

**IMEMORANDAMU YOMTHETHOMLINGWA OMALUNGANA NEEMNQOPHO  
WESIHWAMA SEMALI YOMPHAKATHI SESIZO LEENHLANGANO  
ZEPOLOTIKI, WANGONYAKA WEEN-2017**

**1. IIMNQOPHO YOMTHETHOMLINGWA**

Isikhwama semali yomphakathi sesizo leenHlangano sePolotiki elinikelwa iinhlango zeepolotiki ezijamelekileko kusibethamthetho senarha nezeemfunda linikelwa ngokuya komThetho weenHlangano zePolotiki eziJamelekileko yisiKhwama seMali yomPhakathi, umThetho We-103 wangonyaka we-1997 (“umThetho weSikhwama seSizo leeMali”).

Mhlana amalanga asi-6 kuMrhayili onyakeni ween-2017 iNdlu yesiBethamthetho seNarha yathatha isiqunto sokusungula iKomidi yesikhatjhana, ngokuya komThetho weNdlu yesiBethamthetho seNarha wama-253(1)(a), bona-

“ifunise begodu yenze iimphakamiso zokusiza ngeemali iinhlango zepolotiki ezijamelekileko kusibethamthetho senarha nezeemfunda eSewula Afrika ngombono wokuveza ukukhibelela umthetho nakutlhogekako begodu, ngokwenza njalo, kutjhejwe –

- Iindlelakambiso zokusiza ngeemali inhlango zepolotiki; begodu
- nangesidingo, begodu nekghonakalo, yokulawula ukusizwa ngeemali ngazozoke iindlela kunye namabubulo wokusisa apethwe ziinhlango zepolotiki[;]’.

IKomidi yesiKhatjhana imeme iimphakamiso zomphakathi malungana nokuthi umThetho wesiKhwama seMali yomPhakathi seSizo leenhlango zePolotiki eziJamelekileko, We-103 wangonyaka we-1997 ungaqiniswa ukwenzela bona kwenziwetjhatjhalazi ngendlela yokuthi iinhlango zepolotiki zingasizwa ngeemali zizokwazi ukwenza kuhle umsebenzi wazo. IKomidi yamukele iimphakamiso ezitloliweko ezimasede alitjumi nekhomba begodu yaragela phambili yamema labo abafuna ukwenza iimphakamiso zabo ngokuzikhulumela ngesikhathi sokulalelwa komphakathi okwakubanjwe mhlana amalanga ali-15 bekube mahlana ali-17 kuRhoboyi onyakeni ween-2017.

## 2. IIMKHULUMISWANO YOMTHETHOMLINGWA

2.1. IsiTatimende sokuThoma somThethomlingwa sesiKhwama sokuSizwa ngeMali kweenHlangano zePolotiki, wangonyaka ween-2017 (“umThethomlingwa”) ufuna ukuveza isidingo sokunikela ngokuthoma kokusebenza komthetho obekwe mthethosisekelo ngokuya kwesigaba sama-236 somThethosisekelo weRiphabliki yeSewula Afrika, yangonyaka we-1996 (“umThethosisekelo”). Godu ufuna ukuveza umthetho wokuhlelwa kwamahlelo wekambiso yePalamende ngokuya kwesigaba sama-44 sokuphasisa umthetho omalungana neendaba ezifana nokulawulwa kwesizo leemali leenhlangotho zepolotiki.

2.2. Indinyana yoku-1 yomThethomlingwa imumethe iinhlathululo.

2.3. Indinyana yesi-2 yomThethomlingwa ifuna ukusungula iSizo leeMali leenHlangano zePolotiki eziJamelekileko ngomnqopho wokukhulisa intantoyenengi yeenhlangotho ezihlukahlukene. Isikhwama semali lesi sisiza ngemali iinhlangotho zepolotiki lezi ezizibandakanyako ePalamende begodu neebethamthethweni zeemfunda. Sifakelwa imali ehlelwe yiPalamende, imali etholakale ngokuya kwendinyana ye-18 begodu nenzuzo engenileko emalini esisiweko ngokuya kwendinyana ye-4(3).

Imali le ithathwa njengemali ekhona eyathonywa ngaphasi komThetho wesiKhwama seMali yomPhakathi yeSizo leenHlangano zePolotiki eziJamelekileko, We-103 wangonyaka we1997. Qala indinyana yama-24 malungana nalokhu.

2.4. Indinyana ye-3 yomThethomlingwa iphakamisa bona intantoyenengi yeenHlangano zePolotiki eziHlukahlukaneko fuze isungulwe ukunikela ngenhlabagelo zangeqadi zokusiza ngeemali eenhlanganweni zepolotiki ezizibandakanyako ePalamende begodu neebethamthethweni zeemfunda. Indinyana le godu iragelaphambili ikhandele ukusizwa ngeemali amagatjha wombuso begodu naborhulumende bangaphandle kwenarha namkha abasebenzeli.

2.5. Indinyana ye-4 yomThethomlingwa iphakamisa bona hlangotho nokhunye iKhomitjhana fuze idibhozide zoke iimali eziseleleko esikolodweni semali ngayinye ema akhawundini weembhanga ezihlukahlukene begodu ungasisa imali le engafuneki msinyane ukwenzela bona iyabelwe iinhlangotho zepolotiki isiselwe kuHlangano

yokuSisa yomPhakathi.

- 2.6. Indinyana ye-5 yomThethomlingwa isebenza ngokuphathwa kweenkhwama zeemali ezimbili. Iphakamisa bona isikhulu sezamakhetho yeKomitjhana eziJameleko yezamaKhetho (“iKomitjhana”) sibe phathiweemali begodu sibe sikhulu esikhulu sesikhwama seemali lezi zombili.
- 2.7. Indinyana ye-6 yomThethomlingwa hlangana nezinye izinto iphakamisa bona kulawulwe ukwabiwa begodu nokubhadelwa kwemali iinhlango zepolitiki. Indinyana le begodu inikela ngokuthi ukwabiwa kweemali kufuze kwenziwe ngokuya ngehlelo elibekiweko elindzimelele:
- (a) ekwabiweni kwemali ngokulinganako ngokutjheja lokhu:
    - (i) isilinganiso ezindzidzileko sokwabiwa kwemali eenhlanganweni zoke zepolitiki ezijamelekileko kuNdlu yesiBethamthetho seNarha namkha kumbethamthetho zeemfunda ngokutjheja inani leenhlalo ezinalo kumbethamthetho; namkha
    - (ii) zabelwe ngokwesilinganiso sokujameleka kwazo ihlangano lezi zepolitiki kuNdlu yesiBethamthetho seNarha namkha kumbethamthetho zemfunda; begodu
  - (b) kutjhejwe ukwabuwa lokhu ngokuyelela unani lenhlangano zepolitiki ezijamelekileko eNdlini yuesiBethamthetho seNarha begodu nembethamthethweni zemfunda ngokutjheja inani lehlalo zazo kumbethamthetho.

Indinyana le begodu iragela phambili ngokuphakamisa bona iKomitjhana kufuze ibhadale imali eyabiweko nokuya kwenkathi ezibekiweko.

- 2.8. Indinyana ye-7 yomThethomlingwa ibeka kuhle isiphakamiso sokobana ngiyiphi imali evela esikhwameni semali ekufuze isebenziswe. Indinyana le begodu ibeka kuhle bona imali le fuze isebenziselwe ini.
- 2.9. Indinyana yo-8 yomThethomlingwa ifuna ukulawula bunqophu ukusizwa ngeemali kweenhlangano zepolitiki begodu imumethe iinhlathululo lezi ezisebenza kuSigaba se-3 esihlongoziweko.

- 2.10. Indinyana ye-9 yomThethomlingwa ifuna ukukhandela umnikelo owenziwa bunqopha eenhlanganweni zepolotiki ovela kwezinye indawo.
- 2.11. Indinyana ye-10 yomThethomlingwa ifuna ukulawula ukuveza ngaphambili komnikelo owenziwa binqopha enhlanganweni yepolotiki. Inikela ngovezwa ngaphambili komnikelo ngaphezu kwehlelo nendlela yesilinganiso esibekiweko. Iragela phambili ngokunikela bona iKomitjhana kufuze iveze ngaphambili nini ilwazi lelo.
- 2.12. Indinyana ye-11 yomThethomlingwa ikhandela ukusizwa ngemali bunqopha kwamalunga wehlangano yepolotiki.
- 2.13. Indinyana ye-12 yomThethomlingwa isebenza ngemfuneko ezimalungana neenhlangano zepolotiki ekufuze izinikele iKomitjhana ezimayelana nelwazi elithileko namkha ngomtlole othileko.
- 2.14. Indinyana ye-13 yomThethomlingwa ifuna ukulawula bona iinhlangano zepolotiki ezijamelekileko kufuze ziziphendulele njani ngeemali ezibhadelwe zona ezivela esikhwameni semali.
- 2.15. Indinyana ye-14 yomThethomlingwa inikela ngokuthi iKomitjhana akufuze isebenzenjani ngeemali ezingakasebenziswa nakuphela isikhathi semali sonyaka. Indinyana le begodu inikela nangokuthi kufuze kwenziweni ngeemali ezingakasebenziswa ebunjamweni lophokhana iPalamende namkha isibethamthetho sitjhabalaliswa khona.
- 2.16. Indinyana ye-15 yomThethomlingwa isebenza ngokutjhejisisa nangokuhlola kweKomitjhana..
- 2.17. Indinyana ye-16 yomThethomlingwa inikela iKomitjhana amandla wokukhuma umlayo ehlanganweni yepolotiki ukwenzela bona ibalekele ukubekela ngeqadi.
- 2.18. Indinyana ye-17 yomThethomlingwa inikela iKomitjhana amandla wokujamisa ukubhadela ngemali ngaphasi kobujamo obuthileko.

- 2.19. Indinyana ye-18 yomThethomlingwa inikela iKomitjhana amandla wokubuyisa imali imali eyamukelwe ngokungasisemthethweni namkha esetjhenziswe ziinhlango zepolitiki ngokungasisemthethweni.
- 2.20. Indinyana ye-19 yomThethomlingwa ifuna ukunikela iKomitjhana amandla wokulawula kokuhlaliswa kokuthweswa kwamacala lapho kuphulwe kohona umthetho namkha kuphulwe umthetho ngokuphindaphinda.
- 2.21. Indinyana yama-20 yomThethomlingwa isebenza ngamalungelo womunye nomunye umuntu bona abuyekeze namkha azibilayeze kwesinye nesinye isiqunto esenziwe yiKomitjhana ngokuya komThethomlingwa. Iragela phambili ngokufuna bona kusungulwe iKhotho yezamaKhethe njengamakhetho anelungelo lokulalela begodu athathe isiqunto ngesibuyekezo namkha isibilayeze esiphikisana nesinye nesinye isiqunto seKomitjhana.
- 2.22. Indinyana yama-21 yomThethomlingwa inikela ngokubika kweKomitjhana ePalamende.
- 2.23. Indinyana yama-22 yomThethomlingwa ifuna ukuhlongoza bona iimbethamthetho zingasiza ngeemali iinhlango zepolitiki ngokuya komThetho wama-57(2) begodu ne-116(2) womThethosisekelo ngokulandelana kwayo. Iragela phambili ngokukhandela iimkhandlu yabomasipala bona isize ngeemali iinhlango zepolitiki begodu nabangeneli makhethi abazijameleko.
- 2.24. Indinyana yama-23 yomThethomlingwa inikela ngeendaba lesi ekumele iKomitjhana fuze yenze iimthetho ngazo, ngaphasi kwemvumo yeNdlu yesiBethamthetho seNarha ngokuya kwendaba ezithileko.
- 2.25. Indinyana yama-24 yomThethomlingwa inikela ngokususwa komThetho we-103 wangonyaka we-1997, ugcinwe njegoba ubekiwe eendinyaneni zetjhuguluko kulendinyana, ekufakaphakathi ukutjheja iimthetho engaphasi komThetho we-103 wangonyaka we-1997 bona ulawulwe bona wenziwe ngaphasi komThethomlingwa lo.

2.26. Indinyana yama-25 yomThethomlingwa imumethe iihloko ezifitjhane begodu nokuthomakwawo.

### **3. IIMNYANGO/AMAZIKO/ABANTU ABATHINDIWEKO**

**Imnyango/namaziko namkha abantu abalandelako benza iimphakamiso ngokuzikhulumela eKomidini yesiKhatjhana:**

- UmNyango wezeMali
- IKomitjhana eziJameleko yezaMakhetho
- IKhonferensi yaboBhitjhophi bamaKhatholikhi weSewula engeAfrika
- Ihlangano ye-African National Congress
- Yi-My Vote Counts
- LiSondo le-COOL Youth
- MKhandlu weZinga eliPhezulu lomThethosisekelo wamaSewula Afrika
- MKhandlu weHlolombono yeSayensi yozoBuntu
- BaQini bomLando beSewula Afrika
- Yi-Right2Know
- YiHlangano eyaKhela umKhanyo ubuKhohlakali
- LiHlelo lokuThuthukiswa kweNtantoyenengi
- YiZiko leHlolombono leeNdaba zomPhakathi
- YiHlangano eJamele abaSebenzi yeKhongresi yeSewula Afrika

### **4. UKUTHINTEKA KWEEMALI ZOMBUSO**

Ukuthinteka kweemali kubekelwe isilinganiso setlhabagelo iKomitjhana ezozifuna ukwenzela bona kulawulwe kuhle imali ezongezelelwa.

### **5. IKAMBISO YEPALAMENDE**

5.1. Ikomidi inombo wokobana umThethomlingwa kufuze kusebenzwengawo ngokuya kwekambiso eyasungulwa esigabeni sama-75 somThethosisekelo, wangonyaka we-1996 njengoba unganandinyana lapho khona iinkambiso zibekwekhona esigabeni sama-74 namkha ama-76 sokusebenza komThethosisekelo.

- 5.2. IKimidi inombono wokobana akunasidingo sokudlulisela umThethomlingwa lo eNdlini yeNarha yabaRholi beNdabuko ngokuya kwesigaba se-18(1)(a) somThetho wabaRholi beNdabuko begodu neTlatla lokuseBenzela lokuBusa, wangonyaka ween-2003 (umThetho wama-40 wangonyaka ween-2003), njengoba unganaandinyana ezikhambisana nomthetho wesintu namkha iimthetho yeemphakathi wendabuko.