

IINqalelelo eziSisekelo zomThethosisekelo

WeRiphabhliki yeSewula Afrika, 1996,
Ezilula ezenzelwe abaNtwana



ISENDLALELO, IINQALELELO EZISISEKELO NOMTLOLO
WAMALUNGELO WOBUNTU

"Umtlolo wamathomo weSingisi ngiwo umtlolo osemthethweni womThethosisekelo"

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Isendlalelo, Iinqalelelo Ezisisekelo Nomtlolo
Wamalungelo Wobuntu

ISINGENISO UYINI UMTHETHOSISEKELO?

UmThethosisekelo kusiqhema semigomo esisekelo enikela indlela okumele kuphathwe ngayo umBuso. Ubeka ngokusobala bonyana amalunga karhulumende kumele ahlelwe bunjani begodu umumethe imithetho ephathelene nokuthi amandla asetjenziswa bunjani ekubuseni inarha. Ungabonakala sengathi uyikontraga hlangana nalabo ababusako nalabo ababopheleleke kilawo mandla. Uhlathulula amalungelo kanye nemisebenzi yezakhamuzi, begodu neendlela ezenza labo abaphetheko bahlale bazihlola njalo.

UmThethosisekelo weRiphabhliki yeSewula Afrika umthetho omkhulu wenarha. Unikela isisekelo somthetho sokubakhona kweRiphabhlikhi, begodu uhlathulula amalungelo nemisebenzi wezakhamuzi zenarha, begodu uhlathulula nesakhiwo sikarhululmende. Bewubizwa ngokuthi "isitifiketi samabeletho" seSewula Afrika etjhaphulukileko nenedemokhrasi.

UmThethosisekelo wethu ungoqathekileko- namkha omkhulu-umthetho wenarha. Awukho omunye umthetho ongaphikisana nawo; noRhulumende nayeangeze enza litho ukuwephula. Kudemokhrasi enomthethosisekelo efana neyethu, umThethosisekelo mkhulu kunePalamende begodu usilinganiso okwahlulelwa ngaso eminye imithetho. Usebenza kiwo woke amagatja womBuso. Ikhotho yomThethosisekelo iyikhotho ephakeme khulu eSewula Afrika ngeendaba eziphathelele nomthethosisekelo begodu ngiyo ethatha isiqu nto ekuhlathululeni umThethosisekelo.

Isibonelo, umThethosisekelo weSewula Afrika uhlathulula bonyana uRhulumende uthonywa njani, ukhethwa bunjani begodu usebenza bunjani. Wendlala namandla kaRhulumende –begodu nemikhawulo yalawomandla –begodu nokuqinisa amalungelo wabantu. Uveza nokuthi uRhulumende uzaziphendulela bunjani ebantwini obakhethileko.

UmThethosisekelo usisekelo sepilo yabantu beSewula Afrika, kodwana wenza okukhulu kunokuhlathulula iminingwana ebonakalako yokusebenza komBuso. UmThethosisekelo wethu utjengisa ithemba neminqopho yesitjhaba.

**UKUQAKATHEKA KWESENDLALELO, ISIAHLUKO 1
(IINQALELELO EZISISEKELO) KANYE NESIAHLUKO
2 (UMTLOLO WAMALUNGELO WOBUNTU)
WOMTHETHOSISEKELO**

Imithethosisekelo eminengi ivela ebujameni obukhethekileko. ISewula Afrika yenze itjhuguluko elisisekelo kusukela esikhathi sebandlululo eligandelelako (irherho elathonywa ngokwamandla wesibethamthetho) ukuya kudemokhrasi enomthethosisekelo ozibophelele ekwakheni umphakathi odzimelele emikghweni elungileko yedemokhrasi, ubulungisa bomphakathi namalungelo wobuntu asisekelo.

Umthethosisekelo wethu utjengisa umlando wethu ongakajayeleki begodu netjisekelo yokufuna ikululeko nedemokhrasi. Nawazi iindaba zakade zeSewula Afrika, akumangazi bonyana umThethosisekelo wethu ugandelela isidingo sokwakha umphakathi "otjhaphulukileko

ngokwedemokhrasi", begodu ugandelela isithunzi, ubulungisa nokulingana.

Isendlalelo kusitatimende sesingeniso esifitjhani esihlathulula umqopho womhlahlandlela nemigomo yomthethosisekelo. Isahluko 1 siveza imigomo yomthethosisekelo eqakathekileko, begodu njengombana iqakathekile nje kubudisi khulu ukuyitjhugulula.

Isigaba 1singatjhugululwa mThethomlingwa okhitjhwe yiKoro yePalamende eKulu,namavowudu asekelako okunganani amaphesente ama-75 wamalunga womKhandlu, namavowudu asekelako wamaphrovinsi amathandathu.

UmThethosisekelo nekolelo yokobana urhulumende adzimelele kumthethosisekelo kuyakhambisana namalungelo wobuntu. Amalungelo ahlala njalo azinzeengcenyeni ethileko yomthethosisekelo, okuthiwa umTlolo wamaLungelo wobuNtu. Isahluko 2 somThethosisekelo ka-1996 simumethe umTlolo wamaLungelo wobuNtu weSewula Afrika. Yingcnyene yomThethosisekelo edose ikareko elikhulu – begodu ibe nomthelela omkhulu kumaSewula Afrika- eminyakeni eminengi edlulileko.Iinqalelelo lezi ziphathelene namalungelo wokulingana, isithunzi somuntu, ipilo, ukuba wedwa, ikululeko yekolo nokuvea amazizo. Uthinta nobudlelwano kezemisebenzi, abantwana,ifundo kanye nekambiso yezomthetho.

UmTlolo wamaLungelo wobuNtu ulidwala ledemokhrasi eSewula Afrika.Uvumelana namagugu wedemokhrasi aphaathelene nesithunzi somuntu, ukulingana kanye nekululeko. UmTlolo wamaLungelo wobuNtu kuSahluko 2 somThethosisekelo kunesede eqakathekileko yamalungelo wobuntu anqophe ukuhlathulula amalungelo wabantu, atjho bonyana asebenza njani kubani amalungelo lawo begodu abe alawule bonyana amalungelo lawo angaba nomkhawulo nini bunjani.

Isahluko 2singatjhugulula umThethomlingwa ovunyelwe yiKoro yePalamende eKulu,ngevowudu esekelwa ngokubili esithathwini ngokwamalunga wayo kanye nomKhandlu weemFunda, ngesekelo lamaphrovinsi asithandathu.

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"Umtlolo weSingisi wamathomo ngiwo umtlolo womThethosisekelo osemthethweni".

ISENDLALELO

*Thina, abantu beSewula Afrika,
Siyakwazi ukungakaphatheki kwethu ngokomThetho kwesikhathi sakade;*

*Sihlonipha labo abahlukumezekako ngebanga lokobana kube khona ubu-
lungiswa nekululeko enarhenekhethu;*

*Sihlonipha labo abasebenzileko ekwakhiweni nekuthuthukisweni kwepha-
silekhethu; begodu*

*Bakholwa bona iSewula Afrika ingeyabo boke abahlala kiyo, sibambene
ngokwahlukahlukana kwethu.*

*Ngokujanyelwa bajameli bethu abakhethwe ngokutjhaphulukileko, samuke-
la umThethosisekelo lo njengomThetho wokuthoma weRiphabliki oza —*

*Kuqeda ukuhlukana okwadlulako begodu sakhe umphakathi odzimelele
eminqopheni yentando yenengi, ubulungiswabegodu namalungelo
wobuntu wangokomThetho;*

*Ukubeka isisekelo sentando yenengi nomphakathi otjhaphulukileko lapha
urhulumende adzimelele khona eemfunweni zabantu begodu nalapha
isakhamuzi ngasinye sivikelwe mThetho ngokulinganakho;*

*Ukwenza ngcono izinga lepilo yazo zoke izakhamuzi begodu nokuveza
amakghono womunye nomunye umuntu; begodu*

*Nokwakha iSewula Afrika ebumbeneko neyentando yenengi
ezokukghona ukuthatha indawo yayo njengenarha ezijameleko
emndenini weentjhabatjhaba.*

*Kwanga uZimu angavikela abantu bekhethu.
Kosi Sikelel' i-Afrika. Morena boloka setjhaba sa heso.
God seën Suid-Afrika. God bless South Africa.
Mudzimu fhatutshedza Afurika. Hosi katekisa Afrika*

ISAPHLUKO 1

IINQALELELO EZISISEKELO

IRiphabliki YeSewula Afrika

1. IRiphabliki yeSewula Afrika mbuso ozijameleko, obambeneko wentando yenengi, osekwe phezu kwamagugu alandelako:
 - (a) isithunzi sobuntu, ukuphuyelelisa kokulingana nokuthuthukiswa kwamalungelo wobuntu kanye nekululeko.
 - (b) ukungabandlululi ngobuhlanga nangobulili.
 - (c) ukuba ngaphezulu komThethosisekelo nokusebenza komThetho.
 - (d) ilungelo lokuvowuda labo boke abadala, irhelo elifanako labavowudi, amakhetho abanjwa njalo ngemva kwesikhathi esithileko begodu nerherho lentando yenengi lokubusa kweenhlangano ezinengi, ukuqinisekisa ubuziphendulelo, ukuba majadu nokuvuleka.

Ubukhulu BomThethosisekelo

2. UmThethosisekelo mThetho omkhulu weRiphabliki; umthetho namkha isenzo esingakhambisani nawo asikho emthethweni, begodu neembopho ezibekwa ngiwo kufanele zifezwe.

Ubuzwe

3. (1) Kunobuzwe obufanako eSewula Afrika.
 - (2) Zoke izakhamuzi—
 - (a) zimalungelo, amagunya kanye nokuzuza ngokulinganako; begodu
 - (b) zilawulwa misebenzi neembopho zobuzwe ngokulinganako.
 - (3) UmThetho wenarha kumele ubonelele ukutholakala, ukulahlekelwa begodu nokubuyiselwa kobuzwe.

Ingoma Yesitjhaba

4. Ingoma yesitjhaba yeRiphabliki ibekwa nguMongameli ngesimemezelo sangokomThetho

IFlarha YeNarha

5. IFlarha yeNarha yeRiphabliki inombala onzima, osarhawuda, ohlaza satjani, omhlophe, obomvu sabilibili nohlaza ukusamkayi, njengombana ibunjiwe beyahlathululwa eHlelweni 1.

AmaLimi

6. (1) Amalimi asemthethweni weRiphabliki ngila: Sepedi, Sesotho, Setswana, Siswati, Tshivenda, Xitsonga, isiBhuru, isiNgisi, isiNdebele, isiXhosa nesiZulu
- (2) Ukwamukela amalimi wabantu lawo ekhabe angatjhejwa ngokuya komlando nangokobujamo bawo, umbuso kumele uthathe amagadango afaneleko nanepumelelo ukukhuphula ubujamo bokuthuthukiswa nokusetjenziswa kwamalimi lawo.
- (3) (a) URhulumende weNarha noweemFunda angasebenzisa elinye nelinye ilimi elisemthethweni malungana nemisebenzi kaRhulumende, kutjhejwe ukusetjenziswa, ukusebenza kwawo, iindleko, ubujamo beemfunda nokulinganisa iindingo nalokho okukhethwa mphakathi wokana namkha kumaPhrovinsi athileko; kodwana uRhulumende weNarha nomunye nomunye uRhulumende wesiFunda kumele asebenzise ubuncani bakhona amalimi amabili asemthethweni.
- (b) Abomasipala kumele batjheje amalimi asetjenziswa namkha enyulwa zizakhamuzi zabo.
- (4) URhulumende weNarha noweemFunda ngokuya kwamagadango asemthethweni kumele alawule begodu abeke ilihlo ukusetjenziswa kwamalimi lawo asemthethweni. Ngaphandle kokuphikisana nokutjiwo kusigatjana (2)

woke amalimi kumele ahlonitjhwe ngokulinganako begodu aphathwe nangokulinganako.

(5) IBhodo yamaLimi woKe weSewula Afrika eyahlonywa ngokomThetho welizwe kumele:

- (a) ithuthukise begodu isungule nobujamo obuzokubonelela ituthuko nokusetjenziswa—
 - (i) kwamalimi woke asemthethweni;
 - (ii) kwesi-Khoi, isiNama nesi-San; begodu
 - (iii) neLimi lamaTshwayo; begodu
- (b) ukuthuthukisa noqinisekisa ukuhlonitjhwa—
 - (i) kwawo woke amalimi asetjenziswa ngokujayelekileko miphakathi yeSewula Afrika, ukufaka phakathi isi-German; isi-Greek; isi-Gujarati, isi-Hindu, isi-Portuguese, isi-Tamil, isi-Telegu begodu nesi-Urdu; begodu
 - (ii) isi-Arabic; isi-Hebrew; isi-Sanskrit; begodu namanye amalimi asetjenziselwa ezekolo eSewula Afrika.

ISAPHLUKO 2

UMTLOLO WAMALUNGELO WOBUNTU

Amalungelo

7. (1) UmTlolo wamaLungelo wobuNtu usisekelo okwakhelwe phezu kwaso intando yenengi eSewula Afrika. Umumethe amalungelo wabo boke abantu benarha yekhethu begodu uqinisa amagugu wentando yenengi nesithunzi sobuntu, ukulingana kanye netjhaphuluko.
- (2) Umbuso kumele uhloniphe, uvikele, uthuthukise begodu uzalise amalungelo amunyethwe mTlolo wamaLungelo wobuNtu.
- (3) Amalungelo amunyethwe mTlolo wamaLungelo wobuNtu ngokulawulwa mikhawulo emunyethweko namkha okukhulunywa ngayo esigabeni 36, namkha ngokutjihiwo kwenye indawo ngaphakathi kwalomtlolo lo.

Ukusetjenziswa

8. (1) UmTlolo wamaLungelo wobuNtu lo usebenza kiwo woke umThetho begodu ubopha isiBethamthetho, isiGungu, iphiko lezobuLungiswa nazo zoke iinJamiso zomBuso.
- (2) Isiqalelelo somTlolo lo wamaLungelo wobuNtu sibopha umuntu wendabuko namkha womThetho nangabe, begodu nokufikela ezingeni lapha ukghona khona ukusebenza, ngokutjhejwa komhlobo welungelo begodu nomhlobo womsebenzi lowo onikelwa lilungelwelo.
- (3) Nakungenzeka usebenzise isiqalelelo somTlolo wamaLungelo wobuNtu emuntwni wendabuko namkha womthetho ngokuya kwesigatjana (2), ikhotho—
 - (a) ukuze iphumelelise ilungelo elithileko elisemTlolweni, kumele isebenzise, namkha nangabe kunetlhogakalo, ithuthukise umThetho wesintu kuze kufike ezingeni lapha umThetho okukhulunywa ngawo ungasaphumelelisi khona ilungelwelo, begodu

- (b) kungenzeka bona ithuthukisa imilayo yomThetho wesintu ukurhunyeza ilungelo, kodwana nangabe ukurhunyezokho kukhambisana nesigaba 36(1).
- (4) Umuntu womThetho naye unelungelo lokufumana amalungelo asemTlolweni wamaLungelo wobuNtu ngokuya kwendlela etlhogwa lihlobelo lamalungelo begodu nehlobelo lomuntu womThetho.

Ukulingana

9. (1) Boke abantu bayalingana phambi komThetho, begodu banelungelo lokuvikeleka kanye nokusizwa mThetho ngokulinganako.
- (2) Ukulingana kufaka hlangana ukuthabela amalungelo nepumelelo ngokuzeleko nangokulingana. Ukuthuthukisa ukufikeleleka kokulingana, imithetho begodu namanye amagadango ahlelelwe ukuvikela namkha ukuthuthukisa abantu, namkha iinqhema zabantu ebegade zidlelezelwe ngebanga lebandlululo elingasifeya.
- (3) Angekhe kwenzeka bona umBuso ubandlulule ngokungasifeya, bunqopha namkha ingasibunqopha nanyana ngubani ngombandela owodwa nakha ngaphezulu, ukufaka hlangana ukubandlulula ngokwebala, ngokobulili, ngokobana umuntu usidisi, utjhadile namkha akakatjhadi, ngokobuhlobo ngokobana umuntu udabuka kusiphi isitjhaba, ngokombala, ngokuzibandakanya nobulili obuthileko, ngeminyaka yobudala, ngokukhubazeka, ngokwekolo, unembeza, ikolelo, ngokwamasiko, ngokwelimi nango kubelethwa.
- (4) Akekho umuntu okungenzeka bona abandlululwe nginayana ngubani ngokungasifeya, bunqopha namkha awa, ngombandela owodwa nanyana ngaphezulu, ngokuya kwesigatjana (3). UmThetho wenarha wokuvimbela namkha wokujamisa ibandlulo elingasifeya kumele uphasiswe.

- (5) Ibandlululo ngebanga lombandela owodwa namkha ngaphezulu erheliswe kusigatjana (3) ayisifeya ngaphandle kobana kutholakale bona ibandlululweli kwamambala lifeya.

IsiThunzi SobuNtu

10. Omunye nomunye umuntu unesithunzi ngokwemvelo, begodu unelungelo lokobana isithunzi sakhe sihlonitjhwe besivikelwe.

Ipilo

11. Omunye nomunye umuntu unelungelo lokuphila.

Itjhaphuluko Nokuvikeleka Komuntu.

12. (1) Omunye nomunye umuntu unelungelo letjhaphuluko nokuvikeleka okufaka hlangana ilungelo—
- (a) lokungadinywa itjhaphuluko ngokungasimthetho namkha ngaphandle kombandela ozwakalako;
 - (b) lokungavalelwa ejele ngaphandle kokuvela ekhotho;
 - (c) lokutjhaphuluka kiyo yoke imihlobo yenturhu kungaba ngevela emithonjeni yomphakathi namkha yangeqadi;
 - (d) lokungatlhoriswa nanganyana ngiyiphi indlela; begodu
 - (e) nelokungaphathwa namkha ajeziswe ngendlela esihluku, enganabuntu namkha eyehlisa isithunzi.
- (2) Omunye nomunye umuntu unelungelo lokobana ubujamo bakhe bomzimba nebomkhumbulo bungathathelwa phasi, lokhu kufaka hlangana nelungelo—
- (a) lokuthatha isiqu nto malungana nokubeletha;
 - (b) lokuvikeleka nelelawulo ngemizimbabo; begodu
 - (c) nelokungasetjenziselwa ukulingelela ukusebenza kwesihlahla namkha nanyana ngisiphi isisetjenziswa esiphathelene nezesayensi ngaphandle kwemvumakhe.

Ubugqila, Ukukatelelwa Ukuhlonipha Omunye Namkha Ukukatelelwa Ukusebenza

13. Akekho noyedwa umuntu ozakwenziwa isigqila, akatelelwe ukuhlonipha omunye namkha akatelelwe ukusebenza.

Ukuba Wedwa

14. Omunye nomunye umuntu unelungelo lokungaphazanyiswa, lokhu kufaka hlanguana nelungelo lokobana—
- (a) umzimbakhe namkha umuzakhe ungasetjiswa;
 - (b) ipahlakhe ingasetjiswa;
 - (c) ipahlakhe ingathathwa ngekani; namkha
 - (d) nekulumakhe ebuntumba ingacajelwa.

Itjhaphuluko Yekolo, Ikolelo Begodu Nombono

15. (1) Omunye nomunye umuntu unelungelo letjhaphuluko kanembeza, ikolo, ukucabanga, ikolelo begodu nokuveza umbono.
- (2) Iinkonzo zingabanjelwa eenjamisweni zombuso namkha eenjamisweni ezirhelejwa mbuso, nangabe—
- (a) iinkonzwezo zilandela imilayo yekambiso ebekwe ziimphathiswa zomphakathi ezifaneleko.
 - (b) iinkonzwezo zikhanjiswa ngendlela efaneleko; begodu
 - (c) nokuzikhambela kutjhaphulukile begodu akukakatelelwa.
- (3) (a) Isigabesi asivimbeli umThetho owamukela—
- (i) imitjhado ephethwa ngananyana ngiliphi isiko, namkha irherho lekolo, ngokomThetho womndeni namkha womtjhadi; begodu
 - (ii) amarherho womThetho womndeni newomtjhadi ngaphasi kwananyana ngiliphi isiko, namkha kungaba ngelabantu abalandela ikambiso yekolo ethileko.

- (b) Ukwamukelwa ngokuya kwepharagrafu (a) kumele kukhambisane nesigabesi begodu nezinye iinqalelelo zomThethosisekelo.

Itjhaphuluko Yokuveza Amazizo

- 16. (1) Omunye nomunye umuntu unelungelo letjhaphuluko yokuveza amazizwakhe, okufaka hlangu—
 - (a) itjhaphuluko yamaphephandaba namanye amamidiya;
 - (b) itjhaphuluko yokwamukela namkha ukudlulisa ilwazi namkha imibono
 - (c) itjhaphuluko yokuveza ikghono lokubumba nokusungula; begodu
 - (d) netjhaphuluko yezokufunda begodu netjhaphuluko yokwenza irhubhululo elubusayensi.
- (2) Ilungelo elitjhiwo esigatjaneni (1) alifaki lokhu—
 - (a) ukukhuluma ngendlela ephehla ipi
 - (b) ukutjala umoya ongabangela inturhu; namkha
 - (c) ukuletha ukuhloyana okudzimelele ekuhlukakeni ngokwebala, ngokobuhlobo, ngokobulili, namkha ngokwekolo begodu lokho kuphehla inturhu engabangela ukulimala.

Ukubuthana, Ukutjhagala, Ukurhwanta Nokwethula Iinghonyoyilo

- 17. Omunye nomunye umuntu unelungelo lokubuthana, ukungenela ijima lokutjhagala, lokurhwanta nokwethula iinghonyoyilo ngaphandle kwenturhu neenkali.

Itjhaphuluko Yokuhlanganyela

- 18. Omunye nomunye umuntu unelungelo lokuhlanganyela.

Amalungelo Wezombanganarha

19. (1) Esinye nesinye isakhamuzi sitjhaphulukile bona singazikhethela esikufunako manqophana nezombanganarha, lokhu kufaka hlangana nelungelo loku—
- (a) sungula ihlangano yezombanganarha
 - (b) zibandakanya emisebenzini yehlangano, namkha uyifunele ihlangano leyo amalunga, begodu
 - (c) nokukhankasela ihlangano leyo yezombanganarha.
- (2) Esinye nesinye isakhamuzi sinelungelo lokungenela amakhetho atjhaphulukileko, afeya neza qobe ngemva kwesikhathi esithileko, wesinye nesinye isiBethamthetho esitlhanywe ngokuya komThethosisekelo.
- (3) Omunye nomunye umuntu omdala unelungelo—
- (a) lokuvowuda, emakhethweni wokuvowudela nanyana ngiliphi ibandla lesiBethamthetho, elitlhanywe ngokuya komThethosisekelo, begodu nokuvowuda buntumba; begodu
 - (b) nokujamela ukuba ngunkhethani esikhundleni sokusebenzela umphakathi, nangabe kwenzekile bona ukhethwe, uphathe isikhundla sokusebenzela umphakathi.

Ubuzwe

20. Asikho isakhamuzi esingadinywa ubuzwe baso.

Itjhaphuluko Yokukhamba Nokuhlala Umathanda

21. (1) Omunye nomunye umuntu unelungelo lokukhamba ngokutjhaphuluka.
- (2) Omunye nomunye umuntu unelungelo lokufuduka la eRiphabliki.
- (3) Esinye nesinye isakhamuzi sinelungelo lokungena, nokuhlala nanyana kukuphi la eRiphabliki.
- (4) Esinye nesinye isakhamuzi sinelungelo lokuba nepasipoti.

Itjhaphuluko Yokurhweba, Yesikhundla Somsebenzi Nebizelo

22. Ngokulawulwa mThetho, esinye nesinye isakhamuzi sinelungelo lokuzikhethela irhwebo, ukufumana isikhundla somsebenzi nokuba nebizelo.

Itjhebiswano Kezemisebenzi

23. (1) Omunye nomunye umuntu unelungelo lokuphathwa ngendlela efaneleko emsebenzini.
- (2) Esinye nesinye isisebenzi sinelungelo—
- (a) lokubumba nokujoyina iinhlango zabasebenzi;
 - (b) lokuzibandakanya emisebenzini nemahlelweni weenhlango zabasebenzi; begodu
 - (c) nelokunghala umsebenzi.
- (3) Omunye nomunye umqatjhi unelungelo—
- (a) lokubumba nokujoyina iinhlango zabaqatjhi, begodu
 - (b) nokuzibandakanya emisebenzini nemahlelweni weenhlango zabaqatjhi.
- (4) Enye nenye ihlango yabasebenzi begodu nenye nenye ihlango yabaqatjhi inelungelo—
- (a) lokukhetha abaphathi, amahlelo nemisebenzawo;
 - (b) lokuhlela; begodu
 - (c) nelokubumba nokujoyina umfelandawonye .
- (5) Enye nenye ihlango yabasebenzi, ihlango yabaqatjhi begodu nomqatjhi banelungelo lokuzibandakanya eenkulumiswaneni zokubonisana. UmThetho wenarha ungabekwa ukulawula ikulumiswano yokubonisana. Kangangobana umThetho ungaqunta ilungelo eSahlukwenesi, ukuquntwa kumele kukhambisane nesigaba 36 (1)
- (6) UmThetho weNarha ungamukela amalungiselelo wokuvikela iinhlango amunyethwe eemvumelwaneni zebambiswano. Kangangobana umThetho ungaqunta eSahlukwenesi, ukuqunta kufanele kukhambisane nesigaba 36(1)

Ibhoduluko

24. Omunye nomunye umuntu unelungelo—

- (a) lokuba sebhodulukweni engekhe lahlunguphaza ipilo nehlalakuhle yakhe; begodu
- (b) nokuba nebhoduluko elivikelekileko, ukwenzela bona kuzuze isizukulwana sakhathesi nesizako, ngokusetjenziswa komThetho ozwakalako namanye amagadango ahlelelwe—
 - (i) ukuvimbela ukusilaphazeka kwebhoduluko nokurhuhuleka kwehlabathi
 - (ii) ukukhuthaza ukuthogonyelwa kwemvelo; begodu
 - (iii) nokuqinisekisa ituthuko edzimeleleko nokusetjenziswa kuhle kwemithombo yemvelo, ngakelinye ihlangothi kuthuthukiswe ngokuqinisekisiweko zomnotho nezomphakathi.

Ipahla

- 25. (1) Akakho umuntu ozakudinywa ipahla ngaphandle kwalokha kwenziwa ngokulandela umThetho osebenza ngokuvamileko, begodu awukho umThetho ongavumela bona umuntu adinywe ipahla ngokungasimthetho.
- (2) Ungamukwa ipahla kwaphela ngokuya komThetho osebenza ngokuvamileko—
 - (a) nangabe kwenzelwa iindingo namkha iinrhuluphelo zomphakathi; begodu
 - (b) ngokulawulwa kuliliswa ngemali, inani layo begodu nesikhathi nendlela ezakubhadelwa ngayo okungenzeka bona kuvunyelwane ngayo hlangana nalabo abathintekako namkha kuthathwe isiqu nto namkha kuquntwe yikhotho.
- (3) Inani lemali yesililiso, isikhathi nendlela ezakubhadelwa ngayo kufanele kube ngelungileko nelinganako, etjengisa ukulinganiswa okufaneleko hlangana kweenrhuluphelo

zomphakathi neenrhuluphelo zalabo abathintekako, begodu kutjhejwe yoke imibandela efaneleko, okufaka hlangana—

- (a) ukusetjenziswa kwepahla njenganje;
 - (b) umlando wokutholakala nokusetjenziswa kwayo;
 - (c) bona ingabiza malini nange ithengiswa;
 - (d) izinga elingophileko lokubulunga nokurhelelwa kombuso ngeemali ekutholweni nekuthuthukisweni kwenani lenzuzo yepahla; begodu
 - (e) nomnqopho wokwemukwa ipahla leyo.
- (4) Ngokomnqopho wesigabesi—
 - (a) iinrhuluphelo zomphakathi zifaka hlangana isibopho sesitjhaba sokutjhugululwa kwenarha namatjhuguluko abonelela ukutholakala kwayo yoke imithombo yemvelo yeSewula Afrika; begodu
 - (b) nokobana ipahla ayifaki hlangana inarha kwaphela.
- (5) Umbuso kumele ubeke umThetho begodu uthathe namagadango azwakalako ngaphakathi kwemithombo enayo, ukukatelela imibandela eyenza bona izakhamuzi zikghone ukuthola inarha ngendlela elinganako.
- (6) Umuntu namkha umphakathi lowo isikhathi sawo sokusebenzisa inarha esingakavikeleki ngokomThetho ngebanga lomThetho wangesikhathi sebandlululo obandlulula ngokwebala namkha izenzo, unelungelo ukufikela ezingeni elitjhiwo mThetho wePalamende, nofana isikhathi esivikelekileko ngokomThetho namkha ngokulungisa okumadanisekako.
- (7) Umuntu namkha umphakathi omukwe ipahla ngemva kwamhlana zili-19 kuMgwengweni 1913 ngebanga lomThetho wengesikhathi sebandlululo, obandlulula ngokwebala namkha izenzo, unelungelo ukufikela ezingeni elitjhiwo mThetho wePalamende, namkha ngokubuyiswa kwepahla leyo namkha ngokulungiswa ngendlela elinganako.

- (8) Asikho nesisodwa isiqalelelo sesigabesi esingavimbela umbuso ekuthatheni umThetho namanye amagadango ukwenzela bona bothole inarha, amanzi nokhune okukhambelana namatjhuguluko la, ukuze kulungiseke imiphumela yebandlululo ngokwebala kwangesikhathi esadlulako, ngaphandle kwanyana ukutjhida okhune nokhune eenqalelelweni zesigabesi kukhambisana neenqalelelo zesigaba 36 (1).
- (9) IPalamende kumele imemezele umThetho otjhiwo esigatjaneni (6).

ZeZindlu

26. (1) Omunye nomunye umuntu unelungelo lekghono lokufunyanwa kwezindlu ngokwaneleko.
- (2) Umbuso kumele uthathe amagadango azwakalako womThetho namanye amagadango, ngokusemandleni wawo, ukukghonakalisa ngokupheleleko ilungelweli.
- (3) Akekho noyedwa ongakhutjwa ngendlinakhe, namkha indlwakhe engabhidlizwa, ngaphandle kwencwadi yesigunyazo sekhotho eyenziwa emva kokutjhejwa kwawo woke amaphuzu aqakathekileko. Awukho nowodwa umThetho ongakuvumela bona umuntu akhutjwe endlinakhe ngokungasimthetho.

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27. (1) Omunye nomunye umuntu unelungelo lekghono lokufumana lokhu—
 - (a) ukutlhogonyelwa kezamaphilo, okufaka hlangana ukutlhogonyelwa ngehlangothini lezokubeletha;
 - (b) ukuthola ukudla okwaneleko namanzi ahlanzekileko; begodu
 - (c) ukuvikeleka kwezehlalakhuhle, okufaka hlangana, ukurhelejwa okufaneleko kwezehlalakhuhle nangabe

umuntu ubhalelwa kuzondla yena, nalabo okumele abondle.

- (2) umbuso kumele uthathe amagadango afaneleko wangokomThetho namanye amagadango, ngokusebenzisa imithombo yawo ekhona, ukuphumelelisa elinye nelinye lamalungelo la.
- (3) Akakho noyedwa umuntu ongalelwa irhelebho elirhabako lokwelatjhwa

Abantwana

28. (1) Omunye nomunye umntwana unelungelo—

- (a) lokuba nebizo nobutjhaba kusukela nakabelethwako;
- (b) lokutlhogonyelwa bazali namkha mndeni; namkha ukuthola itlhogomelo elinye elifaneleko nangabe ususiwe emndeninakhe;
- (c) lokuthola ukudla okunezakhamzimba, indawo yokuhlala; ukwelatjhwa; begodu nokutjhejwa kwezehlalakuhle;
- (d) lokuvikelwa ekuphathweni kumbi; ukuninwa, ukuhlukunyezwa namkha ukwehliswa kwesithunzi sobuntu
- (e) lokuvikelwa ekusetjenzisweni mquatjhi ngokungakafaneli;
- (f) ukungafuneki namkha ukungakavunyelwa bona wenze umsebenzi othileko namkha unikele umsebenzi—
 - (i) ongakalungeli umuntu oneminyaka elingana neyobudala bomntwana lowo; namkha
 - (ii) obeka umntwana ngokwakhe ebudisini, ifundwakhe, ipilwakhe, ingqondo, umoyakhe, ukuziphatha begodu nekuzithuthukiseni kwakhe.
- (g) lokobana angabotjhwa ngaphandle kwanyana sele kungasekho elinye igadango lamaswaphelo, lapha ngaphezu kwamalungelo umntwana awatholako ngaphasi kwesigaba 12 nesama-35, umntwana

- angabotjhwa kwaphela isikhatjhana esifitjhani nesifaneleko begodu unelungelo loku—
- (i) hlukaniswa neembotjhwa ezingaphezulu kweminyaka eli-18; begodu
 - (ii) phathwa ngaphasi kobujamo obufanele umntwana waleyo minyaka;
- (h) lokuba nomjameli wezomthetho obonelelwa mbuso, begodu nangeendleko zombuso kuleyo milandu yemibango ethinta umntwana loyo nangabe ukungakhambi kuhle komthetho kungahle kube khona; begodu
- (i) nelokungasetjenziswa kwakhe bunqopha lapha kunenturhu yeenkhali khona nokobana kumele avikeleke ngeenkhathi zenturhu yeenkhali.
- (2) Iinrhuluphelo zomntwana kuyinto eqakatheke khulu ezintweni zoke eziphathelene nomntwana.
- (3) Esigabenesi nakukhulunywa ngomntwana kutjhiwo umuntu oneminyaka engaphasi kweli-18 ubudala

Ifundo

29. (1) Omunye nomunye umuntu unelungelo—
- (a) lokuthola ifundo esisekelo, okufaka hlangana nefundo esisekelo yabantu abadala; begodu
 - (b) nelokuthola ifundo ephakemeko, okumele bona umbuso ngokuthatha amagadango afaneleko uyenze ibekhona beyikghone ukufumaneka begodu iragele phambili ngendlela okungakghonakala ngayo.
- (2) Omunye nomunye umuntu unelungelo lokuthola ifundo ngelimi elisemthethweni namkha ngelimi azikhethele lona eenkhungweni zefundo ezingezomphakathi, lapha ifundo leyo inikelwa khona ngokuzwakalako. Ukwenzela bona kuqinisekiswa ikghono lokutholakala okunepumelelo kokusetjenziswa kwelungelweli, umbuso kumele uqalelele

woke amagadango ahlukeneke wefundo, okufaka hlangana iinkhungo ezisebenzisa ilimi elilodwa, ukutjheja—

- (a) ukulingana
 - (b) ikghonakalo; begodu
 - (c) isidingo sokulungisa imiphumela yezenzo zemithetho yesikhathi esigadungileko ebandlulula ngokwebala.
- (3) Omunye nomunye umuntu unelungelo lokusungula begodu agcine isikhungo sezefundo, asisekele ngeemali zakhe begodu sizijamele nangabe iinkhungo lezo—
- (a) azibandlululi ngokwebala;
 - (b) zitlolisiwe embusweni; begodu,
 - (c) azikho ezingeni eliphasi nazimadaniswa nalezonkhungo zefundo ezilawulwa mphakathi
- (4) Isigatjana (3) asivimbeli ukusizwa ngeemali mbuso kweenkhungo zefundo ezizijameleko.

Ilimi Namasiko

30. Omunye nomunye umuntu unelungelo lokusebenzisa ilimi nokudlala indima epilwenakhe yamasiko azikhethela yona, kodwana akekho noyedwa umuntu ozakuthi lokha nakasebenzisa amalungelwakhe, awasebenzise ngendlela engakhambisaniko yananyana ngisiphi isiqalelelo somTlolo wamaLungelo.

Imiphakathi Yangokwamasiko, Ikolo Nelimi

31. (1) Abantu bomphakathi abakhambisanako ngokwamasiko, ikolo nelimi angeze badinywa ilungelo, namanye abantu womphakathi lowo, loku—
- (a) thabela isiko labo, benze ikolo yabo bebasebenzise ilimi labo, begodu
 - (b) nokusungula, ukujoyina nokuraga iinhlangano zamasiko, ikolo nezamalimi, nezinye iinjamiliso zomphakathi.

- (2) Amalungelo asesigatjaneni (1) angekhe asetjenziswa ngendlela engakhambisani nanoma ngisiphi isiqalelelo somTlole wamaLungelo.

Ilungelo Lokuthola Ilwazi

32. (1) Omunye nomunye umuntu unelungelo lokuthola—
(a) elinye nelinye ilwazi eliphethwe mbuso, begodu
(b) nelinye nelinye ilwazi eliphethwe ngomunye umuntu okumele lisetjenziselwe namkha kuvikelwe nagalo nanyana ngimaphi amalungelo .
(2) UmThetho wenarha kufanele umenyezelwe ukuphumelelisa ilungelweli begodu kungathathwa amagadango azwakalako ukwethula ubudisi bokuphatha nebeemali obuphezu kombuso.

Igadango Lekambiso Elungileko YezomThetho

33. (1) Omunye nomunye umuntu unelungelo lokuphathwa ngendlela esemthethweni, ezwakalako begodu nangekambiso elungileko.
(2) Omunye nomunye umuntu amalungelwakhe athinteki kabuhlungu ngebanga legadango lekambiso, unelungelo lokunikelwa abonobangela balokho ngokutloliweko.
(3) UmThetho wenarha kumele umenyezelwe ukuphumelelisa amalungelo la, begodu kumele—
(a) unikele ukuhlolisiswa godu kwegadango lekambiso yikhotho namkha lapha kufaneleko, kungaba yikundla ezijameleko begodu nengathathi ihlangothi;
(b) ubophelele umbuso bonyana uphumelelise amalungelo aseengatjaneni (1) no (2); begodu
(c) uthuthukise ikghono lekambiso yezokuphatha.

Ilungelo Lokuya Ekhotho

34. Omunye nomunye umuntu unelungelo lokusa nanyana ngimuphi umbango ongararululwa yikhotho ngokusebenzisa

umThetho, ulalelwe mphakathi ngaphambi kwekhotho, namkha lapha kufaneleko, ungasiwa kenye iforamu ezijameleko engathathi ihlangothi.

Abantu Ababotjhiweko, Abavalelweco Begodu Nabamangalelweco

35. (1) Omunye nomunye umuntu obotjhiweko ngebanga lokusolelwa bonyana wenze umlandu unelungelo—
 - (a) lokuzithulela;
 - (b) lokutjelwa msinyana—
 - (i) ngelungelo lakhe lokuzithulela; begodu
 - (ii) ayeleliswe ngokungenzeka nakangazithuleliko;
 - (c) lokungakatelelwa bonyana avume akwenzileko, ngombana lokho kungahle kusetjenziswe njengobufakazi obumbophelelako;
 - (d) lokuvela ekhotho msinya ngokungakghonakalako, kodwana kungabi ngemva—
 - (i) kwama-iri ama-40 ngemva kokubotjhwa
 - (ii) kokuphela kwelanga lokuthoma lekhotho emva kokudlula kwama-iri ama-48, nangabe ama-iri ama-48 aphela ngaphandle kwama-iri wekhotho ejayelekileko namkha ngelanga okungasilo elijayelekileko lekhotho;
 - (e) lokobana ekuveleni kokuthoma phambi kwekhotho emva kokubotjhwa, athweswe umlandu namkha atjelwe ibanga lokwelulwa kwesikhathi sakhe sokuvalwa, namkha atjhatjhululwe; begodu
 - (f) lokutjhatjhululwa ejele nangabe imibandela yomThetho iyavuma, ngokulawulwa bujamo obuzwakalako.
- (2) Omunye nomunye umuntu obotjhiweko, okufaka hlangana esinye nesinye isibotjhwa esele sigwetjiwe, sinelungelo—
 - (a) lokobana sitjelwe bonyana sibotjhelweni;

- (b) lokukhetha, nokuthintana nomjameli womthetho begodu sitjelwe msinya ngalelilungelo;
- (c) lokubonelelwa ngomjameli womthetho okhonjwe mbuso begodu nangeendleko zombuso nangabe kunekghonakalo lokobana ubulungiswa obuphathekako bubekhona begodu kumele sitjelwe msinya ngelungelweli;
- (d) lokuyokumangala ekhotho, simangalele ukwazi bona ukubotjhwa kwaso kusemthethweni nayana awa, nangabe ukubotjhwa kwaso akukho emthethweni, sitjhatjhululwe
- (e) lokuvallelwa ngaphasi kobujamo obukhambisana nesithunzi sobuntu, okufaka hlangana okungasenani ngokunikela indawo eyaneleko yokuhlala, ukudla okwakha umzimba, iincwadi zokufunda, kanye nokwelatjhwa ngeendleko zombuso; begodu
- (f) nelokuthintana, nokuvakatjhelwa ngilaba abalandelako—
 - (i) ngowakwakhe namkha umlingani;
 - (ii) iinhlobo;
 - (iii) uMeluleki wezekolo okhethwe nguye, begodu
 - (iv) noDorhodere okhethwe nguye.
- (3) Omunye nomunye ummangalelwa unelungelo lokugwetjwa ngendlela efaneleko, okufaka hlangana ilungelo—
 - (a) lokwaziswa ngomlandu abekwe wona, anikelwe neminingwana ngokunabileko ukwenzela bona akghone ukuziphendulela emlandwini loyo;
 - (b) lokuthola isikhathi esaneleko neenkghonakalisi ezaneleko angazisebenzisa ekuzivikeleni;
 - (c) lokugwetjwa ekhotho yomthetho ojwayelekileko nevulelwe umphakathi;
 - (d) lokulalelwa komlandwakhe kuthonywe bekuqedwe ngaphandle kokuriyada okungazwakaliko;

- (e) lokubakhona lokha nakugwetjwa umlandwakhe;
- (f) lokukhetha begodu nokobana ajanyelwe mjameli womthetho begodu atjelwe ngelungelweli msinyana;
- (g) lokubonelelwa ngomjameli womthetho ozakubhadelwa mbuso lokha nakubonakala bona kungaba nokungakhanjiswa ngokulungileko komlandu, begodu aziswe ngelungelwelo msinyana;
- (h) lokuthathwa ngokobana akanamlandu, azithulele, begodu nokobana angafakazi lokha nakugwetjwako;
- (i) lokuthula ubufakazi nokuphikisa ubufakazi obuthuliweko;
- (j) lokungakakatelelwa ukwethula ubufakazi obumbophako;
- (k) lokugwetjwa ngelimi alizwisisako, namkha lokho nakungakghonakaliko, atologelwe ngelimi alizwako;
- (l) lokungagwetjelwa isenzo namkha ukungakenzi okugade kungasimlandu ngaphasi komthetho wenarha namkha umthetho weentjhabatjhaba ngesikhathi lokho nakwenzekako namkha kungenzeki;
- (m) lokungagwetjwa ngomlandu omayelana nesenzo namkha lokho okwatjhiywako lapha umutnu afunyanwa anganamlandu namkha afunyanwa bona umlandu;
- (n) lokuba nethuba lokubethwa ngeswazi elincani lokha nangabe isigwebo esibekiweko sitjhugululwe hlangana nesikhathi umlandu owenziwe ngaso nesikhathi sokugwetjwa; begodu

- (o) nelokwenza isibawo bona umlandwakhe ubuyekezwe namkha uhlolisise yikhotho engaphezulu.
- (4) Nanganyana ngisiphi isikhathi lapha isigabesi sifuna khona bona umbiko utjelwe umuntu; umbiko lowo kumele unikelwe ngelimi lelo umuntu loyo alizwisisako.
- (5) Ubufakazi obutholakele ngendlela ephikisana nanyana ngiliphi ilungelo elingaphakathi komTlolo lo wamaLungelo wobuNtu kumele bulahlwe, nangabe ukwamukelwa kobufakazobo kungenza bona ukugwetjwa komlandu lowo kube ngokungakalungi namkha ngendlela ethile kungakhubaza ikambiso yezobulungiswa.

Ukurhunyezwa Kwamalungelo

36. (1) Amalungelo angaphakathi komTlolo wamaLungelo wobuNtu angarhunyezwa kwaphela ngokuya komThetho osebenza ngendlela evamileko ukufikela lapha ukurhunyezwa kwawo kuzwakala begodu kufaneleko emphakathini ovulekileko nophethe ngentando yesitjhaba edzimele phezu kokuhlonitjhwa kwesithunzi sobuntu, ukulingana netjhaphuluko, kutjhejwe nawo woke amaphuzu afaneleko, okufaka hlangu—
- (a) umhlobo welungelwelo;
 - (b) ukuqakatheka komnqopho werhunyewelo;
 - (c) umhlobo nobungako berhunyezo;
 - (d) ubuhlobo phakathi kwerhunyezo nomnqophalo; begodu
 - (e) nendlela enegandelelo elirhunyewo yokuphumelelisa umnqopho.
- (2) Ngaphandle kwalokho okutjiwo esigatjaneni (1) namkha kunanyana ngisiphi isiqalelelo somThethosisekelo, awukho umThetho ongarhunyeka nanyana ngiliphi ilungelo elibonelelwe ngaphakathi komTlolo wamaLungelo wobuNtu.

UmThetho Wobujamo Oburhabileko

37. (1) UmThetho wobujamo oburhabileko ungamenyezelwa kwaphela ngokuya komThetho wepalamende begodu kwaphela nangabe—
- (a) ipilo yesitjhaba isengozini yokuthuselwa ngepi, ukusahlelwa, ukuvukela umbuso, irawurawu, umonakalo omkhulu ngenarheni namkha kunento erhabileko emphakathini; begodu
 - (b) nesimemezelwelo somThethweswo siyatlhogeka ekubuyisweni kokuthula nokuthotjelwa komThetho.
- (2) Ukumenyezelwa komThetho wobujamo oburhabileko, begodu nomunye nomunye umThetho omenyezelweko, namkha elinye nelinye igadango elithethweko ngokulandela ukumenyezelwa komThetho lo, lingathoma ukusebenza kwaphela nangabe—
- (a) lithoma ukusebenza ngelanga elimenyezelwe ngalo, begodu
 - (b) kungadluli amalanga ama-21 ukusukela ngelanga elimenyezelwe ngalo, ngaphandle kwanyana isiBethamthetho seNarha sithatha isiqunto sokwengeza isimemezelweso ngesikhathi esingadluli eenyangeni ezintathu esikhathini esisodwa. Ukungezelela kwamathomo kokumenyezelwa komThetho wobujamo oburhabileko kumele kube ngendlela yesiqunto esamukelwe linengi lamalunga wesiBethamthetho seNarha. Esinye nesinye isiqunto esithethwe ngokuya kwendima le, kumele samukelwe kwaphela ngokusekelwa ngamavowudu amaphesenthi ama-60 wamalunga wesiBethamthetho seNarha. Isiqunto ngokuya kwepharagrafu le singamukelwa kwaphela ngokulandela iinkulumopikiswano zomphakathi ezibanjwe ngaphakathi kwesiBethamthetho seNarha.

- (3) Enye nenyekho enamandla ingaqinisekisa ngokuba semthethweni—
 - (a) kwesimemezelomThetho wobujamo oburhabileko;
 - (b) kokhunye nokhunye ukwengezelelwa kwesikhathi somThetho wobujamo oburhabileko; namkha
 - (c) komunye nomunye umThetho ophasisiweko namkha elinye igadango elithethweko, ngebanga lesimemezelomThetho wobujamo oburhabileko.
- (4) Omunye nomunye umThetho ophasiswe ngokulandela isimemezelomThetho wobujamo oburhabileko ungaphikisana nomTlobo wamaLungelo wobuNtu ukufikela kwaphela lapha—
 - (a) ukuphikisanokho nanyana kunjani kutlhogwa khona khulu bujamo oburhabileko; begodu
 - (b) namuThetho loyo—
 - (i) ngokukhambisana neembopho zeRiphabliki le ngaphasi komThetho weentjhabatjhaba osetjenziswa ngeenkhathi zomThetho wobujamo oburhabileko;
 - (ii) ukukhambisana nesigatjana (5) begodu
 - (iii) ukhutjhwe kuGazede kaRhulumende ngokurhabeka okungakghonakalako emva kokuphasiswa kwawo.
- (5) Awukho umThetho wePalamende ogunyaza isimemezelomThetho wobujamo oburhabileko begodu awukho umThetho ophasisiweko namkha elinye igadango elithethweko ngokulandela isimemezelweso, ongavumela namkha ugunyaze—
 - (a) ukubhadelwa kombuso namkha omunye nomunye umuntu manqophana nesinye nesinye isenzo esingekho emthethweni;
 - (b) okhunye nokhunye okuphikisana okuvela esigabenesi; namkha

- (c) okhunye nokhunye okuphikisana okuvela esigabeni esitjhiwo kukholomu 1 yeHlelo lamaLungelo angeze aQalelwa Phasi ukufikela ezingeni elimaqophana nesigaba esikukholomu 3 weHlelo.

Ihlelo Lamalungelo Angeze Aqalelwa Phasi

1 Inomboro yesigaba	2 Isihloko sesigaba	3 Izinga ilungelo elivikeleke ngalo
9	Ukulingana	Manqophana nokubandlulula okungakafaneli kwaphela ngemibandela ephathelene nobuhlanga, umbala, ubuzwe namkha imvelaphi, ubulili, ikolo, namkha ilimi
10	IsiThunzi sobuNtu	Ngokupheleleko
11	Ipilo	Ngokupheleleko
12	ITjhaphuluko nokuVikeleka komuntu	Manqophana neengatjana (1)(d) kanye no-(e) kanye no- 2 (c)
13	Ubugqila, ukukatelewa ukuhlonipha nokusebenza	Manqophana nobugqila nokukatelelwa ukuhlonipha nokuberega

1 Inomboro yesigaba	2 Isihloko sesigaba	3 Izinga ilungelo elivikeleke ngalo
28	Abantwana	Manqophana: <ul style="list-style-type: none"> - isigatjana (1) (d) begodu no- (e) - amalungelo asepharagrafini (i) begodu (ii) yesigatjana (1) (g); begodu - nesigatjana (1) (i) esimanqophana nabantwana beminyaka eli-15 nangaphasi
35	Abantu ababotjhiweko, abavalelweko begodu nabamangalelweko	Manqophana: <ul style="list-style-type: none"> - nesigatjana (1) (a) , (b) , (c) begodu no-2 (d) - amalungelo asemapharagrafini asuka ku- (a) ukufika ku-(o) wesigatjana (3) okutjhiya ngaphandle ipharagrafu (d) - isigatjana (4); begodu - nesigatjana (5) manqophana nokungamukeleki kobufakazi nangabe ukwamukelwa kwalobo bufakazi kuzakubangela bona ukugwetjwa komlandu kungabi ngokufaneleko.

- (6) Lokha omunye nomunye umuntu avalelwa ngaphandle kokugwetjwa ngebanga lokudinywa amalungelo okusukela ekumenyazelweni komThetho wobujamo oburhabileko, imibandela elandelako kumele itjhejwe:

- (a) Ilunga lomndeni elimumuntu omdala namkha umngani womuntu obotjhiweko kumele lithintwe msinyana ngendlela okungakghonakala ngayo, laziswe ngokubotjhwa komuntu loyo.
- (b) Isaziso kumele sikhangiswe eGazedeni kaRhulumende weNarha kungakapheli isikhathi esimalanga amahlanu umuntu lowo abotjhiwe, kuvezwe ibizo lomuntu loyo obotjhiweko, indawo avalelwe kiyo begodu kuhlathululwe namagadango arhabileko abotjhwe ngaphasi kwawo.
- (c) Isibotjhwa, kumele sivunyelwe ukuzikhethela uDorhodere begodu asivakatjhele nanyana kungasiphi isikhathi esizwakalako.
- (d) Isibotjhwa, kumele sivunyelwe ukuzikhethela umjameli womThetho begodu asivakatjhele nanyana kungasiphi isikhathi esizwakalako.
- (e) Ikhotho, kumele ihlolisise ukubotjhwa kwesibotjhwa msinyana ngendlela okungakghonakala ngayo, kungakadluli amalanga ali-10 kusukela ngelanga abotjhwa ngalo begodu, ikhotho kumele itjhaphulule isibotjhwezo ngaphandle kwalokha nangabe kunetlhogakalo lokobana ukubotjhwa kwakhe kuragele phambili ngomnqopho wokubuyisa ukuthula nokuthotjelwa komThetho.
- (f) Isibotjhwa esingakatjhatjhululwa ngokuya kwesibuyekezo sevalelo esingaphasi kwepharagrafu (e), namkha esingakatjhatjhululwa ngokuya kwesibuyekezo sevalelo esingaphasi kwepharagrafu le, singenza isibawo ekhotho bona kubuyekezwe godu ivalelo laso kwesinye nesinye isikhathi emva kwamalanga ali-10 kudlulile ukubuyekezwa kwevalelo laso, begodu nekhotho kumele itjhaphulule isibotjhwa ngaphandle kwalokha nangabe kunetlhogakalo lokobana ukubotjhwa kwakhe kuragele phambili

- ngomnqopho wokubuyisa ukuthula nokuthotjelwa komThetho.
- (g) Isibotjhwa kumele sivunyelwe ukuvela mathupha ngaphambi kwananyana ngiyiphi ikhotho etjheje ukubotjhwa kwaso, nokobana ajanyelwe mjameli womThetho ekulalelweni komlandwakhe, begodu nokuvikelwa ekurageleni phambili kokuvalelwa kwaso.
 - (h) Umbuso kumele wethule abonobangela abatlolwe phasi phambi kwekhotho ukuqinisekisa ukuragela phambili kokuvalelwa kwesibotjhweso, begodu kumele unikele isibotjhweso ikhophi yabonobangela bokubotjhwa kwaso okungasenani amalanga amabili ngaphambi kobana ikhotho ibuyekeze ivalelo laso.
- (7) Nangabe ikhotho itjhaphulula isibotjhwa, umuntu loyo angeze abotjhwa godu ngaphasi kwabonobangela abafanako ngaphandle kwalokha umbuso ungathoma ngokukhombisa ngaphandle kokurhiniza ukuqakatheka kokubotjhwa komuntu lowo godu.
- (8) Iingatjana (6) nese- (7) azisebenzi ebantwini abangasizo izakhamuzi zeSewula Afrika begodu abavalelwe ngemibandela yenturhu yeentjhabatjhaba yeenkhali. Kuhlekuhle, umbuso kumele ukhambisane namazinga lawo abopha iRiphabliki ngaphasi komThetho wobuntu weentjhabatjhaba, mangophana nokuvalelwa kwabantu abafana nalabo.

Ukukatelelwa Kwamalungelo

38. Omunye nomunye umuntu orheliswe esigabenesi, unelungelo lokwenza isibawo ekhotho enegunya, atjho bona ilungelo elimunyethwe emTlolweni wamaLungelo wobuNtu liphuliwe namkha lithuselwe begodu ikhotho ingaphana ngerhelelho elifaneleko okufaka hlangana nokwenziwa kwesimemezelu samalungelo wobuntu. Abantu abangenza isibawo ekhotho ngilaba:

- (a) omunye nomunye umuntu owenza ngokweenrhuluphelo zakhe;
- (b) omunye nomunye umuntu owenza isibawo esikhundleni somunye ongakghoniko ukuzenzela ngebizo lakhe;
- (c) omunye nomunye umuntu owenza lokho njengelunga, namkha oraga iinrhuluphelo zesiqhema sabantu namkha kungaba ziinrhuluphelo zabantu besiqhema esithileko;
- (d) omunye nomunye owenza isibawo ngeenrhuluphelo zomphakathi; begodu
- (e) nehlangano eyenza isibawo ngeenrhuluphelo zamalungayo.

Ukuhlathululwa KomTlolo WamaLungelo WobuNtu

39. (1) Lokha nakuhlathululwa umTlolo wamaLungelo wobuNtu enye nenyekhotho, ikundla namkha iforamu—
- (a) kumele yenyuse izinga lamagugu asekela umphakathi ovulekileko newentando yenengi edzimelele phezu kwesithunzi sobuntu, ukulingana nekululeko;
 - (b) kumele itjheje umthetho weentjhabatjhaba; begodu
 - (c) ingatjheje nomthetho weenarha zangaphandle.
- (2) Lokha nayihlathulula omunye nomunye umThetho, begodu nalokha nayithuthukisa umThetho wesintu namkha enye nenyekhotho, ikundla namkha iforamu kumele yenyuse izinga lommoya, itjisakalo neminqopho yomTlolo wamaLungelo wobuNtu.
- (3) UmTlolo wamaLungelo wobuNtu awuvimbeli ukubakhona kwamanye amalungelo namkha itjhaphuluko elamukelekileko nelenziwa ngokomThetho wesintu, namkha umThetho omenyezewelweko, ukufikela ezingeni lapha akhambisana khona nomTlolo lowo.

IINKHUNGO ONGAYA KIZO MALUNGANA NAMALUNGELO WOBUNTU

1. I-Ofisi yomVikeli womPhakathi

I-Ofisi lomVikeli womPhakathi linqophe ukuzalisa igunya lawolomthethosisekelo ukuqinisa idemokhrasi enomthethosisekelo ngokwenza iphenyo ngokungaziphathi kuhle kwamalunga womBuso, likghonakalise ukusonjululwa kokungaboni ngalihlo linye, libike beliphakamise amagadango wokulungisa lenze ngcono ilemukiso eliphathelene nemisebenzi kanye neembopho zomVikeli womPhakathi.

Imininingwana yokuthintana

I-adresi yokusebenzela:	175 Lunnon Street Hillcrest Office Park Pretoria 0083
I-adresi yokuPosa:	Private Bag X677 Pretoria 0001
Inomboro yomtato:	012 366 7000
Umtato ongabhadalwako:	0800 112 040
Inomboro yefeksi:	012 362 3473/086 575 3292
I-adresi ye-imeyili:	customerservice@pprotect.org registration2@pprotect.org.za
Iwebhusayidi:	www.pprotect.org

2. IKhomitjhini yamaLungelo wobuNtu yeSewula Afrika

IKhomitjhini yamaLungelo wobuNtu yeSewula Afrika kusikhungo sesitjhaba esasungulwa ukuqinisa idemokhrasi enomthethosisekelongokuthuthukisa nokuvikela amalungelo wobuntu ngokuqalana nokwephulwa kwamalungelo wobuntu nokufuna ukulungisa okuyipumelelo nokubeka ilihlo kanye nokuhlola ukuthotjelwa kwamalungelo wobuntu nokulemukiswa begodu kufundiswe ngeendaba zamalungelo wobuntu.

Imininingwana yokuthintana

I-adresi yokusebenzela:	Braampark Forum 3, 33 Hoofd Street Braamfontein Johannesburg
I-adresi yokuPosa:	Private Bag X2700 Houghton Johannesburg 2041
Inomboro yomtato:	011 877 3600
Inomboro yefeksi:	011 403 6621
I-adresi ye-imeyili:	info@sahrc.org.za complaints@sahrc.org.za
Iwebhusayidi:	www.sahrc.org.za

3. IKhomitjhana yokuKhulisa nokuVikela amaLungelo wamaSiko, iKolo Kanye nemiPhakathi ePhathelene namaLimi

IKhomitjhini yokuKhulisa nokuVikela amaLungelo wamaSiko, iKolo kanye nemiPhakathi ePhathelene namaLimi (*The Commission for the Protection of the Rights of Cultural, Religious and Linguistic Communities*) i-CRL(kusukela njenganje iKhomitjhini ye-CRL) inqophe ukukhulisa nokuthuthukisa ukuthula, ubungani, ubuntu, ukubekezelelana kanye nokubumbana kwesitjhaba hlangana namasiko, ikolo nemiphakathi ephathelene nelimi.

Imininingwana yokuthintana

I-adresi yokusebenzela:	Braampark Forum 4, 33 Hoofd Street Braamfontein Johannesburg
I-adresi yokuPosa:	Private Bag X 90 000 Houghton Johannesburg 2041
Inomboro yomtato:	011 537 7631
Inomboro yefeksi:	011 880 3495 / 086 660 8986
I-adresi ye-imeyili:	chairperson@crlcommission.org.za ceo@crlcommission.org.za info@crlcommission.org.za complaints@crlcommision.org.za
Iwebhusayidi:	www.crlcommission.org.za

4. IKhomitjhini yokuLingana koBulili

IKhomitjhana yokuLingana koBulili (*Commission for Gender Equality*) i-CGE yahlonywa ukuze kukhuliswe begodu kuhlonitjhwe ukulingana kobulili nokuqinisekisa ukutholakala kokulingana ngokobulili kizo zoke iinkoro zomphakathi, ngokuya nge-CGE ilwela ukwakha umphakathi onganabandlululo kezobulili nemihlobo yoke yegandelelo, lapho boke abantu banethuba lokubona ikghono labo ngaphandle kokuqala ubuhlanga, isigaba, ubulili, ikolo, ubulili obenyulwa mumuntu kezomseme, ukukhubazeka namkha bonyana uhlala kuphi.

Imininingwana yokuthintana

I-adresi yokusebenzela:	Constitution Hill Women's Jail East Wing 2 Kotze Street Braamfontein Johannesburg
I-adresi yokuPosa:	P.O Box 32175 Braamfontein 2017
Inomboro yomtato:	011 403 7182
Inomboro yefeksi:	011 403 7188
I-adresi ye-imeyili:	cgeinfo@cge.org.za
Iwebhusayidi:	www.cge.org.za

5. I-Ofisi yeKoro yemiSebenzi yomBuso

I-Ofisi yeKoro yemiSebenzi yomBuso (*Public Service Commission*) i-PSC isusela igunya layo kusigaba 195 nesa-196 somthethosisekelo. I-PSC inikele amandla wokuphenya, ukubeka ilihlo nokuhlola ihlangano begodu nokulawulwa kwemiSebenzi yomPhakathi.

Igunya lelo lifaka hlangana ukuhlola okusele kuzuziwe, nanyana ukutlhayela kwamahlelo kaRhulumende. I-PSC inesibopho sokukhulisa amagadango azakuqinisekisa ukusebenza okuyipumelelo ekorweni yemisebenzi yombuso nokukhulisa imigomo yokulawula embusweni njengoba ibekiwe kumThethosisekelo ekorweni yemiSebenzi yomBuso yoke.

Imininingwana yokuthintana

I-adresi yokusebenzela:	Commission House Cnr Hamilton & Zivovogel Streets Pretoria
I-adresi yokuPosa:	Private Bag X121 Pretoria 0083
Inomboro yomtato:	012 352 1000
Inomboro yefeksi:	012 325 8382
I-adresi ye-imeyili:	info@opsc.gov.za
Iwebhusayidi:	www.psc.gov.za

6. UmNyango wezoBulungisa nokuThuthukiswa komThethosisekelo

UmNyango wezoBulungisa nokuThuthukiswa komThethosisekelo unegatja: UkuThuthukiswa komThethosisekelo. Umnqopho weGatja leli kukukhulisa, ukulungisa, nokuthuthukisa umThethosisekelo, amalungelo wobuntu nokulalela imibonoehlukeneko ukwenza amatjhuguluko azwakalako esikhundleni sikarhulumende.

Imininingwana yokuthintana

I-adresi yokusebenzela:	329 Pretorius Street (c/o Pretorius & Sisulu Streets) First Floor, Momentum Building Pretoria
I-adresi yokuPosa:	Private Bag X 81 Preoria 0001
Inomboro yomtato:	012 315 1111
I-adresi ye-imeyili:	constitutionalrights@justice.gov.za
Iwebhusayidi:	www.justice.gov.za

7. IRhelebho lezomThetho eSewula Afrika (*Legal Aid South Africa*)

I-*Legal Aid South Africa* iyihlangano egunyaziweko ezijameleko eyasungulwa ngomnqopho wokunikela irhelebho nanyana ukwenza irhelebho lezomthetho ukuze abantu abalithhogako balithole simahla. Ijamela abantu ngeendleko zomBuso, njengoba kuhlathululiwe kumThethosisekelo nemithetjhwana ephathelene nakho begodu inikela ilungelo lokujameleka ngeendleko zomBuso.

Imininingwana yokuthintana

Nawufuna i-ofisi lesifunda eliseduze nawe le-*Legal Aid South Africa*, isentha yezobulungisa nanyana isethalayithi, thintana ne-*Legal Aid South Africa* ngalindlela:

Imininingwana yokuthintana

I-adresi yokusebenzela:

29 De Beer Street
Braamfontein
Johannesburg
2017

I-adresi yokuPosa:

Private Bag X 76
Braamfontein
2017

Inomboro yomtato:

011 877 2000

Umtato ongabhadalwakor

0800 110 110

Inomboro yefeksi:

011 877 2222

I-adresi ye-imeyili:

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