

**MEMORANTAMO KA GA MAIKAELELO A MOLAOTLHOMO GO THUSA
LEKOKO LA SEPOLOTIKI KA MADI, 2017**

1. MAIKAELELO A MOLAOTLHOMO

Dithuso ka madi tsa botlhe go makoko a sepolotiki ao a nang le kemedi go makgotlapeomolao a bosetšhaba le a diporofense di tlamelwa ka thuso ya Molao wa Dithuso ka madi go Makoko a Sepolotiki ao a nang le Kemedi, Nr.103 wa 1997 (“Molao wa tsa Madi”).

Ka 6 Motsheganong 2017, Ntlo Kokoano Bosetšhaba e ne ya swetsa go tlhama komiti ya nakwana, go latela Molao 253 (1)(a) wa Ntlo Kokoano Bosetšhaba go–

“botsolotsa le go atlanegisa thuso ka madi go makoko a sepolotiki ao a nang le kemedi go makgotlapeomolao a bosetšhaba le a diporofense a Aforika Borwa ka maikaelelo a go itsise mametlelelo ya molao fa go tlhokega, mme ba dira jalo, ba tsaya tsia –

- Mmotlele wa dithuso ka madi tsa botlhe le tsa poraefete go makoko a sepolotiki; le
- Tlhokego, mokgwa o o kgonagalang wa go tsamaisa dithuso ka madi tsa poraefete ka mekgwa yotlhe go tsenyeletsa le ditheo tsa dipeeletso tseo beng e leng makoko a sepolotiki[;]”.

Komiti ya Nakwana e kopile ditshwaelo tsa botlhe gore Molao wa Dithuso ka madi go Makoko a Sepolotiki ao a nang le Kemedi, Nr.103 wa 1997 o ka matlafadiwa jang go letlelela go se nneng bofitlha go mokgwa oo makoko a sepolotiki a thusiwang ka madi ka gona jalo go netefatsa go dira ka manontlhotlho. Komiti e amogetse disete tsa ditshwaelo tse di kwetsweng di le somesupa mme ya tswelela go laletsa botlhe bao ba tshwaetseng go tla go dira ditshwaelo ka molomo ka nako ya ditheetso tsa botlhe tseo di neng di tshwerwe go tloga ka 15 go ya go 17 Phatwe 2017.

2. MOTLOTLO KA GA MOLAOTLHOMO

2.1. Ketapele ya Molaotlhommo ke go Thusa Lekoko la Sepolotiki ka Madi (“Molaotlhommo”) go batla go tlhagisa tlhokego go latela pateletsego ya semolao e e gatelelwang ke karolo 236 ya Molaotheo wa Rephaboliki ya Aforika Borwa, 1996 (“Molaotheo”). Go feta fao, e batla go tlhagisa bolaodi jwa thulaganyo ya semolao ka Palamente go latela karolo 44 ya go fetisa molao o o mabapi le dintlha tse di jaaka tsamaiso ya dithuso ka madi tsa poraefete go makoko a sepolotiki.

2.2. Polelwana 1 ya Molaotlhommo o tsenyeletsa ditlhaloso.

2.3. Polelwana 2 ya Molatlhommo e batla go tlhama Letlole la Lekoko la sepolotiki leo neng le kemedi go dirisetswa go matlafatsa temokerasi ya makokontsi. Letlole le thusa ka madi makoko a sepolotiki ao a tsayangkarolo mo Palamenteng le mo makgotlapeomolaong a diporofense. Le bona madi go tswa go Palamente, madi ao a bonwang go latela polelwana 18 le kungwo eo e bonweng go tswa go madi a a beeleditsweng go latelwa polelwana 4(3).

Letlole leno le tsewa jaaka madi a a leng gona ka fa tlase ga Molao wa Dithuso ka madi go Makoko a Sepolotiki ao a nang le Kemedi, Nr.103 wa 1997. Bona polelwana 24 go tlhaloganya seno.

2.4. Go polelwana 3 ya Molaotlhommo, go tshitsinngwa gore go tlangwe Letlole la Temokerasi ya Makokontsi go thusa metswedi ya poraefete ya dithuso ka madi go makoko a sepolotiki ao a tsayangkarolo karolo go Palamente le makgotlapeomolao a diporofense. Polelwana eno e kganela dithuso ka madi go tswa go ditheo tsa puso le dipuso tsa batswakwa kgotsa diejensi.

2.5. Polelwana 4 ya Molatlhommo e tshitsinya gareng ga tse dingwe gore Khomishene e tsenye madi otlhe ao a setseng go tswa go letlole lengwe le lengwe mo akhaontong e farologaneng mme e beeletse madi ao a ka se tlhokegeng ka bonako go dira neelano go makoko a sepolotiki ka Kooporasi ya Peeletso ya Botlhe.

2.6. Polelwana 5 ya Molaotlhommo e dira le botsamaisi ka matlole a le mabedi. E tshitsinya gore molaodimogolo a ditlhopho wa Khomishene e e Ikemetseng ya Ditlhopho (“Khomishene”) e nne komang-ka-nna le molaodimogolo wa matlole ka bobedi.

2.7. Polewana 6 ya Molatlhomo magareng ga tse dingwe e tshitsinya go laola neelano le tuelo ya madi go makoko a sepolotiki. Polelwana eno e letla gore neelano e dirwe go latelwa mokgwa o o dumeletsweng o o ikaegileng ka:

- (a) go neelana e e lekalekanang go lebeletswe:
 - (i) selekanyo se se tlhomameng sa neelana ya bonnye go makoko a sepolotiki otlhe ao a nang le kemedi go Ntlo Kokoano Bosetšhba kgotsa makgotlhapeomolao a diporofense; kgotsa
 - (ii) sekale se se lekanyeditsweng sa neelano go makoko a sepolotiki ao a nang le kemedi go Ntlo Kokoano Bosetšhba kgotsa makgotlhapeomolao a diporofense; le
- (b) neelano e e lekanang go lebeletswe kamano ya palo ya ditulo go makgopeomolao ya kemedi ya lekoko la sepolotiki e nang le yona go Ntlo Kokoano Bosetšhaba le makgotlhapeomolao a diporofense.

Go feta fao, polelwana eno e tshitsinya gore Khomishene e tshwanetse go duela madi ka makgetlho a a dumeletsweng.

2.8. Polelwana 7 ya Molaotlhomu e neelana ka mesola eo madi go tswa go letlole e ka e dirisediwang. Polelwana eno e kaya gape gore madi a ka se dirisediwe eng.

2.9. Polelwana 8 ya Molaotlhomu e batla go laola thuso ya madi e e tlhomaneng le makoko a sepolotiki mme e na le ditlhaloso tseo di letleletsweng fela go Kgaolo 3 ya kakangwa.

2.10. Polelwana 9 ya Molaotlhomu e rata go thibela dikatso go makoko a sepolotiki go tswa go metswedi e e rileng.

2.11. Polelwana 10 ya Molaotlhomu e batla go laola tshirilolo ya dikatso tseo di dirilweng go lekoko la sepolotiki. E letlelela tshirilolo ya dikatso tsotlhe tse di kwa godimo ga seelo ka mokgwa le tsela eo e letleletsweng. Gape, e kaela Khomishene gore e tlhagise tshedimosetso eo leng.

2.12. Polelwana 11 ya Molatlhomo e kganela thuso ka madi go maloko a lekoko la sepolotiki lengwe le lengwe.

- 2.13. Polelwana 12 ya Molatlhomo e lebagane le ditlhokego go makoko a sepolotiki go neela Komishene tshedimosetso le ditokomana tse di rileng tseo di kaetsweng.
- 2.14. Polelwana 13 ya Molaotlhommo e batla go laola gore makoko a sepolotiki a arabele jang madi ao a a amogetseng go tswa mo matloleng.
- 2.15. Polelwana 14 ya Molaotlhommo e kaela khomishene gore madi a a sa dirisiwang mo bofelong jwa ngwaga go dirwe jang ka ona. Polelwana eno, e thusa gape ka mokgwa o o madi a a sa dirisiwang a tshwanetseng go dirwa ka ona mo ntlheng ya fa Palamente kgotsa lekgotlapeomolao la porofense le ka fedisiwa.
- 2.16. Polelwana 15 e ka ga matla a Komishene go lebelela le go tlathloba.
- 2.17. Polelwana 16 ya Molaotlhommo e neela Khomishene matla go neelana ka tsela go lekoko la sepolotik go efoga go gatelelwa go dumalana.
- 2.18. Polelwana 17 ya Molaotlhommo e neela Khomishene matla go emisa nakwana madi ka fa tlase ga maemo a a rileng.
- 2.19. Polelwana 18 ya Molaotlhommo e neela Khomishene matla go tsaya madi ao a amogetsweng go se ka fa molaong kgotsa ao a dirisitsweng ke makoko a sepolotiki.
- 2.20. Polelwana 19 ya Molatlhomo e batla go neela Khomishene matla go gapeletsa dikotlhao tsa botsamaisi go latela tlolomolao kgotsa tlolomolao e e boelediawang.
- 2.21. Polelwana 20 e dira ka ditshwanelo tsa motho mongwe le mongwe go lebagape kgotsa go ikuela go tshwetso nngwe le nngwe ya Khomishene e etsewang go latelwa Molaotlhommo. Go feta fao, e batla go tlhama Kgotlatshekelo ya Ditlhopho jaaka kgotla eo e nang le tshwanelo e e kgethegileng go reetsa le go kaela tebogape kgotsa ikuelo nngwe le nngwe kgatlhanong le tswetso ya Khomishene.
- 2.22. Polelwana 21 ya Molaotlhommo e letla Komishene go begela Palamente.
- 2.23. Polelwana 22 ya Molatlhomo e batla go tshitsinya melao eo e ka thusang ka madi makoko a sepolotiki fela go latelwa dikaolo 57(2) le 116(2) tsa Molaotheo ka

tlhamalalo. Gape, e kganela dikhansele tsa mmasepala go thusa ka madi makoko a sepolotiki kgotsa ntlhopheng yo o ikemetseng.

2.24. Polelwana 23 ya Molaotlhommo e letla Khomishene mo maemong a a rileng go dira ditsamaiso tseo di tla tlhokang tetla go tswa go Ntlo Kokoano Bosetšhaba mo dintlheng tse di rileng.

2.25. Polelwana 24 ya Molaotlhommo e letlelela tlhakolo ya Molao 103 wa 1997, e bolokegile jaaka go kailwe go tshiamelo phetogo ya polelwana eo, eo e tsenyeletsang le tsamaiso ka fa tlase ga Molao 103 wa 1997 go nna tsamaiso ka ga tlase ga Molaotlhommo ono.

2.26. Polelwana 25 ya Molaotlhommo e tsenyeletsa setlhogo se se khutswane le tswelelopele.

3. MAFAPHA/DITHEO/BATHO BAO GO IKAMAGANTSWENG LE BONA

Mafapha, ditheo kgotsa batho ba ba latelang ba neelane ka ditlhagiso ka molomo go Komiti ya Nakwana:

- Lefapha la Matlotlo a Bosetšhaba
- Khomishene e e Ikemetseng ya Ditlhopho
- Khonferense ya Dibishopo tsa Khatoliki mo Aforika e e Borweng
- African National Congress
- My Vote Counts
- COOL Youth Church
- Khansele ya Tsweletsopele ya Molaotheo wa Aforika Borwa Khansele ya Patlisiso ya Disaense tsa Botho
- Polokelo ya Hisetori ya Aforika Borwa
- Right2Know
- Corruption Watch
- Porogerama ya Tsweletso ya Temokerasi
- Setheo sa Patlisiso ya Merero ya Botlhe
- Kgotla ya Aforika Borwa ya Mekgatlho ya Badiri

4. BOKAO JWA TSA MADI GO NAGA

Bokao jwa tsa madi bo lekanyeditswe go didiriswa tseo Komishene e tla di tlhokang go

laola letlole la tlaleletso.

5. TSAMAIISO YA PALAMENTE

- 5.1. Komiti e nagana gore Molaotlhommo o tshwanetse wa dirwa go latela tsamaiso eo e tlhamilweng go karolo 75 ya Molatheo, 1996 ka fa e sena ditshiamelo tseo di kaetsweng ditsamaiso tse karolo 74 kgotsa 76 ya Molaotheo di di dirisang.
- 5.2. Komiti e nagana gore ga go botlhokwa go kaela Molaotlhommo ono go Ntlo ya Bosetšhaba ya Baeteledipele ba Setso go latela karolo 18(1)(a) ya Molao wa Boeteledipele ba Setso le Letlhomeso la Bobusi, 2003 (Molao Nr. 41 wa 2003), ka fa o sena ditshiamelo tseo di tsamaisanang le molao wa setso kgotsa ditlwaelo tsa baagi ba setso.