

IMITHETHO YOKUHLELEKA YOMHLANGANO WENETHIWEKI YEMIPHAKATHI YAMASIKO

1. Isandulelo

- 1.1. Ukuqaphela amagugu ahlukahlukene kanye nobunikazi obuhlala njalo bemiphakathi yamasiko eNingizimu Afrika;
- 1.2. Ukuqinisekisa isithunzi semvelo, ukubaluleka okulinganayo, kanye nokubamba iqhaza okuyingqayizivele kwayo yonke imiphakathi yamasiko;
- 1.3. Ukuqondiswa izimiso zokuqaphelana, ukuhlonipha amasiko, nokuphilisana ngokuthula nokubambisana;
- 1.4. Ukuzibophezela ekukhuthazeni inkulumompendulwano evulekile, izingxoxo, kanye nokwenza izinqumo ngokubambisana ezindabeni ezithinta bonke;
- 1.5. Ukwamukela ukubaluleka kokuhlukahluka, kanye nokubaluleka kokugcina ukusebenzelana okwakhayo nokunenhlonipho phakathi kwemiphakathi yamasiko;
- 1.6. Izikhungo eziqashelwayo ezingamalungu lapha zimisa Imithetho Yokuhleleka ("Imithetho") njengohlaka lokubamba iqhaza okuhlekile, ukuqonda okwabiwe, nokubambisana okuqhubekayo.

2. Inhloso Kanye Nobubanzi

- 2.1. Le Mithetho isebenza ukulawula izinqubo kanye nokuziphatha komhlangano obizwe yizikhungo ezingamalungu ezaziwayo.
- 2.2. Inhloso yomhlangano ukubhunga ngezindaba ezisithinta sonke, kanye nokubambisana phakathi kwezikhungo ezingamalungu.
- 2.3. Umhlangano ngeke uhlanganise umuntu osemthethweni futhi abekho abantu abasemthethweni ngokuqondile.
- 2.4. Umhlangano uzosebenza ngendlela ehlekile, ezothile, ngokwesimiso futhi ebandakanya wonke umuntu ukuze kuxoxwe ngendlela efanele, ukubonisana ngenhlonipho, nokubamba iqhaza okulinganayo kwazo zonke izikhungo ezingamalungu.

3. Amalungu Omhlangano

- 3.1. Izikhungo ezingamalungu zingabandakanya noma yiziphi izinhlangano zamasiko, izinhlangano zomphakathi, izinhlangano zobuholi bobukhosi noma bendabuko, izinhlangano ezimele umphakathi, nezinye izikhungo ezaziwayo ezimele izintshisekelo zomphakathi.
- 3.2. Izikhungo zamasiko ezifuna ukuba izikhungo ezingamalungu zingafaka isicelo sokuqashelwa ngokubaliwe, zinikeze ulwazi olungadingeka emhlanganweni.

- 3.3. Umhlangano, ngemva kokucutshungulwa kwesicelo, ungamamukela umfakisicelo njengesikhungo esiyilungu ngevoti leningi lezingxenye ezimbili kwezintathu lezikhungo ezaziwayo ezingamalungu.
- 3.4. Umhlangano unganikeza ubulungu ngokugcwele noma ngemibandela ethile. Ubulungu obunemibandela bunganikezwa ngokwezimo ezifanele njengoba umhlangano ungase unqume ngokwesidingo ukuze kuqinisekise ukwenza izinto ngobuqotho, ukubandakanywa, nokusebenza okuhlelekile komhlangano.
- 3.5. Isikhungo ngasinye esaziwayo esiyilungu sinelungelo lokuqoka izithunywa ezimbili ezizobamba iqhaza emhlanganweni.
- 3.6. Izithunywa ezimele izikhungo ezingamalungu kufanele zethule emhlanganweni ngamunye ubufakazi obubhaliwe bokuqokwa kwazo ngendlela efanele.
- 3.7. Umhlangano uzogcina irejista yazo zonke izikhungo ezaziwayo ezingamalungu, ekhombisa usuku lokuqokwa kwazo, isimo sobulungu bazo (noma obamanje, obugcwele noma obunemibandela), kanye nanoma yimiphi imibandela esebenza kumalungu anemibandela.

4. Umthethosisekelo kanye Nezikhulu Zomhlangano

- 4.1. Noma yisiphi isikhungo esingamalungu singaqala ukubiza umhlangano ngokukhipha isaziso esibhaliwe kuzo zonke izikhungo ezingamalungu ezaziwayo.
- 4.2. Isaziso sizosho inhloso, usuku oluhlongozwayo, nendawo (engokoqobo noma ebonakalayo) yomhlangano
- 4.3. Ilungu elibiza umhlangano kufanele linikeze i-ajenda ehlongozwayo okungenani ezinsukwini eziyi-14 ngaphambi komhlangano.
- 4.4. Noma yisiphi isikhungo esiyilungu singaletha ezinye izindaba ukuze kuxoxwe ngazo ukuze zifakwe ku-ajenda, inqobo nje uma izethulo ezinjalo zenziwa ngesikhathi esifanele ngaphambi komhlangano, noma uma zamukelwe iningi lalabo abasemhlanganweni.
- 4.5. Ilungu elibiza umhlangano liyovula umhlangano futhi libheke ukuthi kulandelwa umthethosisekelo wawo ofanele.
- 4.6. Umhlangano uzobhekwa njengomise ngendlela efanele futhi uyoqala lapho wonke amalungu akhona evumelana ngalokhu:
 - 4.6.1. ukuhlonishwa kwezikhungo ezingamalungu amelwe; kanye
 - 4.6.2. nokuqokwa negunya lesithunywa ngasinye.
- 4.7. Noma yiziphi izinkinga eziphakamayo lapho kubizwa umhlangano, okuhlanganisa nezindaba zokuhleleka noma nokufaneleka kwenxusa, ziyoxazululwa iningi elivamile lezikhungo ezihlonishwayo ezikhona. Nokho, lapho udaba luphathelene nesimo sobulungu noma ukuqashelwa kwesikhungo esiyilungu esimelelwe isithunywa okukhulunywa ngaso, lolo daba luyoxazululwa ngobuningi bokubili kokuthathu bezikhungo ezaziwayo ezikhona.
- 4.8. Ekuqaleni komhlangano ngamunye, izithunywa zizoqoka ngevoti leningi uSihlalo ozophatha lowo mhlango.

- 4.9. USihlalo uzoba nesibopho sokugcina ukuhleleka, ukuqondisa ukushintshana kokukhuluma, nokugqugquzela ukuxoxisana nokuvumelana ngokuhambisana nale Mithetho.
- 4.10. USihlalo uzoba nesibopho sokugcina ukuhleleka, ukuphatha ukushintshana okukhuluma, kanye nokugqugquzela ukuxoxisana nokuvumelana ngokuhambisana nale Mithetho.
- 4.11. Maqondana nanoma yiluphi udaba oluhlobene nokuhleleka komhlangano noma inqubo engahlinzekelwenga ngokucacile kule Mithetho, uSihlalo uzosebenzisa izimiso ezifanayo zenqubo yomhlangano ezingase zamukelwe futhi zifaneleke ezimweni, kuncike njalo entandweni yomhlangano.
- 4.12. Ilungu elibiza umhlangano liyoqoka uNobhala ozolekelela uSihlalo ngesikhathi somhlangano. Unobhala uyoba nomthwalo wemfanelo wokweseka izindaba zenqubo, ukurekhoda okuqhubekayo, nokulungiselela amaminithi alowo mhlango.
- 4.13. Amaminithi omhlangano azogunyazwa iningi elijwayelekile lezikhungo ezihlonishwayo ezingamalungu ezazikhona emhlanganweni.
- 4.14. Amahhovisi kaSihlalo kanye noNobhala ayayeka ngemva kokuphothulwa kwamaminithi omhlangano

5. Ukubizwa Kwemihlangano

- 5.1. Ngaphambi kokuphothulwa komhlangano ngamunye, izithunywa zizoqoka ilungu elibiza umhlangano noma ikomidi elizokwenza umsebenzi wokukhipha isaziso nokubiza umhlangano olandelayo.
- 5.2. Lokhu akuvimbela izikhungo ezingamalungu ahlonishwayo amabili noma ngaphezulu ukuba ndawonye abize umhlangano ngaphandle kokulandela inkambo evamile, lapho izimo zigunyaza lesi sinyathelo ngokunengqondo futhi isaziso sinikeziwe ngokufanelekile kuzo zonke izikhungo ezingamalungu.

6. Inani Elidingekayo Nokubamba Iqhaza

- 6.1. Inani elidingekayo kufanele okungenani libe ngama-50% ezikhungo ezingamalungu ezaziwayo ezimelelwe okungenani isithunywa esisodwa ngasinye.
- 6.2. Uma lingafinyelela inani elidingekayo, umhlangano ungase uhlehliswe futhi ubuye ubizwe ngokwenza isaziso esifanele.

7. Inqubo Yomhlangano

- 7.1. USihlalo uzoqinisekisa ukuphathwa ngokuhlelekile komhlangano, avikele ilungelo lokukhuluma, futhi agcine ubuqotho benqubo.
- 7.2. Izithunywa eziqokwe ngokufanelekile kuphela zezikhungo ezingamalungu ezingakhuluma futhi zibambe iqhaza ezingxoxweni zomhlangano.
- 7.3. Ababukeli bangavunyelwa ukuba beze lapho bemenyiwe noma begunyazwe umhlangano kodwa akumele babambe iqhaza ezingxoxweni ngaphandle kwalapho kuvunyelwe uSihlalo kanye nangokwemibandela enqunywe umhlangano.

- 7.4. Umhlangano uzoqhubeka ngokohlelo olwamukelwe yizithunywa ekuqaleni kweseshini.
- 7.5. USihlalo uzobiza iphuzu ngalinye ngokulandelana kwawo futhi ameme izithunywa ukuthi zikhulume ngokudedelana.
- 7.6. Izithunywa kufanele zibhekisele kuSihlalo lapho zikhuluma futhi zigweme iziphazamiso noma ukuhlaselwa komuntu siqu.
- 7.7. Isithunywa singaphakamisa iphuzu lesikhalazo, okufanele lilungiswe ngokushesha nguSihlalo.
- 7.8. Izindaba ezingekho ku-ajenda zingaphakanyiswa ngemvume yomhlangano.
- 7.9. USihlalo, nganoma yisiphi isikhathi, ngenhloso yokuxazulula izinkinga noma ukukhuthaza ukufinyelela ukuvumelana ezindabeni ezithinta bonke, angancoma ukuthi kusetshenziswe ezinye izinqubo noma izinkundla, okuhlanganisa ukuxoxisana ngokuhlekile, ukulamula, noma ingxoxo eqhutshwayo. Noma yikuphi ukuchezuka okunjalo enqubweni evamile kuyoncika ekugunyazweni ngevoti leningi lezithunywa ezikhona.

8. Izinga lokuthatha izinqumo

- 8.1. Umhlangano uzolwela ukufinyelela izinqumo ngokuxoxisana okuvulekile, ukuqondana, kanye nokuvumelana phakathi kwezikhungo ezingamalungu ezaziwayo.
- 8.2. Ngaphandle kwezindaba zenqubo nezinqumo eziphathelene nokuziphatha nokuhleleka komhlangano ngokwawo, asikho isikhungo esiyilungu esiyobophezeleka ngesinqumo esingavumelananga naso.
- 8.3. Lapho kungafinyelelwa khona ukuvumelana, udaba:
 - 8.3.1. lungahlehlisa ukuze lucatshengelwe ngokwengeziwe noma ukubonisana kwabantu ababili; noma
 - 8.3.2. lubhekiselwe kwenye inqubo ngokuvumelana komhlangano kulandelwa leMithetho.
- 8.4. UNobhala uzoqinisekisa ukuthi noma yiziphi izindaba ezingakaxazululwa zibhalwa ngokunembile emaminithini omhlangano.

9. Izingxabano ezinzima

- 9.1. Esimeni lapho kuphakama ingxabano enzima noma ukungaboni ngaso linye okuphazamisa ukuqhubeka komhlangano noma ibe nomthelela ebudlelwaneni bemiphakathi noma izikhungo ezingamalungu, uSihlalo noma umhlangano ungase utshele izinhlangothi ezithentekayo ukuthi zifune isisombululo ngokuxoxisana ngasese.
- 9.2. Izinhlangothi, ngokwesivumelwano sobabili, zingaqoka umxazululi noma umgqugquzeli ukuze asize ekuxazululeni ingxabano, ngokwemibandela ebona ifanele.
- 9.3. Umhlangano angeke ubeke isixazululo kunoma iyiphi ingxenye yengxabano kodwa ungase usekele futhi ukhuthaze ukuxoxisana, ukubuyisana, nezinye izindlela

zokuxazulula ezinokuthula ukuze kugcinwe ukuhloniphana nokubambisana okuqhubekayo.

- 9.4. Noma iyiphi ingxenye ehilelekile engxabanweni enjalo izoba negunya lokwenza izethulo emhlanganweni, uma ingxabano ithinta kakhulu ukusebenza okubanzi noma ubuqotho bomhlangano.

10. Amakomidi Kanye Nemisebenzi Egunyaziwe

- 10.1. Umhlangano ungaqoka amakomidi akhethekile ngezikhathi ezithile ukuze afeze imisebenzi ethile evela ezinqumweni zomhlangano.
- 10.2. Lawo makomidi angase anikezwe umsebenzi:
- 10.2.1. Ukwenze kusebenze noma yiziphi izinqumo noma izimemezelo okuvunyelwane ngazo;
- 10.2.2. Ukuxhumana noma ukuxoxisana egameni lamalungu omhlangano nababambiqhaza bangaphandle, izikhungo, noma iziphathimandla;
- 10.2.3. Ukwenza izingcwaningo, uphenyo, noma umsebenzi wokulungiselela ukuze usekele izinhloso zomhlangano;
- 10.2.4. Bika umhlangano ngenqubekelaphambili, imiphumela, izincomo noma okutholiwe;
- 10.3. Amakomiti azosebenza ngaphansi kwemibandela ebekiwe kanye nobubanzi okuvunyelwene ngabo ngesikhathi lapho eqokiwe.

11. Ukuziphatha Nenhlonipho

- 11.1. Izithunywa kufanele ziphathane ngesizotha nangenhlonipho ngaso sonke isikhathi.
- 11.2. Asikho isithunywa esiyophazamisa omunye ngenkathi ekhuluma, ngaphandle kwalapho siphakamisa isikhalazo.
- 11.3. Ukuziphatha ngendlela engafanele kungase kulungiswe nguSihlalo, okuhlanganisa nesexwayiso noma isicelo sokuhoxa emhlanganweni.
- 11.4. Umhlangano uzohlosa ukugcina umoya wenhlonipho nokubandakanya wonke umuntu ngokuhambisana nesithunzi sawo wonke amasiko amelwe.

12. Amarekhodi Kanye Nokuqhubeka

- 12.1. Unobhala uzolungisa irekhodi lezinqumo okuvunyelwene ngazo futhi adlulisele amaminithi kuzo zonke izithunywa zingakapheli izinsuku eziyi-14.
- 12.2. Ngezikhathi ezithile, umhlangano ungaqoka iLungu noma iKomidi Lokuxoxisana kanye Nerekhodi, elizoba nesibopho sokugcina nokuhlela wonke amamithi, izincwadi, izimemezelo, imibiko, kanye nezitatimende okuvunyelwene ngazo emhlanganweni.
- 12.3. ILungu Lokuxoxisana kanye Nerekhodi liyogcina yonke imibhalo esemthethweni evela emihlanganweni, okuhlanganisa amaminithi, izimemezelo, imibiko, kanye nezincwadi okuxoxisana okuvunyelwene ngako.

- 12.4. Izinqumo okuvunyelenwe ngazo zizothathwa njengezigcina umphumela oqhubekayo ngaphandle kwalapho zishintshiwe ngokuvumelana noma ngenxa yezizathu ezibonakalayo nezizwakalayo.
- 12.5. Umhlangano ngamunye uzophetha ngesifinyezo sezinqumo, uphawule noma yiziphi izindaba ezihlehlisiwe okuzoxoxwa ngazo esikhathini esizayo.

13. Ukumiswa Kobulungu

- 13.1. Noma yisiphi isikhungo esisemthethweni esiyilungu, nganoma isiphi isikhathi, singamisa ubulungu baso ngokuzithandela ngokunikeza isaziso esibhalwe phansi kuLungu Lokuxoxisana kanye Nerekhodi.
- 13.2. Lokho kumiswa kuyoqala ukusebenza lapho kutholwa isaziso, ngaphandle kwalapho kuphawulwe usuku lwakamuva.
- 13.3. Umhlangano ungase, ngeningi lengxenywe yesibili kwezintathu yezikhungo ezingamalungu ezaziwayo ezikhona, unqume ukunqamula ubulungu banoma yisiphi isikhungo esingamalungu.
- 13.4. Ngaphambi kokuba kwamukelwe noma yisiphi isinqumo esinjalo, isikhungo esiyilungu esithintekayo sizonikezwa ithuba elanele lokwenza izethulo ezibhaliwe noma zomlomo zokuthi kungani ubulungu baso kungafanele buqedwe.
- 13.5. Izizathu zokumiswa kufanele zihlobane nokuziphatha noma izimo ezibukela phansi ubuqotho, injongo, noma ukusebenza ngempumelelo komhlangano.

14. Izindleko Nokusetshenziswa Kwemali

- 14.1. Umhlangano angeke ubhekana namoma yiziphi izindleko noma uzigunyaze, izibopho, noma ukusetshenziswa kwezimali egameni lanoma yisiphi isikhungo esingamalungu ngaphandle uma kuvunyelwene ngokubhaliwe yilungu (amalungu) elithintekayo.

15. Izichibiyelo Zale Mithetho

- 15.1. Le Mithetho ingachitshiyelwa yizingxenywe ezimbili kwezintathu zazo zonke izikhungo ezingamalungu ezaziwayo ezimelwe emhlanganweni obizwe ngokufanelekile.
- 15.2. Noma yisiphi isiphakamiso sokuchitshiyelwa kweMithetho kufanele sihanjiswe kuzo zonke izikhungo ezingamalungu okungenani kusasele izinsuku eziyi-14 ngaphambi komhlangano.

16. Ukuzibophezela okufanele

- 16.1. Le Mithetho ibonisa ukuzibophezela okuhlanganyelwe kwezikhungo ezingamalungu ekubambisaneni ngokuthula, ukubambisana, ukuqhaphelana nokuhloniphana, kanye nokuxoxisana ngokuthula. Bonke ababamba iqhaza emhlanganweni bazibophezela ukugcina le migomo ngokwethembeka.