

DEPARTMENT OF HEALTH

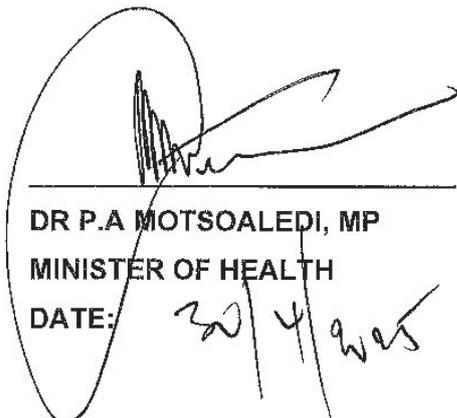
NO. 6326

20 June 2025

MENTAL HEALTH CARE ACT, 2002

**REGULATIONS FOR LICENSING COMMUNITY MENTAL HEALTH DAY CARE
AND RESIDENTIAL CARE FACILITIES FOR PEOPLE WITH MENTAL ILLNESS
AND OR SEVERE OR PROFOUND INTELLECTUAL DISABILITY**

The Minister of Health has, in terms of section 66 of the Mental Health Care Act, 2002 (Act No. 17 of 2002) and after consultation with all the Members of the Executive Council, made Regulations in the Schedule.



DR P.A MOTSOALEDI, MP
MINISTER OF HEALTH
DATE: 20/4/2025

SCHEDULE

Definitions

1. In these Regulations any word or expression to which a meaning has been assigned in the Act shall have the meaning so assigned and, unless the context otherwise indicates—

“**applicant**” means a person that applies for a licence to provide a mental health service or operate a mental health day care or residential care facility to five or more people with mental illness and or severe or profound intellectual disability;

“**community care**” means programmes and facilities for community care, treatment and rehabilitation for people with mental illness and or severe or profound intellectual disability;

“**facility**” means a building or structure which is ordinarily used in the course of providing mental health care, treatment and rehabilitation services and includes a mental health day care and residential care facility;

“**halfway house**” means a residential care facility for mental health care users who had either been cared for in their communities, or had been formerly treated in a psychiatric hospital or in a care and rehabilitation centre;

“**health establishment**” means health establishment as defined in section 1 of the National Health Act, 2006 (Act No. 61 of 2006);

“**HOD**” means the head of the relevant provincial department of health;

“**licence**” means a licence granted in terms of regulation 8;

“**licensing administrator**” means an official who performs all related tasks for processing applications for licence including processing new applications, evaluating credential documentation against requirements and follow up with applicants;

“**day care facility**” means a facility that provides day care, treatment and rehabilitation services to five or more people with mental illness and or severe or profound intellectual disability;

“**residential care facility**” means a facility which provides residential care, treatment, and rehabilitation services to five or more people with mental illness and or severe or profound intellectual disability; and

“**the Act**” means the Mental Health Care Act, 2002 (Act No. 17 of 2002).

Application of regulations

2. These Regulations apply to every day care facility and residential care facility which provides care, treatment, and rehabilitation to five or more people with mental illness and or severe or profound intellectual disability.

Purpose of regulations

3. The purpose of these Regulations is to regulate the licensing of day care or residential care facilities for five or more people with mental illness and or severe or profound intellectual disability.

Eligibility to operate day care or residential care facilities

4. (1) Any service which is not a designated psychiatric hospital or care and rehabilitation centre, but which provides residential or day care facilities for five people or more with mental illness and or severe or profound intellectual disability must in terms of the Act—

- (a) obtain a licence from the provincial department concerned to operate; and
- (b) be subjected to at least an annual audit by designated officials of the provincial department concerned.

(2) The conditions of a licence contemplated in subregulation (1) must clearly be stipulated by the provincial department concerned and must include—

- (a) the physical address of the relevant service;
- (b) the number of people to be accommodated;
- (c) whether such service is to be used for children, adults, or geriatrics;
- (d) service requirements;
- (e) the duration of the licence; and
- (f) that the licence is not transferable.

Prohibition and penalties

5. (1) A person may not establish or operate a day care facility or a residential care facility which provides care to five or more people with mental illness and or severe or profound intellectual disability without a licence from the relevant provincial department of health.

(2) A person who operates a day care facility or residential care facility in contravention of subregulation (1) is, upon conviction, liable to a fine or to imprisonment for a period not exceeding 10 years or to both fine and such an imprisonment.

Application procedure

6. (1) An application for a licence to operate a day care facility or a residential care facility must be made by completing the application form similar to **Annexure A**, obtainable from the provincial department of health.

(2) The application contemplated in subregulation (1) must be submitted to the HOD.

(3) The completed application form must be accompanied by certified copies of the following:

- (a) registration documents for the entity;
- (b) a zoning or re-zoning certificate or special consent issued by the local municipality where applicable;
- (c) a certificate of occupation certifying that the building meets all building regulation requirements issued by the local authority in terms of the National Building Regulations and Building Standards Act, 1977 (Act No. 103 of 1977) and the national building regulations made thereunder;
- (d) a certificate of acceptability issued by Municipal Health Services where applicable;
- (e) a health certificate in relation to minimum health requirements issued by Municipal Health Services in terms of the National Environmental Health Norms and Standards for Premises and Acceptable Monitoring Standards for

Environmental Health Practitioners contained in General Notice 1229 published in *Government Gazette* No. 39561 of 24 December of 2015;

- (f) a health care risk waste management agreement or arrangement in terms of the National Environmental Health Norms and Standards for Premises and Acceptable Monitoring Standards for Environmental Health Practitioners contained in General Notice 1229 published in *Government Gazette* No. 39561 of 24 December of 2015;
- (g) a certificate of compliance in terms of the electrical requirements;
- (h) a clearance certificate for water supply if it is not a municipal water supply;
- (i) a proposed activity or psychosocial rehabilitation programme;
- (j) a maintenance plan for the facility;
- (k) evidence-based protocols for care, treatment, and rehabilitation services;
- (l) dietary plan approved by dietician where the facility provides meals for the mental health care users;
- (m) standard operating procedures and policy for the management of risks of infectious diseases including the reporting of notifiable diseases;
- (n) a proposed staff establishment for the facility;
- (o) a business plan;
- (p) proof of ownership of property or lease agreement;
- (q) a fire clearance certificate;
- (r) a gas compliance certificate where applicable;
- (s) emergency and disaster plan;
- (t) approved building plan; and
- (u) tax clearance.

Handling of application

7. (1) The HOD must, within 30 days of receipt of the application, constitute an inspection team to inspect a facility that applied for to operate or establish a mental health day care or residential care facility.

(2) The inspection team must include—

- (a) a minimum of two registered mental health care practitioners, one of which must be an occupational therapist and another being a psychiatric nurse, a medical officer, or a psychiatrist;
- (b) a dietician;
- (c) a social worker;
- (d) an environmental health practitioner;
- (e) a financial officer;
- (f) a licensing administrator or administrative officer; and
- (g) a mental health care user.

(3) The inspection team must conduct the physical inspection of the facility in respect of which the application for a licence is made.

(4) Where the application is incomplete or has insufficient information the HOD must inform the applicant, in writing, that the application will be considered only when all the requirements of the application have been met.

(5) The HOD must appoint an Adjudication Panel consisting of not less than five officials from the Department to consider the application and make recommendations to the HOD.

(6) The Adjudication Panel must include designated officials from the province responsible for—

- (a) mental health;
- (b) quality assurance;
- (c) risk management;
- (d) infrastructure;
- (e) financial management; and
- (f) legal practice.

(7) For the purposes of this clause, “financial officer” means an official who manages financial actions, including financial planning, management of financial risks, record keeping and financial reporting.

Granting or refusal of licence

8. (1) The HOD must, within 30 days after receiving the recommendation from the Adjudication Panel, issue or refuse to issue a licence to the applicant.

(2) If the application is approved, the HOD must issue a licence, valid for a maximum period of 12 months in the form provided for in **Annexure B**.

(3) A licence granted in term of subsection (2) is not transferrable,

(4) If the licensee ceases to operate or is unable to continue to operate, the licensee must surrender the licence to the HOD who may re-issue a licence after being satisfied that the new applicant or the new place complies with the requirements for licensing.

(5) The HOD must, if he or she refuses to issue a licence to an applicant, provide reasons for the refusal in writing and must advise the applicant of his or her rights to appeal the decision to the Member of the Executive Council for health in the relevant province.

Cancellation of licence

9. (1) A licence granted to a licensee may be cancelled by the HOD, if the: -

- (a) licence holder fails to comply with any condition subject to which the licence is granted;
- (b) relevant mental health day care facility or residential care facility is not maintained in accordance with the Norms and Standards Regulations Applicable to Different Health Establishments published in Government Gazette No. 41419, Notice No. 67 of 02 February 2018;
- (c) licensee is convicted of an offence and sentenced to 12 months imprisonment without an option of a fine;
- (d) licensee becomes insolvent; or
- (e) licensee relocates the mental health day care facility or residential care facility to another facility.

(2) Before the HOD cancels the licence, he or she must give notice in writing to the licensee of the intended cancellation.

(3) The notice referred to in subregulation (2) must set out the reasons for the intended cancellation and inform the licensee to furnish reasons within 30 days why the licence should not be cancelled.

(4) If the HOD cancels a licence, he or she must give notice in writing to the licensee that the licence has been cancelled and that the day care facility or the residential care facility must be closed down on or before the date specified in that notice.

(5) If the licence is cancelled, the HOD must assume administrative responsibility for the mental health care users who are in the facility concerned until the users are transferred to another suitable facility.

(6) The HOD must transfer the mental health care users, after informing the mental health care users or families concerned to another facility on or before the date contemplated in subregulation (4).

Appeal procedure

10. (1) The relevant Member of the Executive Council for health must constitute an appeal committee consisting of people not involved in the licensing process to adjudicate on appeals received in terms of regulations 5 and 9 above and make recommendations to the MEC.

(2) A licence holder whose licence has been cancelled by the HOD, may lodge an appeal with the Member of the Executive Council for health of the relevant province within 14 days after receipt of the notice from the HOD.

(3) The Member of the Executive Council for health concerned must, within 90 days of receipt of the appeal from the applicant, uphold or dismiss the appeal.

Renewal of licence

11. The HOD must annually assess or cause to be assessed all community mental health facilities 90 days before expiry of the current licence and renew the licence of the facility if satisfied that the facility still meets applicable licensing requirements.

Termination of operations

12. (1) A licence holder who decides to terminate the operation of the facility must inform the HOD in writing 90 days prior to the intended termination.

(2) Upon cancellation of the licence, the HOD must give notice in writing to the licence holder that the licence has been cancelled and that the facility in respect of which the licence is cancelled, must be closed on or before the date specified in that notice.

(3) Upon cancellation of the licence, the HOD must ensure that all mental health care users are transferred and placed in an alternative suitable facility with immediate effect.

Compliance, monitoring, and reporting

13. (1) The licensee must compile and keep daily statistics.

(2) The licensee must submit a detailed monthly report to the provincial department of health before or on the seventh day of the following month which include, the number of—

- (a) admissions;
- (b) vacancies;
- (c) discharges;
- (d) transfers;
- (e) deaths;
- (f) abscondments; and
- (g) adverse events.

(3) The manager must report adverse events immediately to the provincial department of health and submit a report on the incident within 24 hours.

(4) For the purposes of this clause, “manager” means the person who is responsible for the day-to-day management of the relevant day care facility or residential facility.

Norms and standards

14. All day care facilities and residential care facilities must comply with the Norms and Standards Regulations Applicable to Different Categories of Health Establishments published in *Government Gazette* No. 41419, Notice No. 67 of 02 February 2018.

Rights of mental health care users

15. All rights of mental health care users in accordance with the requirements of the Act and National Health Act, 2003 (Act No. 61 of 2003) must be upheld.

Mental health care user accommodation and infrastructure

16. (1) Mental health care user accommodation must meet minimum space as contemplated in the National Building Regulations and Building Standards Act, 1977 (Act No. 103 of 1977).

(2) The rooms for mental health care users must be cleaned daily and kept hygienic and free from offensive odours in terms of National Environmental Health Norms and Standards for Premises for Acceptable Monitoring Standards for Environmental Health Practitioners, Notice 229 of 2015 *Government Gazette* No. 39561 of 03 December 2015.

(3) A mental health care user's room may not be used to accommodate children, adolescents, and adults together except users who are functionally dependent and accommodated in facilities that provide assisted or supported living.

(4) A mental health care user's room may not accommodate both males and females together in the room except users who are functionally dependent and accommodated in facilities that provide total care.

User health records

17. (1) The facility must open a file for every user for official purposes only, which include:

- (a) name and surname;
- (b) age and gender;
- (c) recent photo;

- (d) copy of identity document;
- (e) physical address;
- (f) next of kin details;
- (g) medical history and diagnosis;
- (h) current treatment intervention;
- (i) discharge or referral summary from the referring hospital or other facility; and
- (j) periodic reviews and reports in terms of sections 30 and 37 of the Act where applicable.

(2) All records must be stored in a locked and secured room within the facility where necessary.

(3) All documents and records relating to the governance of the facility must be kept in terms of National Archives and Record Service Act, 1996 (Act No. 43 of 1996).

Policies

18. The facility must obtain, develop, keep, and have available the relevant policies, which include but not limited to:

- (a) management of complaints and alleged abuses;
- (b) all aspects of sexual activity;
- (c) prevention and control of infections;
- (d) occupational health and safety;
- (e) visitation;
- (f) communication;
- (g) control of firearms, dangerous weapons, and illegal substances;

- (h) management of chronic and acute medical and psychiatric conditions;
- (i) management of mental health care users' assets;
- (j) smoking;
- (k) fees and tariffs;
- (l) management of dangerous and/or disruptive behavior;
- (m) management of medicines and medical supplies;
- (n) management of adverse events;
- (o) managing abscondment;
- (p) managing notifiable diseases;
- (q) transfer; and
- (r) security.

Clinical care and treatment

19. The licensee must ensure that: -

- (a) admissions of users are carried out according to the procedures of the Act;
- (b) all assessments (physical, functional, mental, and social) must be carried out by authorized and qualified staff;
- (c) regular vital signs are recorded in user's file;
- (d) records of the history, initial clinical assessment, and diagnosis of the users when they presented at the health establishment must be available and completed prior to or within 48hrs of admission;

- (e) record of the signature, name, qualification and subsequent assessments and intervention conducted by any healthcare provider is available in the user's file;
- (f) details of the user's care plan, daily treatment interventions and accounts of the user's response to treatment is recorded in the user's files by a registered professional;
- (g) user's clinical records are protected and comply with the legal and statutory requirements for record keeping;
- (h) periodic reviews of users in terms of sections 30 and 37 of the Act are conducted after every six months and reports are available in user's files;
- (i) psychiatric medication is reviewed every six months by an authorised mental health care practitioner who is designated to provide medication and review psychiatric treatment;
- (j) there is a system in place to prevent users from accessing dangerous materials, weapons, or drugs;
- (k) there is a register for recording users that have been secluded or restrained as prescribed;
- (l) the level of medical, nursing and healthcare professionals' intervention needed for each user and the source or place of this intervention is clearly indicated in the individualised management plan.

Psychosocial rehabilitation

20. (1) The facility must provide psychosocial rehabilitation programmes that must include, but not limited to—

- (a) stimulation;
- (b) activities of daily living;
- (c) cognitive enhancement;
- (d) psycho-motor skills improvement;
- (e) reality orientation;
- (f) personal safety and security awareness;
- (g) community re-integration;
- (h) pre-vocational and life skills training;
- (i) optimal mobility training;
- (j) psychosocial needs; or
- (k) leisure and social skills training.

(2) The licensee must ensure that—

- (a) there is a daily attendance register for all programmes.
- (b) there is evidence of all rehabilitation intervention and progress reports recorded in each user's file.
- (c) all therapeutic tools and equipment are available, maintained and stored appropriately.
- (d) tables and chairs are adequate for the number of users in the facility.
- (e) there is availability of appropriate assistive devices for all users in need of such.
- (f) all staff are trained in the correct use of assistive devices and a record is kept for the training done.
- (g) facility has an (SLA) Service Level Agreement with a local health facility for repairs of assistive devices.

- (h) there is access to community outreach rehabilitation services (Occupational Therapy, Physiotherapy and Speech Therapy and Audiology).
- (i) there is quarterly multi-disciplinary team visits and reports are compiled.
- (j) there are records of visits conducted by the multi-disciplinary team and copies or summary of the quarterly reports are available.
- (k) there is evidence of annual rehabilitation in-service training based on the training needs.

Repeal of laws

21. Regulation 43 of the General Regulations, Government No. R.1467 published in *Government Gazette* No. 27117 dated 15 December 2004 as amended by General Regulations: Amendment Government No. 1590 published in *Government Gazette* No. 40515 dated 23 December 2016, is hereby repealed.

Short title and commencement

22. (1) These Regulations are called the Regulations for Licensing Community Mental Health Day Care and Residential Care Facilities for People with Mental Illness and or Severe or Profound Intellectual Disability, 2025.

(2) These Regulations come into effect 18 months after the date of publication.

ANNEXURE A



health

Department:
Health
REPUBLIC OF SOUTH AFRICA

**APPLICATION FORM FOR LICENSING COMMUNITY
MENTAL HEALTH DAY CARE AND RESIDENTIAL CARE
FACILITIES FOR PEOPLE WITH MENTAL ILLNESS AND
OR SEVERE OR PROFOUND INTELLECTUAL DISABILITY**

1. PARTICULARS OF THE APPLICANT			
Name of Day-care/ Residential/ Half way house:			
Name of the APPLICANT			
Identity number:			
Physical address:			
Postal address:			
2. Name of the PERSON/BODY/ORGANIZATION TO MANAGE THE FACILITY:			
Physical address:			
Postal address:			
Telephone number:		Cell number:	
Fax number:		Email:	
NPO Registration Number:			
3. Background and history of organization			
4. Purpose of the service			

8. SUPPORTING DOCUMENTS: The following documents must accompany the application: Please tick checklist	
Registration documents as a legal person in terms of the South African law or NPO/NGO	
Valid zoning or re-zoning certificate or special consent issued by Municipality	
Certificate of occupancy	
Certificate of compliance	
Certificate of acceptability for food handling	
Health certificate	
Health care risk waste contract	
Erected or converted building, written proof that building plans have been approved	
Clearance certificates for water supply (if not supplied by municipality)	
Proposed activity or psychosocial rehabilitation programme	
Facility maintenance plan	
Fire certificate	
Gas compliance certificate where applicable	
Clinical protocol for care, treatment and rehabilitation	
Dietary plan approved by the Dietician	
Standard Operating Procedure/policy for management of risks	
Proposed staff establishment for the facility	
Copy of business plan with costing for proposed activities	
Proof of lease agreement/ ownership of property	
Approved building plan	
Bank account details and 3 months bank statement	
Valid tax clearance certificate or exemption letter from SARS	
Proof of screening against National Register for Sex offenders contemplated in Section 42(2) of the Criminal Law (Sexual Offences and Related Matters) Amendment Act.2007 (Act No.32 of 2007)	
9. GENERAL REMARKS BY THE APPLICANT IN SUPPORT OF THE APPLICATION:	

SUBMITTED BY:

PRINT NAME:

SIGNATURE:

DATE:

RECEIVED BY:

PRINT NAME:

SIGNATURE:

DATE:

ANNEXURE B



LICENCE FOR COMMUNITY MENTAL HEALTH DAY CARE AND RESIDENTIAL CARE FACILITIES FOR PEOPLE WITH MENTAL ILLNESS AND OR SEVERE OR PROFOUND INTELLECTUAL DISABILITY

It is hereby certified that:

Name of Facility	
Physical address	
Postal address	

Is licensed in terms of Mental Health Care Act No 17 of 2002, to provide the following mental health care services to people with Mental Illness and or Severe or Profound Intellectual Disability

Type of Facility and Level of Care	Number of Mental Health Care Users		
	Child and adolescents (less than or equal to 18 years of age)	Adults (over 18 years of age)	Psycho-geriatrics
Residential			
Day Care			

Signed at.....

this.....day of.....20.....

Head of Department

Certification number:

*The duration of this licence is valid for one year
This certificate is not transferable and must be renewed annually based on monitoring and evaluation reports*

TSEBISO YA MMUSO

LEFAPHA LA BOPHELO BO BOTLE

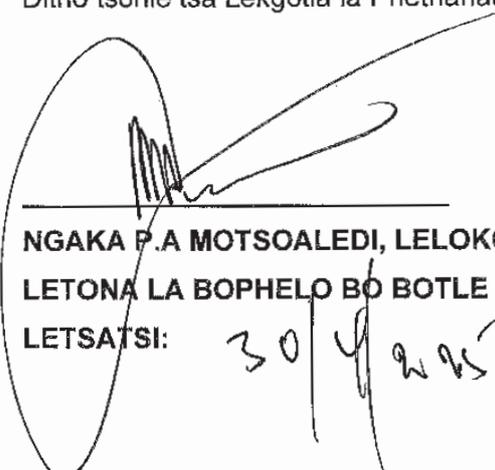
Palo. R.....

2025

MOLAO WA TLHOKOMELO YA BOPHELO BO BOTLE BA KELELLO, 2002

MELAWANA YA HO FANA KA LAESENSE YA TLHOKOMELO YA LETSATSI YA BOPHELO BO BOTLE BA KELELLO YA SETJHABA LE DITSI TSA TLHOKOMELO YA BODULO BAKENG SA BATHO BA NANG LE MAFU A KELELLO KAPA LE BOKOWA BO MATLA KAPA BO TEBILENG BA KELELLO

Letona la Bophelo bo Botle, ho latela karolo ya 66 ya Molao wa Tlhokomelo ya Bophelo bo Botle ba Kelello, 2002 (Molao wa 17 wa 2002) le ka mora ho buisana le Ditho tsohle tsa Lekgotla la Phethahatso, le entse Melawana ka hara Shejule.



NGAKA P.A MOTSOALEDI, LELOKO LA PALAMENTE
LETONA LA BOPHELO BO BOTLE
LETSATSI: 30/4/2025

SHEJULE

Ditlhaloso

1. Melawaneng ena, lentswe kapa polelo efe kapa efe e fuweng moelelo Molaong e tla ba le moelelo o fuweng, ntle le haeba moelelo o bolela ho hong-
“**mokopi**” e hlalosa motho ya etsang kopo ya laesense ya ho fana ka tshebeletso ya bophelo bo botle ba kelello kapa ho tsamaisa setsi sa tlhokomelo ya letsatsi ya bophelo bo botle ba kelello kapa setsi sa tlhokomelo ya bodulo ho batho ba bahlano kapa ba fetang ba nang le mafu a kelello kapa le bokowa bo matla kapa bo tebileng ba kelello;

“**tlhokomelo ya setjhaba**” e hlalosa mananeo le ditsi bakeng sa tlhokomelo ya setjhaba, kalafo le tsosoloso bakeng sa batho ba nang le mafu a kelello kapa le bokowa bo matla kapa bo tebileng ba kelello;

“**setsi**” e hlalosa moaho oo hangata o sebediswang nakong ya ho fana ka ditshebeletso tsa tlhokomelo ya bophelo bo botle ba kelello, kalafo le tsosoloso mme e kenyeletsa setsi sa tlhokomelo ya letsatsi sa bophelo bo botle ba kelello le setsi sa tlhokomelo ya bodulo;

“**ntlo ya tlhokomelo**” e hlalosa setsi sa tlhokomelo ya bodulo bakeng sa basebedisi ba tlhokomelo ya bophelo bo botle ba kelello ba neng ba hlokomelwa metseng ya bona, kapa ba kile ba phekolwa sepetleleng sa mafu a kelello kapa setsing sa tlhokomelo le tsosoloso;

“**setsi sa bophelo bo botle**” e hlalosa setsi sa bophelo bo botle jwalo ka ha ho hlalositse karolong ya 1 ya Molao wa Naha wa Bophelo bo Botle, 2006 (Molao wa 61 wa 2006);

“**Hlooho ya Lefapha**” e hlalosa hlooho ya lefapha le amehang la bophelo bo botle

ba provense;

“laesense” e hlalosa laesense e fuweng ho latela molawana wa 8;

“molaodi wa laesense” e hlalosa ofisiri e etsang mesebetsi yohle e amanang le ho sebetsana le dikopo tsa laesense ho kenyeletswa le ho sebetsana le dikopo tse ntjha, ho hlahloba ditokomane tsa mangolo a bopaki kgahlanong le ditlhoko le ho latela bakopi;

“setsi sa tlhokomelo ya letsatsi” e hlalosa setsi se fanang ka ditshebeletso tsa tlhokomelo ya letsatsi, kalafo le tsosoloso ho batho ba bahlano kapa ba fetang ba nang le mafu a kelello kapa le bokowa bo matla kapa bo tebileng ba kelello;

“setsi sa tlhokomelo ya bodulo” e hlalosa setsi se fanang ka ditshebeletso tsa tlhokomelo ya bodulo, kalafo le tsosoloso ho batho ba bahlano kapa ba fetang ba nang le mafu a kelello kapa le bokowa bo matla kapa bo tebileng ba kelello; mme

“Molao” e hlalosa Molao wa Tlhokomelo ya Bophelo bo Botle ba Kelello, 2002 (Molao wa 17 wa 2002).

Tshebediso ya melawana

2. Melawana ena e sebetsa setsing se seng le se seng sa tlhokomelo ya letsatsi le setsi sa tlhokomelo ya bodulo se fanang ka tlhokomelo, kalafo, le tsosoloso ho batho ba bahlano kapa ba fetang ba nang le mafu a kelello kapa le bokowa bo matla kapa bo tebileng ba kelello.

Sepheo sa melawana

3. Sepheo sa Melawana ena ke ho laola ho fana ka laesense ya ditsi tsa tlhokomelo ya letsatsi kapa tlhokomelo ya bodulo bakeng sa batho ba bahlano kapa

ba fetang ba nang le mafu a kelello kapa le bokowa bo matla kapa bo tebileng ba kelello.

Ho tshwaneleha ho tsamaisa ditsi tsa tlhokomelo ya letsatsi kapa tsa tlhokomelo ya bodulo

4. (1) Tshebeletso efe kapa efe eo e' seng ya sepetelele sa mafu a kelello se kgethilweng kapa setsi sa tlhokomelo le tsosoloso, empa e fana ka ditsi tsa tlhokomelo ya bodulo kapa ya letsatsi bakeng sa batho ba bahlano kapa ba fetang ba nang le mafu a kelello kapa le bokowa bo matla kapa bo tebileng ba kelello, ho latela Molao e tlameha-

- (a) ho fumana laesense ho lefapha la provense le amehang hore e sebetse; le
- (b) ho hlahlojwa bonyane selemo le selemo ke diofisiri tse thontsweng tsa lefapha la provense le amehang.

(2) Maemo a laesense a hlalositsweng molawaneng wa (1) a tlameha ho hlakiswa ke lefapha la provense le amehang mme a tlameha ho kenyellelsa -

- (a) aterese ya tshebeletso e amehang;
- (b) palo ya batho ba lokelang ho fuwa bodulo;
- (c) hore na tshebeletso e jwalo e tla sebediswa bakeng sa bana, batho ba baholo, kapa ho phekola batho ba tsofetseng;
- (d) ditlhoko tsa tshebeletso;
- (e) nako ya laesense; le
- (f) hore laesense ha e fetiswe.

Thibelo le dikotlo

5. (1) Motho a ke ke a theha kapa a tsamaisa setsi sa tlhokomelo ya letsatsi kapa setsi sa tlhokomelo ya bodulo se fanang ka tlhokomelo ho batho ba bahlano kapa ba fetang ba nang le mafu a kelello kapa le bokowa bo matla kapa bo tebileng ba kelello ntle le laesense ho tswa lefapheng le amehang la bophelo bo botle la provense.

(2) Motho ya tsamaisang setsi sa tlhokomelo ya letsatsi kapa setsi sa tlhokomelo ya bodulo ha a tlotse molao wa molawana wa (1), ha a fumanwa a le molato, o tla ahlolelwa ho lefiswa kotlo kapa ho kwallwa teronkong nako e sa feteng dilemo tse 10 kapa bobedi kotlo le ho kwallwa teronkong.

Mokgwa wa ho etsa kopo

6. (1) Kopo ya laesense bakeng sa ho tsamaisa setsi sa tlhokomelo ya letsatsi kapa setsi sa tlhokomelo ya bodulo e tlameha ho etswa ka ho tlatsa foromo ya kopo e tshwanang le ya **Sehlomathiso sa A**, e ka fumanwang Lefapheng la Bophelo bo Botle la provense.

(2) Kopo e hlalositsweng molawaneng wa (1) e tlameha ho romelwa ho Hlooho ya Lefapha.

(3) Foromo ya kopo e tlatsitsweng e tlameha ho tsamaya le dikhopi tse sethifailweng tsa tse latelang:

- (a) ditokomane tsa ngodiso bakeng sa setheo;
- (b) setifikeiti sa ho hlophisa dibaka kapa ho hlophisa dibaka botjha kapa tumello e kgethehileng e fanweng ke masepala wa selehae moo ho hlokahalang;

- (c) setefikeiti sa mosebetsi se netefatsang hore moaho o fihlella ditlhoko tsohle tsa melawana ya kaho e ntshitsweng ke bolaodi ba selehae ho latela Molao wa Naha wa Melawana ya Kaho le Maemo a Kaho, 1977 (Molao wa 103 wa 1977) le melawana ya naha ya kaho e entsweng tlasa ona;
- (d) setefikeiti sa kamohelo se fanweng ke Ditshebeletso tsa Masepala tsa Bophelo bo Botle moo ho hlokahalang;
- (e) setefikeiti sa bophelo bo botle mabapi le bonyane ba ditlhoko tsa bophelo bo botle tse fanweng ke Ditshebeletso tsa Masepala tsa Bophelo bo Botle ho latela Ditlwaelo le Maemo tsa Naha tsa Bophelo bo Botle ba Tikoloho bakeng sa Meaho le Maemo a Amohelehang a Tekolo bakeng sa Ditsebi tsa Bophelo bo Botle ba Tikoloho tse fuperweng Tsebisong ya Kakaretso ya 1229 e phatlaladitsweng Koranteng ya Mmuso ya Palo. 39561 ya 24 Tshitswe 2015;
- (f) tumellano kapa tokisetso ya taolo ya ditshila tse kotsi tsa tlhokomelo ya bophelo bo botle ho latela Ditlwaelo le Maemo tsa Naha tsa Bophelo bo Botle ba Tikoloho bakeng sa Meaho le Maemo a Amohelehang a Tekolo bakeng sa Ditsebi tsa Bophelo bo Botle ba Tikoloho tse fuperweng Tsebisong ya Kakaretso ya 1229 e phatlaladitsweng Koranteng ya Mmuso ya Palo. 39561 ya 24 Tshitswe 2015;
- (g) setefikeiti sa boikamahanyo ho latela ditlhoko tsa motlakase;
- (h) setefikeiti sa nnetefatso bakeng sa phepele ya metsi haeba e se phepele ya metsi a masepala;
- (i) mosebetsi o rerilweng kapa lenaneo la tsosoloso ya kelello;
- (j) moralo wa tlhokomelo ya setsi;
- (k) diprothokhole tse thehilweng bopaking bakeng sa ditshebeletso tsa tlhokomelo, kalafo le tsosoloso;

- (l) moralo wa dijo o amohetsweng ke setsebi sa dijo moo setsi se fanang ka dijo bakeng sa basebedisi ba tlhokomelo ya bophelo bo botle ba kelello;
- (m) mekgwa e tlwaelehleng ya tshebetso le pholisi ya taolo ya dikotsi tsa mafu a tshwaetsanang ho kenyeletswa le tlaleho ya mafu a tsejwang;
- (n) tlhophiso ya basebetsi e sisintsweng bakeng sa setsi;
- (o) moralo wa kgwebo;
- (p) bopaki ba hore o monga thepa kapa tumellano ya khiriso;
- (q) setefikeiti sa nnetefatso sa mollo;
- (r) setefikeiti sa boikamahanyo sa kgase moo ho hlokahalang;
- (s) moralo wa tshohanyetso le dikoduwa;
- (t) moralo o amohetsweng wa kaho; le
- (u) nnetefatso ya lekgetho.

Ho sebetsana le kopo

7. (1) Hlooho ya Lefapha nakong ya matsatsi a 30 ka mora ho fumana kopo, e tlameha ho theha sehlopha sa tlhahlobo se tla hlahloba setsi se entseng kopo ya ho tsamaisa kapa ho theha setsi sa tlhokomelo ya letsatsi sa bophelo bo botle ba kelello kapa setsi sa tlhokomelo ya bodulo.

(2) Sehlopha sa tlhahlobo se tlameha ho kenyelletsa-

- (a) bonyane ditsebi tse pedi tse ngodisitsweng tsa tlhokomelo ya bophelo bo botle ba kelello, e mong wa bona o lokela ho ba setsebi sa mosebetsi mme e mong e be mooki wa mafu a kelello, ofisiri ya bongaka, kapa ngaka ya mafu a kelello;
- (b) setsebi sa dijo;

- (c) mosebeletsi wa setjhaba;
- (d) setsebi sa bophelo bo botle ba tikoloho;
- (e) ofisiri ya tsa ditjhelete;
- (f) molaodi wa laesense kapa ofisiri ya tsamaiso; le
- (g) mosebedisi wa tlhokomelo ya bophelo bo botle ba kelello.

(3) Sehlopha sa tlhahlobo se tlameha ho etsa tlhahlobo ya setsi seo kopo ya laesense e etswang bakeng sa yona.

(4) Moo kopo e sa fellang kapa e na le tlhahisoleseding e sa fellang, Hlooho ya Lefapha e tlameha ho tsebisa mokopi ka ho ngola hore kopo e tla amohelwa feela ha ditlhoko tsohle tsa kopo di fihletswe.

(5) Hlooho ya Lefapha e tlameha ho kgetha Phanele ya Kahlolo e nang le diofisiri tse sa feteng tse hlano ho tswa Lefapheng ho hlahloba kopo le ho etsa dikgothaletso ho Hlooho ya Lefapha.

(6) Phanele ya Kahlolo e tlameha ho kenyelletsa diofisiri tse kgethilweng ho tswa provenseng tse ikarabellang bakeng sa-

- (a) bophelo bo botle ba kelello;
- (b) netefatso ya boleng;
- (c) taolo ya kotsi;
- (d) moralo wa motheo;
- (e) taolo ya ditjhelete; le
- (f) tshebetso ya ba buelli.

(7) Bakeng sa merero ya temana ena, **"ofisiri ya tsa ditjhelete"** e hlalosa ofisiri e laolang diketso tsa ditjhelete, ho kenyeletswa moralo wa ditjhelete, taolo ya dikotsi tsa ditjhelete, ho boloka direkoto le tlaleho ya ditjhelete.

Ho fana kapa ho hana ka laesense

8. (1) Hlooho ya Lefapha nakong ya matsatsi a 30 ka mora ho amohela kgothaletso e tswang Phaneleng ya Kahlolo, e tlameha ho fana kapa ho hana ho fana ka laesense ho mokopi.

(2) Haeba kopo e amohelwa, Hlooho ya Lefapha e tlameha ho fana ka laesense, e sebetsang bakeng sa nako e sa feteng dikgwedi tse 12 ka mokgwa o fanweng **Sehlomathisong sa B.**

(3) Laesense e fanweng ho latela karolwana ya (2) ha e fetisetswe,

(4) Haeba monga laesense a kgaotsa ho sebetsa kapa a sa kgone ho tswela pele ho sebetsa, monga laesense o tlameha ho nehelana ka laesense ho Hlooho ya Lefapha ya ka boelang a fana ka laesense ka mora ho kgotsofatswa ke hore mokopi e motjha kapa sebaka se setjha se ikamahanya le ditlhoko tsa ho fana ka laesense.

(5) Hlooho ya Lefapha ha a hana ho fana ka laesense ho mokopi, o tlameha ho fana ka mabaka a ho hana ka ho ngola mme o tlameha ho eletsa mokopi ka ditokelo tsa hae tsa ho etsa boipiletso ka qeto ho setho sa Lekgotla la Phethahatso bakeng sa bophelo bo botle provenseng e amehang.

Ho hlakolwa ha laesense

9. (1) Laesense e fuweng monga laesense e ka hlakolwa ke Hlooho ya Lefapha, haeba: -

(a) monga laesense a hloleha ho ikamahanya le maemo afe kapa afe ao laesense e fuweng ho latela ona;

- (b) setsi sa tlhokomelo ya letsatsi sa bophelo bo botle ba kelello kapa setsi sa tlhokomelo ya bodulo se sa hlakomelwe ho latela Melawana ya Ditlwaelo le Maemo e Sebetsang ho Ditsi tse Fapaneng tsa Bophelo bo Botle tse phatlaladitsweng Koranteng ya Mmuso ya palo ya 41419, Tsebiso ya palo ya 67 ya 02 Hlakola 2018;
- (c) monga laesense a fumanwa a le molato mme a ahlololwa ho ya teronkong dikgwedi tse 12 ntle le monyetla wa tefiso;
- (d) monga laesense a sa kgone ho lefa; kapa
- (e) monga laesense a fallela setsing sa tlhokomelo ya letsatsi sa bophelo bo botle ba kelello kapa setsi sa tlhokomelo ya bodulo kapa setsing se seng.

(2) Pele Hlooho ya Lefapha a hlakola laesense, o tlameha ho tsebisa monga laesense ka ho ngola ka ho hlakolwa ho rerilweng.

(3) Tsebiso e boletsweng molawaneng wa (2) e tlameha ho hlalosa mabaka a ho hlakolwa ho rerilweng le ho tsebisa monga laesense hore a fane ka mabaka nakong ya matsatsi a 30 a hore hobaneng laesense e sa lokela ho hlakolwa.

(4) Haeba Hlooho ya Lefapha a hlakola laesense, o tlameha ho tsebisa monga laesense ka ho ngola hore laesense e hlakotswe le hore setsi sa tlhokomelo ya letsatsi kapa setsi sa tlhokomelo ya bodulo se tlameha ho kwalwa ka letsatsi kapa pele ho letsatsi le boletsweng tsebisong eo.

(5) Haeba laesense e hlakotswe, Hlooho ya Lefapha e tlameha ho nka boikarabelo ba tsamaiso bakeng sa basebedisi ba tlhokomelo ya bophelo bo botle ba kelello ba setsing se amehang ho fihlela basebedisi ba fetisetwa setsing se seng se loketseng.

(6) Hlooho ya Lefapha e tlameha ho fetisetsa basebedisi ba tlhokomelo ya bophelo bo botle ba kelello, ka mora ho tsebisa basebedisi ba tlhokomelo ya bophelo bo botle ba kelello kapa malapa a amehang, setsing se seng ka letsatsi kapa pele ho letsatsi le boletsweng molawaneng wa (4).

Mokgwa wa ho etsa boipiletso

10. (1) Setho se amehang sa Lekgotla la Phethahatso bakeng sa bophelo bo botle se tlameha ho theha komiti ya boipiletso e nang le batho ba sa amehang tshehetsong ya ho fana ka laesense, ho ahlola boipiletso bo amohelwang ho latela melawana ya 5 le 9 ka hodimo le ho etsa dikgothaletso ho Setho sa Lekgotla la Phethahatso.

(2) Monga laesense eo laesense ya hae e hlakotsweng ke Hlooho ya Lefapha, a ka etsa boipiletso ho Setho sa Lekgotla la Phethahatso bakeng sa bophelo bo botle ba provense se amehang nakong ya matsatsi a 14 ka mora ho amohela tsebiso ho tswa ho Hlooho ya Lefapha.

(3) Setho sa Lekgotla la Phethahatso se amehang bakeng sa bophelo bo botle, nakong ya matsatsi a 90 ka mora ho fumana boipiletso bo tswang ho mokopi, se tlameha ho amohela kapa ho hana boipiletso.

Ntjhafatso ya laesense

11. Hlooho ya Lefapha e tlameha ho etsa tlhahlobo ya selemo le selemo kapa ho etsa hore ho hlahlojwe ditsi tsohle tsa setjhaba tsa bophelo bo botle ba kelello matsatsing a 90 pele laesense ya hajwale e fela le ho ntjhafatsa laesense ya

setsi haeba a kgotsofetse hore setsi se ntse se fihlela ditlhoko tse sebetsang tsa laesense.

Ho fediswa ha tshebetso

12. (1) Monga laesense ya etsang qeto ya ho fedisa tshebetso ya setsi o tlameha ho tsebisa Hlooho ya Lefapha ka ho ngola matsatsing a 90 pele ho fediswa ho rerilweng.

(2) Ha laesense e hlakotswe, Hlooho ya Lefapha e tlameha ho tsebisa monga laesense ka ho ngola hore laesense e hlakotswe le hore setsi seo laesense e hlakotsweng ho sona, se tlameha ho kwalwa ka letsatsi le boletsweng tsebisong eo kapa pele ho lona.

(3) Ha laesense e hlakotswe, Hlooho ya Lefapha e tlameha ho etsa bonnete ba hore basebedisi bohle ba tlhokomelo ya bophelo bo botle ba keello ba fetisetwa le ho behwa setsing se seng se loketseng hanghang.

Boikamahanyo, tekolo le ho tlaleha

13. (1) Monga laesense o tlameha ho bokella le ho boloka dipalopalo tsa letsatsi le letsatsi.

(2) Monga laesense o tlameha ho fana ka tlaleho e nang le dintlha tse felletseng kgwedi le kgwedi ho Lefapha la Bophelo bo Botle la provense pele ho kapa ka letsatsi la bosupa la kgwedi e latelang e kenyeletsang, palo ya—

(a) batho ba amohetsweng;

(b) dikgeo tsa mosebetsi;

- (c) ba lokollwang;
- (d) ba fetisetswang;
- (e) mafu;
- (f) ba balehang; le
- (g) diketsahalo tse mpe.

(3) Mookamedi o tlameha ho tlaleha diketsahalo tse mpe hanghang ho lefapha la bophelo bo botle la provense mme a fane ka tlaleho ya ketsahalo eo nakong ya dihora tse 24.

(4) Bakeng sa merero ya temana ena, "**mookamedi**" e hlalosa motho ya ikarabellang bakeng sa tsamaiso ya letsatsi le letsatsi ya setsi sa tlhokomelo ya letsatsi kapa setsi sa bodulo.

Ditlwaelo le Maemo

14. Ditsi tsohle tsa tlhokomelo ya letsatsi le tsa tlhokomelo ya bodulo di tlameha ho latela Melawana ya Ditlwaelo le Maemo e Sebetsang ho Ditsi tsa Dihlopha tse Fapaneng tsa Bophelo bo Botle tse phatlaladitsweng Koranteng ya Mmuso ya palo ya 41419, Tsebiso ya palo ya 67 ya 02 Hlakola 2018.

Ditokelo tsa basebedisi ba tlhokomelo ya bophelo bo botle ba keello

15. Ditokelo tsohle tsa basebedisi ba tlhokomelo ya bophelo bo botle ba keello ho latela ditlhoko tsa Molao le Molao wa Naha wa Bophelo bo Botle, 2003 (Molao wa 61 wa 2003) di tlameha ho tshehetswa.

Bodulo ba mosebedisi wa tlhokomelo ya bophelo bo botle ba kelello le moralo wa motheo

16. (1) Bodulo ba mosebedisi wa tlhokomelo ya bophelo bo botle ba kelello bo tlameha ho kopana le sebaka bonyane jwalo ka ha ho hlalositse Molaong wa Naha wa Melawana ya Kaho le Maemo a Kaho, 1977 (Molao wa 103 wa 1977).

(2) Dikamore tsa basebedisi ba tlhokomelo ya bophelo bo botle ba kelello di tlameha ho hlwekiswa letsatsi le leng le le leng le ho bolokwa di hlwekile ebile di se na monko o sa thabiseng ho latela Ditlwaelo le Maemo tsa Naha tsa Bophelo bo Botle ba Tikoloho bakeng sa Meaho le Maemo a Amohelehang a Tekolo bakeng sa Ditsebi tsa Bophelo bo Botle ba Tikoloho, Tsebiso ya 229 ya 2015 Koranteng ya Mmuso ya 39561 ya 03 Tshitswe 2015.

(3) Kamore ya mosebedisi wa tlhokomelo ya bophelo bo botle ba kelello e ke ke ya sebediswa ho fa bana, batjha, le batho ba baholo bodulo mmoho ntle le basebedisi ba itshetlehileng ka tshebetso mme ba dula ditsing tse fanang ka thuso kapa tshehetso ya ho phela.

(4) Kamore ya mosebedisi wa tlhokomelo ya bophelo bo botle ba kelello e ke ke ya fa banna le basadi bodulo mmoho ka kamoreng ntle le basebedisi ba itshetlehileng ka tshebetso mme ba dula ditsing tse fanang ka tlhokomelo e felletseng.

Direkoto tsa bophelo bo botle tsa mosebedisi

17. (1) Setsi se tlameha ho bula faele bakeng sa mosebedisi e mong le e mong bakeng sa merero ya semmuso feela, e kenyelletsang:

- (a) lebitso le fane;
- (b) dilemo le bong;
- (c) foto ya hajwale;
- (d) khopi ya tokomane ya boitsebiso;
- (e) aterese;
- (f) dintlha tsa wa leloko ya haufi le wena;
- (g) histori ya bongaka le tlhahlobo;
- (h) mehato ya hajwale ya kalafo;
- (i) kakaretso ya ho lokollwa kapa phetisetso e tswang sepetleleng se fetisang kapa setsing se seng; le
- (j) ditlhahlobo le ditlaleho tsa nako le nako ho latela dikarolo tsa 30 le 37 tsa Molao, moo ho hlokehang.

(2) Direkoto tsohle di tlameha ho bolokwa ka kamoreng e notletsweng le e bolokehileng ka hara setsi moo ho hlokahalang.

(3) Ditokomane le direkoto tsohle tse amanang le tsamaiso ya setsi di tlameha ho bolokwa ho latela Molao wa Naha wa Ditshebeletso tsa Diakhaeve le Direkoto, 1996 (Molao wa 43 wa 1996).

Dipholisi

18. Setsi se tlameha ho fumana, ho ntshetsapele, ho boloka le ho ba le dipholisi tse amehang, tse kenyelletsang empa di sa felle feela ho:

- (a) taolo ya ditletlebo le tlhekefetso e belaelwang;
- (b) dintlha tsohle tsa diketsahalo tsa thobalano;
- (c) thibelo le taolo ya ditshwaetso;
- (d) bophelo bo botle le polokeho mosebetsing;
- (e) ketelo;
- (f) puisano;
- (g) taolo ya dithunya, dibetsa tse kotsi, le dithethefatsi tse seng molaong;
- (h) taolo ya maemo a sa foleng le a hlobaetsang a bongaka le a kelello;
- (i) taolo ya thepa ya basebedisi ba tlhokomelo ya bophelo bo botle ba kelello
- (j) ho tsuba;
- (k) ditefello le ditherifi;
- (l) taolo ya boitshwaro bo kotsi le/kapa bo sitisang;
- (m) taolo ya meriana le disebediswa tsa bongaka;
- (n) taolo ya diketsahalo tse mpe;
- (o) ho laola ho baleha;
- (p) ho laola mafu a tsebahalang;
- (q) phetiso; le
- (r) tshireletso.

Tlhokomelo ya bongaka le kalafo

19. Monga laesense o tlameha ho netefatsa hore:-

- (a) ho amohelwa ha basebedisi ho etswa ho latela mekgwa ya Molao;
- (b) ditlhahlobo tsohle (tsa mmele, tsa tshebetso, tsa kelello, le tsa setjhaba) di tlameha ho etswa ke basebetsi ba dumelletsweng le ba tshwanelehang;
- (c) matshwao a bohlokwa a bongaka a kamehla a rekotwe faeleng ya mosebedisi;
- (d) direkoto tsa histori, tlhahlobo ya mantlha ya bongaka, le tlhahlobo ya basebedisi ha di hlahiswa setsing sa bophelo bo botle di tlameha ho fumaneha le ho tlatswa pele ho kapa nakong ya dihora tse 48 tsa ho amohelwa;
- (e) rekoto ya ho saena, lebitso, mangolo a thuto le ditlhahlobo tse latelang le mehato e nkuwang ke mofani ofe kapa ofe wa ditshebeletso tsa tlhokomelo ya bophelo bo botle di fumaneha faeleng ya mosebedisi;
- (f) dintlha tsa moralo wa tlhokomelo ya mosebedisi, mehato ya letsatsi le letsatsi ya kalafo le ditlaleho tsa karabelo ya motho kalafong, di rekotwa difaeleng tsa mosebedisi ke setsebi se ngodisitsweng;
- (g) direkoto tsa bongaka tsa mosebedisi di sireleditswe le ho ikamahanya le ditlhoko tsa molao le tsa melawana bakeng sa ho boloka direkoto;
- (h) ditlhahlobo tsa nako le nako tsa basebedisi ho latela dikarolo tsa 30 le 37 tsa Molao di etswa ka mora dikgwedi tse ding le tse ding tse tsheletseng mme ditlaleho di fumaneha difaeleng tsa basebedisi;
- (i) meriana ya mafu a kelello e hlahlojwa dikgwedi tse ding le tse ding tse tsheletseng ke ngaka e dumelletsweng ya tlhokomelo ya bophelo bo botle ba

kelello e kgethilweng ho fana ka meriana le ho hlahloba kalafo ya mafu a kelello;

- (j) ho na le mokgwa wa ho thibela basebedisi ho fumana disebediswa tse kotsi, dibetsa kapa dithethefatsi;
- (k) ho na le rejisetara bakeng sa ho rekota basebedisi ba kwalletsweng ka thoko kapa ba thibetsweng jwalo ka ha ho laetswe;
- (l) boemo ba mehato ya dingaka, baoki le ditsebi tsa tlhokomelo ya bophelo bo botle bo hloka halang bakeng sa mosebedisi e mong le e mong le mohlodi kapa sebaka sa mehato ena ho bontshwa ka ho hlaka morerong wa tsamaiso ya motho ka mong.

Tsosoloso ya kelello

20. (1) Setsi se tlameha ho fana ka mananeo a tsosoloso ya kelello a tlamehang ho kenyelletsa, empa a sa felle feela ho:

- (a) ho susumetsa;
- (b) mesebetsi ya letsatsi le letsatsi;
- (c) ntlafatso ya kelello;
- (d) ntlafatso ya bokgoni ba kelello le motsamao wa mmele;
- (e) ho tsepamisa maikutlo dinthong tsa sebele;
- (f) polokeho ya botho le tlhokomediso ya tshireletso;
- (g) kopanyo botjha ya setjhaba;
- (h) kwetliso ya pele ya mesebetsi wa matsoho le tsebo ya bophelo;
- (i) kwetliso e nepahetseng ya ho tsamaya;
- (j) ditlhoko tsa kelello; kapa

- (k) kwetliso ya boikgathollo le ditsebo tsa setjhaba.
- (2) Monga laesense o tlameha ho netefatsa hore-
- (a) ho na le rejisetara ya letsatsi le letsatsi ya ba teng bakeng sa mananeo ohle.
- (b) ho na le bopaki ba mehato yohle ya tsosoloso le ditlaleho tsa tswelopele tse rekotilweng faeleng ya mosebedisi e mong le e mong.
- (c) disebediswa tsohle tsa kalafo le thepa di a fumaneha, di hlokometswe le ho bolokwa ka nepo.
- (d) ditafole le ditulo di lekane bakeng sa palo ya basebedisi setsing.
- (e) ho na le disebediswa tse loketseng tsa thuso bakeng sa basebedisi bohle ba di hlokanng.
- (f) basebetsi bohle ba kwetliswa ka tshebediso e nepahetseng ya disebediswa tse thusang, mme ho bolokwa rekoto bakeng sa thupello e entsweng.
- (g) setsi se na le Tumellano ya Boemo ba Tshebeletso (*SLA*) le setsi sa bophelo bo botle sa selehae bakeng sa tokiso ya disebediswa tse thusang.
- (h) ho na le menyetla ya ho fumana ditshebeletso tsa tsosoloso ya setjhaba (Kalafo ya Mosebetsi, Kalafo ya Mmele le Kalafo ya Puo le Kutlo).
- (i) ho na le ketelo ya kotara ya dihlopha tse fapaneng tsa kgalemelo mme di tlaleho di a bokellwa.
- (j) ho na le direkoto tsa ketelo tse entsweng ke sehlopha sa kgalemelo se fapaneng mme dikhopi kapa kakaretso ya ditlaleho tsa kotara di a fumaneha.
- (k) ho na le bopaki ba kwetliso ya selemo le selemo ya ntlafatso ya tshebeletso e thehilweng hodima ditlhoko tsa kwetliso.

Ho fediswa ha melao

21. Molawana wa 43 wa Melawana ya Kakaretso, Tsebiso ya Mmuso ya Palo ya R.1467 e phatlaladitsweng Koranteng ya Mmuso ya Palo ya 27117 ya la 15 Tshitwe 2004 jwalo ka ha e fetotswe ke Melawana ya Kakaretso: Phetolo ya Tsebiso ya Mmuso ya Palo ya 1590 e phatlaladitsweng Koranteng ya Mmuso ya Palo ya 40515 ya la 23 Tshitwe 2016, e fedisitswe.

Sehlooho se kgutshwane le qaleho

22. (1) Melawana ena e bitswa Melawana ya ho fana ka Laesense ya Tlhokomelo ya Letsatsi ya Bophelo bo Botle ba Kelello ya Setjhaba le Ditsi tsa Tlhokomelo ya Bodulo bakeng sa Batho ba nang le Mafu a Kelello kapa le Bokowa bo Matla kapa bo Tebileng ba Kelello, 2024.

(2) Melawana ena e qala ho sebetsa dikgwedi tse 18 ka mora letsatsi la phatlalatso.

SEHLOMATHISO SA A



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**FOROMO YA KOPO YA HO FANA KA LAESENSE YA
TLHOKOMELO YA LETSATSI YA BOPHELO BO BOTLE
BA KELELLO YA SETJHABA LE DITSI TSA TLHOKOMELO
YA BODULO BAKENG SA BATHO BA NANG LE
BOLWETSE BA KELELLO KAPA LE BOKOWA BO MATLA
KAPA BO TEBILENG BA KELELLO**

1. DINTLHA TSA MOKOPI			
Lebitso la Setsi sa tlhokomelo ya letsatsi/ Bodulo/ Ntlo ya tlhokomelo:			
Lebitso la MOKOPI			
Nomoro ya boitsebiso:			
Aterese ya bodulo:			
Aterese ya poso:			
2. Lebitso la MOTHO/LEKGOTLA/MOKGATLO YA TLO TSAMAIKANG SETSI:			
Aterese ya bodulo:			
Aterese ya poso:			
Nomoro ya mohala:		Nomoro ya selefounu:	
Nomoro ya fekse:		Imeili:	
Nomoro ya Ngodiso ya Mokgatlo o sa Etseng Porofete:			
3. Semelo le histori ya mokgatlo			
4. Morero wa tshebeletso			

5. Mofuta wa ditshebeletso					
Bana ba nang le bokowa bo matla ho isa ho bo tebileng ba kelello	Batho ba baholo ba nang le bokowa bo matla ho isa ho bo tebileng ba kelello	Batho ba baholo ba nang le bolwetse ba kelello	Kalafo ya kelello ya batho ba hodileng		
6. Hlalosa sehlopha se reretsweng ho fumana tshebeletso					
6.1 Sehlopha	Monna	Mosadi	Sehlopha sa tihahlobo		
			Bokowa ba kelello	Bolwetse ba kelello	Tihahlobo ya Mafu a Mabedi
Bana:					
Batjha:					
Motho e moholo:					
Kalafo ya kelello ya batho ba hodileng:					
6.2 Na tshebeletso ena kapa setsi sena se fumana ditjhelete ho tswa lefapheng lefe kapa lefe la mmuso? Eya..... Tjhe..... Haeba ho jwalo, ka kopo bolela lefapha le tjhelete					
7. BASEBETSI (DIPEHELO TSA BASEBETSI):					
Palo ya basebetsi	Mosebetsi/Thaetlele ya Mosebetsi (Nako e felletseng/nakwana)	Mangolo a thuto/Thupello	Ngodiso ya Seporofeshenale (haeba ho hlokahala)		

8. DITOKOMANE TSE TSHEHETSANG: Ditokomane tse latelang di tlameha ho tsamaya le kopo: Ka kopo tshwaya lenanenetefatso	
Ditokomane tsa ngodiso jwalo ka motho wa molao ho latela molao wa Afrika Borwa kapa Mokgatlo o sa Etseng Porofete/Mokgatlo o seng wa Mmuso	
Setefikeiti se sebetsang sa ho hlophisa dibaka kapa ho hlophisa dibaka botjha kapa tumello e kgethehileng e fanweng ke Masepala	
Setefikeiti sa bodulo	
Setefikeiti sa boikamahanyo	
Setefikeiti sa kamohelo bakeng sa ho sebetsana le dijo	
Setefikeiti sa bophelo bo botle	
Konteraka ya ditshila tse kotsi tsa tlhokomelo ya bophelo bo botle	
Moaho o ahilweng kapa o fetotsweng, bopaki bo ngotsweng ba hore meralo ya meaho e amohetswe	
Setefikeiti sa nnetefatso bakeng sa phepele ya metsi (haeba se sa fanwe ke masepala)	
Mosebetsi o rerilweng kapa lenaneo la tsosoloso ya keello	
Moralo wa tlhokomelo ya setsi	
Setefikeiti sa mollo	
Setefikeiti sa boikamahanyo sa kgase moo ho hlokahalang	
Porothokholo bakeng sa tlhokomelo ya bongaka, kalafo le tsosoloso	
Moralo wa dijo o amohetsweng ke Setsebi sa Diyo	
Tsamaiso e tlwaelehileng ya tshebetso/pholisi ya taolo ya dikotsi	
Tlhophiso ya basebetsi e sisintsweng bakeng sa setsi	
Khopi ya moralo wa kgwebo o nang le ditshenyehelo tsa mesebetsi e sisintsweng	
Bopaki ba tumellano ya khiro/ thuo ya thepa	
Moralo o amohetsweng wa kaho	
Dintlha tsa akhaonto ya banka le setatemente sa banka sa dikgwedi tse 3	
Setefikeiti se sebetsang sa nnetefatso ya lekgetho kapa lengolo la tokollo ho tswa ho SARS	
Bopaki ba tlhahlobo kgahlanong le Rejistara ya Naha ya Batloli ba Molao wa Thobalano jwalo ka ha ho hlalositse karolong ya 42 ya <i>Criminal Law (Sexual Offences and Related Matters) Amendment Act, 2007</i> (Molao wa 32 wa 2007)	
9. DITLHAHISO TSA KAKARETSO TSA MOKOPI HO TSHEHETSA KOPO:	

E ROMETSWE KE: _____

LEBITSO LA KGATISO

TSHAENO:

LETSATSI:

E AMOHETSWE KE:

LEBITSO LA KGATISO

TSHAENO:

LETSATSI:

SEHLOMATHISO SA B



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**LAESENSE YA TLHOKOMELO YA LETSATS'I YA BOPHELO BO BOTLE BA KELELLO YA SETJHABA
LE DITSI TSA TLHOKOMELO YA BODULO BAKENG SA BATHO BA NANG LE BOLWETSWE BA
KELELLO KAPA LE BOKOWA BO MATLA KAPA BO TEBILENG BA KELELLO**

Ka hona ho netefatswa:

Lebitso la Setsi	
Aterese ya bodulo	
Aterese ya poso	

E na le laesense ho latela Molao wa Tlhokomelo ya Bophelo bo Botle ba Kelello wa 17 wa 2002, ho nehelana ka ditshebeletso tse latelang tsa tlhokomelo ya bophelo bo botle ba kelello ho batho ba nang le Bolwetse ba Kelello kapa le Bokowa bo Matla kapa bo Tebileng ba Kelello

Mofuta wa Setsi le Boemo ba Tlhokomelo	Palo ya Basebedisi ba Tlhokomelo ya Bophelo bo Botle ba Kelello		
	Ngwana le batjha (ba dilemo tse 18 kapa tse ka tlase ho moo)	Batho ba baholo (ba fetang dilemo tse 18)	Kalafo ya kelello ya batho ba hodileng
Bodulo			
Tlhokomelo ya Letsatsi			

E saenwe.....

ka.....letsatsi la.....20.....

Hlooho ya Lefapha

Nomoro ya setefikeiti:

Nako ya laesense ena e sebetsa selemo se le seng

Setefikeiti sena ha se fetisetswe mme se tlameha ho ntjhafatswa selemo le selemo ho latela ditlaleho tsa tekolo le hlahlobo