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**GENERAL NOTICES • ALGEMENE KENNISGEWINGS**

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**DEPARTMENT OF TOURISM****NOTICE 235 OF 2019****TOURISM AMENDMENT BILL 2019****INVITATION FOR THE PUBLIC TO COMMENT ON THE TOURISM AMENDMENT BILL**

I, Derek Andre Hanekom, Minister of Tourism, hereby publish the Tourism Amendment Bill for public comment.

Interested parties and organisations are invited to submit within sixty (60) days of publication of the notice in the gazette, written representations on the proposed Bill to the following address:

By post: The Director General  
Department of Tourism  
Private Bag x424  
PRETORIA  
0001

Attention: Ms MM Setwaba

By hand: Ground Floor (Reception), Tourism House, 17 Trevenna Street Sunnyside.

By email: [msetwaba@tourism.gov.za](mailto:msetwaba@tourism.gov.za)

Any inquiries in connection with the proposed Tourism Amendment Bill may be directed to Ms Mmaditlonki Setwaba at 012 444 6312.

Comments received after the closing may not be considered.



**Derek Hanekom, MP**  
**Minister: Tourism**

**REPUBLIC OF SOUTH AFRICA**

**TOURISM AMENDMENT BILL**

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*(As introduced in the National Assembly (proposed section 76); explanatory  
summary of Bill published in Government Gazette No. 42404 of 15 April 2019)*  
*(The English text is the official text of the Bill)*  
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**(MINISTER OF TOURISM)**

**[B — 2019]**

It200318

**GENERAL EXPLANATORY NOTE:**

- [                    ]     Words in bold type in square brackets indicate omissions from existing enactments.
- \_\_\_\_\_             Words underlined with a solid line indicate insertions in existing enactments.
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**BILL**

**To amend the Tourism Act, 2014, so as to provide for certain definitions; to provide for the determination of thresholds for short-term home sharing; to provide for the renaming of the South African Tourism Board as South African Tourism; to provide for additional competence requirements of tourists guides; to provide for the regulation of safety in relation to tourist guiding and the improvement of the tourist guiding experience; and to provide for matters connected herewith.**

**BE IT ENACTED** by the Parliament of the Republic of South Africa, as follows:—

**Amendment of section 1 of Act 3 of 2014**

1.     Section 1 of the Tourism Act, 2014 ("principal Act"), is hereby amended—
- (a)    by the deletion of the definition of "Council"; and
- (b)    by the insertion after the definition of "regulation" of the following definition:

" 'short-term home rental' means the renting or leasing on a temporary basis, for reward, of a dwelling or a part thereof, to a visitor;".

#### **Amendment of section 7 of Act 3 of 2014**

2. Section 7 of the principal Act is hereby amended by the deletion in subsection (1)(a) of the word "and" at the end of subparagraph (iii), and the addition of the following subparagraph:

"(v) thresholds with regard to short-term home rental; and".

#### **Substitution of heading of Chapter 3 of Act 3 of 2014**

3. The following heading is hereby substituted for the heading of Chapter 3 of the principal Act:

**"South African Tourism [Board]"**.

#### **Substitution of section 9 of Act 3 of 2014**

4. The following section is hereby substituted for section 9 of the principal Act:

##### **"Continued existence of South African Tourism Board**

9. (1) The South African Tourism Board, established by section 2 of the Tourism Act, 1993 (Act No. 72 of 1993), continues to exist as

a juristic person known as "South African Tourism", despite the repeal of that Act by section 62.

(2) South African Tourism is governed by the Board contemplated in section 13."

#### **Amendment of section 10 of Act 3 of 2014**

5. Section 10 of the principal Act is hereby amended—

(a) by the substitution for the heading of the following heading:

**"Functions of [Board] South African Tourism";**

(b) by the substitution in subsection (1) for the words preceding paragraph (a) of the following words:

"The functions of [**the Board**] South African Tourism are to—";

(c) by the deletion in subsection (1) of the word "and" at the end of paragraph (e), the substitution of the expression "; and" for the full stop at the end of paragraph (f) and the addition of the following paragraph:

"(g) implement and manage the national grading system for tourism contemplated in section 28(1)."; and

(d) by the substitution for subsection (2) of the following subsection:

**"(2) [The Board] South African Tourism must perform any function imposed upon it in accordance with a policy direction not in conflict with this Act issued by the Minister."**

**Amendment of section 11 of Act 3 of 2014**

6. Section 11 of the principal Act is hereby amended—
- (a) by the substitution for the heading of the following heading:
- "Powers of [Board] South African Tourism";**
- (b) by the substitution for the words preceding paragraph (a) of the following words:
- "Without derogating from its power generally to perform legal acts as a juristic person, **[the Board] South African Tourism** may—";
- (c) by the substitution in paragraph (c) for the words preceding subparagraph (i) of the following words:
- "insure [the Board] South African Tourism against—";** and
- (d) by the substitution for paragraph (d) of the following paragraph:
- "(d) employ persons who are necessary for the performance of the functions of **[the Board] South African Tourism**; and".

**Repeal of section 12 of Act 3 of 2014**

7. Section 12 of the principal Act is hereby repealed.

**Amendment of section 21 of Act 3 of 2014**

8. Section 21 of the principal Act is hereby amended—

(a) by the substitution for the heading of the following heading:

**"Funds of [Board] South African Tourism";**

(b) by the substitution in subsection (1) for the words preceding paragraph (a) of the following words:

**"The funds of [Board] South African Tourism consist of—";**

(c) by the substitution in subsection (1) for paragraph (b) of the following paragraph:

**"(b) any money paid to [the Board] South African Tourism for services rendered;"**;

(d) by the substitution in subsection (1) for paragraph (d) of the following paragraph:

**"(d) any other amounts to which [the Board] South African Tourism is or may become entitled.";**

(e) by the substitution for subsection (2) of the following subsection:

**"(2) [The Board] South African Tourism may use its funds for defraying expenditure incurred in performing its functions in terms of this Act.";**

(f) by the substitution in subsection (3) for the words preceding paragraph (a) of the following words:

**"[The Board] South African Tourism may invest any of its funds not immediately required—"; and**

(g) by the substitution for subsection (4) of the following subsection:

"(4) **[The Board]** South African Tourism may charge and recover fees for any services rendered."

#### **Substitution of section 22 of Act 3 of 2014**

9. The following section is hereby substituted for section 22 of the principal Act:

**"Application of Public Finance Management Act to **[Board]** South African Tourism**

**22.** The Public Finance Management Act applies to **[the Board]** South African Tourism."

#### **Insertion of section 22A in Act 3 of 2014**

10. The following section is hereby inserted after section 22 of the principal Act:

**"Delegations and assignments by the Board**

**22A.** (1) The Board may in writing and subject to such conditions as it may determine, delegate or assign any of its powers or duties in terms of this Act—

(a) to a committee of the Board;

(b) to an employee of South African Tourism; or

(c) with the concurrence of the Minister, to any other suitable body.

(2) A delegation or assignment under subsection (1)—

(a) must be in writing;



- (b) does not divest the Board of the power delegated or duty assigned;
- (c) does not prevent the Board from exercising the power or performing the duty so delegated or assigned; and
- (d) may at any time be withdrawn by the Board."

### **Amendment of section 24 of Act 3 of 2014**

11. Section 24 of the principal Act is hereby amended—
- (a) by the substitution for the heading of the following heading:
- "Appointment and responsibilities of chief executive officer of [Board] South African Tourism"; and**
- (b) by the substitution for subsection (4) for the following subsection:
- "(4) The chief executive officer is responsible for the efficient management of the business and affairs of **[the Board] South African Tourism** and must perform any function delegated or assigned by the Board."

### **Amendment of section 27 of Act 3 of 2014**

12. Section 27 of the principal Act is hereby amended—
- (a) by the substitution for the heading of the following heading:
- "Employment and remuneration policy of [Board] South African Tourism and appointment of staff"**

(b) by the substitution in subsection (1) for paragraph (a) of the following paragraph:

"(a) The Board must determine an employment and remuneration policy applicable to personnel of **[the Board]** South African Tourism.";

(c) by the substitution in subsection (2) for paragraph (a) of the following paragraph:

"(a) after consulting the Board, must determine the staff establishment necessary to assist **[the Board]** South African Tourism in carrying out its functions; and"; and

(d) by the substitution for subsection (3) of the following subsection:

"(3) An employee of **[the Board]** South African Tourism is employed subject to terms and conditions determined by the Board in accordance with the employment policy contemplated in subsection (1)."

#### **Amendment of section 28 of Act 3 of 2014**

**13.** Section 28 of the principal Act is hereby amended by the substitution for subsection (1) of the following subsection:

"(1) The Minister **[may]** must develop a national grading system for tourism with a view to maintaining or enhancing the standards and quality of tourism services, facilities and products."

### Repeal of sections 29 to 44 of Act 3 of 2014

14. Sections 29 to 44 of the principal Act are hereby repealed.

### Amendment of section 47 of Act 3 of 2014

15. Section 47 of the principal Act is hereby amended—
- (a) by the insertion of "(1)" before the words preceding paragraph (a); and
  - (b) by the addition of the following subsection:

"(2) Nothing in this section prevents the Tourism Complaints Officer from, on own initiative, referring a matter to a regulatory authority with jurisdiction over that matter."

### Amendment of section 48 of Act 3 of 2014

16. Section 48 of the principal Act is hereby amended—
- (a) by the substitution in subsection (2) for paragraph (f) of the following paragraph:

"(f) liaise with the South African Tourism, the Institute, Provincial Registrars, tourist guides, associations of tourist guides, education and training authorities, organs of state, the South African Police Service, provincial consumer affairs bodies and any other person or organisation to—

- (i) facilitate the growth and development of the tourist guiding sector; and

(ii) cooperate on matters of mutual interest in the tourist guiding sector."; and

(b) by the addition of the following subsection after subsection (2):

"(3) Whenever the Registrar—

(a) is to be absent from office, the Registrar must prior to his or her absence and in writing, designate an official in the Department to act as Registrar; or

(b) is for any other reason unable to act as Registrar, the Minister must, in writing, designate another official in the Department to act as Registrar."

#### **Amendment of section 49 of Act 3 of 2014**

17. Section 49 of the principal Act is hereby amended—

(a) by the substitution in subsection (2) for the words preceding paragraph (a) of the following words:

"A Provincial Registrar must, in addition to any other duties or responsibilities that may be determined by the relevant MEC—"; and

(b) by the substitution in subsection (2) for paragraph (g) of the following subsection:

"(g) if he or she has reason to believe that any person, company or close [corperation] corporation contravenes section 57, lay a charge with the South African Police Service."; and

(c) by the addition of the following subsection after subsection (2):

"(3) Whenever a Provincial Registrar—

- (a) is to be absent from office, the Provincial Registrar must prior to his or her absence and in writing, designate an official in the Department to act as Provincial Registrar; or
- (b) is for any other reason unable to act as Provincial Registrar, the relevant MEC must, in writing, designate another official in the Department to act as Registrar."

### **Amendment of section 50 of Act 3 of 2014**

**18.** Section 50 of the principal Act is hereby amended—

- (a) by the insertion after subsection (1) of the following subsection:

"(1A) The Minister may prescribe time frames and procedures for the consideration of applications contemplated in subsection (1) by a Provincial Registrar.";

- (b) by the substitution in subsection (3) for paragraph (c) of the following paragraph:

"(c) loses his or her South African citizenship or right of permanent residence or work **[permit] visa** in the Republic;" and

- (c) by the insertion after subsection (5) of the following subsection:

"(5A) A person registered in in terms of subsection (1) may for reward, whether monetary or otherwise, in relation to a commercial undertaking—

- (a) provide guide services in relation to areas of interest to visitors or tourists;

- (b) interpret the cultural heritage of an area for visitors or tourists;
- (c) assist or coach visitors or tourists in specific recreational activities they undertake; and
- (d) undertake any other activity determined by the Minister by notice in the Gazette."

### **Substitution of section 51 of Act 3 of 2014**

19. The following section is hereby substituted for section 51 of the principal Act:

#### **"Competence**

51. The competence referred to in section 50—

- (a) must be [determined] registered by the South African Qualifications Authority in accordance with the national qualifications framework contemplated in the National Qualifications Framework Act, 2008 (Act No. 67 of 2008); and
- (b) may include any additional requirements prescribed by the Minister by notice in the Gazette."

### **Amendment of section 52 of Act 3 of 2014**

20. Section 52 of the principal Act is hereby amended by the substitution for subsection (1) of the following subsection:

"(1) The National Registrar must in the prescribed manner, after consultation with the MEC in each province, the

Provincial Registrars and stakeholder groupings, prepare **[and publish]** a code of conduct and ethics, with which every registered tourist guide must comply, for approval by the Minister, who must publish it by notice in the *Gazette*."

#### **Amendment of section 55 of Act 3 of 2014**

**21.** Section 55 of the principal Act is hereby amended by the substitution in subsection (2) for paragraph (a) of the following paragraph:

"(a) A Provincial Registrar who institutes an investigation or causes an investigation to be instituted as contemplated in subsection (1) must by notice, sent by registered post or any other effective method, inform the tourist guide of the charge against him or her."

#### **Amendment of section 57 of Act 3 of 2014**

**22.** Section 57 of the principal Act is hereby amended by the addition of the following subsection:

"(4) The Minister may make regulations necessary to enhance tourist safety and the tourist guiding experience, including the setting of permissible ratios of tourist guides to tourists."

## Amendment of section 59 of Act 3 of 2014

23. Section 59 of the principal Act is hereby amended by the substitution in subsection (1) for paragraph (f) of the following paragraph:

"(f) contravenes section 57(1), (2) [or] , (3) or (4).".

## Transitional provisions

24. (1) In this section—

"**Amendment Act**" means the Tourism Amendment Act, 2018; and

"**principal Act**" means the Tourism Act, 2014 (Act No. 3 of 2014).

(2) A person who is a member of the South African Tourism Board immediately before the Amendment Act takes effect, remains a member of the Board of South African Tourism for the remainder of his or her term of office or until the Minister appoints a new Board in terms of section 13 of the principal Act, whichever occurs first.

(3) Anything done or any decision or step taken by the Tourism Grading Council immediately before the Amendment Act takes effect, remains of force and effect and must be regarded as having been done or taken by South African Tourism.

(4) All the assets, liabilities, rights and obligations of the Tourism Grading Council immediately before the Amendment Act takes effect are hereby transferred to South African Tourism.



**Amendment of Arrangement of Sections of Act 3 of 2014**

25. The Arrangement of Sections of the principal Act is hereby amended—
- (a) by the substitution for the heading to Chapter 3 for the following heading:  
**"South African Tourism [Board]".**
  - (b) by the substitution for item 10 of the following item:  
**"10. Functions of [Board] South African Tourism";**
  - (c) by the substitution for item 11 of the following item:  
**"11. Powers of [Board] South African Tourism";**
  - (d) by the deletion of item 12;
  - (e) by the substitution for item 21 of the following item:  
**"21. Funds of [Board] South African Tourism";**
  - (f) by the substitution for item 22 of the following item:  
**"22. Application of Public Finance Management Act to [Board] South African Tourism";**
  - (g) by the substitution for item 24 of the following item:  
**"24. Appointment and responsibilities of chief executive officer of [Board] South African Tourism"; and**
  - (h) by the substitution for item 27 of the following item:  
**"27. Employment and remuneration policy of [Board] South African Tourism and appointment of staff"; and**
  - (i) by the deletion of items 29 to 44.

### **Substitution of long title of Act 3 of 2014**

**26.** The long title of the principal Act is hereby substituted for the following long title:

**"To provide for the development and promotion of sustainable tourism for the benefit of the Republic, its residents and its visitors; to provide for the continued existence of the South African Tourism Board as South African Tourism; [to provide for the establishment of the Tourism Grading Council;] to regulate the tourist guide profession; to repeal certain laws; and to provide for matters connected therewith."**

### **Short title and commencement**

**27.** This Act is called the Tourism Amendment Act, 2019, and takes effect on a date determined by the President by proclamation in the *Gazette*.

# TSEBIŠO YA MMUŠO

## KGORO YA BOETI

### MOLAOKAKANYWAPHETOŠWA WA TŠA BOETI WA 2019

#### TALETŠO GO SETŠHABA GO FA DITSHAOTSHWAO KA GA SETHALWA SA MOLAOKAKANYWAPHETOŠWA WA TŠA BOETI

Nna, Derek Andre Hanekom, Tona ya Kgoro ya Boeti, ke phatlalatša Molaokakanywaphetošwa wa tša Boeti gore setšhaba se fe ditshwaotshwao ka ga ona.

Batho le mekgatlo yeo e nago le kgahlego e laletšwa gore mo matšatšing a masometshela (60) ka morago ga go phatlalatšwa ga tsebišo ye ka gare ga kuranta ya mmušo, e romele maikutlo a tšona ao a ngwadilwego ka ga Molaokakanywa wo o šišintšwego go atere se ye e latelago:

Ka poso: The Director General  
Department of Tourism  
Private Bag x424  
PRETORIA  
0001

Go: Mohumagadi MM Setwaba

Ka letsogo: Ground Floor (Reception), Tourism House, 17 Trevenna Street Sunnyside.

Ka emeile: [msetwaba@tourism.gov.za](mailto:msetwaba@tourism.gov.za)

Ge o na le dipotšišo dife goba dife mabapi le sethalwa sa Molaokakanywaphetošwa wa tša Boeti o ka letšetša Mohumagadi Setwaba go 012 444 6312.

Ditshwaotshwao tšeo di amogelwago ka morago ga letšatšikgwedi la go tswalela di ka se hlokomelwe.

**Derek Hanekom, Leloko la Palamente**  
**Tona: Kgoro ya Boeti**

Z

**REPABLIKI YA AFRIKA BORWA****MOLAOKAKANYWAPHETOŠWA WA TŠA BOETI**

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*(Ka ge o tsebagaditšwe ka Palamenteng (karolo ya 76 ye e šišintšwego); kakaretšo ye e hlalošago ya Molaokakanywa wo o phatlaladitšwego ka gare ga Kuranta ya Mmušo ya nomoro ya bo      ya      ) (Sengwalwa sa Seisemane ke sengwalwa sa semmušo sa Molaokakanywa)*  
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**(TONA YA KGORO YA BOETI)****[B — 2019]**

It200318

**TSEBIŠO YE E HLALOŠAGO KA KAKARETŠO:**

[                    ]     Mantšu ao a ngwadilwego ka boso ka gare ga mašakana a khutlonne a laetša ditlogelo go tšwa go diphethagatšo tša molao tšeo di lego gona.

\_\_\_\_\_     Mantšu ao a thaletšwego ka mothaladi o mokoto a laetša ditsenyo ka go diphethagatšo tša molao tšeo di lego gona.

**MOLAOKAKANYWA**

Go fetoša Molao wa tša Boeti, wa 2014, go realo e le go hlagišetša ditlhalošo tše itšego; go hlagišetša go tšeela sephetho ka ga mellwane mabapi le go renta ntlo mmogo lebaka le lekopana; go hlagišetša go rea leswa leina la Lekgotlataolo la tša Boeti la Afrika Borwa go ba Sehlongwa sa tša Boeti sa Afrika Borwa; go hlagišetša dinyakwa tša tlaleletšo tša bokgoni bja bahlahli ba tša boeti; go hlagišetša go laola polokego mabapi le bahlahli ba tša boeti le kaonafatšo ya maitemogelo a bahlahli ba tša boeti; le go hlagišetša merero ye e amanago le diteng tša ka mo sengwalweng se.

**O TLA TSENYWA TIRIŠONG** ke Palamente ya Repabliki ya Afrika Borwa, ka fao go latelago:—

**Phetošo ya karolo ya 1 ya Molao wa 3 wa 2014**

1.     Karolo ya 1 ya Molao wa tša Boeti, wa 2014 ("Molaomogolo"), e fetošwa—

- (a) ke tlogelo ya tlhalošo ya "Lekgotla"; le
- (b) ke tsenyo ka morago ga tlhalošo ya "taolo" ya tlhalošo ye e latelago:

" 'go renta ntlo lebaka le lekopana' go ra go renta goba go hiriša lebakanyana, blalo ka kabo, ya madulo goba ya karolo ya ona gonafao, go moeti:".

### **Phetošo ya karolo ya 7 ya Molao wa 3 wa 2014**

2. Karolo ya 7 ya Molaomogolo e a fetošwa ka go phumola karolwana ya (1)(a) ya lentšu le "le" mafelelong a temana ya (iii), gomme gwa tsenywa temana ye e latelago:

"(v) \_\_\_mellwane mabapi le go renta ntlo mmogo lebaka le lekopana; le".

### **Go tlošwa ga hlogwana ya Kgaolo ya 3 ya Molao wa 3 wa 2014**

3. Hlogwana ye e latelago e a tlošwa ka go hlogwana ya Kgaolo ya 3 ya Molaomogolo:

**"Sehlongwa sa tša Boeti sa Afrika Borwa [Lekgotlataolo]"**.

### **Go tlošwa ga karolo ya 9 ya Molao wa 3 wa 2014**

4. Karolo ye e latelago e a tlošwa ka go karolo ya 9 ya Molaomogolo:

"Go tšwela pele go ba gona ga Lekgotlataolo la tša Boeti la Afrika Borwa

9. (1) Lekgotlataolo la tša Boeti la Afrika Borwa, leo le hlomilwego ke karolo ya 2 ya Molao wa tša Boeti, wa 1993 (Molo wa nomoro ya 72 wa 1993), le tšwela pele go ba gona bjalo ka setheo sa semolao seo se bitšwago "Sehlongwa sa tša Boeti sa Afrika Borwa", go sa lebelelwe go fedišwa ga Molao wo ke karolo ya 62.

(2) Sehlongwa sa tša Boeti sa Afrika Borwa se laolwa ke Lekgotlataolo ka ge go ukangwe ka go karolo ya 13."

### Phetošo ya karolo ya 10 ya Molao wa 3 wa 2014

5. Karolo ya 10 ya Molaomogolo e fetošwa—
- (a) ke tlogelo ya hlogwana gwa tsenywa hlogwana ye e latelago:  
"Mešomo ya [Lekgotlataolo] Sehlongwa sa tša Boeti sa Afrika Borwa";
- (b) ke tlogelo ka go karolwana ya (1) ya mantšu ao a tlogo pele ga temana ya (a) gwa tsenywa mantšu ao a latelago:  
" Mešomo ya [Lekgotlataolo] Sehlongwa sa tša Boeti sa Afrika Borwa ke go—";
- (c) ke tlogelo go karolwana ya (1) ga lentšu le "le" mafelelong a temana ya (e), go tlošwa ga tlhagišo ye "; le" ya khutlo mafelelong a temana ya (f) le go tsenya temana ye e latelago:  
"(g) phethagatša le go laola lenaneo la peakanyo ya maemo la bosetšhaba la tša boeti leo le hlagišitšwego ka go karolo ya 28(1)."; le
- (d) ke tlogelo go karolwana ya (2) ga karolwana ye e latelago:

"(2) **[Lekgotlataolo]** Sehlongwa sa tša Boeti sa Afrika

Borwa se swanetše go dira mošomo ofe goba ofe wo se filwego ona go latela taelo ya melawana yeo e sa thulanego le Molao wo woo o phatlaladitšwego ke Tona."



**Phetošo ya karolo ya 11 ya Molao wa 3 ya 2014**

6. Karolo ya 11 ya Molaomogolo e a fetošwa—

(a) ke tlogelo ya hlogwana gwa tsenywa hlogwana ye e latelago:

"Maatla a [**Lekgotlataolo**] **Sehlongwa sa tša Boeti sa Afrika Borwa**";

(b) ke tlogelo ya mantšu ao a tlogo pele ga temana ya (a) gwa tsenywa mantšu ao a latelago:

"Ka ntle le go phamoga go maatla a sona ka kakaretšo go phethagatša ditiro tša semolao bjalo ka sehlongwa sa semolao, [**Lekgotlataolo**] **Sehlongwa sa tša Boeti sa Afrika Borwa** se ka—";

(c) ke tlogelo go temana ya (c) ga mantšu ao a tlogo pele ga temana ya ka fasana ya (i) gwa tsenywa mantšu ao a latelago:

"inšora [**Lekgotlataolo**] **Sehlongwa sa tša Boeti sa Afrika Borwa** kgahlanong le—"; le

(d) ke tlogelo go temana ya (d) gwa tsenywa temana ye e latelago:

"(d) thwala batho bao ba lego maleba go dira mešomo ya [**Lekgotlataolo**] **Sehlongwa sa tša Boeti sa Afrika Borwa**; le".

**Go fediša ga karolo ya 12 ya Molao wa 3 wa 2014**

7. Karolo ya 12 ya Molaomogolo e a fedišwa.

**Phetošo ya karolo ya 21 ya Molao wa 3 wa 2014**

8. Karolo ya 21 ya Molaomogolo e a fetošwa—
- (a) ke tlogelo ya hlogwana ya:
- "Ditšhelete tša [Lekgotlataolo] Sehlongwa sa tša Boeti sa Afrika Borwa";**
- (b) ke tlogelo ka go karolwana ya (1) ya mantšu ao a tlogo pele ga temana ya (a) gwa tsenywa mantšu ao a latelago:
- "Ditšhelete tša [Lekgotlataolo] Sehlongwa sa tša Boeti sa Afrika Borwa se bopilwe ke—";**
- (c) ke tlogelo ka go karolwana ya (1) ya temana ya (b) gwa tsenywa temana ye e latelago:
- "(b) tšhelete efe goba efe ye e lefetšwego [Lekgotlataolo] Sehlongwa sa tša Boeti sa Afrika Borwa go ditirelo tšeo di abilwego";**
- (d) ke tlogelo ka go karolwana ya (1) ya temana ya (d) gwa tsenywa temana ye e latelago:
- "(d) ditšhelete dife goba dife tšeo [Lekgotlataolo] Sehlongwa sa tša Boeti sa Afrika Borwa se nago le maswanedi goba se ka bago le maswanedi go tšona.";**
- (e) ke tlogelo ka go karolwana ya (2) gwa tsenywa karolwana ye e latelago:
- "(2) [Lekgotlataolo] Sehlongwa sa tša Boeti sa Afrika Borwa se ka šomiša ditšhelete tša sona gore di thuše ka go ditshenyegelo tšeo di hweditšwego ge se phethagatša mešomo ya sona go latela Molao wo.";**

- (f) ke tlogelo ka go karolwana ya (3) gwa tsenywa mantšu ao a latelago ao a tlogo pele ga temana ya (a) ka mantšu ao a latelago:

**"[Lekgotlataolo] Sehlongwa sa tša Boeti sa Afrika Borwa**  
se ka beeletša ditšhelete dife goba dife tša sona e sego ka bjako ge go nyakega—"; le

- (g) ke tlogelo ka go karolwana ya (4) gwa tsenywa karolwana ye e latelago:

**"(4) [Lekgotlataolo] Sehlongwa sa tša Boeti sa Afrika**  
**Borwa** se ka lefiša le go hwetša ditšhelete tša ditirelo dife goba dife tšeo di abilwego."

#### **Go tlošwa ga karolo ya 22 ya Molao wa 3 wa 2014**

9. Karolo ye e latelago e a tlošwa ka go karolo ya 22 ya Molaomogolo:  
"Phethagatšo ya Molao wa Taolo ya Ditšhelete tša Setšhaba go  
**[Lekgotlataolo] Sehlongwa sa tša Boeti sa Afrika Borwa**

**22.** Molao wa Taolo ya Ditšhelete tša Setšhaba o šoma go  
**[Lekgotlataolo] Sehlongwa sa tša Boeti sa Afrika Borwa."**

#### **Go tsenywa ga karolo ya 22A ka go Molao wa 3 wa 2014**

10. Karolo ye e latelago e a tsenywa ka morago ga karolo ya 22 ya Molaomogolo:

**"Go phumola le mešomo ye a fiwago ke Lekgotlataolo**

22A. (1) Lekgotlataolo le ka no ngwala le go latela maemo ao go ya ka fao le ka tšeago sephetho, la romela, goba la fa maatla afe goba afe a yona goba mešomo go latela Molao wo—

(a) go komiti ya Lekgotlataolo;

(b) go mošomi wa Sehlongwa sa tša Boeti sa Afrika Borwa; goba

(c) ka tumelano le Tona, go sehlongwa sefe goba sefe sa maleba.

(2) Thomelo goba mošomo wo o dirwago ka fase ga karolwana ya (1)—

(a) e swanetše go ngwalwa;

(b) ga e hlokiše Lekgotlataolo maatla ao a rometšwego goba a filwego yona;

(c) ga e thibele Lekgotlataolo go phethagatša maatla a goba go dira mošomo wo o rometšwego goba o filwego yona; le

(d) e ka re ka nako efe goba efe ya gomišwa ke Lekgotlataolo."

### Phetošo ya karolo ya 24 ya Molao wa 3 wa 2014

11. Karolo ya 24 ya Molaomogolo e a fetošwa—

(a) ke tlogelo ya hlogwana ya hlogwana ye e latelago:

"Go thwala le maikarabelo a mohlankedimogolophethiši wa

**[Lekgotlataolo] Sehlongwa sa tša Boeti sa Afrika Borwa**"; le

(b) ke tlogelo ka go karolwana ya (4) gwa tsenywa karolwana ye e latelago:

"(4) Mohlankedimogolophethiši o rwele maikarabelo a taolo ye kaone ya kgwebo le merero ya **[Lekgotlataolo] Sehlongwa sa tša Boeti sa Afrika Borwa** ebile o swanetše go phethagatša mošomo

ofe goba ofe wo a rometšwego go o dira goba a filwego ke Lekgotlataolo."

### Phetošo ya karolo ya 27 ya Molao wa 3 wa 2014

12. Karolo ya 27 ya Molaomogolo e a fetošwa—

(a) ke tlogelo ya hlogwana gwa tsenywa hlogwana ye e latelago:

**"Melawana ya go thwala bašomi mešomong le ya meputso ya [Lekgotlataolo] Sehlongwa sa tša Boeti sa Afrika Borwa le go thwala bašomi".**

(b) ke tlogelo ka go karolwana ya (1) temaneng ya (a) gwa tsenywa temana ye e latelago:

"(a) Lekgotlataolo le swanetše go bea melawana ya go thwala bašomi mešomong le ya meputso yeo e amanago le bašomi ba **[Lekgotlataolo] Sehlongwa sa tša Boeti sa Afrika Borwa.**";

(c) ke tlogelo ka go karolwana ya (2) temaneng ya (a) gwa tsenywa temana ye e latelago:

"(a) ka morago ga go rerišana le Lekgotlataolo, o swanetše go tšea sephetho ka ga sebopego sa bašomi seo se hlokegago go thuša **[Lekgotlataolo] Sehlongwa sa tša Boeti sa Afrika Borwa** go phethagatša mešomo ya sona; le"; le

(d) ke tlogelo ka go karolwana ya (3) gwa tsenywa temana ye e latelago:

"(3) Mošomi wa **[Lekgotlataolo] Sehlongwa sa tša Boeti sa Afrika Borwa** o thwalwa mošomong go latela melawana le maemo ao a beilwego ke Lekgotlataolo go latela melawana ya go

thwala bašomi mešomong yeo e hlagišitšwego ka go karolwana ya (1)."

### **Phetošo ya karolo ya 28 ya Molao wa 3 wa 2014**

13. Karolo ya 28 ya Molaomogolo e a fetošwa ke tlogelo ya karolwana ya (1) gwa tsenywa karolwana ye e latelago:

"(1) Tona [a ka] o swanetše go hlama lenaneo la peakanyo ya maemo la bosetšhaba la tša boeti ka nepo ya go hlokomela goba ya go maatlafatša maemo le boleng bja ditirelo tša boeti, bja mafelo le ditšweletšwa."

### **Go fediša ga dikarolo tša 29 go fihla go ya 44 ya Molao wa 3 wa 2014**

14. Dikarolo tša 29 go fihla go ya 44 tša Molaomogolo di a phumolwa.

### **Phetošo ya karolo ya 47 ya Molao wa 3 wa 2014**

15. Karolo ya 47 ya Molaomogolo e a fetošwa—
- (a) ka go tsenya ga "(1)" pele ga mantšu ao a tlogo pele ga temana ya (a); le
  - (b) ka go tsenya karolwana ye e latelago:

"(2) Ga se gona ka mo karolong ye seo se thibela go Mohlankedi wa Dingongorego tša Boeti go, ka boyena, se romele taba

go sehlongwa sa taolo seo se nago le taelo ya semolao mabapi le taba yeo."

### **Phetošo ya karolo ya 48 ya Molao wa 3 wa 2014**

**16.** Karolo ya 48 ya Molaomogolo e a fetošwa—

(a) ke tlogelo ka go karolwana ya (2) temaneng ya (f) gwa tsenywa temana ye e latelago:

"(f) rerišana le Sehlongwa sa tša Boeti sa Afrika Borwa, Setheo, Bangwadiši ba ka Phrobentsheng, bahlahli ba baeti, mekgatlo ya bahlahli ba baeti, bolaodi ba thuto le tlhahlo, ditheo tša mmušo, Tirelo ya Maphodisa ya Afrtika Borwa, dihlongwa tša merero ya badiriši tša ka phrobentsheng le motho ofe goba ofe goba mokgatlo go—

(i) nolofatša kgolo le tlhabollo ya lefapha la bohlahli bja baeti; le

(ii) dirišana ka ga ditaba tšeo ba nago le kgahlego go tšona ka moka ka lefapheng la bohlahli bja baeti."; le

(b) ka go tsenya karolwana ye e latelago ka morago ga karolwana ya (2):

"(3) Nako le nako ge Mongwadiši—

(a) a ka se be gona ka kantorong, Mongwadiši o swanetše gore pele ga ge a ka se be gona gomme a ngwale, a romele mohlankedi wa Kgoro go šoma bjalo ka Mongwadiši; goba

(b) ka mabaka afe goba afe a palelwa ke go šoma bjalo ka Mongwadiši, Tona o swanetše, ka go ngwala, a romele

mohlankedi yo mongwe wa ka Kgorong go šoma bjalo ka Mongwadiši."

### Phetošo ya karolo ya 49 ya Molao wa 3 wa 2014

17. Karolo ya 49 ya Molaomogolo e a fetišwa—

(a) ke tlogelo ka go karolwana ya (2) ya mantšu ao a tlogo pele ga temana ya (a) gwa tsenywa mantšu ao a latelago:

"Mongwadiši wa Phrobentshe o swanetše, godimo ga mešomo efe goba efe ye mengwe goba maikarabelo ao a ka fiwago ke Molekgotlaphethiši wa maleba—"; le

(b) ke tlogelo ka go karolwana ya (2) temaneng ya (g) gwa tsenywa karolwana ye e latelago:

"(g) ge e le gore o na le lebaka la go dumela gore motho ofe goba ofe, khamphani goba khamphani [koporase] ya mohlakanelwa e tshela karolo ya 57, a ka e bulela molato go Tirelo ya Mphodisa ya Afrika Borwa."; le

(c) ka go tsenya ga karolwana ye e latelago ka morago ga karolwana ya (2):

"(3) Nako le nako ge Mongwadiši wa Phrobentshe—

(a) a ka se be gona ka kantorong, Mongwadiši wa Phrobentshe o swanetše gore pele ga ge a ka se be gona gomme a ngwale, a romele mohlankedi wa Kgoro go šoma bjalo ka Mongwadiši wa Phrobentshe; goba



(b) ka mabaka afe goba afe a palelwa ke go šoma bialo ka Mongwadiši wa Phrobentshe, Molekgotlaphethiši wa maleba o swanetše, ka go ngwala, a romele mohlankedi yo mongwe wa ka Kgorong go šoma bialo ka Mongwadiši."

### Phetošo ya karolo ya 50 ya Molao wa 3 wa 2014

18. Karolo ya 50 ya Molaomogolo e a fetošwa—

(a) ka go tsenya ka morago ga karolwana ya (1) karolwana ye e latelago:

"(1A) Tona a ka bea dinako le ditshepedišo tšeo ka tšona dikgopelo di ka lebelelwago ka ge go hlagišitšwe ka go karolwana ya (1) ke Mongwadiši wa Phrobentshe.";

(b) ke tlogelo ka go karolwana ya (3) temaneng ya (c) gwa tsenywa temana ye e latelago:

"(c) o lahlegelwa ke bodudi bja gagwe bja Afrika Borwa goba tokelo ya bodudi bja sa ruri goba visa ya mošomo [phemiti] ka Repabliking;" le

(c) ka go tsenya ka morago ga karolwana ya (5) karolwana ye e latelago:

"(5A) Motho yo a ngwadišitšwego go latela karolwana ya (1) aka, ka nepo ya go putswa, e ka ba ka tšhelete goba ka mokgwa o mongwe, a dira kgwebo—

(a) aba ditirelo tša go hlahla baeti mabapi le makala a kgahlego go baeti goba go baeng;

(b) hlatholla bohwa bja setšo bja lefelo leo le etetšwego ke baeti goba ke baeng;

- (c) thuša goba go hlahla baeng goba abeti ka mešomong ye itšego ya tša boitapološo yeo ba e dirago; le
- (d) dira mošomo ofe goba ofe o mongwe wo a filwego ke Tona ka tsebišo ka gare ga *Kuranta ya Mmušo*.

### Phetošo ya karolo ya 51 ya Molao wa 3 wa 2014

19. Karolo ye e latelago e a fetošwa ka go karolo ya 51 ya Molaomogolo:

#### "Bokgoni

51. Bokgoni bjo go boletšwego ka bjona ka go karolo ya 50—

- (a) bo swanetše [tšeelwa sephetho] ngwadišwa ke Setheo sa Mangwalo a Dithuto sa Afrika Borwa go latela tlhako ya mangwalo a dithuto ya bosetšhaba yeo e hlagišitšwego ka go Molao wa Tlhako ya Mangwalo a Dithuto wa Bosetšhaba, wa 2008 (Molao wa nomoro ya 67 wa 2008); le
- (b) e ka akaretša dinyakwa tša tlaleletšo tšeo di beilwego ke Tona ka tsebišo ka gare ga *Kuranta ya Mmušo*.

### Phetošo ya karolo ya 52 ya Molao wa 3 wa 2014

20. Karolo ya 52 ya Molaomogolo e fetošwa ke tlogelo ka go karolwana ya (1) gwa tsenywa karolwana ye e latelago:

"(1) Mongwadiši wa Bosetšhaba o swanetše gore ka mokgwa wo o beilwego, ka morago ga go rerišana le Molekgotlaphethiši ka phrobentsheng ye nngwe le ye nngwe, le

Bangwadiši ba Diphrobentshe le dihlopha tša bakgathatema, a beakanye [**le go phatlalatša**] melawana ya maitshwaro le ya boitshwaro, le mohlahlhi o mongwe le o mongwe wa baeti yo a ingwadišitšego gore e obamelwe, gore e dumelelwe ke Tona, yo a swanetšego go e phatlalatša ka tsebišo ka gare ga *Kuranta ya Mmušo*."

### **Phetošo ya karolo ya 55 ya Molao wa 3 wa 2014**

**21.** Karolo ya 55 ya Molaomogolo e fetošwa ke tlogelo ka go karolwana ya (2) temaneng ya (a) gwa tsenywa temana ye e latelago:

"(a) Mongwadiši wa Phrobentshe yo a tšeago sephetho sa gore go dirwe dinyakišišo goba yo a bakago gore go dirwe dinyakišišo ka ge go hlagišitšwe ka go karolwana ya (1) o swanetše gore ka tsebišo, a romele ka poso ye e ngwadišitšwego goba ka mokgwa ofe goba ofe wo o šomago gabotse, a tsebiše mohlahlhi wa baeti ka ga molato kgahlanong le yena."

### **Phetošo ya karolo ya 57 ya Molao wa 3 wa 2014**

**22.** Karolo ya 57 ya Molaomogolo e a fetošwa ka go tsenya karolwana ye e latelago:

"(4) Tona a ka dira melawana ye e hlokagalago go maatlafatša polokego ya bahlahli ba baeti le maitemogelo a go hlahla

baeti, go akaretšwa le go bea dikelo tšeo di dumelelegago tša bahlahli  
ba baeti go baeti."

### Phetošo ya karolo ya 59 ya Molao wa 3 wa 2014

23. Karolo ya 59 ya Molaomogolo e fetošwa ke tlogelo ka go karolwana ya  
(1) temaneng ya (f) gwa tsenywa temana ye e latelago:

"(f) o tshela karolo ya 57(1), (2) **[goba]** , (3) goba (4)."

### Ditlhagišo tša lebakanyana

24. (1) Ka mo karolong ye—

**"Molaophetošwa"** o ra Molaophetošwa wa tša Boeti, wa 2018; le

**"Molaomogolo"** o ra Molao wa tša Boeti, wa 2014 (Molao wa nomoro ya 3 wa  
2014).

(2) Motho yo e lego leloko la Lekgotlataolo la tša Boeti la Afrika  
Borwa ka pela pele ga ge Molaophetošwa o tsenywa tirišong, o tšwela pele go ba  
leloko la Lekgotlataolo la Sehlongwa sa tša Boeti sa Afrika Borwa go fihla  
mafelelong a nako ya gago ya mošomo goba go fihla ge Tona e twala Lekgotlataolo  
le leswa go latela karolo ya 13 ya Molaomogolo, go eya ka gore ke efe e tlogo pele.

(3) Selo sefe goba sefe seo se dirwago goba sephetho sefe goba  
sefe seo se tšewago ke Lekgotla la Peakanyo ya Maemo la tša Boeti ka pele ga ge  
Molaophetošwa o tsenywa tirišong, se tšwela pele go phethagatšwa goba go šoma  
gomme se swanetše go tšewa gore se dirilwe goba se tšerwe ke Sehlongwa sa tša  
Boeti sa Afrika Borwa.

(4) Dithoto ka moka, boikarabelo, ditokelo le ditlamego tša Lekgotla la Peakanyo ya Maemo la tša Boeti ka pela pele ga ge Molaophetošwa o tsenywa tirišong di fetišetšwa go Sehlongwa sa tša Boeti sa Afrika Borwa.

### Phetošo ya Peakanyo ya Dikarolo tša Molao wa 3 wa 2014

25. Peakanyo ya Dikarolo tša Molaomogolo e a fetošwa—

(a) ke tlogelo ya hlogwana ya Kgaolo ya 3 gwa tsenywa hlogwana ye e latelago:

**"Sehlongwa sa tša Boeti sa Afrika Borwa [Lekgotlataolo]"**.

(b) ke tlogelo ya ntlha ya 10 gwa tsenywa ntlha ye e latelago:

**"10. Mešomo ya [Lekgotlataolo] Sehlongwa sa tša Boeti sa Afrika Borwa";**

(c) ke tlogelo ya ntlha ya 11 gwa tsenywa ntlha ye e latelago:

**"11. Maatla a [Lekgotlataolo] Sehlongwa sa tša Boeti sa Afrika Borwa";**

(d) ke tlogelo ya ntlha ya 12;

(e) ke tlogelo ya ntlha ya 21 gwa tsenywa ntlha ye e latelago:

**"21. Ditšhelete tša [Lekgotlataolo] Sehlongwa sa tša Boeti sa Afrika Borwa";**

(f) ke tlogelo ya ntlha ya 22 gwa tsenywa ntlha ye e latelago:

**"22. Tirišo ya Molao wa Taolo ya Ditšhekete tša Setšhaba go [Lekgotlataolo] Sehlongwa sa tša Boeti sa Afrika Borwa";**

(g) ke tlogelo ya ntlha ya 24 gwa tsenywa ntlha ye e latelago:

**"24. Go thwala le maikarabelo a mohlankedimogolophethiši wa [Lekgotlataolo] Sehlongwa sa tša Boeti sa Afrika Borwa"; le**

(h) ke tlogelo ya ntlha ya 24 gwa tsenywa ntlha ye e latelago:

"27. Melawana ya go thwala bašomi mošomong le ya go ba lefela ya **[Lekgotlataolo] Sehlongwa sa tša Boeti sa Afrika Borwa** le go thwala bašomi"; le

(i) ke tlogelo ya dintlha tša 29 go fihla ka 44.

### **Tlogelo ya thaetlele ye telele ya Molao wa 3 wa 2014**

26. Thaetlele ye telele ya Molaomogolo e a tlogelwa gomme gwa tsenywa thaetlele ye telele ye e latelago:

**"Go hlagišetša gore go be le tihabollo le tšwetšopele ya boeti bja go ya go ile go hola Repabliki, badudi ba yona le baeti ba yona; go hlagišetša gore Lekgotlataolo la tša Boeti la Afrika Borwa le tšwela pele go ya go ile bjalo ka Sehlongwa sa tša Boeti sa Afrika Borwa; [go hlagišetša gore go hlangwe Lekgotla la Peakanyo ya Maemo la tša Boeti;] go laola phofešene ya bahlahli ba baeti; go fediša melao ye itšego; le go hlagišetša merero ye e amanago le ditaba tša ka mo."**

### **Thaetlele ye kopana le go thomiša ga yona**

27. Molao wo o bitšwa Molaophetošwa wa tša Boeti, wa 2019, gomme o thoma go dirišwa ka letšatšikgwedi leo le beilwego ke Mopresidente ka kgoeletšo ka gare ga *Kuranta ya Mmušo*.