



ZIMBABWE

UMTHETHO

Osusa njalo othatha isikhundla seSisekamthetho seZimbabwe.

Lumthetho umiswe liDale lePhalamende loMongameli waseZimbabwe.

1 Isihloko esifitshane

Lumthetho ungabizwa ngokuthi nguMthetho weSisekamthetho seZimbabwe Utshintsho (No. 20), 2013.

2 Ukuchasiswa

Kulo Umthetho—

“iSisekamthetho esikhona” kutshiwo ukuthi iSisekamthetho seZimbabwe esaqala ukusebenza mhlaka 18 Mabasa 1980, esatshintshwa ngemva kwalokho;

“iSisekamthetho esitsha” kutshiwo iSisekamthetho seZimbabwe esethulwe kulolo uHlelo.

3 Ukususwa kweSisekamthetho esikhona yiSisekamthetho esitsha

(1) Kulandelwa isahlukwana (2), iSisekamthetho esikhona siyasuswa indawo yaso ithathwe yiSisekamthetho esitsha.

(2) Ukuze kungabi lokuthandabuza, kuyabikwa ukuthi—

(a) isiSekamthetho esitsha siyamiswa ngelanga “lokwethulelwa uzulu” njengokuchasiswe kuhlelo Iwesithupha kulesoSisekamthetho, lokhu

- kutsho ukuthi, ngelanga lapho lo uMthetho usethulelwa uzulu encwadini ye*Gazette* kulandelwa isigaba 51(1) yeSisekamthetho esikhona; njalo
- (b) Kusukela ngelanga lokumiswa kwesiSekamthetho esitsha njengokucazwe kundima engaphezulu u (a), iSisekamthetho esikhona sizakwala silamandla njengalokho okunqunywe kuHlelo IweSithupha IweSisekamthetho esitsha.

UHLELO (ISIGABA 2)**ISISEKAMTHETHO SEZIMBABWE****UKUHLELWA KWEZIGABA**

Isendlalelo.

ISAHLUKO 1**IZIMISO EZIYINSIKA***Isigaba*

1. IRiphabliki.
2. Amandla eSisekamthetho.
3. Insika lezimiso eziliguzeSizwe.
4. Ifulegi yelizwe, Ingoma yeSizwe, Isidindo sikaHulumende loPhawu lukaHulumende.
5. Amazinga kaHulumende.
6. Izindimi.
7. Ukusakaza iSisekamthetho kuzulu.

ISAHLUKO 2**IZINHLOSO ZELIZWE**

8. Izinhloso ezikhokhela iSizwe lazo zonke izingatsha kanye labamela uHulumende.
9. Ukubusa kuhle.
10. Ukumanyana, ukuthula lokuhlaliseka elizweni.
11. Ukunanzwa kwamalungelo lezinkululeko eziyinsika.
12. Ukudlelana lamanye amazwe.
13. Ingqubelaphambili yelizwe.
14. Ukuphakanyiswa kukazulu lokudalwa kwemisebenzi.
15. Ukutholakala kokudla.
16. Amasiko.
17. Ukulinganiswa kobulili.
18. Ukumelwa kwezindawo okufaneleyo.
19. Abantwana.
20. Abatsha.
21. Impunga.
22. Abakhubazekileyo.
23. Abalweli bemi yenkululeko.
24. Imisebenzi kanye lezokuqhatswa.
25. Ukuvikeleka kwemuli.
26. Umtshado.
27. Imfundo.
28. Indawo yokuhlala.
29. Ezempilakahle.
30. Inhlalakahle kazulu.
31. Usizo kwezemithetho.

Isigaba

- 32. Imidlalo lezindawo zokuzilibazisa.
- 33. Ukulondolozwa kolwazi lomdabu.
- 34. Ukunanzwa kwemithetho yomhlaba.

ISAHLUKO 3

UBUZALWANE

- 35. Ukuba yisizalwane seZimbabwe.
- 36. Ukuba yisizalwane ngokuzalwa.
- 37. Ukuba yisizalwane ngosendo.
- 38. Ukuba yisizalwane ngokubhalisa.
- 39. Ukwemukwa ubuzalwane.
- 40. Ukugcina ubuzalwane lanxa umuntu setshadile kumbe eseqamule umtshado.
- 41. Ibhodi ebona ngezobuzalwane kanye lezokungena elizweni.
- 42. Amandla edale lePhalamende mayelana lezobuzalwane.
- 43. Ukuqhubeka lokuvuselewa kobuzalwane osebake babakhona.

ISAHLUKO 4

UMQULU WAMALUNGELO

ISAHLUKWANA 1

UKUSETSHENZISWA LOKUCHASISWA KWESAHLUKO 4

- 44. Umlandu wokuhlonipha amalungelo lezinkululeko eziyinsika.
- 45. Ukusetshenziswa kweSahluko 4.
- 46. Ukuchasiswa kweSahluko 4.
- 47. ISahluko 4 kasenqabeli ukunanzwa kwamanye amalungelo.

ISAHLUKWANA 2

AMALUNGELO AYINSIKA LEZINKULULEKO

- 48. Ilungelo lokuphila.
- 49. Ilungelo lenkululeko yomuntu.
- 50. Amalungelo abantu ababotshiweyo labavalelwego.
- 51. Ilungelo lokuba lesizotha njengomuntu.
- 52. Ilungelo lokuvikeleka komuntu.
- 53. Inkululeko ekuhlukunyezweni, ekujezisweni, ekuphathweni ngochuku kumbe ngendlela eyehlisa isithunzi.
- 54. Inkululeko ekuggilazweni kumbe ekwenziweni isichaka.
- 55. Inkululeko ekubanjweni ngamandla ukuthi usebenze.
- 56. Ukulingana lokungabandlululwa.
- 57. Ilungelo lokubawedwa.
- 58. Inkululeko yokubuthana lokuhlanganyela.
- 59. Inkululeko yokutshengisela lokunika izikhala.
- 60. Inkululeko yomzwangedwa.
- 61. Inkululeko yokuveza imibono lenkululeko yemisakazo.
- 62. Ukuthola imibiko.
- 63. Ulimi lamasiko.
- 64. Inkululeko yokudinga umsebenzi lokuqhatshwa.
- 65. Amalungelo abaqhatsheneyo.
- 66. Inkululeko yokuhamba leyokuhlala.

- 67. Amalungelo ezopolitiki.
- 68. Ilungelo lokuthethwa kwamacala.
- 69. Ilungelo lokuthonisiswa ngemfanelo.
- 70. Amalungelo abantu abetheswa imilandu.
- 71. Amalungelo aphathelane lempahla.
- 72. Amalungelo aphathelane lomhlabathi wezolimo.
- 73. Amalungelo aphathelane lemvelo.
- 74. Inkululeko yokungathuthiswa mahlayana endaweni.
- 75. Ilungelo lokufunda.
- 76. Ilungelo lokuthola impilakahle.
- 77. Ilungelo lokuthola ukudla lamanzi.
- 78. Amalungelo aphathelane lomtshado.

ISAHLUKWANA 3

UKUCACISWA KWAMANYE AMALUNGELO

- 79. Ukusetshenziswa kweSahlukwana 3.
- 80. Amalungelo esifazane.
- 81. Amalungelo abantwana.
- 82. Amalungelo asebekhulile.
- 83. Amalungelo abakhubazekileyo.
- 84. Amalungelo abalweli bempu yenkukuleko.

ISAHLUKWANA 4

UKUPHOQELELWA KWAMALUNGELO LEZINKULULEKO EZIYINSIKA

- 85. Ukuphoqeletwa kwamalungelo ayinsika lezinkululeko.

ISAHLUKWANA 5

IMINGCELE YAMALUNGELO AYINSIKA LEZINKULULEKO

- 86. Imingcele yamalungelo lezinkululeko.
- 87. Imingcele ngesikhathi uzulu ebhekane lomumo omanzonzo.

ISAHLUKO 5

IZIPHATHAMBUSO

ISAHLUKWANA 1

IGUNYA LEZIPHATHAMBUSO

- 88. Igunya leziphathambuso.

ISAHLUKWANA 2

UMONGAMELI LABASEKELI BAKAMONGAMELI

- 89. UMongameli.
- 90. Imisebenzi kaMongameli.
- 91. Okudingakalayo ukuze umuntu anelise ukuvotelwa njengoMongameli kumbe uMsekeli kaMongameli.
- 92. Ukvotelwa kukaMongameli labaSekeli bakaMongameli.

Isigaba

93. Ukuphikisa ukuvotelwa kukaMongameli.
94. Ukungena esikhundleni kukaMongameli labaSekeli bakaMongameli.
95. Isikhathi esibekiweyo sokuba sesikhundleni kukaMongameli labaSekeli bakaMongameli.
96. Ukuutshiya isikhundla kukaMongameli kumbe uMsekeli kaMongameli.
97. Ukususwa esikhundleni kukaMongameli kumbe uMsekeli kaMongameli.
98. Ukungathonisiswa kukaMongameli.
99. Imisebenzi yabaSekeli bakaMongameli.
100. Osaphethe isikhundla sikaMongameli.
101. Ukungenwa kwesikhundla sikaMongameli kumbe uMsekeli kaMongameli nxa angafa, angatshiya umsebenzi kumbe engasenelisi.
102. Iholo likaMongameli labaSekeli bakaMongameli.
103. UMongameli labaSekeli bakaMongameli kanyelasebake baphatha lezozikhundla abazukuphatha ezinye izihlalo loba ukuqhatshwa kweminye imisebenzi.

ISAHLUKWANA 3

OMPHATHINTAMBO, ABASEKELI BABOPHATHINTAMBO LEKHABHINETHI

104. Ukuqhatshwa kwaboMphathintambo labaSekeli baboMphathintambo.
105. IKhabhinethi.
106. Ukuziphatha kwabaSekeli bakaMongameli, oMphathintambo labaSekeli baboMphathintambo.
107. Umlandu wabaSekeli bakaMongameli, oMphathintambo labaSekeli baboMphathintambo.
108. Isikhathi esibekiweyo sokuba sesikhundleni kwaboMphathintambo labaSekeli baboMphathintambo.
109. Ivoti yokugumula uHulumende ongathembekanga.

ISAHLUKWANA 4

IMISEBENZI YEZIPHATHAMBUSO

110. Imisebenzi ebhekane loMongameli kanye leKhabhinethi.
111. Impi lokuthula.
112. Amandla okuxolela.
113. Izikhathi uzulu ebhekane lomumo omanzonzo.

ISAHLUKWANA 5

UGQWETHANHLOKO

114. UGqwethanhloko.
115. Ukususwa esikhundleni kukaGqwethanhloko.

ISAHLUKO 6

IZIBUMBAMTHETHO

ISAHLUKWANA 1

IGUNYA LESIBUMBAMTHETHO

116. IsiBumbamthetho.
117. Umhlobo lomkhawulo wamandla esiBumbamthetho.

ISAHLUKWANA 2

IDALE LEPHALAMENDE

Isigaba

- 118. Idale lePhalamende.
- 119. Umlandu wedale lePhalamende

ISAHLUKWANA 3

IDALE LESENETHI

- 120. Amalunga abumba idale leSenethi.
- 121. Okudingakalayo ukuze umuntu enelise kumbe engenelisi ukuvotelwa njengelunga ledale leSenethi.
- 122. UMongameli wedale leSenethi.
- 123. UMsekeli kaMongameli wedale leSenethi.

ISAHLUKWANA 4

INDLU YABAMELI

- 124. Amalunga abumba iNdlu YabaMeli.
- 125. Okudingakalayo ukuze umuntu enelise kumbe engenelisi ukuvotelwa eNdlini yabaMeli.
- 126. USomlomo weNdlu yabaMeli.
- 127. UMsekeli kaSomlomo weNdlu yabaMeli.

ISAHLUKWANA 5

ISIKHATHI ESIBEKIWEYO SOKUHLALA ESIKHUNDLENI KWAMALUNGA EDALE LEPHALAMENDE

- 128. Isifungo seLunga ledale lePhalamende
- 129. Isikhathi esibekiweyo sokuhlala esikhundleni kweLunga ledale lePhalamende.

ISAHLUKWANA 6

AMANDLA EZIBUMBAMTHETHO LAMANYE ATHILE

- 130. Amandla lemisebenzi yedale leSenethi kanye leNdlu yabaMeli.
- 131. IMithetho emiswe yiPhalamende lokuhutshwa kwayo ukuze igcwaliiseke.
- 132. Ukuqalisa ukusebenza kweMithetho emiswe yiPhalamende.
- 133. Ukubhalwa kweMithetho emiswe yiPhalamende.
- 134. UMthetho Osekelayo.

ISAHLUKWANA 7

UKUQHUTSHWA KOMSEBENZI EDALE LEPHALAMENDE

- 135. Inhloko yedale lePhalamende.
- 136. Abantu abakhokhela umsebenzi edale lePhalamende.
- 137. Inani lamalunga okumele abe khona ukuze umsebenzi uqhutshwe edale lePhalamende.
- 138. Ukuvota kanye lelungelo lokuzwakala edale lePhalamende.
- 139. IziLawulo ezimiyo.
- 140. Izethulo lemibiko kaMongameli kudale lePhalamende.
- 141. Ukufinyelela lokuphatheka kukazulu emisebenzini yedale lePhalamende.
- 142. Ukuba semthethweni kwengqubo zedale lePhalamende.

ISAHLUKWANA 8

ISIKHATHI ESIBEKIWEYO, UKUDILIZWA LOKUHLALWA KWEDALE LEPHALAMENDE

Isigaba

143. Isikhathi esibekiweyo lokudilizwa kwedale Phalamende.
144. UKhethojikelele oluqhutshwa ngemva kokudilizwa kwedale lePhalamende.
145. Ukuhlalwa kwakuqala kwedale lePhalamende ngemva koKhethojikelele.
146. Izikhathi zokuhlala lezokuthatha ikhefu.
147. Ukugoqwa kweMithetho ebrisakhandwa, iziphakamiso, izikhalazo lezinye izingqubo ekudilizweni kwedale lePhalamende.

ISAHLUKWANA 9

OKUNYE OKUPHATELANE LEDALE LEPEHALAMENDE

148. Izimfanelo lokuvikeleka emthethweni kwedale lePhalamende.
149. Ilungelo lokukhalaza kuPhalamende.
150. Lapho okungenelwa khona idale lePhalamende.
151. IKomithi yeMigomo leziLawulo eziMiyo.
152. IKomithi yezoMthetho edale lePhalamende.
153. Iholo likaMongameli wedale leSenethi, uSomlomo kanye lamaLunga edale lePhalamende.
154. UNobhala wedale lePhalamende lezinye izisebenzi.

ISAHLUKO 7

UKHETHO

ISAHLUKWANA 1

IZINDELA ZOKUQHUTSHWA KOKHETHO

155. Izimiso zendlela zokuqhuba uKhetho.
156. Ukuqhutshwa koKhetho lamavoti okudinga umbono kazulu.
157. UMthetho woKhetho.

ISAHLUKWANA 2

UKUBEKWA KWESIKHATHI SOKHETHO

158. Ukubekwa kwesikhathi soKhetho.
159. Ukuvotelwa ezikhundleni ezisele zingelabantu.

ISAHLUKWANA 3

UKUQUNYWA KWEMINGCELE YOKHETHO

160. Inani lezifunda lamawadi.
161. Ukuqunywa kwemingcele yoKhetho.

ISAHLUKO 8

IBUMBA LEZILAWULAMTHETHO LEMITHETHWANDABA

ISAHLUKWANA 1

IMITHETHWANDABA

162. Igunya leziLawulamthetho.
163. IBumba leziLawulamthetho.

Isigaba

164. Ukuzimela kweBumba leziLawulamthetho.
165. Izimiso ezihola iziLawulamthetho.
166. UMthethwandaba weSisekamthetho.
167. Umkhawulo woMthethwandaba weSisekamthetho.
168. UMthethwandaba oMkhulu.
169. Umkhawulo woMthethwandaba oMkhulu.
170. UMthethwandaba oPhezulu.
171. Umkhawulo woMthethwandaba oPhezulu.
172. UMthethwandaba wezeMisebenzi.
173. UMthethwandaba wezokuPhathwa Kwamandla.
174. Eminye iMithethwandaba lamaDale.
175. Amandla eMithethwandaba endabeni eziphathelane leSisekamthetho.
176. Amandla aqukethwe nguMthethwandaba weSisekamthetho, UMthethwandaba oMkhulu loMthetwandaba oPhezulu.

ISAHLUKWANA 2

UKUQHATSWA KWEZILAWULAMTHETHO LESIKHATHI ESIBEKIWEYO SOKUHLALA KWAZO
ESIKHUNDLENI

177. Okudingakalayo ukuze umuntu anelise ukuqhatshwa njengoMahluleli woMthethwandaba weSisekamthetho.
178. Okudingakalayo ukuze umuntu anelise ukuqhatshwa njengoMahluleli woMthethwandaba oMkhulu.
179. Okudingakalayo ukuze umuntu anelise ukuqhatshwa njengoMahluleli woMthethwandaba oPhezulu, uMthethwandaba wezeMisebenzi loMthethwandaba wezokuPhathwa Kwamandla.
180. Ukuqhatshwa kwaBehluleli.
181. Ukuqhatshwa kwabasamele amalunga eBumba leziLawulamthetho.
182. Ukuqhatshwa kwaboMantshi lamanye amalunga eBumba leziLawulamthetho.
183. IziLawulamthetho kazizukuqhatshelwa emithethwandaba eyedlula owodwa.
184. Ukuqhatshwa kweziLawulamthetho kumele kukhombise isimo somphakathi.
185. Isifungo sokuhatshwa.
186. Isikhathi esibekiweyo sokuhlala esikhundleni kwaBehluli.
187. Ukususwa kwaBehluli esikhundleni.
188. Izimiselo zomsebenzi lesikhathi esibekiweyo sokuhlala esikhundleni kwaBehluli.

ISAHLUKWANA 3

IKHOMISHINI YEMISEBENZI YEZILAWULAMTHETHO

189. Ukumiswa kanye lokubunjwa kweKomishini yemiSebenzi yeziLawulamthetho.
190. Imisebenzi yeKomishini yemiSebenzi yeziLawulamthetho.
191. Ukufanelo lokubamgceke kwezingqubo zemisebenzi yeKomishini yemiSebenzi yeziLawulamthetho.

ISAHLUKWANA 4

OKUNYE

192. UMthetho ozalawulwa.
193. Umkhawulo wamandla emithethwandaba emacaleni okwephula imithetho.

ISAHLUKO 9

IZIMISO ZOKUPHATHWA LOKUKHOKHELWA KWEMISEBENZI EPHATHELANE LOZULU

Isigaba

194. Okuqakathekiswayo kanye lezimiso ezihola ukuphathwa kwemisebenzi ephathelane lozulu.
195. Amabhizimus angaphansi kweSizwe.
196. Imilandu yezisebenzi zikazulu lezimiso zobukhokeli.
197. Izikhathi ezibekiwego zokuphatha izikhundla kwezinkokheli zezinhlanganiso ezingaphansi kukaHulumende.
198. Imitetho yokuphoqeleta iSahluko 9.

ISAHLUKO 10

IZISEBENZI ZIKAHULUMENDE

199. Ukusebenzela uHulumende.
200. Ukuziphatha kwezisebenzi zikaHulumende.
201. UMphathintambo okhangelane lezisebenzi zikaHulumende.
202. Ukumiswa kweKomishini yezisebenzi zikaHulumende.
203. Umsebenzi weKomishini yezisebenzi zikaHulumende.
204. Amanxusa eZwe labanye abakhulu abamela iZimbabwe.
205. OmaBhalane Abakhulu.

ISAHLUKO 11

IMISEBENZI YOKUVIKELA ILIZWE

ISAHLUKWANA 1

IZINDINGEKO

206. Ukuvikelwa kwelizwe.
207. Abavikela ilizwe.
208. Ukuziphatha kwabavikela ilizwe.
209. Inhlanganiso yokuvikelwa kwelizwe.
210. Indlela ezimeleyo yezikhala.

ISAHLUKWANA 2

IBUTHO LOMVIKELA

211. IButho loMvikela.
212. Imisebenzi yeButho loMvikela.
213. Ukuthunyelwa kwamaButho oMvikela.
214. Umlandu wezombusazwe ngokuthunyelwa kwamaButho oMvikela.
215. UMphathintambo okhangelane lamabutho okuvikelwa ilizwe.
216. Ukulawulwa kwamabutho omvikela.
217. Ukumiswa lokubunjwa kweKomishini yengatsha zamabutho omvikela.
218. Umsebenzi weKomishini yengatsha zamabutho omvikela.

ISAHLUKWANA 3

UGATSHA LWAMAPHOLISA

219. Ugatsha lwamapholisa lomsebenzi walo.
220. UMphathintambo wengatsha zamapholisa.
221. INdunankulu yamaPholisa.

Isigaba

222. Ukumiswa kweKomishini yemiSebenzi yamaPholisa.
 223. Umsebenzi weKomishini yemiSebenzi yamaPholisa.

ISAHLUKWANA 4

ABACUPHI

224. Ukumiswa kwengatsha zabacuphi,
 225. UMphathintambo okhangelane lengatsha zokucupha elizweni,
 226. Ukulawulwa lokuqondiswa kwengatsha zabacuphi elizweni,

ISAHLUKWANA 5

ABEZINTOLONGO LOKUQONDISWA KWEZIBOTSHWA

227. Ugatsha lwezintolongo lokuqondiswa kwezibotshwa lomsebenzi walo.
 228. UMphathintambo okhangelane lezinkantolo lokuqondiswa kwezibotshwa.
 229. UNdunankulu wogatsha lwezintolongo lokuqondisa izibotshwa.
 230. Ukumiswa kweKomishini yogatsha lwezintolongo lokuqondiswa kwezibotshwa.
 231. Umsebenzi weKomishini yogatsha lwezintolongo lokuqondiswa kwezibotshwa.

ISAHLUKO 12

AMAKOMISHINI AZIMELE WODWA ASEKELA UMBUSO KAZULU

ISAHLUKWANA 1

IZIMISO-JIKELELE

232. AmaKomishini azimele wodwa.
 233. Izinhloso zamaKomishini azimele wodwa.
 234. Izisebenzi zamaKomishini azimele wodwa.
 235. Inkululeko yamaKomishini.
 236. Amalunga amaKomishini azimele wodwa kumele angabi lebandla lombusazwe alisekelayo.
 237. Ukuqhatshwa lokususwa esikhundleni kwamalunga amaKomishini azimele wodwa

ISAHLUKWANA 2

IKOMISHINI EBONA NGEZOKHETHO EZIMBABWE

238. Ukubunjwa lokuqoqwa kweKomishini ebona ngezoKhetho eZimbabwe.
 239. Imisebenzi yeKomithi ebona ngezoKhetho eZimbabwe.
 240. Ukugunyulwa kuKomishini ebona ngezoKhetho eZimbabwe.
 241. IKomishini ebona ngezoKhetho eZimbabwe kumele yazise mayelana loKhetho, kugoqela olokudinga umbono kazulu.

ISAHLUKWANA 3

IKOMISHINI EBONA NGEZAMALUNGELO OLUNTU EZIMBABWE

242. Ukubunjwa lokuqoqwa kweKomishini ebona ngezaMalungelo Oluntu eZimbabwe.
 243. Imisebenzi yeKomishini ebona ngezaMalungelo Oluntu eZimbabwe.
 244. Imibiko eya kumbe evela kuKomishini yezaMalungelo Oluntu eZimbabwe.

ISAHLUKWANA 4

IKOMISHINI EBONA NGEZOBULILI EZIMBABWE

Isigaba

- 245. Ukubunjwa lokuqoqwa kweKomishini ebona ngezoBulili eZimbabwe.
- 246. Imisebenzi yeKomishini ebona ngezoBulili eZimbabwe.
- 247. Imibiko ehalwa yiKomishini ebona ngezoBulili eZimbabwe.

ISAHLUKWANA 5

IKOMISHINI EBONA NGEZOKUKHITSHWA KWEMIBIKO EZIMBABWE

- 248. Ukubunjwa lokuqoqwa kweKomishini ebona ngezokuKhitshwa kwemiBiko eZimbabwe.
- 249. Imisebenzi yeKomishini ebona ngezokuKhitshwa kwemiBiko eZimbabwe.
- 250. Imibiko yeKomishini yezokuKhitshwa kwemiBiko.

ISAHLUKWANA 6

IKOMISHINI EBONA NGEZOKUTHULA LOKUKHUMISANA UMLOTHA EZIMBABWE

- 251. Ukubunjwa lokuqoqwa kweKomishini ebona ngezokuThula lokuKhumisana Umlotha eZimbabwe.
- 252. Imisebenzi yeKomishini ebona ngezokuThula lokuKhumisana Umlotha elizweni.
- 253. Imibiko yeKomishini ebona ngezokuThula lokuKhumisana Umlotha.

ISAHLUKO 13

IZINHLANGANISO ZOKULWISA UBUGWELEGWELE LAMACALA

ISAHLUKWANA 1

IKOMISHINI YEZIMBAMBWE ELWISA UBUGWELEGWELE

- 254. Ukuma lokubunjwa kweKomishini yeZimbabwe elwisa ubugwelegwele.
- 255. Imisebenzi yeKomishini eLwisa ubuGwelegwele yeZimbabwe.
- 256. Ukusetshenziswa kwezinye izimiso zikaSahluko 12 kuKomishini eLwisa ubuGwelegwele yeZimbabwe.
- 257. Imibiko yeKomishini eLwisa ubuGwelegwele yeZimbabwe.

ISAHLUKWANA 2

ITHIMBA ELILAWULA EZOKUTSHUTSHISA

- 258. Ukumiswa lemisebenzi yeQula labaLawuli bokuTshutshisa.
- 259. UMtshutshisi-Jikelele lezinye iziphathamandla.
- 260. Ukuzimela kukaMtshutshisi-omKhulu wamaPholisa.
- 261. Ukuziphatha kweziphathamandla zeQula labaLawuli bokuTshutshisa.
- 262. UMtshutshisi-Jikelele uzakwethula kanye ngomnyaka umbiko edale lePhalamende.
- 263. Amanye amandla okutshutshisa.

ISAHLUKO 14

UHULUMENDE WEZABELO LEZIFUNDA

Isendlalelo.

ISAHLUKWANA 1

ISIQALO

Isigaba

- 264. Ukwabiwa kwamandla ombuso kanye lemilandu yombuso.
- 265. Imigomo jikelele yokubuswa kwezabelo lezifunda.
- 266. Ukuziphatha kwezisebenzi zikahulumende wezabelo lowezifunda.

ISAHLUKWANA 2

AMAKHANSILI EZABELO LAWAMADOLOBHO AMAKHULU

- 267. Izabelo lezifunda zeZimbabwe.
- 268. Amakhansili ezabelo.
- 269. Amakhansili amadolobho amakhulu.
- 270. Imisebenzi yamakhansili ezabelo lawamadolobho amakhulu.
- 271. Amakhomithi amakhansili ezabelo.
- 272. Omgcinisihlalo bamakhansili ezabelo.
- 273. Izimiso-jikelele ezipathelane lamakhansili ezabelo lawamadolobho amakhulu.

ISAHLUKWANA 3

UHULUMENDE WEZABELO

- 274. Uhulumende wezabelo ezsemandolobheni.
- 275. Uhulumende wezabelo emaphandleni.
- 276. Imisebenzi yabohulumende bezabelo.
- 277. Ukuvotelwa kubohulumende bezabelo.
- 278. Isikhathi esibekiweyo sokuphatha isikhundla kwamalunga abohulumende bezabelo.
- 279. Okumele kulandelwe ngohulumende bezabelo.

ISAHLUKO 15

INKOKHELI ZOMDABU

- 280. Ubukhokheli bomdabu.
- 281. Izimiso okumele zilandelwe zinkokheli zomdabu.
- 282. Imisebenzi yenkokheli zomdabu.
- 283. Ukuqhatshwa lokususwa esikhundleni kwenkokheli zomdabu.
- 284. Umholo kanye lenzozo zenkokheli zomdabu.
- 285. IKhansili yelizwe lamadale ezabelo eziNduna.
- 286. Imisebenzi yeKhansili yeLizwe lamadale ezabelo eziNduna.
- 287. IKomithi ebona ngokuziphatha ngobuntu kanye langokwethembeka.

ISAHLUKO 16

UMHLABATHI WEZOKULIMA

- 288. Ukuchasiswa kweSahluko 16.
- 289. Izimiso eziqondisa imigomo mayelana lomhlabathi wezolimo.
- 290. Ukuqhubeka kwamalungelo eSizwe emhlabathini wokulima.
- 291. Ukuqhubeka kwamalungelo abahlali bomhlabathi wokulima.

Isigaba

- 292. Ukuvikeleka kwemvumo yokuhlala kwalabo abasemhlabathini wokulima.
- 293. Ukudluliselwa komhlabathi yiSizwe komunye umuntu.
- 294. Ukudluliselwa komhlabathi wokulima komunye ngabaniniwo kumbe ngabantu abahlala khona.
- 295. Ukuhlawulelwa komhlabathi wokulima osewake wathathwa yiSizwe.
- 296. Ukubunjwa lamalunga okumele angene kuKomishini yezoMhlabathi yeZimbabwe.
- 297. Imisebenzi yeKomishini yezoMhlabathi yeZimbabwe.

ISAHLUKO 17

EZEMALI

ISAHLUKWANA 1

UKUPHATHWA KWEMALI

- 298. Izimiso zokuphathwa kwemali kazulu.
- 299. Amandla ePhalamende okucubungula ukuhanjisa kwezimali zeSizwe ezingenayo leziphumayo.
- 300. Umkhawulo wezikwelede zeSizwe, isikwelede sikazulu leziqiniseloz Sizwe.
- 301. Ukwabiwa kwezimali phakathi kukaHulumende wezabelo lamazinga ehlukeneyo kahulumende wezigaba.

ISAHLUKWANA 2

ISIKHWAMA ESIQOQIWEYO SELIZWE

- 302. Isikhwama esiqoqiweyo selizwe.
- 303. Ukuthathwa kwemali esikhwameni esiqoqiweyo selizwe.
- 304. Izimbadalo ezihlawuliswa isikhwama esiqoqiweyo selizwe.

ISAHLUKWANA 3

UKUVUNYELWA KOKUSETSHENZISWA KWEMALI YESIKHWAMA ESIQOQIWEYO SELIZWE

- 305. Ukwabiwa kwemali yesikhwama esiqoqiweyo selizwe.
- 306. Imvumo yokusebenzisa imali phambilini kokuyabelwa.
- 307. Ukusetshenziswa kwemali ngaphandle kwemvumo.

ISAHLUKWANA 4

UKUGCINAKALA KWEZIMALI LEZIMPAHLA ZIKAZULU

- 308. Imisebenzi yabagcina imali lempahla kazulu.

ISAHLUKWANA 5

U-ODITHA-JIKELELE

- 309. U-Oditha-Jikelele lemisebenzi yakhe.
- 310. Ukuqhatshwa kukaOditha-Jikelele.
- 311. Inkululeko kaOditha-Jikelele.
- 312. Iholo likaOditha-Jikelele.
- 313. Ukususwa kukaOditha-Jikelele esikhundleni.
- 314. Izisebenzi zikaOditha-Jikelele.

ISAHLUKWANA 6

OKUNYE

Isigaba

- 315. Ukuthengwa kwempahla kaHulumende lamanye amakontilaka kaHulumende.
- 316. Ukuphathwa kwezinhlanganiso ezimiswe okusemthethweni.
- 317. IBhangha Elikhulu leZimbabwe.

ISAHLUKO 18

IMITHETHO NJE LEMITHETHO YOKUGCIZELELA

ISAHLUKWANA 1

EMINYE IMITHETHO EPHATHELANE LAMAKOMISHINI

- 318. Ukusetshenziswa kweSahlukwana 1.
- 319. AmaKomishini azakuba yimizimba ephilayo phambi komthetho.
- 320. Ukuba lilunga leKomishini kanye lenzozo zamalunga.
- 321. Imisebenzi lendlela zokwenza umsebenzi zamaKomishini.
- 322. Indleko zamaKomishini.
- 323. AmaKomishini kumele abike edale lePhalamende kanye ngomnyaka.

ISAHLUKWANA 2

OKUNYE NJE

- 324. Ukwenza ngokugcweleyo langonanzelelo imilandu ebekwa yiSisekamthetho.
- 325. Indleko zenhlanganiso ezimiswa ngeSisekamthetho kanye lezinye inhlanganiso.
- 326. Umthetho womhlaba oyeyame emasikweni.
- 327. Izivumelwano lamazwe omhlaba, izivumelwano ezenziwe ngokusemthethweni
Kanye lezivumelwano ezingumthetho.
- 328. Inguquko kuSisekamthetho.
- 329. Ukuqala ukusebenza kweSisekamthetho, imithetho yaphakathi kwesikhathi
lemithetho engasoze isebenze.

ISAHLUKWANA 3

UKUCHASISWA

- 330. Ukusetshenziswa kweSahlukwana 3.
- 331. Izimiso zokuchasisa iSisekamthetho.
- 332. Izingcazel.
- 333. Lapho okukhulunywa ngeZahluko, Izigaba, lokunye.
- 334. Amagama asebunyen'i agoqela ubunengi kanjalo lasebunengini agoqela
asebunyen'i.
- 335. Uluhlu lezihloko.
- 336. Lapho okukhulunywa ngezikkhathi.
- 337. Lapho okukhulunywa ngeziphathamahofisi.
- 338. Lapho okukhulunywa ngePhalamende.
- 339. Inkuthazo lokuxoxisana ngosizo.
- 340. Ukuqhatshwa.
- 341. Ukutshiya isikhundla.
- 342. Ukwenza umsebenzi, lokunye.
- 343. Nxa umuntu ethathwa njengokuthi kaphathanga isikhundla sikaHulumende.
- 344. Inani lomalunga adingeka ukuze izinqumo zibe semthethweni Kanye lempumela
yezikhexe kunhlanganiso ezibunjwe ngaphansi kweSisekamthetho.
- 345. Ukungavumelani phakathi kwemibhalo ehlukeneyo yeSisekamthetho.

UHLELO LWAKUQALA: iFulegi yelizwe, iNgoma yesizwe, uPhawu lukahulumende lesidindo sikahulumende.

UHLELO LWESIBILI: umkhawulo wamalungelo ngesikhathi kulesimo esimanzonzo.

UHLELO LWESITHATHU: Izifungo lokuvuma.

UHLELO LWESINE: Indingeko zabavoti.

UHLELO LWESIHLANU: iziqondiso eziphathelane lemitetho engakethulwa kanye lezinye izinto edale lePhalamende.

UHLELO LWESITHUPHA: ukuqala ukusebenza kwalesiSisekamthetho, imithetho yaphakathi kwasikhathi lemitetho engasasebenziyo.

ISENDLALELO

Thina abantu beZimbabwe,

Simanyaniswe ekwahlukeni kwethu yikulangazelela kwethu inkululeko, ukulinganiswa emthethweni lempeleni, kanye lobuqhawe bethu ekulwiseni umbuso wabacindezeli, inkethabetshabi layo yonke imihlobo yokubusa ngamandla langocindezelo,

Sibabaza njalo siziqhenya ngesibindi samadoda labafazi abanikela impilo yabo ngesikhathi sempi yeMfazo kanye lempi yenkululeko,

Sihlonipha okhokho bethu lezinye izizalwane ezasebenza gadalala ukuze ilizwe lethu liphumelele,

Sinanza ukuqakatheka kokuba siqinise umbuso kazulu, umbuso omuhle, obalulekileyo, omgceke, lokubusa ngomthetho,

Siqinisa njalo ukuzimisela kwethu ekunanzeni lekuvikeleni amalungelo abantu lezinkululeko eziyinsika,

Sisamukela inotho equkethwe yimvelo yethu,

Sijabulela ubugagu bemikhuba lamasiko ethu,

Sijongise ukuqedza zonke izinhlupho lemigoqo ephazamisa impumelelo yethu,

Sithakazelela inkululeko, ukulingana, ukuthula, ukulinganiswa emthethweni, ukubekezela, ukuphumelela kanye lokuziqhenya ngelizwe lethu lapho sidinga ukuzelula sisenaba njengesizwe ngambono munye,

Sisamukela ubukhulu bukaMlimu onguSomandla, yena onguye ophethe ikusasa lethu ngesakhe isandla,

Siyabophpha ngokuqukethwe kulesi Sisekamthetho ukuthi sizinikele ekwakheni isizwe esimanyeneyo, esidalelw eziqwini zokukhanya, ukulingana, inkululeko, ukwahlulela okulungileyo, ukuthembeka kanye lesizotha sokusebenza nzima,

Njalo, ekuceleni ukukhokhelwa langokuphathiswa nguMlimu uSomandla, sibumba lesi Sisekamthetho sibuye sizimisele ngaphansi kwaso njengoMthetho oyinsika welizwe lethu esilithandayo.

ISAHLUKO 1

INSIKA YELIZWE

1 IRiphabliki

IZimbabwe yiriphabliki eyimbumba, elombuso kazulu njalo ezibusayo.

2 Ubukhulu beSisekamthetho

(1) Lesi Sisekamthetho yiso Umthetho ophezu kwayo yonke kweleZimbabwe njalo kungaba yiuphi omunye umthetho, ingqubo, umkhuba loba ukwenza okungahambelani laso akukho emthethweni nxa kukhangelwe lokho okungahambelani leSisekamthetho.

(2) Zonke izibopho ezbekwe yilesi Sisekamthetho zibopha wonke umuntu, ophilayo kumbe inhlanganiso ephathwa ngumthetho njengomuntu, kugoqela uHulumende leziPhathambuso, iziBumbamthetho kanye lezinhlanganiso zonke zeziLawulamthetho labameli bakaHulumende kumabanga wonke, njalo kumele zigcwaliswe yibo.

3 Insika lezimiso eziligu gu okwakhelwe khona iSizwe

(1) IZimbabwe yakhelwe phezu kwenhlonipho yensika lezimiso eziligu gu ezilandelayo—

- (a) ubukhulu beSisekamthetho;
- (b) ukubusa ngomthetho;
- (c) amalungelo lenkululeko eziyinsika;
- (d) imikhuba lamasiko, ubuntu kanye lezinkolo zelizwe ezitshiyatshiyeneyo;
- (e) ukunanzwa kwesizotha lokuqakatheka okuqukethwe ngumuntu munye ngamunye;
- (f) ukunanzwa kokulingana kwabantu bonke;
- (g) ukulinganiswa kobulili;
- (h) umbuso omuhle; njalo
- (i) Ukunanzwa kanye lokuhlonitshwa kwempi yenkululeko.

(2) Izimiso zombuso omuhle, eziyizo ezbopha iSizwe kanye lezinhlanganiso zonke labameli bakaHulumende kumabanga wonke, zigoqela—

- (a) ezombusazwe ezivumela amabandla ehlukeneoyo ukuphatheka ekubunjweni kombuso oqotho;
- (b) ezokhetho ezimiselwe phezu—
 - (i) kokunika wonke umuntu omdala amandla okuvota lokulinganiswa ekuvoteni jikelele;
 - (ii) kokuqhutshwa kokhetho olukhululekileyo, olumsulwa njalo olubuya ngemva kwesikhathi esihleliweyo;
 - (iii) kokumelwa kukazulu ovotayo okufaneleyo;
- (c) kokutshiyelwana kwamandla okuhlelekileyo ngemva kokhetho;
- (d) kokuhlonitshwa kwamalungelo amabandla wonke ezombusazwe;
- (e) kokunanzwa kwesimiso sezokwahlukaniselwa kwamandla;
- (f) kwenhlonipho okumele iphiwe abantu beZimbabwe, abayibona sisusa samandla okubusa;

- (g) kokukhanya, ukulinganiswa emthethweni lokunika izimpendulo ezisuthisayo;
- (h) kokudalwa komanyano, ukuthula lokuhlaliseka elizweni, kunanzwa ukutshiyatshiyana kwezindimi, imikhuba lamasiko.
- (i) kokunanzwa kwamalungelo—
 - (i) amaqembu atshiyeneyo awosendo, umbala, amasiko, indimi lawokholo;
 - (ii) abantu abagogekileyo;
 - (iii) awabantu besifazana, asebegugile, intsha labantwana;
 - (iv) awamaqhawe empi yenkululeko;
- (j) kokwabelana izingcebo zesizwe ngendlela efaneleyo, kubaliselwa lomhlabathi;
- (k) kokuhlonitshwa kwamalungelo wonke aphathelane lomuntu;
- (l) kokwahlukaniselana kwamandla ombuso eziqintini ezitshiyeneyo lokusabalalisa kwamawofisi aphatha imisebenzi kaHulumende.

4 Ifulegi yelizwe, Ingoma yeSizwe, Isidindo sikaHulumende loPhawu lukaHulumende

IZimbabwe ilefulegi yelizwe, ingoma yeSizwe, Isidindo sikaHulumende loPhawu lukaHulumende, okubalulwe konke kuHlelo lwakuqala.

5 Amazinga kaHulumende

Amazinga kahulumende eZimbabwe agoqela la—

- (a) uHulumende welizwe;
- (b) amaKhansili ezabelo lawamadolobho amakhulu;
- (c) lamaKhansili amancane, okutsho ukuthi—
 - (i) amaKhansili emadolobheni, angabizwa yiloba yiliphi ibizo, amela kanye lokuhola inhlalo yabantu emadolobheni; ndawonye
 - (ii) lamaKhansili emaphandleni, angabizwa yiloba yiliphi ibizo, amela kanye lokuhola inhlalo yabantu emaphandleni asezifundeni ezibumba izabelo.

6 Izindimi

(1) Izindimi ezilandelayo, ezithi Chewa, ChiBarwe, English, Kalanga, Koisan, Nambya, Ndau, Ndebele, Tshangani, Shona, Sign Language, Sotho, Tonga, Tswana, Venda lesiXhosa, yizo ezinanzwa ngokusemthethweni njengendimi zeZimbabwe.

(2) UMthetho omiswe yiPhalamende ungaba lakho ukwethula ezinye izindimi njengendimi ezinanzwa okusemthethweni njalo ungethula izindimi okumele zisetshenziswe ukubhala okwenzakeleyo ezindaweni ezibekiweyo.

(3) UHulumende lezingatsha zonke zikaHulumende kanye labameli bakaHulumende emabangeni wonke kumele—

- (a) Babone ukuthi zonke izindimi ezinanzwa okusemthethweni ziyaliganiswa; lokuthi
- (b) Bananzelele izifiso zabantu abathintwa ngamanyathelo kumbe imibiko ekhutshwa nguHulumende mayelana lezindimi abafuna ukuzisebenzisa.

(4) uHulumende kumele akhuthaze njalo aqinise ukusetshenzisa kwezindimi zonke ezikhulunya eZimbabwe, sihlanganisela iSayini, njalo kumele adale umumo ovumela ukuthuthuka kwalezo ndimi.

7 Ukusakazwa kolwazi ngeSisekamthetho kuzulu

UHulumende kumele anelisele ukusabalalisa kolwazi ngalesi Sisekamthetho kuzulu, ethatha ikakhulu amanyathelo alandelayo—

- (a) Ukusitolikela sifakwa ezindimini zonke ezinanzwa yiSizwe okusemthethweni lokusifinyelelisa ezindaweni ezsabalale ilizwe lonke nxa kusaneliseka;
- (b) Ukubophela ukuthi lesi Sisekamthetho sifundiswe ezikolo njengengxenye yezifundo zabantwana lezamalunga ezomvikela, izisebenzi zikaHulumende lamalunga kanye lezisebenzi zezingatsha ezisebenzela uzulu; kanye
- (c) Lokukhuthaza wonke umuntu kanye lezinhlanganiso, ezibalisela lezo ezisebenzelana lozulu, ukuthi zisabalalise ulwazi mayelana lalesi Sisekamthetho kuzulu wonke jikelele.

ISAHLUKO 2

IZINHLOSO ZELIZWE

8 Izinhloso zokukhokhela isizwe lazo zonke izingatsha kanye labameli bakaHulumende

(1) Izinhloso eziphawulwe kulesisahluko zikhokhela isizwe lezingatsha zikaHulumende zonke labameli bakahulumende kusigaba sinye ngasinye ekubumbeni lekusebenziseni imithetho lezinqumo zezimiso ezizakhokhelela ekumisweni, lekuphakamisweni komphakathi osekelekayo, olokulunga, okhululekileyo lapho abantu abaphila khona impilo elenjabulo lesuthisayo.

(2) Kumele kube lokunanzwa kwezinhloso eziphawulwe kulesisahluko nxa kuhunyutshwa imilandu yesizwe ngaphansi kwalesi Sisekamthetho ingqe lakuwuphi umthetho.

9 Ukubusa kuhle

(1) Isizwe kumele sithathe njalo sisebenzise izimiso lokubekwa kwemithetho yokuthuthukisa ukusebenza kuhle, ukwenelisa, ukwenelisa ukuchaza ngengqubo, ukubamgceke, ukuthembeka komuntu lokulunga kwezezimali—

- (a) ukuqhatshelwa esikhundleni esiphathelane lozulu kumele kwensiwe kugxilwe onhlozini lolwazi umuntu alalo kuqala;
- (b) kumele kuthathwe amanyathela awokuveza, awokulwisana kanye lawokususa yonke imihlobo yenohlakalo lokungaphathwa kuhle kwamandla yilabo abaphethe izikhundla zombusazwe kanye lezikhundla eziphathelane lozulu.

(2) Isizwe kumele sibone ukuthi zonke izingatsha zikhulumende labameli bakahulumende kusigaba sinye ngasinye, ikakhulu amaKomishini lamanye amaqembu amiswe yilesi Sisekamthetho loba ngaphansi kwalesi Sisekamthetho, ayaphiwa izimpahla ezaneleyo lezinto zokusebenzisa ezizawenza anelise ukwenza imisebenzi yawo ngokunenzelela, ngokumgceke, ngokwethembeka njalo kakuhle.

10 Ukumanyana kwelizwe, ukuthula lokuhlaliseka

Ilizwe kanye lomuntu munye ngamunye, kugoqela inhlanganiso ezipathwa ngumthetho njengabantu logatsha lunye ngalunye labameli bakahulumende kusigaba sinye ngasinye, kumele baphakamise ukumanyana kwesizwe, ukuthula kanye lokuhlaliseka.

11 Ukunanzwa kwamalungelo ayinsika lezinkululeko eziyinsika

Ilizwe kumele lithathe wonke amanyathela ekuvikeleni amalungelo ayinsika lezinkululeko eziyinsika ezikusahluko sesine kanye lokuphakamisa ukunanzwa ngokupheleyo lokugcwaliseka kwazo.

12 Isiqondiso somthetho wangaphandle kwelizwe

(1) Isiqondiso somthetho wangaphandle kwelizwe eseZimbabwe kumele sigxile ekulandeleni izimiso ezilandelayo—

- (a) ukuphakanyiswa lokuvikelwa kwezindingeko zesizwe seZimbabwe;
- (b) ukuhlonitshwa komthetho wamazwe omhlaba;
- (c) ukuphilisana ngokuthula lamanye amazwe; kanye
- (d) lokulungisisa ingxabano zamazwe omhlaba ngezindlela ezilokuthula.

(2) Isizwe kumele siphakamise ukuhlangana lokuxubana kwezamasiko, kwezezimali lakwezombusazwe okwakulelilizwe kanye lalokho okusekela iAfrica.

13 Ingqubelaphambili yelizwe

(1) Ilizwe lazo zonke izingatsha zikahulumende labameli bakaHulumende kusigaba sinye ngasinye kumele lizame ukupathisa ukuthi kube lentuthuko ngokuphangisa njalo elungileyo, njalo khona kanye sibili kumele lithathe amanyathela oku—

- (a) sekela ukuzenzela lokuzimela;
- (b) ukukhulisa intuthuko kwezokulima lokufuya,kwezokuthengiselana, kwezemisebenzi,kwezolwazi lwezemitshina kanye lesayensi;
- (c) Ukukhulisa intuthuko yezinqgubo kwezemisebenzi lokuthengiselana ngenjongo yokupha amandla kuzizalwane zeZimbabwe; kanye
- (d) lokuletha intuthuko elokulingana yezindawo ezitshiyeneyo zeZimbabwe, khona kanye sibili ukulingana okufaneleyo ekuthuthukisweni kwezindawo zemaphandleni lezemadolobheni.

(2) Amanyathela okukhulunywa ngawo kulesisigaba kumele abelokuphatheka kwabantu abayibo abathinthekayo ekubunjweni lasekufakweni kwamacebo entuthuko lezinhlelo ezibantithayo bona.

(3) Amanyathela okukhulunywa ngawo kulesisigaba kumele avikele njalo akhuphule ilungelo labantu, ikakhulu abesifazana, ekutholeni amathuba alinganayo entuthukweni.

(4) Isizwe kumele sibeleiniso lokuthi izakhamuzi zakuleyondawo ziyathola inzuzo evela ezimpahleni ezitholakala endaweni yazo.

14 Ukuphiwa amandla lokudalwa kwemisebenzi

(1) Isizwe lezingatsha zikahulumende zonke labameli bakahulumende kusigaba sinye ngasinye kumele bazame ukupathisa lokuthatha amanyathela okupha amandla,

ngezindlela zokuvumelana ezifaneleyo, ezimgecke, ezingelakubandlulula ezilungileyo bonke abantu ababandluliliwego, amaqembu kanye labantu bezindawo zeZimbabwe.

(2) Ngazo zonke izikhathi Isizwe kanye lezingatsha zikahulumende zonke labameli bakahulumende kusigaba sinye ngasinye kumele babone ukuthi amanyathelo afaneleyo njalo eyeneleyo ayenziwa ukuze kudalwe imisebenzi, yabantu bonke beZimbabwe, ikakhulu abesifazana labantu abatsha.

15 Ukutholakala kokudla

Isizwe kumele—

- (a) sikhuthaze abantu ukuthi balime njalo bagcine ukudla okweneleyo;
- (b) sidinge ukumiswa kwezindawo ezaneleyo zokugcinela ukudla; njalo
- (c) Sikhuthaze kanye lokuphakamisa ukudla okwakha umzimba okwaneleyo njalo okufaneleyo ngokufundisa uzulu kanye langezinye izindlela ezifaneleyo.

16 Amasiko

(1) Isizwe lazo zonke izingatsha zikaHulumende labameli bakaHulumende kusigaba sinye ngasinye kumele siphakamise njalo silondoloze amasiko lemikhuba ekhuphula isizotha, Ubuntu kanye lokulingana kwabantu beZimbabwe.

(2) Isizwe lazo zonke izingatsha zikaHulumende labameli bakaHulumende kusigaba sinye ngasinye, lezizalwane zonke zeZimbabwe, kumele sizame ukulondoloza lokuvikela ilifa leZimbabwe.

(3) Isizwe lazo zonke izingatsha zikaHulumende labameli bakaHulumende kusigaba sinye ngasinye, kumele bathathe amanyathelo okubona ukuthi isithunzi sezingatsha zomdabu siphwa inhlonipho esifaneleyo.

17 Ukulingana kobulili

(1) Isizwe kumele Sisekele ukulingana okugcweleyo kobulili emphakathini weZimbabwe, njalo khona kanye sibili—

- (a) isizwe kumele Sisekele ukuphatheka kwabesifazana ngokugcweleyo kuzo zonke izigaba zomphakathi weZimbabwe kugxile ekulinganeni labesilisa;
- (b) isizwe kumele sithathe wonke amanyathelo, kugoqela awokwenza imithetho, adingakala ekuboneni ukuthi—
 - (i) bonke ubulili bumelwe ngokulinganayo kuzo zonke izingatsha lakubameli bakaHulumende kusigaba sinye ngasinye; njalo
 - (ii) abesifazana bayisilinganiso esingaba yingxenyemalunga ayo yonke imisebenzi leminye evotelwayo lekhethelwayo eyezinhlanganiso zikaHulumende emisiwego loba engaphansi kweSisekamthetho lesi loba uhlamuwe lwePhalamende; njalo
- (c) isizwe lazo zonke izingatsha zikaHulumende labameli bakaHulumende kusigaba sinye ngasinye, kumele sithathe amanyathela asebenzayo okubona ukuthi abesifazana finyelelabayafinyelela izimpahla, ezigoqela umhlabathi, kugxile ekulinganeni labesilisa.

(2) Isizwe kumele sithathe amanyathela alusizo okuqondisa ubandlululo ngobulili kanye lokungalingani okwadalwa yimikhuba lezimiso zendulo.

18 Ukumelwa okulinganayo ezindaweni zelizwe

(1) Isizwe kumele siphakamise ukumelwa okufaneleyo kwezindawo zonke zelizwe leZimbabwe kuzingatsha zonke lakubameli bakaHulumende kusigaba sinye ngasinye.

(2) Isizwe lazo zonke izingatsha zikaHulumende labameli bakaHulumende kusigaba sinye ngasinye, kumele sithathe amanyathela asebenzayo okubona ukuthi zonke izindawo ezihlala abantu zifinylela ngokufaneleyo izimpahla zokuphakamisa intuthuko yazo.

19 Abantwana

(1) Isizwe kumele sisebenzise izimiso lamanyathela okubona ukuthi ezindabeni eziphathelane labantwana, izinto ezisiza bona abantwana zibekwa phambili.

(2) Isizwe kumele sisebenzise izimiso lamanyathela alomqondo, angeneliswa zimpahla esilazo, ekuboneni ukuthi abantwana—

- (a) bayathola ukunakakelwa yimuli loba ngabazali, loba ukunakakelwa okufaneleyo nxa besuswe lapho okuhlala khona imuli;
- (b) babelendawo yokuhlala kanye lokudla okwakha umzimba, ukunakakelwa kwempilakahle, kanye lokutholisa okufaneleyo kwezenhlalo;
- (c) bavikelekile ekuphathweni kubi, ekunganakakelweni loba kwezinye izindlela zobudlwangudlwangu; njalo
- (d) bafinylele imfundo efaneleyo lokuqegetshiswa.

(3) Isizwe kumele sithathe amanyathelo afaneleyo wokwenza imithetho lamanye amanyathelo—

- (a) okuvikela abantwana emikhuben'i yemisebenzi ehlukumezayo; njalo
- (b) okubona ukuthi abantwana kakudingakali loba abavunyelwa ukuthi basebenze loba benze imisebenzi—
 - (i) engafanelanga iminyaka yobudala babantwana; loba
 - (ii) efaka impilo yabantwana engozini, ekuthuthukeni emfundweni, emzimbeni loba kumpilakahle yengqondo loba ezomoya, ekuziphathe ni loba kwezenhlalo.

20 Abatsha

(1) Isizwe lezingatsha zonke zikaHulumende labameli bakaHulumende kusigaba sinye ngasinye kumele sithathe amanyathelo alomqondo kugoqela izinhlelo zokuvumelana, ukuze kubonakale ukuthi abatsha, kusitsho abantu abalemnyaka yokuzalwa ephakathi kwetshumi lanhlanu kusiya kumatshumi amathathu lanhlanu—

- (a) bafinylele imfundo lokuqegetshiswa okufaneleyo;
- (b) babelmathuba okuhlanganyela lokumelwa kanye lokuphatheka kwezombusazwe, kwezenhlalo, kwezezezimali lakwezinye inhlangothi zempilo;
- (c) batholiswe amathuba okuqhatshwa lezinye izindlela zokuthola amandla kwezezimali;
- (d) bathole amathuba okwenza izinto zokuzilibazisa njalo bafinylele izinto ezidingakalayo ekuzilibaziseni; njalo
- (e) bavikelwe emikhuben'i yesintu elimazayo, ekuhlukuluzweni lakuyo yonke imihlobo yobudlwangudlwangu.

(2) Isicaphuno sePhalamende singaba lohlelo Iwesizwe lwabatsha olulodwa loba izinhlelo ezidlula lapho.

(3) Amanyathelo lezinhlelo eziqanjwe kusigatshana (1) laku (2) kumele kube ngokupheleleyo okungekho cele linye njalo kube ngokwelizwe lonke.

21 Abantu asebekhulile

(1) Isizwe lezingatsha zonke labameli bakaHulumende kusigaba sinye ngasinye kumele sithathe amanyathelo alomqondo, kugoqela amanyathelo awokwenziwa kwemithetho, ukuze kutholiswe inhloniph, usekelo lokuvikelwa kwabantu asebekhulile kanye lokubenza banelise ukuphatheka ezimpilweni zemiphakathi abahlala kuyo.

(2) Isizwe lezingatsha zonke labameli bakaHulumende kusigaba sinye ngasinye kumele sizame ngokusemandleni ezimpahla esilazo—

- (a) ukukhuthaza abantu asebekhulile ukuthi baphatheke ngokupheleleyo ezindabenzi zomphakathi;
- (b) ukupha izinto zokusebenzisa, ukudla kanye lokunakakelwa kwezenhlalo kwabantu asebekhulile abaswelayo;
- (c) ukuthuthukisa izinhlelo zokupha abantu asebekhulile ithuba lokuphatheka emisebenzini ehambelana lamandla abo njalo eyeme ekweneliseni kwabo kanye lasezfisweni zabo;
- (d) ukukhulisa izinhlanganiso zezenhlalo ejonge ukuphakamisa uhlonzi lwempilo yabantu asebekhulile.

22 Abantu abakhubazekileyo

(1) Isizwe lazo zonke izingatsha labameli bakaHulumende kusigaba sinye ngasinye kumele siqakatheskise amalungelo abantu abagogekileyo ngokomzimba loba ngokwengqondo, ikakhulu ilungelo labo lokuphathwa ngenhloniph langesizotha.

(2) Isizwe lazo zonke izingatsha zikaHulumende labameli bakaHulumende kusigaba sinye ngasinye kumele, ngokusemandleni ezimpahla esilazo, sisize abantu abagogekileyo ngokomzimba loba ngokwengqondo ukuthi banelise ukwenza abakwenelisayo ngokugcweleyo kanye lokwehlisa izinto ezibahluphayo.

(3) Ikakhulu, isizwe lazo zonke izingatsha zikaHulumende labameli bakaHulumende kusigaba sinye ngasinye kumele—

- (a) sithuthukise izinhlelo zenhlalakahle yabantu abagogekileyo ngokomzimba langokwengqondo, ikakhulu izinhlelo zemisebenzi ezihambelana lokwenelisa kwabo levumelekileyo kubo loba kubameli babo ababamela emthwethweni;
- (b) sinanze zona ngokwazo izindingeko zabantu abalokugogeka kwemihlobo yonke njeneyinye yezinto ezibekwa phambili emacebweni entuthuko;
- (c) sikhuthaze ukusetshenziswa lokuthuthukiswa kwezindlela zokukhulumisana ezifanele abantu abalokugogeka ngokomzimba langokwengqondo; njalo
- (d) sikhulise izinhlanganiso zenhlalo ezilenjongo yokukhuphula uhlonzi lwempilo yabantu abalokugogeka kwemihlobo yonke.

(4) Isizwe kumele sithathe amanyathela afanelayo okubona ukuthi izakhiwo lezinto ezsizayo ezifinyelelw nguzulu ziyafinyelelw njalo ngabantu abalokugogeka.

23 Abalweli bempি yenkululeko

(1) Isizwe lazo zonke izingatsha zikaHulumende labameli bakaHulumende kusigaba sinye ngasinye kumele baphe inhloniphо efaneleyo, kanye lokunanzwa kubalweli bempি yenkululeko, okutsho ukuthi—

- (a) labo abalwa empini yenkululeko;
- (b) labo abancedisa abalweli empini yenkululeko; njalo
- (c) labo ababevalelwе emajele, lababevalelwе loba bevinjelwe ngezizatho zezombusazwe ngesikhathi sempi yenkululeko.

(2) Isizwe kumele sithathe amanyathela alomqondo, kugoqela amanyathela owokwenza imithetho, yenhlakahle lokuphiwa amandla kwezezimali kubalweli bempি yenkululeko.

24 Imisebenzi kanye lokusebenzelana

(1) Isizwe lezingatsha zonke zikaHulumende labameli bakaHulumende kusigaba sinye ngasinye kumele sisebenzise izimiso ezilomqondo kanye lamanyathela, asemandleni ezimpahla esilazo, ukupha abantu bonke ithuba lokuthi basebenze umsebenzi abazikhethelo wona ngokukhululeka, ukuze bathole impilo ecolekileyo bona kanye lezimuli zabo.

(2) Isizwe lezingatsha zonke zikaHulumende labameli bakaHulumende kusigaba sinye ngasinye kumele sizame ukutholisa—

- (a) ukuqhatshwa okupheleleyo;
- (b) ukususwa kwemigoqо evimbelayo ngokungadingakaliyo loba evalela abantu ukuthi basebebenze kanye lokuthi bangene emisebenzini elenzuzo yemali;
- (c) ukuqondiswa kwezemisebenzi kanye lokuthuthukiswa wezinhlelo zemisebenzi lezokuqegetshisela imisebenzi, kugoqela leyabantu abagogekileyo;
- (d) ukusetsheniswa kwamanyathela anjengokunakakelwa kwemuli awenza abesifazane bathakazeleli ithuba eliyilo lokusebenza.

25 Ukuvikelwa kwemuli

Isizwe lezingatsha zonke zikaHulumende labameli bakaHulumende kusigaba sinye ngasinye kumele sivekele njalo sikhulise ugatsha lwemuli ikakhulu kumele sizame, ngamandla ezimpahla esilazo, ukusebenzisa amanyathela—

- (a) okupha ukunakela losekelo kubomama, obaba lamanye amalunga emuli abondla abantwana; njalo
- (b) okuvikela ubudlwangudlwangu bangemakhaya.

26 Umtshado

Isizwe kumele sithathe wonke amanyathela afaneleyo okubona ukuthi—

- (a) akulakuthathana okwenzakalayo ngaphandle kwemvumo eyenziwe ngokukhululeka langemvumo egcweleyo yalabo abazakuthathana;
- (b) kulokulingana kwamalungelo lemilandu yabathathanayo ngesikhathi bethethene kanye lasekwekhukaneni; njalo
- (c) ekwehlukaneni kwabathetheneyo, loba ngokufa loba ngedivosi, kulezimiso ezibekwayo ezokuvikelwa okudingakalayo kwengqe nguwuphi umntwana loba kulabo abehlukeneyo.

27 Imfundo

- (1) Isizwe kumele sithathe wonke amanyathela asebenzayo okuphakamisa—
- (a) imfundo emqoka yamahala eyindingeko engavikekiyo ebantwaneni; kanye le
 - (b) lemfundo yangaphezulu.
- (2) Isizwe kumele sithathe amanyathela okubona ukuthi amankazana aphiwa amathuba afana lawabafana okuthola imfundo ezigabeni zonke.

28 Indawo yokuhlala

Isizwe lazo zonke izingatsha labameli bakaHulumende kusigaba sinye ngasinye kumele sithathe amanyathelo awokwenziwa komthetho alomqondo lamanye amanyathelo, asemandleni ezimpahla esilazo, ukwenza wonke umuntu afinyelele indawo yokuhlala efaneleyo.

29 Ezempilakahle

- (1) Isizwe kumele sithathe wonke amanyathelo asebenzayo awokuqiniseka ngokuphiwa kwezindingeko ezimqoka ezifinyelelekayo ezaneleyo zempilakhle iZimbabwe yonke jikelele.
- (2) Isizwe kumele sithathe amanyathelo afaneleyo, angathathi cele njalo alomqondo okuqiniseka ukuthi akulamuntu oyalelwa ukwelatshwa okudinga isiphangiphangi ingqe kuluphi ugatsha lwezemilikahle.
- (3) Isizwe kumele sithathe wonke amanyathela okuvikela asemandleni ezimpahla esilazo, kugoqela imfundiso kanye lezhinhlelo zokupha uzulu ulwazi, mayelana lokulwisana lokumemetheka komkuhhlane.

30 Inhlakahle kazulu

Isizwe kumele sithathe wonke amanyathelo asebenzayo, asemandleni ezimpahla esilazo, okupha ukuvikelwa kwezenhlalo, kanye lokunakakelwa kwezenhlalo kulabo abaswelayo.

31 Usizo kwezemithetho

Isizwe kumele sithathe wonke amanyathelo asebenzayo, asemandleni ezimpahla esilazo, ukutholiswa ukumelwa emthethweni emacaleni aphathelane lozulu kanye lawokwephula imithetho kulabo abakudingayo njalo abangenelisiyo ukuthola abameli bomthethweni abazikhethelo bona.

32 Imidlalo lezindawo zokuzilibazisa

Isizwe kumele sithathe wonke amanyathelo asebenzayo okukhuthaza imisebenzi yemidlalo lokuzilibazisa, kugoqela ukutholiswa kwezindawo zemidlalo lezokulibazisa zabantu bonke.

33 Ukulondolozwa kolwazi Iwesintu

Isizwe kumele sithathe amanyathelo awokulondoloza, lokuvikela kanye lokuphakamisa ulwazi lomdabu, kugoqela ulwazi lwezemithi yokwelapha kanye lezinye izinto zempilo yezinyamazana lezihlahla olusezakhamizini lasebantwini.

34 Ukunanzwa kwemithetho yomhlaba wonke jikelele

Isizwe kumele sibone ukuthi zonke izibopho lezivumelwano zamazwe omhlaba lapho iZimbabwe elilunga khona kumele zihlanganiselwe emthethweni wakuleli ilizwe.

ISAHLUKO 3

UBUZALWANE

35 Ukuba yisizalwane seZimbabwe

(1) Umuntu uba yisizalwane seZimbabwe ngokuzalwa, usendo kumbe ukubhalisa.

(2) Zonke izizalwane zeZimbabwe zinikwa amalungelo, izimfanelo kanye lezinkoliso ezifanayo zobuzalwane, njalo ngokufanayo zibotshelwa ukwenza lokuthatha imilandu ekhangelwelwe zonke izizalwane.

(3) Zonke izizalwane zeZimbabwe zinikwa amalungelo lezinkoliso ezilandelayo, phezu kwezinye ezizitholiswa ngumthetho—

- (a) ukuvikelwa yiSizwe konke lapho ezikhona;
- (b) ukutholiswa amapasipoti lezinye izincwadi zokuhambisa; njalo
- (c) ukutholiswa izincwadi zokuzalwa lezinye izithupha ezitholiswa yiSizwe.

(4) Izizalwane zeZimbabwe zilemilandu elandelayo, phezu kweminye eziyetheswa yiSizwe—

- (a) ukwethembeka elizweni labo iZimbabwe;
- (b) ukunanza iSisekamthetho lokuhlonipha lokho esikumelayo lesikubekileyo;
- (c) ukuhlonipha ifulegi yelizwe leNgoma yesizwe; njalo
- (d) ngawo wonke amandla azo, ukuvikela iZimbabwe lozibuse wayo.

36 Ukuba yisizalwane ngokuzalwa

(1) Umuntu uba yisizalwane seZimbabwe nxa ezalelwwe eZimbabwe njalo, ekuzalweni kwakhe—

- (a) unina kumbe uyise wayeyisizalwane seZimbabwe; kumbe
- (b) ulogogo kumbe ukhulu wakhe owayeyisizalwane seZimbabwe ngokuzalwa kumbe ngosendo.

(2) Umuntu ozalelwwe phandle kweZimbabwe uba yisizalwane seZimbabwe ngokuzalwa nxa, ekuzalweni kwakhe, unina kumbe uyise wayeyisizalwane seZimbabwe njalo—

- (a) evele engohlala eZimbabwe; kumbe
- (b) esebenzela phetsheya kweZimbabwe ngenxa yomsebenzi weSizwe kumbe owenhlanganiso elezingatsha ezigcwele umhlaba.

(3) Umntwana otholakale eZimbabwe eleminyaka, kumbe okhanya eleminyaka engaphansi kwetshumi lanhlalu (15) yokuzalwa, njalo engazakali ukuthi ngowaliphi ilizwe labazali bakhe bengazakali, uthathwa njengesizalwane seZimbabwe ngokuzalwa.

37 Ukuba yisizalwane ngosendo

Ngaphansi kweSigaba 36(2), umuntu ozalelwwe phandle kweZimbabwe uba yisizalwane seZimbabwe ngosendo nxa, ekuzalweni kwakhe—

- (a) unina kumbe uyise loba ugogo kumbe ukhulu wakhe wayeyisizalwane seZimbabwe ngokuzalwa kumbe ngosendo; kumbe
- (b) unina kumbe uyise wakhe wayeyisizalwane seZimbabwe ngokubhalisa; njalo ukuzalwa kwakhe kubhaliswe eZimbabwe ngemfanelo elandela umthetho wokubhaliswa kwabantwana abazelwego.

38 Ukuba yisizalwane ngokubhalisa

(1) Wonke umuntu oseleminyaka emihlanu kusiya phambili etshade lesizalwane seZimbabwe, kungelani ukuthi usuku lokwethulwa kweSisekamthetho selufikile kumbe lusazofika, njalo osuthisa izimiso ezibekwe nguMthetho omiswe yiPhalamende, unikwa ilungelo, nxa efake isicelo esibhaliwego, esokuthi abhaliswe njengesizalwane seZimbabwe.

(2) Umuntu wonke osehlale kweleZimbabwe okwesikhathi eside njalo okusemthethweni okweminyaka efika elitshumi (10) kumbe ukwedlula, kungelani ukuthi usuku lokwethulwa kweSisekamthetho selufikile kumbe lusazofika, njalo osuthisa izimiso ezibekwe nguMthetho omiswe yiPhalamende, unikwa ilungelo, nxa efake isicelo esibhaliwego, esokuthi abhaliswe njengesizalwane seZimbabwe.

(3) Umntwana ongayisisosizalwane seZimbabwe, kodwa owatholwa ngokusemthethweni njengomntwana ngumuntu oyisizalwane seZimbabwe, kungelani ukuthi usuku lokwethulwa kweSisekamthetho selufikile kumbe lusazofika, njalo osuthisa izimiso ezibekwe nguMthetho omiswe yiPhalamende, unikwa ilungelo, nxa efake isicelo esibhaliwego, esokuthi abhaliswe njengesizalwane seZimbabwe.

39 Ukwemukwa ubuzalwane

- (1) Ukuba yisizalwane seZimbabwe ngokubhalisa kungemukwa nxa—
 - (a) lowo muntu wathola lobo buzalwane ngobuqili, ukuqamba amanga kumbe ukufihla iqiniso elithile; kumbe
 - (b) esikhathini sempi iZimbabwe eyayiphatheke kuyo, lowomuntu wathengiselana lesitha kumbe wasinika ulwazi okungekho emthethweni, kumbe wayesebenzelana lesitha kumbe edlelana laso ngabomo ngendlela eyayizasiza isitha kuleyompi.

- (2) Ukuba yisizalwane seZimbabwe ngokuzalwa kungemukwa nxa—

- (a) lobo buzalwane batholakala ngobuqili, ukuqamba amanga kumbe ukufihla iqiniso elithile; kumbe
- (b) emuntwini oqanjwe kuSigaba 36(3), sekwazakale ukuthi lowo muntu ngowakuliphi ilizwe kumbe uzalwa ngubani, kube sekuvezakala ukuba lowomuntu uysizalwane sakwelinye ilizwe.

(3) Ubuzalwane beZimbabwe akumelanga bemukwe ngaphansi kwalesi Sigaba nxa ukwenza lokho kuzabangela ukuthi lowomuntu asale engela lizwe ayisizalwane salo.

40 Ukugcinwa kobuzalwane lanxa umuntu esetshadile kumbe esequme umtshado

Ubuzalwane beZimbabwe abumukwa yikuthathana kumbe ukuchitheka komtshado.

41 iBhodi ebona ngezobuZalwane kanye lezokuThuthela elizweni

UMthetho omiswe yiPhalamende kumele wanelise ukuthi kubunjwe iBhodi ebona ngezobuzalwane kanye lezokuthuthela elizweni emalunga ayo agoqela uMgcinihihla lamanyi amabili aqhatshwa nguMongameli, umlandu wabo ungowoku—

- (a) ukunika kumbe ukwemuka ubuzalwane ngokubhalisa;
- (b) ukunika abantu abangasizizalwane imvumo yokuhlala lokusebenza eZimbabwe, lokubanika izimiso leziqondiso okumele bazilandele ekuhlaleni lekusebenzini kwabo;
- (c) ukuqhube eminye imisebenzi abayilawulelwa kumbe abayibotshelwa ukuthi bayenze njengeBhodi nguMthetho omiswe yiPhalamende.

42 Amandla edale lePhalamende mayelana lezobuZalwane

UMthetho omiswe yiPhalamende, kukhangelwe izibopho zalesiSigaba, ungaba lakho ukubeka okusemthethweni—

- (a) izindlela umuntu angathola ngazo ubuzalwane beZimbabwe ngokubhalisa;
- (b) ukulandula ubuzalwane beZimbabwe ngokuzithandela;
- (c) izindlela okumele zilandelwe nxa umuntu esemukwa ubuzalwane bakhe beZimbabwe abuthola ngokubhalisa;
- (d) ukuvuselelwa kobuzalwane beZimbabwe;
- (e) ukwaliswa kobuzalwane bamazwe amabili ebantwini abathola ubuzalwane ngosendo kumbe ngokubhalisa; njalo
- (f) ukubona nje ukuthi Isahluko lesi siyalandelwa ngemfanelo.

43 Ukuqhube ka lokuvuselelwa kobuZalwane osebake babakhona

(1) Wonke umuntu obekade eyisizalwane seZimbabwe ngesikhathi esandulela nje ukwethulwa kwalesi Sisekamthetho, uqhubeka eyisizalwane ngemva kwalolosuku.

(2) Wonke umuntu owazalelw eZimbabwe iSisekamthetho lesi singakethulwa uyisizalwane seZimbabwe ngokuzalwa nxa—

- (a) umzali wakhe oyedwa kumbe bobibili bebeyizizalwane zelizwe elibe lilunga leNhlanganiso yaMazwe eZansi yeAfrika (iSADC) eyabunjwa eWindhoek, isigodlo selizwe leNamibia mhlaka 17 Ncwabakazi 1992; njalo
- (b) wayevele ezihlalela eZimbabwe mhla iSisekamthetho sisethulwayo.

ISAHLUKO 4

UMQULU WAMALUNGELO

ISAHLUKWANA 1

UKUSETSHENZISWA LOKUHUMUTSHWA KUKASAHLUKO 4

44 Umlandu wokuhlonipha amalungelo ayinsika lezinkululeko.

Isizwe laye wonke umuntu, kugoqela izinhlanganiso ezithathwa ngumthetho njengabantu, kanye lazo zonke izingatsha zikaHulumende labameli bakaHulumende kuzo zonke izigaba kufuze bahloniphe, bavikele, baphakamise njalo baphelelise amalungelo lezinkululeko eziphawulwe eSahlukweni lesi.

45 Ukusetshenziswa kukaSahluko 4

(1) ISahluko lesi siphoga Isizwe leziphathamandla, izitshayamthetho zikaHulumende, lezingatsha zikaHulumende ezigabeni zonke.

(2) ISahluko lesi sibopha abantu bemvelo lezinhlanganiso ezithathwa ngumthetho njengabantu kukhangelwa isimo selungelo kumbe inkululeko esegudwini lomlandu ophawulwa yileyo nkululeko.

(3) Izinhlanganiso ezithathwa ngumthetho njengabantu kanye labantu bemvelo balelungelo emalungelweni lasezinkululekweni eziphawulwe yiSahluko lesi okungangokuthi amalungelo lezinkululeko lezi zingasetshenziswa kubo.

46 Ukuchasiswa kukaSahluko 4

(1) Nxa kuhumutshwa iSahluko lesi, umthethwandaba, ikomithi yabalamuli, inkundla kumbe inhlango-

- (a) kufuze inanze ngokupheleleyo amalungelo lezinkululeko eziqukethwe yiSahluko lesi;
- (b) kufuze iphakamise imikhuba lezinkolo ezisekela uzulu okhululekileyo olobumgceke, ukwahlulela okulungileyo, isithunzi sobuntu, ukulingana lenkululeko, ikakhulu imikhuba lezinkolo eziphawulwe kusigaba 3;
- (c) kufuze inanze umthetho wamazwe wonke lazo zonke izivumelwano lapho iZimbabwe elilunga khona;
- (d) kufuze inanze zonke izimiso zeSisekamthetho, ikakhulu imikhuba lezinhloso eziphawulwe kuSahluko 2; njalo
- (e) ingachwayisisa imithetho yamanye amazwe ehambelana lamalungelo aqukethwe kulesiSahluko;

phezu kokunanzelela ezinye izinto ezihambelana lalokhu ezingasetshenziswa nxa sihumutsha iSisekamthetho.

(2) Nxa kuchasiswa umthetho osuphelelisiwe, lanxa kuthuthukiswa imithetho yemvelo, yonke imithethwandaba, ikomithi yabalamuli, inkundla kumbe inhlango kufuze iphakamise njalo ziqondiswe ngumqondo kanye lezinhloso ezikuSahluko lesi.

47 Isahluko 4 kasenqabi ubukhona bamanye amalungelo

ISahluko lesi kasenqabi ubukhona bamanye amalungelo lezinye izinkululeko ezingananzelela kumbe zivunywe ngumthetho, okungangokuthi ziyavumelana leSisekamthetho.

ISAHLUKWANA 2

AMALUNGELO AYINSIKA LEZINKULULEKO

48 ILungelo lokuPhila

(1) Umuntu wonke ulelungelo lokuphila.

(2) Umthetho ungavumela ukuba isigwebo sentambo setheswe kuphela umuntu ofunyenwe elecalo lokubulala ngochuku njalo ekuhlelile lokhu, futhi—

- (a) umthetho kufuze uvumele umthethwandaba ukuthi uzihluzele wodwa ukuba isigwebo sentambo singetheswa loba hatshi;
- (b) isigwebo sentambo singaqhutshwa kuphela kulandelwa ukwahlulela komthethwandaba olamakhono;

- (c) isigwebo sentambo akufuzanga setheswe umuntu—
 - (i) obeleminyaka engaphansi kwengamatshumi amabili lanye yokuzalwa ngesikhathi esenza icala; kumbe
 - (ii) ongaphezu kweminyaka engamatshumi ayisikhombisa yokuzalwa;
- (d) isigwebo sentambo akufuzanga setheswe abesifazana; njalo
- (e) umuntu ogwetshwayo kufuze abe lelungelo lokucela ukuba uMongameli amzwele kumbe axolelwengatholi isigwebo sentambo.

(3) Umtetho omiswe yiPhalamende ufuze uvikele izimpilo zabantwana abangakazalwa, njalo lowo mthetho ufuze uvumele ukuba isisu singakhitshwa kuphela kulandelwa umtetho omisiweyo.

49 Ilungelo lokukhululeka komuntu

- (1) Umuntu wonke uelunglelo lokukhululeka komuntu siqu sakhe, eligoqela ilungelo—
 - (a) lokungavalelwengatholi ejele engathonisiswanga; njalo
 - (b) lokungemukwa ilungelo mahlayana kumbe kungelasizatho esilomsoco.
- (2) Akulamuntu ongavalelwengatholi ejele ngenxa yokuthi akenelisanga ukugcwalisa imilandu yesivumelwano.

50 Amalungelo abantu ababotshiweyo labavalelwengatholi

- (1) Ingqe ngubani obotshiweyo—
 - (a) Kufuze aziswe icala alibotshelwayo ngesikhathi ebotshwa;
 - (b) kufuze avunyelwe, ngokukhawuleza—
 - (i) esebeanza izindleko zeSizwe, ukwazisa umkakhe kumbe omunye wakhe, kumbe isihlobo kumbe ummeli kwezomthetho, kumbe ingqe ngubani azikhethela yena; kumbe
 - (ii) esebeanza izindleko zakhe, ukuxoxisana nsitha lomeli wezomthetho kanye lodokotela azikhethela yena; njalo kufuze aziswe ngelunglelo leli ngokukhawuleza;
 - (c) kufuze aphathwe ngendlela elobuntu lenhlonipho ngenxa yesithunzi sakhe sokubangumuntu;
 - (d) kufuze akhululwe kungelakubekwa kwemigoqo ethize kumbe kubekwe imigoqo ezwisisekayo, kusalindelwe ukubekwa icala kumbe ukuthonisiswa, ngaphandle nxa kulezizatho ezimqoka ezisekela ukuthi aqhubeke evalelwengatholi; njalo
 - (e) ufuze avunyelwe yena uqobo lwakhe ukulwisa ukubotshwa okungaphandle komthetho phambi komthethwandaba njalo ufuze akhitshwe ngokukhawuleza nxa ebotshwe ngokungaphandle komthetho.
- (2) Ingqe ngubani obotshiweyo kumbe ovalelwengatholi—
 - (a) ebotshelwa kumbe evalelwengatholi ukulethwa phambi komthethwandaba; kumbe
 - (b) esetheswa icala;

njalo ongakakhutshwa ufuze amiswe phambi komthethwandaba ngokukhawuleza kungakedluli amahola angamatshumi amane lasitshiyagalombili ngemva kokubotshwa kumbe kokuvallelwengatholi, sekusiya ngokuthi yikuphi, kungakhathalakile ukuthi isikhathi lesi siphela kungoMgqibelo, ngeNsonto kumbe kungekhef.

(3) Ingqe ngubani ongamiswanga phambi komthethwandaba emaholeni angamatshumi amane lasitshiyagalombili abaliswe kusigatshana (2) kufuze akhutshwe ngokukhawuleza ngaphandle nxa kuyikuthi ukuvalelwa kwakhe kwengezwe ngumthethwandaba olamakhono.

(4) Ingqe ngubani obotshelwe kumbe ovalelwe icala aletheswayo ulelungelo—

- (a) lokuqhubeka ethule;
- (b) lokwaziswa ngokukhawulezwa—
 - (i) ngelungelo lokuqhubeka ethule kanye;
 - (ii) lemiphumela yokuqhubeka ethule leyokungaqhubekei ethule;
- (c) ukungabanjwa ngamandla ukuvuma lokwamukela icala; njalo
- (d) ekumisweni kokuqala phambi komthethwandaba, ulelungelo lokwetheswa icala kumbe elokwazisa ngesizatho sokuqhubeka evalelwe, kumbe elokukhutshwa.

(5) Ingqe ngubani ovalelweyo, kanye lesibotshwa esesigwetshiwe, ulelungelo—

- (a) lokwaziswa ngokukhawuleza isizatho sokuvalelwa kwakhe;
- (b) esebezisa izindleko zakhe, ukuxoxisana nsitha lomeli wezomthetho azikhethela yena, njalo lokwaziswa ngelungelo leli ngokuphangisa;
- (c) ukukhulumisana lo, kumbe ukwethekelelwa ngu—
 - (i) mkakhe kumbe omunye wakhe;
 - (ii) isihlobo;
 - (iii) umcebisi wezenkolo azikhethela yena;
 - (iv) umeli wezomthetho azikhethela yena;
 - (v) udokotela azikhethela yena; njalo
 - (vi) kusiya ngemigoqo ebekwa ngabaphatha amajele lezindawo lapho okuvalelwa khona ababotshiweyo, ukwethekelelwa yingqe ngubani azikhethela yena;
- (d) lokuvalelwa emumeni ohambelana lesizotha somuntu, okugoqela ithuba lokwenelisa ukwelula umzimba lokutholisa, ngendleko zeLizwe, indawo yokuhlala eyaneleyo, izambuzi, ukuhlanzeka komuntu uqobo lwakhe, ukudla okwakha umzimba, imibhalo efaneleyo yokubala kanye lokwelatshwa; njalo
- (e) elokuphikisana lokuvalelwa okungaphandle komthetho phambi komthetho njalo, nxa ukuvalelwa kungekho emthethweni, ufuze akhululwe ngokukhawuleza.

(6) Umuntu wonke ovalelweyo esalinde ukuthonisiswa kwecala aletheswayo njalo engathonisiswanga ngesikhathi esinqunyiweyo ufuze akhutshwe, kungelamigoqo kumbe kube lezimo ezibambekayo ukuze ngemva kokukhutshwa—

- (a) enelise ukubakhona kuthethwa icala lakhe;
- (b) angaphazamisi ubufakazi obuzalethwa ekuthonisisweni kwecala; njalo
- (c) angaphindi enze elinye njalo icala engakathonisiselwa leli alibotshelweyo.

(7) Nxa kulezizatho ezibambekayo ezokukholwa ukuthi umuntu uvalelwe ngokungekho emthethweni kumbe nxa kungazakali ukuthi umuntu uvalelwe ngaphi, ingqe ngubani ulakho ukuyadinga isilawulo eMthethwandaba Ophezulu—

- (a) *ese-habeascorpus*, okutsho isilawulo esiphoqeleta ukuba umuntu ovalelweyo akhutshwe, kumbe ukuba amiswe phambi komthethwandaba

- ukuze kuhlolisiswe ukufanela kokuvalwelwa kwakhe, kumbe esiphoqelela ukuvezwa kwesitokisi lapho avalelwe khona;
- (b) ukunika isinqumo sokuthi ukuvalwelwa kwesibotshwa akukho emthethweni lokuphoqa ukuthi isibotshwa sikhutshwe ngokukhawuleza; njalo uMthethwandaba Omkhulu ulakho ukunika isilawulo esifaneleyo kusiya ngesehlakalo esikhona.
- (8) Ukubotshwa kumbe ukuvalwelwa okuphambana lokumiswe kulesisigcawu, kumbe nxa izimiso ezbekwe kulesisigcawu zingananzwa, lokhu kubotshwa/kuvalwelwa kuyabe kungekho emthethweni.
- (9) Wonke umuntu obotshwe kumbe ovalelwe ngokungekho emthethweni ulelungelo lokufuna inhlawulo kulowo ombophileyo/ omvaleleyo, kodwa umthetho ulakho ukuvikela umenzi lo ekuthini engabi lomlandu ngaphansi kwesahluko lesi—
- (a) umsebenzi womthethwandaba umele umthethwandaba ngokufanela langokuthembeka;
 - (b) ingqe yisiphi isisebenzi sikaHulumende esimele uHulumende ngokufanela langokuthembeka kungelakungazi kumbe ukunganaki umsebenzi.

51 Ilungelo lokuba lesizotha somuntu

Umuntu wonke ulesizotha semvelo empilweni yakhe yangensitha lasemphakathini, njalo ulelungelo lokuba ilungelo leli lihlonitshwe njalo livikelwe.

52 Ilungelo lokuvikeleka komuntu

Umuntu wonke ulelungelo lobuqotho emzimbeni lasengqondweni, okugoqela ilungelo—

- (a) lenkululeko yokungahlukunyeza nsitha lempakathini;
- (b) kulandelwa ezinye izimiso zeSisekamthetho lesi, lokwenza izinqumo mayelana lenzalo;
- (c) lokuthi umzimba wakhe ungasetshenzwa ezifundweni zesayensi kumbe ezemithi, kumbe ukukhitshwa kumbe ukusetshenzwa izitho zomzimba wakhe kungelamvumo yakhe.

53 Inkululeko ekuhlukunyezweni, ekujezisweni, ukuphathweni ngochuku kumbe ngendlela eyehlisa isithunzi.

Akulamuntu ofuze ahlukunyezwre emzimbeni kumbe engqondweni, aphathwe ngochuku, aphathwe ngendlela engalasizotha kumbe ajeziswe.

54 Inkululeko ekugqilazweni kumbe ekwenziweni isichaka

Akulamuntu ongenziwa isichaka kumbe isigqili.

55 Inkululeko ekubanjweni ngamandla ukuthi usebenze.

Akulamuntu ongabanjwa ngamandla ukuba enze umsebenzi.

56 Ukulinganiswa lokungabandlululwa.

(1) Bonke abantu bayalingana phambi komthetho njalo balelungelo lokuvikelwa ngokulinganayo kanye lokusizwa ngumthetho.

(2) Abesifazana labesilisa balelungelo lokuphathwa ngokulingana, okugoqela ilungelo lokuba lamathuba alinganayo kwezombusazwe, ezomnotho, ezamasiko kanye lakwezenhlalo.

(3) Umuntu wonke ulelungelo lokungaphathwa ngendlela ebandlululayo kukhangela ubuzwe, umhlobo, umbala, ulimi, ukuba uzalelwengaphi, ukuba udabuka ngaphi kumbe uphuma kuwuphi umphakathi, izinga lomphakathi osuka kuwo, ukhola lwakho, ibandla lakhe lezombusazwe, umbono wakhe, isiko lakhe, ubulili bakhe, ukuthi uthethe/wendile kumbe hatshi, uzithwele, ukhubazekile, umi njani kozomnotho lempakathini kumbe uzelwe ngabazali behlala bonke kumbe hatshi.

(4) Umuntu kuthiwa uphathwe ngobandlululo kukhangela okuphawulwe kusigatshana (3) nxa—

- (a) engaphansi kwesimo esithize, ukungenelisi kumbe ukukhubazeka okungekho kwabanye abantu; kumbe
- (b) abanye betholiswe ilungelo kumbe usizo oluthize yena angalitholiswa.

(5) Ubandlululo olweyeme ezintweni ezibaliswe kusigatshana (3) alulunganga ngaphandle nxa kuphawuliwe ukuthi ubandlululo lolo lulungile, lufanele njalo luvumakala emphakathini okhululekileyo oxile egcekeni, ekulungeni, esithunzini sobuntu, ekulinganeni lasenkululekwensi.

(6) Isizwe kufuze senze imithetho lamanye amanyathela ukuphakamisa ukufezwa kokulingana kanye lokuvikela kumbe ukuphakamisa abantu kumbe amaqembu abantu ababeninelwe khatshana ngobandlululo olungalunganga njalo—

- (a) amanyathela aloluhlobo afuze athathwe ukuze kulungisiswe izehlakalo lapho okulendingeko eqotho khona;
- (b) akulanyathela laloluhlobo elizaphathwa sengathi alilunganga nxa kulandelwa isigatshana (3).

57 Ilungelo lokuba lemfihlo

Umntu wonke ulelungelo lemfihlo, eligoqela ukungabi—

- (a) lomuzi wakhe, impahla kumbe indawo yakhe engenwa ngaphandle kwemvumo yakhe;
- (b) ukusetshwa yena uqobo lwakhe, umuzi, indawo kumbe impahla yakhe;
- (c) ukungathathelwa ingcebo yakhe;
- (d) ukungangenelwa kwemfihlo yakhe kuzindlela zokukhulumisana; kumbe
- (e) ukungavezwa kwesimo sakhe sempilakahle.

58 Inkululeko yokubuthana lokuhlanganyela

(1) Umuntu wonke ulelungelo lokuhlanganyela lokubuthana, kanye lelungelo lokuhlanganyela kumbe ukubuthana labanye.

(2) Akulamuntu ongabanjwa ngamandla ukuthi abe yingxene yombuthano kumbe ukuthi angene emhlanganweni kumbe embuthanweni.

59 Inkululeko yokutshengisela lokunika izikhala

Umntu wonke ulelungelo lokutshengisela lokunika izikhala, kodwa amalungelo la kufuze assetshenziswe ngokuthula.

60 Inkululeko yomzwangedwa.

- (1) Umuntu wonke ulelungelo lokukhululeka kunembeza, eligoqela—
- (a) inkululeko yokucabanga, yombozo, yokholo kumbe inkolo; njalo

- (b) inkululeko yokwenza lokwandisa lokuveza imicabango, imibono, ukholo kumbe inkolo, kungakhathalakile ukuthi kusensitha kumbe hatshi, ukuthi uyedwa kumbe ulabanye abantu.

(2) Akulamuntu ongabanjwa ngamandla ukwenza isifungo esiphambene lokholo kumbe lenkolo yakhe kumbe ukwenza isifungo esiphambene lokholo kumbe lenkolo yakhe.

(3) Abazali labantu abagcina abantwana abancane balelungelo lokunquma, kusiya ngokholo lwabo, umthetho lenkolo yokukhulisa abantwana, nxa kuyikuthi izinqumo zabo azemuki amalungelo atholiswa abantwana yiSisekamthetho, okugoqela amalungelo okufunda, ezempilakahle, awokuvikeleka lawenhlalo.

(4) Ingqe yiwuphu umphakathi wezokholo ulakho ukumisa izakhiwo lezindawo lapho inkolo yawo engafundiswa khona, loba inhlangano ithola usizo lwezemali kuHulumende.

61 Inkululeko yokuveza imibono lenkululeko yemisakazo

(1) Umuntu wonke ulelungelo lokukhuluma akufisayo, okugoqela—

- (a) Inkululeko yokufuna, ukwamukela lokuhamisa imibono leminye imibiko;
- (b) Inkululeko yokuveza ubuciko ezinkulumeni/ekulobeni lekuchwayisiseni ngezesayensi kanye lobungcitshini bokubumba izinto; njalo
- (c) Inkululeko yokufunda ingqe yini.

(2) Umuntu wonke ulelungelo lokukhululeka ezindleleni zokuhanjiswa kwemibiko, inkululeko le igoqela ukuvikelwa kwalapho intathelizindaba ezithaphe khona izindaba.

(3) Imisakazo kanye lemisakazo esakaza ebulenjini langamagagasi ilelungelo lokubunjwa, sekusiya ngamanyathela athathwa nguHulumende nxa esipa amacence okusakaza—

(a) adingakalayo ekulawuleni amagagasi lezinye izindlela zokuhambisa imibiko; njalo

(b) imisakazo izimele yodwa ngoba ayilawulwa nguHulumende kumbe amabandla ezombusazwe kumbe yinhangano ezikhangelele inzuzo thize.

(4) Zonke izindlela zokuhambisa imibiko ezilawulwa nguHulumende kufuze—

(a) zikhululeke ukuzihlolela zodwa imibiko equkethweyo ezasakazwa;

(b) zingakhethi hlangothi; njalo

(c) ziphe ithuba ukuba imibono lemicabango etshiyeneyo isakazwe.

(5) Inkululeko yokuveza imibono lenkululeko yemisakazo ayigoqeli—

(a) ukuphendla ubudlwangudlwangu;

(b) ukusekela inzondo kumbe inkulomo ekhulisa inzondo;

(c) ukulinyazwa kwesimilo lesithunzi somuntu; kumbe

(d) ukungenela imfihlo yomuntu ngolunya kungela sizatho.

62 Ukufinyelela imibiko

(1) Umuntu wonke ohlala kumbe oyisizalwane saseZimbabwe, kugoqelwa inhanganiso eziphathisa samuntu kunye lemisakazo yeZimbabwe, kulelungelo lokufinyelela imibiko ephethwe yiLizwe kumbe lugatsha kumbe ummeli kaHulumende kuwo wonke amazinga, lapho okudingakala khona ukuthi uHulumende abe lomlandu emphakathini.

(2) Umuntu wonke, kugoqela imisakazo yeZimbabwe, ulelungelo lokufinyelela ingqe yiypih iimibiko ephethwe ngumuntu, kugoqela uHulumende, nxa imibiko idingakala ekuqhubeni kumbe ekuvikeleni ilungelo.

(3) Umuntu wonke ulelungelo lokuqondisa imibiko, kumbe ukucitsha imibiko engasiqiniso, amanga kumbe imibiko eduhisayo, ephethwe nguHulumende kumbe yiypih inhlanganiso kumbe abamele uHulumende iloba kuliphi izinga, engaphathelana lalowo mutnu.

(4) Umthetho kumele ubekwe ukuze kube lempumela yalelilungelo, kodwa lokhu kungavimbela ukufinyelela kwemibiko ngenxa yokunqinekela umvikela, ukugcinakala kuhle kukazulu loba ukugcinwa kwemfihlo, ngokwesibanga sokuthi ukuvinjelwa lokho kuqondile, kufanele, kuyadingakala njalo kuvumelekile emphakathini okhululekileyo olkulunga isithunzi somuntu, ukulingana, kanye lenkululeko.

63 Ulimi lamasiko

Wonke umuntu ulelungelo—

- (a) lokusebenzisa ulimi azikhethelle lona;
- (b) ukuphatheka empilweni yamasiko azikhethelle wona:

kodwa akulamuntu olandela amalungelo lawa ongenzanjalo ngendlela engavumelani lalesiSahluko.

64 Inkululeko emisebenzini efundelwayo, edinga amakhono leqhatshelwayo

Wonke umuntu ulelungelo lokukhetha kanye lokwenza yiloba yiwuphi umsebenzi ofundelwayo, odinga amakhono loqhatshelwayo.

65 Amalungelo ezemisebenzi

(1) Wonke umuntu ulelungelo lezingqubo lemisebenzi engelangozi efaneleyo njalo ezingelangozi.

(2) Ngaphandle kwamalunga ezombutho lomvikela, wonke umuntu ulelungelo lokubumba kanye lokuhlanganyela kuzinhlanganiso zemisebenzi kanye lezinhlanganiso zezisebenzi loba ezabaqhatshi azikhethelle zona.

(3) Ngaphandle kwamalunga ezombutho lomvikela, zonke izisebenzi zilelungelo lokuphatheka ekuhlanganeni labanye ekuthatheni inyathela emisebenzini, kugoqela ukukhalala umsebenzi, ukuzihlalela usemsebenzini, loba ukungenzi umsebenzi kanye lokuthatha amanye amanyathela aqinileyo afana lalawo, kodwa umthetho ungavimbela ukulandelwa kwalelilungelo ukuze imisebenzi edingakala kakhulu iqhubek isenziwa.

(4) Zonke izisebenzi zilelungelo lokuba semsebenzini olomumo olkulunga, ofaneleyo njalo osuthisayo.

(5) Ngaphandle kwamalunga ezombutho lezomvikela, zonke izisebenzi, abaqhatshi, inhlanganiso zomsebenzi, kanye lezinhlanganiso zezisebenzi lezabaqhatshi zilelungelo loku—

- (a) hlanganyela labanye ekuthengiselaneni;
- (b) lokuqoqa; kanye
- (c) lokubumba lokuhlanganyela kumaqembu ezinhlangano lezinhlanganiso ezinjengalezo.

(6) Abesifazana labesilisa balelungelo lokuthola iholo elilinganayo emsebenzini ofanayo.

(7) Izizebenzi ezingabesifazana zilelungelo lokuthola umholo ogcweleyo ngesikhathi zithethe ikhefu lokuyabeletha.

66 Inkululeko yokuhamba lendawo yokuhlala

- (1) Zonke izizalwane zeZimbabwe zile—
 - (a) lungelo lokungena eZimbabwe;
 - (b) lokuvikelwa ekuxotshweni eZimbabwe;
 - (c) lungelo lokubalepassport loba ezinye izincwadi zokuhamba.
- (2) Zonke izizalwane zeZimbabwe laye wonke umuntu oseZimbabwe ngokomthetho ulelungelo loku—
 - (a) hamba ngokukhululeka eZimbabwe;
 - (b) hlala kuloba yiyphe indawo eseZimbabwe;
 - (c) suka eZimbabwe.

67 Amalungelo ezombusazwe

- (1) Zonke izizalwane zeZimbabwe zilelungelo—
 - (a) olukhululekileyo, olufaneleyo njalo olubuya ngezikhathi ezifaneleyo Iwesikhundla esivotelwayo sokuphatha uzulu esimiswe ngokuphawulwe kulesiSisekamthetho loba omunye nje umthetho; kanye
 - (b) lokukhetha ezombusazwe ngokukhululeka.
- (2) Kulandelwa lesiSisekamthetho, zonke izizalwane zeZimbabwe zilelungelo—
 - (a) lokubumba, lokuhlanganyela kanye lokuphatheka ezintweni ezenzakala kuqembu lezombusazwe loba kunhlanganiso abazikhethethole zona;
 - (b) ukuphakamisa/ukukhankaselangokukhululeka langokuthula iqembu lezombusazwe;
 - (c) ukuphatheka ezintweni zombusazwe ezenzakalayo ezilokuthula;
 - (d) ukuphatheka, yena yedwa loba ndawonye labanye, emibuthanweni loba emaqenjini loba ngeyinye indlela, ezintweni ezenzakalayo ezilokuthula ukuqondisa, ukuphikisana loba ukusekela amapholisi kaHulumende loba yiliphi iqembu lezombusazwe loba liphi iqembu.
- (3) Kulandelwa leSisekamthetho, zonke izizalwane zeZimbabwe ezileminyaka yokuzalwa engaphezu kwetshumi lasitshiyagalombili zilelungelo—
 - (a) lokuvota kulolonke ukhetho lalokho okuphathele leSisekamthetho lesi;
 - (b) lokuma ekhethweni lokungena esikhundleni sokuphatha uzulu njalo nxa ekhethiwe, ulelungelo lokuba kulesosikhundla.
- (4) Ngezizatho zokuphakamisa idemokrasi yokuba lamaqembu amanengi ezombusazwe, isicaphuno somthetho wePhalamende kumele siphawule ngokuphiwa kwamaqembu ezombusazwe izimali zokusebenzisa.

68 Ilungelo lokuthethwa kwamacala

- (1) Wonke umuntu ulelungelo lokuthethwa kwamacala ngengqubo esemthethweni, ephangisayo, esebeanza kuhle, efaneleyo, elingeneyo engabandlululiyo njalo elandelwa ngokufaneleyo.

(2) Wonke umuntu ulelungelo, inkululeko, indingeko loba akukhangeleleyo okuyimfanelo osekuphazanyiswe yingqubo yokuthethwa kwamacala ulelungelo lokuphiwa ngokuphangisa langokulotshwe phansi izizatho zaleyngqubo.

(3) uMthetho omiswe yiPhalamende kumele uphawule ngokulandelwa kwamalungelo lawa, njalo kumele—

- (a) uphawule ukuhlolisiswa kwengqubo eyenziwa ngumthethwandaba loba, lapho okufanele khona owenziwa ngabameli bemthethwandaba abangelakubandlulula;
- (b) uphoqe umlandu esizweni ukuthi kulandelwe amalungelo akusigatshana (1) laku (2);
- (c) ukuphakamisa ukuthethwa kwamacala ngendlela esebezena kuhle.

69 Ilungelo lokuthonisiswa ngemfanelo

(1) Wonke umuntu owetheswa icala ulelungelo lokuthonisiswa phambi kukazulu ngesikhathi esifaneleyo phambi komthethwandaba ozimele wodwa njalo engalakubandlululwa.

(2) Ngokunquma kwamalungelo kazulu lemilandu, wonke umuntu ulelungelo lokuthonisiswa okufaneleyo, okuphangisayo njalo okwenziwa phambi kukazulu ngesikhathi esifaneleyo phambi komthethwandaba ozimele wodwa njalo ongelabandlululo loba iKomithi yomthetho loba ezinye inhlanganano ezimiswe ngumthetho.

(3) Wonke umuntu ulelungelo lokufinyelela imithethwandaba, loba iKomithi yomthetho loba ezinye inhlanganiso ezimiswe ngumthetho ezokuqedza ingxabano.

(4) Wonke umuntu ulelungelo, ngendleko azazihlawulela zona yena ngokwakhe, lokukhetha njalo amelwe ngabameli bomthetho phambi kwengqe yiwuphi umthethwandaba abameli loba isigaba.

70 Amalungelo abantu abetheswa imilandu

- (1) Loba nguuphi umuntu owetheswa icala ulamalungelo alandelayo—
 - (a) lokuthathwa njengomuntu ongelacala aze avezwe ukuthi ulecalo;
 - (b) lokwaziswa ngokuphangisa ngomlandu, ngokugcweleyo ukuzakweenza anelise ukuwuphendula;
 - (c) lokuphiwa isikhathi esaneleyo lezinto zokusebenzisa ukuze alungiselele imvikelo;
 - (d) lokukhetha igqwetha njalo, ngezindleko azazihlawulela yena ngokwakhe, amelwe yilelogqwetha;
 - (e) lokumelwa ligqwetha aliphiwe yisizwe njalo ngendleko zeSizwe;
 - (f) lokwaziswa ngokuphangisa ngamalungelo aphawulwe kuziqendu (d) laku (e);
 - (g) lokubakhona nxa ethonisiswa;
 - (h) lokuletha kanye lokuphikisana lobufakazi;
 - (i) lokuhlala ethule njalo engafakazi loba ukubanjwa ngamandla ukupha ubufakazi obumthengisayo;
 - (j) lokuthi ingqubo zokuthonisiswa zihumutshelwe elimini aluzwayo;
 - (k) lokungabotshelwa isenzo loba impazamiso ebingasilo cala ngesikhathi isenzakala;

- (l) lokungabotshelwa isenzo loba impazamiso engaseyilo cala;
 - (m) lokungathonisiselwa icala loba impazamiso owayenzayo eseyaxolelwayo loba engaselacala loba osowayijeziselwayo;
 - (n) lokugwetshelwa okungaphansi kwesijeziso esibekiweyo nxa isijeziso esibekiweyo secala lelo sesiguqliwe phakathi kwsikhathi sokwenziwa kwecala lesikhathi sokugwetshwa.
- (2) Lapho isigatshana lesi sidinga ulwazi ukuthi luphiwe emuntwini—
- (a) ulwazi kumele luphiwe ngolimi oluzwisiswa ngumuntu othonisiswayo;
 - (b) nxa umuntu lowo engenelisi ukubala loba ukubhala, ingqe yiyiphi incwadi egoqela ulwazi kumele ichasiswe ngendlela ezwisiswa ngumuntu lowo.
- (3) Ingqe kukuphi ukuthonisiswa kwecala, ubufakazi obutholakale ngendlela eyephula okuphawulwe kulesiSahluko kumele butshiywe ngaphandle nxa ukuphathwa kobufakazi kuzathatha ukuthonisiswa njengokungafanelanga loba nxa kungaphazamisa ukuphathwa kokulunga loba lokho okufunwa nguzulu.
- (4) Ingqe nguuphi umuntu osethonisiselwe icala ulelungelo, ngokubhadala imali efaneleyo ephawulwe ngumthetho, ukuthi aphiwe obekusenzakala kungqubo ngesikhathi esifaneleyo ngemva kokuba ukwahlulela sokwenziwe ekuthonisiseni.
- (5) Ingqe nguuphi umuntu osethonisisiwe wafunyanwa elecalu ulelungelo, ngaphansi kwemigoqo efaneleyo engabekwa ngumthetho—
- (a) lokuthi icala lihlolisise we ngumthethwandaba omkhulu;
 - (b) lokulanda umthethwandaba omkhulu ephikisana lokwetheswa umlandu loba isigwebo.

71 Amalungelo aphathelane lempahla

- (1) Kulesisigaba—
- “inzuso yepentsheni” kutsho ipentsheni, imali yesibongo loba imali efana laleyo ebhadalwa—
- (a) emuntwini evela emalini ehlanganisiweyo;
 - (b) emuntwini kulandelwa imisebenzi ayenzele umqhatshi;
 - (c) kulandelwa ukugula komuntu loba ukulimala; loba
 - (d) emuntwini osefike esikhathini somhlalaphansi ngenxa yeminyaka, ukugula kumbe esinxe isizatho; njalo kugoqela ukubhadalwa endaweni yepentsheni, imali eqanjiweyo ebhadalwa ngemva kwsikhathi esithile loba enye imali lokubuyiselwa kwemali eyabhadalelw ipentsheni, imali eqanjiweyo ebhadalwa ngemva kwsikhathi esithile kumbe i-alawensi.
- “impahla” kutsho impahla engachasiswa loba ngaluphi uhlobo loba ngaliphi ilungelo loba ukuthinteka empahleni.
- (2) Kulandelwa usigaba 72, wonke umuntu ulelungelo, loba kusiphi isigaba seZimbabwe, sokuthola, sokuphatha, okuba ngumnini, ukusebenzisa lokuthuthela komunye, lokunika omunye umuntu okwesikhathi esithize ngokwesivumelwano loba ukuthengisa zonke inhlobo zezimpahla, loba yena ngokwakhe loba ebambane labanye.
- (3) Kulandelwa isigaba lesi lesigaba 72, akulamuntu ongabanjwa ngamandla ukwenqatshelwa impahla yakhe ngaphandle kokuthi nxa imumo elandelayo igcwaliwi—
- (a) nxa ukwenqatshelwa kulandela umthetho kazulu;

- (b) nxa ukwenqatshelwa kudingakala ngeyinsinye sezizatho ezilandelayo—
 - (i) ngokuya komvikelo, ukuvikeleka kukazulu, ukuhleleka kuzulu, ukuziphatha ngokuqondileyo kukazulu, impilakahle kazulu loba ukuhlelwa kwedolobho loba ilizwe; loba
 - (ii) ukuze kuthuthukiswe loba kusetshenziswe leyompahla loba yiyiphi impahla ngendingeko yokutholisa umphakathi usizo;
- (c) umthetho udinga ukuthi usiphathathamandla ofuna ukuthola impahla—
 - (i) lokupha isaziso sokufuna ukuthola impahla kuye wonke umuntu ongathintakala loba olelungelo elingaphazamiseka ngokutholakala kwaleyo mpahla;
 - (ii) lokubhadala inhlawulo efanelayo njalo eyeneleyo yokuthola impahla engakatholi impahla loba ngesikhathi esifaneleyo eseyitholile impahla;
 - (iii) nxa ukutholakala kwempahla kuphikiswa, lokudinga umthethwandaba Owenelisayo engakatholi impahla, loba kungakadluli amalanga angamatshumi amathathu isitholakele impahla, ukuze athole imvumo eveza ukutholakala kwempahla;
- (d) umthetho unika amandla emuntwini olempahla etholakeleyo ukuthi alande umthethwandaba Owenelisayo ukuze abuyiselwe impahla yakhe ngokuphangisa nxa umthethwandaba ungavumelani lokutholakala kwaleyompanhla;
- (e) umthetho unika amandla iloba nguuphi othi impahla ngeyakhe ukuthi alande umthethwandaba ukuze kuphawulwe—
 - (i) ubukhona, ubunjalo kanye lesindo sendingeko yakhe ngokuphahathelane lempahla;
 - (ii) ukuba semthethweni kokunqatshelwa;
 - (iii) inani lenhlawulo okumele bayithole;

kanye lokulanda umthethwandaba ukuze athole imvumo ephawula ukuhlawulwa ngokuphangisa.

(4) Lapho umuntu elelungelo elilomumo othize mayelana lokubhadala inzuso yempentsheni, umthetho ophawula ukuqedwa kwelungelo loba ukunciphiswa kwelungelo lelo uyakhangelwa, ngesizatho sesigaba (3), njengomthetho ophawula ukutholakala kwempahla.

72 Amalungelo aphathelane lomhlabathi wokulima lokufuya

- (1) Kulesisigaba—

“umhlabathi wokulima” kutsho umhlabathi osetshenziswa loba kuwuphi umsebenzi wokulima, kugoqela:

- (a) ukugcina loba ukufuya inkomo, izinyamazane zasendle, inkukhu, izinyamazana loba inyosi; loba
- (b) owokudla kwenkomo loba inyamazana zasendle;

kodwa kakugoqeli umhlabathi womphakathi loba umhlabathi osemngceleni wezipathamandla zedolobho loba edobheni elincane omiswe ngaphansi komthetho ophathelane lokuhlelwa kwedolobho lelizwe loba njengokuchazwe emthethweni ophathelane lokuhlolwa komhlabathi.

“umhlabathi” ugoqela iloba yini entintana lomhlabathi lob ekhula emhlabathini;

Okubhaliswa khona imvumo yomhlabathi “Isiqephu somhlabathi wokulima” kutsho isiqephu somhlabathi wokulima obhaliswe njengesiqephu esizimele sodwa.

(2) Lapho umhlabathi wokulima, loba ilungelo loba indingeko emhlabathini onjalo, idingakala ekusetshenzisweni nguzulu, kugoqela—

- (a) indawo yokulima loba eminye imisebenzi;
- (b) ukuhlelwa kakutsha komhlabathi, ezeganga, ukulondolozwa kwemvelo loba ukusetshenziswa kwezinyamazana zasendle loba ezinye impahla zemvelo;
- (c) ukuhlaliswa kakutsha kwabantu abaxotshiweyo ngenxa yokusetshenziswa komhlabathi ngokomsebezi okukhulunywe ngawo kusiqendu (a) loba ku (b);

umhlabathi, ilungelo loba indingeko ingatholakala ngokuyimfanelo yiSizwe ngesaziso esilotshwe kuphephandaba liveza umhlabathi, ilungelo loba indingeko mayelana lomhlabathi ilungelo loba indigeko yeSizwe elibeka sobala lokhu okuqukethweyo kusukela ngelanga lokukhutshwa kwsaziso ephepheni.

(3) lapho umhlabathi wokulima, loba ingqe yiliphi ilungelo loba indingeko emhlabathini onjalo utholakale ngemfanelo ukuze wenze umsebenzi okukhulunywe ngawo kusigatshana (2)—

- (a) kulandelwa usigatshana 295(1) lo (2), akulanhawulo okumele ibhadalwe ekutholakaleni kwawo;
- (b) akulamuntu ongalanda umthwethwandaba ukuyaphawulelwa yiloba yiwphe umbuzo ophathelane lenhlawulo, ngaphandle kwenhawulo yokulungisisa umhlabathi ungakatholakali, njalo akulamthwethwandaba ongalandela leso sicelo; njalo
- (c) ukutholakala komhlabathi akungeke kuphikiswe kulandelwa ukuthi kubelokubandlulula ekwaphulweni kukasigaba 56.

(4) Wonke umhlabathi—

- (a) ophawulwe kuHlelo 7 IweSisekamthetho esidala; kumbe
- (b) owawuchazwa ngokulandela usigaba 16B (2) (a)(ii) loba (iii) weSisekamthetho esidala, iSisekamthetho esitsha singakethulwa;

siphubeka sisipha amandla eSizweni, njalo akulanhawulo engabhalalwa ngokutholakala kwawo ngaphandle kwenhawulo yokuwuthuthukisa okwayenzakalayo ungakatholakali.

(5) Masinyazane ngesikhathi esifaneleyo ngemva kokuthi umhlabathi usutholakele ngemfanelo kulandelwa usigatshana (2), osesikhundleni ongyue olomlandu wokubhaliswa kwemvumo yamhlabathi kumele, kungela saziso esinye, afake imvumo edingakalayo kuncwadi etshengisa umninimhlabathi lokuye okulotshiweyo ukuze kucitshwe ngokufaneleyo incwadi etshengisa umninimhlabathi kanye lokubhalisa ukuthi Isizwe yiso esesingumnikazi womhlabathi lowo.

(6) Isicaphuno somthetho wePhalamende singakuphatha njengecala ukuthi iloba ngubani, ongelamvumo yomthetho, ukuthi abengumnikazi loba ahiale emhlabathini wokulima okukhulunywe ngawo kululesisigaba loba omunye umhlabathi wesizwe.

(7) Kulandelwa ukutholakala komhlabathi wokulima wokuhlalisa kakutsha abantu kulandelwa uhlelo lokwabiwa kutsha komhlabathi, izinto ezilandelayo kumele zikhangelwe njengezinto ezibuya kuqala ngokuqakathea—

- (a) ngaphansi kombuso wabancindezeli abantu beZimbabwe basuswa emhlabathini wabo lasezimpahleni zabo ngokungelasizatho kungelanhawulo;
- (b) ngalesosizatho abantu bathwala izikhali ukuze bathole njalo umhlabathi wabo kanye lokuzibuso, njalo lokhu kwaphetha ngokutholakala kukaZibuse ngo 1980;

- (c) abantu beZimbabwe kumele batholiswe ukwenelisa ukugcizelela amalungelo abo kanye lokuthola ukuba ngabanikazi bomhlabathi—
 - (i) umbuso omdala wabancindezeli ulomlandu wokuhlawulela umhlabathi wokulima owathathelwa ukuhlaliswa kutsha kwabantu, ngesikhwama esaneleyo esimiselwe lowo msebenzi; njalo
 - (ii) nxa umbuso omdala wabancindezeli usehluleka ukuhlawula ngaleso sikhwama, uHulumende weZimbabwe akalamalandu wokubhadalela inhlawulo yomhlabathi wokulima owatholelwa ngemfanelo ukuhlalisa kakutsha abantu.

(8) Lesi sigaba sisetshenziswa kungelakuphathwa kubi komlandu wombuso owadlulayo wabancindezeli ukuthi bahlawulele umhlabathi okukhulunywa ngawo kulesisigaba owatholelwa ukuhlaliswa kutsha kwabantu.

73 Amalungelo aphathelane lemvelo

- (1) Wonke umuntu ulelungelo—
 - (a) lemvelo engasiyo ngozi kumpilakhle yakhe loba ebomini bakhe;
 - (b) lokuthi imvelo ivikeleke ukuze ibe lusizo kuzizukulwane ezikhona kanye lezizayo, ngokulandela amanyathelo omthetho lamanye amanyathelo—
 - (i) ayenqabela ukungcoliswa lokuphazanyisa kwemvelo
 - (ii) lokuphakamisa ukulondolozwa;
 - (iii) lokugcina ukuthuthuka kwemvelo okuqhubelekiswayo kanye lokusetshenziswa kwezimpahla zemvelo

(2) Isizwe kumele sithathe amanyathela afaneleyo lamanye amanyathela, asemandleni ezimpahla esilazo, ukuthola ukulandelwa ngokwezinga eliphezulu kwamalungelo aphawulwe kulesisahluko.

74 Inkululeko yokungaxotshwa mahlayana endaweni

Akulamuntu ongaxotshwa emzini wakhe, loba adilizelwe umuzi wakhe, kungela silawulosomthethwandaba.

75 Ilungelo lemfundu

- (1) Zonke izizalwane lasebehlala eZimbabwe ngokusemthethweni balelungelo—
 - (a) lemfundu emqoka ebhadalelw yiSizwe, kugoqela imfundu emqoka yabantu abadala; kanye
 - (b) lemfundu yokuqhubelela phambili, leyo okumele Isizwe, ngamanyathela omthetho lamanye amanyathela siwenze aqhubeke etholakala njalo efnyeleleka.
- (2) Wonke umuntu ulelungelo lokumisa lokuqhube, ngezimali zakhe, izingatsha ezizimele zodwa zemfundu ezilemfundo efaneleyo, kuyikuthi kababandlulili muntu ngendlela engavunyelwa yilesi Sisekamthetho.
- (3) Umthetho ungaphawula ngokubhalisa kwezingatsha zemfundu okukhulunywe ngazo ngaphansi kukasigatshana (2) kanye lokuvalwa kwezingatsha ezinjengalezo ezingaphi imfundu efaneleyo eyabe iphawulwe ekubhalisweni kwazo.
- (4) Isizwe kumele sithathe amanyathela omthetho lamanye amanyathela, asemandleni empahla esilazo, ukuze kutholakale impumela yokulandelwa kwelungelo.

76 Ilungelo lokunakekelwa kwempilakahle

(1) Zonke izizalwane lasebahllala eZimbabwe ngokusemthethweni balelungelo lokufinyelela ukuphathiswa ngokunakkelwa kwempilakahle ezimqoka, kugoqela ukuphathiswa ngokunakkelwa kwempilakahle ephathelane lenzalo.

(2) Wonke umuntu ophila lomkhuhlane ongelapheki masinyane ulelungelo lokufinyelela ukuphathiswa ngokunakkelwa kwempilakahle.

(3) Akulamuntu ongayalelwu ukwelatshwa ngesiphangiphangi iloba yikuluphi ugatsha olunakakela ngezempiakahle.

(4) Isizwe kumele sithathe amanyathela afaneleyo omthetho kanye lamanye amanyathela, asemandleni ezimpahla esilazo, ukuthola ukulandelwa kwalelilungelo ngokuphakemeyo.

77 Ilungelo lokudla lamanzi

Wonke umuntu ulelungelo—

(a) lamanzi angelangozi, ahlanzekileyo njalo avikelekileyo; kanye

(b) lokudla okwaneleyo:

njalo iSizwe kumele sithathe amanyathela emithetho afaneleyo lamanye amanyathela, asemandleni ezimpahla esilazo, ukuthola ukulandelwa kwalelilungelo ngokuphakemeyo.

78 Amalungelo omtshado

(1) Wonke umuntu osefikise iminyaka yokuzalwa elitshumi lasitshiyagalombili ulelungelo lokusungula imuli.

(2) Akulamuntu ongabanjwa ngamandla ukuthi athathe loba athathwe kungekho entandweni yakhe.

(3) Abantu abalobulili obufananayo kabavunyelwa ukuthi bathathane.

ISAHLUKWANA 3

UKUCACISWA KWAMALUNGELO ATHIZE

79 Ukusetshenziswa kwesahlukwana 3

(1) Isahlukwana lesi sicacisa amalungelo athize lezinkululeko ezithize ukubona ukuthi kuba lokuqiniseka ekusetshenzisweni kwalawo malungelo lalez zinkululeko emaqenjini abantu abathize.

(2) Isahlukwana lesi akumelanga sithathwe njengokuthi sivimbela ingqe yiliphi ilungelo loba inkululeko ephawulwe kusahlukwana 2.

80 Amalungelo abesifazana

(1) Wonke owesifazana ulesithunzi esigcweleyo somuntu njalo esilingana lesabesilisa njalo lokhu kugoqela amathuba alinganayo kwezombusazwe, kwezezimali lakwezenhlalo.

(2) Abesifazana balamalungelo afanana lawabesilisa mayelana lokugcinwa lokondliwa kwabantwana, kodwa isicaphuno sePhalamende singabeka ukuthi lawo malungelo angasetshenziswa kanjani.

(3) Yonke imithetho, lesintu kanye lamasiko lemikhuba yesintu ephazamisa amalungelo abekwe yilesiSisekamthetho ayacitshwa/kawasebenzi/kuhambelana lokwephulwa kwavo.

81 Amalungelo abantwana

(1) Wonke umntwana, kusitsho wonke umfana loba inkazana engaphansi kweminyaka yokuzalwa elitshumi lasitshiyagalombili, ulelungelo—

- (a) lokupathwa ngokulinganayo phambi komthetho, kugoqela ilungelo lokulalelw;
 - (b) lokuphiwa ibizo kanye lesibongo;
 - (c) nxa engumtwana o—
 - (i) zalelw eZimbabwe; loba
 - (ii) uzelwe ngaphandle kwelizwe leZimbabwe njalo eyisizalwane seZimbabwe ngokosendo:
- lokuphiwa incwadi yokuzalwa masinyane;
- (d) lokunakakelwa yimuli loba ngabazali, loba ekunakakelweni okufaneleyo nxa ethe wasuswa lapho imuli ehlala khona;
 - (e) ukuvikelwa ekuhlukuluzweni kwezelzimali lakwezemacansini, ekuqhathweni kwabantwana, kanye lasekupathweni kubi, ekunganakakweleni loba ingqe kuluphi uhlobo lobudlwangudlwangu;
 - (f) emfundweni, ekutholeni ukunakakelwa kwempilakahle, ekudleni okwakha umzimba lasendaweni yokuhlala;
 - (g) ukungangeniswa ekufundisweni imisebenzi yamasotsha loba ukuphatheka engxabanweni okulemibhobho khona loba ukulwa;
 - (h) ukungabanja ngamandla ukuphatheka kwezombusazwe; njalo
 - (i) ukungavalelw ngaphandle nxa sokuyiyo yodwa indlela engcono esisele njalo, nxa bevalelw:
 - (i) bavalelw okwesibanga esifitshane kakhulu esifaneleyo;
 - (ii) kugcinwa eyehlukanisiwe labanye abantu abavalelwego abaleminyaka ephezu kwetshumi lasitshiyangalombili;
 - (iii) ukupathwa ngendlela, lokugcinwa endaweni, evumelana leminyaka yomntwana.

(2) Izindingeko zomntwana ezifaneleyo ziqakathekile kuzo zonke izindaba eziphathelane laye umntwana.

(3) Abantwana balemvumo yokuvikelwa okweneleyo lidale lomthethwandaba, ikakhulu lidale lomthethwandaba elikhulu njengoba liyilo elingumlawuli wabo ophezulu/omkhulu.

82 Amalungelo asebekhulile

abantu abaleminyaka yokuzalwa engaphezu kwamatshumi ayisikhombisa balelungelo—

- (a) lokuthola ukunakekelwa okufaneleyo kanye losizo ezimulini zabo kanye lakuso isizwe;
- (b) lokuthola ukunakakelwa kwempilakahle kanye losizo kuso isizwe; kanye
- (c) lokuthola usekelo lwemali ngendlela yesocial security and welfare;

njalo Isizwe kumele sithathe amanyathela okwenza imithetho lamanye amanyathela, asemandleni ezimpahla esilazo, ukuze sithole ukunanzwa ngokupheleleyo kwelungelo leli.

83 Amalungelo abantu abakhubazekileyo

Isizwe kumele sithathe amanyathela afaneleyo, asemandleni ezimpahla esilazo, okubona ukuthi abantu abalokugogeka bayenza lokho abakwanelisayo ngemizimba yabo langezingqondo zabo ngokugcweleyo, kugoqela amanyathela—

- (a) okubenza banelise ukuzimela;
- (b) okubenza banelise ukuhlala lezimuli zabo njalo baphatheke emisebenzini yezenhlalo, eyokuzenzela loba eyokuzilibazisa;
- (c) awokubavikelakuyo yonke imihlobo yokuhluluzu leyobudlwangulwangu;
- (d) awokubatholisa ukufinyelela ukwelatshwa ngemithi loba okwengqondo lekusebenzini;
- (e) ukupha izinto zokusebenzisa eziqakathekileyo ekufundeni kwabo;
- (f) ukutholisa imfundu lokuqegethiswa okubhadalelwa yisizwe lapho abakudinga khona.

84 Amalungelo abalwa impi yenkululeko

- (1) Abalwela impi yenkululeko, kusitsho—

- (a) labo abalwayo empini yenkululeko;
- (b) labo abancedisa abalweli empini yenkululeko;
- (c) labo abavalelwema jele, abavalwayo loba bavinjelwa ngenxa yezizatho zombusazwe ngesikhathi sempi yenkululeko;

balemfanelo yokunanzwa ngomsebenzi abawenzayo ekukhululweni kweZimbabwe, kanye leyokuthola izinto ezifaneleyo ekuphileni kwabo ezinjengepentsheni, kanye lokufinyelela ukunakakelwa okumqoka kwempilakahle.

(2) Isicaphuno somthetho wePhalamende kumele sibeke mayelana labalweli benkululeko izimfanelo ebafanele bazithole ngaphansi kwsigatshana (1).

ISAHLUKWANA 4

UKUPHOQELELWA KWAMALUNGELO AYINSIKA LEZINKULULEKO

85 Ukuphoqelevwa kwamalungelo ayinsika lezinkululeko

- (1) Yiloba nguphi umuntu kulaba abalandelayo abathi—

- (a) ingqe nguuphi umuntu ozifakela yena ngokwakhe isicelo;
- (b) ingqe nguuphi umuntu owenza isicelo ebizweni lomunye umuntu ongenelisiyo ukuzenzela yena;
- (c) ingqe nguuphi umuntu ofaka isicelo njengelunga loba owenza lokho ebizweni leqembu, loba lomkhakha othile wabantu;
- (d) loba nguuphi umuntu ofaka isicelo esenzela uzulu;
- (e) loba yiyiphi inhlanganiso efaka isicelo ngenhoso yokwenzela amalunga ayo;

ulelungelo lokufaka isicelo edale lomthethwandaba esitsho ukuthi ilungelo eliyinsika loba inkululeko eyinsika ekumqulu ekulesisahluko lephuliwe, loba kungenzakala ukuthi liyephulwe, njalo umthethwandaba ungapha usizo olufaneleyo, olugoqela ukumenyezelwa kwamalungelo kanye lomvunzo wokuhlawulwa.

(2) Ukuthi umuntu wephule umthetho akumvimbeli ukuthi afake isicelo emthethwandaba lokudinga usizo ngaphansi kwsigatshana (1).

(3) Imithetho yemthethwandaba yonke kumele ibeke izindlela okumele zilandelwe nxa kudingakala usizo ngaphansi kwesigatshana (1), njalo leyo mithetho kumele ibone ukuthi—

- (a) ilungelo lokulanda umthethwandaba ngaphansi kwesigatshana (1) liyensiwa ngokugwceleyo;
- (b) okufanele kulandelwe mayelana lengqubo, kugoqela ukuqaliswa kwakho kugcinwe kusezingeni eliphansi;
- (c) umthethwandaba, noma ulandela imithetho yezokulunga, kawuvinjelwa zingqubo ezingelamqondo;
- (d) umuntu olamakhono athize, ngemvumo yemthethwandaba, angaphathisa njengomngane womthethwandaba.

(4) Ukuswelakala kwemithetho okukhulunye ngayo kusigatshana (3) akunciphisi ilungelo lokuqalisa izingqubo ngaphansi kukasigatshana (1) kanye lokuthi icala lilawulwe njalo liphawulwe ngumthethwandaba.

ISAHLUKWANA 5

UMKHAWULO WAMALUNGELO AYINSIKA LEZINKULULEKO

86 Umkhawulo wamalungelo lezinkululeko

(1) Amalungelo ayinsika lezinkululeko eziqukethwe kulesisahluko kumele asetshenziswe ngokufanelyo kanye langokunanzwa kwamalungelo lezinkululeko zabanye abantu.

(2) Amalungelo ayinsika lezinkululeko eziqukethwe kulesisahluko zingancitshiswa kuphela ngokutsho komthetho osebenza kuloba nguwpuphi umuntu njalo kungakadluli ezingeni lokuthi ukuncitshiswa kube kufanele, kulomqondo, kudingakala futhi kwamukelekile emphakathini ovulekileyo, olokulunga, isithunzi sobuntu, ukulingana kanye lenkululeko, kunanzwe zonke izinto eziphathelane lalokho, kugoqela—

- (a) ubunjalo belungelo lelo loba inkululeko yakhona;
- (b) injongo yokuncitshiswa, kungabe kuyikuthi kuyadingakala ngokudingakala kwemvikela, ukuvikeleka kukazulu, ukufuna kukazulu, impilakahle kazulu ukuhlelwa kwelizwe kwedolobho loba ngentando kazulu jikelele;
- (c) ubunjalo lobukhulu bokuncitshiswa;
- (d) indingeko yokubona ukuthi ukutholwa kwamalungelo lezinkululeko yiloba nguwpuphi umuntu akuncindezeli amalungelo lezinkululeko zabanye;
- (e) ubudlelwano phakathi kokuncitshiswa lomsebenzi wakho, ikakhulu ukuthi ingabe ifaka ukuyimbela okukhulu kumalungelo loba inkululeko yakhona okwedlula okudingakalayo ekufezeni umsebenzi wayo; kanye
- (f) kungabe kukhona yini izindlela zokufeza umsebenzi wakho ezingavimbeli kakhulu.

(3) Akulamthetho onganciphisa amalungelo alandelayo agcinwe kulesisahluko, njalo akulamuntu ongawephula—

- (a) ilungelo lokuphila, ngaphandle kwezingeni eliphawulwe kusigaba 48;
- (b) ilungelo lokuthola isithunzi somuntu;
- (c) ilungelo lokungahlukuluzwa loba lokungatshesizwa ngendlela yesihluku, engelabuntu loba eyehlisa isithunzi somuntu;

- (d) ilungelo lokungafakwa ebugqilini loba ekugqilazweni;
- (e) ilungelo lokuthethelwa icala ngendlela efaneleyo;
- (f) ilungelo lokuthola I- order yehabeas corpus njengokulotshwe kusigaba 50(7)(a).

87 Ukuncitshiswa ngesikhathi somumo omanzonzo

(1) Ukwengezelela ekuncitshisweni okuvumeleke kusigaba 86, amalungelo ayinsika lezinkululeko eziyinsika eziphawulwe kulesisahluko kungancitshiswa kusiyaphambili ngomthetho olotshiweyo usipha amanyathela okuphatha umumo ovela ngesikhathi sengozi kazulu, kodwa kuphela ngokufika ezingeni elivunyelwe yilesisigaba kanye lohlelo lwasibili.

(2) Umthetho olotshiweyo okukhulunywa ngawo kusigatshana (1) kanye lamanye amanyathela okwenza imithetho athethwe ngaphansi kwalowomthetho, kumele kukhutshwe ku *Gazette*.

(3) Ingqe yikuphi ukuncitshiswa okutshivo ngumthetho olotshiweyo kusigatshana (1) okungenziwa kulungelo eliyinsika loba inkululeko ephawulwe kulesisahluko akumelanga kube kukhulu kokwedlula lokhu okudingwa yingozi leyo.

(4) Akulamthetho ovumela ukumenyezelwa kwengozi kazulu, njalo akulanyathela lomthetho loba elinye inyathela elingathathwa ngenxa yalesosimemezel, elinga—

- (a) loba livumele loba liphe amandla okubuyiselwa kwendleko kwe Sizwe loba ugaHulume loba abameli bakahulumende ingqe kusiphi isigaba, loba ingqe nguwuphi umuntu, ngesizatho sesenzo esingekho emthethwene; loba
- (b) nciphisa ingqe yiaphi amalungelo atshivo kusigaba 86(3), loba liphe amandla loba livumele ingqe yiliphi lalawo malungelo ukuthi liyephulwe.

ISAHLUKO 5

IZIPHATHAMBUSO

ISAHLUKWANA 1

IGUNYA LEZIPHATHAMBUSO

88 Igunya leziphathambuso

(1) Amandla eziPhathambuso avelela ebantwini beZimbabwe njalo kumele assetshenziswe maqondana lalesiSisekamthetho.

(2) Amandla eziPhathambuso eZimbabwe aqukethwe nguMongameli onguye owasebenzisa, maqondana lalesiSisekamthetho, ngeKhabhinethi.

ISAHLUKWANA 2

UMONGAMELI LABASEKELI BAKAMONGAMELI

89 UMongameli

UMongameli nguye iNhloko yeSizwe loHulume njalo enguNdunankulu wamaButho oMvikela.

90 Imisebenzi kaMongameli

(1) UMongameli kumele ananze, avikele, alandele njalo ahloniphe lesiSisekamthetho njengoMthetho ongaphezu kweminye yonke elizweni njalo kumele abone ukuthi lesiSisekamthetho kanye leminye yonke imithetho iyalandelwa ngokupheleleyo.

(2) UMongameli kumele—

- (a) akhuthaze umanyano lokuthula elizweni ukuze uzulu wonke weZimbabwe akholise njalo abe lenhlalakahle;
- (b) ananze njalo ahloniphe izilangazelelo lensika yempi yenkululeko;
- (c) aqinise ukuvikelwa kwamalungelo lezinkululeko eziyinsika kanye lokubusa komthetho; njalo
- (d) ahloniphe ukwahlukana kwabantuлезabelo zeZimbabwe.

91 Okudingakalayo ukuze umuntu anelise ukuvotelwa njengoMongameli kumbe uMsekeli kaMongameli

(1) Umuntu uyenelisa ukuvotelwa njengoMongameli kumbe uMsekeli kaMongameli nxa—

- (a) eyisizalwane seZimbabwe ngokuzalwa kumbe ngosendo;
- (b) esefikise iminyaka engamatshumi amane (40) yokuzalwa;
- (c) engumuntu ovele ehlala kweleZimbabwe; njalo
- (d) ebhalise njengomuntu ovotayo.

(2) Umuntu akenelisi ukuthi avotelwe esikhundleni sokuba nguMongameli kumbe uMsekeli kaMongameli nxa kuyikuthi sewake waphatha isikhundla sokuba nguMongameli ngaphansi kwalesi Sisekamthetho okwamatthemu amabili, alandelanayo loba hatshi, njalo ngaphansi kwalesi sigatshana iminyaka emithathu kusiya phezulu esikhundleni ithathwa njengethemu epheleleyo.

92 Ukvotelwa kukaMongameli labaSekeli bakaMongameli

(1) Ukvotelwa kukaMongameli labaSekeli bakaMongameli ababili kumele kwenzakale esikhathini esibalulwe kuSigaba 158.

(2) Wonke umuntu oncintisa ukuvotelwa njengoMongameli kumele akhethe abantu ababili abazancintisa ndawonye laye njengabaSekeli bakaMongameli, njalo kumele afake oyedwa walabo bibili njengoMsekeli wakhe wakuqala kuthi omunye wakhona abe nguMsekeli wakhe wesibili bancintise benjalo.

(3) UMongameli labaSekeli bakaMongameli bavotelwa ndawonye ngabantu ababhalise ukuvota eZimbabwe yonke jikelele, njalo indlela okumele ilandelwe ekubavoteleni ibekwe yabalulwa kuMthetho woKhetho.

(4) Okudingakalayo ukuze umuntu enelise ukubhalisa ukuze avote lokuthi aphatheke ekhethweni lokudinga uMongameli kanye labaSekeli bakaMongameli kubalulwe kuHlelo 4.

(5) Ukhetho lokudinga uMongameli labaSekeli bakaMongameli kumele luqhutshwe sikhathi sinye lokhetho-jikelele oluqhutshwa kudingwa abameli bedale lePhalamende, amaKhansili ezifunda kanye lamaKhansili ezindawo.

93 Ukuphikisana lokukhetwa kukaMongameli

(1) Ngaphansi kwalesiSigaba, loba ngubani oncintisayo angaba lakho ukuphikisa ubuqotho bemiphumela yokhetho lokudinga uMongameli kumbe uMsekeli kaMongameli ngokunika isicelo kumbe ngokubhalela kuMthethwandaba weSisekamthetho phakathi kwamalanga ayisikhombisa imiphumela yokhetho iveziwe.

(2) Ukukhethwa koMsekeli kaMongameli kungaphikiswa kuphela nxa kuyikuthi akasuthisi kumbe wayengasuthisi okudingakalayo ukuze umuntu avotelwe kuleso sikhundla.

(3) UMthethwandaba weSisekamthetho kumele uzwe njalo uthethe udaba olulethwe njengesicelo kumbe olubhalelw kuwo ngaphansi kwesigatshana (1) phakathi kwamalanga alitshumi lane (14) udaba lumphanyekiwe, njalo isinqumo soMthethwandaba kasiphikiswa.

(4) Ekuthetheni udaba Iwesicelo kumbe olubhalelw eMthethwandaba ngaphansi kwesigatshana (1), uMthethwandaba weSisekamthetho—

- (a) ungaqamba umnqobi;
- (b) ungesula ukhetho, besekuqhutshwa olunye ukhetho phakathi kwamalanga angamatshumi ayisithupha (60) isinqumo sibekiwe; kumbe
- (c) unganika esinye isinqumo osibona siqotho njalo silungle.

(5) Nxa, kusicelo kumbe encwadini ebhalelw uMthethwandaba ngaphansi kwesigatshana (1)—

- (a) uMthethwandaba weSisekamthetho ungabeka eceleni ukhetho lokudinga uMongameli, ukukhethwa kwabaSekeli bakaMongameli bobabili lakho kuyahle kвесулве;
- (b) uMthethwandaba weSisekamthetho ungabeka eceleni ukukhethwa koMsekeli kaMongameli oyedwa kumbe bobabili, uMongameli kumele aphange akhethe umuntu kumbe abantu abalezimfanelo ezidingakalayo, ngokufaneleyo, ukuze abe kumbe babe ngabaSekeli bakaMongameli.

94 Ukuqalisa umsebenzi kukaMongameli labaSekeli bakaMongameli

(1) Abantu abakhethelwe ezikhundleni zikaMongameli labaSekeli bakaMongameli baqalisa umsebenzi ngemva kokuthatha izifungo zikaMongameli lezabaSekeli bakaMongameli phambi kukaMahluleli kumbe omunye uMahluleli olesikhundla esiphezulu kulabanye bonke abayabe bekhona njengokuchazwe kuHlelo 3, njalo lezozofungo kumele bazenze—

- (a) elangeni lesitshiyagalolunye bekhethiwe okusemthethweni; kumbe
- (b) nxa kube lokuphikisa ubuqotho bokukhethwa kwabo, phakathi kwamalanga amabili okunanzwa kwabo njengabanqobi nguMthethwandaba.

(2) UMongameli obusayo kumele aqhubeke ebusa uMongameli omutsha aze aqalise umsebenzi njengokuchazwe ngaphansi kwesigatshana (1).

(3) UMsekeli kaMongameli oba nguMongameli ngemva kokufa, ukutshiya umsebenzi kumbe ukususwa esikhundleni kukaMongameli uqalisa umsebenzi nxa esethethe isifungo sokuba nguMongameli phambi kukaMahluleli omkhulu kumbe omunye uMahluleli olesikhundla esiphezulu kulabanye bonke abayabe bekhona njengokuchazwe kuHlelo 3, njalo leso sifungo kumele senziwe ngokuphuthuma, esikhathini esingadluli amahola angamatshumi amane lasitshiyangalombili (48) ngemva kokukhamisa kvesikhundla sikaMongameli.

95 Isikhathi esibekiweyo sokuba sesikhundleni kukaMongameli labaSekeli bakaMongameli

(1) Ithemu yokuba sesikhundleni kukaMongameli kumbe uMsekeli kaMongameli iqalisa mhla ethatha isifungo njalo eqalisa umsebenzi ngaphansi kweSigaba 94(1)(a) kumbe u94(3).

(2) Ithemu yokuba sesikhundleni kukaMongameli kumbe uMsekeli kaMongameli iyaqhubeka—

- (a) aze atshiye umsebenzi kumbe akhitshwe esikhundleni; kumbe
- (b) kuze kube lolunye ukhetho lapho akhethwa khona ngokusemthethweni ukuthi abuse njalo kumbe kakhethwe omunye uMongameli ngokusemthethweni; njalo, ngaphandle nxa kusetshenziswe eminye imigca ekulesi Sisekamthetho, ubude bethemu yokubusa kwabo buyiminyaka emihlanu (5) esikhundleni njalo buhambelana xhathu lempilo yedale lePhalamende.

96 Ukutshiya umsebenzi kukaMongameli kumbe uMsekeli kaMongameli

(1) Umongameli angatshiya isikhundla sakhe ngokubhalela iSikhulumeli sedale lePhalamende incwadi yokutshiya umsebenzi, yena okumele aphange abikele uzulu ngokufuna ukutshiya umsebenzi kukaMongameli, njalo kumele enze lokhu phakathi kwesikhathi esingedluli amahola angamatshumi amabili lane (24).

(2) UMsekeli kaMongameli angatshiya isikhundla sakhe ngokubhalela uMongameli embikela ngenjongo yakhe, yena okumele aphange abikele uzulu ngokufuna ukutshiya umsebenzi kukaMsekeli kaMongameli, njalo kumele enze lokhu phakathi kwesikhathi esingedluli amahola angamatshumi amabili lane (24).

97 Ukukhitshwa kukaMongameli kumbe uMsekeli kaMongameli esikhundleni

(1) ISenethi leNdlu yabaMeli, zifuqwa ngesinqumo ezsibophe ndawonye Sisekelwa yingxene kumbe ukwedlula yabameli bazo, zinganquma ukuthi umbono wokuba uMongameli kumbe uMsekeli kaMongameli kumele akhitshwe esikhundleni ngenxa—

- (a) yokungaqhube kuhle umsebenzi;
- (b) yokwehluleka kwakhe ukulandela, ukunanza lokuvikela lesi Sisekamthetho
- (c) ukwephula mahlayana lesi Sisekamthetho;
- (d) ukungenelisi ukwenza okufunwa yisikhundla sakhe ngenxa yokwehluleka emzimbeni kumbe engqondweni;

kumele uhlolisise ngaphansi kwalesi Sigaba.

(2) Ekufakweni kwesinqumo ngaphansi kwesigatshana (1), iKomithi ebona ngeziQondiso zeDale kumele imise iKomithi ebunjwe ndawonye ngamalunga edale leSenethi laweNdlu yabaMeli elamalunga ayisitshiyagalolunye (9) akhombisa ukumelwa kwamabandla ezombusazwe edale lePhalamende, ukuze ihlolisis mayelana lokususwa kukaMongameli kumbe uMsekeli kaMongameli esikhundleni.

(3) Nxa—

- (a) iKomithi ebunjwe ngaphansi kwesigatshana (2) ikhuthaza ukususwa kukaMongameli kumbe uMsekeli kaMongameli esikhundleni; njalo

- (b) idale leSenethi leNdlu yabaMeli, ngesinqumo esibotshwe ngamalunga afika kumbe edlula ingxene ezimbili kwezintathu (2/3) zamalunga wonke azo zihlangene, zinganquma ukuthi uMongameli kumbe uMsekeli kaMongameli kumele asuswe esikhundleni;

uMongameli kumbe uMsekeli kaMongameli uhle atshiye isikhundla khonapho-khonapho.

98 Ukuvikeleka kukaMongameli eMthethweni

(1) Nxa esaphethe isikhundla, uMongameli akayi kumisa phambi komthethwandaba wemilandu kumbe owamacala ngenxa yezinto azenzileyo kumbe angazenzanga yena mathupha ezimele yedwa.

(2) Umtethewandaba ungathonisisa umuntu osewake waphatha isikhundla sokuba nguMongameli ngenxa yezinto azenzayo langazenzanga engakabi nguMongameli loba esesenguMongameli.

(3) Ukuqhutshwa kwezinqumo eziphathelane lezikwelede kumbe amacula kaMongameli enziwa engakaqalisu kumbe ephakathi kwethemu yakhe yombuso kuke kufakwe eceleni ngesikhathi esaphethe isikhundla.

(4) Kuzo zonke izingqubo ezethwesa osewake waba nguMongameli ngalokho akwenzayo kumbe angakwenzanga ngesikhathi esaphethe isikhundla sokuba nguMongameli okuphathelane lomsebenzi wakhe, kuyimvikelo kuye nxa engatshengisa obala ukuthi lokho akwenzayo kumbe angakwenzanga wakwenza ngesihle.

99 Imisebenzi yabaSekeli bakaMongameli

AbaSekeli bakaMongameli bancedisa uMongameli ekuqhubeni imisebenzi yakhe baphinde benze eminye imisebenzi abangayinikwa nguMongameli, egoqela ukuhola loba yiluphi ugatsha, uphiko kumbe uMthetho omiswe yiPhalamende.

100 Osaphethe isikhundla sikaMongameli

(1) Sonke isikhathi uMongameli engekho elizweni kumbe engenelisi ukuqhuba umsebenzi wakhe ngemfanelo ngenxa yokugula kumbe esinye isizatho, imisebenzi yakhe kumele yensiwe njalo iqhutshwe—

- (a) nguMsekeli wakuqala kaMongameli;
- (b) nxa uMsekeli wakuqala engenelisi ukuqhube leyo misebenzi, nguMsekeli wesibili kaMongameli;
- (c) nxa kungela Msekeli kaMongameli Owenelisayo ukwenza leyo misebenzi, nguMphathintambo:
 - (i) obekelwe isikhathi esinjalo nguMongameli; kumbe
 - (ii) okhethwe yiKhabhinethi, nxa kungela Mphathintambo obekwe nguMongameli njengokuchazwe ngaphansi kwesiqendwana (i).

(2) Ngaphandle kulandelwa isinqumo esibotshwe linengi lamalunga wonke eKhabhinethi, umuntu oqhuba imisebenzi kaMongameli njengokuchazwe kusigatshana (1) akumelanga asebenzise amandla kaMongameli—

- (a) okuphumisa ijumo amaButho oMvikela;
- (b) okudweba izivumelwano zamazwe kumbe ezemithetho yomhlaba wonke jikelele;
- (c) okuqhatsa kumbe ukukhipha esikhundleni uMsekeli kaMongameli, uMphathintambo kumbe uMsekeli kaMphathintambo; kumbe

- (d) okunika loba ukuguqula eminye imisebenzi kaMsekeli kaMongameli, uMphathintambo kumbe uMsekeli kaMphathintambo, kugoqela, esikhundleni soMsekeli kaMongameli kumbe uMphathintambo, ukuholwa koMthetho loba yiwuphi owePhalamende kumbe uGatsha loba uphiko, kumbe ukwesula loba yiphi imisebenzi efanayo.

101 Ukungenwa kwesikhundla sikaMongameli kumbe uMsekeli kaMongameli nxa angafa, engatshiya umsebenzi kumbe engasenelisi

(1) Nxa uMongameli angafa, angatshiya umsebenzi kumbe eangasuswa esikhundleni—

- (a) uMsekeli wakuqala kaMongameli uyathatha isikhundla njengoMongameli ithemu kaMongameli obekhona ize iphele;
- (b) uMsekeli wesibili kaMongameli uyathatha isikhundla njengoMsekeli wakuqala kaMongameli ithemu kaMongameli obekhona ize iphele; njalo
- (c) ekuthatheni isikhundla sikaMongameli, obenguMsekeli wakuqala kaMongameli kumele akhethe umuntu osuthisa okudingakalayo ukuze abe nguMsekeli wesibili kaMongameli ithemu kaMongameli obekhona ize iphele.

(2) Nxa uMsekeli wesibili kaMongameli angafa, angatshiya umsebenzi kumbe angasuswa esikhundleni—

- (a) uMsekeli wesibili kaMongameli uthatha isikhundla njengoMsekeli wakuqala kaMongameli ithemu yokuba sesikhundleni kukaMsekeli wakuqala kaMongameli obekhona ize iphele;
- (b) uMongameli kumele angachithi isikhathi akhethe umuntu olezimfanelo ezidingsakalayo ukuthi abe nguMsekeli wesibili kaMongameli ithemu yesikhundla sikamSekeli wakuqala kaMongameli obekhona ize iphele.

102 Iholo likaMongameli labaSekeli bakaMongameli

(1) UMongameli labaSekeli bakaMongameli babotshelwa ukuthola iholo, imali yezindleko, impentsheni lokunye okubalulwe ngaphansi koMthetho wePhalamande.

(2) Iholo lemalu yezindleko ephiwa uMongameli labaSekeli bakaMongameli kumele ivede kusikhwama sikaHulumende, iConsolidated Revenue Fund.

(3) Umuntu osephumile esikhundleni sokuba nguMongameli kumbe uMsekeli kaMongameli ubotshelwa ukuthola—

- (a) impentsheni ehambelana leholo likaMongameli kumbe uMsekeli kaMongameli osesikhundleni; njalo
- (b) izimali zendleko lokunye konke okutholiswayo njengokubalulwa nguMthetho wePhalamande.

103 UMongameli labaSekeli bakaMongameli kanye lasebake baphatha lezozikhundla abazukuphatha ezinye izihlalo kumbe ukuqhatshwa kweminye imisebenzi

UMongameli labaSekeli bakaMongameli, labanye bonke asebake baphatha lezo zikhundla, akumelanga babuye baphathe ezinye izihlalo kuHulumende kumbe baqhatshwe ngomunye umuntu ngesikhathi besakulezozikhundla kumbe bethola impentsheni kuHulumende njengabantu asebake baphatha isikhundla sikaMongameli loba uMsekeli kaMongameli.

ISAHLUKWANA 3

OMPHATHINTAMBO, ABASEKELI BABOMPHATHINTAMBO LEKHABHINETHI

**104 Ukuqhatshwa kwaboMphathintambo labaSekeli
babоМphathintambo**

(1) UMongameli uqhatsha oMphathintambo abuye abalule imisebenzi okumele bayenze, kugoqela ukuholwa kweMithetho yePhalamande kumbe okwaloba yiluphi uGatsha loba uphiko, kodwa uMongameli angazitshiyela umlandu wokuhola uMthetho, uGatsha kumbe uphiko.

(2) UMongameli angaqhatsha abaSekeli baboMphathintambo ukuze bancedise oMphathintambo ekuqhubeni imisebenzi yabo.

(3) OMphathintambo labaSekeli baboMphathintambo bakhethwa phakathi kwamalunga eSenethi kumbe aweNdlu yabaMeli, kodwa abanye abangedluli abahlanu, abadingelwe ulwazi lamakhono abo, bangaqhatshwa bengasimalunga edale lePhalamende.

(4) Ekuqhatsheni oMphathintambo labaSekeli baboMphathintambo, uMongameli kumele afake engqondweni umhlubulo welizwe lapho okuvela khona labo bantu kanye lokulinganisa kobulili.

(5) OMphathintambo labaSekeli baboMphathintambo abangesimalunga edale lePhalamende bangahlala, kodwa bangavoti, edale leSenethi kumbe eNdlini yabaMeli.

(6) Engakaze aqalise umsebenzi, umuntu oqhatshelwe ukuba nguMphathintambo kumele athathe isifungo esifaneleyo sokuba nguMphathintambo njengokubalulwe kuHlelo 3.

105 IKhabhinethi

(1) KuleKhabhinethi ebalisela uMongameli, njengenholo yeKhabhinethi, abaSekeli bakaMongameli laboMphathintambo abaqhatshelwe kuleyo Khabhinethi nguMongameli.

(2) Imihlangano yeKhabhinethi iholwa nguMongameli kumbe, nxa engekho, nguMSekeli kaMongameli kumbe, nxa laye engekho, nguMphathintambo okhulunywe ngaye kuSigaba 100(1)(c).

**106 Ukuziphatha kwabaSekeli bakaMongameli, oMphathintambo
labaSekeli baboMphathintambo**

(1) Wonke uMsekeli kaMongameli, uMphathintambo loMsekeli kaMphathintambo kumele aziphathe ngendlela elandela iSisekamthetho.

(2) AbaSekeli bakaMongameli, oMphathintambo labaSekeli baboMphathintambo akumelanga, ngesikhathi bephethe lezozikhundla—

- (a) ngendlela ebalulekileyo kumbe engemgceke, baphathe ezinye izihlalo kuHulumende kumbe benze eminye imisebenzi abayiholelayo;
- (b) benze loba yini engahambelani lesikhundla sabo, kumbe bazifake esimeni esilengozi yokudonselana phakathi komlandu womsebenzi wabo lezinye izinto eziphathelane laye siqu sakhe; kumbe
- (c) basebenzise isikhundla sabo, kumbe ulwazi abaluphiweyo, ukuthi bazinothise ngudlu bona ngokwabo kumbe omunye umuntu.

(3) UMthetho omiswe yiPhalamende kumele udwebe umqulu wokuziphatha kwabaSekeli bakaMongameli, oMphathintambo labaSekeli baboMphathintambo.

**107 Umlandu wabaSekeli bakaMongameli, oMphathintambo labaSekeli
babomphathintambo**

(1) Ngaphansi kwalesi Sisekamthetho, wonke uMsekeli kaMongameli, uMphathintambo lomeSekeli kaMphathintambo ulomlandu, ndawonye labanye njalo yena qobo lwakhe, wokuveza kuMongameli konke akwenzayo okuphathelane lomsebenzi wakhe.

(2) Wonke uMsekeli kaMongameli, uMphathintambo loMsekeli kaMphathintambo kumele abekhona edale lePhalamende lakumaKhomithi ePhalamende ukuze aziphendulele mayelana lokuphathelane lalokho okungumlandu wakhe ndawonye labanye kumbe yena ngokwakhe.

**108 Isikhathi esibekiweyo sokuba sesikhundleni kwabomphathintambo
labaSekeli babomphathintambo**

(1) Isikhundla sikaMphathintambo kumbe uMsekeli kaMphathintambo siba lesikhala—

- (a) nxa uMongameli engamsusa esikhundleni;
- (b) nxa engatshiya umsebenzi ngokubhalela kuMongameli embikela;
- (c) ekuqaliseni umsebenzi kukaMongameli omutsha.

(2) Ngaphansi kwesigatshana (4), uMphathintambo kumbe uMsekeli kaMphathintambo owayelilunga ledale lePhalamende ngesikhathi esiba nguMpathintambo kumbe uMsekeli kaMphathintambo utshiya isikhundla ngokufanayo nxa engama ukuba lilunga ledale lePhalamende.

(3) Ngaphansi kwesigatshana (4), uMphathintambo kumbe uMsekeli kaMphathintambo owayengesilunga ledale lePhalamende ngesikhathi esiba nguMphathintambo kumbe uMsekeli kaMphathintambo utshiya isikhundla ngokufanayo nxa kungenzakala ukuthi kube lesimo ebasingambangela ukuthi emukwe isihlalo sakhe nga ubelilunga ledale lePhalamende.

(4) Ngaphansi kwalesi Sisekamthetho, ekudilizweni kwedale lePhalamende, oMphathintambo labaSekeli babomphathintambo baqhube ka besezikhundleni zabo uMongameli omutsha okhethiwego aze aqalise umsebenzi ngemva kokhetho-jikelele.

109 iVoti yokungabi lethemba kuHulumende

(1) ISenethi leNdlu yabaMeli, ngesinqumo esenziwe ndawonye ngamatlunga afika kumbe ukudlula ingxenyi ezimbili kwezintathu (2/3) zamalunga azo wonke, zingaba lakho ukunika iVoti yokungabi lethemba kuHulumende.

(2) Injongo yokunquma ukunika iVoti yokungabi lethemba kuHulumende ingaqhutshwa kuphela nxa—

- (a) isiKhulumeli sedale lePhalamende sinikwe umbiko wokwenzenjalo esikhathini esingamalanga aiyiskhombisa kumbe ukwedlula; njalo
- (b) umbiko waleyonjongo usayinwe yingxenyi kumbe ukwedlula eyamatlunga wonke eNdlu yabaMeli.

(3) Injongo yokunika iVoti yokungabi lethemba kuHulumende—

- (a) kumele iqhutshwe iziNdlu zombili zedale lePhalamende zihlezi phakathi kwamatlunga angamatshumi amabili lanye (21) iSikhulumeli sithole umbiko waleyonjongo; njalo
- (b) kumele ivotelwe phakathi kokuhlala kwedale kasikhombisa okulandelanayo kusukela mhla iqhutshwayo; kungenjalo iyathathwa njengokuthi kayiphumelelanga.

(4) Nxa idale lePhalamende lingapasisa iVoti yokwemukwa kwesikhundla kuHulumende, uMongameli kumele, phakathi kwamalanga alitshumi lane (14) ivoti iqhutshiwe—

- (a) asuse bonke oMphathintambo labaSekeli baboMphathintambo ezikhundleni, ngaphandle nxa behle batshiya umsebenzi ngenxa yesinqumo, abesefaka abanye abantu ezikhundleni zabo; kumbe
- (b) adilize idale lePhalamende abesebizela ukhetho-jikelele phakathi kwamalanga angamatshumi ayisitshiyagalolunye (90).

(5) Nxa uMongameli engasenzanga njengokubalulwe kusigatshana (4) phakathi kwamalanga alitshumi lane iVoti yokungabi lethembu kuHulumende iqhutshiwe, idale lePhalamende liyadilizwa.

ISAHLUKWANA 4

IMISEBENZI YEZIPHATHAMANDLA

110 Imisebenzi ebhekane loMongameli kanye leKhabhinethi

(1) UMongameli ulamandla awanikwa yilesi Sisekamthethokanye laloba yiuphi uMthetho omiswe yiPhalamende kumbe eminye imithetho, kugoqela leyo edingakalayo ukuze imisebenzi yeNhloko yeSizwe ifezeke.

- (2) Ngaphansi kwalesi Sisekamthetho, uMongameli ulomlandu—
 - (a) wokuvuma lokusayina iMithetho esavivinywayo;
 - (b) wokudlulisel a umthetho osavivinywayo eMthethwandaba weSisekamthetho ukuze athole umbono lokucetshiswa mayelana lokuba kwawo semthethweni;
 - (c) wokubizela iNdlu yabaMeli, iSenethi ledale lePhalamende emhlanganweni ongahlelwanga ukuze kuqhutshwe umsebenzi oqakathekileyo;
 - (d) wokuqhatsha abantu ezikhundleni ezichazwe ukuba zigewaliswe ngumuntu oqhatshwe nguMongameli yiSisekamthetho kumbe nguMthetho;
 - (e) wokunqolonga ukhetho ngaphansi kwezimiso zalesi Sisekamthetho;
 - (f) wokubizela amavoti okudinga imibono kazulu mayelana lendaba ezitshieneyo kulandelwa izimiso zomthetho;
 - (g) wokuphumisa ijumo amabutho omvikela;
 - (h) wokunika izicoco lemivuzo;
 - (i) wokuqhatsha amanxusa, abameli abalamandla okuthatha izinqumo endaweni kaHulumende labameli beZimbabwe kwamanye amazwe; njalo
 - (j) ukwamukela lokunanza abameli bamanye amazwe kweleZimbabwe;
- (3) Ngaphansi kwalesi Sisekamthetho, iKhabhinethi ilomlandu—
 - (a) wokuqondisa imisebenzi kaHulumende;
 - (b) wokuqhube imisebenzi kaHulumende edale lePhalamende;
 - (c) wokuqoqa, ukusungula lokusebenzisa imithetho yelizwe;
 - (d) ukulungisa lokusebenzisa izibopho/zelizwe;
 - (e) Wokucebisa uMongameli.
- (4) Ngaphansi kwalesi Sisekamthetho, uMongameli angaphetha kumbe aqhube imithetho yomhlaba wonke jikelele, izivumelwano lamanye amazwe kanye lezinye izinhlanganiso zomhlaba wonke jikelele.

(5) Isinqumo esenziwa nguMongameli kumele sibe ngesilotshwe phansi nxa sithathwe maqondana lomthetho.

(6) Ekuqhubeni imisebenzi ephathelane lesikhundla sakhe, uMongameli kumele asebenze ecetshiswa yiKhabhinethi, ngaphandle nxa esenza okuphathelane lokuchazwe kusigatshana (2) ophezulu.

111 Impi lokuthula

(1) UMongameli ulamandla okuqalisa impi lokuletha uxolo, njalo kumele abikele iSenethi leNdlu yabaMeli phakathi kwamalanga ayisikhombisa (7) okuhlala kwalawo madale kusukela mhla ethatha leso sinqumo.

(2) ISenethi leNdlu yabaMeli, ngesinqumo ezisenze ndawonye Sisekelwa yingxene yezimbili kwezintathu (2/3) zamalunga wonke edale lePhalamende, zingabopha ukuthi isinqumo sokuqalisa impi kasigenqulwe.

(3) Lapho osekunqunywe khona lidale lePhalamende ukuthi isinqumo sokuqalisa impi kumele sigenqulwe, uMongameli kumele enze yonke imizamo enelisekayo yokuphuma kuleyompi, enanzelela kakuhle indingeko yokuphepha kwabantu kanye lempahla yeZimbabwe.

112 Amandla okuxolela

(1) UMongameli, ngemva kokubonisana leKhabhinethi, angasebenzisa amandla okuxolela, okutsho ukuthi —

- (a) anganika uxolo emuntwini loba ngubani owethweswa kumbe otholakale elecalo lokwephula umthetho loba yiwuphi;
- (b) angamisa ukubethwa kwesigwebo maqondana lecalo loba yiliphi okwesikhathi esingabekwanga kumbe esithile;
- (c) afake isigwebo esilukhuni okungcono endaweni yaleso esibethiweyo ecaleni loba yiliphi; kumbe
- (d) amise okwesikhathi esithile kumbe esule isigwebo sonke kumbe ingxene yesigwebo secala loba yiliphi kumbe loba yini engabe ithathelwe umuntu njengesijeziso sokwenza icala loba yiliphi;

njalo angafaka iziqondiso eziphathelane lalolo xolo, ukumiswa, ukuguqulwa kumbe ukwesulwa kwesigwebo.

(2) Nxa muntu oyisizalwane seZimbabwe engatholakala elecela kwelinye ilizwe elokwephula umthetho obusa kulelozwe, uMongameli ulakho ukupha isinqumo sokuthi lelocala kalinanzwa njengecalwa ngaphansi kwalesi Sisekamthetho kumbe omunye umthetho obusyo kweleZimbabwe.

(3) Ukunikwa koxolo kumbe ukumiswa kwesigwebo emuntwini otholakale elecalo kumbe ukuguqulwa loba ukwesulwa kwesigwebo kumele kwethulwe egwalweni lukaHulumende, iGazette.

113 Izikhathi uzulu ebhekane lomumo omanzonzo

(1) UMongameli ulakho, ngokwethula kugwalo lukaHulumende olweGazette, ukuthi abethe ukuba kukhona isimo esimanzonzo esibhekane lozulu elizweni lonke kumbe emhlubulweni othile weZimbabwe.

(2) Isinqumo sokubetha ukuthi kukhona isimo esimanzonzo esibhekane lozulu siphela Amandla aso ngemva kwensuku ezilitshumi lane kusukela mhla sisethulwayo egwalweni lukaHulumende olweGazette ngaphandle nxa, kungakedluli leso sikhathi,

leso sinqumo singaqinisa yingxene ezimbili kwezintathu (2/3) zamalunga wonke edale lePhalamende ahlanganisela idale leSenethi leNdlu yabaMeli zihlezi ndawonye.

(3) Nxa idale lePhalamende lingadilizwa esikhathini sensuku ezilitshumi lane kubethwe isinqumo sokuthi uzulu ubhekane lesimo esimanazonzo, lesosinqumo siphela Amandla aso ngemva kwensuku ezingamatshumi amabili lanye, kusukela mhla sisethulwayo egwalweni lukaHulumende olweGazette, ngaphandle nxa phakathi kwaleso sikhathi isinqumo sak hona singaqinisa linengi lamalunga wonke edale lePhalamende eholezi ndawonye njengeSenethi leNdlu yabaMeli.

(4) Isinqumo sokubetha ukuthi kakhona isimo esimanazonzo esibhekane lozulu esesiqiniswe ngaphansi kwasigatshana (2) kumbe (3) siba lamandla okwenyanga ezintathu kusukisela mhla sisethulwayo egwalweni lukaHulumende olweGazette, ngaphandle nxa sike sagenqulwa kumbe saphela amandla aso ngaphansi kwasonalesi Sigaba.

(5) Nxa isinqumo sokubetha ukuthi kakhona isimo esimanazonzo esibhekane lozulu singaqinzwanga ekuhlolisisweni kwaso lidale lePhalamende, kumbe nxa, ngenxa yaloba yisiphi isizatho, singazange sihlaziwe lidale lePhalamende esikhathini esibalulwe kulesi Sigaba, uMongameli kumele, ensukwini eziyisikhombisa, ngokwethula egwaleni lukaHulumende olweGazette, agenqule lesosinqumo.

(6) Nxa, ngesinqumo esipasiswe linengi lamalunga ekuhlaleni ndawonye kwedale leSenethi leNdlu yabaMeli, idale lePhalamende linganquma ukuthi isinqumo esibetha ukuthi kulomumo omanzonzo obhekane lozulu—

- (a) kumele siqhubeke okwesinye isikhathi esingedluli inyanga ezintathu, uMongameli kumele, ngokwethula egwalweni lukaHulumende olweGazette, engezelele ngalesosikhathi kulesosinqumo;
- (b) kumele sigenqulwe kumbe sigoqele indawo encane kulechaziweyo, uMongameli kumele angachithi isikhathi, ngokwethula egwalweni lukaHulumende olweGazette, agenqule lesosinqumo kumbe anciphise indawo esiyichazayo njengokuvunyelweneyo.

(7) Umtethwandaba weSisekamthetho, nxa ungabhalelw a yiloba ngubani ophathekayo, ungahlaza ukuba semthethweni—

- (a) kwesinqumo sokubetha ukuthi kakhona isimo esimanazonzo esibhekane lozulu;
- (b) kokwengezelela isikhathi sesinqumo esibetha ukuba khona komumo omanzonzo obhekane lozulu.

(8) Loba yiuphi umtethwandaba ungahlaza ukuba semthethweni komthetho loba yiuphi obekiweyo, kumbe ezinye izenzo eziqhutshiweyo, kulandela isinqumo esibetha ukuba khona komumo omanzonzo obhekane lozulu.

ISAHLUKWANA 5

UGQWETHA-NHLOKO

114 UGqwetha-Nhloko

(1) KuloGqwetha-Nhloko oqhatshwa nguMongameli.

(2) Umuntu oqhatshwe njengoGqwetha-Nhloko uqalisa umsebenzi ngemva kokuthatha izifungo zokuzinikela lezomsebenzi phambi kukaMongameli, kumbe umuntu ovunyelwe nguMongameli, njengokuchazwe kuHlelo 3.

(3) Umuntu uyenelisa ukuqhatshwa njengoGqwetha-Nhloko nxa elezimfanelo ezimanelisa ukuqhatshwa njengomahluleli woMthethwandaba oMkhulu.

(4) Imisebenzi kaGqwetha-Nhloko igoqela—

- (a) ukuma njengomcebisi omkhulu kaHulumende kwezomthetho;
- (b) ukumela uHulumende ekuqhutshweni kwendaba eziphathelane lokuhalisana kumbe leSisekamthetho;
- (c) ukubhalela uHulumende imithetho;
- (d) ukukhuthaza, ukuvikela lokuphakamisa ukubusa komthetho kanye lokuvikela izifiso zikazulu; njalo
- (e) ukuqhube eminye imisebenzi engethulelwa uGqwetha-Nhloko nguMthetho omiswe yiPhalamende;

njalo uGqwetha-Nhloko angaqhuba leyo misebenzi yena mathupha kumbe esebenzisa abanye abancane kulaye esikhundleni abasebenzela ngaphansi kwekhwapha leziqondiso ezibekiwego zikaGqwetha-Nhloko.

(5) UGqwetha-Nhloko—

- (a) angahlala emihlanganweni yeKhabhinethi kodwa engela voti;
- (b) angahlala njalo akhulume edale leSenethi leNdlini yabaMeli, kodwa engela voti; njalo
- (c) ngemvumo yomthethwandaba ofaneleyo, angahlala njengomngane womthethwandaba ekuqhutshweni kodaba olumayelana lokuhalisana lapho uHulumende engesingxene yodaba khona.

115 Ukususwa esikhundleni kukaGqwetha-Nhloko

UMongameli angasusa uGqwetha-Nhloko esikhundleni ngaloba yisiphi isikhathi.

ISAHLUKO 6

ISIBUMBAMTHETHO

ISAHLUKWANA1

IGUNYA LESIBUMBAMTHETHO

116 IsiBumbamthetho

ISibumbamthetho seZimbabwe sigoqela iDale lePhalamende loMongameli abasebenza maqondana lalesi Sahluko.

117 Umhlobo lomkhawulo wamandla esiBumbamthetho

(1) Igunya leSibumbamthetho seZimbabwe livelela ebantwini njalo ligxiliswa kanye lokusetshenziswa maqondana lalesi Sisekamthetho yiSibumbamthetho.

(2) Igunya leSibumbamthetho linika iSibumbamthetho amandla—

- (a) okuguqula lesi Sisekamthetho maqondana leSigaba 328;
- (b) okubumba imithetho eletha ukuthula, ukuhleleka kanye lombuso omuhle eZimbabwe; njalo
- (c) okunikeza amanye amandla okubumba imithetho phezu kwenye inhlanganiso kumbe ibumba maqondana leSigaba 134.

ISAHLUKWANA 2

IDALE LEPHALAMENDE

118 Idale lePhalamende

IDAle lePhalamende ligoqela idale leSenethi leleNdlu yabaMeli.

119 Umlandu wedale lePhalamende

(1) IDale lePhalamende kumele livikele lesi Sisekamthetho njalo likhuthaze umbuso oqotho kweleZimbabwe.

(2) IDale lePhalamende lilamandla okuba lesiqiniselo sokuthi izimiso zalesi Sisekamthetho ziyalandelwa, kanye lokuthi iSizwe lazo zonke izinhlanganiso labameli bakaHulumende emabangeni wonke baziphatha ngendlela esemthethweni njalo elonda izifiso zelizwe.

(3) Ngaphansi kwesigatshana (2), zonke izinhlanganiso labameli beSizwe emabangeni wonke kumele baziphendulele eDale lePhalamende.

ISAHLUKWANA 3

IDALE LESENETHI

120 Amalunga abumba iDale leSenethi

(1) IDale leSenethi ligoqela amalunga angamatshumi ayisitshiyagalombili, kusithi--

- (a) abayisithupha bakhona bakhethwa esabelweni sinye ngasinye esiyixenye yokuqunywa okwenziwe iZimbabwe, kulandelwa indlela yokumelwa okulinganiselayo okumiswe kusigatshana (2);
- (b) abalitshumi lasithupha bakhona yizinduna, ezimbili zakhona kungezikhethwe yinhlangano yezabelo eyezinduna ezivela ezabelweni ezimbili, kungabalwa izabelo ezesemadolbeni amakhulu, eziyingxenye yokuqunywa okwenziwe iZimbabwe;
- (c) uMongameli loMsekeli kaMongameli weKhansili yeZinduna eyeLizwe; njalo
- (d) ababili bakhona bakhethwa ngendlela ephawulwe eMthethweni wezoKhetho ukuze bamele abantu abalobugoga.

(2) Ukhetho lokudinga amaSenetha kumele luqhutshwe kulandelwa uMthethwo wezoKhetho, wona okumele ube lesiqiniselo sokuthi amaSenetha aqanjwe kuSigaba (1)(a) akhethwe ngendlela elinganisela ukumelwa okufaneleyo kwamabandla ezombusazwe—

- (a) kukhangela inani lamavoti atholwe ngoncintisayo munye ngamunye esabelweni sinye ngasinye kuKhetho-jikelele olokudinga abaMeli beDale lePhalamende; njalo
- (b) lapho amabizo abesilisa labesifazane abhalwa khona eluhlwin elandelana etshintshana njalonjalo, kusithi uluhlu lunye ngalunye luqualise ngokubhalwa ibizo lomuntu wesifazane.

121 Okudingakalayo ukuze umuntu enelise kumbe engenelisi ukuvotel-wa njengelunga ledale leSenethi

(1) Umuntu uyenelisa ukuvotelwa esikhundleni sobuSenetha esiqanjwe kuSigaba 120(a) kumbe (d) nxa—

- (a) ebhalise njengomvoti; njalo
- (b) esefikise iminyaka engamatshumi amane kusiya phezulu eyokuzalwa; ngaphandle nxa engafanelanga ngaphansi kweSigaba (4) kumbe (5).

(2) Umuntu uyenelisa ukukhethwa njengoSenetha-Nduna oqanjwe kuSigaba 120(1)(b) nxa—

- (a) eyinduna; njalo
 - (b) ebhalise njengomvoti;
- ngaphandle nxa engafanelanga ngaphansi kwesigatshana (4) kumbe (5).

(3) Umuntu uyenelisa ukuvotelwa njengoSenetha oqanjwe kuSigaba 120(1)(d) nxa engumuntu olobugoga njengokuchazwe eMthethweni wezoKhetho, ngaphandle nxa engafanelanga ngaphansi kwesigatshana (4) kumbe (5).

(4) Umuntu akafanelanga ukuncintisa kumavoti okudinga uSenetha nxa—

- (a) engafanelanga ngaphansi koHlelo Iwesine ukubhalisa njengomvoti;
- (b) eminyakeni emihlanu eyandulela ukhetho, etshiye isihlalo edale leSenethi kumbe eNdlini yabaMeli kulandelwa uSigaba 129 (1)(i) ngenxa yokuthi uke watholakala elecal.

(5) Umuntu akafanelanga ukuncintisa kumavoti okudinga uSenetha ekhethweni Iwesihlalo esisodwa nxa engumMeli weDale lePhalamende.

122 UMongameli wedale leSenethi

(1) Ekuhlaleni kwalo kwakuqala kulandela uKhetho-jikelele njalo kungakenziwa okunye konke, iDale leSenethi kumele likhethe isiphathamandla esihola izinto esaziwa ngokuthi nguMongameli weDale leSenethi.

(2) Kungavele kube lesikhexe esikhundleni sikaMongameli weDale leSenethi, kuyamele iDale leSenethi likhethe umuntu wokugcwalisa lesu sikhexe masinyazanyana nje.

(3) Umuntu uyanelisa ukuvotelwa esikhundleni sikaMongameli weDale leSenethi nxa engu, kumbe eseke waba nguSenetha, kumbe efanele ukuvotelwa ukuthi angene eDale leSenethi.

(4) Ukhetho lokudinga umuntu ozaphatha isikhundla sikaMongameli weDale leSenethi kumele luqhutshwe nguNobhala weDale lePhalamende eholwa yiKomithi ebona ngezoKhetho eZimbabwe, ivoti yomuntu ibe yimfhlo yakhe kulandelwa iziLawulo ezimiyo, njalo imiphumela yakhona kumele imenyezelwe khonapho-khonapho.

(5) Engakaqalisi umsebenzi wakhe, uMongameli weDale leSenethi kumele athathe, phambi kukaNdunankulu waboMahluli kumbe omlandelayo emandleni ongabe ekhona, isifungo sokwethembeka lesokuqala umsebenzi njengokuchazwe eHlelwani Iwesithathu.

(6) USenetha osekhethe ukuba nguMongameli weDale leSenethi uhle atshiye isikhundla sokuba nguSenetha, njalo isikhexe asitshiyileyo kumele sigcwaliswe kulandelwa uMthetho wezoKhetho.

(7) UMongameli weDale leSenethi angatshiya isikhundla sakhe ngokuma phambi kweDale leSenethi elibikela ngenjongo yakhe eyokutshiya umsebenzi, kumbe nxa iDale lingahlali ngalesosikhathi, ngokunikeza uNobhala weDale lePhalamende incwadi elaleso saziso.

- (8) UMongameli weDale leSenethi kumele aphume esikhundleni—
- mhla iDale leSenethi liqalayo ukuhlala ngemva koKhetho-jikelele;
 - ekungeneni kwakhe omunye umsebenzi ophathelane lozulu kumbe ekuqhatshweni kwakhe ngomunye umuntu;
 - ekubeni lilunga leDale lePhalamende kumbe uSomlomo;
 - ekubeni nguMsekeli kaMongameli, kumbe uMphathintambo kumbe uMsekeli kaMphathintambo;
 - nxa kungaba khona umumo omphoqayo ukuba atshiye isikhundla, nxa kuyikuthi ube enguSenetha; kumbe
 - nxa kungathathwa isinqumo sokuthi asuswe esikhundleni ngamalunga ayisilinganiso sengxenye ezimbili kwezintathu eDale leSenethi.

123 UMsekeli kaMongameli wedale leSenethi

(1) Ngokukhulu ukuphangisa okwanelisekayo ngemva kokukhetha uMongameli weDale leSenethi kulandela uKhetho-jikelele, iDale leSenethi kumele likhethe uSenetha oyedwa ukuthi abe nguMsekeli kaMongameli weDale leSenethi.

(2) Sonke isikhathi kusiba lesikhexe esikhundleni soMsekeli kaMongameli weDale lePhalamende, iDale leSenethi kumele, masinyazanyana nje, likhethe umuntu wokugcwalisa leso sikhundla.

(3) Ukhetho lokudinga uMsekeli kaMongameli weDale leSenethi kumele luqhutshwe nguNobhala weDale lePhalamende eholwa yiKomithi ebona ngezoKhetho eZimbabwe, ivoti yomuntu ibe yimfihlo yakhe kulandelwa iziLawulo ezimiyo, njalo imiphumela yakhona kumele imenyezelwe khonapho-khonapho.

(4) Engakaqalisi umsebenzi wakhe, uMsekeli kaMongameli weDale leSenethi kumele athathe, phambi kukaNdunankulu waboMahluli kumbe omlandelayo emandleni ongabe ekhona, isifungo sokwethembeka lesokuqala umsebenzi njengokuchazwe eHlelweni lwesithathu.

(5) UMsekeli kaMongameli weDale leSenethi ulakho ukutshiya umsebenzi ngokuzimela yena mathupha phambi kweDale leSenethi esitsho injongo yakhe, kumbe nxa iSenethi ingahlali ngaleso sikhathi, nokubhala incwadi ayinike uMongameli weDale leSenethi kumbe, nxa uMongameli weDale leSenethi engekho, ayinike uNobhala weDale lePhalamende.

- (6) UMsekeli kaMongameli weDale leSenethi kumele aphume esikhundleni—
- nxa engasenguye Senetha;
 - nxa engaba nguSomlomo;
 - nxa engaba nguMsekeli kaMongameli, uMphathintambo kumbe uMsekeli kaMphathintambo;
 - nxa kungathathwa isinqumo sokuthi asuswe esikhundleni ngamalunga ayisilinganiso sengxenye ezimbili kwezintathu eDale leSenethi.

ISAHLUKWANA 4

INDLU YABAMELI

124 Amalunga abumba iNdlu Yabameli

(1) INdlu yabaMeli igoqela—

- (a) amalunga angamakhulu amabili letshumi elilodwa akhethwe ngevoti eyimfihlo ezifundeni zokhetho zonke ezingamakhulu amabili letshumi elilodwa eziqunyiweyo eZimbabwe; njalo
- (b) okwempilo yamaDale amabili ePhalamende kusukela mhla lesi Sisekamthetho siqala ukusebenza, amalunga esifazane angamatshumi ayisithupha phezulu, abayisithupha bevela kusabelo sinye ngasinye seZimbabwe njengokuqunya kwayo, bekhethwa ngendlela yokumelwa kwamabandla ehlukaneyo ezombusazwe kusiya ngenani lamavoti atholwe ngabancintissa ekhethweni bemele amabandla atshiyeneyo kuKhetho-jikelele lokudinga abameli bezifunda zokhetho kulezo zabelo.

(2) Ukhetho lokudinga amaLunga eNdlu yabaMeli kumele luqhutshwe kulandelwa uMthetho wezoKhetho.

(3) Okudingakalayo ukuze umuntu anelise ukubhalisa njengomvoti kanye lokuvota kuKhetho lokudinga amaLunga eNdlu yabaMeli kuphawulwe eHlelweni lweSine.

**125 Okudingakalayo ukuze umuntu enelise ukuvotelwa eNdlini
Yabameli lokungenza angafaneli ukuvotelwa**

(1) Umuntu uyenelisa ukuvotelwa njengeLunga leNdlu yabaMeli nxa—

- (a) ebhalise njengomvoti; njalo
- (b) nxa esefikise iminyaka engamatshumi amabili lanye yokuzalwa; ngaphandle nxa engafanelanga ngaphansi kwesigatshana (2) kumbe (3).

(2) Umuntu akafanelanga ukuvotelwa njengeLunga leNdlu yabaMeli nxa—

- (a) engafanelanga ngaphansi koHlelo lweSine ukubhalisa njengomvoti; kumbe;
- (b) eminyakeni emihlanu eyandulela ukhetho, ube ephume esihlalweni seDale leSenethi kumbe eleNdlu yabaMeli ngendlela ebalulwe kuSigaba 129(1)
 - (i) ngenxa yokuba eke watholakala elecalo emthethwandaba.

(3) Umuntu akafanelanga ukuvotelwa ekhethweni lokudinga umMeli oyedwa eNdlini yabaMelei nxa elilunga leDale lePhalamende.

126 USomlomo weNdlu Yabameli

(1) Ekuhlaleni kwalo kwakuqala kulandela uKhetho-jikelele njalo kungakenziwa okunye konke, iDale leNdlu yabaMeli kumele likhethe isiphathamandla esihola izinto esaziwa ngokuthi nguSomlomo.

(2) Kungavele kube lesikhixe esikhundleni sikaSomlomo, kuyamele iDale leNdlu yabaMeli likhethe umuntu wokugcwalisa leso sikhixe masinyazanyana nje.

(3) Umuntu uyanelisa ukuvotelwa njengoSomlomo nxa engu kumbe eseke waba liLunga leNdlu yabaMeli kumbe efanele ukuvotelwa ukuthi angene eNdlini yabaMeli.

(4) Ukhetho lokudinga umuntu ozaphatha isikhundla sikaSomlomo kumele luqhutshwe nguNobhala weDale lePhalamende eholwa yiKomithi ebona ngezoKhetho

eZimbabwe, ivoti yomuntu ibe yimfihlo yakhe kulandelwa iziLawulo ezimiyo, njalo imiphumela yakhona kumele imenyezelwe khonapho-khonapho.

(5) Engakaqalisi umsebenzi wakhe, uSomlomo kumele athathe, phambi kukaNdunankulu waboMahluli kumbe omlandelayo emandleni ongabe ekhona, isifungo sokwethembeka lesokuqala umsebenzi njengokuchazwe eHlelweni IweSithathu.

(6) ILunga leNdlu yabaMeli eselikhethwe ukuba nguSomlomo akaseyilo Lunga leNdlu yabaMeli, njalo isikhexe asesitshiyile esihlalweni kumele sigcwaliswe kulandelwa uMthetho wezoKhetho.

(7) USomlomo ulakho ukutshiya umsebenzi ngokuzimela yena mathupha phambi kweNdlu yabaMeli esitsho injongo yakhe, kumbe nxa iNdlu yabaMeli ingahlali ngaleso sikhathi, ngokubhala incwadi ayinike uNobhala weDale lePhalamende.

(8) USomlomo kumele atshiye isikhundla sakhe—

- (a) Mhla iNdlu yabaMeli ihlalayo okwakuqala ngemva kokhetho-jikelele;
- (b) ekwamukeleni kwakhe omunye umsebenzi ophathelane lozulu kumbe ekuqhatshweni kwakhe ngomunye umuntu;
- (c) ekubeni kwakhe liLunga leNdlu yabaMeli kumbe uMongameli weDale leSenethi;
- (d) ekubeni kwakhe nguMsekeli kaMongameli, uMphathintambo kumbe uMsekeli kaMphathintambo;
- (e) nxa kungaba khona umumo omphoqayo ukuba atshiye isikhundla, nxa kuyikuthi ube eliLunga leNdlu yabaMeli; kumbe
- (f) nxa kungathathwa isinqumo sokuthi asuswe esikhundleni ngamalunga ayisilinganiso sengxenye ezimbili kwezintathu eNdlini yabaMeli.

127 UMsekeli kaSomlomo weNdlu Yabameli

(1) Ngokukhulu ukuphangisa okwanelisekayo kulandele uKhetho-jikelele, iNdlu yabaMeli kumele ikhethe oyedwa wamalunga ayo ukuthi abe nguMsekeli kaSomlomo.

(2) Sonke isikhathi kusiba lesikhexe esikhundleni soMsekeli kaSomlomo, iNdlunyabaMeli kumele, masinyazanyana nje, ikhethe umuntu wokugwalisa lesosikhundla.

(3) Ukhetho lokudinga umuntu ozaphatha isikhundla sioMsekeli kaSomlomo kumele luqhutshwe nguNobhala weDale lePhalamende eholwa yiKomithi ebona ngezoKhetho eZimbabwe, ivoti yomuntu ibe yimfihlo yakhe kulandelwa iziLawulo ezimiyo, njalo imiphumela yakhona kumele imenyezelwe khonapho-khonapho.

(4) Engakaqalisi umsebenzi wakhe, uMsekeli kaSomlomo kumele athathe, phambi kukaNdunankulu waboMahluli kumbe omlandelayo emandleni ongabe ekhona, isifungo sokwethembeka lesokuqala umsebenzi njengokuchazwe eHlelweni IweSithathu.

(5) UMsekeli kaSomlomo ulakho ukutshiya umsebenzi ngokuzimela yena mathupha phambi kweNdlu yabaMeli esitsho injongo yakhe, kumbe nxa iNdlu yabaMeli ingahlali ngaleso sikhathi, ngokubhala incwadi ayinike uSomlomo kumbe, nxa uSomlomo engekho, uNobhala weDale lePhalamende.

(6) uMsekeli kaSomlomo kumele atshiye isikhundla sakhe—

- (a) ekumeni kwakhe ukuba liLunga leNdlu yabaMeli;
- (b) ekubeni kwakhe nguMongameli weDale leSenethi;

- (c) ekubeni kwakhe nguMsekeli kaMongameli, uMphathintambo kumbe uMsekeli kaMphathintambo; kumbe
- (d) nxa kungathathwa isinqumo sokuthi asuswe esikhundleni ngamatlunga ayisilinganiso sengxenye ezimbili kwezintathu eNdlini yabaMeli.

ISAHLUKWANA 5

ISIKHATHI ESIBEKIWEYO SOKUPATHA ISIKHUNDLA KWAMALUNGA EDALE LEPHALAMENDE

128 Isifungo seLunga leDale lePhalamende

(1) ILunga leDale liPhalamende lingakathathi isihlalo salo eDale lePhalamende, kumele lithathe isifungo seLunga leDale lePhalamende njengokuphawulwe eHlelweni lweSithathu.

(2) Isifungo esiqanjwe kusigatshana (1) kumele sithathelwe phambi kuka nobhala weDale lePhalamende.

129 Isikhathi esibekiweyo sokuhlala esikhundleni kweLunga ledale lePhalamende

- (1) Isihlalo seLunga leDale lePhalamende siba lesikhexe—
 - (a) ekudilizweni kweDale lePhalamende;
 - (b) ekutshiyeni kweLunga isihlalo salo ngokubhala incwadi ebikela uMongameli weSenethi kumbe uSomlomo, njengokufaneleyo;
 - (c) ekubeni nguMongameli kumbe uMsekeli kaMongameli kweLunga;
 - (d) ekubeni nguMongameli weDale leSenethi kumbe uSomlomo kumbe ilunga lenye iNdlu;
 - (e) nxa iLunga lingasafanelanga ukubhalisa njengomvoti;
 - (f) nxa iLunga lingaswelakala eNdlini lapho elilunga khona okwamalanga angamatshumi amabili lanye alandelanayo okungela mvumo kaSomlomo kumbe uMongameli weSenethi, kusiya ngendlu elikiyo, lapho iNdlu ihlanganayo khona, njalo leyoNdlu ibisivotela ngenani lamavoti ayisilinganiso sengxenye yamatlunga wonke aleyoNdlu ukuthi lesosihlalo kasibe lesikhexe;
 - (g) nxa ilunga lingemukela umsebenzi ophathelane lozulu kumbe njengelunga lenhlanganiso ephathelane lomthetho, inhlanganiso eholwa nguHulumende, ikhansili yesabelo kumbe eyedolobho elikhulu kumbe uhulumende wesabelo kumbe ukuqhatshwa njengesisebenzi senhlanganiso ephathelane lomthetho, ikhansili yesabelo kumbe eyedolobho elikhulu kumbe uhulumende wesabelo;
 - (h) nxa iLunga beliyisisebenzi sikazulu kumbe ilunga loba isisebenzi senhlanganiso ephathelane lomthetho, inhlanganiso eholwa nguHulumende, ikhansili yesabelo kumbe eyedolobho elikhulu kumbe uhulumende wesabelo mhla ebekwa njengeLunga leDale lePhalamende, abesesehluleka ukutshiya lesosikhundla, ukuba lilunga kumbe lowomsebenzi ensukwini ezingamatshumi amathathu kusukela lelo langa;
 - (i) nxa ilunga lingatholakala lilecalal:
 - (i) eZimbabwe eligoqela ukwephula ithemba, ukungathembakali kumbe ubudlwangudlwangu;
 - (ii) phandle kweZimbabwe eligoqela ukuziphatha ngendlela eyokuthi

nga lenzakale eZimbabwe, bekuyabe kulicala elengame ukwephula ithemba, ukungathembakali kumbe ubudlwangdlwangu;

njalo ligwetshelwe ukuhlala ejele okwezinyanga eziyisithupha kusiya phezulu kungela thuba lokubhadala ifayindi esikhundleni sokuhlala ejele kumbe elokuphiwa esinye isijeziso esingasikuhlala ejele, ngaphandle nxa iLunga lingakhalaza icala lalo beselisesulwa kumbe isigwebo sokuhlala ejele besesisehliwa ngaphansi kwenyanga eziyisithupha kumbe isijeziso esingasikuhlala ejele sesithatha isikhundla sesigwebo sakuqala;

- (j) nxa iLunga lingathathwa njengomuntu osehluleke ukukhokha izikwelede zakhe ngomthetho osebenza eZimbabwe njalo engakalungisiswa leso simo kumbe ukukhululwa, kumbe nxa iLunga lenze isivumelwano labantu elilezikwelede labo ngaphansi komthetho ofanayo esingachithwanga kumbe ukubekwa eceleni;
- (k) nxa iLunga lingasayingxenye yebandla lombusazwe elikade likilo ngesikhathi livotelwa ukungena ePhalamende, njalo ibandla lakhona beselihalela uSomlomo kumbe uMongameli weSenethi, kusiya ngokuthi ulilunga layiphi iNdlu, liphawula ukuthi leloLunga kaliseyingxenye yalelobandla;
- (l) nxa iLunga, ebelingela bandla lezombusazwe eliyingxenye yalo ngesikhathi livotelwa ukungena ePhalamende, lingaba lilunga lebandla lezombusazwe;
- (m) nxa iLunga lingatholakala ukuthi lilomkhuhlane wengqondo kumbe inkinga yokucabanga ngaphansi komthetho ongab eZimbabwe; kumbe;
- (n) nxa iLunga lingatholakala lilecalo ngaphansi koMthetho wezoKhetho njalo labethwa nguMthethwandaba oPhezulu njengomuntu ongasafanelanga ukubhalisa njengomvoti kumbe ukuvota kuloba yiluphi ukhetho.

(2) ILunga eliqanjwe kusigatshana (1)(i) eseliqansise isikhala mayelana lesigwebo salo lingaqhubeka lisenza imisebenzi yalo njengeLunga njalo lithola iholo lalo, udaba Iwesikhala salo luze luhpheli, ngaphandle nxa umthethwandaba ungabopha ukuthi kumele livalelwe entolongweni kusamelelwe umphumela wodaba Iwesikhala sakhe.

(3) ILunga leDale lePhalamende eliba nguMgcinihsahlalo wekhansili yesabelo liyatshiya isihlalo ebelisiphetho lingakaqalisi umsebenzi njengoMgcinihsahlalo.

ISAHLUKWANA 6

AMANDLA EZIBUMBAMTHETHO LAMANYE ATHILE

130 Amandla lemisebenzi yedale leSenethi kanye leNdlu Yabameli

(1) Ngaphandle kwezimiso ezibekwe eHlelweni IwesiHlanu, ekusebenziseni igunya lawo lesibumbamthetho, womabili amaDale – eleSenethi kanye leNdlu yabaMeli, alamandla okukhanda, ukulungisa, ukuhlaziya kumbe ukujikela phandle loba yiwuphi umthetho.

(2) Phezu kwemisebenzi yawo ngaphansi kwalesi Sisekamthetho, amaDale athi eleSenethi leleNdlu yabaMeli angaba lakho ukwenza eminye imisebenzi ethulelwe kumbe ethweswe phezu kwawo ngaloba yiwuphi umthetho.

**131 IMithetho eyethulwa liDale lePhalamende lokuqhutshwa kwayo
ukuze igcwaliseke**

(1) Igunya leDale lePhalamende elokulungisa umthetho lisetshenziswa ngokupasisa iMithetho emiswe yiPhalamende.

(2) UMthetho omiswe yiPhalamende nguMthetho osaKhandwayo—

- (a) osewethulwe njalo wapasiswa eziNdlini zombili zeDale lePhalamende; njalo
- (b) Osuvunywe njalo wasayinwa nguMongameli; kulandelwa izimiso zalesi Sisekamthetho.

(3) Amabala okupasisa iMithetho emiswe yiPhalamende ngathi “Opasiswe yiPhalamende loMongameli welizwe leZimbabwe”, kumbe amanye atsho okufanayo.

(4) Indlela okumele ilandelwe yiNdlu yabaMeli kanye leDale leSenethi maqondana loKhandwa kweMithetho iphawulwe eHlelweni IwesiHlanu.

(5) Ngemva kokuba uMthetho osaKhandwayo usupasisiwe eziNdlini zombili kulandelwa izimiso ezikuHlelo IwesiHlanu, uMongameli weDale leSenethi kumbe uSomlomo, kusiya ngeNdlu yakhona, kumele aphuthume—

- (a) abangele ukuthi wethulwe kuMongameli ukuze awuvume njalo awusayine, ndawonye lencwadi yobufakazi edingakalayo ngaphansi kwalesi Sisekamthetho ukuthi iphelekezele lowoMthetho oKhandwayo; njalo
- (b) akhuphe isaziso kuzulu esitsho ilanga lapho lowoMthetho osaKhandwa wasiwa kuMongameli.

(6) Nxa uMthetho ungasiwa kuMongameli ukuze awuvume kanye lokuwusayina, kumele, phakathi kwamalanga angamatshumi amabili lanye—

- (a) awuvume abesewusayina, abuye abangele ukuthi ukhutshwe eGwalweni lukaHulumende olweGazette ngokukhulu ukuphangisa; kumbe
- (b) nxa ewubona usephula izimiso zeSisekamthetho kumbe ebe leminye imibono engahambelani lawo, abuyisele lowoMthetho osaKhandwa eDale lePhalamende udlula ezandleni zikaNobhala weDale lePhalamende, ndawonye lezizatho ezilotshwe zaphelela ukuthi kungani ethandabuza ukwemukela lowoMthetho osaKhandwa kanye lesicelo sokuthi lowoMthetho osaKhandwa uke uhlolisisewe.

(7) Lapho kube loMthetho osaKhandwayo obuyiselwe eDale lePhalamende ngezimiso zesigatshana (6)(b), uSomlomo kumele, masinyazanyana nje, abizele ukuthi iNdlu yabameli ihlale, yona okumele—

- (a) ikhangelisise njalo uMthetho osakhandwayo loyana ikhangela lezizatho zikaMongameli zokuthandabuza; kumbe;
- (b) iwupasise, unjalo kumbe isike yawulungisia, ngesilinganiso sokubili kungxene ezintathu zenani lamaLunga wonke aweNdlu yabaMeli;

njalo loba kukuwuphi umphumela kuleyo yomibili uSomlomo kumele abangele uMthetho lo osakhandwayo ukuthi uqhutshelwe uMongameli masinyane ukuze awuvume njalo awusayine, njalo akhiphe isaziso kuzulu esitsho ilanga lapho lowomthetho oKhandwayo uhanjiswe khona kuMongameli.

(8) Nxa uMthetho osaKhandwayo ohanjiswe kuMongameli kulandelwa izimiso zesigatshana (7) ukhangele ngokupheleleyo zonke izizatho zikaMongameli zokuthandabuza ukuwuvuma, uMongameli kumele awuvume lowoMthetho okhandwayo njalo awusayine phakathi kwamalanga angamatshumi amabili lanye abesebangela

ukuthi ukhutshwe egwalweni lukaHulumende olwe*Gazette* ngokuphangisa, kodwa nxa uMongameli elokhu elezizatho zokuthandabuza mayelana lalowoMthetho oKhandwayo, kumele, phakathi kwasonaleso sikhathi —

- (a) awuvume njalo awusayine lowoMthetho okhandwayo, kungelani lezizatho zakhe zokuthandabuza; kumbe
- (b) Adlulisele uMthetho wakhona oKhandwayo phezulu eMthethwandaba weSisekamthetho ukuze athole ukucetshiswa ngokuhambelana kwawo lezimiso zeSisekamthetho.

(9) Nxa uMthethwandaba weSisekamthetho, ngemva kokudlulisela uMthetho osaKhandwayo njengokuqanjwe ngaphansi kwesigatshana (8), ungacebisa ukuthi lowoMthetho uhambelana lezimiso zeSisekamthetho, uMongameli kumele awuvume njalo awusayine khonokho-khonokho nje abuye awubangele ukuthi ukhutshwe egwalweni lukaHulumende olwe*Gazette* masinyazanyana nje.

(10) Nxa uMthetho oKhandwayo ungasiwa kuMongameli ukuze awuvume njalo awusayine ungapelekezelwanga yincwadi yobufakazi njengokudingwa yizimiso zalesi Sisekamthetho, uMongameli akumelanga awuvume lowoMthetho loba ukuwusayina incwadi yobufakazi leyo ize ibe khona, kodwa kumele abangele ukuthi uNobhala weDale lePhalamende ahle aziswe, khonapho-khonapho ngencwadi elotshiweyo, ukuthi incwadi yobufakazi kayithunyezelwanga ndawonye loMthetho oKhandwayo.

132 Ukuqalisa ukusebenza kweMithetho eyethulwa liDale lePhalamende

UMthetho omiswe yiPhalamende uqala ukusebenza ekuqaliseni kwelanga okhutshwe ngalo egwalweni lukaHulumende olwe*Gazette*, kumbe ekuqaliseni kwelinje ilanga elingabe liqonywe yilovo Mthetho kumbe omunye omisiweyo.

133 Ukubhalwa kweMithetho eyethulwa lidale lePhalamende

(1) Nxa uMongameli esevume njalo wasayina uMthetho omiswe yiPhalamende, uNobhala weDale lePhalamende kumele adulise ugwalo lwavo olumsulwa, olusayinwe nguMongameli lwafakwa lophawu lukazulu olweZmbabwe ukutshengisa ukuthi ngolweqiniso, ukuthi luyebhaliswa emawofisini kaMbhali woMthethwandaba oPhezulu, njalo lologwalo luyibufakazi obupheleleyo bezimiso zalowoMthetho ngaphandle nxa uMthetho wakhona ungaguqulwa ngaphansi koMthetho omiswe yiPhalamende oqanjwe kusigatshana (2).

(2) UMthetho omiswe yiPhalamende ungaphawula ukuthi umthetho obunjiweyo, kumbe ingxenye yawo, ukhutshwe ngendlela eguqliweyo njalo ungamisa ukuthi —

- (a) ekukhutshweni kwawo, inguquko yona leyo yiyo yodwa eyisimo soqotho somthetho oqukethwe kiso;
- (b) ugwalo olulaleylo nguquko kumele luhanjiswe emawofisini kaMbhali woMthethwandaba oPhezulu; njalo
- (c) Ugwalo olutshiywe emawofisini kaMbhali woMthethwandaba oPhezulu yilo oluyibufakazi obupheleleyo bezimiso zonke zemithetho equkethwe kilo.

(3) Ukuma koMthetho omiswe yiPhalamende kumbe ukuguqulwa kogwalo eliwiukuketheyo akuyi ngokubhaliswa kwawo kumbe ukufakwa ngaphansi kwalesiSigaba.

134 Umthetho osekelayo

IDale lePhalamende lilakho, emthethweni omiswe yiPhalamende, ukunikeza amandla okubumba imigomo ebalulwe njalo elezinqongo ezichazwe kulowoMthetho, kodwa—

- (a) amandla-nsika eDale lePhalamende awokubumba imithetho akumelanga anikezwe komunye;
- (b) imigomo akumelanga inciphise kumbe yephule amalungelo kanye lezinkululeko ezibalulwe eMqulwini wamaLungelo;
- (c) imigomo kumele ihambelane loMthetho omiswe yiPhalamende eyilungiselwe wona;
- (d) lowoMthetho omiswe yiPhalamende kumele ubalule umkhawulo wamandla, uhlobo kanye lokugoqelwayo emigomeni engaba lakho ukwenziwa, lezimiso kanye lokunye okupathelane lalowo mgomo;
- (e) imigomo kayilawo amandla omthetho ngaphandle nxa ikhutshwe egwalweni lukaHulumende olwe*Gazette*;
- (f) imigomo kumele ilethwe phambi kweNdlu yabaMeli kulandelwa izimiso zeZilawulo zayo ezimiyo ibisihanjiswa kuKomithi ebona ngezeMithetho eDale lePhalamende ukuthi iyecutshungulwa.

ISAHLUKWANA 7

UKUQHUTSHWA KOMSEBENZI EDALE LEPHALAMENDE

135 Inhloko yedale lePhalamende

(1) USomlomo nguye oyinhloko yeDale lePhalamende kodwa kumele aqhube imisebenzi yakhe ngendlela yokuthi uholwa yiZilawulo ezimiyo.

(2) Eholwa yiziLawulo ezimiyo, uMongameli weDale leSenethi nguye umlandeli weNhloko yeDale lePhalamende njalo uthatha isikhundla seNhloko nxa uSomlomo engenelisi ngenxa yezizatho ezitshiyeneyo.

136 Abantu abakhokhela umsebenzi edale lePhalamende

(1) Umuntu okhokhelayo sonke isikhathi iDale leSenethi lihlezi kumele kube ngu—

- (a) Mongameli weDale leSenethi kumbe, nxa engekho, uMsekeli kaMongameli weDale leSenethi; kumbe
- (b) Nxa uMongameli loMsekeli kaMongameli weDale leSenethi bengekho, uSenetha owakhethelwa leyonjongo liDale leSenethi, kodwa lowo Senetha akumelanga abe enguMphathintambo kumbe uMsekeli kaMphathintambo.

(2) Umuntu okhokhelayo sonke isikhathi iDale leNdlu yabaMeli kuhlezi kumele kube ngu—

- (a) Somlomo kumbe, nxa engekho, uMsekeli kaSomlomo; kumbe
- (b) Nxa uSomlomo loMsekeli kaSomlomo bengekho, iLunga leNdlu yabaMeli elakhethelwa leyonjongo yiNdlu yabaMeli, kodwa leloLunga akumelanga libe linguMphathintambo kumbe uMsekeli kaMphathintambo.

(3) USomlomo, kumbe yena nxa engekho, uMongameli weDale leSenethi, kumele akhokhele ingqubo zonke ezigoqela amaDale womabili eNdlu yabaMeli leleSenethi ehlezi ndawonye.

137 Inani lamalunga okumele abe khona ukuze umsebenzi uqhutshwe eDale lePhalamende

AmaDale eSenethi leNdlu yabaMeli kumele aphawule inani lamaLunga okumele abe khona ngasikhathi sinye ukuze umsebenzi uqhutshwe.

138 Ukuvota kanye lelungelo lokuzwakala eDale lePhalamende

- (1) Ngaphandle kwalapho okutshiro okunye yilesi Sisekamthetho—
- (a) yonke imibuzo eqonywe ukuthi yenzelwe izinqumo eziNdlini zombili zeDale lePhalamende kumele ivunyelwe linengi lamavoti amaLunga aleyoNdlu akhona njalo avotayo ngaleso sikhathi.
 - (b) umuntu okhokhelayo eziNdlini zombili zeDale lePhalamende akalayo ivoti ekuhumutsheni lasekufakeni izinqumo mayelana laloba yiluphi udaba olulethwe eNdlini;
 - (c) nxa amavoti eziNdlini zombili zedale lePhalamende elingene ngapha langapha edabeni oluthile, kutsho ukuthi isiphakamiso leso sesilahlekile.

(2) AbaSekeli bakaMongameli balelungelo lokuhlala lokukhuluma, kodwa hatshi ukuvota, ezindlini zombili zeDale lePhalamende.

(3) OMphathintambo labaSekeli baboMphathintambo balelungelo lokuhlala lokukhuluma eziNdlini zombili zeDale lePhalamende, kodwa kabala Lungelo lokuvota eNdlini abangasiLunga layo.

(4) Amalunga eKomithi ebona ngezoMthetho eDale lePhalamende lenye IKomithi yePhalamende esebenzelana ndawonye layo alelungelo lokuhlala lokukhuluma ezindlini zombili zeDale lePhalamende ngenjongo yokuthi angenise loba ukuphikisa udaba lwaleyoKomithi olungabe lusendlini, kodwa kabalalo ilungelo lokuvota endlini abangasi Lunga layo.

(5) Nxa kube leLunga leDale lePhalamende, ngaphandle kwaboMphathintambo labaSekeli baboMpathintambo, elingenise umthetho osakhandwayo eNdlini lapho aliLunga khona, leyoNdlu yasipasisa lowoMthetho, iLunga lelo kumbe, nxa lingekho, elinye loba yiliphi iLunga laleyoNdlu, lilelungelo lokuyahlala lokukhuluma kwenye iNdlu leya ngenjongo yokuqhubezela uMthetho wakhona osakhandwayo kwenye leyoNdlu, kodwa kalila Lungelo lokuvota khona.

139 Izilawulo Ezimiyo

(1) Ingqubo zeDale leSenethi lezeNdlu yabaMeli zilawulwa yiziqondiso ezaziwa ngokuthi yiZilawulo ezimiyo, zona ezilungiswa yiziNdlu zitshiyene kumbe zihlangene kusiya ngezicebiso zeKomithi yeMigomo leZilawulo ezimiyo zePhalamende.

- (2) Izilawulo ezimiyo zingaphawula—
- (a) ukupasiswa kweMithetho eKhandwayo;
 - (b) ukuqoqwa kanye lemisebenzi yamaKomithi lokubalula imisebenzi yavo;
 - (c) indlela okumele amandla, amalungelo kanye lokuvikeleka emthethweni kweziNdlu kusetshenziswe lokuphakanyiswa ngayo;
 - (d) ukubuzwa kwaboMphathintambo labaSekeli baboMphathintambo ngamaLunga eDale lePhalamende;
 - (e) indlela okumele amaLunga eDale lePhalamende aziphathe ngayo;
 - (f) ukusetshenziswa kwelungelo likazulu elokuletha izikhhalazo eDale lePhalamende; njalo

(g) iziqondiso nje kanye lokuqhutshwa komsebenzi lezingqubo okuhlelekileyo eziNdlini laphakathi kweziNdli.

(3) Izindlela lokuqhutshwa kwemisebenzi yeDale lePhalamende lamaKomithi ayo, njengokuphawulwe yiziLawulo ezimiyo, kumele kukhuthaze ukuba mgceke, kukhuthaze ukuphatheka kwamalunga amabandla wonke ezombusazwe aseDale lePhalamende kanye lozulu, njalo kumele kube qotho kulunge futhi.

(4) Yonke iKomithi esungulwe yiziLawulo ezimiyo kumbe ngaphansi kwazo kumele itshengise, ngokusemandleni wonke, ukumelwa kwamabandla ezombusazwe lobulili eDale lePhalamende kumbe eNdlini efanele ukuholwa yilezo ziLawulo ezimiyo.

140 Izethulo lemibiko kaMongameli kudale lePhalamende

(1) UMongemeli, ngaloba yisiphi isikhathi, angaba lakho ukwethula umbiko endlini zombili zeDale lePhalamende, zitshiyene kumbe zihlezi ndawonye.

(2) UMongamli angaba lakho ukuthumela imibiko ezindlini zombili zeDale lePhalamende, njalo wonke umbiko onjalo kumele ubalwe nguMsekeli kaMongameli kumbe uMphathintambo kumbe ngumuntu okhokhela ingqubo zeNdli yakhona ebhalelwego.

(3) UMongameli angayahlala eDale lePhalamende ukuze aphendule imibuzo ngodaba oluthile njengokuyabe kumiswe eziLawulweni ezimiyo.

(4) UMongameli, kanye ngomnyaka kumbe ukwedlula, kumele ethule umbiko ezindlini zombili zeDale lePhalamende zihlezi ndawonye mayelana lomumo welizwe, njalo uSomlomo loMongameli weDale leSenethi kumele benze amalungiselelo afaneleyo okuthi iDale lePhalamende lemukele umbiko onjalo.

141 Ukufinyelela lokuphatheka kukazulu emisebenzini yedale lePhalamende

IDale lePhalamende kumele—

- (a) lanelisise ukuphatheka kukazulu enhlelweni zalo zokubumba imithetho lakwezinye ezechlukeneyo njalo, ezinhlelweni zamaKomithi alo;
- (b) libe lesiqiniselo sokuthi inhlangothi zonke eziphathekayo ziyakhulunyiswa ukuthi zinike imibono mayelana leMithetho efisa ukukhandwa liDale lePhalamende, ngaphandle nxa ukubonisana lokho kungafanelanga kumbe kungafezeki; njalo
- (c) liqhube imisebenzi yalo ngendlela ekhanyayo lokaahlala imihlangano yalo, kanye leyamaKomithi alo, egcekeni, loba nje imigoqo ingafakwa—
 - (i) eyokugcina ukuhleleka kuhle kwengqubo zePhalamende;
 - (ii) eyokulawula ukufinyelela kukazulu, kugoqela onozindaba, eDale lePhalamende lakumaKomithi alo;
 - (iii) eyokuvalela uzulu, kugoqela onozindaba, phandle kwemihlangano ehlalwa ngamaKomithi; njalo
 - (iv) eyokuvumela ukusetshwa kwabantu njalo, lapho kufanele, ukwaliswa ukungena kumbe ukuxotshwa kwabantu eDale lePhalamende;

kodwa leyo migoqo kumele ibe qotho, ibe lengqondo njalo ichazeke ukufanel a kwayo emphakathini olombuso oqotho oyakhelwe phezu kokubaluleka, ukulinganiswa emehlwani omthetho, isithunzi somuntu, ukulingana kanye lenkululeko.

142 Ukuba semthethweni kwengqubo zeDale lePhalamende

(1) Isikhexe emalungeni eDale leSenethi leleNdlu yabaMeli, kumbe ukumiswa umsebenzi kweLunga leDale lePhalamende, akulimisi iDale leSenethi kumbe iNdlu yabaMeli ekuqhubeni imisebenzi yalo.

(2) Ukuthi kube khona umuntu obe kungafanelanga ukuba khona ohlale njalo wavota eDale leSenethi kumbe eNdlini yabaMeli kumbe omane waphatheka ekuqhubekeni kwengqubo yeDale leSenethi kumbe iNdlu yabaMeli akutsho ukuthi imiphumela yaleyongqubo ayiseyi kunanzwa.

ISAHLUKWANA 8

ISIKHATHI ESIBEKIWEYO, UKUDILIZWA LOKUHLALWA KWEDALE LEPHALAMENDE

143 Isikhathi esibekiweyo lokudilizwa kweDale lePhalamende

(1) IDale lePhalamende likhethelwe ukuhlala okwesikhathi esifika iminyaka emihlanu kusukela mhla okhethwe ukuba nguMongameli ethatha isifungo njalo equalisa umsebenzi ngezimiso zesigaba 94(1)(a), njalo iDale lePhalamende liba ngeselidiliziweyo phakathi kwamabili mhla kusiba lusuku lwakuqala lokuvota kuKhetho-jikelele olulandelayo olumenyezelwa ngaphansi kweSigaba 144.

(2) UMongameli kumele, ngesimememezelo, adilize iDale lePhalamende nxa iDale leSenethi leNdlu yabaMeli, eholezi etshiyene, ngamavoti afika kumbe ukwedlula isilinganiso sengxenye ezimbili kwezintathu zenani lamalunga wonke alezozindlu, esepasise isinqumo sokuthi liDilizwe.

(3) UMongameli, ngesimememezelo, angadiliza iDale lePhalamende nxa iDale lePhalamende selale okungelangqondo ukupasisa uMthetho woKwabiwa kwemali oqanjwe kuSigaba 305.

(4) Isinqumo sokudiliza iDale lePhalamende ngezimiso zesigatshana (3), ekubhaleweni liLunga loba liphi eleDale lePhalamende, singabekwa eceleni ukuze sicutshungulwe nguMthethwandaba weSisekamthetho.

(5) Incwadi yokucela ukuthi kucutshungulwe isinqumo sokudiliza iDale lePhalamende kumele isiwe eMthethwandaba weSisekamthetho kusesephakathi kwamalanga ayisikhombisa leso sinqumo sikhutshiwe, njalo—

- (a) uMthethwandaba weSisekamthetho kumele unike impendulo yaleyo ncwadi phakathi kwamalanga alitshumi lane ilethiwe; njalo
- (b) kusamelelwu impendulo yoMthethwandaba kuleyo ncwadi, isinqumo sokudiliza iDale lePhalamende siyabekwa eceleni.

144 Ukhetho-jikelele ngemva kokudilizwa kweDale lePhalamende

(1) Nxa iDale lePhalamende lingazange kelipasise isinqumo sokudiliza ekuqaleni ngaphansi kweSigaba 143(2), uMongameli kumele, ngesimememezelo, abizele uKhetho-jikelele afake lamalanga lapho oluzaqhutshwa khona esikhathini esibekwe kulandelwa iSigaba 158.

(2) Lapho—

- (a) iDale lePhalamende selipasise ukudilizwa kwalo ngezimiso zeSigaba 143(2);
- (b) uMongameli esedilize iDale lePhalamende ngaphansi kwezimiso zeSigaba 143(3);

- (c) uMongameli esedilize iDale lePhalamende kulandele iVoti yokungathembi ngezimiso zeSigaba 109(4); kumbe
- (d) iDale lePhalamende selingelidiliziweyo kulandele iVoti yokungathembi ngezimiso zeSigaba 109(5);

uMongameli kumele, ngesimemezelo, abizele uKhetho-jikelele abesefaka lamalanga lapho luzaqhutshwa khona esikhathini esingadluli amalanga angamatshumi ayisitshiyagalolunye iDale lePhalamende lipasise lezozinqumo kumbe uMongameli adilize iDale lePhalamende kumbe iDale lePhalamende libe ngelidiliziweyo, kusiya ngodaba lwakhona.

(3) Amalanga oKhetho-jikelele olubizelwe ngaphansi kwesigatshana (1) kumbe (2) kumele afakwe nguMongameli ngemva kokubonisana leKomithi ebona ngezoKhetho eZimbabwe.

145 Ukuhlala kwakuqala kweDale lePhalamende kulandela uKhetho-jikelele

(1) Ukuhlala kwakuqala kweDale lePhalamende kulandele uKhetho-jikelele kumele kwensiwe ngesikhathi langosuku olumiswe nguMongameli, kodwa lolosuku akumelanga lubuye sekudlule amalanga angamatshumi amathathu okhethwe ukuba nguMongameli eseqlise umsebenzi ngaphansi kweSigaba 94.

(2) Kuze kufike isikhathi sokuthi sekukhethwe uMongameli weDale leSenethi kumbe uSomlomo, kusiya ngeNdlu, umhlangano wakuqala weNdlu yeDale lePhalamende kumele ukhokhelwe nguNobhala weDale lePhalamende.

146 Izikhathi zokuhlala lezokuthatha ikhefu

INdlu inye ngayinye yeDale lePhalamende iyaziholela ukuthi imihlangano yayo izokube iqalisa sikhathi bani njalo ithatha isikhathi esingakanani, kungasabalwa ukuhlala kwayo kwakuqala, lezikhathi zekhefu, kodwa—

- (a) uMongameli anganqolonga iDale lePhalamende ngaloba yisiphi isikhathi ukuze kuqhutshwe umsebenzi oqakathekileyo;
- (b) akumelanga kudlule isikhathi esingaba ngamalanga alikhulu lamatshumi ayisitshiyagombili iNdlu ingakahlahi njalonje.

147 Ukugoqwa kweMithetho ebisakhandwa, iziphakamiso, izikhalazo lezinye izingqubo ekudilizweni kwedale lePhalamende

Ekudilizweni kwedale lePhalamende, zonke izingqubo ebezingakaqedisiswa kufika leso sikhathi layonke imithetho ebe isakhandwa, iziphakamiso, izikhalazo leminye imisebenzi iyahle igoqwe kuphele kunjalo.

ISAHLUKWANA 9

OKUNYE OKUPHATHELANE LEDALE LEPHALAMENDE

148 Izimfanelo lokuvikeleka emthethweni kweDale lePhalamende

(1) UMongameli weDale leSenethi, uSomlomo kanye lamaLunga eDale lePhalamende alenkululeko yokukhuluma loba yini eDale lePhalamende lakuwonke amaKomithi amiswe yiPhalamende njalo, loba nje kumele alandele zonke izimiso lezilawulo zeNdlu abayimeleyo, abayi kubotshelwa ngumthetho wemilandu kumbe owamacala, ukuvaelwa kumbe ukuhlawuliselwa izinto abazikhulume, abazikhiphe kumbe abazilethe eDale lePhalamende kumbe enye yamaKomithi alo.

- (2) UMthetho omiswe yiPhalamende ungaba lakho—
- ukunika amanye amalungelo, ukuvikeleka emthethweni lamandla eDale lePhalamende lamaLunga kanye leziphathamandla zalo;
 - ukuchaza ukuziphatha okuthathwa njengokudelela iDale lePhalamende, kungabe kwensiwe ngamaLunga eDale lePhalamende loba abanye abantu; njalo
 - ukunika ilungelo lokuphendula, ngomlomo kaSomlomo kumbe uMongameli weDale leSenethi, kusiya ngeNdlu, ebantwini abalinyazwe ngaphandle kwemfanelo yilokho okutshiro ngabo eDale lePhalamende;

kodwa akula Mthetho walolo hlobo organika iDale lePhalamende kumbe amaLunga alo leziphathamandla imvumo yokwethwesa isijeziso esifana lesigwebo samacula, ngaphandle kwefayindi, emuntwini oweephule ilungelo kumbe odalele iDale lePhalamende.

149 Ilungelo lokukhalazela idale lePhalamende

(1) Sonke isizalwane lomuntu ohlala eZimbabwe okwempilo yakhe yonke ulelungelo lokubhalela iDale lePhalamende isikhalaZo sokuthi libhekisise udaba oluthile olusemandleni alo, kugoqela ukumiswa komthetho, ukuguqulwa kanye lokwesulwa komthetho.

(2) Indlela okumele izikhalaZo zinikezwe ngayo edale lePhalamende, lamanyathelo okumele athathwe liDale lePhalamende ekunikweni isikhalaZo, kumele kubekwe obala eZilawulweni ezimiyo.

150 Lapho okungenelwa khona idale lePhalamende

IDale lePhalamende lingahlala kwezinye izindawo ezingesi sigodlo esijayelekileyo seDale lePhalamende, kodwa lokhu kumele kwenzelwe kuphela izifiso zikazulu, ukuvikeleka kanye lokufinyeleka ngcono.

151 IKomithi yeMigomo leziLawulo ezimiyo yePhalamende

(1) IDale lePhalamende kumele liquoqe iKomithi ezakwaziwa ngokuthi yiKomithi yeMigomo leZilawulo ezimiyo ngenjongo—

- yokuhola ukuphathwa kwemisebenzi yeDale lePhalamende;
- yokulungisa iziLawulo ezimiyo;
- yokukhangelisa lokunkuma ezindabeni zonke eziphathelane leDale lePhalamende; njalo
- yokwenza yonke eminy imisebenzi engethulelwu kumbe ukwethweswa phezu kwaley Komithi yilesi Sisekamthetho kumbe yiziLawulo ezimiyo kumbe omunye umthetho.

(2) IKomithi yeMigomo leziLawulo ezimiyo zePhalamende kumele zigoqele uSomlomo loMongameli weDale leSenethi lamaLunga alandelayo eDale lePhalamende—

- uMsekeli kaSomlomo;
- uMsekeli kaMongameli weDale leSenethi;
- uMphathintambo obona ngezeMali labanye oMphathintambo abakhethwe nguMongameli;
- uMkhokheli weMisebenzi kaHulumende eziNdlini zombili;

- (e) uMkhokheli weBandla eliphikisayo ezindlini zombili;
- (f) oMchilonduna bamabandla wonke ezombusazwe amelweyo eziNdlini zombili;
- (g) uMongameli weKhansili yeziNduna elizweni;
- (h) amaLunga amabili angesiboMphathintambo kumbe abaSekeli baboMphathintambo, oyedwa wabo unguSenetha okhethelwe kuliKomithi nguMongameli weDale leSenethi lomunye oliLunga leNdlu yabaMeli okhethwe nguSomlomo; njalo
- (i) amaLunga ayisitshiyagalombili angesiboMphathintambo kumbe abaSekeli baboMphathintambo, amane akhona ekhethwe liDale leSenethi abanye abane behethwe yiNdlu yabaMeli.

(3) AmaLunga kumele akhethwe ukuba abe kuliKomithi yeMigomo leziLawulo ezimiyo zePhalamende masinyazanyana ngemva kokuqaliswa komhlangano wakuqala weDale lePhalamende inye ngayinye, njalo kumele bakhethwe ngendlela yokuthi iKomithi yakhona izaveza ngamandla wonke anelisekayo ukumelwa okukhona ngamabandla ezombusazwe langobulili obukhona eziNdlini zombili zeDale lePhalamende zihlanganisiwe.

(4) IKomithi yeMigomo leziLawulo ezimiyo yePhalamende ihatshelwa ukusebenza okwempilo yePhalamende inye ngayinye.

(5) IKomithi yeMigomo leziLawulo ezimiyo yePhalamende ithungamelwa nguSomlomo kumbe, nxa engekho, nguMongameli weDale leSenethi.

(6) Okumele kulandelwe yile iKomithi yeMigomo leZilawulo ezimiyo yePhalamende kumele kuphawulwe ezilawulweni ezimiyo.

(7) Kungavele kube lesikhexe kuKomithi yeMigomo leziLawulo ezimiyo zePhalamende, ilunga kumele likhethwe kumbe lighatshwe, kusiya ngesikhexe sakhona, ngokukhulu ukuphangisa ukuze kugcwaliswe lesosikhexe.

152 IKomithi yezoMthetho eDale lePhalamende

(1) Ngokuphangisa okusemandleni eDale ngemva kokuqaliswa kwesikhathi sokuhla kweDale lePhalamende, iKomithi yeMigomo leziLawulo ezimiyo yePhalamende kumele ibumbe iKomithi ezakwaziwa ngokuthi yiKomithi yezeMithetho eDale lePhalamende, egoqela amaLunga amathathu kusiya phezulu angasiwo Mphathintambo kumbe abaSekeli baboMphathintambo.

(2) Inengi lamaLunga eKomithi yezeMithetho eDale lePhalamende kumele kube ngelifanele ukusebenza eZimbabwe njengamagqwetha ngaphandle nxa kungela maLunga aneleyo agcwalisa lezozidingo ukuba afakwe kuleyoKomithi.

(3) IKomithi yezeMithetho eDale lePhalamende kumele ihlolisis—

- (a) wonke uMthetho oKhandwayo, ngaphandle koMthetho weSisekamthetho esikhandwayo, ungakavotelwa okokucina eDale leSenethi kumbe endlini yabaMeli;
- (b) wonke uMthetho okhandwayo osuke waguqulwa ngemva kokuhlolisiswa yileyo Komithi, uMthetho wakhona oakhandwayo ungakabuyiselwa ukuyavotelwa okokucina eDale leSenethi leNdlini yabaMeli;
- (c) yonke imigomo ekhutshwe egwalweni lukaHulumende olwe*Gazette*;
- (d) wonke uMthetho osakhandwayo olethwe kuliKomithi nguMsekeli kaMongameli kumbe uMphathintambo; njalo

(e) wonke umgomo osabunjwayo olethwe kuliKomithi yinhlanganiso enikwe amandla okulungisa lowomgombo; njalo kumele itsho kuDale lePhalamende kumbe kuMsekeli kaMongameli, uMphathintambo loba inhlanganiso, kutshiyana njalonjalo, nxa ibona sengathi isimiso esithile eMthethweni okhandwayo, umgomo kumbe okunye okunjalo okusaphephethwa uyephula kumbe, nxa ungapasiswa, ungaba lakho ukwephula isimiso esithile seSisekamthetho.

(4) Ngemva kokuhlolisia umgomo kumbe umgomo osabunjwayo iKomithi yezeMithetho eDale lePhalamende kumele itsho kuDale lePhalamende kumbe kuMsekeli kaMongameli, uMphathintambo loba inhlanganiso ephathekayo, nxa ibona sengathi isimiso esithile kulowomthetho singaphezulu kwamandla, kumbe ekupasisweni kwawo, ungaba ngaphezu kwamandla oMthetho ofaneleyo omiswe yiPhalamende.

(5) UMthetho omiswe yiPhalamende kumbe iziLawulo ezimileyo zingethulela amanye amandla phezu kweKomithi yezeMithetho ePhalamende.

153 Iholo likaMongameli wedale leSenethi, uSomlomo kanye lamaLunga eDale lePhalamende

(1) Iholo likaSomlomo loMongameli weDale leSenethi—

- (a) kumele liphawulwe eMthethweni omiswe yiPhalamende njalo lithathwa eSikhwameni esiQoqiweyo seLizwe;
- (b) akumelanga lehliswe besaphethe izikhundla zabo; njalo
- (c) kumele baqhubeke beliphiwa loba iDale selidiliziwe baze baphume ezikhundleni zonezo.

(2) Iholo elinkwa amaLunga eDale lePhalamende kumele liphawulwe ngaphansi koMthetho omiswe yiPhalamende.

154 UNobhala wedale lePhalamende lezinye izisebenzi

(1) IKomithi yeMigomo leZilawulo ezimiyo yePhalamende, ngemvumo yeNdlu yabaMeli, kumele iqhatshe isiphathamandla esizaziwa ngokuthi nguNobhala weDale lePhalamende olumlandu, eholwa yiziLawulo ezimiyo kanye languSomlomo, wokuphatha imisebenzi yansukuzonke yeDale lePhalamende.

(2) UNobhala weDale lePhalamende uqhatshelwa ukuhlala esikhundleni okwesikhathi esifika iminyaka eyisithupha, njalo angelulelwia isikhathi sakhe kanye ngeminye iminyaka efanayo.

(3) UNobhala weDale lePhalamende kumele aphume esikhundleni sakhe—

- (a) nxa, ekucetshisweni yiKomithi yeMigomo leziLawulo ezimiyo yePhalamende, inani eledlula ingxenye yamaLunga wonke eNdlu yabaMeli enganquma ukuthi uNobhala lowo akasuswe;
- (b) nxa uNobhala engadingakala ukuba asuke esihlalweni sakhe, nxa kuyikuthi ube eliLunga leDale lePhalamende; kumbe
- (c) loba sekutheni, ngemva kokuhlala kwakhe esikhundleni okweminyaka elitshumi lambili.

(4) IKomithi yeMigomo leziLawulo ezimiyo zePhalamende kumele iqhatshe esinye isisebenzi esinjalo sedale lePhalamende ebona sengathi siyadingakala.

(5) UNobhala weDale lePhalamende lezinye izisebenzi zeDale lePhalamende—

- (a) ziqhatshwa ngezimiso ezivunyelwa isikhathi lesikhathi yikomithi yeMigomo leziLawulo ezimiyo; njalo
- (b) ziyyizisebenzi eziphathelane lozulu kodwa ezingesingxenye yezisebenzi zikazulu.

ISAHLUKO 7

UKHETHO

ISAHLUKWANA 1

IZINDLELA ZOKUQHUTSHWA KOKHETHO

155 Izimiso zindlela zokuqhuba ukhetho

(1) UKhetho, lona okumele luqhutshwe ngezikathathi ezibekiwego, lamavoti okudinga imibono kazulu, okumele aqhutshwe lakulesi Sisekamthetho kumele—

- (a) aqhutshwe ngokuthula, lokukhululeka njalo ngobuqotho;
- (b) aqhutshwe ngebhalothi esithekileyo;
- (c) enziwe esimeni esinika wonke umuntu oseleminyaka efaneleyo ilungelo lokuvota lokulinganiswa kwamathuba okuvota; njalo
- (d) angabi lodlakela kanye lokunye ukuziphatha okungafanelanga okuqondane lokhetho.

(2) ISizwe kumele sithathe wonke amanyathelo, okugoqela ukufaka imithetho, ebona ukuthi izimiso ezichazwe kusigatshana (1) ziyalandelwa, njalo empeleni, kumele—

- (a) sibone ukuthi zonke izizalwane ezifanele ukuvota, okutsho ukuthi izizalwane ezichazwe kuHlelo 4, zibhalisiwe ukuthi zanelise ukuvota;
- (b) sibone ukuthi sonke isizalwane esifanele ukuvota ekhethweni loba kumavoti okudinga umbono kazulu silethuba lokuvota, njalo kumele sincedice abagogekileyo kumbe abalezinye izindingeko ukuthi labo benelise ukuvota;
- (c) sibone ukuthi amabandla wonke ezombusazwe kanye lamalunga wonke ancintisayo ekhethweni kumbe aphathekayo kumavoti okudinga umbono kazulu ayenelisa ukufinylela zonke izinto kumbe ulwazi olufunakalayo ukuze baphatheke ngokupheleleyo;
- (d) sinike wonke amabandla ezombusazwe kanye lamalunga ancintisayo ekhethweni kumbe aphathekayo kumavoti okudinga umbono kazulu amathuba aqotho njalo alinganayo okufinylela imisakazo yemitshina kagetsi kumbe eyamaphepha, ekaHulumende lezimele yodwa; njalo
- (e) Sibone ukuthi zonke izingxabano eziphathelane lokhetho zilungisiswe ngesikhathi esifaneleyo.

156 Ukuqhutshwa kokhetho lamavoti okudinga umbono kazulu

Kulo lonke ukhetho lamavoti okudinga umbono kazulu, iKomishini ebona ngezokuqhutshwa kokhetho eZimbabwe, iZimbabwe Electoral Commission, kumele ibone ukuthi—

- (a) loba yiphi indlela yokuvota esetshenzisiwego, ilula, iqondile, iyahlaziyeka, ivikelekile njalo imgceke;
- (b) njalo imiphumela yokhetho kumbe amavoti okudinga umbono kazulu ikuqhutshwa ngokuphangisa ekupheleni kokuvota;
- (c) izindlela leziqondiso ezifaneleyo zibekiwi—
 - (i) ukuze kwenqatshelwe udlakela oluphathelelo lokhetho kanye lokunye ukuziphatha okungafanelanga okuqondane lokhetho; njalo
 - (ii) Ibone ukuthi yonke impahla ephathelelo lokhetho igcinakele.

157 Umthetho wezokhetho

(1) UMthetho omiswe yiPhalamende kumele ubalule indlela yokuqhuba ngayo ukhetho lamavoti okudinga umbono kazulu okumele aqhutshwe ngendlela ebalulwe kulesi Sisekamthetho, ikakhulu okulandelayo—

- (a) Ukuqunywa kwezigaba lamawadi kulandelwa izimiso zikaSigaba 161;
- (b) ukubhaliswa kwabavotayo lokudingakalayo ekubhaliseni kuluhlu oluthile lwamabizo abantu abavotayo;
- (c) ugwalo lwendlela yokuziphatha ngayo kwamabandla ezombusazwe, amalunga ancintisayo labanye abantu abaphatheka ekhethweni kumbe kumavoti okudinga umbono kazulu;
- (d) indlela ebeka izilinganiso ezimele zilandelwe ekukhetheni abantu maqondana lenani lezihlalo zedale leSenethi njengokubalulwe kuSigaba 120(1)(a) lezihlalo ezigcinelwe abesifazane eNdlini yabaMeli njengokubalulwe kuSigaba 124(1)(b), kanye lezindlela okumele zilandelwe ekugcwaliseni izikhexe kulezo zihlalo, okuzikhexe zimele zigcwaliswe ngabantu—
 - (i) abavela kubandla linye lezombusazwe njengalabo akade bevele bephethe lezozihlalo; njalo
 - (ii) ababulili bunye njengabantu akade bevele bephethe lezo zihlalo;
- (e) ukukhethwa kwabantu abalobugoga njengokuchazwe ngaphansi kweSigaba 120(1)(d);
- (f) ukuqhutshwa kwenketho zamaKhansili ezifunda kanye lamaKhansili ezindawo;
- (g) ukuphikisana lemiphumela yokhetho.

(2) Indlela yokumela ngezilinganiso ezichazwe kusigatshana (1)(d) kumele ibone ukuthi kube lokumelwa kwabesifazane ngokulinganayo kumalunga eSenethi njengokubalulwe kuSigaba 120(1)(a).

(3) Umthetho wezoKhetho kumele ubalule ukuthi ukuqanjwa kwamalunga azancintisa ekhethweni loba yiluphi kumele kwensiwe sekudlule insuku ezilitshumi lane loba ukwedlula ngemva kokukhitshwa kombiko omemezelola lolokhetho. Amavoti kumele aqhutshwe sekudlule insuku ezingamatshumi amathathu kusiya phezulu ngemva kokuqanjwa kwabancintisi.

(4) Akula nguquko ezakwensiwa eMthethweni wezoKhetho, kumbe komunye umthetho ophathelane lawo, ngaphandle nxa iKomishini ebona ngezoKhetho eZimbabwe ike yaboniswa ngaleylo nguquko njalo imibono yayo ithethwe layo ekufakeni leyonguquko.

(5) Ngemva kokumemezelwa kokhetho, yonke inguquko enziwe eMthethweni wezoKhetho kumbe kweminye imithetho ephathelane lokhetho kayizukusebenza ekhethweni lona lolo olumenyezelweyo.

ISAHLUKWANA 2

UKUBEKWA KWEZIKHATHI ZOKHETHO

158 Ukubekwa kwezikhathi zokhetho

(1) Ukhetho-jikelele kumele lwenziwe ukuze kuvotwe phakathi kwesikhathi esingedluli—

- (a) insuku ezingamatshumi amathathu andulela ukuphela kwethemu yeminyaka emihlanu echazwe kuSigaba 143;
- (b) lapho idale lePhalamende selinqume khona ukuthi lidilizwe ngaphansi kwezimiso zeSigaba 143(2), insuku ezingamatshumi ayisitshiyagalolunye ngemva kokupasiswa kwaleso sinqumo; kumbe
- (c) lapho idale lePhalamande selidilizwe ngaphansi kwezimiso zeSigaba 109(4) kumbe (5) kulandela iVoti yokuswela ithemba kuHulumende, insuku ezingamatshumi ayisitshiyagalolunye kulandela lokho kudilizwa.

(2) Ukhetho-jikelele olwamaKhansili ezindawo kumele Iwensiwe sikhathi sinye lokhetho-jikelele lokudinga uMongameli labameli bedale lePhalamende.

(3) Ukhetho lokugcwalisa izikhexe edale lePhalamende lakumaKhansili ezindawo kumele luqhutshwe kungakedluli insuku ezingamatshumi ayisitshiyagalolunye lezo zikhexe zibe khona ngaphandle nxa izikhexe zakhona zidaleke sekusele izinyanga eziyisitshiyagalolunye ukuthi ukhetho-jikelele luqhutshwe, lapho-ke izikhexe zingaqhubeka zingagcwaliswanga kuze kufike isikhathi sokhetho-jikelele.

159 Ukugcwaliswa kwezikhundla ezisele zingela bantu ngamavoti

Sonke isikhathi kungaba lesikhexe esiseleyo esikhundleni esivotelwayo esidalwe ngaphansi kwalesi Sisekamthetho, singasabali isikhundla esichazwe ngaphansi kweSigaba 158, inhlanganiso elomlandu wokuqoqa ukhetho Iwalolohlobo kumele ibangele ukuqhutshwa kokhetho insuku ezingamatshumi ayisitshiyagalolunye zingakedluli ukuze lesosikhexe sigcwaliswe.

ISAHLUKWANA 3

UKUQUNYWA KWEMINGCELE YOKHETHO

160 Inani lezifunda lamawadi

(1) Ngenjongo yokukhetha abameli edale lePhalamende, iKomishini ebona ngezoKhetho eZimbabwe kumele iqume ilizwe leZimbabwe libe lezifunda zokudinga abameli ezifika amakhulu amabili letshumi.

(2) Ngenjongo yokudinga abameli kumaKhansili ezindawo, iKomishini ebona ngezoKhetho eZimbabwe kumele iqume izindawo zamaKhansili zibe ngamawadi alingana lenani labameli okumele babe khona kuhansili yendawo inye ngayinye.

161 Ukuqunywa kwemingcele yokhetho

(1) Kanye ngemva kweminyaka elitshumi inye ngayinye, ngosuku kumbe phakathi kwasikhathi esibekwe yiKomishini esimaduzane nje lesikhathi okuqhutshwe ngaso uhlelo lokubala abantu elizweni, iKomishini ebona ngezoKhetho eZimbabwe kumele iqhuba uhlelo lokuquma imingcele yokhetho phakathi kweZimbabwe.

(2) Nxa ukuqunywa kwemingcele yokhetho kuphele sekusele isikhathi esingaphansi kwezinyanga eziyisithupha ukuthi usuku lokuvota lufike kukhetho-jikelele, leyomingcele equnyiweyo kayizukusetshenziswa kulolokhetho, njalo imingcele ezasetshenziswa khonapho yileyo ekade ivele ikhona andubana kuqunywe imingcele emitsha.

(3) Imingcele yezifunda zokhetho kumele, ngakho konke okusemandleni, iqunywe ngendlela ezakwanelisa ukuthi isifunda sinye ngasinye sibe lenani labantu ababhalisa ukuvota elingene lakwezinye zonke izifunda ezitholakala eZimbabwe ngesikhathi kuqunywa leyo mingcele.

(4) Imingcele yamawadi kumele, ngakho konke okusemandleni, iqunywe ngendlela ezakwanelisa ukuthi iwadi inye ngayinye ibe lenani labantu ababhalisa ukuvota elilingene lakwamanye wonke amawadi atholakala kuleyondawo ngesikhathi kuqunywa leyo mingcele.

(5) Ekuqumeni—

- (a) imingcele yamawadi, iKomishini ebona ngezoKhetho eZimbabwe kumele ibone ukuthi akula wadi equnyelwe izindawo ezimbili kusiya phezulu zamakhansili;
- (b) imingcele yezifunda zokhetho, iKomishini ebona ngezoKhetho eZimbabwe kumele ibone ukuthi akula wadi equnyelwe izifunda ezimbili kusiya phezulu.

(6) Ekuqumeni iZimbabwe isiba ngamawadi lezifunda zokhetho, iKomishini ebona ngezoKhetho eZimbabwe kumele, ngendawo ngendawo, ikhangele—

- (a) isimo sayo;
- (b) izindlela zokukhulumisana ezikuleyo ndawo;
- (c) ukusabalala kwabantu ababhalise ukuvota abahlala kuleyo ndawo;
- (d) umphakathi ongabe ubalulekile phakathi kwabantu ababhalise ukuvota;
- (e) ekuqumeni indawo eseyake yaqunywa kuqala, imingcele yokhetho evele ikhona; njalo
- (f) inani labantu abakhona;

njalo ukuze konke lokhu kuphumelele, iKomishini ingabeka eceleni isimiso sokuthi izifunda zokhetho lamawadi kumele abe lamanani abantu ababhalise ukuvota alinganayo, kodwa akula sifunda sokhetho kumbe iwadi okumele ibe lenani eliyisilinganiso samatshumi amabili ekhulwini labantu ababhalise ukuvota abanengi kumbe abalutshwana kulezinye izifunda kumbe amawadi aggagqeleneyo.

(7) Ngemva kokuquma amawadi lezifunda zokhetho, iKomishini ebona ngezoKhetho eZimbabwe kumele inike uMongameli incwadi yakuqala equkethe—

- (a) uluhlu Iwamawadi lezifunda zokhetho, kunye lamabizo azo zonke lengcavelo yemingcele yazo;
- (b) imephu kumbe amamephu atshengisa amawadi lezifunda zokhetho; njalo
- (c) olunye ulwazi kumbe imininingwane iKomishini ebona angani iqakathekile;

njalo uMongameli kumele abone ukuthi incwadi yakuqala le equkethe ulwazi ngokuqunywa kwemingcele yezindawo zokhetho ibekwe phambi kwedale lePhalamende phakathi kwezinsuku eziyisikhombisa.

(8) Phakathi kwezinsuku ezilishumi lane incwadi yakuqala ebalula ukuqunywa kwemingcele yezindawo zokhetho ibekiwe edale lePhalamende—

- (a) uMongameli angabuyisela leyoncwadi kuKomishini ebona ngezoKhetho eZimbabwe ukuthi icubungulisise udaba oluthile ngayo;
- (b) enye yeziNdlu zabameli inganquma ukuthi leyonewadi ibuyiselwe kuKomishini ebona ngezoKhetho eZimbabwe ukuze icubungulisise udaba oluthile ngayo, njalo kungenzeka lokhu uMongameli-ke sekumele ayibuyisele leyoncwadi kuKomishini ukuze icubungule udaba lwakhona.

(9) Nxa incwadi yakuqala ebalula ukuqunywa kwemingcele yezindawo zokhetho ingabuyiselwa njengokuchazwe ngaphansi kwsigatshana (8), iKomishini ebona ngezoKhetho eZimbabwe kumele icubungulisise udaba olulethiweyo, kodwa isinqumo seKomishini ngalo kasiyi kuphikiswa.

(10) Ngokuphangisa okusemandleni ayo, ngemva kokulandela izimiso zezigatshana (8) lo (9), iKomishini ebona ngezokhetho eZimbabwe kumele inikeze uMongameli incwadi yokucina ebalula imingcele yezindawo zokhetho.

(11) Kungakedluli izinsuku ezilitshumi lane enikezwe incwadi yokucina yeKomishini ebona ngezoKhetho eZimbabwe, uMongameli kumele ethule umbiko kugwalo lukaHulumende olweGazette ebetha amabizo kanye lemingcele yamawadi lezifunda zokhetho njengokucine kuchazwa yiKomishini.

(12) Nxa kukhona ukungahambelani-thize phakathi kwengcazelo yewadi kumbe isifunda sokhetho lemephu kumbe amamephu adwetshwe yiKomishini ebona ngezoKhetho eZimbabwe, ingcazelo yiyo ebusayo.

ISAHLUKO 8

IZILAWULAMTHETHO LEMITHETHWANDABA

ISAHLUKWANA 1

UKUSEBENZA KOMTHETHWANDABA

162 Igunya leZilawulamthetho

Igunyalezilawulamthetho livela ebantwini beZimbabwe njalo liphiwe imithethwandaba, egoqela—

- (a) uMthethwandaba weSisekamthetho;
- (b) uMthethwandaba Omkhulu;
- (c) uMthethwandaba Ophezulu;
- (d) uMthethwandaba wezokuSebenzelana;
- (e) uMthethwandaba wezokuPhathwa Kwamandla;
- (f) uMthethwandaba kaMantshi;
- (g) imithethwandaba yemithetho yoMdabu;
- (h) eminye imithethwandaba emiswe nguMthetho loba ngaphansi komthetho wePhalamende.

163 Izilawulamthetho

- (1) Ugatsha lwezilawulamthetho lweZimbabwe lugoqela—
 - (a) Indunankulu yabeHluleli, uMsekeli wendunankulu yaBehluleli labanye aBehluleli bomthethwandaba weSisekamthetho;
 - (b) aBehluleli boMthethwandaba Omkhulu;
 - (c) uMongameli waBehluleli bomthethwandaba Ophezulu;
 - (d) uMongameli wabeHluleli boMthethwandaba wokusebenzelana labanye aBehluleli balowo mthethwandaba;
 - (e) uMongameli wabeHluli womthethwandaba obona ngokuqgutshwa kwezinto;
 - (f) abantu abaphethe imithethwandaba kamantshi, imithethwandaba yomthetho womdabu leminye imithethwandaba emiswe nguMthetho omiswe yiPhalamende loba omiswe ngaphansi kwavo.
- (2) Indunankulu yabeHluli uyinhloko yezilawulamthetho njalo ulawula uMthethwandaba weSisekamthetho kanye loMthethwandaba Omkhulu.

(3) UMongameli wabeHluleli woMthethwandaba waPhezulu uphethe lowo mthethwandaba.

(4) UMongameli wabeHluleli womthethwandaba obona ngokusebenzelana ulawula lowo mthethwandaba.

(5) UMongameli wabeHluleli woMthethwandaba obona ngokuqhutshwa kwezinto ulawula lowo mthethwandaba.

164 Ukuzimela kogatsha IweziLawulamthetho

(1) Imithethwandaba izimele yodwa njalo ilomlandu kuphela kulesi Sisekamthetho kanye lomthetho, okumele iwusebenzise ngendlela engathathi uhlangothi, engachithi isikhathi njalo engela kwesaba, inkethabantu loba ukuthatha icele.

(2) Ukuzimela, ukungathathi hlangothi kanye lokusebenza kuhle kwemithethwandaba kuyisiqokoqela ekubuseni komthetho lombuso oledemokrasi, njalo ngalokho ke—

- (a) isizwe loba ugatsha loba inhlanganiso kaHulumende loba kusiphi isigaba, loba nguuphi umuntu, akungeke kuphazamise ukusebenza kwemithethwandaba;
- (b) isizwe, ngezindlela zokwenziwa kwemithetho lamanye amanyathela, kumele sisize njalo sivikele imithethwandaba ukuze kube lesiqiniselo sokuzimela kwayo, ukungathathi hlangothi, isithunzi ukufinyeleleka lokusebenza ngemfanelo kanye lokuba lesiqiniselo sokuthi imithethwandaba iyalandela izimiso ezimiswe kusigatshana 165.

(3) Isilawulo loba isinqumo somthethwandaba sibopha iSizwe labo bonke abantu kanye lezingatsha zikaHulumende labameli lapho esisebenza khona, njalo kumele kulalelw yibo.

(4) Akulalutho olukulesi Sigaba okumele luthathwe njengokuthi lwenqabela uMthetho omiswe yiPhalamende ekupheni imisebenzi eminye engayisiyo yokwahlulela elungeni lezilawulamthetho, kusiyangokuthi ukwenziwa kwalowo msebenzi akuphazamisi ukuzimela kwalesosisebenzi silawulamthetho ekwenzeni imisebenzi yaso yokwahlulela njalo akuphazamisi ukuzimela kwezilawulamthetho jikelele.

165 Izimiso ezhola izilawulamthetho

(1) Ekusebenziseni amandla ezilawulamthetho, amalunga ezilawulamthetho kumele aholwe yizimiso ezilandelayo—

- (a) ukwahlulela okulungileyo kumele kwenziwe kubonke, kungelani lesimo somuntu;
- (b) ukwahlulela okulungileyo akumelanga kuphuziswe, ngakho ke amalunga ezilawulamthetho kumele enze imisebenzi ayo yemithetho ngendlela efaneleyo njalo ngokuphangisa okufaneleyo;
- (c) Umsebenzi wemithethwandaba umkhulu ekuvikeleni amalungelo abantu lezinkululeko kanye lokubusa komthetho.

(2) Amalunga ezilawulamthetho, ngalinye ngalinye lanxa endawonye, kumele ahloniphe izikhundla zaho njengenqlanganiso kazulu njalo kumele azame ngamandla wonke ukuphakamisa ukuzimela kwawo ukuze agcine ukuzethemba phambi kukazulu emsebenzini wezokulawula imithetho.

(3) Nxa lisenza isinqumo esimayelana lokulawula umthetho, ilunga lezemithetho

kumele lisenze ngokukhululeka njalo kungela kungenela loba ukudonselwa ekwenzeni okuthize.

(4) Amalunga ezilawulamthetho awamelanga—

- (a) angene ezintweni/ezenzweni ezenzakalayo ezombusazwe;
- (b) abelesikhundla loba abe ngamatunga aloba yiliphi iqembu lezombusazwe;
- (c) acelele izimali loba ahambise izimali kuloba yiyiphi inhlanganiso yezombusazwe;
- (d) ahlanganyele emihlanganweni yezombusazwe.

(5) Amalunga ogatsha lwezemithetho akumelanga acele loba avume ukwamukela loba yisiphi isipho, okuphiwayo, imali yokwebolekwa loba ukusizwa okungaba lendonsela ekuqhubeni ezemithetho loba kuveze ukungalungi kwezokulawulwa kwemithetho.

(6) Amalunga ezilawulamthetho kumele aqakathetkise imisebenzi yawo yezemithetho okwedlula yonke eminye imisebenzi, njalo akumelanga angene kuloba yiziphi izinto ezenzakalayo ezingenela loba eziphazamisa imisebenzi yabo yokulawula imithetho.

(7) Amalunga ezilawulamthetho kumele athathe amanyathela afaneleyo ukuze agcine njalo aphakamise ulwazi lwavo lwemisebenzi, amakhono kanye lonhlozi lomuntu, njalo ikakhulu kumele azigcine elolwazi lokwenzakalayo emthethweni welizwe lalowo ophathelane lamanye amazwe.

166 UMthethwandaba weSisekamthetho

(1) Umtethwandaba wesiSisekamthetho ngumthethwandaba ongaphezulu ogcina izindaba eziphathelane lomthetho zilotshwe phansi, njalo ugoqela—

- (a) iNdunankulu yabeHluleli kanye loMsekeli weNdunankulu yabeHluleli;
- (b) abehluleli abanye abahlau boMthethwandaba weSisekamthetho.

(2) Nxa imisebenzi kaMahluli omele isikhundla sikaMahluli idingakala emthethwandaba obona ngeSisekamthetho okwesikhathi esifitshane, iNdunankulu yaboMahluli ingaqhatsha uMahluli loba lowo owake wabanguMahluli ukuthi asebenze ngengoMahluli womthethwandaba weSisekamthetho okwalesosikhathi.

(3) Amacala aphambi koMthethwandaba weSisekamthetho:

- (a) mayelana lokucatshangelwayo ukwephulwa kwelungelo labantu eliyinsika loba inkululeko ephawulwe kusahluko 4, loba mayelana lokukhethwa kukaMongameli loba uMsekeli kaMongameli, kumele kulalelwngaBuhluleli bonke beMthethwandaba;
- (b) ngaphandle kwamacala okukhulunye ngawo kusiqendu (a), kumele alalelwngaBuhluleli abangaqalisela kwabathathu abeMthethwandaba.

(4) Abehluleli loba abake babangaBehluleli abaqhatshwe ukuthi baphathe ngokuphawulwe kusigatshana (2) bengaqhubeka behlala njengabomahluli bomthethwandaba obona ngeSisekamthetho ngemva kokuba isikhathi ebebesiqhatshelwe sesiphelile, kusenzelwa ekuqhutshweni kwezingqubo ezazilethwe kubo ngesikhathi basaphethe isihlalo.

167 Umkhawulo wamandla omthethwandaba weSisekamthetho

(1) UMthethwandaba weSisekamthetho—

- (a) nguMthethwandaba oPhezulu kuleminye kuzo zonke izindaba

zeSisekamthetho, njalo izinqumo zaho kulezo zindaba zibopha yonke eminye imithethwanda;

- (b) unquma kuphela izindaba eziphathelane leSisekamthetho kanye lezindaba eziphathelane lezinqumo ezindabeni zeSisekamthetho, ikakhulu amareference lezincwadi zezelcelo ezingaphansi kwasigaba 131(8)(b) lakusiqendu 9(2) koHlelo lwesihlanu; njalo
- (c) wenza isinqumo sokucina sokuphawula ukuthi udaba lungoluphathelane leSisekamthetho na kumbe indaba iphathelane lesinqumo esimayelana lendaba ephathelane leSisekamthetho.

(2) Kulandelwa lesiSisekamthetho, ngumthethwanda weSisekamthetho wodwa onga—

- (a) cebisa ngokuqonda ngokusemthethweni kwaloba yikuphi ukwenziwa komthetho okuyabe kuqanjiwe, kodwa ungenza ngokunjalo kuphela nxa ukwenziwa komthetho lowo kukhulunywe ngakho ngokuphawula kwalesi Sisekamthetho;
- (b) ulalele njalo ulawule izingxabano ezimayelana lokukhethelwa esikhundleni sikaMongameli;
- (c) ulalele njalo ulawule izingxabano ezimayelana lokuthi umuntu ulakho yini konke okudingakalayo okumenza afanele ukuphatha isikhundla sikaMsekeli kaMongameli loba hatshi;
- (d) ulawule ukuthi iPhalemende loba uMongameli wehlulekile umlandu ophathelane leSisekamthetho loba hatshi.

(3) UMthethwandaba obona ngeSisekamthetho wenza isinqumo sokucina sokuthi uMthetho omiswe yiPhalamende loba ukuqhuba kukaMongameli loba okwePhalamende kusemthethweni yini, njalo kumele sitsho ngesimiso esiphambene lomthetho esenziwe ngomunye umthethwandaba Isimiso leso singakalandelwa.

(4) UMthetho omiswe yiPhalamende ungaphawula ngokusethenziswa kwamandla yiSisekamthetho njalo ngalesosizatho ungakhulumu ngamandla okwenza imithetho yeMthethwandaba.

(5) Nxa kuyikuthi kusenzuzweni yokulunga njalo kungelani lemvumo ephiwa nguMthethwandaba weSisekamthetho, imithetho yoMthethwandaba weSisekamthetho kumele ivumele umuntu—

- (a) ukuletha indaba ephathelane leSisekamthetho khona kanye eMthethwandaba weSisekamthetho;
- (b) ukufaka isicelo khona kanye eMthethwandaba weSisekamthetho esivela kuloba yiuphi omunye umthethwandaba;
- (c) ukuba khona njengomngane womthethwandaba.

168 Umthethwandaba Ophezulu

(1) UMthethwandaba Ophezulu ngumthethwandaba ongaphezulu ogcina izindaba eziphathelane lomthetho zilotshwe phansi, njalo ugoqela—

- (a) iNdunankulu yabeHluleli kanye loMsekeli weNdunankulu yabeHluleli;
- (b) abanye abeHluleli boMthethwandaba Ophezulu abangekho ngaphansi kwababili; kanye
- (c) labanye aBehluleli bokwengezelela abaqhatshwe ngaphansi kukasigatshana (2).

(2) iNdunankulu yabeHluleli ingaqhatsha uMahluli woMthethwandaba

waPhezulu, loba owake wabanguMahluli ukuthi asebenze njengomahluli woMthethwandaba Ophezulu okwesikhathi leso.

(3) ABehluleli loba abake babangaBahluleli abaqhatshwe ukuthi baphathe ngokuphawulwe kusigatshana (2) bengaqhubeka behlala njengabeHluleli bomthethwandaba weSisekamthetho ngemva kokuba isikhathi ebebesiqhatshelwe sesiphelile, kusenzelwa ekuqhutshweni kwezingqubo ezazilethwe kubo ngesikhathi basaphethe isihlalo.

169 Umkhawulo wamandla Omthethwandaba Ophezulu

(1) UMthethwandaba Ophezulu umgumthethwandaba wokucina wokubeka isikhalazo eZimbabwe, Ngaphandle kwezindabeni lapho uMthethwandaba weSisekamthetho olomkhawulo wamandla khona.

(2) Kulandelwa isigatshana (1), uMthetho omiswe yiPhalamende ungarsho amanye amandla awokwengeza kuMthethwandaba Ophezulu.

(3) UMthetho omiswe yiPhalamende ungaphawula ngokusethenziswa kwamandla nguMthethwandaba Ophezulu njalo ngalesosizatho ungarsho ngamandla okwenza imithetho yeMthethwandaba.

(4) Imithetho yoMthethwandaba ingethwesa uMbali woMthethwandaba Ophezulu iloba yiwaphi amandla oMthethwandaba lamandla phezu kwemilandu kazulu—

- (a) ukwenza izimiso emacaleni angaphikiswayo, ngaphandle kwezilawulo ezithinta ngezokugcinwa loba ukuba sesikhundleni somzali ekondliweni kwabantwana;
- (b) ukunquma izindaba zekusunguleni kugoqela izicelo zokuqondiswa, kodwa hatshi izindaba eziphazamisa ukukhululeka kwaloba nguwuphi umuntu; kodwa imithetho kumele iphe umuntu ophazanyiswe yisimiso loba yisinqumo salowo obona ngezokuqhutshwa koMthethwandaba ilungelo lokuthi sihloliswe nguMahluleli woMthethwandaba Ophezulu ongasivuma loba asilungisise loba asibeke eceleni kumbe aphe esinye nje isimiso loba isinqumo asibona sifanele.

170 Umthethwandaba Omkhulu

UMthethwandaba Omkhulu nguMthethwandaba omkhulukazi owaziwayo njalo ugoqela—

- (a) iNdunankulu yaboMahluli, Umsekeli weNdunankulu yaboMahluli kanye loMongameli wabehluleli woMthethwandaba omkhulu; kanye
- (b) labanye abehluleli abanjalo boMthethwandaba Omkhulu abangaqhatshwa ngokuqhube ka kwasikhathi.

171 Amandla oMthethwandaba Omkhulu

(1) UMthethwandaba Omkhulu—

- (a) ulomkhawulo wamandla ayiwo kanye phezu kwemilandu lamacala wonke eZimbabwe yonke;
- (b) ulamandla okuqondisa imithethwandaba yaboMantshi kanye leminye imithethwandaba engaphansi kwayo kanye lokuhlolisia izinqumo zabo;
- (c) unganquma izindaba eziphathelane leSisekamthetho ngaphandle kwalezo ezinganqunywa kuphela nguMthethwandaba weSisekamthetho;

(d) ulomkhawulo wamandla aphathelane lokwenziwa kwezikhalazo njengokuyabe kuphiwe kuwo nguMthetho omiswe yiPhalamende.

(2) UMthetho omiswe yiPhalamende ungaphawula ngokusetshenziswa komkhawulo wamandla nguMthethwandaba Omkhulu njalo ngaleso sizatho ungapha amandla okwenza imithetho yoMthethwandaba.

(3) UMthetho ungaphawula ukuthi uMthethwandaba Ophezulu wehlukaniswe ubesezigabeni ezikhethekileyo, kodwa isigaba ngasinye ngasinye kumele senelise ukusebenzisa umkhawulo wamandla oMthethwandaba OPhezulu jikelele loba kuyiphi indaba elethwe phambi kwavo.

(4) Imithetho yemithethwandaba ingaphawula amandla kumilandu kulowo obona ngezokuphathwa kwezingqubo owoMthethwandaba Omkhulu—

(a) ukwenza imiyalo emacaleni engaphikisiswayo, ngaphandle kwemiyalo ethinta ngokuphathelane lokondliwa lokugcinwa kwabantwana ngumuntu othize;

(b) ukunquma izindaba ezekuqaleni, kugoqela izicelo zokuqondiswa, kodwa hatshi izindaba ezithinta ukukhululeka kwaloba nguuphi umuntu; Kodwa imithetho kumele iphe iloba nguuphi umuntu othintwe yimiyalo loba isinqumo salowo obona ngezokuphathwa kwezingqubo ilungelo lokuthi imiyalo iholisiswe nguMahluleli woMthethwandaba Ophezulu, ozayivuma ukuthi iqondile, ayilungisise loba ayibeke eceleni loba aphe eyinye nje imiyalo loba isinqumo acabanga ukuthi sifanele.

172 UMthethwandaba wezeMisebenzi

(1) UMthethwandaba wezeMisebenzi nguMthethwandaba ogcina izindaba eziphathelane lomthetho zilotshwe phansi njalo ugoqela—

(a) uMahluleli omkhulu; njalo

(b) labanye aBehluleli abanjalo boMthethwandaba obona ngezemisebenzi abangaqhube ka beqhatshwa ngokuqhube ka kwasikhathi.

[Isigatshana lesi sitshintshwe yiSigaba 3 soMthetho 10 ka2017]

(2) UMthethwandaba wezeMisebenzi ulamandla phezu kwezindaba zokusebenzelana lokuqhatshwa njengokungabe kuphiwe kuwo nguMthetho omiswe yiPhalamende.

(3) UMthethwandaba wePhalamende ungaphawula ngokusetshenziswa kwamandla nguMthethwandaba wezeMisebenzi njalo ngokwaleso sizatho ungapha amandla okwenza imithetho yoMthethwandaba.

173 UMthethwandaba wezokuPhathwa kwaMandla

(1) UMthethwandaba wezokuPhathwa kwaMandla ngumthethwandaba omkhulu njalo ugoqela—

(a) uMahluleli omkhulu; njalo

(b) labanye oMahluleli abanjengalabo boMthethwandaba wezokuPhathwa kwaMandla abangaqhube ka bekhethwa ngokuqhube ka kwasikhathi.

[Isigatshana lesi sitshintshwe yiSigaba 4 soMthetho 10 ka2017]

(2) UMthethwandaba wezokuPhathwa kwaMandla ulamandla ezindabeni zokuphathwa kwamandla njengalokhu okuyabe kuphiwe kuwo nguMthetho omiswe yiPhalamende.

(3) UMthetho omiswe yiPhalamende ungaphawula ngokusetshensizwa komkhawulo wamandla nguMthethwandaba wezokuPhathwa kwaMandla njalo ngalesosizatho ungapha amandla okwenza imithetho yomthethwandaba.

174 Eminye imithethwandaba lamadale

(1) UMthetho omiswe yiPhalamende ungaphawula ngokumiswa, ukubunjwa kanye lomkhawulo wamandla e—

- (a) mithethwandaba kaMantshi, okunquma ngamilandu lamacala;
- (b) mithethwandaba yomthetho womdabu olamandla agxile ekusetshenzisweni komthetho womdabu;
- (c) eminye imithethwandaba engaphansi koMthethwandaba Ophezulu;
- (d) amadale okulungisiswa lokungenela izindaba kanye leminye imihlobo yokuqedza ingxabano.

(2) Kulandelwa isigaba 188(4) seSisekamthetho, imiholo, izimbadalo kanye lezinye inzuso zaBehluleli boMthethwandaba wezeMisebenzi laboMthethwandaba wezokuPhathwa kwaMandla abaphethe isikhundla kumbe abamele ophethe isikhundla ngelanga lo uMthetho uqalisa ukusebenza aziyikwehliswa.

[Isigatshana lesi sitshintshwe yiSigaba 5 soMthetho 10 ka2017]

175 Amandla emithethwandaba ezindabeni zeSisekamthetho

(1) Lapho umthethwandaba usenza imiyalo mayelana lokungabi seSisekelweni kwaloba yiwuphi umthetho loba yiphi ingqubo kaMongamelia loba iPhalamende, imiyalo ayilamandla ngaphandle nxa isivunyelwe nguMthethwandaba weSisekamthetho.

(2) Umthethwandaba owenza umyalo wokungabi seSisekelweni okukhulunywe ngakho ku sigatshana (1) ungapha ukuvimbela okwesikhathi sonaleso loba okunye ukukhululeka elungeni, loba ungaphuzisa izingqubo, kumelelwe isinqumo soMthethwandaba weSisekamthetho mayelana lesisindo somthetho loba ukuqhuba lokho.

(3) Iloba nguwuphi umuntu odinga ngokupheleleyo ukukhalaza engakhalaza, loba abhalele khona kanye eMthethwandaba weSisekamthetho ukuze avume loba aphikisane lomyalo owensiwe nguMthethwandaba ophathelane lokuba lesisindo kodaba emthethweni weSisekamthetho kulandelwa usigatshana (1).

(4) Nxa indaba ephathelane leSisekamthetho ivuka iloba kuziphi izingqubo, phambi koMthethwandaba, umuntu ongye olawulayo kulowo Mthethwandaba nxa kuceliwe ngomunye wabayingxene yezingqubo, kumele adlulisele indaba leyo eMthethwandaba weSisekamthetho ngaphandle kokuthi nxa ebona ukuthi isicelo leso asiqinisekanga kumbe singesiphazamisayo.

(5) UMthetho omiswe yiPhalamende loba imithetho yoMthethwandaba ungaphawula ngokudlulisewa eMthethwandaba weSisekamthetho ngokomyalo ophathelane lokungekho eSisekelweni okwensiwe ngokuqondisa kwesigatshana (1) nguMthethwandaba ongayiyisiwo uMthethwandaba weSisekamthetho.

(6) Nxa kuqunywa indaba ephathelane leSisekamthetho esemkhawulweni wamandla awo, uMthethwandaba unga—

- (a) ngaphawula usitsho ukuthi iloba yiuphi umthetho loba ukuqhuba okungavumelani leSisekamthetho akusebenzi kusiya ngokungahambelani kwakho lomthetho;
- (b) ukwenza isinqumo esilungileyo njalo esingathathi hlangothi, kugoqela esinciphisa amandla esinqumo esake sabekwa ngaphambili kokubeka sobala lokho okungasebenziyo kanye lesinqumo esimisa ukubekwa sobala kokungasebenzi lokho okwesikhathi esithize ukuze kuphe isikhathi sokuthi isiphathamandla esilolwazi siqondise lelo phutha.

**176 Amandla aqukethwengu Mthethwandaba weSisekamthetho,
UMthethwandaba oMkhulu loMthethwandaba oPhezulu**

UMthethwandaba weSisekamthetho, uMthethwandaba Ophezulu kanye loMthethwandaba Omkhulu ulamandla ohlezi ulawo okuvikela kanye lokulawula ingqubo yaho kanye lokuthuthukisa umthetho osetshenziswa ngabantu bonke loba umthetho ovamileyo, kunanzelelwa izidingo zokulunga kanye lokuphawulwe kulesi Sisekamthetho.

ISAHLUKWANA 2

UKUQHATSHWA KWEZILAWULAMTHETHO LESIKHATHI ESIBEKIWEYO SOKUPATHA KWAZO
IZIKHUNDLA

**177 Izindingeko ekuqhatshweni kwaBehluleli boMthethwandaba
weSisekamthetho**

(1) Umuntu uyabe elezindingeko ezifaneleyo ekuqhatshweni njengoMahluleli weMthethwandaba weSisekamthetho nxa eyisizalwane seZimbabwe, eleminyaka yokuzala engamatshumi amane kusya phezulu njalo elowlazi olubanzi ngommthetho weSisekamthetho njalo, phezu kwalokhu, kumele abelezindengeko ezilandelayo—

- (a) wake waba ngumahluleli womthethwandaba olomkhawulo wamandla angancitshiswanga ezindabeni zamacula nje kanye lamacula okwephula imithetho elizweni lapho umthetho olandelwayo kakhulu uyiRoman-Dutch loba owesingisi, njalo lapho isingisi esiphathwa njengolimi oluqakathekileyo lokusebenzisa ezindaweni ezitshiyeneyo;
- (b) owayelezindingeko ezifaneleyo ezamvumela ukusebenza njengegwetha okweminyaka elitshumi lambili kusya phezulu, loba ukusebenza lokhu kwakuqhubeka ngokulandelana kweminyaka loba hatshi,
 - (i) eZimbabwe;
 - (ii) elizweni lapho umthetho olandelwayo kakhulu uyiRoman-Dutch loba owesingisi, njalo lapho isingisi esiphathwa njengolimi oluqakathekileyo lokusebenzisa ezindaweni ezitshiyeneyo; njalo elokhu elazo izindingeko ezimvumela ukuthi asebenze.

(2) Ukuze umuntu aqhatshwe njengoMahluleli woMthethwandaba weSisekamthetho kumele abengumuntu ofaneleyo ngempela ukuphatha isikhundla sokubanguMahluleli.

**178 Izindingeko ekuqhatshweni ukuba nguMahluleli woMthethwandaba
Ophezulu**

(1) Umuntu uyabe elezindingeko ezifaneleyo—

- (a) wake waba ngumahluli womthethwandaba olomkhawulo wamandla ongancitshiswanga ezindabeni zamacula nje kanye lamacula okwephula imithetho elizweni lapho umthetho olandelwayo kakhulu uyiRoman-Dutch loba owesingisi, njalo lapho isingisi esiphathwa njengolimi oluqakathekileyo lokusebenzisa ezindaweni ezitshiyeneyo;
- (b) owayelezindingeko ezifaneleyo ezamvumela ukusebenza njengegwetha okweminyaka elitshumi kusya phezulu, loba ukusebenza lokhu kwakuqhubeka ngokulandelana kweminyaka loba hatshi:
 - (i) eZimbabwe; loba
 - (ii) elizweni lapho umthetho olandelwayo kakhulu uyiRoman-Dutch

loba owesingisi, njalo lapho isingisi esiphathwa njengolimi oluqathekileyo lokusebenzisa ezindaweni ezitshiyeneyo; njalo elokhu elazo izindingeko ezimvumela ukuthi asebenze.

(2) Ukuze umuntu aqhatshwe njengoMahluleli woMthethwandaba Ophezulu kumele abengumuntu ofaneleyo ngempela ukuphatha isikhundla sokubanguMahluleli.

**179 Okudingakalayo ukuze umuntu anelise ukuqhatshwa
njengoMahluleli woMthethwandaba Omkhulu, uMthethwandaba
wezemisebenzi lomthethwandaba wezokuphatha kwamandla**

(1) Umuntu uyabe elakho okudingakalayo ekuqhatshweni njengomahluleli woMthethwandaba Ophezulu, uMthethwandaba Wezemisebenzi loMthethwandaba Wezokuphatha nxa eleminyaka engamatshumi amane kusiya phezulu yobudala, njalo—

- (a) wake waba ngumahluli womthethwandaba olomkhawulo wamandla ongancitshiswanga ezindabeni zamacala nje kanye lamacala okwephula imithetho elizweni lapho umthetho olandelwayo kakhulu uyiRoman-Dutch loba owesingisi, njalo lapho isingisi esiphathwa njengolimi oluqathekileyo lokusebenzisa ezindaweni ezitshiyeneyo;
- (b) owayelezingeko ezifaneleyo ezamvumela ukusebenza njengegqwetha okweminyaka eyisikhombisa kusiya phezulu, loba ukusebenza lokhu kwakuqhubeka ngokulandelana kweminyaka loba hatshi:
 - (i) eZimbabwe;
 - (ii) elizweni lapho umthetho olandelwayo kakhulu uyiRoman-Dutch loba owesingisi, njalo lapho isingisi esiphathwa njengolimi oluqathekileyo lokusebenzisa ezindaweni ezitshiyeneyo;
 - (iii) nxa eyisizalwane seZimbabwe, elizweni lapho umthetho osetshenziswa ngabantu bonke ungoweSingisi njalo isolungu silulimi olusemthethweni lokusetshenziswa.

(2) Ukuze umuntu aqhatshwe njengoMahluli woMthethwandaba oMkhulu kumele abengumuntu ofaneleyo ngempela ukuphatha isikhundla sokubanguMahluli.

180 Ukuqhatshwa kwaBehluleli

(1) UNdunankulu waBehluleli, uMsekeli kaNdunankulu waBehluleli kanye loMongameli waBehluleli eMthethwandaba oPhezulu labanye bonke abehluleli baqatshwa nguMongameli weLizwe maqondana lalesi isigaba.

(2) UNdunankulu waBehluleli, uMsekeli kaNdunankulu waBehluleli kanye loMongameli waBehluleli eMthethwandaba oPhezulu bazaqatshwa nguMongameli weLizwe ngemva kokubonisana leKhomishini yeMisebenzi YezeMithetho.

(3) Nxa ukuqhatshwa kukaNdunankulu waBehluleli, uMsekeli kaNdunankulu waBehluleli kanye loMongameli waBehluleli eMthethwandaba oPhezulu kungahambelani lenkuthazo loba yiphi ephiwe yiKomishini yeMisebenzi Yezemithetho njengokubalulwa kusigatshana (2), uMongameli uzobangela ukuthi iDale leSenethi libikelwe ngalokhu ngokuphangisa;

Nxa kuyikuthi, ukuze kungabi lokuthandabuza, kuyaziswa ukuthi isinqumo sikaMongameli ngalokho kuqatshwa asiyikutshintshwa.

(4) Noma nini, nxa kudingakala ukuthi kuqatshwe uMahluleli, ongesuye UNdunankulu waBehluleli, uMsekeli kaNdunankulu waBehluleli Kanye loMongameli waBehluleli eMthethwandaba oPhezulu, iKomishini yeMisebenzi yeZemithetho kumele—

- (a) imemezele lesosikhundla; njalo
- (b) inxuse uMongameli kanye loZulu ukuthi bakhetha amabizo; njalo
- (c) yenze ingxoxo phambi kukaZulu lalabo abafuna umsebenzi lowo; njalo
- (d) iqoqe uluhlu lwabantu abathathu abakhethiweyo njengabantu abafanele lowo msebenzi; njalo
- (e) inike uMongameli lololuhlu; kuthi, kulandelwa isigatshana (5), uMongameli kumele aqhatshe oyedwa wabakhethiweyo ukuze aphathe lesosikhundla.

(5) Nxa uMongameli enganenzelela ukuthi akula muntu ofanele umsebenzi eluhlwi aluphiwe njengokubalulwe kuSigatshana (4)(e), kumele enze ukuba iKomishini yemisebenzi yezeMithetho imnikeze olunye uluhlu lwabantu abathathu abafanele lowo msebenzi, uMongameli abeseqhatsha oyedwa wabo ukuze aphathe lesosikhundla.

(6) UMongameli kumele abangele ukuthi kukhitshwe umbiko owazisa ngokuqhatshwa konke okwenzakalayo okupathelane lalesi sigaba egwalweni lweGazette.

(7) Izikhundla zikaMahluleli omkhulu woMthethwandaba wezeMisebenzi loMehluleli omkhulu woMthethwandaba wezokuPhathwa kwaMandla kumele ziphathwe ngomunye umahluleli kumbe omunye ngaphezulu kumbe umahluleli osaphethe isikhundla, kusiya ngesimo esikhona, emthethwandaba ofaneleyo, njalo baqhatshwa nguNdunankulu waBehluleli ngemva kokubonisana leKomishini yemisebenzi yezeMithetho.

[Isigatshana lesi sitshintshwe yiSigaba 6 soMthetho 10 ka2017]

181 Ukuqhatshwa kwabasamele izilawulamthetho

(1) Nxa isikhundla seNdunankulu yaBahluleli singelamuntu loba nxa ophethe leso sikhundla engenelisi ukwenza imisebenzi yalesosikhundla, uMsekeli weNdunankulu yaBehluleli uyaphatha isikhundla sakhe, kodwa nxa izikhundla zombili zingelabantu loba abanikazi balezo zikhundla bobabili bengenelisi ukwenza imisebenzi yazo, umahluleli onguye omkhulu kulabanye esikhundleni oweSisekamthetho uyasebenza njengeNdunankulu yaBehluleli.

(2) Nxa isikhundla sika—

- (a) Mongameli waBehluleli womthethwandaba Ophezulu;
- (b) uMehluleli omkhulu woMthethwandaba weziMisebenzi; kumbe
- (c) uMehluleli omkhulu woMthethwandaba wezokuPhathwa kwaMandla; singelamuntu loba nxa umnikazi wesikhundla engenelisi ukwenza imisebenzi yalesosikhundla, uMahluleli omkhulu onguye omkhulu kulabanye esikhundleni woMthethwandaba lowo uyasebenza njengo Mongameli waBehluleli.

[Isigatshana lesi sitshintshwe yiSigaba 7 soMthetho 10 ka2017]

(3) Nxa imisebenzi yomunye uMahluleli weMthethwandaba Omkhulu, uMthethwandaba Wemisebenzi loba uMthethwandaba Wezokuphathwa Kwamandla idingakala okwesikhathi esifitshane uMongameli, eseberna ngokucetshiswa yiKomishini yemisebenzi yeZilawulamthetho, engaqhatsha umuntu owake waba nguMahluleli ukuthi aphathe leso sikhundla okwesikhathi esingadluli izinyanga ezilitshumi lambili, leso sikhathi esesikhundleni singengezelwa njalo okwesikhathi esizinyanga ezilitshumi lambili.

(4) Abantu abaqhathelwe ukupathatha izikhundla ngaphansi kukasigatshana (3) bangaqhubeka behlala njengaBehluleli ngemva kokuba isikhathi abasiqhatshelweyo

sesiphelile, kusenzelwa ukuthi baphathe izingqubo ezazisungulwe phambi kwabo ngesikhathi besaphethe leso sikhundla.

182 Ukuqhatshwa kwaboMantshi lamanye amalunga ezilawulamthetho

UMthetho wePhalemende kumele uphawule ngokuqhatshwa kwaboMantshi kanye labanye abasezikhundleni zezilawulamthetho abangayisibo aBehluleli, kodwa—

- (a) omantshi kumele baqhatswe yiKomishini yemisebenzi yeziLawulamthetho;
- (b) izisebenzi ezikugatsha Iwezilawulamthetho ezingasibo oMantshi loba abehluleli kumele ziqhatshwe ngemvumo yeKomishini yemisebenzi yeziLawulamthetho;
- (c) konke ukuqhatsha okunjengalokhu kumele kwensiwe mgceke njalo kungelakwesaba, ukukhetha, ukuthatha uhlangothi loba ukubandlulula.

183 Abasezikhundleni zezilawulamthetho abafanelanga baqhatshelwe imithethwandaba edlula owodwa

Ngaphandle nxa kuphawulwe kulesi Sisekamthetho, umuntu akumelanga aqhatshelwe isikhundla sezilawulamthetho emithethawndaba edlula owodwa.

184 Ukuqhatshwa kwezilawulamthetho kumele kuhombise isimo somphakathi

Ukuqhatshwa kwezilawulamthetho kumele kuhombise ukwehlukana kwabantu kanye lokubakhona kobulili obutshiyeneyo eZimbabwe.

185 Isifungo sokuqhatshwa

(1) Anduba iNdunankulu yaBehluleli loba uMsekeli weNdunankulu yaBehluleli angene esikhundleni, kumele enze isifungo sezilawulamthetho ngendlela ephawulwe kuhlelo Iwesithathu, phambi kukaMongameli loba phambi komuntu ophiwe imvumo nguMongameli.

(2) Anduba uMehluleli, ongaisuye iNdunankulu yaBehluleli loba uMsekeli weNdunankulu angene esikhundleni, kumele enze isifungo seZilawulamthetho ngendlela ephawulwe kuhlelo Iwesithathu phambi kweNdunankulu loba uMehluleli omkhulu kulabanyi esikhundleni oyabe ekhona,

(3) IMithetho yePhalamende okuyiyo okuqhatshwa ngayo oMantshi lamanye amalunga eZilawulamthetho, angayisibo aBehluleli kumele itsho isifungo okumele senziwe yilawo malunga ezilawulamthetho.

186 Isikhathi esibekiweyo sokuhlala esikhundleni kwaBehluleli

(1) ABehluleli boMthethwandaba weSisekamthetho baqhatshelwa ukusebenza okwebanga elingengezelelwayo elingedluli iminyaka elitshumi lanhlanu, kodwa—

- (a) kumele batshiye umsebenzi isikhathi leso singakafiki nxa sebefikise iminyaka yobudala engamatshumi ayisikhombisa;
- (b) ngemva kokuba sebeqedile ibanga abaliqhatshelweyo, bangaqhatshwa njengaBehluleli boMthethwandaba Ophezulu loba uMthethwandaba Omkhulu, nxa kuyikuthi bafanele.

(2) ABehluleli boMthethwandaba Ophezulu, aboMthethwandaba Omkhulu labanye aBehluleli baphatha isikhundla kusukela ngelanga lokungena kwabo esikhundleni baze bafike iminyaka yobudala engamatshumi ayisikhombisa, lapho okumele batshiye khona umsebenzi.

(3) Umuntu angaqhatshwa njengoMahluleli weMthethwandaba Ophezulu, uMthethwandaba Omkhulu leminye imithethwandaba okwesikhathi esithize esibekiwego, kodwa nxa umuntu eseqhatshiwe ngokunjalo, ongayisuye oqhatshelwe ukuthatha isikhundla somunye, uyama ukuba nguMahluleli ekufikiseni kwakhe iminyaka yobudala engamatshumi ayisikhombisa lanxa isikhathi ayesiqhatshelwe singakapheli.

(4) Lanxa UMahluleli esetshiye umsebenzi loba esefikise iminyaka yobudala engamatshumi ayisikhombisa loba, malungana loMahluli woMthethwandaba weSisekamthetho loba uMahluleli okukhulunywe ngaye kusigatshana (3), esefikise ukuphela kwesikhathi ayesiqhatshelwe sokuba sesikhundleni, angaqhubeka ehlala njengoMahluli kusenzelwa ukuthi kupathwe izingqubo ezaziqaliswe phambi kwakhe esasenguMahluleli.

(5) UMahluleli angatshiya isikhundla sakhe loba ngasiphi isikhathi ngokubhala isaziso salokho esiyakuMongameli esizahanjisa yiKomishini yemisebenzi yeziLawulamthetho.

(6) Isikhundla sikaMahluleli akumelanga simiswe ngesikhathi esibekelwe ukuphatshwa kwakhe.

187 Ukususwa kwaBehluleli esikhundleni

(1) UMahluleli angasuswa esikhundleni kuphela ngezizatho—

- (a) zokwehluleka ukuqhube imisebenzi ephathelane lesikhundla ngesizatho sokufiphala engqondweni kumbe emzimbeni;
- (b) zokwehluleka umsebenzi okwedlulisa amalawulo; loba
- (c) zokungaziphathi ngemfanelo okwedlulisa amalawulo;

njalo uMahluleli kangeke asuswe esikhundleni ngaphandle nxa kulandelwa okuphawulwe kulesiSigaba.

(2) Nxa uMongameli ebona ukuthi indaba yokukhipha iNdunankulu yaBehluleli esikhundleni kumele ichwayisiswe, uMongameli kumele aqhatshe iqula laBehluleli ukuthi lihlolisise leyo ndaba.

(3) Nxa iKomishini yemisebenzi yeziLawulamthetho icebisa uMongameli ebona ukuthi indaba yokukhipha iloba nguuphi uMahluleli esikhundleni kumele ichwayisiswe, uMongameli kumele aqhatshe iqula laBehluleli ukuthi lihlolisise leyo ndaba.

(4) Idale laBehluleli eliqhatshwe ngaphansi kwalesisigaba kumele libe lamalunga angekho ngaphansi kwamathathu aqhatshwe nguMongameli, abathi—

- (a) oyedwa kumele abengumuntu o—
 - (i) wake wasebenaza njengoMahluleli woMthethwandaba Ophezulu loba woMthethwandaba Omkhulu eZimbabwe;
 - (ii) phethe loba owake waphatha isikhundla njengoMahluleli womthethwandaba olomkhawulo wamandla ongancitshiswanga eindabeni zamacala elizweni lapho umthetho osetshenziswa ngumuntu wonke uyiRoman-Dutch loba isingisi, njalo lapho isilungu esiphathwa khona njengolimi lokusetshenziswa ezindaweni ezinengi;
- (b) oyedwa kumele akhethwe eluhlwinu lwamagqwetha amathathu aleminyaka eyisikhombisa esebeanza loba edlula lelonani akhethwe yinlanganiso, emiswe ngaphansi koMthetho wePhalamende, abamele amagqwetha eZimbabwe.

(5) Inhlanganiso okukhulunywa ngayo kusigatshana (4)(b) kumele ilungise uluhlu okukhulunywe ngalo kulesosigatshana nxa uMongameli ekudinga lokho.

(6) UMongameli kumele abeke omunye wamalunga edale labehluleli eliqhatshwe ngaphansi kwalesisigaba ukuthi abengumgcinishlalo waleloqua.

(7) Idale laBehluleli eliqhatshwe ngaphansi kwesigatshana (2) loba (3) kumele lihlolisise ngendaba yokususwa kukaMahluleli esikhundleni njalo selikwenzile lokho kumele libike elikutholileyo kuMongameli njalo lisekele ukuthi uMahluleli engasuswa esikhundleni yini loba hatshi.

(8) UMongameli kumele enze okuhambelana lokusekelwe liqua laBehluleli kulandelwa usigatshana (7).

(9) Iqula eliqhatshwe ngaphansi kwalesisigaba lilamalungelo afanayo kanye lamandla njengemaKhomishina ngaphansi koMthetho wamaKhomoshini (Commissions of Inquiry act) [isahluko 10:07] loba omunye umthetho obekwa endaweni yalowo.

(10) Nxa indaba yokususa uMahluleli esikhundleni ihanjiswe edale laBehluleli ngaphansi kwalesisahluko, uMahluleli angamiswa esikhundleni kuze kuthi uMongameli, ngokusekela kwequla laBehluleli, asuse ukumiswa loba asuse uMahluleli esikhundleni.

(11) UMthetho omiswe yiPhalamende ungapha amandlla iKomishini yemisebenzi yeziLawulamthetho loba idale labehluleli eliqhatshwe ngaphansi kwalesisigaba ukuthi lidinge ukuthi iloba nguuphi uMahluleli alethe incwadi yokuhlolwa kwakhe okwenziwe liqua labezempilakahle elimiselwe lowo msebenzi, ukuze kube lesiqiniselo ngempilakahle yakhe emzimbeni lasengqondweni.

188 Izimiso zokusebenza kanye lokuqhatshwa kwamalunga aBehluleli

(1) ABehluleli balelungelo emiholweni, izimbhadalo kanye lezinye inzuzo ezibekwa ngezikathathi eziphiyeneyo ngabeKomishini yemisebenzi yeziLawulamthetho ngemvumo kaMongameli oyipha ngemva kokukhululumisana loMphathintambo obona ngezokulunga njalo langokuvuma kukaMphathintambo obona ngezezimali.

(2) UMthetho omiswe yiPhalamende kumele uphawule ngezimiso zomsebenzi wezisebenzi zabasesikhundleni zezilawulamthetho abangayisibo aBehluleli njalo kumele aqiniseke ukuthi ukuphakanyiswa kwabo emsebenzini, ukutshintshelwa ukuya kweyinye indawo, kanye lokukhitshwa emsebenzini, kanye lamanye amanyathela okukhuza/okuqondisa abawathathelwayo, kwenziwa—

- (a) ngemvumo yeKomishini yemisebenzi yeziLawulamthetho; njalo
- (b) ngendlela engathathi hlangothi njalo emgeke njalo kungelakwesaba, ukukhetha loba ukubandlulula.

(3) Imiholo, ama alawensi lezinye inzuzo zamalunga aBehluleli angumlandu wesikhwama sezimali ezihlanganisiwyo.

(4) Imiholo, lezimali zezindleko kanye lezinye inzuzo zamalunga ezilawulamthetho akumelanga zehliswe ngesikhathathi lapho bephethe loba besaphethe isikhundla.

ISAHLUKWANA 3

IKOMISHINI YEMISEBENZI YEZILAWULAMTHETHO

189 Ukumiswa kanye lokubunjwa kweKomishini yemisebenzi yeziLawulamthetho

(1) KuleKomishini yemisebenzi yeziLawulamthetho egoqela—

- (a) iNdunankulu yabeHluleli;
- (b) uMsekeli weNdunankulu yaBehluleli;
- (c) uMongameli wabeHluleli woMthethwandaba Omkhulu;
- (d) uMahluleli oyedwa okhethwe ngaBehluleli boMthethwandaba obona ngeSisekamthetho, uMthethwandaba Ophezulu, uMthethwandaba Omkhulu, uMthethwandaba Wezemisebenzi kanye loMthethwandaba obona ngokuqhutshwa kwezingqubo ngemfanelo;
- (e) uGqwethanhloko;
- (f) iNdunankulu yaboMantshi;
- (g) uMgciniyahalo weKomishini yeMisebenzi kaHulumende;
- (h) abameli bomthetho abathathu abalemnyaka eqala kweyisikhombisa besemsebenzini abakhethwe yinlanganiso, equkethwe ngaphansi komthetho wePhalamende, emele abameli bomthetho eZimbabwe;
- (i) isikhwicamfundu esisodwa loba umbalisi weYunivesithi omkhulu ofundisa ngezomthetho okhethwe yinlanganiso emelele ubunengi bababalisi bezomthetho emayunivesithi eZimbabwe loba, lapho inhlanganiso njalo ingekho;
- (j) umuntu oyedwa oselemnyaka ephezu kweyisikhombisa eseberza eZimbabwe njengonozimali loba umhlolizimali, njalo okhethwe yinlanganiso, equkethwe ngaphansi koMthetho omiswe yiPhalamende, omelele abantu labo;
- (k) umuntu oyedwa oleminyaka ephezu kweyisikhombisa eseberza esesikhundleni esiphathelane lokuholwa kwezisebenzi.

(2) Indunankulu yaBehluleli loba, lapho ingekho, uMsekeli weNdunankulu yaboMahluli uyathungamela emihlanganweni yeKomishini yemisebenzi yeziLawulamthetho, njalo nxa bonke bengekho iloba kuwuphi umhlangano amalunga ayabe ekhona lapho ayakhetha elinye ilunga lawo ukuthi lilawule umhlangano.

(3) Amalunga eKomishini yemisebenzi yeziLawulamthetho okukhulunywe ngayo kuziqendu (d), (h), (i), (j) lakusigatshana (1) baqhatshelwa esikhundleni okwesigaba esisodwa esiqhubeka okweminyaka eyisithupha njalo esingeke sengezwa nxa sesiphelile.

190 Imisebenzi yeKomishini yemisebenzi yeziLawulamthetho

(1) IKomishini yemisebenzi yeziLawulamthetho ingacebisa uHulumende loba kukuyiphi indaba ephathelane lezilawulamthetho loba ukuphathwa kokulunga, njalo uHulumende kumele aphaphe ukucetshiswa lokho ngemfanelo.

(2) IKomishini yemisebenzi yeziLawulamthetho kumele iphakamise njalo ifuqe ukukhululeka kanye lokwenelisa ukuvuma umlandu kwaBehluleli kanye lokuphathwa kakuhle njalo okumgeke kwemisebenzi yezokwahlulela okulungileyo kweleZimbabwe, njalo ilamandla wonke adingakalayo alumsebenzi.

(3) IKomishini yemisebenzi yeziLawulamthetho, ngemvumo yoMphathintambo obona ngezokwahlulela okulungileyo, ingenza izimiso zaloba yiwuphi umsebenzi okuphawulwe kulesisigaba.

(4) UMthetho omiswe yiPhalamende ungapha kuKomishini yemisebenzi yeziLawulamthetho mayelana lokuqhatshwa izindlela zokuqondiswa lezimiso zomsebenzi wabantu abaqhatshe eMthethwandaba weSisekamthetho, uMthethwandaba Ophezulu, uMthethwandaba Omkhulu uMthethwandaba Wezemisebenzi, uMthethwandaba Wezokuqhutshwa kwezingqubo leminye iMithethwandaba.

191 Ukufanelo lokubamgceke kwezingqubo zeKomishini yemisebenzi yeziLawulamthetho

IKomishini yemisebenzi yeziLawulamthetho kumele iqhubo imisebenzi yayo ngendlela elungileyo, efaneleyo njalo emgceke.

ISAHLUKWANA 4

OKUNYE

192 UMthetho ozalawulwa

UMthetho ozalawulwa yimithethwandaba yeZimbabwe ngumthetho oqalise ukusebenza kusukela ngelanga omiswe ngalo, lokuguqlwa owenziwe khona ngokuhamba kwesikhathi.

193 Umkhawulo wamandla emithethwandaba emacaleni okwephula imithetho

Kuphela imithethwandaba elandelayo yiyo engasebenzisa loba iphiwe imandla emacaleni okwephula imithetho—

- (a) uMthethwandaba obona ngeSisekamthetho, uMthethwandaba Ophezulu, uMthethwandaba Omkhulu kanye loMthethwandaba kaMantshi;
- (b) umthethwandaba loba idale lezilawulamthetho eliphatha amacula angaphansi komthetho wokuqondisa, kuze kufike ebangeni lokuthi umkhawulo wamandla uyadingakala ekwenzeni ukuthi ukuqondiswa kwenzakale kulabo abaqondiswayo.

ISAHLUKO 9

IZIMISO ZOKUPHATHWA LOKUKHOKHELWA KWEMISEBENZI EPHATHELANE LOZULU

194 Okuqakathekiswayo kanye lezimiso ezihola ukuphathwa kwemisebenzi ephathelane lozulu

(1) Abaphathi bemisebenzi ephathelane lozulu emabangeni wonke kaHulumende, kugoqela izinhlanganiso kanye labameli beSizwe, kunye lezinhlanganiso ezingaphansi kukaHulumende lamanye amaqembu aqhuba imisebenzi ephathelane lozulu, kumele baholwe yizimiso kanye lokuqakathekiswayo ngaphansi kombuso oqotho njengokuqukethwe kulesi Sisekamthetho. Lokhu kugoqela izimiso ezilandelayo—

- (a) izinga eliphakemayo lokuziphatha ngendlela elungileyo emisebenzini kumele likhuthazwe njalo lilandelwe kokuphela;
- (b) kumele kukhuthazwe ukusetshenziswa kwezingcebo ngendlela efaneleyo njalo engela butshapha;
- (c) abaphathi bemisebenzi ephathelane lozulu kumele babe lombono ojongise intuthuko;
- (d) imisebenzi kumele iqhutshwe ngendlela engathathi hlangothi, elungileyo, elinganisa abantu njalo engela nkethabetshabi;
- (e) izidingo zikazulu kumele zigcwalisiswe ngesikhathi esikhanyayo, njalo uzulu kumele akhuthazwe ukuthi aphanekhe ngokupheleleyo ekulungisweni kwezimiso ezitshiyatshiyeneyo;
- (f) abaphathi bemisebenzi ephathelane lozulu kumele banelise ukunika izimpendulo edale lePhalamende lakuzulu mayelana lemisebenzi yabo;
- (g) izinhlanganiso kanye labameli bakaHulumende kumabanga wonke kumele basebenzelane ngokudlelana okuhle;

- (h) ukuqhutshwa kwemisebenzi ngendlela ebalulekileyo kumele kuqiniswe ngokunika uzulu ulwazi olufnyelelekayo njalo oluqondileyo ngesikhathi esifaneleyo;
- (i) kumele kudalwe njalo kukhuthazwe imikhuba emihle yokuhola izisebenzi lokuthuthukisa imisebenzi ukuze abantu basebenzise amakhono abo ngokupheleleyo;
- (j) ukuqhatshwa kwabaphathi bemisebenzi ephathelane lozulu kumele kwensiwe ngendlela egoqela ngokulingeneyo abantu abavela kunhlangothi zonke zeZimbabwe ngokwehlukana kwazo;
- (k) izingqubo zokuqhatsha izisebenzi, ukuzifundisa kanye lokuziphakamisa kumele zilandele ukufanelia, ukwanelisa, iziphokophelo, ukwahlulela okulungileyo kanye lokulinganiswa kwabesilisa labesifazana, ndawonye lokufakwa kwabalobugoga ezikhundleni ezifanayo; njalo iSizwe kumele sithathe amanyathelo, okugoqela amanyathelo omthetho, ukuze sikhuthaze lezi zinto eziqakathekiswayo lezimiso zonke.

(2) Ukuqhatshelwa ezikhundleni ezikumabanga wonke kaHulumende, kugoqela izinhlanganiso zikaHulumende kanye lezinhlanganiso ezingaphansi kukaHulumende lamanye amaqembu asebenzela uzulu, kumele kwensiwe ngokufanelia komuntu ukuphatha isikhundla kungakakhangelwa okunye konke.

195 Amabhizimusi angaphansi kweSizwe

(1) Phezu kokulandela imigomo enikwe ngaphansi kweSigaba 194(1), amankampani lamanye amabhizimusi kaHulumende kumbe aholwa ngokupheleleyo nguHulumende kumele aqhube imisebenzi yawo ngendlela elondoloza ukuphumelela kwamabhizimusi njalo alandele iziqondiso ezilungileyo zokuqhatshwa kuhle kwemisebenzi.

(2) Amankampani lamanye amabhizimusi abalulwe kuSigatshana (1) kumele amise izindlela zokuthola ingcebo ezibalulekileyo, ezimgceke njalo ezivumela ukuncintisana kwabatholisa lezongcebo.

196 Imilandu yezisebenzi zikazulu lezimiso zokukhokhela

(1) Amandla anikwa isisebenzi sikazulu aqukethe ithembu likazulu njalo kumele asetshenziswe ngendlela—

- (a) ehambelana lezinjongo langezinhoso zalesi Sisekamthetho;
- (b) ekhombisa inhloniphlo kuzulu lokuzinikela ekumsebenzeleni, hatshi ukumbusa; njalo
- (c) ekhuthaza ukuthi uzulu athembe umsebenzi owenziwa yisisebenzi sikazulu.

(2) Izisebenzi zikazulu kumele ziziphathe, emphakathini lasensitha, ngendlela enqabela ukuphikisana phakathi kwezfiso zazo lezinqineko zomsebenzi wazo, njalo zingaze zaziphatha ngendlela eyehlisa isithunzi somsebenzi wazo.

(3) Izisebenzi zikazulu eziphethe izikhundla kumele zilandele imigomo elandelayo yokukhokhela—

- (a) ubuqotho lokungabi lenkethabetshabi ekwenzeni izinqumo;
- (b) ukuthembeka ekuqhubeni imisebenzi kazulu;
- (c) ukuba lezimpendulo kuzulu mayelana lezinqumo kanye lamanyathelo athethweyo; njalo
- (d) ukuziphatha kuhle kanye lokuzinikela ekusebenzeleni abantu.

197 Izikhathi ezibekiweyo zokuphatha izikhundla kwezinkokheli zezinhlanganiso ezingaphansi kukaHulumende

UMthetho omiswe yiPhalamende unganciphisa izikhathi ezibekiweyo ezokuphatha isikhundla kweziphathamandla lezhinloko zenhlanganiso eziholwa nguHulumende lezinye izinhlanganiso zikaHulumende ezikwezokuthengiselana lezisebenzelana lozulu kumbe eziholwa ngokupheleleyo nguHulumende.

198 Imithetho yokuphoqeleta iSahluko 9

UMthetho omiswe yiPhalamende kumele unikeze amanyathelo okuphoqeleta izibopho zalesiSahluko, kugoqela amanyathelo—

- (a) adinga ukuthi izisebenzi zikazulu zihlale ziveza impahla zazo;
- (b) abeka imithetho yezindlela zokuziphatha ngazo;
- (c) abalisa amazinga okubuswa kuhle kwezinhlanganiso okumele ananzwe yizinhlanganiso eziholwa nguHulumende langezinye izinhlanganiso zokuhweba ezingaphansi kumbe eziholwa ngokupheleleyo nguHulumende;
- (d) avumela ukujeziswa kwabantu abephula izinqumo ezimiswe kulesiSahluko kumbe ezeminye imithetho ebalula izindlela zokuziphatha ngazo.

ISAHLUKO 10

IZISEBENZI ZIKAHULUMENDE

199 Ukusebenzela uHulumende

(1) Kulogatsha olulodwa lwezisebenzi zikaHulumende oluyilo olukhangelane lokuphatha iZimbabwe.

(2) Ugatsha lwezisebenzi zikaHulumende lulabantu abaqhatshe yiSizwe abangasibo—

- (a) malunga awezokuvikela ilizwe lamanye amaqembu ezokuvikela ilizwe angamiswa;
- (b) behluleli, omantshi labanye ababona ngokuhamba kwezomthwethwandaba ezimiswe nguMthetho omiswe yiPhalamende;
- (c) malunga amaKomishini amiswe yiSisekamthetholesi;
- (d) zisebenzi zePhalamende; njalo
- (e) yiloba ngubani olesikhundla esibhalwe kulesiSisekamthetho kumbe uMthetho omiswe yiPhalamende, ukuthi kabi yingxenyenye yabasebenzela uHulumende.

(3) UMthetho omiswe yiPhalamende kumele uphawule ngokuhlelw, isimo, ukuphathwa, isimiso kanye lokuqondiswa kulandelwa usigaba 203, izimiso zokusebenza kwamalunga ezisebenzi zikaHulumende.

200 Ukuziphatha kwezisebenzi zikaHulumende

(1) Amalunga ezisebenzi zikaHulumende kumele enze njengokukuSisekamthetho lesi lasemthethweni.

(2) Akula sisebenzi sika Hulumende okumele silandele umlayo ongekho emthethweni.

(3) Ilunga lezisebenzi zikaHulumende akumelanga lithi lisenza umsebenzi walo—

- (a) lisebenze ngendlela elobandlululo;
 - (b) likhulise intando lodumo lwebandla lezombusazwe;
 - (c) livalele intando esemthethweni yaloba yiliphi ibandla lezombusazwe; kumbe
 - (d) lephule amalungelo ayinsika lenkululeko yaloba nguuphi umuntu.
- (4) Amalunga ezisebenzi zikaHulumende akumelanga abelezhikhundla emabandleni ezombusazwe.
- (5) UMthetho omiswe yiPhalamende kumele uphawule ukuze kuqiniseke ukuthi imisebenzi kaHulumende ayithathi hlangothi kwezombusazwe.

201 Umphathintambo okhangelana lezisebenzi zikaHulumende

UMongameli kumele akhethe uMphathintambo ozakhangelana lezisebenzi zikaHulumende.

202 Ukumiswa lokubunjwa kweKomishini yezisebenzi zikaHulumende

- (1) Kule Komishini yeMisebenzi kaHulumende equukethe—
 - (a) umgcinisihlalo loMsekeli kamgcinisihlalo; njalo
 - (b) amanye amalunga angekho ngaphansi kwamabili loba phezulu kwamahlanu; akhethwe nguMongameli.
- (2) Amalunga eKomishini yezisebenzi zikaHulumende kumele akhethwe ngolwazi lwavo loba ubungcitshi ekuholeni lasekuphatheni kanye lekwzeneni umsebenzi.

203 Umsebenzi weKomishini yezisebenzi zikaHulumende

- (1) IKomishini yezisebenzi zikaHulumende iseberna okulandelayo—
 - (a) ukukhetha abantu abafanele njalo abalolwazi olufaneleyo lokuba sezikhundleni zemisebenzi kaHulumende;
 - (b) ilandela usigaba 65(5), ukuqinisa lokulungisa umumo womsebenzi kugoqela umholo imali ephiwayo lezinye inzozo zamalunga asebenzela uHulumende;
 - (c) ukulawula kanye lokuba lamandla okuqondisa kumalunga asebenzela uHulumende;
 - (d) ukuphenya izikhala lokubuya losizo kuzikhala ezamalunga asebenzela uHulumende mayelana lokwenziwa loba okungenziwa yilabo abasezikhundleni;
 - (e) ukuthatha amanyathelo awokuqiniseka ukuthi umsebenzi uqhutshwa ngemfanelo kanye lempilakahle yezisebenzi zikaHulumende jikelele;
 - (f) ukuqiniseka ukuthi amalunga ezisebenzi zikaHulumende enza umsebenzi wawo ngokufaneleyo okungathathi hlangothi;
 - (g) ukucebisa uMongameli loMphathintambo ngaloba yiyiphi indaba ephathelane lemisebenzi kaHulumende;
 - (h) ukuphakamisa kuzo zonke izisebenzi zikaHulumende okumqoka kanye lezimiso okuphawulwe kulesi Sisekamthetho; njalo
 - (i) ukwenza laloba kuyini okulawulelwa iKomishini yiSisekamthetholoba uMthetho omiswe yiPhalamende.

(2) iKomishini yezisebenzi zikaHulumende, ngemvumo kaMphathintambo okhangelane lemisebenzi kaHulumende ingabeka izimiso ngaloba kuyini okuphawulwe kusigatshana (1).

(3) iKomishini yezisebenzi zikaHulumende kumele yenze umsebenzi wayo ngendlela ehambelana leziqondiso ezilotshiweyo engaziphiwa nguMphathintambo okhangelane lemisebenzi kaHulumende.

(4) Ekulungiseni imiholo, imali yezinye indleko lezinye inzuzo zamalunga asebenzela uHulumende, iKomishini yamalunga emisebenzi kaHulumende kumele isebeenze ngokuvumela kukaMongameli okuphiwe ekuvumeni kukaMphathintambo wezemali emuva kokuba esexoxisane loMphathintambo okhangelane lezisebenzi zikaHulumende.

204 Amanxusa elizwe bekwamanye amazwe labanye abakhulu abamela iZimbabwe

UMongameli angakhetha abantu abangaba ngabameli belizwe kwamanye amazwe kumbe abanye abameli abakhulu abamela iZimbabwe kwamanye amazwe kumbe bayemela kuzinhlanganiso eziphathelane lamazwe omhlaba njalo angasusa ngaloba yisiphi isikhathi abantu labo emisebenzini yabo.

205 ONobhala Abakhulu

(1) ONobhala abakhulu bakhethwa nguMongameli emuva kokuxoxisana leKomishini yezisebenzi zikaHulumende.

(2) Isikhathi sikaNobhala omkhulu ehofisini siyiminyaka emihlanu njalo siyaphindeka kuphela nxa elolwazi olufaneleyo esebeenza ngokufanele kulempumela ebonakalayo.

ISAHLUKO 11

UMVIKELA

ISAHLUKWANA 1

IZINDINGEKO JIKELELE

206 Ukuvikelwa kwelizwe

(1) Inholso yokuvikelwa kwelizwe leZimbabwe kumele iveze isibopho sabantu baseZimbabwe esokuphila ngokulingana, behkhlulekile, belokuthula, lokubambana, bengela kwesaba njalo belokuphumelela.

(2) Ukuvikelwa kwelizwe laseZimbabwe kumele kulondolozwe yiso lesi Sisekamthetho lomthetho.

(3) Ukuvikelwa kwelizwe kumele kubanjwe ngokuhlonipha ikakhulu—

- (a) Isiqu samalungelo lokukhululeka lokuqakatheka kokubusa ngentando yabantu okuqakathekiswa yiSisekamthetho; njalo
- (b) ukubusa komthetho.

207 Imisebenzi yabavikela ilizwe

(1) Imisebenzi yabavikela ilizwe lase Zimbabwe igoqela—

- (a) Amabutho okuvikela isizwe;
- (b) AmaPholisa;

- (c) Abacuphi;
 - (d) AbeZintolongo lokuQondiswa Kwezibotshwa;
 - (e) Laloba yibaphi abomvikela abamiswe nguMthetho omiswe yiPhalamende.
- (2) Abavikela ilizwe babuswa yilo umthetho weSisekamthetho, uMongameli, lekhabinethi kaHulumende, njalo bahlolwa yiPhalamende.
- (3) Emalungeni asebenza ukuvikela ilizwe kumele kukhombise imihlobo etshiyeneyo yabantu beZimbabwe.

208 Ukuziphatha kwabavikela ilizwe

- (1) Amalunga avikela ilizwe kumele aziphathe ngendlela ehambelana leSisekamthetho kanye lomthetho.
- (2) Akumelanga abavikela ilizwe loba omunye wamalunga abo bathi besenza umsebenzi wabo—
 - (a) bawenze ngendlela elobandlululo;
 - (b) baqhubekise izifiso zaloba yiliphi ibandla lombusazwe;
 - (c) bavalele izifiso ezisemthethweni zebandla lombusazwe, loba umgommo; loba
 - (d) bephule amalungelo lezinkululeko eziyinsika zaloba nguwuphi umuntu.
- (3) Amalunga abavikela ilizwe akumelanga abengabahambela phambili loba abalezikhundla emabandleni ezombusazwe loba enhlanganisweni yezombusazwe.
- (4) Abasebenza ukuvikela ilizwe akumelanga baqhatshwe loba baphathise kwezinye izingatsha zomphakathi, ngaphandle kwesikhathi sekulomonakalo kaZulu.

209 Ikhansili yokuvikelwa kwelizwe

- (1) Kukhona ikhansili yokuvikelwa kwelizwe eloMongameli welizwe, engumcinisihlalo, loMsekeli kaMongameli labaPhathintambo abanjalo lamalunga ezokuvikelwa ilizwe labanye abangabe bephawulwe eMthethweni wePhalamende.
- (2) Umsebenzi wenhlanganiso yokuvikelwa kwelizwe yiku—
 - (a) thuthukisa izimiso zelizwe zokuvikelwa ilizwe laseZimbabwe;
 - (b) ukwazisa lokucebisa uMongameli ngezindaba ezimayelana lokuvikeleka kwelizwe; njalo
 - (c) ukwenza laloba yiyiphi eminye imisebenzi engabe iphawuliwe eMthethweni omiswe yiPhalamende.
- (3) Ababusi bezokuvikelwa kwelizwe kumele babikele inhlango yokuvikelwa kwelizwe ngomumo wokuvikeleka eZimbabwe njengalokhu okungadingwa ngokufaneleyo yinhlango.

210 Indlela ezimeleyo yezikhala

UMthetho omiswe yiPhalamende kumele uphe indlela esebezayo njalo ezimeleyo eyokuthola lokuchwayisisa izikhala ezivela kumalunga kazulu mayelana lokuziphatha okungalunganga kwabasebenza ukuvikelwa ilizwe, lokulungisa umonakalo odalwe yilokhu kungaziphathi.

ISAHLUKWANA 2

AMABUTHO OMVIKELA

211 Amabutho omvikela

(1) Amabutho omvikela eZimbabwe agoqela amasotsha, amabutho asemoyeni leminye imisebenzi engamiswa ngaphansi koMthetho omiswe yiPhalamende.

(2) Amabutho omvikela yiwo wodwa amabutho empi avunyelwayo eZimbabwe ngokusemthethweni.

(3) Amabutho omvikela kumele ahloniphe amalungelo ayinsika lezinkululeko zabantu bonke, angabi lokukhetha abantu, abe lesimilo sobuzwe, athande ilizwe lawo, abe zingcitshi njalo azehlise emphakathini njengoba kubekwa yiSisekamthetho lesi.

(4) Amabutho omvikela kumele ahlale egcinwe elibutho lempini elilokuziphatha ngemfanelo.

(5) UMthetho omiswe yiPhalamende kumele uphawule ngokuhleleka, isimo, ukuphathwa, umthetho, ukuziphatha okufaneleyo lokukhuphula lokwehliswa esikhundleni kwezinduna lamanye amalunga, kulandelwa usigaba 218, izimiso zokusebenza kwamalunga amabutho okuvikela ilizwe.

212 Umsebenzi wamabutho omvikela

Umsebenzi wamabutho omvikela yikuvikela iZimbabwe, abantu bayo, ukuphepha kwesizwe lesizotha somhlaba waso, lokugcina iSisekamthetho lesi.

213 Ukuthunyelwa kwamabutho omvikela

(1) Kulandelwa iSisekamthetho, nguMongameli yedwa njengendunankulu yamabutho omvikela, olamandla—

- (a) okuvumela ukuthumela amabutho omvikela loba;
- (b) okubeka isinqumo sokusebenza kwamabutho omvikela.

(2) Ngemvumo kaMongameli, amabutho omvikela angathunywa phakathi eZimbabwe—

- (a) evikela iZimbabwe;
- (b) encedisa amapholisa ekugcineni ukuthula emphakathini; loba
- (c) encedisa amapholisa lezinye inhlanganiso zabantu nxo kungaba lengozi evele ingalindelwanga kumbe isehlakalo esibi.

(3) Ngokulawula kukaMongameli, amabutho avikela ilizwe angathunyelwa ngaphandle kwelizwe leZimbabwe—

- (a) ezinhlelweni zokugcina ukuthula bengaphansi kwenhlanganiso yamazwe amanyeneyo loba eyinye inhlanganiso yamazwe omhlaba loba umkhono lapha iZimbabwe elilunga khona;
- (b) ukuvikela umhlaba welinye ilizwe langaphandle;
- (c) ukugcwalisisa isivumelwano esiphathelane lamazwe omhlaba; loba
- (d) ukuvikela iZimbabwe lokuvikela okungokwayo.

(4) Ngenxezu ezimbili kwezintathu ezamalunga ePhalamende kuhlangene iDale leSenethi le Ndlu yabaMeli, iPhalamende ingavumelana ukuthi Amabutho omvikela angaphandle kweZimbabwe aphendukiswe.

(5) Lapha iPhalamende isivumile kubana Amabutho omvikela athunywe phandle kwelizwe aphendukiswe, uMongameli kumele athathe amanyathelo wonke afaneleyo, ukubona ukubana Amabutho omvikela aphendukiswe, lokhu akwenze ecabangela ukuphepha kwezisebenzi lezikhali zaseZimbabwe.

214 Umlandu wezombusazwe ngokuthunyelwa kwamabutho ezomvikela

Nxa amabutho omvikela engathunyelwa—

(a) phakathi kweZimbabwe ukuze ancedise ekuletheni ukuthula emphakathini; loba

(b) ngaphandle kweZimbabwe;

uMongameli kumele enze ukuthi iPhalamende ibikelwe masinyane njalo ngokugcweleyo njalo, izizatho zokuthunyelwa kwamabutho—

(i) lapho ethunyelwa kweZimbabwe, kumele kuvezwe lapha abathunyelwa khona;

(ii) lapho ethunyelwa ngaphandle kwelizwe, kumele kuvezwe ilizwe lapha athunyelwa khona.

215 UMphathintambo okhangelane lamabutho omvikela

UMongameli kumele akhethe uMphathintambo okhangelane lamabutho omvikela.

216 Ukuholwa kwamabutho omvikela

(1) UMthetho omiswe yiPhalamende ungaphawula ukuthi—

(a) amabutho omvikela kufanele aholwe yiNduna yamabutho eyodwa; loba

(b) ugatsha lunye ngalunye lwamabutho omvikela, loba amabili kumbe amanengi angaba ngaphansi kweyinye iNduna.

(2) INduna zonke zamabutho omvikela lezinye iNduna zengatsha zamabutho omvikela zikhethwa nguMongameli ngemuva kokukhulumisana loMphathintambo okhangelane lezamabutho omvikela.

(3) Izinduna zamabutho omvikela lezinye induna zengatsha zamabutho omvikela ziqhatswa ukuba ziphathe isikhundla okweminyaka engadluli emihlanu, njalo umuntu akumelanga asebenze kuloba yisiphi salezo zikhundla okwamahlandla adlula amabili.

(4) Umuntu oseke waba yiNduna yengatsha zamabutho omvikela, angaqhatshwa njengeNduna yamabutho omvikela, kodwa umuntu oseke waba yiNduna yamabutho omvikela kalakho ukuqatshwa njengeNduna yengatsha zamabutho omvikela kumbe ukuba yiNduna eyaloba yiluphi ugatsha lokuvikela ilizwe.

(5) Zonke iziNduna zamabutho omvikela lazo zonke iziNduna zengatsha zamabutho avikela ilizwe kumele zilawule njengokulotshwe kuziqondiso zemigomo eziphiwe nguMphathintambo okhangelane lamabutho omvikela esebeenza ngaphansi kwamandla kaMongameli.

217 Ukumiswa lokubunjwa kweKomishini yengatsha zamabutho omvikela

(1) Kukhona iKomishini yengatsha zamabutho omvikela elomgcinislalo okumele abe ngumgcinislalo weKomishini yezisebenzi zikaHulumende labanye abangabangaphezulu kwababili loba phansi kwabayisithupha abaqhatshwe nguMongameli.

(2) Amalunga eKomishini yengatsha zamabutho omvikela kumele akhethwe ngenxa yowlazi lobungcitsi babo ekulawuleni, ekuphatheni lasezindabeni zempi, ulwazi lwabo lomsebenzi loba ukubonakala bengabantu abafaneleyo ukuqhatshwa njalo—

- (a) ingxene yabo kumele ibe ngabantu abangayisiwo malunga omvikela njalo abangazange babe ngamalunga Amabutho omvikela;
- (b) omunye wabo kumele abe ngumuntu owake waba ngumphathi Wamabutho omvikela okwesikhathi esibekiwayo esisodwa loba ukwedlula, esifika iminyaka emihlanu kusiya phezulu.

218 Umsebenzi weKomishini yogatsha Iwamabutho omvikela

- (1) IKomishini yamabutho omvikela ilemisenbenzi elandelayo—
 - (a) ukuqhatsha abantu abafaneleyo njalo abalolwazi ukuba baphathe izikhundla phakathi kwamabutho omvikela;
 - (b) ukulungisa lokuhambisa ngomthetho isimo semisebenzi, okuhlanganisela imiholo, imali ephiwayo lezinye inzuzo zamalunga amabutho omvikela;
 - (c) ukubona ngezenhlalakahle lokuqhutshwa kuhle komsebenzi wamabutho omvikela lokugcinwa besezingeni elikhulu lokwenza umsebenzi ngokupheleleyo;
 - (d) ukuqiniseka ukuba amalunga amabutho omvikela alandela isigaba 208;
 - (e) ukugcina ukuthula lokuzwisisana phakathi kwamabutho omvikela lomphakathi;
 - (f) ukucebisa uMongameli loMphathintambo mayelana yiloba yini okuhlangene laMabutho omvikela; njalo
 - (g) ukusebenzisa yiloba yiyiphi indlela ectshiswe loba ebekwe kuKomishini yiSisekamthetho lesi loba nguMthetho omiswe yiPhalamende.

(3) IKomishini yengatsha zaMabutho omvikela, iphiwe imvumo nguMphathintambo okhanganelane lemabutho omvikela ingabeka imithetho engabe ikhanganelane laloba yikuphi okulandiswe kusigatshana (1).

(4) Ekulungiseni imiholo, imali ephiwayo lezinye inzuzo ezamalunga Amabutho omvikela, iKomishini yamalunga Amabutho omvikela kumele isebenze ngemvumo kaMongameli exwayiswe nguMphathintambo wezemali emuva kokuba esekhulumisane loMphathintambo waMabutho omvikela.

ISAHLUKWANA 3

UGATSHA LWAMAPHOLISA

219 Ugatsha Iwamapholisa lomsebenzi walo

- (1) Kulogatsha IwamamaPholisa olukhanganelane lokhu—
 - (a) Hlolisia, ukuchwayisisa lokuvimbela ubugebengu;
 - (b) ukugcina ukuphepha ngaphakathi kwelizwe laseZimbabwe;
 - (c) ukuvikela lokuphephisa izimpilo lempahla zabantu;
 - (d) ukuqinisa umthetho lokuhleleka; njalo
 - (e) ukusekela umthetho weSisekamthetho lokuqinisa umthetho kungela kwesaba loba ukukhetha.

- (2) Ingatsha zamaPholisa kumele ziqhube umsebenzi wazo zincedisana—
- laloba yiluphi ugatsha lwabacuphi olubekwe ngokusemthethweni;
 - yiloba ngubani ongabe ebekwe ngokusemthethweni ukubana ahlole, achwayisise loba enqabele amacula asezingeni elithile; njalo
 - lezinhlanganiso zamazwe omhlaba lawomkhono ezidalelw ukuqed ubugebengu;
- (3) Ingatsha zamapholisa kumele zingabi lobandlululo, zibe lesimilo selizwe, zithande ilizwe lazo, zibezingcitshi njalo zizehlise emandleni omphakathi njengokumiswe yiSisekamthetho.
- (4) UMthetho omiswe yiPhalamende kumele uphe inhlanganiso le ngokuhlewa, isimo, ukuphathwa, umthetho, ukuziphatha okuqinileyo lokukhuphula lokwehliswa esikhundleni kwezinduna lamanye amalunga, kulandelwa isigaba 223, izimiso zokusebenza kwamalunga amaPholisa

220 UMphathintambo wogatsha Iwamapholisa

UMongameli kumele aqhatsho uMphathintambo okhangelane lengatsha zamaPholisa.

221 INdunankulu yamaPholisa

(1) Ingatsha zamaPholisa zingaphansi kombuso weNdunankulu yamaPholisa eqhatshwa nguMongameli emuva kokubana exoxisane loMphathintambo okhangelane lamaPholisa.

(2) INduna yamapholisa iqhatshwa ukusebenza okwesibanga seminyaka emihlanu engaphindwa kanye.

(3) Umuntu oseke wasebenza eyiNdunankulu yamapholisa ngeke aqhatshelwe ukukhokhela loba yiluphi ugatsha lwemisebenzi yokuvikela ilizwe.

(4) INdunankulu yamaPholisa ilakho ukulawula ngamandla ayo njengokuvuma kombhalo wesivumelwano esiphiwe nguMphathintambo okhangelane lamaPholisa esebezenza ngaphansi kwamandla kaMongameli.

222 Ukumiswa lokubunjwa kweKomishini yemiSebenzi yamaPholisa

(1) Kukhona iKomishini yemiSebenzi yamaPholisa elomgciniyahalo okumele abe ngumgciniyahalo woHlangothi IweziSebenzi zikaHulumende labanye abangabangaphezulu kwababili lobaphansi kwabayisithupha abakhethwe nguMongameli.

(2) Amalunga eKomishini yemiSebenzi yamaPholisa kumele akhethwe ngenxa yowlazi lobungcitshi babo ekulawuleni lasekuphatheni, ulwazi lwabo lomsebenzi loba ukubonakala bengabantu abafaneleyo njalo—

- ingxene yabo kumele ibe ngabantu abangazange babe ngamalunga omsebenzi wamaPholisa;
- omunye wabo kumele abe ngumuntu owake waba lesikhundla esiphezulu emisebenzini yamaPholisa okwesikhathi esibekiwego esisodwa loba ukwedlula, esifika iminyaka emihlanu kusya phezulu.

223 Umsebenzi weKomishini yemiSebenzi yamaPholisa

- IKomishini yemiSebenzi yamaPholisa ilemisebenzi elandelayo—

- (a) ukuqhatsha abantu abafaneleyo njalo abalolwazi ukuba baphathe izikhundla phakathi kwengatsha zemisebenzi yamaPholisa;
 - (b) ukulungisa lokuhambiswa ngomthetho isimo semisebenzi, okuhlanganisela imholo, imali ephiwayo lezinye inzuzo zamalunga engatsha zamaPholisa;
 - (c) ukubona ngezenhlakahle lokuqhutshwa kuhle komsebenzi wezingatsha zamaPholisa lokuahlala besezingeni elikhulu elokwenza umsebenzi ngokupheleleyo;
 - (d) ukuqiniseka ukubana amalunga awengatsha zamaPholisa alandela isigaba 208;
 - (e) ukugcina ukuthula lokuzwisisana phakathi kwamaPholisa lomphakathi;
 - (f) ukuxwayisa uMongameli loMphathintambo mayelana laloba kuyini okupathelane lamapholisa; njalo
 - (g) ukwenza yiloba yiuphi omunye umsebenzi owethulwe kumbe owethweswe phezu kwaleyo Komishini yiSisekamthetho lesi loba nguMthetho omiswe yiPhalamende.
- (2) IKomishini yemiSebenzi yamaPholisa, ngemvumo eyiphiwe nguMphathintambo okhangelane lengatsha zamaPholisa ingabeka imithetho engabe ikhangelane laloba yikuphi okulandiswe kusigatshana (1).
- (3) Ekulungiseni imiholo, imali ephiwayo lezinye inzuzo ezamalunga engatsha zamaPholisa, iKomishini yemiSebenzi yamaPholisa kumele isebenze ngokuvunyelwa nguMongameli exwayiswe nguMphathintambo wezemali emuva kokuba esekhulumisane loMphathintambo okhangelane lengatsha zamaPholisa.

ISAHLUKWANA 4

IMISEBENZI YABACUPHI

224 Ukumiswa kwengatsha zemisebenzi yabaCuphi

(1) Yiloba yiluphi ugatsha Iwabacuphi olungasilo Iwamabutho omvikela loba amaPholisa, kumele lumiswe ngaphansi komthetho loba ngaphansi komyallo loba ukuqondisa kukaMongameli loba ikhabhinethi.

(2) Ingatsha zemisebenzi yabaCuphi kumele zingabi lenkethabantu, zibe lesimilo selizwe, zithande ilizwe lazo, zibezingcitshi njalo zizehlise emphakathini njengokumiswe yiSisekamthetho.

225 UMphathintambo okhangelane lengatsha zemisebenzi yabaCuphi elizweni

UMongameli kumele aqhatshe uMphathintambo okhangelane lengqe yiluphi ugatsha Iwemisebenzi yabacuphi elizweni.

226 Ukubuswa lokulawulwa kwezingatsha zemisebenzi yabaCuphi elizweni

(1) Ugatsha IwabaCuphi kufanele luholwe kumbe lulawulwe nguMqondisi Omkhulu wemisebenzi yabaCuphi okumele aqhatshwe nguMongameli ukuze asebenze okwesikhathi esibekiweyo seminyaka emihlanu esingaba lakho ukuphindwa kanye.

(2) UMqondisi Omkhulu wabaCuphi kumele asebenzise amandla akhe njengokubekwe eziqondisweni zemigomo jikelele elotshiweyo ephiwe nguMphathintambo obona ngezogatsha Iwemisebenzi yabaCuphi elizweni esebezena ngaphansi kwamandla kaMongameli.

(3) Umuntu oseke wasebenza njengoMqondisi Omkhulu wemisebenzi yabaCuphi kalakho ukuphinde aqhatshwe njengomlawuli waloba yiluphi olunye ugatsha lokuvikela ilizwe.

ISAHLUKWANA 5

ABEZINTOLONGO LOKUQONDISHA KWEZIBOTSHWA

227 Ugatsha IweZintolongo lokuqondisa kwezibotshwa lomsebenzi walo

(1) Kulogatsha IweZintolongo lokuqondisa kwezibotshwa olukhangelane loku—

- (a) vikelwa komphakathi ezigebegweni ngokuvalela lokubisela amalungelweni laba abagwetshiweyo, labavalelwego ngokusemthethweni, lokuthi bayamukeleke emphakathini; loku
- (c) phathwa kwezinto zeZintolongo lokuQondisa kweZibotshwa.

(2) Ugatsha IweZintolongo lokuQondisa iziBotshwa kumele lungabi lenkethabantu, lube lesimilo selizwe, luthande ilizwe lalo, lubeyingcitshi njalo luzehlise emphakathini njengokumiswe yiSisekamthetho.

(3) UMthetho omiswe yiPhalamende kumele uphe inhlanganiso le isimo, ukuphathwa, umthetho, ukuziphatha okuqinileyo lokukhuphula lokwehlisa esikhundleni izinduna lamanye amalunga, bazinikele kusahluko 231, izimiselo zokusebenza kwamalunga aewzinkantolo lokuqondisa izibotshwa.

228 UMphathintambo okhangelane leZintolongo lokuQondisa kweZibotshwa

Umongameli kumele akhethe uMphathintambo okhangelane logatsha IweZintolongo lokuQondisa kweZibotshwa.

229 UNdunankulu wogatsha IweZintolongo lokuQondisa iziBotshwa

(1) Ugatsha IweZintolongo lokuQondisa kweZibotshwa lungaphansi kwenkokheli kaNdunankulu wogatsha IweZintolongo lokuQondisa kweZibotshwa okhethwe nguMongameli emuva kokuthi exwayisane loMphathintambo okhangelane lezentolongweni lokuqondisa kwezibotshwa.

(2) UNdunankulu weZintolongo lokuQondisa iziBotshwa ukhethwa ukusebenza okwesikhathi esibekiweyo seminyaka emihlanu engaphindwa kanye.

(3) Umuntu oseke wasebenza njengoNdunankulu weZintolongo lokuQondisa kweZibotshwa angeke aqhatshwa ukuthi alawule olunye ugatsha lokuvikela ilizwe.

(4) UNdunankulu weZintolongo lokuQondisa kweZibotshwa ulakho ukulawula ngamandla akhe njengokubekwe eziqondisweni zemigomo jikelele elotshiweyo ephiwe nguMphathintambo obona ngezeZintolongo lokuQondisa kweZibotshwa esebezena ngaphansi kwamandla kaMongameli.

230 Ukumiswa lokubunjwa kweKomishini yogatsha IweZintolongo lokuQondisa kweZibotshwa

(1) Kule Komishini yogatsha IweZintolongo lokuQondisa kweZibotshwa elomgcinischlalo okumele abe ngumgcinischlalo weKomishini yezisebenzi zikaHulumende labanye abangabangaphezulu kwababili loba phansi kwabayisithupha abakhethwe nguMongameli.

(2) Amalunga aweKomishini yeZintolongo lokuQondisa iziBotshwa kumele akhethwe ngenxa yowlazi lobungcitshi babo ekulawuleni lasekuphatheni, ezokuvikela ilizwe, ulwazi lwabo lomsebenzi loba ukubonakala bengabantu abafaneleyo njalo—

- (a) ingxenye yabo kumele ibe ngabantu abangazange babe ngamalunga abasebenza egatsheni lweZintolongo lokuQondisa iziBotshwa;
- (b) omunye wabo kumele abe waphatha isikhundla esikhulu kugatsha lweZintolongo lokuQondisa kweZibotshwa okweminyaka emihlanu kusiya phezulu.

231 Umsebenzi weKomishini yogatsha lweZintolongo lokuQondisa kweZibotshwa

(1) IKomishini yogatsha lweZintolongo lokuQondisa kweZibotshwa isebenza okulandelayo—

- (a) ukuqhatsha abantu abafaneleyo njalo belolwazi ukuba baphathe izikhundla phakathi kogatsha lweZintolongo lokuQondisa kweZibotshwa;
- (b) ukulungisa lokuhambisa ngomthetho isimo semisebenzi, okuhlanganisela imiholo, imali ephiwayo lezinye inzozo zamalunga engatsha zeNtolongo lokuQondisa kweziBotshwa;
- (c) ukubona ngezenhlalakahle lokuqhutshwa kuhle komsebenzi kugatsha lweziNtolongo lokuQondisa iziBotshwa njalo lokuhlala besezingeni elikhulu elokwenza umsebenzi ngokupheleleyo;
- (d) ukuqiniseka ukubana amalunga awengatsha zeziNtolongo lokuQondisa kweziBotshwa alandela isahluko 208;
- (e) ukugcina ukuthula lokuzwisisana phakathi kwabeziNtolongo lokuQondisa kweziBotshwa lomphakathi;
- (f) ukuxwayisa uMongameli loMphathintambo mayelana yiloba kuyini okuhlangene leziNtolongo lokuQondisa kweziBotshwa; njalo
- (g) ukuqhube loba yiuphi omunye umsebenzi owethulwe kumbe owethweswe kuKomishini yilesi Sisekamthetho loba uMthetho omiswe yiPhalamende.

(2) IKomishini yogatsha, lwezeNtolongo lokuQondisa kweziBotshwa nxa iphiwe imvumo nguMphathintambo okhangelane lengatsha zentolongo lokuqondisa kwezioitshwa ingabeka imithetho engabe ikhangelane laloba yikuphi okulandiswe kusiqetshana.

(3) Ekulungiseni imiholo, imali yezindleko lezinye inzozo ezamalunga engatsha zabezintolongo lokuqondisa kwezibotshwa, iKomishini yengatsha zezintolongo lokuqondisa kwezibotshwa kumele kisebenze ngokutshelwa nguMongameli exwayiswe nguMphathintambo wezemali emuva kokuba esekhulumisane loMphathintambo okhangelane lengatsha zeziNtolongo lokuQondisa kweziBotshwa

ISAHLUKO 12

AMAKOMISHINI AZIMELE WODWA ASEKELA UMBUSO KAZULU

ISAHLUKWANA 1

IZIMISO-JIKELELE

232 AmaKomishini Azimele Wodwa

AmaKomishini alandelayo yiwo Azimele Wodwa—

- (a) iKomishini ebona ngezoKhetho eZimbabwe;
- (b) iKomishini ebona ngezaMalungelo Oluntu eZimbabwe;
- (c) iKomishini ebona ngezoBulili eZimbabwe;
- (d) iKomishini ebona ngezokuKhutshwa kweMibiko eZimbabwe;
- (e) iKomishini ebona ngezokuThula lokuKhumisana Umløtha eZimbabwe.

233 Izinhloso zamaKomishini Azimele Wodwa

AmaKomishini Azimele Wodwa alezhinholo-jikelele ezilandelayo ngaphezu kwalezo eziwanikwayo inye ngayinye—

- (a) ukusekela lokugxilisa amalungelo oluntu lombuso oqotho;
- (b) ukuvikela uzibuse lezilangazelelo zikazulu;
- (c) ukukhuthaza ukuqakanyiswa kweSisekamthetho ezintweni zonke;
- (d) ukukhuthaza ukuba mgceke lokunika izimpendulo ezisuthisayo ezinhlanganisweni ezisebenzelana lozulu;
- (e) ukulondoloza ukunanzwa kwamagugu lezimiso zeSizwe lazonke izinhlanganiso labameli bakaHulumende, kanye lezinhlanganiso eziholwa nguHulumende; njalo
- (f) ukuba lesiqiniselo sokuthi konke okungalunganga emehlwani omthetho kuyalungisiswa.

234 Izisebenzi zamaKomishini Azimele Wodwa

AmaKomishini Azimele Wodwa alamandla okuqhatsha izisebenzi njalo, elandela izimiso zomthetho, okulawula izimo zomo zomsebenzi.

235 Inkululeko yamaKomishini

- (1) AmaKomishini Azimele Wodwa—
 - (a) akhululekile njalo akalakho ukuqondiswa loba ukulawulwa nguloba ngubani;
 - (b) kumele alandele izimiso zalesi Sisekamthetho;
 - (c) kumele aqhube imisebenzi yavo engela kwesaba, ukusekela uhlangothi kumbe ukubandlulula;

loba nje ebika kuDale lePhalamende.

(2) ISizwe kanye lezinhlanganiso labameli bakaHulumende emabangeni wonke, kusetshenziswa indlela zomthetho lamanye amanyathelo, kumele bandedise amaKomishini azimele wodwa babuye bavikele inkululeko, ukungeyami cele, isithunzi kanye lokuphumelela kwavo.

(3) Akula muntu okumele aphazamise ukusebenza kwamaKomishini Azimele Wodwa.

236 Amalunga amaKomishini Azimele Wodwa kumele angabi lebandla lombusazwe alisekelayo

(1) Amalunga amaKomishini Azimele Wodwa akumelanga, ekuqhubeni kwavo imisebenzi—

- (a) aziphathe ngendlela eyamele ekusekeleni uhlangothi oluthile;
- (b) enze izinto ezikhuphula izilangazelelo zebandla loba uhlangothi oluthile;

- (c) abandlulule izifiso ezisemthethweni zebandla kumbe uhlangothi oluthile lwezombusazwe; kumbe
- (d) Ephule amalungelo ayinsika kumbe inkululeko kaloba ngubani.
- (2) Abantu abangamalunga ebandla kumbe inhlanganiso yezombusazwe ngesikhathi beqhatshwelwa kuKomishini ezimele yodwa kumele badele ukuba lilunga kwabo masinyazanyana nje njalo, loba sekutheni, kusesephakathi kwezinsuku ezingamatshumi amathathu beqhatshiwe.
- (3) Nxa ilunga leKomishini ezimele yodwa—
- (a) lingaba lilunga lebandla kumbe inhlanganiso yezombusazwe; kumbe
- (b) selike laba lilunga lebandla kumbe inhlanganiso yezombusazwe ngesikhathi liqhatshelwa kuKomishini, beselisehluleka ukudela ukuba lilunga kwalo phakathi kwezinsuku ezingamatshumi amathathu liqhatshiwe;
- khonapho-khonapho nje lihle lime ukuba lilunga laleyo Komishini.

237 Ukuqhatshwa lokususwa esikhundleni kwamalunga amaKomishini azimele wodwa

- (1) Ngenjongo yokukhetha abantu bokuhatshela kumaKomishini azimele wodwa, iKomithi yeMigomo leZilawulo ezimiyo yePhalamende kumele—
- (a) imemezele isikhundla sakhona;
- (b) inxuse uzulu ukuba anikeze amabizo angakhethwa;
- (c) iqhube izingxoxo ezhleliwego emehlwani kazulu labantu abafisa ukuqhatshwa;
- (d) idwebe uluhlu lwenani elifaneleyo labantu abadinga ukuthi baqhatshwe; njalo
- (e) Inike lolo luhlu kuMongameli.
- (2) Ilunga leKomishini ezimele yodwa lingasuswa esikhundleni kuphela nxa ilunga lakhona—
- (a) lingenelisi ukuqhube imisebenzi yalo ngenxa yokufiphala engqondweni kumbe emzimbeni;
- (b) litshengise ukwehluleka okwedlulisa amalawulo;
- (c) litholakale lilecalalokungaziphathi ngemfanelo okwedlulisa amalawulo; kumbe
- (d) lingasalungelanga ukuqhatshwa kuleyoKomishini.
- (3) Indlela elandelwayo nxa kususwa omahluli esikhundleni yiyo elandelwayo ekususeni ilunga esikhundleni seKomishini ezimele yodwa.

ISAHLUKWANA 2

IKOMISHINI EBONA NGEZOKHETHO EZIMBABWE

238 Ukubunjwa lokuqoqwa kweKomishini ebona ngezoKhetho eZimbabwe

- (1) KuleKomishini ezakwaziwa ngokuthi yiKomishini ebina ngezoKhetho eZimbabwe egoqela—
- (a) umgcinisihlalo oqhatshwa nguMongameli ngemva kokubonisana leKomishini ebina ngezemiSebenzi yeziLawulamthetho kanye leKomithi yeMigomo leZilawulo ezimiyo zePhalamende; njalo

(b) amanye amalunga aysisitshiyagalombili aqhatshwe nguMongameli eluhlwini lwabantu abangekho phansi kwabalitshumi lambili abaqonywe yiKomithi yeMigomo leziLawulo ezimiyo yePhalamende.

(2) Umgcinisihlalo weKomishini ebona ngezoKhetho eZimbabwe kumele abe ngumahluli kumbe umuntu osewake waba ngumahluli kumbe umuntu olezimfanelo zokuthi angaqhatshwa njengomahluli.

(3) Nxa ukuqhatshwa kukamgcinisihlalo kuKomishini ebona ngezoKhetho eZimbabwe kungahambelani lezicebiso zeKomishini ebona ngezeMisebenzi yeZilawulamthetho, uMongameli kumele abangele ukuthi iKomithi yeMigomo leziLawulo ezimiyo yePhalamende yaziswe ngokukhulu ukuphangisa.

(4) Amalunga eKhomishini ebona ngezoKhetho eZimbabwe kumele abe yizizalwane zeZimbabwe njalo akhethelwe isithunzi lolwazi lwawo kanye lokwanelisa kwawo ukuqhuba imisebenzi ephathelane lozulu kumbe inhlangothi ezizimele zodwa.

(5) Amalunga eKomishini ebona ngezoKhetho eZimbabwe aqhatshelwa ukuthi asebenze okwesikhathi esibekiweyo eseminyaka eyisithupha elandelanayo njalo alakho ukwelulelwu kanye ukuthi asebenze okwesinye isikhathi esifanayo njalo, kodwa akula muntu okumele aqhatshwe kumbe asebenze kule iKomishini ngemva kokuba eke waba lilunga okwesikhathi esibekiweyo esisodwa kusiya phezulu esifika iminyaka elitshumi lambili, kungelani ukuthi ibe ingelandelanayo na leyo minyaka loba hatshi.

239 Imisebenzi yeKomishini ebona ngezoKhetho eZimbabwe

IKomishini ebona ngezoKhetho eZimbabwe ilemisenbenzi elandelayo—

- (a) ukulungiselela, ukuqhuba lokuhola—
 - (i) ukhetho lokudinga uMongameli lolokudinga abaMeli bedale lePhalamende;
 - (ii) ukhetho lokudinga abameli emakhansilini ezabelo lawemadolobheni amakhulu kanye lenhlangano zombuso kuboHulumende bezabelo;
 - (iii) ukhetho lokudinga amalunga eKhansili yeziNduna eyelizwe ebunjwe ngaphansi kweSigaba 285; njalo
 - (iv) ukhetho lokudinga umbono kazulu;

lokuba lesiqiniseko sokuthi ukhetho lunye ngalunye, kugoqela ollokudinga umbono kazulu, luq hutshwe kuhle, ngendlela ekhululekileyo, eqotho, ekhanyayo njalo elandela ibala lomthetho;

- (b) ukuhola ukhetho lukaMongameli weDale leSenethi kanye loSomlomo, njalo lokuba lesiqiniseko sokuthi ukhetho lunye ngalunye khonapho luq hutshwe kuhle kulandelwa ibala lomthetho;
- (c) ukubhalisa abantu abafisa ukuvota;
- (d) ukulungisa uluhlu lwabantu ababhalise ukuvota kanye lerejista yabavoti;
- (e) ukuba lesiqiniseko sokuthi uluhlu lwabantu ababhalise ukuvota lerejista yabavoti igcinwe kuhle yanakwa ngendlela;
- (f) ukuquma izifunda zokuvotela, amawadi leminte imingcele ephathelane lamavoti;
- (g) ukulungisa, ukukhipha lokusalalisa amaphepha okuvotisa, ukuvumela isimo samabhokisi okuvotela lokuwathenga, lokudinga kanye lokusebenzisa izindawo zokuvotela;
- (h) ukuqhuba lokuhola imfundiso yabavoti;
- (i) ukubhalisa abahloli bokhetho, kugoqela ollokudinga umbono kazulu;

- (j) ukunika iziqondiso ebantwini abaqhatshwe yiSizwe kumbe nguhulumende wesabelo ngenjongo yokuba lesiqiniseko sokuthi ukhetho, kugoqela olokudinga umbono kazulu, luqhutshwe kuhle, ngendlela ekhululekileyo, eqotho, elungileyo njalo ebalulekileyo; njalo
- (k) ukwamukela lokuhlaziya izikhala zo ezivela kuzulu lokuthatha amanyathelo ewabona efanele maqondana lezikhalazo ezilethiweyo.

240 Ukungafaneli ukukhethwa kuKomishini ebona ngezoKhetho eZimbabwe

Phezu kwabantu abaqanjwe kuSigaba 320(3), abantu abalandelayo kabafanelanga ukuqhatshelwa kuKomishini ebona ngezoKhetho eZimbabwe—

- (a) izisebenzi ezisebenzelana lozulu, ngaphandle kwabomahluli;
- (b) izisebenzi zamakhansili ezabelo lamadolobho amakhulu kanye lezabohulumende bezabelo; njalo
- (c) Amalunga lezisebenzi zezinhlanganiso ezimiswe ngumthetho kanye leziholwa nguHulumende.

241 IKomishini ebona ngezoKhetho eZimbabwe kumele yazise mayelana lokhetho, kugoqela olokudinga umbono kazulu

Phezu kombiko okumele iwukhipe njengokuchazwe kuSigaba 323, iKomishini ebona ngezoKhetho eZimbabwe kumele, masinyazana nje, njalo ngendlela yoMphathintambo ofaneleyo, ikhiphe umbiko eyawunikeza eDale lePhalamende mayelana lokuqhutshwa kokhetho lunye ngalunye, kugoqela olokudinga umbono kazulu.

ISAHLUKWANA 3

IKOMISHINI EBONA NGEZAMALUNGELO OLUNTU EZIMBABWE

242 Ukubunjwa lokuqoqwa kweKomishini ebona ngezaMalungelo Oluntu eZimbabwe

(1) Kulekomishini ezakwaziwa ngokuthi yiKomishini ebona ngezaMalungelo Oluntu eZimbabwe egoqela—

- (a) umgcinihihlalo oqhatshwa nguMongameli ngemva kokubonisana leKomishini ebona ngezemiSebenzi yeziLawulamthetho kanye leKomithi yeMigomo leZilawulo ezimiyo zePhalamende; njalo
- (b) amanye amalunga ayisitshiyagalombili aqhatshwe nguMongameli eluhlwini lwabantu abangekho phansi kwabalitshumi lambili abaqonywe yiKomithi yeMigomo leziLawulo ezimiyo zePhalamende.

(2) Umgcinisihlalo weKomishini ebona ngezaMalungelo Oluntu eZimbabwe kumele abe ngumuntu oseleminyaka eyisikhombisa ethole izimfanelo zokusebenza njengegwetha kweZimbabwe.

(3) Nxa ukuqhatshwa kukamgcinihihlalo kuKomishini ebona ngezaMalungelo Oluntu eZimbabwe kungahambelani lokucetshiswe yiKomishini ebona ngezeMisebenzi yeZilawulamthetho, uMongameli kumele abangele ukuthi iKomithi yeMigomo leziLawulo ezimiyo yaziswe ngokukhulu ukuphangisa.

(4) Amalunga eKomishini ebona ngezaMalungelo Oluntu eZimbabwe kumele akhethelwe isithunzi lolwazi lwawo kanye lokuzwisia langokujwayela kwawo ukukhankasela amalungelo oluntu.

243 Imisebenzi yeKomishini ebona ngezaMalungelo Oluntu eZimbabwe

(1) IKomishini ebona ngezaMalungelo Oluntu eZimbabwe ilemisebenzi elandelayo—

- (a) ukukhuthaza ulwazi lokuhlonitshwa kwamalungelo oluntu kanye lezinkululeko emabangeni wonke omphakathi;
- (b) ukukhuthaza ukuvikelwa, ukuthuthukiswa kanye lokutholiswa kwamalungelo oluntu lezinkululeko;
- (c) ukuqapha, ukuhlaza kanye lokuba lesiqiniseko sokuthi amalungelo oluntu kanye lezinkululeko kuyanzwa ngempela;
- (d) ukwamukela lokuhlaziya izikhalaizo ezivela kuzulu lokuthatha amanyathelo ewabona efanele maqondana lezikhalazo ezilethiweyo;
- (e) ukuvikela uzulu ekusetshenziselweni amandla ngendlela engesiyo lekungaqhutshelwa kuhle imisebenzi yiSizwe lezinhlanganiso ezisebenzelana lozulu kanye lezisebenzi zalezo nhlanganiso;
- (f) ukuchwayisia ukuziphatha kwenhlanganiso kumbe umuntu, lapho okwetheswa khona umlandu wokuthi kulamalungelo oluntu lezinkululeko ezibalulwe emqhulwini wamalungelo esezephulwe yileyo nhlanganiso kumbe umuntu;
- (g) ukubona ukuthi kube khona ukulungisiswa kodaba lwakhona, kugoqela ukuthonisiswa kwalabo abaphambanisileyo, lapho kube khona ukwephulwa kwamalungelo oluntu kumbe izinkululeko;
- (h) ukulawula ukuthi uNdunankulu wamaPholisa achwayisise izindaba lapho okusolelwa khona ukuthi kwephulwe amalungelo oluntu lezinkululeko ngendlela engekho emthethweni, lokuthi azise iKomishini ngemiphumela yokuchwayisia kwakhona;
- (i) ukucebisa iDale lePhalamende ngamanyathelo asebenzayo okukhuthaza amalungelo oluntu lezinkululeko;
- (j) ukuqhuba izindingisiso ezintweni eziphathelane lamalungelo oluntu lezinkululeko kanye lokulinganiswa kwabantu kwezenhlalo; njalo
- (k) ukwethekelela lokuyahlola—
 - (i) amajele, izintolongo, izinkamba zeziphepheli lezinye izindawo ezifanayo; njalo
 - (ii) izindawo lapho okuvalelw khona abantu abalezifo zengqondo kumbe abalenkinga ekucabangeni;

ukuze kutholakale ukuthi izindawo abagcinwa kizo zimi njani, lokucebisa uMphathintambo obona ngezokuphathwa komthetho maqondana lalezondawo ukuthi kuyini okumele kwensiwe mayelana lesimo sazo.

(2) UNdunankulu wamaPholisa kumele alandele isilawulo asiphiwe yiKomishini yezaMalungelo Oluntu eZimbabwe ngezimiso zesigatshana (1)(h).

244 Imibiko eya kumbe evela kuKomishini yezaMalungelo Oluntu eZimbabwe

(1) IKomishini yezaMalungelo Oluntu eZimbabwe inganqolonga ukuthi umuntu, inhlanganiso kumbe ummeli, kungaba ngoweSizwe kumbe oqhatshwe yiSizwe loba abanye—

- (a) azobikela iKomishini ngamanyathelo abawathethayo ukuze baphumelelise amalungelo oluntu lezinkululeko ezibethwe eMqulwini waMalungelo; njalo

- (b) ukunika iKomishini ulwazi eludingayo ukuze ilungise uwalo lwemibiko okumele iluhambise enhlanganisweni yomkhono kumbe eyomhlaba wonke jikelele ngaphansi kwaloba yiuphi umthetho womhlaba ohola ezamalungelo oluntu, izibopho lezivumelwano ezangenwa yeZimbabwe.

(2) Phezu kogwalo lwemibiko okumele ilukhiphe ngaphansi kwezimiso zeSigaba 323, iKomishini yezaMalungelo Oluntu eZimbabwe, isebenza loMphathintambo ofaneleyo, kumele ihambise imibiko eDale lePhalamende mayelana lezindaba ezimqoka eziphathelane lamalungelo oluntu lezinkululeko iKomishini ibona angazathi zifanele ukulethwa phambi kwePhalamende.

ISAHLUKWANA 4

IKOMISHINI EBONA NGEZOBULILI EZIMBABWE

245 Ukubunjwa lokuqoqwa kweKomishini ebona ngezoBulili eZimbabwe

(1) KuleKomishini ezakwaziwa ngokuthi yiKomishini ebona ngezoBulili eZimbabwe egoqela—

- (a) umgcinishlalo oqhatshwa nguMongameli ngemva kokubonisana leKomithi yeMigomo leZilawulo ezimiyo yePhalamende; njalo
- (b) amanye amalunga ayisitshiyagalombili, okuthi—
 - (i) abayisikhombisa bakhona baqhatshwe nguMongameli eluhlwi iwbantu abangekho phansi kwabalitshumi lambili abaqonywe yiKomithi yeMigomo leziLawulo ezimiyo yePhalamende, njalo
 - (ii) oyedwa wakhona ukhethwe phakathi kweKhansili yeziNduna zelizwe, eqhatshwe nguMongameli.

(2) Amalunga eKomishini ebona ngezoBulili eZimbabwe kumele akhethelwe isithunzi lolwazi lwavo kanye lokuzwisia kwavo izindaba eziphathelane lezokuhlalisa, ezemikhuba lamasiko, ezomkhonomi kanye lezombusazwe, njalo ubulili kumele bumelwe ngokulingeneyo kuliKomishini.

246 Imisebenzi yeKomishini ebona ngezoBulili eZimbabwe

IKomishini ebona ngezoBulili eZimbabwe ilemisbenzi elandelayo—

- (a) ukuqapha izindaba eziphathelane lokulinganiswa kobulili njengokubekwe kulesi Sisekamthetho;
- (b) ukuchwayisisa ngalapho okungabe kube khona ukwephulwa kwamalungelo aphathelane lezobulili;
- (c) ukwamukela lokuhla ziye izikhala zo ezivela kuzulu lokuthatha amanyathelo iKomishini ebona angazani yiwo afaneleyo maqondana lalezo zikhala;
- (d) ukuqhube izindingisiso mayelana lezinto eziphathelane lobulili lokulinganiswa kwezokuhlalisa, lokucebisa ngenguuko okumele ibe khona emithethweni lakumikhuba edala ubandlululo oluphathelane lobulili;
- (e) ukucebisa izinhlanganiso ezisebenzelana lozulu kanye lezizimele zodwa ngamanyathelo okumele athathwe ukuze kube lesiqinisekiso sokulinganiswa kobulili;
- (f) ukucebisa ngemizamo yokukhuthaza izinhlelo zesenzangakhona eziphumelelisa ukulinganiswa kobulili;

- (g) ukucebisa lapho okudinga khona ukuthonisiswa amacala aphathelane lokwephulwa kwamalungelo alokokwenza lobulili;
- (h) ukudinga izindlela zokulungisia lapho okube khona lokwephulwa kwamalungelo aphathelane lezobulili;
- (i) ukwenza konke okudingakalayo ukuze kube lokulinganiswa kobulili.

247 Imibiko ebhalwa yiKomishini ebona ngezoBulili eZimbabwe

Phezu kogwalo lwemibiko okumele ilukhiphe ngaphansi kwezimiso zeSigaba 323, iKomishini ebona ngezoBulili eZimbabwe, isebenzaa uloMphathintambo ofaneleyo, kumele ihambise imibiko eDale lePhalamende mayelana lezindaba ezimqoka eziphathelane loBulili iKomishini ebona angazathi zifanele ukulethwa phambi kweDale lePhalamende.

ISAHLUKWANA 5

IKOMISHINI EBONA NGEZOKUKHITSHWA KWE MIBIKO EZIMBABWE

248 Ukubunjwa lokuqoqwa kweKomishini ebona ngezokuKhitshwa kwemiBiko eZimbabwe

(1) KuleKomishini ezakwaziwa ngokuthi yiKomishini ebona ngezokuKhitshwa kwemiBiko eZimbabwe egoqela—

- (a) umcinisihlalo oqhatshwa nguMongameli ngemva kokubonisana leKomishini ebona ngezemiSebenzi yeziLawulamthetho kanye leKomithi yeMigomo leZilawulo ezimiyo yePhalamende; njalo
- (b) amanye amalunga aysitshiyagalombili aqhatshwe nguMongameli eluhlwini lwabantu abangekho phansi kwabalitshumi lambili abaqonywe yiKomithi yeMigomo leziLawulo ezimiyo yePhalamende.

(2) Amalunga eKomishini ebona ngezokuKhitshwa kwemiBiko eZimbabwe kumele akhethelwe isithunzi lolwazi lwawo kanye lokuzwissa kwawo izindaba eziphathelane lamalungelo oluntu kanye lokumele kwenzakale ezindabeni zokukhitshwa kwemibiko.

249 Imisebenzi yeKomishini ebona ngezokukhitzwa kweMibiko eZimbabwe

(1) iKomishini ebona ngezokuKhitshwa kwemiBiko eZimbabwe ilemisebenzi elandelayo—

- (a) ukuphakamisa, ukukhuthaza lokuthuthukisa inkululeko yezindlu zemibiko;
- (b) ukukhuthaza lokuphoqeleta imisebenzi emihle lezimiso zokuhle ezindlini zemibiko;
- (c) ukuqapha ukukhitshwa kwemibiko kubhekwe izilangazelelo zikazulu njalo, ikakhulu, ukuba lesiqinisekiso sobuqotho lokwahluka kwemibono emela umphakathi weZimbabwe kabanzi;
- (d) ukukhuthaza ukusungulwa kwemigomo yokuziphatha kwabantu abaqhatshwe kwezemibiko njalo, lapho engekhoyo khona, ukuyisungula lokuyiphqeleta;
- (e) ukwemukela lokuhlaziya izikhala zikazulu njalo, lapho okufanele khona, ukuthatha amanyathelo okubopha inthathelizindaba labanye abantu abaqhatshwe kwezemibiko kumbe ukusakaza abatholakale belecalalokwephula umthetho kumbe umgomgo wokuziphatha oqondane labo;

- (f) ukuba lesiqiniseko sokuthi abantu beZimbabwe bafinyelela imibiko ngendlela eqotho njalo ebanzi;
- (g) ukukhuthaza ukusetshenzisa lokuthuthukisa kwezindimi zonke ezinanzwa okusemthethweni njengendimi zeZimbabwe;
- (h) ukukhuthaza ukusetshenzisa kolwazi lwemitshina yesimanjemanje kwezemibiko lasekusabalaliseni ulwazi;
- (i) ukukhuthaza ukuncintisana okuqotho lokwehlukana kwezemibiko; njalo
- (j) ukuqhube izindingisiso ngendaba eziphathelane lenkululeko yamaphephandaba leyokuzitsho, njalo siseselapho, ukukhuthaza inguquko emthethweni.

(2) UMthetho omiswe yiPhalamende ungethulela amandla phezu kweKomishini ebona ngezemibiko eZimbabwe—

- (a) awokuchwayisisa lokudingisia—
 - (i) ngokuziphatha kumbe izehlakalo ezikhanya zifaka inkululeko yezemibiko engozini;
 - (ii) ukuziphatha kwabonozindaba; njalo
- (b) ukuthatha kumbe ukucebisa ukuthi kuthathwe amanyathelo okujezisa onozindaba abatholakala belecalo lokwephula umthetho kumbe imigomo yokuziphatha eqondane labo.

(3) UMthetho omiswe yiPhalamende unganika izimiso ezimayelana lokulawulwa kwabonozindaba.

250 Imibiko ekhitshwa yiKomishini yezokuKhitshwa kwemiBiko eZimbabwe

Phezu kogwalo lwemibiko okumele ilukhiphe ngaphansi kwezimiso zeSigaba 323, iKomishini yezokuKhitshwa kwemiBiko eZimbabwe, isebenza uloMphathintambo ofaneleyo, kumele ihambise imibiko eDale lePhalamende mayelana lezindaba ezimqoka eziphathelane lamalungelo oluntu lezinkululeko iKomishini ebona angazathi zifanele ukulethwa phambi kwePhalamende.

ISAHLUKWANA 6

IKOMISHINI EBONA NGEZOKUTHULA LOKUKHUMISANA UMLOTHA EZIMBABWE

251 Ukubunjwa lokuqoqwa kweKomishini ebona ngezokuThula lokuKhumisana Umlota eZimbabwe

(1) Okwesikhathi esifika iminyaka elitshimi lesi Sisekamthetho sesiqualise ukusebenza, kuleKomishini ezakwaziwa ngokuthi yiKomishini ebona ngezokuthula lokukhumisana umlotha elizweni egoqela—

- (a) umgcinischlalo oqhatshwa nguMongameli ngemva kokubonisana leKomishini ebona ngezemiSebenzi yeziLawulamthetho kanye leKomithi yeMigomo leZilawulo ezimiyo yePhalamende; njalo
- (b) amanye amalunga ayisitshiyagalombili aqhatshwe nguMongameli eluhlwini lwabantu abangekho phansi kwabalitshumi lambili abaqonywe yiKomithi yeMigomo leziLawulo ezimiyo yePhalamende.

(2) Umgcinischlalo weKomishini ebona ngezokuthula lokukhumisana umlotha elizweni kumele abe ngumuntu oseleminyaka eyisikhombisa ethole izimfanelo zokusebenza njengegwetha kweleZimbabwe.

(3) Nxa ukuqhatehwani kukamgcinischlalo kuKomishini ebona ngezokuThula lokuKhumisana Umlota eZimbabwe kungahambelani lokucetshiswe yiKomishini

ebona ngezeMisebenzi yeZilawulamthetho, uMongameli kumele abangele ukuthi iKomithi yeMigomo leziLawulo ezimiyo zePhalamende yasiswe ngokukhulu ukuphangisa.

(4) Amalunga eKomishini ebona ngezokuthula lokukhumisana umlotha elizweni kumele akhethelwe isithunzi lolwazi lwavo kanye lokuzwisia langokujwayela kwavo ukuxoxisana, ukukhumisana umlotha, ukuvikela lokuhola ukulwisana, ukukhumisana umlotha ngemva kokulwisana kanye lokwakha ukuthula.

252 Imisebenzi yeKomishini ebona ngezokuthula lokukhumisana umlotha elizweni

iKomishini ebona ngezokuthula lokukhumisana umlotha elizweni ilemisebenzi elandelayo—

- (a) ukuba lesiqinisekiso sokulinganiswa emehlwani omthetho, ukupholiswa kwamanxeba lokukhumisana umlotha ekudlulen ikokulwisana;
- (b) ukusungula lokungenisa izinhlelo ezikhuthaza uxolo elizweni, ukubambana lokudelana kanye lokuqedwa kokudonselana ngendlela ecwebiliyo kweleZimbabwe;
- (c) ukuletha ukukhumisana umlotha elizweni ngokukhuthaza ukuthi abantu bakhulume iqiniso mayelana lokwenzakala emuva njalo lokuncedisa ukuthi kube lokulungisiswa kanye lokutholiswa kokulinganiswa emehlwani omthetho;
- (d) ukusungula izindlela lezinhlanganiso elizweni ukuze kube khona ukukhulumisana phakathi kwamabandla ezombusazwe, umphakathi, izinhlanganiso lamanye amaqembu ukuze kwenqatshelwe ukulwisana lokudonselana okungaba khona kusasa;
- (e) ukusungula izinhlelo zokuqinisekisa ukuthi abantu abathwaliswe luklubhu, bakhahlanyezwa njalo batshengiswa eminye imihlobo yodlame bayathola usizo lokubelapha lokubasekela;
- (f) ukwemukela lokuhlaziya izikhala zikazulu njalo, lapho okufanele khona, ukuthatha amanyathelo maqondana lalezo zikhala zebra angazathi yiwo afaneleyo;
- (g) ukusungula izindlela zokuphangisa ukubona izindawo ezingaba lakho ukuqhamuka ukulwisana lokudonselana, kanye lokuthatha amanyathelo afaneleyo okuvikela lokho;
- (h) ukwenza loba yini edingakalayo ukuze kwenqatshelwe ukulwisana kukhuthazwe ukuthula;
- (i) ukukhumisa umlotha lokuletha ukuxoxisana mayelana lokudonselana emphakathini, ezinhlanganisweni, emaqenjini lasebantwini; njalo
- (j) ukucebisa ngemithetho okumele ikhandwe ukuze kube lesiqiniseko sokuthi kuba khona uncedo, kugogela olwamaphepha, oluphiwa abantu abathintwe yikulwisana, imikhuhlane ebhahileyo kumbe ezinye izehlakalo.

253 Imibiko ekhitshwa yiKomishini ebona ngezokuThula lokuKhumisana Umlotha eZimbabwe

Phezu kogwalo lwemibiko okumele ilukhiphe ngaphansi kwezimiso zeSigaba 323, iKomishini ebona ngezokuThula lokuKhumisana Umlotha eZimbabwe, isebezena uloMphathintambo ofaneleyo, kumele ihambise imibiko eDale lePhalamende mayelana lezindaba ezimqoka eziphathelane lamalungelo oluntu lezinkululeko iKomishini ebona angazathi zifanele ukulethwa phambi kwePhalamende.

ISAHLUKO 13

IZINHLANGANISO ZOKULWISA UBUGWELEGWELE LAMACALA

ISAHLUKWANA 1

IKOMISHINI YEZIMBABWE ELWISA UBUGWELEGWELE

254 Ukuma lokubunjwa kweKomishini yeZimbabwe elwisa ubugwelegwele

(1) KuleKomishini eyazakala ngokuthi yiKomishini eLwisa ubugwelegweyeZimbabwe egoqela—

- (a) umgcinisihlalo okhethwa nguMongameli ngemva kokukhulumisana lekhomithi ebona ngemithetho emisiweyo kanye lezibopho; njalo
- (b) lamalunga amanye ayisitshiyagalombili akhethwa nguMongameli eluhlwini lwabantu abangekho ngaphansi kwabalisthumi lambili abakhethwa yiKomithi yeMithetho eMisiweyo kanye leZibopho.

(2) Amalunga eKomishini eLwisa lobuGwelegwele yeZimbabwe kufuze akhethelwe ukwethembeka kwawo kunye lolwazi abalalo oluphathelane lomsebenzi wobupathi kumbe ukutshutshisa kumbe ukuchwayisisa amacala kumbe ukufanelia kwabo ukuqhatshwa, njalo—

- (a) omunye wabo kumele abelamakhono okubaligqwetha eZimbabwe, njalo abe wathola amakhono la eminyakeni eyisikhombisa edlulileyo;
- (b) omunye wabo kumele abelamakhono okusebenza njengonozimali emisebenzini kazulu kumbe ukuhlola ngokuqhutshwa kwezimali emisebenzini kaZulu kweleZimbabwe, njalo abe wathola amakhono la eminyakeni eyisikhombisa edlulileyo; njalo
- (c) omunye wabo kumele abe ngumuntu osesebenze ukuchwayisisa amacala okweminyaka elitshumi.

255 Imisebenzi yeKomishini yeZimbabwe eLwisa ubuGwelegwele

(1) IKomishini yeZimbabwe eLwisa ubugwelegwele ilemisenbenzi elandelayo—

- (a) ukuchwayisisa lokuveza amacala obugwelegwele emawofisini kaHulumende lasenhlanganisweni ezizimele zodwa;
- (b) ukulwisa ubugwelegwele, ubusela, ukuphanjulwa kwezimali ngokungekho emthethwe, inkohlakalo lokungaziphathi ngemfanelo emawofisini kaHulumende lawenhlanganiso ezizimele zodwa;
- (c) ukukhuthaza ukwethembeka, ukuziphatha kahle kokwezezimali lobumgceke emawofisini kazulu lawenhlanganiso ezizimeleyo;
- (d) ukwamukela lokuhluza izikhala zo mophakathi lokuthatha amanyathelo afaneleyo kukhangelwe izikhala zo ezethuliweyo;
- (e) ukulayeza uMtshutshisi-Jikelele wamaPholisa ukuthi achwayisisa amacala abantu abacatshangelwa ubugwelegwele lokubikela iKomishini izimpumela zesichwayisiso sakhona;
- (f) ukudlulisa izindaba kuMtshutshisi weSizwe onguMaqhu zu ukuze zitshutshiswe;
- (g) ukudinga usizo emalungeni oGatsha lwamaPholisa kunye lezingatsha zeSizwe ezichwayisisayo; njalo

(h) ukwenza inkuthazo kuHulumende labanye abantu mayelana lamanyathela angathathwa ukuphakamisa isithunzi ukwethembeka njalo kuvikelwe ukuziphatha okungafanelanga kuzingatsha zikazulu lakulezo ezizimele zodwa.

(2) USikomishi omKhulu wamaPholisa kufuze alandele inqe yisiphi isilayezo asiphiwa yiKomishini yeZimbabwe eLwisa ubugwelegwele ngaphansi kwesigatshana (1)(e).

(3) UHulumende kufuze aqinise, esebezisa umthetho lezinye izindlela, ukuthi iKomishini yeZimbabwe eLwisa ubugwelegwelilamandla okuqondisa ukubotshwa lokutshutshiswa kwabantu abacatshangelwa ngokulengqondo ubugwelegwele, inkohlakalo kanye lokunye ukungaziphathi kahle okusemandleni omkhawulo weKomishini.

256 Ukusetshenziswa kwezinye izimiso zikaSahluko 12 kuKomishini yeZimbabwe eLwisa ubugwelegwele

Izigaba 234, 235, 236 lo237 ziyasebenza kuKomishini yeZimbabwe eLwisa ubugwelegwele kunye lakumalunga ayo sengathi iyKomishini ezimeleyo emiswe nguSahluko 12.

257 Imibiko yeKomishini yeZimbabwe eLwisa Ubugwelegwele

Phezu kombiko okufuze iwethule kulandelwa isigcawu 323, iKomishini yeZimbabwe eLwisa ubugwelegwele ilakho, isezenza loMphathintambo kaHulumende, ukwethula umbiko ePhalamende ophathelane lezindaba ezithile ezokutshaphazwa kwewofisi kaHulumende kunye leyezinhlanganiso ezizimeleyo, embonweni weKomishini, okufuze yasiswe inkundla yePhalamende.

ISAHLUKWANA 2

ITHIMBA LABALAWULI BESIZWE BOKUTSHUTSHISA

258 Ukumiswa lemisebenzi yeQula labaLawuli bokuTshutshisa

Kukhona iQula labaLawuli bokuTshutshisa elilomlandu wokusungula lokuqhuma umsebenzi wokutshutshisa amacula limele iSizwe lokufeza eminye imisebenzi edingakalayo kumbe ephathelane lokuthonisiswa kwaloluhlobo.

259 UMtshutshisi-Jikelele lezinye iziphathamandla

(1) Kukhona uMtshutshisi-Jikelele oyinhloko yeQula labaLawuli bokuTshutshisa.

(2) Iwofisi kaMtshutshisi omKhulu yiwofisi kazulu loba ingasi ngxenye yeziSebenzi zikaHulumende.

(3) UMtshutshisi-Jikelele ukhethwa nguMongameli ngokuxwayiswa yiKomishini ebona ngokusebenza kwaBahluleli kulandelwa indlela yokukhethwa kwabahluleli.

(4) UMtshutshisi-Jikelele kumele kube ngumuntu olobungcitshi lamakhono okuthi akhethelwe umsebenzi wokuba ngumahluleli eMthethwandaba omKhulu.

(5) Isibanga sokuqhuma umsebenzi kaMtshutshisi omkhulu ngeseminyaka eyisithupha njalo ulakho ukuqhubeke okweminye iminyaka eyisithupha njalo.

(6) Engakaqali lumsebenzi, uMtshutshisi-Jikelele kufanele enze, phambi kukaMongameli kumbe phambi komuntu ophiwe amandla nguMongameli, isifungo salo umsebenzi elandela ukumiswa kwendlela yokufunga ephawulwe kuhlelo lwesithathu.

(7) Izimiso zomthetho eziphathelane lokususwa kukamahluleli esikhundleni ziyaSebenza njalo ekususweni kukaMtshutshisi omKhulu esikhundleni.

(8) Okuphathelane lokuqhutshwa komsebenzi kaMtshutshisi omKhulu, okugoqela iholo lakhe, kufuze kubalulwe nguMthetho omiswe yiPhalamende, kodwa iholo lakhe akumelanga lehliswe nxa uMtshutshisi-Jikelele esasesikhundleni.

(9) Iholo likaMshutshisi omKhulu livela esikhwameni sikaHulumende okungena khona imithelo.

(10) UMthetho omiswe yiPhalamende kumele uvumele ukukhethwa kwenkundla ezaqhatsha abantu bokusiza uMtshutshisi-Jikelele ekufezeni imisebenzi, njalo kumele iphawule—

- (a) ubungitshi lamakhono alaba bantu;
- (b) mayelana ngokusebenza, ukuziphatha kwalaba bantu;
- (c) lokuthi ekufezeni imisebenzi yabo laba bantu kumele bazimele bengathathi inhlangothi njalo kumele baholwe ngumthetho baqondiswe njalo balawulwe nguMtshutshisi-omKhulu;
- (d) ngesimo lokuhlelwa kweQula labaLawuli bokuTshutshisa; njalo
- (e) ukusebenza kahle lokuhlaliseka kweQula labaLawuli bokuTshutshisa.

(11) UMTshutshisi-Jikelele angaphoqa uSikomitshi omKhulu wamaPholisa ukuthi achwayisise lokuthi ambiKele ingqe yini, embonweni kaMtshutshisi omKhulu, ephathelane lecalal kumbe icala elicatshangelwayo, njalo uSikomitshi-omKhulu wamaPholisa kumele alandele indlela leyo.

260 Ukuzimela kukaMtshutshisi-Jikelele

(1) Kulandelwa iSisekamthetho lesi, uMtshutshisi-Jikelele—

- (a) uzimele yedwa futhi kaqondiswa njalo kalawulwa muntu; futhi
- (b) kufuze afeze umsebenzi wakhe engela valo, nkethabetshani, buqili lakuthanda muntu.

(2) UMTshutshisi-Jikelele kufuze abumbe njalo azise uzulu indlela azanquma ngayo ukusungula lokuqhuba umsebenzi wokucwayisisa amacala.

261 Ukuziphatha kweziphathamandla zeQula labaLawuli bokuTshutshisa

(1) UMTshutshisi-Jikelele leziphathamandla zeQula labaLawuli bokuTshutshisa kufuze baziphathe ngendlela ephawulwa yiSisekamthetho.

(2) Akula siphathamandla seQula labaLawuli bokuTshutshisa, ekufezeni umsebenzi waso—

- (a) esingaziphatha ngendlela eveza ukuba singesebandla lezombusazwe liphi;
- (b) esingaqhuba izifiso lezizatho zebandla thile lezombusazwe;
- (c) onganyathezelia izifiso zebandla thile ngokuphambene lomthetho;
- (d) ongephula izinkululeko eziyinsika lamalungelo ayinsika aloba nguwuphi umuntu.

(3) Iziphathamandla zeQula labaLawuli bokuTshutshisa akumelanga zibengamalunga aphaTheka ezikhundleni zezinhlanganiso kumbe ezamabandla ezombusazwe.

(4) UMthetho omiswe yiPhalamende ulakho njalo ukuphawula ukungabilenkethabtshani kweziphathamandla zeQula labaLawuli bokuTshutshisa.

262 UMtshutshisi-Jikelele uzakwethula kanye ngomnyaka umbiko edale lePhalamende

UMtshutshisi-Jikelele kumele ethule umbiko ePhalamende, ngoMphathintambo kaHulumende, Kanye ngomnyaka mayelana ngengqubo langemisebenzi yeQula labaLawuli bokuTshutshisa, umbiko lo owomnyaka odlulileyo kufanele wethulwe kungakadluli inyanga eziyisithupha umnyaka olandelayo uqalisile.

263 Amanye amandla okutshutshisa

Umthetho omiswe yiPhalamende kumele uphawule amandla okutshutshisa ebantwini abanye abangasiQula labaLawuli bokuTshutshisa, kodwa amandla la abengumgoqo kumbe aphikisana lamandla eQula labaLawuli bokuTshutshisa.

ISAHLUKO 14

UHULUMENDE WEZABELO LEZIFUNDA

ISENDLALELO

Kukanti kuyalangazeleleka ukuthi kube khona isiqiniseko:

- (a) *sokulondolozwa komanyano elizweni leZimbabwe lokwenqatshelwa kwemihlobo yonke yokungabambani lokuqhekezeka;*
- (b) *sokuphatheka ngendlela eqotho kwezizalwane zonke lomphakathi wonke weZimbabwe kwezombuso; njalo*
- (c) *sokwabiwa ngendlela elinganisela umuntu wonke kwezingcebo zelizwe kanye lokuphatheka kwezigaba zonke ekuhleleni izinhloso zentuthuko ezindaweni zabo;*

kumele kube khona ukudluliselwa kwamandla lemilandu emabangeni aphansi ombuso kweleZimbabwe.

ISAHLUKWANA 1

ISIQALO

264 Ukwabiwa kwamandla kaHulumende kanye lemilandu yombuso

(1) Ngaso sonke isikhathi nxo kusaneliseka, amandla lemilandu yombuso kumele idluliselwe phansi emakhansilini ezabelo lawamadolobho kanye lawezifunda anelisayo ukufeza leyomilandu kuhle kuhle langendlela esebezayao.

(2) Izinhloso zokudlulisela phansi amandla lemilandu yombuso usiya emakhansilini ezabelo lawamadolobho kanye lawezifunda yikuze—

- (a) *kunikwe amandla okubuswa kwezabelo ebantwini njalo kwengezwe ukuphatheka kwabo ekusethenzisweni kwamandla eSizwe ekubetheni izinqumo eziphathelane labo;*
- (b) *kukhuthazwe umbuso oqotho, osebezayao, okhanyayo, onika izimpendulo ezisuthisayo njalo oqondakalayo eZimbabwe yonke jikelele;*
- (c) *kulondolozwe njalo kondliwe ukuthula, umanyano elizweni lokungehlukaniseki kwesizwe seZimbabwe;*
- (d) *kunanzwe ilungelo lomphakathi elokuziholela izinto zaho lokuqhelisa intuthuko yawo;*
- (e) *kuqinisekaliswe ukwabiwa okulinganiselayo kwezingcebo zezifunda lezelizwe; njalo*

- (f) kudluliswe imilandu lezingcebo ezivela kuHulumende welizwe kusenzelwa ukuthi kusungulwe isikhwama esiqinileyo semali yekhansili yesabelo leyedolobho kanye leyesifunda sinye ngasinye.

265 Imigomo jikelele yokubuswa kwezabelo lezifunda

(1) Amakhansili ezabelo lawamadolobho kanye lamakhansili ezifunda kumele, ezindaweni azibusayo—

- (a) abe lesiqiniseko sokuthi kulombuso omuhle ngokukusebenza oqotho, ngendlela ekhanyayo, enika impendulo ezsuthisayo njalo ehambelana lezimiso zenhlanganiso zalolohlobo;
- (b) enze kuphela imisebenzi ayethulelwya yilesi Sisekamthetho kumbe ngoMthetho omiswe yiPhalamende;
- (c) aqhube imisebenzi yawo ngendlela engafinyeleli endaweni, emsebenzini kumbe esizotheni selinye ibanga lombuso;
- (d) asebenzelane lamanye, ikakhulu ngoku—
 - (i) bikelana mayelana, kanye lokubonisana, ngezindaba ababhekane lazo ezhohlobo lunye;
 - (ii) abambanise lokuhlela kuhle ukuqhutshwa kwemisebenzi yawo;
- (e) alondoloze ukuthula, ukumanyana kwelizwe lokungaxhezuleki kwesizwe seZimbabwe;
- (f) avikele inhlalakahle kazulu; njalo
- (g) abe lesiqiniseko sokuthi kuba lokumelwa okuqotho njalo okulinganiselayo kwabantu abasezindaweni awazibusayo.

(2) Wonke amalunga amakhansili ezifunda kumele akhethwe ngabantu ababhalise ukuvota ezindaweni lezo ezimele zibuswe ngalawo makhansili.

(3) UMthetho omiswe yiPhalamande kumele unike amanyathelo lezindlela ezifaneleyo ezivumela ukuhleleka kokusebenzela phakathi kukaHulumende, amakhansili ezabelo lawamadolobho kanye lamakhansili ezifunda.

266 Ukuziphatha kwezisebenzi zikaHulumende wezabelo lezifunda

(1) Izisebenzi zamakhansili ezabelo lawamadolobho kanye lawezifunda kumele ziziphathe ngendlela ephawulwa yilesi Sisekamthetho ndawonye lomthetho.

(2) Akula sisebenzi sekhansili yesabelo leyedolobho kumbe eyesifunda esingaba lakho ukuthi, ekuqhubeni umsebenzi waso—

- (a) senze izinto ezikhomba icele esilisekelayo;
- (b) siqakamise izifiso zebandla kumbe umbono othile wezombusazwe;
- (c) sibndlulule izilangazelelo zamanye amabandla kumbe imibono yezombusazwe; kumbe
- (d) sephule amalungelo amqoka kumbe izinkulukeko zomunye umuntu.

(3) Izisebenzi zamakhansili ezabelo lamadolobho kanye lamakhansili ezifunda akumelanga ziphathe izikhundla emabandleni ezombusazwe.

(4) Umtetho omiswe yiPhalamende kumele wanelise isiqiniseko sokuthi izisebenzi zamakhansili ezabelo lamadolobho kanye lamakhansili ezifunda kazeyameli eceleni elithile kwezombusazwe.

ISAHLUKWANA 2

IZABELO LAMAKHANSILI EZABELO LAWAMADOLOBHO AMAKHULU

267 Izabelo lezifunda zeZimbabwe

(1) IZimbabwe iqunyelwe ezabelweni ezithi—

- (a) Isabolo sedolobho lakoBulawayo;
- (b) Isabolo sedolobho laseHarare;
- (c) Isabolo seManicaland;
- (d) Isabolo seMashonaland Central;
- (e) Isabolo seMashonaland East;
- (f) Isabolo seMashonaland West;
- (g) Isabolo seMasvingo;
- (h) Isabolo seMatabeleland North;
- (i) Isabolo seMatabeleland South;
- (j) Isabolo seMidlands;

ezimingcelo yazo idwetshwa nguMthetho omiswe yiPhalamende.

(2) Umthetho omiswe yiPhalamende—

- (a) kumele wenze kwaneliseke ukuqamula izabelo zisiba yizifunda; njalo
- (b) ungavumela ukuguqulwa kwemingcele yezabelo lezifunda; ngemva kokubonisana leKhomishini ebona ngezoKhetho eZimbabwe kanye labantu abasezabelweni lezifundeni ezitshiwoyo.

268 Amakhansili ezabelo

(1) kulekhansili yesabelo esabelweni sinye ngasinye, ngaphandle kwezabelo ezingamadolobho amakhulu, egoqela—

- (a) umgcinisihlalo wekhansili, okhethwe ngezimiso ezichazwe kuSigaba 272;
- (b) amaSenetha akhethwe esabelweni sonaleso;
- (c) izinduna ezimbili ezingamaSenetha akhethwe esabelweni soneso ngezimiso ezichazwe kuSigaba 120(1)(b);
- (d) umongameli loMsekeli kamongameli weKhansili yeziNduna eLizweni, lapho indawo zabo zitholakala esabelweni soneso;
- (e) wonke amalunga eNdlu yabaMeli okuzifunda zabo zokhetho zitholakala esabelweni soneso;
- (f) amalunga esifazane aweNdlu yabaMeli abakhethwe ngezimiso ezichazwe kuSigaba 124(1)(b) esabelweni soneso;
- (g) oMeya laboMgcinisihlalo, kungakhathalekile ukuthi babizwa bethiweni, bamakhansili wonke awemadolobheni lawezifunda ezipsemaphandleni esabelweni soneso; njalo
- (h) abantu abalitshumi abakhethwe ngohlelo lokumela olulinganiselayo oluchazwe kusigatshana (3).

(2) Umuntu ulungele ukukhethelwa ekhansilini yesabelo ngezimiso zesigatshana (1)(h) nxa elungele ukukhethwa njengeLunga leNdlu yabaMeli.

(3) Ukhetho lwamakhansili ezabelo kumele luqutshwe maqondana loMthetho wezoKhetho, wona okumele ube lesiqiniseko sokuthi abantu abaqanjwe kusigatshana (1)(h) bakhethwe ngaphansi koluhlu lwamabandla olulinganiselayo—

- (a) lusiya ngokuthi amavoti atholwe lilunga lebandla linye ngalinye ebelinecintisa ekhethweni lwamaLunga eNdlu yabaMeli ami njani;
- (b) okuthi khona abancintisi besilisa labesifazane babhalwe amabizo abo elandelana njalonjalo, uluhlu lunye ngalunye luqalisa ngebizo lowesifazane.

(4) Isihlalo selunga lekhansili yesabelo eliqanjwe—

- (a) kusiqendu (b), (c), (e) kumbe (f) wesigatshana (1) sisala singaselamuntu nxa ilunga lakhona lingatshiya isihlalo salo eDale lePhalamende;
- (b) kusiqendu (g) wesigatshana (1) sisala singasela muntu nxa ilunga lakhona lingasengumeya kumbe umgciniyahalo wekhansili esabelwesi sakhon;
- (c) kusiqendu (h) wesigatshana (1) sisala singasela muntu ezhelakalweni ezichazwe kuSigaba 129, angani ilunga lakhona belililunga leNdlu yabaMeli.

269 Amakhansili amadolobho amakhulu

(1) Kusabelo sedolobho elikhulu linye ngalinye kulekhansili yedolobho egoqela—

- (a) koBulawayo, umeya weDolobho lakoBulawayo, ongumgciniyahalo weKhansili yeDolobho lakoBulawayo;
- (b) eHarare:
 - (i) umeya weDolobho laseHarare, ongumgciniyahalo weKhansili yeDolobho laseHarare; njalo
 - (ii) umeya kumbe umgciniyahalo wekhansili yedolobho elilandelayo ngobukhulu kulesosabelo, yena ongumlandeli kamgciniyahalo weKhansili yeDolobho laseHarare;
- (c) wonke amalunga eNdlu yabaMeli abazifunda zabo zokhetho zitholakala esabelwensi sedolobho lonalelo;
- (d) abaMeli besifazane eNdlini yabaMeli abakhethwe maqondana loSigaba 124 (1)(b) esabelwensi sedolobho soneso;
- (e) amaSenetha akhethwe esabelwensi sedolobho soneso; njalo
- (f) omeya labalandeli babomeya kanye labomgciniyahalo labalandeli babomgciniyahalo, kungakhathalekile ukuthi babizwa bathiweni, abamakhansili wonke angaphansi kwesabelo soneso.

(2) Isihlalo selunga lekhansili eliqanjwe—

- (a) kusiqendu (a) kumbe (b) wesigatshana (1) sisala singasela muntu nxa ilunga lakhona lingasengumeya, umlandeli kameya kumbe umgciniyahalo, loba yikuphi kwakhona;
- (b) kusiqendu (c), (d) kumbe (e) wesigatshana (1) sisala singasela muntu nxa ilunga lakhona lingatshiya isihlalo salo seDale lePhalamende;
- (c) kusiqendu (f) wesigatshana (1) sisala singasela muntu nxa ilunga lakhona lingasengumeya, umlandeli kameya, umgciniyahalo kumbe umlandeli kamgciniyahalo, loba yikuphi kwakhona, owekhansili yesifunda esabelwensi soneso.

270 Imisebenzi yamakhansili ezabelo lawamadolobho amakhulu

(1) Ikhansili yesabelo kumbe eyedolobho elikhulu ilomlandu wokuthuthukisa impilo lomkhonomi wesabelo sayo, kugoqela—

- (a) ukuhlela lokuqalisa imisebenzi yokuthuthukisa impilo lomkhonomi wesabelo sayo;
- (b) ukuqoqa lokuqalisa izinhlelo zikaHulumende esabelweni sayo;
- (c) ukuhlela lokuqalisa amanyathelo okulondoloza, ukuthuthukisa lokulawula ingcebo zemvelo esabelweni sayo;
- (d) ukugqugquzelela ukwethekelelwa kwezindawo ezisesabelweni sayo, lokuthuthukisa izikhungo eziphathelane lalokho;
- (e) ukuqapha lokulinganisa ukusetshenziswa esabelweni sayo; njalo
- (f) ukuqhuba loba yiphi eminye imisebenzi, kugoqela imisebenzi ephathelane lomthetho, engayethulelwa kumbe ukuyethweswa nguMthetho omiswe yiPhalamende.

(2) Umthetho omiswe yiPhalamende kumele ubalule ukubunjwa, isimo kanye lezisebenzi zamakhansili amadolobho amakhulu, langendlela okumele aqhube ngayo imisebenzi yawo.

(3) Amalunga amakhansili ezabelo lawamadolobho amakhulu kumele anike izimpendulo ezisuthisayo, ndawonye kumbe ezimele wodwa, kubahlali bezabelo lakuHulumende mayelana lokuphatha kwavo imisebenzi.

271 Amakhomithi amakhansili ezabelo

Ukuze aqhube kuhle imisebenzi yawo, amakhansili ezabelo lawamadolobho amakhulu angabumba amakhomithi kodwa iKomithi inye ngayinye ebunjiweyo kumele ikhokhelwe lilunga eliqanjwe kuSigaba 268(1)(h) kumbe 269(1)(h), kusiya ngokuthi yikuphi.

272 Omgcinihihla lalo bamakhansili ezabelo

(1) Ekuhlaleni kwayo okwakuqala kulandele ukhetho-jikelele lunye ngalunye, ikhansili yesabelo kumele ikhethe umgcinihihla eluhlwin iwbantu ababili kusiya phezulu iwbantu abalungele lowomsebenzi abaqonywe—

- (a) libandla lombusazwe eliyilo elithole inani elikhulu ukwedlula amanye wonke elezihlalo zeNdlini yabaMeli kulesosabelo; kumbe
- (b) nxa kungela bandla elifana lalelo eliqanjwe kusiqendu (a) ibandla eliyilo elithole inani elikhulu ukwedlula amanye wonke kumavoti aphume kulolo khetho-jikelele lwamaLunga endlu yabaMeli.

(2) Umuntu ulungele ukukhethwa njengomgcinihihla wekhansili yesabelo nxa elungele ukuvotelwa njengeLunga leSenethi.

(3) Isikhundla sikamgcinihihla wekhansili yesabelo yisikhundla sokusebenza lomphakathi kodwa kasingxenyenye yezisebenzi zikazulu.

(4) Engakaqalisi umsebenzi wakhe, umgcinihihla wekhansili yesabelo kumele athathe, phambi kukanobhala wekhansili yesabelo, isifungo sokwethembeka lesokuqalisa umsebenzi njengokuchazwe kuHlelo lwesithathu.

(5) Umgcinihihla wekhansili yesabelo angatshiya umsebenzi ngokumemezelwa siqu sakhe injongo yakhe yokutshiya umsebenzi phambi kwekhansili yesabelo.

- (6) Umgcinihihla wekhansili yesabelo kumele atshiye isikhundla—

(a) mhla ikhansili yesabelo iqalayo ukuhlangana kalandela ukhetho-jikelele.

(b) nxa engasalungelanga ukuba lilunga lekhansili yesabelo;

(c) nxa isinqumo sokumsusa esikhundleni singapasiswa ngesilinganiso sengxenye ezimbili kusiya phezulu kwezintathu samalunga wonke ekhansili yesabelo; kumbe

(d) nxa engakhitshwa esikhundleni yinkundla eqanjwe kusigatshana (7).

(7) UMthetho omiswe yiPhalamende kumele uvumele ukubunjwa kwenkundla ezaqhube umsebenzi wokususa omgcinischlalo bamakhansili ezabelo ezikhundleni, kodwa ukususwa lokho kumele kwensiwe kuphela ngenxa—

(a) yokwehluleka ukuqhuba imisebenzi ephathelane lesikhundla ngesizatho sokufiphala engqondweni kumbe emzimbeni;

(b) yokwehluleka umsebenzi okwedlulisa amalawulo;

(c) yokungaziphathi ngemfanelo okwedlulisa amalawulo;

(d) yokutholakala elecalu eliphathelane lokungathembeki, ubugwelegwele kumbe ukusebenzisa kubi amandla esikhundla; kumbe

(e) Yokwephula umthetho ngamabomo, kugoqela imithetho yekhansili.

(8) Umgcinischlalo wekhansili yesabelo katshiyi isikhundla ngaphandle kwezimiso zalesi Sigaba.

273 Izimiso-jikelele eziphathelane lamakhansili ezabelo lawamadolobho amakhulu

(1) UMthetho omiswe yiPhalamende kumele unike izimiso, ezihambelana lalesi Sahluko, ezokubunjwa kanye lemisebenzi yamakhansili ezabelo lawamadolobho amakhulu njalo, ikakhulu, zibalule—

(a) okumele kulandelwe ngamakhansili ezabelo lawamadolobho amakhulu;

(b) imisebenzi yabomgcinischlalo bamakhansili ezabelo lawamadolobho amakhulu;

(c) izimo zomsebenzi wamalunga amakhansili ezabelo lawamadolobho amakhulu; njalo

(d) izimo zomsebenzi lokuxotshwa umsebenzi kwezisebenzi zamakhansili ezabelo lawamadolobho amakhulu.

(2) Umthetho wezoKhetho kumele unike izimiso, ezilandela lesi Sahluko, ezibetha ukugcwaliswa kwezikhundla ezihlalweni esezirole zingela bantu kumalunga amakhansili ezabelo aqanjwe kuSigaba 268(1)(f) lasezikhundleni zabomgcinischlalo bamakhansili ezabelo, okuzikhundla kumele zigcwaliswe—

(a) ngabantu abavela kubandla lombusazwe linye lalelo ebelimelwe yilabo akade bephethe lezozikhundla kumbe izihlalo; njalo

(b) singasabali izikhundla zabomgcinischlalo, ngumuntu obulili bunye lalowo akade ephethe lesi sikhundla ekuqaleni.

ISAHLUKWANA 3

UHULUMENDE WEZABELO

274 Uhulumende wezabelo ezisemadolobheni

(1) KulaboHulumende bezabelo abamela njalo abahola izinqineko zabantu bemadolobheni iZimbabwe yonke jikelele.

(2) OHulumende bezabelo zemadolobheni baholwa ngamakhansili abunjwe ngamakhansila akhethwe ngabantu ababhalise ukuvota ezindaweni zonezo ezemadolobheni njalo aholwa ngomeya kanye labomgcinihlalo abakhethiweyo, kungakhathalekile ukuthi babizwa bathiweni.

(3) Imihlobo yaboHulumende bezabelo ehlukeneyo ingabunjwa emadolobheni atshiyeneyo, njalo amadolobho amabili kusiya phezulu atshiyeneyo angaba lakho ukulumbaniswa afakwe ngaphansi kombuso kaHulumende oyedwa wezabelo.

(4) Ukufanela ukukhethwa lendlela zokuqhutshwa kokhetho Iwabantu abaqanjwe kusigatshana (2) kumele kubalulwe eMthethweni wezoKhetho.

(5) UMthetho omiswe yiPhalamende ungethulela amandla apheleleyo emahlombe kameya kumbe umgcinisihlalo wekhansili yedolobho.

275 UHulumende wezabelo emaphandleni

(1) KulaboHulumende bezabelo abamela njalo abahola izinqineko zabantu bemaphandleni iZimbabwe yonke jikelele.

(2) UMthetho omiswe yiPhalamende kumele unike izimiso ezivumela—

- (a) ukubunjwa kwaboHulumende bezabelo emaphandleni;
- (b) ukukhethwa, ngabantu ababhalise ukuvota emaphandleni akhona, kwamakhansili okuhola izinqineko zaboHulumende bezabelo abaqanjwe kusiqendu (a);
- (c) ukukhethwa kwabomgcinihlalo, kungakhathalekile ukuthi babizwa bathiweni, ukuthi bakhokhele lawo makhansili aqanjwe kusiqendu (b); njalo
- (d) ukubalulwa kwezimfanelo okumele amalunga amakhansili aqanjwe kusiqendu (b) abe lazo.

(3) imihlobo ehlukeneyo yaboHulumende bezabelo emaphandleni ingabunjwa emaphandleni atshiyeneyo, njalo izindawo ezimbili kusiya phezulu zingaba lakho ukulumbaniswa besezifakwa ngaphansi kombuso kaHulumende oyedwa wezabelo.

276 Imisebenzi yaboHulumende bezabelo

(1) Ngaphansi kwalesi Sisekamthetho laloba yiwuphi omunye uMthetho omiswe yiPhalamende, uHulumende wesabelo ulelungelo lokubusa, ngokuthanda kwakhe, izinqineko zabantu abasendaweni ayibunjelweyo, njalo ulamandla wonke awadingayo ukuze enze lokho.

(2) UMthetho omiswe yiPhalamende ungethulela imisebenzi phezu kwaboHulumende bezabelo, egoqela—

- (a) amandla okukhanda imithetho yekhansili, iziqondiso kanye lemithetho yokuhola kuhle kwezindawo abazibunjelweyo;
- (b) amandla okuthelisa izindleko lemithetho kanye lokuqogelela izimali ezanela ukuthi bafeze izinhloso lemilandu yabo.

277 Ukuvotelwa kwaboHulumende bezabelo

(1) Amavoti amakhansila aboHulumende bezabelo kumele aqhutshwe—

- (a) nxa kulukhetho-jikelele lokudinga omeya lamakhansila, sikhathi sinye lokhetho-jikelele lokudinga amaLunga eNdlu yabaMeli loMongameli;
- (b) nxa kulukhetho, olungesikhetho-jikelele, ukuze kugcwaliswe isikhundla kumbe izikhundla esezièle zingelamuntu ngokuphangisa okwanelisekayo kulandela ukuphuma kwabantu ezikhundleni.

(2) Ukhetho lokudinga omeya labomgcinihihla baboHulumende bezabelo, ngaphandle kwabomeya labomgcinihihla abethulelw amandla aphelleyo ngaphansi kweSigaba 274(5), kumele luqutshwe ekuhlaleni kwakuqala kwamakhansili akhona kulandela ukhetho-jikelele.

(3) Ngaphandle kulandelwa izimiso ezichazwe kusigatshana (2) kumbe uMthetho omiswe yiPhalamende, omeya, abagcinisihlalo lamakhansila aboHulumende bezabelo baqalisu umsebenzi esukwini Iwesitshiyagalolunye kulandela ukumenyezelwa kwemiphumela yokhetho-jikelele lapho okwakhethwa khona lawo makhansila.

278 Isikhathi esibekiweyo sokupathha isikhundla kwamalunga aboHulumende bezabelo

(1) Isihlalo sikameya, umgcinihihla kumbe ukhansila kaHulumende wesabelo sisala singasela muntu nxa kungenzakala isehlakalo esichazwe kuSigaba 129, angazathi ube eliLunga leDale lePhalamende, besekusithi lapho kukhulunywa ngoSomlomo kumbe uMongameli weDale leSenethi kuSigaba 129(1)(k) kuthathwe njengokuthi kukhulunywa ngoMphathintambo obona ngezikaHulumende wezabelo.

(2) UMthetho omiswe yiPhalamende kumele unike izimiso ezivumela ukubunjwa kwenkundla ezimele yodwa ukuthi yetshathe umsebenzi wokususa omeya, omgcinihihla lamakhansila esikhundleni, kodwa lokho kususwa kumele kwenzakale kuphela ngenxa—

- (a) yokwehluleka ukuqhuba imisebenzi ephathelane lesikhundla ngesizatho sokufipala engqondweni kumbe emzimbeni;
- (b) yokwehluleka umsebenzi okwedlulisa amalawulo;
- (c) yokungaziphathi ngemfanelo okwedlulisa amalawulo;
- (d) yokutholakala elecalu eliphathelane lokungathembeki, ubugwelegwele kumbe ukusebenzisa kubi amandla esikhundla; kumbe
- (e) yokwephula umthetho ngamabomo, kugoqela imithetho yekhansili.

(3) Umeya, umgcinihihla kumbe ukhansila kaHulumende wesabelo akatshiyi isikhundla sakhe ngaphandle kulandelwa izimiso zalesi Sigaba.

279 Okumele kulandelwe ngoHulumende bezabelo

UMthetho omiswe yiPhalamende kumele unike izimiso ezibalula okumele kulandelwe ngamakhansili aboHulumende bezabelo.

ISAHLUKO 15

INKOKHELI ZOMDABU

280 Ubukhokheli bomdabu

(1) Ugatsha, isikhundla kanye lomsebenzi wenkokheli zomdabu ezingaphansi komthetho wesintu kuyananzwa.

(2) Inkokheli yomdabu ilomlandu wokwenza imisebenzi yamasiko, yesintu eyeNduna, umphathi loba umphathi wesigaba, sokukusiya ngalokho okuyabe kukhona, emphakathini wakhe.

281 Izimiso okumele zilandelwe zinkokheli zomdabu

(1) Izinkokheli zomdabu kumele—

- (a) zisebenze ngokuvumelana lalesi Sisekamthetho kanye lemithetho yeZimbabwe;

- (b) zilandele amasiko aphathelane lobukhokheli bomdabu njalo zenze imisebenzi yazo ngokwemisebenzi eyiyona ugatsha lobukhokheli bomdabu onanzwa ngayo yilesi Sisekamthetho;
 - (c) ziphathe abantu bonke abasezigabeni zabo ngokulingeneyo okufaneleyo.
- (2) Inkokheli zomdabu akumelanga—
- (a) zibe ngamalunga aloba yiliphi ibandla lombusazwe loba zihlanganyele loba ngayiphi indlela kwezombusazwe ezithatha uhlangothi oluthize;
 - (b) zenze ngendlela engathathi hlangothi;
 - (c) kumbeziqhube kise intando yaloba yiliphi ibandla lombusazwe;
 - (d) zephule amalungelo ayinsika kanye lezinkululeko eziyinsika zaloba nguuphi umuntu.

282 Imisebenzi yenkokheli zomdabu

(1) Inkokheli zomdabu zilemisenbenzi elandelayo ezindaweni ezisemikhawulweni yamandla azo—

- (a) ukuphakamisa kanye lokuqhubekisela phambili okuqakathiswa emasikweni emiphakathi yabo njalo, ikakhulu ukuphakamisa okuqakathetkiswa emulini okulesisindo;
- (b) ukuthatha amanyathela okugcina amasiko, imikhuba, imbali kanye lelifa lemiphakathi yazo, kugoqela izindawo ezihlonitshwayo;
- (c) ukuqhubekisela phambili intuthuko;
- (d) Ngokuvumelana loMthetho wePhalamende, ukuphatha umhlaba womphakathi kanye lokuvikela imvelo;
- (e) ukulungisisa ingxabano phakathi kwabantu emiphakathini yabo ngokuvumelana lomthetho womdabu;
- (f) Ukwenza eminye nje imisebenzi eziyiphiwego loba ephanyekwe kuzo nguMthetho omiswe yiPhalamende.

(2) Ngaphandle kokuphawulwe eMthethweni omiswe yiPhalamende, inkokheli zomdabu zilamandla, umkhawulo wamandla kanye lokulawula phezu komhlaba womphakathi loba ezinye izindawo abaziqhatshelweyo, njalo laphezu kwabantu abakulowomhlaba womphakathi loba izindawo.

(3) Ekuqhubeni umsebenzi wazo, inkokheli zomdabu azikho ngaphansi kokuqondiswa loba ukulawula kwaloba nguuphi umuntu loba amandla, ngaphandle kwalokho okungabe kuphawulwe eMthethweni omiswe yiPhalamende.

(4) UMthetho omiswe yiPhalamende kumele uphawule ngesimiso sokuziphatha kwenkokheli zomdabu.

283 Ukuqhatshwa lokususwa esikhundleni kwenkokheli zomdabu

UMthetho omiswe yiPhalamende kumele uphawule ngokulandelayo ngokuvumelana lamasiko ayiwo aqhatshwayo, imikhuba, isintu kanye lemikhuba yemiphakathi eqondane lalokho—

- (a) ukuqhatshwa, ukumiswa emsebenzini, lokudluliselwa kwesikhundla phambili kanye lokususwa esikhundleni kwenkokheli zomdabu;
- (b) ukudalwa lokuvuselelwa kobuduna; kanye
- (c) ukulungisiswa kwezingxabano eziphathelane lukuqhatshwa, ukumiswa emsebenzini, lokudluliselwa kwesikhundla phambili kanye lokususwa esikhundleni kwenkokheli zomdabu;

kodwa—

- (i) ukuqhatshwa, ukumiswa emsebenzini, kweziNduna kumele kwensiwe nguMongameli ngokuxwayisa kwedale lesabelo lezinduna iseenza leKhansili yelizwe yeziNduna kanye loMphathintambo obona ngenkokheli zomdabu njalo ngokuvumelana lemikhuba eqhutshwayo lamasiko aleyomiphakathi;
- (ii) Izingxabano eziphathelane lokuqhatshwa, ukumiswa umsebenzi lokususwa esikhundleni kwenkokheli zomdabu kumele zilungisiswe nguMongameli ngokuxwayisa kwedale lesabelo leziNduna eseenza loMphathintambo obona ngenkokheli zomdabu;
- (iii) uMthetho kumele uphe amanyathela okuqiniseka ukuthi zonke izindaba lezi ziphathwa ngokufaneleyo njalo okungelakunanza okuphathelane lombusazwe;
- (iv) uMthetho kumele uphe amanyathela okuvikela isithunzi sezingatsha zomdabu kanye lokuzimela kwawo wodwa okungelakungenela kwezombusazwe.

284 Umholo kanye lenzozo zenkokheli zomdabu

(1) UMthetho omiswe yiPhalamende kumele uphawule ngomholo lenzozo zenkokheli zomdabu kumiswe ngokuvumela kukaMongameli okuphiwe ngokuxwayisa kukaMphathintambo obona ngenkokheli zomdabu.

(2) Umholo wenkokheli yomdabu kumele ubekwe njalo ubhadalwe uthathwa esikhwameni semali yelizwe.

(3) Umholo wenkokheli yomdabu akumelanga wehliswe ngesikhathi esaphethe isikhundla loba esasesikhundleni leso.

285 IKhansili yelizwe lamadale ezabelo eziNduna

(1) KuleKhansili yeLizwe eyeziNduna ebunjwa ngokuvumelana loMthetho wePhalamende, yokumela zonke iziNduna eZimbabwe.

(2) UMthetho omiswe yiPhalamende kumele umisele isabelo sinye ngasinye, ngaphandle kwezabelo zemadolobheni, idale lesabelo leziNduna eligoqela iziNduna kuleso sabelo.

(3) Kusiya ngokuqhuma okuvumayo iziNduna esabelweni ngasinye kumele zimelwe ngokufaneleyo eKhansilini yeLizwe eyeziNduna.

(4) Ukukhethwa kukaMongameli, uMsekeli kaMongameli lamalunga eKhansili yeLizwe eyeziNduna kumele kwensiwe yiKomishini yokhetho yeZimbabwe iZimbabwe Electoral Commission.

(5) Idale lesabelo leziNduna kumele likhethe, ngokuvumelana loMthetho woKhetho, iziNduna zokumela isabelo edale eliphezulu lePhalamende kulandelwa isigaba 120(1)(b).

(6) UMongameli kanye loMsekeli kaMongameli weKhansili yelizwe eyeziNduna bakhethelwa esikhundleni okwesibanga esiyiminyaka emihlanu njalo bafanele ukukhethwa njalo okwesibanga esisodwa esinjengaleso, kodwa umuntu osesebenze okwezibanga ezimbili njengoMsekeli kaMongameli ufanele ukukhethwa njengoMongameli.

(7) UMthetho omiswe yiPhalamende kumele uphawule—

- (a) ngokukhethwa kweziNduna zikhethelwa eKhansilini yeLizwe eyeziNduna, kanye langalokhu okudingakalayo ukuze umuntu akhethwe loba okungadingakaliyo;

- (b) isifungo sesikhundla okumele senziwe ngamalunga eKhansili yeLizwe eyeziNduna kanye lamadale ezabelo aweziNduna;
- (c) isikhathi sokuba sesikhundleni kwamalunga eKhansili yeLizwe eyeziNduna;
- (d) umholo, ipentsheni lezinye inzupo zikaMongameli, uMsekeli kaMongameli kanye lamalunga eKhansili yeLizwe eyeziNduna;
- (e) indlela yokuqhuba okumele ilandelwe emihlanganweni yeKhansili yeLizwe eyeziNduna kanye lemadale ezabelo eziNduna;
- (f) ukumiswa kwaboNobhala beKhansili yeLizwe eyeziNduna lamadale eziNduna.

286 Imisebenzi yeKhansili yeLizwe lamadale ezabelo eziNduna

(1) IKhansili yeLizwe eyeziNduna kanye ledale lesabelo leziNduna esabelweni salo silemisenbenzi elandelayo—

- (a) ukuvikela, ukuphakamisa kanye lokuthuthukisa amasiko eZimbabwe lemikhuba yesintu;
- (b) ukumela imibono yenkokheli zomdabu kanye lokuqhubekisela phambili isithunzi lesimo sezingatsha zomdabu;
- (c) ukuvikela, ukuphakamisa kanye lokuqhuba intando yenkokheli zomdabu;
- (d) okunakana ngokumelwa kanye langezikhalazo ezilethwe kuyo zinkokheli zomdabu;
- (e) ukuchaza kanye lokumisa kokulandelwawa kokuziphatha ngenhloniph kwenkokheli zomdabu kanye lokuthuthukisa amandla azo ekukhokheleni;
- (f) ukwenza ukulungisiswa kwezingxabano phakathi kwenkokheli zomdabu njalo lengxabano eziphathelane lazo;
- (g) ukwenza eminye nje imisebenzi engayiphiwa loba iphanyekwe kuzo nguMthetho omiswe yiPhalamende.

(2) UMthetho omiswe yiPhalamende kumele uqiniseke ukuthi—

- (a) ikhansili yeLizwe eyeziNduna kanye lawo wonke amadale ezabelo eziNduna ayenelisa ukuqhuba imisebenzi yawo ezimele wodwa njalo kakuhle;
- (b) abantu abaqhatshe yiKhansili yeLizwe eyeziNduna kanye lamadale ezabelo eziNduna ayaqhuba imisebenzi yawo ngonanzelolo njalo ngokungela kukhetha.

287 IKomithi ebona ngokuziphatha ngobuntu kanye langokwethembeka

UMthetho omiswe yiPhalamende kumele uphawule ngokumiswa, ukuba ngamalunga kanye lokumele kulandelwe yiKomithi ebona ngokuziphatha ngobuntu langokwethembeka eyeziNduna, ukuthi zenze imisebenzi elandelayo—

- (a) ukuthuthukisa kanye lokusebenzisa ukwethembeka kanye lokuqhuba ngokuhloniph kuzinkokheli zomdabu;
- (b) ukuqedza izingxabano phakathi kwenkokheli zomdabu;
- (c) ukuphatha izikhalazo ezimayelana lenkokheli zomdabu.

ISAHLUKO 16

UMHLABATHI WOKULIMA LOKUFUYA

288 Ukuchasiswa kweSahluko 16

Kulesi Sahluko—

Ukuthi “umhlabathi wokulima lokufuya” kutsho okubethwe nguSigaba 72.

289 Izimiso eziqondisa imigomo mayelana lomhlabathi

Ukuze kulungisiswe umumo ongaqondanga njalo ongalunganga wokuba lomhlabathi, owadalwa ngumbuso wocindezel, njalo ukuze kulethwe inguquko yokwabiwa kutsha komhlabathi lokufinyelelw okulingeneyo kwengcebo zelizwe zemvelo yizizalwane zonke zeZimbabwe, imigomo ephathelane lezomhlabathi wokulima kumele iqondiswe yizimiso ezilandelayo—

- (a) umhlabathi uyingcebo yemvelo ekhawulayo ebumba ingxene ye gugu likazulu weleZimbabwe;
- (b) ngaphansi kweSigaba 72, wonke umuntu oyisizalwane seZimbabwe ulelungelo lokuthola, ukubamba, ukuhlala, ukusebenzisa, ukudlulisela komunye, ukubambisa, ukuhlalisa loba ukuthengisa umhlabathi kungelani lomhlobo kumbe umbala wakhe;
- (c) ukuqanyulwa lokwabiwa komhlabathi kumele kuqhutshwe ngendlela efaneleyo njalo elinganisayo, eqakathekisa ukulinganiswa kobulili kanye lokwenhlangothi zomphakathi lokwehlukana kwazo;
- (d) ukwabiwa komhlabathi kumele kuhuthaze ukwengezwa kwempumelelo kanye lokuthelwa kwemali ngabantu beZimbabwe emhlabathini wokulima
- (e) ukusetshenziswa komhlabathi wokulima kumele kuthuthukise ukutholakala kokudla okwaneleyo, impilakahle lokudla okwakha umzimba, kubuye kudale imisebenzi ngasikhathi sinye kuvikela lokulondolozela izizukulwane ezizayo imvelo;
- (f) akula muntu okumele athathelwe mahlayana nje ilungelo lakhe lokusebenzisa lokuhlala emhlabathini wokulima.

290 Ukuqhubeka kwamalungelo eSizwe emhlabathini wokulima lokufuya

(1) Wonke umhlabathi wokulima—

- (a) oqanjwe ngaphansi kohlelo 7 IweSisekamthetho esidlulileyo; kumbe
- (b) oqanjwe, lesi Sisekamthetho singakaqalisi ukusebenza, ngaphansi kweSigaba 16B(2)(a)(ii) kumbe (iii) weSisekamthetho esidlulileyo;

uqhubeka ungoweSizwe.

(2) Konke ukungahambelani ezintweni eziqukethwe—

- (a) esazisweni esiqanjwe kuHlelo 7 IweSisekamthetho esidlulileyo; kumbe
- (b) esazisweni esiphathelane lomhlabathi wokulima esikhutshwe maqondana leSigaba 16B(2)(a)(ii) kumbe (iii) kuSisekamthetho esidlulileyo;

njalo incwadi etshengisa ubumnini ekhonjwa yilokho okungahambelaniyo, kumbe ejonge ukukhonjwa yikho, layo yonke enye impazamo engabe imunyethwe yisaziso esinjalo, kayithinti ngitsho ukusebenza kwsigatshana (1) kumbe ukuqed Amandla eSizwe phezu komhlabathi wokulima otshiwoyo ngaphansi kwaleso sigatshana.

291 Ukuqhubeke kwamalungelo abahlali bomhlabathi wokulima

Ngaphansi kwalesi Sisekamthetho, wonke umuntu okade esebezisa loba ehlala, kumbe okade elelungelo lokusebenzisa loba ukuhlala emhlabathini wokulima ngaphansi kwesivumelwano esilotshiweyo kumbe esolunye uhlobo leSizwe, lesi Sisekamthetho singakaqalisi ukusebenza, uqhubeka elelungelo lokusebenzisa kumbe ukuhlala kulowo mhlabathi ngemva kokuba lesi Sisekamthetho siqalise ukusebenza, njengokubalulwe kuleso sivumelwano sakuqala.

292 Ukuvikeleka kwemvumo yokuhlala kwalabo abasemhlabathi wokulima

ISizwe kumele sithathe amanyathelo afeneleyo, agoqela ukubeka imithetho, ukuze kuvikelwe imvumo ephiwe wonke umuntu olomhlabathi kumbe ohlala emhlabathini wokulima.

293 Ukudlulisela komhlabathi yiSizwe komunye umuntu

(1) ISizwe singaba lakho ukudlulisela umhlabathi wokulima ongaphansi kwaso komunye umuntu ngokumnikeza incwadi yemvumo loba omunye umhlobo welungelo lokuhlala, kodwa lokho kudlulisela kumele kuqhutshwe maqondana lezimiso ezibalulwe kuSigaba 289.

(2) ISizwe akumelanga sidlulisele emuntwini oyedwa kanye lasebantwaneni bakhe ingqephu zomhlabathi wokulima ezedlula eyodwa.

(3) UMthetho omiswe yiPhalamende kumele ubeke phansi izindlela okumele zilandelwe ekudluliseweni lasekwabelweni komhlabathi wokulima yiSizwe, njalo wonke umthetho ofanayo kumele ulandele ngqo izimiso ezibalulwe kuSigaba 289.

294 Ukudlulisela komhlabathi wokulima komunye ngabaniniwo kumbe ngabantu abahlala khona

Ngaphansi kwemigca ethile ephoqeletwa ngumthetho, umnini kumbe umuntu ohlala emhlabathini wokulima ulelungelo lokudlulisela komunye, ukubambisa, ukuhlala omunye loba ukuthengisa ilungelo lakhe phezu kwalowo mhlabathi wokulima.

295 Ukuhlawulelwka komhlabathi wokulima osewake wathathwa yiSizwe

(1) Iloba nguuphi umuntu ongowalapha eZimbabwe owake wathathelwa umhlabathi wakhe wokulima yiSizwe lesi Sisekamthetho singakaqalisi ukusebenza ulelungelo lokuhlawulwa yiSizwe maqondana lalovo mhlabathi kanye lendleko zokunye konke obesekwenziwe ukuthuthukisa lowo mhlabathi ngesikhathi iSizwe siwuthatha.

(2) Wonke umuntu owathathelwa umhlabathi wakhe wokulima yiSizwe lesi Sisekamthetho singakaqalisi ukusebenza, omalungelo akhe okuba lempahla ngaleso sikhathi ayethenjiswa njalo evikelwa yisivumelwano phakathi kukaHulumende weZimbabwe loholumende wakwelinye ilizwe, ulelungelo lokuhlawulwa yiSizwe maqondana lalovo mhlabathi kanye lezindleko zokunye konke obesekwenziwe ukuthuthukisa lowo mhlabathi njengokubethwe kuleso sivumelwano.

(3) Wonke umuntu, ngaphandle kwalowo oqanjwe kusigatshana (1) kumbe (2), owathathelwa umhlabathi wakhe wokulima yiSizwe lesi Sisekamthetho singakaqalisi ukusebenza, ulelungelo lokuhlawulwa yiSizwe maqondana lezindleko zokunye konke obesekwenziwe ukuthuthukisa lowo mhlabathi kuphela ngesikhathi iSizwe siwuthatha.

(4) Inhlawulo ekhokhelwayo ngaphansi kwezigatshana (1), (2) lo (3) kumele ihloliswe njalo ikhutshwe maqondana loMthetho wedale lePhalamende.

296 Ukubunjwa lamalunga okumele angene kuKomishini yezoMhlabathi yeZimbabwe

(1) KuleKomishini ezakwaziwa njengeKomishini yezoMhlabathi yeZimbabwe, emalunga ayo agoqela—

- (a) umgcinisihlalo loMsekeli kamgcinisihlalo;
- (b) lamalunga angekho ngaphansi kwamabili njalo engedluli isikhombisa; abekwa nguMongameli.

(2) Amalunga eKomishini yezoMhlabathi yeZimbabwe kumele—

- (a) akhethwe ngenxa yesithunzi sawo kanye lobungcwethi, lolwazi kanye lokuzwisia kakuhle ukusebenza ngendlela eyiyo efunakalayo sibili kwezokuhola lokuphatha umhlabi; njalo
- (b) akhombise ukwahlukana okukhona ebantwini beZimbabwe, ikakhulu sikhangele izindawo lapho abavela khona kanye lokulinganiswa kobulili.

(3) ISigaba 237 yiso esisetshenziswayo ekususeni amalunga eKomishini yezoMhlabathi yeZimbabwe esikhundleni, sengathi layo iyiKomishini ezimele yodwa njengokuchazwe kuSahluko 12.

297 Imisebenzi yeKomishini yezoMhlabathi yeZimbabwe

(1) IKomishini yezoMhlabathi yeZimbabwe ilemisebenzi elandelayo—

- (a) ukuba lesiqiniseko sokuthi konke okwenzakalayo kulakho ukuba lempendulo, ukwahlulela okulungileyo kanye lokukhanya ekuphathweni komhlabathi wokulima ongaphansi kweSizwe;
- (b) ukuqhuba izinhloliso zokusetshenziswa komhlabathi ezikhathini ezithile ezibekiweyo;
- (c) ukunika uHulumende izeluleko maqondana—
 - (i) lokuthathwa komhlabathi wabantu abazimeleyo ukuze ube ngokazulu;
 - (ii) lokufinyeleleka okulingeneyo lokubanjwa kanye lokuhlalwa komhlabathi wokulima, ikakhulu—
 - A. ukwesulwa kwemihlobo yonke yobandlululo olungalunganga, ikakhulu ubandlululo olungenxa yobulili;
 - B. ukuphoqeleva komthetho loba yiuphi obeka umkhawulo wenani lomhlabathi wokulima ongaba lakho ukubanjwa ngumuntu kumbe imuli eyodwa;
 - (iii) lokusetshenziswa komhlabathi kanye lobukhulu bomhlabathi wokulima oqunyelwa abantu;
 - (iv) lokwenza ukuthi kube lula ukuthola kanye lokudlulisela komunye amalungelo aqondane lomhlabathi;
 - (v) lemihlobo etshiyeneyo yokuhlaliswa emhlabathini;
 - (vi) ukuhlawulwa okufaneleyo okukhokhelwa ngaphansi kwaloba yiuphi umthetho ofaneleyo, komhlabathi wokulima kanye lezindleko zokunye konke okwenziwe ukuthuthukisa umhlabathi othethwe nguHulumende;
 - (vii) lokwabiwa kanye lokudlulisela komhlabathi wokulima yiSizwe komunye umuntu;
- (d) Ukuchwayisisa kanye lokucubungula izikhalazo lembango engaba khona mayelana lokuholwa, ukuphathwa kanye lokwabiwa komhlabathi wokulima.

(2) iKomishini yezoMhlabathi yeZimbabwe, ngemvumo kaMphathintambo obona ngezomhlabathi, ilakho ukulungisa iziqondiso eziqondane lokubalulwe kusigatshana (1).

(3) iKomishini yezoMhlabathi yeZimbabwe kumele iqhubi imisebenzi yayo maqondana lemigomo jikelele ebhaliwego enganikwa yona nguMphathintambo obona ngezomhlabathi.

(4) Ekuqhubeni imisebenzi yayo, iKomishini yezoMhlabathi yeZimbabwe kumele yelulekwe yizimiso ezibalulwe kuSigaba 289.

(5) ISizwe kanye lezinhlanganiso labameli bakaHulumende emabangeni wonke, ngemithetho yePhalamende langamanye amanyathelo, kumele sincedice iKomishini yezoMhlabathi ukuqhubeni imisebenzi yayo, njalo kumele sivikele ukuzimela kwayo, ukungabi lenkethabetshabi, ukuba lesithunzi lokuphumelela emisebenzini yayo.

(6) UHulumende kumele avumele ngokwaneleyo langokufaneleyo, ngemithetho kumbe ezinye izindlela ezifaneleyo, ukuze abe lesiqiniseko sokuthi—

- (a) iKomishini yezoMhlabathi yeZimbabwe iyanisa ukuqhube imisebenzi yayo kuhle izimele; njalo
- (b) abantu abaqhatshwe yiKomishini yezoMhlabathi yeZimbabwe baqhube imisebenzi yabo kuhlekuhle, ngendlela elungileyo njalo engela nkethabetshabi.

ISAHLUKO 17

EZEMALI

ISAHLUKWANA 1

UKUPHATHWA KWEZIMALI

298 Izimiso zokuphathwa kwezimali kazulu

(1) Izimiso ezilandelayo kumele zikhokhele zonke izinhlangothi ezipathelane lezimali zikazulu eZimbabwe—

- (a) kumele kube lokuba mgceke kanye lokutholakala kwezimpendulo endabeni ezipathelane lezimali;
- (b) izimali zikazulu kumele ziqondiswe ekuthuthukiseni ilizwe njalo, ikakhulu—
 - (i) umthwalo wemithelo kumele wabelwane ngendlela elungileyo;
 - (ii) izimali ezibuthaniswe elizweni kumele zigabelwane ngokulingeneyo phakathi kukaHulumende lamabanga ehlukeneyo kahulumende wezabelo leziqinti; njalo
 - (iii) izimali zonke ezesetshenziswayo kumele ziqondiswe ekuthuthukiseni iZimbabwe, njalo amaqembu abantu lezindawo ezikhangelelwa phansi kumele zinanzwe kuhle ziphiwe ingxenyi ebalulekileyo;
- (c) imithwalo lenzozo ezphuma ekusetshenzisweni kwezingcebo kumele kwabelwane ngokulingeneyo Phakathi kwabantu abaphila lamuhla lezizukulwane ezizalandela;
- (d) izimali zikazulu kumele zisetshenziswe ngendlela emgceke, elobuhlakani, engela butshapha njalo esebezayo;
- (e) ukuphathwa kwezimali kumele kube lengqondo, njalo imibiko ephathelane lemalikazulu kumele ibe sobala; njalo

(f) ukwebolekwa kwezimali zikazulu layo yonke imicimbicimbi yokusetshenziswa kwezimali okupathelane lisikwelede selizwe kumele kwensiwe ngendlela ekhanyayo njalo enqinekele okuthakazelewa nguzulu weZimbabwe.

(2) Akula mthelo okumele uhlawuliswe ngaphandle kwemvumo yalesi Sisekamthetho kumbe eyomthetho omiswe yiPhalamende.

299 Amandla ePhalamende okucubungula ukuhanjisa kwezimali ezingenayo leziphumayo zeSizwe

(1) IPhalamende kumele ihhole njalo ibe yiyo ebona ukuthi izimali zonke ezisetshenziswa yiSizwe lamaKomishini wonke kanye lezinhlanganiso labameli bakaHulumende emabangeni wonke, kugoqela izinhlanganiso ezimiswe ngumthetho, izinhlanganiso eziholwa nguHulumende, amakhansili ezabelo lawamadolobho kanye laweqiqinti kuqhutshwe kuhle, ukuze ibe lesiqiniseko sokuthi—

- (a) zonke izimali ezingenileyo ziyazakala ukuthi ziye ngaphi;
- (b) zonke izimali ezisebenzileyo zisetshtenziswe ngemfanelo; njalo
- (c) imigoqo yonke lezimiso ezimayelana lokwabiwa kwemali zilandelwe kuhle.

(2) UMthetho omiswe yiPhalamende kumele unikeze idale lePhalamende izindlela zokuhlolola lokuba yilo elibona ngokusetshenziswa kwezimali okuchazwe kusigatshana (1).

300 Umkhawulo wezikwelede zeSizwe, isikwelede sikazulu leziqiniseloz eSizwe

(1) Umthetho omiswe yiPhalamende kumele uqume imikhawulo—

- (a) yezikwelede zeSizwe;
- (b) yesikwelede sikazulu; njalo
- (c) yezikwelede lemilandu enikwa iziqiniselo zokubhadalwa yiSizwe; njalo leyo mikhawulo akumelanga idluliswe ngaphandle kwemvumo yeNdlu yabaMeli.

(2) Umthetho omiswe yiPhalamende kumele unike imigoqo ehola ukunikwa kweziqiniselo zemali yokweboleka.

(3) Ensukwini ezingamatshumi ayisithupha ngemva kokuba uHulumende esengene esivumelanweni sokweboleka imali kumbe esokunika isiqiniselo, uMphathintambo obona ngezemali kumele abangele ukuba lezo zivumelwano zikhutshwe egwalweni lukaHulumende olwe*Gazette*.

(4) UMPhathtintambo obona ngezemali kumele—

- (a) kibili kusiya phambili ngomnyaka, abikele iPhalamende ngokuqhuma—
 - (i) kwezimali ezibolekwe yiSizwe; njalo
 - (ii) kwezimali ezinikelwe isiqiniselo yiSizwe;
- (b) ngasikhathi sinye, lapho kabalulwa izimali ezingenileyo leziphumileyo zelizwe eNdlini yabaMeli njengokuchazwe kuSigaba 305, abeke obala edale lePhalamende umbiko ocacileyo owesikwelede sikazulu eZimbabwe.

301 Ukwabiwa kwezimali phakathi kukaHulumende wezabelo lamabanga ehlukeneyo kaHulumende wezigaba

(1) UMthetho omiswe yiPhalamande kumele uvumele—

- (a) ukwabiwa okulingeneyo kwezimali zokusungula imisebenzi ephiwa amakhansili ezabelo lamadolobho kanye lawezigaba yiSizwe; njalo
- (b) ukwabiwa kwezinye izimali ezifundeni lakumakhansili eziqinti, kanye lokunika imigoqo ephathelane lokwabiwa kwalezo zimali.

(2) UMthetho ochazwe kusigatshana (1) kumele unanzelele, phakathi kwezinye izinto—

- (a) izifiso zelizwe;
- (b) imigca okumele ifakwe mayelana lesikwelede selizwe leminye imilandu yelizwe;
- (c) izindingeko lezifiso zikaHulumende, zona ezikhokhelwa ngendlela yezinhloso;
- (d) indingeko yokutholisa izindingakalo ezimqoka zempilo, okugoqela izindawo zokufundela lezokuthola impilakahle, amanzi, imigwaqo, ozambuzi kanye lamagetsi ezindaweni ezithathelwa phansi;
- (e) amandla amakhansili ezabelo, awamadolobho lawezigaba okuhola lokuhamisa kuhle izindaba zemali;
- (f) indingeko yokuletha intuthuko lokunye okufunakalayo emakhansilini ezabelo, awamadolobho lawezigaba;
- (g) ukutshiyana komumo womkhonomi ngezabelo ngezabelo.

(3) Imali eyisilinganiso esingayi ngaphansi kwehlanu ekhulwini semali yonke engenayo elizweni ngomnyaka owodwa kumele yabelwe ezifundeni leziqintini njengengxenyen yabo yelowomnyaka.

ISAHLUKWANA 2

ISIKHWAMA ESIQOQIWEYO SELIZWE

302 Isikhwama esiqoqiweyo selizwe

Kulesikhwama esiqoqiweyo selizwe lapho okumele kufakwe khona zonke izimbadalo, imithelo lemali yokweboleka kanye lezinye zonke izimali ezingena kuhulumende, kungakhathalekile ukuthi ivela ngaphi, ngaphandle kokuba uMthetho omiswe yiPhalamende—

- (a) udinga kumbe uvumela ukuthi zibhadalwe kwesinye isikhwama esidalelw injongo ethile; kumbe
- (b) uvumela inhlanganiso eyamukele lezozimali ukuthi izigcine, zonke kumbe ingxenyen yazo, ukuze yanelise ukukhokhela izindleko zayo.

303 Ukuthathwa kwemali esikhwameni esiqoqiweyo selizwe

(1) Akula mali okumele ithathwe esikhwameni esiqoqiweyo selizwe ngaphandle nxa ingeyokukhkhela izindleko ezivunyelwe yilesi Sisekamthetho kumbe nguMthetho omiswe yiPhalamende.

(2) Imali ethethwe esikhwameni esiqoqiweyo selizwe kumele isetshenziswe ukubhadala umuntu onguye ofanele ukuthola leyo mbadalo kuphela.

(3) Umthetho omiswe yiPhalamende kumele ubeke indlela okumele—

- (a) imali ithathwe ngayo esikhwameni esiqoqiweyo selizwe lakwesinye isikhwama semali kazulu; njalo
- (b) imali esesikhwameni esiqoqiweyo selizwe lakwezinye izikhwama igcinwe lokuhlanyelwa ngayo.

304 Izimbadalo ezihlawulisa isikhwama esiqoqiweyo selizwe

(1) Zonke izindleko zezikwelede okumele zibhadalwe yiSizwe kumele zethweswe isikhwama esiqoqiweyo selizwe.

(2) Izindleko lezimbadalo ezidalwa yikuqqa lokuhola isikhwama esiqoqiweyo selizwe ziba yimbadalo yakuqala ebhekane laleso sikhwama.

(3) Ngaphansi kwesigatshana (1)—

Ukuthi “izindleko zezikwelede” kugoqela isandiso, izinhlawulo zemali ebekelwe isikwelede, ukukhokha kumbe ukuphungula isikwelede lazo zonke ezinye izindleko eziphathelane lokuboleka imali ukuze isikhwama esiqoqiweyo selizwe sigcinakale, kanye lokubhadalwa kunye lokuhlengwa kwezikwelede okudalwe yilowo mboleko.

ISAHLUKWANA 3

UKUVUNYELWA KOKUSETHENZISWA KWEMALI YESIKHWAMA ESIQOQIWEYO SELIZWE

305 Ukwabiwa kwemali yesikhwameni esiqoqiweyo selizwe

(1) Mnyaka wonke uMphathintambo obona ngezemali kumele ethulele iNdlu yabaMeli umbiko oqukethe amanani ezimali ezingaba lakho ukungena lokuphuma esikhwameni sikaHulumende emnyakeni olandelayo.

(2) Amanani awemali engaba lakho ukungena lokuphuma esikhwameni kumele ethulelw iNdlu yabaMeli njengokuchazwe kusigatshana (1) ngelanga lapho iNdlu ihlala khona kungakafiki kumbe ukwedlula insuku ezingamatshumi amathathu umnyaka wemali uqalisile, kodwa nxa iPhalamende idiliziwe njalo kungeneliseki ukuthi lowo manani ethulelw iNdlu ngaleso sikhathi, sekuyamele ethulelw iNdlu ensukwini ezingamatshumi amathathu iNdlu ihlanganane okwakuqala ngemva kokudilizwa.

(3) Amanani ezimali ezingaba lakho ukungena lokuphuma esikhwameni kumele ehlukanisewo okunye lokunye kokulandelayo—

- (a) iKomishini inye ngayinye ebunjwe yilesi Sisekamthetho;
- (b) iwoffisi kaMholizimali jikelele;
- (c) iNhlanganiso yabaTshutshisi yeLizwe;
- (d) iNkundla yeziNduna; njalo
- (e) enye inhlanganiso ekhonjwe nguMthetho omiswe yiPhalamende.

(4) Nxa iNdlu yabaMeli isivume lawomanani okusethenziswa kwezimali kumnyaka wemali, ngaphandle kwezindleko ezihlawulisa isikhwama esiqoqiweyo selizwe sona ngokwaso yilesi Sisekamthetho kumbe ngumthetho omiswe yiPhalamende, uMphathintambo obona ngezemali kumele abangele ukuthi kungeniswe Umthetho osavivinya ozakwaziwa ngokuthi nguMthetho wokwabiwa kwezimali, wona ozangeniswa eNdlini yabaMeli, njalo lowoMthetho kumele—

- (a) wanelise ukuthi kube lemali eyaphuma esikhwameni esiqoqiweyo selizwe isiyafeza zonke izindleko ezivunyelweyo; njalo
- (b) wahlukanise izimali njengokwethulwe kumanani aqanjiweyo, ibekwa esikhwameni zezinhloko zengatsha ezechlukaneyo ukuthi ziyisebenzise njengokuvunyelweyo.

(5) Nxa kuyikuthi imali eyabelwe injonjo ethile ngaphansi koMthetho wokwabiwa kwemali ingeneli kumbe nxa kungaba khona okunye okumele ikusebenze okungazange kwabelwe imali, uMphathintambo obona ngezemali kumele abangele ukuthi kube lamanye amanani okwengezelela imali edingakalayo azakwethulelw iNdlu yabaMeli, njalo nxa iNdlu yabaMeli ingavumela lawo manani, uMphathintambo obona ngezemali kumele abangele ukuthi kungeniswe omunye uMthetho wokwabiwa kwemali eNdlini phezu kowakuqala, ozavumela ukuthi leyo mali edingakalayo itholiswe yisikhwama esiqoqiweyo selizwe.

306 Imvumo yokusebenzisa imali phambilini kokuyabelwa

(1) Umthetho omiswe yiPhalamende ulakho ukunika uMongameli imvumo yokuthi avumeze ukuba kuthathwe imali esikhwameni esiqoqiweyo selizwe ukuze ikhokhele izindleko ebe zingakhangelelwanga kumbe okumkhawulo wazo ubungakhangelelwanga njalo kungekho mali ebe ibekelwe lokho ngaphansi komthetho, kodwa—

- (a) uMthetho akumelanga uvumele ukuthathwa kwemali edlulisa isilinganiso esisodwa lengxenye ekhulwini semali yonke eyahlukanisiweyo eMthethweni wakuqala wokwaba izimali ocinele ukwenziwa;
- (b) yonke imali ethethwe ngaphansi kwalowMthetho kumele ifakwe ngaphansi kwamanani okwengeza izimali ezidingakalayo azakwethulwa ngokukhulu ukuphangisa phambi kwendlu yabaMeli njalo, nxa iNdlu ingawavuma lawo manani, sekumele imali yakhona ikhutshwe esikhwameni esiqoqiweyo selizwe ngomunye uMthetho wokwabiwa kwemali phezu kowakuqala.

(2) Nxa kuyikuthi uMthetho wokwabiwa kwemali owomnyaka othile wemali kawukaqalisi ukusebenza ngesikhathi umnyaka wemali uqalisa, uMthetho omiswe yiPhalamende ulakho ukunika uMongameli imvumo yokuvumeza ukuthathwa kwemali esikhwameni esiqoqiweyo selizwe ukuze kukhokhelwe izindleko zokuqhube imisebenzi kaHulumende yezinyanga ezine zakuqala kulowo mnyaka wemali, kodwa—

- (a) luMthetho akumelanga uvumeze ukuthathwa kwemali edlula ingxenye eyodwa kwezintathu eyemali yonke egoqela amanani ezimali ezikhangelelwange ukusebenza awomnyaka wemali odlulileyo;
- (b) yonke imali ethethwe ngaphansi kwalowMthetho kumele ifakwe eMthethweni wokwabiwa kwemali ovalowo mnyaka wemali, ngaphansi kwezikhwama ezitshiyeneyo ezenhloko zengatsha okumele zisebenzise leyomali.

(3) Nxa idale lePhalamende lingadilizwa kungakenziwa amalungiselelo apheleleyo okunika izimali ezanela ukuqhutshwa kwemisebenzi kaHulumende, uMthetho obekwe yiPhalamende ungaba lakho ukunika uMongameli imvumo yokuvumela ukuthathwa kwemali esikhwameni esiqoqiweyo selizwe ukuze kukhokhelwe izindleko ezidingakalayo ekuqhutshweni kwaleyko misebenzi kuze kube zinyanga ezintathu iNdlu yabaMeli ihlangane okokuqala ngemva kokudilizwa kweDale, kodwa yonke imali ethethwe ngaphansi kwalowMthetho kumele ifakwe eMthethweni wokwabiwa kwezimali ngaphansi kwezikhwama ezitshiyeneyo zezhinkloko zengatsha okumele zisebenzise leyo mali.

307 Ukusetshenziswa kwemali ngaphandle kwemvumo

(1) Nxa kungatholakala ukuthi sekusetshenziswe imali enengi kulaley ebe ibekelwe injongo ethile ekade iyabelwe ngaphansi kwalesi Sahlukwana, kumbe kuyikuthi imali isisetshenziswe ukufenza enye injongo ebe ivele ingabekelwanga mali

ngezimiso zalesi Sahlukwana, uMphathintambo obona ngezemali kumele angenise uMthetho osakhandwayo eNdlini yabaMeli ojunge ukudinga isibusiso ngaleylo mali esetshenziswe ngaphandle kwemvumo.

(2) UMthetho oqanjwe kusigatshana (1) kumele ungeniswe eNdlini yabameli ngokukhulu ukuphangisa njalo, loba sekutheni, kungakedluli amalanga angamatshumi ayisithupha ngemva kokutholakala kolwazi mayelana lomkhawulo waleyomali esetshenziswe ngaphandle kwemvumo.

ISAHLUKWANA 4

UKUGCINAKALA KWEZIMALI LEZIMPAHLA ZIKAZULU

308 Imisebenzi yabagcini bezimali lezimahla zikazulu

(1) Kulesi Sigaba—

ukuthi “izimali zikazulu” kugoqela loba yiphi imali yeSizwe loba ebanjwe yiSizwe kumbe enye inhlanganiso loba ugatsha olumela uHulumende, sibalisela phakathi amabanga ombuso kaHulumende ezabelweni leziqintini, izinhlanganiso ezimiswe okusemthethweni kanye lezinhlanganiso eziholwa nguHulumende; ukuthi “impahla kazulu” kutsho loba yiphi impahla yeSizwe loba ebanjwe yiSizwe kumbe enye inhlanganiso loba ugatsha olumela uHulumende, sibalisela phakathi amabanga ombuso kaHulumende ezabelweni leziqintini, izinhlanganiso ezimiswe okusemthethweni kanye lezinhlanganiso eziholwa nguHulumende.

(2) Kungumlandu kaloba ngubani osesikhundleni sokukusebenzisa izimali zikazulu ukuthi azilondoloze lezo mali njalo abe lesiqiniselo sokuthi zisetshenziswe ezintweni ezivunyelwe ngumthetho njalo kulandelwa izintengo ezivumelekileyo emthethweni.

(3) Kungumlandu womuntu wonke opethe izimpahla zikazulu ukuthi azigcine kuhle lezo mpahla njalo abe lesiqiniselo sokuthi kayilahleki, kayibhidliki, kayilimali, kayenziswa okungamelanga ikwenze kumbe ukusetshenziswa okungekho emfaneweni.

(4) UMthetho omiswe yiPhalamende kumele uvumele ukubonakala masinyazanyana kokwephulwa kwezimiso ezikuzigatshana (2) lo (3) lokuqondiswa kanye lokujeziswa kwabantu abenze lobo bukliwi njalo, nxa kusenzeka, ukubuyiselwa kwalezo zimali kumbe lezo mpahla ezitshaphaziwego.

ISAHLUKWANA 5

U-ODITHA-JIKELELE

309 UMholizimali-Jikelele lemisebenzi yakhe

(1) Kumele kube loMholizimali-Jikelele, owofisi yakhe yiwofisi kazulu kodwa ingesi ngxenye yezisebenzi zikazulu.

(2) Imisebenzi kaMholizimali-Jikelele yile--

- (a) ukuhlola amabhuku ezimali, ukuhanjiswa kwezimali lokuholwa kwezimali ezingatsheni zonke, kuzinhlanganiso lakubameli bonke bakaHulumende;
- (b) ngemva kokunikwa isicelo nguHulumende, ukuqhuba inhlelo ezimqoka zokuhlola amabhuku ezimali kuloba yiphi inhlanganiso emiswe okusemthethweni kumbe eholwa nguHulumende;
- (c) ukulawula ukuthi kuthathwe amanyathelo okulungisia okungabe kungamanga kuhle ekuholweni lekuvikelweni kwezimali lezimpahla zikazulu; njalo

(d) Ukuqhuba eminye imisebenzi engabekwa kumbe ukwethweswa phezu kwakhe nguMthetho kumbe ngaphansi koMthetho omiswe yiPhalamende.

(3) Izisebenzi ezimela inhlanganiso kuzulu kumele zilandele iziqondiso ezizinikwa nguMholizimali-Jikelele maqondana lesigatshana (2)(c).

310 Ukuqhatshwa kukaMholizimali-Jikelele

(1) UMholizimali-Jikelele uqhatshwa nguMongamele elemvumo yeDale lePhalamende.

(2) UMholizimali-Jikelele kumele abe yisizalwane seZimbabwe okhethelwe isithunzi sakhe, njalo kumele abe ngumuntu oseleminyaka elitshumi kusiya phezulu epasele ukuba ngumholizimali.

(3) Isikhathi esibekiwyo sokuphatha isikhundla sikaMholizimali-Jikelele yisikhathi esingedluli iminyaka eyisithupha, njalo umuntu akumelanga aqhatshwe njengoMholizimali-Jikelele nxa sewake waphatha lesosikhundla okwesikhathi esibekiwyo esisodwa kusiya phezulu esifika iminyaka elitshumi lambili, kungakhathalekile ukuthi leso sikhathi usifikise ngeminyaka elandelanayo loba hatshi.

(4) Engakangeni esikhundleni, uMholizimali-Jikelele kumele athathe, phambi kukaMongameli kumbe omunye umuntu onikwe imvumo nguMongameli, isifungo sokwethembeka lesokuqala umsebenzi njengokubalulwe eHlelweni lwesithathu,

311 UkuzimelakukaMholizimali-Jikelele

Ekuqhubeni umsebenzi wakhe, uMholizimali-Jikelele uzimele njalo ungaphansi komthetho kuphela qha!

312 Iholo likaMholizimali-Jikelele

(1). UMthetho omiswe yiPhalamende kumele uvumele ukuthi iholo lezinye inzuko zikaMholizimali-Jikelele zibekwe ngemvumo kaMongameli exhwayiswa nguMphathintambo obona ngezemali.

(2) Iholo likaMholizimali-Jikelele kumele lihlawulwe livela esikhwameni esioqiwyo selizwe njalo akumelanga lehliswe phakathi kwesikhathi esibekiwyo sokuphatha kwakhe isikhundla.

313 Ukususwa kukaMholizimali-Jikelele esikhundleni

(1) UMholizimali-jikelele angasuswa esikhundleni kuphela ngenxa-

(a) yokwehluleka ukuqhuba imisebenzi yakhe ngesizatho sokufiphala engqondweni kumbe emzimbeni;

(b) yokwehluleka umsebenzi okwedlulisa amalawulo

(c) yokungaziphathi ngemfanelo okudlulisa amalawulo.

(2) Nxa uMphathintambo obona ngezemali, evumelana leKomithi yePhalamende ebona ngezezimali zikazulu, engabikela uMongameli ukuthi udaba lokususa uMholizimali-Jikele esikhundleni kumele luchwayisiswe, uMongameli kumele abumbe inkundla ezakhangelisa lolodaba.

(3) Inkundla ebunjwe ngaphansi kwesigatshana (2) kumele igoqele amalunga amathathu kusiya phezulu aqhatshwe nguMongameli, kuthi-

(a) oyedwa walawo malunga abe ngumuntu oseke wasebenza njengomahluli; njalo

(b) omunye kumbe abanye bakhona babe ngabakhethwe equleni labantu abathathu abakhethwe libumba kumbe inhlanganiso esungulwe ngomthetho ukuze imele abahlolizimali zikazulu kweleZimbabwe.

(4) Ibumba kumbe inhlanganiso ekanjwe kusigatshana (3)(b) kumele ikhethe iqula eliqanjwe kulesosigatshana nxa linikwe lesosicelo nguMongameli.

(5) Inkundla ekhethwe ngaphansi kwesigatshana (2) kumele icingisise mayelana lodaba lokususa uMholizimali-Jikelele esikhundleni njalo, ngemva kwalokho, kumele libikele uMongameli ngelikutholileyo ibuye ilaye ukuthi uMholizimali-Jikelele kumele asuswe esikhundleni na loba hatshi, njalo nxa linkundla ingathi kasuswe, uMongameli kumele-anika isilawulo ngaphansi kophawu lukazulu, asuse uMholizimali-Jikelele esikhundleni.

(6) Inkundla eqhatshwe ngaphansi kwesigatshana (2) ilamalungelo kanye lamandla afana lawaboskomitshi ngaphansi koMthetho wamaKomishini Okuchwayisisa [*Isahluko 10:7*], kumbe omunye uMthetho ongathatha isikhundla sawo.

314 Izisebenzi zikaMholizimali-Jikelele

Umthetho omiswe yiPhalamende kumele uvumele ukuthi kubunjwe iBhodi ezaqhatsha abantu bokuncedisa uMholizimali-Jikelele ekuqhubeni imisebenzi yakhe, ubuye ubethe njalo—

- (a) imfundu okumele labo bantu babe layo;
- (b) isimo somsebenzi wabo, ukwenza kanye lokuziphatha kwabo emsebenzini;
- (c) inkululeko, ukungabi lenkethabetshabi kanye lesithunzi salabo bantu; njalo
- (d) ukuhleleka, ukusebenza kuhle kanye lempilakahle yesikhundla sikaMholizimali-Jikelele.

ISAHLUKWANA 6

OKUNYE NJE

315 Ukuthengwa kwempahla kaHulumende lamanye amakontilaka ka-Hulumende

(1) UMthetho omiswe yiPhalamende kumele ubeke izindlela okumele izimpahla lemisebenzi kuthengwe ngayo nguHulumende lezinhlanganiso zonke kanye labameli bakaHulemende emabangeni wonke, ukuze lokho kuthenga kuqhutshwe ngendlela ekhanyayo, eqotho, elokuthembakala, engatshaphazimali njalo encintisayo.

(2) Umthetho omiswe yiPhalamende kumele uvumele ukukhulumisana lokusebenza kwamakontilaka eSizwe alandelayo—

- (a) amakontilaka omsebenzela ndawonye;
- (b) amakontilaka okwakhiwa lokusetshenziswa kwezakhiwo lezikhungo; njalo
- (c) lezimvumo zokwemba amatshe aligugu lamanye amalungelo;

Ukuze kube lesiqinikaliso sokukhanya, ukuthembakala, ukusetshenziswa kwemali ngobuhlakani kanye lokuncintisana.

316 Ukuholwa kwezinhlanganiso ezimiswe okusemthethweni

UMthetho omiswe yiPhalamende kumele uvumele ukusebenza kuhle langemfanelo kwezinhlanganiso ezimiswe okusemthethweni njalo, ikakhulu, kumele ube lesiqiniselo sokuthi iziphathamandla zazo ziphathe isikhundla okwesikhathi esifitshane, kuthi ukuqhatshwa kwabo njalo kwenzakale kuphela nxa ziqhuba umsebenzi wazo kuhle.

317 IBhanga Elikhulu leZimbabwe

(1) Kulebhanga yeSizwe, ezakwaziwa ngokuthi liBhanga Elikhulu leZimbabwe, okunhloso yalo yiku—

- (a) lawula ezemali elizweni;
- (b) vikela imali yeZimbabwe ngenhloso yokuthuthukisa umkhonomi ngendlela elinganiselayo njalo esinemeyo; njalo
- (c) ukulungisa lokusebenzisa umgomgo wezemali.

(2) UMthetho omiswe yiPhalamende ungamisa isimo lokuhlelwa kweBhanga elikhulu leZimbabwe ubuye ubeke kumbe wethwese eminye imisebenzi phezu kwalo.

ISAHLUKO 18

IMITHETHO NJE LEMITHETHO YOKUGCIZELELA

ISAHLUKWANA 1

EMINYE IMITHETHO EPHATHELANE LAMAKOMISHINI

318 Ukusetshenziswa kwesahlukwana 1

Isahlukwana lesi sisebenza kumaKomishini enziwe yilesi Sisekamthetho, lakumalunga amaKomishini wonke afanayo.

319 AmaKomishini azakuba yimizimba ephilayo phambi komthetho

AmaKomishini ayimizimba ephilayo phambi komthetho aphila okunaphakade njalo enelisa ukubophisa kumbe ukubotshiswa wona uqobo lwavo.

320 Ukuba lilunga leKomishini kanye lenzozo zamalunga.

(1) Ngaphandle nxa kubekwe ngeyinye indlela kulesi Sisekamthetho amalunga onke amaKomishini abekwa ezikhundleni okweminyaka emihlanu elakho ukwengezwa ngeminye iminyaka emihlanu kuphela.

- (2) Amalunga amaKomishini, ngaphandle—
 - (a) kwamaKomishini azimeleyo;
 - (b) kweKomishini yeZilawulamthetho;
 - (c) kweKomishini yokulwisana lokuqedu ubugwelegwele; kanye
 - (d) leKomishini yomhlabathi; aphatha izikhundla zaho ngentando kaMongameli.

(3) Ngaphansi kwalesi Sisekamthetho, amalunga edale lePhalamende kanye lamalunga amakhansili ezabelo kumbe amadolobho, amalunga amakhansili eziqinti kanye lenhlanganiso eziholwa nguHulumende kawavunyelwa ukubekwa njengelunga leKomishini.

(4) Nxa iKomishini ilomgcinischlalo kanye loMsekeli kamgcinischlalo, kumele babe ngabobulili obehlukaneyo.

(5) Engakangeni ezikhundleni, amalunga amaKomishini kumele athathe phambi kukaMongameli, kumbe omunye umuntu ophiwe lawomandla nguMongameli, izifungo zokuhlonipha kanye lokuphatha izikhundla njengokuba zihleliwe kuHlelo lwesithathu.

(6) Amalunga amaKomishini afanele ukuthola iholo, imali engakhitshelwa mthelo kanye lezinye inzozo njengokubekwe nguMthetho omiswe yiPhalamende kumbe ngaphansi koMthetho othulwe lidale lePhalamende, njalo leloholo akumelanga lehliswe phakathi kwesikhathi samalunga sokuphatha isikhundla.

(7) Iholo lemali engakhitshelwa mthelo ephiwa amalunga amaKomishini ithathwa esiKhwameni esiQoqiweyo selizwe.

321 Imisebenzi lendlela zokwenza umsebenzi zamaKomishini

(1) UMthetho othulwe lidale lePhalamende ungabeka eminye imisebenzi phezu kweKomishini njalo ungahola indlela iKomishini eseberenza ngayo, nxa kuyikuthi lokho akusoze kuphazamise ukuzimela kweKomishini kumbe ukuseberenza kuhle kwayo.

(2) UMthetho othulwe lidale lePhalamende okukhulunywe ngawo kusigatshana (1) ungavumela ukuthi iKomishini yehlisele umsebenzi wayo kwenye inhlanganiso, kodwa iKomishini akumelanga yehlisele amandla ayo okubeka umuntu esikhundleni, kumbe ukupha imbono, kumbe ukuxwayisa mayelana lenye yamawofisi amiswe yilesi Sisekamthetho.

(3) Ngaphansi kweSisekamthetho lesi, iloba yisiphi isinqumo seKomishini sidinga usekelo lwenengi lamalunga eKomishini akhona ngesikhathi kuthathwa leso sinqumo.

(4) UMthetho othulwe lidale lePhalamende ungabeka indlela zokwenza umsebenzi ezingasetshenziswa yiKomishini, njalo ngitsho langayiphi indlela engethulwanga iKomishini ingabeka ezayo indlela zokwenza umsebenzi, kodwa izindlela ezinjalo kumele zibe ziqondile njalo zithuthukise ukubekwa komsebenzi weKomishini emehlwani kazulu.

322 Indleko zamaKomishini

Idale lePhalamende kumele liqininisekise ukuthi amaKomishini ahlotshiswa ngemali eneleyo ukuze enelise ukwenza umsebenzi wavo ngendlela efaneleyo.

323 AmaKomishini kumele abike edale lePhalamende Kanye ngomnyaka

(1) AmaKomishini wonke kumele ahambise edale lePhalamende, eseberenza umphathintambo angaphansi kwakhe, umbiko womnyaka ochaza ngokugcweleyo imisebenzi lokwenziwe yiKomishini, umbiko lo kumele uhanjiswe kungakedluli uMbimbitho womnyaka olandela lo ophathelane lombiko.

(2) UMthetho othulwe lidale lePhalamende ungacela ukuthi iKomishini ilethe eminye imibiko phezulu kombiko womnyaka oqanjwe kusigatshana (1), njalo ungatsho lokuthi leyombiko izalethwa njani.

ISAHLUKWANA 2

OKUNYE NJE

324 Ukuphatha ngokugcweleyo langonanzelelo imilandu ebekwa yiSisekamthetho

Yonke imlandu ebekwa yiSisekamthetho kumele yenziwe ngokugcweleyo langonanzelelo langesikhathi kungela kungabaza.

325 Indleko zenhlanganiso ezimiswa ngeSisekamthetho Kanye lezinye inhlanganiso

(1) UHulumende kumele aqinisisekise ukuthi indleko ezeneleyo zenziwa zibekhona—

- (a) kumaKomishini Kanye lezinye inhlanganiso ezimiswe ngeSisekamthetho lesi, ukuze zenelise ukwenza umsebenzi wazo kuhle;
- (b) kudale lePhalamende, ukuze lenelise Kanye lamaKomithi alo ukuhlangana ngazo zonke izikhathi nxo lokhu kudingeka; njalo
- (c) lakuzo zonke ezinye inhlanganiso zelizwe lezikaHulumende, ukuze zenelise ukwenza umlandu waze njengkuba ubekiwe kuSisekamthetho lesi.

(2) AmaKomishini lezinye inhlanganiso ezimiswa ngeSisekamthetho lesi kumele ziphiwe ithuba lokubeka imibono phambi kwedale lePhalamende ephathelane lemali okumele ziyiphiwe umnyaka ngomnyaka.

326 Umthetho womhlaba oweyame emasikweni

(1) Umthetho womhlaba oweyame emasikweni uyingxeny e yomthetho weZimbabwe, ngaphandle nxo uphikisana leSisekamthetho kumbe umthetho othulwe lidale lePhalamende.

(2) Nxa ehumutsha umthetho, amadale omthethwandaba lamadale abekelwe ukuxazulula indaba ezithile wonke kumele asebenzise ukuhumutshwa komthetho okuzwiseskayo njalo kuvumelana lomthetho womhlaba oyeyame emasikweni osebenza kweleZimbabwe, ngaphambi kwenye indlela yokuhumutshela ephambene lalowo mthetho.

327 Izivumelwano lamazwe omhlaba, izivumelwano ezenziwe ngokusemthethweni Kanye lezivumelwano ezingumthetho

(1) KulesiSigaba—

“Inhlanganiso zoMhlaba” zitsho inhlanganiso ezilamalunga angabamabili kumbe edlula lapho ayizizwe ezikhululekileyo kumbe lapho okulamazwe amabili kumbe edlula lapho akhululekileyo alabameli kulezonhlanganiso;

“isivumelwano lamazwe omhlaba esenziwe ngokusemthethweni” sitsho isivumelwano, isivumelwano esisemthethweni, isivumelwano sengqubo ethile kumbe isivumelwano esingumthetho phakathi kwezwe kumbe amazwe aphetsheya kumbe oHulumende kumbe inhlanganiso zomhlaba.

(2) Isivumelwano lamazwe omhlaba esenziwe ngokusemthethweni esenziwa kumbe esicindezelwa nguMongameli kumbe esingaphansi kwamandla kaMongameli—

- (a) kasiyibophi iZimbabwe size sicindezelwe lidale lePhalamende; njalo

(b) kasingeke sibe yingxeny e yomthetho weZimbabwe kuze kufike isikhathi lapho idale lePhalamende selethule umthetho owenza sibe yingxeny e yomthetho.

(3) Isivumelwano esingumthetho esingekho phakathi kwethu lamazwe omhlaba kodwa—

(a) esesensiwe kumbe sancinzelwa nguMongameli kumbe esingaphansi kwamandla kaMongameli lenhlanganiso kumbe izinhlanganiso zaphetsheya kumbe ingatsha; njalo

(b) sibeka indleko zemali phezulu kwesikhwama seZimbabwe;

Kasiyibophi iZimbabwe size sincinzelwe lidale lePhalamende

(4) UMthetho othulwe lidale lePhalamende ungabeka ukuthi izigatshana (2) lo (3)—

(a) kazisebenzi kwezinye izivumelwano ezithile kumbe iqoqo lezivumelwano ezithile kumbe izivumelwano ezingumthetho; kumbe

(b) zisebenza zilenguquko kuhambelana lezivumelwano ezipathethweni ezithile kumbe izivumelwano ezingumthetho kumbe iqoqo lezivumelwano ezithile.

(5) Idale lePhalamende lilakho ukulawula ngesinqumo ukuthi isivumelwano kumbe iqoqo lezivumelwano kalidingi ukucinzelwa ngaphansi kwesigatshana (2), kodwa lesosinqumo kasisebenzi kuzivumelwano ezithi ekutshenzisweni kumbe ukusebenzeni kwazo zidinga—

(a) usekelo lwemali ephuma esikhwameni esiqoqiweyo selizwe; kumbe

(b) ukuguqulwa okuthile komthetho weZimbabwe.

(6) Nxa ehumutsha umthetho, amadale omthethwandaba kumbe amadale abekelwe ukuxazulula indaba ezithile kumele asebenzise indlela yokuhumutsha ezwisisekayo ehambelana lezivumelwano lamazwe omhlaba, izivumelwano ezipathethweni kumbe izivumelwano ezingumthetho eziyibopho kuZimbabwe, phambili kwezinye indlela zokuhumutsha ezipathethweni kumbe isivumelwano esipathethweni kumbe isivumelwano esingumthetho.

328 Inguquko kuSisekamthetho

(1) KulesiSigaba—

“Umthetho ongakethulwa ngaphansi kweSisekamthetho” utsho umthetho ongakenziwa umthetho olenhoso yokuguqula iSisekamthetho;

“umthetho olawula umkhawulo wesikhathi sokuhlala esikhundleni” utsho umthetho okuSisekamthetho lesi ofaka umkhawulo kusikhathi esingathathwa ngumuntu ebambe isikhundla kumbe aphanthe ihofisi kaHulumende.

(2) UMthetho othulwe lidale lePhalamende oguqula iSisekamthetho lesi kumele wenze njalo ngendlela ecacileyo.

(3) Umthetho ongakethulwa ngaphansi kweSisekamthetho kawungeke wethulwe edale leSenethi kumbe endlini yabamel ngaphansi kweSigaba 131 andubana kokuthi uSomlomo afake isaziso samalanga angamatshumi ayisitshiyagalo lunye kugwalo IweGazette echaza ngokugweleyo okumunyethwe yilowo mthetho.

(4) Ngesikhathi uSomlomo esanda kufaka isaziso mayelana lomthetho ongakethulwa ngaphansi kweSisekamthetho elandela isigatshana (3), idale

lePhalamende kumele linxuse uzulu ukuthi azofaka imibono yakhe mayelana lalomthetho ongakethulwa okhangelelwe ukwenziwa umthetho kumihlangano kazulu langemibhalo, njalo kumele libize imhlangano liphinde njalo litholise indawo zokuthi uzulu enelise ukuphatheka kuleyomhlangano.

(5) Umthetho ongakethulwa ngaphansi kweSisekamthetho kumele wenziwe umthetho, emva kokubalwa okokucina endlini yabameli Kanye lasedale leSenethi, ngokuvotelwa ngamalunga ezindlu zombili angangokubili kokuthathu athi yebo kawenziwe ube ngumthetho.

(6) Lapho umthetho ongakethulwa ngaphansi kweSisekamthetho udinga ukuguqula okubekwa kuSahluko 4 kumbe iSahluko 16—

- (a) phakathi kwenyanga ezintathu usanda kwenziwa umthetho yindlu yabameli Kanye ledale leSenethi njengokuqondiswe kusigatshana (5), kumele udluliselwe kuzulu ukuze awuvotele kumbe awale kuReferendum; njalo
- (b) Nxa ungavunywa linengi labavote kuReferendum, uSomlomo wendlu yabameli kumele enze ukuthi uhanjiswe kuMongameli kungela kungabaza, yena okuzamele awuvume njalo awucindezele ngalessikhathi ufika kuye.

(7) Singalibali noma yikuphi okubekwa yisigaba lesi, inguquko ephathelane lomthetho olawula umkhawulo wesikhathi sokuphatha isikhundla, elempumela yokuthi umkhawulo wesikhathi sokubamba isikhundla uzakwengenza, kawusebenzi nxa kuqondaniswe laloba ngubani obephethe isikhundla kumbe ihofisi kaHulumende, kumbe eyinye ihofisi efanayo, iloba ngasiphi isikhathi inguquko ingakenziwa.

(8) Izigatshana (6) lo (7) akumelanga ziguqulwe zombili kumthetho ongakethulwa weSisekamthetho njalo inguquko zezigatshana zombili akumelanga zifakwe ebantwini ukuthi bazivotele kureferendum inye.

(9) Isigaba lesi singaguqlwa kuphela ngendlela ezilandelayo ezbekwe kuzigatshana (3), (4), (5) lo (6), sekungathi isigaba lesi simunyethwe kuSahluko 4.

(10) Ngesikhathi umthetho ongakethulwa weSisekamthetho uqhutshelwa uMongameli ukuze awuvume ngokusemthethweni njalo awucindezele, kumele uhanjiswe ndawonye le—

- (a) sithupha esivela kuSomlomo esiveza ukuthi evotini yokucina endlini yabameli lumthetho wathola amavoti amalunga avumayo angangokubili kokuthathu kumbe ukwedlula kumalunga endlu yabameli; kanye
- (b) sithupha esivela kuMongameli wedale leSenethi esiveza ukuthi evotini yokucina edale leSenethi lumthetho wathola amavoti amalunga avumayo angangokubili kokuthathu kumbe ukwedlula kumalunga edale leSenethi.

329 Ukuqala ukusebenza kweSisekamthetho, imithetho yaphakathi kwesikhathi lemithetho engasoze isebenze.

Uhlelo lwesithupha lusebenza ekuqaleni ukusebenza kwalesi Sisekamthetho, ukususwa kweSisekamthetho esidala kanye lokuqhubelela phambili embusweni weSisekamthetho omiswa yilesi Sisekamthetho.

ISAHLUKWANA 3

UKUHUMUTSHWA

330 Ukusetshenziswa kweSahlukwana 3

Isahlukwana lesi sisebenza ekuchasisweni kweSisekamthetho lesi ngaphandle nxa umumo udinga kusetshenziswe ezinye indlela.

331 Izimiso zokuhumutsha iSisekamthetho

Isibaba 46 sisebenza, Kanye lenguquko ezifaneleyo, ekuchasisweni kweSisekamthetho lesi ngaphandle kweSahluko 4.

332 Izingcazelo

KusiSekamthetho lesi—

“Umthetho othulwe lidale lePhalamende” utsho—

- (a) umthetho osupasiswe lidale lePhalamende njalo wamukelwa njalo wacindezela nguMongameli kulandelwa iziqondiso zeSisekamthetho; kumbe
- (b) umthetho owawusukhona njalo usebenza eZimbabwe njengomthetho othulwe lidale lePhalamende kungakafiki usuku lokuqala ukusebenza kwalesi Sisekamthetho, kugoqela
 - (i) ingabe yiuphi umthetho oyiningxene ye yensika yomthetho weZimbabwe olezinguquko ezenziwa ngo1996 ngaphansi komthetho opha amandla okuqoqa lokuguqula imithetho (Statute Law Compilation and Revision Act) [*iSahluko 1:03*]; kanye
 - (ii) langabe yiuphi umthetho, lanxa ungaqanjwanga emthethweni oguqliweyo okukhulunywe ngawo kusiqendwana (i), owaqhube ka usebenza lanxa ungaqanjwanga; kanye
 - (iii) Langabe yiuphi umthetho othulwe lidale lePhalamende leZimbabwe emva kokuba khona komthetho olezinguquko okukhulunywe ngawo kusiqendwana (i) kodwa andubana kufike usuku lokuqala ukusebenza kweSisekamthetho;

“Ukuziphatha kweziphathe mandla” kugoqela langabe yisiphi isinqumo, isenzo kumbe ukulibala/ukukhohlwa komuntu opethe isikhundla kuHulumende kumbe komuntu owenza umsebenzi kaHulumende, njalo lokwehluleka kumbe ukwala komuntu onjalo ukuthatha lesosinqumo kumbe ukwenza isenzo esinjengaleso;

“ukuguqula” kugoqela ukwehlukanisa, ukuguqula isimo, ukutshintsha kancane, ukwengezelela, kumbe ukuguqula ukwenzela ukuthi kube lokuvumelana lesimo esitsha;

“ukhetho oluncane” lutsho ukhetho lokugcwalisa isikhexe kumalunga edale lePhalamende kumbe ikhansili;

“Induna” itsho induna njengokubekwe kuSahluko 15;

“Izisebenzi zikaHulumende” zithola ingcazelo yazo kuSigaba 199;

“IKomishini” itsho iKomishini emiswe ngeSisekamthetho lesi;

“Ikomithi yemithetho lemplayo” itsho ikomithi yalolohlobo emiswe ngaphansi kweSigaba 151;

“Umhlabathi kazulu” utsho umhlabathi obekwe eceleni ngaphansi komthetho othulwe lidale lePhalamende njalo uphethwe ngendlela evumelana lomthetho wamasiko ngamalunga omphakathi ngaphansi kobukhokheli benduna;

“Umthetho ongakethulwa” ngaphansi kweSisekamthetho utsho umthetho ongakethulwa, othi nxu ungethulwa, uzakuba lomphumela wokuguqula omunye umthetho ophakathi kweSisekamthetho lesi;

“Umthethwandaba weSisekamthetho” utsho idale lomthethwandaba leSisekamthetho njengoba simiswe ngaphansi kweSigaba 162(a);

“Udaba oluphathe lane leSisekamthetho” lutsho udaba olugoqela uhlupho oluphathe lane lokuhumutshwa, ukuvikelwa kumbe ukuphoqeleva kweSisekamthetho lesi;

“umthetho wamasiko” utsho umthetho wamasiko waloba yisiphi isigaba kumbe umphakathi wabantu beZimbabwe;

“umthetho wokunqanda” utsho umthetho obhaliwego ohala ukunqandwa kwamalunga amabutho ahlelekileyo, kugoqela aqhatshwe okwesikhathana, ngesikhathi esenza umsebenzi wawo ebuthweni kumbe mayelana lokwehluleka kwawo ukwenza umsebenzi ebuthweni;

“ibutho elihlelekileyo” litsho—

- (a) ibutho lomvikela elwandle, emhlabathini kumbe emoyeni/ emkhathini;
- (b) amaPholisa;
- (c) ababona ngokugcinwa kwezibotshwa lokulungisisa izenzo zazo; kumbe
- (d) langabe yiyiphi inhlanganiso enzelwe ukwenza umsebenzi kaHulumende nge-kumbe ngaphansi komthetho othulwe yiSisekamthetho njalo lowomthetho usitsho ukuthi linhlanganiso ilibutho elihlelekileyo;

“usuku lokuqala ukusebenza kweSisekamthetho” lutsho usuku mhla iSisekamthetho lesi sizaqala ukusebenza ngokugcweleyo njengokuqondiswe kusiqendu 3(2) soHlelo lwesithupha;

“Umthetho wokhetho” utsho umthetho othulwe lidale lePhalamende ohala ukuphathwa kokhetho njengokuqondiswe kuSisekamthetho lesi;

“umnyaka wokusebenzia imali” itsho isikhathi esingangenyanga ezilitshumi lambili escicina mhlaka 31 Mpakazi;

“umsebenzi” ugoqela amandla lomlandu;

“Ugwalo IweGazette” lutsho ugwaloiweGazette lukaHulumende olusemthethweni njalo kugoqela leminye imibhalo ehambisana lalo;

“ukhetho jikelele” lutsho ukhetho jikelele—

- (a) lokudinga uMongameli, abaSekeli bakaMongameli Kanye lamalunga edale lePhalamende;
- (b) lokudinga amalunga engatsha eziphethe amakhansili;

“UHulumende” utsho uHulumende weZimbabwe;

“Inhlanganiso eziholwa nguHulumende” kutshiwo inhlanganiso ezimisebenzi yazo iholwa kakhulukazi yiSizwe kumbe ngumuntu emele iSizwe, kungaba ngokuba lengxenye yesabelo esikhulu ukwedlula abanye kuleyo nhlanganiso kumbe ngezinye indlela;

“Indlu” ngaphandle nxa kucaciwi ngendlela ethile, itsho idale leSenethi kumbe indlu yabameli;

“iKomishini ezimeleyo” itsho iKomishini njengoba kukhulunywa ngayo kuSigaba 232;

“UMahluli” kutshiwo uMahluli wedale lomthethwandaba weSisekamthetho, umthethwandaba ophezulu, umthethwandaba omkhulu, umthethwandaba wezemisebenzi kumbe umthethwandaba wezokubusa;

“IKomishini elawula Izilawulamthetho” litsho iKomishini yalelobizo emiswe ngeSigaba 189; “umthetho” utsho—

- (a) ingabe yiuphi umthetho okulesi Sisekamthetho kumbe umthetho othulwe lidale lePhalamende;
- (b) ingabe yiuphi umthetho ofakwe ngoba usudingeka; kumbe
- (c) ingabe yiuphi umthetho ongalotshwanga osebenzayo eZimbabwe, kugoqela umthetho wamasiko;

njalo u- “okusemthethweni”, lo “ngokusemthethweni” bazakuzwisiswa ngalolohlobo;

“Osebenza ezomthetho” kutshiwo umuntu ovunyelwa ukusebenza kwezomthetho njengomsebenzi wakhe eZimbabwe;

“ikhansili” kutshiwo ikhansili njengokukhulunywe ngayo kuSahlukwana 3 weSahluko 14;

“ilunga”, mayelana le—

- (a) Komishini kumbe elinye ibumba elimiswe ngeSisekamthetho lesi, ligoqela uMgcinihlalo loMsekeli kaMgcinihlalo;
- (b) bumba elimiswa ngomthetho, ikhansili yesabelo kumbe yesigodlo kumbe ikhansili, litsho umuntu oqhatshwe kumbe okhethwe ukuthi abe lilunga lekhansili, ibhodi kumbe obunye ubukhokheli obu—
 - (i) libumba elimiswa ngomthetho, ikhansili yesabelo kumbe yesigodlo kumbe ikhansili; kumbe
 - (ii) lomlandu wokupathha indaba zalelo bumba, ikhansili yesabelo kumbe yesigodlo kumbe ikhansili;

“Ilunga ledale lePhalamende” kutshiwo ilunga ledale leSenethi kumbe ilunga lendlu yabameli; “ikhansili yesigodlo” itsho ikhansili emiswe ngeSigaba 269 kusenzelwa isigodlo esiyisabelo esizimeleyo; “isigodlo esiyisabelo esizimeleyo” sitsho isigodlo esiyisabelo iBulawayo kumbe isigodlo esiyisabelo iHarare, kusiya ngokuthi kukhulunywa ngasiphi phakathi kwazo;

“Umphathintambo” ugoqela umuntu oyenza imsebenzi kamphathintambo, kungakhathalekile ukuthi ubizwa ngasiphi isicoco;

“umthetho welizwe” utsho umthetho othulwe lidale lePhalamende kumbe umthetho othulwe ngenxa yesidingo ngaphansi komthetho othulwe lidale lePhalamende;

“isifungo” sigoqela ukuvuma;

“icala” litsho icala elilezijeziso emthethweni;

“isikhathi sesimo esimanazonzo” sitsho isikhathi lapho kumemezelwe isimo esimanazonzo ngaphansi kweSigaba 113;

“umuntu” kutshiwo umuntu kumbe iqembu labantu, elisebenza njengenkampani phambi komthetho kumbe elingenjalo;

“uMongameli wedale leSenethi” kutshiro uMongameli wedale leSenethi okhethwe kulandelwa iSigaba 122;

“ikhansili yesabelo” kutshiro ikhansili emiswelwe isabelo esingasiso sigodlo esiyisabelo esizimeleyo kusetshenziswa iSigaba 268;

“isikhundla kuHulumende” sitsho isikhundla esiholelwayo usebenzela ilizwe;

“isisebenzi sikaHulumende” kutshiro umuntu ophethe isikhundla kumbe osaphethe isikhundla kuHulumende; “ibumba lezokuvikeleka” litsho ibumba lezokuvikeleka okukhulunywa ngalo kuSigaba 207;

“Induna elilunga leSenethi” itsho induna ekhethwe ukuthi ibe kuSenethi kulandelwa iSigaba 120(1)(b) kumbe (c);

“ukuhlala” kutsho isikhathi lapho idale leSenethi kumbe iNdlu yabameli ihlala kungela khefu, kugoqelwa isikhathi lapho idale leSenethi kumbe iNdlu yabameli iqhuba iKomithi, kusiyangokuthi kukhulunywa ngayi phakathi kwazo;

“usuku lokuhlala” lutsho ingabe yiluphi usuku lweviki lokusebenza olubekwe kuziqondiso zeNdlu yabameli kumbe idale leSenethi, kusiya ngokuthi kukhulunywa ngayiphi phakathi kwazo, njengosuku lokuhlala, lanxa iNdlu okukhulunywa ngayo ihlala loba ingahlali ngalolosuku;

“Usomlomo” kutshiro uSomlomo weNdlu yabameli okhethwe kulandelwa iSigaba 126;

“Iziqondiso”, mayelana lezinto ezizakwenziwa—

- (a) lidale leSenethi, kutshiro iziqondiso zeSenethi;
- (b) yiNdlu yabameli, kutshiro iziqondiso zendlu yabameli;
- (c) lidale leSenethi ndawonye leNdlu yabameli ngasikhathi sinye, kutshiro iziqondiso zezindlu zombili njengokubekwe kuSigaba 139;

“ibumba elimswe ngomthetho” litsho—

- (a) iKomishini emiswe ngeSisekamthetho lesi; kumbe
- (b) inhlanganiso elokuzimela phambi komthetho emiswa ngo-kumbe ngaphansi komthetho othulwe lidale lePhalamende ukuze yenze umsebenzi othile ngaphansi kwalowo mthetho, wonke kumbe inengi lamalunga ayo abekwe nguMongameli, uMsekeli kaMongameli, umphathintambo, uMsekeli kamphathintambo, eyinye inhlanganiso elokuzimela phambi komthetho kumbe yiKomishini emiswe ngeSisekamthetho lesi;

“umthetho othulwe ngoba kulesidingo” kutshiro ingabe yiwuphi umthetho olamandla omthetho njalo obekwe nguMongameli, uMsekeli kaMongameli, umphathintambo kumbe omunye umuntu kumbe umkhokheli ngaphansi kweSisekamthetho lesi kumbe umthetho othulwe lidale lePhalamende;

“umthelo” ugoqela umthelo wempahla ezithengwa kumbe ezithengiselwa phetsheya, umthelo wezindlu lomhlabathi, umthelo kumbe imfanelo;

“inkokheli yomdabu” kutshiro umuntu obekwe kulesosikhundla kulandelwa iSigaba 283;

“iZimbabwe” kutshiro ilizwe leZimbabwe;

“IKomishini yezokhetho eZimbabwe” itsho iKomishini yalelo bizo emiswe ngeSigaba 238;

“IKomishini yamalungelo oluntu eZimbabwe” itsho iKomishini yalelo bizo emiswe ngeSigaba 242.

333 Ukukhomba kuZahluko, Izigaba, lokunye

Ingabe yikuphi ukukhombela okwenziwa kuSisekamthetho lesi, nxa kungabalulwanga, ku—

- (a) Sahluko, iSigaba kumbe uHlelo, kuzathathwa njengokukhombela kuSahluko kumbe iSigaba se-; kumbe uHlelo lweSisekamthetho lesi;
- (b) sigatshana, kuzakuthathwa njengokukhombela kusigatshana okukhonjelwa kuso;
- (c) siqendu, kuzathathwa njengokukhombela kusiqendu soHlelo, iSigaba, iSigatshana kumbe ingcazelo okukhonjelwa kuyo;
- (d) siqendwana, kuzathathwa njengokukhombela kusiqendwana sesiqendu kumbe isiqendwana okukhonjelwa kuso.

334 Amagama asebunyeni agoqela ubunengi kanjalo lasebunengini agoqela asebunyeni

Kulesi Sisekamthetho, amagama asebunyeni agoqela ubunengi njalo asebunengini agoqela ubunye.

335 Uluhlu oludwetshiweyo lezihloko

Uluhlu lokumunyethwego kanye lezihloko zeZahluko, izahlukwana, izigaba. Kanye leminye imithetho ekuSisekamthetho lesi kazisiyo ngxene ye yalesi Sisekamthetho njalo zifakwe lapha ukuze kube lula ukukhomba lokuthola izinto kuphela.

336 Ukukhomba izikhathi

(1) KuSisekamthetho lesi, ngazo zonke izikhathi isikhathi samalanga sibekwa ukuthi—

- (a) siqale ngo-kumbe sibalwa kusukela ngelanga elithile, lelolanga kalifanelanga libalwe kulesosikhathi;
- (b) siphethe ngo-kumbe sibalwa kusiyafika ilanga elithile, lelolanga kalifanelanga libalwe kulesosikhathi.

(2) Ngaphansi kweSisekamthetho lesi, sonke isikhathi nxa isikhathi sokwenza okuthile kulandelwa iSisekamthetho lesi siphela kumbe sifika ngoMgqibelo, ngeSonto kumbe ngekhefu, isikhathi sakhona siyelulwa kuze kufike njalo lokho kungenziwa ngosuku oluzayo olungasilo Mgqibelo, iSonto kumbe ikhefu.

(3) Ukukhuluma ngenyanya kulesi Sisekamthetho kuzathathwa njengokukhomba inyanga yekhalenda, njalo isikhathi esingaba zinyanga sizakubalwa kusukela ngosuku lesosikhathi siqala kuhambelana losuku lwenyanga yokuphela kwesikhathi okukhulunya ngaso.

(4) Ukukhuluma ngomnyaka kungela kuchasisa kulesi Sisekamthetho kuzathathwa njengokukhomba isikhathi esiyinyanga ezilitshumi lambili.

337 Ukukhuluma ngeziphatthamahofisi

Sonke isikhathi nxa iSisekamthetho lesi sikhuluma ngomuntu ophethe isikhundla ngebizo lomuntu ophethe isikhundla esinjalo, lokho kukhuluma kukhomba langabe ngubani osaphethe ngokusemthethweni kumbe owenza umsebenzi waleyohofisi.

338 Ukukhuluma ngePhalamende

Lapho iSisekamthetho lesi esidinga ukuthi kube lombiko kumbe omunye umbhalo obekwa phambi kwePhalamende, lowombiko kumbe lowombhalo kumele ubekwe phambili kwedale leSenethi leNdlu yabameli.

339 Ukubonisana lokuxoxisana

(1) ngasosonke isikhathi nxa iSisekamthetho lesi sidinga ukuthi umuntu othile kumbe inkokheli isebenze phezulu kwenkuthazo yomunye umuntu, umuntu lo kumbe inkokheli kumele—

- (a) azise omunye lo, ngendlela yencwadi ebhaliweyo, lokho athi ufunu ukwenza njalo aphe omunye lo ulwazi olwaneleyo ukuze umuntu lo enelise ukuzwisia uhlobo lempumela yalokho okuthiwa kumele kwensiwe; njalo
- (b) anikeze omunye lo ithuba lokupha inkuthazo yakhe;

Njalo umuntu lo kumbe inkokheli ibotshelwa ukuthi ilandeleyonkuthazo evela komunye umuntu.

(2) Ngasosonke isikhathi nxa iSisekamthetho lesi sidinga ukuthi omunye umuntu kumbe inkokheli kumele ixoxisane lomunye umuntu idinga usizo, kumbe ukuthi isebezenze emva kokuxoxa lomunye umuntu, umuntu lo kumbe inkokheli kumele—

- (a) azise omunye lo, ngencwadi ebhaliweyo, lokho afuna kwensiwe njalo atholise omunye lo ulwazi olwaneleyo ukuze enelise ukuzwisia uhlobo Kanye lempumela yesenzo athi senziwe;
- (b) atholise omunye lo ithuba lokupha imbono kumbe ukwethula akubonayo ngalokho okumele kwensiwe; njalo
- (c) akhangelisise imibono lalokho okutshiwo ngomunye lo mayelana lokumele kwensiwe;

Kodwa omunye lo kumbe inkokheli kalamlandu wokulandela imibono ebekwe ngomunye lo.

340 Ukuqhatshwa

(1) Ngaphandle nxa kumiswe ngeyinye indlela kuSisekamthetho lesi, amandla ngaphansi kweSisekamthetho lesi okuqhatsha umuntu ukuthi aphaphe isikhundla agoqela amandla afana—

- (a) lokuqhatsha kakutsha umuntu ukuthi aphaphe lesosikhundla;
- (b) ukuqhatsha umuntu ngokumkhuphula kumbe ukumtshintsha ihofisi;
- (c) ukuqhatsha umuntu ukuthi abe ebambe isikhundla;
- (d) ukuqhatsha umuntu esikhundleni ngesikhathi isikhundla leso siphethwe ngomunye umuntu osekhefini elindele ukutshiya isikhundla;
- (e) ukubeka loba ukwehlukanisa inzozo zokusebenza kulesosikhundla, kugoqela iholo lomuntu Kanye lesikhathi sokuqhatshwa Kanye lezinzu emva kokumiswa umsebenzi; njalo
- (f) ngaphansi kweSisekamthetho lesi, ukumisa kumbe ukukhipha umuntu esikhundleni.

(2) Lapho abantu ababili kumbe abedlula lapho bephethe isikhundla esifanayo ngenxa yokuthi omunye umuntu uqhatshwe umnikazi wesikhundla esekhefini elinde le ukutshiya isikhundla, umuntu owacina ukuqhatshwa kumele kube nguye umphathi wesikhundla oqotho.

(3) Ngaphansi kweSiseKamthetho lesi, umthetho othulwe lidale lePhalamende ungavumela ukuqhatshwa koMsekeli kumbe abaSekeli bomuntu ophethe isikhundla ngaphansi kweSiseKamthetho lesi njalo ubeke lemisenbenzi Kanye lenzozo zabo kulowomsebenzi.

(4) Lapho uMsekeli eqhatshwe ukuthi aphathise ophethe isikhundla ngaphansi kweSiseKamthetho lesi, uMsekeli lo ulakho ukwenza imsebenzi yalesosikhundla nxa ophethe lesosikhundla ngesizatho esithile engenelisi ukwenza lowomsebenzi.

(5) Ngaphansi kwaloba yiWuphi umthetho okuSiseKamthetho lesi ongafaka umkhawulo kusikhathi kumbe inani lamahlandla okubamba isikhundla esithile, umuntu oseke watshiya isikhundla esimiswe ngaphansi kweSiseKamthetho lesi ulakho, nxa elakho okudingekayo kozaphatha lesosikhundla, ukuqhatshwa kakutsha kumbe ukukhethwa kakutsha ukuthi aphanthe lesosikhundla.

341 Ukutshiya isikhundla

(1) Ingqe ngubani oqhatshwe kumbe okhethwe ukuthi aphanthe isikhundla esimiswe ngeSiseKamthetho lesi ulakho ukutshiya isikhundla lesu ngokubhala incwadi yesaziso eqondiswe emuntwini owamqhatshayo kumbe owamkhethayo, kodwa nxa ku—

- (a) nguMongameli, incwadi yesaziso kumele iqondiswe kuSomlomo;
- (b) nguMongameli wedale leSenethi kumbe uMsekeli wakhe, incwadi yesaziso kumele iqondiswe kuNobhala wedale lePhalamende kumbe kwensiwe isimemezelo edale leSenethi;
- (c) nguSomlomo kumbe uMsekeli kaSomlomo wendlu yabameli, incwadi yesaziso kumele iqondiswe kuNobhala wedale lePhalamende kumbe kwensiwe isimemezelo edale lePhalamende;
- (d) lilunga leSenethi, incwadi yesaziso kumele iqondiswe kuMongameli wedale leSenethi;
- (e) lilunga lendlu yabameli, incwadi yesaziso kumele iqondiswe kuSomlomo;
- (f) lilunga lekhansili yesabelo, incwadi yesaziso kumele iqondiswe kumgcinihlalo waleyokhansili;
- (g) lilunga lekhansili yesigodlo esiyisabelo esizimelyo, incwadi yesaziso kumele iqondiswe kuMeya walesosabelo;
- (h) lilunga lekhansili, incwadi yesaziso kumele iqondiswe kusiphathamandla sekhansili.

(2) Ukutshiya komuntu isikhundla esimiswe ngeSiseKamthetho lesi kuqala ukusebenza mhla kumbe ngesikhathi esikhonjwe kuncwadi yesaziso sokutshiya isikhundla kumbe, nxa kungela sikhathi esikhonjiweyo, ngesikhathi isaziso sisamukelwa ngumuntu esiqondiswe kuye kumbe noma ngubani ophiwe imvumo yilowomuntu ukuthi asamukele.

342 Ukwensiwa kwemisenbenzi, lokunye

(1) Amandla, umkhawulo wamandla kumbe ilungelo elibekwa yiSiseKamthetho lesi lilakho ukusetshenziswa, njalo umlandu obekwa yiSiseKamthetho lesi kumele wenziwe, ngazo zonke izikhathi nxa kulungile ukwenzanjalo.

(2) Inhlanganiso zonke ezimiswa yiSiseKamthetho lesi zilamandla alungele ukuthi zenelise ukwenza injongo lemisenbenzi yazo.

(3) Lapho amandla, umkhawulo wamandla kumbe ilungelo libekwa yiSiseKamthetho, amanye amandla kumbe amalungelo adingekayo kumbe alakho

ukudingeka kwezinye izikhathi ukuze kwenziwe umsebenzi lawo ayabekwa nxa edingeka.

343 Nxa umuntu ethathwa njengokuthi kaphathanga isikhundla sika-Hulumende

Kulesi Sisekamthetho, abantu bathathwa njengokuthi abaphathanga izikhundla zikahulumende nxa behola impentsheni, ingxenyeholo, iholo lokutshiya umsebenzi kumbe ezinye inzuzo ezinjengalezo eziphathelane lesikhundla abake basiphatha kuhulumende kuphela.

**344 Inani lamalunga adingeka ukuze izinqumo zibesemthethweni
Kanye lempumela yezikhexe kunhlanganiso ezibunjwe ngaphansi
kweSisekamthetho**

(1) Inhlanganiso ebunjwe ngeSisekamthetho lesi ilakho ukusebenza lanxa kulesikhexe esisodwa kumbe ezedlula lapho kumalunga ayo, nxa kuyikuthi lawomalunga avumela ukuthi lowomsebenzi wenziwe enela inani lamalunga adingeka ukuze izinqumo zibesemthethweni.

(2) Ngaphandle iSisekamthetho lesi kumbe umthetho olawula ukusebenza kwenhlanganiso okukhulunywa ngayo ubeka imigoqo ehlukileyo, ingxenyeyanani lamalunga aloba yiypihinhlanganiso emiswe nge- kumbe ngaphansi kweSisekamthetho lesi iyenela inani lamalunga adingekayo ukuze izinqumo zibe semthethweni.

(3) Ingabe yikuphi ukukhomba kulesi Sisekamthetho okukhuluma ngamavoti—

- (a) engxenyeyamalunga enhlanganiso elenani lamalunga elingaqumeki libe zingxenyeyezimbili ezilinganayo;
- (b) amalunga angangokubili kokuthathu enhlanganiso elenani lamalunga elingaqumeki libe zingxenyeyezintathu ezilinganayo; kumbe
- (c) amalunga angangokuthathu kokune enhlanganiso elenani lamalunga elingaqumeki libe zingxenyeyezine ezilinganayo; kuzahumutshwa njengokuthi kutsho ukuthi amavoti la akumelanga abe ngaphansi kwenani elingangenombolo egcweleyo elandela ingxenyey, okubili kokuthathu kumbe okune kokuthathu, kuhambelana lokuthi kuqondiswe kukuphi, kwamalunga enhlanganiso.

(4) Ingabe yikuphi ukukhomba okukhuluma ngenani eligcweleyo lamalunga edale lePhalamende kutsho inani eligcweleyo labantu abangamalunga edale lePhalamende ngalesosikhathi.

**345 Ukungavumelani phakathi kwemibhalo ehlukeneyo
yeSisekamthetho**

Nxa kungenzakala ukuthi kube lokuphikisana phakathi kwemibhalo ehlukeneyo yeSisekamthetho lesi, umbhalo wesiNgisi yiwo ozakuba ngumbhalo oqondileyo.

UHLELO LWAKUQALA (Isahlukwana 4)

IFULEGI YELIZWE, INGOMA YESIZWE, UPHAWU LUKAHULUMENDE LESIDINDO
SIKAHULUMENDE

ISAHLUKWANA 1

IFULEGI YELIZWE



ISAHLUKWANA 2

INGOMA YESIZWE (NDEBELE)

Ngesindebele

1. Phakamisan'ifuleg'yethu yeZimbabwe
Eyazalwa yimpi yenkululeko
Legazi, legaz' elinengi lamaqhawe ethu
Silivikele ezitheni zonke;
Kalibusiswe ilizwe leZimbabwe.
2. Khangelan'iZimbabwe yon'ihlotshisiwe
Ngezintaba langemiful'ebukekayo.
Kaline, izulu kaline izilimo zande,
'zisebenzi zename, labantu basuthe
Kalibusiswe ilizwe leZimbabwe.
3. Nkosi busis'ilizwe lethu leZimbabwe
Ilizwe labokhokho bethu thina sonke
Kusukela, kusuk' eZambezi kusiy' eLimpopo.
Abakhokheli babelobuqotho
Kalibusiswe ilizwe leZimbabwe.

ISAHLUKWANA 2

INGOMA YESIZWE (AMACACO)

The musical score is composed of two staves of music notation. The left staff uses a treble clef and a common time signature (indicated by 'C'). The right staff uses a bass clef and a common time signature (indicated by 'G:4'). Both staves feature a mix of quarter and eighth notes, with various rests and dynamic markings such as 'f' (fortissimo), 'p' (pianissimo), 'mp' (mezzo-pianissimo), and 'dim' (diminuendo). The music is divided into measures by vertical bar lines.

ISAHLUKWANA 3

UPHAWU LUKAHULUMENDE



ISAHLUKWANA 4

ISIDINDO SIKAHULUMENDE

UHLELO LWESIBILI (Isahlukwana 87)

UMKHAWULO WAMALUNGELO NGESIKHATHI KULESIMO ESI MANZONZO

Ukuhumutsha kuHlelo lwaKuqala

1. KuloluHlelo—

“isibotshwa” kutshiro umuntu obotshwe ngaphansi komthetho wesimo esimanzonzo ovumela ukubopha okwenzelwe ukwenqabela;

“umthetho wesimo esimanzonzo” kutshiro umthetho obhaliwego ovumela ukuthi kuthathwe amanyathelo okuqeda iloba yiuphi umumo oqubuka ngesikhathi kulesimo esimanzonzo;

“amalungelo ayinsika kumbe izinkululeko” kutshiro ilungelo kumbe inkululeko ebekwe kuSigaba 2 weSahluko 4;

“idale lokucubungula” kutshiro idale okukhulunywa ngalo kusiqendu 3(1).

Umkhawulo wokunqaba amalungelo ayinsika kumbe izinkululeko

2.(1) Umthetho wesimo esimanzonzo ulakho ukunqaba iloba yiaphi amalungelo ayinsika kumbe izinkululeko, kodwa lokhu kuzakwenziwa phakathi komkhwulo ofakwa yiSigaba 87.

(2) Uma isimo esimanzonzo singamemezelwa ngaphansi kweSigaba 113 mayelana lomhlubulo othile weZimbabwe, umthetho wesimo esimanzonzo awulakho ukunqaba amalungelo ayinsika kumbe izinkululeko ngaphansi kwaloluHlelo komunye umhlubulo weZimbabwe.

Idale lokucubungula ngezibotshwa

3.(1) Umthetho wesimo esimanzonzo ovumela ukubopha kokwenqabela kumele uvumele ukumiswa kwedale elizacubungula indaba zalezizibotshwa.

(2) Idale lokucubungula kumele libekwe nguMongameli ecetshisa yiKomishini yeziLawulamthetho njalo emva kokuxoxisana leKomithi yeziqondiso lemplaye Phalamende.

(3) Idale lokucubungula kumele libe—

(a) lomgcinischlalo, ongumahluli kumbe owake waba ngumahluli; kanye

(b) lamanye amalunga amabili, omunye wabo okumele—

(i) abe kumbe owake waba ngumahluli kumbe oyenelisa ukuqhatshwa ukubanjalo;

(ii) oseke waba ngumantshi eZimbabwe okwesikhathi esingafika iminyaka eyisikhombisa; kumbe

(iii) oseleminya eyisikhombisa ethole isicoco sokuba ngumuntu olemvumo yokusebenza ngezomthetho eZimbabwe.

Amalungelo ezibotshwa

4. (1) Izibotshwa zonke—

(a) kumele zaziswe ngokuphangisa, njalo kwezinye izikhathi phakathi kwamalanga ayisikhombisa, ngezizatho zokubotshwa kwazo;

(b) kumele zivunyelwe kungela kungabaza—

(i) zisebenzisa imali zazo, ukukhetha Kanye lokuxoxisana ensitha legqwetha; kumbe

- (ii) nxa zifuna, ukukhuluma ensitha legqwetha ezilinikwe nguHulumende elibhadalwa nguHulumende;
 - njalo kumele zaziswe masinyane ngamalungelo azo ngaphansi kwesiqendu; njalo
 - (c) kumele ziphathwe ngesizotha langenhloniph mayelana lenhloniph eziyidingayo njengabantu.
- (2) Lapho isiqendu lesi sidinga ukuthi ulwazi lophiwe isibotshwa—
- (a) ulwazi lwakhona kumele lutholiswe ngolimi oluzwisiswa yisibotshwa; njalo
 - (b) nxa isibotshwa singenelisi ukubala kumbe ukubhala, ingabe yiluphi uwalo oluqukethe lolulwazi kumele luchasiswe ngendlela ezakwenza ukuthi isibotshwa sizwisise.

Ukucutshungulwa kwamacala ezibotshwa

5. (1) Wonke amacula ezibotshwa kumele ahanjiswe kudale lokucubungula kungakedluli amalanga alitshumi emuva kokuqala ukubotshwa ngabomthetho njalo idale lokucubungula kumele laziswe ngebizo lesibotshwa, lapho esigcinwe khona ngabomthetho kanye lesizatho sokubotshwa kwaso.

(2) Amacula ezibotshwa zonke kumele aphinde ahanjiswe njalo kudale lokucubungula emva kwamalanga angamatshumi amathathu kusukela ngosuku lelocala lacina ukucutshungulwa, kumbe emuva kwesikhathi esifitshane kulaleso nxa idale lokucubungula lithe lathi makubenjalo.

(3) Idale lokucubungula kumele liqhubeke licubungule kungela kungabaza wonke amacula abekwe phambi kwalo.

(4) Kuyo yonke imihlangano yedale lokucubungula yokuzwa amacula, izibotshwa ezilamacala alalelw lidale lokucubungula kumele zivunyelwe ukubeka indaba zazo zona uqobo lwazo kumbe, nxa zifuna—

- (a) zisebenzisa amagqwetha eziwaphiwe nguHulumende abhadalwa nguHulumende; kumbe
- (b) zisebenzisa imali zazo, ngamagqwetha ezizikhethela wona.

(5) Ukukhuluma kusiqendwana (1) ngesikhathi esingamalanga alitshumi sigoqela izikhathi ezincane zokubotshwa lokugcinwa ngabezomthetho ezingafika amalanga alitshumi, endaben i yokuthi isibotshwa sakhululwa phakathi kwamalanga alitshumi emva kokubotshwa njalo besesibotshwa njalo phakathi kwamalanga alitshumi emuva kokukhululwa lokhu.

Inkuthazo zedale lokucubungula

6. Emuva kokucubungula udaba lwesibotshwa, idale lokucubungula kumele lenze inkuthazo ezibaliweyo kumphathi othe lumuntu abotshwe mayelana lokuthi isibotshwa kumele kumbe akumelanga siqhubeke sivalelw, njalo lumpthathi kumele enze njengokukhuthazwe lidale lokucubungula.

Izibotshwa ezike zakhululwa akumelanga zibotshwe kakutsha zibotshelwa udaba olufanayo

7. (1) Isibotshwa esike sakhululwa ekukubotshweni ngenxa yombiko wedale lokucubungula amacula othi akulasizatho eseneleyo ukuthi sibotshwe akumelanga sibotshwe njalo phezulu kodaba lunye esike salubotshelwa ekuqalen.

(2) Nxa kubhekwe isiqendu lesi kuphela, umuntu uthathwa njengokuthi ubotshwe kabili phezulu kodaba lunye ngaphandle nxa idale lokucubungula amacala libike ukuthi, ngombono walo, sekukhona izizatho ezintsha ezilohlonzi zokuthi umuntu abotshwe njalo.

Ukuvikelwa kwelungelo lezibotshwa lokufinyelela amadale omthethwanda

8. Uhlelo lolu alusoze luthathwe njengokuthi lufaka imigoqo kulungelo lesibotshwa lokuphikisa ukuba semthethweni kokubotshwa kwaso, kungenani ukuthi udaba Iwaso luphambili kumbe kalukho phambili kwedale lokucubungula amacala.

UHLELO LWESITHATHU

**(Izahlukwana 94, 104, 114, 122, 123, 126, 127, 128, 185, 259, 272, 310
kanye lo 320)**

IZIFUNGO LOKUVUMA

Okumele ukunanzelwa:

1. Umuntu okumele athathe ingabe yisiphi sezifungo ezilandelayo ulakho, nxa efisa, engenza umbiko wokuvuma endaweni yesifungo, esebezisa amazwi aphiweyo
2. Nxa umuntu ethatha esinye sezifungo ezilandelayo, kumbe omunye wemibiko yokuvuma olandelayo, angaguqula amazwi esifungo kumbe umbiko wokuvuma ngendlela engaguquli isisindo salesosifungo, inguquko leyo kayiphazamisi ukuqiniseka kumbe ukuba yisibopho kwesifungo kumbe umbiko wokuvuma.

ISIFUNGO KUMBE UMBIKO WOKUVUMA UKUHLONIPHA

Mina u ngiyafunga [*kumbe ngiyavuma ngokuzithoba*] ukuthi ngizakuthembeka njalo ngiveze inhlonipho yangempela kulizwe leZimbabwe njalo ngizolandela imithetho yeZimbabwe.

Kanjalo ungisizeNkosi/Mdali/Nkulunkulu [*Lokhu kweqiwe nxa kusenziwa umbiko wokuvuma*]

Isifungo lesi kumbe umbiko wokuvuma uzathathwa phambili komuntu oqotshwe ngumthetho ofaneleyo.

ISIFUNGO KUMBE UKUVUMA ISIKHUNDLA

Mina, u ngiyafunga [*kumbe ngiyavuma ngokuzithoba*] ukuthi ngizasebenzela iZimbabwe kuhle langeqiniso esikhundleni sokuba....

Kanjalo ungisizeNkosi/Mdali/Nkulunkulu [*Lokhu kweqiwe nxa kusenziwa umbiko wokuvuma*]

Isifungo kumbe umbiko wokuvuma lo uzathathwa phambili komuntu oqotshwe ngumthetho ofaneleyo.

ISIFUNGO KUMBE UMBIKO WOKUVUMA KA MONGAMELI LABASEKELI BAKAMONGAMELI

Mina u, ngiyafunga [*kumbe ngiyavuma ngokuzithoba*] ukuthi njengoMongameli [*kumbe uMsekeli kaMongameli*] weZimbabwe ngizakuthembeka kulizwe leZimbabwe njalo ngizahlonipha, ngiphathe njalo ngivivikele iSisekamthetho Kanye layo yonke imithetho yeZimbabwe, kanye—

- lokuthi ngizathuthukisa ingqe yini ezaqhubela phambili, njalo ngizaphikisa ingqe yini engalimaza, iZimbabwe;
- lokuthi ngizavikela njalo ngithuthukise amalungelo abantu beZimbabwe;
- lokuthi ngizakwenza imsebenzi yami ngawo wonke amandla ami langalo lonke ulwazi Kanye langokwenelisa kwami njalo ngilandela unembeza wami; kanye
- lokuthi ngizazinikela kunhlalakahle yeZimbabwe labantu bayo. Kanjalo ungisizeNkosi/Mdali/Nkulunkulu

Isifungo kumbe umbiko wokuvuma lo uzathathwa phambili kukandunankulu wabaHluleli kumbe, nxa engekho, phambili kukamahluleli ophezulu olandelayo.

ISIFUNGO KUMBE UMBIKO WOKUVUMA KUKAMPHATHINTAMBO

Mina u, ngiyafunga [*kumbe ngiyavuma ngokuzithoba*] ukuthi ngizathembeka kulizwe leZimbabwe Kanye, lesikhundleni sokuba nguMphathintambo, ngizalandela iSisekamthetho kanye layo yonke imithetho yeZimbabwe; lokuthi ngizacebisa uMongameli welizwe leZimbabwe ngenkululeko Kanye langobungcono bokubona kwami sonke isikhathi nxa ngiceliwe ukuthi ngenzenjalo, ukuze izindaba zikazulu weZimbabwe ziphathe kuhle; lokuthi angisoze ngisakaze, manqamu kumbe ngezinye indlela, ingabe yiypipi-imfihlo okuxoxwe ngayo kuKhabhinethi kumbe ingqe yiypipi imfihlo engiyiphiwego ngesikhathi sokusebenza kwami njengoMphathintambo; Kanye lokuthi ngazozonke indlela ngizakwenza umsebenzi wami lehofisi yami ngokuthembeka njalo lasemandleni ami wonke.

Kanjalo ungisizeNkosi. [*Lokhu kweqiwe nxa kusenziwa umbiko wokuvuma*]

Isifungo lesi kumbe umbiko wokuvuma lo uzathathwa phambili kukaMongameli kumbe, nxa engekho, phambili kukandunankulu wabaHluleli kumbe umahluleli omdala olandelayo.

ISIFUNGO KUMBE UKUVUMA KUKAMSEKELI KAMPHATHINTAMBO

Mina u, ngiyafunga [*kumbe ngiyavuma ngokuzithoba*] ukuthi ngizathembeka kulizwe leZimbabwe Kanye, lesikhundleni sokuba nguMsekeli kaMphathintambo, ngizalandela iSisekamthetho kanye layo yonke imithetho yeZimbabwe; lokuthi ngizacebisa uMongameli welizwe leZimbabwe ngenkululeko Kanye langobungcono bokubona kwami sonke isikhathi nxa ngiceliwe ukuthi ngenzenjalo, ukuze izindaba zikazulu weZimbabwe ziphathe kuhle; lokuthi angisoze ngisakaze, manqamu kumbe ngezinye indlela, ingqe yiypipi imfihlo engiyiphiwego ngesikhathi sokusebenza kwami njengoMsekeli kaMphathintambo; Kanye lokuthi ngazo zonke indlela ngizakwenza umsebenzi wami lehofisi yami ngokuthembeka njalo lasemandleni ami wonke.

Kanjalo ungisizeNkosi [*Lokhu kweqiwe nxa kusenziwa umbiko wokuvuma*]

Isifungo kumbe umbiko wokuvuma lo uzathathwa phambili kukaMongameli kumbe, nxa engekho, phambili kukandunankulu wabaHluleli kumbe kukamahluleli ophezulu olandelayo.

ISIFUNGO KUMBE UMBIKO WOKUVUMA WELUNGA LE DALE LE PHALAMENDE

Mina u, ngiyafunga [*kumbe ngiyavuma ngokuzithoba*] ukuthi ngizakuthembeka kulizwe leZimbabwe, lokuthi ngizalandela iSisekamthetho kanye layo yonke imithetho yeZimbabwe, njalo ngizakwenza imsebenzi yami njenge lunga ledale leSenethi/lunga lendlu yabameli [*kuhambelana lokuyikho*] ngokuthembeka langamandla ami wonke.

Kanjalo ungsizeneNkosi [*Lokhu kweqiwe nxa kusenziwa umbiko wokuvuma*]

Isifungo lesi kumbe umbiko wokuvuma lo uzathathwa phambili kukaNobhala wedale lePhalamende.

ISIFUNGO KUMBE UMBIKO WOKUVUMA WEZILAWULAMTHETHO

Mina u, ngiyafunga [*kumbe ngiyavuma ngokuzithoba*] ukuthi ngizakuthembeka kulizwe leZimbabwe, kanye lokuthi esikhundleni sokubangu Lokuthi ngizalandela iSisekamthetho njalo ngizabona ukuthi umthetho uyalandelwa ngabantu bonke kungela kwasaba, inketha kumbe ubandlululo kulandelwa iSisekamthetho lomthetho.

Kanjalo ungsizeneNkosi [*Lokhu kweqiwe nxa kusenziwa umbiko wokuvuma*]

Lapho umuntu othatha lesi sifungo kumbe umbiko wokuvuma engumahluli, kumele uthathelwe phambili kukandunankulu wabehluli, kumbe umahluli olandelayo ngobukhuluesikhundleni okhona. Kwezinye izehlakalo sizathathwa phambili komuntu oqotshwe ngumthetho ofaneleyo.

ISIFUNGO KUMBE UMBIKO WOKUVUMA WELUNGA LEKHANSILI YESABELO KUMBE ISIGODLO ESIZIMELA NJENGESABELO

Mina u,ngiyafunga [*kumbe ngiyavuma ngokuzithoba*] ukuthi ngizathembeka kulizwe leZimbabwe Kany, lesikhundleni sokuba lilunga lekhansili yesabelo [*kumbe isigodlo esizimela njengesabelo*] se-, [*Qamba ibizo lesabelo*], ngizalandela iSisekamthetho kanye layo yonke imithetho yeZimbabwe; lokuthi ngizacebisa uMginisihlalo [*kumbe uMeya*] we [*Qamba ibizo lesabelo*] ngenkululeko Kany langobungcono bokubona kwami sonke isikhathi nxa ngiceliwe ukuthi ngenze njalo, ukuze izindaba zikazulu wesabelo zipathwe kuhle; lokuthi angisoze ngisakaze, manqamu kumbe ngezinye indlela, ingqe yiyiphi imfihlo okuxoxwe ngayo ekhansilini yesabelo [*kumbe isigodlo esizimela njengesabelo*] kumbe ingqe yimfihlo engiyiphiweyo ngesikhathi sokusebenza kwami njengelunga laleyo khansili; Kany lokuthi ngazozonke indlela ngizakwenza umsebenzi wami lehofisi yami ngokuthembeka njalo lasemandleni ami wonke.

Kanjalo ngisizeneNkosi. [*Lokhu kungeqiwa nxa kusenziwa umbiko wokuvuma*]

Isifungo kumbe umbiko wokuvuma uzathathwa phambili komuntu oqotshwe ngumthetho ofaneleyo.

UHLELO LWESINE (Izahlukwana 92, 121, 124, 125 kanye lo 158)

OKUDINGEKAYO UKUZE UVOTE

Okudingekayo ukuze umuntu abhalise njengomvoti

1. (1) Kulandelwa isiqendwana (2) kanye lesiqendu 2, umuntu uyavunyelwa ukubhalisa njengomvoti eluhlwini lwabantu abavotayo lwesiqinti

- (a) eleminyaka elitshumi lasitshiyangalombili kumbe ukwedlula; njalo
- (b) eyisizalwane seZimbabwe.

(2) Umthetho wezoKhetho ungabeka ezinye izidingo mayelana lokuba ngumhlali ukuqinisekisa ukuthi abavoti babhaliswe eluhlwini olufaneleyo, kodwa izidingo ezinjalo kumele zingaphikisani leSisekamthetho lesi, ikakhulu ngokuqondene leSigaba 67.

Okungenza umuntu aliswe ukubhalisa ukuvota

2. Umuntu kavunyelwa ukubhalisa ukuvota—

- (a) ngesikhathi evalelwe njengomuntu ogula ngokwengqondo kumbe njengomuntu ongenelisi ukuzenzela izinqumo ngaphansi komthetho othulwe lidale lePhalamende ophathelane lempilakahle yengqondo;
- (b) nxa eqanjwe ngesinqumo sedale lomthethwandaba ukuthi ungumuntu ongenelisi ukuziphathela indaba zakhe ngesikhathi lesosinqumo sisaphila; kumbe
- (c) nxa kuyikuthi wake watholakala elecalu ngaphansi komthetho wokhetho njalo wethulwa lidale lomthethwandaba elikhulu ukuthi kavunyelwa ukubhalisa ukuvota kumbe ukuvota, okwesikhathi lesu okuthiwa kavunyelwa ngaso, kodwa lesu sikhathi akumelanga sedlula iminyaka emihlanu.

UHLELO LWESIHLANU (Izahlukwana 130 lo 131)

IZIQONDISO EZIPHATHELANA LEMITHETHO ENGAKETHULWA KANYE LEZINYE IZINTO EDALE
LEPHALAMENDE

UKUHLELWA KWEZIQENDU

ISAHLUKWANA 1

IZINGENISO ZEMITHETHO ENGAKETHULWA, IMBONOKANYE LEZICELO

Isiqendu

1. Ukuhumutshwa koHlelo lwesihlanu.
2. Indlu lapho okusukela khona imithetho engakethulwa.
3. Amalunga alakho ukuletha imithetho engakethulwa Kanye lemibono.
4. Idale lePhalamende kalisoze laphatha imithetho ephathelane lemali kumbe imibono ngokusethenziswa kwemali kumbe izicelo ezinjalo ngaphandle nxa lokhu kucetshiswe nguMsekeli kaMongameli welizwe, uMphathintambo kumbe uMsekeli kaMphathintambo.

ISAHLUKWANA 2

IZIQONDISO EZIMAYELANA LEMITHETHO ENGAKETHULWA

5. Ukuhanjiswa kwemithetho engakethulwa phakathi kweziNdlu.
6. Ukuphikisana phakathi kweziNdlu.
7. Umthetho wezimali ongakethulwa.

ISAHLUKWANA 3

IMIBIKO YEKOMITHI YEZOMTHETHO EPHALAMENDE

8. Imibiko yeKomithi yezomthetho ePhalamende mayelana lemithetho engakethulwa.
9. Imibiko yeKomithi yezomthetho ePhalamende mayelana lemithetho ethulwe ngoba kulesidingo.

ISAHLUKWANA 1

IZINGENISO ZEMITHETHO ENGAKETHULWA, IMBONO LEZICELO

Ukuhumutsha kuHlelo lwesihlanu

1. KuloluHlelo—

“Umthetho wemali ongakethulwa” utsho umthetho ongakethulwa ovumela—

- (a) ukubekwa, ukwengeza kumbe ukwehlisa umthelo ukuze isizwe sithole inzuzo;
- (b) ukusebenzisa imali evela, kumbe ukubeka, ukwengeza kumbe ukwehlisa ingabe yiyiphi indleko, phezulu kwesikhwama sikahulumende esiqoqiweyo kumbe esinye isikhwama nje esiholwa nguhulumende;
- (c) ukubeka indleko phezulu kumbe ukuthatha imali okumele ibhadalwe kuhulumende;
- (d) ukuxolela ukwehluleka ukukoleka umthelo okumele ubhadalwe kuhulumende; kumbe
- (e) ukuxolela ukusetshenziswa kwemali okungekho emthethweni nguhulumende.

INdlu lapho okusuka khona imithetho engakethulwa

(1) Ingqe yiwuphi umthetho ongakethulwa ungavelela endlini yabameli.

(2) Ingqe yiwuphi umthetho, ongayisiwo mthetho wemali ongakethulwa, ungavelela edale leSenethi.

Amalunga alakho ukuletha imithetho lemibono

3. Ngaphansi kweSisekamthetho leziqondiso—

- (a) ingqe yiliphi ilunga ledale leSenethi lilakho ukungenisa umthetho edale leSenethi kumbe ukukhankasela umbono ukuthi kuxoxwe ngawo edale leSenethi kumbe ethule isicelo esithile kudale leSenethi;
- (b) ingqe yiliphi ilunga leNdlu yabaMeli lilakho ukungenisa umthetho eNdlini yabaMeli kumbe akhankasele umbono ukuthi kuxoxwe ngawo kumbe lethule isicelo endlini yabameli;
- (c) ingqe nguMsekeli kaMongameli, uMphathintambo kumbe uMsekeli kaMphathintambo ulakho ukungenisa umthetho kumbe ukukhankasela umbono ukuze kuxoxwe ngayo kumbe athule isicelo endlini yabameli;
- (d) ingqe yiliphi ilunga elingenise umthetho edale lePhalamende lilakho, emva kokupasiswa kwalowomthetho yindlu, ukungenisa lumthetho kweyinye indlu.

Idale lePhalamende kalisoze liphathe imithetho engakethulwa ephathelane lemali kumbe imibono ngokusetshenziswa kwemali kumbe izicelo ngaphandle nxa kucelwe nguMsekeli kaMongameli, nguMphathintambo kumbe uMsekeli kaMphathintambo

4. (1) Ngaphandle nxa kucelwe nguMsekeli kaMongameli, uMphathintambo kumbe uMsekeli kamphathintambo, zonke izindlu zePhalamende kazikwazi uku—

- (a) ukuqhubeka ngomthetho othile, kugoqela ukuguqula umthetho, ngombono kaMongameli wedale leSenethi kumbe uSomlomo, kusiya ngokuthi kukhulunuya ngayiphi indlu, ongumthetho wezemali ongakethulwa;

- (b) ukuqhubeka ngemoshini kugoqela ukuguqulwa kwemoshini, elakho, ngombono kamongameli wedale leSenethi kumbe uSomlomo, kusiya ngokuthi kukhulunywa ngayiphi indlu, ukwenza lowomthetho ubengowoku—
 - (i) kufaka, ukwengeza kumbe ukwehlisa umthelo ukuze iHulumende athole inzuzo;
 - (ii) ukusebenzisa imali evela, kumbe ukubeka kumbe ukwengeza umthelo phezulu, kwasikhwama sikahulumende esiqoqiweyo kumbe ezinye izikhwama ezilawulwa nguhulumende;
 - (iii) ukubeka indleko kumbe ukubhadala imali okumele ibhadalwe kuhulumende;
 - (iv) ukuxolela ukwehluleka ukukoleka umthelo obekumele ubhadalwe kuhulumende; kumbe
 - (v) ukuxolela ukusetshenziswa kwemali okungekho emthethweni nguhulumende;
 - (c) ukwamukela isicelo esi-, ngombono kamongameli kaSenethi kumbe uSomlomo, dinga ukuthi kwensiwe umthetho ohambelana lezinto eziqanje kusiqendwana (b).
- (2) Isiqendwana (1) kasisebenzi emthethweni othulwe, imoshini kumbe inguquko kumbe isicelo esethulwe nguMsekeli kamongameli, umphathintambo kumbe uMsekeli kaMphathintambo.

ISAHLUKWANA 2

IZIQONDISO EZIPHATHELANE LEMITHETHO ENGAKETHULWA

Ukuhanjiswa kwemithetho phakathi kwezindlu

5. (1) Umthetho ovelele kwenye yezindlu zePhalamende njalo osupasiswe yindlu leyo kumele udluliselwe kwenye indlu kungela kungabaza, njalo usuku lokudluliswa kwayo kumele lulotshwe egwalweni Iwendlu leyo osuka kuyo.

(2) Umthetho osudluliselwe endlini yePhalamende kumele ungeniswe kuleyondlu ngokuphangisa, njalo leyondlu ingawala kumbe iwupasise ulenguquko kumbe ungelanguquko.

(3) Umlathetho, emva kokudluliselwa endlini yePhalamende kuhambelana lesiqendu lesi, upasiswa yindlu leyo lezinguquko kumele ubiselwe endlini ovelele kuyo inguquko lezo zidindwe ngumabhalane wePhalamende, njalo indlu obiselwe kuyo ingawala, ivume ukuguqula eyinye yezinguquko.

(4) Uma, emva kokuthi umthetho usubiselwe endlini evelele kuyo kulandelwa isiqendwana (3), eyinye yezinguquko enziwe kuwo ngeyinye indlu yaliwa kumbe iguquliwe yindlu lapho umthetho ovelele khona, eyinye indlu ilakho, ngomlayezo oqondiswe endlini umthetho ovelele khona ngesivumelwano, ukwesula inguquko kumbe ivume ukuguqulwa kwayo.

Ukuphikisana phakathi kwezindlu

6. (1) Kulandelwa isiqendu lesi, nxa—

- (a) idale leSenethi Kanye lendlu yabameli kungakavumelani ngezinguquko ezenziweyo emthethweni ongakethulwa ovelele endlini yabameli phakathi kwamalanga angamatshumi ayisitshiyagalo lunye emva kokungeniswa komthetho edale leSenethi;
- (b) idale leSenethi Kanye lendlu yabameli kungakavumelani ngezinguquko okumele zenziwe emthethweni ovelele edale leSenethi phakathi

kwamalanga angamatshumi ayisitshiyagalo lunye emva kokubiselwa komthetho eSenethi; kumbe

- (c) umthetho ovelele endlini yabameli oyalwe kumbe opasiswe lidale leSenethi phakathi kwamalanga angamatshumi ayisitshiyagalo lunye emva kokwethulwa komthetho edale leSenethi;

umthetho ungahanjisa kuMongameli ukuthi awuvume njalo awucindezele ukusimo opasiswe ngaso yindlu yabameli ngaphandle nxa kudingeka inguquko ezincane mayelana lokuhamba kwesikhathi njalo lezinye inguquko ezivunyelwane phakathi kwedale leSenethi lendlu yabameli.

(2) Uma, ngombono kaSomlomo, umthetho—

- (a) ovelele endlini yabameli; njalo
- (b) wethulwa endlini yabameli phakathi kwamalanga angamatshumi ayisitshiyagalo lunye emva komthetho wakuqala owaveleta eSenethi wethulwe edale lePhalamende;

uqukethe imithetho efanana laleyo esemthethweni emdala, ngaphandle kwenguquko ezincane ezingadingeka ngenxa yokuhamba kwesikhathi, isiqendwana (1) sisebenza emthethweni sekungathi isikhathi esingamatshumi ayisitshiyagalo lunye kuqendwana (a) lo (c) zesiqendwana lesu yisikhathi esingamalanga ayisitshiyangalo mbili.

(3) umthetho okukhulunywa ngawo kusiqendwana (1) kumbe (2) kawungeke ubekwe kuMongameli ukuthi awuvume njalo awucindezele ngaphandle kokuthi, emva kwamalanga angamatshumi ayisitshiyagalo lunye kumbe isikhathi esingamalanga ayisitshiyangalo mbili esiqanwa kulesiqendwana okukhulunywa ngaso, indlu yabameli isithetho isinqumo sokuthi umthetho lo kumele uhanjiswe kuMongameli ukuze awamukele.

(4) Umthetho ohanjiswe kuMongameli ukuthi awamukele njalo awucindezele kulandelwa isiqendwana lesu kumele uhambisane lesithupha esivela kuSomlomo sichaza ukuthi umthetho lo yiwo osebenza ngaphansi kwaleso siqendu njalo okufunwa yilesosiqendu sekwenziwe.

(5) Umthetho ohanjiswe kuMongameli kulandelwa isiqendu lesu uthathwa njengomthetho osupasisiwe lidale lePhalamende ukusimo ohanjiswe kumongameli ukiso.

(6) Nxa sikulesisiqendu—

- (a) umthetho ovelele endlini yabameli uthathwa njengokuthi sungeniswe eSenethi ngelanga lokuhlala emva kwelanga lokudluliselwa eSenethi, njengolotshwe egwalweni lwendlu yabameli njengokuqondiswe kusiqendu 5(1);
- (b) umthetho ovelela edale leSenethi uthathwa njengokuthi ubiselwe eSenethi ngosuku lokuhlala emva kosuku owabiselwa ngalo okwakuqala kulandelwa isiqendu 5(3).

(7) Isiqendu lesu kasisebenzi emithethweni engakethulwa ngaphansi kweSisekamthetho kumbe imithetho yezimali engakethulwa.

Imithetho yezemali

7. (1) Idale leSenethi kalilamandla okuguqula umthetho wezemali kodwa lenelisa ukucebisa indlu yabameli ukuthi yenze inguquko kuwo.

(2) uMabhalane wePhalamende kumele acindezele yonke inguquko ecetshiswe lidale leSenethi ukuthi yenzwi emthethweni wezimali njalo kumele ahambise inguquko ezicindezelweyo endlimi yabameli.

(3) Indlu yabameli kumele ikhangele izinguquko ezilethwe kuyo ngaphansi kwesiqendu lesi njalo ilakho ukuzifaka emthethweni wemali okukhulunywa ngawo.

(4) Uma idale leSenethi lingapasisanga umthetho wemali phakathi kwamalanga ayisitshiyangalombili abalwa kusukela ngelanga umthetho owethulwa ngalo eSenethi, indlu yabameli ingenza isinqumo sokuthi lumthetho kumele uhanjiswe kuMongameli, njalo lumthetho ulakho ukubekwa phambili kukaMongameli ukusimo leso owapasiswa yindlu yabameli ukuso.

(5) Umthetho wezemali osubekwe phambili kukaMongameli emva kwesinqumo esithethwe ngaphansi kwesiqendwana (4)—

- (a) uthathwa njengokuthi supasisiwe lidale lePhalamende ukusimo leso owapasiswa yindlu yabameli ukuso; njalo
- (b) (ngesikhathi ubekwa phambili kukaMongameli ukuthi awuvume njalo awucindezele, kumele uhambisane leisthupha esivela kuSomlomo esichaza ukuthi umthetho lo upasisiwe njengokuqondiswe kusiqendu lesi.

ISAHLUKWANA 3

IMIBIKO YEKOMITHI YEMITHETHO EPHALAMENDE

Imibiko yeKomithi yemithetho ePhalamende mayelana lemithetho engakethulwa

8. (1) Kulandelwa isiqendu lesi, izindlu zombili azivunyelwa ukubala umthetho ongakapasiswa okokucina andubana umbiko weKomithi yemithetho ePhalamende wethulwe mayelana lalomthetho endlini.

(2) Isiqendwana (1) kasisebenzi ku- (a) mthetho ongakethulwa ngaphansi kweSisekamthetho (b) ingqe yiuphi umthetho osekubikwe ngayo yiKomithi yemithetho ePhalamende ngaphandle nxa sekwenziwa inguquko emva kombiko onjalo.

(3) Nxa iKomithi yemithetho ePhalamende ingakenzi umbiko mayelana lomthetho phakathi kwesikhathi esibekwe kuziqondiso lemilayo, kumbe phakathi kwesikhathi esengezelelweyo esitholiswe ngaphansi kweziqondiso, iKomithi izathathwa njengokuthi ilombono othi umthetho awula, kuphikisana leSisekamthetho, nxa ungapasiswa njalo indlu efaneleyo ingaqhubeka ngalumthetho sekungathi iKomithi seyenzo umbiko njengemfanelo.

(4) Ngaphansi kweziqendwana (5) lo (6), nxa iKomithi yemithetho ePhalamende ingabika ukuthi umthetho, nxa ungapasiswa, uzaphikisana leSisekamthetho, indlu efaneleyo kumele ikhangele umbiko lo njalo, nxa indlu ingathatha isinqumo sokuthi umthetho lo uphambene leSisekamthetho indlu leyo akumelanga iwupasise umthetho onjalo.

(5) Nxa indlu ikhangela umbiko weKomithi yemithetho ePhalamende okukhulunywa ngayo kusiqendwana (4) mayelana lomthetho owethulwa nguMsekeli kaMongameli, uMphathintambo kumbe uMsekeli kaMphathintambo, umuntu owethula lumthetho kumele aphiwe ithuba lokuphendula.

(6) Nxa indlu ingenza isinqumo kulandelwa isiqendwana (4) ukuthi umthetho, nxa ungapasiswa, uzaphikisa iSisekamthetho, uMsekeli kaMongameli kumbe uMphathintambo, ulakho ukubhalela umthwendaba weSisekamthetho phakathi kwamalanga alitshumi lane emva kokuphunyiswa kwesinqumo esithi lumthetho, nxa ungapasiswa uzabe uvumelana leSisekamthetho, njalo nxa umthethwandba weSisekamthetho ungenza umbiko onjalo indlu efaneleyo ingaqhubeka ipasise umthetho lo.

Imibiko yeKomithi yezomthetho ePhalamende mayelana lemithetho ethulwa ngenxa yesidingo

9. (1) Andubana idale leSenethi likhangele umbiko othulwe yiKomithi yemithetho ePhalamende mayelana lokuthi umthetho othulwe ngenxa yesidingo uphula umthetho weSisekamthetho kumbe umthetho oyiwo ovumela lowomthetho wesidingo, iKomithi ilakho ukusula lombiko nxa iKomithi isuthiseka ukuthi umthetho lo susuliwe kumbe waguqulwa ngendlela ezakwenza uvumelane leminye imithetho.

(2) Uma, emva kokukhangela umbiko weKomithi yemithetho ePhalamende othi umthetho othile uphambene leSisekamthetho lesi, idale leSenethi kumbe indlu yabameli ingathatha isinqumo sokuthi yebo lumthetho uphambene leSisekamthetho, uMabhalane wePhalamende kumele abike ngaleso sinqumo enhlokweni emise lowomthetho, njalo lokuthi leyonthloko kumele, phakathi kwamalanga angamatshumi amabili lanye emva kokwaziswa—

- (a) ibhalele emthethwandaba weSisekamthetho ukuthi wethule isinqumo esithi lumthetho uyavumelana leSisekamthetho; kumbe
- (b) awusule lowomthetho.

(3) Lapho inkokheli eyiyo emise umthetho ophathelane lesidingo esithile ingabhalela edale lomthethwandaba weSisekamthetho ukuthi lenze isinqumo kulandela isiqendwana (2)(a), umthetho lo uyamiswa ulindele isinqumo somthethwandaba.

(4) Uma, emva kokukhangela umbiko weKomithi yemithetho ePhalamende ukuthi umthetho othile weqa amalawulo abekwa ngumthetho othulwe lidale lePhalamende ovumela ukuthi lumthetho ubekhona, idale leSenethi kumbe indlu yabameli ingathatha isinquno sokuthi umthetho lo weqa udlulise amalawulo avumelekileyo emthethweni—

- (a) umthetho wakhona kusukela khonapho uhle ucine ukusebenza; njalo
- (b) uMabhalane wePhalamende kumele asakaze isaziso kugwalo lweGazette kungela kungabaza, esipha isaziso kuzulu ngesinqumo lesi lalokho esikutshoyo.

UHLELO LWESITHUPHA (Izahlukwana 329 lo 332)

UKUQALA UKUSEBENZA KWALESISISEKAMTHETHO, IMITHETHO YAPHAKATHI KWESIKHATHI
LEMITHETHO ENGASASEBENZIYO

UKUHLELWA KWEZIQENDU

ISAHLUKWANA 1

UKULUNGISELELA

Isiqendu

1. Ukuqala ukusebenza kwalesi.
2. Ukusulwa kweSisekamthetho esidala.

ISAHLUKWANA 2

UKUQALA UKUSEBENZA KWALESISISEKAMTHETHOKANYE LOKUSULWA
KWESISEKAMTHETHOESIDALA

3. Ukuqala ukusebenza kwalesiSisekamthetho.
4. Ukusulwa kweSisekamthetho esidala.

ISAHLUKWANA 3

UKHETHO LWAKUQALA

Isiqendu

5. Ukumisa ukusebenza kwemingcele phakathi kwezabelo Kanye leyokhetho.
6. Ukubhaliswa kwabavotayo.
7. Izinkinga ezibhekane lokhetho lukaMongameli lwakuqala.
8. Umthetho wokhetho.

ISAHLUKWANA 4

IMITHETHO ENGASASEBENZI KANYE LEYAPHAKATHI KWESIKHATHI

9. Ukulandelana kwabohulumende.
10. Ukuqhubeka kwemithetho ekhona.
11. Ukuhumutshwa kwemithetho ekhona.
12. Iziqondiso zedale lePhalamende.
13. Iziphathamandla ezikhona.
14. Imithetho ekhethelwe ezokhetho Kanye lobude besikhathi sokusebenza kuka-Mongameli wakuqala Kanye lokubekwa kwabaSekeli bakaMongameli.
15. Ukuqhubeka kwezinye iziphathambuso zisezikhundleni.
16. Umvikeli kaZulu.
17. Ukususwa kwemali esikhwameni sikahulumende esiqoqiweyo sakudala.
18. Imthethwandaba lokuqhutshwa komthetho.
19. Imithetho ephathelane lomtshutshisi omkhulu.
20. Amalungelo okuthola impentsheni.

ISAHLUKWANA 1

UKULUNGISELELA

Ukuhumutsha kuHlelo lwesithupha

1. Kuloluhlelo, ngaphandle nxa kungahambelani lomumo—
“usuku lokuqala ukusebenza” lutsho usuku iSisekamthetho lesi esiqala ngalo ukusebenza ngogcweleyo ngaphansi kwesiqendu 3(2);
“imithetho ekhona” itsho imithetho ebhaliweyo ebisebenza andubana usuku lokuqala ukusebenza lufike, kungakhetholekile ukuthi ngumthetho othulwe lidale lePhalamende kumbe ngumthetho obhekane lesimo esithile;
“umthetho obukhona” utsho umthetho ovele ukhona ingabe yiwuphi umthetho, ungowaluphi uhlobo, obuvele usebenza eZimbabwe kungakafiki usuku lokuqala ukusebenza;
“ukhetho lwakuqala” lutsho—
 - (a) ukhetho lwakuqala lokukhetha uMongameli ngaphansi kweSisekamthetho lesi;
 - (b) ukhetho jikelele lwakuqala lokudinga amalunga edale lePhalamende ngaphansi kweSisekamthetho lesi; kanye
 - (c) lokhetho lwakuqala lwamabhodi ahola amakhansinili ezabelo Kanye lezigodlo ezizimela njengezigodlo lamakhansili;
olwenziwe emva kwelanga lokukhitshwa kweSisekamthetho;
“iSisekamthetho sakudala” sitsho iSisekamthetho seZimbabwe esaqala ukusebenza mhlaka 18 Mabasa, ngo1980, lokuguqulwa esakwenziwayo ngokuhamba kwesikhathi;

“usuku lokwethulwa” lutsho usuku mhla iSisekamthetho, kumbe umthetho othile omiswe ngawo, usakazwa egwalweni lwe*Gazette* kulandelwa isigaba 51(5) weSisekamthetho sakudala.

Amandla oHlelo lwesithupha

2. Uhlelo lolu luphezulu, kwakho konke ukuphikisana, emithethweni ekuSisekamthetho lesi.

ISAHLUKWANA 2

UKUQALA UKUSEBENZA KWALESI SISEKAMTHETHO LOKUSULWA KWESIDALA

Ukuqala ukusebenza kweSisekamthetho lesi.

3. (1) Uhlelo lolu, Kanye le—

- (a) Isahluko 3, mayelana lobuzalwane besizwe;
- (b) Isahluko 4, okungumqulu wamalungelo;
- (c) Isahluko 5, mayelana lokhetho Kanye lokuthatha isikhundla kukaMongameli;
- (d) Isahluko 6, mayelana lokukhethwa kwamalunga edale lePhalamende Kanye lokuhlangana kwePhalamende emva kokhetho jikelele Kanye kokucindezelwa kwemiThetho ethulwe lidale lePhalamende nguMongameli;
- (e) Isahluko 7, mayelana lokhetho, ngaphandle kwezigaba 158, 160 lo 161;
- (f) Isahluko 8, mayelana lomkhawulo Kanye lamandla edale lomthethwandaba weSisekamthetho;
- (g) Isahluko 9, mayelana leziqondiso zokuphathamandla kuhulumende Kanye lobukhokheli;
- (h) Isigaba 208, mayelana lokuziphatha kwamabutho ezomvikela;
- (i) Isahluko 12, mayelana leKomishini yezokhetho eZimbabwe; kanye
- (j) leSahluko 14, mayelana lembuso yezabelo Kanye lamakhansili;

iqala ukusebenza ngosuku lokusakazwa.

(2) Ngaphandle nxax kubekiwe kuloluHlelo, iSisekamthetho lesi sonke siqala ukusebenza ngosuku uMongameli okhethwe ngokhetho lwakuqala engena esikhundleni.

(3) Phakathi kosuku lokwethulwa Kanye losuku lokuqala ukusebenza, imithetho ekuSisekamthetho lesi eqotshwe kusiqendwana (a) kusiya ku (j) wesiqendwana (1) ihamba phezulu kweminye imithetho yeSisekamthetho sakudala.

Ukusulwa kweSisekamthetho esidala

4. Ngaphansi koHlelo lolu, iSisekamthetho esidala siyesulwa kusukela ngosuku lokuqala ukusebenza kweSisekamthetho lesi.

ISAHLUKWANA 3

UKHETHO LWAKUQALA

Imithetho engasasebenzi mayelana lemingcele yezabelo lenketho

5. Imingcele yezabelo, iziqinti zokuvota Kanye lamawadi njengokuba zibekiwe kungakafiki usuku lokusakazwa isebeanza kuphela ekhethweni lwakuqala.

Ukubhaliswa kwabavotayo

(1) Wonke umuntu owabhalisa ngokusemthethweni ukuvota eluhlwini lwabavoti kungakafiki usuku lokwethulwa kweSisekamthetho, ulemvumo yokuhlala ebalisiwe kanjalo ukuze enelise ukuvota ekhethweni lwakuqala.

(2) Mayelana lokhetho lwakuqala, uNobhala Jikelele wabavoti nguye olomlandu, ngaphansi kweKomishini yezokhetho eZimbabwe, wokubhalisa abavoti lokuqoqa uluhlu lwabavoti.

(3) UNobhala Jikelele wabavoti, ngaphansi kweKomishini yokhetho eZimbabwe, kumele enze uhlelo lokubhalisa abavoti lokuhlola uluhlu lwabavoti okwesikhathi esingamalanga anagamatshumi amathathu kumbe ukwedlula.

Izinkinga mayelana lokhetho lwakuqala lukaMongameli

7. Laloba yiluphi uhlobo lokuphikisa ubuqotho bempumela yokhetho lukamongameli kumele lulalelwwe njalo lwahlulelwwe kulandelwe isigaba 93 seSisekamthetho.

Umthetho wokhetho

8. Ukhetho lwakuqala kumele lwenziwe kulandelwa umthetho wokhetho ngaphansi kweSisekamthetho.

ISAHLUKWANA 4

IMITHETHO ENGASASEBENZIYO KANYE LEMITHETHO YAPHAKATHI KWESIKHATHI

Ukulandelana kwabohulumende

9. UHulumende omiswe ngaphansi kweSisekamthetho lesi ngazo zonke indlela uthatha isikhundla sikahulumende owayekhona.

Ukuqhubeka kwemithetho ebikhona

10. Ngaphansi koHlelo lolu, yonke imithetho iqhubeka isebeza kodwa kumele isebeza ngokuvumelana leSisekamthetho lesi.

Ukuhumutshwa kwemithetho evele ikhona

11. (1) Ngaphandle nxa kungahambani lombono, ukukhomba kungabe yiuphi umthetho okhona ku—

- (a) Mongameli kumele uthathwe njengokuthi ukhuluma ngoMongameli osebeza mayelana leSisekamthetho lesi;
- (b) iPhalamende kumele lthathwe njengokuthi kukhulunywa nge—
 - (i) ngeSenethi, lapho ukukhomba lokhu kumayelana lomsebenzi okumele wenziwe yiSenethi yodwa ngaphansi kwe Sisekamthetho lesi;
 - (ii) ngeNdlu yabameli, lapho ukukhombela lokhu kumayelana lomsebenzi ngaphandle kwalo oqanjwe kusiqendu (i) kumbe ukumiswa komthetho;
- (c) indlu yabameli kumele kuthathwe njengokuthi kukhulunywa ngendlu yabameli;
- (d) izisebenzi zikaHulumende kumele kuthathwe njengokuthi kukhulunywa ngezisebenzi zikahulumende;
- (e) iKomishini yezisebenzi zikahulumende kumele ithathwe njengokuthi kukhulunywa ngeKomishini yeZisebenzi zikahulumende;

- (f) izisebenzi zenkantolo kukhulunya ngezisebenzi zealinkantolo lokulungiswa kwezibotshwa;
 - (g) iKomishini yezinkantolo kumele ithathwe njengokuthi kukhulunya ngeKomishini yezinkantolo Kanye lokulungiswa kwezibotshwa;
 - (h) usiKomitshi wezintolongo kumele athathwe njengokuthi kukhulunya ngoSikomitshi-Jikelele wezikantolongo kanye lokuqondisa kwezibotshwa;
 - (i) uMqondisi jikelele Kanye loMhlolizimali Jikelele kumele athathwe njengokuthi kukhulunya ngoMhlolizimali Jikelele;
 - (j) ugqwethanhloko, mayelana lokutshutshisa kwamacala, kumele kuthathwe njengokuthi kukhulunya ngoMtshutshisi Jikelele.
- (2) Lapho iSisekamthetho lesi sibeka amandla athile emuntwini kumbe inkokheli ethile ukuthi imise umthetho mayelana lodaba oluthile, njalo lolodaba luthintiwe kweminye imithetho ekhona enziwa ngabanye abantu kumbe inkokheli, umthetho obuvele ukhona yiwo osebenzayo nxa kuyikuthi wenziwa ngumuntu kumbe inkokheli elamandla okuwenza ngaphansi kweSisekamthetho.

Iziqondiso zePhalamende

12. Iziqondiso ezazisebenza kungakafiki usuku lokuqala ukusebenza ziqhubeka zisebenza njengeziqondiso zeSenethi Kanye lendlu yabameli kuze kufike isikhathi sokuthi sekufakwe ezintsha kumbe ziguqlwe kuhambelana leSisekamthetho lesi.

Iziphathamandla ezikhona

13. Ingqe ngubani, kungakafiki usuku lokuqala ukusebenza, owayephethe kumbe owasabambe isikhundla kuhulumende ngaphansi kweSisekamthetho esidala uyaqhubeke ephethe kumbe esabambe lesosikhundla, kumbe isikhundla esifanayo ngaphansi kweSisekamthetho, kungela nguquko kuzinzozo zakhe kuze kuyefike isikhathi sokuphela kwasikhathi sakhe sokuphatha isikhundla kumbe aze atshiye isikhundla kumbe athathe umhlalaphansi kumbe ukukhitshwa kuleso sikhundla kulandelwa iSisekamthetho kumbe iziqondiso zomsebenzi, kusiya ngokuthi yikuphi okufaneleyo.

Izizqondiso ezikhethekileyo zokukhetha lesikhathi sokuphatha isikhundla kukaMongamele wakuqala Kanye lokubekwa kwabaSekeli bakaMongameli

14. (1) Singalibali Isigaba 92, ekhethweni lwakuqala lakolunye ukhetho nje phakathi kweminyaka elitshumi kudlule ukhetho lwakuqala, abafuna ukuvotelwa kabavunyelwa ukukhetha abazakuba ngabaSekeli bakaMongameli ukhetho lungakenziwa kuhambelana lalesoSigaba.

(2) Kungela kungabaza umuntu okhethwe njengoMongameli kungabe yiluphi ukhetho oluquanjiwe kusiqendwana (1) kumele abeke abaSekeli bakaMongameli ababili, abaphatha izikhundla ngentando yakhe.

(3) Lapho—

- (a) omunye umSekeli kaMongameli ubekwa ngaphansi kwesiqendwana (2), lowo nguye ozakuba ngumSekeli kaMongameli wakuqala ngaphansi kwesiSisekamthetho lesi;
- (b) abaSekeli bakaMongameli ababili babekwa kulandelwa isiqendwana (2), umongameli ulakho ngokuhamba kwasikhathi ukoqopha omunye wabo ukuthi abesabambe isikhundla sokubanguMongameli ngesikhathi engekho eZimbabwe kumbe engenelisi ukwenza imsebenzi yakhe ngenxa yokugula kumbe ezinye izizatho.

(4) Singalibali isigaba 101 kodwa kulandelwa isiqendwana (5) lo (6), nxa umuntu okhethwe ukuba ngumongameli ekhethweni oluqanjwe kusiqendwana (1) angafa, atshiye isikhundla kumbe akhutshwe esikhundleni—

- (a) uMsekeli kaMongameli kumbe, lapho okulabaSekeli bakaMongameli ababili, uMsekeli kaMongameli owacina ukuqotshwa ukuthi abesabambe isikhundla njengokuqanwe kusiqendwana (3)(b), uzabamba isikhundla sikaMongameli kuze kubeloMongameli omutsha njengokubekwe kusiqendwana (5); njalo
- (b) isikhxene esikhundleni sikaMongameli kumele sigcwaliswe ngomuntu oqotshwe libandla lezombusazwe ebelimelwe nguMongameli ngesikhathi ephatheka ekhethweni.

(5) Ibandla lezombusazwe elilamandla okuqopha umuntu kulandelwa isiqendwana (4)(b) kumele lazise uSomlomo wendlu ngebizo lalo oqotshiweyo phakathi kamalanga angamatshumi ayisitshiyagalo lunye emva kokwenzakala kxesikhxene esikhundleni sikaMongameli, njalo kusukela lapho oqotshiweyo uthatha isikhundla njengoMongameli emva kokuthatha isifungo sikaMongameli njengokuqondiswe kusigaba 94, okuyisifungo okumele sithathwe phakathi kwamalanga amabili emva kokuba uSomlomo esaziswe ngebizo lakhe.

(6) Kusehlakalo sokufa, ukutshiya umsebenzi kumbe ukukhutshwa komuntu okhethwe njengoMongameli ekhethweni oluqanjwe kusiqendwana (1) njalo ongazange amele ibandla lezombusazwe ngesikhathi ephatheka ekhethweni, umMsekeli kaMongameli kumbe, nxa kulabaSekeli bakaMongameli ababili, uMsekeli kaMongameli owacina eqotshwe ukubamba isikhundla ngaphansi kwesiqendwana (3) (b), uthatha isikhundla njengoMongameli.

Ukuqhubeka ukubamba izikhundla kwezinje iziphathamandla

15. Singalibali ingabe yiuphi umthetho okuSisekamthetho esidala, izikhundla ezazikhona ngosuku lokusasazwa kulandelwa uhlelo lwesitshiyangalo mbili lweSisekamthetho esidala, okubalisa—

- (a) uMongameli Kanye loMsekeli kamongameli;
- (b) uMphathi kaHulumende Kanye loMsekeli kaHulumende;
- (c) uMphathintambo Kanye loMsekeli kaMphathintambo;

ziqhubeza zikhona kuze kufike isikhathi sokuqala ukusebenza ngesikhathi uMongameli ethatha isikhundla ngaphansi kwalesiSisekamthetho, njalo abantu ababephethethe lezozikhundla bayaqhubeza ngokunjalo

Umvikeli kazulu

16. (1) Umthetho kaMvikeli kaZulu [*Isahluko 10:18*] uyesulwa.

(2) Ingabe yiluphi udaba olwaluphethwe nguMvikeli kaZulu kungakafiki usuku lokusebenza kwalesi Sisekamthethokumele luhanjiswe kuKomishini yamalungelo oluntu eZimbabwe ukuze luhethwe.

Ukukhutshwa kwemali esikhwameni esidala sikahulumende esiqoqiweyo

17. Imali, kungakafiki usuku lokuqala ukusebenza, eyayisesikhwameni sikahulumende esiqoqiweyo esimiswe ngeSisekamthethoesidala iba yimali yesikhwama sikahulumende esiqoqiweyo ngaphansi kweSisekamthetholesi.

Imithethwandaba lokuqhutshwa komthetho

18. (1) Kusiqendu lesi—

“udaba oluphathelane leSisekamthetho olungakaphethwa” kutshiwo—

- (a) isicelo sokuthi kukhangelisiswe isinqumo, isicelo ngokomthetho kumbe ukukhombela okuphathelane lokwephulwa komqulu wamalungelo oqukethwe kuSisekamthetho esidala; kumbe
- (b) ingabe yiluphi udaba olumayelana leSisekamthetho, njengokuchazwe kusigaba 332 weSisekamthetho lesi, oluqanjwe

njalo, kungakafiki usuku lokukhitshwa, obelusanda ukuphathwa phambili komthethwandaba oPhezulu omiswe ngaphansi kweSisekamthetho esidala.

(2) Singalibali isigaba 166, okweminyaka eyisikhombisa emva kosuku lokusakazwa, umthethwandaba omkhulu uqukethe—

- (a) uNdunankulu wezilawulamthetho Kanye loMsekeli kaNdunankulu wezilawulamthetho;
- (b) labanye abehluleli abayisikhombisa aboMthethwandaba Ophezulu; kumele bahlale ndawonye njengebhentshi nxa belalela udaba oluphathelane leSisekamthetho.

(3) Isikhxe kudale lomthethwandaba leSisekamthetho esivela phakathi kweminyaka eyisikhombisa yakuqala emva kosuku lokusasazwa kumele sigcwaliswe ngomunye umahluleli kumbe omunye umahluleli kumbe umahluleli osambe isikhundla, kusiyangokuthi yikuphi okuyikho, wedale loMthethwandaba Ophezulu:

Nxa kuyikuthi isikhundla sikaMsekeli kaMongameli kaNdunankulu yaBehluleli esisele sivulekile ngalesosikhathi kumele sigcwaliswe kulandelwa isigaba 180(2) lo (3).

[Isiqondiso lesi sifakwe yiSigaba 8 soMthetho 10 ka2017]

(4) Kuze kufike isikhathi lapho sekulomthetho ohlukileyo omiswe kumbe ongaphansi komthetho othulwe lidale lePhalamende—

- (a) imilayo ingenziwa ngaphansi komthetho woMthethwandaba Ophezulu [*Isahluko 7:13*] yokuholo ukusebenza komthethwandaba weSisekamthetho;
- (b) imilayo yoMthethwandaba Ophezulu, lenguquko ezifaneleyo, eziphathelane lokusebenza komthethwandaba weSisekamthetho mayelana laluphi udaba olungagoqelwanga kumilayo enziwe ngaphansi kwasiqendwana (a); kodwa imilayo enjalo, nxa kukhangelwe indlela esezenza ngayo emthethwandaba weSisekamthetho, kumele ingaphikisani lesigaba 85 kanye lesahluko 8.

(5) UMthethwandaba Ophezulu weZimbabwe, uMthethwandaba omkhulu weZimbabwe, uMthethwandaba wezeMisebenzi kanye loMthethwandaba weZokuphathwa Kwamandla, njengokumiswa kwayo emva kosuku lokuqala ukusebenza, imiswe ngokulandelana kwayo njengoMthethwandaba Ophezulu, uMthethwandaba Omkhulu, uMthendwaba wezeMisebenzi kanye loMthethwandaba wezokuPhathwa kwaMandla kweSisekamthetho lesi, zonke izinqumo ezenziwe yimithethwandaba le ezethulwa kungakafiki usuku lokuqala ukusebenza zilamandla omthetho njengokufaneleyo.

(6) Wonke umuntu, kungakafiki usuku lokuqala ukusebenza, owahlala njengomholi woMthethwandaba Wezemisebenzi kumbe uMthethwandaba wezokuPhathwa kwaMandla ubangumahluli woMthethwandaba sezeMisebenzi kumbe

uMthethwandaba wezokuPhathwa kwaMandla ngaphansi kwenzozo ezifanayo kusukela lelolanga njengabehluli boMthethwandaba Omkhulu, isikhathi sakhe njengoMongameli woMthethwandaba wezeMisebenzi kumbe wezokuPhathwa kwaMandla uthathwa njengokuthi ngumahluli woMthethwandaba Omkhulu.

(7) Umthethwandaba kamantshi, imithethwandaba yezinduna kanye leminye imithethwandaba emiswe ngaphansi komthetho othulwe lidale lePhalamende kungakafiki usuku lokusakaza iqhubeka ikhona njalo emva kwalolosuku sekungathi yamiswa ngoMthetho oqanjwe kusigaba 174, njalo izinqumo ezenziwa ngamadale omthethwandaba la zilamandla njengokufaneleyo.

(8) Ingqe yiluphi udaba oluphatelane leSisekamthetho olungakaphathwa—

- (a) lapho okulempikiswano phakathi kwabibili olungakalalelw kuze kuyefika usuku lokusasaza kumele luhanjiswe emthethwandaba weSisekamthetho omiswe ngaphansi kwesiqendwana (2);
- (b) lapho okulempikiswano phakathi kwabibili seluzwakele kungakafiki usuku lokusasazwa kumele luqediswe nguMthethwandaba Ophezulu ngaphandle nxa abaphatheke kulolodaba bevumelana ukuthi ludluliselwe eMthethwandaba weSisekamthetho omiswe ngaphansi kwesiqendwana (2), nxa kunjalo uMthethwandaba Ophezulu kuzamele udlulisele lolodaba kulowomthethwandaba.

(9) Wonke amacula, ngandle kwalawo aphathelane leSisekamthetho alindeleyo, ayelindile phambili kwamanye amadale kungakafiki usuku lokuqala ukusebenza angaqhubeka kungakafiki lolosuku kumbe phambili kwelinje idale elifanayo elimiswe ngeSisekamthetho, sekungathi iSisekamthetho sasisebenza ngesikhathi amacula eqala, kodwa—

- (a) iziqondiso ezizalandelwa kulawomacula kumele kube yiziqondiso ezazisebenza kuwo kungakafiki usuku lokuqala ukusebenza; njalo
- (b) iziqondiso okukhulunywa ngazo kusiqendwana (a) zisebenza kulawomacula lanxa ziphikisana leminye imithetho ekusahluko 4 seSisekamthetho lesi.

(10) Kusiqendwana lesi (9)—

- (a) icala elilakho ukujeziswa phambili komthetho libalwa njengokuthi seliqalile nxa umsolwa esitshilo phambili kukamantschi ukuthi uyavuma noma kavumi;
- (b) icala labantu nje libalwa njengokuthi seliqalile ngesikhathi sokuthumela incwadi zokumemela emthethwandaba sezihanjisive kumbe isicelo sesibekiwe.

Imithetho ephathelane loMtshutshisi Jikelele

19. (1) Ingqe yisiphi isinqumo kumbe isenzo esenziwa kungakafiki usuku lokuqala ukusebenza ngu- kumbe endaweni kaNhlokolawulamthetho mayelana lokutshutshiswa kwamacula uthathwa njengokuthi, mhlaka laphambili kwalolosuku, sathathwa ngu-kumbe endaweni kaMtshutshisi Jikelele.

(2) Umuntu owayephethe isikhundla njengeNhlokolawulamthetho kungakafiki usuku lokuqala ukusebenza uyaqhubeka njengoMtshutshisi Jikelele ngalolosuku kusiyaphambili.

Amalungelo okuthola impentsheni

20. Ilungelo elimqoka kumbe elingemqoka mayelana lokuthola ipentsheni elalikhona kungakafiki usuku lokuqala ukusebenza kweSisekamthetho lesi njalo lalivikelwe ngaphansi kweSisekamthetho sakudala liyaqhubeka likhona njalo livikelwe njengalokhu okwakukhona ngaphansi kweSisekamthetho esidala.