van alle sake wat bespreek is.
- (3) In die geval van 'n staking van stemme het die Voorsitter die deurslaggewende stem.
- (4) (a) Wanneer daar 'n saak is wat die dringende aandag van die Raad verdien en dit is nie moontlik vir die Raad om te vergader nie, moet die Voorsitter sorg dat elke lid:-
- (i) voorsien is van die relevante inligting en dokumentasie wat die saak toelig: en
  - (ii) rekordeer die besluite van die lede en doen verslag aan die Voorsitter.
- (b) 'n Besluit van die meerderheid van die lede oor 'n resoluëie van die Raad moet:-
- (i) die saak bevestig by die volgende vergadering; en
  - (ii) die saak rekordeer in die notules.



**Aanstelling van kundiges**

- 22 Die Raad mag, wanneer dit nodig geag word, 'n kundige aanstel om te help met die uitvoering van die Raad se funksies.

**Afwesigheid van funksionele Raad**

- 23 Indien daar nie 'n funksionele Raad bestaan nie, moet die LUK die funksies en die pligte van die Raad uitvoer.

**Hoof Uitvoerende Beampte**

- 24 (1) Die Raad moet:-
- (a) in twee koerante die pos vir Hoof Uitvoerende Beampte adverteer;  
en
  - (b) 'n Hoof Uitvoerende Beampte vir die Agentskap aanstel.
- (2) Die Hoof Uitvoerende Beampte moet 'n fiks en gesonde persoon wees met geskikte kwalifikasies en ondervinding.
- (3) Die Hoof Uitvoerende Beampte word aangestel onder voorwaardes en terme soos deur die Raad voorgestel in terme van die beleid goedgekeur deur die LUK.
- (4) Die Hoof Uitvoerende Beampte:-
- (a) word aangestel vir 'n dien tydperk van nie langer as drie jaar nie;
  - (c) is verantwoordelik aan die Raad;
  - (d) moet jaarliks skriftelik verslag doen aan

die Raad; en

- (d) mag geen ander betaalde werk doen sonder die skriftelike toestemming van die Raad nie.
- (5) Wanneer die pos van Hoof Uitvoerende Beampte vakant is moet die Raad 'n waarnemende Hoof Uitvoerende Beampte aanstel, maar vir nie langer as ses maande nie.
- (6) Die Raad mag nie een van die lede aanstel as waarnemende Hoof Uitvoerende Beampte nie.

#### **Personeel van Agentskap**

- 25 (1) Die Hoof Uitvoerende Beampte moet in samewerking met die Raad:-
  - (a) die struktuur van die Agentskap bepaal;
  - (b) personeel aanstel om die Agentskap te help met die funksies; en
  - (c) bepaal die omstandighede en terme van die werk van die Agentskap.
- (2) Die Raad moet in samewerking met die LUK en die Lid van die Uitvoerende Raad van Finansies, die salarisstruktuur van die Agentskap personeel bepaal.

#### **Delegering van die funksies en magte van die Hoof Uitvoerende Beampte**

- 26 (1) Die Hoof Uitvoerende Beampte mag, onderhewig aan seksie (2) enige van die Hoof Uitvoerende Beampte se magte of funksies aan 'n personeellid van die Agentskap delegeer.

- (2) Die Hoof Uitvoerende Beampste mag geen plig soos genoem in seksie 25 (1) delegeer nie.
- (3) 'n Delegasie in terme van seksie (1):-
- (a) die Hoof Uitvoerende Beampste mag die voorwaardes, beperking en aanwysings vir 'n gedelegeerde taak stel.
  - (b) moet skriftelik geskied;
  - (c) dit ontnem nie die Hoof Uitvoerende Beampste van die verantwoordelikheid aangaande die oefening van gedelegeerde mag of funksies nie; en
  - (d) verhoed nie die Hoof Uitvoerende Beampste om die gedelegeerde mag toe te pas of om die gedelegeerde taak uit te voer nie.
- (4) Die Hoof Uitvoerende Beampste mag enige besluit geneem as gevolg van die delegasie in terme van seksie (1) bevestig, verander of verwerp om die gevolg daarvan te verander.

### **Befondsing van Agentskap**

- 27 Die fonds van die Agentskap bestaan uit:-
- (a) gelde bewillig deur die Provinsiale Wetgewer vir die uitvoering van die magte en pligte van die Agentskap; en
  - (b) onderhewig aan die PFBW, gelde wat aan die Agentskap uit bronne goedgekeur deur die LUK met die toestemming van die Lid van die Uitvoerende Raad verantwoordelik vir finansies in die provinsie.

### **Regulasies**

- 28** Die LUK mag regulasies oor enige saak maak:-
- (a) volgens voorgeskrewe terme; en
  - (b) wat nodig is om die doelwitte van die Wet uit te voer.

### **Oorgangsmatreëls**

- 29** (1) Alle gelde wat direk voor die totstandkoming van die Wet krediet was van die Limpopo Toerisme Raad Trust Fonds saamgestel in terme van seksie 27 van die 2001 Limpopo Toerisme en Parke Raad (Wet Nr. 8 van 2001) moet oorgedra word aan die Agentskap.
- (2) Alle bates en laste van die Limpopo Toerisme en Parke Raad soos saamgestel in terme van seksie 2 van die Limpopo Toerisme en Parke Raad Wet (Wet Nr. 8 van 2001) gaan na die Agentskap.
- (3) Alle regte en verantwoordelikhede van die Limpopo Toerisme en Parke Raad soos saamgestel in terme van seksie 2 van die Limpopo Toerisme en Parke Raad Wet (Wet Nr. 8 van 2001), in soverre die Wet voorsiening maak vir die regte en verantwoordelikhede, word oorgedra aan die Agentskap.
- (4) Die Agentskap, in so verre dit toerisme sake betref, vervang as litigasie party die Limpopo Toerisme en Parke Raad soos saamgestel in terme van seksie 2 van die Limpopo Toerisme en Parke Raad Wet (Wet Nr. 8 van 2001) in alle litigasie, insluitend arbitrasie, arbeidsdispute en mediasie.

- (5) Alle persone in diens van die Limpopo Toerisme en Parke Raad soos saamgestel in terme van seksie 2 van die Limpopo Toerisme en Parke Raad Wet (Wet Nr. 8 van 2001) word in diens gestel van die Agentskap op dieselfde arbeidsterme en –kondisies.

#### **Herroeping van Wet**

- 30 Die Limpopo Toerisme en Parke Raad soos saamgestel in terme van seksie 2 van die Limpopo Toerisme en Parke Raad Wet (Wet Nr. 8 van 2001) word herroep.

#### **Titelakte en Inwerkingstelling**

- 31 Die Wet genoem die 2008 Limpopo Toerisme Wet kom in werking op die datum wat die Premier in die Gazette publiseer.

**MEMORANDUM**  
**DIE DOELSTELLINGS VAN DIE 2008 LIMPOPO TOERISME WET**

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**1. AGTERGROND**

Tans organiseer die Limpopo Toerisme en Parke Raad die toerisme en parke in die provinsie in terme van die 2001 Limpopo Toerisme en Parke Raad Wet, (Wet nr. 8 van 2001). Gedurende 2006 het die Lid van die Uitvoerende Raad verantwoordelik vir die Departement van Ekonomiese Ontwikkeling, Omgewing en Toerisme strategies besluit om die bestuur van die parke van die bestuur van toerisme te skei om in lyn te kom met nasionale legislatiewe ontwikkeling en om maksimale ekonomiese geleenthede in toerisme te ontwikkel. Die doel van die 2008 Limpopo Toerisme Wet is om die besluit van die LUK te implementeer en om die 2001 Limpopo Toerisme en Parke Raad Wet, wat oorbodig geraak het en nie langer voldoen aan die vereistes en programme van die Limpopo Provinsiale Regering, te hersien.

**2. DOELSTELLINGS VAN DIE WET**

Die doelstellings van die Wet is om: -

- (a) volhoubare ontwikkeling en bestuur van toerisme in die provinsie te verskaf;
- (b) toerisme in die provinsie te bevorder;
- (c) ontwikkeling en investering in die toerisme van die provinsie te stimuleer; en
- (d) 'n toerisme agentskap te skep.

**3. SOSIALE IMPAK**

3.1 Toerisme het die potensiaal om deur werkskepping sosiale ontwikkeling te stimuleer en so te help met armoede verligting. Die Wet poog om volhoubare toerisme in die provinsie te bevorder. Met die ontwikkeling van toerisme fasiliteite en dienste

word die inwoners van Limpopo in staat gestel om die leefstandaarde van plaaslike gemeenskappe te verbeter.

- 3.2 Die toerisme industrie is voortdurend besig om erkenning te kry vir die sleutel industrie vir ekonomiese groei en ontwikkeling. Die Limpopo Agentskap se hoofdoel sal wees om Limpopo as 'n toerisme eindbestemming te ontwikkel. Dit sal ekonomiese geleenthede in die provinsie vermeerder.

#### **4. ARTIKEL ANALISE**

- 3.1 Artikel 1 voorsien definisies.
- 3.2 Artikel 2 stel die doelwitte van die Wet.
- 3.3 Artikel 3 bepaal die rol van die Provinsiale Regering in toerisme.
- 3.4 Artikel 4 bemagtig die LUK om sy of haar magte in verband met die Wet te delegeer.
- 3.5 Artikel 5 maak voorsiening vir die stigting van die Limpopo toerisme Agentskap.
- 3.6 Artikel 6 bepaal die funksies van die Agentskap.
- 3.7 Artikel 7 maak voorsiening vir die vorming van die Limpopo Toerisme Raad.
- 3.8 Artikel 8 bepaal die samestelling van die Raad.
- 3.9 Artikel 9 bepaal die aanstelling van lede van die Raad.
- 3.10 Artikel 10 handel oor die kwalifikasie en diskwalifikasie van lede van die Raad.
- 3.11 Artikel 11 bepaal die toelae en vergoeding van die lede van die Raad.
- 3.12 Artikel 12 maak voorsiening vir die kies van 'n voorsitter en ondervoorsitter van die Raad.
- 3.13 Artikel 13 bepaal die dienstydkperk van die lede van die Raad.
- 3.14 Artikel 14 handel oor vakante poste op die Raad.
- 3.15 Artikel 15 handel oor die bedanking van lede van die Raad.

- 3.16 Artikel 16 maak voorsiening vir die ontslag van lede van die Raad.
- 3.17 Artikel 17 maak voorsiening vir die delegering van die magte en pligte van die Raad.
- 3.18 Artikel 18 maak voorsiening vir die vorming van komitees binne die Raad.
- 3.19 Artikel 19 behandel die vergaderings van die Raad.
- 3.20 Artikel 20 behandel die prosedures tydens Raadsvergaderings.
- 3.21 Artikel 21 behandel die kworum en die besprekings by die vergaderings.
- 3.22 Artikel 22 maak voorsiening vir die aanstelling van kenners om die Raad by te staan met hulle funksies.
- 3.23 Artikel 23 maak voorsiening vir die LUK om die funksies van die Raad waar te neem indien die Raad nie funksioneer nie.
- 3.24 Artikel 24 behandel die aanstelling van 'n Hoof Uitvoerende Beampte van die Agentskap.
- 3.25 Artikel 25 maak voorsiening vir die aanstelling van personeel van die Agentskap.
- 3.26 Artikel 26 behandel die mate van delegering van die Hoof Uitvoerende Beampte.
- 3.27 Artikel 27 handel oor die befondsing van die Agentskap.
- 3.28 Artikel 28 maak voorsiening vir die LUK se magte om regulasies te maak.
- 3.29 Artikel 29 maak voorsiening vir oorgangskikkings.
- 3.30 Artikel 30 herroep die 2001 Limpopo Toerisme en Parke Raad Wet.
- 3.31 Artikel 31 bepaal die Titel Akte en inwerkingstelling.

## **5. ORGANISATORIESE IMPLIKASIES**

Die Wet maak voorsiening vir die samestelling van die Limpopo Toerisme agentskap as Publieke entiteit volgens die 1999 Publieke Finansiële Bestuur Wet (Wet Nr. 1 van 1999) Die Agentskap sal oor 'n eie Bestuursraad , 'n Hoof Uitvoerende Beampte en personeel struktuur beskik.

## **6. FINANSIËLE IMPLIKASIES**

Die Limpopo Toerisme en Parke Raad ontvang jaarliks 'n toelaag uit die begroting van die Departement elk jaar. Aangesien die Agentskap die Limpopo Toerisme en Parke Raad vervang, word aangeneem dat die



Departement die Agentskap op dieselfde wyse sal befonds. Geen nuwe finansiële implikasies word voorsien nie.

**7. GRONDWETLIKE IMPLIKASIES**

In terme van skedule 5 (Deel A) van die Grondwet van die Republiek van Suid Afrika word Toerisme 'n gesamentlike bevoegdheid van die Nasionale en Provinsiale Wetgewer. Die Wet is in ooreenstemming met die Grondwet.

**8. KONSULTASIE**

Die Uitvoerende Bestuur van die Departement van Ekonomiese Ontwikkeling, Omgewing en Toerisme en ander senior regeringsbeamptes was gekonsulteer toe die Wet saamgestel is.

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**MNR COLLINS CHABANE**

**LID VAN DIE UITVOERENDE RAAD**

**DEPARTEMENT VAN EKONOMIESE ONTWIKKELING,**

**OMGEWING EN TOERISME**

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## ISAZISO ESIVAMILEKO

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**ISAZISO 434 SE-2008**

**UKUPHATHWA KWESIFUNDA SELIMPOPO**

**UMNYANGO WOKUTHUTHUKISWA KWEZERHWEBO,  
ZEBHODULUKO NEZOKUVAKATJHA**

**UMTHETHOMLINGWA WEZOKUVAKATJHA WELIMPOPO, 2008**

**NgokoMithetho we-113 weMithetho neKambiso ejanyisiweko  
yesiBethaMithetho soMthethomlingwa weLimpopo  
ukhutjhelwe ukuhlolwa mphakathi.**

**Nanyana ngubani namkha ngiyiphi ihlangano ekhanuka  
ukwenza ilmpakamiso mayelana nomtlolo lo angenza njalo  
ngendlela yokutlola ngaphambi kwa 6 February 2009 no:**

**The Head  
Department of Economics Development  
Environment and Tourism  
Private Bag X8494  
POLOKWANE  
0700**

**INQOPHISWE KU: Kos. Anemmie de Klerk  
Umtato: (015) 293 8514 / 082 806 3190  
[deklerk@ledet.gov.za](mailto:deklerk@ledet.gov.za)**

**ISIBETHAMTHETHO SESIFUNDA SELIMPOPO**

**UMTHETHOMLINGWA WEZOKUVAKATJHA WELIMPOPO, 2008**

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**Yethulwe**

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**(LILUNGA LOMKHANDLU WESIGUNGU ELIPHATHELENE NETUTHUKO  
KEZOMNOTHO, ZEBHODULUKO NEZOKUVAKATJHA)**

## Umthetho wezokuVakatjha weLimpopo, 2008

Ukubonelela ituthuko yasafuthi, ukuphatha nokukhuphula zokuvakatjha eLimpopo; ukubonelela ukutloliswa kwehlalakuhle kezokuvakatjha, ukusungula iPhiko lezokuVakatjha leLimpopo, ukubonelela ilawulo nemisebenzi yePhiko, ukuphelisa umThetho wezokuVakatjha nezamaPhaga weLimpopo, 2001 (uMthetho No. 8 we-200), nokubonelela ngeendaba ezingezelelako.

IHLONYWE Sibethamthatho seProvinsi yeLimpopo ngalendlela:-

### 1. Iinhlathululo

Ngokomthetho lo, ngaphandle kokuthi okuhlathululwako kutjho okhunye-

“**IPhiko**” kutjhiwo iPhiko lezokuvakatjha eLimpopo lelivezwe kusigaba se-5

“**IBhodo**” kutjhiwo iBhodo yezokuVakatjha yeLimpopo ejanyiswe ngokomThetho wesigaba se-7;

“**USihlalo**” kutjhiwo umuntu okhethwe nguSomkhandlu ngokuya ngesigaba 12;

“**IsiPhathiswa esiKhulu sesiGungu**” kutjhiwo isiPhathiswa esiKhulu sesiGungu sePhiko eliqatjhe ngokwesigaba 24;

“**umNyango**” kutjhiwo umNyango ophathelene nezokuVakatjha kuPhrovensi

“**Umpathi womNyango**” kutjhiwo umpathi womnyango ophathelene neendaba zezokuvakatjha kuphrovensi;

“**ILunga**” kutjhiwo ilungu lebhodo elitjhiwo kusigaba 8(1)

“**USomkhandlu**” kutjhiwo uSomkhandlu ophethe iindaba zokuvakatjha Esifundeni;

“**PFMA**” kutjhiwo umThetho wokuPhathwa kweeMali zoMphakathi, 1999 (umThetho No.1 we-1999);

“**Ukuqintela**” kutjho ukuqintela ngokomthetholawulo; begodu

“**UmThetho lo**” kutjhiwo nanyana ngikuphi ukujanyiswa komthetho okwenziwe ngokomThetho.

### Iminqopho yomThetho lo

1) Iminqopho yomThetho lo-

- (a) kubonelela ngetuthuko yasafuthi nokuphathwa kwezezokuvakatjha ephrovinsini;
- (b) kukhuphula zokuvakatjha ephrovinsini;
- (c) kuhlahlambisa/kukhaliphisa ituthuko kanye nesisomali esifundeni; begodu
- (d) nokubonelela ngokuhlonywa kwePhiki lezokuVakatjha ukusiza ukuphumelelisa iminqopho yomThetho lo.

**Indima ethathwa mbuso wesifunda**

- 2) (1) Umbuso wesifunda, ngoSomkhandlu unga-
  - (a) nikela ikulumomgomo ngananyana yini ephathelene nokuphathwa, ukuthuthukiswa, ukuphakanyiswa nokulawulwa kwezokuvakatjha esifundeni; begodu
  - (b) jamisa iinlinganiso namazinga womsebenzi mayelana nemisebenzi yePhiko.
- (2) umbuso wesifunda, ngoSomkhandlu kumele-
  - (a) utjheje begodu usekele ukuphumeleliswa kwamaqhinga wezokuvakatjha esifundeni namaphethelo wombuso;
  - (b) utjheje begodu usekele amahlelo netjhuguluko erhwebeni lezokuvakatjha;
  - (c) uphumelelise amazinga wokuqinisekisa ukuthuthukiswa kwamakghono kezokuvakatjha begodu namahlelo wokufundisa umphakathi ;
  - (d) ukghonakalise itjhuguluko kezokuvakatjha;
  - (e) ukghonakalise ukuhlanganyela kwabahlanganyeli erhwebeni lezokuvakatjha;

- (f) ukudasaphambili ibambiswano lezokuvakatjha kweentjhabatjhaba, iimvumelwano nokuthintana;
- (g) uvume begodu utjheje ukuphumeleliswa kwamano wemitlamo yemisebenzi yomnyaka ye Phiko;
- (h) utlolise umhlahlandlela wezokuvakatjha; begodu
- (i) utlolise imisebenzi yezokuvakatjha nokuphathelele nezokuvakatjha ngokuya ngokwekambiso ebekiweko.

#### **Ukunikelwa kwamandla nguSomkhandlu**

4. USomkhandlu ngokutlola, anganikela nanyana ngimaphi amandla athweswe, aphathiswe nofana anikelwe wona ngokomThetho lo, woku-

- (a) qatjha amalunga weBhodo; begodu
- (b) nokwenza imithetjhwana

kumPhathi womNyango ngemvumo nofana ngaphandle kwemvumo yokudlulisa amandla nofana umsebenzi onjalo.

#### **Ukujanyiswa kwePhiko**

5. (1) IPhiko elibizwa ngePhiko lezokuVakatjha leLimpopo lihlonyiwe.
- (2) iPhikweli limumethe-
- (a) iBhodo ebunjwe nguSomkhandlu ngokomThetho lo;

- (b) isiPhathiswa esiKhulu sesiGungu;
- (c) nabasebenzi bePhiko.

### **Imisebenzi yePhiko**

#### **6. IPhiko kumele-**

- (a) lithuthukise beliphumelelise qhinga lokukhangisa zokuvakatjha ngaphakathi kwephahla lamaqhinga wezokuvakatjha wesifunda;
- (b) lithembise belikghonakalise irhubhululo lezokuvakatjha elivunywe mNyango;
- (c) lisekele itjhuguluko lezokuvakatjha namahlelo wokufundisa umphakathi;
- (d) lingezelele belikghonakalise amathuba wokusisa iimali kezovakatjha eenqiwini zemvelo ezingaphasi kombuso;
- (e) lisungule ituthuko yomkhiqizo wezokuvakatjha eenqiwini zezemvelo ezingaphasi kombuso.
- (f) linikele imisebenzi yobuntu eenqiwini zemvelo ezingaphasi kombuso;
- (g) ngokwe -PFMA neminye imithetjhwana efaneleko, lihlome ihlanganyelo elimaqhinga nemiphakathi, iinhlango, izakhiwo zombuso neenhlango zezokuvakatjha ukungezelela ukukhangiswa kwezokuvakatjha;
- (h) lihlome belilonde indawo yemininingwani ephethe ilwazi elimalungana-
  - (i) neganukejo lezokuvakatjha elikhona, umthangalasisekelo, iinsetjenziswa, imisebenzi, indawo nokufumaneka;
  - (ii) iinganukejo zemvelo zamasiko ezingathuthukiswa njengeenganukejo zezokuvakatjha esifundeni; begodu

- (iii) libe neendawo ezitja zemisebenzi yezokuvakatjha neendawo ezifaneleko zemisebenzi;
- (i) liluleke uSomkhandlu mayelana nenye nenye into ephathelene nerhwebo lezokuvakatjha; begodu
- (j) lenze nanyana ngiwuphi umsebezi elizawulayelwa nguSomkhandl

### **IBhodo yePhiko**

- 7. (l) USomkhandlu kumele abumbe iBhodo yezokuVakatjha yeLimpopo okumele yenze isivumelwano saqobe mnyaka noSomkhandlu malungana –
  - (a) nokwenza imisebenzi yeBhodo;
  - (b) nokuthobela imigomo; begodu
  - (c) nayana ngiziphi iindaba ezifunekako ukuphumelelisa iminqopho yomthetho lo.
- (2) IBhodo izibophelele ukwenza imisebenzi yePhiko.
- (3) IBhodo inegunya lokuziphendulela okutjhiwo sigaba 49(2)(a) se -PFMA.
- (4) IBodo kufanele ibuyekeje iindlela zekambiso kanye nekambiso qho, ukuqinisekisa ukuphumelela kwehlelo lokulawula langaphakathi leBhodo.
- (5) IBhodo ingavula i-ofisi lobumabhalani ukusiza iBhodo ukwenzena imisebenzayo.

### **Ukwakheka kweBhodo**



8. (1) iBhodo kumele imumathe-
- (a) umjameli –
    - (i) womNyango, okethwe mPhathi womNyango;
    - (ii) weHlangano yabōRhulumende beKhaya yeSewula Afrika ekhethwe siphathiswa esikhulu sesigungu sehlangano leyo;
  - (b) amalunga amabili anelemuko nekghono lokukhangisa zokuvakatjha , ukuthuthukisa nerhubhululo ;
  - (c) ilunga linye elinelemuko nekghono ngerhwebo leenyamazana zommango ;
  - (d) ilunga linye elinelemuko nekghono lokuphatha lindawo ezivikelekileko nokutlhogonyelwa kwesayensi ehluhlukeneko;
  - (e) amalunga amabili anelemuko nekghono lokuphatha irhwebo;
  - (f) amalungu amabili anelemuko nekghono lokuthuthukiswa komphakathi.
- (2) IsiPhathiswa esiKhulu somKhandlu, ngamandla we- ofisi, sililunga Elinganalungelo lokuvowuda.

**Ukuqatjiswa kweBhodo**

9. (1) USomkhandlu kumele –
- (a) amemezele ilenyulo lokuqatjiswa ebhodini ngokukhupha isaziso okungasenani emephephandabeni amabili.

- (b) ngaphasi kwesigaba se-10 nelenyulweni elemukelweko aqatjhe amalunga weBhodo.
- (2) Ilenyulo elenziwe ngokufaneleko kusaziso nangokwesigatjana kumele sithekghe –
- (a) yi- CV ezeleko yomnyulwa;
- (b) mitlolo yemininingwana ethekgheko etjengisa ilwazi nelemuko lomnyulwa elizakusiza ekusebenzeni kwePhiko;
- (c) incwadi evela kumnyulwa eyamukela ilenyulo; begodu
- (d) nokuzibophelela okwenziwa ngumnyulwa lapho azibophelela khona ngekareko bunqopho namkha ngokungasibunqopho; okungahle kwakhe ukutjhayisana kwekareko malungana nokuziphendulela komnyulwa nange aqatjhe yiBhodo;
- (3) nakuqatjha amalunga weBhodo uSomkhandlu kumele aqinisekise bonyana iBhodo yoke iba nelwazi nelemuko elaneleko mayelana nelawulo nekambiso ebambiseneko eendabani ezikhambisana nemisebenzi yePhiko

#### **Ukulungela nokungalungeli kwamalungu**

- 10 (1) Umuntu kufanele abe ngophilileko nokufaneleko ukuphatha i-ofisi njengelunga
- (2) Umuntu angekhe aqatjhe nofana abe lilunga nangabe-
- (a) ulilunga lesibethamthetho sesifunda;

- (b) umenzezelwe yikhotho yamakghono njengomuntu ongakwazi ukulawula iindaba zakhe;
- (c) umenzezelwe yikhotho yomthetho bona azibethi kuhle;
- (d) wakhe wabotjhelwa umlandu wokungathembeki;
- (e) wakhe waqothwa e- ofisini ngebanga lokweqa umthetho; nofana
- (f) ngokuya ngesigaba 8 (i) (a)(i) no (ii) usisebenzi sombuso nofana uphethe isikhundla esibhadelwako embusweni.

#### **Ukubonelelwa nokubhadelwa kwamalunga**

11. (1) USomkhandlu, ngokubonisana neLunga eliKhulu lenKhansela eliphethe zeemali esifundeni, angabeka urholo neembonelelo zelunga.
- (2) Ilunga eliqatjhwwe mbuso alinalungelo lokuthola umrholo nofana ukubonelelwa
- (3) Umrholo neembonelelo ezinikelwa ngokwesigaba (i) kumele-
- (a) zibe ngokuvumelana manazinga neelinganiso zomNyango waboRhulumente ophethe iimali ofaneleko ngokwe-PFMA; begodu
  - (b) zibhadalwe eemalini eziqalene nalokho ezihlelwe siBethamthetho sesiFunda.

#### **uSihlalo noSekelasihlalo**

12. (1) USomkhandlu kumele akhethe ilunga elizokuba nguSihlalo, begodu nelinye elizokuba nguSekelasihlalo weBhodo,

esikhathini esingadluli isikhathi se- ofisi selunga.

- (2) USomkhandlu akakafaneli ukukhetha ilunga elitjhiwo esigabeni 8(i) njengoSihlalo nofana uSekelasihlalo weBhodo esikhathini esingadluli isikhathi se- ofisi selunga
  - (3) USekelasihlalo kumele asebenzise namandla kaSihlalo begodu enze Nemisebenzi kaSihlalo lokha nakangekho uSihlalo.
13. (1) Ilunga liphatha i-ofisi isikhathi esingeqiko eminyakeni emithathu ukusukela ngelanga lokuqatjwa.
- (2) USomkhandlu angangezelela isikhathi se-ofisi selunga, kanye nesikhathi esingeqi iminyaka emithathu, ngaphandle kokulandela ikambiso etlolwe esigabeni se -9.

#### **Iinkhundla**

14. (1) Lokha i-ofisi lelunga naliba nesikhundla, uSomkhandlu ngokuya ngokwekambiso enikelwe esigabeni 9, angasizalisa esosikhundla.
- (2) Ilunga eliqatjwe ngokwesigatjana (1) iphatha i-ofisi Ingcenye yesikhathi esingapheliko selunga elitjhiya i-ofisi.

#### **Ukuthokoza Isikhundla kwelunga**

15. (1) Ilunga lingathokoza Isikhundla kuBhodo ngokufaka isaziso kuSomkhandlu esikhathini esingangeenyanga ezimbili ubuncani.
- (2) USomkhandlu angasemukela isaziso sesikhathi esiseduze nakunebanga elithileko.

**Ukususwa kwelungu**

16. (1) USomkhandlu angalisusa ilunga e-ofisini ngebanga-
- (a) lokungaziphathi kuhle kwelunga;
  - (b) lokwenza izinto ezehlisa isithunzi seBhodi,
  - (c) lokubhalelwa kukhambisana nemibandela yomThetho lo nofana ye-PFMA;
  - (d) loku bhalelwa kukwenza imisebenzalo ngokuzeleko;
  - (e) lokweqwa mihlangano emithatho elandelanako ngaphandle kwemvumo yeBhodo; nofana
  - (f) lokuqothwa ngesigaba se-10.
- (2.) USomkhandlu ngekhe alisuse ilunga e-ofisini ngokwesigatjana
- (1) ngaphandle kokuthi uSomkhandlu onikele ilunga ithuba lokukhulunyelwa kuSomkhandlu.
- (3.) USomkhandlu angalijamisisa ilunga e-ofisini nakusaphenyisiswa ngalo.
17. (1) Nakunesidingo sokwenziwa komsebenzi kuhle, iBhodo, ngokuya ngokwesigatjana (2), ingadlulisela amandla wayo nofana imisebenzayo-
- (a) kulunga;
  - (b) kukomiti yeBhodo etjhiwo kusigaba 18; nofana
  - (c) kusiPhathiswa esiKhulu somKhandlu
- (2.) IBhodo angekhe idlulisele amandlayo-
- (a) wokuqatjha
  - (b) wokubeka imibandela yomsebenzi wesiPhathiswa esiKhulu somKhandlu.

- (3) Ukunikelwa kwamandla ngokwesigatjana (1)-
- (a) kungaphasi kwemibandela, imikhawulo; neendlela ezizakubekwa yiBhodo;
  - (b) kumele kutlolwe;
  - (c) kungaphambukisi iBhodo ekuziphenduleleni mayelana nokusebenzisa amandla enikelwe wona nofana ukwenza i misebenzi enikelwe yona; begodu
  - (d) kungakhandeli iBhodo ukusebenzisa amandla wayo nofana ukwenza umsebenzi onqophene nayo
- (4) IBhodo ingaqinisekisa, ihluke, namkha icithe Isiqunto esithethwe ngokujanyelwa ngokwesigatjana(1), ngaphasi kwananyana ngiliphi ilungelo ezabe ilinikelwe ngokomphumela nesiqunto.

#### **AmaKomiti weBhodo**

18. (1) IBhodo ingahloma ikomiti nofana amakomiti azokusiza ekusebenziseni amandla nekwenzeni imisebenzayo ngokomThetho lo.
- (2) Bhodo kumele –
- (a) i beke imisebenzi yekomiti;
  - (b) ibeke ikambiso yokusebenza kwekomiti, okufaka hlangana-
    - (i) ikhoramu yomhlangano wekomoti;
    - (ii) indlela ikomiti ithatha ngayo iinqunto;
  - (c) ikhethe amalunga alungele nofana anelemuko ngemisebenzi

yekomiti; begodu

(d) ikhethe ilungu ekomitini libe ngusihlalo wekomiti.

(3) iBhodo kesinye nesinye isikhathi-

(a) ingalisusa ilunga ekomitini, nofana

(b) ingaphadlhalaja ikomiti

### **Imihlangano yeBhodo**

19. (1) Ibhodo kufanele ihlangane okungasenani kane ngomnyaka.

(2) USihlalo nguye oqunta bonyana umhlangano ubanjwa nini, begodu kuphi, kodwana inengi lamalungu, ngokutlola ngambawa uSihlalo bonyana abize umhlangano ngesikhathi nendawo etjhiwo ngibo.

(3) USihlalo wengamela imihlangano yeBhodo, kodwana nangabe uSihlalo noSekelasihlalo bangekho emhlanganweni, amalunga akhona kumele akhethe ilunga elizakwengamela umhlangano.

(4) USihlalo nofana ilunga elingumjaphethe, emva kokubonisana neBhodo angavumela nanyana ngubani ongasilo ilungu emhlanganweni weBhodo abe mtjheji, ngendlela uSihlalo nofana umjaphethe azakuhlela ngayo.

(5) IsiPhathiswa esiKhulu sesiGungu kumele-

(a) siqinisekise bonyana amaminithi wemihlangano yoke iyagcinwa; begodu

(b) sinikele uSomkhandlu ikhophi yamaminithi.

### **Ikambiso yemihlangano**

20. iBhodo, ngaphasi kwemihlinzeko yomThetho lo, ingabeka ikambiso yayo yemihlangano.

**Ikhoramuneequnto**

21. (1) Ikhoramuneequnto yomhlangano weBhodo kumele kube okungasenani bubili besithathu benani lamalunga.
- (2) Indaba eBhodini iquntwa ngenengi lamavowudu wamalunga akhona emhlanganweni.
- (3) Nange inani lamavowudu lilingana mayelana nendaba evowudelwako, uSihlalo uba nevowudu eba yivowudu equntako kasihlalo.
- (4) (a) Nangabe kunendaba efuna itjhejo elirhabako leBhodo kodwana ibhodo ingakghoni ukuhlangana ngalesosikhathi, uSihlalo kumele aqinisekise bona ilunga elinye nelinye-
- (i) linikelwa imininingwane efaneleko nemitlolo yobufakazi emayelana naleyondaba; begodu
- (ii) arekhode isiqunto salelo lunga ngendaba leyo bese udlulisela lelo rekhodi kuSihlalo;
- (b) isiqunto senengi lamalunga ngendaba siba sivumelwano seBhodo, begodu kumele-
- (i) sivunywe yibhodo emhlanganweni olandelako weBhodo, begodu.
- (ii) sitlolwe emaminithini.

**Ukuqatjiswa kwezazi**

22. IBhodo, nayibona kufanele ingaqatjha isazi ukusiza ekwenzeni imisebenzayo.



**Ukungabi khona kweBhodo esebenzako**

23. USomkhandlu, nange iBhodo esebenzako ingekho, kumele enze imisebenzi yeBhodo.

**IsiPhathiswa esiKhulu sesiGungu**

24. (1) IBhodo kumele-
- (a) ikhuphe isikhangiso okungasenani emephehpandabeni amabili ameme iimbawo zokuba siPhathiswa esiKhulu sesiGungu; begodu
  - (b) iqatjhe isiPhathiswa esiKhulu sesiGungu sePhiko.
- (2) IsiPhathiswa esiKhulu sesiGungu kumele sibe mumuntu olungele nofanele umsebenzi lo begodu sibe neemfundo nelemuko elifaneleko.
- (3) IsiPhathiswa esiKhulu sesiGungu siqatjhwe ngaphasi kwemibandela zokuqatjha yeBhodo ngokomgomo ozakujanyiswa bewavunywe nguSomkhandlu.
- (4) IsiPhathiswa esiKhulu sesiGungu-
- (a) siqatjha isikhathi esingeqi eminyakeni emithathu;
  - (b) sinobuziphendulela eBhodini;
  - (c) simele senze isivumelwano esitloliweko sokusebenza neBhodo; begodu
  - (d) akukameli sisebenze omunye umsebenzi obhadelako ngaphandle kokuthola imvumo yeBhodo.
- (5) Njalo isikhundla sesiPhathiswa esiKhulu sesiGungu nasinganamuntu, iBhodo kumele ikhethe isiPhathiswa sePhiko sibe ngumjaphethe kasiPhathiswa esiKhulu sesiGungu isikhathi

esingadluli iinyanga ezisithandathu.

- (6) IBhodo akukameli bonyana ikhethe ilunga libe mjaphethe wesiPhathiswa esiKhulu sesiGungu.

#### **Abasebenzi bePhiko**

25. (1) ISiphathiswa esiKhulu siseGungu, ngokukhambela neBhodo kumele-
- (a) sihlome isakhiwo sabasebenzi bePhiko;
  - (b) siqatjhe abasebenzi ukusiza iPhiko ukwenza imisebenzalo;
  - (c) nokujamisa imikhawulo nemibandela yokuqatjiswa kwabasebenzi.
- (2) IBhodo ngokuvunyelwa nguSomkhandlu neLunga eliKhulu lomKhandlu eliphethe zeemali; libeke isilinganiso somrhalo wabasebenzi.

#### **Ukunikelwa kwesiPhathiswa esiKhulu amandla nofana Imisebenzi**

26. (1) ISiphathiswa esiKhulu sesiGungu ngokuya ngokwesigatjana (2), singanikelwa nanyana ngimiphi imisebenzi namandla wesiPhathiswa esiKhulu sesiGungu kumsebenzi wePhiko.
- (2) ISiphathiswa esiKhulu sesiGungu asikwazi ukudlulisela imisebenzi etjhiwo kusigaba 25 (1).
- (3) Ukudluliswa kwamandla nemisebenzi ngokwesigatjana (1)-
- (a) kungaphasi kwemibandela, imikhawulo neendlela ezizokubekwasiPhathiswa esiKhulu sesiGungu;
  - (b) kwenziwe ngokutlolo;

- (c) akuphambukisi isiPhathiswa esiKhulu sesiGungu ukuziphenduleleni kwaso mayelana namandla esinikelwe wona nofana ukwenza umsebenzi esinikelwe wona; begodu
  - (d) akukhandeli isiPhathiswa esiKhulu sesiGungu ekwenzeni umsebenzi esinikelwe wona nofana amandla esiwanikelweko.
- (4) IsiPhathiswa esiKhulu sesiGungu singavuma, siphikise nofana sicithe nanyana ngisiphi isiqunto esithethwe ngobujameli obungokwesigatjana (i), ngaphasi kwamalungelo abekwe ngokwemiphumela yesiqunto.

#### **Ukusekelwa ngeemali kwePhiko**

#### **27. Imali zePhiko zimumethe –**

- (a) imali ezivunyelwe siBethamthetho sesiFunda ukusebenzisa amandla nokwenza imisebenzi yePhiko; begodu
- (b) Ngaphasi kwemibandela ye-PFMA, imali eqokelwe ephikweni ivela emithonjeni evunye nguSomkhandlu ngokuvumelana neLunga lomKhandlu wesiGungu eliphetho zeemali esifundeni.

#### **28. USomkhandlu angenza imithetholawulo ngananyana ngiyiphi indaba-**

- (a) ehlathululwe ; nofana
- (b) efanele ukuphumelelisa iminqopho yomthetho lo.

#### **Imihlinzeko yamatjhuguluko**

#### **29. (1) Zoke iimali ebekungeze Trasti yeBhodo yezokuVakatjha**

yeLimpopo ehlonywe ngokwesigaba 27 somThetho wezokuVakatjha nezamaPhaga weLimpopo, 2001 (umThetho No. 8 we-2001), kumele zibuyele kuPhiko misinya ngaphambi kokuthoma komthetho lo.

- (2) Woke amafa neenkwelede zeBhodo yezokuVakatjha nezamaPhaga yeLimpopo ehlonywe ngokwesigaba se- 2 somThetho yezokuVakatjha nezamaPhaga weLimpopo, 2001 (umthetho No. 8 we- 2001) zibekwe phezu kwePhiko.
- (3) Woke amalungelo neembopho zeBhodo yezokuVakatjha nezamaPhaga yeLimpopo, ngokwesigaba 2 somThetho ezokuVakatjha nezamaPhaga weLimpopo, 2001 (umThetho No. 8 we- 2001) abekwe phezu kwePhiko ngokwemihlinzeko eyenziwe mThetho lo.
- (4) Iphiko mayelana neendaba zezokuvakatjha, lilihlelo lokuvikela umlandu leBhodo yezokuVakatjha nezamaPhaga yeLimpopo elihlonywe ngokwesigaba se-2 somThetho weBhodo lezokuVakatjha nezamaPhaga weLimpopo, 2001 (umThetho No. 8 we- 2001) kiwo woke amacala ajanyisweko kufakwa hlanguka ukulamumala nemibango yemisebenzi.
- (5) Boke abantu abaqatjwe yiBhodo yezokuVakatjha nezamaPhaga yeLimpopo ehlonywe ngokwesigaba se-2 somThetho weBhodo yezokuVakatjha nezamaPhaga weLimpopo, 2001 (umThetho No. 8 we- 2001) badluliselwa

ephikweni ngemigomo nemibandela efanako yokuqatjha.

**Ukupheliwa Komthetho**

- 30.** UmThetho weBhodo yezokuVakatjha nezamaPhaga weLimpopo, 2001 (umThetho No. 8 we- 2001) uyapheliwa.

**Isihloko esifitjhani nokuthoma kwaso**

- 31.** Umthetho lo ubizwa ngokuthi mThetho wezokuVakatjha nezamaPhaga weLimpopo 2008, begodu uzakuthoma ukusebenza ngelanga elizokutjhiwo nguSomkhandlu ngesimemezelo azasikhupha kuGazethi.
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**(MEMORANDUM ON THE OBJECTS OF LIMPOPO TOURISM BILL)****UMBIKO OTLOLIWEKO OMAYELANA NOMNQOPHO WOMTHETHOMLINGWA  
WEZOKUVAKATJHA ELIMPOPO, 2008****1. ISENDLALELO**

Njenganje iBhodo yezokuVakatjha nezamaPhaga yeLimpopo (Limpopo tourism and Parks Board) ilawula zokuvakatjha nezamaphaga kuphrovinsi, ngokomthetho weBhodo yezokuVakatjha nezamaPhaga yeLimpopo, 2001 (UmThetho No. 8 we-2001). Ngomnyaka we-2006 amaLunga womKhandlu wesiGungu aqalene noMnyango wokuThuthukiswa komNotho, zeBhoduluko nezokuVakatjha, athatha isinqumo sokuhlukanisa ilawulo lamaphaga nelawulo lezokuvakatjha ngomnqopho wokunqophisa ukuphathwa kweenhlangano ezimbilezi nokuthuthukisa ukweziwa komthetho welizweloke nokukhulisa ngokupheleleko amathuba wezokuvakatjha. Ihloso yomThethomlingwa wezokuVakatjha weLimpopo, 2008 kuphumelelisa isinqumo sakaSomkhandlu begodu nokuphelisa umThetho weBhodo yezokuVakatjha nezamaPhaga eLimpopo, 2001 ongasasetjenziswa begodu ongasakhambelani namano namahlelo weBhodo yePhrovinsi yeLimpopo.

**2. IMINQOPHO YOMTHETHOMLOINGWA**

Imonqopho yomThetho:

- a. kubonelela ngetuthuko yasafuthi nelawulo kezokuvakatjha kuphrovinsi;
- b. kukhuphula zokuvakatjha kuphrovinsi;
- c. kukhaliphisa ukuthuthukiswa kezokuvakatjha begodu nesisomali kuphrovinsi; begodu
- d. nokubonelela ukuhlonywa kwePhiko lezokuvakatjha

**3. IINTHINTELA ZEZOKUHLALISANA**

Zokuvakatjha zinekghono lokukhuphula ukuthuthukiswa kwezokuhlalisana ngokusungula imisebenzi ezokusiza ukurarha ubuqaka. UmThethomlingwa ubinge ukukhuphula zokuvakatjha zasafuthi kuphrovinsi. Ukutlanywa kweensetjenziswa nemisebenzi engathokozelwa babantu beLimpopo, kungenza ngcono amazinga wokuphila womphakathi. Ibubulo lezokuvakatjha lithola itjhejo elingezeleleleko ngombana kungilo eliletha ukukhula kezokuthuthukiswa komnotho. IPhiko lezokuVakatjha eLimpopo lizozibophelela ekukhangiseni iLimpopo njengendawo yokuvakatjha.

Lokhu kuzokwengeza amathuba wemnotho ephrovinsini.

#### 4. UKUHLAZIYWA KWEENDINYANA NGEENDINYANA

- Indinyana 1 yomThethomlingwa umumethe iinhlathululo.  
 Indinyana 2 iphathelene neminqopho yomThethomlingwa.  
 Indinyana 3 iphathelene nendima ethathwa mBuso wePhrovinsi kezokuvakatjha  
 Indinyana 4 imumethe amadla kaSomkhandlu wokudlulisela amandla awanikelwe mThethomlingwa.  
 Indinyana 5 iveza ukuhlonywa kwePhiko lezokuVakatjha eLimpopo.  
 Indinyana 6 iphathelene nemisebenzi yePhiko.  
 Indinyana 7 imumethe ukuhlonywa kwezokuVakatjha eLimpopo.  
 Indinyana 8 mumethe ibunbeko leBhodo.  
 Indinyana 9 iphathelene nokukhethwa kwamalunga weBhodo.  
 Indinyana 10 iphathelene nokuphasiswa nokwehliswa kwamalunga.  
 Indinyana 11 imumethe iimbonelelo nembadala yamalunga weBhodo.  
 Indinyana 12 iphathelene nokukhethwa kwakasihlalo nesandla sakasihlalo weBhodo.  
 Indinyana 13 iphathelene nesikhathi sesikhundla kuBhodo.  
 Indinyana 14 iphathelene neenkhalo zeenkundla zeBhodo.  
 Indinyana 15 iphathelene nokutloliswa kwamalunga weBhodo.  
 Indinyana 16 imumethe ukukhutjiswa kwamalunga kweBhodo.  
 Indinyana 17 imumethe ukunikelwa kwamandla nemisebenzi yeBhodo.  
 Indinyana 18 imumethe ukuhlonywa kwekomothi yeBhodo.  
 Indinyana 19 iphathelene nemihlangano yeBhodo.  
 Indinyana 20 iphathelene neenkambiso zeBhodo.  
 Indinyana 21 iphathelene nekhoramukho nokuthathwa kweenqunto emihlanganweni.  
 Indinyana 22 iphathelene nokukhethwa kwabosolwazi ukusiza iBhodo ukwenza imisebenzi yayo.  
 Indinyana 23 imumethe imisebenzi yeBhodo efanele yenziwe nguSomkhandlu lokha iBhodo esebenzako nayingekho.  
 Indinyana 24 imumethe ukukhethwa kwesiPhathiswa esiKhulu seSigungu.  
 Indinyana 25 iveza kwabasebenzi beBhodo.  
 Indinyana 26 iphathelene nokunikelwa kwesiPhathiswa esiKhulu seSigungu amandla.  
 Indinyana 27 imumethe ukusekelwa kwePhiko ngeemali.  
 Indinyana 28 imumethe amandla wakaSomkhandlu wokwenza imithetjhwana.  
 Indinyana 29 imumethe imihlinzoko yokutjhugululwa kwamahlelo.  
 Indinyana 30 imumethe ukupheliswa komThetho weBhodo yezokuVakatjha nezamaPhaga yeLimpopo( UmThetho no.8 we-2001)  
 Indinyana 31 imumethe ukusungulwa neenhlokwana ezifitjhani.

#### 5. IINTHINTELA ZEZEHLALAKUHLE

UmThethomlingwa uveza ukuhlonywa kwePhiko lezokuVakatjha eLimpopo, njengePhiko elizijameleko lomPhakathi, 1999 (UmThetho NO. 1 we-1999) IPhiko

lizakuba neBhodo elawulako, isiPhathiswa esiKhulu sesiGungu nesakhiwo salo sabasebenzi.

#### **6. IINTHINTELA ZEZEEMALI**

IBhodo yezokuvakatjha nezamaPhaga yeLimpopo ifumana isabelo seemali esibuya emNyangweni qobe mnyaka. Njengoba iPhiko lingqophe ukujamiselela iBhodo yezokuVakatjha nezamaPhaga yeLimpopo, kulindelwe bona umNyango uragelephambili noku bonelela iPhiko elitjha ngeemali njengaphambilini. Azikho iinthintela ezitjha zeemali ezilindelweko.

#### **7. IINTHINTELA ZOMTHETHOSISEKELO**

Ngokwemigomo yehlelo lesi-5 (iNgcenywe-A) yomThethosisekelo weRiphabhligi yeSewula Afrika, zokuVakatjha zilikhono lomthetho wePhrovinsi neweLizwelo. UmThethomlingwa ukhambelana nomthethosisekelo.

#### **7. UKUBONISANA**

UmPhathi wesiGungu somNyango wezokuThuthukiswa kwezomNotho, zeBhoduluko nezokuVakatjha nezinye iimphathiswa ezikulu zombuso zabandakanywa nakutlanywa umThethomlungwa.



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**NDIVHADZONYANGAREDZO**

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**NDHIVADZO 434 YA 2008****TSHUMELO YA VUNDU LA LIMPOPO****MUHASHO WA MVELEDZISO YA IKHONOMI, VULONDAMUPO NA  
VHUENDELAMASHANGO****MULAYOTHANGELI WA ZWA VHUENDI WA LIMPOPO, 2008, 2008**

Hu tshi tevhedzwa mulayo wa 113 wa milayo i dzulaho i hone ya vhusimamilayo ha Limpopo, mulayothangeli wa zwavhuendi wa Limpopo u khou andadzwa hafha u itela mahumbulwa a lushaka.

Muhtu munwe na munwe kana dzangano vha nga kha di bvisela mahumbulwa avho kha linwalo lo bulwaho nga u tou nwala, hu saathu u swika 6 February 2009.

Vha rumele mahumbulwa avho kha:

**Toho ya muhasho  
Department of Economic Development,  
Environment and Tourism  
Private Bag X9484  
POLOKWANE  
0700**

**ZWO NEKEDZWA : Ms Anemmie de Klerk  
Tel: (015) 293 8514 / 082 806 3190  
[dekierka@ledet.gov.za](mailto:dekierka@ledet.gov.za)**

**HA VUNDU LA LIMPOPO**

**MULAYO THANGELI WA VHUENDELAMAHSNGO WA LIMPOPO, 2008**

**Sa zwe wa divhadzwa nga**

**(MIRADO YA KHOROTSHITUMBE YA MVELEDZISO YA MAKWEVHO,  
VHULONDAMUPO NA VHUENDELAMASHANGO)**

**Mulayo wa vhuendelamashango, 2008**

**U nekedza mvelaphanda yo kwathaho, ndangulo na u bvedza vhuendela mashango ha Limpopo; u konadzea ha u nwaliswa ha zwiimiswa zwa vhuendela mashango; u nekedza ndangulo ya tshimiswa tshenetshi; u khwinisa mulayo wa vhuendelamashango na bodo ya zwa dziphakha, 2001 (mulayo wa 8 wa 2001)**

**WO KWINISWA nga vhusimamilayo ha Limpopo sa zwi tevhelaho:--**

**1. Thalutshedzo**

kha uno mulayo nga nda ha muso ndzulule l tshi sumba zwinwe--

**"Tshimiswa"** zwi amba tshimiswa tsha zwa vhuendela mashango tsha Limpopo (Limpopo Tourism Agency) tsho itwaho nga khethekanyo 5;

**"Bodo"** zwi amba bodo ya Limpopo ya zwa vhuendela mashango (Limpopo Tourism Board) yo vhuinbiwaho hut shi tevhelwa khethekanyo 7;

**"Mudzulatshidulo"** zwi amba mu'hu o newaho maanda nga MEC u ya nga khethekanyo 12;

**"muofisi mulangi muhulu"** zwi amba muofisi mulangi muhulu wa tshimiswa o tholiwaho hut shi tevhelwa khethekanyo 24;

**"Muhasho"** zwi amba muhasho wo hweswaho vhudifhinduleli ha zwa vhuendela mashango vunduni;

**"Thoho ya muhasho"** zwi amba thoho ya muhasho u shumanaho na zwa vhuendela mashango vunduni;

**"murado"** zwi amba murado wa bodo sa zwi re kha khethekanyo 8(1);

**"MEC"** zwi amba murado wa khorotshitumbe o hweswaho vhudifhinduleli ha muhasho vunduni;

**"PFMA"** zwi amba mulayo wa zwa ndango ya masheleni a lushaka, 1999 ( Mulayo 1 wa 1999)

**“u randelwa”** zwi amba u randelwa lwa mulayo, na

**“hoyu mulayo”** zwi katela mulayo munwe na munwewo itwaho wo livhanywa na hoyu mulayo.

### **Ndivho ya mulayo**

**2.** Ndivho dza uno mulayo ndi-

- (a) u netshedza mvelaphanda na vhulangi ho khwathaho ha vhuendela mashango vunduni;
- (b) u bveledza vhuendela mashango vunduni;
- (c) u tutula mveledziso ya vhuendela mashango na vhubindudzi vunduni; na
- (d) u nekedza khonadzeo ya u vhumbwa ha tshiimiswa tsha vhuendela mashango u itela ndivho dza mulayo.

### **Mishumo ya muvhuso wa vundu**

**3.** (1) Muvhuso wa vundu nga kha MEC u nga-

- (a) bvisa ndaela I kwamaho malangele, mveledziso na ndangulo ya vhuendela mashango vunduni; na
- (b) u ta mashumele na nyimelo ya kushumele kwa tshiimiswa tsha vhuendela mashango.

(2) muvhuso wa vundu nga kha MEC u nga-

- (a) Tola na u thusedza maitete a vhendela mashango vunduni na kha mivhuso yapo.
- (b) u disa maitete kana mbekanyamushumo dza u bveledza ndivho na vhukoni;

- (c) tutuwedza u dzhelela ha vhothe vha kwameaho kha zwa vhuendela mashango
- (d) rangaphanda vhuendela mashango ha dzitshaka,
- (e) tshumisano, thendelano na vhukonani;
- (f) tendela na u tola maitele a maano a tshumelo a tshiimiswa tsha vhuendela mashango;
- (g) nwalisa vhathusa vhaendela mashango; na
- (h) nwalisa mashumele a zwa vhuendela mashango u ya nga maitele o teaho.

#### **U maanda fhadzwa nga MEC**

4. MEC nga u tou nwala vha nga nea maanda kana mushumo wo hweswaho vhone nga fhasi ha hoyu mulayo nga nnda ha maanda a –
- (a) u thola ,irado ya budo; na
  - (b) u ita milayo ya ndango,
- kha thoho ya muhasho khathihi na thendelo ya u a vusuludza kana u a engedza.

#### **U thomiwa ha tshiimiswa**

5. (1) Muthu lwa mulayo ane a pfi ndi tshiimiswa tsha zwa vhuendela mashango tshi a thomiwa.
- (2) Tshiimiswa itshi tsho vhumbwa nga –

- (a) Bodo yo thomiwaho nga MEC hu tshi tevhelwa uno mulayo;
- (b) muofisi mulangi muhulu; na
- (c) vhashumi vha itshi tshiimiswa.

### **Mishumo ya tshiimiswa**

#### **6. Tshiimiswa tshi fanela –**

- (a) du bveledza na u shumisa vhuvhambadzi ha zwa vhuendela mashango zwi elanaho na maitete a vundu;
- (b) u ita zwa thodiso kha zwa vhuendela mashango musi zwo tendelwa nga muhasho;
- (c) u tikedza tshanduko kha zwa vhuendela mashango na u fhata thandela dza vhukoni;
- (d) u tutuwedza na u ita khonadzeo ya mveledziso ya zwa vhuendela mashango na zwa ndondola mupo zwa muvhuso;
- (e) u thoma mveledziso ya ndaka ya zwa vhuendela mashango kha ndondola mupo dza muvhuso;
- (f) u nekedza zwa vhulonda vhuthu kha ndondola mupo dza muvhuso;
- (g) hut shi tevhelwa PFMA na minwe milayo I shumaho, tshi nga thoma vhukonani ha mbuelo na lushaka, madzangano, zwiimiswa zwa muvhuso, zwa vhuendela mashango u itela u hudza makwevho kha sia heli;
- (h) u tumbula na u londota mutevhe u katelaho ndivho nga zwi no nga -
  - (i) fhethu hu re hone hu no kunga vhuendela mashango, zwiimiswa, tshumelo, vhupo na u swikelea haho;
  - (ii) fhethu na zwiko zwa mupo na zwa sialala zwine zwa nga bveledzwa zwa kunga vhuendela mashango;na
  - (iii) fhethu hu swa ha zwa vhuendela mashango na hune hone zwa nga kha dikonadzea;

- (i) eletshedza MEC nga zwothe zwi elanaho na vhuendela mashango; na
- (j) u ita zwinwe na zwinwe zwi bvaho kha MEC.

**Bodo ya tshilmiswa hetshi**

7. (1) The MEC must constitute the Limpopo Tourism Board which must annually enter into an agreement with the MEC, concerning–
- (a) performance of the functions of the Board;
  - (b) compliance with policies; and
  - (c) any other matter necessary to achieve the objects of this Act.
- (2) Bodo i na vhudifhinduleli ha mishumo ya tshiimiswa.
- (3) Bodo yo hwala maanda sa zwi re kha khethekanyo 49(2)(a) ya PFMA.
- (4) Bodo i fanela u vusuludza maitele hu u itela ndango ya nga ngomu ya mishumo ya bodo.
- (5) Bodo i nga thola munwaleli u itela u i thusa mishumoni yayo.

**Tshivhumbeo tsha bodo**

8. (1) Bodo yo vhumbe sa hezwi –
- (a) muimeleli wa–
    - (i) Muhasho, o tiwaho nga thoho ya muhasho; na

- (ii) Dzangano la vhadzulapo la Afrika Tshipembe o tiwaho nga muofisi mulangi wa tshiimiswa;
  - (b) mirado mivhili I re na tshenzhemo na vhukoni kha zwa mbambadzo ya zwa vhuendela mashango, mveledziso na thodisiso;
  - (c) munwe murado a re na ndivho na vhutsila kha zwa vhutshilo ha matakani;
  - (d) Munwe murado a re na ndivho kha zwa u langa vhupo ho tsireledzwaho;
  - (e) mirado mivhili I re na tshenzhemo na vhukoni kha zwa vhubindudzi; na
  - (f) mirado mivhili I re na tshenzhemo na vhukoni kha mveledziso ya tshitshavha.
- (2) Muofisi mulangi muhulu nga zwine a vha zwone kha hofisi ha na maanda a u khetha.

#### U thollwa ha bodo

9. (1) MEC u fanela -
- (a) u ramba zwa u nangiwa u itela u hira mirado nga u ita ndivhadzo nga nyandadzo kha mbambiri dzi si fhasi ha mmbili na
  - (b) u ya nga khethekanyo 10 na u bva kha u khetha honoho a tangedza, na u thola mirado ya bodo.
- (2) U khethwa ho daho nga ndivhadzo I yi u ya nga khethekanyo (1) hu fanela u tikedzwa nga –
- (a) Mbulavhune yo fhelelaho ya munangiwa kana yone *curriculum vitae*;
  - (b) Manwe manwalwa a sumbaho ndivho na tshenzhemo kha munangiwa zwine zwa nga thusa kha kushumele kwa tshiimiswa;
  - (c) lunwalo lwa u tangedza u nangiwa lu bvaho ha munangiwa; na



- (d) U bvisela khagala nga munangiwa ha manwe madzangalelo ane a nga disa khudani musi munangiwa a tshi khou ita mushumo wawe arali o tholiwa kha bodo.
- (4) MEC vha fanela u khwathisedza musi vha tshi thola mirado uri musi yo tangana l vha na ndivho na vhukoni zwi tshi da kha u talukanya mavhusele na zwi kwamaho tshiimiswa hetshi.

#### U tea na u tumulwa ha mirado

10. (1) Muthu u fanela u dzia na u tea u vha muofisiri kana murado.
- (2) Muthu a nga si vhe kana u bvela phanda na u vha murado arali o noyo muthu-
- (a) a murado wa vhusima milayo ha vundu;
  - (b) u tiwa sa a sa koni u tshimbidza zwithu zwawe nga khothe yo teaho;
  - (c) o tiwa nga khothe ya milayo uri ha ngo fhelela maluvhini;
  - (d) o vhuya a honelelwa milandu ya u sa fulufhedzea;
  - (e) o vhuya a bviswa kha ofisi ya fulufhelo nga mikhwa l si ya vhaudi; kana
  - (f) u ya nga khethekanyo *B(1) (a) (i) na (ii)*, ndi mutholiwa wa mishumo ya lushaka kana u na mushumo u na malamba muvhusoni.

**Magavhelo na mbuelo dza mirado**

11. (1) MEC, wa muhasho khathihi na wa muhasho wo faraho zwa masheleni vunduni vha nga dzudzanyulula magavhelo na mbuelo zwa mirado.
- (2) Murado a shumaho kha muvhuso ha wani gavhelo na mbuelo hedzi.
- (3) Magavhelo na mbuelo u ya nga khethekanywana (1) dzi vha-
- (a) zwi tshimbilelanaho na milayo ya gwama u ya nga PFMA; na
  - (b) I badelwaho nga masheleni o vhetshelwaho zwenezwo nga vhusima milayo ha vundu.

**Mudzulatshidulo na muthusi wawe**

12. (1) Vho-MEC vha ta murado sa mudzulatshidulo na munwe sa muthusi wawe ha bodo lwa tshifhinga tshi sa fhiriho tsha u vha ha vhenevho mirado.
- (2) MEC vha nga sit e murado u ya nga khethekanyo 8(1) (a) sa mudzulatshidulo kana muthusi kha bodo.
- (3) Musi mudzulatshidulo a nga si kone u ita mishumo yawe kha bodo muthusi wawe u ita mishumo ya mudzulatshidulo.

**Tshifhinga tsha u vha murado**

13. (1) Murado u vha murado minwaha l sa fhiriho miraru u bva tshe a tholwa.
- (2) MEC vha nga engedza tshifhinga tsha murado luthihi fhedzi lwa tshifhinga tshi sa fhiri minwaha miraru hu so ngo tevhelwa maitele a khethekanyo 9.

**Zwikhala zwa mishumo**

14. (1) Musi hofisi ya murado i sin a mushumi MEC u ya nga zwo nekedzwaho nga khethekanyo 9 vha a vala tshikhala tshenetsho.
- (2) Murado o tholiwaho nga khethekanywana (1) u farela murado a khou litshaho u swika tshifhinga tsha onoula tshi tshi fhela.

**U dirula mushumo ha murado**

15. (1) Murado u a dirula mushumo nga u tou nwalelas MEC hut she ho sala minwedzi mivhili.
- (2) MEC vha nga tangenedza u litsha tshihadu u ya nga dzinwe zulele dza zwithu.

**U bviswa ha murado**

16. (1) MEC vha nga bvisa murado hofisini nga nwambo wa –
- (a) mikhwa ya murado yo bvaho;
  - (b) mikhwa i no nyadzisa na u nyefulisa bodo;
  - (c) U kundelwa u tevhela hoyu mulayo khathihi na PFMA;

- (d) u kundelwa u ita mishumo sa murado;
  - (f) u sa vha hone mitanganono miraru i tshi tou tevhekana hu sin a thendelo nga bodo u ya nga khethekany 10.
- (2) MEC vha nga sib vise muthu hofisini u ya nga khethekanywana (1) nga nda ha musi vho mu nea-vho tshikhala tsha u difhindulela.
- (3) MEC vha a hatula muthu hofisini musi vha tshi khou ita thodisiso malugana na zwiito zwa onoyo.

#### **U nea maanda na mishumo**

17. (1) Musi zwo tea u itani mishumo yayo bodo u ya nga khethekanywana (2) I nga nekedza maanda na mishumo yayo kha -
- (a) murado;
  - (b) khorwana ya bodo u ya nga khethekanyo 18; kana
  - (c) muofisi mulangi muhulu.
- (2) Bodo I nga si nekedze maanda a u –
- (a) thola muofisi mulangi muhulu; kana
  - (b) langa maitele na mashumele a muofisi mulangi muhulu.
- (3) U nekedzwa maanda u ya nga khethekanywana (1) –
- (a) zwi ya nga ndango, phimo na ndaela I nekedzwaho nga bodo;

- (b) hu tou nwaliwa;
- (c) a hu fhiri kana u kunda vhudifhinduleli na maitele a bodo; na
- (d) a zwi thivheli bodo u ita zwenezwo zwo nekedzwaho u ya nga maanda aneo o nekedzwaho na mishumo yao.

- (4) Bodo i nga khwathisa, u fhambana kana u hatulula zwo tshewaho ho nekedzwa maanda u ya nga khethekanywana (1), hut shi tevhelwa pfanelo dzinwe na dzinwe dzo daho nga khethe yeneyo.

#### **Khorwana dza bodo**

18. (1) Bodo i nga thoma khorwana dzo livhanywaho na u i thusa uri i kone u ita zwa maanda na mishumo yayo u ya nga mulayo.

- (2) Bodo i fanela –

- (a) u vhekanya mishumo ya khorwana;
- (b) vhekanya mashumele a khorwana hut shi katelwa -
  - (i) u tiwa ha ndinganyelo ya mitangano ya khorwana u ya nga vhurado;
  - (ii) ndila ya khorwana ya u dzhis maga;
- (c) u topola mirado yo pfumbudzeaho na u vha na tshenzhemo u ya nga mishumo ya khorwana; na
- (d) u topola munwe wa mirado u vha mudzulatshidulo wa khorwana.

- (3) Bodo tshifhinga tshinwe na tshinwe i nga –

- (a) bvisa murado kha khorwana; kana
- (b) u balanganya khorwana.

### **Mitangano ya bodo**

19. (1) Bodo l fanela u tangana lu si fhasi ha luna nga nwaha.
- (2) Mudzulatshidulo ndi ene a no khetha uri l tangana lini kana ngafhi huno-ha mirado l minzhi l nga hambela mutangano, fhethu na tshifhinga.
- (3) Mudzulatshidulo u tshimbidza mutangano, huno-ha arali ene na muthusi vhe siho mirado l a nanga munwe murado u ita nga u ralo.
- (4) Mudzulatshidulo kana onoyo a tshimbidzaho mutangano u na maanda a u tendela nnyi kana nnyi a si murado u vha hone mutanganoni u ya nga thodea dzenedzo.
- (5) Muofisi mulangi muhulu u fanela –
- (a) vhulunga maambiwa other a mitangano; na
  - (b) nekedza MEC manwalwa a mitangano yothe.

**Matshimbidzele a mitangano**

20. Bodo u ya nga mulayo l nga khetha kutshimbidzele kwa mitangano yayo.

**ndinganyelo ya mirado na tsheo**

21. (1) Mirado ya bodo yo linganaho mutanganoni l fanela u swika mbili tsha raru.
- (2) tsheo ya fhungo l dzhiwa nga u tou khetha ha mirado l re hone.
- (3) Musi ho wiwa malinga nga khetho hu tendelwa mutshimbidza mushumo uri a longe khetho yawe.
- (4) (a) Musi hu na fhungo li no toda bodo huno l nga si kone u tangana mudzulatshidulo u fanela u vhona uri mirado yothe –
- (i) yo divhadzwa na u tanganedzo manwalwa other nga lenelo fhungo nga u tavhanya
- (ii) nwala khetho dza bodo na u vhona uri mudzulatshidulo o dzi tanganedza.
- (b) Khetho ya mirado minzhi ya bodo ndi khetho ya bodo ine ya fanela u –
- (i) khakhuluwa fhedzi nga bodo kha mutangano u tevhelaho; na
- (ii) nwalwa kha manwalwa a mutangano.

**U tholiwa ha vhadivhi**

22. Bodo arali ya vhiona zwo tea I nga thola mudivhi a I thusa kha mishumo yayo.

**Musi khoro I sa khou shuma**

23. MEC musu hu sin a bodo I shumaho ndi vhona vha no shuma mishumo ya bodo.

**Muofisi mulangi muhulu**

24. (1) Bodo I fanela —

(a) u ita khunguwedzo kha bammbiri dzi si fhasi ha mbili I tshi toda khumelo dza mushumo wa muofisi mulangi muhulu; na

(b) u thola muofi mulangi muhulu wa tshiimiswa (Agency).

(2) Muofisi mulangi muhulu u fanela u vha muthu o takalaho nahone a re na ndalukano na tshenzhemo

(3) Muofisi mulangi muhulu u tholiwa fhasi ha nyimele dza kushumele nahone lwa tshifhinga tshi tiwaho nga bodo u ya nga he zwa tiwa na u tendelwa nga MEC.

(4) Muofisi mulangi muhulu -

(a) u tholiwa lwa tshifhinga tshi sa fhiri minwaha miraru;

(b) u langwa na u difhindiulela kha bodo;

(c) u dzhena kha thendelano nga u tou nwala na bodo nga nwaha; na



- (d) u sa ita munwe mushumo u re na malamba a so ngo wana thendelo kha bodo.
- (5) Musi tshikhala tsha ino poswo tsho vulea khoro i thola muofisi mulangi muhulu o tou farelaho lwa tshifhinga tshi sa fhiri minwedzi ya rathi.
- (6) Bodo a i koni u ta munwe murado sa muofisi mulangi muhulu.

#### **Vhashumi vha Tshiimiswa**

25. (1) Muofisi mulangi muhulu nga tshumisano na bodo u fanela-
- (a) thoma kuimele kwa kushumelae kwa Tshiimiswa;
  - (b) u thola vhashumeli vha no do thusa Tshiimiswa kha mishumo yatsho; na
  - (c) u ta mashumele na tshifhinga tsha vhashumi.
- (2) Bodo i fanela nga u shumisana na MEC wa muhasho na wa zwa gwama vunduni u tea malamba na vhuhulu ha zwikhala zwa mishumo ya vhashumi.

#### **U nekedzwa ha maanda na mishumo nfga muofisi mulangi muhulu**

26. (1) Muofisi mulangi muhulu u ya nga khethekanywana (2) anga nekedza mannda na mishumo zwawe kha munwe wa vhashumeli vha Tshiimiswa.

- (2) Muofisi mulangi muhulu a nga si nekedze maaanda na mishumo yo buliwaho kha khethekanyo 25(1).
- (3) U nekedza maanda u ya nga khethekanywana (1) –
- (a) Zwi ya nga nyimelo, phimo na ndaela dza muofisi mulangi muhulu;
  - (b) zwo tou nwalwa;
  - (c) a zwi ruli muofisi mulangi muhulu maanda tshothe a u ita mishumo yawe; na
  - (d) a zwi thivheli muofisi mulangi muhulu u div ha na maanda kana u ita mishumo ine a nga vha o hweswa vhunga a sa hwesi mishumo yo tou hweswaho
- (4) Muofisi mulangi muhulu a nga shandula kana u khwathisedza tsheo yo dzhiwaho nga u netshedziwa maanda na mishumo u ya nga khethekanywana (1).

### **Masheleni a Tshlimiswa**

27. Masheleni a Tshiimiswa o vhumbwa nga hezwi –
- (a) masheleni o nekedzwaho nga vhusima milayo ha vundu hu u itela kushumele kha Tshiimiswa; na
  - (b) u ya nga PFMA, masheleni a daho kha Tshiimiswa nga ndila dzo themenndelwaho nga MEC wa muhasho na wa zwa gwama kha vundu.

### **Ndango**

28. MEC vha nga vhumba ndango i kwamaho tshinwe na tshinwe sa—
- (a) zwo nekedzwaho; kana
  - (b) zwo teaho u itela u swikela zwipikwa zwa mulayo.

**Maitele a pfukiselo**

29. (1) Masheleni othe e hu sa thu thoma u shuma hoyu mulayo a vha e kha Limpopo Tourism Board Trust u ya nga khethekanyo 27 ya Limpopo Tourism and Parks Board ( Mulayo 8 wa 2001) a fanela u nekedzwa Tshiimiswa.
- (2) Ndaka yothe ya Limpopo Tourism and Parks Board yo thomiwaho nga khethekanyo 2 ya Limpopo Tourism and Parks Board mulayo, 2001 (Mulayo wa 8 wa 2001) I nekedzwa Tshiimiswa.
- (3) Pfanelo dzothe dza Limpopo Tourism and Parks Board dzo daho u ya nga khethekanyo 2 ya Limpopo Tourism and Parks Board Act, 2001 (mulayo wa 8 wa 2001) dzi kha Tshiimiswa u ya nga mulayo wo tshi neaho maanda na mishumo.
- (4) Tshiimiswa (The Agency) u ya nga zwa vhuendela mashango sa zwi re kha Limpopo Tourism and Parks Board u ya nga khethekanyo 2 ya Limpopo Tourism and Parks Board Act, 2001 (mulayo 8 wa 2001) tshi na vhudifhinduleli ha mishumo ya salaho hut shi katelwa na milayo ya vhashumi khathihi na u konanya.

- (5) Vhothe vho tholiwaho nga Limpopo Tourism and Parks Board u ya nga khethekanyo 2 ya Limpopo Tourism and Parks Board Act, 2001 (Act No. 8 of 2001) vha khou iswa kha Tshimiswa u ya nga mashumele a vho na maitete a mashumele nga u angaredza.

**U khwiniswa ha mulayo**

30. Limpopo Tourism and Parks Board Act, 2001 (mulayo 8 wa 2001) u khou khwinisiwa.

**Thoho pfufhi na datumu ya u shuma**

31. hoyu mulayo u vhidzwa mulayo wa Limpopo wa vhuendela mashango Mulayo 2008 nahone u thoma u shuma nga divha li tiwaho nga mulangavundu nga u zwi ta kha *Gazette*.

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**MEMORANDAMU WA ZWIPIKWA ZWA MULAYO WA VHUENDELA MASHANGO  
WA LIMPOPO, 2008**

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**1. NYANGAREDZO**

Vhuendela mashango na zwa dzi phakha Limpopo zwi khou langa vhuendela mashango na zwa vhugalaphukha vunduni, u ya nga mulayo wa vhuendela mashango na bodo ya dziphakha, 2001 (Mulayo wa 8 wa 2001). Nga nwaha wa 2006, murado wa khoro tshitumbe o hweswaho vhudifhinduleli ha muhasho wa mveledziso ya makwevho, vhulondamupo na vhuendela mashango, ndi uri MEC, o dzhia liga la vhutali la u khethekanya ndangulo ya dziphakha nay a vhuendelamashango hu u itela uri heyi ndangulo l tshimbilelane na maitete a mulayo a lushaka na u khwathisa khonadzeo ya vhubindudzi ha vhuendelamashango. Ndivho ya mulayo gaganywa wa vhuendela mashango wa Limpopo, 2008 ndi u thoma ha u tevhelwa ha ndaela dza MEC na u dzudzanyulula mulayo wa Limpopo wa vhuendela mashango na dziphakha une u sa tsha shuma na u nea khonadzeo kha maano na mbekanyamushumo dza muvhuso wa vundu wa Limpopo.

**2. NDIVHO YA MULAYO**

Ndivho dza mulayo uyu ndi-

- a. Thikhedzo ya mveledziso na vhulangi ho khwathaho ha vhuendelamashango vunduni;
- b. thikhedzo ya mveledziso ya vhuendelamashango vunduni;
- c. u tutula mveledziso ya vhuendela mashango na vhubindudzi vunduni; na
- d. khonadzeo ya u tumbulwa ha tshiimiswa tsha vhuendela mashango (tourism Agency).

**3. ZWIKWAMAHO MATSHILISANO**

- 3.1. Vhuendela-mashango vhu na khonadzeo ya u bveledza matshilele nga u sika mishumo zwine zwa fhungudza vhushai. Mulayo hoyu u khou toda u tutuwedza vhuendela mashango ho kwathah vunduni. U sikiwa ha zwiimiswa na tshumelo zwa vhuendela mashango zwi no do vhuenda na vhadzulapo vha Limpopo zwi do khwinisa tshiimo tsha zwitshavha zwa po.
- 3.2. Vhuendela mashango nga zwituku vhu khou div ha thikho ya nyaluwo ya zwa makwevho na mveledziso. Tshiimiswa tsha zwa vhuendela mashango tshi do sedzesa kha u vhambadza Limpopo sa fhethu ha vhuendelo. Hezwi zwi do engedza mveledziso ya makwevho vunduni.

**4. THALUTSHEDZO YA TSHITENWA NGA TSHITENWA**

- 4.1. Tshitenwa 1 tsha mulayo tshi nea thalutshedzo.
- 4.2. Tshitenwa 2 ndi ndivho dza mulayo.
- 4.3. Tshitenwa 3 tshi amba nga mushumo wa muvhuso wa vundu kha zwa vhuendela mashango.
- 4.4. Tshitenwa 4 tshi nea maanda MEC u kovha maanda e a newa mulayoni uno.
- 4.5. Tshitenwa 5 ndi u vhumbiwa ha tshiimiswa tsha zwa vhuendela mashango tsha Limpopo.
- 4.6. Tshitenwa 6 ndi mishumo ya tshiimiswa hetshi.
- 4.7. Tshitenwa 7 ndi tsha u thomiwa ha bodo ya vhuendela mashango ya Limpopo.
- 4.8. Tshitenwa 8 ndi tsha mavhumbelwe a bodo.
- 4.9. Tshitenwa 9 ndi tsha u tholiwa ha mirado ya bodo.
- 4.10. Tshitenwa 10 ndi u tea na u iledzwa ha mirado ya bodo.

- 4.11. Tshitenwa 11 ndi tsha mbuelo na malamba a mirado ya bodo.
- 4.12. Tshitenwa 12 ndi tsha u tholiwa ha mudzula-tshidulo na muthusi wawe.
- 4.13. Tshitenwa 13 tshi amba nga tshifhinga tsha u shuma tsha miradi ya bodo.
- 4.14. Tshitenwa 14 tshi amba nga zwickahala zwa mishumo kha bodo.
- 4.15. Tshitenwa 15 ndi tsha u dirula mishumo ha mirado ya bodo.
- 4.16. Tshitenwa 16 tshi amba nga u tuswa ha mirado kha bodo.
- 4.17. Tshitenwa 17 tshi amba nga phiriselo ya maanda na mishumo ya bodo.
- 4.18. Tshitenwa 18 tshi amba nga u thomiwa ha komiti dza bodo.
- 4.19. Tshitenwa 19 ndi tsha nga mitangano ya bodo.
- 4.20. Tshitenwa 20 ndi tsha matshimbidzele a mitangano ya bodo.
- 4.21. Tshitenwa 21 ndi vhuimeleli na tsho mitanganoni.
- 4.22. Tshitenwa 22 ndi tsha u topiwa ha vhadivhi u da u thusa bodo mishumoni yayo.
- 4.23. Tshitenwa 23 ndi tsha mishumo ya bodo I no shunwa mga MEC musi bodo I sa khou shuma.
- 4.24. Tshitenwa 24 ndi tsha u tholiwa ha muofisi mulangi muhulu wa tshiimismun ( agency).
- 4.25. Tshitenwa 25 tshi amba nga u tholwa ha vhashumi vha hetshi tshiimiswa.
- 4.26. Tshitenwa 26 ndi tsha phiriselo ya maanda a muofisi mulangi muhulu. ( CEO).
- 4.27. Tshitenwa 27 tshi amba nga ndambedzo kha hetshi tshiimiswa.
- 4.27. Tshitenwa 28 ndi tsha maanda a MEC a u vhea milayo.
- 4.29. Tshitenwa 29 tshi amba nga ndzudzanyo dza phirisela.
- 4.30. Tshitenwa 30 tshi dzudzanyulula mulayo wa vhuendela mashango na zwa dziphakha wa Limpopo, 2001 ( Mulayo wa 8 wa 2001).
- 4.31. Tshitenwa 31 ndi tsha nga thoho pfufhi na u thoma u shuma.

**5. ZWI KWAMAHO TSHIIMISWA**

Mulayo u tendela u thomiwa ha tshiimiswa tsha vhuendela mashango (Limpopo Tourism Agency) sa tshiimiswa tsha lushaka maelana na mulayo wa ndango ya zwa masheleni a lushaka., 1999 ( Mulayo wa 1 wa 1999) (Public Finance Management Act, 1999 (Act No. 1 of 1999). Tshiimiswa l tshi tshi do vha na bodo ya ndangulo, muofisi mulangi muhulu na minwe mirado u ya nga hune tsha nga ita ngaho.

**6. ZWA MASHELENI**

Bodo ya Limpopo ya vhuendela mashango na zwa dziphakha tshi wana masheleni u bva muhashoni nwaha munwe na munwe. Sa izwi itshi tshiimiswa tshi tshi khou ima vhudzuloni ha Bodo ya vhuendela mashango na zwa dziphakha hu lavhelelwa uri muhasho u do bveta phanda na u lambedza tshiimiswa hetshi tshgiswa. A hu na dzinwe thodea dza zwa masheleni dzo lavhelelwaho.

**7. MAELANA NA NDAYOTEWA**

uU ya nga khethekanyo 5 ( Tshipida A) tsha mulayothewa wa shango la Afrika Tshipembe, vhuendela mashango vhu kovhekanywa vhukati ha mulayo wa lushaka na wa vundu. Hoyu mulayo u tshimbilelana na ndayotewa.

**8. U KWAMANA**

Vhulangi vhuhulu ha muhasho wa mveledziso ya makwevho, vhulonda mupo na vhuendela mashango na vhanwe vhalangi vho kwamiwa hut shi itwa mveto-mveto ya hoyu mulayo.



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## XITIVISO XO ANGARHELA

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### XITIVISO 434 XA 2008

#### VULAWURI BYA XIFUNDZHANKULU XA LIMPOPO NDZAWULO YA NHLUVUKISO WA IKHONOMI, MBANGO NA VUENDZI

#### NAWUMBISI WA SWA VUENDZI WA LIMPOPO, 2008

Ku ya hi nawu-ntsongo 113 wa Milawu-ntsongo na Swileriso le swi Yimisiweke swa Palamendhe ya Limpopo, Nawumbisi wa swa Vuendzi wa Limpopo, 2008 wu humesiwile ku tlhontlha swibumabumelo.

Munhu un'wana na un'wana kumbe nhlngano la va tsakelaka ku bumabumela ehenhla ka tsalwa le ri vuriweke va nga endla tano hi ku tsalela, ku nga se fika 6 February 2009 eka:

**Nhloko  
Ndzawulo ya Nhluvukiso wa Ikhonomi,  
Mbango na Vuendzi  
Private Bag X9484  
POLOKWANE  
0700**

**KU TEKERIWA ENHLOKWENI HI: Ms Anemle de Klerk  
Tel: (015) 293 8514 / 082 806 3190  
[deklerka@ledet.gov.za](mailto:deklerka@ledet.gov.za)**

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**PALAMENDHE YA XIFUNDZHANKULU XA LIMPOPO**

**NAWUMBISI WA VUENDZI WA LIMPOPO, 2008**

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**Tani hi loko wu tivisiwa hi**

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**(XIRHO XA HUVONKULU WA NHLUVUKISO WA IKHONOMI, MBANGO NA  
VUENDZI)**

**Nawu wa Vuendzi wa Limpopo, 2008**

Ku nyika nhluvuko lo wu yisekaka emahlweni, vufambisi na nhlohotelo wa vuendzi eLimpopo; ku nyika ntsariso wa tindzhawu to koka mahlo eka vuendzi; ku tumbuluxa Xiyenge xa Mfumo xa Vuendzi xa Limpopo; ku nyika ta mafumele na mintirho ya Xiyenge lexi xa Mfumo; ku langutisisa hi vuntshwa Nawu wa Vuendzi na Mintanga wa Limpopo, 2001 (Nawu wa namboro 8 wa 2001); na ku nyika ta timhaka leti yelanaka na swona.

**LOKO WO SIMEKIWA** hi palamendhe ya Limpopo tani hi laha swi landzelaka:-

**1. Tinhlamuselo**

Eka Nawu lowu, handle ka loko nhlamuselo yo kombisa swin'wana -

**"Xiyenge xa Mfumo"** swi vula Xiyenge xa Mfumo xa Vuendzi xa Limpopo lexi tumbuluxiweke eka xiyenge 5;

**"Bodo"** swi vula Bodo ya Vuendzi ya Limpopo le yi vumbiweke ku ya hi xiyenge 7;

**"Mutshamaxitulu"** swi vula munhu loyi a vekiweke hi MEC ku ya hi xiyenge 12;

**"Ndhunankulu"** swi vula Ndhunankulu wa Xiyenge xa Mfumo loyi a thoriweke ku ya hi xiyenge 24;

**"Ndzawulo"** swi vula Ndzawulo le yi havexieke vutihlamuleri bya timhaka ta vuendzi exifundzheninkulu;

**"Nhloko ya Ndzawulo"** swi vula nhloko ya ndzawulo leyi havexiweke vutihlamuleri bya timhaka ta vuendzi exifundzheninkulu;

**"Xirho"** swi vula xirho xa Bodo loyi a vuriwaka eka xiyenge 8(1);

**“MEC”** swi vula Xirho xa Huvonkulu le yi havexiweke vutihlamuleri bya timhaka ta swa vuendzi exifundzheninkulu;

**“PFMA”** swi vula Nawu wa Mafambisele ya Timali ta Mfumo, 1999 (Nawu wa Nomboro 1 wa 1999);

**“vekiweke”** swi vula le swi vekiweke hi xinawanawana; naswona

**“Nawu lowu”** iswi katsa na swinawana le swi ntsongo le swi endlweke ku ya hi Nawu lowu.

### **Tinhlankulu ta Nawu**

**2.** Swikongomelo swa Nawu lowu i ku -

- (a) nyika ta nhuvuko na mafambisele ya swa vuendzi le swi yisekaka emahlweni exifundzheninkulu;
- (b) hlohletela vuendzi exifundzheninkulu;
- (c) nyanyula nhluvukiso wa swa vuendzi na vuvekisi exifundzheninkulu; na
- (d) ku nyika ta ku tumbuluxiwa ka Xiyenge xa Mfumo xa swa vuendzi le xi nga ta pfuna ku fikelela swikongomelo swa Nawu lowu.

### **Ntirho wa mfumo wa xifundzhankulu**

**3.** (1) Mfumo wa xifundzhankulu, hi ku tirhisa MEC, wu nga -

- (a) humesa xitatimendhe xa pholisi mayelana na mhaka yihi na yihi le yi khumbhaka mafambisele, mahluvukisele, matlakusele na malawulele ya vuendzi exifundzheninkulu; na ku
- (b) tiyisisa maendlele na swifikeleriwa swa matirhele ya Xiyenge xa Mfumo eku gingirikeneni ka mintirho ya xona.

- (2) Hi ku tirhisa MEC, mfumo wa xifundzhankulu wu fanele ku -
- (a) Langutisa na ku seketela ku tirhisiwa ka maendlele ya vutlharhi ya swa vuendzi exifundzheninkulu na le ka swiyenge swa mimfumo ya miganga;
  - (b) Langutisa na ku seketela minongonoko ya ku tisa ku cinca eka vubindzu bya vuendzi;
  - (c) veka maendlele yokarhi ya ku tiyisisa minongonoko yo hluvukisa vuswikoti na ndlandlamuxo wa vutivi bya swa vuendzi;
  - (d) xongotela ku tisa ku cinca eka swa vuendzi;
  - (e) xongotela vuhoxa-xandla bya vakhumbheki hinkwavo eka vubundzu bya vuendzi;
  - (f) rhangela vutirhisani na matiko mambe bya swa vuendzi, mintwanano na vuhlanganisi;
  - (g) pfumelela na ku langutisa ku tirhisiwa ka maendlele ya vutlharhi na tipulani ta lembe na lembe ta magingirikele ya Xiyenge xa Mfumo;
  - (h) tsarisa tintlalala kumbe vahlamuseri va vuendzi; na
  - (i) tsarisa vukorhokeri bya vuendzi na tindzhawu ta vuendzi ku ya hi malandzelerisele la ma vekiweke.

#### **Vurhumisi bya MEC**

4. Hi ku tsala kunene, MEC a nga rhumisa matimba yan'wana na yan'wana la ma havexiweke yena ehansi ka Nawu lowu, handle ka matimba ya ku -
- (a) thola swirho swa Bodo; na ku
  - (b) endla swinawanawana,

Eka Nhloko ya Ndzawulo ku katsa ni ku nga katsi ni matimba ya ku hundzisela matimba ya ku rhumisa koloko kumbe ntirho.

#### **Ku Tumbuluxiwa ka Xiyenge xa Mfumo**

5. (1) Ka va loko Munhu wa xinawu loyi a tivekaka tani hi Xiyenge xa Mfumo xa Vuendzi bya Limpopo a tumbuluxiwa.
- (2) Xiyenge xa Mfumo xi vumbiwile hi -
- (a) Bodo le yi vumbiweke hi MEC ku ya hi Nawu lowu;
  - (b) Ndhunankulu; na
  - (c) vatirhi va Xiyenge xa Mfumo.

#### **Mintirho ya Xiyenge xa Mfumo**

6. Xiyenge xa Mfumo xi fanele ku -
- (a) hluvukisa na ku tirhisa maendlele ya vutlharhi ya vuxavisi bya swa vuendzi endzeni ka rimba ra maendlele ya vutlharhi ya swa vuendzi bya xifundzhankulu;
  - (b) byarha na ku xongotela ndzavalavisiso kumbe rhiseche ya swa vuendzi le yi pfumeleriweke hi ndzawulo;
  - (c) seketela ku tisa ku cinca eka swa vuendzi na minongonoko ya ndlandlamuxo wa vutivi;
  - (d) kondletela na ku vanga vuendleki bya nkoteko wa vuvekisi bya swa vuendzi eka mintanga ya vuhlayiselo bya ntumbuluko le yi nga ka vun'winyi bya mfumo;

- (e) sungula minhluvukiso ya swihumelerisiwa swa vuendzi emintangeni yo hlaisela ntumbuluko le yi nga vun'winyini bya mfumo;
- (f) phamela vukorhokeri bya vuendzeriwa emintangeni yo hlaisela ntumbuluko le yi vun'winyi bya yona byi nga eka mfumo;
- (g) hi ku lawuriwa hi PFMA na milawu yin'wana ya xipalamendhe, xi fanele ku tumbuluxa vutirhisani kulobye bya vutiharhi na vaaki, minhlangano, swivumbeko swa mfumo na minhlangano ya swa vuendzi ku endlela ku fikelela vuxavisi bya swa vuendzi;
- (h) tumbuluxa na ku hlaysia vuhlayiselo bya mahungu le byi nga ta va byi tamerile mahungu yo yelana na -
  - (i) vukona bya tindzhawu ta vuendzi le ti vitanisaka, swiyimisiwa swa kona, swikorhokeri swa kona, vukorhokeri bya kona, ndzhawu ya kona na mafikele ya kona;
  - (ii) tindzhawu ta mbitaniso ta ntumbuluko nit a ndzhavuko le ti nga hluvukisiwaka tani hi tindzhawu to vitanisa ta xifundzhankulu; na
  - (iii) tindzhawu tintshwa ta migingiriko ya swa vuendzi na le ti nga na kotelo ra ku va tindzhawu ta migingiriko ya swa vuendzi;
- (i) tsundzuxa MEC hi ta mhaka yihi na yihi leyi khumbhanaka na vubindzu bya swa vuendzi; na ku
- (j) gingirika ntirho wun'wana na wun'wana lowu MEC a nga wu lerisaka kumbe ku wu rhumisa eka Xiyenge xa Mfumo.

### **Bodo ya Xiyenge xa Mfumo**

- 7. (1) MEC u fanele ku va xiphemu xa Bodo ya swa Vuendzi ya Limpopo le yi lembe rin'wana na rin'wana yi fanelaka ku nghenela ntwanano na MEC, mayelana na -

- (a) magingirikele ya mintirho ya Bodo;
  - (b) vufikeleri eka tipholisi; na
  - (c) mhaka yihi na yihi yin'wana le yi nga na nkoka eku fikeleleni ka swikongomelo swa Nawu lowu.
- (2) Bodo yin a vutihlamuleri bya magingirikele ya mintirho ya Xiyenge xa Mfumo.
- (3) Bodo hi yona huvo ya vutihlamulerinkulu bya swa timali ku ya hi nkoxometo wa xiyenge 49(2)(a) xa PFMA.
- (4) Bodo yi fanele ku langutisa hi vuntshwa maendlele na malandzelerisele minkarhi yo tala ku tiyisisa nkoka wa tisisiteme ta vulawuri bya Bodo.
- (5) Bodo yi nga ha thola xiyenge xa vutsalani ku yi pfuna eku gingirikeni ka mintirho ya yona.

#### **Xivumbeko xa Bodo**

8. (1) Bodo yi fanele ku vumbiwa hi -
- (a) muyimeri wa -
    - (i) Ndzawulo, loyi a havexiweke matimba ya kona hi Nhloko ya Ndzawulo; na
    - (ii) Nhlango 'asosiyexini' wa Mfumo wa Miganga wa Afrika Dzonga, loyi a havexiweke matimba ya kona hi Ndhunankulu ya Nhlango wolowo;



- (b) swirho swimbirhi la va nga ni ntokoto na vutivi aka vuxavisi bya swa vuenzi, nhluvukiso wa swona na ndzavalavisiso;
- (c) xirho xin'we loyi a nga ni ntokoto na vutivi eka vubindzu bya vutomi bya le nhoveni;
- (d) xirho xin'we loyi a nga na ntokoto na vutivi eka mafambisele ya tindzhawu le ti sirheleriweke na nhlayiso wa vutomi bya mbango hi ku angariela;
- (e) swirho swimbirhi la va nga ni ntokoto na vutivi eka mafambisele ya swa mabindzu; na
- (f) swirho swimbirhi la va nga ni ntokoto na vutivi eka nhluvukiso wa vaaki.

- (2) Ndhunankulu, ku ya hi xiyimo xa kwe ehofisini, i xirho le xi nga vhothiki.

#### **Matholele ya Bodo**

- 9. (1) MEC u fanele ku -
  - (a) rhamba ku boxiwa ka mavito ya la va nga ta thoriwa eka Bodo hi ku swi hanelerisa eka maphephahungu ya vutsongo byo ringana mambirhi; na
  - (b) swi lawuriwa hi xiyenge 10 na ku suka eka mavito la ma boxiweke naswona ya amukeriweke, thola swirho swa Bodo.
- (2) vito le ri boxiweke hi ku landzelerisa xitiviso ku ya hi xiyengentsongo (1) ri fanele ku seketeriwa hi -
  - (a) tsalwa ra vutihlamuseri ra muboxiwa le ri koxometaka;

- (b) matsalwa yo seketela la ma kombisaka vutivi na ntokoto wa muboxiwa, le swi nga ta hoxa xandla eka matirhele ya Xiyenge xa Mfumo;
  - (c) papilla ro huma eka muboxiwa, a amukela ku va vito ra yena ri vuriwile; na
  - (d) xihlambanyo hi muboxiwa laha muboxiwa a hlambanyaka ku tsakela kun'wana na kun'wana ka nkongomo kumbe ka ku ka nga kongomi, leswi nga vumbaka ntlimbo wa ntsakelo mayelana na vutihlamuleri bya muboxiwa yoloye, loko o tshuka a thoriwile eka Bodo.
- (4) Loko a karhi a thola swirho, MEC u fanele ku tiyisisa leswaku loko Bodo yi helerile yi na vun'we bya vutivi na ntokoto leswi ringaneleke mayelana na swinawana swa mafumele ya xibindzu ra manguva lawa, le swi fambelanaka kahle na mintirho ya Xiyenge xa Mfumo.

#### **Vupfumeleleki na Vuyiriseke bya swirho**

10. (1) Munhu u fanele ku va a ringanerile na ku va swi fanela ku nga va ehofisini tani hi xirho.
- (2) Munhu a nga ka a nga thoriwi kumbe a nga ka a nga tshami a ri xirho loko a -
- (a) ri xirho xa palamendhe ya xifundzhankulu;
  - (b) hlambanyiwile ku tsandzeka ku fambisa timhaka ta yena hi huvo le yi phikizanekeka;

- (c) hlambanyiwile hi huvo ya nawu tani hi loyi a hambanekenyanana emiehleketweni;
- (d) voniwile mandzu lo wu khumbhaka ku kala vutshembheki eka nkarhi wun'wana;
- (e) tshame a susiwa eka hofisi ya vutshembheki hikwalaho ka ku tsandzeka vutikhomi eka nkarhi wun'wana; kumbe
- (f) swi lawuriwa hi xiyenge 8(1) (a) (i) na (ii), a ri muthoriwa hi mfumo kumbe a ri eka xiyimo xihi na xihi xin'wana le xi holeriwaka eka mfumo.

#### **Swipfumeleleko na miholo ya swirho**

- 11. (1) Hi vutihlanganisi na Xirho xa Huvonkulu loyi a byarheke vutihlamuleri bya swa timali exifundzheninkulu, MEC a nga tshama a karhi xiyisisa na ku tiyisisa muholo na swipfumeleleko le swi hakelekaka swirho.
- (2) Xirho loyi a thoriweke hi mfumo a nga faneriwanga hi muholo kumbe swipfumeleleko swihi kumbe swihi.
- (3) Miholo na swipfumeleleko leswi tiyisisiwaka ku ya hi xiyengentsongo (1) swi fanele ku -
  - (a) va hi mfambelano ni maendlele na mifikeleleko yin'wana na yin'wana le yi tirhisekaka ya Ndzawulo ya swa Timali ku ya hi PFMA; na
  - (b) hakeriwa ku suka eka timali le ti pimiweke na ku kongomisiwa eka xikongomelo xolexo hi Phalamendhe ya Xifundzhankulu.

**Mutshamaxitulu na Mupfuna-mutshamaxitulu**

12. (1) MEC u fanele ku rhumisa xirho, tani hi Mutshamaxitulu, na xin'wana xirho tani hi Mupfuna-mutshamaxitulu va Bodo, ku ringana nkarhi lo wu nga tluriki lo wu pimiweke wa ku va ehofisini.
- (2) MEC a nga ka a nga rhumisi xirho le xi vuriwaka eka xiyenge 8(1) (a) tani hi Mutshamaxitulu kumbe Mupfuna-mutshamaxitulu va Bodo.
- (3) Mupfuna-mutshamaxitulu u fanele ku tirhisa matimba na ku gingirika mintirho ya Mutshamaxitulu nkarhi hinkwawo laha Mutshamaxitulu a tsandzekaka ku endla tano.

**Nkarhi wa ku va Ehofisini**

13. (1) Xirho xi khoma hofisi ku ringana nkarhi lo wu nga hundziki malembe manharhu ku sukela hi siku ra ku thoriwa.
- (2) MEC a nga engetela nkarhi wa ku va ehofisini ka xirho kan'we ntsena, naswona ku ringana nkarhi lo wu nga hundziki malembe manharhu, a nga landzelelanga malandzeleriselo la ma nga ka xiyenge 9.

**Swivandla swa Mintirho**

14. (1) Loko hofisi ya xirho yo tshuka yi ve xivandla xa ntirho, MEC a nga siva kumbe ku pfala xivandla xelexo, ku ya hi malandzeleriselo la ma nga nyikiwa eka xiyenge 9.

- (2) Xirho le xi thoriwale ku ya hi xiyengentsongo (1) u va ehofisini ku ringana nkarhi lo wu saleke lo wu nga se helaka wa loyi a sukaka eka xivandla xolexo.

**Ku tshika ka ntirho hi xirho**

15. (1) Xirho xi nga tshika ntirho wa Bodo hi ku nyika xitiviso xo tsariwa kunene lexi pfumelelaka nkarhi wa vutsongo bya tin'wheti timbirhi, eka MEC.
- (2) MEC a nga ha amukela xitiviso xo koma ku hundza kwalaho eka mhangu yokarhi.

**Ku susiwa ka xirho**

16. (1) MEC a nga susa xirho ehofisini loko ko tshuka ku -
- (a) ve na matikhomele la ma nga amukelekiki ya xirho;
  - (b) ve na matikhomele la ma vekaka Bodo eka xiyimo xo soleka;
  - (c) ve na ku tsandzeka ku fikelela swipimelo swa swa Nawu lowu kumbe PFMA;
  - (d) ve na ku tsandzeka ku kota ku gingirika mintirho ya xirho hi vufikeleri;
  - (e) ve na ku xwa eka tinhlengeletano tinharhu hi ku landzelelana swi nga ri na mpumelelo wa Bodo; kumbe
  - (f) ve na ku yirisiwa ku ya hi xiyenge 10.
- (2) MEC a nga ka a nga susi xirho ehofisini ku ya hi xiyengentsongo (1) handle ka loko MEC a ta va a nyikile xirho nkarhi wa ku nyika vuyimeri bya yena eka MEC.

- (3) MEC a nga yimisanyana xirho ku va ehofisini loko a ha endla ndzavisiso kumbe nkambisiso ehenhla ka xirho xelexo.

**Vurhumisi bya matimba na mintirho**

17. (1) Loko swi ri na nkoka ku gingirika mintirho ya yona hi mfanelo, Bodo yi nga ha rhumisa matimba wahi na wahi ya yona ni mintirho ya kona, swi karhi swi lawuriwa hi xiyengentsongo (2) eka -
- (a) Xirho;
  - (b) Komiti ya Bodo le yi vuriwaka eka xiyenge 18; kumbe
  - (c) Ndhunankulu.
- (2) Bodo yi nga ka yi nga rhumisi matimba ya ku -
- (a) thola Ndhunankulu; kumbe
  - (b) tiyisisa swipimelo swa vukorhokeri bya Ndhunankulu.
- (3) Vurhumiwa ku ya hi xiyengentsongo (1) -
- (a) byi lawuriwa swipimelo sweleswo, swiringanyeto na nkombandlela leswi Bodo yi nga swi tlhandlekaka;
  - (b) byi fanele ku va le byi tsariweke;
  - (c) a byi hunguti matimba ya vutihlamuleri bya Bodo mayelana na ntolovelwa wa matimba la ma byarhisiweke Bodo ya ku gingirika mintirho ya yona; na
  - (d) a byi siveri Bodo ku endla migingiriko le yi byarhisiweke yona kumbe ku gingirika mitirho le yi byarhisiweke.

- (4) Bodo yi nga tiyisisa, ku hambanyisa kumbe ku namula xiboho xin'wana na xin'wana le xi tekiweke hikwalaho ka vurhumiwa le byi vuriwaka ku ya hi xiyengentsongo (1), swi lawuriwa hi mfanelo yihi na yihi le yi nga byarhisiwa tani hi switananzhaku swa xiboho.

#### **Tikomoti ta Bodo**

18. (1) Bodo yi nga tumbuluxa komiti yin'we kumbe to tala ku pfuna Bodo ku toloveta matimba na mintirho ya yona ku ya hi Nawu lowu.
- (2) Bodo yi fanele ku -
- (a) tiyisisa mintirho ya komiti;
  - (b) tiyisisa mabdzeleriselo ya matirhele ya komiti, leswi katsaka -
    - (i) nhlayo ya vanhu la va nga tekelekaka enhlokweni ku nga khoma nhlengeletano ya komiti;
    - (ii) tindlela le li nga tirhisiwaka hi komiti ku teka swiboho;
  - (c) veka swirho le swi thwaseleke na ku va na ntokoto mayelana na mintirho ya komiti; na
  - (d) veka xirho loyi a nga ta korhokela tani hi Mutshamaxitulu wa komiti yoleyo.
- (3) Nkarhi wun'wana na wun'wana, Bodo yi nga -
- (a) susa xirho eka komiti; kumbe
  - (b) n'okisa komiti.

#### **Tinhengeletano ta Bodo**

19. (1) Bodo yi fanele ku hlangana ku ringana vutsongo bya ka mune hi lembe.

- (2) Mutshamaxitulu hi yena a tekaka xiboho xa lomu Bodo yi faneleke ku hlangana kona, kambe vunyingi bya swirho swa Bodo va nga kombela Mutshamaxitulu hi ku tsala ku khuwela nhlengeletano hi nkarhi na ndzhawu le swi nga ta va swi tsariwile eka xikombelo.
- (3) Mutshamaxitulu hi yena nhloko ya nhlengeletano, kambe loko Mutshamaxitulu na xandla xa Mutshamaxitulu va nga ri kona enhlengeletanini, swirho le swi nga kona va hlawula xirho xin'wana ku fambisa nhlengeletano.
- (4) Mutshamaxitulu kumbe mufambisi wa nhlengeletano a nga, endhaku ka ku pfumelelana na Bodo, pfumelela munhu wihi na wihi loyi a nga riki xirho ku va xiphemu xa nhlengeletano tani hi munweleri ehenhla ka swipimelo le swi Mutshamaxitulu kumbe mufambisi wa nhlengeletano a nga swi vekaka.
- (5) Ndhunankulu u fanele ku -
- (a) vona leswaku timinete ta tinhlengeletano hinkwato ta hlayisiwa; naswona
  - (b) nyika MEC khopi ya timinete.

#### **Maendlele ya le tinhlengeletaneni**

20. Swi lawuriwa hi swipimelo swa Nawu lowu, Bodo yi nga tiyisisa malandzeleriselo ya maendlele ya le tinhlengeletaneni ta yon n'winyi.



**Nhlayo ya swirho le swi nga khomaka nhlengeletano na swiboho**

21. (1) Nhlayo ya swirho le swi nga khomaka nhlengeletano ya Bodo yi fanele ku va vutsongo bya vumbirhi xa nharhu eka nhlayo le yi heleleke ya swirho.
- (2) Mhaka le yi nga vaka emahlweni ka Bodo yi bohiwa hi vunyingi bya tivhoti ta swirho le swi nga kona enhlengetaneni yoleyo.
- (3) Eka timhangu ta ndzingano ehenhla ka tivhoti le ti tlhandlekiweke eka mhaka yokarhi, Mutshamaxitulu u na vhoti yo ahlula ku engetela ehenhla ka vhoti ya yena yak u endla hi ku rhandza.
- (4) (a) Loko mhaka yokarhi yo dinga xitshuketa xa Bodo naswona swi nga endleki leswaku Bodo yi hlanguana hi nkarhi wolowo, Mutshamaxitulu u fanele ku vona leswaku xirho xin'wana na xin'wana -
- (i) xi nyiketwa mahangu na matsalwa le swi yelanaka na mhanhu ya kona; na
- (ii) ku kandziyisa xiboho xa xirho xelexo ehenhla ka mhaka ya kona swi tlhelerisiwa eka Mutshamaxitulu.
- (b) Xiboho xa vunyingi bya swirho ehenhla ka mhaka, hi xona xiboho xa Bodo naswona xi fanele ku -
- (i) tiyisiwa hi Bodo eka nhlengeletano le yi nga ta landzela ya Bodo; na
- (ii) ku kandziyisiwa eka timinete.

**Ku thoriwa ka switivi**

22. Nkarhi wun'wnw na wun'wana lowu Bodo yi nga vonaka swi fanerile, yi nga thola switivi ku pfuneta Bodo ku gingirika mintirho ya yona.

**Ku pfumaleka ka Bodo le yi nga tirhaka**

23. Eka timhangu ta ku pfumaleka ka Bodo le yi nga tirhaka, MEC a nga gingirika migingiriko na mintirho ya Bodo.

**Ndhunankulu**

24. (1) Bodo yi fanele ku -
- (a) humesa xinavetisi le xi rhambaka swikombelo swa ku va Ndhunankulu eka maphephahungu ya vutsongo bya mambirhi; naswona
  - (b) thola Ndhunankulu wa Xiyenge xa Mfumo.
- (2) Ndhunankulu u fanele ku va munhu loyi a fikelelaka na ku fanela ni ku va a ri na nthwaso ni ntokoto le swi faneleke.
- (3) Ndhunankulu u thoriwa swi karhi swi lawuriwa hi minkarhi na swipimelo swa mathoriwele le swi nga vekaka hi Bodo, kambe swi ya hi mavekele ya pholisi le yi tiyisisiweke na ku pfumeleriwa hi MEC.
- (4) Ndhunankulu -
- (a) u thoriwa ku ringana nkarhi lo wu nga hundziki malembe manharhu;
  - (b) u tihlamulela eka Bodo;

- (c) u fanale ku ngenela mpfumelelano wa magingirikele ya lembe na lembe na Bodo; na
  - (d) a nga ka a nga gingirikeli ntirho wun'wana lo wu holelaka ehandle ka mpfumelelano lo wu tsariweke wa Bodo.
- (5) Nkarhi wun'wana na wun'wana lowu xivandla xa ndhunankulu xi vaka kona, Bodo yi fanele ku rhumisa Muthoriwa wa Xiyenge xa Mfumo tani hi Ndhunankulu wo khomela, ku ringana nkarhi lo wu nga hundziki tin'wheti ta ntsevu.
- (6) Bodo yi nga ka yi nga rhumisi xirho ku va Ndhunankulu wo khomela.

#### **Vatirhi va Xiyenge xa Mfumo**

25. (1) Hi ku fambisana na Boro, Ndhunankulu u fanele ku -
- (a) tumbuluxa xivumbeko xa vatirhi va Xiyenge xa Mfumo;
  - (b) thola vatirhi ku pfuneta Xiyenge xa Mfumo ku gingirika mintirho ya xona; na
  - (c) tiyisisa minkarhi na swipimelo swa mathoriwele ya vatirhi.
- (2) Hi ku fambisana na ku tirhisana na MEC kun'we na Xirho xa Huvonkulu ya Palamendhe le yi nga ni vutihlamuleri bya swa timali, Bodo yi nga tiyisisa swiyimo swa maholele ya vatirhi.

#### **Vurhumisi bya matimba na mintirho ya Ndhunankulu**

26. (1) Swi karhi swi lawuriwa hi xiyengentsongo (2), Ndhunankulu a nga rhumisa matimba wahi na wahi na mintirho ya Ndhunankulu eka xirho xa vatirhi va Xiyenge xa Mfumo.

- (2) Ndhunankulu a nga ka a nga rhumisi ntirhi wihi na wihi wa le yi vuriwaka eka 25(1).
- (3) Vurhumisi ku ya hi xiyengentsongo (1) -
- (a) byi lawuriwa hi swipimelo, swihungutiwa na vukomba-ndlela le swi nga thandlekiwaka hi Ndhunankulu;
  - (b) byi fanele ku va byi tsariwile;
  - (c) a byi hunguti helo vutihlamuleri bya Ndhunankulu mayelana na ntoloveto wa matimba la ma rhumisiweke kumbe magingirikele ya matimba la ma rhumisiweke; na
  - (d) a byi tshimbisi helo Ndhunankulu eku toloveteni matimba la ma rhumisiweke kumbe ku gingirika ntirho lo wu rhumisiweke.
- (4) Ndhunankulu a nga ha tiyisisa, ku hambana na kumbe ku namula xiboho le xi nga vaka xi tekiwile tani hi mbuyelo wa vurhumiwa bya xiyengentsongo (1), swi lawuriwa hi mfanelo ya mbuyelo wa switandzhaku swa xiboho xa kona.

#### **Vuavela timali ta Xiyenge xa Mfumo**

##### **27. Timali ta Xiyenge xa Mfumo ti vumbiwa hi -**

- (a) timali le ti kongomisiweke hi Palamendhe ya Xifundzhankulu ku endlela ku toloveta matimba na magingirikelo ya mintirho ya Xiyenge xa Mfumo; na
- (b) swi karhi swi lawuriwa hi PFMA, timali le ti pfelelaka eka Xiyenge xa Mfumo ku suka eka swihlovo le swi pfumeleriweke hi MEC hi ku

fambisana na Xirho xa Huvonkulu ya Palamendhe loyi a byarheka vutihlamuleri bya swa timali exifundzheninkulu.

### **Swinawanawana**

**28.** MEC a nga endla swinawanawana mayelana na mhaka yihi na yihi -

- (a) le yi vekiweke yi fanerile ku ya hi; kumbe
  - (b) le yi lavekeka ku fikelela tinh!ankulu;
- ta Nawu lowu.

### **Swiplimelo swa Nkarhinyana**

**29.** (1) Timali hinkwato leti hi nkarhi lowu ku nga se tirhisiwaka Nawu lowu, a ti ri eka Nkwama wa Bodo ya swa Vuendzi ya Limpopo le yi tumbuluxiweke ku ya hi xiyenge 27 xa Nawu wa Bodo ya Vuendzi na Mintanga ya Limpopo, 2001 (Nawu wa nomboro 8 wa 2001) ti fanele ku nghenisiwa eka vun'winyi bya Xiyenge xa Mfumo.

(2) Nhundzu hinkwayo na swikweleti swa Bodo ya Vuendzi na Mintanga ya Limpopo le yi tumbuluxiweke ku ya hi xiyenge 2 xa Nawu wa Bodo ya Vuendzi na Mintanga ya Limpopo, 2001 (Nawu wa nomboro 8 wa 2001) swi byarhiwa hi Xiyenge xa Mfumo.

(3) Timfanelo na Vuhumiwa hinkwabyo bya Bodo ya Vuendzi na Mintanga ya Limpopo le yi tumbuluxiweke ku ya hi xiyenge 2 xa Nawu wa Bodo ya Vuendzi na Mintanga ya Limpopo, 2001 (Nawu wa nomboro 8 wa 2001) swi byarhiwa hi Xiyenge xa Mfumo, ku ringa na leswi Nawu lowu wu

vekaka swipimelo ehenhla ka timfanelo na vurhumiwa hi Xiyenge xa Mfumo.

- (4) Mayelana na timhaka ta swa vuendzi, Xiyenge xa Mfumo, tani hi loko xi ri xiphemu xa Bodo ya swa Vuendzi na Mintanga ya Limpopo le yi tumbuluxiweke ku ya hi xiyenge 2 xa Nawu wa Bodo ya Vuendzi na mintanga ya Limpopo, 2001 (Nawu wa nomboro 8 wa 2001) hi xinawu na le henhla ka swinandzwana le swi nga se helaka swa xinawu, le swi katsaka vulamuri exikarhi ka muthori na muthoriwa, minkanetano ya muthori na muthoriwa na vungheneleri bya kona.
- (5) Vanhu hinkwavo la va thoriweke hi Bodo ya swa Vuendzi na Mintanga ya Limpopo le yi tumbuluxiweke ku ya hi xiyenge 2 xa Nawu wa Bodo ya swa Vuendzi na Mintanga ya Limpopo, 2001 (Nawu wa nomboro 8 wa 2001) va hundziseriwa eka Xiyenge xa Mfumo ehenhla ka minkarhi na swipimelo swa mathoriwele swo fana.

#### **Ku pfuxetiwa ka Nawu**

30. Ka va loko Nawu wa Bodo ya swa Vuendzi na Mintanga ya Limpopo, 2001 (Nawu wa nomboro 8 wa 2001) wu pfuxetiwile.

#### **Nkomiso wa vito ra Nawu na siku ro sungula ku tirhisiwa**

31. Nawu lowu wu vuriwa Nawu wa swa Vuendzi wa Limpopo, 2008, naswona wu ta sungula ku tirhisiwa hi siku le ri nga ta tiyisiwa hi Premier hi ku hlambaya eka tsalwa ra mfumo kumbe *Gazette*.

**MEMORANDAMU EKA TINHLANKULU TA  
NAWUMBISI WA SWA VUENDZI WA LIMPOPO, 2008**

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**1. VUMPFUNGWE**

Eka nkarhi wa sweswi, Bodo ya Limpopo ya Vuendzi na Mintanga yi fambisa vuendzi na mintanga eXifundzheninkulu, ku ya hi Nawu wa Bodo ya Limpopo ya Vuendzi na Mintanga, 2001 (Nawu wa nomboro 8 wa 2001). Hi lembe ra 2006, Xirho xa Huvo ya Palamendhe (MEC) loyi a rhwele vutihlamuleri bya Ndzawulo ya Nhluvukiso wa Ikhonomi, Mbango na Vuendzi, u tekile goza ra vutlharhi ra ku hambanyisa vufambisi bya mintanga eka vufambisi bya vuendzi ku endlela ku yelanisa vufambisi bya leswimbirhi na nhluvuko wa nawu wa rixaka wa xipalamendhe na ku ndlandlamuxa minkotelo ya swa ikhonomi. Xikongomelo xa Nawumbisi wa Vuendzi wa Limpopo, 2008 i ku nyika matimba eka xiboho xa MEC na ku langutisisa hi vuntshwa Nawu wa Bodo wa Vuendzi na Mintanga wa Limpopo, 2001 lo wu nga hundzuka goya naswona wu nga ha kotiki ku hlamula maendlele ya vutlharhi na minongonoko ya Mfumo wa Xifundzhankulu xa Limpopo.

**2. SWIKONGOMELO SWA NAWUMBISI**

Swikongomelo swa Nawu lowu i ku -

- a. nyika nhluvuko na mafambisele leswi yisekaka emahlweni swa vuendzi exifundzheninkulu;
- b. kondletela vuendzi exifundzheninkulu;
- c. tihontlha nhluvukiso na vuvukisi bya swa vuendzi exifundzheninkulu; na
- d. nyika kotelo ra ku nga tumbuluxiwa ka Xiyenge xa mfumo lexi nga ta langutisa timhaka ta vuendzi.

**3. NKUCETELO EKA VANHU**

- 3.1. Vuendzi byi na kotelo ra ku kurisa nhluvukiso wa vanhu hi ndlela yak u tumbuluxa mintirho, leswi hi tlhelo swi pfunaka eka ku lwisana na vusweti. Nawumbisi wu lava ku ndlandlamuxa vuendzi le byi yisekaka emahlweni exifundzheninkulu. Ku tumbuluxiwa ka miako na vukorhokeri bya swa vuendzi leswi hi tlhelo vanhu va Limpopo va nga ta kota ku tiphina hi swona, swi ta antswisa swiyimo swa mahanyelo ya vaaki.
- 3.2. Vubindzu bya vuendzi byi le ku amukeleni ka ku tekeriwa enhlokweni lo ku engetelekaka tani hi xin'wana xa swikurisinkulu na swihluvukisinkulu swa ikhonomi. Xiyenge xa Mfumo xa Vuendzi xi ta rhwexiwa vutihlamuleri bya ku langutana na ku xavisa na ku navetisa Limpopo tani hi ndzhawu ya vuendzeleki. Leswi swi ta ndlandlamuxa minkotelo ya ikhonomi exifundzheninkulu.

**4. NXOPA-XOPO WA NDZIMANA HI NDZIMANA**

- 4.1. Ndzimana 1 ya nawumbisi yi nyika tinhlamuselo.
- 4.2. Ndzimana 2 yi nyika tinhlankulu ta nawumbisi.
- 4.3. Ndzimana 3 yi tirhana na nkoka wa Mfumo wa Xifundzhankulu eka Vuendzi.
- 4.4. Ndzimana 4 yi havexa MEC matimba ya ku rhumisa hi matimba la ma nyikiweke yena eka Nawumbisi.
- 4.5. Ndzimana 5 yi nyika hi ta ku tumbuluxiwa ka Xiyenge xa Mfumo xa Vuendzi.
- 4.6. Ndzimana 6 yi tirhana na mintirho ya Xiyenge xa Mfumo.
- 4.7. Ndzimana 7 yi nyika hi ta ku tumbuluxiwa ka Bodo ya Vuendzi ya Limpopo.
- 4.8. Ndzimana 8 yi nyika hi ta xivumbeko xa Bodo.
- 4.9. Ndzimana 9 yi tirhana na ku thoriwa ka swirho eka Bodo.



- 4.10. Ndzimana 10 yi tirhana na vufikeleri na ku yirisiwa ka swirho.
- 4.11. Ndzimana 11 yi nyika swipumelelo na mindziriso ya swirho swa Bodo.
- 4.12. Ndzimana 12 yi tirhana na ku thoriwa ka mutshami wa xitulu na xandla xa mutshami wa xitulu va Bodo.
- 4.13. Ndzimana 13 yi tirhana na nkarhi wa ku va ehofisini wa swirho swa Bodo
- 4.14. Ndzimana 14 yi tirhana na swivandla swa mintirho eka Bodo.
- 4.15. Ndzimana 15 yi tirhana na ku tshika ntirho ka swirho swa Bodo.
- 4.16. Ndzimana 16 yi nyika ta ku susiwa ka swirho eka Bodo.
- 4.17. Ndzimana 17 yi nyika ta vuhumiwi bya Bodo ku ya hi matimba na mintirho ya yona.
- 4.18. Ndzimana 18 yi nyika ta ku tumbuluxiwa ka tikomoti ta Bodo.
- 4.19. Ndzimana 19 yi tirhana na linhlengeletano ta Bodo.
- 4.20. Ndzimana 20 yi tirhana na maendlele etinhlengeletaneni ta Bodo.
- 4.21. Ndzimana 21 yi tirhana na vuyimeri na swiboho etinhlengeletaneni.
- 4.22. Ndzimana 22 yi tirhana na ku thoriwa ka switokoti ku pfuna Bodo ku endla mintirho ya yona.
- 4.23. Ndzimana 23 yi nyika ta mintirho ya Bodo le yi nga ta endliwa hi MEC loko vuyimeri le byi eneleke bya Bodo byi nga ri kona.
- 4.24. Ndzimana 24 yi nyika ta matholele ya Ndhunankulu (CEO) wa Xiyenge xa Mfumo.
- 4.25. Ndzimana 25 yi nyika ta matholele ya vatrhi va Xiyenge xa Mfumo.
- 4.26. Ndzimana 26 yi tirhana na ku havexiwa ka matimba ya CEO.
- 4.27. Ndzimana 27 yi tirhana na timali ta Xiyenge xa Mfumo.
- 4.27. Ndzimana 28 yi nyika ta matimba ya MEC ya ku endla swinawanawani.
- 4.29. Ndzimana 29 yi nyika ta vululamiseri bya nyiketano.
- 4.30. Ndzimana 30 yi langutisisa hi vuntshwa Nawu wa Vuendzi na Mintanga wa Limpopo, 2001 (Nawu wa nomboro 8 wa 2001).

4.31. Ndzimana 31 yi nyika ta nkomiso wa nhlamuselo na masungulelo.

**5. NKUCETELO WA XINHLANGANO**

Nawumbisi wu nyika ta ku tumbuluxiwa ka Xiyenge xa Mfumo xa Vuendzi xa Limpopo, tani hi xikorhokeri xa Mfumo ku ya hi Nawu wa Mafambisele ya Timali ta Mfumo, 1999 (Nawu wa nomboro 1 wa 1991). Xiyenge xa Mfumo xi ta van a Bodo ya Vufambisi, Ndhunankulu (CEO) na xivumbeko xa vatirhi xa xona n'winyi.

**6. NKUCETELO WA SWA TIMALI**

Bodo ya Vuendzi na Mintanga ya Limpopo yi amukela mpimanyeto ku suka eka Ndzawulo lembe rin'wana na rin'wana. Tani hi leswi Xiyenge xa Mfumo xi kongomisiweke eku siveni ka Bodo ya Vuendzi na Mintanga ya Limpopo, swi langutiwile swi fanerile leswaku Ndzawulo yi hakela kumbe ku nyika timali eka Xiyenge lexintshwa tani hi laha swi endlekisaka xiswona sweswi. A ku si van a nkucetelo wuntshwa lo wu nga hlometeriwa.

**7. NKUCETELO WA XIVUMBIWA**

Ku ya hi xedulu 5 (Xiphemu A) ya Vumbiwa bya Tiko ra Afrika Dzonga, Vuendzi i vuphikizaneke lebyi ku avelaniwaka hi byona hi Rixaka na Swifundzhankulu. Nawumbisi wu pfumelelana kahle na Vumbiwa.

**8. VUTIHLANGANISI**

Vufambisinkulu bya Ndzawulo ya Nhluvukiso wa Ikhonomi, Mbango na Vuendzi kun'we na van'wana va vatirhela-mfumo va swiyimo swa le henhla va tihlanganisiwile na vona loko nawumbisi wu mpapfarhutiwa.

**TSEBIŠO KA KAKARETŠO**

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**TSEBIŠO 434 YA 2008****TSHEPEDIŠO YA POROFENTSHE YA LIMPOPO****KGORO YA TLHABOJ LO YA MORUO, TIKOLOGO LE BOETI****MOLAOKAKANYWA WA BOETI BJA LIMPOPO, 2008**

**Molaokakanywa Wa tša Boeti bja Limpopo o phahlaladitše di ditshwayo go ya ka**

**Molao wa 113 wa Melaotheo le Ditaelo tša Lekgotlapeamelao.**

**Motho mang kapa mang goba mokgahlo wo o kganyogago go tšweletša ditshwayo**

**mo go sengwalwa se a ka dira bjalo ka go ngwala, pele ga 6 February 2009 le:**

**Hlogo**

**Kgoro ya Tlhabollo ya Moruo,**

**Tikologo le Boeti**

**Mokotlana wa 9484**

**POLOKWANE**

**0700**

**GO YA GO: Moh. Anemmie de Klerk**

**Mogala: (015)293 8514 / 082 806 3190**

**[deklerka@ledet.gov.za](mailto:deklerka@ledet.gov.za)**

**LEKGOTLAPEAMOLAO LA PHOROBENTSHE YA LIMPOPO**

**MOLAOKAKANYWA WA TŠA BOETI LIMPOPO, 2008**

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**Bjalo ka ge o tšweleditšwe ke**

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**(LELOKO LA LEKGOTLAPHETHIŠI LA TLHABOLLO YA IKONOMI, TIKOLOGO LE  
TŠA BOETI)**

**MOLAO WA TŠA BOETI LIMPOPO.2008**

**Go aba tlhabollo ya go ya go ile ya taolo le tlhahlošo ya tša boeti ka Limpopo, go tliša boingwadišo bja dikgotsofalo tša boeti; go hloma Kemelwa ya tša Boeti ya Limpopo; go aba taolo le mešomo ya Kemelwa ; go fediša Molao wa tša Boeti le Boto ya tša Mašoka wa Limpopo, 2001 (Molao 8 wa 2001); le go fa sebaka sa ditaba tše dingwe tšeo di ka hlalagago/tšwelelago.**

**E BEILWE SEMOLAO** ke ba Lekgotlapeamolao la Limpopo ka tsela ye:-

**1. DITLHALOŠO**

Ka mo go Molao wo ka ntle le ge go le ka tsela ye ngwe-

“**Kemelwa**” e ra Kemelwa ya tša Boeti Limpopo bjalo ka ge e hlomilwe go ya ka olwana ya 5;

“**Boto**” e ra Boto ya tša Boeti Limpopo bjalo ka ge e hlomilwe go ya ka karolwana ya 7;

“**Modulasetulo**” ke motho yo a beilwego ke Leloko la Lekgotlaphethiši (MEC) go ya ka karolwana ya 12;

“**Hlogophethiši**” e ra hlogophethiši ya khuduthamaga (CEO) ya Kemelwa yeo e beilwego go ya ka karolwana ya 24;

“**Kgoro**” e ra Kgoro ye o lebanego le maikarabelo a ditaba tša boeti ka mo phorobentsheng;

“**Hlogo ya Kgoro**” e ra hlogo ya kgoro yeo e lebanego le maikarabelo a ditaba tša Boeti ka mo phorobentsheng;

“**Leloko**” e ra Leloko la Boto leo go boelwago ka lona mo karolwaneng ya 8(1);

“**Molekgotlaphethiši**” e ra Molekgotlaphethiši yoo a lebanego le maikarabelo a ditaba tsa boeti ka mo phorobentsheng

“**Molao wa Taolo ya Matlotlo a Setšhaba**” e ra Molao wa Taolo ya Matlotlo a Setšhaba, 1999 (Molao 1 wa 1999);

Version 1.13 10 March 2008

**“go fa taelo” e ra go fa taelo ka tshwanelo le ka molao; le**

**“Molao wo” o akaretša molao o mongwe le o mongwe wo o ka tlogo ka fase ga wona go ya ka molao wo.**

### **Maikemišetšo a Molao**

**2. Maikemišetšo a Molao wo ke go-**

- (a) tliša tlhabollo ya go ya go ile le taolo ya tsa boeti ka mo phorobentsheng;**
- (b) godiša tša boeti ka mo phorobentsheng;**
- (c) hlwehlweletša tlhabollo le peeletšo go tša boeti ka mo phorobentsheng; le**
- (d) kgontšha tlhamo ya Kemelwa ya tša boeti go fihlelela maikemišetšo a Molao wo.**

### **Karolo yeo e kgathago ke mmušo wa phorobentshe**

**3. (1) Mmušo wa phorobentshe o ka , o šomisa Leloko la Lekgotlaphethiši-**

- (a) wa tšweletša pego mabapi le taba ye ngwe le ye ngwe yeo e amago aolo, tlhabollo le taolo ya tša boeti mo Phorobentsheng; le**
- (b) go tla ka maemo a phethagatšo a mešomo ya Kemelwa.**

**(2) Mmušo wa phorobentshe o swanetše, ka go somiša Leloko le Lekgotlaphethiši-**

- (a) go hlapetša le go thekga tšhomišo ya maano a tša boeti ka mo phorobentsheng le makaleng a mangwe a segae a mmušo;**
- (b) go hlapetša le go thekga mananeo a diphetogo mo go intaseteri ya tša boeti;**

- (c) go šomisa magato a go netefatšša tlhabollo ya bokgoni bja tša boeti le mananeo a go aga tsebo;
- (d) go hlhla tšwelopele ya tša boeti
- (e) go hlhla bakgatha tema ka go intaseteri ya tša boeti;
- (f) go eta pele tšhomišano, dikwanelo le kgokagantšho tša boeti bja bo ditšhabatšhaba;
- (g) go dumelela le go thekga tšhomišo ya leano la phethagatšo ya ngwaga ya Kemelwa;
- (h) go ngwadiša bahlahli ba baeti;le
- (i) go ngwadiša ditirelo tša baeti le dikgotšofalo tša baeti go ya ka tshapedišo ye e beilwego

#### **Kabo ya maatla goba mošomo ke Molekgotlaphethiši**

4. Molekgotlaphethiši a ka re ,ka tsela ya go ngwala,a aba mošomo goba maatla a mangwe le a mangwe a a
  - (a) filwego ka fase ga Molao wo,ka ntle le maatla a –
  - (b) go bea maloko a Boto;le
  - (c) go bea melawana.
  - (d) go Hlogo ya Kgoro ka goba ntle le maatla a go tšwetšapele kabo ya mošomo woo goba maatla ao

#### **Tihomo ya Kemelwa**

5. (1) Motho wa semolao yo a hitšwago gore ke Kemelwa ya tsa Boeti ka Limpopo ke yo oa hlongwa;
- (2) Kemelwa e tla bopšwa ka-

- (a) Boto yeo e hlomilwego ke Molekgotlaphethiši go ya ka Molao wo;
- (b) Hlogophethiši ya Khuduthamaga; le
- (c) Bahlankedi ba Kemelwa

### Mešomo ya kemelwa

#### 6. Kemelwa e swanetše go-

- (a) hlabolla le go šomiša leano la papatšo ya tša boeti ka fase ga maano a tša boeti a go tšwelapele le
- (b) hlahla nyakišišo ya tša boeti yeo e dumelwago ke Kgoro
- (c) thekga tšwelopele ya tša boeti le mananeo a go ikaga
- (d) tšwetšapele dikgoba tša peeletšo ya tša boeti mo go mašoka ao laolwago ke mmušo.
- (e) tla ka tlhabollo ya tšweletšwa tša boeti go mašoka a tlhago ao a laolwago ke mmušo;
- (f) aba ditirelo tša thušo mo go mašoka a tlhago ao a laolwago ke mmušo;
- (g) ikamanya le Molao wa Matlotlo a Setšhaba le molao wo mongwe wa maleba, go hlongwa leano la
- (h) tšhomisano le ditšhaba, mekgatlo, mekgatlo ya mmušo le mekgatlo ya tša boeti go tšwetšapele papatšo ya tša boeti;
- (i) hloma le go hlokomela dišego (ditatapeisi) tšeo diswereco ditaba mabapi le-
  - (ii) kgoketšo ya tša boeti ya gona bjale, ditlabakelo, dišomišwa, ditirelo, lefelo le mokgwa wa go di fihlelela;
  - (ii) kgoketšo ya tlhago le ya setšo tšeo di ka hlabollwago e le dikgoketšo a baeti ka mo phorobentsheng;
  - (iii) le mafelo a maswa a ditiragalo tša boeti le dibaka tšeo di na go le bokgoni bja ditiragalo tše bjalo;
- (i) eletša Molekgotlaphethiši ka taba ye nngwe le ye nngwe yeo e amanago le intaseteri ya tša boeti; le



- (j) dira mošomo o mongwe le o mongwe woo Molekgotlaphethiši a ka o abago goba a ofago Kemelwa.

### **Boto ya Kemelwa**

7. (1) Molekgotlaphethiši o tla bopa Boto ya tša Boeti ya Limpopo yeo e swanetšego gore ka ngwaga e tsenele

dikwano le Molekgotlaphethiši mabapi le-

(a) phethagatšo ya mešomo ya Boto;

(b) go latela dipolisi(melawana);le

©taba ye nngwe le ye nngwe e le go bohlokwa go fihlelela maikemišetšo a molao wa.

(2) Boto e na le maikarabelo ago dira mešomo ya Kemelwa.

(3) Boto ke yona enago le maatla ao a laetšwago mo karolwaneng ya 49(2)(a)ya Molao wa Taolo ya Matlotlo a Setšhaba.

(4) Boto e swanetše gore ka mehla e lekodišiše ditiragalo le ditshepedišo go netefatša bokgoni bja maemo a taolo ya ka gare ga Boto.

(5) Boto e ka thwala bongwaledi go tla go thuša Boto go kgona go dira mešomo ya yona.

### **Boleloko bja Boto**

8. (1) Boto e swanetše go ba le-

(a) moemedi wa-

(i) Kgoro a beilwe ke Hlogo ya Kgoro;le

(ii) Lekgotla la Mmušo wa Selegae la Aforika Borwa le beilwe ke Hlogophethiši ya Khudu ya lefapha;

- (b) maloko a mabedi a go ba le tsebo le bokgoni go tša papatšo,tlhabollo le nyakišišo ya tša boeti;
- (c) leloko le tee la go ba le tsebo le bokgoni ka ga intaseteri ya bophelo bja tša lešoka;
- (d) leloko le tee la go ba le tsebo le bokgoni ka ga taolo ya mafelo ao a šireletšegilego le pabalelo ya mehuthuta ya diphedi
- (e) maloko a mabedi a go ba le tsebo le bokgoni bja taolo ya kgwebo;le
- (f) maloko a mabedi a go ba le tsebo le bokgoni bja tlhabollo ya setshaba.

(2). Hlogophethiši ya Khuduthamaga ,ka lebaka la ofisi,ga a bout

#### **Go thwala maloko a Boto**

9. (1) Molekgotlaphethiši o swanetše go

- (a) laletša go hlaolwa ga batho go tla go thwalwa ke Boto ka go dira tsebišo ka go dikuranta bonyane  
e be tše pedi;le
- (b) go ya ka karolwana ya 10,go bao ba hlaotšwego,go tla thwalwa maloko a Boto.

(2).Tlhaolo yeo e dirwago go ya ka tsebišo ya karolwana ya(1) e swanetše go thekgwa ke-

- (a) lenaneophelo(CV) le le tletšego la mohlaolwa;
- (b) ditokomane(dingwalwa)tša go thekga tše di laetšago tsebo le bokgoni bja mohlaolwa tše di tlogo thuša go šoma ga Kemelwa;
- (c) lengwalo la gotšwa go mohlaolwa la go amogela go hlaolwa; le

(d) boitlamo go tšwa go mohlaolwa go laetša dikgahlego tše di ka thulanago le maikarabelo a mohlaolwa ge Boto e ka mo thwala

(3) Ge go thwalwa maloko, Molekgotlaphethiši o swanetše go netefatša gore maloko a Boto ka noka a na le

Tsebo le bokgoni bja maleba mabapi le melawana ya tshepedišo ya tša kgwebo le dilo mabapi le mešomo ya Kemelwa.

**Go ba le maswanedi le go hloka maswanedi ga maloko**

10. (1) motho o swanetše go lekanela gabotse go swara ofisi bjalo ka leloko

(2) motho a ka se thwalwe goba go dula e le leloko ge;

(a) e le leloko la lekgotlapeamolao la phorobentshe;

(b) a sa kgone go hlokomela ditaba tša gagwe go ya ka kgorotsheko ya nnete

(c) kgoro ya molao e re ke motho wa go se itekanele

(d) a ile a re ka nako ye nngwe a bonwa molato wa go se tshephege

(e) a ile are ka nako ye nngwe a tlošwa ka ofising ya go tshephega ka lebaka la go hloka maitshwaro;goba

(f) go ya ka karolwana ya 8(1) (a) (i) le (ii) o šomela setšhaba goba o swere maemo a go lefelwa mo mmušong

**Diputseletšo le tefo ya maloko**

11. (1) Molekgotlaphethiši ka go boledišana le Molekgotlaphethiši yo a lebanego le tša matlotlo mo phorobentsheng, a kare nako le nako a akanya tefo goba diputšeletso tše di ka lefelwago leloko
- (2) Leloko leo le šomelago mmušo ga le a swanela go hwetša tefo goba diputseletšo
- (3) Tefo le diputseletšo tše di akanywa go ya ka karolwana ya (1) di swanetše go re-
- (a) go ya ka tša sešego sa mašeleng se se lebanego le boemo go ya ka Molao wa Taolo ya Matlotlo a Setšhaba;
- (b) le go lefelwa ga mašeleng a laoletšwego ke Lekgotlapeamolao la Phorobentshe go diragatša seo.

**Modulasetulo le Motlatšamodulasetulo**

12. (1) Molekgotlaphethiši o swanetše go bea leloko bjalo ka dulasetulo, le leloko le le ngwe bjalo ka Motlatšamodulasetulo wa Boto tekano ya nako ya go se fete nako ya leloko ka ofising
- (2) Molekgotlaphethiši a ka se bee leloko leo le bolelwago mo karolwaneng ya 8(1) bjalo ka
- (3) Modulasetulo goba Motlatšamodulasetulo wa Boto

(4) Motlatšamodulasetulo o swanetše go bontšha maatla le go kgona mešomo ya Modulasetulo gore ae phethe ge a se gona.

**Nako ya go ba ka ofising**

13. (1) Leloko le ba ka ofising nako ya go se fete mengwaga e meraro go tloga ge a fetša go thwalwa
- (2) Molekgotlaphethiši a ka oketša nako ya go ba ka ofising ga leloko ga tee fela, tekano ya go se fete mengwaga e meraro ,ntle le go latela ditshepedišo tše di beilwego ka go karolwana ya 9

**Dikgoba tša mešomo**

14. (1) Ge ofisi ya leloko e hlola sekgoba, Molekgotlaphethiši, o tla go ya ka tshapedišo ya karolwana ya 9, a tlatša sekgoba seo.
- (2) Leloko leo le thwetšwego goya ka karolwana ya (1) o swara ofisi go fetiša nako ya yo a be go a le ka ofising

**Go fediša boleloko**

15. (1) Leloko le ka tlogela Boto ka go fa bonyane tekano ya dikgwedi tše pedi, ka go ngwalela tsebišo go
- Molekgotlaphethiši
- (2) Molekgotlaphethiši a ka amogela tsebišo ya nako e kopana go mabakeng ao a ikgethilego.

**Go tlošwa ga leloko**

16. (1) Molekgotlaphethiši a ka tloša leloko ka ofising ka mabaka a a latelago-
- (a) ge maitshwaro a leloko es a mabotse;
- (b) ge maitshwaro a leloko a nyenyefatša seriti sa Boto;
- (c) ge leloko le palelwa ke go latela diteng tša molao wo goba Molao wa Taolo ya Matlotlo a Setšhaba;

- (d) ge a palelwa ke go phethagatša mešomo ya boleloko gabotse;
  - (e) ge a sa iponagatše dikopanong makga a mararo a go latelana ntle le tumelelo ya Boto;goba
  - (f) a rakilwe go ya ka karolwana ya 10
- (2) Molekgotlaphethiši a ka se tloše leloko go ya ka karolwana ya(1)ka ntle le ge Molelokophethiši a file leloko sebaka sa go bea mabaka go Molekgotlaphethiši
- (3) Molekgotlaphethiši a ka emiša ga nnyane leloko ka ofising ge a le gare a sa dira dinyakišišo kgahlano le leloko leo.

### **Kabo ya maatla le mešomo**

17. (1) Ge go le bohlokwa go phethagatša mešomo ya yona gabotse Boto e ka re go ya ka karolwana ya(2),ya aba a mangwe a maatla a yona goba mešomo ya yona go-
- (a) leloko;
  - (b) komiti ya Boto yeo go bolelwago ka yona mo go karolwana ya18 goba
  - (c) Hlogophethiši ya Khuduthamaga
- (2) Boto e ka se abe maatla a go-
- (a) thwala Hlogophethiši ya Khuduthaga;goba
  - (b) akanya maemo a mošomo a Hlogophethiši ya Khuduthamaga.
- (3) Kabo ya maatla go ya ka karolwana ya (1)-
- (a) ke go ya ka mabaka,dikgomelo le ditaelo tseo Boto eka di tlišago;

- (b) di swanetše go tla ka mokgwa wa go ngwala;
  - (c) ga di fetotše maikarabelo a Boto mabapi le go diriša maatla ao e a filwego goba go šomiša mešomo yeo e filwego;le gore ga
  - (d) thibele Boto go diragatša kabo ya maatla goba go phethagatša mešomo yeo e filwego
- (4) Boto e ka dumela, ya gana goba kgalemia ka bogale sepheto se sengwe le se sengwe se se tšewago e le ka

lebaka la kabo go ya ka karolwana ya(1),e le go ya ka tokelo ye nngwe yeo etla ba go ka lebaka la sephetho seo.

#### **Dikomiti tša Boto**

18. (1) Boto e ka hloma komiti e tee goba go feta go thuša Boto go hethagatša maatla le mešomo ya yona go ya ka Molao wo.
- (2) Boto e swanetše go-
- (a) akanya mešomo ya komiti;
  - (b) akanya tšhomišo ya ditshepedišo tša komiti.go akaretšwa le –
    - (i) palo ya go kgona go swara kopano ya komiti;
    - (ii) mokgwa woo komiti e o šomišago go tšea hoto;
  - (c) maloko a a beilwego a na go le maswanedi goba tsebo mabapi le mešomo ya komiti;le
  - (d) go bea leloko leo le šomago mo komiting bjalo ka Modulasetulo wa komiti yeo
- (3) Boto e ka re,ka nako ye nngwe le ye nngwe ya-

(a) tloša leloko mo komiting;goba ya

(b) šwalalanya komiti.

### Dikopano tša Boto

19. (1) Boto e swanetše go kapana bonyane e be ganne ka ngwaga
- (2) Modulasetulo o akanya lefelo le nako ya go kopana ga Boto,e fela bontši bja maloko,ka go ngwala,bo ka kgopela Modulasetulo go bitša kopano ka nako le lefelo tšeo di tlo go be di le ka go lengwalo la kgopelo.
- (3) Modulasetulo o hlahla dikopano tsa Boto,e fela ge Modulasetulo le Motlatšamodulasetulo ba se gona mo kopanong,maloko ao a le go gona a tla kgetha mosepediši wa kopano.
- (4) Modulasetulo goba mosepediši wa kopano o tla ,ka mrago ga go boledišana le Boto a dumelela motho yo mongwe le yo mongwe go tsenela kopano ya Boto bjalo ka motheeletši,go ya le ka moo go tlo go be go akantše Modulasetulo goba mosepediši wa kopano
- (5) Hlogo ya Khuduthamaga e swanetše go-
- (a) netefatša gore metsotso ya dikopano kamoka e ya bewa.;le go
- (b) fa Molekgotlaphethiši lengwalolla(khopi)la metsotso.

### Tshepedišo ya kopano



20. Boto e ka re, go ya ka kabo ya Molao wo, ya akanya ditshepedišo tsa yona tša kopano.

**Palo ya maloko ao a nyakegago le dipheto**

21. (1) Maloko ao a nyakegago go tla kopanong ya Boto a swanetše go ba pedi –tharong ke go re e be seripa sa maloko le motho o tee;

- (2) Taba pele ga Boto e ahlolwa ke bontši bja dibouto tša ao a le go gona kopanong.

- (3) Ge go na le tekano ya dibouto, Modulasetulo o na le kgetho ya bo felo o bile ke yena a na go le kgetho ya ka boomo.

- (4) (a) Ge taba e nyaka šedi ya ka pela ya Boto, e bile go sa kgonege gore Boto e ka dula ka nako yeo ,Modulasetulo o swanetše go netefatša gore leloko le lengwe le le lengwe-

(i) le fiwa ditaba ka moka mabapi le taba yeo;le

(ii) dikgoboketšo ka moka tša dipheto tša maloko mo go taba ye le go iša kgoboketšo go Modulasetulo.

- (b) Sepheto sa bontši bja maloko ke sepheto sa Boto ,e bile se swanetše go-

(i) tlišetswa ke Boto dikopanong tse di latelago tša Boto;le

(ii) go ngwalwa ka go metsotso

**Go thwalwa ga ditsebi**

22. Boto, e tla re ge nako e fihlile ya thwala setsebi go tla go thuša Boto go phethagatša mešomo ya yona

**Go hlokega ga Boto ye e šomago**

23. Molekgotlaphethiši o swanetše, ge go se Boto ye e šomago, go phethagatša mešomo ya Boto.

**Hlogophethiši ya Khuduthamaga**

24. (1) Boto e swanetše go-

(a) gatiša sekgoba sa mošomo go dikuranta, bonyane e be tše pedi go laletša dikgopelo tša go ba Hlogophethiši ya Khuduthamaga; le go

(b) thwala Hlogophethiši ya Khuduthamaga ya Kemelwa

(2) Hlogophethiši ya Khuduthamaga e swanetše go ba motho wa dithuto le tsebo ya maleba.

(3) Hlogophethiši ya Khuduthamaga thwalwa go ya ka maemo a mošomo ao a ka akanywago ke Boto, go ya ka pholisi yeo e akanywago e bile e dumelwa ke Molekgotlaphethiši.

(4) Hlogophethiši-

(a) o thwalwa tekano ya go se fete mengwaga ye meraro;

(b) o tšea ditaelo go Boto;

(c) o swanetse gore ka ngwaga a tsenele kwano ya bokgoni ka go ngwala le

Boto e bile a ka dire mosomo wo mongwe wa go lefa ntle le tumelelo ya Boto.

- (5) Nako le nako go go na le sekgoba sa Hlogophethiši ya Khuduthamaga Boto e swanetše go bea mohlankedi wa Kemelwa bjalo ka Hlogophethiši ya Khuduthamaga nako ya go se fete dikgwedi tše di selelago
- (6) Boto e ka se bee motho ya re ke moswaredi wa Hlogophethiši ya Khuduthamaga

#### **Bahlankedi ba Kemelwa**

25. (1) Hlogophethiši ya Khuduthamaga e swanetše gore gammogo le Boto e-
- (a) hlome sebopego sa bahlankedi ba Kemelwa;
  - (b) thwale bahlankedi go thuša Kemelwa go phethagatša mošomo ya yona; le
  - (c) e a kanya mabaka a mošomo wa bahlankedi.
- (2) Boto e swanetše gore gammogo le molekgotlaphethiši le molekgotlaphethiši yo a lebanego le tsa matlotlo, a beakanya maemo a tefo ya bahlankedi.

#### **Kabo ya maatla goba mešomo ya Hlogophethiši ya Khuduthamaga**

- 26 (1) Hlogophethiši ya Khuduthamaga e kare, ka fase ga karolwana ya (2), ya aba maatla a mangwe le a mangwe goba mešomo ya gagwe go bahlankedi ba kemelo.

(2) Hlogophethiši ya Khuduthamaga e kase abe mešomo yeo go bolelwago ka yona go karolwana ya 25 (1).

(3) Kabo ya maatla go ya ka karolwana ya (1)-

(a) ka fase ga mabaka ao, magomo le di tshupetšo tsa gore ke Hlogophethiši ya Khuduthamaga;

(b) e swanetše go dirwa ka mokgwa wa go ngwala;

(c) ga e setise Hlogophethisi ya Khuduthamaga maekarabelo mabapi le go šomisa kabo ya maatla go ba phethagatšo ya mešomo; le

(d) ga e ganetse Hlogophethisi ya Khuduthamaga go dirisa kabo ya maatla goba phethagatso ya mosomo

(4) Hlogophethiši ya Khuduthamaga e ka dumela , ya gana goba ya omana kaga sephetho sese ngwe le se sengwe seo se tšerego ka lebaka la kabo ya maatla go ya karolwana ya (1), ka fase ga tokelo ye ngwe le ye ngwe e ka tšhewago ele di tlamorago tša sephetho.

#### **Sekwama sa Kemelwa**

27. Mašeleng a Kemelwa a na le-

(a) ditšhelete di laolwetšwego ke Lekgotlapeamelao go diragatša maatla le phethagatšo ya mešomo ya Kemelwa; le

(b) le goya ka Molao wa Taolo ya Matlotlo a Setšhaba, tšhelete yeo e hweditšwego ke Kemelwa go tšwa methopmong yeo e dumelwetšwego ke Molekgotlaphethiši gammogo le Molekgotlaphethiši yeo a lebanego le tsa Matlotlo mo phorobentsheng.

#### **Melawana**

28. Molekgotlaphethiši a ka dira melawana mabapi le taba ye ngwe le ye ngwe ya go-

(a) ya go laelwa ka mabaka; le

(b) bohlokwa bja go fihlelela maikemišetšo a Molao wo.

**Kabo ya tša neeletšano**

29. (1) Mašeleng ka moka ao pelega go thongwa ga molao wo, a tlafiwa Sekwama sa Boto ya tša Boeti bja Limpopo go ya ka karolwana ya 27 ya Molao wa Limpopo wa Boto ya tša Boeti le Mašoka, 2001 (Molao 8 wa 2001) o swanetše go se šome go Kemelwa.

(2) Dithotho ka moka le dikoloto tša Boto ya Limpopo ya tsa Boeti le Mašoka ya go hlongwa go ya ka karolwana ya 2 ya Molao wa Boto ya Limpopo ya tsa Boeti le Mašoka, 2001 ( Molao 8 2001) o beilwe godimo ga Kemelwa

(3) Ditokelo le ditshwanelo ka moka tsa Molao wa Boto ya Limpopo ya tša Boeti le Mašoka wa go hlogwa go ya ka karolwana ya 2 ya Molao wa Boto ya Limpopo ya tša Boeti le Mašoka ka gona Molao wo o aba ditokelo le di tshwanelo ke Kemelwa

(4) Kemelwa go ya ka ditaba tsa go ama Boeti, e emelwago pelaelo ka Molao go Boto ya Limpopo ya tsa Boeti le Masoka ya go hlongwa go ya ka karolwana ya 2 ya Molao wa Boto ya tsa Boeti le Masoka wa Limpopo, 2001 (Molao 8 wa 2001) wo o saemišitšwego, go a karetšwa bonamodi, mathata a tša basomi le kemedi.

(5) Batho ka moka ba thwetšwego ke Boto ya Limpopo ya tša Boeti le Mašoka o hlomilwego go ya karolwana ya 2 ya Molao wa Limpopo wa

Boto ya tša Boeti le Mašoka, 2001 (Molao 8 wa 2001) o tlišwa go  
Kemelwa ka mabaka le maemo a mošomo ao a swanago.

**Phedišo ya Molao**

30. Molao wa Boto ya Limpopo wa tša Boeti le Mašoka, 2001 (Molao 8 wa  
2001) ke mo oa phumulwa.

**Hlogo ye kopana le mathomo a tšhomišo**

31. Molao wo o bitšwa gore ke Molao wa Limpopo wa tša Boeti, 2008, o tla  
thoma go šoma ka letšatši leo letlogo a kanywa gwaba le kwalakwatšwa  
ka kuranteng ya mmušo ke Tonakgolo.

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**MEMORANTAMO WA MAIKEMIŠETŠO A MOLAOKAKANYWA WA TŠA BOETI LIMPOPO, 2008**

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**1. MATHOMAMAYO**

Poto ya tša Boeti le Mašoka Limpopo ga bjale e lalola (sepediša) tša Boeti le Mašoka ka mono phorobentsheng, go ya ka Molao wa tša Boeti le Mašoka, 2001 (Molao wa bo 8 wa 2001) Ngwageng wa 2006. Molekgotlaphethiši yo a lebanengo le Kgoro ya Kgodišo ya Moruo, Tikologo le Boeti (MKP), o tšere sephetho seo e lego leano la go amologanya taolo ya mašoka go taolo ya tša boeti maikemišetšo magolo e le go gwerantšha mafapha a mabedi le ditiragalo tša bosetšhaba tša molao gammogo le go godiša menyetla ikonoming ya tša boeti.

Maikemišetšo a Molaokakanywa wa tša Boeti Limpopo, 2008 ke go phetagatša sephetho sa Molekgotlaphethiši le go phumula Molao wa tša Boeti le Mašoka Limpopo, 2001 wo o sa hlwego o sa tšwa maswi e bile o feletše ke mathaithai (maano) a go hlankela maleatlala le mananeo a Mmušo wa phorobentshe ya Limpopo.

**2. MAIKEMIŠETŠO A MOLAOKAKANYWA**

Maikemišetšo a molao wo ke:

- a. go tliša tlhabollo ya go ya go ile le taolo ya tša boeti ka mono phorobentsheng
- b. go godiša tša boeti ka mono phorobentsheng
- c. go hlahloba tlhabollo le peeletšo go tša boeti ka mono phorobentsheng le
- d. go kgontšha tlhamo ya mokgatlo wa tša tshepedišo ya tša boeti

**3. DITLAMORAGO TŠA LEAGO**

3.1. Tša Boeti di na le monyetla wa go ka godiša tlhabollo ya tša leago ka ge di hlola mešomo yeo ka morago e tšišago go phedišo ya bohloki (bodiidi).

Molaokakanywa wo o nyaka (tsoma) go godiša Boeti bja go ya go ile ka mono phorobentsheng. O hlola gape ditlabakelo (dišomišwa) le ditirelo

tšeo batho ba Limpopo le bona ba tlogo go di thabela di kaonafatšago (godišago) maemo a badudi ka tša bophelo.

3.2. Intasteri ya tša boeti ke ye nngwe ka bontši matšatši a e tšewago (tielwago monwana) go ba yeo e godišago le go hlabolla ikonomi.

Mokgatlo wa tša tshepetšo ya tša Boeti Limpopo o tla leka ka natla go rekiša Limpopo bjale ka lefelo leo le swerego ka moka tša Boeti. Se se tla godiša menyetla ya tša ikonomi a mono phorobentsheng.

#### 4. TLHOPHOLLO YA TEMANA KA TEMANA

- 4.1. Temana ya 1 ya Molaotheo efa ditlhalošo.
- 4.2. Temana ya 2 e šomana le maikemišetšo a Molaokakanywa.
- 4.3. Temana ya 3 e šomana lekarolo yeo e kgathago ke Mmušo wa Phorobentshe ka go tša boeti.
- 4.4. Temana ya 4 e maatlafatša Tona (MEC) go aba maatla ao a filwego ka mo go Molaokakanywa.
- 4.5. Temana ya 5 e bolela ka tlhomo ya Kemelwa ya Boeti ya Limpopo
- 4.6. Temana ya 6 e šomana le mešomo ya Kemelwa
- 4.7. Temana ya 7 e bolela ka tlhomo ya Boto ya Boeti ya Limpopo
- 4.8. Temana ya 8 e bolela ka maloko / ditho tša Boto
- 4.9. Temana ya 9 e bolela ka peo ya maloko a Boto
- 4.10. Temana ya 10 e šomana le maswanedi le go hloka maswanedi ga maloko
- 4.11. Temana ya 11 e bolela ka diputseletšo le tefo ya maloko a Boto.
- 4.12. Temana ya 12 e šomana le go bea Modulasetulo le Motlatšamodulasetulo
- 4.13. Temana ya 13 e šomana le nako yeo maloko a e tšeago a le ka ofising (pakanako ya ofisi)
- 4.14. Temana ya 14 e šomana le dikgoba tša mešomo.
- 4.15. Temana ya 15 e šomana le ka boingwadišo bja leloko
- 4.16. Temana ya 16 e bolela ka go fediša boleloko
- 4.17. Temana ya 17 e bolela ka abelano ya maatla le mešomo
- 4.18. Temana ya 18 e bolelal ka tlhomo ya Dikomiti tša Boto
- 4.19. Temana ya 19 e šomana le dikopano tša Boto



- 4.20. Temana ya 20 e šomana le tshepedišo ya kopanong
- 4.21. Temana ya 21 e šomana le go fihlelela tekano ya maloko ya go swara kopano (khoramo) le dipheto tša kopano.
- 4.22. Temana ya 22 e šomana le go thwala ditsebi go tla go thuša Boto go phetha mošomo wa yona.
- 4.23. Temana ya 23 e bolela go dira gore mešomo ya Boto e dirwe ke tona (MEC) ge go sena Boto Boto e šomago.
- 4.24. Temana ya 24 e bolela ka go thwalwa ga Molekgotlaphethiši (CEO) wa Kemelwa.
- 4.25. Temana ya 25 e bolela ka go thwalwa maloko a Kemelwa
- 4.26. Temana ya 26 e šomana le kabo ya maatla goba mešomo ya Molekgotlaphethiši.
- 4.27. Temana ya 27 e bolela ka go lefelwa ga Kemelwa.
- 4.28. Temana ya 28 e bolela ka maatla a Tona (MEC) a go hlama Melawana.
- 4.29. Temana ya 29 e bolela ka go fa kgonego ya phetolelo.
- 4.30. Temana ya 30 e fediša Molao wa 2001 wa Boto ya Boeti le Mašoka (Molao 8 wa 2001) wa Limpopo
- 4.31. Temana ya 31 e bolela ka blogo ye kopana le mathomo

## **5. DIKAMEGO TŠA MOKGATLO**

Molaokakanywa o bolela ka tlhomo ya Kemelwa ya Boeti ya Limpopo e le setho sa Setšhaba go ya ka Molao wa Setšhaba wa Taolo ya Matlotlo (PFM) wa 1999 (Molao wa 1 wa 1999). Kemelwa e tla ba le taolo ya Boto ya ba le Molekgotlaphethiši le bahlankedi ba seemo sa bona.

## **6. MARANGRANG A TŠA DITŠHELETE**

Poto ya tša Boeti le Mašoka Limpopo e hwetša mašelang go tšwa ditekanyetšong tša kgoro ngwaga ka ngwaga. Ea ge mokgatlo o gopoletšwe go vea sebaka sa Boto ya Boeti le Mašoka Limpopo, go ukangwa gore kgoro e tla re ka ona mokgwa wola ya tšwela pele go thuša mokgatlo ka mašelang. Ga go ukangwe marangrang a tša ditšhelete a maswa.

**7. MARANGRANG A TŠA SEMOLAO**

Go ya ka molawana 5 (Karolo A) ya Molaotheo wa Rephapoliki ya Afrika Borwa, tša boeti ke maikarabelo a Mmušo wa gare le wa Phorobentshe ka go lekana. Molaokakanywa wo sepedišana le Molaotheo.

**8. GO IKGOKAGANTŠHA**

Taolo ya khuduthamaga ka kgorong ya tša kgodišo ya Ikonomi, Tikologo le Boeti gape le badiredi ba bagolwane ba mmušo ba boditšwe ge Molaokakanywa wo o hlamiwa (hlongwa).

.....  
**Morena Collins Chabane**

**Leloko la Lekgotlaphethiši**

**Tlhabollo ya Ikonomi, Tikologo le Boeti**

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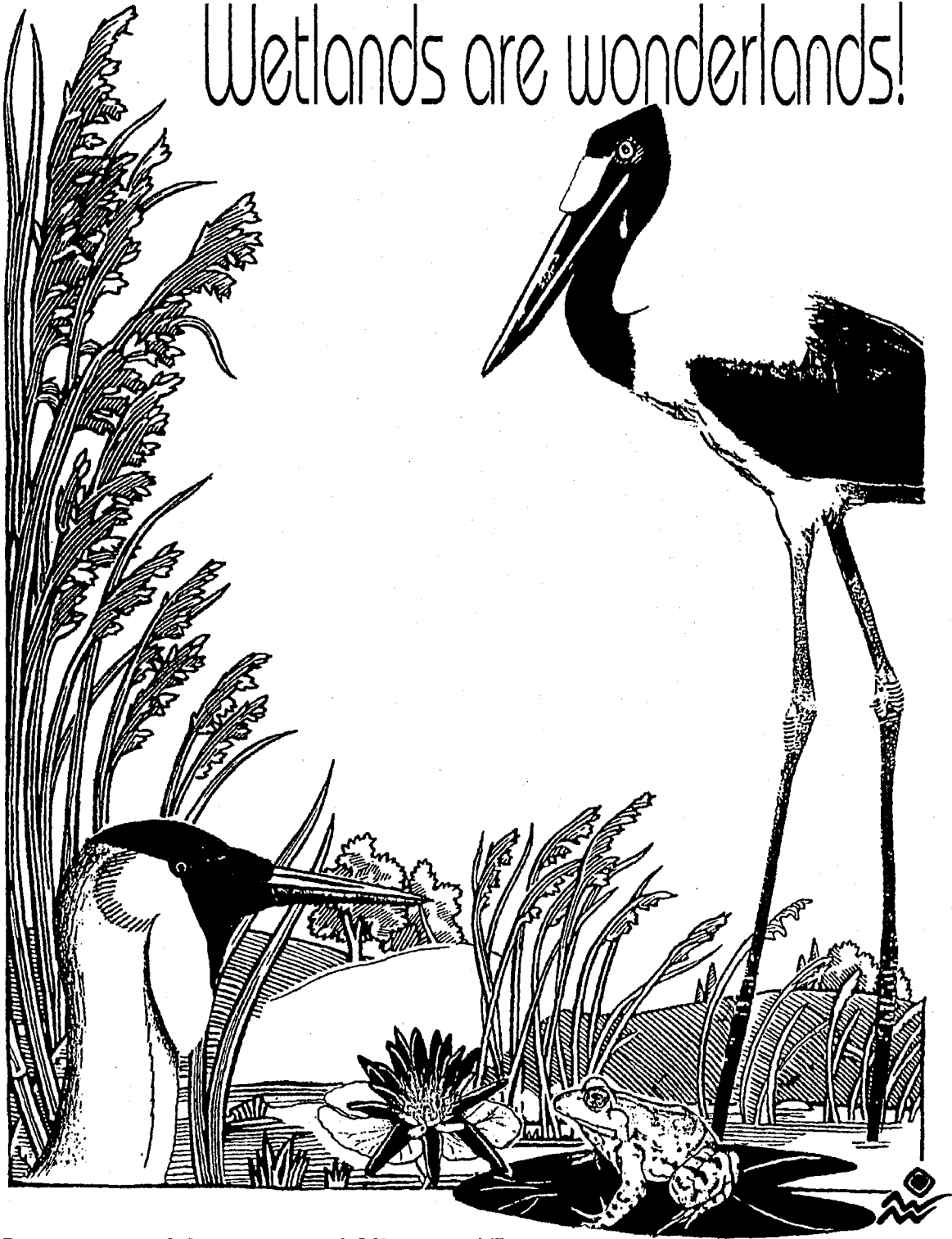
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