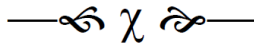
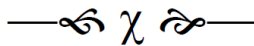


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**ISIFINQO IZIBONAKALISO
EZIKUMNQULU WOMGAQO-
SISEKO SERIPHUBLIKI EYE
ZIMBABWE (FINAL DRAFT 31**

JANUARY, 2013)



XHOSA

ISIFINQO

EYOMDUMBA 2013

Isingeno

Umnqulu womGaqo-siseko yeRiphabliki yase Zimbabwe.

IKhomiti ebona ngokubhalwa ngokukhutshwa komGaqo-siseko sezwe eye Constitution Parliamentary Select Committee (COPAC) ize nesifinqo salo mqulu wesiGaqo-siseko sezwe esigqibeleleyo sonyaka ka2013 ukuba uncede uwonke wakweli uba avisisise kwanto efunjethwe kuwo lomnqulu. Lomnqulu ke unepheji ezilikhulu namashumi asixhenxe nesibini. ICOPAC lee ibone uba kungaske kulukhuni noko nakubani na onabethwa lixesha uba awufunde wonke lomqulu awungqibe lonto kuye kube bhetele xa benokufunda esisifinqo sinayo yonke into equkumbelisiweyo kuwo lomnqulu wesisigako siseko sezwe.

Esisifinqo asinguwo uMnqulu ogqibeleleyo womGaqo-siseko sezwe, nje sihamba sichaphuna ezona zinto zingundoqo zikulomnqulu ne siseko, khona ukuze umntu ofundayo avisisise ezona zinto ziqukumbelwe ku mGaqo-siseko sezwe.

Ingabula- Zingcawu

Ingabula singcawu yalomnqulu sichaze sabalisa ngokungalinganiswa kwezemthetho kululawulo lwabathangi, phakamisela amadoda nabo basetyini abalwa ngokuziphela ukulungelananisa ezomthetho.

Sijonge kwakhona nengomso ngomrho wokuhlala kwizwe esine demokrasi (inkululeko) kusetyenziswa limithetho yobuzwe ukuzimisela emsebenzini, ukuthobela nokunambitha amalungelo oluntu angundoqo nenkululeko, ubalulekisa ulumanyano, ubutyebi nemveli enqonge isizwe kwanokuba wonke ummi wakweli atyebe.

ISAPHLUKO 1

Founding Provisions (Isiqingatha 1 – 7)

- Izwe lase Zimbabwe limi phezu kwamaxa athi:
 - IZimbabwe sisizwe esimanyeneyo, esinedemokrasi, sikhokhelisa intando yoluntu.
 - UmGaqo-siseko nguwo umthetho ndoqo ophezu kwayo yonke eminye imithetho.
 - Wonke umntu ubotshwa kwanguwo lomGaqo-siseko sezwe, kubalela kwanabantu bezomthetho, isizwe ngokukwaso, bonke abaselulawulweni, abezo mthetho nazo zonke intlanganiso nemibutho yakwaRhulumente.
 - Ukubaluleka kwalomGaqo-siseko, umthetho, amalungelo oluntu, inkolo yesizwe, amasiko akho kwesizwe, ukupha isidima kumntu ngomntu, ukulinganiswa ngobulili nokupha isidima kwimfazo yenkululeko.
- Ululawulo olukholekayo olubalela:-
 - ubukho bamaqela amanintsi ezipolitiko.
 - usetyenziso lohlobo lonyulo oluvumela ulunyulo olukhululekiyo lwentando yabantu.
 - indlela elungileyo yonikezelwano ngamandla ezihlalo zolulawulo emveni kolunyulo kwabo base lulawulweni amalungu ezindlu zePalamente nezomthetho kwesizwe.
 - ukupha isidima esifanelekileyo kumntu wonke.
 - ukuquzelela ulumanyano loocwangco.
 - ukubalulekisa amalungelo oluntu kwabo banemeko ezithile kunye nabantwana.
 - ukwabelana kakuhle ngobutyebi nemveli yesizwe.
- Ukwabelana ngamandla olulawulo lukaRhulumente kwiindawo ngendawo kwanokuba inkonzo ezingundoqo zabelwe ngemfanelo.
- Iflegi yobuzwe, umhombwe wesizwe, ibheji yesizwe,
- Uburhulumente bobothathu, uRhulumente wesizwe, Amabhunga okumaphondo nabo basemagunyeni ekuhlaleni.
- Ukubalulekiswa kweelwini zonke ezithethwa kweli ezibalela. Chewa, isiBarwe, lisingesi, Shangani, Shona, Sign Language, isisotho, Tonga, Tswana, Venda nesiXhosa.
- Ukuphuculwa nokuphakanyiswa kofundiswa kwabahlali ngo mGaqo-siseko.

ISAHLUKO 2

IINJONGO ZOBUZWA (Isiqingatha 8 – 34)

- IZimbabwe ine njongo ezithile zobunze zona zibalela.
 - Uqinisekisa ululawulo olukholekayo ngokunyula amagosa akholekayo asekuhlaleni afanelekileyo emsebenzini, ukulwisa urhwaphilizo nokuxhatsazwa kwezihlalo, nokupha imali eyeneleyo kuyo yonke imbutho.
 - Ukuphakamisa ulumanyano, ucwangco nenzolo.
 - Ukulwela amalungelo nemfanelo zabantu.
 - Ukwamkela imigaqo yezinye izizwe ekhusela imfuno zobuzwe, ukuthobela iimithetho yehlabathi, ukuphucula ezolucwangco ngosetyenziswano nezinye izizwe nokusombulula ngendlela iingxaki zezinye izizwe.
 - Ukuququzelela impuhliso yezwe, ukutyebisa abemi base Zimbabwe kwezoqoqosho nokulwisa intswelanqesho ngokudali msebenzi.
 - Ukuphucula kobukho bokutya, amasiko abantu, ukulinganisa kwezithuba ngobulili.
 - Ukuphucula imfuno zabantwana, ulutsha, abantu abakhulileyo, abantu abazizidalwa, abo balwa imfazwe yenkululeko, abasebenzi, usapho neemitshato.
 - Upha iinkonzo ezibalulekileyo ezingundo qo ezibalela iimfuno kuye wonke umntana.
 - Upha izindlu zesidima, inkonzo ezizizo, umntu wonke akhazi ufikelela kwezonyango kwezipilontle, intlalontle, ezomthetho, ezemidlalo nokuzonwabisa.
 - Ukukhusela ubuntu besizwe.
 - Ukuzibandakanya kwiimithetho yasekuhlaleni ebalela isizwe sase Zimbabwe.

ISAHLUKO 3

UBUMMI (Isiqingatha 35 – 43)

- Wonke ubani uba ngummi weli lase Zimbabwe ngokuzalelwa apha, uzalwa ngabemmi beli, okanye ngokwemvume yomtshato.
- Bonke abemmi beli ngokulingeneyo baselulungelweni.
 - lokukhusela isizwe.
 - lokufumana iincwadi zokundwendwela ipasipoti nezinye inkcukasha zokundwendwela.
 - lokufumana incwadi yokuzazisa isithupha(identity documents) yobuzwe balapha.
- Abemmi beli ngokuzalwa ngabantu aba.
 - Aba zalelwe eZimbabwe, bezalwa ngumama okanye utata ongummi weli okanye otata mkhulu bakho bengabemmi bakweli ngokuzalwa okanye nangaluphi nauhlobo lobumi.
 - Abo bazelwe ngaphandle kweli omnye wabazali kodwa engummi wase Zimbabwe, okanye omnye wabazali engummi weli osebenzela kwesinye isizwe noba komnye umbutho ongaphandle kwesizwe.

- Xa umntana onemnyaka esezantsi kweshumi elinesihlanu lemnyaka engaziwa uba ungowesiphi isizwe kunye nabazali bakhe bengaziwa.
- Abantwana abazalelwe kweli phambi kokuba kunyanzekiswe leemithetho ekuloMGAqo-siseko, yaye omnye wabazali bomntana esuka kuzizwe ezikumbutho we Southern African Development Communtiy (SADC) okanye engumhlali wase Zimbabwe.
- Ungaba ngummi weli noba ungazalelwanga eZimbabwe xangaba omnye wabazali engummi weli ngokuzalwa, Uba nabazali abangabemmi beli okanye ootatomkhulu/omakhulu abangabemmi nagaluphi na uhloba.
- Abemmi ngokubhalisa ngabantu abangabemmi baseZimbabwe ngokubhalela ukucela imvumo yobummi.
- Ubummi obukabini buyavumeleka xana ungummi weli ngokuzalelwa apha.
 - Umthetho usenako uba ungahamba ungamkeli ubummi besibini kwabo bangabemmi bezinye izizwe ngokuba nabazali abazalelwe kweli okanye ababe ngabemmi ngokucela imvumo yokuba ngummi.
 - Ubummi ngokuzalwa kungoxuthwa okanye kucinywe xa na kufumaniseka uba babufunyanwe ngendlela ezingezizo, ezobuxoki, okanye kufunyenwe ngohlobo lokufumana impahla ethile.
 - Ubummi ngokubhalela isicelo kungoxuthwa okanye bucinywe xa na babufunyaniswe ngobuxoki, nangezinye indlela ezingezizo, okanye uba ngaba lomntu ufumaniseka uba wathabatha inxaxheba kuthengiselelwano olungavumelekanga ngexesha lemfazwe, wathabatha inxaxheba kwimbutho elutshaba lweze lase Zimbabwe ngexesha lemfazwe.
 - Umntu akoxuthwa ubummi xa na emveni koko ezawushiyeka engengommi noweliphi na izwe.
- IPalamente iyila obhodi yobummi nezohambo eye Citizenship and Immigration Board eyiyo exoxisa lindaba zobummi nencwadi zokuphangela kwezinye izizwe.

ISAHLUKO 4

UNYANZEKISO LWAMALUNGELO (Isiqingatha 44 – 87)

Isiqingatha 1

iindaba ezingundoqo

Umntu wonke kwanesiswe babotshwa yaye banyanzelekile ukuthobela amalungelo nemfuneko.

Isiqingatha 2

Amalungelo

- Amalungelo angundoqo kwane zinto abavumelekileyo kuzo obalela ukuba :

- Umntu ngamntu unelungelo lobomi naxa ke
 - umthetho usungavumela uba umntu agwetyelwe ukubulawa xa efumaneka elungele oko ngokomthetho.
 - Isigwebo sentambo/ukubulawa asiphiwa owasetyini okanye noba ngubani onamnyaka esezantshi kwamashumi amabini nanye okanye asixhenxe ngexesha lokudalwa kwelotyala.
 - Wonke umntana nongekazalwa unelungelo lobomi kweli lase Zimbabwe. Ukuqhomfa isisu akuvemelekanga.
- Umntu ngamntu unelungelo lenkululeko yakhe lonto.
 - akukho mntu unogwetywa ityala lakhe lingekange likelixoxiswe okanye aphiwe imvumo nenkululeko yokuchaza elakhe icala okanye unbanjelwa into engekho.
 - akukho mntu unokuvalwa entrongwini evalelwa ukoyisakala ukwenza nje umsetyenzana.
- Umntu olibanjwa unelungelo
 - lokwazi uba ubanjelweni.
 - ukuvunyelwa ukuqhangamshelana neqabane, abantakokwabo okanye igqwetha elibhatalwa sisizwe.
 - ngendleko zizakujongana naye uvumelekile ukuzifunela igqwetha okanye ugqinha akholwa nguye.
 - lokuphiwa isidima nempatho yomntu.
 - ngokwetyala ukuvulelwa xeshikweni ukuxoxiswa kwetyala kusaqhubeka.
 - ukuya enkundleni ukuyoxoxiswa kwisithuba esizi yuri ezingamashumi amane anesibhozo okubanjwa.
 - lokuxela okanye ukhalazela ukungasetyenziswa nohlonipho lomthetho ngelixa elibanjwa.
 - lokuxoxiswa ityala kwithutyana elifitshane emveni kokubanjwa okanye ukuvulelwa xa kunyanzelekile oko.
- Ubani nabani uyakwazi ukubhenela kwinkundla enkulu uba aphiwe iodolo ye (habeas corpus) imvumo yokuba umbanja avulelwe xa na efumaniseka ebanjwe ngokungavumelekanga.
- Ubani nobani obanjwe ngokungekho enmthetweni waze ke wafumaniseka engenatyala uyakwazi ukubhatalwa ngungulomntu ubembambisile xana efumaneke engenatyala.
- Ubani nobani unelungelo lokuphiwa isidima esifaneleyo.
- Akukhomntu okufanele axhatyazwe nangaluphi na uhlobo njengendlela yokugweba.
- akukhomntu unokhobokiswa esetyenziswa into angayifuniyo.
- Ubani nobani uyalingana phantsi komthetho lonto wonke ubani unelungelo lwempatho eyiyo kungekho calucalulo.
- Wonke ubani unelungelo lemfihlo yakhe.
 - ebalela ikhaya, indawo yokuhlala kuyo, impahla yakhe ayivumelekanga ukungenwa kuyo okanye ukufunisa into kuyo ngaphandle kwemvumo yomnikazi.
 - lokungoxuthwa nokuphucwa impahla yakhe.
 - ukhuselo lwemfihlo yabo anxulumana nabo.
 - ukhuselo mfihlo lwemeko yakhe kwezempilontle uba ingabhengezwa.

- Wonke ubani unelungelo longena nokuba ngowuphi na umbutho.
 - ilungelo lokuba yinxalenye yombutho noba ngowuphi.
 - ukungena noba ngeyiphi indibano nembizo.
- Wonke ubani unelungelo lenkululeko yomqondo wakhe, akukho mntu unokunyanzelwa ukwenza isifingo nesibopho singahambisani nenkolo yakhe.
- Wonke ubani unelungelo lokuchaza izivo zakhe ngohlobo akholwa lulo.
 - unelungelo lokunxulumana noba yeyiphi imbutho namaziko eendaba.
 - ilungelo lokungachazwa xa ecaphulele abo bamajelo eendaba inkubeko ethile.
 - ilungelo lokuvula iziko losasazo, okanye noba loluphi uhlobo losasazo lwendaba qha xa ngaba oko kuhambisana nemigaqo yokufumana imvumo yosasazo.
- Kodwa imvumo nelungelo lokunxulumana namazilo eendaba, ayibaleli imvumo yokwenza okanye uphembelela udishe ngentetha ezityala ungevisisani, zisonzakalisa isidima somnye umntu, okanye iintetha ebhengeza imfihlo yomtu.
- Wonke ubani okanye umhlali ogxinisekileyo unelungelo lukufumana noba yeyiphi linkukabha yobuzwe okanye umbutho karhulumente uba ngaba lonkukabha ifunela uba incede abahlali.
- Ubani nobani unelungelo layo yonke inkcukatsha komnye umntu uba ngaba loonkcukatsha izakunceda ukukhusela amalungelo.
- Wonke ubani uvumelekile ukusebenzisa noba loluphi ulwimi alufunayo nokuzithabatha inxaxheba nakweyiphi imicimbi yenkcubekeko yakwantu.
- Wonke ubani unelungelo lokwenza nokufundela nawuphi umsebenzi ngoko myalelo yemthetho yeli.
- Wonke ubani unelungelo loqeshwa ngohlobo olukhuselekileyo yaye ebhatalwa ngemfanelo imali eyamkelekileyo.
- Wonke ubani ngaphandle kwabo baku mnyango wezenkuselo, uvumelekile ukuba yinxalenye okanye ukuyila umbutho wabasebenzi, umbutho wabaqeshi okanye abaqeshwa noba ngowuphi, ukubayi nxalenye kuluqhangalazo lwabaqeshwa.
- I'rho elilingeneyo lomsebenzi ufanayo wenziwa ngootata okanye abasetyini.
- Wonke ubani ongummi unelungelo ukuya noba kuphi kwendawo kweli laseZimbabwe, ukungaxhothwa eZimbabwe, ilungelo lokufumana incwadi zondwendwela ipasipoti nezinye inkcukatsha zondwendwela, wonke ubani ongummo weli unelungelo lohlala nokuba kuphi kwendawo eZimbabwe okanye ukwaka kweli.
- Wonke ubani ongummi unelungelo:
 - lokuthabatha inxaxheba kulunyulo olukhululekileyo olunenzolo.
 - ukuzibandakanya noba kweliphi iqela lezepolitiko.
 - ukuyila iqela lezepolitiko.
 - ukwenza impembelezo ezizolileyo nezi khuselekileyo zamaqela eze politiko.
 - uvota kuzo zonke linyulo novotelwa kweereferendamu
 - ukonyula amalungu asekuhlaleni.
- Wonke ubani unelungelo lolinganiso lwezomthetho kwezolulawulo.

- Wonke ubani unelungelo lokuya enkundleni, eloxoxiswa ngokukhawulezileyo, ukuxoxiswa evumelekileyo ngokomthetho, ngendleko zakhe unelungelo lokumelwa ligqwetha.
- Wonke umtyolwa unelungelo:
 - lokuxelwa njengomntu ungenatyala kude kubekho ubungqina boba unetyala.
 - ukuchazelwa kakuhle ngesigwebo singathiswayo.
 - ukuphina ixesha eleneleyo lokulungela ukuzikhusela.
 - ukufuna nokummelwa ligqwetha alifunayo ngendleko zakhe.
 - ukumelwa ligqwethwa lezwe.
 - ukuba khona xana ityala lixoxiswa.
 - ukukhangela ubungqina obiphiwayo okanye ukuvele athule cwaka.
 - ukutolikelwa ngolwimi inkcbekeko yoxoxiso uba akwasi ukuvisisisa.
 - ukubhenela kwinkundla ephezulu xa engakholiswa sisigwebo asiphiwayo.
- Wonke ubani unelungelo lokubanayo impahla lokusebenzisa okanye ukuchitha oba yeyiphi impahla kodwa engabalisele kumhlaba isetyenziswa kwezolimo.
- Ngaphandle komhlaba wezolimo, wonke ubani unelungelo lokungavinjwa impahla yakhe ngaphandle ke kokuba:
 - ukuvinjwa okanye ukhaliswa usebenziswa lomhlaba kungokomthetho.
 - kubalulekile ewuvinjiwe loomhlaba kuba oko kulungele intlalo, inkuselo nocwangco ekuhlaleni.
 - umthetho uyavumela uba umntu oxuthelwe umhlaba ngokungekho esikweni abhenele kwiinkundla xa na oko kwenzele ngendlela engeyiyo.
- Wonke ubani unelungelo lokuba nempahla ebalela nomhlaba. Izwe lingawuthatha umhlaba ubusetyenziswa kwimcimbi yolimo usetyenziswe.
 - uhlaliso lwabalimi
 - wabelwe kwakhona
 - wabelwe abantu ngemfanelo yaye
 - Akukho bhatalo lwendleko ezibhatalwayo xa umhlaba uye wathathwa wabuyiselwa kusizwe ngaphandle kokuba ube lomhlabe ubungowommi ontsundu weli, ibingu mnhlaba okhuselwe zizigqibo ezininzi, ube wawubhatele kakade ngaphambilini.
 - akukho mntu anokuyobhenela enkundleni uba uthathelwe umhlaba ngaphandle kokuba uba abhatelwe indleko zokuwuphuhlisa.
 - esosibheni asixoxiswa ngokocalucalulo
- Umhlaba wezolimo wohlulwa ngokulingeneyo ngeliyaxesha lolwahlulo mhlaba pambi kokuba esisigaqo siseko sinyanzekise koko akukho mfuneko yambatalo yabo boxhuthwa loomhlaba.
- Ngexesha lolawulo locinezelo umhlaba wawungohlulwanga ngokulingeneyo, yilonto umhlaba waya wohlulwa uba kuhlaliswe ngokutsha kuwo abantu. Abantu bakweli laseZimbabwe baphuma ubuqe bahloma ngezixhobo uba bafumane kwakhona umhlaba ongowabo koko kubalulekile bawulawule babe namalungelo azeleyo kumhlaba wabo.
- Urhulumente wabathangi wayeselulawulwemi ngaphambilini, ongenguye looRhulumente waseZimbabwe kufuneka ebhatele lomhlaba wezolimo kwahlaliswa kuno ngokutsha abantu.

- Wonke ubani unelungelo lo:
 - kunqongwa yimveli enganabungozi kwezempilontle okanye intlalo.
 - ukukhusela imveli nobutyebi besizwe khona ukuze nezizikulwana zangomso zinambithe oko.
- Wonke ummi weli okanye umhlali agxinimisekileyo unelungelo lokufumana imfundo erhafelwa nguRhulumente.
- Wonke ubani unelungelo lokuvula iziko lezempilonto elibetha emgangathweni onguwo yaye lingacaluli nangazipho ntlobo njengoko kuxelwayo kuM Gaqo-siseko sezwe.
- Nabani ongu ummi okanye umhlali agxininisekileyo unelungelo lokufikelela kwi nkono zezempilontle.
- Ubani nobani unelungelo lokufumana ukutya okweneleyo okondlayo namanzi acocekileyo.
- Ubani nobani oseneminyaka elishumi elinesibhozo unalo ilungelo lokuqala usapho lwakhe yaye anganyanzelwa ukutshata nomntu angamfuniyo.
- Abantu bobulili banye abavumelekanga ukutshata kunye.

Isiqingatha 3

Amalungelo ongezelelwayo.

- Onke amabhinqa anesidima esifanayo nabantu bangotata kubalela nezithuba ezilingeneyo kwezepolitiko, ntlalo noqoqosho.
- Amabhinqa amalungelo afanayo namadoda kwindaba ezinokwenza nelungelo lokuhlala nabantwana.
- Yonke imithetho, iinkcubeko nenkolo ezincikela ezantsi amalungelo abantu basetyini awasebenzi.
- Wonke umntana unamalungelo:
 - ilungelo lwempatho efanayo yezomthetho
 - ilungelo lokumanyelwa.
 - ilungelo lothiywa igama nesiduko okanye ifani.
 - ukufumna incwadi yokuzalwa msinyane emveni kokuzalawa.
 - ilungelo lokuhoywa lusapho naabazali.
 - ukhuseleko kuluxhatshazo lwezoqoqosho.
 - ukungaqeshwa uba bathabathe inxaxheba emfazweni.
 - ukunganyanzelwa ukuba bathabathe inxaxheba kwezepolitiko.
 - ukungabanjwa bavalwe ngaphandle kokuba kanti alisekho elinye icebo limbi.
- Abantu abakhulileyo, umzekelo abo baneminyaka iphezu kwamashumi asxexhe banelungelo:
 - lokwamkeliswa ingxaso noba koluphi na usapho nesizwe.
 - ukwamkeliswa ingxaso yemali ngotloblo lwenkam nkam.
- Abantu bazizidalwe kufuneka.

- bavunyelwe ukwenza noba yintoni na enokubanceda uba benze bhetele ubomibabo.
 - bavunyelwe ukuhlala nentsapho zabo, bathabathe inxaxheba kwimicimbi yasekuhlalweni, ukuvelisa ubuncwephetshe babo nokuzibandakanya kwimicimbi yokuzonwabisa.
 - bakhuseleke ekuxhatshazweni.
 - bakwazi ukufisekelela kezenyanga, nezinye zonke inkonzo ibalulekileyo emntwini.
- Abalwi bemfazwe yenkululeko kuquka nabo bathathi indima ezithile emfazweni yenkululeko, ababa ngababanjwa ngexesha ledabi lenkululeko kunyanzelekile bephiwe isidima esifanelekileyo ngegalelo labo ekukhululeni izwe lase Zimbabwe, yaye kufuneka inkonzo ezifanelekileyo kweze ntlalo nempilontle.

Isiqingatha 4 & 5

Unyanzekiso nezinto zibophayo

- Wonke ubani ezimele oku kwakwe okanye emele omye umntu uyakwazi ukuyomangala xana amalungelo oluntu exhatshazwa.
- Unyanzekiso lwamalungelo oluntu akufunekanga kuchukumeze amalungelo abanye abantu.
- Amalungelo oluntu alawulwa ngumthetho jikele.
- Awukwo umthetho ongaba uba:
- umntu angabi nelungelo lobomo ngaphandle xana ephiwe isigwebo sokufela entilongweni.
 - umntu uba abe unelungelo lesidima sobuntu.
 - umntu uba abe nelungelo lokungaphathwa kakkubi, anganikwa isidima sobuntu, axhatyazwe.
 - umntu akhobokiswe.
 - umntu angaxoxiswa ngemfanelo.
 - umntu angabinelungelo nokuchazwa ngomntu olibanjwa.
- Ngamaxesha engxakeko ezingxamisekileyo amalungelo abalulekileyo nenkululeko angayiswa ngumthetho ngaphandle kwala achazwe ngesentla.
- Ukophulwa kwalamalungelo oluntu ngaxesha lokuxakeka angabangela uba zezomthetho ngokwenjenjalo.

ISAHLUKO 5

EZOLULAWULO (Isiqingatha 88 – 115)

Isiqingatha 1

Amagunya amandla olulawulo

- Amagunya amandla olulawulo asuka ebantwini yaye kunyanzelekile enyanzekiswe njengokuxela koM Gaqo-siseko.
- Amagunya olulawulo aqala kuMongameli yena awabhekise kwiKhabhinethi.

Isiqingatha 2

UbuMongameli

- Umongameli nguye intloko yezwe noRhulumente ekwayi Khomanda yombutho nenkuselo.
- Umongameli kufuneka:
 - alawule, akhusele, athobele uMgaqo siseka noomthetho.
 - aphucule ulumanyano nolucwayitho ezweni.
 - abalulekise yaye athobele iziqhamo ezeza nedabi lenkululeko.
 - ayanzekisse ukhuseleko lwamalungelo oluntu nenkululeko yabantu noqinisekiso loomthetho.
 - athobele intlobo ngentlobo zentlanga zabantu bakweli lase Zimbabwe.
- Umntu ongakwazi ukonyulwa kusihlolo sikamongameli okanye usekela kaMongameli ngumntu ongummi wakheli ngokuzalwa ezalelwe apha eZimbabwe, engummi ngokuzalwa ngabemmi beli okanye ngokucela imvumo yoko, engumntu oselulungelweni lokuvota, engumntu oneminyaka engamashumi amane nokuya ngasentla yaye engumhlali wase Zimbabwe.
- Umntu owonyulelwa ukuba kusihlalo sobumongameli kufuneka ekhuphisene nabanye ababini.
- Owoyisiweyo kubakhuphisi usengakwazi ukubhenela inkundla yoMgaqo-siseko xa ulunyulo luka Mongameli okanye isekela lingavezanga ziphumo ezincumisayo inkundla yoMgaqo-siseko kufuneka iphe isigwebo soko kungekegqithi intsuku ezilishumi elinesine.
- Emveno koba sonyuliwe uMongameli uhlala esihlalweni sakhe solulawulo okweziqingatha zimbini zeminyaka emihlanu ngasinye.
- UMongameli okanye isekela lakhe lixumelekile uba lishiye phantsi umsebenzi xa na likholwa koko.
- UMongameli okanye isekela lakhe bayasuswa esihlalweni xa na:
 - efumaneka bengaziphathi ngendlela.
 - esoyisakala ukubalulekisa, ukuthobela nokukhusela uMgaqo-siseko.
 - exhaphaza ngesibomu uMgaqo-siseko.

- esoyisakala ukulawula ngendlela ngenxeni yemeko ezithile ezimphezamisayo.
- UMongameli akabekwa ziityolo namatyala de abe liphelile ixesha lakhe lokuba selulawuleni sobuMongameli. Oko kungenxeni yeemthetho yoomsebenzi, nokuba ekholeka.
- Xa na uMongameli ethe wasweleka washiya umsebenzi kanye wasuswa ngamandla esihlalweni ngxa wakhe wokuqala nguye oshiyela esiba nguMongameli agqibezela ixesha lolawulo likaMongameli ebeloshiyekile.

Isiqingatha 3

Abaphathiswa, oosekela babaphathiswa nekhabinethi

- UMongameli enqandwa yimfuneko yokulinganisa ngokwendawo kuvela kuze lamalunga nobulili wonyula abaphathiswa nosekela babo kumalunga epalamente. Abahlanu bangonyulwa phandle kwendlu yepalamente abana xa ingabantu banobugcisa obuthile bomsebenzi.
- Ikhabinethi yiyo ejongene nenkcubekeko zikaRhulumente, ulawula usebenza lwePalamente ukuyila noqinisekisa ululawulo lwesizwe nokupha uMongameli amava.

Isiqingatha 4

Iggwetha Jikelele

- Ngoku kukho iggwetha jikelele ewona msebenzi walo ikukupha ingcebiso yezomthetho kuMongameli nekhabinethi, usengalawula kwioofisi kaMongameli xa na uMongameli ethandile.
- Yonke imicimbi yotshitshiso ijongwa ngumbutho weNational Prosecuting Authority onguwo oba ngezotshitshiso kusizwe wona ukhokhelwa ngu Mtshitshisi Jikelele.

ISAHLUKO 6

INDLU YEPALAMENTE (Isiqingatha 116 – 116)

Isiqingatha 1

Amagunya endlu yowiso mthetho (Legislature Authority)

- Izindlu zowisomthetho zibalela iPalamente noMongameli
- Amagunya endlu yowisomthetho asuka ebantwini yaye:
 - abandakanya amandla owisomthetho alungisisa uMGaqo-siseko
 - enza limthetho yongcwangco, indlela yolulawulo luvumelekileyo lukaRhulumente.
 - unyanzekisa amanye amagunya olulawulo lweminye imibutho.

Isiqingatha 2

IPalamente

- Ipalamente:
 - Inezindlu zimbini yeSeneate neye Nashinali Asembli.
- Kufuneka ezizindlu zombini zikhusele uM Gaqo-siseko ziphucule noRhulumente wentando yabantu.
- Inelungelo nokubandakanya kuyo yonke imthetho yoM Gaqo-siseko.
- Yonke imibutho yakwaRhulumente ilawulwa yiPalamente.

Isiqingatha 3

ISenethi

- Indlu yeSenethi inamalunga alishumi elinesbhozo:
 - Amalunga asithandathu onyulwa kuluphondo ngalinye ngohlobo lokuba kubenabameli balinganayo.
 - malunga alishumi elinesthandathu ngamakhosi, amabini awo suke onyulwe ngumbutho wamakhosi kuluphondo kumaphondo onke ngaphandle kwakuluphondo lwemadolophu amakhulu olwase Harare neBulawayo.
 - Ababini nguMongameli nesekele likaMongameli kumbutho weBhungu laMakhosi esizwe.
 - Ababini bayonyulwa ukuba zee bamele abantu abazizidalwa.
- Amalunga eSenethi onyulwa kulinganiswa izithuba zobumeli yaye bonyulwa kumaqela ahlukileyo ezipolitiko kusetshenziswa ukuvotwa.
- Ilungu leSenethi kufuneka ingumntu ongakwazi ukuvota, oneminyaka engama shumi amane, inkosi yeSenethi kufuneka ingumntu oyiNkosi, amalunga eSenethi amela abantu abazizidalwa kufuneka bezizidalwa bona kuqala.
- Umntu akakwazi ukukhuphisa elilungu leSenethi xa na engavumelekanga ukuvota okaye wake washiya ishlalo kwindlu yePalamente kwisithuba seminyaka emihlanu eyegqithileyo emveni kokufumaneka ebekwa ityala okanye xa iyaba ulilungu lePalamente.
- UMongameli weSenethi nesekele lakhe ngabo abongamela lendlu yeSenethi.

Isiqingatha 4

INashinali Asembli

- INashinali Asembli iquka:

- Amalunga angamakhulu amabini aneshumi ayonyulwa kulunyulo olukhuselekileyo lwemfihlo kuziphalula ezingamakhulu amabini anemashumi ezikwesizwe sase Zimbabwe.
 - Kuzindlu zimbini zePalamente emveni kwala MGaqo-siseko uba sowunyanzekisiwe, amanye amalunga abhinqileyo anogamashumi asithandathu ayonyulwa abasithandathu besuka kumaphondo ngohlobo lonyulo lukhululekileyo.
- Izibakolo ezifanayo ezamkelekileyo nezingamkelekanga kwamalunga eSenethi isekwazizo ezo zisetyenziswa ngaphandle ke kokuba kulombutho wendlu yowiso mthetho iminyaka yobudala yokuqelela ngamashumi amabini anesinye.
- Usithethi nesekele lika sithethi ngabo abalawula iNasheneli Asembli.

Isiqingatha 5

Iminyaka ehlalwa lilungu le nashinali asembili

- Imigoqo yokuba ilungu lePalamentelisuke esihlalweni ichaziwe kumGaqo-siseko leyo iquka ukuba ilungu lifudkilwe kwesinye isihlalo senye indlu yePalamente, eshiya umsebenzi, efunyaniswa enetyala okanye ityala kwezolunyulo.

Isiqingatha 6

Amandla endlu yePalamente

- IPalamente inamandla wokuyila, ukulungisa nokukhabela kude umthetho omanyanzekiswe.
- Amagunya olulawulo lwendlu yePalamente anyanzekiswa aqinisekiswa nguMthetho nePalamente.
- UMgaqo wokubasiswa komyalo uchazise nzulu kwishedyuli yesihlanu (Fifth Schedule).
- IPalamente inalo igunya lokubeka umthetho,

Isiqingatha 7

Imigoqo elandelwa ePalamenteni

- Intloko yePalamente nguSinethi wePalamente eyeSenethi nguMongameli weSenethi.
- Umabhalane wePalamente nguye intloko yolawulo lwase Palamente yaye uhlala kwesosihlalo okweminyaka esithandathu, usengabuyiselwa kwakhona okwesiqingatha esinye.

Isiqingathi 8

Iinkcubeko ngexesha kuqubeka udliwano lwase Palamenteni nokuchithwa kwalo udliwano olo.

- Amalungu ePalamente abaselulawulweni okweminyaka emihlanu iqala ukuhla emveni kolunyulo.
- IPalamente ingasithatha isigqibo sokuchitha uludliwano, lonto uMongameli nguye onokuyichitha adunge olodliwano.
- Uba ngaba ayide ikwazi ungqinelana ngolupasiso lweBhili efanekileyo, uMongameli uyayichitha zithi ke ezongxaki zibethayo ziyokuxoxiswa yinkundla yoMgaqo-siseko uba ngaba amalungu/ilungu lePalamente libhenele koko.
- Ngaphantsi kwemeko eziqhelekileyo, uMongameli ubeka usuku loqhutywa kolunyulo jikelele kusashiyeke lintsuku ezingamashumi amathathu uba amandla olulawula ePalamente.
- Ulunyulo jikelele olubeko ngenxeni yongandinelani kwamalungu ePalamente kodwa ixesha linga bhelanga ololawulo lwalendlu, lwenziwa emveni kwentsuku ezingamashumi asithoba okucithwa kwalendlu.
- UMongameli kufanele esebenzisane nekhomishoni yolunyulo xa na ezakubeka iintsuku zokuqhutywa kolunyulo.
- IPalamente iqala ukuhlala emveni kwentsuku ezingamashumi anethoba uMongameli eqale ukuthabatha isihlalo sakhe.
- Indlu yePalamente ngayinye iyazilawula xa idibana noxa uMongameli engakwazi ukube emana ehlola eba ziqhuba njani.
- Amagosa alawula iPalamente kunye namalungu ePalamente avumelekile ukuthetha noba yintoni kugekho loyikelo lwakubanjwa kuba bathethe into ethile ngexesha behleli iindibano.
- Abahlali bavumelekile ukusa izibheni zabo ePalamente.

ISAHLUKO 7

ULUNYULO (Isiqingatha 155 – 161)

Isiqingatha 1

Iindlela yoqhutywa kolunyulo

- Ulunyulo kufuneka luqhutywe ngenzolo, lubene nkuselo inkululeko, lubene mfihlo, lulinganiswe lungabina dushe.
- IKomishoni yolunyulo kufuneka iqiniseke uba:
 - unyulo kufuneka luqhutywa ngohlobo olucacileyo kungekho nto irhobelisayo.

- Iimpumo zolunyulo neReferendamu kufuneka zixelwa masinyane emveni kakoqukumbeliswa kwalomcimbi.
- Udushe nayo yonke into emasha ulungewango azivumelekanga elunyulweni.
- impahla esetyenziswa kulunyulo ingcinwa ngokhuseleko.

➤ Isizwe kufuneka siqinisekise uba:

- Bonke abemi abaselulungelweni lokuvota kufuneka babe begqibelele ngokwe shedyuli yesine.
- wonke ubani onelungelo lokuvota uyakwazi uthabatha inxaxheba nakoluphi unyulo.
- amaqela ezepolitiko namalungu amela iqela anesithuba esibhetele sokufikele kwinkcukatsha yonke uba bakwezi ukuqhuba ngedlela.
- amaqela ezepolitiko nabameli banezithuba ezilingeneyo zokufikelela kumaziko onke eendaba.
- Ungevisisani ngezolulunyulo kufuneka kusonjululwe ngononophelo.

➤ Umthetho wezolunyulo ubalelisela.

- Ukucandwa ngokutsha kwemida yeziphaluba.
- Ukubhalisa abo bazakuvota.
- Ukubeka imigoqo echaza indlela yenkabo zilindeleke kumaqela ezepolitiko nabameli bawo.
- Ukulinganiswa ngokweneleyo abameli bakwindlu yePalamente.
- Ukonyula ilungu leSenethi elimela abantu abazizidalwa.
- Akukho mthetho unogotywa kwakhona ulungisiswe kwimthetho yezonyulo okanye eminye kungekho mxumo yeKomishoni yolunyulo.

➤ Ukugotywa kwalomthetho neminye enokwenza lolunyulo akuphazamisi nto ekuqhutyweni kolunyulo olo.

Isiqingatha 2

Ixesha lokwenziwa kolunyulo

➤ Ulunyulo jikelele kufuneka lwenziwe:

- kungekagqithi iintsuku ezingamashumi amathathu zokuchithwa kwePalamente okanye uphelelwa kwayo lixesha.
- kusithuba samalanga angamashumi anethoba emveni kokuba sekuthathwe sokuchithwa.
- okanye emveni kwentsuku ezingamashumi alithoba zokuchithwa kwalendlu ngokunqinelwana noRhulumente.

➤ Ulunyulo lwakuziphaluba kufuneka luqhutywe emveni kokuba isihlalo sishiyeke singenamntu, okanye sisengashiya esosihlalo singenamntu kude kube kuqhutywa ulunyulo jikelele.

- Ulunyulo jikelele lokufuna aba bazakuba semagunyeni ekuhlaleni, oo maninsibala luqhutywa nga xa linye kuqhutywa ulunyulo lokufuna uMongameli namalunga ePalamente.
- Zonke izihlalo kufuneka njengokuxela koMgaqo-siseko zibe sezinabantu kuxesha elizintsuku ezingamashumi asithoba.

Isiqingatha 3

Ukucandwa kwemida esetyenziswa kulunyulo

- Ukuba konyulwa amalungu ePalamente, iKomishoni yolunyulo kufanele yohlukanise isizwe ngeziphaluba ezingamakhulu amabini anesishumi, nolunyulo losomakhonco ngokohlulwa kwelali nenginqi njengokuxela koMgaqo-siseko.
- Ukucandwa kwemida kufuneka kwenziwe qhoo emva kwemnyaka elishumi kusetyenzisw aubinintsi babantu.
- Ulucando oluyabe lugqitywa sekushiyeke inyanga ezintandathu uba kuyiswe kulunyulo alusebenzi.
- Ingxelo okuqala yolucando lomhlaba iphakelwa iPalamente yona ezakuza nesigqibo esipheleleyo.
- Kusithuba samalanga alishumi elinesine uMongameli efumene ingxelo yokugqibela, kufuneka aqinisekise ngamagama alomida neziphaluba zicandiweyo.

ISAHLUKO 8

EZOXOXISO LWAMATYALA NEENKUNDLA (Isiqingatha 162 – 193)

Isiqingatha 1

Iinkundla

- Ulawulo lwamagunya ezomthetho asuka ebantwini yaye aqinisekiswa ziinkundla, ingalumbi inkundla yoMgaqo-siseko, inkundla enkulu kunazo zonke eye Supirimi Khoti, eyeHayi Khoti, inkundla yabasebenzi, inkundla yolulawulo, inkundla yamantyi, inkundla zezomthetho ezizilwe ngaphansi kwemthetho yePalamente.
- Ojaji enkulu, nesebola lejaji enkulu nabahluleli bezinye inkundla, oomantyi kanjalo.
- Iinkundla zixhomekeke kuMgaqo-siseko yaye zilawula kwayiyo.
- Isizwe kufuneka sikhusele iinkundla.
- Amalungu ezomthetho alawula yimigaqo ethi:
 - ulwahlulelo olufanayo kumntu wonke.
 - Isigwebo akufuneka sitsalise ixesha elide.
 - umsebenzi wenkundla ubalulekile ekukhuseleni amalungelo oluntu nenkululeko yomthetho.

- Amalungu ezomthetho awavumelekanga ukuthabatha inxaxheba kwimcimbi yezePolitiko, ukufunjathiswa, ukwamkela izipho nakubani na, kufuneka bakhokhelise umsebenzi wabo kuqala baphe ingcebiso zezomthetho ezibhadlileyo.
- Iinkundla yomgaqo-siseko yiyo iinkundla enkulu kuzo zonke kwezomgaqo-siseko.
- Inkundla enkulu kunazo zonke yaye ebalulekileyo yezwe yoSupreme Court. Kweli lase Zimbabwe yiyo iinkundla yokugqibela ezinokwenza noMgaqo-siseko.
- IHigh Court yinkundla enkulu emva kwe Supreme Court.

Isiqingatha sesibini

Ukonyulwa nexesha balihalala esihlalweni.

- Iimfuneko ezilindekileyo zomntu ongaba ngumahluleli weenkundla, ixesha abalihalala esihlalweni salomsebenzi, inkcubekelo zokonyulwa kwabo nokususwa kwabo esihlalweni yonke lonto iqukumbelisiwe kiMgaqo-siseko.
- Ebuncinaneni umntu owanyulwa kwisihlalo sokwahlulela ngumntu oseke waba ligqwetha okweminyaka noba isixhenxe, eneminyaka elishumi ukuya ngentla engumahluleli wenkundla yeSupirimi nelishumi nesibini engumahluleli kwiinkundla yoMgaqo-siseko.
- Ngoku abahluleli bonyulwa ngaphantsi kwemeko ezithi:
 - kuyabhengeza esosithuba.
 - kumenywa umongameli nowonke uba axele amagama.
 - kuqhutywa udliswano olubhengezineyo lwabo banomnqweno.
 - kufunwe amagama wabathathu bonyuliweyo kuyo loo oofisi
 - ukusa amagama wabo bonyuliweyo kuMongameli.
- Abahluleli benkundla yoMgaqo-siseko babekelwa iminyaka phambi kokuba bathathe umhlalaphantsi. Abahluleli benkundla yeSupirimi neye Hayi Court basebenza bade bafikise iminyaka engamashumi asixhenxe.
- Umahluleli uyasuswa e ofisini xa na:
 - engaqhubi ngendlela ngenxeni yemeko esithile.
 - engasebenzisi ngendlela imali yobuzwe.
 - engalawuli ngendlela imali yobuzwe.
- Emveni koluphengululo olufanelekileyo olunqinela oko uyasuswa esihlalweni umahluleli.
- Ngokwemvumo yenkundla yexoxiso matyala uMongameli uthata sigqibo sokugqibela.

Isiqingatha 3

IKomishini yenkonzo zamatyala

- Uxoxiso lwamatyala lulawulwa yiKomishini yenkonzo zamatyala yaye zinholwa yiJaji enkulu.
- Lombutho uchaze nzulu koMgaqo-siseko.

- Umsebenzi wakeKomishoni ubalela:
 - upha ingcebiso namava ezomthetho kurhulumente.
 - ukuphucula ubumi obupheleleyo bohlobo lwenkonzo zezomthetho nokuqhutywa ngendlela komsebenzi.
 - ukubeka imigoqo nemthetho elawula ezomthetho.
- LeKomishoni kunganzelekile iqhube ngendlela umsebenzi lo wayo.

ISAPHLUKO 9

IMIGOQO YOLAWULO LUKAWONKE NOBUNKOKHELI (Isiqingatha 194 – 198)

Esi isahluko sibeke imigoqo yolawulo luka wonke. Lemigoqo ibalela uRhulumente nawo onke amagxa ache, omansipala, imbutho ezilawulayo kodwa uRhulumente eneso kuwo, iinkampani zakwa Rhulumente, abantu abaselulawulweni kwimbutho kawonke.

1. Imigoqo ebalulekileyo

- Kuzo zonke inkonzo zolawulo lukawonke, oku kunyanzelekile qhoo ngamaxesha onke:
 - ubalulekisa intando yoluntu ekulo Mgaqo-siseko.
 - usebenza ngononophelo
 - ukuqhiba ngendlela eyiyo engenandleko.
 - ukulinganisa izithuba.
 - ukwazi uhoya imfuno zabantu.
 - ululawulo olulilo olukhilekayo oluzisa impuhliso.
 - Ukuthabatha inxaxheba ekuyilwe kwe mugaqo yolawulo.
 - usetyenziso lwemigaqo elawula abasebenzi ngohlobo lokuphucula ubukho bemisebenzi, uqeqesho, impucuko.
 - ukulinganisa kwamadoda nobasetyini kubalelali nabantu bazizidalwa
(Isiqingatha 194)

2. Iinkampani ezizilawulayo noRhulumente enento yokwenza kuzo kwanezo zasebuRhulumenteni.

- Iinkampani ezizilawulayo noRhulumente enegalelo kuzo kwanezo zilawulwa nqhoo nguRhulumente funeka zisebenze ngokusemngangathweni wolawulo lwenkampani nguRhulumente.
- Iimpahla esetyenziswayo kufuneka ithengwe ngohlobo lungarhobelisi nto
(Isiqingatha 195)

3. Iinkokheli namagosa kawonke

- Iinkokheli namagosa asekuhlaleni kufuneka enyunzelekile ukusebeza ndohlobo luzaku nceda abantu, banazicinge, ngokwabo. Balawulwa nguMgaqo-siseko. Kufuneka bethobele nokubalulekisa abantu ngokubapha inkonzo zifanelekileyo.

4. Iinkokheli zemibutho (CEO)

- Iminyaka yohlala esihlalweni senkokheli yombutho ozilawulayo noRhulumente eneto yokwenza kuyp naleyo ilawula nguRhulumente kuphela ilawula ngumthetho.

5. Unyanzikiso kwemigaqo yolawulo luka wonke

Umthetho uzakupasiswa ekubeni:

- amalunga onyulwayo ebhengeza impahla anayo engakabi sesihlalweni.
- ukuthobeka imthetho yokuziphatha.
- kubekwe imthetho elawula usebeza kwenkampani.

ISAHLUKO 10

IINKONZO ZASEKUHLALENI (Isiqingatha 194 – 205)

1. Iinkonzo zebaqeshwa bakwaRhulumente.

- Amalungu enkonzo zasekuhlaleni ngabantu aba qeshwe nguRhulumente.
- Umbutho engabandakanyangwa kwinkonzo zasekuhlaleni ibalela amapholisa, umbutho wenkuselo, amagosa ababanjwa, amalungu ezomthetho nabaqeshwa base Palamentini.
- Abaqeshwa bakwaRhulumente banyanzelekile uba qhoo ngamaxesha:
 - bathobele uMgaqo-siseko.
 - bangaphulaphuli imthetho nemiyalo engeyiyo.
 - bangathabathi cala kweze Politico.
 - bathobele amalungelo oluntu
- Umntu nabani noba engenasihlalo esithile kwiqela lezepolitiko angakwazi ukuba ngumqeshwa wakwaRhulumente.

2. IKomishini yenkonzo zasekuhlaleni

- Iinkonzo zasekuhlaleni zilawula yiKomishoni yenkonzo zasekuhlaleni eye Civil Service Commission.

- Amalungu eKomishini kuntanzelekile benayo yonke into ifenekayo uba bake zi Komishinala yaye bonyulwa nguMongameli.
- Umsebenzi wale Komishinala uquka ukuphawula imisebenzi, ubeka imilayo, ubela irholo labaphangeli bakwaRhulumente, uphengulula nokuhoya izikhalazo zababaqeshwa le Komishoni ikwayiyo epha uRhulumente amaxa ngendaba ezinokwenza nombutho wenkonzo zasekuhlaleni.
- Abaqeshwa aba baselulungelweni lokunqinelana nomqeshi wabo ngerholo nangemeko basebenzela kuzo.

3. Abameli/Onozakuzaku

- Onozakuzaku bonyulwa nguMongameli yaye nguye obalawulayo.

4. Oosiba bagxinini sekileyo

- Oosiba bagxininisekileyo bonyulwa nguMongameli emveni kovisisana neKomishoni yenkonzo zika wonke.
- Baba sesihlalweni okwemnyaka emihlanu esenokwengezwa xana beqhuba ngendlela

ISAHLUKO 11

INKONZO YOKHUSELO (Isiqingatha 206-210)

Isiqingatha 1

1 Ukubunjwa nemisebenzi ye nkonzo yokhuselo

INkonzo yokhuselo ibunjwa ngaMajoni eNkuselo, aMaapholisa, abaZentilongo, iNkonzo yeeNtlozi nezinye inkonzo zenkuselo ezisemthethweni.

- Bane msebenzi wenkuselo yelizwe omele uqhutywe kulandelwa umGaqo-siseko nokuhlonipha amalungelo balulekileyo nenkululeko yebemi.
- Bamele baxhase ulawulo lomthetho

2 Amalungu eNkonzo yeNkuselo

Xa beqhuba umsebenzi wabo amalungu enkonzo yonkuselo kufuneka ukuba :

- balandele umGaqo-siseko;
- bangathabathi inxaxheba okanye okunye ukuba nesihlalo kumaqela ezipolitiko;

- bangabi neqela elezopolitiko abalisekelayo;
 - Bake amalungelo abalulekileyo abantu nenkululeko zabemmi.
- Awamele kangaukusebenza kuntlanganiso zasekuhlaleni ngaphandle qha ngamaxesha ohlangulo olungxamisekileyo.

3 Ibhungu leNkuselo yeZwe

Kuzakuba neBhungu leNkuselo yeZwe, umsebenzi walo ubalela ukuphuhlisa imigaqo yenkuselo yelizwe.

- Iyabe ibunjwe nguMongameli, iSekela Mongamele lamanye amalungu ayebe esemthethweni.

4 Izikalazo

Izikalazo phezu kwamalungu enkonzo yenkuselo ziyakulungiswa ngendlela ezihlukeneyo nenkonzo yenkuselo.

Isiqingatha 2

Imbutho yoKhuselo (Isiqingatha 211-218)

1. Izenzo

- Umbutho wenkuselo ubalisela aMajoni naMajoni aseMoyeni. Amanye amasebe angabakho ngomthetho. Umele ukhusele ilizwe nokuba:
- nobuzwe esimilweni;
 - nothando lelizwe
 - profeshinali;
 - bangabi necala abilisekelayo;
 - bazephule pantsi kwesizwe;
 - nokuziphatha kuhle

2 Ukuthuma Umkhosi

- UMongameli nguye uKhomanda oMkhulu woMbutho wokuvikela uyanika imvume yokuthunyelwa kwomkosi woMbutho weNkuselo:
- ukukhusela ilizwe;
 - ukugcina ugchwangco lonintsi
 - ukuxhasa amagunya entlanganiso zasekuhlaleni ngamaxesha ohlangulo olungxamisekileyo;
 - phandle kweZimbabwe bekhusele intando yezwe okanye ukuzalisa infuneko zamazwe omhlaba.

- Ukuthumela ukuthumela umkosi wombutho unganqandwa yiPalamente xana yehlule imele iwumise.

3 Amakhomanda

Amakhomanda aMajoni eNkuselo; abekwa nguMongameli emveni kokuxoxisana noMphathiswa wamabutho;

- uhlala esihlalweni kwesithuba seminyaka emihlanu eyinga phindwa kanye;
- usebenzisa amagunya okunyanzekisa imigaqo njengokuxela kweziyalelo ezisuka kuMphathiswa njengokuvunyelwa nguMongameli.

4 Ikhomishini yeNkonzo yaMajoni eNkuselo

- IMbutho weNkuselo ulawulwa yiKhomishini yeNkonzo yaMajoni eNkuselo.
- Amalungu eKhomishini bamele babe nemfanelo yokuba basebenzi jiego Khomishina, babekwa nguMongameli.
- Imicimbi yalenzekile ibalela:
 - ukuqhasha nokuchaza ntlobo lwemeko zokusebenza;
 - ukubeka irholo lamalungu eMbutho eNkuselo;
 - ukupha ingcebiso kuRhulumente kundaba ezinokwenza neze Mbutho weNkuselo

Isiqingatha 3

Inkonzo yaMapholisa (Isiqingatha 219-223)

1 Inkonzo yaMapholisa

Imicimbi yayo ibalela:

- ukugcinwa komthetho nenkuselo yelizwe;
- Ukukhusela abantu nempahla zabo.
- Imele ukuba :
 - nobuzwe esimilweni;
 - nothando lelizwe
 - profeshinali;
 - bangabi necala abilisekelayo;
 - bazephule pantsi kwesizwe

2 Khomishina jikelele

- UKhomishina Jikelele: The Commissioner-General:
 - abekwa nguMongameli emveni kokuxoxisana noMphathiswa waMapholisa;
 - uhlala esihlalweni kwesithuba seminyaka emihlanu eyinga phindwa kanye;
 - akavunyelwa ukukhomba kungaba nangaiphi inkonzo yokhuselo;
 - usebenzisa amagunya okunyanzekisa imigaqo njengokuxela kwezinyalelo ezisuka kuMphathiswa njengokuvunyelwa nguMongameli

3 IKhomishini yeNkonzo

- INkonzo yaMapholisa iya kulawulwa yiKhomishini yeNkonzo yaMapholisa.
 - Amalungu eKhomishini bamele babe nemfanelo yokuba basebenzi jiego Khomishina, babekwa nguMongameli.
 - Imicimbi yalenkonzo ibalela:
 - ukuqhasha nokuchaza ntlobo lwemeko zokusebenza;
 - ukubeka irholo lamalungu eNkonzo yaMapholisa;
 - ukupha ingcebiso kuRhulumente kundaba ezinokwenza neze Mbutho weNkhuselo;
- ukuqinisekisa ucwayitho phakathi kwambutho nabemmi.

Isiqingatha 4

INKONZO YENTLOLI (Isiqingatha 224-226)

1 INkonzo yentloli

- Intelligence services must be established under the law or by order of the President or cabinet.
- INkonzo yeNtloli imele iyilwe phantsi kwemthetho okanye imiyalo kaMongameli okanye iKhabhinethi
- They must be: Bamele babe:
 - nobuzwe esimilweni;
 - nothando lelizwe
 - profeshinali;
 - bangabi necala abilisekelayo;
 - bazephule phantsi kwesizwe

2 UKhomanda

- UDirhekitha Jikelele weNkonzo yeNtloli:
 - abekwa nguMongameli emveni kokuxoxisana noMphathiswa waMapholisa;

- uhlala esihlalweni kwesithuba seminyaka emihlanu eyinga phindwa kanye;
- akavunyelwa ukukhomanda kungaba nangaiphi inkonzo yokhuselo;
- usebenzisa amagunya okunyanzekisa imigaqo njengokuxela kweziyalelo ezisuka kuMphathiswa njengokuvunyelwa nguMongameli.

Isiqingatha 5

INKONZO YENTILONGO NOLULEKO (Isiqingatha 227-231)

1 Inkonzo

- Inomsebenzi woku:
 - kusela abantu ezigebengeni abaphuli bomthetho ngokubavalela kunye nokululeka kutsha izimilo zabo;
 - Ukulawula intolongo nendawu zokululeka.
- INkonzo imele ukuba:
 - nobuzwe esimilweni;
 - nothando lelizwe
 - profeshinali;
 - bangabi necala abilisekelayo;
 - bazephule pantsi kwesizwe

2 UKhomishina- Jikele weNkonzo yeNtilongo Noluleko

UKhomishina Jikelele:

- abekwa nguMongameli emveni kokuxoxisana noMphathiswa waMapholisa;
- uhlala esihlalweni kwesithuba seminyaka emihlanu eyinga phindwa kanye;
- akavunyelwa ukukhomanda kungaba nangaiphi inkonzo yokhuselo;
- usebenzisa amagunya okunyanzekisa imigaqo njengokuxela kweziyalelo ezisuka kuMphathiswa njengokuvunyelwa nguMongameli.

3 IKhomishini yeNkonzo yeNtilongo Noluleko

- INkonzo iya kulawulwa yiKhomishini yeNkonzo yeNtilongo noLuleko.
- Amalungu eKhomishini bamele babe nemfanelo yokuba basebenzi njengo Khomishina, babekwa nguMongameli
- Imicimbi yalenzakalo ibalela:
 - ukuqhasha nokuchaza ntlobo lwemeko zokusebenza;
 - ukubeka irholo lamalungu eNkonzo yaMapholisa;
 - ukuqinisekisa ucwayitho phakathi kwambutho nabemmi

- ukupha ingcebiso kuRhulumente kundaba ezinokwenza neze Mbutho weNkuselo;

ISAPHLUKO 12

IKHOMISHINI EZIZILAWULAYO EZIXHALASA URHULUMENTE WE DEMOKRASI

Isiqingatha 1:

ULWAZI OLUPHANGALELEYO (Isiqingatha 232-237)

1. Impawu yamakhomishini

- EziKhomishini zintlanu, zizwa:
 - iKhomishini yoNyulo lwase Zimbabwe;
 - iKhomishini yaMalungelo oLuntu;
 - iKhomishini yoSini ye Zimbabwe;
 - iKhomishini yaMaziko eEndaba;
 - iKhomishini yoCwayitho noXolelwano yeZimbabwe.
- Azaakusebenza ukuxhasa idemokrasi ngoku:
 - khusela nukophucula amalungelo oluntu nedemokrasi;
 - phucula ukusetyenziswa kwesiseko;
 - phucula ukuphuma mgqekhe izintweni nokumela indaba zeKhomishini kuntlanganiso zonintsi.
 - khusela ixabiso yedemokrasi nenkolo yenyano ngentlanganiso zonke;
 - Qinisekisa ukulungisiswa kwendlela ezingeko emthethweni.
- Bazaku :
 - zilawula azikho ngaphantsi kolulawulo lomntu, lonto kufuneka zisebenze zingoyiki kurhorhiswa okanye ukuphanjaniswa;
 - xela kuPalamente ukuba ijongise umsebenzi wayo nokuwuncoma;
 - fuman uxhaso oluvela kuntlanganiso zonke zikaRhulumente kukhuselwa inkululeko zabo.

2. Amalungu amakhomishini

- Amalungu aMakhomishini abekwa nguMongameli kunye nePalamente nonintsi nalo oluthabatha inxaxheba ekubekweni kwabo.
- Ane khuselo lwexesha lokuhla esihlalweni.
- Amalunga amele:
 - asebenze elandela umGaqo-siseko;
 - abafunekanga babe necala abalisekelayo ;
 - bangathathi icala kwezopolitiko;
 - abamelanga baphule amalungelo abalulekileyo nenkululeko zabemmi.

ISIQINGATHA 2:

IKHOMISHINI YONYULO LWASE ZIMBABWE (Isiqingatha 238-241)

1. Amalunga ekhomishiniyonyulo

- uS’hlalo we Khomishini kufuneka eyijaji, wayeyijaji, okanye umntu oselulungelweni lokonyulwa abe yijaji,ubekwa esihlalweni nguMongameli emveni kokuxoxisana ne Khomishini yeNkonzo yaMajaji kunye nePalamente nalo unintsi oluthabatha inxaxheba ekubekweni kwabo.
- Amanye amalungu ayisibhozo abekwa nguMongameli kunye nePalamente nonintsi oluthabatha inxaxheba ekubekweni kwabo.
- Amele abengabammi.
- Bamele babe ngabantu abathembekileyo.
- Babekwa esihlalweni kwesithuba eseminyaka emithandathu.

2. Imicimbi yekhomishini

- I Khomishini ilawula indlela yonyulo; lukamongameli, lwemaphondo, amagunya ekuhlani nemabhungu amakosi ezwe nereferendamu, iquka:
 - ukubhala amagama abavoti;
 - ukulungisa ibhuku eline luhlu lwabavoti;
 - ukucanda imde yonyulo;
 - ukufundisa abantu ngokonyulo;
 - ukubona ngezikalazo;
 - ukuxela ngendlela eqhutywe ngayo unyulo lonke kungadukiswa. (Isiqingatha238-241)

ISIQINGATHA 3:

IKHOMISHINI YAMALUNGELO OLUNTU (Isiqingatha 242-244)

1. Ikhomishini yamalungelo oluntu

- uS'hlalo we Khomishini kufuneka eyijaji, wayeyijaji, okanye umntu oselulungelweni lokonyulwa abe yijaji,ubekwa esihlalweni nguMongameli emveni kokuxoxisana ne Khomishini yeNkonzo yaMajaji kunye nePalamente nalo unintsi oluthabatha inxaxheba ekubekweni kwabo.
- Amanye amalungu ayisibhozo abekwa nguMongameli kunye nePalamente nalo unintsi oluthabatha inxaxheba ekubekweni kwabo.
- Bamele babe ngabantu abathembekileyo.

2. Imicimbi yekhomishini

- Imisebenzi yayo ngoyoku:
 - phakamisa ulwazi nokuhlonipha amalungelo oluntu kubantu bonke;
 - jonga nokubona ukuba amalungelo abantu ayalandelwa;
 - kwamkela izikhalazo nokuzibamba ngendlela;
 - khusela unintsi ekuxhatshazweni nokungalawulwa kakhuhle nguRhulumente ,intlanganiso nezisebenzi zika Rhulumente;amalungelo oluntu nokuqinisekisa uba akukho mntu oxhatshazwayo nokukhusela unintsi zintlanganiso zonintsi;
 - dinga indlela eziqondileyo zokulungisisa uxhatshazo ;
 - vungula ngaphezu kokuxhatshazwa kolungelo loluntu;
 - khokhela uKhomishina Jikelele waMapholisa ekuvunguleni amatyala okuxhatshazwa kwamalungelo oluntu;
 - ndwendwela nokuhlola intilongo nezinye indawo ezigcinwa izibotshwa;
 - funa inxelo kuphi nangauphi umntu okanyeintlanganiso kuzinqumo ezithathwayo ukuqinisekisa ukuba amalungelo oluntu ayalandelwa okanye ukuyisebenzisa lenxelo ukuxela kumanye amazwe;
 - xela kuPalamente.

Isiqingatha 4:

IKHOMISHINI YOSINI (Isiqingatha 245-247)

1. Amalungu ekhomishini yosini

- uS'hlalo we Khomishini namanye amalungu ayizibhozo abekwa nguMongameli kunye nePalamente nonintsi oluthabatha inxaxheba ekubekweni kwabo.
- Umele abengumntu othembekhayo evisisa indaba zosini.

2. Imicimbi yekhomishini

- Imisebenzi yayo ngoyoku:
 - jonga indaba ezinokwenza nolinganiswa kosini;
 - vungula ukuxhatshazwa;
 - phakamisa ulwazi nokuhlonipha amalungelo oluntu kubantu bonke;
 - jonga nokubona ukuba amalungelo abantu ayalandelwa;
 - kwamkela izikhalazo nokuzibamba ngendlela;
 - cebisa uninzi nentlanganiso kumanyathelo afanelekileyo ndlela zolinganiso losini;
 - xela kuPalamente ukuba ijongise umsebenzi wayo nokuwuncoma;
 - cebisa ngendlela ezingathabathwa ekulinganiseni indaba yosini nokugwetywa kwabaxhatshazayo.
 - dinga indlela eziqondileyo zokulungisa uxhatshazo;
 - xela kuPalamente.

Isiqingatha 5

IKHOMISHINI YAMAZIKO EENDABA (Isiqingatha 248-250)

1. Amalungu ekhomishini yamaziko eendaba

- uS'hlalo we Khomishini namanye amalungu ayizibhozo abekwa nguMongameli kunye nePalamente nonintsi oluthabatha inxaxheba ekubekweni kwabo.
- Umele abengumntu othembekhayo ovisisa indaba zamalungelo oluntu nendlela ezintle zamaziko eendaba.

2. Imicimbi yekhomishini

- Imisebenzi yayo ngoyoku:
 - phuhlisa inkululeko yamaziko eendaba;
 - phuhlisa indlela ezintle ezinobuntu zokuquba umsebenzi;

- jonga usakazo olunontando zonintsi nokuqinisekiswa kwemibono eyintlobo ezisheyeneyo;
- ququzelisa nokunyanzekisa indlela zokuziphatha ngazo kuzisebenzi zamaziko eendaba; nendaba ezijongene nokulingana kwosini;
- Kwamukela izikalazo nokuthabatha amanyathelo aqondileyo kuzisebenzi zamaziko eendaba;
- uqinisekisa ukuuba imbiko iyafikelela kunintsi ,ukuphuhlisa **ikhompe nentlobo ezinintsi zemaziko eendaba;**
- ququzelisa ukusetyenziswa kwentlobo zeilwimi ezamukelekileyo zeli.
- Xela kuPalamente.

Isiqingatha 6:

IKHOMISHINI YOCWANGCO EZWENI NOXOLELWANO (Isiqingatha 251-253)

1.Ixesha

- Izakubakho okweminyaka elishumi yokuqala ilandela apho uumGaqo-siseko lo uyabe sousebenza.

2. Amalungu eKhomishini yocwango Ezweni noXolelwano

- uS’hlalo we Khomishini kufuneka eyijaji, wayeyijaji, okanye umntu oselulungelweni lokonyulwa abe yijaji,ubekwa esihlalweni nguMongameli emveni kokuxoxisana ne Khomishini yeNkonzo yaMajaji kunye nePalamente nalo unintsi oluthabatha inxaxheba ekubekweni kwabo.
- Amanye amalungu ayisibhozo abekwa nguMongameli kunye nePalamente nalo unintsi oluthabatha inxaxheba ekubekweni kwabo.
- Bamele babe ngabantu abathembekileyo benolwazi ngokuphatha indaba ezoxabano, ukuzisa uxolelwano ,ukukhusela ingxabano nolawulo ebantwini.

3. Imicimbi yeKhomishini

- Imisebenzi yayo ngoyoku:
 - qinisekisa ukugwetywa kwendabaezabakho ngendlela elungileyo yomthetho,ukunyangeka nokuxolelana;
 - phucula nokubeka indlela zokuzola,ukumanyana nocwayitho ekugqibeni ingxolo nokuzisa indlela yokuxoxisana kwabaxabeneyo;
 - ukuququluzelisa inyani ekuxhatshazweni okwabakho njengendlela yokuzisa ukuxolelana, ukulungisa umonakalo nokufumana ukugwetywa okufaneleyo;
 - phucula indlela zoxhaso nokunyanga ekululekeni abo ababuhlungu;

- phucula indlela zokukauleza ukubona apho okungaba nokungavani nengxabano nokunika indlela zokukhusela okho;
- zisa uxolelwano nokulamula apho okuyabe kunengxabano;
- kwamukela izikalazo nokuthabatha amanyathelo okulungisa izikalazo ezo;
- xela kuPalamente.

ISAPHLUKO 13

INTLANGANISO ZOKULWISA URHWAPHILIZO NAMATYALA

ISIQINGATHA 1:

IKHOMISHINI ELWISA URHWAPHILIZO EZIMBABWE (Isiqingatha 254-257)

1. Amalungu eKhomishini Elwisa Urhwaphilizo

- uS’hlalo we Khomishini namanye amalungu ayizibhozo abekwa nguMongameli kunye nePalamente nonintsi oluthabatha inxaxheba ekubekweni kwabo.
- Umele abengumntu othembekehayo onolwazi ngendaba zokuvungula nokugwetywa kwamacala.
- Amalungu amele:
 - azilawule akakho ngaphantsi kolawulo lomntu, lonto kufuneka asebenze angoyiki ukurhorhiswa okanye ukuphanjaniswa;
 - axele kuPalamente ukuba ijongisise umsebenzi wabo nokuwuncoma;
 - afumane uxhaso oluvela kuntlanganiso zonke zikaRhulumente kukhuselwa inkululeko zabo.
- Ixesha abalihlayo ezihlalweni likhuselekile.

2. Imicimbi yamaKhomishini

- Imisebenzi yayo ngoyoku:
 - phengulula nokuxeza mgceke urhwaphilizo kumasebe onintsi nakumagxa azilawulayo ;
 - lwisa urhwaphiliso kusukela engcanjini zako, ukulwisa ubusela, ukungasebenzisi ngendlela isihlalo seofisi nokunye ukungaziphathi;

- ukuphucula inyaniso, ukulawula ngendlela imali nokuba mgeke ezintweni;
 - kwamkela izikalazo ezivela ebantwini nokuthabatha amanyathelo;
 - khokela uKhomishina Jikelele waMapholisaukuba baphengulule indaba zorhwaphilizo nokuxela kuKhomishini;
 - cebisa amanyathelo okuthabatha ukukhusela urhwaphilizo;
 - xela kuPalamente.
- Urhulumente umele aqinisekise ukuba iKhomishini imele icebise ukubotshwa nokugwetywa kwabaphuli bomthetho.

UMBUTHO WEZOXOXISO LWAMATYALA (Isiqingatha 258-263)

1. Umbutho

Umsebenzi wawo ngowokugweba, ukhokhelwa nguMtshutshisi Jikelele one ezifana nezamajaji awe Nkundla yeSuprimi.

ISAPHELA 14

URHULUMENTE OLAWULA AMAPHONDO NAMAKHAYA (Isiqingatha 264-266)

1. Ukwehlisa Amandla

- Ukwehliswa amandla esiswa kumaphondo nakumagunyeni amakhaya kukuqinisekisa ukuba abemmi bonke beZimbabwe bathathe inxexheba. Njalo, akuso kuphakamisa ukucalula ngamaphondo, ngezixuku, okanye ukuphakamisa ukungabambani.
- Injongo yi:
- kwanelisisa abantu abasemagunyeni asemakaya ukwengeza ithuba labo lokuba nenxexheba kuzigqibo nokusebenzisa amandla akaRhulumente.
 - kubeka amalungelo oluntuokulawula indaba zabo;
 - kuqinisekisa ukwabiwa kwempahla yezwe ebalela imixeli yayo yabelwa ngukulingeneyo kwimbombo zonke zeli nokuyila ulwazi olwezemali kumagunyeni amakhaya.

2. Inkolo yenyano yemaphondo neyaka Rhulumente waSekuhlaleni

- Amagunya asekuhlaleni amele:

- aqinisekise ulawulo oluhle ngokusebenza kuhle ,nokuphuma mgceke novano kuntlanganiso;
- athabatha imicimbi leyo abayinikiweyo qha;
- alawule kundawo nentlanganiso zabo kuphela;
- amanyane namanye amagunya ngokuxoxisana;ngokuvana nokuxumanisa imicimbi yabo belandela indlela abaphiwe ngomthetho koko.
- aqinisekise ukulingana nokunga qhathani ekumelweni kwabantu endaweni zabo.

3. Izisebenzi zamaphondo namagunya ekuhlaleni

➤ Bamele:

- basebenze belandela umGaqa-siseko;
- bangabi nezihlalo kumaqela epolitiko ;
- ukubeka amalungelo abantu abalulekileyo nenkululeko zabemmi.

ISIQINGATHA 2

Amabhunga Amaphondo naMadolophi aMakhulu (Isiqingatha 267-273)

1. Amaphondo neiZithili

➤ Kuzaba namaphondo alishumi, viz.:

- Iphondo leDholophi elikhulu leBulawayo;
- Iphondo leDholophi elikhulu leHarare;
- Iphondo leManicaland;
- Iphondo leMashonaland Central;
- Iphondo leMashonaland East;
- Iphondo leMashonaland West;
- Iphondo leMasvingo;
- Iphondo leMatabeleland North;
- Iphondo leMatabeleland South nale;
- Iphondo leMidlands.

➤ Ukwehlukaniswa kweenginqi kuzanikwa ngumthetho.

2. Amabhunga emaphondo

➤ Iphondo ngalinye lizakuba nebhunga lephondo elibunjwa:

- ngabonke abantu abangamalungu ePalamente ephondo elo;

- ngabonke onusodolophu nooS’hlalo abamangunya asekuhlaleni;
- abanyulwa abalishumi abakethwa kunyulo jikelele;
- uS’hlalo onyulwe ngabantu abathethwe phezulu ebeqela lepolitiko elinaMalungu eNashinali Asembili kuphondo eli.

3. Amabhunga emadolophu amakhulu

- Ibhunga lemadholophu amakhulu ngalinye libunjwa:
 - ngabonke abantu abangamalungu ePalamente ephondo elo;
 - ngabonke onusodolophu nooS’hlalo abamangunya asekuhlaleni;
 - ko Bulawayo, uS’hlalo webhunga ngusodolophu weBulawayo;
 - eHarare, uS’hlalo webhunga ngusodolophi weHarare umsekele wakhe uzaba ngusodolophi okanye uS’hlalo owedolophu elikhulu elisibini ebhunga kwelophondo.

4.Imicimbi yamaphondo namadolophu amakhulu

- Imicimbi yayo idibanisa:
 - ukuphuhlisa intlalontle nezemali ;
 - ukuxumanisa nokusebenzisa inqubo zikarhulumente;
 - ukulawula imvelo;
 - ukujonga ngosetyenziso lwempahla.
- Izisebenzi zemabhunga ziyakubekwa ngokusemthethweni.
- Amabhunga ayazixela ebantwini abakwelophondo nakuRhulumente owaphakhathi.

5. OoS’hlalo bamabhunga amaphondo namadolophu amakhulu

- Bamele babe nemfanelo zokuba ngaMalungu ePalamente.
- uS’hlalo weBhunga laMaphondo lizakunyulwa yiBhunga laMaphondo kuvela kumqulu wamagama apho abantu ababini abanemfanelo abayebe beziswe liqela elinezihlalo ezininzi okanye amavoti amaninzi kunyulo lweNashinali Asembili emalungu ephondo eli.
- Bengakutshwa esihlalweni yinkundla ezimeleyo xa behluleke ukuquba umsebenzi ngendlela, ukungaziphathi kakhuhle; ukugwetyelwa ubumenemene, urhwaphilizo okanye ukusebenzisa igunya kakubi nokuxhatshazwa kwemithetho.

ISIQINGATHA 3

URHULUMENTE WASEKUHLALENI (Isiqingatha 274-279)

1. Amagunya ekuhlaleni edolophu

- Abo basemagunyeni kuzixeko zasezidolophini bamele ukujongana neendaba zabahlali basezidolophini.
- Babunjwa ngamakansila abaye benyulwe zizakamizi belawulwa ngosodolophu okanye oos'hlalo.
- Xa usodolophu ezakuba ngusiphathambuso, bamele banyulwe ngabavoti bakulondawu.

2. Amagunya ekuhlaleni emakaya /ezilalini

- bamele ukujongana neendaba zabahlali base makhaya noba ezilalini.
- Unyulo lwamabhunga, oos,hlalo nemfanelo zabo kumele zihambe ngokusemthethweni.

3. Okunye nje ngokwamagunya okuhlaleni

- Bazakuba namandla:
 - okubumba imithetho yabo nokujongisisa indlela zolawulo kundawo zabo;
 - okubeka nokuqokelela irhafo ukwenzela ukuba bafumane imali yokusebenzisa kundawo zabo.
- Unyulo lwamabhunga luqutywa kunye lonyulo jikelele.
- Oosodolophu noos'hlalo, ngaphandle kwekuba benyulwe ukuba ngunosodolophu abangosiphathambuso, banyulwa ekuhlaleni inkundla yakuqala yebhunga.
- Amalungu amabhunga acithekelwa zizihlalo zabo ngohlobo olo amalungu ePalamente acithekelwa ngalo izikudla bangakutshwa eofisini zingundla ezizimeleyo betyolelwa ukwehluleka ukuquba umsebenzi, ukugwetyelwa ubumenemene, urhwaphilizo okanye ukusebenzisa igunya lesihlalo kakubi nokuxhatshazwa komthetho.

ISAHLUKO 15

INKOKHELI ZAKWANTU (Isiqingatha 280-287)

1. Ukuhoywa

- Isahluko esi siyahoya inkokhe zakwantu phantsi komthetho wesintu, imikhuba namasiko aqutywa phantsi kweNkosi, izinduna noosobhuku ekuhlaleni kwabo endaweni zabo.
- Yintanganiso ezimeleyo.

2. Inkokheli zokwantu

- Zimele zi:
 - thobele umGaqo -siseko lo;
 - zingathathi icala elithile;
 - zingathabathi icala nakweliphi na iqela lezopolitiko;
 - zinyanzekise ukungaxhatshazwa kwamalungelo abalulekileyo oluntu nenkululeko kunga nauphi umntu ;
 - zibalulekise usiko lwasekuhlaleni phantsi kwalomGaqo-siseko;
 - ziqinisekise uba abantu abahlala kundawu zabo bafumana isiphatho esilingeneyo.
- Imicimbi yazo ibalisela:
 - ukuxabisa ubuntu nokugcinwa kwamasiko, imikhuba, imbalinelifa lemveli leingingqi;
 - ukuphakamisa uxabiso yosapho;
 - ukuquzelela nokuphemelela inqubo zempuhliso;
 - ukusombulula ingxaki zasekuhlaleni belandela imithetho yesindu.
- Babekwa nokukutshwa esihlalweni:
 - nguMongameli;
 - kulandelwa umthetho kusetyenziswa isintu nemikuba yeingingqi zabo;
 - ngokucetyiswa liBhunga laMakhosi aMaphondo noMphathiswa;
 - kungena ndaba zopolitiko eziqongwayo.
- Irholo labo libekwa ngumthetho ugqinelana noMongameli.

3. IBhunga leZwe naMaasembili aMaphondo aMakhosi

- IBhunga leZWE laMakhosi naMaasembili aMaphondo aMakhosi azakubunjwa ngomthetho.

- IKhomishini yoNyulo eyeZimbabwe yiyo ehoye umcimbi wonyulo luka Mongameli, Sekela- Mongameli, namalungu eBhungu laMakhosi.
- Unyulo lwamakhosi kuBhunga leZwe lulandela umthetho ngako imphondo linye ngalinye limele limelwe kuBhunga eli.
- Amaasembili aMaphondo anyula aMakhosi eSenethi.
- Imicimbi yayo ibalisela:
 - ukuphakamisa nokukhusela amasiko esintu;
 - ukumele imibono yenkokeli zakwantu nokuthuthukisa intando zabo;
 - ukuqinisekise ukuba inkokheli zakwantu ziquba imisebenzi zazo ngendlela.

4. Ikhomithi yentembeko nobuntu

Ikhomithi yentembeko nobuntu yamakhosi iyakuyilwa ngumthetho ukunyanzekisa ukuthembeka nobuntu kumakhosi, ukusombulula ingxaki zokungevisisani phakathi kwamakhosi nokwamukela izikhalo ezixelwayo ezityola amakhosi.

ISAHLUKO 16

UMHLABA WEZOLIMO (Isiqingatha 288-297)

1. Umgaqo womhlaba wezolimo

- Ubani nobani ongummi weZimbabwe kungakhathalekile umbala uselulungelweni lokucandelwa umhlaba wolimo, ahlale khuwo, awusebenzise okanye awuphe omnye .
- umhlaba funeka wabelwe ngokulingeneyo kumntu wonke kungena kuqhatha kujongwa:
 - imveli eqonge isizwe seZimbabwe njalo siyinxexheba lelifa lethu;
 - ukulinganisa ngosini;
 - intando yeingingqi ezishiyeneyo.
- Ukusetyenziswa kwomhlaba kumele kunyuse inkuselo yokutya nokufumanisa abantu imisebenzi nokuwugcina ukwenzela ingomso yezizukulwana zaphambili.
- Ilungelo lokusebenzisa nokuhlala alithathwa kungeko mthetho osetyenzisiweyo.

2. Amalungelo akhoyo kwangu omhlaba wozolimo

- Indaba yokuthathwa komhlaba nguRhulumente kumanyathelo okulungisisa indaba yomhlaba wolimo ihlala injalo.
- Ukuhlawulwa nguRhulumente umhlaba oyabe ewuthathile ekulungisiseni indaba yomhlaba yolimo kubakho kuphela xa umhlaba:

- uthathwe kubantu bamnyama beZimbabwe;
 - ukhuselwe nguRhulumente kuzivumelano zikaRhulumente;
- Amalungelo, akukhathalekhile ukuba ami njani, laawo anikwa kwaabo abane mhlaba wolimo kuprogramu yokulungisisa indaba zomhlaba wolimo nguRhulumente ahlala enjalo.

3. Amalungelo exesha lokuhlala

- Kuzathathwa izigqibo zokunika inkuselo lexesha lokuhlala nokusebenzisa umhlaba wolimo kumntu owawunikwa ngasemthethweni.
- Urhulumente angasusa ubunini bomhlaba ebusa komnye okanye angabolekisa lomhlaba ngexabiso elithile okanye ukunika elinye ilungelo ngalowo mhlaba.
- Umntu uzacandelwa kanye indawu yomhlaba wolimo kuye yena nosapho lwakhe.
- Abanikazi bomhlaba bangakupha amalungelo abo kumhlaba wolimo.

4. Ikhomishini yoMhlaba

- Amalungu abekwa nguMongameli.
- Bane nkuselo yexesha lokuhlalaemaofisini.
- Imicimbi yayo ibalisela:
- ukuqonda nokuqinisekisa ukuba imicimbi yomhlaba wolimo iqutywa mgceke, kungena kuqhatha ekulawulweni kwawo;
 - ukuodita umhlaba wolimo maxesha onke;
 - ukunyanzelekisa ekunqandeni ukwanda komhlaba wolimo emntwini oyedwa noba kusapho lakhe;
 - ukucebisa kundaba yexesha elithathwayo umntu engumnini ndawo, ukucandwa kwomhlaba wolimo, ukusetshenziswa nobubanzi bomhlaba, ukuhlawulwa komhlaba okuhle kungena kuqhathwa kumhlaba othethwe ngegunya;
 - ukululazisa indlela zokufumana nokupha omnye umntu umhlaba wakho.
- Uba kulungisiswe uhlobo lolwawulo lomhlaba wabelwe ngokulingeneyo kubo bonke abemi beli kubalelwa nayo yonke, ilungiswa kuhlobo lwalusetyenziswa ngeliya xeshi labathangi, kukho imigaqo elawula usetyenziso lomhlaba wezolimo. Lemigaqo funeka isekwe yinto ethi umhlaba ulilifa, o, , umhlaba kufuneka usetyenziswe ukuphuhlisa ubukho bokutya esizweni. Akukho mntu ozavinjwa okanye ukucinezelwa ilungelo lokusebenzisa nokufumana umhlaba wolimo.

ISAHLUKO 17

EZEZIMALI (Isiqingatha 298-317)

1. Ulawulo lweZezimali

- Ukulawula imali zonintsi:
 - Kumele kube mgceke nokwazi ukumelana lazo iindaba zezemali nokubona ukuba imali isetshenziswa ngendlela ingamoshwa ;
 - Imali zonke zimele ziswe ekuphuculeni ilizwe;
 - Ubunzima bemali;
 - ukwabela ngokulingeneyo impahla yezwe kusizukulwana esikho nguku nesizayo kwa nosetyenziswa ngendlela, nokuphuma mgceke kungxowa zemali yonintsi;
 - Ingxelo yemali imele icace;
 - Ukuboleka imali kumele kube mgceke kumele kwenzele ilizwe.

2. Ulawulo lwezemali yiPalamente

- IPalamente yiyo elawula ikhangela ngosetyenziso lwemali nguRhulumente.
- IPalamente imele ubeke indlela zokwehlisa izikwelethi zonintsi yaye imyume apho uRhulumente angaba linqina kumali zomboleko imele ivele kuPalamente.
- IPalamente imele ibe nolwazi kumali zoboleko zikaRhulumente nalapho uRhulumente abalingqina khona ngezemali zoboleko.

3. Ukwabelwa kwemali

- Ukwabelwa kwekapithali granti kumaphondo, namagunya asekuhlaleni kumele kulinganiswe kukangelwa:
 - Intando yezwe;
 - Izigqibo ezingabakho zezikwelethi zezwe;
 - Imfuneko zekarhulumente waphakathi;
 - Imfuneko ezibalulekileyo zendawo ezisasele emva ekuphuhleni;
 - Imeko yokwanelisa ukusebenzisa imali yamaphondo namagunya asekuhlaleni;
 - Isihlanu sepesenti semali eqokelelwa kwinqanaba lasekholweni konyaka kufuneka isetyenziswe kwimpuhliso lwamaphondo namagunya asekuhlaleni.

4. Ingxowa yemali iKonsolidethedi Revenyu Fandi

- Imali kaRhulumente esuka kumasebe onke kufuneka ibhatelwe kwingxowa yemali yezwe iKonsolidethedi Revenyu Fandi ngaphandle umthetho usitsho.

- Lemali ayikwazi uyotsalwa kulengxowa yeKhonsolidethedi Revenyu Fandi ngaphandle xa kukho imvume yomGaqo-siseko nomthetho.
- Imali zikaRhulumente zokucingela zerevenyu nandleko zimeli ziphiwe imvume nguRhulumente qhoo ngomnyaka.
- Imali engezweyo kumali zokucingela inganikwa imvume xa imali eyayiphiwe inganeli okanye lemali seyifunelwa into beyingeko ekuqaleni.
- Imvume zemali yendleko zemeko ezingacingelwanga ziyanqandwa, ingafumaneka lemvume ngesaplimentali apropiyeshini.
- Kungadingwa imvume yomthetho wePalamente ukuba indleko ezingavumelwangwa ibeko.

5. Imali zonintsi nempahla

- Imali nempahla yonintsi imele igcinwe nokusetyenziswa okuvunyelweyo okusemthethweni .
- Imali nempahla yonintsi imele ukuba ikhuselwe ukuba ingalahleki,ingabulawa,ingacithwa okanye ukumoshwa.
- Xa umntu angaphula umthetho kweze mali amanyathelo okumgweba amele athathwe.

6. Intloli Yosetyenziso lweMali neMpahla Jikelele

- Iofisi le ngeyonintsi ezimeleyo.
- Intloli Jikelele imisebenzi wayo ngowe ku:
 - Hlola amabhuku abika usetyenziso lwemali,ukuqhutywa kweze mali,nolawulo yemali kuntlanganiso zonke zika Rhulumente;
 - Ukuhlola ukuphathwa kwemali nempahla kumasebe akarhulumente nezinye intlanganiso ezilawulwa nguRhulumente;
 - Ukubonisa nokuqonisa impazamisoekulawulweni kwemali zonintsi.
- Intloli Jikelele yezemali ibekwa nguMongameli, ebonisana namalungu ePalamente.
- Umele abe ngummi waseZimbabwe.
- Intloli Jikelele iba esihlalweni kwesithuba sominyaka emthandathu yaye ayisobe isebenze kweminyaka eyigqitha ishumi nembini.
- Irholo yaleIntloli Jikelele libekwa ngumthetho xa uMongameli evuma.
- Ikutshwa esihlalweni nguMongameli ephiwe ucebiso yinkundla eyabe ijongisise kutyolo ayabe tyolwe ngalo.
- Ukubekwa nemeko yendlela zokuquba umsebenzi zezisebenzi zeIntloli Jikelele yezeMali yenzwa yibhodi eyi phantsi komthetho webhodi eyiyabe ibekelwe lonto.

7. Ukuthenga

- Ukuthenga kukaRhulumente kulawulwa ngumthetho.

8. Amabandla omthetho

- Umthetho umele unike indlela zolawulo zamasebe akarhulumente nokuqinisekisa ukuba amachifi ekhetivi ofisa basebenza kwexesha elifitshani elingaphindwa xa besebenze kühle.

9. IReserve Bank yeZimbabwe

- IBhanka YeZwe iReserve Bank of Zimbabwe umsebenzi wayo kukulawula imthetho yosetyenziso lwemali, ukukhusela imali yeZimbabwe, nokuyila nonyanzekiso lwemithetho yemigaqo yezezimali kweli imele ibekho phantsi komthetho.

ISAHLUKO 18

IMFUNeko NJE NEENKONZO EZITHILE

ISIQINGATHA 1

IMFUNeko ZENKONZO ZEKHOMISHINI (Isiqingatha 318-323)

1. Amakhomishini

- Wonke amakhomishini:
 - Anga makhopharati;
 - Amalungu amakhopharati azimeleyo, iKhomishini yaMajaji, iKhomishini yoKulwisa uRhwapphilizo, iKhomishini yoMhlaba bayakhuselwe kuxesha labo lokuba ezihlalweni; amanye wonke amakhomishini azakuhlala ngokuvuya kukaMongameli;
 - Oos'hlalo nabasekeli bemakhomishini bamele behlukene ngosini;
 - Irholo lamalungu emakhomishini libekwa ngumthetho yaye alingeke lehliswe ngexesha abyabe besesihlalweni.
 - IPalamente kufuneka inyanzekise uphiwo lwemali eyeneleyo kweziKhomishini ukuba zikwazi ukuquba imicimbi yazo ngendlela.
 - amele aphe ingxelo zayo qhoo ngonyaka ePalamenteni ezichaza ngengcubekeko yemisebenzi yayo.

ISIQINGATHA 2

OKUNYE NJE (Isiqingatha 324-329)

- Zonke iziqendu zomGaqo -siseko funeka zilandelwe ngendlela kungena kungadukiswa.
- Urhulumente umele ephe imali eyeneleyo kuzonke intlanganiso zomGaqo-siseko.
- Imthetho yesintu yamanye amazwe iyabandakanya kwimthetho yase Zimbabwe xa ihambelana nemGaqo-sisekonomthetho.
- Izigqibo zemvumelano ezityikitywa nezinye izizwe zibopha iZimbabwe ngemva kwemvume yePalamente yaye izaba inxexheba yomthetho xa sowuthathwe wabangumthetho ,nguMthetho wePalamente. Imvume ingaphiwa yiPalamente ngaphandle kwemvumelano eziza funa ukusebenzisa imali kaRhulumente noba ukuguqula umthetho weZimbabwe .
- Izivumelano nazamanye amazwe zimele ziphiwe imvume yiPalamente zingekabophi iZimbwebwe.
- Inkundla zimele ziphulaphule okunengqondo imithetho ehambelanayo nezivumelano zokwamanye amazwe.

2. Ukuguqulwa kwemGaqo -siseko

- Intethi imele ifake isicebiso samalanga angamashumi alithoba sebili yesiseko sokufuna ukuguqula umGaqo-siseko kuGazethi.
- Unintsi lumele lunxuswe ukuzokupha imibono yabo ngokukauleza emveni kwekubona isicebiso.Imihlangano imele yenzwe ngalento.
- Ibhili limele liphasiswe ngamalungu onke endlu inye nganye ayi ziqingatha ezimbini kwezintathu.
- Ukuguqulwa kwezahluke zamalungelo nenkululeko zabantu kunye nezomhlaba wolimo (Izahluko 4 no16) zimele zifakwe kureferendamu kwinyanga ezintathu kuphasiswe yiPalamente yaye uzakuba ngumthetho qhaa xa ireferendamu ivumile.
- Ukuguqulwa kwexesha linwabiswa alitsho kumntu ebevele eseeofisini litsho kwaabo abazakubekwa kuofisi emveni kwekuguqulwa komthetho.
- Iziqingatha seziqingatha zika 6no7 besiqingatha 328 somGaqo-siseko azingeke ziguqulwe kubhili inye yaye ukuguqulwa kweziqingatha zeziqingatha ezi azingeke zifakwe kureferendamu inye.
- Ukuguqulwa kwesiqingatha328 semGaqo-siseko naso simele siphwe imvume kureferendamu emveni kwesicebiso senyanga ezintathu kunintsi neziqingatha ezimbini kwezintathu ezamavoti onintsi ePalamente.

3.Ukuqala ukusebenza kwemGaqo-siseko

- Lo mGaqo-siseko uzakuqala ukusebenza ngemiganganto ehlukeneyo:
- Umgangatho 1: kulanga lokuphaphashwa,ezimfuneko ziyabe seziqala ukusebenza:

- Imfuneko eyivumela unyulo lokuqala phantsi kwalo mGaqo-siseko eyibalela;
- Isahluko sonyujo
- Unyulo loka Mongameli (ngaphandle kokuba uMongameli kwiminyaka elishumi yakuqala yonyulo lwakuqala akufunekanga ukuba adinge omnye kwodwa uzakudinga aMasekela-Mongameli xa kwenzekale ukuba isihlalo sikaMongameli wokuaaqala sikhamsile umntu oyabe ekhethwe weqela lakhe lezeopolitiko nguye ozathatha isihlalo)(iparagrafu14 yesheduyili);
- Isahlukso saMalungu ePalamente nokubizwa kunkundla yePalamente emva kwonyulo;
- Isahluko sokolo lwelawulo nokukhokela unintsi;
- Imfuneko ezihambelana nendlela sokusebenza zenkonzo yonkuselo;
- Imfuneko yeKhomishini yokuJ onga ngezoNyulo;
- Isahluko samalungelo nenkululeko zabantu;
- Imfuneko zenkundla yomGaqo-siseko;
- Isahluko samaphondo noRhulumente wasekuhlaleni.

Imfuneko ezi ziyakucima imfuneko ezifanayo kumGaqo-siseko esikhoyo.

- Umgangatho 2:Ilanga eliqala lokusebenza kwomGaqo-siseko lo,lilanga apho aqale khona ukba esikundleni sakhe, yonke imithetho ekumGaqo-siseko itsho iqale ukusebenza.

Isiqingatha329 efundwa kanye nesheduyili yesithandathu.

Ukuphulaphula (Isiqingatha 330-345)

ISIQINGATHA 3:

- **Ukuphulaphula**
- Kusiqingatha esi,amagama asetyenziswe kumGaqo-siseko acacisiwe kusiqingatha 322.
- Ezinye izinto zicacisiwe kusiqingatha esi, ezinye zakhona;
 - Ukutsho kwe:
 - ‘Ukwenza ngokucebisa ngo’ kutsho ukuthi lowo oyabe ecebise umelo alandela icebo aliphiweyo;
 - ‘ukwenza ngemva kokuxoxisana no..’ kutsho ukuthi lowo otshiwoyo umele abuze kodwa akabotshelwa ukuba athabathe elocebo alinikiweyo;
 - Ukushiya umsebenzi:
 - uMongameli ushiya umsebenzi ngokunika iNtethi icebiso;
 - iNtethi noMongameli weSenethi namasekela abo, banika icebiso kuNobhala wePalamente okanye ngokupapasha kuNdlu leyo;

- aMalungu ePalamente banika icebiso kuNtethi okanye kuMongameli weSenethi,kuba ngokutshiweyo.
- Amalungu ebodi yesiseko basa kumagunya ebodi elababekayo;
- Khoramu:
 - Ihafu yamalungu onke yebhodi yesiseko,ibumba ikhoramu;
 - Isihlalo esikhamisileyo kubhodi asisobe simise ibhodi ukuba sisibambela nqobo kunekhoramu;
- Inali lamalunga onke kundaba zePalamente alibaleli izihlalo ezikhamisileyo.