IMIGAQO YOLAWULO KWIINTLANGANISO ZEBHUNGANA ZESIXEKO SASEKAPA

YAPHUNYEZWA LIBHUNGA: NGOMHLA WAMA23 KWEYESILIMELA 2005
C 10/06/05

WALUNGISWA: NGOMHLA WAMA27 KWEYEKHALA 2023 C34/07/23

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ISALATHISO

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UMGAQO		INOMB. YEPHEPHA
1.	UKUSETYENZISWA KWEMIGAQO	4
2.	UKWAMKELWA KWEMIGAQO	4
3.	IINKCAZELO	4
4.	UKONYULWA KUKASIHLALO	5
5.	UKUQHUTYWA KWEENTLANGANISO	5
6.	UKUGUQULWA KWEMIGAQO	6
7.	UKONGAMELA KWIINTLANGANISO	6
8.	UKWAZISWA KWEENTLANGANISO	6
9.	AMANANI AVUNYELWEYO UKUQHUBA INTLANGANISO	7
10.	I-AJENDA	8
11.	IMICIMBI ENGXAMISEKILEYO	9
12.	IINGXELO	9
13.	IINGXAKI ZOMTHETHO NEZEMALI	9
14.	IZIGQIBO NOKUVOTA	9
15.	ULAWULO LWEENGXOXO	10
16.	IMIZUZU	10
17.	IZIPHAKAMISO	11
18.	UKULUNGISWA KWEZINDULULO	12
19.	IZIPHAKAMISO ZENKQUBO	12
20.	AMANQAKU OLAWULO NEENKCAZELO ZOMNTU BUQU	12
21.	UKWAZISWA KWEMIBUZO	13
22.	IINTLANGANISO EZIVULELEKILEYO ELUNTWINI NAKUMAJELO EENDABA	13
23.	UKUZIMASA IINTLANGANISO ZEPHUNGANA	14
24.	IZIGUNYAZISO	14
25.	UKUPHAZANYISWA,UKUKHUTSHWA NOKUMISWA KWENTLANGANISO	15
26.	IZIPHAKAMISO ZOKUHLISA USIHLALO	15
27.	UKUQWALASELA KWAKHONA IZIGQIBO	15

ISIXEKO SASEKAPA

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1. UKUSETYENZISWA KWEMIGAQO

1.1 Le migaqo yolawulo isebenza kuwo onke amaBhungana, iikomiti zawo kunye/okanye iikomitana zawo.

1.2 Ngaphandle kwalapho kungafanelekanga ngokucacileyo, umgaqo osetyenziswa kumalungu kuzo naziphi na iingxoxo, ukwasetyenziswa nakooCeba abathatha inxaxheba kwezo ngxoxo ngokuphunyezwa nguSihlalo.

2. UKWAMKELWA KWEMIGAQO

IBhungana linakho ukuthi, ngesininzi seevoti zamalungu alo, lilungise le migaqo ngayo nayiphi na indlela efunwa liBhunga.

3. IINKCAZELO

Kule migaqo, ngaphandle kokuba akungqinelani nomxholo:

'UMthetho kaMasipala' kubhekiselelwe kuMthetho kaMasipala olawula amaBhungana eKapa 2003 owabhengezwa kwiPhephandaba loMbuso lePhondo 6013 lomhla we12 kuCanzibe2003 owalungiswayo;

'USihlalo' kubhekiselelwe kuSihlalo owonyulwe lelo Bhungana ngokungqinelana noMgaqo we4;

'Ikomiti' kubhekiselelwe kuyo nayiphi ikomiti okanye ikomitana yeBhungana;

'Inkqubo elindelekileyo nefanelekileyo' kuthethwa ukubizwa kwabo bonyuliweyo kumalungu akhoyo kuqukwa nokuxhaswa kwabo bonyuliweyo;

'Uxanduva lweBhungana' kubhekiselelwe kumagunya nemisebenzi yamabhungana echazwe kwiSahluko se3 soMthetho kaMasipala;

'Ikomiti ephantsi kweliso leekhamera' kubhekiselelwe xa ikomiti ihlala 'phantsi kweliso leekhamera' okanye xa 'iyiseshini esekhusini';

'Iintlanganiso' kubhekiselelwe kwiintlanganiso zebhungana yaye kuqukwa neentlanganiso zazo naziphi na iikomiti okanye iikomitana;

'Ilungu' kubhekiselelwe kwilungu leBhunga loMasipala waseKapa nelililungu leBhungana;

‘Isiphakamiso’ kubhekiselelwe kumcimbi, oquka izindululo ezingeniswe lilungu ukuze ziqwalaselwe liBhungana ngokungqinelana noMgaqo we17;

‘Ukuvula’ kubhekiselelwe kumagqabantshintshi ayintshayelelo enziwa nguSihlalo ukuvula intlanganiso nomthandazo owamkelwa liBhunga kwiintlanganiso zalo;

‘Intlanganiso yesiQhelo’ kubhekiselelwe kwintlanganiso echazwe kwicandelo 8.1 elilapha;

‘Intlanganiso eseKhusini’ kubhekiselelwe kwintlanganiso echazwe kwicandelo 8.2 elilapha;

‘IBhungana’ kubhekiselelwe kwiBhungana leNqila elasekwa ngokwemigaqo yeCandelo 3 loMthetho kaMasipala;

‘Isiphakamiso seNkqubo’ kubhekiselelwe kumcimbi ophakanyiswe lilungu ngokuphathelene nenkqubo yentlanganiso leyo ngokungqinelana noMgaqo we19;

‘UMphathi weBhungana’ kubhekiselelwe kwigosa elonyulwe liBhungana njengoMphathi walo weBhungana;

“UMthetho olawula iZikhundla zikaMasipala” uthetha uMthetho wobuRhulumente beNgingqi olawula iZikhundla zikaMasipala, 117 ka1998) kwaye;

“UMthetho olawula iiNkqubo zikaMasipala” uthetha uMthetho wobuRhulumente beNgingqi olawula iiNkqubo zikaMasipala” , 2000 (uMthetho 32 ka2000).

4. UKONYULWA KUKASIHLALO

4.1 IBhungana kufuneka, kwintlanganiso yalo yokuqala nanini na xa kukho isithuba kwiofisi kaSihlalo, emva kokuqhutywa kwenkqubo elindelekileyo nefanelekileyo yolonyulo nguMphathi weBhungana, lonyule uSihlalo ngokuphakamisa izandla.

4.2 Kwimeko apho kukho ukulingana kweevoti, ulonyulo luya kumiselwa ngokuvota ubhala ephepheni.

5. UKUQHUTYWA KWEENTLANGANISO

5.1 USihlalo kufuneka:

5.1.1 agcine ucwangco ngexesha lentlanganiso;

5.1.2 adlulisele zonke izityholo zokwaphula uMgaqo wokuZiphatha kooCeba kwiintlanganiso kuSihlalo;

5.1.3 aqinisekise ukuba iintlanganiso ziqhutywa ngokungqinelana nale Migaqo yoLawulo;

5.1.4 aqinisekise ukuba nabani na ongavumiyo ukuthobela umthetho wakhe uyayishiya indawo yentlanganiso ngokukhawuleza, kunye nokuba ezo zenzo zidluliselwa kuSomlomo;

5.1.5 aqinisekise ukuba amalungu oluntu kunye/okanye abamajelo eendaba bahlala phantsi ngexesha leentlanganiso zeBhungana kwiindawo ezilungiselelwe lo njongo nguMphathi weBhungana;

5.1.6 aqinisekise ukuba amalungu asebenzisa amalungelo awo akhethekileyo nokukhululelwa anikezelwe ngokwecandelo lama28 loMthetho olawulo iZikhundla zikaMasipala ngobulumko yaye bethathela ingqalelo efanelekileyo ilungelo lokuphathwa ngesidima kwabo abangenawo lo malungelo akhethekileyo nokukhululelwa.

6. UKUGUQULWA KWEMIGAQO

Isigqibo sikaSihlalo ngokuphathelene nokusetyenziswa kwale migaqo nayo nayiphi eminye imicimbi esemthethweni engajongwanga apha sesokugqibela yaye siyabophelela kulo ntlanganiso apho kwenziwe eso sigqibo, yaye siya kubhalwa kwimizuzu yayo.

7. UKONGAMELA KWIINTLANGANISO

7.1 USihlalo owonyulwe ngokusemthethweni nguye owongamela iintlanganiso.

7.2 Kwimeko apho uSihlalo engekhoyo kwintlanganiso, okanye engakwazi ukwenza umsebenzi wakhe, amalungu aya konyula elinye kumalungu awo ukuba abambele njengoSihlalo kulo ntlanganiso emva kokuqhutywa kwenkqubo esemthethweni nefanelekileyo yokonyula nguMphathi weBhungana.

8. UKWAZISWA KWEENTLANGANISO

8.1 USihlalo, ethathela ingqalelo ikhalenda yeentlanganiso zeBhunga, makamisele umhla, amaxesha neendawo zeentlanganiso zesiqhelo nezo zingxamisekileyo, ebonisana noMbhexeshi oyiNtloko weBhunga, ngokungqinelana neNkqubo yeZigunyaziso zeBhunga.

8.2 Iintlanganiso ezingxamisekileyo ziqhutywa, xa kuyalelwe njalo ngusSihlalo, okanye, xa angekhoyo uSihlalo ngokomyalelo kasomlomo, okanye, xa isininzi samalungu ecela ngokubhalela uSihlalo ukuba enze njalo. Ngokwalo mcimbi wokugqibela, uSihlalo makabambe intlanganiso ngexesha elimiselwe kwisicelo eso, ngaphandle kokuba iingxaki zexesha zenda kube nzima ukwenza njalo;

8.3 UMphathi kaMasipala okanye lowo wonyulwe esikhundleni sakhe makanike ubuncinane isaziso seeyure ezingama72 sentlanganiso, ukulungiselela ukuba amalungu azilungiselele ngokwaneleyo.

8.4 Kwimeko yentlanganiso esekhusini, ixesha lokukhutshwa kwesaziso mayibe ziiyure ezingama24 ubuncinane, okanye ixesha elingaphantsi elinokumiselwa nguSihlalo, yaye uSihlalo nguye oya kumisela ukuba imfuneko yentlanganiso esekhusini yengxamisekileyo kusini na, ngokuxhomekeke ekukhwetyweni kwentlanganiso leyo ngokwemigaqo yecandelo lama68 (1) loMthetho olawula iZikhundla zikamasipala.

8.5 Ubunyani bokuba naliphi na ilungu alifumananga saziso sentlanganiso ngokungqinelana nale migaqo akuchaphazeli ukuba semthethweni kwazo naziphi na iingxoxo zalo ntlanganiso.

8.6 Ilungu ngalinye leBhungana kufuneka lithi, ngokubhaliweyo, lichaze idilesi yeimeyile kunye/okanye idilesi yendawo kummandla kamasipala waseKapa apho liya kufumana khona isaziso seentlanganiso nezinye iimbalelwano ezisemthethweni. Isaziso esithunyelwa ngeimeyile sentlanganiso okanye nayiphi enye imbalelwano esemthethweni kule dilesi siya kuba sisaziso esifanelekileyo sentlanganiso. Iikopi ezingamaphepha zeajenda kunye nazo zonke iimbalelwano ezisemthethweni ziya kuthunyelwa kwilungu elenze isicelo soko, ukuba oko kunokwenzeka kunye/okanye akuyi kuba ziindleko ezininzi ukwenza oko.

9. AMANANI AVUNYELWEYO UKUQHUBA INTLANGANISO

9.1 Inani elivunyelweyo lokuqhuba intlanganiso yeBbhungana sisininzi samalungu alo.

9.2 Ukuba akufikelelwanga kwinani elivunyelweyo lokuqhuba intlanganiso yaye ukho uSihlalo, kufuneka ayimise intlanganiso isithuba semizuzu eli15 yaye, ukuba ekupheleni kwelo xesha akukafikelelwa kwinani elivunyelweyo lokuqhuba intlanganiso, lo ntlanganiso mayimiswe kwakhona ixesha eliya kumiselwa nguSihlalo ngokokubona kwakhe okanye lo ntlanganiso unokuyimisela elinye ixesha nomhla ongomnye kwakule ndawo inye okanye ngelinye ixesha, umhla nendawo ngokungqinelana nekhalenda yeentlanganiso zeBhunga emva kokubonisana noMbhexeshi oyiNtloko weBhunga ukuthintela ukungqubana kweentlanganiso.

9.3 Kwimeko apho angekhoyo uSihlalo naxa kungekho nani livunyelweyo lokuqhuba intlanganiso, uMphathi weBhungana nguye oya kumisa intlanganiso imizuzu eli15 emva kwexesha eqale ngalo. Ukuba ekupheleni kwemizuzu eli15, emva kwexesha elibekelwe ukuqalisa kwakhona kwentlanganiso, alikabikho inani elivunyelweyo lokuqhuba intlanganiso, lo ntlanganiso iya kuyekwa.

10. I-AJENDA

10.1 Zonke iintlanganiso maziqhutywe ngokulandelelana kwemicimbi evela kwi-ajenda yaye yimicimbi ekwi-ajenda kuphela nengeniswe ngokubhaliweyo eya kuxoxwa.

10.2 USihlalo unakho ukuthi, emva kokuqwalasela injongo efanelekileyo, akutshintshe ukulandelelana kwemicimbi evela kwi-ajenda.

10.3 Usihlalo unakho ukuthi, emva kokuqwalasela injongo efanelekileyo, ayalele ukuba nawuphi na umcimbi ufakwe kwinxalenye yemicimbi eyimfihlo yeajenda yebhungana. Lo mcimbi akuvumelekanga ukuba uchazwe kuye nabani na ngaphandle kwabo abawufumene ngokwezikhundla zabo zomsebenzi yaye lo mcimbi makuxoxwe ngawo kwintlanganiso esekhusini yebhungana ngaphandle kokuba ujongana nemithetho kamasipala, uhlahlo-lwabiwo-mali okanye izabelo zamabhungana, iSicwangciso esiHlangeneyo soPhuhliso, ulawulo lwendlela yokusebenza kunye/okanye izivumelwano zonikezelo lweenkonzo.

10.4 USihlalo unakho ukuthi, emva kokuqwalasela injongo efanelekileyo, ayalelele ukuba imicimbi mayisuswe phakathi kwe-ajenda yezinto eziyimfihlo nezo zivulelekileyo ukuba intlanganiso leyo ayizi kuba yesekhusini xa kuqwalaselwa nawuphi na umthetho kamasipala, uhlahlolwabiwo mali okanye izabelo zamMabhungana, iSicwangciso esiHlangeneyo soPhuhliso, ulawulo lwendlela yokusebenza kunye/okanye izivumelwano zonikezelo lweenkonzo.

10.5 Ngaphandle kwakwimeko yesiphakamiso, uSihlalo unakho ukuwukhupha umbandela othile okanye awubuyisele emva koonobhala okanye kwikomiti efanelekileyo.

10.6 Injongo yokungabandakanywa koluntu nokugcinwa kwemizuzu eyimfihlo mayibhalwe ngokupheleleyo.

11. IMICIMBI ENGXAMISEKILEYO

11.1 Naliphi na ilungu linakho ukuphakamisa umcimbi ongxamisekileyo ukuba uqwalaselwe ngendlela yesiphakamiso esityikityiweyo nesinomhla singeniswe ngokubhaliweyo kuSihlalo okanye xa angekhoyo okanye xa engafumaneki kumMphathi webBhungana ingadlulanga imizuzu engama30 phambi kokuqalisa kwentlanganiso yeBhungana, ngaphandle kokuba kugqitywe ngolunye uhlobo nguSihlalo emva kokubonisana noMphathi weBhungana.

11.2 Eso siphakamiso masifakwe kwiajenda ngohlobo olumiselwe nguSihlalo ukuba ugqiba ukuba eso siphakamiso singxamisekile. Ukuba akugqitywanga nguSihlalo ukuba singxamisekile, siya kufakwa kwiajenda yentlanganiso elandelayo.

11.3 Nangona kukho inkcaso kuMgaqo we12, kunokwenziwa isigqibo ngomcimbi ongxamisekileyo ngaphandle kwengxelo ebhaliweyo engenisiweyo ukuba lo ntlanganiso iyavuma ukuba inolwazi olwaneleyo phambi kwayo.

11.4 USihlalo unakho ukuthi, emva kokubonisana noMphathi weBhungana nangemvume yesininzi sooceba abakhoyo, ngalo naliphi ixesha azise imicimbi engxamisekileyo.

12. IINGXELO

IBhungana linakho ukungenzi zigqibo okanye zindululo ngaphandle kokuba linolwazi olwaneleyo phambi kwalo kwingxelo ebhaliweyo, kuqukwa neempembelelo zomthetho nezemali.

13. IINGXAKI ZOMTHETHO NEZEMALI

IBhungana livumeleke kuphela ukwenza izigqibo okanye izindululo elinobuchule ngokusemthethweni nangokwemali ukuzenza, yaye zonke iingxelo ezikwiajenda mazingqinelana nezo nkalo, xa kufanelekile.

14. IZIGQIBO NOKUVOTA

14.1 Zonke izigqibo mazithathwe ngevoti exhasayo yesininzi samalungu akhoyo kuyo nayiphi intlanganiso.

14.2 Ukuba uSihlalo ucela intlanganiso ukuba iyavumelana kusini na nezindululo ngomcimbi ophambi kwayo, yaye ezo zindululo ziyachaswa ngawo nawaphi amalungu akhoyo, kuya kuthathwa isigqibo ngokuphakamisa izandla esamkelwa izindululo.

14.3 Kwimeko apho kukho inkcaso kuwo nawuphi umcimbi ekuza kwenziwa isigqibo ngawo, makuvotwe ngokuphakamisa izandla. Xa kunokwenzeka kungabikho nkcaso oko makubhalwe kwimizuzu ukuba isigqibo asaziwanga.

14.4 Linani lamalungu kuphela (ingengawo amagama amalungu) avotela, okanye avota ngokuchasene, nombandela othile ziya kubhalwa kwimizuzu, ngaphandle kokuba kucelwe ngokukodwa.

14.5 Ilungu linakho ukuzinxwema ekuvoteni lingayishiyanga indawo leyo yentlanganiso.

14.6 Ilungu, ngexesha lokuqhutywa kovoto, linakho ukucela ukuba ukungavoti kwalo kubhalwe kwimizuzu yalo ntlanganiso.

14.7 USihlalo uya kuthi, kwimeko yokulingana kweevoti kuwo nawuphi umbuzo, limisele uvoto olubhaliweyo ngaphezu kovoto oluthethwayo kuwo nawuphi umbuzo obekwe phambi kweBhungana.

15. ULAWULO LWEENGXOXO

15.1 USihlalo uya kumisela ixesha elifumanekayo ukubamba iingxoxo ngawo nawuphi na umcimbi, ethathela ingqalelo imicimbi esafuna ukuxoxwa nexesha elifumanekayo kwiintlanganiso.

15.2 USihlalo unakho ukuyiphelisa ingxoxo yalo naliphi na ilungu ukuba, ngokokubona kwakhe, elo lungu alisaxoxi umcimbi okw-ajenda, liphindaphinda into enye okanye liphazamisa intlanganiso.

16. IMIZUZU

16.1 UMphathi weBhungana makaqinisekise ukuba zonke iingxoxo nezigqibo zebhungana ziyabhalwa kwincwadi yemizuzu, kuqukwa nesigqibo nesizathu sokungabandakanyi uluntu, kunye nokuba izigqibo zeBhungana ezenziwe kwintlanganiso esekhusini zibhalwa kwincwadi eyodwa yemizuzu.

16.2 Ukuchaneka kwemizuzu yeBhungana makuqwalaselwe kwintlanganiso yalo elandelayo, ukungaphumeleli ukwenza oko, kwintlanganiso elandela leyo.

16.3 Ilungu ngalinye leBhungana ngokunjalo naye nawuphi na uceba ozimase intlanganiso makatyikitye incwadi yobungqina bokubakho.

16.4 UMphathi weBhungana kufuneka, kuzo zonke iintlanganiso zebhungana, aqinisekise ukuba kubhalwa phantsi kwimizuzu yentlanganiso amagama amalungu:

16.4.1 azimasileyo;
16.4.2 angekhoyo enikwe ikhefu lokungabikho;
16.4.3 angekhoyo ngaphandle kokunikwa ikhefu lokungabikho;
16.4.4 afike emva kokuba iqalisile intlanganiso (ngokunjalo nexesha lokufika);
16.4.5 ashiye intlanganiso ngaphambi kokuqukunjelwa kwayo kunye nokuba ixesha nesizathu sokuhamba kwabo sibhalwe.

16.5 UMphathi weBhungana makaqinisekise ukuba amagama amalungu athe acela ukuzinxwema ekuvoteni abhalwe ngexesha lokuvota, nawo ayabhalwa kwimizuzu.

16.6 UMphathi weBhungana kufuneka aqinisekise ukuba iintlanganiso ezirekhodiweyo zigcinwa isithuba seminyaka emihlanu (5).

17. IZIPHAKAMISO

17.1 Isiphakamiso masenziwe ngokubhaliweyo, sityikitywe yaye sifakwe umhla lilungu elisingenisayo kwakunye nelungu elisixhasayo, yaye masicasise ngokupheleleyo, isiphakamiso nomhla wentlanganiso ekuza kuqwalaselwa ngawo eso siphakamiso.

17.2 Iziphakamiso mazingeniswe kuMphathi weBhungana ubuncinane kwiintsuku ezi6 zomsebenzi phambi komhla wentlanganiso apho siza kuphakanyiswa khona.

17.3 Kwimeko apho uSihlalo engenise isiphakamiso esiza kufakwa kwiajenda uya kusishiya iSihlalo sakhe xa esazisa eso siphakamiso nangexesha lokuxoxwa kweso siphakamiso. Amalungu ngelo xesha aya konyula omnye kumalungu awo ukuba achophele intlanganiso emva kokulandelwa kwenkqubo esemthethweni nefanelekileyo nguMphathi weBhungana.

17.4 Isiphakamiso masijongane nomcimbi omnye kuphela.

17.5 Ukuba isiphakamiso sineempembelelo zemali okanye zomthetho, akusayi kuthatyathwa sigqibo sokugqibela ngaso phambi kokuba kufunyanwe izimvo zamagosa achaphazelekayo. UMphathi weBhungana makaqinisekise ukuba ezi zimvo zibhalwa kwimizuzu.

17.6 Kwimeko apho ilungu elingenise isiphakamiso libe alikho kulo ntlanganiso ukuze lazise lichaze isiphakamiso salo, eso siphakamiso siya kulinda intlanganiso elandelayo yeBhungana, ngaphandle kokuba isiphakamiso eso siphakanyiswe lelinye ilungu.

18. UKULUNGISWA KWEZINDULULO

18.1 Nasiphi isiphakamiso esenziwa lilungu leBhungana sokulungisa izindululo eziqulethwe kwingxelo ephambi kwalo, mazenziwe ngokubhaliweyo, sityikitywe ngumphakamisi lowo ze singeniswe kuSihlalo, ukuba uSihlalo, (ngemvume yesininzi samalungu akhoyo kwintlanganiso) uphinde wabona ukuba sibhaliwe kwimizuzu yaye nezilungiso eziphakanyisiweyo azichasani nezindululo zokuqala.

18.2 Eso siphakamiso masixhaswe okanye sibhengezwe njengesilahlekileyo.

18.3 Intlanganiso mayivelise izilungiso eziphakanyisiweyo phambi kokuba kuqwalaselwe ngakumbi izindululo eziqulethwe kwingxelo.

19. IZIPHAKAMISO ZENKQUBO

Xa umcimbi kusaxoxwa ngawo kuyo nayiphi intlanganiso yeBhungana, akukho enye ingxoxo ekumele ukuba ilandelwe ukuba naziphi kwiziphakamiso zenkqubo ziyamkelwa:

19.1 ukuba ukuqwalaselwa komcimbi makurhoxiswe ze kuphinde kuqwalaselwe ngexesha eliya kumiselwa liBhungana;

19.2 ukuba intlanganiso yeBhungana mayirhoxiswe ze iphinde ichotshelwe ngexesha eliya kumiselwa lilo; kwaye

19.3 ukuba umcimbi lowo ngoku makugqitywe ngawo ufakwa kwivoti, ngokuxhomekeke kwithuba lempendulo eyenziwa lilungu eliphakamise iziphakamiso zokuqala, ngokubona kukaSihlalo

20. AMANQAKU OLAWULO NEENKCAZELO ZOMNTU BUQU

20.1 Naliphi ilungu linakho ukuphakamisa inqaku lolawulo ukufuna ingqalelo kuko nakuphi ukunxaxha kwiMigaqo yoLawulo, ukuba elo lungu libhekiselele kumgaqo othile wolawulo ekuthethwa ngawo. Nangona kukho inkcaso ilungu elo kusenokuba alikwazi ukukhankanya uMgaqo woLawulo othile, uSihlalo unokugweba ngelithi elo nqaku lolawulo maliqwalaselwe.

20.2 Ilungu linakho, ekupheleni kwengxoxo, licelwe ukuba linike ingcaciso ngengxelo eliyenzileyo ngexesha lengxoxo. Xa liphendulayo, elo lungu akuvumelekanga ukuba lazise isiphakamiso esitsha okanye naluphi ulungiso kwisiphakamiso.

21. UKWAZISWA KWEMIBUZO

21.1 Amalungu anakho ukujolisa imibuzo ebhaliweyo kuSihlalo.

21.2 Isaziso ngasinye senjongo eyenziwa lilungu lokwazisa umbuzo masenziwe ngokubhaliweyo, sityikitywe ze sifakwe umhla sinikezelwe kuMphathi weBhungana ubuncinane kwiintsuku ezintandathu zomsebenzi phambi komhla wentlanganiso leyo iza kwaziswa kuyo lo mibuzo.

21.3 USihlalo unakho ukugweba ngelithi umbuzo mawamkelwe nangona kukho uluvo lokuba lo mbuzo awuzithobeli iimfuno zenkqubo ezikwicandelwana 2.

21.4 Kwimeko apho lowo wenza umbuzo engekho entlanganisweni yeBhungana xa ebuzwa nguSihlalo ukuba abuze umbuzo osegameni lakhe kwiajenda, lo mbuzo uya kulinda intlanganiso elandelayo yeBhungana, ngaphandle kokuba lo mbuzo waziswe lelinye ilungu.

22. IINTLANGANISO EZIVULELEKILEYO ELUNTWINI NAKUMAJELO EENDABA

22.1 IBhungana maliqhube umsebenzi walo ngendlela engenamfihlo yaye lingayichophela ekhusini intlanganiso yalo kuphela xa kufanelekile ukwenza oko, kuthathelwa ingqalelo uhlobo lomcimbi oqwalaselwayo nelungelo lokuba nemfihlo kwamaqela azimeleyo.

22.2 Nangona kukho inkcaso kwimiqathango yoMgaqo wama22.1, iBhungana alivumelekanga ukungalubandakanyi uluntu, kuqukwa namajelo eendaba, xa liqwalasela okanye livota kuyo nayiphi na kule micimbi ilandelayo:

22.2.1 hlahlolwabiwo mali lwebhunga okanye ukwabelwa kwenkxaso-mali iBhungana;
22.2.2 uyilo lweSicwangciso esiHlangeneyo soPhuhliso okanye naziphi izilungiso ezilapho;
22.2.3 uyilo lwenkqubo yolawulo lwendlela yokusebenza kukamasipala okanye naziphi izilungiso kwinkqubo leyo emva kokuba iphunyeziwe.

22.3 Iintlanganiso zingayimfihlo eluntwini, ngokuxhomekeke kuMgaqo 22.1 ongasentla apho iBhungana liwuqwalasela umcimbi:

22.3.1 oluhlobo oluyimfihlo olilungelo kumntu othile kuphela;
22.3.2 olukhuselweyo njengolulilungelo ngokomthetho;
22.3.3 oluyimfihlo ngokungqinelana nomthetho;

22..4 ngohlobo olumele ukuphathwa ngokuyimfihlo ngalo othatyathwa njengefanelekileyo nengqinekayo kwintlanganiso.

22.5 Isigqibo esiphathelele kumgaqo 22.3 sokungabandakanyi uluntu masenziwe liBhungana elichaphazelekayo, ukuba uSihlalo weBhungana elo unakho ukuthi nangaliphi ixesha:

22.5.1 avale lo ntlanganiso ngesigqibo seBhungana sokuba lo mcimbi mawuqwalaselwe kwiseshini esekhusini kusini na.

23. UKUZIMASA IINTLANGANISO ZEBHUNGANA

23.1 Naliphi na ilungu leBhunga likaMasipala linakho ukuzimasa nayiphi intlanganiso yeBhungana apho angelolungu khona, ukuba uza kubonisana neBhungana kuphela ngemvume kaSihlalo; ukuba ngaphezu koko akasayi kuvota kulo ntlanganiso.

23.2 UsSihlalo unakho ukucela umntu ukuba athethe kulo ntlanganiso ngomcimbi ophambi kwalo.

23.3 USihlalo unakho ukucela naliphi ilungu lebhunga ukuba lithethe kwiBhungana okanye acele uMphathi weBhungana ukuba enze amalungiselelo okuba naliphi ilungu labasebenzi lithethe kwibBhungana ngawo nawuphi umcimbi elinobuchule kuwo.

24. IZIGUNYAZISO

24.1 Ngegunya likaSihlalo, kuya kuvunyelwa abagunyazisiweyo ukuba benze udliwanondlebe nebhungana, ngokuxhomekeke ekusasazweni kwamaxwebhu okanye ukwaziswa kwamalungu eBhungana zingadlulanga iintsuku ezimbini zomsebenzi phambi kwentlanganiso.

24.2 Ezo zicelo ziya kuqwalaselwa kuqala nguSihlalo weBhungana elifanelekileyo, ngokubonisana noMphathi weBhungana, yaye kwimeko yokunganikwa kwelungelo lodliwanondlebe, kuya kufunwa iinkcukacha ezipheleleyo zesicelo nezizathu zokukhatywa kwesicelo ziya kungeniswa kwiBhungana.

24.3 USihlalo unakho ukuvumela abagunyazisweyo ukuba benze udlwanondlebe neBhungana ngaphandle kokukhutshwa kwesaziso esibhaliweyo ukuba, ngokoluvo lwakhe, lo mcimbi uya kuchazwa njengongxamisekileyo.

24.4 Ukuba isicelo samkelwe nguSihlalo webBhungana elifanelekileyo, umfakisicelo okanye abafakizicelo baya kuvunyelwa ukuba bavele phambi kweBhungana;

24.5 Akukho sigunyaziso siya kubandakanya abantu abangaphezu kwaba5, kuphela ngababini abaya kuvunyelwa ukuba bathethe kwiBhungana yaye ngaphezulu, ngaphandle kwemvume kaSihlalo, isithuba esingekho ngaphezu kwemizuzu eli15 iphelele. Ukuba kufunwa ukuguqulwa kwengxelo, uSihlalo uya kuvumela ixesha elongeziweyo elifanelekileyo ukunika ithuba ukuba kwenziwe inguqulelo leyo.

25. UKUPHAZANYISWA, UKUKHUTSHWA NOKUMISWA KWENTLANGANISO

25.1 USihlalo owongamele intlanganiso yeBhungana unakho, ngesiphakamiso esivakalayo nangokwesininzi sevoti zeBhungana, ukuphazamisa okanye ukurhoxisa iingxoxo okanye ukuyimisa intlanganiso.

25.2 Xa iqalisa kwakhona intlanganiso ngelinye ixesha okanye umhla, intlanganiso leyo iya kuqwalasela imicimbi engagqitywanga phambi kokuba kuqhutyelwe phambili nemicimbi emitsha kwiajenda.

25.3 Phambi kokuyalela ukuba iBhungana liya kuhlala kwenye indawo ngaphandle kwalo ndawo isetyenziswa ngoko, uSihlalo uya kubonisana noMphathi weBhungana, oya kuthi yena kufuneke ukuba abonisane nombhexeshi oyintloko noMphathi kaMasipala ukufumana uncedo locwangciso lwemisebenzi.

26. IZIPHAKAMISO ZOKUHLISA USIHLALO

26.1 Ilungu leBhungana linakho, ukuthi ngokungqinelana nenkqubo echazwe kuMgaqo we17, azise isiphakamiso sokuhlisa uSihlalo esihlalweni.

26.2 Ukuba eso siphakamiso siyaxhaswa sisininzi samalungu eBhungana, uSihlalo uya kuhliswa esihlalweni sakhe. Kuya konyulwa usSihlalo omtsha.

27. UKUQWALASELA KWAKHONA IZIGQIBO

Iziphakamiso zokuqwalaselwa kwakhona kwezigqibo mazingeniswe ngokungqinelana neCandelo le17 lale Migaqo yoLawulo.