

IMITHETHO YOCWANGCO YENTLANGANISO YONXIBELELWANO LWABAHLALI BEZENKCUBEKO

1. Ingcombolo

- 1.1. Ukuhlonela ukungafani kwamafa awahlukahlukeneyo esinawo kwakunye noluntu oluneenkubeko eziye zamelana nezanzwili zexesha kumaZantsi eAfrika;
- 1.2. Ukuqinisekisa isidima semveli, ukubaluleka ngokulinganayo, kunye negalelo elikhethekileyo lwalo lonke uluntu oluneenkubeko;
- 1.3. Ukukhokelwa yimigaqo yokuxatyiswa ngokuvumelenayo, ukuhlonitshwa ngokwenkcubeko, ukuphila kunye ngoxolo nentsebenziswano;
- 1.4. Ukuzibophelela ekukhuthazeni iingxoxo ekhululekileyo, ukuxubusha, kunye nokwenza izigqibo kubanjiswene kwimiba esixhalabisa ngokufanayo;
- 1.5. Ukuvuma ukuxabiseka kokungafani kwethu, kunye nokubaluleka kokulondoloza iingxoxo ezakhayo nezinentlonelo kuluntu lwezenkcubeko;
- 1.6. Amaziko angamalungu avunyiweyo ngawo azinzisa le miThetho Yocwangco ("imiThetho") njengaleyo ekuza kwakhelwa phezu kwayo ukuthathwa kwenxaxheba, ukuqonda izinto ngendlela efanayo, kunye nentsebenziswano eqhubekayo.

2. Injongo Nobungakanani Bale Mithetho

- 2.1. Le miThetho yiyo elawula iinkqubo nendlela eqhutywa ngayo intlanganiso ebizwe ngamaziko avunyiweyo angamalungu nangabanye abakuwo.
- 2.2. Injongo yentlanganiso kukuxoxa ngemiba exhalabisa wonke ubani, kunye nentsebenziswano yamaziko angamalungu.
- 2.3. Intlanganiso yona ayinamandla okugweba kwaye ayinawo amandla ezomthetho.
- 2.4. Intlanganiso iza kuqhutywa ngendlela elungelelanisiweyo, ezinzileyo, enocwangco, kwaye akhomntu uza kuchwethelwa ecaleni ukwenzela ukuba kuxoxwe kungakhethwa bani, kuxutyushwe ngendlela enentlonipho, kwaye onke amaziko angamalungu abe nenxaxheba ngokulinganayo.

3. Amalungu Entlanganiso

- 3.1. Amaziko angamalungu asenokuquka nayiphi na imibutho yezenkcubeko, imibutho yoluntu, abezobunkokheli begazi okanye besithethe, imibutho emela uluntu, kunye neminye imibutho evunyiweyo emela izinto ezingumdlu kwezenkcubeko.
- 3.2. Imibutho yezenkcubeko efuna ukuba ngamalungu eziko isengafaka isicelo sokwamkelwa ngembalelwano, iyifake loo nkcazelo ngendlela esengqiqweni ngokwendlela ekufunwa ngayo yile ntlanganiso.
- 3.3. Isakuba isiqwalesele ngokufanelekileyo eso sicelo, le ntlanganiso isenokumamkela umfaki-sicelo njengeziko elililungu ngevoti yesininzi esisisibini kwisithathu yamaziko avunyiweyo angamalungu akhoyo.

- 3.4. Le ntlanganiso isenokukwenza ilungu elipheleleyo okanye ube lilo ngokusekelwe kwimiqathango ethile. Ukwenziwa ilungu ngokwemiqathango ethile kusengaxhomekeka kwimiqathango ebonwa iyimfuneko yile ntlanganiso ukuze kuqinisekiswa ukuthembeka, ukuqukwa kwabantu, kwakunye nokusebenza ngocwangco kwentlanganiso.
- 3.5. Iziko ngalinye elivunyiweyo elililungu linelungelo lokumisela abameli ababini abaza kuba nenxaxheba kule ntlanganiso.
- 3.6. Kwintlanganiso nganye abameli abeze egameni leziko elililungu bamele bathi thaca ubungqina bokumiselwa kwabo obamkelekileyo.
- 3.7. Le ntlanganiso iza kuba nerejista yawo onke amaziko angamalungu avunyiweyo, kuquka umhla wokuvunywa kwawo, isimo sobulungu bawo (enoba seselo xesha, sesexesha elizeleyo okanye sixhomekeke kwimiqathango), kuboniswe nayo nayiphi na imiqathango esebenzayo kumalungu aphantsi kwemiqathango.

4. Umgaqo-siseko Namagosa Entlanganiso

- 4.1. Naliphi na ilungu leziko lingacela intlanganiso ngokukhupha isaziso esibhaliweyo kuwo onke amaziko avunyiweyo angamalungu.
- 4.2. Kweso saziso kuza kuchazwa injongo yentlanganiso, umhla eza kubanjwa ngawo, indawo le ntlanganiso eza kuqhutyelwa kuyo (iza kuba sendaweni ethile okanye iza kwenziwa ngobuxhakaxhaka bale mihla).
- 4.3. Elo lungu libize intlanganiso limele lithumele iajenda ecetywayo ubuncinane iintsuku ezili-14 ngaphambi kwentlanganiso.
- 4.4. Naliphi na ilungu lisengafaka eminye imiba elifuna ixutyushwe ukuze ifakwe kwiajenda, lo gama nje liyifake loo miba ngexesha elisengqiqweni ngaphambi kwentlanganiso, okanye ukuba iye yamkelwa yaza yafunyanwa kuloo ntlanganiso sisininzi sabo bakuloo ntlanganiso.
- 4.5. Ilungu elibize intlanganiso liza kuvula le ntlanganiso lize ibe lilo elongamela umgaqo-nkqubo wayo.
- 4.6. Intlanganiso iya kwamkelwa njengemiselwe ngokomgaqo-nkqubo kwaye iya kuqala xa onke amalungu akhoyo evuma ezi zinto zilandelayo:
 - 4.6.1. Ubukho bamaziko angamalungu amelweyo apho; kunye
 - 4.6.2. ukumiselwa negunya elinikwe abameli baloo maziko.
- 4.7. Nayiphi na imiba evela ebudeni bentlanganiso, kubandakanywa nemibandela yocwangco okanye iimfaneleko zomeli othile, iya kusonjululwa sisininzi esiqhelekileyo samaziko avunyiweyo angamalungu akhoyo. Nangona kunjalo, apho umba umalunga nesimo sokuba lilungu okanye ukuvunywa kweziko elililungu elimelwe ngummeli othile, loo mcimbi uya kusonjululwa sisininzi sesibini kwisithathu samaziko avunyiweyo akhoyo.
- 4.8. Xa kuqalisa intlanganiso nganye, abo bakhoyo baza kumisela uSihlalo oza kongamela loo ntlanganiso, bekwenza oko ngevoti yesininzi.

- 4.9. USihlalo uya kuba noxanduva lokugcina ucwangco, ukulawula ukuba ngubani oza kuthetha emva komnye, nokuququzelela iingxoxo kunye nendlela yokufikelela kwisivumelwano ngokungqinelana nale miThetho.
- 4.10. Ngokuphathelele nawo nawuphi na umcimbi onxulumene nomyalelo wentlanganiso okanye inkqubo engachazwanga ngokucacileyo kule miThetho, uSihlalo uya kusebenzisa imigaqo eqhelekileyo yokuqhuba intlanganiso lo gama nje yamkelekile ngokubanzi kwaye ifanele iimeko ezo, maxa onke imele ixhomekeke kwimvume ephuma kuloo ntlanganiso.
- 4.11. Ilungu elibize intlanganiso liya konyula uNobhala wokuncedisa uSihlalo ngexesha lentlanganiso. UNobhala uya kuba noxanduva lokuncedisa kwimicimbi yenkqubo, ukubhala iingxoxo, kunye nokulungiselela imizuzu yaloo ntlanganiso.
- 4.12. Imizuzu yentlanganiso iya kuvunywa sisininzi esiqhelekileyo samaziko avunyiweyo angamalungu ebekho entlanganisweni.
- 4.13. Izikhundla zikaSihlalo noNobhala ziyaphela kwakuba kuqukunjelwe yonke into enokuthanani nemizuzu yentlanganiso.

5. Ukubiza intlanganiso

- 5.1. Phambi kokuqukunjelwa kwentlanganiso nganye, abathunywa baya konyula ilungu elimele libize intlanganiso okanye ikomiti Emele enoxanduva lokukhupha isaziso nokubiza intlanganiso elandelayo.
- 5.2. Oku akutsho ukuba amaziko avunyiweyo angamalungu amabini okanye angakumbi awanakubiza intlanganiso ngokudibeneyo ngelinye ixesha elingelilo eli belibekiwe, xa ngokusengqiqweni kukho iimeko ezifuna ukuba loo malungu enze oko kwaye aye athumela isaziso kuwo onke amaziko angamalungu.

6. Inani Elivumela Ukuqala Kwentlanganiso Nokuthatha Inxaxheba

- 6.1. Inani elivumela ukuqala kwentlanganiso ubuncinane yi-50% yamaziko angamalungu avunyiweyo angamalungu amelwa ubuncinane ngumntu omnye ovela kwiziko ngalinye.
- 6.2. Xa lingade lifikelelwe eli nani, loo ntlanganiso iza kutshintshwa ibekelwe elinye ixesha kuthunyelwe isaziso esifanelekileyo.

7. Inkqubo Yentlanganiso

- 7.1. USihlalo uya kuqinisekisa ukuba intlanganiso iqhutywa ngocwangco, akhusele ilungelo lokuthetha, kwaye agcine inkqubo ingenamkhethe.
- 7.2. Kuphela ngabameli bamaziko angamalungu abavunywe ngokusesikweni abanokuthi bathethe kwaye bathathe inxaxheba kwiingxoxo entlanganisweni.
- 7.3. Abakhi-mkhanyo banokuvunyelwa ukuba beze xa bemenyiwe okanye bevunyiwe yintlanganiso kodwa abavumelekanga ukuba bathabathe inxaxheba kwiingxoxo ngaphandle kokuba kuvunyelwe nguSihlalo nangokwemiqathango egqitywe yintlanganiso.
- 7.4. Intlanganiso iya kuqhubeka ngokwe-ajenda eyamkelwe ngabo bakhoyo ekuqaleni kweseshoni.

- 7.5. USihlalo uya kubiza umba ngamnye ngokulandelelana aze ameme abo bakhoyo ukuba bathethe betshintshana.
- 7.6. Abo bakuloo ntlanganiso kufuneka babhekise kuSihlalo xa bethetha kwaye baphephe ukuphazamisa okanye ukuhlasela abanye ngamazwi.
- 7.7. Umntu okuloo ntlanganiso unelungelo lokuphakamisa ingongoma yocwangco (point of order), ekufuneka iqwalaselwe ngoko nangoko nguSihlalo.
- 7.8. Imiba engekho kwi-ajenda inokuphakanyiswa ngemvume yentlanganiso.
- 7.9. USihlalo unokuthi, nangaliphi na ixesha, ngenjongo yokusombulula imiba okanye ukukhuthaza ukufunwa kwemvumelwano kwimiba echaphazela wonke ubani, acebise ukuba kusetyenziswe ezinye iinkqubo okanye amaqonga, kubandakanywa iingxoxo ezicwangcisiweyo, ulamlo, okanye ingxoxo eququzelelweyo. Nanini na kutyeshelwa inkqubo eqhelekileyo oko kuya kuxhomekeka ekuvunyweni yivoti yesininzi sabo bakhoyo kwintlanganiso.

8. Umgangatho wokwenziwa kwezigqibo

- 8.1. Intlanganiso iya kuzama ukufikelela kwizigqibo ngokubonisana okuvulelekileyo, ukuqondana, kunye nokuvumelana phakathi kwamaziko angamalungu avunyiweyo.
- 8.2. Ngaphandle kwemicimbi yenkqubo kunye nezigqibo ezinxulumene nokuziphatha kunye nomyalelo wentlanganiso ngokwayo, akukho ziko elililungu eliya kubotshelwa sisigqibo elingavumanga ngaso.
- 8.3. Apho kungenakufikelelwa kwisivumelwano, umcimbi unokuthi:
 - 8.3.1. umiswe ukuze uphinde uqwalaselwe ngakumbi okanye uxovulwe ngamaqela amabini; okanye
 - 8.3.2. usingathwe ngenye indlela ngokwesivumelwano saloo ntlanganiso ngokuvisisana nale miThetho.
- 8.4. UNobhala uya kuqinisekisa ukuba nawuphi na umba ongaqosheliswa ubhalwe ngendlela efanelekileyo kwimizuzu yaloo ntlanganiso.

9. Impikiswano enzulu

- 9.1. Xa kukho impikiswano enzulu okanye ukungavisisani okunokuthi ngendlela ephawulekayo kuchaphazele ukuba intlanganiso ingqhubeki okanye okuchaphazela ubudlelwane phakathi kwabakhoyo okanye amaziko angamalungu, uSihlalo okanye intlanganiso inokuyalela amaqela ukuba afune isisombululo ngothethathethwano lwabucala.
- 9.2. Amaqela anokuthi, ngokwesivumelwano, atyumbe umlamli okanye umququzeleli ukubaancedise ekusombululeni imbambano, elandela imiqathango ayibona ifanelekile.
- 9.3. Intlanganiso ayisayi kunyanzelisa isisombululo kulo naliphi na iqela kwimbambano kodwa inokuxhasa kwaye ikhuthaze ukuba kuthethwane, kuxolelwane, nezinye iindlela zoxolo zokusombulula ngenjongo yokugcina ukuba bonke bahloniphane kuze kuqhubeke kukho intsebenziswano.

- 9.4. Naliphi na iqela eliphakamisa loo mpikiswano liya kuba nelungelo lokuvakalisa izimvo zalo entlanganisweni, ukuba loo mbambano ichaphazela ngokubonakalayo ukusebenza okubanzi okanye ukuthembeka kwaloo ntlanganiso.

10. Iikomiti Nezinto Ekufuneka Zenziwe

- 10.1. Intlanganiso inokonyula iikomiti ezikhethekileyo ukuba zenze izigunyaziso ezithile ezivela kwizigqibo zentlanganiso.
- 10.2. Ezo komiti zinokunikwa lo msebenzi ulandelayo:
- 10.2.1. Ukuphumeza naziphi na izigqibo ekuvunyelwene ngazo okanye izibhengezo;
- 10.2.2. Ukunxibelelana okanye ukunxibelelana egameni lamalungu entlanganiso nabachaphazelekayo bangaphandle, amaziko, okanye amagunya;
- 10.2.3. Ukuqhuba uphononongo, uphando, okanye umsebenzi wokulungiselela ukuxhasa iinjongo zentlanganiso;
- 10.2.4. Ingxelo kwintlanganiso ngenkqubela, iziphumo, iingcebiso okanye iziphumo.
- 10.3. Iikomiti zimele zisebenze zilandela imibandela ebekwe etafileni nangokwemilinganiselo ekuvunyelwene ngayo ngexesha bezimiselwa.

11. Ukuziphatha Nesimilo

- 11.1. Abo balapho baya kuphathana ngesidima nangentlonipho ngamaxesha onke.
- 11.2. Akukho mntu usentlanganisweni uya kuphazamisa omnye ngelixa ethetha, ngaphandle kwaxa ephakamisa inqaku ecela ucwangco (point of order).
- 11.3. Ukuziphatha kakubi kumele kusingathwe nguSihlalo, kuquka ukunika umntu lowo isilumkiso okanye ukumncela loo mntu aphume kuloo ntlanganiso.
- 11.4. Intlanganiso imele ibe nenjongo yokuxhasa umoya wentlonipho nokungachwetheli abanye ecaleni ngokuhambelana nesidima sazo zonke iinkcubeko ezikhoyo apho.

12. Ukubhalwa Kwengxelo Nokuqhubeka Ukuya Phambili

- 12.1. UNobhala uya kulungisa ingxelo yezigqibo ekuvunyelwene ngazo kwaye athumele kumalungu onke imizuzu kwiintsuku ezili-14.
- 12.2. Intlanganiso inokuthi, kumaxesha ngamaxesha, yonyule iLungu okanye iKomiti yeNgxowa-mali neyokuBhala Ingxelo, eya kuba noxanduva lokugcina ngokuqhubekayo nokulungelelanisa yonke imizuzu, imbalelwano, izibhengezo, iingxelo kunye neengxelo ekuvunyelwene ngazo yintlanganiso.
- 12.3. ILungu lembalelwano kunye neeNgxelo liya kugcina onke amaxwebhu asemthethweni avela kwiintlanganiso, kubandakanywa nemizuzu, izibhengezo, iingxelo kunye nembalelwano ekuvunyelwene ngayo.
- 12.4. Izigqibo ekuvunyelwene ngazo ziya kuthathwa njengokugcina isiphumo esiqhubekayo ngaphandle kokuba kuguqulwe isivumelwano okanye ngenxa yezizathu eziphathekayo kunye nezizathu ezivakalayo.

- 12.5. Intlanganiso nganye iyakuqunjelwa ngesishwankathelo sezigqibo, kuqwalaselwe nayiphi na imiba emisiweyo ukulungiselela uthethathethwano lwexesha elizayo.

13. Ukupheliswa Kobulungu

- 13.1. Naliphi na iziko elililungu elivunyiweyo linokuthi, nangaliphi na ixesha, libuphelise ubulungu balo ngokuzithandela ngokuthi linike isaziso esibhaliweyo kwiLungu leMbalelwano nelokuBhala iNgxelo.
- 13.2. Oko kupheliswa kuya kuqala ukusebenza xa kufunyenwe isaziso, ngaphandle kokuba kuchazwe umhla elizimisele ukuyeka ngalo ukuba lilungu.
- 13.3. Intlanganiso, ngesininzi sesibini kwisithathu samaziko angamalungu avunyiweyo akhoyo, inako ukuthatha isigqibo sokubuphelisa ubulungu balo naliphi na iziko elilungu.
- 13.4. Ngaphambi kwaso nasiphi na eso sigqibo samkelwe, iziko elililungu elichaphazelekayo liya kunikwa ithuba elaneleyo lokwenza izindululo ezibhaliweyo okanye zomlomo zokuba kutheni ubulungu balo bungamele bupheliswe.
- 13.5. Izizathu zokupheliswa kufuneka zinxulumane nokuziphatha okanye iimeko ezijongela phantsi ngokubonakalayo ukuthembeka, injongo, okanye ukusebenza ngempumelelo kwentlanganiso.

14. Iindleko Nenkcitho

- 14.1. Intlanganiso ayisayi kwenza okanye igunyazise naziphi na iindleko, izibophelelo, okanye inkcitho yemali egameni lalo naliphi na iziko elililungu ngaphandle kokuba kuvunyelwene ngokubhaliweyo li(ama)lungu eli(a)chaphazelekayo.

15. Uhlehlengiso Lwale Mithetho

- 15.1. Le mithetho isengahlengahlengiswa ngokwesininzi zesibini kwisithathu sawo onke amaziko angamalungu avunyiweyo akhoyo kwintlanganiso ebiziweyo.
- 15.2. Nasiphi na isiphakamiso sokutshintsha le miThetho simele sithunyelwe kuwo onke amaziko angamalungu ubuncinane kwiintsuku ezili-14 ngaphambi kwentlanganiso.

16. Ukuzibophelela ngokumanyeneyo

- 16.1. Le miThetho iyimbonakaliso yokuzibophelela ngokumanyeneyo kwamaziko angamalungu ezibophelela ekube aphilisane ngoxolo, asebenzisane, amkelane aze ahloniphane ngokulinganayo, aze aqhube iingxoxo ngoxolo. Bonke abanenxaxheba kwintlanganiso bayazibophelela ukuba baza kubambelela kule migaqo ngokunyaniseka nokuthembeka.