

# Provincial Gazette Extraordinary

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### PROVINCIAL NOTICE

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#### PROVINCIAL ADMINISTRATION: WESTERN CAPE

#### DEPARTMENT OF TRANSPORT AND PUBLIC WORKS

#### NATIONAL LAND TRANSPORT TRANSITION ACT 2000 (ACT 22 OF 2000)

Draft Provincial Regulations for the Western Cape on the Registration of Minibus Taxi Associations, their Members and Non-members: publication for comment

The Provincial Minister of Transport and Public Works intends to make the following Regulations in terms of the National Land Transport Transition Act 2000 (Act 22 of 2000): Western Cape Regulations on the Registration of Minibus Taxi Associations, their Members and Non-members. The draft regulations and forms are published in English, Afrikaans and Xhosa. Interested parties are invited to make representations or submit comments on these draft regulations. Such representations or comments should be submitted in writing before or on 15 December 2005 by faxing, e-mailing or handing them in at the following addresses/numbers.

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**PROVINCIAL ADMINISTRATION: WESTERN CAPE**  
**DEPARTMENT OF TRANSPORT AND PUBLIC WORKS**  
**NATIONAL LAND TRANSPORT TRANSITION ACT, 2000**  
**(Act 22 of 2000)**

**Draft Western Cape Regulations on the Registration of Minibus Taxi Associations, their Members and Non-Members.**

I, ....., Minister of Transport and Public Works in the Province of Western Cape, acting in terms of the powers afforded me by the National Land Transport Transition Act, 2000 (Act 22 of 2000), prescribe the regulations in the schedule to this notice, and make the determinations and specifications contained therein.

**Schedule**

**Regulations on the Registration of Minibus Taxi Associations, Their Members and Non-Members**

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**Definitions**

1. In these regulations, unless the context indicates otherwise —

“Act 74 of 1977” means the Road Transportation Act, 1977 (Act 74 of 1977) as it applies in the Province and as amended by the Western Cape Road Transportation Act Amendment Law, 1996 (Law 8 of 1996) and the Western Cape Road Transportation Act Amendment Act, 2000 (Act 7 of 2000);

“Province” means the Province of Western Cape;

“register” means the provincial transport register referred to in section 99(1)(h) of the Act;

“the Act” means the National Land Transport Transition Act, 2000 (Act 22 of 2000), and a word or expression which is defined in the Act has the same meaning in these regulations.

**Manner of keeping provincial transport register**

2. The provincial transport register which the Registrar is required to keep in terms of section 99(1)(h) of the Act must be in the form of a nationally uniform minimum electronic database provided by the National Department of Transport or a similar database with the same minimum capacities.

**Information to be kept in register** [sections 99(1)(i), 108(1)(a) and 111(2) and (3) of the Act]

3. (1) The Registrar must keep in the register in respect of —
- (a) each association based in the province which has been registered or provisionally registered in terms of the Act, or whose full registration has reverted to provisional registration in terms of section 56(1) thereof;
  - (b) each member of an association contemplated by paragraph (a);
  - (c) each vehicle of every member contemplated by paragraph (b), and
  - (d) each non-member and his or her vehicle,
- the information relating to such an association, member or vehicle listed in subregulations (2), (3) and (4).
- (2) The information relating to an association referred to in subregulation (1)(a) is the following:
- (a) The association’s —
    - (i) full name, and if applicable, abbreviated name;
    - (ii) form of legal personality (voluntary association, section 21 company, etc.);
    - (iii) date of establishment;
    - (iv) business registration number, if any;
    - (v) postal and street address;
    - (vi) telephone and facsimile numbers;
    - (vii) e-mail addresses, and
    - (viii) initial joining fee per member and annual membership fee;
  - (b) the date on which the association applied for registration;
  - (c) the date on which registration or provisional registration was granted and the concomitant certificate of registration was issued;
  - (d) the association’s registration or provisional registration number;
  - (e) a copy of the association’s constitution and confirmation that it has been accepted by the Registrar as complying with the requirements of sections 60 and 117 of the Act;
  - (f) the number of persons registered or provisionally registered as members of the association and the number of vehicles operated by each such member;
  - (g) the number of persons employed by the association including its duly authorised representative;
  - (h) the names of associations to which the association is affiliated, if any;
  - (i) the name of each office bearer and his or her position, identity number and type of identity held;
  - (j) each instance of non-compliance by the association with its registered constitution, and
  - (k) the outcome of grievance and disciplinary procedures conducted by an association and the steps, if any, taken by the Registrar as a consequence thereof.
- (3) The information relating to a member referred to in subregulation (1)(b) is the following:
- (a) the member’s —
    - (i) surname and initials and, in the case of a member which is not an individual, that member’s name;
    - (ii) trade name, if applicable;
    - (iii) identification number or business registration number;
    - (iv) form of identification;

- (v) income tax registration number, if the member is required to be registered for income tax;
- (vi) postal and street address, and
- (vii) type of membership;
- (viii) drivers details:
- (b) confirmation that the member has signed a declaration that he, she or it subscribes to and agrees to be bound by the association's Code of Conduct and registered constitution;
- (c) the date on which the member's certificate of registration or provisional registration was issued;
- (d) the date and number of the member's registration or provisional registration;
- (e) the date of issue of the member's provisional registration certificate;
- (f) the member's operating licence number/s or permit number/s
- (g) the expiry date of the member's operating licence(s) or permit(s);
- (h) confirmation that the board has verified the operating licence or permit details;
- (i) the departure point(s) and arrival point(s) authorised by the operating licence(s) or permit(s);
- (j) the route number/s allocated by the Board corresponding to the said departure point(s) and arrival point(s);
- (k) in the case of a juristic person, the person responsible to represent it. A resolution must be provided by the juristic person, signed by a duly authorised person, confirming the name of the representative;
- (l) in the case of a company, its certificate of incorporation or a certified copy thereof;
- (m) in the case of a close corporation, its founding statement or a certified copy thereof, and
- (n) in the case of any other type of juristic person, its constitution or founding agreement or a certified copy thereof;
- (4) The information relating to a vehicle referred to in subregulation (1)(c) is the following:
  - (a) the vehicle registration number;
  - (b) the vehicle identification number (VIN);
  - (c) the vehicle's chassis number; and
  - (d) the date of issue of a distinguishing mark for the vehicle and the date of expiry of the distinguishing mark.

**Information to be kept in register concerning non-members and their vehicles.** [section 108 (1) (a) of the Act]

4. In respect of any registered or provisionally registered non-member, or a non-member based in the Province whose full registration has reverted to provisional registration in terms of section 56(1) of the Act, the registrar must, to the extent applicable, keep the same information required to be kept regarding a member, provisionally registered member or member whose registration has reverted to provisional registration and their vehicles.

**Fees for information from the Register** [section 99(2)(b) of the Act]

5. The fee payable for furnishing copies or extracts of information from the Register by the Registrar or an official authorised by the Registrar is the fee prescribed in Annexure "A" unless a different fee is prescribed under section 22 of the Promotion of Access to Information Act, 2000 (Act 2 of 2000), in which case the fee prescribed under that Act will apply.

**Requirements for associations to qualify for provisional and full registration** [sections 109(1) and (2), and 110 of the Act]

6. (1) Subject to sub-regulation (2), the minimum number of members which an association must have before it may be provisionally or fully registered, is determined as being 10 members.
- (2) Where an association is not able to meet the applicable membership requirements contemplated in sub-regulation (1), the Registrar may, upon good cause having been shown, reduce such minimum membership requirements in that specific case.
- (3) Where an association ceases to have a minimum of 10 members the Registrar must —
- (a) give the association not less than 21 days written notice to show cause why the association should not be deregistered or have its registration suspended, and
  - (b) publish a notice in a newspaper circulating in the main area of operation of the association of the intention to deregister the association if it does not so show adequate cause, and inviting comments or representations from interested parties,

and having considered any reply, comments or representations received in response to such notice or publication, may cancel the registration or provisional registration of the association, as the case may be, or suspend such registration for the period determined by the Registrar.

- (4) To be provisionally registered, the maximum prescribed joining fee which an association may charge, as contemplated in section 109(2) of the Act, is —

- (a) in the case of a joining fee, R2 000, irrespective of the number of vehicles owned by the person or member concerned ;
  - (b) on the provisional registration of a new member of an association who has not yet applied for an operating licence, or whose operating licence has not yet been granted, a maximum joining fee of R300 may be charged. The balance of the normal joining fee may be charged on the issuing of an operating licence by the board to the member for each vehicle operated, and
  - (c) in the case of an annual membership fee, the amount specified in the constitution of the association.
- (5) The Registrar has the discretion to register an association provisionally or fully that does not comply with sub-regulation (3) at the request of the relevant planning authority, or if the Registrar is satisfied that there is no other association operating on the route or routes in question.
  - (6) To be provisionally or fully registered, an association must have a constitution which complies with sections 60 and 117 of the Act.
  - (7) To be provisionally registered, an association must submit proof on the prescribed form that application has been made to the board for an operating licence by each member of the association who does not hold an operating licence or permit. Applications by such prospective members must only reflect routes or networks of routes on which the association intends to operate.

**Application fees for registration** [sections 110( d) and 113(1)(a) of the Act]

- 7. For the purposes of section 110(d) of the Act, the application fees payable for registration or provisional registration of an association or non-member shall be the amounts indicated in Annexure A.

**Application forms** [section 111(1)(a) of the Act read with section 7A(14)(d) of Act 74 of 1977]

- 8. (1) The forms provided for in these regulations replace the forms prescribed in Schedule B to Provincial Notice 62/1997 in Provincial Gazette Extraordinary No. 5113 of 28 February 1997.
- (2) An association must apply for registration or for provisional registration by completing and submitting to the Registrar an application in the form set out in Forms 1, 2, 3 and 4 in Annexure B.
- (3) An association must apply for the conversion from provisional registration to full registration by completing and submitting to the Registrar an application in the format set out in Forms 5, 6 and 7 in Annexure B.
- (4) A non-member must apply for the conversion from provisional registration to full registration by completing and submitting to the Registrar an application in the format set out in Forms 8 and 9 in Annexure B.
- (5) A non-member must apply for registration by completing and submitting to the Registrar an application in the format set out in Form 10 in Annexure B.

**Manner of application for registration by a newly admitted member of a registered association** [section 112(3)(a) of the Act]

- 9. (1) When an association applies to the Registrar for the registration of any new member admitted to the membership of the association in terms of section 112(3)(a) of the Act, the application must be made in the format set out in Forms 11 and 12 in Annexure B.
- (2) The applicant must submit the application form to an authorised official of the board for completion of those sections where a declaration is required from the board.
- (3) The application must be submitted to the Registrar with an application fee in the amount indicated in Annexure A.

**Information and documents submitted with application forms**

- 10. (1) When an application is submitted under regulation 6,
  - (a) the applicant must provide full and complete answers to all the questions on the application form;
  - (b) the Registrar must,
    - (i) ensure that the application form has been properly completed;
    - (ii) ensure that all of the required accompanying documentation has been submitted and is valid and acceptable, and
    - (iii) verify the information submitted as follows:
      - (aa) The vehicle particulars must be checked against the National Transport Information System (NaTIS) maintained by the National Department of Transport;
      - (bb) where applicable, particulars of the member or the non-member must be checked against the Land Transport Permit System referred to in section 78(4)(b) of the Act, or other available information systems;
      - (cc) where a member or a non-member is registered in another province, that member's or non-member's particulars must be checked with the information systems of the registrar of that province.
- (2) The Registrar may reject applications that lack any of the information or documentation required by the Act or these regulations, or if full and complete answers are not provided to all questions on the application form or if the required application fee is not paid at the time that the application is made.

**Registration of non-members: certificate by Registrar** [section 113(2) of the Act]

- 11. (1) A certificate from the Registrar certifying that a non-member complies with section 113(1 )(b), (c) and (e) of the Act must contain the particulars and be in the format set out in Form 13 in Annexure B.

- (2) The fee payable for issuing such a certificate shall be the amount indicated in Annexure A.

**Registration certificates** [section 114(1) of the Act]

12. (1) Certificates of registration and provisional registration issued to associations, members or non-members shall be in the format set out in Forms 14 to 19 in Annexure B.
- (2) The forms referred to in sub-regulation (1) replace the certificates of registration prescribed in the Schedule to Provincial Notice 335/1997 in Provincial Gazette No. 5182 of 26 September 1997.

**Distinguishing marks** [section 114(2) of the Act]

13. (1) A distinguishing mark issued to a provisionally registered member or non-member must be in the format set out in Form 20 in Annexure B. Only provisionally registered members or non-members who are in possession of an operating licence for each vehicle operated will qualify for obtaining a distinguishing mark.
- (2) A distinguishing mark issued to a registered member or non-member must be in the format set out in Form 21 in Annexure B. A registered member or non-member qualifying for final registration must return the distinguishing mark issued for provisional registration to the Registrar on receiving the distinguishing mark for final registration.

**Standard Minimum Constitution and Code of Conduct** [sections 61 and 116(1)(a) and (b) of the Act]

14. The Constitution and Code of Conduct published as Schedule A to Provincial Notice 62/1997 in Provincial Gazette Extraordinary No. 5113 of 28 February 1997 is replaced by the standard minimum constitution and code of conduct attached as Annexure C which are published in terms of section 116 of the Act.

**Form of subpoena and manner of serving it** [section 99(3)(b) of the Act]

15. (1) A subpoena issued by the Registrar as contemplated in section 99(3)(b) of the Act must be in the form set out in Form 22 in Annexure B.
- (2) Subject to sub-regulation (3), an authorised officer must serve the subpoena by personally handing a copy of the subpoena to the person to whom it applies or, where the person cannot conveniently be found, by leaving a copy with a person who is apparently a responsible person at the place of business, usual place of residence or the last known place of residence of the person to whom it applies, and the officer must thereafter report to the Registrar.
- (3) Where the person to whom such a subpoena applies is a member of a registered association, the officer may hand a copy of the subpoena to the secretary of the association, or another official of the association designated for that purpose.

**Fine for failure to comply with notice** [section 118(4) of the Act]

16. In terms of section 118(4) of the Act, the Registrar may impose a fine not exceeding R 10 000 for failure by an association, a member or a non-member to comply with a notice issued by the Registrar under section 118(3) of the Act.

**Return of documents upon cancellation or suspension of registration** [section 119(2) of the Act]

17. An association, a member or a non-member must return to the Registrar a certificate of registration or provisional registration, or a distinguishing mark issued to him, her or it which has been cancelled or temporarily suspended, within seven days of such cancellation or suspension.

**Offences and penalties** [section 64(2) of the Act]

18. A person who contravenes or fails to comply with a subpoena issued in terms of regulation 15 shall be guilty of an offence and liable on conviction to imprisonment for a period not exceeding three months, or a fine.

**Short title**

19. These regulations are called the Western Cape Regulations on the Registration of Minibus Taxi Associations, their Members and Non-members, 2006.

**ANNEXURE A: SCHEDULE OF FEES**

<b>Item</b>	<b>Regulation</b>	<b>Description</b>	<b>Fee</b>
1.	5	Fee for furnishing copies or extracts of information from the Register	R 0,60 per page
2.	7	Application fee for registration of an association	R2 000
3.	7	Application fee for registration of non-member	R2 000
4.	9(3)	Application fee for registering newly-admitted member of an association	R100
5.	11(2)	Fee for issuing a registration certificate or certificate of provisional registration to an association, member or non-member or a duplicate thereof.	R100

## ANNEXURE C: STANDARD MINIMUM CONSTITUTION FOR MINIBUS-TAXI ASSOCIATIONS

This constitution sets a yardstick for the preparation of constitutions for minibus-taxi associations with a view to the registration of associations. It is intended to serve as a guideline for the running of taxi associations. If a taxi association already operates under a constitution, that constitution must cover the aspects contained in this standard minimum constitution to at least the same extent. The Registrar must ratify existing constitutions. In order to be ratified, these constitutions may be amended, if necessary, after due consultation between the Registrar and the executive committee of the association concerned. Therefore, if a taxi association does not operate under a constitution, or operates under one that is inadequate in its scope, it must either adopt the standard minimum constitution or amend its constitution to be in line with the standard minimum constitution.

### DEFINITIONS

For the purpose of this Constitution:

- “accounting officer” means an officer appointed in terms of paragraph 12.5;
- “Association” means a minibus-taxi association;
- “AGM” means the annual general meeting of the Association;
- “code of conduct” means the code of conduct prescribed by the Provincial Minister responsible for transport in regulations;
- “Executive Committee” means the Executive Committee elected at the AGM;
- “grievance procedure” means the grievance procedure described in paragraph 14;
- “QGM” means the quarterly general meeting of the Association;
- “Registrar” means the Provincial Registrar appointed in terms of the relevant Transport legislation;
- “register” means a register kept by the Registrar in terms of the relevant Transport legislation;
- “SGM” means a special general meeting of the Association.

### 1. NAME AND REGISTRATION NUMBER

- The full name of the Association is *(to be filled in by association)*.
- The abbreviated name of the Association is *(to be filled in by association)*.
- The postal address of the Association is *(to be filled in by association)*.
- The physical address of the Association is *(to be filled in by association)*.
- The association is based at .....
- The registration number of the Association is *(to be filled in by association)*.

### 2. NATURE OF ASSOCIATION

- The *(fill in name of association)* is an association not for gain.

### 3. COMPOSITION OF ASSOCIATION

- The minimum number of members to constitute the Association is *(to be filled in by association in conjunction with the Registrar)*. The activities of the Association are managed by an executive committee, which is elected annually.

### 4. AIMS AND OBJECTIVES

The aims and objectives of the Association are:

- (a) to protect, secure and promote the interests of the members of the Association;
- (b) to actively engage in discussions and negotiations and to make representations and appeals to the various state, provincial and local authorities in the interests of its members;
- (c) to ensure fair labour practices by all its members, thereby promoting the interests of all members' employees;
- (d) to oppose all matters tending or calculated to impinge or encroach upon the rights and privileges of its members;
- (e) to take all lawful steps deemed necessary by the Association to preclude any misconduct on the part of any of the Association members or the drivers of such members, to report misconduct to the authorities concerned and to take such further steps regarding the suspension or expulsion of defaulting members deemed necessary, with due regard to the grievance and disciplinary procedures;
- (f) to apply all funds for the purpose of giving effect to the objectives of the Association and to invest funds in suitable financial institutions, and in addition to acquire immovable or movable property by purchase, lease or exchange or as a gift;
- (g) to cause duly audited accounts for each financial year to be prepared by the auditors of the Association, and to forward certified copies of the audited financial statement and minutes of the AGM to the Registrar within one month of the AGM;
- (h) to work according to a grievance procedure to avoid conflict;
- (i) to promote the interests of the commuting public and to develop structures and procedures to enable the commuting public to communicate dissatisfaction with respect to the transport facilities or services;



- (j) to co-operate with any other taxi association having similar objectives, or to encourage and strive for the co-operation and co-ordination of similar organisations and bodies, which may include government, provincial or local authorities and bodies created by statute for the attainment and fulfilment of the objectives of its members;
- (k) to register the Association with the Registrar and to ensure that it remains registered;
- (l) to ensure that members operate within the authority of their operating licences and within the law in general, and
- (m) to affiliate with the relevant regional minibus taxi council.

## 5. AREA/S OF OPERATION

The registered routes on which members of the Association operate are *(to be listed by association)*.

## 6. EXECUTIVE COMMITTEE OF THE ASSOCIATION

The day-to-day activities of the Association must be managed, conducted and controlled by a committee referred to as the Executive Committee, the members of which are elected to office by the Association members at the AGM.

### 6.1. Composition

The Executive Committee consists of the following members:

- (a) Chairperson.
- (b) Vice-chairperson.
- (c) Treasurer.
- (d) Secretary.
- (e) Training officer.
- (f) Chairperson of the grievance committee.
- (g) Chairperson of the disciplinary committee.
- (h) Such other officers regarded as necessary by the Association.
- (i) Additional ordinary executive members not exceeding *(to be filled in by members)*.

### 6.2. Eligibility, nomination and election of office bearers

Any member of the Association is eligible for election to the Executive Committee. Members of the Executive Committee must be elected at the AGM of the Association, or in special circumstances, at a SGM.

Nominations for membership of the Executive Committee must open one month in advance of the AGM and close one week before the date of the AGM. Additional nominations may be made at the AGM before voting takes place. The secretary must compile the nominee list from nominations received and present this list to the AGM.

### 6.3. Term of office

Members of the Executive Committee hold office for a period of one year, and may stand for re-election. A member of the Executive Committee may terminate his or her term of office earlier upon resignation by *(to be filled in by association)* weeks written notice of intention to resign, to the Secretary.

### 6.4. Removal from office

A member of the Executive Committee must vacate his or her position on the Executive Committee in the event of:

- (a) suspension or expulsion from the Association;
- (b) being absent without permission of the Executive Committee from *(to be filled in by association)* consecutive meetings of the Executive Committee;
- (c) being convicted of a criminal offence for an act of violence or dishonesty while in office;
- (d) becoming disqualified as a member of the Association;
- (e) not adhering to the Constitution or code of conduct; or
- (f) resigning.

The removal from office of a member of the Executive Committee may occur only after the proper application of the disciplinary procedure described in paragraph 13.

The members of the Executive Committee must vacate office if a motion of no confidence is passed at a properly convened SGM, QGM or AGM.

No such motion of no confidence will be entertained unless written notice of intention to propose such motion has been given to the secretary and copied to the Registrar's office at least 10 days before a QGM, or 21 days before an SGM or an AGM.

### 6.5. Replacement of Executive Committee Members

Upon expiry of the term of office of the executive committee, or in the event that the term of office of any member is terminated for any reason in terms of this Constitution, that member automatically ceases to hold office, and the office will be vacant. In the case of a premature and unanticipated change, the Executive Committee may temporarily fill the vacancy with an ordinary Executive Committee member until the next AGM or an SGM at which elections take place.

In the event that the Association has no Executive Committee members to call an election, and such an election of office bearers is due or desirable, any member of the Association may approach the Registrar for an order directing that an election must take place and setting forth the terms and procedures in respect thereof.

### 6.6. Duties and responsibilities

The duties and responsibilities of the Executive Committee include the following:

- (a) To manage, conduct and control the affairs of the Association.
- (b) To collect fees from its members, to raise funds and to manage the funds and assets of the Association.
- (c) To keep accounts according to generally accepted accounting practices and to produce financial statements.
- (d) To draw up and accept a set of administrative rules and regulations consistent with this Constitution for the management and control of its affairs, and to amend, alter or add to such rules and regulations at its discretion. An updated Copy of the rules and regulations must be forwarded to the Registrar's office not later than 14 days after a meeting to draw up or amend such rules and regulations.
- (e) To issue letters of recommendation in support of applications approved by the association if so requested by the relevant government bodies. No charge may be levied by the Executive Committee for providing such letters of recommendation.
- (f) To appoint attorneys, accountants and other professional persons to act on behalf of the Association.
- (g) To institute legal action against any party who may act contrary to the interests of the members of the Association or in regard to the recovery of monies owing to the Association, and to defend legal action on behalf of the Association.
- (h) To initiate and develop, in consultation with the members, policies on matters not provided for in this Constitution, for subsequent adoption by the general membership.
- (i) To establish, or support and aid the establishment of, any affiliate formed to further all or any of the objectives of the Association.
- (j) To convene an AGM
- (k) To call SGMs in terms of paragraph 10.
- (l) At the AGM to present, together with the audited accounts of the Association, its report on the activities of the Association during the previous year.
- (m) To call a meeting of the Executive Committee at least once a month, with further meetings being called from time to time at the discretion of the Chairperson.
- (n) To arrange for and hold QGM's in terms of paragraph 11.
- (o) To inform the Registrar of the outcome of disciplinary hearings and grievance procedures within 7 days.
- (p) To forward minutes of any SGM, QGM or AGM to the Registrar within 14 days after such meetings.
- (q) To report to the Registrar any information indicating that a situation of conflict may be developing or could potentially develop between the Association and another association that has come to the attention of an Executive Committee member or members.
- (r) To inform the Registrar in good time of any changes to the information about the Association and its members that is recorded in the register.
- (s) To make application to the Registrar for the registration of new members within one month of their admission.
- (t) To take decisions on the day-to-day business of the Association.

Individual office bearers must perform the specific functions allocated to them in this Constitution, as well as any of the above roles that the chairperson may allocate to them.

### 6.7. Meetings of the Executive Committee

The Executive Committee must meet at least monthly. Further meetings may be called from time to time at the discretion of the chairperson. Minutes of all meetings must be properly kept. The quorum for Executive Committee meetings will be two thirds of the committee members. Decisions must be reached on the basis of consensus. Where consensus cannot be reached, members must cast votes and the decision of the majority of members present at the meeting will constitute the decision of the committee. In the event of an equality of votes, the chairperson has a casting vote in addition to a normal vote.

### 6.8. Communication channels

*(Each association must state its own communication channels, for example secretary, public relations officer, etc.)*

## 7. STANDING COMMITTEES

The following standing committees must also be chosen to manage and conduct certain functions within the Association:

- (i) A Disciplinary Committee composed of the chairperson as a member of the Executive Committee, and two other non-executive members elected at the AGM.
- (ii) A Financial Committee consisting of the treasurer and two other non-executive members elected at the AGM.
- (iii) A Training and Development Committee consisting of the training officer and two other non-executive members elected at the AGM.
- (iv) A Grievance Committee composed of the chairperson as a member of the Executive Committee, and two other non-Executive Committee members elected at the AGM.

## 8. MEMBERSHIP OF ASSOCIATION

### 8.1. Criteria for full membership

- (a) Adherence to this Constitution, including the disciplinary procedure and grievance procedure and the prescribed code of conduct.
- (b) Membership of the Association will be open to all permit or operating licence holders for routes on which members of the Association operate except in the case of an applicant against whom another taxi association has instituted disciplinary action.

#### Membership

- (c) The Association may at its discretion accept or reject any application.
- (d) The Association must furnish unsuccessful applicants with a written notice within 30 days, giving the reasons for their application being unsuccessful.
- (e) The Association must, at its AGM, determine the annual membership fee payable by members to the Association. Such annual membership fees are payable in addition to the application fee and, in the event of any member failing to pay the annual membership fee within (*to be filled in by association*) days of the due date.
- (f) Arrangements may be made with the Executive Committee to pay the annual membership fee in instalments.
- (g) Temporary membership of the Association, for a maximum period of six months, will be permitted for applicants who are acceptable to the Association as members, and who have lodged applications for new operating licences.

### 8.2. Termination of membership

Membership may not be terminated except as an outcome of a grievance or disciplinary procedure for the termination of membership but a member may voluntarily resign.

Upon the termination of membership of any member, for whatever reason, the secretary must forthwith inform the Registrar.

Membership of the Association may be terminated in the event of —

- (a) a member voluntarily resigning after having given written notice of the decision to resign;
- (b) a member failing to pay the application fee or annual membership fee, as laid down by the Association,;
- (c) a member contravening the objectives of the Association or disobeying any decision of the Association;
- (d) a member joining any other taxi association or related association operating on the routes on which members of the Association operate without the consent of the Association;
- (e) a member having no valid operating licence/permit to operate a vehicle on a route on which the Association operates, owing to the cancellation or expiry of the operating licence; but the member's membership may not be suspended in the event of any proceedings being lodged by the member to set aside the cancellation or expiry of the public road carrier permit or operating licence concerned until such proceedings are finalised;
- (f) a member contravening the Constitution or the code of conduct;
- (g) a member operating a public transport service without the necessary operating licence or necessary permit for each vehicle used for the operation of the service.

### 8.3. Application procedure

A person desiring to become a member of the Association must submit a written application to the Executive Committee containing the following:

- (a) The reasons for applying to join the Association.
- (b) A copy of the application for an operating licence that is pending at the Provincial Operating Licensing Board.
- (c) A list of all the vehicles operated by the applicant on the Association's routes.
- (d) A list of all the permits or operating licences held by the applicant, if applicable.

- (e) A list of drivers in the employ of the applicant operating on the Association's routes.
- (f) A list of any other taxi associations of which the applicant is or has been a member.
- (g) Whether the applicant has at any time been expelled from any other association.
- (h) A list of previous convictions of the applicant and drivers in the employ of the applicant.
- (i) Proof of payment of the Association's joining fee.

#### 8.4. Appeal procedure

If the Executive Committee refuses a membership application, the applicant may lodge a written appeal against the decision to a QGM, or SGM or the AGM, whichever occurs first. The decision of such a general meeting is final.

#### 8.5. Duties and rights of members

##### (1) The duties of the members of the Association are the following:—

- (a) To pay the annual membership fee.
- (b) To ensure that the vehicle to which an operating licence is applicable is driven by a person who is in possession of a valid driving licence and public or professional driving permit, as applicable.
- (c) To ensure that no person uses a vehicle for which an operating licence has been issued in a manner inconsistent with the National Land Transport Transition Act and regulations or replacing provincial laws.
- (d) To ensure that permits or operating licences are not disposed of in a manner inconsistent with the National Land Transport Transition Act, 2000 (Act 22 of 2000) and regulations or replacing provincial laws.
- (e) To inform the Secretary of any intention to make an application for additional operating licences on routes on which members of the Association operate.
- (f) To provide the Secretary with information required by the Registrar.
- (g) To act according to the Constitution and code of conduct.
- (h) To report to the Executive Committee any information indicating that a situation of conflict may be developing or could potentially develop between the Association and another association that has come to the attention of the member.
- (i) To give written notice to the secretary if the member intends to resign.

##### (2) The rights of members of the Association are the following:

- (a) To utilise any taxi rank relevant to the member's routes from which the member is permitted to operate.
- (b) To require of the Association to take all reasonable steps to protect the interests of its members and to ensure that there is no unlawful competition with the services rendered by members.
- (c) To receive written notice of every AGM, QGM, SGM and other occurrences affecting the rights of any member.
- (d) To resign on giving (*to be filled in by association*) weeks written notice to the secretary of the Association.
- (e) To vote at the AGM, any SGM and any QGM.
- (f) To scrutinise the financial statements of the Association.
- (g) In the event of a grievance being raised by or against any member, both the accused and the plaintiff have rights as contained in the grievance or disciplinary procedure, as the case may be.
- (h) The right to call a SGM in terms of 10.1.

#### 8.6. Membership list

The secretary must keep a current and updated record for each member, detailing the following information:

- name of member
- date on which the member joined the association
- permit or operating licence details
- vehicle details
- residential address
- contact details
- ID number

— operating information including routes and ranks.

The Secretary must notify the Registrar of any changes to the membership details of any member within seven days of those changes taking place.

#### 8.7. Membership fees

- (a) Joining and annual membership fees must be set at the (AGM) and are not discretionary.
- (b) Special collections may be made by the Executive Committee during the year on condition that, if a collection is compulsory, it must be approved at an AGM, SGM or QGM. A full report of the reasons for each special collection must be given to members. The financial report presented at the AGM must include a full report on special collections and the manner in which they have been expended.
- (c) Receipts must be issued to members for all monies collected from them.
- (d) Membership fees for a temporary member will only become payable once that temporary member has obtained an operating licence.

### 9. ANNUAL GENERAL MEETINGS (AGM)

An AGM must be held every 12 months.

#### 9.1. Duties, functions and powers of the AGM

The duties, functions and powers of the AGM are, *inter alia*

- (a) to approve or make alterations to minutes of the previous AGM, SGMs and QGMs held since the previous AGM;
- (b) to receive, consider and approve the chairperson's report on the affairs of the Association for the year under review;
- (c) to receive, consider and approve the financial report, including the audited annual financial statements for the past year and the budget for the ensuing year;
- (d) to elect the Executive Committee;
- (e) to amend the Constitution by a two-thirds majority of members present and voting;
- (f) to elect non-executive office bearers of the Association;
- (g) to appoint or re-appoint an external and independent auditor for the Association; and
- (h) to consider appeals, if any, from individuals whose applications for membership were refused by the Executive Committee.

No voting by proxy will be permitted and voting will be by secret ballot in the case of the election of members of the Executive Committee and of the standing committees.

#### 9.2. Notice of AGMs

The AGM must take place in (*month to be filled in by association*) of each year at the time and place determined by the Executive Committee.

The secretary must send a written notice of time, place and date of the AGM to all members by post or fax at least (*to be filled in by association*) days prior to the meeting.

The secretary must also send an invitation to the office of the Registrar.

#### 9.3. Quorum

The quorum required at an AGM is two thirds of the members.

If no quorum is present within 30 minutes of the time fixed for the AGM, the meeting must adjourn to seven days later. Notice of such adjourned meeting must be given to members.

#### 9.4. Agenda and minutes

Permanent items on the agenda of the AGM include the following:

- (a) Minutes of the previous AGM and SGMs and QGMs held since the previous AGM;
- (b) the Chairperson's executive report covering the previous year and the vision for the next year;
- (c) the Secretary's organisational report;
- (d) the Treasurer's financial report, including audited statements;
- (e) ratification of the budget;
- (f) adoption of the reports, and
- (g) the election of office bearers.

Proper minutes of every AGM must be kept and filed.

The minutes and details of new Executive Committee members must be submitted to the Registrar not later than 14 days after the AGM.

#### 9.5. **Voting**

Voting for the election of members of the Executive Committee must take place by secret ballot and be certified by a representative of the Registrar. Any other voting may be by show of hands. No voting by proxy will be allowed. Only members who can prove their identity and membership are entitled to vote. Identity may be proved by presenting an identity document, passport, credit card format driver's licence or operating licence.

In the case of an equality of votes the chairperson has a casting vote in addition to an ordinary vote.

#### 9.6. **Election of office bearers**

Members present at the AGM must elect the following members to the Executive Committee:

- (a) Chairperson
- (b) Vice-chairperson
- (c) Treasurer
- (d) Secretary
- (e) Training officer
- (f) Chairperson of the grievance committee
- (g) Chairperson of Disciplinary Committee
- (h) *Other members deemed necessary by the Association.*

The term of office of an Executive Committee member will be for one year following the election. Two additional members of the grievance committee and disciplinary committee must also be elected at the AGM for a term of office of one year following the election, but they do not form part of the Executive Committee.

#### 9.7. **Financial Statements**

The treasurer, in conjunction with the accounting officer, must prepare a financial report, including the audited financial statements, for the AGM. In addition, interim financial statements are to be prepared quarterly and made known to members at each QGM.

### 10. **SPECIAL GENERAL MEETINGS**

#### 10.1. **Right to call special general meeting**

An SGM may be convened under exceptional circumstances. The meeting must be held if at least 50%+1 of the members call for the meeting to be convened but SGM may be convened at the instance of the Executive Committee.

The reason for such meeting must be stated in the notice convening the meeting. The secretary or, failing him or her, the chairperson, must convene the meeting.

#### 10.2. **Procedure for calling SGM**

When a member of the Association wishes to call an SGM, that member must have the written support of at least 50% of the members. The Executive Committee must call an SGM within 21 days of the request. If the Executive Committee fails to do so, the member may notify the Registrar, who must investigate the situation and take appropriate action.

The secretary, upon receiving a written request for an SGM to be called, must determine a date, place and time after consultation with the Executive Committee. The secretary must give at least (*to be filled in by association*) days written notice of an SGM to all members.

#### 10.3. **Quorum for SGM**

The quorum required at a special meeting is two thirds of the members.

If no quorum is present within *30 minutes* of the time fixed for the SGM, the meeting must be adjourned to seven days later and at a place announced by the chairperson, and at the adjourned meeting the members then present form a quorum. Notice of such adjourned meeting must be given to all members.

#### 10.4. **Voting at SGM**

Only members who can prove their identity and membership are entitled to vote at SGMs. Identity may be proved by presenting an identity document, a passport, credit card format driver's licence or operating licence. No voting by proxy will be allowed.

Voting must be by secret ballot in the case of the election of members of the Executive Committee and of the standing committees.

### 11. **QUARTERLY GENERAL MEETING (QGMs)**

#### 11.1. **Procedure for calling QGM**

After two monthly Executive Committee meetings, the secretary must, after consultation with the Executive Committee, determine a date,

place and time for the next QGM. The secretary must give at least seven days written notice of a QGM, to all members.

The Executive Committee must arrange for a QGM to take place in the third month after the AGM and at every third month thereafter. If the Executive Committee fails to do so, members may notify the registrar, who shall investigate the situation and take appropriate action.

#### 11.2. Quorum for QGM

The quorum required at a QGM shall be at least 50%+1 of the membership of the Association.

If no quorum is present within *30 minutes* of the time fixed for the QGM, the meeting will be deemed to be cancelled and the business of that meeting must be carried over to the next QGM. Notice of such a cancelled meeting must be given to members.

#### 11.3. Voting at QGM

Only members who can prove their identity and membership are entitled to vote at QGMs. Identity may be proved by presenting an identity document, a passport or credit card format driver's licence or operating licence. No voting by proxy will be allowed.

#### 11.4. BUSINESS AT AN QGM

Business for ratification at a QGM may cover all issues decided upon at the previous Executive Committee meeting, with the exception of resolutions of the Disciplinary Committee or Grievance Committee implemented by the Executive Committee.

### 12. FINANCE AND EXTERNAL AUDITING

#### 12.1. Bank Account

A bank account must be opened in the name of the Association, with the treasurer and two other members of the Executive Committee as signatories. The signatures of two members one which should be the treasurer are needed before any transactions can be carried out. All funds collected must be deposited into this account within 24 hours.

#### 12.2. Annual Membership Fees

Each member must contribute annually to the finances of the Association by paying an amount referred to as an annual membership fee, recommended by the Executive Committee from time to time and approved at the AGM or at a SGM but payable at least once a year. The Executive Committee may at its discretion collect these funds from the members.

Receipts must be issued for all money collected. Reports must be submitted of all collections and disbursements.

None of the Association's funds may be utilised for any purpose other than for investment or for the objectives for which the Association was established.

#### 12.3. Financial year

The financial year of the Association ends on (*date to be filled in by association*) each year. The treasurer must ensure that the accounting officer draws up a quarterly financial statement for submission at the QGM.

#### 12.4. Financial Statements

Proper books and records must be kept of all collections and disbursements, receipts must be issued for all monies collected and audited accounts be submitted to the AGM or whenever required by the Executive Committee. The treasurer and an appointed member of the Executive Committee are the only members entitled to sign financial documents on behalf of the Association.

#### 12.5. External auditing

An accounting officer must be appointed by the Association to control its financial position. Such person must be registered and practising for own account as a public accountant and auditor.

The appointment is subject to annual re-appointment at the AGM.

#### 12.6. Ratification of expenditure

An annual budget must be approved at the AGM, and members have the right to scrutinise the financial statements.

Expenditure may only be incurred following discussion and decision at a formal Executive Committee meeting or at a formal general meeting. The decision must be minuted as an instruction to the treasurer in full compliance with documentation requirements, including quotations, orders, invoices and receipts.

### 13. DISCIPLINARY FUNCTIONS

Any breach of this constitution and the code of conduct by any member, or a driver or conductor in a member's employ who has not subscribed to the code of conduct, or the continued employment by a member of any driver or conductor who repeatedly breaches the code of conduct constitutes misconduct.

#### 13.1. Disciplinary procedure

A Disciplinary Committee must be formed to investigate complaints of misconduct by a member. The Disciplinary Committee is to consist of the chairperson who is a member of the Executive Committee and two members who are not members of the Executive Committee, and who are elected by the AGM.

The Disciplinary Committee may only act against a member after having received a complaint in writing from any person. All written complaints must be supported by sufficient *prima facie* evidence of the complaint, and must be in the form of sworn affidavits.



After receipt of such complaints, the Disciplinary Committee must in writing inform the member concerned (hereafter called the accused), of the nature of the complaint and allow him or her a reasonable opportunity to furnish a written reply, and whether or not the accused replies in writing, the committee must call upon the complainant and the accused to attend a hearing at a such time and place decided upon by the Disciplinary Committee.

When holding such inquiry the Disciplinary Committee must allow both sides fair and equal opportunity to present their case. The following rules of natural justice will apply:

- (a) the accused will be given a proper hearing by the committee;
- (b) the accused will be given an opportunity to produce evidence and correct or contradict any prejudicial statement or allegation made against him or her;
- (c) the Disciplinary Committee must listen fairly to both sides and observe the principles of justice;
- (d) the Disciplinary Committee must discharge its duties honestly and impartially;
- (e) the Disciplinary Committee must make a fair and bona fide decision on the facts placed before it;
- (f) Insert 10.1.8 of the old constitution.

Members are entitled to be represented by a fellow member. The committee may also request another member to act as prosecutor if the accused is represented by a member.

A report on the proceedings and findings of the disciplinary committee must be compiled and submitted to the Executive Committee.

The decision of the Disciplinary Committee is to be implemented by the Executive Committee on the basis of the recommendation made to it.

Where a member of the Executive Committee itself is involved, either as the aggrieved party or the person under investigation, that member must recuse himself or herself from the Executive Committee meeting.

In the event that a person is found guilty of contravening the code of conduct or the Constitution, the Disciplinary Committee may impose the following penalties:

- the member may receive a written warning;
- the member may be fined, from R10,00 up to a maximum of R1 000,00;
- the member may be suspended for a period not exceeding one year;
- the member may be expelled from the Association.

In the event that any member fails to pay a fine within the time granted to him or her, not being less than three calendar days from the signing of the report, such member's suspension from the Association is automatic. Any outstanding fine and any other outstanding fees are a debt owing to the Association and may be collected through normal legal procedures.

In the event that membership has been suspended or the member expelled, the Executive Committee may make a written submission, after consulting with the regional taxi council to which the association is affiliated, setting out reasons for the operator's permit or licence to be withdrawn. Such action must be made known to the Registrar's office in order that checks may be made on whether the correct procedure was followed in the event that no appeal against the finding is lodged within seven days

When disciplinary action is taken against any member of the Executive Committee, the complainant or the Executive Committee member concerned may request a person unconnected with the taxi industry to be a member of the Disciplinary Committee.

### 13.2. Appeal procedure

The appeal procedure gives a member who has been warned, fined, suspended or expelled an opportunity to have the case reheard by a different process, if he or she believes that fairness was not achieved during the original inquiry.

The appeal must be lodged in writing within three calendar weeks of the signing of the report. The appeal must be submitted to the secretary of the Association and to the secretary of the regional taxi council to which the association is affiliated.

The appeal inquiry must be conducted within two calendar weeks of the appeal being lodged. Notice of the hearing of the appeal must be delivered to the secretary of the regional taxi council concerned and must inform the accused and complainant of the date, time and place of the hearing. The finding of the appeal committee must be forwarded to the Registrar within 7 days.

## 14. GRIEVANCE PROCEDURE

### 14.1. Objectives

The main objective of the grievance procedure is to enable a member or group of members to raise, and cause an adjudication of, any matter that member or group of members may feel aggrieved about, or unjust treatment by the management of the Association. A further objective is to bring any such matter to the attention of the Executive Committee.

A grievance is any dissatisfaction or feeling of injustice on the part of a member or group of members regarding membership and ancillary matters.

The grievance procedure is based on the principle that all parties must have the intention of solving the grievance at the earliest possible stage.



The purpose of the grievance procedure is to provide a formal guide for the fair and equitable resolution of complaints, grievances and disputes, and to create a mechanism whereby members who feel aggrieved about any practice that may appear to be unjust obtain a fair trial.

The grievance procedure does not replace the duty and right of the Executive Committee to apply disciplinary steps in terms of the disciplinary procedure against offenders who contravene the Constitution or code of conduct. The grievance procedure does not serve as an appeal mechanism against disciplinary steps taken in terms of the disciplinary procedure.

The grievance procedure is available to any member or group of members who follow the prescribed procedure and makes use of any prescribed form, provided the signatures of at least (*to be filled in by association*) members of good standing in support of the concerned are obtained.

The grievance procedure must:

- (a) ensure that grievances are aired and brought to finality;
- (b) ensure settlement of grievances as close to the point of origin as possible;
- (c) ensure fairness.

#### 14.2. Grievance Committee

A Grievance Committee must be formed to oversee the function of grievances.

The Grievance Committee must consist of a chairperson who is a member of the Executive Committee and two members who are not members of the Executive Committee and are elected by the AGM.

#### 14.3. Standard Grievance Procedure

Every attempt should be made to first settle difficulties via discussion, and the grievance procedure should only be entered into if this fails. The grievance procedure consists of the following steps:

##### Step 1: Conflict resolution

- 1.1. The member or group of members has to complete a grievance form (see example attached).
- 1.2. The completed and signed form has to be submitted to the grievance committee.
- 1.3. The chairperson of the grievance committee has to determine a date on which members are to present their grievances to the committee, which is to be no later than three days after the complaint form was submitted.
- 1.4. At this meeting, the committee and members should strive to resolve the conflict.
- 1.5. The chairperson of the grievance committee has to prepare a report on the proceedings of the grievance committee for submission to the Executive Committee.
- 1.6. If the aggrieved member or group of members is not satisfied with the outcome of the committee meeting, the matter must be referred for mediation.

##### Step 2: Mediation

- 2.1. The chairperson of the grievance committee has to submit the report on the proceedings of the committee meeting referred to in Step 1 to an independent mediator who is not a member of the Association.
- 2.2. The mediator must mediate between the parties to try and reach a solution to the grievance within one calendar week of the matter being submitted.
- 2.3. If the aggrieved member or group is not satisfied with the outcome of the mediation process, the matter must be referred for arbitration.
- 2.4. The mediator must submit a report of the mediation process to the chairperson of the grievance committee.

##### Step 3: Arbitration

Only to be entered into if step 2 fails.

- 3.1. The Chairperson of the Grievance Committee must, within three (3) days of receiving the report of the mediator, appoint an arbitrator to finalise the grievance if it remains unresolved.
- 3.2. The decision of the arbitrator is final and must be adhered to.
- 3.3. The Rules of Arbitration set by the Association of Arbitrators and the Arbitration Act, 1965, apply.
- 3.4. The Registrar must be notified of the outcome of any arbitration.

**Member's representative**

Any member or group of members making use of the grievance procedure may nominate a co-member as representative during Steps 2 and 3. Costs of mediation and arbitration may be awarded.

**15. AMENDMENT OF CONSTITUTION**

Amendments to this Constitution may only be made if:

- (a) the amendments are in total compliance with the Standard Minimum Constitution Requirements; and
- (b) approved by an AGM at which at least two thirds of the members are present and at least two thirds of those present vote in favour of the change.

**16. AMALGAMATION**

The decision to amalgamate with another association must be by a two-thirds majority decision of the AGM or an SGM convened specifically for the purpose.

Issues regarding the handling of the Association's assets require a two-thirds decision at an AGM or SGM at which no fewer than two thirds of the members are present.

**17. DISSOLUTION OF ASSOCIATION**

The decision to dissolve the Association should be a two-thirds decision at an AGM or SGM, at which the quorum will be two thirds of the members.

The decision on how to handle the Association's assets should be taken by a two-thirds majority.



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Signature of chairperson \_\_\_\_\_ Date d/mm/yy) \_\_\_\_\_

I, the complainant, agree that the matter has been resolved to my satisfaction at this point.

Signature \_\_\_\_\_ Date \_\_\_\_\_ Membership number \_\_\_\_\_  
dd/mm/yy

Supporting Signatures of \_\_\_\_\_ (number to be filled in by Association) members of good standing:

Name of member \_\_\_\_\_ Membership No. \_\_\_\_\_ Signature \_\_\_\_\_

Name of member \_\_\_\_\_ Membership No. \_\_\_\_\_ Signature \_\_\_\_\_

Name of member \_\_\_\_\_ Membership No. \_\_\_\_\_ Signature \_\_\_\_\_

I certify that the names of the supporting signatures are those of members of good standing.

Chairperson of Grievance Committee: \_\_\_\_\_

Sworn before me at \_\_\_\_\_ on \_\_\_\_\_ 19 \_\_\_\_\_

COMMISSIONER OF OATHS

FULL NAME \_\_\_\_\_

CAPACITY \_\_\_\_\_

ADDRESS \_\_\_\_\_

### CODE OF CONDUCT

The Association must aspire to attain and maintain the highest possible ethical standards. Although the role of the Association and its office bearers and employees is crucial, operators and drivers are the main public face of the taxi industry. It is essential for operators and drivers to conduct themselves in such a way as to enhance the image of the industry.

Adherence to the following code of conduct by operators and drivers would lead to increased respect and support for the industry from its users, the public at large, and government:

1. Operators should conduct their business with due care to ensure the safety of the public. This means that operators should do everything in their power to ensure that no violent incidents occur.
2. Operators may not use taxis that are unsafe or unroadworthy or for which no roadworthy certificates under the road traffic laws are available.
3. Operators' vehicles should at all times be neat, roadworthy and kept in accordance with requirements provided for in terms of the certificate of fitness (or roadworthy certificate).
4. Operators' vehicles should at all times display the Association's logo and number, its public road carrier permit or operating licence, certificate of fitness (roadworthy certificate), rank token and the operator's name, address and telephone number.
5. Operators may not allow their vehicles to transport passengers on any route for which they do not have a permit or operating licence.
6. Operators must adhere to all laws applicable to them in respect of operating a public transport service.
7. In the case of a breakdown, the operator's vehicle should be removed from the roadway without delay and, if possible an alternative vehicle be provided in order to ensure that the passengers reach their destinations as swiftly as possible.
8. Operators should at all times strive to maintain a good relationship with the authorities and law enforcement officers.
9. Operators should co-operate with, and obey and do all things (instructions) necessary to assist, any policeman, traffic officer or transportation inspector in carrying out their official duty.
10. Operators must exercise proper control over drivers in their business.
11. Operators must not use drivers who are not qualified.
12. Operators must not threaten or intimidate any person or group.
13. Operators must not participate in any violent activities or action that could in any way lead to violence.
14. Operators must not carry unlicensed firearms or allow the display of a weapon in their vehicles.
15. An operator must report to the Executive Committee of his or her association any information indicating that a situation of conflict may be developing or could potentially develop between that Association and another association that has come to his or her attention.
16. Operators must not organise nor take part in any boycotts without the consent of the Association.
17. Operators must adhere to the provisions of the Constitution.
18. Operators must maintain confidentiality with regard to the internal affairs of the Association.
19. Operators must not organise nor participate in any subversive activity against the Association, provincial, regional or local associations.
20. Operators may not hold dual membership of taxi associations on the same route without consent.
21. An operator duly elected to any office as a member of the Association should perform the duties of office diligently.
22. Operators should not without good cause fail to attend meetings when reasonably expected of them as members of the Association.
23. Operators shall not participate in personal attacks or slander in respect of any office bearer or staff member employed by the Association.
24. Operators must not, without good cause, fail to appear before the disciplinary committee of the Association when called upon to do so.
25. Operators should not criticise the Association or its office bearers, except when canvassing for a special general meeting or a vote of no confidence.
26. Operators may not make any press, radio or television statement unless properly authorised by the Association on behalf of whom the statement is apparently made.
27. Operators may not publish or distribute any pamphlet or written document regarding the affairs of the Association without its consent.
28. Operators may not call, hold or attend protest meetings or arrange any other form of protest against the Association in any manner contrary to the provisions of the Constitution or the grievance procedure.
29. Operators may not participate in any political activities on behalf of or in the name of the Association in contravention of the Constitution.
30. Operators may not threaten, induce, or intimidate any persons whatsoever into taking any action that violates the Constitution of the Association.

Operators must ensure that their drivers adhere to the above requirements where these are appropriate to driver behaviour. Operators must also ensure that their drivers observe the following:

1. Drivers may not participate in any violent activities or activities that could in any way induce violence.

2. Drivers must adhere to the rules of the road and in particular refrain from driving negligently or recklessly. Drivers must therefore obey all laws and rules promulgated under any act, regulation or ordinance in respect of the driving of vehicles on public roads, and maintenance.
3. Drivers may under no circumstances participate in blockades or disrupt the normal operations of road traffic in any manner.
4. Drivers must refrain from continual and persistent minor traffic violations such as parking offences.
5. Drivers may only drive roadworthy vehicles registered with the Registrar and the Association, and must carry proof thereof in their vehicles.
6. Drivers will be entitled to register with a drivers' association.
7. All drivers must be in possession of a valid public or professional driver's permit and a driving licence.
8. Drivers may not use foul language or display any other disorderly conduct in public.
9. Drivers must at all times treat passengers with dignity, respect and courtesy and take great care to ensure their comfort and safety.
10. Drivers must render passengers any assistance that is necessary for the efficient operation of the service.
11. Drivers may not overcharge passengers.
12. Drivers may not operate a vehicle for public conveyance when it is unsafe or unfit to be so operated.
13. Drivers must not operate a vehicle which is not clean and neat in appearance.
14. Drivers must be clean and neatly dressed.
15. No driver may obstruct operations at the rank.
16. Drivers must load passengers on a first-come, first-served basis.
17. Drivers of the first three vehicles in a queue must be in or in the immediate vicinity of their vehicles.
18. Drivers may not repair or maintain vehicles at ranks and stopping places.
19. Drivers may not gamble or use intoxicating liquor at taxi facilities.
20. Drivers may not allow passengers to litter.
21. A driver must report to the owner of his or her vehicle any information indicating that a situation of conflict may be developing or could potentially develop between that Association and another association that has come to his or her attention.
22. Drivers may not, without the operator's consent, use the vehicles of the operators if they engage in any protest action.

This code of conduct is also binding upon all the staff members of the Association.

Should a breach of this code of conduct come to the attention of any operator, driver, commuter, authority or law enforcement official, it must be reported to the Association forthwith.



Position (e.g. chairperson executive committee, secretary)

Type of identity document 

RSA ID	Foreign ID	Other (specify)
--------	------------	-----------------

Identity number

Surname and initials (not more than 3)

Position (e.g. chairperson executive committee, secretary)

Type of identity document 

RSA ID	Foreign ID	Other (specify)
--------	------------	-----------------

Identity number

Surname and initials (not more than 3)

Position (e.g. chairperson executive committee, secretary)

Type of identity document 

RSA ID	Foreign ID	Other (specify)
--------	------------	-----------------

Identity number

Surname and initials (not more than 3)

Position (e.g. chairperson executive committee, secretary)

Type of identity document 

RSA ID	Foreign ID	Other (specify)
--------	------------	-----------------

Identity number

Surname and initials (not more than 3)

Position (e.g. chairperson executive committee, secretary)

Type of identity document 

RSA ID	Foreign ID	Other (specify)
--------	------------	-----------------

Identity number

Surname and initials (not more than 3)

Attach additional page with particulars of additional office bearers in the same format as above.

**PARTICULARS OF ADMINISTRATIVE OFFICER (IF APPLICABLE)**

Type of identity document 

RSA ID	Foreign ID	Other (specify)
--------	------------	-----------------

Identity number

Surname and initials (not more than 3)







NARTA/2(00)(05)

PROVINCE OF WESTERN CAPE  
TRANSPORT BRANCH

NARTA/2

ANNEXURE 2 TO APPLICATION FORM FOR REGISTRATION OF A TAXI ASSOCIATION

Abbreviated association name  Page  Of

PARTICULARS OF MEMBER

Type of member	Owner/Driver	Owner single vehicle	Owner multiple vehicles	Other (specify)
Type of acceptable identification	RSA ID	Foreign	Company/cc	Other (Specify)

Identity number/Business registration no.

Trade name (if any)

Street address (if different from postal address)

Postal address

Postal code

Surname/name of body of persons

Initials

DECLARATION BY MEMBER

I,....., declare that all the particulars furnished by me in this form are true and correct. I declare that I subscribe to and agree to be bound by the Code of Conduct published in Government Notice..... dated..... and the Constitution of this association attached to Annexure 1.

Date  Signature  Place

FOR OFFICE USE ONLY

Member's Provisional Registration Number issued by Registrar

Member's Registration Number issued by Registrar

Date of data entry

Date of data entry

File number

Abbreviated association name  Page  Of

**PART 1: PARTICULARS OF VEHICLES WITH VALID OPERATING LICENCES**

*To be filled in by member*

Vehicle registration no.

Chassis no.

Operating licence no.  Issue no.

Operating licence certificate no.

Authorised departure point

Authorised arrival point

Route no. allocated by Operating Licencing Board

Date

Signature

*To be filled in by representative of Provincial Operating Licencing Board*

I, the representative of the Board, declare that the operating licence details provided are/are not\* correct. This operating licence is valid/cancelled.\* This operating licence has/has not\* been issued in terms of the requirements of Section .....No. .... of

*To be filled in by member*

Vehicle registration no.

Chassis no.

Operating licence no.  Issue no.

Operating licence certificate no.

Authorised departure point

Authorised arrival point

Route no. allocated by Operating Licencing Board

Date

Signature

*To be filled in by representative of Provincial Operating Licencing Board*

I, the representative of the Board, declare that the operating licence details provided are/are not\* correct. This operating licence is valid/cancelled.\* This operating licence has/has not\* been issued in terms of the requirements of Section .....No. .... of



NARTA/R(00)(05)

**PROVINCE OF WESTERN CAPE  
TRANSPORT BRANCH**

NARTA/R

**PARTICULARS OF ROUTE(S) OPERATED BY THE TAXI ASSOCIATION**

Abbreviated association name

Type of operation  Long distance  Urban  Rural  Other (specify)

**Description of route**

Departure from   
(origin rank and address)

To destination   
(rank and address)

Via (list details):

Type of operation  Long distance  Urban  Rural  Other (specify)

**Description of route**

Departure from   
(origin rank and address)

To destination   
(rank and address)

Via (list details):

Attach additional page(s) with particulars of additional routes in the same format as above







ACTA/2(00)(05)

PROVINCE OF WESTERN CAPE  
TRANSPORT BRANCH

ACTA/2

**ANNEXURE 2 TO APPLICATION FORM FOR CONVERSION OF PROVISIONAL REGISTRATION OF A TAXI ASSOCIATION TO FULL REGISTRATION**

Abbreviated association name  Page  Of

**PARTICULARS OF MEMBER**

Surname/name of body of persons   
Initials   
Identity number/Business registration no.   
Provisional Registration Number of member

**DECLARATION BY MEMBER**

I, ....., declare that all the particulars furnished by me in this form are true and correct. I declare that I subscribe to and agree to be bound by the Code of Conduct published in Government Notice..... dated..... and the Constitution of this association attached to Annexure 1.

Date \_\_\_\_\_ Signature \_\_\_\_\_ Place \_\_\_\_\_  
**PARTICULARS OF VEHICLE/ROUTE/OPERATING LICENCE**

To be filled in by member

Vehicle registration no.   
Chassis no.   
Operating licence no.   
Issue no.   
Operating licence certificate no.   
Authorised departure point   
Authorised arrival point   
Route no. issued by Provincial Licencing Board

To be filled in by representative of Provincial Operating Licencing Board  
I, the representative of the Board, declare that the operating licence details provided are/are not\* correct. This operating licence is valid/cancelled.\* This operating licence has/has not\* been issued in terms of the requirements of Section ..... of No. .... of

.....  
Date   
  
Signature

Abbreviated association name  Page  Of

**PARTICULARS OF VEHICLE/ROUTE/OPERATING LICENCE**

*To be filled in by member*

Vehicle registration no.

Chassis no.

Operating licence no.  Issue no.

Operating licence certificate no.

Authorised departure point

Authorised arrival point

Route no. issued by Provincial Licencing Board

*To be filled in by representative of Provincial Operating Licencing Board*  
 I, the representative of the Board, declare that the operating licence details provided are/are not\* correct. This operating licence is valid/cancelled.\* This operating licence has/has not\* been issued in terms of the requirements of Section .....No. .... of

Date

Signature

*To be filled in by member*

Vehicle registration no.

Chassis no.

Operating licence no.  Issue no.

Operating licence certificate no.

Authorised departure point

Authorised arrival point

Route no. issued by Provincial Licencing Board

*To be filled in by representative of Provincial Operating Licencing Board*  
 I, the representative of the Board, declare that the operating licence details provided are/are not\* correct. This operating licence is valid/cancelled.\* This operating licence has/has not\* been issued in terms of the requirements of Section .....No. .... of

Date

Signature

ACTO(00)(05)

**PROVINCE OF WESTERN CAPE  
TRANSPORT BRANCH**

ACTO

**APPLICATION FORM FOR CONVERSION OF PROVISIONAL REGISTRATION OF A NON-MEMBER TO FULL REGISTRATION**

**PARTICULARS OF OPERATOR**

Initials	<input type="text"/>
Surname/name of body of persons	<input type="text"/>
Identity number/business registr no.	<input type="text"/>
Trade Name (if any)	<input type="text"/>
Registration or provisional registration no. of non-member	<input type="text"/>

**DECLARATION**

I, the operator, declare that I/\_\_\_\_\_ (Trade Name if applicable)\* hold/holds\* an appropriate operating licence for each vehicle by means of which I/it\*operates a public transport service; operate/operates the public transport service to which such operating licence relates, in compliance with the terms of, and conditions attached to, the authorisation conferred by the operating licence; have/has\* had all permits held by by me/it\* converted to operating licences; and have/has\* subscribed to the Code of Conduct for Non-Members published in Government Notice \_\_\_\_\_ of \_\_\_\_\_.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Place

PROVINCE OF WESTERN CAPE  
TRANSPORT BRANCH

**ANNEXURE 1 TO APPLICATION FORM FOR CONVERSION OF PROVISIONAL REGISTRATION OF A NON-MEMBER OPERATOR TO FULL REGISTRATION**

	Page <input style="width: 40px;" type="text"/>	Of <input style="width: 40px;" type="text"/>
<b>PARTICULARS OF VEHICLE/ROUTE/OPERATING LICENCE</b>		

*To be filled in by operator*

Vehicle registration no.

Chassis no.

Operating licence no.  Issue no.

Operating licence certificate no.

Authorised departure point

Authorised arrival point

Route no. allocated by Provincial Operating Licencing Board

*To be filled in by representative of Provincial Operating Licencing Board*

I, the representative of the Board, declare that the operating licence details provided are/are not\* correct. This operating licence is valid/cancelled.\* This operating licence has/has not\* been issued in terms of the requirements of Section ..... of No. .... of .....

Date

Signature \_\_\_\_\_

*To be filled in by operator*

Vehicle registration no.

Chassis no.

Operating licence no.  Issue no.

Operating licence certificate no.

Authorised departure point

Authorised arrival point

Route no. allocated by Provincial Operating Licencing Board

*To be filled in by representative of Provincial Operating Licencing Board*

I, the representative of the Board, declare that the operating licence details provided are/are not\* correct. This operating licence is valid/cancelled.\* This operating licence has/has not\* been issued in terms of the requirements of Section ..... of No. .... of .....

Date

Signature \_\_\_\_\_

PARTICULARS OF VEHICLE/ROUTE/OPERATING LICENCE	
<p><i>To be filled in by operator</i></p> <p>Vehicle registration no. <input type="text"/></p> <p>Chassis no. <input type="text"/></p> <p>Operating licence no. <input type="text"/> Issue no. <input type="text"/></p> <p>Operating licence certificate no. <input type="text"/></p> <p>Authorised departure point <input type="text"/></p> <p>Authorised arrival point <input type="text"/></p> <p>Route no. allocated by Provincial Operating Licencing Board <input type="text"/></p>	<p><i>To be filled in by representative of Provincial Operating Licencing Board</i></p> <p>I, the representative of the Board, declare that the operating licence details provided are/are not* correct. This operating licence is valid/cancelled.* This operating licence has/has not* been issued in terms of the requirements of Section .....No. .... of</p> <p>Date <input type="text"/></p> <p style="text-align: right;">Signature _____</p>
<p><i>To be filled in by operator</i></p> <p>Vehicle registration no. <input type="text"/></p> <p>Chassis no. <input type="text"/></p> <p>Operating licence no. <input type="text"/> Issue no. <input type="text"/></p> <p>Operating licence certificate no. <input type="text"/></p> <p>Authorised departure point <input type="text"/></p> <p>Authorised arrival point <input type="text"/></p> <p>Route no. allocated by Provincial Operating Licencing Board <input type="text"/></p>	<p><i>To be filled in by representative of Provincial Operating Licencing Board</i></p> <p>I, the representative of the Board, declare that the operating licence details provided are/are not* correct. This operating licence is valid/cancelled.* This operating licence has/has not* been issued in terms of the requirements of Section .....No. .... of</p> <p>Date <input type="text"/></p> <p style="text-align: right;">Signature _____</p>











Abbreviated association name  Page  Of

**PARTICULARS OF VEHICLE/ROUTE/OPERATING LICENCE**

*To be filled in by member*

Vehicle registration no.

Chassis no.

Operating licence no.  Issue no.

Operating licence certificate no.

Authorised departure point

Authorised arrival point

Route no. allocated by Provincial Licencing Board

*To be filled in by representative of Provincial Operating Licencing Board*  
 I, the representative of the Board, declare that the operating licence details provided are/are not\* correct. This operating licence is valid/cancelled.\* This operating licence has/has not\* been issued in terms of the requirements of Section .....of No. .... of

Date

Signature

*To be filled in by member*

Vehicle registration no.

Chassis no.

Operating licence no.  Issue no.

Operating licence certificate no.

Authorised departure point

Authorised arrival point

Route no. allocated by Provincial Licencing Board

*To be filled in by representative of Provincial Operating Licencing Board*  
 I, the representative of the Board, declare that the operating licence details provided are/are not\* correct. This operating licence is valid/cancelled.\* This operating licence has/has not\* been issued in terms of the requirements of Section .....of No. .... of

Date

Signature

**FORM 13**

**PROVINCE OF WESTERN CAPE  
TRANSPORT BRANCH**

**NATIONAL LAND TRANSPORT TRANSITION ACT, 2000 (ACT NO.22 OF 2000)**

**FORM OF CERTIFICATE ISSUED BY THE REGISTRAR FOR SUBMISSION BY A NON-MEMBER TO THE OPERATING LICENCING BOARD (section 113(2) of the Act)**

It is certified that .....,  
(Initials and surname/Name of body of persons\*)

whose identity number/business registration number\* is

.....,

complies with the following requirements of section 113 of the Act –

1. Being a company or close corporation<sup>+</sup>, does not have two or more members who, at the time of the formation of the company or close corporation or thereafter, were the operators of public transport services which are substantially the same as those operated by the company or close corporation.
2. Has subscribed to the Code of Conduct applicable in the Province.
3. Has cause to apply for registration as a non-member on the grounds that – #
  - (a) There is no registered association with regard to the route or routes where the applicant’s public transport service is operated.
  - (b) There is a registered association with regard to the route or routes where the applicant’s public transport service is operated, but –
    - (i) The association has refused membership of the association to the applicant.
    - (ii) The association has unfair requirements for admission to membership.
    - (iii) The applicant cannot reasonably be expected to become a member of the association in view of prevailing circumstances.
    - (iv) The applicant will be subjected to unfair discrimination if admitted to membership of the association.

Signed at ..... on this ..... day of ..... 20.....

.....  
Authorised official of the Office of the Registrar

- \* *Delete whichever is not applicable.*
- + *Delete if not applicable.*
- # *Circle whichever is applicable*



FORM 14

Republic of South Africa  
Provincial Administration

Western Cape



**CERTIFICATE OF PROVISIONAL REGISTRATION  
IN RESPECT OF A TAXI ASSOCIATION**

National Land Transport Transition Act, 2000

(Act No 22 of 2000) section 114 (1)

A certificate of provisional registration is hereby granted to

.....  
(Name of association)

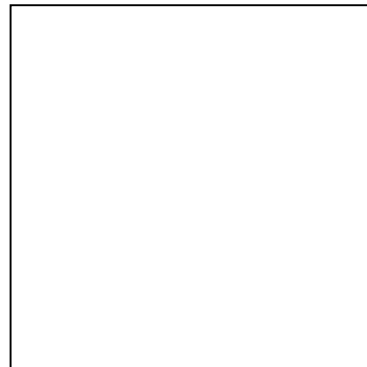
The name of the association was provisionally entered into the register on

.....  
(Date)

\_\_\_\_\_  
Provisional registration number

Date of issue:  
(Official stamp)

\_\_\_\_\_  
Signature of Registrar



Republic of South Africa  
Provincial Administration

Western Cape



**CERTIFICATE OF PROVISIONAL REGISTRATION  
OF A MEMBER OF A TAXI ASSOCIATION**

National Land Transport Transition Act, 2000

(Act No 22 of 2000) section 114 (1)

A certificate of provisional registration is hereby granted to

.....  
(Name of member of association)

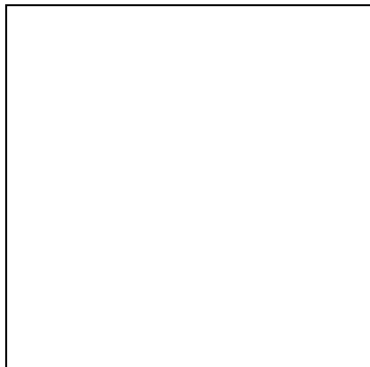
The name of the member was provisionally entered into the register on

.....  
(Date)

\_\_\_\_\_  
Identity number/business registration number

\_\_\_\_\_  
Provisional registration number

Date of issue:  
(Official stamp)



\_\_\_\_\_  
Signature of Registrar

FORM 16

Republic of South Africa  
Provincial Administration

Western Cape



**CERTIFICATE OF PROVISIONAL REGISTRATION  
OF A NON-MEMBER**

National Land Transport Transition Act, 2000

(Act No 22 of 2000) section 114 (1)

A certificate of provisional registration is hereby granted to

.....  
(Name of non-member)

The name of the non-member was provisionally entered into the register on

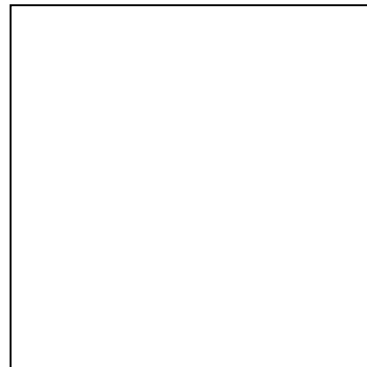
.....  
(Date)

\_\_\_\_\_  
Identity number/business registration number

\_\_\_\_\_  
Provisional registration number

Date of issue:  
(Official stamp)

\_\_\_\_\_  
Signature of Registrar



Republic of South Africa  
Provincial Administration

Western Cape



**CERTIFICATE OF REGISTRATION**

**OF A TAXI ASSOCIATION**

National Land Transport Transition Act, 2000

(Act No 22 of 2000) section 114 (1)

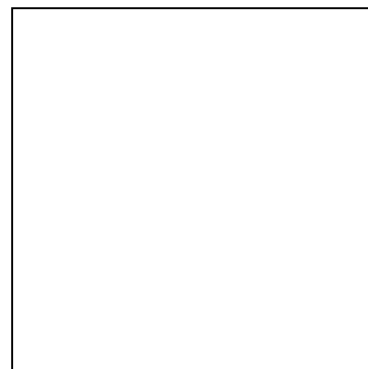
A certificate of registration is hereby granted to

.....  
(Name of association)

The name of the association was entered into the register on.....  
(Date)

\_\_\_\_\_  
Registration number

Date of issue:  
(Official stamp)



\_\_\_\_\_  
Signature of Registrar

Republic of South Africa  
Provincial Administration

Western Cape



**CERTIFICATE OF REGISTRATION  
OF A MEMBER OF A TAXI ASSOCIATION**

National Land Transport Transition Act, 2000

(Act No 22 of 2000) section 114 (1)

A certificate of registration is hereby granted to

.....  
(Name of member of association)

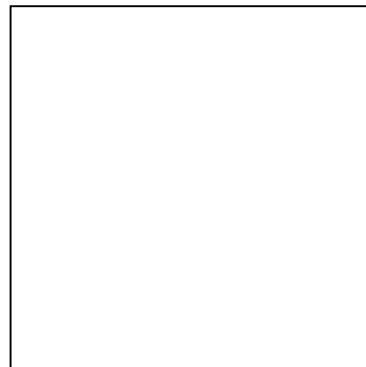
The name of the member was entered into the register on.....  
(Date)

\_\_\_\_\_  
Identity number/business registration number

\_\_\_\_\_  
Registration number

Date of issue:  
(Official stamp)

\_\_\_\_\_  
Signature of Registrar





Republic of South Africa  
Provincial Administration

Western Cape



**CERTIFICATE OF REGISTRATION  
OF A NON-MEMBER**

National Land Transport Transition Act, 2000

(Act No 22 of 2000) section 114 (1)

A certificate of registration is hereby granted to

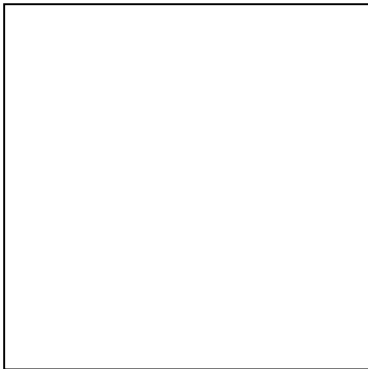
.....  
(Name of non-member)

The name of the non-member was entered into the register on.....  
(Date)

\_\_\_\_\_  
Identity number/business registration number

\_\_\_\_\_  
Registration number

Date of issue:  
(Official stamp)



\_\_\_\_\_  
Signature of Registrar

FORM 20

National Land Transport Transitional Act, 2000  
(Act No 22 of 2000)

Distinguishing mark for provisionally registered operators – Section 114(2)

**PROVINCE OF  
WESTERN CAPE**

PROVISIONALLY  
REGISTERED PROVINCIAL SERVICE

.....  
(Operator's provisional registration no.)

.....  
(Vehicle registration no.)

**(ORIGIN) – (DESTINATION)**

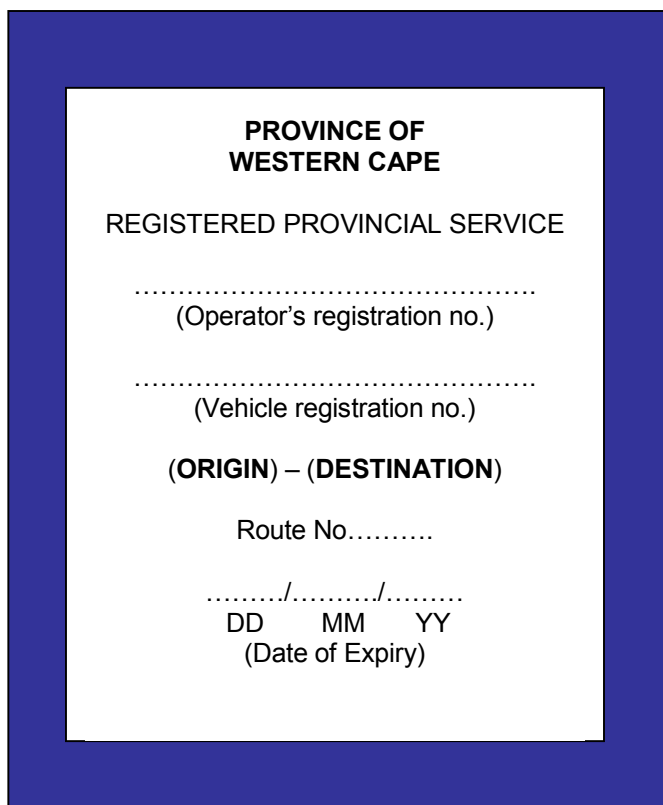
Route No.....

...../...../.....  
DD MM YY  
(Date of Expiry)

FORM 21

National Land Transport Transitional Act, 2000  
(Act No 22 of 2000)

Distinguishing mark for fully registered operators – Section 114(2)



**PROVINCE OF  
WESTERN CAPE**

REGISTERED PROVINCIAL SERVICE

.....  
(Operator's registration no.)

.....  
(Vehicle registration no.)

**(ORIGIN) – (DESTINATION)**

Route No.....

...../...../.....  
DD MM YY  
(Date of Expiry)

Form 22

PROVINCE OF WESTERN CAPE  
TRANSPORT BRANCH

NATIONAL LAND TRANSPORT TRANSITION ACT, 2000 (ACT NO. 22 OF 2000) (the Act)

**FORM OF SUBPOENA REQUIRING A PERSON TO APPEAR BEFORE THE REGISTRAR  
(section 99(3)(b) of the Act)**

**NOTICE**

Name .....

Address .....

You are hereby requested and directed to appear personally before the ..... Registrar at ..... on the ..... day of ..... 20..... to testify and declare what you know with regard to ..... and to bring with you the following book(s), plan(s), document(s), record(s), article(s), item(s) or object(s) that are in your possession or under your control for submission to the Registrar .....

Signed at ..... on this ..... day of ..... 20.....

.....  
Authorised official of the Office of the Registrar

FOR OFFICIAL USE ONLY

I certify that I have served this notice on the above-named person by—

- \*(a) delivering a true copy to him/her personally
- \*(b) leaving, as he/she could not conveniently be found, a true copy with .....  
apparently a responsible person at his/her—  
+place of business .....  
+usual place of residence .....  
+last known place of residence .....

at ..... on this ..... day of ..... 20.....and at the same time informing him/her of the nature thereof.

.....  
Signature of authorised officer

- \* *Delete whichever is not applicable.*
- + *Tick appropriate one.*

**PROVINSIALE ADMINISTRASIE: WES-KAAP**  
**DEPARTEMENT VAN VERVOER EN OPENBARE WERKE**  
**NATIONAL LAND TRANSPORT TRANSITION ACT, 2000**  
**(Wet 22 van 2000)**

**Konsep Wes-Kaapse Regulasies op die Registrasie van Minibustaxiverenigings, hulle Lede en Nie-lede**

Ek, ....., Minister van Vervoer en Openbare Werke in die provinsie Wes-Kaap, handelende kragtens die bevoegdheid my verleen by die National Land Transport Transition Act, 2000 (Wet 22 van 2000), vaardig die regulasies in die bylae van hierdie kennisgewing uit en maak die vasstellings en spesifikasies daarin vervat.

**Bylae**

**Regulasies op die Registrasie van Minibustaxiverenigings, hulle Lede en Nie-lede**

1. Woordomskrywing
2. Hoe provinsiale vervoerregister gehou moet word
3. Inligting wat in register gehou moet word
4. Inligting wat in register gehou moet word rakende nie-lede en hulle voertuie
5. Gelde vir inligting uit die register
6. Vereistes vir verenigings om vir voorlopige en volle registrasie in aanmerking te kom
7. Gelde vir aansoek vir registrasie
8. Aansoekvorms
9. Wyse van aansoek vir registrasie deur 'n nuut toegelate lid van 'n geregistreerde vereniging
10. Inligting en dokumente voorgelê met aansoekvorms
11. Registrasie van nie-lid: sertifikaat deur Registrateur
12. Sertifikate van registrasie
13. Onderskeidingstekens
14. Standaard Minimum Konstitusie en Gedragskode
15. Vorm van getuiedagvaarding en wyse van betekening
16. Boete vir versuim om aan kennisgewing te voldoen
17. Teruggawe van dokumente by intrekking of opskorting van registrasie
18. Misdrywe en strawwe
19. Kort titel

AANHANGSEL A: LYS VAN GELDE

AANHANGSEL B: VORMS

AANHANGSEL C: STANDAARD MINIMUM KONSTITUSIE VIR MINIBUSTAXIVERENIGINGS

**Woordomskrywing**

1. In hierdie regulasies, tensy dit uit die samehang anders blyk, beteken —
    - “Wet 74 van 1977” die Wet op Padvervoer, 1977 (Wet 74 van 1977), soos dit in die Provinsie toegepas word en soos gewysig by die Wes-Kaapse Wysigingswet op die Wet op Padvervoer, 1996 (Wet 8 van 1996), en die Wes-Kaapse Wysigingswet op die Wet op Padvervoer, 2000 (Wet 7 van 2000);
    - “Provinsie” die provinsie Wes-Kaap;
    - “register” die provinsiale vervoerregister in artikel 99(1)(h) van die Wet bedoel;
    - “die Wet” die National Land Transport Transition Act, 2000 (Wet 22 van 2000), en
- het 'n woord of uitdrukking wat in die Wet omskryf word, dieselfde betekenis in hierdie regulasies.

**Hoe provinsiale vervoerregister gehou moet word**

2. Die provinsiale vervoerregister wat die Registrateur ingevolge artikel 99(1)(h) van die Wet moet hou, moet in die vorm wees van 'n nasionaal eenvormige minimum elektroniese databasis wat deur die nasionale Departement van Vervoer verskaf word, of 'n soortgelyke databasis met dieselfde minimum kapasiteit.

**Inligting wat in register gehou moet word** [artikels 99(1)(i), 108(1)(a) en 111(2) en (3) van die Wet]

3. (1) Die Registrateur moet ten opsigte van —
- (a) elke vereniging in die provinsie gebaseer wat geregistreer is of voorlopig geregistreer is ingevolge die Wet, of wie se volle registrasie teruggekeer het na voorlopige registrasie ingevolge artikel 56(1) daarvan;
  - (b) elke lid van 'n vereniging in paragraaf (a) bedoel;
  - (c) elke voertuig van elke lid in paragraaf (b) bedoel, en
  - (d) elke nie-lid en sy of haar voertuig,
- die inligting rakende so 'n vereniging, lid of voertuig in subregulasies (2), (3) en (4) gelys, in die register hou.
- (2) Die inligting rakende 'n vereniging in subregulasie (1)(a) bedoel, is die volgende:
- (a) Die vereniging se —
    - (i) volle naam en, indien van toepassing, afgekorte naam;
    - (ii) vorm van regs persoonlikheid (vrywillige vereniging, artikel 21-maatskappy, ens.);
    - (iii) datum van oprigting;
    - (iv) besigheidsregistrasienuommer, as daar is;
    - (v) pos- en straatadres;
    - (vi) telefoon- en faksnummers;
    - (vii) e-posadresse, en
    - (viii) aanvanklike aansluitingsgelde per lid en jaarlikse lidmaatskapsgeld;
  - (b) die datum waarop die vereniging vir registrasie aansoek gedoen het;
  - (c) die datum waarop registrasie of voorlopige registrasie toegestaan is en die gepaardgaande sertifikaat van registrasie uitgereik is;
  - (d) die vereniging se registrasienuommer of voorlopige registrasienuommer;
  - (e) 'n eksemplaar van die vereniging se konstitusie en bevestiging dat dit deur die Registrateur aanvaar is as in ooreenstemming te wees met die vereistes van artikels 60 en 117 van die Wet;
  - (f) die getal persone geregistreer of voorlopig geregistreer as lede van die vereniging en die getal voertuie wat deur elke sodanige lid bedryf word;
  - (g) die getal persone in diens van die vereniging, insluitende sy behoorlik gemagtigde verteenwoordiger;
  - (h) die name van verenigings waarby die vereniging geaffilieer is, as daar is;
  - (i) die naam van elke ampsdraer en sy of haar posisie, identiteitsnommer en tipe identiteit gehou;
  - (j) elke geval van nienakoming deur die vereniging van sy geregistreerde konstitusie, en
  - (k) die uitkoms van griewe- en dissiplinêre prosedures gedoen deur 'n vereniging en die stappe, as daar is, wat die Registrateur as gevolg daarvan gedoen het.
- (3) Die inligting rakende 'n lid in subregulasie (1)(b) bedoel, is die volgende:
- (a) Die lid se —
    - (i) van en voorletters en, in die geval van 'n lid wat nie 'n individu is nie, daardie lid se naam;
    - (ii) handelsnaam, indien van toepassing;
    - (iii) identifikasienuommer of besigheidregistrasienuommer;
    - (iv) vorm van identifikasie;
    - (v) inkomstebelastingregistrasienuommer, indien die lid vir inkomstebelasting moet registreer;
    - (vi) pos- en straatadres;
    - (vii) tipe lidmaatskap; en
    - (viii) bestuurdersbesonderhede;

- (b) bevestiging dat die lid 'n verklaring onderteken het dat hy of sy die vereniging se gedragskode en geregistreerde konstitusie onderskryf en instem om daardeur gebind te word;
  - (c) die datum waarop die lid se sertifikaat van registrasie of voorlopige registrasie uitgereik is;
  - (d) die datum en nommer van die lid se registrasie of voorlopige registrasie;
  - (e) die datum van uitreiking van die lid se sertifikaat van voorlopige registrasie;
  - (f) die lid se bedryfslisensienommer(s) of permitnommer(s);
  - (g) die vervaldatum van die lid se bedryfslisensie(s) of permit(te);
  - (h) bevestiging dat die raad die bedryfslisensie- of permitbesonderhede geverifieer het;
  - (i) die vertrekpunt(e) en aankomspunt(e) gemagtig deur die bedryfslisensie(s) of permit(te);
  - (j) die roetenommer(s) deur die Raad toegeken in ooreenstemming met genoemde vertrekpunt(e) en aankomspunt(e);
  - (k) in die geval van 'n regspersoon, die persoon verantwoordelik om die regspersoon te verteenwoordig. 'n Resolusie moet deur die regspersoon verskaf word, onderteken deur 'n behoorlik gemagtigde persoon, wat die naam van die verteenwoordiger bevestig;
  - (l) in die geval of 'n maatskappy, sy inkorporasiesertifikaat of 'n gewaarmerkte afskrif daarvan;
  - (m) in die geval van 'n beslote korporasie, sy stigtingsverklaring of 'n gewaarmerkte afskrif daarvan, en
  - (n) in die geval van enige ander tipe regspersoon, sy konstitusie of stigtingsverklaring of 'n gewaarmerkte afskrif daarvan.
- (4) Die inligting rakende 'n voertuig in subregulasie (1)(c) bedoel, is die volgende:
- (a) die voertuig se registrasienommer;
  - (b) die voertuig se identifikasienommer (VIN);
  - (c) die voertuig se onderstelnummer; en
  - (d) die datum van uitreiking van 'n onderskeidingsteken vir die voertuig en die vervaldatum van die onderskeidingsteken.

**Inligting wat in register gehou moet word rakende nie-lede en hulle voertuie** [artikel 108 (1) (a) van die Wet]

4. Ten opsigte van enige geregistreerde of voorlopig geregistreerde nie-lid, of 'n nie-lid gebaseer in die Provinsie wie se volle registrasie teruggekeer het na voorlopige registrasie ingevolge artikel 56(1) van die Wet, moet die Registrateur, in die toepaslike mate, dieselfde inligting hou as wat gehou moet word ten opsigte van 'n lid, voorlopig geregistreerde lid of lid wie se registrasie na voorlopige registrasie teruggekeer het en hulle voertuie.

**Gelde vir inligting uit die Register** [artikel 99(2)(b) van die Wet]

5. Die gelde betaalbaar vir die verskaffing van afskrifte van of uittreksels uit inligting uit die register deur die Registrateur of 'n beampte deur die Registrateur gemagtig, is die gelde voorgeskryf in Aanhangsel "A" tensy ander gelde voorgeskryf word ingevolge artikel 22 of die Wet op Bevordering van Toegang tot Inligting, 2000 (Wet 2 van 2000), in welke geval die gelde ingevolge daardie Wet voorgeskryf, van toepassing is.

**Vereistes vir verenigings om vir voorlopige en volle registrasie in aanmerking te kom** [artikels 109(1) en (2) en 110 van die Wet]

6. (1) Behoudens subregulasie (2) word die minimum getal lede wat 'n vereniging moet hê alvorens hy voorlopig of ten volle geregistreer kan word, as 10 lede bepaal.
- (2) Waar 'n vereniging nie aan die toepaslike lidmaatskapvereistes in subregulasie (1) bedoel kan voldoen nie, kan die Registrateur, by aanvoering van gegronde redes, sodanige minimum lidmaatskapvereistes in daardie bepaalde geval verlaag.
- (3) Waar 'n vereniging ophou om 'n minimum van 10 lede te hê, moet die Registrateur —
- (a) die vereniging minstens 21 dae skriftelike kennis gee om gronde aan te voer waarom die vereniging nie gederegistreer of sy registrasie opgeskort moet word nie, en
  - (b) 'n kennisgewing van die voorneme om die vereniging te deregistreer indien hy nie aldus gronde aanvoer nie, publiseer in 'n koerant wat in die vernaamste gebied van bedryf van die vereniging sirkuleer, en kommentaar of verhoë vra van belanghebbende partye, en nadat hy enige antwoord, kommentaar of verhoë oorweeg het wat ontvang is na aanleiding van sodanige kennisgewing of publikasie, kan hy die registrasie of voorlopige registrasie van die vereniging, na gelang van die geval, intrek of sodanige registrasie opskort vir die tydperk wat die Registrateur bepaal.
- (4) Om voorlopig geregistreer te word, is die maksimum voorgeskrewe aansluitingsgelde wat 'n vereniging kan vra, soos beoog in artikel 109(2) van die Wet —
- (a) in die geval van aansluitingsgelde, R2 000, ongeag die getal voertuie wat die betrokke persoon of lid besit;
  - (b) by die voorlopige registrasie van 'n nuwe lid van 'n vereniging wat nog nie vir 'n bedryfslisensie aansoek gedoen het nie of wie se bedryfslisensie nog nie toegeken is nie, kan maksimum aansluitingsgelde van R300 gevra word. Die res van die normale aansluitingsgelde kan gevra word by die uitreiking van 'n bedryfslisensie deur die raad aan die lid vir elke voertuig wat bedryf word, en
  - (c) in die geval van jaarlikse lidmaatskapgelde, die bedrag wat in die konstitusie van die vereniging bepaal word.

- (5) Die Registrateur het die diskresie om 'n vereniging wat nie aan subregulasie (3) voldoen nie, op versoek van die betrokke beplanningsowerheid voorlopig of ten volle te registreer, of as die Registrateur oortuig is dat daar geen ander vereniging is wat op die betrokke roete of roetes bedrywig is nie.
- (6) Om voorlopig of ten volle geregistreer te word, moet 'n vereniging 'n konstitusie hê wat aan artikels 60 en 117 van die Wet voldoen.
- (7) Om voorlopig geregistreer te word, moet 'n vereniging op die voorgeskrewe vorm bewys lewer dat aansoek gedoen is by die raad vir 'n bedryfslisensie deur elke lid van die vereniging wat nie 'n bedryfslisensie of permit het nie. Aansoeke deur sulke voornemende lede moet net roetes of netwerke van roetes toon waarop die vereniging voornemens is om bedrywig te wees.

**Gelde vir aansoek vir registrasie** [artikels 110(d) en 113(1)(a) van die Wet]

7. Vir die doeleindes van artikel 110(d) van die Wet is die aansoekgelde betaalbaar vir registrasie of voorlopige registrasie van 'n vereniging of nie-lid die bedrae in Aanhangsel A aangedui.

**Aansoekvorms** [artikel 111(1)(a) van die Wet, gelees met artikel 7A(14)(d) van Wet 74 van 1977]

8. (1) Die vorms waarvoor hierdie regulasies voorsiening maak, vervang die vorms voorgeskryf in Bylae B van Provinsiale Kennisgewing 62/1997 in Buitengewone Provinsiale Koerant No. 5113 van 28 Februarie 1997.
- (2) 'n Vereniging moet vir registrasie of vir voorlopige registrasie aansoek doen deur 'n aansoek in die vorm uiteengesit in Vorms 1, 2, 3 en 4 in Aanhangsel B aan die Registrateur voor te lê.
- (3) 'n Vereniging moet vir die omskakeling van voorlopige registrasie na volle registrasie aansoek doen deur 'n aansoek in die formaat uiteengesit in Vorms 5, 6 en 7 in Aanhangsel B in te vul en aan die Registrateur voor te lê.
- (4) 'n Nie-lid moet vir die omskakeling van voorlopige registrasie na volle registrasie aansoek doen deur 'n aansoek in die formaat uiteengesit in Vorms 8 en 9 in Aanhangsel B in te vul en aan die Registrateur voor te lê.
- (5) 'n Nie-lid moet vir registrasie aansoek doen deur 'n aansoek in die formaat uiteengesit in Vorm 10 in Aanhangsel B in te vul en aan die Registrateur voor te lê.

**Wyse van aansoek vir registrasie deur 'n nuut toegelate lid van 'n geregistreerde vereniging** [artikel 112(3)(a) van die Wet]

9. (1) Wanneer 'n vereniging by die Registrateur aansoek doen vir die registrasie van enige nuwe lid wat tot lidmaatskap van die vereniging toegelaat is ingevolge artikel 112(3)(a) van die Wet, moet die aansoek gedoen word in die formaat uiteengesit in Vorms 11 en 12 in Aanhangsel B.
- (2) Die aansoeker moet die aansoekvorm aan 'n gemagtigde beampte van die raad voorlê vir voltooiing van die dele waar 'n verklaring van die raad vereis word.
- (3) Die aansoek moet aan die Registrateur voorgelê word met aansoekgelde vir die bedrag in Aanhangsel A aangedui.

**Inligting en dokumente voorgelê met aansoekvorms**

10. (1) Wanneer 'n aansoek ingevolge regulasie 6 voorgelê word —
  - (a) moet die aansoeker volledige antwoorde verstrek op al die vrae op die aansoekvorm;
  - (b) moet die Registrateur —
    - (i) verseker dat die aansoekvorm behoorlik ingevul is;
    - (ii) verseker dat al die nodige gepaardgaande dokumentasie voorgelê is en geldig en aanvaarbaar is, en
    - (iii) die inligting wat voorgelê is, soos volg verifieer:
      - (aa) Die voertuigbesonderhede moet gekontroleer word met die Nasionale Vervoerinligtingstelsel (NaTIS) wat deur die nasionale Departement van Vervoer bygehou word;
      - (bb) waar van toepassing, moet besonderhede van die lid of die nie-lid gekontroleer word met die Landvervoerpermitstelsel in artikel 78(4)(b) van die Wet bedoel, of ander beskikbare inligtingstelsels;
      - (cc) waar 'n lid of 'n nie-lid in 'n ander provinsie geregistreer is, moet daardie lid of nie-lid se besonderhede gekontroleer word met die inligtingstelsels van die Registrateur van daardie provinsie.
- (2) Die Registrateur kan aansoeke verwerp waar enige van die inligting of dokumentasie wat by die Wet of hierdie regulasies vereis word, ontbreek of indien volledige antwoorde op alle vrae op die aansoekvorm nie verskaf word nie of as die vereiste aansoekgelde nie betaal word wanneer die aansoek gedoen word nie.

**Registrasie van nie-lid: sertifikaat deur Registrateur** [artikel 113(2) van die Wet]

11. (1) 'n Sertifikaat van die Registrateur waarin gesertifiseer word dat 'n nie-lid aan artikel 113(1)(b), (c) en (e) van die Wet voldoen, moet die besonderhede bevat en in die formaat wees soos in Vorm 13 in Aanhangsel B uiteengesit.
- (2) Die gelde betaalbaar vir die uitreiking van so 'n sertifikaat is die bedrag in Aanhangsel A uiteengesit.



**Sertifikate van registrasie** [artikel 114(1) van die Wet]

12. (1) Sertifikate van registrasie en sertifikate van voorlopige registrasie wat aan verenigings, lede of nie-lede uitgereik is, moet in die formaat wees soos in Vorme 14 tot 19 in Aanhangsel B uiteengesit.
- (2) Die vorms in subregulasie (1) bedoel, vervang die sertifikate van registrasie voorgeskryf in die Bylae van Provinsiale Kennisgewing 335/1997 in Provinsiale Koerant No. 5182 of 26 September 1997.

**Onderskeidingstekens** [artikel 114(2) van die Wet]

13. (1) 'n Onderskeidingsteken wat aan 'n voorlopig geregistreerde lid of nie-lid uitgereik is, moet in die formaat wees in Vorm 20 in Aanhangsel B uiteengesit. Slegs voorlopig geregistreerde lede of nie-lede wat in besit van 'n bedryfslisensie is vir elke voertuig wat bedryf word, kom in aanmerking vir die toekenning van 'n onderskeidingsteken.
- (2) 'n Onderskeidingsteken wat aan 'n geregistreerde lid of nie-lid uitgereik word, moet in die formaat wees in Vorm 21 in Aanhangsel B uiteengesit. 'n Geregistreerde lid of nie-lid wat vir finale registrasie in aanmerking kom, moet die onderskeidingstekens wat vir voorlopige registrasie uitgereik is, aan die Registrateur terugbesorg by ontvangs van die onderskeidingstekens vir finale registrasie.

**Standaard Minimum Konstitusie en Gedragskode** [artikels 61 en 116(1)(a) en (b) van die Wet]

14. Die Konstitusie en Gedragskode wat as Bylae A by Provinsiale Kennisgewing 62/1997 in Buitengewone Provinsiale Koerant No. 5113 van 28 Februarie 1997 gepubliseer is, word vervang deur die standaard minimum konstitusie en gedragskode aangeheg as Aanhangsel C, wat ingevolge artikel 116 van die Wet gepubliseer word.

**Vorm van getuiedagvaarding en wyse van betekening daarvan** [artikel 99(3)(b) van die Wet]

15. (1) 'n Getuiedagvaarding uitgereik deur die Registrateur soos beoog in artikel 99(3)(b) van die Wet, moet wees in die vorm uiteengesit in Vorm 22 in Aanhangsel B.
- (2) Behoudens subregulasie (3) moet 'n gemagtigde beampte die getuiedagvaarding beteken deur 'n afskrif van die dagvaarding persoonlik te oorhandig aan die persoon op wie dit betrekking het of, waar die persoon nie gerieflik gevind kan word nie, deur 'n eksemplaar by 'n persoon te laat wat klaarblyklik 'n verantwoordelike persoon is by die plek van besigheid, gewone woonplek of die jongste bekende woonplek van die persoon op wie dit betrekking het, en die beampte moet daarna aan die Registrateur verslag doen.
- (3) Waar die persoon op wie so 'n getuiedagvaarding betrekking het, 'n lid of 'n geregistreerde vereniging is, kan die beampte 'n eksemplaar van die getuiedagvaarding oorhandig aan die sekretaris van die vereniging of 'n ander beampte van die vereniging wat vir daardie doel aangewys is.

**Boete vir versuim om aan kennisgewing te voldoen** [artikel 118(4) van die Wet]

16. Ingevolge artikel 118(4) van die Wet kan die Registrateur 'n boete van hoogstens R10 000 opleë vir versuim deur 'n vereniging, 'n lid of 'n nie-lid om te voldoen aan 'n kennisgewing wat ingevolge artikel 118(3) van die Wet deur die Registrateur uitgereik is.

**Teruggawe van dokumente by intrekking of opskorting van registrasie** [artikel 119(2) van die Wet]

17. 'n Vereniging, 'n lid of 'n nie-lid moet 'n sertifikaat van registrasie of voorlopige registrasie, of 'n onderskeidingsteken wat aan hom of haar uitgereik is, wat ingetrek of tydelik opgeskort is, aan die Registrateur terugbesorg binne sewe dae na sodanige intrekking of opskorting.

**Misdrywe en strawwe** [artikel 64(2) van die Wet]

18. 'n Persoon wat 'n getuiedagvaarding wat ingevolge regulasie 15 uitgereik is, oortree of versuim om daaraan te voldoen, begaan 'n misdryf en is by skuldigebevinding strafbaar met gevangenisstraf vir 'n tydperk van hoogstens drie maande of met 'n boete.

**Kort titel**

19. Hierdie regulasies heet die Wes-Kaapse Regulasies op die Registrasie van Minibustaxiverenigings, hulle Lede en Nie-lede, 2006.

**AANHANGSEL A: LYS GELDE**

<b>Item</b>	<b>Regulasie</b>	<b>Beskrywing</b>	<b>Gelde</b>
1.	5	Geld vir die verskaffing van afskrifte van of uittreksels uit inligting uit die register	R0,60 per bladsy
2.	7	Aansoekgeld vir registrasie van 'n vereniging	R2 000
3.	7	Aansoekgeld vir registrasie van nie-lid	R2 000
4.	9(3)	Aansoekgeld vir registrasie van nuut toegelate lid van 'n vereniging	R100
5.	11(2)	Geld vir die uitreiking van 'n sertifikaat van registrasie of voorlopige registrasie aan 'n vereniging, lid of nie-lid of 'n duplikaat daarvan.	R100

**AANHANGSEL C: STANDAARD MINIMUM KONSTITUSIE VIR MINIBUSTAXIVERENIGINGS**

Hierdie Konstitusie stel 'n maatstaf vir die opstel van konstitusies vir minibustaxiverenigings met die oog op die registrasie van verenigings. Dit is bedoel as 'n riglyn vir die bestuur van taxiverenigings. Indien 'n taxivereniging reeds ingevolge 'n konstitusie bedryf word, moet daardie konstitusie die aspekte wat in hierdie standaard minimum konstitusie vervat is, minstens in dieselfde mate dek. Die Registrateur moet bestaande konstitusies bekragtig. Om bekragtig te word, sal hierdie konstitusies moontlik gewysig moet word, indien nodig na behoorlike oorlegpleging tussen die Registrateur en die dagbestuur van die betrokke vereniging. Indien 'n taxivereniging nie ingevolge 'n konstitusie funksioneer nie, of funksioneer ingevolge 'n konstitusie met 'n ontoereikende bestek, moet hy óf die standaard minimum konstitusie aanvaar óf sy konstitusie wysig om dit met die standaard minimum konstitusie in ooreenstemming te bring.

**WOORDOMSKRYWING**

Vir die doel van hierdie Konstitusie beteken —

“AJV” die algemene jaarvergadering van die Vereniging;

“Dagbestuur” die Dagbestuur wat op die AJV verkies is;

“gedragskode” die gedragskode in regulasies voorgeskryf deur die Provinsiale Minister verantwoordelik vir vervoer;

“grieweprocedure” die grieweprocedure in paragraaf 14 beskryf;

“KAV” die kwartaallikse algemene vergadering van die Vereniging;

“register” 'n register gehou deur die Registrateur ingevolge die toepaslike vervoerwetgewing;

“Registrateur” die Provinsiale Registrateur aangestel ingevolge die toepaslike vervoerwetgewing;

“rekenpligtige beampte” 'n beampte aangestel ingevolge paragraaf 12.5;

“SAV” 'n spesiale algemene vergadering van die vereniging;

“Vereniging” 'n minibustaxivereniging.

**1. NAAM EN REGISTRASIENOMMER**

Die volle naam van die Vereniging is *(moet deur die vereniging ingevul word)*.

Die verkorte naam van die Vereniging is *(moet deur die vereniging ingevul word)*.

Die posadres van die Vereniging is *(moet deur die vereniging ingevul word)*.

Die fisiese adres van die Vereniging is *(moet deur die vereniging ingevul word)*.

Die Vereniging is baseer te .....

Die registrasienuommer van die Vereniging is *(moet deur die vereniging ingevul word)*.

**2. AARD VAN VERENIGING**

Die *(vul naam van vereniging in)* is 'n vereniging sonder winsoogmerk.

**3. SAMESTELLING VAN VERENIGING**

Die minimum getal lede om die Vereniging saam te stel, is *(moet deur die vereniging in samewerking met die Registrateur ingevul word)*. Die aktiwiteite van die Vereniging word bestuur deur 'n dagbestuur, wat jaarliks gekies word.

**4. DOELWITTE EN OOGMERKE**

Die doelwitte en oogmerke van die Vereniging is —

- (a) om die belange van die lede van die Vereniging te beskerm, te verseker en te bevorder;
- (b) om daadwerklik betrokke te raak by samesprekings en onderhandelings en om verhoë en appèlle te rig aan die verskillende staats-, provinsiale en plaaslike owerhede in belang van sy lede;
- (c) om billike arbeidspraktyke deur al sy lede te verseker, en sodoende die belange van alle lede se werknemers te bevorder;
- (d) om alle aangeleenthede teen te staan wat geneig of bedoel is om te bots met of inbreuk te maak op die regte en voorregte van sy lede;
- (e) om alle wettige stappe te doen wat deur die Vereniging nodig geag word om enige wangedrag aan die kant van enige van die Vereniging se lede of die bestuurders van sodanige lede te voorkom, om wangedrag by die betrokke owerhede aan te meld en om sodanige verdere stappe betreffende die skorsing of uitsetting van wanpresterende lede te doen as wat nodig geag word, met behoorlike inagneming van die griewe-dissiplinêre prosedures;
- (f) om alle fondse aan te wend met die doel om uitvoering te gee aan die oogmerke van die Vereniging en om fondse by geskikte finansiële instellings te belê, en voorts om roerende en onroerende eiendom te verkry deur te koop, te huur of te verruil of as 'n geskenk;
- (g) om behoorlik geouditeerde rekeninge vir elke finansiële jaar te laat opstel deur die ouditeure van die Vereniging, en om gewaarmerkte afskrifte van die geouditeerde finansiële state en notules van die AJV aan die Registrateur te stuur binne een maand na die AJV;
- (h) om volgens 'n grieweprocedure te werk ten einde konflik te vermy;

- (i) om die belange van die pendelpublik te bevorder en om strukture en prosedures te ontwikkel om die pendelpublik in staat te stel om ontevredenheid ten opsigte van die vervoerfasiliteite of -dienste bekend te maak;
- (j) om met enige ander taxivereniging met soortgelyke oogmerke saam te werk, of om die samewerking en koördinasie van soortgelyke organisasies en liggame aan te moedig en na te streef, wat regerings-, provinsiale of plaaslike owerhede en liggame wat by wet geskep is vir die bereiking en verwesenliking van die oogmerke van sy lede, kan insluit;
- (k) om die Vereniging by die Registrateur te registreer en om te verseker dat dit geregistreer bly;
- (l) om te verseker dat lede binne die gesag van hulle bedryfslisensies en binne die wet in die algemeen funksioneer, en
- (m) om by die betrokke streekminibustaxiraad te affilieer.

## 5. **BEDRYFSGEBIED(E)**

Die geregistreerde roetes waarop lede van die Vereniging bedrywig is, is (*moet deur die vereniging gelys word*).

## 6. **DAGBESTUUR VAN DIE VERENIGING**

Die dag-tot-dag-aktiwiteite van die Vereniging moet bestuur, verrig en beheer word deur 'n komitee wat as die Dagbestuur bekend staan, waarvan die lede deur die Vereniging se lede op die AJV gekies word.

### 6.1. **Samestelling**

Die Dagbestuur bestaan uit die volgende lede:

- (a) Voorsitter.
- (b) Ondervoorsitter.
- (c) Tesourier.
- (d) Sekretaris.
- (e) Opleidingsbeampte.
- (f) Voorsitter van die Griewekomitee.
- (g) Voorsitter van die Dissiplinêre Komitee.
- (h) Sodanige ander beamptes as wat die Vereniging nodig ag.
- (i) Bykomende gewone Dagbestuurslede, maar hoogstens (*moet deur lede ingevul word*).

### 6.2. **Verkiesbaarheid, benoeming en verkiesing van ampsdraers**

Enige lid van die Vereniging is verkiesbaar tot die Dagbestuur. Lede van die Dagbestuur moet op die AJV van die Vereniging of, in spesiale omstandighede, op 'n SAV verkies word.

Benoemings vir lidmaatskap van die Dagbestuur open een maand voor die AJV en sluit een week voor die datum van die AJV. Bykomende benoemings kan op die AJV gedoen word voordat stemming plaasvind. Die sekretaris moet die benoemingslys opstel uit benoemings wat ontvang is en moet hierdie lys aan die AJV voorlê.

### 6.3. **Ampstermyn**

Lede van die Dagbestuur beklee die amp vir 'n tydperk van een jaar en kan herkies word. 'n Lid van die Dagbestuur kan sy of haar ampstermyn vroeër beëindig deur bedanking deur (*moet deur vereniging ingevul word*) weke skriftelike kennis van voorneme om te bedank aan die sekretaris te gee.

### 6.4. **Ampsontruiming**

'n Lid van die Dagbestuur moet sy of haar posisie in die Dagbestuur ontruim in die geval van —

- (a) skorsing of uitsetting uit die Vereniging;
- (b) afwesigheid sonder toestemming van die Dagbestuur van (*moet deur vereniging ingevul word*) opeenvolgende vergaderings van die Dagbestuur;
- (c) skuldigbevinding aan 'n strafregtelike misdryf vir 'n daad van geweld of oneerlikheid terwyl die amp beklee word;
- (d) diskwalifikasie as 'n lid van die Vereniging;
- (e) skending van die Konstitusie of Gedragskode; of
- (f) bedanking.

Die ampsontheffing van 'n lid van die Dagbestuur kan plaasvind slegs na die behoorlike toepassing van die dissiplinêre prosedure in paragraaf 13 beskryf.

Die lede van die Dagbestuur moet die amp ontruim indien 'n mosie van wantroue op 'n behoorlik gekonstitueerde SAV, KAV of AJV aangeneem word.

Geen sodanige mosie van wantroue word oorweeg nie tensy skriftelike kennis van voorneme om sodanige mosie voor te stel, aan die sekretaris gegee is, met 'n afskrif aan die Registrateur se kantoor, minstens 10 dae voor 'n KAV, of 21 dae voor 'n SAV of 'n AJV.

#### 6.5. Vervanging van lede van Dagbestuur

By verstryking van die ampstermyn van die Dagbestuur, of in die geval dat die ampstermyn van enige lid om enige rede ingevolge hierdie Konstitusie beëindig word, hou daardie lid outomaties op om die amp te beklee en is die amp vakant. In die geval van 'n voortydige en onverwagte verandering kan die Dagbestuur die vakature tydelik met 'n gewone lid van die Dagbestuur vul tot die volgende AJV of 'n SAV waar verkiesings plaasvind.

Indien die Vereniging geen Dagbestuurslede het om 'n verkiesing te hou nie, en so 'n verkiesing van ampsdraers gehou moet word of wenslik is, kan enige lid van die Vereniging die Registrateur nader vir 'n bevel wat gelas dat 'n verkiesing gehou moet word, met 'n uiteensetting van die bepalinge en prosedures ten opsigte daarvan.

#### 6.6. Pligte en verantwoordelikhede

Die pligte en verantwoordelikhede van die Dagbestuur sluit die volgende in:

- (a) Om die sake van die Vereniging te bestuur, te voer en te beheer.
- (b) Om gelde in te vorder van sy lede, om fondse in te samel en om die fondse en bates van die Vereniging te bestuur.
- (c) Om rekenings te hou volgens algemeen aanvaarde rekeningkundige praktyke en om finansiële state voor te lê.
- (d) Om 'n stel administratiewe reëls en regulasies op te stel en te aanvaar in ooreenstemming met hierdie Konstitusie vir die bestuur en beheer van sy sake, en om sodanige reëls en regulasies na goeë dunnke te wysig, te verander of daartoe by te voeg. 'n Bygewerkte eksemplaar van die reëls en regulasies moet aan die Registrateur se kantoor gestuur word hoogstens 14 dae na 'n vergadering om sodanige reëls en regulasies op te stel of te wysig.
- (e) Om aanbevelingsbriewe uit te reik ter stawing van aansoeke wat deur die Vereniging goedgekeur is, indien die betrokke regeringsliggame dit versoek. Geen gelde mag deur die Dagbestuur vir die verskaffing van sodanige aanbevelingsbriewe gehef word nie.
- (f) Om prokureurs, rekenmeesters en ander professionele persone aan te stel om namens die Vereniging op te tree.
- (g) Om regstappe in te stel teen enige party wat strydig met die belange van die lede van die Vereniging optree of in verband met die verhaling van gelde wat aan die Vereniging verskuldig is, en om regstappe namens die Vereniging teen te staan.
- (h) Om, in oorleg met die lede, beleide te inisieer en te ontwikkel oor aangeleenthede waarvoor hierdie Konstitusie nie voorsiening maak nie, vir latere aanvaarding deur die lede.
- (i) Om enige filiaal wat ter bevordering van al of enige van die oogmerke van die Vereniging gevorm is, te stig of die stigting daarvan te steun en te bevorder.
- (j) Om 'n AJV te belê.
- (k) Om SAV's ingevolge paragraaf 10 te belê.
- (l) Om sy verslag oor die aktiwiteite van die Vereniging gedurende die vorige jaar aan die AJV voor te lê, saam met die geouditeerde rekening van die Vereniging.
- (m) Om minstens een keer per maand 'n vergadering van die Dagbestuur te belê, met verdere vergaderings wat van tyd tot tyd na goeë dunnke van die Voorsitter belê word.
- (n) Om KAV's ingevolge paragraaf 11 te reël en te hou.
- (o) Om die Registrateur binne sewe dae in te lig van die uitkoms van dissiplinêre verhore en griewe prosedures.
- (p) Om notules van enige SAV, KAV of AJV binne 14 dae na sodanige vergaderings aan die Registrateur te stuur.
- (q) Om enige inligting wat onder die aandag van 'n lid of lede van die Dagbestuur gekom het wat aandui dat 'n konfliktsituasie tussen die Vereniging en 'n ander vereniging moontlik ontwikkel of potensieel kan ontwikkel, by die Registrateur aan te meld.
- (r) Om die Registrateur betyds in kennis te stel van enige veranderinge in die inligting oor die Vereniging en sy lede wat in die register aangeteken is.
- (s) Om by die Registrateur aansoek te doen vir die registrasie van nuwe lede binne een maand nadat hulle toegelaat is.
- (t) Om besluite oor die dag-tot-dag-sake van die Vereniging te neem.

Individuele ampsdraers moet die spesifieke funksies uitvoer wat in hierdie Konstitusie aan hulle toegewys is, asook enige van die bogenoemde rolle wat die voorsitter aan hulle toewys.

#### 6.7. Vergaderings van die Dagbestuur

Die Dagbestuur moet minstens maandeliks vergader. Verdere vergaderings kan van tyd tot tyd na goeë dunnke van die voorsitter belê word. Notules van alle vergaderings moet behoorlik gehou word. Die kworum vir vergaderings van die Dagbestuur is twee derdes van die Dagbestuur se lede. Besluite moet op die grondslag van konsensus geneem word. Waar konsensus nie bereik kan word nie, moet lede hulle stemme uitbring, en die besluit van die meerderheid van die lede teenwoordig op die vergadering maak die besluit van die Dagbestuur uit. In die geval van 'n staking van stemme het die voorsitter 'n beslissende stem benewens 'n gewone stem.

### 6.8. Kommunikasiekanale

(Elke vereniging moet sy eie kommunikasiekanale verklaar, byvoorbeeld die sekretaris, skakelbeampte, ens.).

## 7. STAANDE KOMITEES

Die volgende komitees moet ook gekies word om sekere werksaamhede in die Vereniging te bestuur en te verrig:

- (i) 'n Dissiplinêre Komitee bestaande uit die voorsitter as 'n lid van die Dagbestuur en twee ander nie-uitvoerende lede wat op die AJV gekies word.
- (ii) 'n Finansiële Komitee bestaande uit die tesourier en twee ander nie-uitvoerende lede wat op die AJV gekies word.
- (iii) 'n Opleidings- en Ontwikkelingskomitee bestaande uit die opleidingsbeampte en twee ander nie-uitvoerende lede wat op die AJV gekies word.
- (iv) 'n Griewekomitee bestaande uit die voorsitter as 'n lid van die Dagbestuur en twee ander nielede van die Dagbestuur wat op die AJV gekies word.

## 8. LIDMAATSKAP VAN VERENIGING

### 8.1. Kriteria vir volle lidmaatskap

- (a) Nakoming van hierdie Konstitusie, insluitende die dissiplinêre prosedure en grieweprosedure en die voorgeskrewe gedragskode.
- (b) Lidmaatskap van die Vereniging is oop vir alle houers van permitte of bedryfslisensies vir roetes waarop lede van die Vereniging bedrywig is, behalwe in die geval van 'n aansoeker teen wie 'n ander taxivereniging dissiplinêre stappe ingestel het.

#### Lidmaatskap

- (c) Die Vereniging kan enige aansoek na goeddunke aanvaar of verwerp.
- (d) Die Vereniging moet onsuksesvolle aansoekers binne 30 dae voorsien van 'n skriftelike kennisgewing waarin die redes verstrekkend word waarom hulle aansoeke onsuksesvol is.
- (e) Die Vereniging moet, op sy AJV, die jaarlikse lidmaatskapsgeelde bepaal wat lede aan die Vereniging moet betaal. Sodanige jaarlikse lidmaatskapsgeelde is betaalbaar benewens die aansoekgeelde en, in die geval van 'n lid wat versuim om die jaarlikse lidmaatskapsgeelde te betaal, binne (**moet deur die vereniging ingevul word**) dae na die sperdatum.
- (f) Reëlins kan met die Dagbestuur getref word om die jaarlikse lidmaatskapsgeeld in paaiemente te betaal.
- (g) Tydelike lidmaatskap van die Vereniging, vir 'n maksimum tydperk van ses maande, word toegelaat vir aansoekers wat vir die Vereniging as lede aanvaarbaar is en wat aansoeke vir nuwe bedryfslisensies ingedien het.

### 8.2. Beëindiging van lidmaatskap

Lidmaatskap mag nie beëindig word nie behalwe as 'n uitkoms van 'n griewe- of dissiplinêre prosedure vir die beëindiging van lidmaatskap, maar 'n lid kan vrywillig bedank.

By beëindiging van die lidmaatskap van enige lid, om watter rede ook al, moet die sekretaris die Registrateur onverwyld in kennis stel.

Lidmaatskap van die Vereniging kan beëindig word in die geval van —

- (a) 'n lid wat vrywillig bedank na skriftelike kennisgewing van die voorneme om te bedank;
- (b) 'n lid wat versuim om die aansoekgeeld of jaarlikse lidmaatskapsgeeld te betaal soos deur die Vereniging bepaal;
- (c) 'n lid wat die oogmerke van die Vereniging oortree of enige besluit van die Vereniging verontagsaam;
- (d) 'n lid wat sonder die toestemming van die Vereniging by enige ander taxivereniging of verwante vereniging aansluit wat bedrywig is op die roetes waarop lede van die Vereniging bedrywig is;
- (e) 'n lid wat nie 'n geldige bedryfslisensie/permit het om 'n voertuig te bedryf op 'n roete waarop die Vereniging bedrywig is nie, as gevolg van die intrekking of verval van sy bedryfslisensie; maar die lid se lidmaatskap mag nie opgeskort word nie in die geval van enige verrigtinge wat deur die lid aanhangig gemaak word om die intrekking of verval van die betrokke openbare padvervoerpermit of bedryfslisensie ter syde te stel totdat sodanige verrigtinge afgehandel is;
- (f) 'n lid wat die Konstitusie of die Gedragskode oortree;
- (g) 'n lid wat 'n openbare vervoerdiens bedryf sonder die nodige bedryfslisensie of nodige permit vir elke voertuig wat vir die bedryf van die diens gebruik word.

### 8.3. Aansoekprosedure

'n Persoon wat 'n lid van die Vereniging wil word, moet 'n skriftelike aansoek aan die Dagbestuur voorlê wat die volgende bevat:

- (a) Die redes vir die aansoek om by die Vereniging aan te sluit.
- (b) 'n Afskrif van die aansoek vir 'n bedryfslisensie wat hangende is by die Provinsiale Raad vir Bedryfslisensies.

- (c) 'n Lys van al die voertuie wat deur die aansoeker op die Vereniging se roetes bedryf word.
- (d) 'n Lys van al die permitte of bedryfslisensies wat die aansoeker hou, indien van toepassing.
- (e) 'n Lys van bestuurders in diens van die aansoeker wat op die Vereniging se roetes bedrywig is.
- (f) 'n Lys van enige ander taxiverenigings waarvan die aansoeker 'n lid is of was.
- (g) Of die aansoeker te eniger tyd uit enige ander vereniging gesit is.
- (h) 'n Lys van vorige oortredings van die aansoeker en bestuurders in diens van die aansoeker.
- (i) Bewys van betaling van die Vereniging se aansluitingsgeld.

#### 8.4. Appèlprosedure

Indien die Dagbestuur 'n aansoek vir lidmaatskap weier, kan die aansoeker 'n skriftelike appèl teen die besluit indien op 'n KAV of SAV of die AJV, wat ook al eerste plaasvind. Die besluit van so 'n algemene vergadering is finaal.

#### 8.5. Pligte en regte van lede

##### (1) Die pligte van die lede van die Vereniging is soos volg:

- (a) Om die jaarlikse lidmaatskapgeld te betaal.
- (b) Om te verseker dat die voertuig waarop 'n bedryfslisensie van toepassing is, bestuur word deur 'n persoon wat in besit is van 'n geldige bestuurslisensie en openbare of professionele bestuurspermit, soos van toepassing.
- (c) Om te verseker dat geen persoon 'n voertuig waarvoor 'n bedryfslisensie uitgereik is, gebruik op 'n wyse wat met die National Land Transport Transition Act en regulasies of vervangende provinsiale wette strydig is nie.
- (d) Om te verseker dat permitte of bedryfslisensies nie afgehandel word op 'n manier wat met die National Land Transport Transition Act, 2000 (Wet 22 van 2000), en regulasies of vervangende provinsiale wette strydig is nie.
- (e) Om die sekretaris te verwittig van enige voorneme om aansoek te doen vir bykomende bedryfslisensies op roetes waarop lede van die Vereniging bedrywig is.
- (f) Om die sekretaris te voorsien van inligting wat die Registrateur verlang.
- (g) Om ooreenkomstig die Konstitusie en Gedragskode op te tree.
- (h) Om enige inligting wat onder die aandag van die lid gekom het wat aandui dat 'n konfliktsituasie tussen die Vereniging en 'n ander vereniging moontlik ontwikkel of potensieel kan ontwikkel, by die Dagbestuur aan te meld.
- (i) Om skriftelik kennis aan die sekretaris te gee as die lid van voorneme is om te bedank.

##### (2) Die regte van lede van die Vereniging is soos volg:

- (a) Om enige taxistaanplek in verband met die lid se roetes te gebruik wat die lid toegelaat word om te gebruik.
- (b) Om van die Vereniging te vereis om alle redelike stappe te doen om die belange van sy lede te beskerm en om te verseker dat daar geen onwettige mededinging met die dienste wat deur lede gelewer word, is nie.
- (c) Om skriftelik kennis te ontvang van elke AJV, KAV, SAV en ander gebeurtenisse wat die regte van enige lid raak.
- (d) Om te bedank deur (*moet deur die vereniging ingevul word*) weke skriftelik kennis aan die sekretaris van die Vereniging te gee.
- (e) Om op die AJV, enige SAV en enige KAV te stem.
- (f) Om die finansiële state van die Vereniging te bestudeer.
- (g) In die geval van 'n grief wat deur of teen enige lid aanhangig gemaak word, het sowel die beskuldigde as die klaer regte soos vervat in die dissiplinêre of grieweprosedure, na gelang van die geval.
- (h) Die reg om 'n SAV te belê ingevolge 10.1.

#### 8.6. Ledelyst

Die sekretaris moet 'n geldige en bygewerkte rekord vir elke lid hou, wat die volgende inligting bevat:

- naam van lid
- datum waarop die lid by die vereniging aangesluit het
- besonderhede van permit of bedryfslisensie
- besonderhede van voertuig
- woonadres

- kontakbesonderhede
- ID-nommer
- bedryfsinligting, insluitende roetes en staanplekke.

Die sekretaris moet die Registrateur van enige veranderinge in die lidmaatskapbesonderhede van enige lid in kennis stel binne sewe dae nadat daardie veranderinge plaasgevind het.

#### 8.7. Lidmaatskapgelde

- (a) Aansluitingsgelde en jaarlikse lidmaatskapgelde moet op die AJV bepaal word en is nie diskresionêr nie.
- (b) Spesiale invorderings kan gedurende die jaar deur die Dagbestuur gedoen word op voorwaarde dat, indien 'n invordering verpligtend is, dit op 'n AJV, SAV of KAV goedgekeur moet word. 'n Volledige verslag oor die redes vir elke spesiale invordering moet aan lede verskaf word. Die finansiële verslag wat op die AJV voorgelê word, moet 'n volledige verslag insluit oor spesiale invorderings en die wyse waarop dit bestee is.
- (c) Kwitansies moet aan lede uitgereik word vir alle gelde wat van hulle ingevorder is.
- (d) Lidmaatskapgelde vir 'n tydelike lid word betaalbaar eers wanneer daardie tydelike lid 'n bedryfslisensie verkry het.

### 9. ALGEMENE JAARVERGADERINGS (AJV)

'n AJV moet elke 12 maande gehou word.

#### 9.1. Pligte, funksies en bevoegdhede van die AJV

Die pligte, funksies en bevoegdhede van die AJV is onder andere —

- (a) om notules van die vorige AJV en SGM's en KAV's wat sedert die vorige AJV gehou is, goed te keur of veranderings daaraan aan te bring;
- (b) om die voorsitter se verslag oor die sake van die Vereniging vir die verslagjaar te ontvang, te oorweeg en goed te keur;
- (c) om die finansiële verslag, insluitende die geouditeerde finansiële jaarstate vir die afgelope jaar en die begroting vir die komende jaar, te ontvang, te oorweeg en goed te keur;
- (d) om die Dagbestuur te kies;
- (e) om die Konstitusie te wysig met 'n tweederdemeerderheid van die lede wat teenwoordig is en stem;
- (f) om nie-uitvoerende ampsdraers van die Vereniging te kies;
- (g) om 'n eksterne en onafhanklike ouditeur vir die Vereniging aan te stel; en
- (h) om appêlle, as daar is, te oorweeg van individue wie se aansoek vir lidmaatskap deur die Dagbestuur geweier is.

Geen stemming per volmag word toegelaat nie, en stemming geskied per geheime stembrief in die geval van die verkiesing van lede van die Dagbestuur en van die staande komitees.

#### 9.2. Kennis van AJV's

Die AJV moet plaasvind in (maand moet deur die vereniging ingevul word) van elke jaar op die tyd en plek wat die Dagbestuur bepaal.

Die sekretaris moet 'n skriftelike kennisgewing van die tyd, plek en datum van die AJV per pos of faks aan alle lede stuur ten minste (*moet deur die vereniging ingevul word*) dae voor die vergadering.

Die sekretaris moet ook 'n uitnodiging aan die kantoor van die Registrateur stuur.

#### 9.3. Kworum

Die kworum wat op 'n AJV vereis word, is twee derdes van die lede.

As daar nie binne 30 minute na die bepaalde tyd vir die AJV 'n kworum teenwoordig is nie, moet die vergadering verdaag tot sewe dae later. Kennis van sodanige verdaagde vergadering moet aan lede gegee word.

#### 9.4. Agenda en notule

Permanente items op die agenda van die AJV sluit die volgende in:

- (a) Notules van die vorige AJV en SGM's en KAV's wat sedert die vorige AJV gehou is;
- (b) die Voorsitter se uitvoerende verslag oor die vorige jaar en die visie vir die volgende jaar;
- (c) die sekretaris se organisatoriese verslag;
- (d) die tesourier se finansiële verslag, insluitende geouditeerde state;
- (e) bekragtiging van die begroting;



- (f) aanvaarding van die verslae, en
- (g) die verkiesing van ampsdraers.

Behoorlike notule van elke AJV moet gehou en geliasseer word.

Die notules en besonderhede van nuwe lede van die Dagbestuur moet binne 14 dae na die AJV aan die Registrateur voorgelê word.

#### 9.5. Stemming

Stemming vir die verkiesing van lede van die Dagbestuur moet per geheime stembrief geskied en moet deur 'n verteenwoordiger van die Registrateur gesertifiseer word. Enige ander stemming kan deur die opsteek van hande geskied. Geen stemming per volmag word toegelaat nie. Net lede wat hulle identiteit en lidmaatskap kan bewys, is geregtig om te stem. Identiteit kan bewys word deur 'n identiteitsdokument, paspoort, kredietkaartformaat bestuurslisensie of bedryfslisensie te toon.

In die geval van 'n staking van stemme het die voorsitter 'n beslissende stem benewens 'n gewone stem.

#### 9.6. Verkiesing van ampsdraers

Lede teenwoordig op die AJV moet die volgende lede van die Dagbestuur kies:

- (a) Voorsitter
- (b) Ondervoorsitter
- (c) Tesourier
- (d) Sekretaris
- (e) Opleidingsbeampte
- (f) Voorsitter van die Griewekomitee
- (g) Voorsitter van Dissiplinêre Komitee
- (h) *Ander lede wat die Vereniging nodig ag.*

Die ampstermyn van 'n lid van die Dagbestuur is een jaar na die verkiesing. Twee bykomende lede van die Griewekomitee en die Dissiplinêre Komitee moet ook op die AJV gekies word vir 'n ampstermyn van een jaar na die verkiesing, maar hulle maak nie deel van die Dagbestuur uit nie.

#### 9.7. Finansiële state

Die tesourier, in samewerking met die rekenpligtige beampte, moet 'n finansiële verslag, insluitende die geouditeerde finansiële state, vir die AJV opstel. Daarbenewens moet tussentydse finansiële state kwartaalliks opgestel en op elke KAV aan lede bekend gemaak word.

### 10. SPESIALE ALGEMENE VERGADERINGS

#### 10.1. Reg om spesiale algemene vergadering te belê

'n SAV kan in buitengewone omstandighede belê word. Die vergadering moet gehou word as ten minste 50% + 1 van die lede vra dat die vergadering belê word, maar 'n SAV kan in opdrag van die Dagbestuur belê word.

Die rede vir sodanige vergadering moet vermeld word in die kennisgewing waarby die vergadering belê word. Die sekretaris of, as hy of sy nie kan nie, die voorsitter moet die vergadering belê.

#### 10.2. Prosedure om SAV te belê

Wanneer 'n lid van die Vereniging 'n SAV wil belê, moet daardie lid die skriftelike steun van ten minste 50% van die lede hê. Die Dagbestuur moet 'n SAV belê binne 21 dae na die versoek. As die Dagbestuur versuim om dit te doen, kan die lid die Registrateur verwittig, wat die situasie moet ondersoek en gepaste stappe moet doen.

By ontvangs van 'n skriftelike versoek dat 'n SAV belê word, moet die sekretaris 'n datum, tyd en plek bepaal na oorleg met die Dagbestuur. Die sekretaris moet ten minste (*moet deur die vereniging ingevul word*) dae skriftelike kennis van 'n SAV aan alle lede gee.

#### 10.3. Korum vir SAV

Die korum wat vir 'n spesiale vergadering vereis word, is twee derdes van die lede.

As daar nie binne 30 minute na die tyd wat vir die SAV bepaal is, 'n korum teenwoordig is nie, moet die vergadering verdaag word tot sewe dae later en op 'n plek wat deur die voorsitter aangekondig word, en op die verdaagde vergadering vorm die lede dan teenwoordig 'n korum. Kennis van sodanige verdaagde vergadering moet aan alle lede gegee word.

#### 10.4. Stemming op SAV

Slegs lede wat hulle identiteit en lidmaatskap kan bewys, is geregtig om op 'n SAV te stem. Identiteit kan bewys word deur 'n identiteitsdokument, paspoort, kredietkaartformaat bestuurslisensie of bedryfslisensie te toon. Geen stemming per volmag word toegelaat nie.

Stemming geskied per geheime stembrief in die geval van die verkiesing van lede van die Dagbestuur en van die staande komitees.

## 11. KWARTAALLIKSE ALGEMENE VERGADERINGS (KAV's)

### 11.1. Prosedure om KAV te belê

Na twee maandelikse vergaderings van die Dagbestuur moet die sekretaris, na oorleg met die Dagbestuur, 'n datum, plek en tyd vir die volgende KAV bepaal. Die sekretaris moet ten minste sewe dae skriftelike kennis van 'n KAV aan alle lede gee.

Die Dagbestuur moet reël dat 'n KAV in die derde maand na die AJV en in elke derde maand daarna gehou word. As die Dagbestuur versuim om dit te doen, kan lede die Registrateur verwittig, wat die situasie moet ondersoek en gepaste stappe moet doen.

### 11.2. Kworum vir KAV

Die kworum wat vir 'n KAV vereis word, is ten minste 50% + 1 van die ledetal van die Vereniging.

As daar nie binne 30 minute na die tyd wat vir die KAV bepaal is, 'n kworum teenwoordig is nie, word die vergadering geag gekanselleer te wees, en die sake van daardie vergadering moet na die volgende KAV oorgedra word. Kennis van so 'n gekanselleerde vergadering moet aan lede gegee word.

### 11.3. Stemming op KAV

Slegs lede wat hulle identiteit en lidmaatskap kan bewys, is geregtig om op 'n KAV te stem. Identiteit kan bewys word deur 'n identiteitsdokument, paspoort, kredietkaartformaat bestuurslisensie of bedryfslisensie te toon. Geen stemming per volmag word toegelaat nie.

### 11.4. Sake op 'n KAV

Sake vir bekragtiging op 'n KAV kan alle kwessies dek waarvoor daar op die vorige vergadering van die Dagbestuur besluit is, met uitsondering van resolusies van die Dissiplinêre Komitee of die Griewekomitee wat deur die Dagbestuur uitgevoer is.

## 12. FINANSIES EN EKSTERNE OUDITERING

### 12.1. Bankrekening

'n Bankrekening moet op naam van die Vereniging geopen word, met tekenmagte vir die tesourier en twee ander lede van die Dagbestuur. Die handtekening van twee lede, van wie een die tesourier moet wees, word vereis voordat enige transaksie uitgevoer kan word. Alle fondse wat ingevorder word, moet binne 24 uur in hierdie rekening gedeponeer word.

### 12.2. Jaarlikse lidmaatskapsgelede

Elke lid moet jaarliks tot die finansies van die Vereniging bydra deur 'n bedrag te betaal wat die jaarlikse lidmaatskapsgelede genoem word en wat van tyd tot tyd deur die Dagbestuur aanbeveel word en op die AJV of 'n SAV goedgekeur word, maar dit is minstens een keer per jaar betaalbaar. Die Dagbestuur kan na goeddunke hierdie fondse van die lede invorder.

Kwitansies moet uitgereik word vir alle geld wat ingevorder word. Verslae oor alle invorderings en uitbetalings moet voorgelê word.

Geen van die Vereniging se fondse mag aangewend word vir enige ander doel as vir belegging of vir die oogmerke waarvoor die Vereniging ingestel is nie.

### 12.3. Finansiële jaar

Die finansiële jaar van die Vereniging eindig op (*datum moet deur die vereniging ingevul word*) elke jaar. Die tesourier moet verseker dat die rekenpligtige beampte 'n kwartaallikse finansiële staat opstel vir voorlegging aan die KAV.

### 12.4. Finansiële state

Behoorlike boeke en rekords moet gehou word van alle invorderings en uitbetalings, kwitansies moet uitgereik word vir alle gelde wat ingevorder word en geouditeerde rekeninge moet aan die AJV voorgelê word of wanneer die Dagbestuur dit verlang. Die tesourier en 'n aangestelde lid van die Dagbestuur is die enigste lede wat geregtig is om finansiële dokumente namens die Vereniging te teken.

### 12.5. Eksterne ouditering

'n Rekenpligtige beampte moet deur die Vereniging aangestel word om sy finansiële posisie te beheer. Sodanige persoon moet geregistreer wees en vir eie rekening praktiseer as 'n openbare rekenmeester en ouditeur.

Die aanstelling is onderhewig aan jaarlikse heraanstelling op die AJV.

### 12.6. Bekragtiging van uitgawes

'n Jaarlikse begroting moet op die AJV goedgekeur word, en lede het die reg om die finansiële state na te gaan.

Uitgawes mag aangegaan word slegs na bespreking en besluit op 'n formele vergadering van die Dagbestuur of op 'n formele algemene vergadering. Die besluit moet genotuleer word as 'n opdrag aan die tesourier met volle nakoming van dokumentasievereistes, insluitende kwotasies, bestellings, fakture en kwitansies.

## 13. DISSIPLINÊRE FUNKSIES

Enige skending van hierdie Konstitusie en die Gedragskode deur enige lid, of 'n bestuurder of kondukteur in 'n lid se diens wat nie die gedragskode onderskryf nie, of die voortgesette indienshouding deur 'n lid van enige bestuurder of kondukteur wat die gedragskode herhaaldelik skend, maak onbehoorlike gedrag uit.

### 13.1. Dissiplinêre prosedure

'n Dissiplinêre Komitee moet saamgestel word om klagtes van onbehoorlike gedrag deur 'n lid te ondersoek. Die Dissiplinêre Komitee moet bestaan uit die voorsitter, wat 'n lid van die Dagbestuur is, en twee lede wat nie lede van die Dagbestuur is nie en wat deur die AJV gekies word.

Die Dissiplinêre Komitee kan teen 'n lid optree slegs na ontvangs van 'n skriftelike klag van enige persoon. Alle skriftelike klagte moet gestaaf word deur voldoende *prima facie*-getuïens van die klag en moet in die vorm van beëdigde verklarings wees.

Na ontvangs van sodanige klagte moet die Dissiplinêre Komitee die betrokke lid (hierna die beskuldigde genoem) skriftelik in kennis stel van die aard van die klag en hom of haar 'n redelike geleentheid bied om 'n skriftelike antwoord te verskaf, en ongeag of die beskuldigde skriftelik antwoord al dan nie, moet die komitee die klaer en die beskuldigde aansê om 'n verhoor by te woon op 'n tyd en plek wat die Dissiplinêre Komitee bepaal.

Wanneer so 'n ondersoek ingestel word, moet die Dissiplinêre Komitee aan albei kante 'n billike en gelyke geleentheid bied om hulle saak te stel. Die volgende reëls van natuurlike geregtigheid is van toepassing:

- (a) Die beskuldigde moet behoorlik deur die komitee aangehoor word.
- (b) Die beskuldigde moet 'n geleentheid gebied word om bewyse voor te lê en enige benadelende verklaring of bewering teen hom of haar te korrigeer of te weerlê.
- (c) Die Dissiplinêre Komitee moet billik na albei kante luister en die beginsels van geregtigheid nakom.
- (d) Die Dissiplinêre Komitee moet sy pligte eerlik en onpartydig verrig.
- (e) Die Dissiplinêre Komitee moet 'n billike en *bona fide*-besluit neem op die feite wat voor hom geplaas is.
- (f) Voeg 10.1.8 van die ou Konstitusie in.

Lede is daarop geregtig om deur 'n medelid verteenwoordig te word. Die komitee kan ook 'n ander lid versoek om as aanklaer op te tree as die beskuldigde deur 'n lid verteenwoordig word.

'n Verslag oor die verrigtinge en bevindings van die Dissiplinêre Komitee moet opgestel en aan die Dagbestuur voorgelê word.

Die besluit van die Dissiplinêre Komitee moet deur die Dagbestuur toegepas word op die basis van die aanbeveling wat aan hom gemaak is.

Waar 'n lid van die Dagbestuur self betrokke is, hetsy as die gegriefde persoon of die persoon wat ondersoek word, moet daardie lid hom of haar aan die vergadering van die Dagbestuur onttrek.

In die geval dat 'n persoon skuldig bevind word aan oortreding van die Gedragskode of die Konstitusie, kan die Dissiplinêre Komitee die volgende strawwe oplê:

- Die lid kan 'n skriftelike waarskuwing kry.
- Die lid kan beboet word, van R10,00 tot 'n maksimum van R1 000,00.
- Die lid kan geskors word vir 'n tydperk van hoogstens een jaar.
- Die lid kan uit die Vereniging gesit word.

Indien 'n lid versuim om 'n boete te betaal binne die tyd wat aan hom of haar toegestaan is, wat nie minder as drie dae na die ondertekening van die verslag mag wees nie, is sodanige lid se skorsing uit die Vereniging outomaties. Enige uitstaande boete en enige ander uitstaande gelde is 'n skuld teenoor die Vereniging en kan deur normale regsprosedures ingevorder word.

Indien lidmaatskap opgeskort is of die lid uitgesit is, kan die Dagbestuur 'n skriftelike voorlegging maak, na oorleg met die streektaxiraad waarby die vereniging geaffilieer is, met 'n uiteensetting van die redes vir die intrekking van die operateur se permit of lisensie. Sodanige optrede moet aan die Registrateur se kantoor meegedeel word sodat daar gekontroleer kan word of die korrekte prosedure gevolg is indien geen appèl teen die bevinding binne sewe dae ingedien word nie.

Wanneer dissiplinêre stappe teen enige lid van die Dagbestuur gedoen word, kan die klaer of die betrokke lid van die Dagbestuur 'n persoon wat nie bande met die taxibedryf het nie, versoek om 'n lid van die Dissiplinêre Komitee te wees.

### 13.2. Appèlprosedure

Die appèlprosedure bied aan 'n lid wat gewaarsku, beboet, geskors of uitgesit is, 'n geleentheid om die saak te laat herverhoor deur 'n ander proses, as hy of sy van mening is dat billikheid nie tydens die oorspronklike ondersoek geskied het nie.

Die appèl moet skriftelik ingedien word binne drie kalenderweke nadat die verslag onderteken is. Die appèl moet voorgelê word aan die sekretaris van die Vereniging en aan die sekretaris van die streektaxiraad waarby die vereniging geaffilieer is.

Die appèlondersoek moet gedoen word binne twee kalenderweke na die indiening van die appèl. Kennis van die aanhoor van die appèl moet aan die sekretaris van die betrokke streektaxiraad gegee word en moet die beskuldigde en die klaer in kennis stel van die datum, tyd en plek van die verhoor. Die bevinding van die appèlkomitee moet binne sewe dae aan die Registrateur gestuur word.

## 14. GRIEWEPROSEDURE

### 14.1. Oogmerke

Die vernaamste oogmerk van die griewe-prosedure is om 'n lid of 'n groep lede in staat te stel om enige aangeleentheid waaroor daardie lid of groep lede gegrief voel, of onregverdigde behandeling deur die bestuur van die Vereniging, te opper en te laat bereg. 'n Verdere oogmerk is om enige sodanige aangeleentheid onder die aandag van die Dagbestuur te bring.

'n Grief is enige ontevredenheid of gevoel van onregverdigheid aan die kant van 'n lid of groep lede oor lidmaatskap en verbandhoudende aangeleenthede.

Die griewe-prosedure is gebaseer op die beginsel dat alle partye die voorneme moet hê om die grief in die vroeë moontlike stadium op te los.

Die doel van die griewe-prosedure is om 'n formele riglyn te bied vir die billike en regverdigde beslegting van klagte, griewe en geskille, en om 'n meganisme te skep waardeur lede wat gegrief is oor enige praktyk wat onregverdig lyk, 'n regverdigde verhoor kan kry.

Die griewe-prosedure vervang nie die plig en reg van die Dagbestuur om dissiplinêre stappe te doen ingevolge die dissiplinêre prosedure teen oortreders wat die Konstitusie of Gedragskode oortree nie. Die griewe-prosedure is nie 'n appèlmeganisme teen dissiplinêre stappe wat ingevolge die dissiplinêre prosedure gedoen is nie.

Die griewe-prosedure is tot beskikking van enige lid of groep lede wat die voorgeskrewe prosedure volg en gebruik maak van enige voorgeskrewe vorm, mits die handtekening van ten minste (*moet deur die vereniging ingevul word*) lede van goeie naam ter ondersteuning van die betrokke persoon verkry is.

Die griewe-prosedure moet —

- (a) verseker dat griewe gelug en afgehandel word;
- (b) verseker dat griewe so na as moontlik aan die punt van oorsprong besleg word;
- (c) billikheid verseker.

### 14.2. Griewekomitee

'n Griewekomitee moet saamgestel word om oor die griewefunksie toesig te hou.

Die Griewekomitee moet bestaan uit 'n voorsitter wat 'n lid van die Dagbestuur is en twee lede wat nie lede van die Dagbestuur is nie en deur die AJV gekies word.

### 14.3. Standaard griewe-prosedure

Alles moontlik moet gedoen word om probleme eers deur bespreking op te los, en die griewe-prosedure moet gebruik word net as dit misluk. Die griewe-prosedure behels die volgens stappe:

#### Stap 1: Konflikbeslegting

- 1.1. Die lid of groep lede moet 'n griefvorm invul (kyk voorbeeld aangeheg).
- 1.2. Die ingevulde en ondertekende vorm moet aan die Griewekomitee voorgelê word.
- 1.3. Die voorsitter van die Griewekomitee moet 'n datum bepaal waarop lede hulle griewe aan die komitee voorhou, welke datum hoogstens drie dae moet wees nadat die klagvorm voorgelê is.
- 1.4. Op hierdie vergadering moet die komitee en lede probeer om die konflik op te los.
- 1.5. Die voorsitter van die Griewekomitee moet 'n verslag oor die verrigtinge van die Griewekomitee opstel vir voorlegging aan die Dagbestuur.
- 1.6. Indien die gegriefde lid of groep lede nie met die uitkoms van die komitee se vergadering tevrede is nie, moet die aangeleentheid vir bemiddeling verwys word.

#### Stap 2: Bemiddeling

- 2.1. Die voorsitter van die Griewekomitee moet die verslag oor die verrigtinge van die komitee se vergadering in Stap 1 bedoel, na 'n onafhanklike bemiddelaar verwys wat nie 'n lid van die Vereniging is nie.
- 2.2. Die bemiddelaar moet tussen die partye bemiddel om te probeer om 'n oplossing vir die grief te kry binne een kalenderweek nadat die aangeleentheid voorgelê is.
- 2.3. Indien die gegriefde lid of groep nie met die uitkoms van die bemiddelingsproses tevrede is nie, moet die aangeleentheid vir arbitrasie verwys word.
- 2.4. Die bemiddelaar moet 'n verslag oor die bemiddelingsproses aan die voorsitter van die Griewekomitee voorlê.

**Stap 3: Arbitrasie**

Moet gebruik word slegs as Stap 2 misluk.

- 3.1. Die voorsitter van die Griewekomitee moet binne drie (3) dae na ontvangs van die verslag van die bemiddelaar 'n arbiter aanstel om die grief af te handel as dit steeds onopgelos is.
- 3.2. Die besluit van die arbiter is finaal en moet nagekom word.
- 3.3. Die Reëls vir Arbitrasie opgestel deur die Vereniging van Arbiters en die Wet op Arbitrasie, 1965, is van toepassing.
- 3.4. Die Registrateur moet in kennis gestel word van die uitkoms van enige arbitrasie.

**Lid se verteenwoordiger**

Enige lid of groep lede wat van die grieweprosedure gebruik maak, kan 'n medelid as verteenwoordiger benoem gedurende Stappe 2 en 3. Koste van bemiddeling en arbitrasie kan toegeken word.

**15. WYSIGING VAN KONSTITUSIE**

Wysigings kan aan hierdie Konstitusie aangebring word slegs indien —

- (a) die wysigings volledig voldoen aan die vereistes van die Standaard Minimum Konstitusie; en
- (b) dit goedgekeur is deur 'n AJV waar ten minste twee derdes van die lede teenwoordig is en ten minste twee derdes van diegene teenwoordig ten gunste van die verandering gestem het.

**16. AMALGAMASIE**

Die besluit om met 'n ander vereniging te amalgameer, moet geneem word met 'n tweederdemeerderheidsbesluit van die AJV of 'n SAV wat spesiaal vir dié doel belê is.

Kwessies rakende die hantering van die Vereniging se bates vereis 'n tweederdemeerderheidsbesluit op 'n AJV of SAV waar ten minste twee derdes van die lede teenwoordig is.

**17. ONTBINDING VAN VERENIGING**

Die besluit om die Vereniging te ontbind, moet 'n tweederdemeerderheidsbesluit op 'n AJV of SAV wees, waar die kworum twee derdes van die lede is.

Die besluit oor hoe om die Vereniging se bates te hanteer, moet met 'n tweederdemeerderheid geneem word.



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Handtekening van voorsitter \_\_\_\_\_ Datum (dd/mm/yy) \_\_\_\_\_

Ek, die klaer, gaan akkoord dat die aangeleentheid tot my tevredenheid opgelos is in hierdie stadium.

Handtekening \_\_\_\_\_ Datum \_\_\_\_\_ Lidnommer \_\_\_\_\_  
(dd/mm/jj)

Stawende handtekening van \_\_\_\_\_ (*getal moet deur die vereniging ingevul word*) lede van goeie naam:

Naam van lid \_\_\_\_\_ Lidnommer \_\_\_\_\_ Handtekening \_\_\_\_\_

Naam van lid \_\_\_\_\_ Lidnommer \_\_\_\_\_ Handtekening \_\_\_\_\_

Naam van lid \_\_\_\_\_ Lidnommer \_\_\_\_\_ Handtekening \_\_\_\_\_

Ek sertifiseer dat die name van die stawende handtekening dié is van lede van goeie naam.

Voorsitter van Griewekomitee: \_\_\_\_\_

Beëdig voor my te \_\_\_\_\_ op \_\_\_\_\_ 20 \_\_\_\_\_

KOMMISSARIS VAN EDE

VOLLE NAAM \_\_\_\_\_

HOEDANIGHEID \_\_\_\_\_

ADRES \_\_\_\_\_

**GEDRAGSKODE**

Die Vereniging moet poog om die hoogste moontlike etiese standaarde te bereik en te handhaaf. Hoewel die rol van die Vereniging en sy ampsdraers en werknemers deurslaggewend is, is operateurs en bestuurders die openbare gesig van die taxibedryf. Dit is noodsaaklik dat operateurs en bestuurders hulle só gedra dat dit die beeld van die bedryf bevorder.

Die nakoming van die volgende gedragskode deur operateurs en bestuurders sal lei tot groter respek en steun vir die bedryf deur sy gebruikers, die breë publiek en die regering.

1. Operateurs moet hulle besigheid met behoorlike sorg bedryf om die veiligheid van die publiek te verseker. Dit beteken dat operateurs alles in hulle vermoë moet doen om te verseker dat geen voorvalle van geweld plaasvind nie.
2. Operateurs mag nie taxi's gebruik wat onveilig of onpadwaardig is of waarvoor geen padwaardigheidsertifikate ingevolge die padverkeerswette beskikbaar is nie.
3. Operateurs se voertuie moet te alle tyd netjies, padwaardig en in ooreenstemming met vereistes ingevolge die sertifikaat van geskiktheid (of padwaardigheidsertifikaat) wees.
4. Operateurs se voertuie moet te alle tye die Vereniging se logo en nommer, sy openbare padvervoerpermit of bedryfslisensie, sertifikaat van geskiktheid (padwaardigheidsertifikaat), staanplekteken en die operateur se naam, adres en telefoonnommer vertoon.
5. Operateurs mag nie hulle voertuie toelaat om passasiers te vervoer op enige roete waarvoor hulle nie 'n permit of bedryfslisensie het nie.
6. Operateurs moet hou by alle wette wat op hulle van toepassing is ten opsigte van die bedryf van 'n openbare vervoerdiens.
7. In die geval van 'n onklaarraking moet die operateur se voertuig sonder versuim van die pad verwyder word, en indien moontlik moet 'n alternatiewe voertuig verskaf word om te verseker dat die passasiers hulle bestemmings so gou moontlik bereik.
8. Operateurs moet te alle tye poog om 'n goeie verhouding met die owerhede en wetstoepassingsbeamptes te handhaaf.
9. Operateurs moet saamwerk met, en uitvoering gee aan en alle dinge doen (instruksies) wat nodig is om enige polisiebeampte, verkeersbeampte of vervoerinspekteur by te staan met die uitvoering van hulle amptelike plig.
10. Operateurs moet behoorlike beheer uitoefen oor bestuurders in hulle besigheid.
11. Operateurs mag nie bestuurders gebruik wat nie gekwalifiseer is nie.
12. Operateurs mag geen persoon of groep dreig of intimideer nie.
13. Operateurs mag nie deelneem aan enige gewelddadige optrede of aksie wat op enige wyse tot geweld kan lei nie.
14. Operateurs mag nie ongelisensieerde vuurwapens dra of toelaat dat 'n wapen in hulle voertuie vertoon word nie.
15. 'n Operateur moet enige inligting wat onder sy of haar aandag gekom het wat aandui dat 'n konfliktsituasie tussen die Vereniging en 'n ander vereniging moontlik ontwikkel of potensieel kan ontwikkel, by die Dagbestuur van sy of haar vereniging aanmeld.
16. Operateurs mag nie sonder die toestemming van die Vereniging 'n boikot organiseer of daaraan deelneem nie.
17. Operateurs moet hou by die bepalings van die Konstitusie.
18. Operateurs moet vertroulikheid handhaaf ten opsigte van die interne sake van die Vereniging.
19. Operateurs mag geen ondermynende aktiwiteit teen die Vereniging, provinsiale, streek- of plaaslike verenigings organiseer of daaraan deelneem nie.
20. Operateurs mag nie sonder toestemming dubbele lidmaatskap van taxiverenigings op dieselfde roete hê nie.
21. 'n Operateur wat behoorlik verkies is tot enige amp as 'n lid van die Vereniging, moet die ampspligte nougeset uitvoer.
22. Operateurs mag nie sonder goeie rede versuim om vergaderings by te woon nie wanneer dit redelikerwys van hulle as lede van die Vereniging verwag word.
23. Operateurs mag nie deelneem aan persoonlike aanvalle of beswadding ten opsigte van enige ampsdraer of personeellid in diens van die Vereniging nie.
24. Operateurs mag nie sonder goeie rede versuim om voor die Disziplinêre Komitee van die Vereniging te verskyn wanneer hulle aangesê word om dit te doen nie.
25. Operateurs mag nie die Vereniging of sy ampsdraers kritiseer nie, behalwe wanneer hulle stemme werf vir 'n spesiale algemene vergadering of 'n mosie van wantroue.
26. Operateurs mag geen pers-, radio- of televisieverklaring maak nie tensy hulle behoorlik gemagtig is deur die Vereniging namens wie die verklaring klaarblyklik gemaak word.
27. Operateurs mag geen pamflet of skriftelike dokument oor die sake van die Vereniging sonder sy toestemming publiseer of versprei nie.
28. Operateurs mag nie protesvergaderings belê, hou of bywoon of enige ander vorm van protes teen die Vereniging reël nie wat op enige wyse strydig is met die bepalings van die Konstitusie of die grieweprocedure.
29. Operateurs mag nie namens of ten behoeve van die Vereniging strydig met die Konstitusie aan enige politieke aktiwiteite deelneem nie.



30. Operateurs mag geen persone hoegenaamd dreig, oorreed of intimideer om enige stappe te doen wat die Konstitusie van die Vereniging skend nie.

Operateurs moet verseker dat hulle bestuurders hou by bogenoemde vereistes waar dit op bestuurders se gedrag van toepassing is. Operateurs moet ook verseker dat hulle bestuurders die volgende nakom:

1. Bestuurders mag aan geen gewelddadige aktiwiteite of aktiwiteite wat op enige wyse tot geweld kan lei, deelneem nie.
2. Bestuurders moet hou by die reëls van die pad en moet hulle in die besonder daarvan weerhou om nalatig of roekeloos te bestuur. Bestuurders moet dus alle wette en reëls nakom wat afgekondig is ingevolge enige wet, regulasie of ordonnansie ten opsigte van die bestuur van voertuie op openbare paaie, en instandhouding.
3. Bestuurders mag onder geen omstandighede aan versperrings deelneem of die normale werking van padverkeer op enige wyse ontwig nie.
4. Bestuurders moet hulle weerhou van voortdurende en knaende geringe verkeersoortredings soos parkeeroortredings.
5. Bestuurders mag slegs padwaardige voertuie bestuur wat by die Registrateur en die Vereniging geregistreer is, en moet bewys daarvan in hulle voertuie hou.
6. Bestuurders is daarop geregtig om by 'n bestuurdersvereniging te registreer.
7. Alle bestuurders moet in besit wees van 'n geldige openbare of professionele bestuurspermit en 'n bestuurslisensie.
8. Bestuurders mag nie lelike taal gebruik of enige ander wanordelike gedrag in die openbaar vertoon nie.
9. Bestuurders moet passasiers te alle tye met waardigheid, respek en hofflikheid behandel en moet groot sorg aan die dag lê om hulle gerief en veiligheid te verseker.
10. Bestuurders moet aan passasiers enige hulp verleen wat nodig is vir die doeltreffende bedryf van die diens.
11. Bestuurders mag passasiers nie te veel laat betaal nie.
12. Bestuurders mag nie 'n voertuig vir openbare vervoer bedryf as dit onveilig of ongeskik is om aldus bedryf te word nie.
13. Bestuurders mag nie 'n voertuig bedryf wat nie skoon en netjies van voorkoms is nie.
14. Bestuurders moet skoon en netjies geklee wees.
15. Geen bestuurder mag bedrywighede by die staanplek belemmer nie.
16. Bestuurders moet passasiers oplaai op die grondslag van eerste gekom, eerste bedien.
17. Bestuurders van die eerste drie voertuie in 'n ry moet in of in die onmiddellike omgewing van hulle voertuie wees.
18. Bestuurders mag nie voertuie by staanplekke en stilhouplekke herstel of in stand hou nie.
19. Bestuurders mag nie by taxifasiliteite dobbel of bedwelmente drank gebruik nie.
20. Bestuurders mag nie hulle passasiers toelaat om rommel te strooi nie.
21. 'n Bestuurder moet enige inligting wat onder sy of haar aandag gekom het wat aandui dat 'n konfliktsituasie tussen die Vereniging en 'n ander vereniging moontlik ontwikkel of potensieel kan ontwikkel, by die eienaar van sy of haar voertuig aanmeld.
22. Bestuurders mag nie sonder die operateur se toestemming die voertuie van die operateur gebruik as hulle by enige protesaksie betrokke is nie.

Hierdie gedragskode is ook bindend vir al die personele van die Vereniging.

Indien 'n skending van hierdie gedragskode onder die aandag van enige operateur, bestuurder, pendelaar, owerheid of wetstoepassingsbeampte kom, moet dit onverwyld by die Vereniging aangemeld word.



Posisie (bv. voorsitter uitvoerende komitee, sekretaris)

Tipe identifikasiedokument 

RSA-ID	Buitel. ID	Ander (spesifiseer)
--------	------------	---------------------

Identiteitsnommer

Van en voorletters (nie meer as 3 nie)

Posisie (bv. voorsitter uitvoerende komitee, sekretaris)

Tipe identifikasiedokument 

RSA-ID	Buitel. ID	Ander (spesifiseer)
--------	------------	---------------------

Identiteitsnommer

Van en voorletters (nie meer as 3 nie)

Posisie (bv. voorsitter uitvoerende komitee, sekretaris)

Tipe identifikasiedokument 

RSA-ID	Buitel. ID	Ander (spesifiseer)
--------	------------	---------------------

Identiteitsnommer

Van en voorletters (nie meer as 3 nie)

Posisie (bv. voorsitter uitvoerende komitee, sekretaris)

Tipe identifikasiedokument 

RSA-ID	Buitel. ID	Ander (spesifiseer)
--------	------------	---------------------

Identiteitsnommer

Van en voorletters (nie meer as 3 nie)

Posisie (bv. voorsitter uitvoerende komitee, sekretaris)

Tipe identifikasiedokument 

RSA-ID	Buitel. ID	Ander (spesifiseer)
--------	------------	---------------------

Identiteitsnommer

Van en voorletters (nie meer as 3 nie)

Heg addisionele bladsy aan met besonderhede van addisionele ampsdraers in dieselfde formaat as hierbo.

**BESONDERHEDE VAN ADMINISTRATIEWE BEAMPTE (INDIEN TOEPASLIK)**

Tipe identifikasiedokument 

RSA-ID	Buitel. ID	Ander (spesifiseer)
--------	------------	---------------------

Identiteitsnommer

Van en voorletters (nie meer as 3 nie)



Vorm 2

NARTA/1(00)(05)

**PROVINSIE WES-KAAP  
TAK VERVOER**

NARTA/1

**AANHANGSEL 1 BY AANSOEKVORM VIR REGISTRASIE VAN 'N TAXIVERENIGING**

**VERKLARING**

Ek, die voorsitter/administratiewe beampte\*, dien hiermee die aangehegte Konstitusie in ter voldoening aan die vereistes van artikel .....van .....No. .... van ..... vir registrasie.

\_\_\_\_\_  
Datum

\_\_\_\_\_  
Handtekening

\_\_\_\_\_  
Plek

**VERKLARING**

Ek, die Registrateur van Taxiverenigings, verklaar hiermee dat die aangehegte Konstitusie aan die vereistes van artikels ....., ....., ..... en ..... van ..... No. .... van ..... voldoen.

\_\_\_\_\_  
Datum

\_\_\_\_\_  
Handtekening

\_\_\_\_\_  
Plek

**AANHANGSEL 2 BY AANSOEKVORM VIR REGISTRASIE VAN 'N TAXIVERENIGING**

Afgekorte naam van vereniging  Bledsy  van

**BESONDERHEDE VAN LID**

Tipe lid  Eienaar enkele voertuig  Eienaar veelvuldige voertuie  Ander (spesifiseer)

Tipe aanvaarbare identifikasie  
 RSA-ID  Buitelands  Maatskappy/bk   
 Ander (Spesifiseer)

Identiteitsnommer/Besigheids-registrasienuommer

Handelsnaam (indien wel)

Straatadres (indien dit verskil van posadres)

Posadres

Poskode

Van/Naam van liggaam van persone

Voorletters

**VERKLARING DEUR LID**

Ek,....., verklaar dat al die besonderhede wat deur my op hierdie vorm verstrek word, waar en korrek is. Ek verklaar dat ek die Gedragskode gepubliseer in Goewermentskennisgewing ..... gedateer..... en die Konstitusie van hierdie vereniging wat by Aanhangsel 1 aangeheg is, onderskryf, en stem daartoe in om daardeur gebind te word.

Datum  Handtekening  Plek

**SLEGS VIR KANTOORGEBRUIK**

Lid se voorlopige registrasie no. uitgereik deur Registrateur

Lid se registrasie nommer uitgereik deur Registrateur

Lêernommer

Afgekorte naam van vereniging  Bledsy  van

Datum van data-invoer

Datum van data-invoer

J J J J M M D D







NARTA/R(00)(05)

**PROVINSIE WES-KAAP  
TAK VERVOER**

NARTA/R

**BESONDERHEDE VAN ROETE(S) WAT DEUR DIE TAXIVERENIGING BEDRYF WORD**

Afgekorte naam van vereniging

Tipe bedrywigheid  Langafstand  Stedelik  Landelik  Ander (spesifiseer)

**Beskrywing van roete**

Vertrek vanaf   
(oorsprongstaanplek en -adres)

Na bestemming   
(staanplek en adres)

Via (lys besonderhede):

Tipe bedrywigheid  Langafstand  Stedelik  Landelik  Ander (spesifiseer)

**Beskrywing van roete**

Vertrek vanaf   
(oorsprongstaanplek en -adres)

Na bestemming   
(staanplek en adres)

Via (lys besonderhede):

Heg addisionele bladsy(e) met besonderhede van addisionele roetes aan in dieselfde formaat as hierbo





PROVINSIE WES-KAAP  
1 TAK VERVOER

**AANHANGSEL 2 BY AANSOEKVORM OM OMSKEPPING VAN VOORLOPIGE REGISTRASIE VAN 'N TAXIVERENIGING IN VOLLE REGISTRASIE**

Afgekorte naam van vereniging \_\_\_\_\_ Bladsy \_\_\_\_\_ van \_\_\_\_\_

**BESONDERHEDE VAN LID**

Van/naam van liggaam van persone \_\_\_\_\_ Voorletters \_\_\_\_\_

Identiteitsnommer/besigheids-registrasienommer \_\_\_\_\_

Voorlopige registrasienommer van lid \_\_\_\_\_

**VERKLARING DEUR LID**

EK,....., verklaar dat al die besonderhede wat deur my op hierdie vorm verstrekk word, waar en korrek is. Ek verklaar dat ek die Gedragskode gepubliseer in Goewermentskennisgewing..... gedateer..... en die Konstitusie van hierdie vereniging aangeheg by Aanhangsel 1 onderskryf en instem om daardeur gebind te word.

Datum \_\_\_\_\_ Handtekening \_\_\_\_\_ Plek \_\_\_\_\_

**BESONDERHEDE VAN VOERTUIG/ROETE/BEDRYFSLISENSIE**

*Moet deur lid ingevul word*

Voertuigregistrasienommer \_\_\_\_\_

Onderstelnummer \_\_\_\_\_

Bedryfslisensienommer \_\_\_\_\_

Uitreikingsnommer \_\_\_\_\_

Nommer van bedryfslisensiesertifikaat \_\_\_\_\_

Gemagtigde vertrekpunt \_\_\_\_\_

Gemagtigde aankomspunt \_\_\_\_\_

Roeteno. uitgereik deur Provinsiale Lisensieringsraad \_\_\_\_\_

Afgekorte naam van vereniging \_\_\_\_\_ Bladsy \_\_\_\_\_ van \_\_\_\_\_

*Moet deur verteenwoordiger van Provinsiale Bedryfslisensieringsraad ingevul word*

Ek, die verteenwoordiger van die Raad, verklaar dat die besonderhede van die bedryfslisensie wat verstrekk word, korrek is/nie korrek is nie\*. Hierdie bedryfslisensie is geldig/word ingetrek\*.

Hierdie bedryfslisensie is/is nie\* ingevolge die vereistes van artikel .....van .....No. .... van .....uitgereik nie.

Datum \_\_\_\_\_ Handtekening \_\_\_\_\_





PROVINSIE WES-KAAP  
TAK VERVOER

ACTO/1(00)(05)

ACTO/1

**AANHANGSEL 1 BY DIE AANSOEKVORM VIR OMSKEPPING VAN VOORLOPIGE REGISTRASIE VAN 'N NIELID-OPERATEUR IN VOLLE REGISTRASIE**

Bladsy  van

**BESONDERHEDE VAN VOERTUIG/ROETE/BEDRYFSLISENSIE**

*Moet deur operateur ingevul word*

Voertuigregistrasieno.

Onderstelno.

Bedryfslisensieno.  Uitreikingsno.

Nommer van bedryfslisensiesertifikaat

Gemagtigde vertrekpunt

Gemagtigde aankomspunt

Roeteno. toegeken deur Provinsiale Bedryfslisensieringsraad

*Moet deur verteenwoordiger van Provinsiale Bedryfslisensieringsraad ingevul word*  
 Ek, die verteenwoordiger van die Raad, verklaar dat die besonderhede van die bedryfslisensie wat verskat word, korrek is/nie korrek is nie.\* Hierdie bedryfslisensie is geldig/word ingetrek.\* Hierdie bedryfslisensie is uitgereik/is nie uitgereik nie\* ingevolge die vereistes van artikel .....van .....No. ....van .....

Datum

Handtekening

*Moet deur operateur ingevul word*

Voertuigregistrasieno.

Onderstelno.

Bedryfslisensieno.  Uitreikingsno.

Nommer van bedryfslisensiesertifikaat

Gemagtigde vertrekpunt

Gemagtigde aankomspunt

Roeteno. toegeken deur Provinsiale Bedryfslisensieringsraad

*Moet deur verteenwoordiger van Provinsiale Bedryfslisensieringsraad ingevul word*  
 Ek, die verteenwoordiger van die Raad, verklaar dat die besonderhede van die bedryfslisensie wat verskat word, korrek is/nie korrek is nie\* Hierdie bedryfslisensie is geldig/wod ingetrek.\* Hierdie bedryfslisensie is uitgereik/is nie uitgereik nie\* ingevolge die vereistes van artikel .....van .....No. ....van .....

Datum

Handtekening





NARO(00)(05)

**PROVINSIE WES-KAAP  
TAK VERVOER**

NARO

**AANSOEKVORM OM REGISTRASIE VAN 'N NIELID-OPERATEUR**

Dokumentverwysingsno.  Bladsy  van

**BESONDERHEDE VAN OPERATEUR**

Tipe operateur  Eienaar enkele voertuig  Eienaar veelvuldige voertuie  Ander (spesifiseer)

Tipe aanvaarbare identifikasie  Buitelands  Maatskappy/lk  Posadres

Identiteitsnommer/besigheids-registrasienommer  Ander (Spesifiseer)  Poskode

Handelsnaam (indien wel)  Straataadres  Poskode

(indien dit verskil van posadres)

Van/naam van liggaam van persone  Voorletters

**VERKLARING DEUR LID**

Ek, ....., verklaar dat al die besonderhede wat deur my op hierdie vorm verstrek is, waar en korrek is. Ek verklaar dat ek die gedragskode gepubliseer in Goewermentskennisgewing ..... gedateer ..... onderskryf en instem om daardeur gebind te word.

Datum \_\_\_\_\_ Handtekening \_\_\_\_\_ Plek \_\_\_\_\_

**SLEGS VIR KANTOORGEBRUIK**

Voorlopige operateursregistrasieno. uitgereik deur Registrateur           Datum van data-invoer

Operateursregistrasienommer uitgereik deur Registrateur           Datum van data-invoer

Lêernommer           J J J J J M M D D

**BESONDERHEDE VAN VOERTUIG/BEDRYFSLISENSIES/ROETES**

*Moet deur operateur ingevul word*

Voertuigregistrasienumer

Ondersteienumer

Bedryfslisenienumer

Uitreikingsnummer

No. van bedryfsliseniesertifikaat

Gemagtigde vertrepunt

Gemagtigde aankomspunt

Gedetailleerde roetebeskrywing:

.....  
.....  
.....  
.....  
.....  
.....

*Moet deur verteenwoordiger van Provinsiale Bedryfsliseniersingsraad ingevul word*

Ek, die verteenwoordiger van die Raad, verklaar dat die bedryfsliseniebesonderhede wat hierbo verstrek word, korrek is/nie korrek is nie\*. Hierdie bedryfslisenie is geldig/word ingetrek.\* Hierdie bedryfslisenie is uitgereik/is nie uitgereik nie\* ingevolge die vereistes van artikel .....van .....No. .... van .....

Datum

Handtekening

*Moet deur operateur ingevul word*

Voertuigregistrasienumer

Ondersteienumer

Bedryfslisenienumer

Uitreikingsnummer

No. van bedryfsliseniesertifikaat

Gemagtigde vertrepunt

Gemagtigde aankomspunt

Gedetailleerde roetebeskrywing:

.....  
.....  
.....  
.....  
.....  
.....

*Moet deur verteenwoordiger van Provinsiale Bedryfsliseniersingsraad ingevul word*

Ek, die verteenwoordiger van die Raad, verklaar dat die bedryfsliseniebesonderhede wat hierbo verstrek word, korrek is/nie korrek is nie\*. Hierdie bedryfslisenie is geldig/word ingetrek.\* Hierdie bedryfslisenie is uitgereik/is nie uitgereik nie\* ingevolge die vereistes van artikel .....van .....No. .... van .....

Datum

Handtekening



**AANHANGSEL 1 BY AANSOEKVORM VIR REGISTRASIE VAN 'N NUWE LID VAN 'N GEREGEREERDE TAXIVERENIGING**

Afgekorte naam van vereniging  Bladsy  van

**BESONDERHEDE VAN LID**

Tipe lid	Eienaar enkele voertuig	Eienaar veelvuldige voertuie	Ander (spesifiseer)
Tipe aanvaarbare identifikasie	RSA-ID	Buitelands	Maatskappy/bk
Identiteitsno./besigheidsregistrasieno.	Ander (spesifiseer):		Posadres
Van/naam van liggaam van persone	Voorletters		Poskode
Handelsnaam (indien wel)	Straatadres (indien dit verskil van posadres)		Poskode

**BESONDERHEDE VAN VOERTUIG/ROETE/BEDRYFSLISENSIE**

Voertuigregistrasienommer	Moet deur lid ingevul word	
Ondersteinommer	Moet deur verteenwoordiger van Provinsiale Bedryfslisensieringsraad ingevul word	
Bedryfslisensienommer	Uitreikno.	
Nommer van bedryfslisensiesertifikaat	Datum	
Gemagtigde vertrepunt	Handtekening	
Gemagtigde aankomspunt		
Roeteno. toegeken deur Provinsiale Bedryfslisensieringsraad		



**VORM 13****PROVINSIE WES-KAAP  
TAK VERVOER****NATIONAL LAND TRANSPORT TRANSITION ACT, 2000 (WET 22 VAN 2000)****VORM VAN SERTIFIKAAT UITGEREIK DEUR DIE REGISTRATEUR VIR  
VOORLEGGING DEUR 'N NIE-LID AAN DIE BEDRYFSLISENSIËRINGSRAAD (artikel  
113 (2) van die Wet)**

Daar word gesertifiseer dat.....,  
(voorletters en van/naam van liggaam van persone\*)

wie se identiteitsnommer/waarvan die besigheidsregistrasienuommer\*

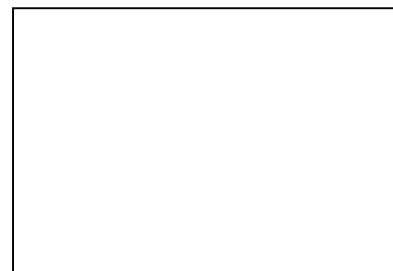
.....is, aan die volgende vereistes van artikel 113 van die Wet voldoen:

1. Synde 'n maatskappy of beslote korporasie<sup>+</sup>, nie twee of meer lede het wat ten tyde van die stigting van die maatskappy of beslote korporasie of daarna die operateurs was van openbare vervoerdienste wat wesenlik dieselfde is as dié wat die maatskappy of beslote korporasie bedryf nie.
2. Die Gedragskode wat in die Provinsie van toepassing is, onderskryf het.
3. Rede het om aansoek te doen om registrasie as 'n nie-lid op grond daarvan dat – #
  - (a) daar geen geregistreerde vereniging met betrekking tot die roete of roetes is waar die aansoeker se openbare vervoerdiens bedryf word nie;
  - (b) daar 'n geregistreerde vereniging met betrekking tot die roete of roetes is waar die aansoeker se openbare vervoerdiens bedryf word, maar -
    - (i) die vereniging die aansoeker lidmaatskap van die vereniging geweier het;
    - (ii) die vereniging onregverdigte vereistes vir toelating tot lidmaatskap stel;
    - (iii) daar in die lig van die heersende omstandighede nie redelikerwys van die aansoeker verwag kan word om 'n lid van die vereniging te word nie;
    - (iv) die aansoeker aan onregverdigte diskriminasie onderworpe sal wees indien hy tot lidmaatskap van die vereniging toegelaat word.

Geteken te..... op hede die..... dag van..... 20.....

.....  
Gemagtigde beambte van die Kantoor van die Registrateur

- \* *Skrap wat nie van toepassing is nie.*  
+ *Skrap indien nie van toepassing nie.*  
# *Omkring wat van toepassing is.*



VORM 14

Republiek van Suid-Afrika  
Provinsiale Administrasie

Wes-Kaap



**SERTIFIKAAT VAN VOORLOPIGE REGISTRASIE**  
**TEN OPSIGTE VAN 'N TAXIVERENIGING**

National Land Transport Transition Act, 2000

(Wet 22 van 2000) artikel 114 (1)

'n Sertifikaat van voorlopige registrasie word hiermee toegeken aan

.....  
(naam van vereniging)

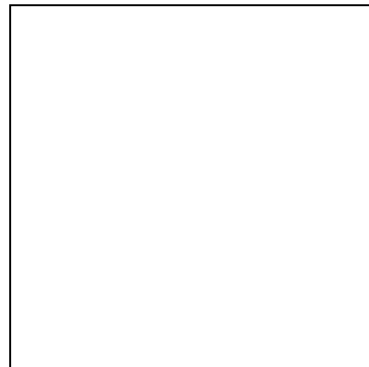
Die naam van die vereniging is voorlopig in die register ingeskryf op

.....  
(datum)

\_\_\_\_\_  
Voorlopige registrasienommer

Datum van uitreiking:  
(Amptelike stempel)

\_\_\_\_\_  
Handtekening van Registrateur



VORM 15

Republiek van Suid-Afrika  
Provinsiale Administrasie

Wes-Kaap



**SERTIFIKAAT VAN VOORLOPIGE REGISTRASIE**  
**VAN 'N LID VAN 'N TAXIVERENIGING**

National Land Transport Transition Act, 2000

(Wet 22 van 2000) artikel 114 (1)

'n Sertifikaat van voorlopige registrasie word hiermee toegeken aan

.....  
(naam van lid van vereniging)

Die naam van die lid is voorlopig in die register ingeskryf op

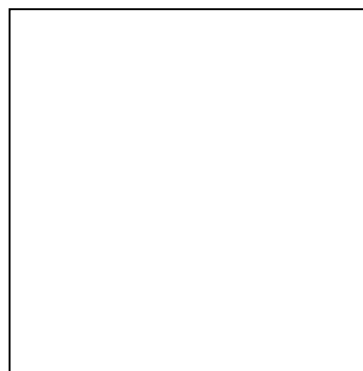
.....  
(datum)

\_\_\_\_\_  
Identiteitsnommer/besigheidsregistrasienommer

\_\_\_\_\_  
Voorlopige registrasienommer

Date van uitreiking:  
(Amptelike stempel)

\_\_\_\_\_  
Handtekening van Registrateur





VORM 16

Republiek van Suid-Afrika  
Provinsiale Administrasie

Wes-Kaap



**SERTIFIKAAT VAN VOORLOPIGE REGISTRASIE**  
**VAN 'N NIE-LID**

National Land Transport Transition Act, 2000

(Wet 22 van 2000) artikel 114 (1)

'n Sertifikaat van voorlopige registrasie word hiermee toegeken aan

.....  
(naam van nie-lid)

Die naam van die nie-lid is voorlopig in die register ingeskryf op

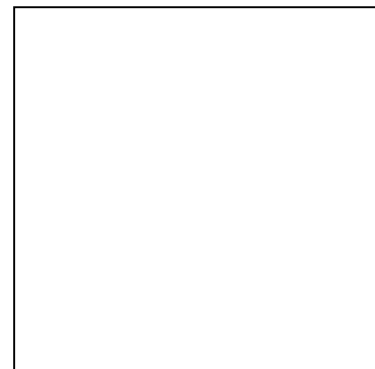
.....  
(datum)

\_\_\_\_\_  
Identiteitsnommer/besigheidsregistrasienommer

\_\_\_\_\_  
Voorlopige registrasienommer

Datum van uitreiking:  
(Amptelike stempel)

\_\_\_\_\_  
Handtekening van Registrateur



VORM 17

Republiek van Suid-Afrika  
Provinsiale Administrasie

Wes-Kaap



## REGISTRASIESERTIFIKAAT

### VAN 'N TAXIVERENIGING

National Land Transport Transition Act, 2000

(Wet 22 van 2000) artikel 114 (1)

'n Registrasiesertifikaat word hiermee toegeken aan

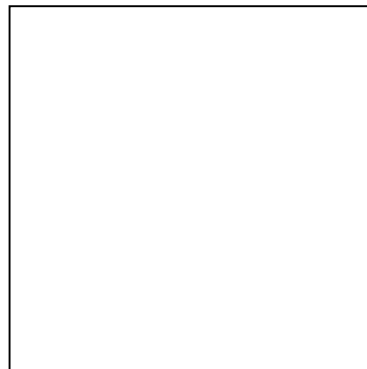
.....  
(naam van vereniging)

Die naam van die vereniging is in die register ingeskryf op.....  
(datum)

\_\_\_\_\_  
Registrasienommer

Datum van uitreiking:  
(Amptelike stempel)

\_\_\_\_\_  
Handtekening van Registrateur



Republiek van Suid-Afrika  
Provinsiale Administrasie

Wes-Kaap



**SERTIFIKAAT VAN REGISTRASIE**  
**VAN 'N LID VAN 'N TAXIVERENIGING**

National Land Transport Transition Act, 2000

(Wet 22 van 2000) artikel 114 (1)

'n Sertifikaat van registrasie word hiermee toegeken aan

.....  
(naam van lid of vereniging)

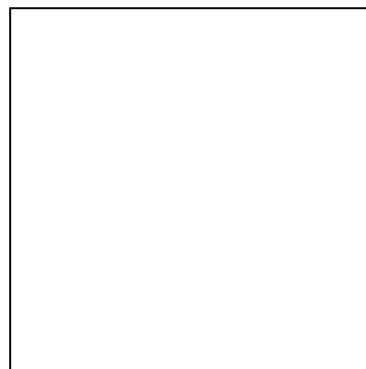
Die naam van die lid is in die register ingeskryf op.....  
(datum)

\_\_\_\_\_  
Identiteitsnommer/besigheidsregistrasienommer

\_\_\_\_\_  
Registrasienommer

Datum van uitreiking  
(Amptelike stempel)

\_\_\_\_\_  
Handtekening van Registrateur



VORM 19

Republiek van Suid-Afrika  
Provinsiale Administrasie

Wes-Kaap



**SERTIFIKAAT VAN REGISTRASIE**  
**VAN 'N NIE-LID**

National Land Transport Transition Act, 2000

(Wet 22 van 2000) artikel 114 (1)

'n Sertifikaat van registrasie word hiermee toegeken aan

.....  
(naam van nie-lid)

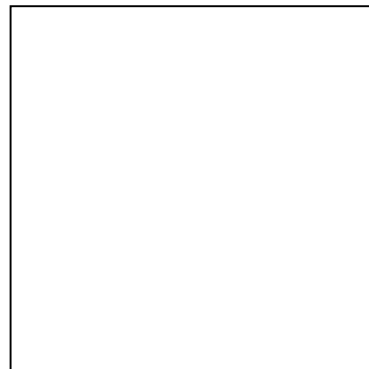
Die naam van die nie-lid is in die register ingeskryf op.....  
(datum)

\_\_\_\_\_  
Identiteitsnommer/besigheidsregistrasienommer

\_\_\_\_\_  
Registrasienommer

Datum van uitreiking:  
(Amptelike stempel)

\_\_\_\_\_  
Handtekening van Registrateur



VORM 20

National Land Transport Transition Act, 2000  
(Wet 22 van 2000)

Ononderskeidingsmerk vir voorlopig geregistreerde operateurs – Artikel 114(2)

**PROVINSIE WES-KAAP**

VOORLOPIG  
GEREGISTREERDE PROVINSIALE  
DIENS

.....  
(operateur se voorlopige registrasieno.)

.....  
(voertuigregistrasieno.)

**(OORSPRONG) - (BESTEMMING)**

Roeteno.....

...../...../.....  
DD MM JJ  
(Vervaldatum)

## VORM 21

National Land Transport Transition Act, 2000  
(Wet 22 van 2000)

Onderskeidingsmerk vir ten volle geregistreerde operateurs –Artikel 114(2)

<p><b>PROVINSIE WES-KAAP</b></p> <p>GEREGISTREERDE PROVINSIALE DIENS</p> <p>..... (operateur se registrasieno.)</p> <p>..... (Voertuigregistrasieno.)</p> <p><b>(OORSPRONG) - (BESTEMMING)</b></p> <p>Roeteno. ....</p> <p>...../...../..... DD MM JJ (Vervaldatum)</p>
---

Vorm 22

**PROVINSIE WES-KAAP  
TAK VERVOER**

**NATIONAL LAND TRANSPORT TRANSITION ACT, 2000 (WET 22 VAN 2000) (die Wet)**

**VORM VIR DAGVAARDING WAT VAN 'N PERSOON VEREIS OM VOOR DIE REGISTRATEUR  
TE VERSKYN (artikel 99(3)(b) van die Wet)**

**KENNISGEWING**

Naam .....

Adres: .....

U word hiermee versoek en opdrag gegee om persoonlik op die ..... dag van .....  
20..... te ..... voor die Registrateur .....  
te verskyn om te getuig en te verklaar wat u weet met betrekking tot  
..... en om saam met u die volgende boek(e),  
plan(ne), dokument(e), rekord(s), artikel(s), item(s) of voorwerp(e) te bring wat in u besit of onder u  
beheer is om dit aan die Registrateur ..... voor te lê.

Geteken te ..... op hede die ..... dag van ..... 20.....

.....  
Gemagtigde beampte van die Kantoor van die Registrateur

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**SLEGS VIR AMPTELIKE GEBRUIK**

Ek sertifiseer dat ek hierdie kennisgewing aan die bogenoemde persoon beteken het deur—

- \* (a) aflewering van 'n ware afskrif aan hom/haar persoonlik
- \* (b) aangesien hy/sy nie gerieflik gevind kon word nie, 'n ware afskrif te laat by .....,  
klaarblyklik 'n verantwoordelike persoon, by sy/haar -  
+ sakeperseel .....
- + gewone woonplek .....
- + laaste bekende woonplek .....

te ..... op hede die ..... dag van ..... 20..... en deur hom/haar terselfdertyd  
omtrent die aard daarvan in te lig.

.....  
Handtekening van gemagtigde beampte

- \* *Skrap wat nie van toepassing is nie.*
- + *Merk die toepaslike met 'n regmerk.*

**ISAZISO SEPHONDO**

PN 359/2005

9 November 2005

**ULAWULO LWEPHONDO: INTSHONA KOLONI**  
**ISEBE LEZOTHUTHO NEMISEBENZI KARHULUMENTE**  
**NATIONAL LAND TRANSPORT TRANSITION ACT, 2000**  
**(Act 22 of 2000)**

**Imigaqo esayilwayo yeNtshona Koloni ebhekiselele kuBhaliso lweMibutho yeeTeksi, aMalungu Ayo kunye nabo bangengawo aMalungu.**

Mna . . . . ., uMphathiswa wezoThutho neMisebenzi kaRhulumente kwiPhondo leNtshona Koloni, osebenza ngokwemiqathango yamagunya endiwaniweyo nguMthetho weNational Land Transport Transition, wama-2000 (UMthetho wama-22 ka-2000), ndichaza imigaqo kuludwe lweenkqubo kwesi saziso, ze ndenze iingqinisekiso kunye neenkukacha eziqulathwe kuyo.

**Uludwe lweeNkqubo**

**Imithetho yeNtshona Koloni ebhekiselele kuBhaliso lweMibutho yeeTeksi, aMalungu Ayo kunye nabo bangengawo amalungu**

1. Iinkcazelo
2. Indlela yokucina irejista yezithuthi zephondo
3. Ingcaciso ema igcinwe kwirejista
4. Ingcaciso ema igcinwe kwirejista ebhekiselele kwabangengawo amalungu kunye nezithuthi zabo
5. Imirhumo elungiselelwe ingcaciso evela kwiRejista
6. Iimfuno ezilungiselelwe umbutho ukuba ufaneleke ukuba ubhaliswe ngokubambisa nangokupheleleyo
7. Imirhumo yokwenziwa kwezicelo zobhaliso
8. Iifomu zesicelo
9. Indlela yokwenziwa kwesicelo sobhaliso lilungu elisandula ukwamkelwa lombutho obhalisiweyo
10. Ingcaciso kunye namaxwebhu angeniswe neefomu zesicelo
11. Ubhaliso lwabo bangengawo amalungu: isiqinisekiso nguMgcini zincwadi zobhaliso
12. Iziqinisekiso zoBhaliso
13. Iimpawu zokwahlula
14. UMgaqo siseko woBuncinane boMgangatho kunye neNdelela yokuZiphatha
15. Ifomu yokubizela enkundleni / isamani nendlela yokuyisa kumntu lowo
16. Isohlwayo sokusilela ukuhambelana nesaziso
17. Ukubuyiswa kwamaxwebhu xa kuthe kwarhoxiswa okanye ukuxhonywa kobhaliso
18. Amatyala kunye nezohlwayo
19. Isihloko esifutshane

ISIHLOMELO A: ULUHLU LWEMIRHUMO

ISIHLOMELO B: IIFOMU

ISIHLOMELO C: UMGAQO SISEKO WOBUNCINANE BEMIGANGATHO OLUNGISELELWE IMIBUTHO YO-ONOTEKSI

**Iinkcazelo**

1. Kule mithetho, ngaphandle kokuba ubume bubonakalisa enye into —

“UMthetho wama-74 we-1977” uthetha uMthetho wezoThutho lwaseZindleleni, we-1977 (UMthetho wama-74 we-1977) njengoko usebenza njalo kwiPhondo njengoko uhlonyelwa nguMthetho weSihlomelelo soMthetho wezoThutho lwaseZindleleni lweNtshona Koloni, we-1996 (UMthetho wesi-8 we- 1996) kunye noMthetho weSihlomelelo wezoThutho lwaseZindleleni weNtshona Koloni, wama-2000 (UMthetho wesi-7 wama-2000);

“iPhondo” lithetha iPhondo leNtshona Koloni;

“irejista” ithetha irejista yezithuthi zephondo ekubhekiselelwe kuyo kwicandelo lama-99(1)(h) loMthetho;

“uMthetho” uthetha iNational Land Transport Transition Act, wama-2000 (uMthetho wama-22 ka-2000), yaye igama okanye intetho ethe yachazwa kuMthetho inentsingiselo enye kule mimiselo.



**Indlela yokucina irejista yezithuthi zephondo**

2. Irejista yezithuthi zephondo ekuthe uMgcini-zincwadi zobhaliso kwafuneka ayigcine ngokwemiqathango yecandelo lama- 99(1)(h) loMthetho kufuneka ibe kubume obuncinane obufanayo nobesizwe obuziinkcukacha zolwazi olukwikhompyutha obunikezelwa liSebe leSizwe lezoThutho okanye kwiinkcukacha zolwazi eziyelelene nezo zesizwe zinamakhono nobukhulu obulinganayo.

**Ingcaciso ekufuneka igcinwe kwirejista [amacandelo lama-99(1)(i), 108(1)(a) kunye 111(2) kunye (3) oMthetho]**

3. (1) UMgcini-zincwadi zobhaliso kufuneka agcine irejista ebhekiselele —
- (a) kumbutho ngamnye osekwe kwiphondo othe wabhaliswa okanye wabhaliswa ngobambiso ngokwemiqathango yoMthetho, okanye oluthe ubhaliso lwawo olupheleleyo lwaguqulelwa kubhaliso lobambiso ngokwemiqathango yecandelo lama- 56(1) elo;
  - (b) ilungu ngalinye lombutho elicamngcwayo ngumhlathi (a);
  - (c) isithuthi ngasinye selungu ngalinye licamngcwe ngumhlathi (b); kunye
  - (d) nomntu ngamnye ongelilo ilungu kunye nesithuthi sakhe,
- ingcaciso ephathelele kumbutho onjalo, ilungu okanye isithuthi esidweliswe kwicandelo lemimiselo (2), (3) kunye nesi-(4).
- (2) Ingcaciso ephathelele kumbutho ekubhekiselelwe kuwo kwicandelo lomimiselo (1)(a) yile ilandelayo:
- (a) Okombutho —
    - (i) igama elipheleleyo lombutho, yaye ukuba ngaba kufanelekile, igama elifinyeziweyo;
    - (ii) ubume obusemthwethweni bombutho (umbutho osebenza ngokuzithandela ungajonge ntlawulo, inkampani ekwicandelo lama-21 njl. njl.);
    - (iii) umhla wokusekwa kombutho;
    - (iv) inombolo yobhaliso lweshishini lombutho, ukuba ngaba ikho;
    - (v) idilesi yeposi neyesitalato yombutho;
    - (vi) iinombolo zemfono-mfono nezefaksi zombutho;
    - (vii) iidilesi ze imeyile zombutho, kunye
    - (viii) ne-mrhumo wokuqala wokujoyina wombutho welungu ngalinye kunye norhumo wonyaka wobulungu;
  - (b) umhla apho umbutho uthe wenza isicelo sobhaliso;
  - (c) umhla apho ubhaliso okanye ubhaliso lobambiso lwathi lwanikezelwa kunye nesiqinisekiso esihamba kunye nobhaliso esithe sakhutshwa;
  - (d) inombolo yobhaliso lombutho okanye ubhaliso lobambiso;
  - (e) ikopi yomgaqo-siseko wombutho kunye nesiqinisekiso sento yokokuba wamkelwe nguMgcini-zincwadi zobhaliso ngokuhambelana kunye neemfuno zamacandelo lama-60 kunye nele-117 oMthetho;
  - (f) inani labantu ababhalisiweyo okanye ababhaliswa ngobambiso njengamalungu ombutho kunye nenani lezithuthi ezisetyenziswe lilungu ngalinye lowo;
  - (g) inani labantu abaqeshwe ngumbutho kubandakanywa nabameli abagunyaziswe ngokufanelekileyo;
  - (h) amagama emibutho othe umbutho wazimanya nayo, ukuba ngaba ikho;
  - (i) igama lomntu ngamnye obambe isikhundla eofisini kunye nesikhundla eso sakhe, inombolo yesazisi kunye nodidi lwesazisi anaso;
  - (j) ithuba ngalinye lokungahambelani / lokungathobeli kombutho umgaqo-siseko wawo obhalisiweyo, kunye
  - (k) nesiphumo sesikhaziso okanye iinkqubo zoluleko eziqhutywe ngumbutho kunye namanqanaba, ukuba akho, athe athatyathwa nguMgcini-zincwadi zobhaliso njengesiphumo soko.
- (3) Ingcaciso enxulumene nelungu ekubhekiselelwe kulo kwicandelo lomimiselo (1)(b) yile ilandelayo:
- (a) okwelungu —
    - (i) ifani kunye nonoobumba bokuqala kumagama elungu kunye, kwimeko apho ilungu ingelilo lodwa lingazimelanga, ngokunjalo negama lelungu;
    - (ii) igama loshishino lelungu, ukuba likho;
    - (iii) inombolo yophawu okanye inombolo yobhaliso lweshishino;
    - (iv) udidi lophawu;
    - (v) inombolo yobhaliso lwerhafu ngeniso, ukuba ngaba ilungu kufuneka libhalisile ukulungiselela irhafu yengeniso;

- (vi) idilesi yeposi kunye neyesitalato; kunye
- (vii) nodidi lobulungu;
- (viii) iinkcukacha zomqhubi.
- (b) isiqinisekiso selungu sento yokokuba ilungu lithe lasayina isiqinisekiso sokokuba liyahambelana yaye liyabotshelelwa yiNdlela yokuziPhatha yombutho kunye nomgaqo-siseko obhalisiweyo;
- (c) umhla esithe sakhutshwa ngawo isiqinisekiso sobhaliso selungu okanye ubhaliso lobambiso;
- (d) umhla kunye nenombolo yobhaliso yelungu okanye yobhaliso lobambiso;
- (e) umhla wokukhutshwa kwesiqinisekiso sobhaliso lobambiso selungu;
- (f) inombolo / iinombolo zephepha-mvume lokusebenza kwelungu okanye inombolo / iinombolo zemvume;
- (g) umhla wokuphelelwa kwephepha-mvume lokusebenza lelungu okanye imvume / iimvume;
- (h) uqinisekiso lokokuba ibhodi ilingqinisisile iphepha-mvume lokusebenza okanye iinkcukacha zemvume;
- (i) indawo/iindawo zokusuka kunye nendawo/neendawo zokufikela ezingunyaziswe liphepha-mvume/ngamaphepha-mvume okusebenza okanye imvume/iimvume;
- (j) inombolo/iinombolo zeendlela ezabiwe yiBhodi ehambelana nendawo/neendawo zokusukela ezichaziweyo kunye nendawo/neendawo zokufikela;
- (k) kwimeko yomntu osemthethweni, umntu onoxanduva lokulimela. Isigqibo kufuneka sinikezelwe ngumntu osemthethweni, ze sisayinwe ngumntu ogunyazisiweyo ofanelekileyo, eqinisekisa igama lommeli;
- (l) kwimeko yenkampani, isiqinisekiso sayo sobhaliso okanye ikopi eqinisekisiweyo yaso;
- (m) kwimeko yeshishini elinokuqhutywa ngumntu omnye, ingxelo yalo yesiseko okanye ikopi eqinisekisiweyo yayo; kunye
- (n) nemeko yayo naluphi na udidi lomntu osemthethweni, umgaqo-siseko walo okanye isivumelwano sesiseko okanye ikopi eqinisekisiweyo yaso;
- (4) Ingcaciso ephathelele kwisithuthi ekubhekiselelwe kuso kwicandelo lommiselo (1)(c) yile ilandelayo:
  - (a) inombolo yobhaliso yesithuthi;
  - (b) inombolo yophawu lwesithuthi (VIN);
  - (c) inombolo yesisu sesithuthi; kunye
  - (d) umhla wokukhutshwa kophawu lolwahlulo olulungiselelwe isithuthi kunye nomhla wokuphelelwa kophawu lolwahlulo.

**Ingcaciso ekufuneka igcinwe kwirejista enxulumene nabantu abangengawo amalungu kunye nezithuthi zabo.** [Icandelo le-108 (1) (a) loMthetho]

4. Ngokubhekiselele kubantu abangengawo amalungu ababhalisiweyo okanye ababhaliswe ngobambiso, okanye umntu ongelilo ilungu okwiPhondo othe ubulungu bakhe obupheleleyo baguqulelwa kubhaliso lobambiso ngokwemiqathango yecandelo lama-56(1) loMthetho, umgcini-zincwadi zobhaliso kufuneka, ukuya kutsho koko kufanelekileyo, agcine ingcaciso enye ekufuneka igciniwe ngokubhekiselele kwilungu, ilungu elibhaliswe ngobambiso okanye elo lungu lithe ubhaliso lwalo lwaguqulelwa kubhaliso lobambiso kunye nezithuthi zawo.

**Imirhumo elungiselelwe ingcaciso evela kwihejista** [icandelo lama-99(2)(b) loMthetho]

5. Umrhumo ohlawulwa ngokukhutshwa kweekopi okanye izicatshulwa zengcaciso ezivela kwikhejista nguMgcini-zincwadi zobhaliso okanye igosa eligunyazisiweyo nguMgcini-zincwadi zobhaliso ngumrhumo ochaziwe kwiSihlomelo "A" ngaphandle kokuba umrhumo owahlukileyo ochazwe phantsi kwecandelo lama-22 oMthetho wokuKhuthazwa kweLungelo lokufumana iNgcaciso, wama-2000 (uMthetho wesi-2 ka-2000), ngalo ndlela ke umrhumo ochazwe phantsi kwaloo Mthetho uya kusetyenziswa.

**Iimfuno ezilungiselelwe imibutho ukuba ifaneleke ukuba ingabhaliswa ngokupheleleyo okanye ibhaliswe ngobambiso** [amacandelo 109(1) kunye (2), kunye nele-110 loMthetho]

6. (1) Kuxhonyekeke kwicandelo lommiselo (wesi-2), inani eliphantsi lamalungu onokuthi umbutho ube nalo phambi kokuba ube nakho ukuba ungabhaliswa ngokupheleleyo okanye ngobambiso, umiselwa njengonganamalungu ali-10.
- (2) Apho umbutho usilela ukuhlangabezana neemfuno ezifanelekileyo zobulungu eziqulunqwe kwicandelo lommiselo (1), uMgcini-zincwadi zobhaliso unakho, xa kuthe kwanikezelwa ngesizathu esibambekayo, ukunciphisa ubuncinane obunjalo beemfuno zobulungu kuloo meko iyodwa injalo.
- (3) Apho umbutho usilela ukuba nobuncinane bamalungu ali-10 uMgcini-zincwadi zobhaliso kufuneka —
- (a) awunike umbutho isaziso esibhaliweyo esingenakuba ngaphantsi kweentsuku ezili-21 sokuba umbutho unike isizathu sokokuba kutheni umbutho ungenakucinywa okanye ubhaliso lwawo lurhoxiswe, ze
  - (b) apapashe isaziso kwiphephandaba elijikeleza kwingingqi engundoqo osebenza kuyo umbutho ngeenjongo zokuwucima ukuba ngaba umbutho awuniki sizathu sanelisayo, aze ameme amagqabantshintshi okanye iingcaciso kumaqela achaphazelekayo,
- aze emva kokuqwalasela nayiphi na impendulo, amagqabantshintshi okanye iingcaciso ezifunyenweyo njengempendulo kwisaziso eso okanye

upapasho, unakho ukulucima ubhaliso okanye ubhaliso lobambiso lombutho, njengoko ubume bunjalo, okanye arhoxise ubhaliso olunjalo kangangesithuba esimiselwe nguMgcini-zincwadi wobhaliso.

- (4) Ukuze ube ubhaliswe ngobambiso, umrhumo ophezulu ochaziweyo wokujoyina onokuthi umbutho uwubize, njengoko uqulunqwe kwicandelo le-109(2) loMthetho, ngulo —
  - (a) kwimeko yomrhumo wokujoyina ngama-R2 000, nokokuba lingakanani inani lezithuthi zomntu okanye ilungu elo kubhekiswa kulo;
  - (b) kubhaliso lobambiso lwelungu elitsha lombutho ongenise sicelo sephepha-mvume lokusebenza, okanye onephepha-mvume lokusebenza elingekanikezelwa, umrhumo ophezulu wokujoyina onokubizwa ngama-R3 000. Imali eshiyekileyo yomrhumo wokujoyina onguwo inokubizwa xa kukhutshwa iphepha-mvume lokusebenza yibhodi kwilungu lesithuthi ngasinye esisetyenziswayo, ze
  - (c) kwimeko yomrhumo wonyaka wobulungu ibe sisixa mali esichazwe kumgaqo-siseko wombutho.
- (5) UMgcini-zincwadi zobhaliso unakho ukusebenzisa imbono yakhe ukulungiselela ukubhalisa umbutho ngobambiso okanye ngokuzelelo ongahambelaniyo necandelo lommiselo (3) ngesicelo sogunyaziwe wocwangciso ofanelekileyo, okanye ukuba ngaba uMgcini-zincwadi zobhaliso wanelisekile yinto yokokuba akukho wumbi omnye umbutho osebenza kuloo mgaqo okanye kuloo migaqo kuthethwa ngayo.
- (6) Ukuze ubhaliswe ngobambiso okanye ngokuzelelo, umbutho kufuneka ube nomgaqo-siseko ohambelana namacandelo 60 kunye nele-117 oMthetho.
- (7) Ukuze ubhaliswe ngobambiso, umbutho kufuneka ungenise ubungqina kwifomu echaziweyo bento yokokuba isicelo senziwe kwibhodi sephepha-mvume lokusebenza lilungu ngalinye lombutho ongenalo iphepha-mvume lokusebenza okanye imvume. Izicelo ngamalungu anjalo alindelekileyo kufuneka zibonise kuphela imigaqo okanye uthungelwano lwemigaqo apho umbutho ujonge ukusebenza kuyo.

**Imirhumo yesicelo elungiselelwe ubhaliso** [amacandelo 110(d) kunye ne-113(1)(a) oMthetho]

7. Ngokweenjongo zecandelo le-110(d) loMthetho, imirhumo yesicelo ehlawulwayo elungiselelwe ubhaliso okanye ubhaliso lobambiso lombutho okanye lwabantu abangengawo amalungu iya kuba zizixa-mali eziboniswe kwiSihlomelo A.

**Iifomu zezicelo** [icandelo 111(1)(a) loMthetho lifundwa necandelo lesi-7A(14)(d) loMthetho wama-74 we-1977]

8. (1) Iifomu ezibonelelweyo kule mimiselo zithatha indawo yeefomu ezichazwe kuLudwe lweeNkqubo B kwiSaziso sePhondo 62/1997 kwiGazethi yePhondo Engaqhelekanga enguNombolo 5113 we-28 Febhuwari we-1997.
- (2) Umbutho kufuneka wenze isicelo sobhaliso okanye sobhaliso lobambiso ngokuthi uzalise ze ungenise kuMgcini-zincwadi zobhaliso isicelo kwifomu ethiwe thaca kwiiFomu 1, 2, 3 kunye ne- 4 kwiSihlomelo B.
- (3) Umbutho kufuneka wenze isicelo sokuguquka kubhaliso lobambiso ukuya kubhaliso olupheleleyo ngokuzalisa nokungenisa kuMgcini-zincwadi zobhaliso kunye nesicelo kubume obuthiwe thaca kwiiFomu 5, 6 kunye nesi-7 kwiSihlomelo B.
- (4) Umntu ongelilo ilungu kufuneka enze isicelo sokuguquka esuka kubhaliso lobambiso esiya kubhaliso oluzelelo ngokuthi azalise yaye angenise kuMgcini-zincwadi zobhaliso isicelo kubume obuthiwe thaca kwiiFomu 8 kunye nesi-9 kwiSihlomelo B.
- (5) Umntu ongelilo ilungu kufuneka enze isicelo sobhaliso ngokuzalisa aze angenise kuMgcini-zincwadi zobhaliso isicelo kubume obuthiwe thaca kwiiFomu ye-10 kwiSihlomelo.

**Ubume besicelo esilungiselelwe ubhaliso lilungu elisandula ukungeniswa kumbutho obhalisiweyo** [icandelo 112(3)(a) loMbutuho]

9. (1) Xa umbutho uthe wenza isicelo kuMgcini-zincwadi zobhaliso ulungiselela ubhaliso lwalo naliphi na ilungu elitsha elamkelweyo kubulungu bombutho ngokwemiqathango yecandelo 112(3)(a) loMthetho, isicelo kufuneka senziwe kubume obuthiwe thaca beeFomu 11 kunye ne-12 kwiSihlomelo B.
- (2) Umenzi wesicelo kufuneka angenise ifomu yesicelo kwigosa eligunyazisiweyo lebhodi ukulungiselela uzalise lwaloo macandelo apho sibhengezo sifunekayo kwibhodi.
- (3) Isicelo kufuneka singeniswe kuMgcini-zincwadi zobhaliso kunye nomrhumo wesicelo ngesixa-mali esichazwe kwiSihlomelo A.

**Ingcaciso kunye namaxwebhu angeniswe kunye neefomu zezicelo**

10. (1) Xa isicelo singeniswe phantsi kommiselo wesi-6,
  - (a) Umenzi wesicelo kufuneka anikezele ngeempendulo ezizelelo neziphelileyo kuyo yonke imibuzo ekwifomu yokwenziwa kwesicelo;
  - (b) UMgcini-zincwadi zobhaliso kufuneka,
    - (i) aqinisekise ngento yokokuba ifomu yokwenziwa kwesicelo izaliswe ngokufanelekileyo,
    - (ii) aqinisekise ngento yokokuba onke amaxwebhu afunekayo akhaphayo angenisiwe yaye ayinyani yaye amkelekile, ze
    - (iii) angqinise ingcaciso engenisweyo ngolu hlobo lulandelayo:
      - (aa) iinkcukacha zesithuthi kufuneka zihlolwe kusetyenziswa iNkqubo yeNgcaciso yezoThutho yeSizwe (NaTIS) egcinwa liSebe lezoThutho leSizwe;
      - (bb) apho kufanelekileyo, iinkcukacha zelungu okanye zomntu ongelilo ilungu kufuneka zihlolwe kusetyenziswa iNkqubo yeMvume yoThutho lweNdlala ekubhekiselelwe kulo kwicandelo lama-78(4)(b) yoMthetho, okanye ezinye iinkqubo zengcaciso ezikhoyo;
      - (cc) apho ilungu okanye umntu ongelilo ilungu athe wabhaliswa kwelinye iphondo, iinkcukacha zelungu elo okanye

zomntu ongelilo ilungu kufuneka zihlolwe kusetyenziswa iinkqubo zengcaciso zomgcini-zincwadi zobhaliso wephondo elo.

- (2) UMgcini-zincwadi zobhaliso unakho ukuzala izicelo ezithi zisilele ngayo nayiphi na ingcaciso okanye amaxwebhu afunwa nguMthetho okanye yile mimiselo, okanye ukuba iimpundulo ezizeleyo neziphelileyo azinikezelwanga kuyo yonke imibuzo ekwifomu yokwenziwa kwesicelo okanye ukuba ngaba umrhumo ofunekayo awuhlawulwanga ngexesha lokokuba kwenziwe isicelo.

**Ubhaliso lwabantu abangengawo amlaungu: isiqinisekiso nguMgcini-zincwadi zobhaliso** [icandelo 113(2) loMthetho]

11. (1) Isiqinisekiso esivela kuMgcini-zincwadi zobhaliso uqinisekisa ngento yokuba umntu ongelilo ilungu uyahambelana necandelo 113(1)(b), (c) kunye no(e) loMthetho kufuneka siqulathe iinkcukacha ze sibe kubume obuthiwe thaca kwiFomu ye-13 kwiSihlomelo B.
- (2) Umrhumo ohlawulwayo ngokukhutshwa kwesiqinisekiso esinjalo uya kuba sisixa-mali esichazwe kwiSihlomelo A.

**Iziqinisekiso zoBhaliso** [icandelo 114(1) loMthetho]

12. (1) Iziqinisekiso zobhaliso kunye nobhaliso lobambiso ezikhutshelwe imibutho, amalungu kunye nabantu abangengawo amalungu kubume obuthiwe thaca kwiifomu 14 ukuya kwi-19 seSihlomelo B.
- (2) Iifomu ekubhekiselelwe kwicandelo lommiselo (1) uthatha indawo yeziqinisekiso zobhaliso ezichazwe kuLuhlu lweNkqubo kwiSaziso sePhondo 335/1997 kwiGazethi yePhondo enguNombolo 5182 yomhla wama-26 Septemba we-1997.

**Iimpawu zokwahlula** [icandelo 114(2) loMthetho]

13. (1) Uphawu lokwahlula olukhutshwe kwilungu elibhaliswe ngobambiso okanye umntu ongelilo ilungu kufuneka lube kubume obuthiwe thaca kwiFomu yama-20 kwiSihlomelo B. Ngamalungu kuphela abhaliswe ngobambiso okanye abantu abangengawo amalungu abanephepha-mvume lokusebenza elilungiselelwe isithuthi ngasinye esisteyenziswayo esiya kuba selungelweni lokufumana uphawu lokwahlula.
- (2) Uphawu lokwahlula olukhutshwe kwilungu elibhalisiweyo okanye umntu ongelilo ilungu kufuneka lube kubume obuthiwe thaca kwiFomu yama-21 kwiSihlomelo B. Ilungu elibhalisiweyo okanye umntu ongelilo ilungu eliselungelweni lobhaliso lokugqibela kufuneka abuyise uphawu lokwahlula ebelunikezelwe kuye lobhaliso lobambiso kuMgcini-zincwadi zobhaliso ekufumaneni kwakhe uphawu lokwahlula lobhaliso lokugqibela.

**Ubuncinane beMigangatho yoMgaqo-siseko kunye neNdlela yokuziPhatha** [amacandelo 61 ne-116(1)(a) kunye no (b) oMthetho]

14. UMgaqo-siseko kunye neNdlela yokuziPhatha epapashwe njengoLuhlu lweNkqubo A kwiSaziso sePhondo 62/1997 kwiGazethi yePhondo Engaqhelekanga enguNombolo 5113 we-28 kuFebhuwari ngowe-1997 kusetyenziswa endaweni yawo ubuncinane bomgangatho woMgaqo-siseko kunye nendlela yokuziPhatha oqhotyoshelwe apha njengeSihlomelo C ethe yapapashwa ngokwemiqathango yecandelo 116 loMthetho.

**Ubume bokukhutshwa kwesamani kunye nendlela yokuthunyelwa kwayo** [icandelo 99(3)(b) loMbutho]

15. (1) Isamani ekhutshwe nguMgcini-zincwadi zobhaliso njengoko kuqulunqwe kwicandelo 99(3)(b) loMthetho kufuneka ibe kwifomu ethiwe thaca kwiFomu yama-22 kwiSihlomelo B.
- (2) Kuxhonyekekwe kwicandelo lommiselo (3), igosa eligunyazisiweyo kufuneka lihambise isamani ngokuthi linikezele ikopi yesibini ngokwalo kumntu lowo ithunyelwa kuye okanye apho umntu engenakho ukufumaneka, ngokuthi lishiye ikopi kumntu ongumntu onoxanduva kwindawo yoshishino, kwindawo ahlala kuyo rhoqo okanye kwindawo yakhe yokugqibela awayehlala kuyo efanelekileyo, ze igosa kufuneka emva koko linike ingxelo kuMgcini-zincwadi zobhaliso.
- (3) Apho umntu lowo ethi le samani ibe ithunyelwa kuye abe elilungu lombutho obhalisiweyo, igosa linakho ukunikezela ngekopi kunobhala wombutho, okanye elinye igosa lombutho elityunjelwe loo njongo.

**Isohlwayo ngokusilela ukuhamba ngesaziso** [icandelo 118(4) loMthetho]

16. Ngokwemiqathango yecandelo 118(4) loMthetho, uMgcini-zincwadi unakho ukunika isohlwayo esingadlulanga kwi-R10 000 ngokusilela kombutho, ilungu okanye umntu ongelilo ilungu ukuhambelana nesaziso esikhutshwe nguMgcini-zincwadi zobhaliso phantsi kwecandelo 118(3) loMthetho.

**Ukubuyiswa kwamaxwebhu xa kucinywe okanye kurhoxiswe ubhaliso** [icandelo 119(2) loMthetho]

17. Umbutho, ilungu okanye umntu ongelilo ilungu kufuneka abuyisele kuMgcini-zincwadi zobhaliso isiqinisekiso sobhaliso okanye sobhaliso lobambiso, okanye uphawu lokwahlula ebekhutshelwe lona okanye liya kucinywa okanye lirhoxiswe okwethutyana, malunga neentsuku ezisixhenxe zocingo olo okanye urhoxiso.

**Amatyala kunye nezohlwayo** [icandelo 64(2) loMthetho]

18. Umntu othi aphule okanye asilele ukuthobela isamani ekhutshwe ngokwemiqathango yommiselo we-15 uya kufunyanwa enobutyala yaye abe sesichengeni sokugwetywa de avalelwe entolongweni kangangesithuba esingadlulanga kwiinyanga ezintathu, okanye isohlwayo.

**Isihloko esifutshane**

19. Le mimiselo ibizwa ngokuba yiMimiselo yeNtshona Koloni ngoBhaliso lweMibutho yeeTeksi kunye naMalungu nabangengo Malungu Ayo, yama-2006.

**ISIHLOMELO A: ULUHLU LWEMIRHUMO**

Inani	Ummiselo	Inkcazelo	Umrhumo
1.	5	Umrhumo wokunikezelwa kweekopi okanye izicatshulwa zengcaciso ezivela kuMgcini-zincwadi zobhaliso	R0,60 iphepha elinye
2.	7	Umrhumo wesicelo sobhaliso lombutho	R2 000
3.	7	Umrhumo wesicelo sobhaliso lwabantu abangengawo amalungu	R2 000
4.	9(3)	Umrhumo wesicelo sokubhalisa amalungu amatsha asandula ukwamkelwa ombutho	R100
5.	11(2)	Umrhumo wokukhutshwa kwesiqinisekiso sobhaliso okanye isiqinisekiso sobhaliso lobambiso kumbutho, kwilungu, kumntu ongelilo ilungu okanye uphinda-phindo oko.	R100

**ISIHLOMELO C: UMGAQO SISEKO OFIKELELEKAYO OSEMGANGATHWENI WEMIBUTHO YEETEKSI**

Lo mgaqo-siseko ubeka umlinganiselo olungiselele ukwenziwa komgaqo nkqubo wemibutho yeeteki ngenjongo yobhaliso lwemibutho. Uxhibe ukusebenza njengesikhokelo sokuqhubela phambili imibutho yeeteki. Ukuba ngaba umbutho weeteki sele usebenza phantsi komgaqo-siseko, loo mgaqo-siseko kufuneka ubandakanye imiba equlathwe kulo mgaqo nkqubo ofikelelekayo osemgangathweni ukuya kutsho kubungakanani obulinganayo. UMgcini-zincwadi zobhaliso kufuneka aqinisekise imigaqo-siseko ekhoyo. Ukuze ibe nokuqinisekiswa, le migaqo-siseko inakho ukulungiswa, ukuba kuyimfuneko, emva kothethwano olufanelekileyo phakathi koMgcini-zincwadi zobhaliso kunye nekomiti yesigqeba yombutho lowo kuthethwa ngawo. Ngoko ke, ukuba ngaba umbutho weteki awusebenzi phantsi komgaqo-siseko, okanye awusebenzi phantsi komgaqo-siseko onganelanga ngokobubanzi bawo, uya kufuneka okokuba mhlawumbi wamkele umgaqo-siseko ofikelelekayo osemgangathweni, okanye ulungise umgaqo-siseko wawo ukuze uhambelane nomgaqo-siseko ofikelelekayo osemgangathweni.

**IINKCAZELO**

Ngokwenjongo yalo Mgaqo-siseko:

“igosa elinika ingxelo” lithetha igosa elityunjwe ngokuhambelana nomhlathi we-12.5;

“Umbutho” uthetha umbutho weeteki;

“AGM” ithetha intlanganiso jikelele yonyaka yoMbutho;

“indlela yokuziphatha” ithetha indlela yokuziphatha emiselwe nguMphathiswa wePhondo onoxanduva lothutho olusemthethweni;

“IKomiti eLawulayo” ithetha iKomiti eLawulayo enyulwa kwi-AGM;

“inkqubo yokuKhalaza” ithetha inkqubo yokukhalaza echazwe kumhlathi we-14;

“QGM” ithetha intlanganiso jikelele yekota yoMbutho;

“UMgcini-zincwadi zobhaliso” uthetha uMgcini-zincwadi zobhaliso wePhondo otyunjwe ngokuhambelana nomthetho ofanelekileyo wezoThutho;

“irejista” ithetha irejista eginwa nguMgcini-zincwadi zobhaliso ngokuhambelana nomthetho ofanelekileyo wezoThutho;

“SGM” ithetha intlanganiso jikelele eyodwa yoMbutho.

**1. IGAMA NENOMBOLO YOBHALISO**

IGama elipheleleyo loMbutho (*liya kuzaliswa ngumbutho*).

Isifinyezo segama loMbutho (*siya kuzaliswa ngumbutho*).

Idilesi yeposi yoMbutho (*iya kuzaliswa ngumbutho*).

Idilesi yesitalato yoMbutho (*iya kuzaliswa ngumbutho*).

Umbutho usekwe e .....

Inombolo yobhaliso yoMbutho (*iya kuzaliswa ngumbutho*).

**2. UBUME BOMBUTHO**

(*zalisa igama lombutho*) ngumbutho ongalungiselelwanga inzuzo.

**3. ULWAKHIWO LOMBUTHO**

Ubuncinane benani lamalungu ukuqulunqa uMbutho (*liya kuzaliswa ngumbutho kuhlengenwe noMgcini-zincwadi zobhaliso*). Imisebenzi yoMbutho ilawulwa yikomiti yabalawuli, ethi inyulwe qho ngonyaka.

**4. IINJONGO**

Iinjongo zoMbutho zezi:

- (a) ukukhusela, ukuqinisa kunye nokukhuthazwa komdla wamalungu oMbutho;
- (b) ukungena kwiingxoxo kunye nothethwano nokwenza iinkcazelo kunye nezibhenno kurhulumente, kwiphondo kunye noorhulumente beedolophu ujonge umdla wamalungu awo;
- (c) ukuqinisekisa ngeendlela zokusebenza ezinovelwano ngawo onke amalungu awo, ukulungiselela ukukhuthaza umdla wabo bonke abasebenzi bamalungu;
- (d) ukuchasa nayiphi na imicimbi exhibe okanye ebaelwe ukungena okanye ukugababela ukungena kumalungelo kunye namalungelo awodwa amalungu awo;
- (e) Ukuthatha onke amanyathelo asemthethweni afaneleke eyimfuneko nguMbutho ukuthintela ukungaziphathi kakuhle kwalo naliphi na ilungu loMbutho okanye abaqhubi bamalungu anjalo, ukunika ingxelo yokungaziphathi kakuhle kubalawuli abafanelekileyo nokuthabatha amanyathelo anjalo angaphezulu abhekiselele ekurhoxisweni okanye ekugxothweni kwamalungu athe asilela xa kukho imfuneko, ngokubhekiselele kwisikhalazo kunye neenkqubo zoluleko;
- (f) ukusetyenziswa kwezixa-mali ngenjongo zokunika ifuthe kwiinjongo zoMbutho nokutyala imali kumaziko ezemali afanelekileyo, ze ngaphezulu ufumane izakhiwo nempahla yexabiso ngokuyithenga, ukuyirhafela okanye ngolwananiso okanye ngesipho;
- (g) ukulungiselela uphengululo lwee-akhawunti zonyaka-mali ngamnye eziqulunqwe ngabaphengululi-zincwadi boMbutho, nokuthumela ingxelo yezimali eziphengululiweyo kunye nemizuzu ye-AGM kuMgcini-zincwadi zobhaliso kwinyanga enye kudlule i-AGM;

- (h) ukusebenza ngokuhambelana nenkqubo yezikhalazo ukuthintela ingqubano;
- (i) ukukhuthaza umdla wabakhweli nokuphuhlisa amaqumru kunye nemiqathango ukunceda abakhweli ukuba banxibelelane ngokungabelisiyo ngokubhekiselele kwizibonelelo zothutho okanye iinkonzo;
- (j) ukusebenzisana kunye nomnye umbutho weeteksi oneenjongo ezifanayo, okanye ukukhuthaza nokuzamela intsebenziswano kunye nolungelelaniso wemibutho eyeleleneyo kunye namaqumru, anakho ukuthi abandakanye urhulumente, awephondo okanye oorhulumentee bedolophu kunye namaqela ayilwe ngomthetho ukulungiselela ukufumana nokuzalisekisa iinjongo ngqo zamalungu azo;
- (k) ukubhalisa uMbutho kuMgcini-zincwadi zobhaliso nokuqinisekisa ngento yokokuba uhlala ubhalisiwe;
- (l) Ukuqinisekisa ngento yokokuba amalungu asebenza kumagunya ezivumelwano zawo zokusebenza yaye asebenze ngomthetho ngokubanzi; ze
- (m) uzimanye kunye nebhunga elifanelekileyo lombutho weeteksi wengingqi.

## 5. UMMANDLA/IMIMANDLA YOKUSEBENZA

Iindlela ezibhalisiweyo apho amalungu oMbutho aya kusebenza kuzo zezi (*ziya kudweliswa ngumbutho*).

## 6. IKOMITI ELAWULAYO YOMBUTHO

Imisebenzi yemihla ngemihla yoMbutho kufuneka ilawulwe, iqhutywe ze ibekwe esweni yikomiti ekubhekiselelwa kuyo njengeKomiti Elawulayo, amalungu ayo athe atyunjelwa kwio-fisi ngamalungu oMbutho kwi-AGM.

### 6.1. Uqulunqo lwekomiti

IKomiti Elawulayo iqulathe la malungu alandelayo:

- (a) USihlalo.
- (b) USekela Sihlalo.
- (c) UNondyebo.
- (d) UNobhala.
- (e) Igosa loqeqesho.
- (f) USihlalo wekomiti yezikhalazo.
- (g) USihlalo wekomiti yoluleko.
- (h) Namanye amagosa abonwa eyimfuneko nguMbutho.
- (i) Namanye amalungu alawulayo ongezelelweyo kodwa angadluli (*inani liya kuzaliswa ngamalungu*).

### 6.2. Ukuba selungelweni, ukutyunjwa nokunyulwa kwamalungu ezikhundla ze-ofisi

Naliphi na ilungu loMbutho liya kuba selungelweni lokokuba linyulelwe kwiKomiti Elawulayo. Amalungu eKomiti Elawulayo kufuneka anyulwe kwi-AGM yoMbutho, okanye kwiimeko ezizodwa, kwi-SGM.

Utyumbo kulungiselelwa ubulungu beKomiti Elawulayo kufuneka luvulwe kangangenyanga ngaphambi komhla we-AGM ze luvalwe kwiveki enye kuphela phambi komhla we-AGM. Utyumbo lokongezelela lunokwenziwa kwi-AGM phambi kokuba kuqhutywe uvoto. Unobhala kufuneka aqulunqe uluhlu lwabatyunjwa abamkelweyo ze angenise olu luhlu kwi-AGM.

### 6.3. Isithuba sokuba se-ofisini

Amalungu eKomiti yoLawulo aba se-ofisini isithuba sonyaka, anakho ukuba selungelweni lokunyulwa kwakhona. Ilungu leKomiti Elawulayo linakho ukubuphuhlisa ubulungu balo besithuba sokuba se-ofisini bungekafikeleli esiphelweni xa lithe larhoxa ngokunika isaziso senjongo yokurhoxa iiveki (*ziya kuzaliswa ngumbutho*) phambi kokurhoxa, kuNobhala.

### 6.4. Ukususwa e-ofisini

Ilungu leKomiti Elawulayo kufuneka lisishiye isikhundla salo kwiKomiti Elawulayo kwimeko apho:

- (a) lithe lamiswa okanye lagxothwa kuMbutho;
- (b) alibangakho ngaphandle kwemvume kwiKomiti Elawulayo kangange (*ziya kuzaliswa nguMbutho*) leentlanganiso zilandelelana zeKomiti Elawulayo;
- (c) lithe lagwetywa ngesenzo solwaphulo-mthetho njengesenzo sobundlobongela okanye ukunganyaniseki ngeli thuba lie-ofisini;
- (d) lithe lalelwa ukuba libe lilungu loMbutho;
- (e) lithe alahambelana noMgaqo-siseko okanye indlela yokuziphatha; okanye
- (f) lithe larhoxa.

Ukususwa kwelungu kwiofisi yeKomiti Elawulayo kunakho ukwenzeka kuphela emva kokuba kusetyenziswe inkqubo yoluleko efanelekileyo echazwe kuhmhlathi we-13.



Amalungu eKomiti Elawulayo kufuneka azishiye izikhundla zawo ze-ofisi ukuba ngoba kubekho isindululo sokungabi nakuthenjwa oku kwenzeke kwi-SGM, QGM okanye kwi-AGM ezithe zabizwa ngendlela efanelekileyo.

Akusayi kuqwalaselwa sindululo sokungabi nakuthenjwa kwamalungu ngaphandle kokuba injongo yokwenza isindululo esinjalo ithe yanikezelwa ibhaliwe kunobhala kwaze kwenzelwa i-ofisi yoMgcini-zincwadi zobhaliso ikopi malunga neentsuku ezili-10 phambi kwe--QGM, okanye iintsuku ezingama-21 phambi kwe-SGM okanye i -AGM.

#### 6.5. Ukuthathwa kwendawo yamalungu eKomiti Elawulayo

Ekupheleni kwesithuba se-ofisi sekomiti elawulayo okanye kwimeko apho kuthe kwapheliswa isithuba sokuba se-ofisini salo naliphi na ilungu nangaso nasiphi na isizathu ngokuhambelana nalo Mgaqo-siseko, lithi ilungu liphelelwe kukubamba isikhundla eso, yaye isithuba eso siya kushiyeke size kwimeko ekuthe kwakho inguqu yaphambi kwexesha yaye ingalindelwanga, iKomiti Elawulayo inakho ukusizalisa isithuba okwethutyana ngelungu elingenasikhundla leKomiti Elawulayo de kufike i-AGM okanye i-SGM apho unyulo luya kuqhubeka khona.

Kwimeko yobume apho uMbutho uthe awabi nawo amalungu eKomiti Elawulayo okokuba abizele unyulo, yaye unyulo olo lwamalungu esigqeba lufanelekile okanye luyimfuneko, naliphi na ilungu loMbutho linokuchwechwela uMgcini-zincwadi zobhaliso ukuba akhuphe umyalelo wokokuba unyulo kufuneka lwenziwe ze acwangcise kwangoko imimiselo nemiqathango ngokubhekiselele kulo.

#### 6.6. Imisebenzi kunye noxanduva

Imisebenzi kunye noxanduva lweKomiti Elawulayo lubandakanya oku kulandelayo:

- (a) Ukuphatha, ukuqhuba nokulawula imicimbi yoMbutho.
- (b) Ukuqokelela imirhumo kumalungu awo, ukunyusa ingxowa mali nokulawula ingxowa mali kunye nempahla yexabiso yoMbutho.
- (c) Ukugcina iikhawunti ngokuhambelana neendlela zocwangciso-mali olwamkelekileyo ngokubanzi nokuvelisa iingxelo zezimali.
- (d) Ukuqulunqa nokwamkela uluhlu lwemithetho yolawulo kunye nemimiselo ehambelana nalo Mgaqo-siseko ukulungiselela ukuphatha nokulawula imicimbi yawo, nokulungisa, ukuguqula okanye ukwongezelela kwimithetho enjalo kunye nemimiselo ngokubona kwawo. IKopi ehlaziyiweyo yemithetho kunye nemimiselo kufuneka ithunyelwa kwi-ofisi yoMgcini-zincwadi zobhaliso kungadlulanga iintsuku ezili-14 emva kwentlanganiso yokuqulunqa okanye yokulungisa imithetho enjalo kunye nemimiselo.
- (e) Ukukhupha iileta zengcebiso kuxhaswa izecelo ezamkelwa ngumbutho ukuba ngaba ziyacelwa ngamaqumrhu karhulumente afanelekileyo. Akukho mrhumo unokufunwa yiKomiti Elawulayo ngoku-nikezelwa kweleta ezinjalo zengcebiso.
- (f) Ukutyumba amagqwetha, abalawuli-zimali kunye nabanye abantu abanobuchule ukuba basebenze bemele iiMbutho.
- (g) Ukumisela intshukumo esemthethweni nakulo naliphi na iqela elingathi lisebenze nxamnye nomdla wamalungu oMbutho okanye ngokubhekiselelwe ekufunyanisweni kwemali ezibanjwa uMbutho, nokukhusela intshukumo esemthethweni kumelwe uMbutho.
- (h) Ukuqalisa nokuphuhlisa, kuthethwana namalungu, imigaqo-nkqubo yemiba engabonelelwanga kulo Mgaqo-siseko, olungiselelwe ukwamkela ekugqibeleni ngamalungu ngokubanzi.
- (i) Ukuseka, okanye ukuxhasa nokunceda ngokusekwa naliphi na umanyaniso oluqulunqwe ukuqhubela phambili zonke okanye naziphi na iinjongo zoMbutho.
- (j) Ukuqhuba intlanganiso i-AGM.
- (k) Ukubiza intlanganiso ngokuhambelana nomhlathi we-10.
- (l) Kwi-AGM ukunikezela, ngokunjalo nee-akhawunti eziphengululiweyo zoMbutho, ingxelo yawo ngemisebenzi yoMbutho kunyaka ongaphambili.
- (m) Ukubiza intlanganiso yeKomiti Elawulayo kube kanye ngenyanga, kunye nezinye iintlanganiso ezilandelayo ezimana zibizwa ngamathuba ngamathuba ngokokubona koSihlalo.
- (n) Ukulungiselela nokubamba ii-QGM ngokuhambelana nomhlathi we-11.
- (o) Ukwazisa uMgcini-zincwadi zobhaliso ngesiphumo sentlanganiso yoluleko kunye neenkqubo zokukhalaza kwiintsuku ezisi-7.
- (p) Ukuthumela imizuzu yayo nayiphi na i-SGM, i-QGM okanye i-AGM kuMgcini-zincwadi zobhaliso kwiintsuku ezili-14 emva kweentlanganiso ezinjalo.
- (q) Ukunika ingxelo kuMgcini-zincwadi zobhaliso yayo nayiphi na ingcaciso ebonisa into yokokuba ubume obuthile bembambano bunganakho ukuphuhla okanye bunakho ukuphuhla phakathi koMbutho kunye neminye imibutho ethe yaba phantsi kwengqwalasela yelungu okanye yamalungu eKomiti Elawulayo.
- (r) Ukwazisa uMgcini-zincwadi zobhaliso kwangethuba ngalo naluphi na utshintsho kwingcaciso malunga noMbutho kunye namalungu awo athe abhaliswa kwirejista.
- (s) Ukwenza isicelo kuMgcini-zincwadi zobhaliso ukulungiselela ukubhaliswa kwamalungu amatsha malunga nenyanga enye emva kolwamkelo lwabo.
- (t) Ukuthatha izingqibo kwimiba yemihla ngemihla yoMbutho.

Umntu ngamnye osesikhundleni e-ofisini kufuneka enze imisebenzi ethe ngqo kuye eyabelwe bona kulo Mgaqo-siseko, nayo nayiphi na eminye imisebenzi athe usihlalo wayabela bona.



### 6.7. Iintlanganiso zeKomiti Elawulayo

Intlanganiso zeKomiti Elawulayo kufuneka ihlangane ubuncinane kanye ngenyanga. Iintlanganiso ezizezinye zinakho ukubizwa amaxesha ngamaxesha ngokokubona komhlali ngaphambili. Imizuzu yazo zonke iintlanganiso kufuneka igcinwe ngendlela eyiyo. Inani elifanelekileyo lamalungu lokusingatha imicimbi yentlanganiso leKomiti Elawulayo liya kuba sisibini esithathwini samalungu ekomiti. Izigqibo kufuneka zifikelelwe kusetyenziswa isivumelwano. Apho isivumelwano singenakufikelelwa, amalungu kufuneka avote ze isigqibo sesininzi samalungu akhoyo entlanganisweni siqulunqe isigqibo sekomiti. Kwimeko apho iivoti zilingana, usihlalo unevoti yokuqhawula ulingano ngaphezulu kwevoti le anayo yesiqhelo.

### 6.8. Amajelo onxibelelwano

*(Umbutho ngamnye kufuneka uchaze amajelo awo onxibelelwano, umzekelo unobhala, igosa lobudlelwane noluntu, njl. njl.)*

## 7. IKomiti eSisigxina

Ezi komiti zisisigxina zilandelayo kufuneka zibe ngokunjalo zikhethiwe ukulawula nokuqhuba imisebenzi ethile kuMbutho:

- (i) IKomiti yoLuleko equlunqwe ngusihlalo njengelungu leKomiti Elawulayo, kunye namalungu angengawo alawulayo anyulwe kwi-AGM.
- (ii) IKomiti yezeziMali ebandakanya unondyebo kunye namalungu amabini angengawo alawulayo anyulwe kwi-AGM.
- (iii) IKomiti yoQeqesho noPhuhliso ebandakanya igosa loqeqesho kunye namalungu amabini angengawo alawulayo anyulwe kwi-AGM.
- (iv) IKomiti yeZikhalazo iqulunqwe ngusihlalo njengelungu leKomiti Elawulayo, kunye namalungu angamanye angengawo eKomiti Elawulayo anyulwe kwi-AGM.

## 8. UBULUNGU BOMBUTHO

### 8.1. Iinqobo zokuba lilungu elizeleyo

- (a) Ukubambelela kulo Mgaqo-siseko, kubandakanywa nenkqubo yoluleko kunye nenkqubo yokukhalaza kunye nendlela yokuziphatha echaziweyo.
- (b) Ubulungu bombutho buya kuvuleleka kubo bonke abavunyelweyo okanye abantu abanezivumelwano zokusebenza kwiindlela apho amalungu ombutho asebenza kuzo ngaphandle kwimeko apho uthe omnye umbutho weeteksi waqalisa ngoluleko kumenzi wesicelo lowo.

#### Ubulungu

- (c) UMbutho unakho ngokokubona kwawo ukwamkela okanye usale nasiphi na isicelo.
- (d) UMbutho kufuneka wazise bonke abenzi bezicelo abazicelo zingaphumelelanga ngesaziso esibhaliweyo kwisithuba seentsuku ezingama-30, unika izizathu ezingunobangela wokungaphumeleli kwezicelo zabo.
- (e) UMbutho kufuneka, kwi-AGM yawo, uqinisekise ngomrhumo wonyaka wobulungu ohlawulwa ngamalungu kuMbutho. Umrhumo wonyaka wobulungu uhlawulwa ngaphezulu komrhumo wokwenziwa kwesicelo yaye, kwimeko apho naliphi na ilungu lisilele ukuhlawula umrhumo wonyaka wobulungu kwisithuba (*siya kuzaliswa ngumbutho*) seentsuku emva komhla wentlawulo izibonelelo ezilandelayo ziya kusebenza.
- (f) Amalungiselelo anakho ukwenziwa neKomiti Elawulayo okuhlawula umrhumo wonyaka wobulungu ngezavenge.
- (g) Ubulungu bethutyana boMbutho, ukuya kutsho kwisithuba seenyanga ezintandathu, buya kuvunyelwa ukulungiselela abo benze izicelo baze bamkelwa kuMbutho njengamalungu, yaye bathe benza izicelo zezivumelwano ezitsha zokusebenza.

### 8.2. Ukupheliswa kobulungu

Ubulungu abungepheliswa ngaphandle kokuba kungenxa yesiphumo sesikhalazo okanye inkqubo yoluleko elungiselelwe ukupheliswa kobulungu kodwa ilungu linakho ukurhoxa ngokuzithandela.

Xa kuthe kwanqanyulwa ubulungu balo naliphi na ilungu, nangaso nasiphi na isizathu, unobhala kufuneka ngoko nangoko azise uMgcini-zincwadi zobhaliso.

Ubulungu boMbutho bunakho ukunqanyulwa kwimeko apho —

- (a) ilungu lithe larhoxa ngokuzithandela emva kokuba lingenise isaziso esibhaliweyo sesigqibo salo sokurhoxa;
- (b) ilungu elithe lasilela ukuhlawula umrhumo wokwenziwa kwesicelo okanye umrhumo wonyaka wobulungu, njengoko uthiwe thaca nguMbutho;
- (c) ilungu elithe laphula imiqathango yeenjongo ngqo zoMbutho okanye alathobela nasiphi na isigqibo soMbutho;
- (d) ilungu elithe lajoyina omnye umbutho weeteksi okanye omnye umbutho onxulumene no osebenza kwiindlela ezisebenza amalungu ngaphandle kwemvume yoMbutho;
- (e) ilungu elingenaphepha-mvume/isivumelwano esisemthethweni sokusebenza lize lisebenzise isithuthi kwiindlela apho uMbutho khona, emva kokucinywa okanye kokuphelelwa lixesha kwephepha-mvume lokusebenza; kodwa ubulungu belungu abusayi kurhoxiswa kwimeko apho ilungu lithe labhena kwisigqibo ze lenze isicelo sokuchithwa kwesigqibo sokucinywa okanye sokuphelelwa lixesha kwephepha-mvume lokuthutha uluntu okanye iphepha-mvume lokusebenza de isibheni eso sibe siqunjelwe;

- (f) ilungu elaphule imiqathango yoMgaqo-siseko okanye eyendlela yokuziphatha;
- (g) ilungu elisebenza kwinkqubo yothutho loluntu lingenalo iphepha-mvume elifunekayo lokusebenza okanye isivumelwano sesithuthi ngasinye esisetyenziswayo esilungiselelwe ukusebenza kwinkonzo.

### 8.3. Inkqubo yokwenziwa kwesicelo

Umntu ofuna ukuba lilungu loMbutho kufuneka angenise isicelo esibhaliweyo kwiKomiti Elawulayo siqulathe oku kulandelayo:

- (a) Izizathu zokwenza isicelo sokujoyina uMbutho.
- (b) Ikopi yokwenziwa kwesicelo sephepha-mvume lokusebenza esixhomekeke kwimvume yeBhodi yonikezelo ngamaPhepha-mvume okuSebenza yePhondo.
- (c) Uluhlu lwazo zonke izithuthi esisetyenziswa ngumenzi wesicelo kwiindlela zoMbutho.
- (d) Uluhlu lwazo zonke izivumelwano okanye amaphepha-mvume okusebenza omenzi wesicelo, ukuba akho.
- (e) Uluhlu lwabo bonke abaqhubi abakwingqesho yomenzi wesicelo abasebenza kwiindlela zoMbutho.
- (f) Uluhlu lwawo nawuphi na umbutho/imibutho athe umenzi wesicelo walilungu okanye wayelilungu layo.
- (g) Nento yokokuba ingaba umenzi wesicelo nangaliphi na ithuba wakhe wagxothwa nakuwuphi na omnye umbutho.
- (h) Uluhlu lwezigwebo zangaphambili zomenzi wesicelo kunye nabaqhubi abakwingqesho yomenzi-sicelo.
- (i) Ubungqina bentlawulo yomrhumo wokujoyina uMbutho.

### 8.4. Inkqubo yokubhena

Ukuba ngaba iKomiti Elawulayo iyasala isicelo sobulungu, umenzi wesicelo angafaka isibheno esibhaliweyo kwisigqibo eso kwi-QGM, okanye i-SGM okanye i-AGM, nokuba yiyiphi na eya kuthi ihlale kuqala. Isigqibo saloo ntlanganiso kawonke wonke asinakuguqulwa.

### 8.5. Imisebenzi kunye namalungelo amalungu

#### (1) Imisebenzi yamalungu oMbutho yile ilandelayo:—

- (a) Kukuhlawula umrhumo wonyaka wobulungu.
- (b) Ukuqinisekisa ngento yokokuba isithuthi eso iphepha-mvume lokusebenza lilungiselelwa sona siqhutywe ngumntu onephepha-mvume lokuqhuba elise-mthethweni kunye nesivumelwano sokuqhuba kwiindlela zikawonke wonke okanye esisesikweni, ukuba sifanelekile.
- (c) Ukuqinisekisa ngento yokokuba akukho mntu usebenzisa isithuthi apho iphepha lokusebenza likhutshwe ngendlela apha engahambelaniyo noMthetho weNguqu yezoThutho lweNdlela weSizwe kunye nemimiselo okanye imithetho yephondo esendaweni yawo.
- (d) Ukuqinisekisa ngento yokokuba izivumelwano okanye amaphepha-mvume okusebenza akahlwa ngendlela engahambelaniyo noMthetho weNguqu yezoThutho lweNdlela weSizwe, wama-2000 (uMthetho wama-232 wama-2000) kunye nemimiselo okanye imithetho yephondo esendaweni yawo.
- (e) Ukwazisa uNobhala ngayo nayiphi na injongo yokwenza isicelo samaphepha-mvume angezelelweyo okusebenza kwiindlela apho amalungu oMbutho asebenza kuzo.
- (f) Ukunika uNobhala ingcaciso efunwa nguMgcini-zincwadi zobhaliso.
- (g) Ukusebenza ngokuhambelana noMgaqo-siseko kunye nendlela yokuziphatha.
- (h) Ukunika ingxelo kwiKomiti Elawulayo nayiphi na ingcaciso ebonisa into yokokuba ubume bembambano bungaba nakho ukuvela okanye bunakho ukuphuhla phakathi koMbutho kunye nomnye umbutho obuthe bafika phantsi kwengqwalasela yelungu.
- (i) Ukunika isaziso esibhaliweyo kunobhala ukuba ngaba ilungu lijonge ukurhoxa.

#### (2) Amalungelo amalungu oMbutho ngala alandelayo:

- (a) Ukusebenzisa nasiphi na isikhululo seeteki esifanelekileyo kwiindlela zelungu apho ilungu livumelekileyo ukuba sisebenze kuzo.
- (b) Ukufuna ukuba uMbutho uthathe onke amanyathelo afanelekileyo ukukhusela umdla wamalungu awo nokuqinisekisa ngento yokuba akukho lukhuphiswano lungekho mthethweni ngeenkonzo ezinikezelwa ngamalungu.
- (c) Ukufumana isaziso esibhaliweyo sayo nayiphi na i-AGM, i-QGM, i-SGM kunye nazo zonke izehlo ezinefuthe kumalungelo alo naliphi na ilungu.
- (d) Ukurhoxa ngokunika isaziso esibhaliweyo iiveki (*ziya kuzaliswa ngumbutho*) kunobhala woMbutho.
- (e) Ukuvota kwi-AGM, nakuyiphi na i-SGM nakuyiphi na i-QGM.
- (f) Ukunika ingqwalasela nohlolo lweengxelo zemali zoMbutho.

- (g) Kwimeko yesikhalazo esithe saphakanyiswa lilungu okanye ngelungu, bobabini umtyholwa kunye nommangali banamalungelo njengoko equlathwe kwinkqubo yezikhalazo okanye yoluleko, njengoko kunokuba njalo.
- (h) Ilungelo lokubiza i-SGM ngokwemiqathango ye-10.1.

#### 8.6. **Uluhlu lwamalungu**

Unobhala kufuneka agcine irhekhodi entsha nehlaziyiweyo yelungu ngalinye, enika iinkcukacha zale ngcaciso ilandelayo:

- igama lelingu
- umhla elithe ilungu lajoyina lo mbutho
- isivumelwano okanye iinkcukacha zephepha-mvume lokusebenza
- iinkcukacha zesithuthi
- idilesi yendawo yoshishino
- iinkcukacha zoqhagamshelwano
- Inombolo yesazisi
- iinkcukacha yokusebenza kubandakanywa iindlela kunye nezikhululo zeeteki.

UNobhala kufuneka azise uMgcini-zincwadi zobhaliso ngalo naluphi na utshintsho kwiinkcukacha zobulungu zalo naluphi na ilungu kwisithuba seentsuku ezisixhenxe solo tshintsho luza kwenzeka.

#### 8.7. **Imirhumo yobulungu**

- (a) Imirhumo yokujoyina kunye neyobulungu bonyaka kufuneka iqulunqwe kwi-AGM yaye ayenziwanga nje ngengqiqo.
- (b) Ukuqokelelwa okukodwa kunokwenziwa yi-Komiti eLawulayo apha enyakeni phantsi kwemiqathango yokokuba, ukuba uqokelelo olo lusisinyanzelo, kufuneka lwamkelwe kwi-AGM, kwi-SGM okanye kwi-QGM. Inxelo epheleleyo yezizathu yoqokelelo ngalunye olulodwa kufuneka inikezelwe kumalungu. Inxelo yezimali ethiwe thaca kwi-AGM kufuneka ibandakanye ingxelo epheleleyo ngoqokelelo olulodwa kunye nendlela ethe ikomiti yaluchitha ngayo.
- (c) Iirisiti kufuneka zikhutshelwe amalungu azo zonke iimali eziqokelelwe kuwo.
- (d) Imirhumo yobulungu elungiselelwe ilungu lethutyana iya kuba nokuhlululwa kuphela xa lithe ilungu lethutyana lafumana iphepha-mvume lokusebenza.

### 9. **IINTLANGANISO JIKELELE ZONYAKA (-AGM)**

I -AGM kufuneka ibanjwe qho kwiinyanga ezili-12.

#### 9.1. **Imifanelo, imisebenzi kunye namagunya e-AGM**

Imifanelo, imisebenzi kunye namagunya e-AGM ngala, *phakathi kwezinto ezininzi*

- (a) ukwamkela okanye ukwenza iinguqu kwimizuzo ye-AGM, ii-SGMs kunye nee-QGM ezidlulileyo ezibanjwe emva kwe-AGM idlulileyo;
- (b) ukwamkela, ukunika ingqwalasela nokwamkela ingxelo yomhlali ngaphambili ngemicimbi yoMbutho kunyaka lowo uphantsi kohloko ngokutsha;
- (c) ukwamkela, ukunika ingqwalasela nokwamkela ingxelo yezemali, kubandakanywa neengxelo zezimali zonyaka eziphengululweyo zonyaka ongaphambili kunye nohlahlo lwabiwo mali olungiselelwe unyaka olandelayo;
- (d) ukunyula iKomiti Elawulayo;
- (e) ukulungisa uMgaqo-siseko ngesininzi sesibini kwisithathu samlaungu akhoyo nathe avota;
- (f) ukunyula ababambe izikhundla ezingezizo ezolawulo zoMbutho;
- (g) ukutyumba okanye ukutyumba ngokutsha umphengululi-zincwadi wangaphandle yaye ezimele ukulungiselela uMbutho; ze
- (h) iqwalasele izibheno, ukuba zikho, kubnatu ngabanye ezithe izicelo zabo zobulungu zaliwa yiKomiti Elawulayo.

Akuyi kubakho kuvoto lokumelwa luya kuvunyelwa yaye uvoto luya kwenziwa ngemfihlelo kwimeko yokunyulwa kwamalungu eKomiti Elawulayo kunye neekomiti ezisisigxina.

#### 9.2. **Isaziso see-AGM**

I -AGM kufuneka ibe (*inyanga iya kuzaliswa ngumbutho*) kunyaka ngamnye ngexesha nendawo egqitywe yiKomiti Elawulayo.

Unobhala kufuneka athumele isaziso esibhaliweyo sexesha, indawo kunye nomhla we-AGM kuwo onke amalungu ngeposi okanye ifaksi malunga (*kuya kuzaliswa ngumbutho*) iintsuku phambi kwentlanganiso.

Unobhala makathumele ngokunjalo isimemo kwi-ofisi yoMgcini-zincwadi zobhaliso.

### 9.3. Inani elifunekayo labantu lokusingatha umcimbi entlanganisweni

Inani elifunekayo labantu kwi-AGM sisibini kwisithathu samalungu.

Ukuba ngaba alikho inani elifunekayo malunga nesithuba semizuzu engama-30 kwixesha elimiselweyo le-AGM, intlanganiso kufuneka imiselwe kwiintsuku ezisixhenxe ezizayo. Isaziso sentlanganiso erhoxisiweyo kufuneka sinikwe kumalungu.

### 9.4. I-ajenda kunye nemizuzu

Imiba yesigxina kwi-ajenda ye-AGM ibandakanya oku kulandelayo:

- (a) imizuzu ye-AGM nee-SGMs kunye nee-QGM ezibanjwe emva kwe-AGM engaphambili;
- (b) ingxelo yolawulo kaSihlalo ebandakanya unyaka ongaphambili kunye nombono olungiselelwe unyaka olandelayo;
- (c) ingxelo kaNobhala yombutho;
- (d) ingxelo yezezimali kaNondyebo, kubandakanywa iingxelo eziphengululweyo;
- (e) ukuqinisekiswa kohlalo lwabiwo mali;
- (f) ulwamkelo lweengxelo; kunye
- (g) nonyulo lwabanezikhundla kwiofisi.

Imizuzu eyiyo yayo nayiphi na i-AGM kufuneka igcinwe ze ifayilishwe.

Imizuzu kunye neenkukacha zamalungu eKomiti Elawulayo entsha kufuneka zingeniswe kuMgcini-zincwadi zobhaliso kungedlulanga iintsuku ezili-14 emva kwe-AGM.

### 9.5. Ukuvota

Ukuvota okulungiselelwe ukunzulwa kwamalungu eKomiti Elawulayo kufuneka kwenziwe ngovoto olusekhusini ze kuqinisekiswa ngummeli woMgcini-zincwadi zobhaliso. Olunye uvoto lunokwenziwa ngokuboniswa ngokuphakanyiswa kwezandla. Akuyi kubakho luvoto lwakumelwa luya kuvunyelwa. Ngamalungu kuphela anakho ukuvelisa ubumi kunye nobulungu anelungelo lokuvota, ubunguwe bunokuboniswa ngokuboniswa kwencwadi yesaziso, incwadi yokundwendwela, iphepha-mvume lokuqhuba elifana nekhadi okanye iphepha-mvume lokusebenza.

Kwimeko yeevoti ezilinganayo usihlalo unevoti yokwahlula ulingano ngaphezulu kwale voti anayo.

### 9.6. Ukunzulwa kwababambe izikhundla ze-ofisi

Amalungu akhoyo kwi-AGM kufuneka anyule la malungu alandelayo kwiKomiti Elawulayo:

- (a) uSihlalo
- (b) uSekela-Sihlalo
- (c) uNondyebo
- (d) uNobhala
- (e) iGosa loQeqesho
- (f) uSihlalo wekomiti yezikhalazo
- (g) uSihlalo weKomiti yoLuleko
- (h) *Amanye amalungu ekucingwa ukuba ayimfuneko nguMbutho.*

Isithuba sokuba se-ofisini selungu leKomiti Elawulayo siya kuba ngunyaka omnye olandela unyulo. Amalungu amabini okongezelela ekomiti yezikhalazo kunye nekomiti yoluleko kufuneka anyulwe ngokunjalo kwi-AGM isithuba sonyaka omnye ese-ofisini olandela unyulo, kodwa abayiyo inxalenye yeKomiti Elawulayo.

### 9.7. IiNngxelo zeziMali

Unondyebo, ehlangene negosa elinika ingxelo, kufuneka aqulunqe ingxelo yezemali, kubandakanywa neengxelo zezimali eziphengululweyo, ukulungiselela i-AGM. Ngaphezulu, iingxelo zezimali zethutyana kufuneka ziqulunqwe qho ngekota ze zininikwe amalungu kwi-QGM nganye.

## 10. INTLANGANISO JIKELELE EZIZODWA

### 10.1. Ilungelo lokubiza intlanganiso jikelele eyodwa

I-SGM inakho ukuhlanganiswa phantsi kweemeko ezizodwa. Intlanganiso kufuneka ihlalelwe ukuba ngaba malunga nama-50%+1 amalungu afuna ukuba intlanganiso ibizwe kodwa i-SGM inakho ukubizwa xa ifunwa yiKomiti Elawulayo.

Isizathu sentlanganiso enjalo kufuneka sichazwe kwisaziso esibiza intlanganiso. Unobhala okanye, xa esilela, usihlalo, makabize intlanganiso.

**10.2. Inkqubo yokubiza kwe-SGM**

Xa ilungu loMbutu efuna ukubiza i-SGM, elo lungu kufuneka libe nenkxaso ebhaliweyo yamalungu amalunga nama-50%. IKomiti Elawulayo kufuneka ibize i-SGM malunga nama-21 eentsuku zesicelo. Ukuba ngaba iKomiti Elawulayo iyasilela ukwenza njalo, ilungu linakho ukwazisa uMgcini-zincwadi zobhaliso, ekufuneka aphande imeko ze athathe amanyethelo.

Unobhala, ekubeni efumene isicelo esibhaliweyo sokokuba kubizwe i-SGM, kufuneka aqinisekise ngomhla, indawo kunye nexesha lothethwano kunye neKomiti Elawulayo. Unobhala kufuneka anike malunga neentsuku ezi (*mazizaliswe ngumbutho*) isaziso se-SGM kuwo onke amalungu.

**10.3. Inani elifunekayo labantu lokusingatha imicimbi ye-SGM**

Inani elifanelekileyo labantu elifunekayo kwintlanganiso eyodwa sisibini kwisithathu samalungu.

Ukuba ngaba alikho inani elifunekayo malunga *nama-30 emizuzu* exesha elibekiweyo le-SGM, intlanganiso kufuneka imiselwe elinye ixesha eliziintsuku ezisixhenxe emva kwangoko yaye kwindawo eya kuchazwa ngusihlalo, yaye kwintlanganiso emiselwe elinye ixesha amalungu ngoko ke akhoyo enza inani elifunekayo lokusingatha imicimbi yentlanganiso. Isaziso sentlanganiso leyo imiselwe elinye ixesha kufuneka sinikezelwe kuwo onke amalungu.

**10.4. Ukuvota kwi-SGM**

Ngamalungu kuphela angangqinisisa ukuba ngawo ubuqu kunye nobulungu bawo anelungelo lokuvota kwii-SGM. Ubungqina ngawe bungabonakaliswa ngokoveliswa kwincwadi yesazisi, incwadi yokundwendwela, iphepha-mvume lokuqhuba elilikhadi okanye iphepha-mvume lokusebenza. Akuyi kuvunyelwa luvoto lokumelwa.

Uvoto kufuneka ibe luvoto lwasekhusini kwimeko yokunyulwa kwamalungu eKomiti Elawulayo kunye naweekomiti ezisisigxina.

**11. INTLANGANISO JIKELELE YEKOTA (i-QGM)****11.1. Inkqubo yokubizwa kwe-QGM**

Emva kweentlanganiso zeKomiti Elawulayo eziikho emva kweenyanga ezimbini, unobhala kufuneka, emva kothethwano neKomiti Elawulayo, amisele umhla, indawo kunye nexesha le-QGM elandelayo. Unobhala kufuneka anike isaziso esibhaliweyo se-QGM malunga neentsuku ezisixhenxe, kuwo onke amalungu.

IKomiti Elawulayo kufuneka ilungiselele ukuba i-QGM ibekho kwinyanga yesithathu emva kwe-AGM nasemva kweenyanga yesithathu emva kwangoko. Ukuba ngaba iKomiti Elawulayo iyasilela ukwenza njalo, amalungu anakho ukwazisa umgcini-zincwadi zobhaliso, oya kuba nakho ukuphanda imeko leyo ze athathe amanyathelo afanelekileyo.

**11.2. Inani elifunekayo labantu lokusingatha imicimbi ye-QGM**

Inani elifanelekileyo labantu elifunekayo kwintlanganiso ye-QGM liya kuba ngama-50%+1 amalungu oMbutu.

Ukuba ngaba alikho inani elifunekayo malunga *nama-30 emizuzu* exesha elibekiweyo le-QGM, intlanganiso iya kuthatyathwa njengerhoxisiweyo yaye umsebenzi wale ntlanganiso kufuneka usiwe kwi-QGM elandelayo. Isaziso sentlanganiso leyo irhoxisiweyo kufuneka sinikezelwe kumalungu.

**11.3. Ukuvota kwi-QGM**

Ngamalungu kuphela angangqinisisa ukuba ngawo ubuqu kunye nobulungu bawo anelungelo lokuvota kwii-QGM. Ubungqina ngawe bungabonakaliswa ngokoveliswa kwencwadi yesazisi, incwadi yokundwendwela, iphepha-mvume lokuqhuba elilikhadi okanye iphepha-mvume lokusebenza. Akuyi kuvunyelwa luvoto lokumelwa.

**11.4. UMSEBENZI KWI-QGM**

Umsebenzi woqinisekiso kwi-QGM unokubandakanya yonke imiba egqityiweyo kwintlanganiso yeKomiti Elawulayo, ngaphandle kwezigqibo zeKomiti yoLuleko okanye iKomiti yeZikhalazo emiliselwe yiKomiti Elawulayo.

**12. IMALI KUNYE NOPHENGULULO LWANGAPHANDLE****12.1. I-Akhawunti yeBhanki**

Iakhawunti yebhanki kufuneka ivulwe ngegama lombutho, ze kusayine unondyebo kunye namanye amalungu amabini eKomiti yoLawulo. Utyikityo lwamalungu amabini olunye kufuneka ibe lolukanondyebo luyafuneka phambi kokuba kwenziwe nayiphi na intlawulo. Zonke izixa-mali eziqokelelweyo kufuneka zidipozithwe kule akhawunti malunga neeyure ezingama-24.

**12.2. Imrihumo yoBulungu bonyaka**

Ilungu ngalinye kufuneka linikeze qho ngonyaka kwimali yoMbutu ngokuhlulwa isixa-mali ekubhekiselelwe kuso njengomrihumo wonyaka wobulungu, ocetywe yiKomiti Elawulayo ngamaxesha ngamaxesha ze wamkelwe kwi-AGM okanye kwi-SGM kodwa uhlawulwa kube kanye ngonyaka. IKomiti Elawulayo inakho ngokubona kwayo ukuqokelela ezi zixa-mali kumalungu.

Iirisithi mazikhutshwe zayo yonke imali eqokelelweyo. Iingxelo kufuneka zingeniswe zayo yonke imali eqokelelweyo kunye neentlawulo.

Akukho mali yoMbutu iya kuthi isetyenziselwe enye injongo ngaphandle kotyalo-mali okanye ezinye iinjongo othe uMbutu wasekelwa zona.

**12.3. Unyaka mali**

Unyaka mali woMbutu uphela (*umhla uya kuzaliswa ngumbutho*) ngonyaka ngamnye. Unondyebo kufuneka aqinisekise ngento yokokuba igosa elinika ingxelo liqulunqa ingxelo yezemali yekota ukulungiselela ukuyingenisa kwi-QGM.

#### 12.4. IiNgxelo zeziMali

Iincwadi ezifanelekileyo kunye neengxelo kufuneka zigcinwe zayo yonke imali eqokelelweyo neentlawulo, iirisithi kufuneka zikhutshwe ukulungiselela yonke imali eqokelelweyo kunye nee-akhawunti eziphengululweyo kufuneka zingeniswe kwi-AGM okanye nanini na zifunwa yiKomiti Elawulayo. Unondyebo kunye nelungu elityunjwe yiKomiti Elawulayo ngabo kuphela amalungu anelungelo lokusayina amaxwebhu ezimali egameni loMbutho.

#### 12.5 Uphengululo lwangaphandle

Igosa elinika ingxelo kufuneka lityunjwe nguMbutho ukulawula ubume bezemali zawo. Umntu onjalo kufuneka abhaliswe yaye asebenze ezilungiselela njengomlawuli-zincwadi kunye nomphengululi zincwadi.

Ukutyunjwa kuxhomekeke ekubeni aphinde atyunjelwe kwakhona unyaka kwi-AGM.

#### 12.6. Uqinisekiso lwenkcitho

Uhlahlo-lwabiwo-mali lonyaka kufuneka lwamkelwe kwi-AGM, yaye amalungu anelungelo lokugocagoca iingxelo zezimali.

Inkcitho inakho ukwenziwa emva kwengxoxo kunye nesigqibo kwintlanganiso esesikweni yeKomiti Elawulayo okanye kwintlanganiso jikelele esesikweni. Isigqibo kufuneka sibe kwimizuzu njengomyalelo kunondyebo kuhanjelwana ngoku-heleleyo neemfuno zamaxwebhu, kubandakanywa neengxelo zamaxabiso, ii-odolo, uluhlu lwezinto ezithengiweyo namaxabiso azo kunye neerpisithi.

### 13. IMISEBENZI YOLULEKO

Naluphi na ulwaphulo lwalo mgaqo-siseko kunye nendlela yokuziphatha nangaliphi na ilungu, okanye umqhubi okwingqesho yelungu othe akahambelana nendlela yokuziphatha, okanye othe waqhuba ngengqesho nawuphi na umqhubi othe gqolo esaphula indlela yokuziphatha oku kuthetha ukuziphatha kakubi.

#### 13.1. Inkqubo yoLuleko

IKomiti yoLuleko kufuneka iqulunqwe ukuphanda izikhalazo zokungaziphathi kakuhle kwelungu. IKomiti yoLuleko iqulunqwe ngusihlalo olilungu leKomiti Elawulayo kunye namalungu amabini angengawo amalungu eKomiti Elawulayo, nathe anyulwa yi-AGM.

IKomiti yoLuleko iya kuthi ithabathe amanyathelo ngakwilungu emva kokufumana isikhalazo esibhaliweyo nakuwuphi na umntu. Zonke izikhalazo kufuneka zixhaswe bubungqina boluvo lokuqala bomntu okhalazayo, yaye kufuneka bube buyingxelo efunjelweyo.

Emva kokufumana izikhalazo ezinjalo, iKomiti yoLuleko kufuneka yazise ngokubhalisweyo ilungu elo lichaphazelekayo (aya kubizwa mva apha njengomtyholwa), ngobume besikhalazo ze imvumele ngokumnika ithuba elaneleyo lokunikezela ngempendulo ebhaliweyo, yaye nokokuba umtyholwa uphendule okanye akaphendulanga ngokubhaliweyo, iKomiti kufuneka ibize umkhalazi kunye nomtyholwa ukuba bazimase indibano yokumanyelwa kwesimangalo ngexesha elithile kunye nendawo egqitywe yiKomiti yoLuleko.

Xa kubanjwe uphando olunjalo iKomiti yoLuleko kufuneka ivumele omabini amacala ithuba elinobulungisa nelilinganayo ukuba bathi thaca ubungqina babo. Le mithetho yobulungisa bendalo iya kusebenza:

- (a) umtyholwa uya kunikwa ithuba lokumanyelwa elililo yikomiti;
- (b) umtyholwa uya kunikwa ithuba lokuvelisa ubungqina aze abe nokulungisa okanye aphikise nayiphi na ingxelo eyonakalisayo okanye isityholo esenziwa kuye;
- (c) iKomiti yoLuleko kufuneka imamele ngobulungisa kuwo omabini amacala aze aqwalasele imithetho siseko yobulungisa;
- (d) iKomiti yoLuleko kufuneka iyiqhube imisebenzi yayo ngemtembeko yaye nangokungakhethi cala;
- (e) IKomiti yoLuleko kufuneka yenze isigqibo esifanelekileyo esinobulungisa nesinyanisekileyo kwizinto ezithiwe thaca phambi kwayo;
- (f) Fakela u 10.1.8 womgaqo-siseko omdala.

Amalungu anelungelo lokuba amelwe ngamanye amalungu. Ikomiti inakho ukucela elinye ilungu ukuba lisebenze njengomtshutshisi ukuba ngaba umtyholwa umelwe lelilinye ilungu.

Ingxelo ngeenkqubo kunye nokufunyenweyo zekomiti yoluleko kufuneka ziqulunqwe ze zingeniswe kwiKomiti Elawulayo. Isigqibo seKomiti yoLuleko kufuneka similiselwe yiKomiti Elawulayo ngenxa yengcebiso esisekwe kuzo eyenziwe kuyo.

Isigqibo seKomiti yoLuleko kufuneka similiselwe yiKomiti Elawulayo ngokwesiseko sengcebiso eyenziwe kuyo.

Apho ilungu leKomiti Elawulayo ngokwalo libandakanyeka, mhlawumbi njengommangali okanye njengomntu ophantsi kophando, elo lungu kufuneka lingazibandakanyi kule ntlanganiso yeKomiti Elawulayo.

Kwimeko apho umntu afunyenwe enobutyala bokwaphula imithetho yendlela yokuziphatha okanye uMgaqo-siseko, iKomiti yoLuleko inakho ukuthoba izigwebo ezilandelayo:

- ilungu linakho ukufumana utyityimbiselo lomnwe olubhaliweyo;
- ilungu linakho ukugwetywa, ukusuka kwi-R10,00 ukuya kuthi ga kwi-R1 000,00;
- ilungu linakho ukurhoxiswa kangangesithuba esingadlulanga kunyaka omnye;
- ilungu linakho ukugxothwa kuMbutho.

Kwimeko apho naliphi na ilungu lisilele ukuhlawula isihlwayo ngexesha ebelimiswe lona, elingekho ngaphantsi kweentsuku zekhalenda



ezintathu ukususela ekusayinweni kwengxelo, ukurhoxiswa okunjalo kwelungu kuMbutho kuya kuqhubeka. Nasiphi na isohlwayo esingekakhutshwa kunye neminye imirhumo engekahlawulwa ngamatyala abanjwa uMbutho yaye inakho ukuqokelelwa kusetyenziswa imiqathango efanelekileyo yasemthethweni.

Kwimeko apho ubulungu buthe barhoxiswa okanye litha ilungu lagxothwa, iKomiti Elawulayo inakho ukwenza inkcazelo ebhaliweyo, emva kothethwano kunye nebhunga leeteki lengingqi apho umbutho uzimanye nalo, ubeke elubala izizathu ezingunobangela wokurhoxiswa kwesivumelwano sokusebenza okanye iphepha-mvume. Inkqubo enjalo kufuneka yaziswe kwiofisi yoMgcini-zincwadi zobhaliso ukulungiselela into yokokuba uhlolo lunakho ukwenziwa ukukhangela into yokokuba ingaba inkqubo elungileyo ithe yalandelwa na kwimeko apho kungabangakho sibheni singeniswayo ngokufunyenweyo malunga neentsuku ezisixhenxe.

Xa inkqubo yoluleko ithe yaqhutywa nakuliphi na ilungu leKomiti Elawulayo, ummangali okanye ilungu leKomiti Elawulayo kubhekiselelwe kulo linakho ukucela umntu onganxulumananga noshishino lweeteki ukuba abe lilungu leKomiti yoLuleko.

### 13.2. Inkqubo yokubhena

Inkqubo yokubhena inika ilungu elithe latyityinjiselwa umne, lagwetywa, larhoxiswa okanye lagxothwa ithuba lokuba ityala lalo limanyelwe ngokutsha ngenkqubo eyahlukileyo, ukuba ngaba likholelwa kwinto yokokuba ubulungisa abuzange bufezekiswe ngexesha lophando lwangaphambili.

Isibheni kufuneka sifakwe ngokusibhala kwiiveki ezintathu ezilandelelanayo zokusayinwa kwengxelo. Isibheni kufuneka sifakwe kunobhala woMbutho nakunobhala webhunga leeteki zengingqi apho umbutho uzimanye khona.

Uvavanyo lwesibheni kufuneka luqhutywe malunga neeveki ezimbini emva kokuba isibheni sithe sangeniswa. Isaziso sendibano yokumanyelwa kwesibheni kufuneka sithunyelwe kunobhala webhunga leeteki lengingqi yaye kufuneka azise umtyholwa kunye nommangali ngomhla ixesha kunye nendawo yendibano yokumanyelwa kwetyala. Isigwebo sekomiti yesibheni kufuneka sithunyelwe kuMgcini-zincwadi zobhaliso malunga neentsuku ezisi-7.

## 14. INKQUBO YESIKHALAZO

### 14.1. Injongo

Eyona njongo iphambili yenkqubo yezikhalazo kukunceda ilungu okanye iqela lamalungu liphakamise ze libe ngunobangela wokuchotshelwa, kwawo nawuphi na umcimbi elinokuthi ilungu okanye iqela lamalungu angaziva ehlukisiwe ngawo, okanye impatho engenabulungisa lulawulo loMbutho. Enye injongo engaphaya kukuzisa nawuphi na umcimbi onjalo kwingqwalasela yeKomiti Elawulayo.

Isikhalazo kuko nakuphi na ukunganeliseki okanye imvakalelo yokungaphathwa ngobulungisa kwicala lelungu okanye iqela lamalungu ngokubhekiselele kubulungu nakwimiba esecaleni.

Inkqubo yesikhalazo isekwe kumthetho siseko wento yokokuba onke amaqela makabe nenjongo yokusombulula isikhalazo msinyane ngangoko benakho.

Injongo yenkqubo yesikhalazo kukubonelela ngesikhokelo esisesikweni ukulungiselela isisombululo sesikhalazo nembambano esinobulungisa nesilungileyo, nokuyila indlela apho amalungu aziva engaphathwanga kakuhle nangayo nayiphi na indlela anokuthi sibonakale njengengenabo ubulungisa ifumane ukuhlawulelwa kwetyala okunobulungisa.

Inkqubo yesikhalazo ayithathi ndawo namsebenzi kunye nelungelo leKomiti Elawulayo yokokuba isebenzise amanyathelo oluleko ngokwemiqathango yenkqubo yoluleko kubaphuli bemithetho abathi baphule uMgaqo-siseko okanye indlela yokuziphatha. Inkqubo yesikhalazo ayisebenzi njengendlela yokubhena kumanqanaba oluleko athatyathiweyo ngokwemiqathango yenkqubo yoluleko.

Inkqubo yesikhalazo iyafumaneka yaye ivuleleke nakuliphi na ilungu okanye iqela lamalungu elithi lilandele inkqubo echaziweyo ze libebezise nayiphi na ifomu echaziweyo, linikezele ngabantu abasayinayo abamalunga (*liya kuzaliswa ngumbutho*) amalungu anezimilo ezihle nezingqinekayo ukuxhasa umntu onesikhalazo baya kufumaneka.

Inkqubo yesikhalazo kufuneka:

- iqinisekise ngento yokokuba izikhalazo ziyathethwa ze zixoxwe zigqitywe;
- iqinisekise ngokuqunjelwa kwezikhalazo kufutshane nje nexesha ebesiqale ngalo;
- iqinisekise ngobulungisa.

### 14.2. IKomiti yeZikhalazo

IKomiti yeZikhalazo kufuneka iqulunqwe ukulawula umsebenzi wezikhalazo.

IKomiti yeZikhalazo kufuneka iqulunqwe ngusihlalo olilungu leKomiti Elawulayo kunye namalungu amabini angengawo amalungu eKomiti Elawulayo yaye anyulwe yi-AGM.

### 14.3. Inkqubo Esemgangathweni yeZikhalazo

Nayiphi na inzame kufuneka yenziwe kuqala kulungiswe ubunzima kusetyenziswa ingxoxo, yaye inkqubo yesikhalazo kufuneka ibe nokuqaliswa kuphela xa oku kusilele. Inkqubo yeZikhalazo iqulathe la manyathelo alandelayo:

#### INyathelo 1: Ukusonjululwa kwembambano

- Ilungu okanye iqela lamalungu kufuneka lizalise ifomu yesikhalazo (jonga nangu umzekelo uqhutyoshelwe).
- Ifomu ezalisweyo yaze yasayinwa kufuneka ingeniswe kwikomiti yezikhalazo.
- Usihlalo wekomiti yezikhalazo kufuneka amisele umhla apho amalungu aya kuthi thaca izikhalazo zawo kwikomiti, ongayi kuba

semva kweentsuku ezintathu emva kokuba ifomu yesikhalazo ingenisiwe.

- 1.4. Kule ntlanganiso, ikomiti kunye namalungu kufuneka azame ukusombulula imbambano.
- 1.5. USihlalo wekomiti yezikhalazo kufuneka alungise ingxelo yenkqubo yekomiti yezikhalazo ukulungiselela ukuyingenisa kwiKomiti Elawulayo.
- 1.6. Ukuba ngaba ilungu okanye iqela lamalungu akhathaziweyo akaneliseki sisiphumo sentlanganiso yekomiti, umba kufuneka uthunyelwe kubalambi nabaxolelanisi.

#### **INyathelo 2: Uxolelwaniso**

- 2.1. USihlalo wekomiti yesikhalazo kufuneka angenise ingxelo yenkqubo yentlanganiso yekomiti ekubhekiselelwe kuyo kwiNyathelo loku-1 kumxolelanisi ozimeleyo ongelilo ilungu loMbutho.
- 2.2. Umxolelanisi kufuneka axolelanise phakathi kwamaqela ukuzama ukufikelela kwisigqibo sesikhalazo malunga neveki umcimbi lowo ungenisiwe.
- 2.3. Ukuba ngaba ilungu elikhathaziweyo okanye iqela alanelisekanga sisiphumo senkqubo yoxolelwaniso, umcimbi kufuneka uthunyelwe kumlambi.
- 2.4. Umxolelanisi kufuneka angenise ingxelo yenkqubo yoxolelwaniso kusihlalo wekomiti yezikhalazo.

#### **INyathelo 3: Ulamlo**

Kuya kungenwa kweli nyathelo xa inyathelo 2 lithe lasilela ukusombulula imbambano.

- 3.1. USihlalo weKomiti yeZikhalazo kufuneka, malunga neentsuku ezintathu (3) ekubeni efumene ingxelo yomxolelanisi, atyumbe umlambi ukulungiselela ukuqokumbela isikhalazo ukuba ngaba sisele singasonjululwanga.
- 3.2. Isigqibo somlali iba sesokugqibela yaye kufuneka kubanjelelwe kuso.
- 3.3. IMithetho yoLamlo ebekwe nguMbutho waBalambi kunye noMthetho woLamlo, we-1965, uyasebenza kule meko.
- 3.4. UMGcini-zincwadi zobhaliso kufuneka aziswe ngesiphumo salo naluphi na ulamlo.

#### **Ummeli welungu**

Naliphi na ilungu okanye iqela lamalungu asebenzisa inkqubo yezikhalazo linakho ukunyula elinye ilungu njengommeli ngexesha laManyathelo 2 kunye nesi-3. Iindleko zoxolelwaniso kunye nolamlo zinakho ukunikezelwa.

#### **15. ISILUNGISO SOMGAQO SISEKO**

Izilungiso kulo Mgaqo-siseko zinokuthi zenziwe kuphela ukuba:

- (a) izilungiso ziyahambelana ngokupheleleyo kunye neemfuno zoBuncinane boMgangatho woMgaqo-siseko; yaye
- (b) zamkelwe yi-AGM apho malunga nesibini esithathwini samalungu abe akho ze kube malunga nesibini esithathwini salawo akhoyo aze avotele inguqu.

#### **16. UKUDITYANISWA**

Isigqibo sokudibanisa kunye nomnye umbutho kufuneka ibe sisigqibo sesininzi esisibini kwisithathu ze-AGM okanye i-SGM apho amalungu akhoyo kufuneka angabi ngaphantsi kwesibini esithathwini.

Imiba ephathelele ekulawulweni kwempahla yexabiso yoMbutho ifuna isigqibo sesibini esithathwini kwi-AGM okanye kwi-SGM apho amalungu engenakuba ngaphantsi kwesibini kwisithathu samalungu akhoyo.

#### **17. UKUCHITHWA KOMBUTHO**

Isigqibo sokuwuchitha uMbutho kufuneka ibe sisigqibo sesibini kwisithathu kwi-AGM okanye kwi-SGM, apho inani elifunekayo ukuze kuthatyathwe izigqibo liya kuba sisibini kwisithathu samalungu.

Isigqibo ngendlela yokuphathwa kwezakhiwo nempahla yexabiso yoMbutho kufuneka sithatyathwe ngesininzi sesibini kwisithathu.





Utyikityo lukasihlalo \_\_\_\_\_ (Umhla: usuku/inyanga/unyaka) \_\_\_\_\_

Mna, ummangali ndiyavuma ukuba umcimbi usonjululwe ngokundanelisayo ukuza kuthi ga ngoku.

Utyikityo \_\_\_\_\_ Umhla \_\_\_\_\_ Inombolo yobulungu \_\_\_\_\_  
usuku/inyanga/unyaka

Utyikityo oluxhasayo \_\_\_\_\_ (inani liya kuzaliswa nguMbutho) lwamalungu anezimilo ezamkelekileyo:

Igama lelungu \_\_\_\_\_ Inombolo yobulungu \_\_\_\_\_ Utyikityo \_\_\_\_\_

Igama lelungu \_\_\_\_\_ Inombolo yobulungu \_\_\_\_\_ Utyikityo \_\_\_\_\_

Igama lelungu \_\_\_\_\_ Inombolo yobulungu \_\_\_\_\_ Utyikityo \_\_\_\_\_

Ndiyaqinisekisa ngento yokuba amagama abasayini abaxhasayo ngalawo amalungu anezimilo ezamkelekileyo.

USihlalo weKomiti yeZikhalazo: \_\_\_\_\_

Ifungelwe phantsi kwam e \_\_\_\_\_ ngomhla \_\_\_\_\_ 19 \_\_\_\_\_

UMKHOMISHINALA OFUNGISAYO

IGAMA ELIPHELELEYO \_\_\_\_\_

ISIKHUNDLA \_\_\_\_\_

IDILESI \_\_\_\_\_

### INDLELA YOKUZIPHATHA

UMbutho kufuneka ulangazelele ukufikelela nokugcina imigangatho yemikhwa esesikweni yokuziphatha ekwinqanaba eliphezulu. Nangona indima yoMbutho kunye nabantu ababambe izikhundla kwiofisi kunye nabaqeshwa ibalulekile, abantu abasebenzayo kunye nabaqhubi babubuso obubalulekileyo nobuphambili boshishino lweeteksi. Kubalulekile ukuba abantu abasebenzayo kunye nabaqhubi baziphathe ngendlela apha eyandisa imbonakalo yolu shishino.

Ukuthotyelwa kwale ndlela yokuziphatha ilandelayo ngabantu abasebenzayo nabaqhubi kuya kukhokelela ekwandeni kwentlonipho kunye nenkxaso yolu shishino evela kubantu abalusebenzisayo, nakuluntu ngokubanzi, kunye norhulumente.

1. Abanini zithuthi kufuneka baluqhuba ushishino lwabo ngenkathalo ukuqinisekisa ngokhuseleko loluntu. Oku kuthetha into yokokuba abanini-zithuthi kufuneka benze konke okusemandleni abo ukuqinisekisa ngento yokokuba akukho zenzo zobundlobongela zithi zenzeke.
2. Abanini-zithuthi abanakho ukusebenzisa iitekisi ezingakhuselekanga okanye ezingekho kumgangatho wokuba zingahamba ezindleleni okanye ezingenazo neziqinisekiso zokuba semgangathweni wokuba zingahamba endleleni ngaphantsi kwemithetho yokuhamba kwezithuthi endleleni.
3. Abanini-zithuthi kufuneka baqiniseke ngawo onke amaxesha ukuba izithuthi zicocekile, zisemgangathweni wokuba zingahamba endleleni yaye zigcinwe ngokuhambelana neemfuno ezibonelelweyo ngokwemiqathango yesiqinisekiso sokulunga (okanye isiqinisekiso sokuba semgangathweni wokuba zingahamba endleleni).
4. Abanini-zithuthi kwizithuthi kufuneka babonise ngamaxesha onke umboniso woMbutho kunye nenombolo, iphepha-mvume lakhe lokuthutha abantu kwiindlela zikawonke wonke okanye iphepha-mvume lokusebenza, isiqinisekiso sokulunga (isiqinisekiso sokuba semgangathweni wokuhamba endleleni), umqondiso wesikhululo seeteksi ekukhwelelwa kuso kunye negama lomnini weteksi, idilesi kunye nenombolo yemfonomfono.
5. Abanini-zithuthi banokungazivumeli izithuthi zabo ukuba zithutha abakhweli nakuyiphi na indlela abangenayo imvume kuyo okanye iphepha-mvume lokusebenza.
6. Abanini-zithuthi kufuneka bahambelane nayo yonke imithetho esebenza kubo ngokubhekiselele ekusebenzeni kwenkonzo yothutho yoluntu.
7. Kwimeko yokwaphuka kwesithuthi, isithuthi somntu lowo kufuneka sisuswe endleleni ngaphandle kokulityaziswa yaye, ukuba kuyenzeka isithuthi esisesinye kufuneka sibonelelwe ukuqinisekisa ngento yokokuba abakhweli bayafika kwiindawo abaya kuzo ngokukhawuleza.
8. Abanini-zithuthi kufuneka ngamaxesha onke bazame ukugcina ubudlelane obulungileyo kunye nabasemagunyeni kunye namagosa anyanzelisa umthetho.
9. Abanini-zithuthi kufuneka basebenzisane yaye bathobele ze benze zonke izinto (imiyalelo) eziyimfuneko ukunceda, naliphi na ipolisa, igosa lezendlela okanye umhloli wezothuthi ekuqhubeni umsebenzi wabo osesikweni.
10. Abanini-zithuthi kufuneka basebenzise ulawulo olululo kubaqhubi abakushishino lwabo.
11. Abanini-zithuthi mabangasebenzisi abaqhubi abangafanelekanga.
12. Abanini-zithuthi mabangagrogri okanye boyikise nawuphi na umntu okanye iqela.
13. Abanini-zithuthi mabangathathi nxaxheba kwimisebenzi yobundlobongela okanye izenzo ezinokuthi zibe nokukhokelela nangayiphi na indlela kubundlobongela.
14. Abanini-zithuthi akufuneki baphathe imipu engenawo amaphepha-mvume okanye bavunyelwe babeke elubala isixhobo kwizithuthi.
15. Umnini sithuthi kufuneka anike ingxelo kwiKomiti Elawulawo yombutho wakhe nayiphi na ingcaciso ebonisa into yokokuba imeko yembambano inakho ukuvela okanye inganakho ukuvela phakathi kwalaa Mbutho kunye nomnye umbutho ethe yeza kwinqwalasela yakhe.
16. Abanini-zithuthi mabangaquzeleli okanye bathabathe inxaxheba nakuluphi na ugwayimbo ngaphandle kwemvume yoMbutho.
17. Abanini-zithuthi kufuneka bahambelane nezibonelelo zoMgaqo-siseko.
18. Abanini-zithuthi bagcina izinto ziyimfihlelo ngokubhekiselele kwimicimbi yangaphakathi yoMbutho.
19. Abanini-zithuthi mabangaquzeleli okanye bathabathe inxaxheba kwimisebenzi ebhukuqayo kuMbutho, kwiphondo, kwingingqi okanye imibutho yasekuhlaleni.
20. Abanini-zithuthi abanakuba nobulungu bemibutho emibini yeteksi esebenzisa indlela enye ngaphandle kwemvume.
21. Umnini sithuthi onyulwe nakusiphi na isikhundla se-ofisi njengelungu loMbutho kufuneka ayenze imisebenzi yakho ngenkuthalo.
22. Abanini-zithuthi abanakho ukusilela ngaphandle kwesizathu esibambekayo ukuzimasa iintlanganiso njengoko belindelwe njengamalungu oMbutho.
23. Abanini-zithuthi abanakho ukuthabatha inxaxheba kuhlaselo lomntu ngamazwi okanye kutyholwe ngokubhekiselele nakuwuphi umntu obambe isikhundla seofisi okanye umsebenzi eliqeshwe nguMbutho.
24. Abanini-zithuthi akufuneki, ngaphandle kwesizathu esibambekayo, basilele ukuvela phambi kwekomiti yoluleko yoMbutho xa bathe bayalelwe aukuba benze njalo.
25. Abanini-zithuthi akufuneki bagxeke uMbutho okanye abantu abanezikhundla ze-ofisi, ngaphandle kwaxa berhwebesha iivoti zentlanganiso jikelele eyodwa okanye bebavotela ukubakhupha ezikhundleni kuba bengabathembi.
26. Abanini-zithuthi abanakwenza ngxelo nakuluphi na iphephandaba, unomathotholo okanye umabonakude ngaphandle kokuba bagunyazisiwe ngokufanelekileyo nguMbutho abamele wona ekwenzeni kwabo loo ngxelo.

27. Abanini-zithuthi abanakho ukupapasha okanye ukukhupha incwadana okanye uxwebhu olubhaliweyo olubhekiselele kwimicimbi yombutho ngaphandle kwemvume yawo.
28. Abanini-zithuthi abanakho ukubiza, ukubamba okanye ukuzimasa iintlanganiso zogwayimbo okanye benze amalungiselelo alo naluphi na udidi logwayimbo loMbutu nangayiphi na indlela echasene nezibonelelo zoMgaqo-siseko okanye inkqubo yezikhalazo.
29. Abanini-zithuthi abanakho ukuthabatha inxaxheba nakuwuphi na umsebenzi wezopolitiko bemele okanye egameni loMbutu ngokuchasene noMgaqo-siseko.
30. Abanini-zithuthi abanakugrogrisa, baqhube okanye boyikise nabaphi na abantu konke konke ekubeni bathabathe inxaxheba nakusiphi na isenzo esiya kwaphula uMgaqo-siseko soMbutu.

Abanini-zithuthi kufuneka baqinisekise ngento yokokuba abaqhubi babo bayazithobela ezi mfuno zilapha ngasentla apho zithe zafanelana nendlela yokuziphatha komqhubi. Abanini-zithuthi kufuneka ngokunjalo baqinisekise ngento yokokuba abaqhubi babo baya kuqwalasela oku kulandelayo:

1. Abaqhubi abanakho ukuthabatha inxaxheba nakuziphi na iintshukumo zobundlobongela okanye iintshukumo ezinokuthi nangayiphi na indlela zikhuthaze ulwaphulo mthetho.
2. Abaqhubi kufuneka bathobele imithetho yendlela ze ngakumbi bayeke ukuqhuba nokungenankathalo okanye kakubi. Abaqhubi kufuneka ngoko bathobele yonke imithetho eyilwe phantsi komthetho, imimiselo ngokubhekiselele ekuqhutyweni kwezithuthi kwindlela zikawonke wonke, kunye nokugcinwa kwazo.
3. Abaqhubi abanakuze naphantsi kwayo nayiphi na imeko bathabathe inxaxheba ekuvaleni indlela okanye ukuphazamisa ukusebenza okufanelekileyo kwezithuthi zendlela nangaluphi na uhlobo.
4. Abaqhubi kufuneka bayeke ukwaphula qho nangokulandelelana kwemithetho yendlela engephi efana namatyala okupaka.
5. Abaqhubi banakho ukuqhuba kuphela izithuthi ezikumgangatho ofanelekileyo wokuba zihambe endleleni, ezibhalisiweyo kunye noMgcini-zincwadi zobhaliso kunye noMbutu, yaye kufuneka baphathe kubo isiqinisekiso soko kwizithuthi zabo.
6. Abaqhubi baya kuba nelungelo lokubhalisa nombutho wabaqhubi.
7. Bonke abaqhubi kufuneka babe banephepha-mvume lokuqhuba elisemthethweni nelisesikweni kwindlela zikawonke wonke.
8. Abaqhubi akufuneki basebenzise ulwimi oluthukayo okanye babonise isimilo esichithayo nesibi kuluntu.
9. Abaqhubi kufuneka ngawo onke amaxesha baphathe abakhweli ngesidima, ngembeko nangentlonelo ze bathabathe inkathalo enkulu ekuqinisekiseni ngolonwabo lwabo kunye nokhuseleko.
10. Abaqhubi kufuneka banike abakhweli naluphi na uncedo oluya kuthi lube yimfuneko ukulungiselela ukunikezela ngenkonzo efanelekileyo.
11. Abaqhubi akufuneki barhumise abakhweli ngaphezulu kwemali ebebefanele ukuba bayihlawule.
12. Abaqhubi abanakho ukusebenzisa isithuthi ukulungiselela ukuthutha abantu xa isithuthi eso singakhuselekanga okanye singekho mgangathweni wakusebenza.
13. Abaqhubi akufuneki basebenzise okanye baqhube isithuthi esingacocekanga ngokwembonakalo.
14. Abaqhubi kufuneka bacoceke yaye banxibe cocekileyo.
15. Akukho mqhubi uya kuthintela ukuqhutywa kwemisebenzi kwisikhululo seeteki.
16. Abaqhubi kufuneka bakhwelise abakhweli ngokokuba ofike kuqala ukhwela kuqala.
17. Abaqhubi bezithuthi ezithathu zokuqala emgceci kufuneka babe kwizithuthi okanye kufutshane nezithuthi zabo.
18. Abaqhubi abanakho ukulungisa izithuthi kwisikhululo seteki kunye neendawo ekumiwa kuzo.
19. Abaqhubi abanakho ukungcakaza okanye ukusebenzisa isiselo esinxilisayo kwizibonelelo namaziko eeteki.
20. Abaqhubi abanakho ukuvumela abakhweli ukuba balahle nje inkunkuma naphi na.
21. Umqhubi kufuneka anike ingxelo kumntu wesithuthi sakhe nayiphi na ingcaciso ebonisa ukuba ubume bongqzulwano bungakho okanye busenokwenzeka phakathi kwalaa Mbutu kunye nomnye umbutho ethe yafikelela kwingqwalasela yakhe.
22. Abaqhubi abanakho, ngaphandle kwemvume yomntu wesithuthi, ukusebenzisa izithuthi zabanini-zithuthi ukuba ngaba bakugwayimbo.

Le ndlela yokuziphatha iyabophelela kubo bonke abasebenzi boMbutu.

Ukuba ngaba kungakho ulwaphulo okanye utyeshelo lwale ndlela yokuziphatha olunokuthi lube phantsi kwengqwalasela yakhe nawuphi na umntu wesithuthi, umqhubi, umkhweli, ugonyaziwe okanye igosa elinyanzelisa umthetho, kufuneka kunikwe ingxelo ngalo kuMbutu ngoko nangoko.





**IINKCUKACHA ZEGOSA ELIPHETHEYO (XA KUFANELEKILE)**

Uhlobo lwencwadi yesazisi	Incwadi yesazisi yaseMzantsi Afrika		Incwadi yesazisi yaseMzini																																					
	Incwadi yokundwendwela		Okunye (chaza)																																					
Inombolo yesazisi	<table border="1"> <tr> <td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td> </tr> </table>																																							
Ifani noonobumba bokuqala (bangadluli kwisithathu)	<table border="1"> <tr> <td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td> </tr> </table>																																			<table border="1"> <tr> <td></td><td></td><td></td> </tr> </table>				

**UBHENGEZO (malunga nesicelo sobhaliso lwexeshana)**

Mna, sihlalo/gosa eliphetheyo\*, ndazisa ukuba lonke ilungu lalo mbutho linesiqinisekiso esifanelekileyo okanye imvume yesithuthi ngasinye ngokwendlela elisebenza ngayo kwinkonzo yothutho lukawonke-wonke; okanye licele isiqinisekiso esifanelekileyo sokusebenza; laza labhalisa kuMthetho wolawulo odityanisiwe kwiSihlomelo soku-1. Ndivakalisa ukuba zonke iinkcukacha endizinike kule fom u ziyinyani kwaye zichanekile.

_____	_____	_____
Umhla	Utyikityo	Indawo

**UBUNGQINA (obubhekiselele kwisicelo sobhaliso)**

Mna, sihlalo/igosa lolawulo\*, ndinika ubungqina bokuba lonke ilungu lalo mbutho linelayisenisi yokusebenza esemthethweni yesithuthi ngasinye elisebenzisayo kwinkonzo yothutho lukawonke-wonke lisebenzisa ilayisenisi enxulumene nenkonzo yothutho lwabantu, oko kusenzeka ngokuhlangabazenayo nokuthityelwa kwemigaqo kwanemimiselo ehamba nogunyaziso olubhekiselele kwiilayisenisi zokuqhuba, likwanawo onke amaphepha-mvume athi aguqulwa aziilayisenisi zokuqhuba kananjalo liyawuthobela noMgaqo-siseko oqhotyoshelwe kwiSihlomelo 1. Ndiyafunga kananjalo ukuba zonke iinkcukacha endizibhale kule fom u ziyinyani kwaye zichanekile.

_____	_____	_____
Umhla	Utyikityo	Indawo

**MAKUBHALE I-OFISI KUPHELA**

Umhla wokufakwa kweenkcukacha	<table border="1"> <tr> <td>2</td><td>0</td><td>!</td><td>!</td><td>!</td> </tr> </table> <p style="text-align: center;">Unyaka      Inyanga      Umhla</p>	2	0	!	!	!																	
2	0	!	!	!																			
Inombolo -mbhalo yethutyana ekhutshwe yiRejistra	<table border="1"> <tr> <td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td> </tr> </table>													Umhla	<table border="1"> <tr> <td>2</td><td>0</td><td>:</td><td>:</td><td>:</td><td>:</td><td>:</td><td>:</td> </tr> </table> <p style="text-align: center;">Unyaka      Inyanga      Umhla</p>	2	0	:	:	:	:	:	:
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Inombolo- mbhalo ekhutshwe yiRejistra	<table border="1"> <tr> <td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td> </tr> </table>													Umhla	<table border="1"> <tr> <td>2</td><td>0</td><td>:</td><td>:</td><td>:</td><td>:</td><td>:</td><td>:</td> </tr> </table> <p style="text-align: center;">Unyaka      Inyanga      Umhla</p>	2	0	:	:	:	:	:	:
2	0	:	:	:	:	:	:																
Inombolo yefayili	<table border="1"> <tr> <td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td> </tr> </table>																						

## Form 2

NARTA/1(00)(05)

**IPHONDO LENTSHONA KOLONI  
ISEBE LEZOTHUTHO**

NARTA/1

**ISIHLOMELO SOKU-1 KWIFOMU YESICELO YOKUBHALISA UMBUTHO WETEKSI****INKCAZELO**

Mna, sihlalo/gosa lolawulo\*, ndingenisa uMgaqo-siseko ukuzalisekisa

imimiselo yeCandelo ..... le ..... uNomb. yobhaliso

\_\_\_\_\_  
Umhla

\_\_\_\_\_  
Utyikityo

\_\_\_\_\_  
Indawo

**INKCAZELO**

Mna, Rejistra yoMbutho weTeksi, ndivakalisa ukuba lo Mgaqo-siseko uqhutyoshelweyo uzalisekisa yonke imimiselo yamaCandelo....., nele.....kaNomb we.....ngeenjongo zokuvunyelwa kobhaliso.

\_\_\_\_\_  
Umhla

\_\_\_\_\_  
Utyikityo

\_\_\_\_\_  
Indawo



NARTA/2(00)/05

IPHONDO LENTSHONA KOLONI  
ISEBE LEZOTHUTHO

NARTA/2

ISHILOMLO SE-2 KWIFOMU YESICELO SOKUBHALISA UMBUTHO WETEKSI

Igama elifinyeziweyo lombutho  Iphepha  Le

IINKCUKACHA ZELUNGU

Udidi lwelungu Umnini/Umgqhubi Umnini wesithuthi esinye Umnini wezithuthi ezininzi Ezinye (chaza)

Uhlobo lokuchonga olwamkelekileyo I-ID yaseMzantsi Afrika Eyamazwe angaphandle Eyenkamapani Okunye (chaza) Idilesi yeposi Ikhodi yeposi

Inombolo yesazi/Inombolo-mbhalo yeshishini

Igama leshishini (ukuba likhona) Idilesi yesitalato (ukuba yanukile kwidilesi yeposi) Ikhodi yeposi

Ifani/igama leqela labantu

Oonobumba bokuqala begama

IINKCAZO LILUNGU

Mna, ..... ndivakalisa ukuba zonke iinkcukacha ndizinkileyo kule fomu ziyinyani kwaye zichanekile. Ndivakalisa ukuba ndiya kuthobela ndivuma kananjalo ukubopheleleka kuMthetho wokuZiphatha opapashwe kwisaziso sikaRhulumente ..... somhla we..... noMgaqo-sikeko walo mbutho kwisihlomelo soku-1.

Umhla Utyikityo Indawo

ISETYENZISWA YI-OFISI KUPHELA

Inombolo-mbhalo YePhondo yeLungu ekhutshwe yiRejistra Umhla wokufakwa kolwazi  
Inombolo-mbhalo yeLungu ekhutshwe yiRejistra Umhla wokufakwa kolwazi  
Inombolo yefayile Umhla wokufakwa kolwazi

Igama elifinyeziweyo lombutho

Iphepha of

**ISIGABA-1: IINKCUKACHA ZEZITHUTHI EZINEZIQINISEKISO EZISEBENZAYO EZILUNGILEYO**

*Izaliswe ilungu*

Inombolo-mbhalo yesithuthi

Inombolo yesisu sesithuthi

Inombolo yesiqinisekiso esisebenzayo

Inombolo yesatifikethi sesiqinisekiso esisebenzayo

Indawo egunyaziweyo yokunduluka

Indawo egunayzisiweyo yokufikela

Inombolo yendlela eyabiwe yiBhodi ekhupha iSiqinisekiso Esisebenzayo

Inombolo yeCOF

*Apha kubhala ummeli weBhodi yePhondo ekhupha iLayisenisi zokuSebenza*

Mna, mmeli weBhodi, ndivakalisa ukuba iinkcukacha zesiqinisekiso esisebenzayo zilazi\* lungile/lunganga. Esi siqinisekiso sisebenzayo silungile/sirhoxisiwe.\* Esi siqinisekiso sisebenzayo sikhutshwe/asikhutshwanga ngokwemigaqo yeemfuneko zeCandelo .....le ..... nombolo .....ye .....

Umhla

Insignitsha \_\_\_\_\_

*Izaliswe ilungu*

Inombolo-mbhalo yesithuthi

Inombolo yetshasi yesithuthi

Inombolo yelayisenisi yokusebenza

Inombolo yesiqinisekiso selayisenisi yokusebenza

Indawo emiselweyo yokunduluka

Indawo emiselweyo yokufikela

emiselwe yiBhodi ekhupha iLayisenisi zokuSebenza Esisebenzayo

Inombolo yeCOF

*Apha kubhala ummeli weBhodi yePhondo ekhupha iLayisenisi zokuSebenza*

Mna, mmeli weBhodi, ndivakalisa ukuba iinkcukacha zesiqinisekiso esisebenzayo zilungele/azilungelanga\*. Esi siqinisekiso sisebenzayo silungile/sirhoxisiwe.\* Esi siqinisekiso sisebenzayo sikhutshwe/asikhutshwanga\* ngokwemigaqo yeemfuneko zeCandelo .....le ..... nombolo .....ye .....

Umhla

Utyikityo \_\_\_\_\_



Form 4

NARTA/R(00)(05)

**IPHONDO LENTSHONA KOLONI  
ISEBE LEZOTHUTHO**

NARTA/R

**IINKCUKACHA ZEENDLELA EZISETYENZISWA NGUMBUTHO WETEKSI**

Igama elifinyeziweyo lombutho

--

Uhlobo lwenkqubo

Umgama omde	Edolophini	Emaphandleni
Ezinye (chaza)		

**Inkcazelo yendlela**

Ukudluka e  
(irenki yokuqala nedilesi)


Ukuya e  
(irenki nedilesi)


Ukudlula (dwelisa iinkcukacha):

--


Uhlobo lwenkqubo

Umgama omde	Edolophini	Emaphandleni
Ezinye (cacisa)		

**Inkcazelo yendlela**

Ukudluka e  
(irenki yokuqala nedilesi)


Ukuya e  
(irenki nedilesi)


Ukudlula (dwelisa iinkcukacha):

--


Form 5

ACTA(00)(05)

**IPHONDO LENTSHONA-KOLONI  
ISEBE LEZOTHUTHO**

**ACTA**

<b>IFOMU YOKWENZA ISICELO SOKUGUQULWA KOBHALISO LWETHUTYANA LOMBUTHO WEETEKSI UKUBA IBE LOLUPHELELEYO</b>
---

	<b>IINKCUKACHA ZOMBUTHO</b>	
--	-----------------------------	--

Igama loMbutho


Igama elishunqulweyo loMbutho

--	--	--	--	--	--	--	--	--	--

Inombolo-mbhalo  
esetyenziswayo/inombolo-mbhalo  
yethutyana.

--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--

	<b>UBUNGGQINA</b>	
--	-------------------	--

Mna, sihlalo/gosa lolawulo\*, ndinika ubungqina bokuba lonke ilungu lalo mbutho linelayisenisi yokusebenza esemthethweni ngezisithuthi ngasinye elisisebenzisayo kwinkonzo yezithuthi zikawonke-wonke; lisebenzisa ilayisenisi enxulumene nenkonzo yothutho lwabantu, ngokuhlangabezanayo nokuthotyelwa kwemiqathango kwanemimiselo ehamba nogunyaziso olubhekiselele kwiilayisenisi zokuqhuba; likwanawo onke amaphepha-mvume elungu aguqulweyo ukuba abe ziilayisenisi zokuqhuba; kananjalo liyawuthobela uMgaqo-nkqubo oqhotyoshelwe kwiSihlomelo 1.

\_\_\_\_\_  
Umhla

\_\_\_\_\_  
Utyikityo

\_\_\_\_\_  
Indawo

ACTA/1(00)(05)

**IPHONDO LENTSHONA KOLONI  
ISEBE LEZOTHUTHO**

ACTA/1

**ISIHLOMELO SOKU-1 KWISICELO SOKUGUQULELA UBHALISO LWEXESHANA LOMBUTHO  
WETEKSI KUBHALISO OLUPHELELEYO**

	<b>ISIBHENGEZO/INKCAZO</b>	
--	----------------------------	--

Mna, sihlalo/gosa lolawulo\*, ndivakalisa ukuba uMgaqo-siseko uzalisekisa yonke

imimiselo yala maCandelo ....., ....., nele-.....lo.....uNom

\_\_\_\_\_

Umhla

\_\_\_\_\_

Utyikityo

\_\_\_\_\_

Indawo

	<b>ISIBHENGEZO/INKCAZO</b>	
--	----------------------------	--

Mna, Rejistra yeMibutho yeeTeksi, ndivakalisa ukuba lo Mgaqo-siseko apha

uzalisekisa zonke iimfuneko zamaCandelo ....., ....., ....., nele-

..... ye..... uNomb..... le.....

\_\_\_\_\_

Umhla

\_\_\_\_\_

Utyikityo

\_\_\_\_\_

Indawo

**IPHONDO LENTSHONA KOLONI  
ISEBE LEZOTHUTHO**

ACTA/2(00)(05)

ACTA/2

**ISHILOMELO SE-2 KWIFOMU YESICELO SOKUGUQULELA UBHALISAYO LWETHUYANA KUMSEBENZI ONGELOLUNGU ABE LILUNGU ELIPHELELEYO**

Igama lombutho elifinyeziweyo  iphepha  le

---

**IINKUKAKACHA ZELUNGU**

ifani/igama leqela labantu

Oonumba bokuqala begama

Inombolo yesazisi/Inombolo yobhaliso

Inombolo yobhaliso yelungu yePhondo

---

**INKCAZO YELUNGU**

kwaye ndiyavuma kananjalo ukukhawulelana noMthetho wokuZiphatha opapashwe siSaziso sikaRhulumente ..... somhla we .....

Umhla  Utyikityo  Indawo

---

**IINKUKAKACHA ZESITHUTHI/INDLELA/ILAYISENISI YOKUSEBENZA**

*Apha kubhala ilungu*

Inombolo-mbhalo yesithuthi

Inombolo yetshasi yesithuthi

Inombolo yesiqinisekiso esisebenzayo

Inombolo yomhla ekhutshwe ngawo ilayisenisi

Inombolo yesiqinisekiso sesatifikethi esisebenzayo

Indawo egunyazisiweyo yokunduluka

Indawo egunyazisiweyo yokufikela

Inombolo yendlela ekhutshwe yiBhodi yeeLayisenisi yePhondo

*Apha kubhala ummeli weBhodi yeeLayisenisi zokuSebenza yePhondo*

Mna, mmeli weBhodi, ndivakalisa ukuba iinkukacha zelayisenisi yokusebenza zichanekile/azichanekanga. Le Layisenisi yokusebenza sifanekile/sirhoxisiwe.\* Esi siqinisekiso sisebenzayo si/asi\* khutshiwe/khutshwanga ngokwemigaqo yeemfuneko zeCandelo .....le ..... uNomb. ....ye.....

Umhla  Utyikityo

Igama lombutho elifinyeziweyo  iphepha  le

**IINKUKACHA ZESITHUTHI/INDLELA/ISIQINISEKISO ESISEBENZAYO**

*Apha kubhala ilungu*

Inombolo-mbhalo yesithuthi

Inombolo yetshasi yesithuthi

Inombolo yelayisenisi yokusebenza

Inombolo yokukhutshwa

Inombolo yesiqinisekiso selayisenisi yokusebenza

Indawo emiselwe ukunduluka

Indawo emiselwe ukufikela

Inombolo yendlela emiselwe yiBhodi yeeLayisenisi yePhondo

*Apha kubhala ummeli weBhodi yePhondo yeeLayisenisi zokusebenza*  
 Mna, mmeli weBhodi, ndivakalisa ukuba iinkcukacha zelayisenisi yokusebenza zichanekile/azichanekanga\*. Le Layisenisi yokusebenza ifanelekile/irhoxisiwe.\*Le layisenisi ikhutshwe/ayikhutshwanga\* ngokwemigaqo yemimiselo zeCandelo .....le ..... uNomb .....ye.....

Umhla

Isignitsha

*Apha kubhala ilungu*

Inombolo-mbhalo yesithuthi

Inombolo yetshasi yesithuthi

Inombolo yelayisenisi yokusebenza

Inombolo yomhla wokukhutshwa

Inombolo yesiqinisekiso selayisenisi yokusebenza

Indawo emiselwe ukunduluka

Indawo emiselwe ukufikela

Inombolo yendlela emiselwe yiBhodi yeeLayisenisi yePhondo ukuba isetyenziswe

*Apha kubhala ummeli weBhodi yePhondo ekhupha ilayisenisi*  
 Mna, mmeli weBhodi, ndivakalisa ukuba iinkcukacha zelayisenisi yokusebenza zichanekile /azichanekanga\*. Le Layisenisi yokusebenza ifanelekile/irhoxisiwe.\* Le layisenisi yakhutshwa/zange ikhutshwe\* ngokwemigaqo yeemfuneko zeCandelo .....le ..... uNomb .....ye.....

Umhla

Utyikityo



Form 8

ACTO(00)(05)

**IPHONDO LENTSHONA KOLONI  
ISEBE LEZOTHUTHO**

ACTO

**IFOMU YESICELO SOKUGUQULELA UBHALISO LWETHUTYANA LOMNTU ONGELOLUNGU LUBE  
LUBHALISO OLUPHELELEYO**

**IINKCUKACHA ZOMQHUBI**

Oonobumba bokuqala begama	<input type="text"/>
Ifani/igama lequmrhu	<input type="text"/>
Inombolo yesazisi/inombolo yobhaliso yeshishini	<input type="text"/>
Igama leShishini (ukuba likhona)	<input type="text"/>
Ubhaliso okanye inombolo yobhaliso yethutyana yomntu onglolungu	<input type="text"/>

**UBHENGEZO**

Mna, mqhubi, ndivakalisa ukuba, mna/ \_\_\_\_\_ (Igama leShishini ukuba likhona)\*

ndinelayisenisi yokusebenza efanelekileyo yesithuthi ngasinye ngenxa yokuba mna/ilayisenisi isebenza kwinkonzo yezithuthi zikawonke-wonke; ndisebenza kwinkonzo yezithuthi zikawonke-wonke apho olu luhlobo lwelayisenisi yokusebenza apho ichaphazeleka khona le layisenisi, oko kusenzeka ngokungqinelanayo neemeko ezithile, kunye nemiqathango nemimiselo ehamba nayo nemiqathango echatshazelweyo ezaziphethwe ndim/\* zaguqulelwa kwilayisenisi sokusebenza: saza sabhalisa kwiNdlela yokuziPhatha ezaziphethwe ndim/\*zaguqulelwa kwilayisenisi yokusebenza; saza sabhalisa kwiNdlela yokuziPhatha

yongeloLungu elikhutshwe kwiSaziso sikaRhulumente \_\_\_\_\_ we \_\_\_\_\_

\_\_\_\_\_  
Umhla

\_\_\_\_\_  
Utyikityo

\_\_\_\_\_  
Indawo













Igama elifinyeziweyo lombutho  Iphepha  le

**IINKUKAKACHA ZESITHUTHI/INDELELA/LAYISENISI YOKUSEBENZA**

*Apha kubhala ilungu*

Inombolo-mbhalo yesithuthi

Inombolo yetshasi yesithuthi

Inombolo yelayisenisi yokusebenza  Inombolo yokukhutshwa kwelayisenisi

Inombolo yesiqinisekiso selayisenisi yokusebenza

Indawo emiselwe ukunduluka

Indawo emiselwe ukufikela

Inombolo yendlela emiselwe yiBhodi yePhondo yeLayisenisi zokuSebenza

*Apha kubhala ummeli weBhodi yePhondo yeLayisenisi zokuSebenza*  
Mna, mmeli weBhodi, ndivakalisa ukuba iinkukacha zesiqinisekiso esisebenzayo zichanekile/azichanekanga\*. Le layisenisi ifanelekile/irhoxisiwe.\* Le layisenisi yokusebenza ikhutshwe/ayikhutshwanga\* ngokwemigaqo yemimiselo yeCandelo ..... le ..... uNomb ..... ye .....

Umhla  Isignitsha

*Apha kubhala ilungu*

Inombolo-mbhalo yesithuthi

Inombolo yetshasi yesithuthi

Inombolo yelayisenisi yokusebenza  Inombolo yokukhutshwa kwelayisenisi

Inombolo yesiqinisekiso selayisenisi yokusebenza

Indawo emiselwe ukunduluka

Indawo emiselwe ukufikela

Inombolo yendlela emiselwe yiBhodi yePhondo yeLayisenisi zokuSebenza

*Apha kubhala ummeli weBhodi yePhondo yeLayisenisi zokuSebenza*  
Mna, mmeli weBhodi, ndivakalisa ukuba iinkukacha zesiqinisekiso esisebenzayo zichanekile/azichanekanga\*. Le layisenisi ifanelekile/irhoxisiwe.\* ELe layisenisi yokusebenza ikhutshwe/ayikhutshwanga\* ngokwemigaqo yemimiselo yeCandelo ..... le ..... uNomb ..... ye .....

Umhla  Utyikityo



**IFOMU YE-13****IPHONDO LENTSHONA KOLONI****ISEBE LEZOTHUTHO****UMTHETHO, INATIONAL LAND TRANSPORT TRANSITION ACT, 2000 (ACT NO.22 OF 2000)****IFOMU YESIQINISEKISO IKHUTSHWE YIREJISTRA UKUBA INGENISWE NGUMNTU  
ONGELOLUNGU KWIBHODI YEELAYISENISI ZOKUSEBENZA (icandelo le-113****(2) loMthetho)**

Kuqinisekiswa ukuba .....,  
(Oonobumba bokuqala begama nefani/Igama lequmrhu\*)

onombolo yakhe yesazisi/onombolo yobhaliso yeshishini lakhe,\* ithi

.....,  
uyakhawulelana nale mimiselo ilandelayo yecandelo le 113 loMthetho –

1. Ukuba yinkampani okanye iclose corporation+, emalungu angekho ngaphezu kwesibini okanye ngaphezu koko, ayengabasebenzi kwinkonzo yothutho lukawonke-wonke ngexesha lokusekwa kwale nkampani okanye le close corporation okanye emva koko, ayengabasebenzi kwiinkonzo zothutho lukawonke-wonke olufana kakhulu nolo lusetyenziswa yinkampani okanye yiclose corporation.
2. Ukukhawulelana noMgaqo wokuZiphatha ngokufanelekileyo wePhondo.
3. Unesizathu sokwenza isicelo sokubhalisa njengongelolungu kwizizathu zokuba – #
  - (a) Akukho mbutho ubhalisiweyo ngokubhekiselele kwindlela okanye kwiindlela apho umfaki-sicelo wenkonzo yezothutho lukawonke-wonke esebenza ku kuyo.
  - (b) Kukho umbutho obhalisiweyo ngokubhekiselele kwindlela okanye kwiindlela apho umfaki-sicelo wenkonzo yezothutho lukawonke-wonke esebenzayo, kodwa –
    - (i) Umbutho ubukhabile ubulungu bombutho womfaki-sicelo.
    - (ii) Umbutho uneemfuno ezingalunganga wokwamkeleka kubulungu.
    - (iii) Umfaki-sicelo akaz'ukulindeleka ngokungafanelekanga ukuba abe lilungu lombutho ngenxa yeemeko ezikhoyo.
    - (iv) Umfaki-sicelo uya kugaxeleka kucalulo xa athe wamkelwa kubulungu bombutho.

Ityikitywe e ..... ngo ..... usuku lwe ..... 20.....

.....  
Igosazisiweyo ye-Ofisi yeRejistra

\* *Hlaba nayiphi na engafanelekanga.*

+ *Hlaba ukuba akufanelekanga.*

# *Biyela nayiphi na efanelekileyo.*



FORM 14

**IRiphabliki yoMzantsi Afrika  
Ulawulo LwePhondo  
Ntshona Koloni**



**ISATIFIKETHI SOKUBHALISA ESINGUNOBAMBISO MALUNGA  
NOMBUTHO WETEKSI**

Umthetho weThutyana woThutho lwaseMhlabeni weSizwe wonyaka wama-2000  
(Umthetho wama-22 wonyaka wama-2000) icandelo le-114 (1)

Isatifikethi sokubhalisa esingubambiso sinikezelwa ku

.....  
(Igama lombutho)

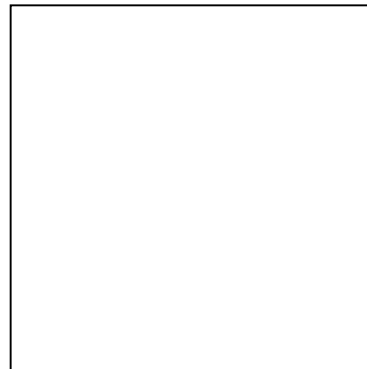
Igama lombutho langeniswa ngonobambiso kwirejista ngo

.....  
(Umhla)

\_\_\_\_\_  
Inombolo-mbhalo engunobambiso

Umhla wokukhutshwa:  
(Isitampu sasebuRhulumenteni)

\_\_\_\_\_  
Isignitsha yeRejistra



FORM 15

**IRiphabliki yoMzantsi Afrika  
Ulawulo lwePhondo  
Ntshona Koloni**



**ISATIFIKETHI SOKUBHALISA ESINGUNOBAMBISO SELUNGU  
LOMBUTHO WETEKSI**

Umthetho weThutyana woThutho lwaseMhlabeni weSizwe wonyaka wama-2000

(Umthetho wama-22 wonyaka wama-2000) icandelo le-114 (1)

Isatifikethi sokubhalisa esingunobambiso sinikezelwa ku

.....  
(Igama lelungu lombutho)

Igama lelungu lombutho langeniswa ngonobambiso kwirejista ngo

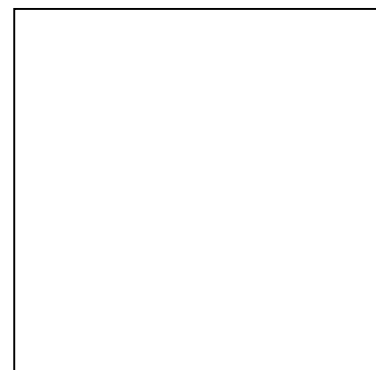
.....  
(Umhla)

\_\_\_\_\_  
Inombolo yesazisi/inombolo-mbhalo yeshishini

\_\_\_\_\_  
Inombolo-mbhalo engunobambiso

Umhla wokukhutshwa:  
(Isitampu sasebuRhulumenteni)

\_\_\_\_\_  
Isignitsha yeRejistra



FORM 16

**IRiphabliki yoMzantsi Afrika  
ULawulo lwePhondo  
leNtshona Koloni**



**ISIQINISEKISO SOKUBHALISA SEXESHANA  
SONGELOLUNGU**

Umthetho, iNational Land Transport Transition Act, 2000

(Umthetho wama-22 wonyaka wama-2000) icandelo le-114 (1)

Isiqinisekiso sokubhalisa sexeshana sinikezelwa ku

.....  
(Igama longelolungu)

Igama longelolungu lafakwa okwexeshana kwirejista ngo

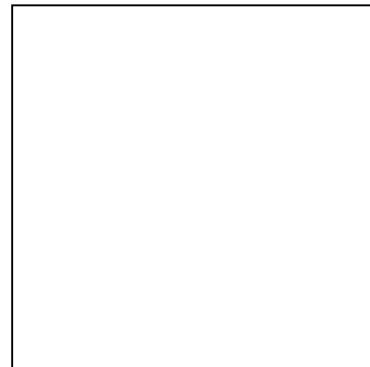
.....  
(Umhla)

\_\_\_\_\_  
Inombolo yesazisi/inombolo yobhaliso yeshishini

\_\_\_\_\_  
Inombolo yobhaliso yeXeshena

Umhla wokukhutshwa:  
(Isitampu sasebuRhulumenteni)

\_\_\_\_\_  
Kutyikitya iRejistra



IFOMU YE-17

**IRiphabliki yoMzantsi Afrika  
ULawulo lwePhondo  
leNtshona Koloni**



**ISIQINISEKISO SOBHALISO  
SOMBUTHO WETEKSI**

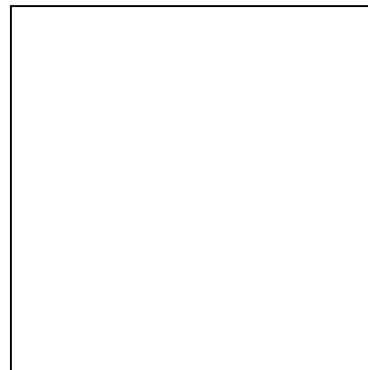
Umthetho, iNational Land Transport Transition Act, 2000  
(Act No 22 of 2000) icandelo le-114 (1)

Isiqinisekiso sobhaliso sinikezelwa ku

.....  
(Igama lombutho)

Igama lombutho lafakwa kwirejista ngo .....  
(Umhla)

\_\_\_\_\_  
Inombolo yobhaliso



\_\_\_\_\_  
Umhla wokukhutshwa:  
(Istampu esisemthethweni)

\_\_\_\_\_  
Kutyikitya iRejistra

FORM 18

**IRiphabliki yoMzantsi Afrika  
Ulawulo LwePhondo  
Ntshona Koloni**



**ISATIFIKETHI SOKUBHALISA ILUNGU KUMBUTHO WETEKSI**

Umthetho weThutyana woThutho lwaseMhlabeni weSizwe wonyaka wama-2000

(Umthetho wama-22 wonyaka wama-2000) icandelo le-114 (1)

Isatifikethi sokubhalisa sinikwa

.....  
(Igama lelungu lombutho)

Igama lelungu lafakwa kwirejista ngo .....

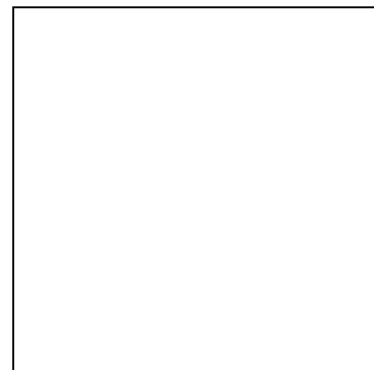
(Umhla)

\_\_\_\_\_  
Inombolo yesazisi/inombolo-mbhalo yeshishini

\_\_\_\_\_  
Inombolo-mbhalo

Umhla wokukhutshwa:  
(Isitampu sasebuRhulumenteni)

\_\_\_\_\_  
Isignitsha yeRejistra



FORM 19

**IRiphabliki yasMzantsi Afrika  
Ulawulo lwePhondo  
Ntshona Koloni**



## ISATIFIKETHI SOKUBHALISA SONGELOLUNGU

Umthetho weThutyana woThutho lwaseMhlabeni weSizwe wonyaka wama-2000

(Umthetho wama-22 wonyaka wama-2000) icandelo le-114 (1)

Isatifikethi sokubhalisa sinikelwa ku

.....  
(Igama longelolungu)

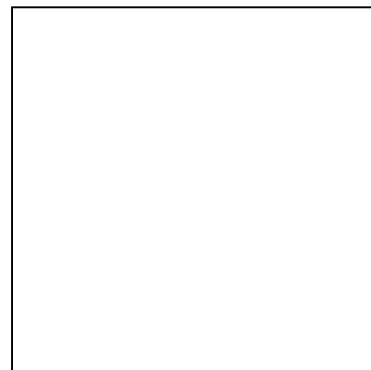
Igama longelolungu langeniswa kwirejista ngo .....  
(Umhla)

\_\_\_\_\_  
Inombolo yesazisi/inombolo-mbhalo yeshishini

\_\_\_\_\_  
Inombolo-mbhalo

Umhla wokukhutshwa:  
(Isitampu sasebuRhulumenteni)

\_\_\_\_\_  
Isignitsha yeRejistra



## IFOMU YAMA-20

Umthetho weThutyana weziThuthi ezihamba phantsi weSizwe wonyaka wama-2000  
(Umthetho wama-22 wonyaka wama-2000)

Uphawu olulodwa lwabaqhubi ababhaliswe ngokupheleleyo – Icandelo le-114(2)

<p><b>IPHONDO LENTSHONA KOLONI</b></p> <p><b>INKONZO EBHALISIWEYO</b> <b>YEPHONDO</b></p> <p>..... (Inombolo yobhaliso yomqhubi)</p> <p>..... (Inombolo-mbhalo yesithuthi)</p> <p><b>(EYOKUQALA) – (INDAWO</b> <b>EKUYIWA KUYO)</b></p> <p>Inomb. yendlela.....</p> <p>...../...../..... Umhla Inyanga Unyaka (Umhla wokuphelelwa)</p>
--



IFOMU YAMA-21

Umthetho weThutyana weziThuthi ezihamba phantsi weSizwe wonyaka wama-2000  
(Umthetho wama-22 wonyaka wama-2000)

Uphawu olulodwa lwabaqhubi ababhalise ngokupheleleyo – Icandelo le-114(2)

**IPHONDO LENTSHONA KOLONI**

**INKONZO EBHALISIWEYO**  
**YEPHONDO**

.....  
(Inombolo yobhaliso yomqhubi)

.....  
(Inombolo-mbhalo yesithuthi)

**(EYOKUQALA) – (INDAWO**  
**EKUYIWA KUYO)**

Inomb. yendlela.....

...../...../.....  
Umhla Inyanga Unyaka  
(Umhla wokuphelelwa)

## Fomu 22

IPHONDO LENTSHONA KOLONI  
ISETYANA LEZOTHUTHOUMTHETHO, INATIONAL LAND TRANSPORT TRANSITION ACT, 2000 (ACT NO. 22 OF 2000)  
(the Act)IFOMU YOMSILA WENGWE EMISELA UKUBA UMNTU AVELE PHAMBI KOREJISTRA  
(icandelo 99(3)(b) loMthetho)

## INOTHISI

Igama .....

Idilesi .....

Uyacelwa kanejalo unikwa nomyalelo wokuba uvele phambi ko.....uRejistra e-  
.....ngomhla..... ku-.....20..... ukuza kunika ubungqina nenkcazo malunga nokwaziyo  
ngokubhekiselele kwi- ..... uphathe incwadi/iincwadi,  
isicwangciso/izicwangciso, uxwebhu/amaxwebhu, inqaku/amanqaku kunye nayiphi na into ekuwe  
okanye ephantsi kolawulo lwakho ukuze ithunyelwe kuRejistra .....

Ityikitywe e ..... ngomhla..... ku- ..... 20.....

.....  
IGosa loMthetho leOfisi kaRejistra

## KUZALISA IGOSA LOMTHETHO

Ndiqinisekisa ukuba ndiyidlulisele kulo mntu uxelwe ngasentla le nothisi—

- \*(a) ngokumnika ikopi echanekileyo ngokwam  
\*(b) ngokushiya ikopi echanekileyo kuba engafumaneki, ku ..... ongumntu  
othembekileyo —  
+kwishishini lakhe .....  
+emzini wakhe .....  
+kwindawo ebesaziwa ehlala kuyo .....

e ..... ngomhla ..... ku- ..... 20.....kwaye kwangaxeshanye ndamazisa  
ngemeko le.

.....  
Kutyika igosa lomthetho

- \* *Hlaba engafanelekanga.*  
+ *Beka uphawu kwefanelekileyo.*

*SUID-AFRIKA EERSTE –*  
KOOP SUID-AFRIKAANS  
VERVAARDIGDE GOEDERE

*SOUTH AFRICA FIRST –*  
BUY SOUTH AFRICAN  
MANUFACTURED GOODS

