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(Uxwebhu lwesiXhosa lusayinwe yiNkulumbuso)
(Lwamkelwe ngowe-6 Novemba 2006)

UMTHETHO

Ukubonelela ngelungelo lokufaka uxwebhu lwezikhalazo kwiPalamente yePhondo; ukulawula ngomthetho ukungeniswa nokuqwalaselwa kwamaxwebhu ezikhalazo; kunye nokubonelela kwimicimbi equphayo.

UZA KWENZIWA USEBENZE yiPalamente yePhondo leNtshona Koloni, ngolu hlobo:-

Iinkcaza

1. Kulo Mthetho, ngaphandle kokuba umxholo uthetha okunye—
"IKomiti" ithetha ikomiti esisigxina yePalamente yePhondo eyonyulelwe ukujongana nezikhalazo zoluntu;
"UMgaqo-siseko kaZwelonke" uthetha uMgaqo-siseko weRiphabliki yoMzantsi Afrika, 1996;
"umfaki-sikhalazo" uthetha umntu ongenise isikhalazo kwiPalamente yePhondo;
"ISigqeba sePhondo" sithetha igunya lesigqeba lephondo ekubhekiswe kulo kwicandelo 35 loMgaqo-siseko weNtshona Koloni;
"IPalamente yePhondo" ithetha iPalamente yePhondo leNtshona Koloni;
"UNobhala" uthetha uNobhala wePalamente yePhondo;
"USomlomo" uthetha uSomlomo wePalamente yePhondo;
"IMithetho eSisigxina" ithetha imithetho eyenziwa yiPalamente yePhondo ngokwemigaqo yecandelo 23(3)*(b)* loMgaqo-siseko weNtshona Koloni;
"lo Mthetho" uquka imigaqo eyenziwe phantsi kwecandelo 8.

Ilungelo lokufaka isikhalazo

2. (1) Nawuphi na umntu, iqela labantu, iziko okanye umbutho unelungelo lokungenisa uxwebhu lwesikhalazo kwiPalamente yePhondo.

(2) Ilungelo lokufaka uxwebhu lwesikhalazo malisetyenziswe ngokuhambelana nalo Mthetho.

(3) Icandelwana (1) alisebenzi kwilungu likagunyaziwe wesigqeba sikazwelonke okanye iSigqeba sePhondo.

(4) Ilungu lePalamente yePhondo alinakho ukungenisa uxwebhu lwezikhalazo kwiPalamente licela ulungiso lwento ethile licelela ilungu.

Iimfuno ezisesikweni zamaxwebhu ezikhalazo

3. (1) Uxwebhu lwezikhalazo—
(a) malube luhlobo oluchazwe ngumgaqo;
(b) malube kolunye lweelwimi ezisemthethweni zePhondo;
(c) malutyikitywe ngumfaki-sikhalazo ngamnye okanye, xa kucelwe njalo okanye kugunyaziswe ngumfaki-sikhalazo, ngomnye umntu egameni lomfaki-sikhalazo; kwaye
(d) lungeniswe kuNobhala.

(2) Uxwebhu lwezikhalazo maluxele—
(a) amagama needilesi zomfaki-zikhalazo ngamnye;
(b) ukuba umfaki-zikhalazo oku ukwenza ngeemfuno zikabani na; kwaye

(c) zeziphi na iindlela, ukuba zikho, umfaki-zikhalazo azisebenzisileyo ukuzama ukusombulula lo mba utshisa ibunzi.

Iziqulatho zamaxwebhu ezikhalazo

4. (1) Ngokwecandelwana (2), uxwebhu lwezikhalazo lunganesicelo, isikhalazo, umelo okanye intetho ebhaliweyo enxulumene nemisebenzi yePalamente yePhondo okanye iSigqeba sePhondo, kuquka nawuphi na umba—

(a) apho iPalamente yePhondo inokuphumeza umthetho;

(b) owela kwindawo yoxanduva lwalo naliphi na ilungu leSigqeba sePhondo;

(c) onikelwe kwilungu leSigqeba sePhondo ngokwemigaqo yecandelo 99 loMgaqo-siseko kaZwelonke;

(d) onxulumene nokuziphatha kwelungu leSigqeba sePhondo okanye nawuphi na umqeshwa okanye i-arhente yaso; okanye

(e) onxulumene nolawulo lwephondo kunye nokuhlolwa korhulumente wommandla ngokwemigaqo yecandelo 49 neSahluko 5 soMgaqo-siseko weNtshona Koloni.

(2) Uxwebhu lwezikhalazo alwamkelekanga ukuba—

(a) imiba ekubhekiswe kuyo ayikho ngaphantsi kwecandelwana (1);

(b) lungenelela kwigunya lezobulungisa leRiphabliki;

(c) lunxulumene nomba osesezinkundleni zomthetho; okanye

(d) unxulumene nomba osaphandwa yikomishoni yophando eyenyulwe ngu-Mongameli weRiphabliki okanye iNkulumbuso yePhondo.

Uqwalaselo lwezikhalazo yiKomiti

5. (1) Onke amaxwebhu ezikhalazo afunyenwe yiPalamente yePhondo makathunyelwe kwiKomiti.

(2) IKomiti—

(a) mayikhusele yaye ikhuthaze amalungelo abafaki-zikhalazo abonelelwe kulo Mthetho;

(b) kwanangokwecandelwana (5) nele (6), mayiqwalasele onke amaxwebhu ezikhalazo athunyelwe kuyo.

(3) IKomiti mayinike ingxelo kwiPalamente yePhondo ngawo onke amaxwebhu ezikhalazo. Kule ngxelo, iKomiti ingenza isiphakamiso esifanelekileyo, kuquka ukuba—

(a) nanjengokuba umba uchaphazela umsebenzi wePalamente, iPalamente ngokwayo mayithabathe amanyathelo okujongana neenkxalabo zomfaki-zikhalazo;

(b) umba uthunyelwe kwenye ikomiti yePalamente yePhondo;

(c) umba uthunyelwe kwiSigqeba sePhondo okanye kwibhunga likamasipala kwiPhondo ukuba lilwuqwalasele;

(d) umba mawuthunyelwe kulo naliphi na iqumrhu okanye ugunyaziwe, kuquka uGunyaziwe woTshutshiso kaZwelonke okanye iziko elisekwe siSahluko 9 soMgaqo-siseko kaZwelonke;

(e) kwenziwe isindululo kumntu okanye iqumrhu ngenjongo yokusombulula umba oyinxalenye yoxwebhu lwezikhalazo; okanye

(f) akukho manyathelo angamanye aza kuthatyathwa malunga noxwebhu lwezikhalazo.

(4) USihlalo weKomiti makaqinisekise ukuba wonke ofake uxwebhu lwezikhalazo waziswa kwangexesha nalapho kuyimfuneko rhoqo malunga nokwenzekayo ngoxwebhu lwezikhalazo ekuthethwa ngalo, kuquka iinkqubo zeKomiti ngoxwebhu lwezikhalazo nangaso nasiphi na isisombululo esifanelekileyo sePalamente yePhondo.

(5) IKomiti mayilukhabe uxwebhu lwezikhalazo ekubhekiswe kulo kwicandelo 4(2).

(6) IKomiti ingalukhaba uxwebhu lwezikhalazo xa—

(a) uxwebhu lwezikhalazo lungahambelani ngokupheleleyo necandelo 3(1) okanye ele (2);

(b) uxwebhu lwezikhalazo lunolwimi oluthukayo;

(c) uxwebhu lwezikhalazo luphefumla ngeenkqubo zePalamente yePhondo okanye enye yeekomiti zayo okanye mhlawumbi luthuka iKomiti eSisigxina okanye ukusebenza kwePalamente; okanye

(d) umfaki-zikhalazo akakhange azisebenzise zonke iindlela zolungiso, kuquka, apho kusebenza khona, iinkqubo zezomthetho.

(7) Xa iKomiti ikhaba uxwebhu lwezikhalazo ngokwemigaqo yecandelwana (5) okanye (6)—

(a) iKomiti mayibonelelwe ngezizathu zesigqibo sayo; kwaye

(b) uNobhala makazise umfaki-zikhalazo ngokukhatywa koxwebhu lwezikhalazo kwanezizathu ke ngoko.

(8) Umgaqo weKomiti uyachazwa yiMithetho eSisigxina.

IiNgxelo zeSigqeba sePhondo

6. Xa iPalamente yePhondo ithe yathumela umba kwiSigqeba sePhondo njengoko kucingeleka kwicandelo 5(3)*(c)*, iNkulumbuso okanye uMphathiswa onoxanduva makathi, zingadlulanga iiveki ezine ukusuka kumhla wesigqibo esifanelekileyo, andlale ingxelo kwiPalamente ngesigqibo seSigqeba sePhondo malunga nalo mba kwakunye namanyathelo athatyathiweyo okanye aza kuthatyathwa ukuhoyana neenkxalabo zomfaki-zikhalazo.

Inkxaso yezolawulo

7. UNobhala makaqinisekise ukuba uncedo olwaneleyo lwezolawulo lubonelelwe—

(a) kubafaki-zikhalazo abangakho ukubenza bakwazi ukufaka amaxwebhu ahambelana neemfuno zalo Mthetho; kwanokuba

(b) iKomiti ikwazi ukwenza imisebenzi yayo.

Imigaqo

8. (1) USomlomo, emva kokubonisana neKomiti—

(a) makenze imigaqo echaza uhlobo loxwebhu lwezikhalazo ekubhekiswe kulo kwicandelo 3(1)*(a)*; yaye

(b) angayenza imigaqo, engakhabaniyo nalo Mthetho okanye iMithetho eSisigxina, malunga—

(i) nenkqubo nemigaqo yokungenisa nejongene namaxwebhu ezikhalazo; kwaye

(ii) ngokubanzi, nawuphi na umba oyimfuneko okanye ofaneleke ukuba uchazwe ukuze kuphunyezwe okanye kukhuthazwe iinjongo zalo Mthetho.

(2) UNobhala makathi—

(a) nje ukuba kukwazi ukwenzeka emva kokuba imigaqo yenziwe phantsi kwecandelwana (1), apapashe imigaqo kwi*Gazethi yePhondo*;

(b) nanini na imigaqo ilungiswa, alungise ingxelo equlunqiweyo; kwaye

(c) makabonelele ngekopi yemigaqo okanye ingxelo equlunqiweyo ke ngoko, ngokwemeko, kunye nekopi yazo naziphi na izibonelelo ezifanelekileyo zeKomiti eSisigxina ezinxulumene namaxwebhu ezikhalazo, kulo naliphi na ilungu loluntu elicela ikopi enjalo.

Isihloko esifutshane nokuqalisa

9. Lo Mthetho waziwa ngokuba nguMthetho waMaxwebhu eZikhalazo waseNtshona Koloni, 2006, kwaye uqala ukusebenza ngomhla obekwe yiNkulumbuso ngesibhengezo kwi*Gazethi yePhondo*.