



IGazethi yoMthetho

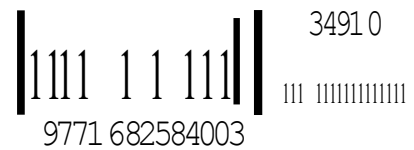
Inom. 9654

Umqu.559

Januwari

Pitoli, 6 JANUWARI 2012

No. 34910



!..UMNXEBA WONCEDO LWE-AIDS HELPLINE: 0800-0123-22 Ukuthintela yinkunzi

Ukuba kunokwenzeka ukuba kubekho nakuphi na ukubhidana kwezinto kolu hlelo luguqulelweyo, kuya kubanjelwa kuhlelo lwesiNgesi.

ISAZISO ESIBALULEKILEYO

AmaZiko okuShicilela kaRhulumente akayi kuthwaliswa uxanduva ngamaxwebhu afeksiweyo kodwa angafumanekanga ngenxa yeemposiso kumatshini wefeksi okanye iifeksi ezithe zafunyanwa kodwa ezingacacanga okanye ezingaphelelanga. Sicela wazi ukuba iphetshana elithi "OK", olifumana kumatshini wefeksi, aliya kwamkelwa njengobungqina bokuba amaxwebhu afunyenwe yi-GPW ukuze ashicilelwe. Amaxwebhu athunyelwa kwi-GPW kuya kuba luxanduva lomntu owathumelelo ukuba atsale umnxeba aze aqinisekise ukuba amaxwebhu afunyenwe ekwimo elungileyo. Ngaphezu koko amaZiko okuShicilela kaRhulumente akayi kuthwala uxanduva ngokurhoxiswa notshintsho oluthe lwenziwa kuqobo lwamaxwebhu afunyenwe kubaxumi bethu.

IZIQULATHO

Nom.	Inom. yephepha	Inom. yeGazethi
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IZAZISO ZIKARHULUMENTE

ISEBE LEZO LIMO, ELAMAHLATHI NELOKU LOBA

Isaziso sikaRhulumente

R. 1 UMthetho weMveliso yezoLimo (119/1990): Imimiselo ehlobene nokubeka udidi, ukupakisha nokuphawula ii-aprikhothi eziza kuthengiswa kwiRiphabhiliki yoMzantsi Afrika.4 34910

Izaziso zikaRhulumente

R. 2 UMthetho wezobudlelwane nezabasebenzi ka-1995: IBhunga leeNgxoxo loLungiso lweNwele, Izithambiso/nezobuhle nokukhathalelwa kwesikhumba: Ukuhlaziywa kwexesha lokusebenza kwesiVumelwano esiManyeneyo esiyiNtloko17 34910

R. 3 do.: Ukuhoxiswa kweZaziso zikaRhulumente: IBhunga leeNgxoxo likaZwelonke lezoShishino lokuHanjiswa kwemiThwalo eziNdleleni noLawulo Lwayo Jikelele: IsiVumelwano esiManyeneyo esiyiNtloko..... 18 34910

R. 4 do.: IBhunga leeNgxoxo likaZwelonke lezoShishino lokuHanjiswa kwemiThwalo eziNdleleni noLawulo Lwayo Jikelele: Ukubandakanywa kwamaqela angeyonxalenye yesiVumelwano esiManyeneyo esiyiNtloko..... 19 34910

R.5 do.: IBhunga leeNgxoxo likaZwelonke lemiChako: Ukubandakanywa kwamaqela angeyonxalenye yesiVumelwano esiManyeneyo esiyiNtloko.105 34910

UMTHETHO WEZOBUDLELWANE BEZABASEBENZI, KA-1995 UKURHOXISWA

KWEZAZISO ZIKARHULUMENTE

**IBHUNGA LEENGXOXO LIKAZWELONKE LOSHISHINO
LOKUHANJISWA KWEMITHWALO EZINDLELENI NOLAWULO
LWAYO JIKELELE: ISIVUMELWANO ESIMANYENEYO
ESIYINTLOKO**

Mna, MILDRED NELISIWE OLIPHANT, onguMphathiswa wezabaSebenzi, apha ndirhoxisa iSaziso sikaRhulumente esingunom. R 432 nesingunom. R 433 somhla we-18 kuFebhruwari 2011, ngokwecandelo 32(7) loMthetho wezoBudlelwane bezabaSebenzi, ka-1995, kwaye oku kuya kuqala ukusebenza ngomhla we-16 kuJanuwari 2012.

MN OLIPHANT
UMPHATHISWA WEZABASEBENZI

UMTHETHO WEZOBUDLELWANE BEZABASEBENZI, KA-1995**IBHUNGA LEENGXOXO LIKAZWELONKE KUSHISHINO
LOKUHANJISWA KWEMITHWALO EZINDLELENI
NOLAWULO LWAYO JIKELELE: UKUBANDAKANYWA
KWAMAQELA ANGEYONXALENYE YESIVUMELWANO
ESIMANYENEYO ESIYINTLOKO**

Mna, MILDRED NELISIWE OLIPHANT, onguMphathiswa wezabaSebenzi, ngokwecandelo 32(2) loMthetho wezoBudlelwane bezabaSebenzi, ka-1995, ndivakalisa ukuba isivumelwano esimanyeneyo esibonakala kwiShedyuli elapha, ekwagqitywa kuso kwiBhunga eeNgxoxo likaZwelonke kushishino lokuHanjiswa kwemiThwalo eziNdleleni noLawulo Jikelele esibabophelelayo abo bathe bafikelela kuso ngokwecandelo 31 loMthetho wezoBudlelwane bezabaSebenzi, ka-1995, nesiya kuthi sibophe nabanye abasebenzi kunye nabaqeshi abakolu shishino, ukususela ngomhla we-16 kuJanuwari 2012 nakwixesha eliphela ngomhla wama-28 kuFebhruwari 2013.

**MN OLIPHANT
UMPHATHISWA WEZABASEBENZI**

ISHEDYULI

**IBHUNGA LEENGXOXO LIKAZWELONKE LOSHISHINO LOKUHANJISWA
KWEMITHWALO EZINDLELENI NOLAWULO LWAYO JIKELELE (NBCRFLI)**

ngokuvumelana namasolotya oMthetho wezoBudlelwane bezabaSebenzi, ka-1995,
esenziwe saza sangenwa -

ROAD FREIGHT EMPLOYERS' ASSOCIATION (RFEA)

(ekubhekiselwa kuwo kwesi siVumelwano ngokuthi "abaqeshi" okanye "intlangano
yabaqeshi")

kunye

MOTOR TRANSPORT WORKERS' UNION (MTWU)

PROFESSIONAL TRANSPORT AND ALLIED WORKERS' UNION OF SOUTH AFRICA

(PTAWU)

SOUTH AFRICAN TRANSPORT AND ALLIED WORKERS' UNION (SATAWU)

TRANSPORT AND ALLIED WORKERS' UNION (TAWU)

(ekubhekiselwe kuyo kwesi siVumelwano ngokuthi "abasebenzi" okanye "imibutho
yabasebenzi").

eyinxalenye yeBhunga leeNgxoxo likaZwelonke loShishino lokuHanjiswa kwemiThwalo eziNdleleni
noLawulo Lwayo Jikelele.

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- ISIFO EMSEBENZINI
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 26. AMALUNGISELELO JIKELELE OKULAWULA INGXOWA-MALI YENZUZO
 27. UKUVALA INGXOWA-MALI YENZUZO
 28. AMALUNGISELELO OKUHLAWULA IINTLAWULO ZENGXOWA-MALI ZOKUHLAWULA IKHEFU KUNYE NOMVUZO WEBHONASI YEHOLIDE
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 36. ISIBONELELO SENKXASO-MALI
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 39. OKUNYE UKUXHUZULELWA IMALI

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- 42. IMALI-MBUYEKEZO YOKUPHELISWA KWESIVUMELWANO SOMSEBENZI
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- 46. ABAQESHI BAFANELE BABE NALA MAXWEBHU ALANDELAYO
- 47. IYUNIFOMU KWANEMPAHLA EKHUSELAYO
- 48. UKUSEBENZA NGAPHANTSI KWENYE IKONTRAKA
- 49. UMMELI WABASEBENZI KWIBHUNGA
- 50. IINCWADI ZOKUBHALISA
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- 63. ABASEBENZI BAMAXESHA ATHILE
- 64. IXESHA ELIFUTSHANE KWICANDELO LOKUFUDUSWA KWEFANITSHALA
- 65. AMASOLOTYA ASEBENZA KWICANDELO LE-CIT
- 66. ABASEBENZI BEENKONZO ZENGQESHO YEXESHANA
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ISHEDYULI 5:	UMVUZO NEZINYE IINZUZO ZEMALI
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INXALENYE 1: ISICELO NOBUDE BEXESHA LESIVUMELWANO**1. Ukusebenza kwesiVumelwano**

- (1) Esi siVumelwano sisebenza kuShishino lwe-Road Freight and Logistics kwiRiphabhliki yoMzantsi Afrika.
- (2) Kuxhomekeka kwisolotyana {3}, esi siVumelwano siyabophelela -
 - (a) kubo bonke abasebenzi abamivuzo yabo ubuncinane echazwe kwiShedyuli yesi-5 nabangamalungu emibutho yabasebenzi abayinxalenye yesi siVumelwano;
 - (b) bonke abaqeshi babasebenzi abamivuzo yabo ubuncinane echazwe kwiShedyuli yesi-5 yesi siVumelwano nabangamalungu entlangano yabaqeshi eyinxalenye yesi siVumelwano;
 - (c) ezinye iindidi zabasebenzi, abamivuzo yabo ubuncinane engachazwanga kodwa abawufanelekelayo uchatha womntu wonke ngokweShedyuli yesi-5. Imirhumo yemibutho yabasebenzi ichazwe kwisolotyama-54 kunye neendleko zeBhunga ezichazwe kwisolotyama-69 ziya kusebenza kubasebenzi ekubhekiselwe kubo kweli solotyama; yaye
 - (d) Abasebenzi abamivuzo yabo ubuncinane engachazwanga nabangawufanelanga uchatha womntu wonke ngokweShedyuli yesi-5 malunga nemirhumo yemibutho yabasebenzi echazwe kwisolotyama-54.
- (3) Kuxhomekeka kwisolotyama (4), esi siVumelwano sisebenza kubaqhubi abangabanini bezithuthi, kunye nabasebenzi babaqhubi abangabanini bezithuthi.
- (4) Umqhubi ongumnini wesithuthi -
 - (a) ongumqeshi ufanele agcine iiyure ezifanayo zomsebenzi nokuzilinganisela iiyure zomsebenzi ezichazwe kwesi siVumelwano ngokuphathelele kubasebenzi;
 - (b) Onemoto enye nje kuphela nongumqhubi osisigxina walo moto kufuneka nje athobele izinto ezifunekayo kwisiqendwana (a) seli solotyama kwanesolotyama lama-45.
- (5) Inxalenye ye-10 yesi siVumelwano ichaza amasolotyama asebenza kwiindidi ezithile zabasebenzi. Iye -
 - (a) yachaza iindidi zabasebenzi ekusebenza nje amasolotyama athile esi siVumelwano kubo;
 - (b) yachaza amasolotyama asebenza kwiindidi ezithile zabasebenzi ukongezelela kwisiVumelwano xa sisonke;
 - (c) yalungisa amasolotyama athile esi siVumelwano ngeenjongo zokulungiselela iindidi ezithile zabasebenzi.

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- (6) Ukwandiswa kwesi siVumelwano ngenjongo yokubandakanya amaqela angeyonxalenye yaso ngokweCandelo lama-32 loMthetho akuyi kuquka isolotyama-73 (1) lwesi siVumelwano.

2. Ubude bexesha lesiVumelwano

- (1) Esi siVumelwano siyababophelela abaqeshi kunye nabasebenzi ekubhekiselwe kubo kwiSolotyama 1(2) nje ukuba sandiswe nguMphathiswa wezabaSebenzi ngokweCandelo lama-32 loMthetho ukususela kumhla obekwe nguMphathiswa.
- (2) Esi siVumelwano siya kuhlala sisebenza de kube ngumhla wama-28 kuFebhruwari 2013.

INXALENYE 2: IYURE ZOMSEBENZI

3. Iiyure eziqhelekileyo zomsebenzi:

- (1) Iiyure eziqhelekileyo zokusebenza komsebenzi zinokungadluli kuma-45 kuyo nayiphi na iveki.
- (2) Kuxhomekeka kwisolotyama (1), iiyure eziqhelekileyo zokusebenza ngosuku zinokungadluli -
- (a) kwiiyure ezilithoba kubasebenzi abasebenza iintsuku ezintlanu ngeveki;
- (b) iiyure ezisibhozo kubasebenzi abasebenza iintsuku ezintandathu ngeveki, ngaphandle kokuba iiyure eziqhelekileyo zokusebenza zinokungadluli kwiiyure ezintlanu ngoMgqibelo.
- (3) Iiyure eziqhelekileyo zomsebenzi aziquki amaxesha okutya akhoyo ngokwesolotyama lesi-5.

4. Iintsuku zomSebenzi

- (1) Amaxesha aqhelekileyo okusebenza aya kubekwa yaye alawulwe ngabaqeshi ngokwabo.
- (2) Umqeshi angatshintsha kuphela ixesha lokuqalisa kosuku oluqhelekileyo lomsebenzi -
- (a) xa ebandakanya iqela labasebenzi elingaqhubi zimoto ebebeqeshwe ngumqeshi besebenza ngolo suku lunye kangangeeveki ezingama-26 okanye ngaphezulu, ukuba umqeshi ubazisile waza wabonisana nabasebenzi, okanye ummeli wombutho wabo, ngolo tshintsho ubuncinane kusasele iintsuku ezisixhenxe; yaye
- (b) kubo bonke abanye abasebenzi, ukuba umqeshi ubanike isilumkiso ngomlomo kwangaphambili abasebenzi abachaphazelekayo malunga nolo tshintsho ubuncinane kusasele iiyure ezili-12.
- (3) Umqeshi angalutshintsha usuku kwanexesha lokuqalisa iveki yokusebenza kumsebenzi ngokuthi anike loo msebenzi ubuncinane iiyure ezingama-72 zesilumkiso esibhaliweyo malunga nolo tshintsho.

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- (4) Kuxhomekeka kumaxesha okutya achazwe kwisolotyana lesi-5, zonke iiyure ezisetyenzwe ngabasebenzi, ingengabo abasebenzi bexeshana benkonzo yengqesho yexeshana, kulo naliphi na usuku zifanele zilandelelane yaye zifanele zigqalwe njengezosuku olunye (1) olupheleleyo lomsebenzi.

5. Amaxesha okutya nawokuphumla

- (1) Kuxhomekeka kwisolotyana (2) kunye (3), umqeshi ufanele anike umsebenzi osebenza ngokuqhubekayo ngaphezu kweeyure ezintlanu, ixesha lokutya elingekho ngaphantsi kweyure enye. Ngokweenjongo zeli solotyana, umsebenzi uba ngoqhubekayo ngaphandle kokuba uqhawulwa phakathi lixesha lokuphumla eliyimizuzu engama-60 ubuncinane.
- (2) Ixesha leeyure ezintlanu ekubhekiselwe kulo kwisolotyana (1) lingandiswa kodwa lingadluli kwiiyure ezisixhenxe ukuba injongo kukulayisha okanye ukothula umthwalo kwisithuthi.
- (3) Ixesha lokutya lingacuthwa ngesivumelwano esibhaliweyo phakathi komqeshi kunye nomsebenzi kodwa lingabi ngaphantsi -
- kwesiqingatha seyure; okanye
 - imizuzu eli-15, kwixesha lesibini lokuphumla ngalo naluphi na usuku.
- (4) Umsebenzi kungangafuneki okanye avunyelwe ukuba enze nawuphi na umsebenzi ngexesha lokutya.
- (5) Ixesha lokutya aliyonxalenye yeeyure eziqhelekileyo zokusebenza okanye ixesha elongezelekileyo, ngaphandle kokuba -
- ixesha lokutya lingaphezu kweyure enekota, ekuthi ke kuloo meko lonke ixesha elithe kratya ngaphaya kweyure nekota lijongwe njengexesha ekusetyenziweyo ngalo;
 - ngenxa yexesha elongezelekileyo elisetyenziweyo, ixesha lokutya libe lilixesha lesibini lokutya ngolo suku.
- (6) Umqeshi ufanele avumele umsebenzi abe nexesha lokuphumla ubuncinane leimizuzu elishumi phakathi kangangoko kunokwenzeka kwixesha lomsebenzi usuku ngalunye. Umsebenzi kungangafuneki okanye avunyelwe ukuba enze nawuphi na umsebenzi ngexesha lokuphumla. Eli xesha lokuphumla ligqalwa njengexalenye yeeyure eziqhelekileyo zokusebenza komsebenzi.
- (7) Ezi zibonelelo zeli solotyana azisebenzi koonogada bezokhuseleko. Noko ke, naliphi na ixesha lokutya elinikwa unogada wezokhuseleko ligqalwa njengexalenye yeeyure eziqhelekileyo zomsebenzi kanogada lowo.
- (8) Isolotyana (6) alisebenzi kumqhubi okanye kumsebenzi opheleka okanye oncedisa umqhubi kwisithuthi ngeli lixa eso sithuthi singekho phakathi kwamasango omqeshi.

6. Amaxesha okuphumla emihla ngemihla

- (1) Umqeshi ufanele avumele umsebenzi iiyure ezilithoba ezilandelelanayo zokuphumla kuzo naziphi na iiyure ezingama-24, kubalwe kuqalwe kwixesha umsebenzi aqalisa ngalo umsebenzi ngalo naluphi na usuku.

7. Iinkonzo zikaxakeka

ISoloty lesi-4(3), lesi-5 nelesi-6 aliya kusebenza kumsebenzi weenkonzo zikaxakeka.

8. Iveki enoxinzelelo lomsebenzi

- (1) Kuxhomekeka kwisolotyana (2) kunye (3), nasemva kokunika umsebenzi ubuncinane iiyure ezingama-72 isaziso esibhaliweyo, umqeshi angafuna ukuba umsebenzi asebenze ukuya kutsho kwiiyure ezili-15 ngosuku, eziquka amaxesha okutya, ngaphandle kwentlawulo yexesha elongezelekileyo.
- (2) Umqeshi angangafuni ukuba umsebenzi asebenze iveki enoxinzelelo lomsebenzi ngaphezulu kweeveki ezimbini ezilandelelanayo kwisithuba seeveki ezintlanu.
- (3) Umqeshi angangafuni okanye avumele umsebenzi ukuba asebenze -
 - (a) Ngaphezulu kweeyure eziqhelekileyo zokusebenza ezingama-45 kuyo nayiphi na iveki;
 - (b) ngaphezulu kweeyure ezingama-30 zexesha elongezelekileyo kuyo nayiphi na iveki; okanye
 - (c) ngexesha lokuphumla elichazwe kwisolotyana lesi-6.
- (4) Umqeshi oneenjongo zokusebenzisa inkqubo yeveki enoxinzelelo lomsebenzi ufanele -
 - (a) ngokukhawuleza azise uSosiba kaZwelonke weBhunga ngokubhala malunga nomhla alindele ukuba iqalise ukusebenza ngawo kunye nobude bexesha lokusebenza kwaloo nkqubo; yaye
 - (b) agcine iikopi zazo zonke izaziso ezinikwe abasebenzi ngokwesolotyana (1) kangangeminyaka emithathu.
- (5) Ukuze abale inani leentsuku zokusebenza ezisetyenzwe kwiveki enoxinzelelo lomsebenzi, umqeshi ufanele athathe inani elipheleleyo leeyure eziqhelekileyo ezisetyenziweyo evekini yaye ufanele anike umsebenzi usuku olunye lokusebenza kwiiyure ezilithoba eziqhelekileyo ezisetyenziweyo, ukuya kutsho kwiintsuku ezintlanu (5) zomsebenzi ubuninzi ngeveki. Inxalenye yeyure esetyenziweyo igqalwa njengeyure ephela eleyo esetyenziweyo.

9. Umlinganiselo weeyure zokusebenza

- (1) Umqeshi kunye nomsebenzi basenokugqiba ekubeni babhale isivumelwano somlinganiselo weeyure eziqhelekileyo zokusebenza nexesha elongezelekileyo ukuya kutsho kwiiveki ezintlanu.

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- (2) Umqeshi angangafuni okanye avumele umsebenzi asebenze ngaphezulu -
 - (a) komlinganiselo weeyure eziqhelekileyo zokusebenza ezingama-45 ngeveki ngexesha laloo mlinganiselo;
 - (b) komlinganiselo weeyure ezingama-30 zexesha elongezelelekileyo ngeveki ngexesha laloo mlinganiselo.
 - (3) Umqeshi ufanele awagcine amaxesha okuphumla achazwe kwisoloty lesi- 6.
 - (4) Umqeshi ongene kwisivumelwano kunye nabasebenzi sokuba asebenzise umlinganiselo weeyure zokusebenza ufanele -
 - (a) ngokukhawuleza azise uSosiba kaZwelonke weBhunga ngokumbhalela malunga nomhla wokusebenza kwaso kwanobude bexesha lenkqubo leyo; yaye
 - (b) agcine kangangeminyaka emithathu, iikopi zazo zonke izivumelwano azenze nabasebenzi ngokwesolotyana (1).
 - (5) Kuxhomekeka kwisoloty (6), umqeshi ufanele anike umsebenzi iintsuku ezintlanu (5) zokusebenza iveki nganye ngethuba lokusebenza kwalo mlinganiselo weeyure zokusebenza.
 - (6) Umqeshi usenokuxhuzula usuku olunye (1) lokusebenza ngosuku ngalunye umsebenzi engezi emsebenzini ngezizathu ezingachazwanga kwisihlomelo sengcaciso yegama elithi "usuku lokusebenza".

10. Umlinganiselo wokusebenza ixesha elongezelelekileyo

- (1) Kuxhomekeka kwisoloty (2), umqeshi angangafuni okanye avumele umqeshi ukuba asebenze ixesha elongezelelekileyo ngaphezulu -
 - (a) kweeyure ezi-6 ngalo naluphi na usuku, ngaphandle kwangeMigqibelo;
 - (b) kweeyure ezingama-30 kuyo ngayo nayiphi na iveki ukususela ngoMvulo ukuya kutsho ngoMgqibelo, xa zihlangene.
- (2) Ngaphandle komsebenzi weenkonzo zikaxakeka, ubuninzi beeyure zokusebenza ngalo naluphi na usuku zingangadluli kwi-15, kuquka iiyure eziqhelekileyo zokusebenza, iiyure zexesha elongezelelekileyo namaxesha okutya achazwe kwesi siVumelwano.

11. Ukusebenza ixesha elongezelelekileyo

- (1) Ukuba umsebenzi usebenza ixesha elongezelelekileyo, umqeshi ufanele -
 - (a) ahlawule hayi ngaphantsi komvuzo onesiqingatha somvuzo umsebenzi awufumana ngeyure malunga nalo lonke ixesha elisetyenzwe kwixesha elongezelelekileyo; okanye
 - (b) anike umsebenzi ixesha lekhefu endaweni yokuhlawula ixesha elongezelelekileyo.

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- (2) Ukuba umsebenzi akezanga emsebenzini ngaphandle kwemvume yomqeshi ngethuba lazo naziphi na iiyure eziqhelekileyo zokusebenza ngosuku oluqhelekileyo lokusebenza, iiyure eziqhelekileyo umsebenzi angazisebenzanga zingaxhuzulwa kwiiyure zexesha elongezelekileyo ezisetyenzwe kuloo vekhi .
 - (3) ISolotyana (2) alisebenzi kumsebenzi ongezanga emsebenzini ngenxa yeemeko ezingaphaya kwamandla akhe. Noko ke, umqeshi usenokucela umsebenzi ongezanga emsebenzini ngenxa yokugula ukuba aveze incwadi kagqirha njengobungqina besizathu sokuba engezanga emsebenzini.
 - (4) Umsebenzi oxhuzulelweyo ngokwecandelo lesolotyana (2) angabhena, ngesihle kwiBhunga eliya kuthi lona, emva kwengqwalasela efunekayo yazo zonke izibakala ezifanelekileyo, liya kusixhasa okanye lisikhabe eso sibheni.

12. Ikhefu endaweni yokuhlalulelwa ukusebenza ixesha elongezelekileyo

- (1) Umqeshi onika umsebenzi ikhefu endaweni yokuhlalulelwa ukusebenza ixesha elongezelekileyo ufanele -
 - (a) ahlalule umsebenzi umlinganiselo ongekho ngaphantsi komvuzo osisiseko oqhelekileyo wexesha elongezelekileyo aze anike umsebenzi ubuncinane imizuzu engama-30 yexesha elihlalulelwayo ngokuphathelele kwiyure nganye yexesha elongezelekileyo esetyenziweyo; okanye
 - (b) anike umsebenzi ubuncinane imizuzu engama-90 yexesha elihlalulelwayo kwiyure nganye yexesha elongezelekileyo esetyenziweyo.
- (2) Umqeshi oneenjongo zokusebenzisa inkqubo ikhefu elihlalulelwayo endaweni yokuhlalulelwa ixesha elongezelekileyo elisetyenziweyo ufanele -
 - (a) anike abasebenzi abachaphazelekayo ubuncinane kusasele iiyure ezingama-72 isaziso esibhaliweyo;
 - (b) ngokukhawuleza azise uSosiba kaZwelonke weBhunga ngembalelwano malunga nomhla alindele ukuba iqalise ukusebenza ngawo loo nkqubo kunye nobude bexesha eya kusebenza ngalo inkqubo leyo.
- (3) Ikhefu elihlalulelwayo ekubhekiselwa kulo kwisolotyana (1) -
 - (a) linokungafumaneki ngethuba leveki enoxinzelelo lomsebenzi;
 - (b) lifanele lifumaneke kwisithuba seentsuku ezingama-30 umsebenzi eselungelweni lokufumana elo khefu lihlalulelwayo; okanye
 - (c) ngesivumelwano esibhaliweyo somsebenzi, lifanele linikezelwe kwisithuba seeveki ezingama-52 umsebenzi eselungelweni lelo khefu lihlalulelwayo.
- (4) Umqeshi ufanele athi kwisithuba seminyaka emithathu, agcine iikopi -
 - (a) zazo zonke izaziso azikhuphileyo ngokwesolotyana lesi-2 (a); nazo
 - (b) zonke izivumelwano angene kuzo ngokwesolotyana (3) (c).

13. Ukubala ixesha elongezelelekileyo

- (1) Ixesha elongezelelekileyo ngokuphathelele kumsebenzi ohlawulwa ngeveki libalwa ngokwexesha elongezelelekileyo elisetyenziweyo xa lilonke ngeveki, kunye neqhezu (fraction) leyure elenziwe iyure epheleleyo okanye laba sisiqingatha seyure: ngaphandle kokuba ixesha elongezelelekileyo kwimeko yomsebenzi kaxakeka lifanele libalwe ngokomvuzo ochazwe kwisolotyama-62 elifundwe kunye neShedyuli yesi-5, kuquka iprimiyamu eyongezelelekileyo ye-10 ekhulwini.
- (2) Umqeshi ufanele ahlawule umsebenzi osebenza ixesha elongezelelekileyo kwiinkonzo zikaxakeka umlinganiselo ongekho ngaphantsi kophindwe kabini kumvuzo weveki womsebenzi, owahlulahlulwe ngama-45, malunga neyure nganye okanye inxalenye yeyure esetyenziweyo.

14. Ukusebenza ngeCawa

- (1) Nanini na umqeshi efuna umsebenzi asebenze ngeCawa, umqeshi ufanele-
 - (a) ahlawule umsebenzi umlinganiselo ongekho ngaphantsi komvuzo weyure ophindwe kabini kudidi lomsebenzi kwiyure nganye, okanye inxalenye yayo esetyenzisiweyo; okanye
 - (b) anike umsebenzi ikhefu elihlawulelwayo endaweni yokuhlawulelwa ukusebenza ngeCawa.
- (2) Xa ebala umvuzo afanele awufumane umsebenzi ekufuneka esebenze ngeCawa -
 - (a) umsebenzi osebenza ngaphantsi kweyure ezintandathu ugqalwa njengosebenze iiyure ezintandathu;
 - (b) ukuba usuku lokusebenza liwela ngokuyinxenye ngeCawa lize liphinde liwele kolunye usuku ngokuyinxenye, apho kuya kuthi usuku lonke lugqalwe njengolusetyenzwe xa lulonke.
- (3) Umqeshi onjongo zakhe zikukusebenzisa inkqubo yekhefu elihlawulelwayo endaweni yokuhlawulela iCawa ufanele -
 - (a) anike umsebenzi ochaphazelekayo isaziso esibhaliweyo kusasele iiyure ezingama-72;
 - (b) azise uSosiba kaZwelonke weBhunga ngokubhala malunga nomhla alindele ukuba iqalise ngawo ukusebenza kunye nobude bexesha lokusebenza kwenkqubo leyo;
 - (c) agcine zonke izaziso azinike abasebenzi ngokwesiqendu (a) kwisithuba seminyaka emithathu emva kokuba ebanikile; and
 - (d) agcine iikopi zazo zonke izivumelwano angene kuzo ngokwesolotyana (5) (b) kangangesithuba seminyaka emithathu.
- (4) Umqeshi osebenzisa inkqubo yekhefu elihlawulelwayo endaweni yokuhlawulela iCawa ufanele anike umsebenzi osebenza ngeCawa ikhefu elihlawulelwayo elilingana

nomvuzo ofunyenwe ngumsebenzi ngenxa yokusebenza ngeCawa nomvuzo aselungelweni lawo loo msebenzi ngokwesolotyana (1).

- (5) Umqeshi ufanele akhuphe ikhefu elihlawulelwayo ngokwesolotyana (4) kwisithuba -
 - (a) seentsuku ezingama-30 umsebenzi eselungelelweni lelo khefu lihlawulelwayo; okanye
 - (b) kunye nesivumelwano esibhaliweyo nomsebenzi, kwisithuba seeveki ezingama-52 umsebenzi eselungelweni lokufumana elo khefu lihlawulelwayo.
- (6) Ikhefu elihlawulelwayo endaweni yokuhlawulela ixesha elisetyenziweyo ngeCawa linganganikezelwa kwiveki enoxinzelelo lomsebenzi.

15 Ukusebenza ngeeholide zikawonke-wonke

- (1) Ukuba iholide kawonke-wonke iba ngosuku umsebenzi aqhele ukusebenza ngalo, umqeshi ufanele -
 - (a) ahlawule umsebenzi ongasebenziyo ngeholide kawonke-wonke, ubuncinane umvuzo ebeya kuwufumana loo msebenzi ukuba ebephangele ngolo suku; yaye
 - (b) ahlawule umsebenzi osebenzileyo ngeholide kawonke-wonke -
 - (i) umvuzo ophindwe kabini kulowo ubuya kufunyanwa ngumsebenzi ngokuqhelekileyo ngolo suku; okanye
 - (ii) ukuba mkhudlwana, ube yimali umsebenzi ebeya kuyifumana ngokuqhelekileyo ngokusebenza ngolo suku, kunye nemali ephindwe kabini efunyanwa ngumsebenzi ngeyure nganye, okanye inxalenye yayo esetyenzwe ngolo suku; okanye
 - (c) anike umsebenzi osebenza ngeholide kawonke-wonke ikhefu ehlawulwayo endaweni yokuhlawulela iholide kawonke-wonke, yaye kuloo meko, kusebenza isolotyana (3) - (6) lesolotyana le-14, kunye neenguqu eziyimfuneko.
- (2) Umsebenzi osebenza ngeholide kawonke-wonke ufanele anikwe usuku olunye (1) lokusebenza.
- (3) Umsebenzi angangafuni ukusebenza ngeholide kawonke-wonke.
- (4) Ukuba iholide kawonke-wonke iba ngeCawa, uMvulo olandelayo ugqalwa njengeholide kawonke-wonke yaye ukuba iMini yoXolelwani iba ngoMvulo, uLwesibini olandelayo ugqalwa njengeholide kawonke-wonke.
- (5) Ixesha lekhefu lonyaka lomsebenzi lifanele longezwe ngosuku olunye ngeholide kawonke-wonke nganye eba ngexesha lekhefu yaye umqeshi ufanele -
 - (a) ahlawule umsebenzi umvuzo wakhe oqhelekileyo ngeholide kawonke-wonke nganye ukongezelela kwintlawulo yekhefu afaanelwe yiyo umsebenzi; yaye

- (b) anike umsebenzi usuku olunye (1) lomsebenzi ngenxa yeholide kawonke-wonke ngokuphathelele kwiholide kawonke-wonke nganye ngenjongo yokubala ixesha lekhefu lonyaka anokulifumana umsebenzi kunyaka olandelayo.

- (6) ISolotyana loku-1 (a) alisebenzi kubasebenzi bakaxakeka.

16. Ukusebenza ebusuku

- (1) Umqeshi angafuna okanye avumele umsebenzi ukuba asebenze ebusuku kuphela, ukuba umsebenzi -
- uza kuhlawulwa isibonelelo sokusebenza ebusuku, esichazwe kwiShedyuli yesi-5; yaye
 - sibekhona nesithuthi esihamba phakathi kwendawo ahlala kuyo umsebenzi nendawo aphantela kuyo ekuqaleni nasekupheleni kosuku lokusebenza komsebenzi.
- (2) Umqeshi ofuna ukuba umsebenzi asebenze ngokuthe rhoqo emva kwentsimbi ye-23:00 nangaphambi kweyesi-06:00 ngosuku olulandelayo ufanele -
- amazise umsebenzi ngokumbhalela okanye ngomlomo, ukuba umsebenzi akayiqondi into ebhaliweyo, ngolwimi umfundi aluqondayo -
 - ngazo naziphi na iingozi zempilo nezokhuseleko ezinxulumene nomsebenzi ekufuneka ewenzile umsebenzi lowo;
 - nangelungelo lomsebenzi lokuhlolwa impilo ngokwesiqendu (b);
 - ngokwesicelo somsebenzi, ongakwaziyo ukuhlolwa impilo ngugqirha otyunjwe nokwahlawulwa ngumqeshi, malunga neengozi zempilo nezokhuseleko ezinokwenzeka -
 - ngaphambi kokuba umsebenzi aqalise, okanye kwixesha elisengqiqweni lokuqalisa komsebenzi ukusebenza; yaye
 - ngamaxesha afanelekileyo okuphumla ngeli lixa umsebenzi eqhubeka nomsebenzi onjalo.
 - Atshintshela umsebenzi kumsebenzi wosuku ofanelekileyo kwixesha elisengqiqweni ukuba -
 - Umsebenzi uphethwe sisigulo esinxulumene nokusebenza ebusuku; yaye
 - imeko imvumela umqeshi ukuba enjenjalo.
- (3) Ingxelo yokuhlolwa kwezonyango eyenziwe ngokweli solotyana ifanele igcinwe iyimfihlo yaye inokufumaneka kuphela -
- ngokuvumelana nemigaqo yezimilo yezonyango;
 - ukuba ifunwa ngumthetho okanye umyalelo wenkundla; okanye
 - ukuba umsebenzi uvumile ngokubhala ukuba ingakhululwa loo nkcazelo.

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- (4) Ngenxa yesolotyana (2). umsebenzi usebenza rhoqo ukuba umsebenzi usebenza ixesha elingaphezu kweyure enye emveni kwentsimbi ye-23:00 nangaphambi kweyesi-06:00 ubuncinane izihlandlo ezintlanu ngenyanga okanye izihlandlo ezingama-50 ngonyaka.
 - (5) Umsebenzi ofumana isibonelelo senkxaso-mali akanakufanelekela nesibonelelo sokusebenza ishifiti yasebusuku.

17. Umlinganiselo weeyure zokusebenza xa zizonke

Umqeshi angangafuni okanye avumele umsebenzi asebenze ngaphezulu kweeyure ezingama-90 ngayo nayiphi na iveki, kuquka iiyure eziqhelekileyo zokusebenza, iiyure ezongezelelekileyo kwaneeyure ezisetyenzwa ngeCawa okanye iholide kawonke-wonke.

INXALENYE YESI-3: IKHEFU

18. IKhefu loNyaka

- (1) Kweli solotyana, umjikelo wekhefu lonyaka uthetha ixesha leenyanga ezili-12 oqeshwe ngumqeshi omnye ngokukhawuleza emva -
 - (a) kokuba umsebenzi eqalise ukuphangela; okanye
 - (b) kokuphela komjikelo womsebenzi wekhefu lonyaka oqithileyo womsebenzi.
- (2) Umsebenzi uya kufanelekela ikhefu ngokuvumelana neminyaka yakhe yenkonzo kuloo nkampani ngokwale ndlela ilandelayo:
 - (a) Xa egqibe ngaphantsi kweminyaka emi-5 yenkonzo ngokuqhubekayo iba ziintsuku ezingama-21 ezilandelelanayo; okanye
 - (b) Xa egqibe iminyaka emi-5 yenkonzo ngokuqhubekayo, kodwa abe ngaphantsi kweminyaka eli-10 iba ziintsuku ezingama-23 ezilandelelanayo; okanye
 - (c) Xa egqibe iminyaka eli-10 nangaphezulu yenkonzo ngokuqhubekayo iba ziintsuku ezingama-26 ezilandelelanayo.
- (3) Wonke umsebenzi uffanele ahlawule iminikelo kwiNgxowa-mali yeKhefu eliHlawulelwayo lungadlulanga usuku lwama-20 nyanga nganye, kuye wonke umsebenzi oqeshwe nguye ngenyanga ephelayo, yaye lifanele libalwe ngokwale ndlela ilandelayo:
 - (a) abasebenzi abangaphantsi kweminyaka emi-5 yenkonzo eqhubekayo iba ngama-25 ekhulwini yomvuzo oqhelekileyo osisiseko weveki;
 - (b) abasebenzi abagqibe ngaphezulu kweminyaka emi-5 yenkonzo kodwa babe bengaphantsi kweminyaka eli-10 yenkonzo eqhubekayo iba ngama-28.34 ekhulwini yomvuzo oqhelekileyo osisiseko weveki; yaye
 - (c) abasebenzi abagqibe iminyaka eli-10 nangaphezulu iba ngama-33.3 ekhulwini yomvuzo oqhelekileyo osisiseko.

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- (4) Ikhefu lonyaka lifanele linikezelwe yaye lithathwe ngexesha elibekwe ngumqeshi -
- (a) Kwisithuba seenyanga ezine emveni kokugqiba umjikelo wekhefu; okanye
 - (b) Ngesivumelwano esibhaliweyo phakathi komqeshi nomsebenzi, kwisithuba seenyanga ezimbini ezibhekele phaya emveni kwesithuba seenyanga ezine ezichazwe kwisiqendu (a).
- (5) Ikhefu lonyaka linokuthathwa ukuya kutsho kwiinyanga ezimbini ngaphambi kokuphela komjikelo wekhefu lonyaka -
- (a) Ngokwesivumelwano phakathi komqeshi nomsebenzi; okanye
 - (b) ukuba iimeko zomsebenzi zeshishini lomqeshi zifuna ukuba ikhefu lithathwe kwangoko.
- (6) Umqeshi ofuna umsebenzi athathe ikhefu ngaphambi kokuba umjikelo wekhefu lonyaka liphele ufanele -
- (a) anike umsebenzi ixesha elipheleleyo lekhefu umsebenzi aselungelweni lokulifumana ekupheleni komjikelo wekhefu; yaye
 - (b) ahlawule umsebenzi umvuzo ophelileyo ngelo xesha lekhefu.
- (7) Ukuba ingqesho yomsebenzi ekufuneka ethathe ikhefu ngokweli solotyana (6) iphela ngaphambi kokuphela komjikelo wekhefu lonyaka, umqeshi ufanele ahlawule naliphi na ikhefu ukuba akakhange anike umsebenzi ngexesha lokuyeka kuyo nayiphi na intlawulo efanele ifunyanwe ngumsebenzi.
- (8) Ikhefu lonyaka alifanelanga lihambisane nalo naliphi na ixesha -
- (a) ikhefu lokugula elinikezelwa ngokwesolotyana le-19; okanye
 - (b) isaziso sokuyeka ingqesho ngokwesolotyana lama-40.
- (9) Umqeshi usenokucutha ikhefu lonyaka umsebenzi aselungelweni lokulifumana ngenani leentsuku zekhefu alithatha ngamathuba athile elihlawulelwayo ngokwesicelo esibhaliweyo somsebenzi ngethuba lomjikelo wekhefu; noko ke, umsebenzi ufanele anikwe ubuncinane iiveki ezimbini ezilandelelanayo zekhefu lonyaka unyaka ngamnye.
- (10) Ngethuba lekhefu lonyaka lomsebenzi, umsebenzi angangafuneki okanye avunyelwe ukuba-
- (a) enze umsebenzi wakhe oqhelekileyo; okanye
 - (b) asebenze kwenye indawo kwakolo shishino.
- (11) Akukho mali efanele ixhuzulwe ekuhlawulweni kwekhefu ngenjongo yokuhlawula imali etyalwa umqeshi ngumsebenzi, kuxhomekeka kwisolotyana lama-40 (2) (b).

19 Ingxowa-mali yokuGula nokungezi emSebenzini

- (1) Wonke umqeshi ufanele ahlawule iminikelo kwiNgxowa-mali yeKhefu lokuGula ungalulanga umhla wama-20 kwinyanga nganye, ngomsebenzi ngamnye oqeshwe nguye.
- (2) Iminikelo ihlawulwa kwiBhunga lingakhathaliseki inani leentsuku umsebenzi azisebenzileyo kuloo nyanga, kuxhomekeka kwisolotyama-24(2) kunye (3).
- (3) Kweli solotyama "umjikelo wekhefu lokugula" uthetha isithuba seenyanga ezingama-36 zengqesho kumqeshi omnye ngokukhawuleza emveni -
 - (a) kokuba umsebenzi eqalise ingqesho; okanye
 - (b) kokuphela komjikelo wekhefu lokugula laloo msebenzi.
- (4) Ngethuba layo yonke imijikelo yekhefu lokugula, umsebenzi unelungelo lokufumana ikhefu lokugula elihlawulelwayo elilingana neentsuku ezingama-36 zokusebenza.
- (5) Naphezu kwalo nje isolotyama (4), kwisithuba seenyanga ezintandathu zokuqala zengqesho, umsebenzi uselungelweni lokufumana usuku olunye lwekhefu elihlawulwayo kuzo zonke iintsuku ezingama-26 ezisetyenziweyo.
- (6) Ngethuba lomjikelo wokuqala wekhefu lokugula lomsebenzi, umqeshi angalinciphisa ilungelo lomsebenzi lokuthatha ikhefu lokugula ngokwesolotyama (4) ngenani leentsuku zekhefu lokugula elithathiweyo ngokwesolotyama (5).
- (7) Kuxhomekeka kwisolotyama (4), iBhunga lifanele lihlawule umsebenzi ikhefu lokugula elilinganayo nomvuzo obuya kufunyanwa ngumsebenzi ngolo suku kwisithuba seeyure ezingama-48 emveni kokufumana isicelo esifanelekileyo.
- (8) IBhunga akufuneki lihlawule umsebenzi ikhefu lokugula lamaxesha athile ngokwesolotyama (7) ukuba -
 - (a) Umsebenzi akaphangelanga ngaphezu kweentsuku zokusebenza ezimbini ezilandelelanayo okanye ngaphezu kwezihlandlo ezimbini kwisithuba seeveki ezisibhozo; yaye
 - (b) umsebenzi esilela ukukhupha incwadi kagqirha ethi umsebenzi lowo akakwazanga ukuphangela ngelo xesha ngenxa yokugula okanye ukonzakala, xa ecelwa ngumqeshi ukuba ayikhuphe.
- (9) Le ncwadi kagqirha kubhekiselwa kuyo apha kwisolotyama (8) ifanele ikhutshwe yaye ityikitywe ngugqirha okanye nawuphi na umntu ogunyaziselwe ukuxilonga nokunyanga izigulana nobhaliswe kwibhunga leengcali elisekwe ngokoMthetho wePalamente.

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- (10) Ukuba akunakwenzeka ukuba umsebenzi ohlala phakathi kwamasango omqeshi ukuba afumane incwadi kagqirha, iBhunga lingangakwazi ukubamba intlawulo ngokwesolotyana (7) ngaphandle kokuba umqeshi unikezela uncedo kumsebenzi lowo ukuba afumane incwadi kagqirha.
- (11) Intlawulo zeBhonasi yeKhefu lokuGula
- (a) Ekugqibeni umjikelo weminyaka emithathu emveni kokuqalisa ingqesho okanye ukususela kumhla ekuphele ngawo umjikelo ogqithileyo wekhefu lokugula, iBhunga lifanele lihlawule ibhonasi yekhefu lokugula kumsebenzi ngokusekelwe kwiminikelo efumene iintsuku ezimbalwa zekhefu lokugula ezihlawulwe kuloo msebenzi kwisithuba somjikelo weminyaka emithathu yekhefu lokugula.
- (b) Umsebenzi oyeka ingqesho yakhe ufanele abe selungelweni lentlawulo elinganayo ngokusekelwe kwiminikelo efumene iintsuku ezimbalwa zekhefu lokugula ehlawulwe loo msebenzi ngethuba lokuqeshwa kwakhe.
- (12) Izicelo zekhefu lokugula kunye neencwadi zikagqirha, ukuba ziyimfuneko, zifanele zifike kwiBhunga kwisithuba seentsuku ezi-5 zokusebenza emveni kokuba umsebenzi ebuyele emsebenzini.

20. Ukungakwazi ukuphangela ngenxa yokwenzakala okanye ukufumana isifo emsebenzini

Ukungaphangeli ngenxa yokungakwazi ukusebenza okubangelwe yingozi okanye sisifo esifunyenwe emsebenzi njengoko sichazwa kuMthetho weMali-mbuyekezo yoKonzakala neziFo emSebenzini, ka-1993, akuyonxalenye yekhefu lokugula umsebenzi aselungelweni lalo ngokwesolotyana le-19 ngaphandle kwalo naliphi na ixesha apho kungekho mali-mbuyekezo efanele ihlawulwe ngokoMthetho weMali-mbuyekezo yoKonzakala neziFo emSebenzini, ka-1993.

21. Ikhefu lokufunda

Umqeshi ufanele anike abasebenzi, ingengabo abasebenzi bakaxakeka nabasebenzi bexeshana benkonzo yengqesho yexeshana, ikhefu lokufunda elihlawulelwayo elingekho ngaphantsi kweentsuku ezimbini zokusebenza ngekxosi nganye ukuya kutsho kwizifundo ezine ngonyaka. Ukunikezelwa kwekhefu lokufunda kuxhomekeka kwezi meko zilandelayo –

- (a) loo khosi mayigunyaziswa ngumqeshi
- (b) loo khosi ifanele ibe igunyaziswe naliGunya leMfundo yezoThutho noQeqesho okanye nayiphi na i-SETA;
- (c) ikhefu lokufunda elinikezelweyo lifanele liquke usuku lokubhala iimviwo; yaye
- (d) umsebenzi ufanele aziphumelele iimviwo.

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- (2) Ukuba ke umqathango ochazwe kwisiqendu (a) kunye (b) sesolotyana (1) uphonyeziwe, umqeshi ufanele enze isibonelelo -
 - (a) sokunikezela ngekhefu lokufunda;
 - (b) anike umsebenzi usuku olunye lokusebenza ngosuku ngalunye lwekhefu lokufunda; yaye
 - (c) ahlawule umsebenzi umvuzo wakhe oqhelekileyo wezo ntsuku zimbini ngosuku lokuqala lomrholo emva kweemviwo.
 - (3) Ekufumaneni kwakhe iziphumo zeemviwo umsebenzi ufanele anike umqeshi ikhopi yazo ngokukhawuleza.
 - (4) Ukuba umsebenzi uyazitshona iimviwo, umqeshi usenokuthi -
 - (a) axhuzule intlawulo ayenzileyo ngokwesolotyana (2) kumvuzo womsebenzi; yaye
 - (b) axhuzule iintsuku zokusebenza ebezinike umsebenzi ngokwesolotyana (2).

22. Ikhefu loxanduva losapho

- (1) Ngokwenjongo yeli solotyana-
 - (a) Ilungu elisondeleyo losapho" lithetha iqabane lomsebenzi okanye undofa-naye wakhe, umntwana, umntwana amkhulisayo, umzukulwana, umzali, abazali abamkhulisileyo, utatomkhulu okanye umakhulu, umntakwabo okanye udadewabo okanye umzali okanye umzali okhulise iqabane lakhe okanye undofa-naye wake;
 - (b) "undofa-naye" uthetha umntu ancuma naye umsebenzi nokuba ngowesini esahlukileyo okanye ngowesini esifanayo nesakhe kodwa injongo ibe kukuba obo budlelwane bube sisigxina, bungaquki nawuphi na omnye umntu yaye buquke ukuhlalisana.
- (2) Umqeshi ufanele anike umsebenzi, kuquka umsebenzi wexeshana, ukuya kutsho kwiintsuku ezintlanu zekhefu elihlawulelwa ngokupheleleyo ngonyaka xa kwenzeke ezi zinto zilandelayo -
 - (a) ukufa okanye ukugula kakhulu kwelungu losapho;
 - (b) ukuzalwa komntwana umsebenzi anguyise wakhe.
- (3) Umsebenzi ufanele anike umqeshi ubungqina obuxolisayo bento nganye eyenzekileyo njengesiqinisekiso sokufa, incwadi kagqirha okanye isiqinisekiso sokuzalwa ngokwaloo nto yenzekileyo.
- (4) Ukuba umqeshi akabamkeli ubungqina bento leyo eyenzekileyo, umsebenzi usenokuthi ngesihle, abhenele kwiBhunga. Liya kuthi ke lona iBhunga emveni kokuqwalasela zonke izibakala ezifanelekileyo, lisixhase okanye lisiguqule isigqibo somqeshi.
- (5) Umsebenzi ufanele anikwe usuku olunye lokusebenza ngosuku ngalunye enikwa ikhefu ngokwesolotyana (2).

23. Ikhefu lokubeleka

- (1) Umsebenzi uselungelweni lokufumana ubuncinane iinyanga ezine ezilandelelanayo zekhefu lokubeleka.
- (2) Umsebenzi ogqibe ubuncinane iinyanga ezi-6 zenkonzo engakhange iqhawulwe kunye nomqeshi njengomsebenzi okudidi oluchazwe kwiShedyuli yesi-5 omvuzo wakhe ubuncinane ochazwe njengofanelwe ngama-33 ekhulwini omvuzo wakhe oqhelekileyo osisiseko ngeli lixa esekhefini lokubeleka. Le mali ifanele ihlawulwe ngumqeshi iveki nganye ngosuku lokurhola.
- (3) Umsebenzi usenokuqala ikhefu lokubeleka -
 - (a) nangaliphi na ixesha ukususela kwiiveki ezine ngaphambi komhla alindele ukubeleka ngawo, ngaphandle kokuba ugqibe ngenye indlela; okanye
 - (b) ngomhla ingcali yezonyango okanye umbelekisi esithi kuyimfuneko ngenxa yempilo yomsebenzi okanye eyosana lwakhe olungekagalwa.
- (4) Akukho msebenzi ofanele asebenze kwisithuba seeveki ezintandathu emveni kokuzalwa komntwana wakhe, ngaphandle kokuba ingcali yezonyango okanye umbelekisi uthi ukulungele ukusebenza.
- (5) Umsebenzi ophunyelwe sisusu kwinyanga yesithathu yokukhulelwa okanye uzala imfambilini, uselungelelweni lokufumana ikhefu lokubeleka isithuba seeveki ezintandathu emveni kokuphunyelwa sisusu okanye ukuzala imfambilini (stillbirth), enobana umsebenzi ebesele eliqalile kusini na ikhefu lokubeleka ngaphambi kokuba aphunyelwe sisusu okanye azale imfambilini.
- (6) Umsebenzi ufanele amazise umsebenzi ngokumbhalela, ngaphandle kokuba umsebenzi akakwazi ukubhala, amazise ngomhla umsebenzi aneenjongo -
 - (a) zokuqalisa ngawo ikhefu lokubeleka, yaye
 - (b) zokubuyela ngawo emsebenzini emva kwekhefu lokubeleka.
- (7) Isaziso ngokwesolotyana (6) sifanele sinikezelwe -
 - (a) ubuncinane kwisithuba seeveki ezine ngaphambi kokuba umsebenzi aqalise ikhefu lokubeleka; okanye
 - (b) ukuba akakwazi ukwenjenjalo, ngokukhawuleza xa ekwazi ukwenjenjalo.
- (8) Umqeshi angangafuni okanye avumele umsebenzi ukuba asebenze ngethuba lekhefu lokubeleka.
- (9) Umsebenzi obuyela emsebenzini emva kwexesha lekhefu lokubeleka uselungelweni lokubuyela kumsebenzi wakhe kwisikhundla esifanayo nangokwemimiselo nemiqathango efanayo ebisebenza kuye ngaphambi kokuya kwikhefu lokubeleka ukuba -
 - (a) ubuyela emsebenzini kwisithuba seenyanga ezintlanu eqalise ikhefu lokubeleka: okanye

- (b) akhuphe incwadi kagqirha eqinisekiso ukuba ufanele afumane ikhefu elibhekele phaya lokungaphangeli kumqeshi wakhe.

INXALENYE YESI-4-INGXOWA-MALI YENZUZO

24. Uqhubekeka kwengxowa-mali yenzuzo

- (1) Ezi ngxowa-mali zilandelayo ziyaqhubekeka -
- (a) iNgxowa-mali yokuHlawula iKhefu phantsi kweSaziso sikaRhulumente esinguNom. R.41 somhla we-15 kuJanuwari 1971;
 - (b) iNgxowa-mali yokuHlawula iBhonasi yeHolide eyasekwa ngokwesi siVumelwano phantsi kweSaziso sikaRhulumente esinguNom. R.41 somhla we-15 kuJanuwari 1971;
 - (c) iNgxowa-mali yokuGula eyasekwa phantsi kweSaziso sikaRhulumente esinguNom. R.1238 somhla we-12 kuJuni 1953 yaza yaqhubeka yaza yabizwa ngelinye igama elithi iNgxowa-mali yokuGula nokungaPhangeli phantsi kweSaziso sikaRhulumente esinguNom. R.559 esibonakala kwiGazethu kaRhulumente 30041 yomhla wesi-6 kuJulayi 2007.
- (2) Ukubalwa nokuhlawulwa kwengxowa-mali yenzuzo equka iNgxowa-mali yokuHlawula iKhefu, iNgxowa-mali yokuHlawula iBhonasi yeHolide kwaneNgxowa-mali yokugula nokungaPhangeli akusayi kunxulunyaniswa neeshifti ezingama-252;
- (3) Umqeshi kufuneka ehlawule iminikelo kuzo zonke iingxowa-mali zeBhunga njengoko kuchaziwe. Umqeshi kufuneka afake ibango lenxalenye yeminikelo yomsebenzi ngayo nayiphi na inyanga ngenxa yokungaphangeli okungagunyaziswanga, njengoko kuchaziwe. Elo bango lifanele libhalwe phantsi yaye likhatshwe bubungqina obaneleyo.

25. Amasolotya jikelele eminikelo yeengxowa-mali zenzuzo yeminikelo kunye namabango eengxowa-mali zenzuzo

- (1) Ngokuphathelile iminikelo ngokweengxowa-mali zenzuzo ezichazwe kwisolotya lama-24, abaqeshi bafanele -
- (a) bahlawule ungalulanga umhla wama-20 wenyanga nganye
 - (b) bahlawule kuSosiba kaZwelonke weBhunga;
 - (c) bathumele kuSosiba kaZwelonke weBhunga imali-mbuyekezo yenyanga nganye echazwe liBhunga ungalulanga umhla wama-20 wenyanga elandelayo ngokwale njongo.

26. Amasolotya jikelele olawulo lweengxowa-mali zenzuzo

- (1) Yonke imali ehlawulwe kuzo naziphi na iingxowa-mali ekubhekiselwe kuzo kwisolotya lama-24, ifanele ifakwe kwi-akhawunti ekhethekileyo yebhanki efanele isetyenziselwe egameni laloo ngxowa-mali yenzuzo.

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- (2) Nayiphi na imali ekwingxowa-mali engafunekiyo ukuba isetyenziswe kwangoko isenokutyalwa iIBhunga amaxesha ngamaxesha ngokwecandelo lama-53 (5) loMthetho.
 - (3) Ingeniso efumaneke kutyalo-mali lweBhunga.
 - (4) Nawuphi na umnikelo ohlawulwa kwingxowa-mali yenzuzo, ekungafakwanga ibango ngawo okanye ongasetyenziswanga ngokusemthethweni kwisithuba seminyaka emihlanu ufunyenwe loo mnikelo uya kungena kwingxowa-mali jikelele yeBhunga.
 - (5) Ngokuphathelele ingxowa-mali yenzuzo nganye, iBhunga lifanele limisele umphicothi-zimali obhalisiweyo ukuze -
 - (a) aphicothe iincwadi zemali zengxowa-mali yenzuzo echaphazalekayo ubuncinane kanye ngonyaka; yaye
 - (b) alungiselele istatimente esibonisa zonke iimali ezifunyenweyo kwanenkitho eyenzekileyo kunyaka-mali ukuya kutsho ekupheleni kukaFebhruwari kunye noxwebhu lwemali ekhoyo ebonisa impahla kunye nezinto ekufuneka zihlawulwe yingxowa-mali ukuza kuthi gaa ngelo xesha.
 - (6) Istatimente esiphicothiweyo kunye noxwebhu lwemali ekhoyo kwingxowa-mali yenzuzo nganye, etyobelwe nguSihlalo weBhunga, kunye nazo naziphi na iingxelo ezenziwe ngumphicothi-zimali -
 - (a) sifanele sibe kwii-ofisi zeBhunga ukuze sihlolwe; yaye
 - (b) ikopi eqinisekisiweyo yaso ifanele ithunyelwe kuMbhalisi wezoBudlelwane bezabaSebenzi kwisithuba seenyanga ezintathu zokuvalwa kwexesha eziqukwe kuso.
 - (7) Xa kuchithwa iBhunga, okanye xa iBhunga liyeka ukusebenza, ngethuba lokusebenza kwesi siVumelwano, uMbhalisi wezoBudlelwane bezabaSebenzi usenokumisela ikomiti, okanye iikomiti, ezibunjwa linani elilinganayo labamemi babaqeshi nabasebenzi bolu Shishino ngenjongo yokulawula iingxowa-mali zenzuzo.
 - (8) Nasiphi na isithuba esithi sibekho kwikomiti okanye kwiikomiti ekubhekiselwe kuzo kwisolotyana (7), sinokuzaliswa nguMbhalisi wezoBudlelwano bezabaSebenzi phakathi kwabameli babaqeshi okanye abasebenzi bolu Shishino, njengoko kusengayimfuneko. Xa ikomiti ingakwazi okanye ingakulungelanga ukuphumeza imisebenzi yayo, uMbhalisi angamisela umntu omnye okanye abangakumbi abaza kuba liliso ekulawuleni loo ngxowa-mali ichaphazelekayo. Ikomiti, okanye umntu okanye abantu abaliliso abamiselwe loo njongo bafanele babe namagunya anikwa iBhunga ngenjongo yokulawula loo ngxowa-mali.
 - (9) Ukuba akukho Bhunga likhoyo ekupheleni kwesi siVumelwano, iingxowa-mali zenzuzo zifanele -
 - (a) ziqhubeke zilawulwa yikomiti okanye ngumntu okanye abantu abaliliso abasebenzayo ngelo xesha yaye nayiphi na imali ekhoyo kwingxowa-mali ethile ifanele ichakwe ngokwecandelo

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- lama-59 (5) loMthetho njengoko iyinxalenye yeengxowa-mali jikelele zeBhunga;
- (b) Ivalwe ngokwesolotyama lama-27.
- (10) Xa iBhunga likhupha intlawulo engachananga kumsebenzi okanye umqeshi kwingxowa-mali yenzuzo ngenxa yokusilela komqeshi ukuthobela nawaphi na amasolotyama esi siVumelwano, okanye ngenxa yempazamo yakhe nawuphi na umntu, iBhunga lisenokuphinda liwaqwalasele amasolotyama esiVumelwano esiManyeneyo sokuKhululeka kuXanduva oluthile nesokuSombulula iiMbambano ukuze ifumane loo mali ihlawulwe ngokungachananga.
- (11) Ukuba loo ntlawulo ingachana ekubhekiselwe kuyo kwisolotyama (10) ibibangelwe yimpazamo okanye imposiso yomqeshi, umqeshi uya kuba nobutyala bazo zonke iindleko ezibangelwe liBhunga ekufumaneni loo mali.

27. Ukuvala iingxowa-mali zenzuzo

- (1) Ingxowa-mali yenzuzo ifanele ivalwe ukuba -
- (a) Ukuba esi siVumelwano, okanye nakuphi na ukwandiswa okanye ukuhlaziywa kwesi siVumelwano, sithi siphela ekuhambeni kwexesha okanye nabaphi na oonobangela; yaye
- (b) kwisithuba seenyanga ezili-12 ukususela kumhla wokuphelelwa okunjalo -
- (i) isiVumelwano esilandelayo seBhunga sokubonelela ukuqhubeka kwalo ngxowa-mali yenzuzo asikaxoxwa; okanye
- (ii) ingxowa-mali yenzuzo ayithunyelwa liBhunga kuyo nayiphi na enye ingxowa-mali emiselwe kwainjongo efanayo njengaloo ngxowa-mali yenzuzo.
- (2) Ingxowa-mali yenzuzo ifanele ilawulwe liBhunga -
- (a) kwisithuba seenyanga ezili-12 ekubhekiselwe kuso kwisolotyama (1) (b); okanye
- (b) kwisithuba esincinane esifanelekileyo ukuba isiVumelwano esilandelayo kungenwe kuso okanye ingxowa-mali ifakwa kwenye ingxowa-mali njengoko kuchaziwe kwisolotyama (1) (b).
- (3) Ukuba ke ekuphelelweni kwesi siVumelwano akukho Bhunga likhoyo, ingxowa-mali yenzuzo ifanele ivalwe ngokukhawuleza.
- (4) Ekuvalweni kwengxowa-mali yenzuzo, imali ekhoyo kuloo ngxowa-mali ifanele -
- (a) okokuqala isetyenziselwe ukuhlawula onke amabango engxowa-mali, kuquka ulawulo neendleko zokuvalwa kwayo;
- (b) Ukuba iBhunga lisekhona, imali eseleyo ifanele ihlawule iingxowa-mali jikelele zeBhunga;

- (c) Ukuba iBhunga alisekho, ibe nemicimbi yeBhunga ivaliwe ibe nempahla yexabiso yalo ichithiwe, nayiphi na imali eya kwingxowa-mali ifanele ichithwe ngokwecandelo lama-59(5) loMthetho ngokungathi beziyinxalenye yeengxowa-mali jikelele zeBhunga.

28. Amasolotya olawulo lweentlawulo eziphuma kwiNgxowa-mali yokuHlawula iKhefu kunye neNgxowa-mali yokuHlawula iBhonasi yeHolide

- (1) Umqeshi ufanele athi nyaka ngamnye, ubuncinane kwisithuba seentsuku ezili-15 ngaphambi kokuqukumbela umjikelo wekhefu lonyaka lomsebenzi ochazwe kwisolotya le-18(1) azalise iikopi ezintathu iVawutsha yeSaziso sokuHlawulwa kweKhefu kwifomu elungiselelwe loo njongo liBhunga (isiHlomelo A6), aze -
- (a) agcine ikopi ibe nye;
 - (b) enye ikopi ayinike umsebenzi;
 - (c) agqithise enye ikopi kuSosiba kaZwelonke weBhunga kunye nayo nayiphi na iminikelo yeNgxowa-mali yokuHlawula iKhefu yaloo msebenzi yomjikelo ofanelekileyo wekhefu lonyaka engekahlawulwa kwiBhunga; yaye
 - (d) izicelo zamaxesha athile zeNgxowa-mali yokuHlawula iKhefu ifanele ifikelele kwiBhunga ubuncinane kwisithuba seentsuku ezi-5 ngaphambi kokuba umsebenzi aye ekhefini.
- (2) Ukuhlawulwa kwekhefu liBhunga, kuxhomekeka -
- (a) ekubeni umsebenzi agqibe umjikelo wekhefu lonyaka ekubhekiselwe kuwo kwisolotya le-18 (1);
 - (b) ekubeni iBhunga ligcine iimali zomsebenzi ezikwiNgxowa-mali yokuHlawulwa kweKhefu;
 - (c) nasekubeni umqeshi afake isicelo sokuhlawulwa kuSosiba kaZwelonke weBhunga ngokuvumelana nesolotyana (1).
- (3) Ekufumaneni kwalo esi sicelo ngokweli solotya, iBhunga lifanele *lihlawule* imali elinganayo neminikelo yokuhlawulwa kwekhefu efunyenweyo ngethuba lomjikelo wekhefu lonyaka laloo msebenzi.
- (4) Ukuhlawulwa kwekhefu kufanele kwenziwe xa umsebenzi esiya ekhefini, nokuba -
- (a) kwenziwa ngqo kumsebenzi; okanye
 - (b) kungesivumelwano somsebenzi nomqeshi, inikwa umqeshi ukuze ayigqithise yena kumsebenzi.
- (5) IBhunga lifanele lihlawule ibhonasi yeholide (itsheke ye-13) kumsebenzi ngamnye ngoDisemba nyaka ngamnye, kuxhomekeka -
- (a) kwiBhunga eligcina imali yomsebenzi ekwingxowa-mali yokuhlawula ibhonasi yeholide.

29. Ingxowa-mali yokuHlawula iKhefu

- (1) Iminikelo eya kwiNgxowa-mali yokuHlawula iKhefu -
- (a) ifanele ihlawulwe kumsebenzi ngamnye oqeshwe ngumqeshi kudidi loku-1 ukuya kutsho kolwesi-6 ngenyanga elandelayo;
 - (b) ibalwa ngale ndlela ilandelayo:
 - (i) abasebenzi abangaphantsi kweminyaka emi-5 yenkonzo iba ngama-25 ekhulwini lomvuzo oqhelekileyo osisiseko weveki;
 - (ii) abasebenzi abagqibe iminyaka emihlanu yenkonzo kodwa babe bengaphantsi kweminyaka eli-10 yenkonzo eqhubekayo iba ngama-28.34 ekhulwini omvuzo oqhelekileyo osisiseko weveki; yaye
 - (iii) abasebenzi abaneminyaka eli-10 nangaphezulu iba ngama-33.3 ekhulwini omvuzo oqhelekileyo osisiseko weveki.
 - (c) iminikelo ihlawulwa kwiBhunga lingakhathaliseki inani leentsuku azisebenzileyo umsebenzi kuloo nyanga, kuxhomekeka kwisolotyama lama-24(2) kunye (3).
- (2) Endaweni yeminikelo efunekayo ngokwesolotyana (1), aba baqeshi balandelayo basenokhlawula umsebenzi ngamnye ochaziweyo imali ngokusekelwe kwinkqubo echazwe kwisolotyana (3) -
- (a) inkonzo yengqesho yexeshana malunga nabasebenzi bexeshana;
 - (b) umqeshi wabasebenzi bexeshana abasebenza ngaphantsi kweeyure ezili-15 ngeveki; okanye
 - (c) umqeshi wabasebenzi bakaxakeka abaqeshwe ngaphezu kweentsuku ezingama-90 kwisithuba seeveki ezingama-52.
- (3) Inkqubo efanele isetyenziswe ekuhlawuleni endaweni yeminikelo yeNgxowa-mali yokuHlawula iKhefu, malunga nawuphi na umsebenzi oqhelekileyo weyure okanye inxalenye yeyure esetyenzwe kudidi ngalunye lomsebenzi-
- $$\frac{25}{100} \times \frac{\text{Uwonke umvuzo osisiseko weveki}}{195}$$
- (4) Umqeshi womsebenzi wexeshana osebenza umlinganiselo weeyure ezili-15 okanye iiyure ezingakumbi ngeveki, ufanele asekele indlela abala ngayo kumvuzo oqhelekileyo osisiseko weveki ngokwesolotyana (1), ngokwale nkqubo ilandelayo-
- $$\text{Umvuzo osisiseko oqhelekileyo weveki} = \frac{\text{Uwonke umvuzo osisiseko weveki ofunekayo ngenyanga}}{1} \times \frac{3}{13}$$

30. Ingxowa-mali yokuHlawula iBhonasi yeHolide

- (1) Kuxhomekeka kweli solotyama, bonke abasebenzi kolu shishino baselungelweni lokufumana itsheke ye-13 elingana ne-4.33 yeeveki yomvuzo osisiseko wonyaka ohlawulwa kwiinyanga ezili-12 zenkonzo eqhubekayo kunye nomqeshi omnye. Itsheke ye-13 iya khlawulwa ngqo kubasebenzi ngoDisemba nyaka ngamnye yaye iya kulungelelaniswa ngonyaka wokuqala wenkonzo. Iminikelo yeNgxowa-mali yokuHlawula iKhefu leHolide -

-
- (a) ifanele ihlawulwe kumsebenzi ngamnye obeqeshwe ngumqeshi kudidi loku-1 ukuya kolwesi-6 kwinyanga elandelayo;
- (b) ilingana nama-36.08 ekhulwini omvuzo osisiseko oqhelekileyo weveki womsebenzi; yaye
- (c) ifanele ihlawulwe ngenyanga ukuba umsebenzi usebenzile kwinyanga edlulileyo.
- (d) Ifanele ihlawulwe kwiBhunga nokuba zingaphi na iintsuku azisebenzileyo umsebenzi kuloo nyanga, ngokwesolotyama-24 (2) kunye (3).
- (2) Endaweni yeminikelo efunekayo ngokwesolotyama (1), aba baqeshi balandelayo bafanele bahlawule umsebenzi ngamnye imali ngokusekelwe kwinkqubo echazwe kwisolotyama (3) -
- (a) inkonzo yengqesho yexeshana ngokuphathelele kubasebenzi bexeshana;
- (b) umqeshi wabasebenzi bexeshana ukuba abo basebenzi basebenze ngaphantsi kwe-15 leeyure ngeveki; okanye
- (c) umqeshi wabasebenzi bakaxakeka abaqeshwe ngaphezu kweeyure ezingama-90 kwisithuba seeveki ezingama-52.
- (3) Inkqubo efanele isetyenziswe endaweni yeminikelo yeNgxowa-mali yokuHlawula iKhefu leHolidi imalunga nazo zonke iiyure zokusebenza okanye inxalenye yeyure esetyenziweyo kudidi ngalunye lomsebenzi-
- 36.08 x Uwonke umvuzo weveki
- | | |
|-----|-----|
| 100 | 195 |
|-----|-----|
- (4) Umqeshi womsebenzi wexeshana osebenza umlinganiselo weeyure ezili-15 okanye ngaphezulu ngeveki, ufanele asekele ukubala kwakhe kumvuzo osisiseko oqhelekileyo weveki esebenzisa le nkqubo ilandelayo, ngokuphathelele iminikelo efunekayo ngokwesolotyama (1)-
- Umvuzo oqhelekileyo weveki =
- | | | |
|---|---|----|
| <u>Uwonke umvuzo osisiseko weveki ofunekayo ngenyanga x 3</u> | 1 | 13 |
|---|---|----|
- (5) Akukho mali efanele ixhuzulwe kwibhonasi yokuhlawulela iholide ekuhlawuleni nayiphi na imali umsebenzi ayityala umqeshi.

INXALENYE 5: UMVUZO

31. Ukuhlawulwa komvuzo wabasebenzi ingengabo abasebenzi bakaxakeka

- (1) Ngokwenjongo yeli solotyama, umvuzo uquka imirholo yabasebenzi, iintlawulo zexesha elongezelekileyo, izibonelelo nezinye iintlawulo ezifunyanwa ngabasebenzi.

-
- (2) Umqeshi ufanele ahlawule umsebenzi umvuzo wakhe -
- (a) ngekheshi iveki nganye ngeeyure eziqhelekileyo zokusebenza ngosuku oluqhelekileyo lokurhola;
 - (b) ngemvume ebhaliweyo yomsebenzi
 - (i) ngenyanga ngekheshi okanye ngetsheke ngeeyure eziqhelekileyo zokusebenza komsebenzi ngosuku oluqhelekileyo lokurhola;
 - (ii) enobana umsebenzi uhlawulwa ngeveki okanye ngenyanga kwi-akhawunti yebhanki yomsebenzi kusini na, ngosuku okanye ngaphambi kosuku oluqhelekileyo lokurhola.
 - (c) Ekuyekeni ukusebenza ngosuku oluqhelekileyo lokurhola.
 - (d) lintlawulo zomvuzo okhutshwa ngekheshi okanye ngetsheke zifanele zifakwe kwimvulophu evaliweyo okanye kwinto evaliweyo.
- (3) Imvulophu yomvuzo okanye into yokuwufaka ekubhekiselwe kuyo kwisolotyana (d) ifanele ibhalwe le nkcazelo ilandelayo, okanye ifanele ikhatshwe sistatimente esibhalwe le nkcazelo ilandelayo-
- (a) igama lomqeshi;
 - (b) igama lomsebenzi okanye inombolo yakhe yokurhola kunye nodidi akulo;
 - (c) inani leeyure eziqhelekileyo azisebenzileyo umsebenzi;
 - (d) inani leeyure zexesha elongezelelekileyo ezisetyenziweyo ngumsebenzi;
 - (e) umvuzo womsebenzi;
 - (f) iinkcukacha zazo naziphi na iintlawulo eziphuma kwingqesho yomsebenzi;
 - (g) iinkcukacha zazo naziphi na iimali ezixhuzuliweyo;
 - (h) imali ehlawulwe kumsebenzi; yaye
 - (i) ixesha eyenziwe ngayo intlawulo, kunye nemvulophu okanye into yokuyifaka apho zibhalwe khona ezi nkcukacha zichaziweyo, okanye istatimente apho ezo nkcukacha ziboniswa khona, ziya kuba zezomsebenzi lowo.
- (4) Ukuba umvuzo womsebenzi uhlawulwe kwi-akhawunti yebhanki yomsebenzi, umqeshi ufanele anike umsebenzi -
- (a) Irisithi ebonisa ubungqina bentlawulo; kunye
 - (b) Nestatimente esibhekisela kwisolotyana (3).
- (5) Iinkcukacha ezibhalwe kwisolotyana (3) zisenokubhalwa ikhowudi ngaphandle kokuba ikhowudi ichazwe ngokucacileyo yaye icaciswe kwisaziso -
- (a) esikhapha intlawulo leyo; okanye
 - (b) sigcinwe sibekwe kwindawo ecacileyo ukuze sifumaneke kubo bonke abasebenzi.
- (6) Ukuba umsebenzi akaphangelanga ngosuku oluqhelekileyo lokurhola, umsebenzi ufanele ahlawulwe kwisithuba seeyure ezingama-24 efikile emsebenzini.

-
- (7) Kwisithuba seentsuku ezili-14 zomhla wokuhlawulwa, umsebenzi angafaka umbuzo kumqeshi malunga -
- (a) naziphi na iinkcukacha ezikwimvulophu, into yokufaka umrhulo womsebenzi, okanye istatimente esiyiphelekayo;
 - (b) nemali ehlawulwe umsebenzi.
- (8) Ukuba umsebenzi akaxolanga yimpendulo yomqeshi kumbuzo awubuzileyo ngokwesolotyana (7), umsebenzi usenokubhekisa umbuzo kwiBhunga, umbuzo lowo ofanele ufunyanwe liBhunga kwisithuba seeveki ezingama-26 lomhla wentlawulo.

32. Imiyalelo nokuxhuzulelwa imali okungavumelekanga

- (1) Kuxhomekeka kuwo nawuphi na omnye umthetho, akukho ntlawulo yomsebenzi efanele yamkelwe ngumqeshi, nokuba ngokuthe ngqo okanye ngokungangqalanga, ngokuqesha okanye ngokuqeqesha loo msebenzi.
- (2) Umqeshi akanakungafuni ukuba umsebenzi athenge nayiphi na impahla kumqeshi okanye nakweliphi na ishishini okanye umntu otyunjwe ngumqeshi.
- (3) Kuxhomekeka kuwo nawuphi na omnye umthetho, umqeshi akanakungafuni ukuba umsebenzi amkele indawo yokuhlala, izidlo okanye izixhaso kumqeshi okanye kuye nawuphi na umntu okanye nakweyiphi na indawo etyunjwe ngumqeshi.
- (4) Umqeshi angangalinganisi intlawulo yomsebenzi ngaso nasiphi na isizathu, ngaphandle kwesolotyana 37, 38 nelama-39.

33. Imivuzo

- (1) Kuxhomekeka kwisolotyana lama-31(2), bonke abasebenzi abangengabo abasebenzi bakaxakeka okanye abasebenzi benkonzo yengqesho yexeshana bafanele bahlawulwe ngeveki.
- (2) IShedyuli yesi-5 kwesi siVumelwano ichaza umvuzo weveki wabasebenzi ochazwe kwesi siVumelwano.
- (3) Ukuba umsebenzi uhlawulwa ngenyanga, umvuzo wenyanga waloo msebenzi uya kubalwa ngokuphindwe kane kunye nekota (4,333) -
- (a) umvuzo weveki womsebenzi ochazwe kwiShedyuli yesi-5; okanye
 - (b) nawuphi na umvuzo ophakamileyo weveki oqhele ukuhlawulwa umsebenzi.

-
- (4) Umsebenzi, ngaphandle komsebenzi wexeshana wenkonzo yengqesho yexeshana, ohlawulwa umvuzo omkhudlwana kunokuba kuchaziwe kwesi siVumelwano wodidi lomsebenzi wakhe ufanele aqhubeke efumana loo mvuzo mkhudlwana ngeli lixa eqashwe ngumqeshi omnye kwakuloo msebenzi omnye, ngaphandle kokuba umsebenzi isolotyama-74 alisebenzi kuloo mqeshi.
 - (5) Umsebenzi angangawamkeli umvuzo ongaphantsi kunalo uchazwe kwesi siVumelwano kumsebenzi okudidi lwakhe.
 - (6) Ngokweenjongo zeli solotyama, "isiVumelwano" siquka naluphi na utshintsho kwesi siVumelwano.

34. Imivuzo eyahlukeneyo

- (1) Kuxhomekeka kwisolotyama (2), umsebenzi, ingenguye umsebenzi wexeshana wenkonzo yengqesho yexeshana, owenza umsebenzi wodidi olunomvuzo omkhudlwana ochazwe kwesi siVumelwano kunomvuzo oqhelekileyo womsebenzi lowo kulo naluphi na usuku, ufanele ahlawulwe umvuzo omkhudlwana ngolo suku xa lulonke.
- (2) Umsebenzi kaxakeka owenza umsebenzi weendidi ezinemivuzo eyahlukeneyo ezichazwe kwesi siVumelwano ngalo naluphi na usuku ufanele ahlawulwe owona mvuzo mkhulu ngolo suku, kunye neprimiyamu ye-10 ekhulwini yowona mvuzo mkhulu.

35. Iindlela zokukhuthaza abasebenzi

- (1) Umqeshi usenokusebenzisa inkqubo yokukhuthaza abasebenzi apho umvuzo womsebenzi usekelwe kubungakanani bomsebenzi awenzileyo okanye kwigalelo lakhe, ukuba -
 - (a) loo nkqubo ivisisana neli solotyama yaye inesigunyaziso seBhunga;
 - (b) iincwadi zokubhalisa ezichazwe kwisolotyama lama-50 nelama-51 lesi siVumelwano zigcinwa ngokufanelekileyo;
 - (c) umsebenzi oyinxalenye yaloo nkqubo, akahlawulwa ngaphantsi kunoko aselungelweni lokukufumana ngokwesolotyama 11, 14, 15, 16 nelama-36 kunye neShedyuli yesi-5.
- (2) Umqeshi onqwenela ukusebenzisa inkqubo yokukhuthaza abasebenzi ufanele aseke ikomiti ebunjwe linani elilinganayo labameli babalawuli kunye nabameli abanyuliweyo babasebenzi ukuze baxoxe baze bavumelane ngemimiselo yaloo nkqubo.
- (3) Imimiselo yenkqubo yokukhuthaza abasebenzi -
 - (a) ifanele ibhalwe phantsi ize ityikitywe ngawo onke amalungu ekomiti edibeneyo yabameli; yaye

-
- (b) Ingangahlonyelwa okanye ipheliswe lilo naliphi na iqela laloo nkqubo ngaphandle kokuba elo qela-
 - (i) linike onke amaqela isaziso esibhaliweyo njengoko kuvunyelwene ngamaqela angene kule nkqubo;
 - (ii) lithobele zonke iimfanelo ezichazwe kule nkqubo malunga nokuhlomela okanye ukuphelisa loo nkqubo.

36. Isibonelelo seNkxaso-mali nesiBonelelo samaNye amaZwe

- (1) Eli solotya alisebenzi kubaqeshi nabasebenzi abakwimiSebenzi yoMmoba namaHlathi.
- (2) IShedyuli yesi-5 yesi siVumelwano ichaza ubuncinane bemali ehlawulwayo njengenkxaso-mali yesibonelelo.
- (3) Inkxaso-mali yesibonelelo -
 - (a) Ifanele ihlawulwe abasebenzi abathi njengoko besenza imisebenzi yabo, bangabikho kumakhaya abo nakwiindawo abaphangela kuzo ngalo naliphi na ixesha elidlulayo ngaphaya kwexesha lokuphumla elisisinyanzelo leeyure ezilithoba ezilandelelanayo elichazwe kwisolotya lesi-6 (1);
 - (b) yongezelela kumvuzo ofunyanwa ngumsebenzi;
 - (c) ihlawulwa kwisithuba seentsuku ezisixhenxe zokugqitywa kohambo olubandakanyekileyo;
 - (d) ihlawulwa kwangaphambili kumsebenzi oza kuthatha uhambo oluza kumenza angabikho kangangeeyure ezingama-48 okanye ngaphezulu. Xa kunjalo, ubude bexesha lokungabikho lifanele liqikelelwe yaye umsebenzi ufanele abuyisele umqeshi nayiphi na intlawulo ethe chatha kweso sibonelelo ekupheleni kohambo.
- (4) Umsebenzi ofanelekela inkxaso-mali yesibonelelo nokwayifumanayo akakho lungelweni lokufumana inkxaso-mali yesibonelelo sokusebenza ebusuku.

37. Ukuxhuzulelwa imali ngenxa yelahleko okanye umonakalo

- (1) Ngaphandle kwalapho kuchazwe ngenye indlela kwesi siVumelwano, abasebenzi bangangakuvumi ukuxhuzulelwa imali kwimivuzo yabo ngenxa yelahleko okanye umonakalo ofunyenwe ngumqeshi, ngaphandle kokuba -
 - (a) Ilahleko okanye umonakalo wenzeke ngexesha lengqesho yaye ubangelwe ngumsebenzi;
 - (b) Imali exhuzulwayo ingaphantsi kwe-R1 000,00; yaye
 - (c) Isivumelwano sokuxhuzulelwa imali sibhaliwe yaye umsebenzi uyalityikitya uxwebhu phambi kwabasebenzi abangoogxa bakhe abakhethwe nguye.

-
- (2) Ukuba umsebenzi akavumelani nokuxhuzulelwa imali, okanye nakweyiphi na imali exhuzulwayo engaphezu kwe-R1 000,00, umqeshi angayixhuzula loo mali xa ethe wamfumanisa enobutyala umsebenzi ngaloo lahleko okanye umonakalo emva kophando olungenamkhethe apho kuye kwalandelwa inkqubo engenamkhethe abe umsebenzi enikwe ixesha elisengqiqweni lokubonisa isizathu sokuba loo mali ibingafanelanga ixhuzulwe.
 - (3) Iyonke imali exhuzulwayo ngenxa yelahleko okanye umonakalo -
 - (a) Mayingadluli kwixabiso lelahleko okanye umonakalo yaye akufanelanga kuxhuzulwe imali ukuba oko kungenza ukuba umqeshi afumane imali-mbuyiselo kabini ngelahleko okanye umonakalo omnye:
 - (b) Mayingadluli kwikota enye (ama-25 ekhulwini) yomvuzo womsebenzi.
 - (4) Kuso nasiphi na isithuba seeveki ezingama-52, imali exhuzulelwa ngenxa yelahleko okanye umonakalo mayingadluli kuma-20 ekhulwini omvuzo wonyaka womsebenzi.

38. Ukuxhuzulelwa imali ngenxa yamatyala abanye abantu

- (1) Ngokuphathelele amanye amatyala, umqeshi angangaxhuzuli nayiphi na imali kumvuzo womsebenzi ngaphandle kokuba -
 - (a) ukuxhuzula imali kufuneka okanye kuvunyelwe nguwo nawuphi na umthetho, isivumelwano esimanyeneyo, umyalelo wenkundla okanye uxolelwaniso; okanye
 - (b) umsebenzi uyavuma ngokubhala ukuba kuxhuzulwe imali yetyala elichazwe kweso sivumelwano; okanye
 - (c) isivumelwano sayo nayiphi na impahla ethengwe ngumsebenzi sichaza uhlobo lwayo kunye nenani lezo mpahla.
- (2) Umqeshi oxhuzula imali emvuzweni womsebenzi ukuze ahlawule omnye umntu ufanele ahlawule loo mali kuloo mntu ngokuvumelana nexesha nezinye izinto eziyimfuneko ngokweso sivumelwano, umthetho, isivumelwano esimanyeneyo, umyalelo wenkundla okanye uxolelwaniso.

39. Ezinye iimali ezixhuzulwayo

- (1) Umqeshi angangafuni okanye avumele umsebenzi ukuba -
 - (a) ahlawule nayiphi na intlawulo, ngaphandle kweentlawulo ezithe kratya ezenziwe ngaphambili ngumqeshi ezibangelwe yimpazamo ekubaleni umvuzo womsebenzi; okanye
 - (b) avume ukwamkela imali enkudlwana kunomvuzo awufumeneyo.

-
- (2) Ngaphandle kokuba kuchazwe ngenye indlela kwesi siVumelwano, umqeshi angaxhuzula, emvuzweni womsebenzi ongaphangelanga imali -
- elingana nexesha ebengaphangelanga ngalo umsebenzi;
 - ebalwa ngokomvuzo osisiseko womsebenzi ngokuphathelele kwiiyure eziqhelekileyo zokusebenza ngexesha ebengaphangelanga ngalo.
- (3) Kuxhomekeka kwimvume yeBhunga, umqeshi angaxhuzula emvuzweni womsebenzi -
- imali ehlawulwe kwangaphambili ngumqeshi kumsebenzi;
 - indleko zempahla ekhuselayo, izixhobo okanye impahla enikwa umsebenzi simahla angayibuyiselanga kumqeshi, xa ethe wacelwa ukuba ayibuyise.
- (4) IBhunga liya kukhupha imvume yalo kuphela ekuxhuzulweni kwemali ngenxa yokulahleka kwesixhobo okanye impahla -
- ebiphathiswe umqhubi nebifanele ihlale elugcinweni lwakhe ngamaxesha onke umqhubi esemsebenzini ngawo;
 - ebifanele ithwalwe kwisithuthi nebifanele igcinwe kwisithuthi esitshixiweyo.
- (5) Umsebenzi ongakuginyi ncam nakuphi na ukuxhuzulelwa imali emvuzweni, angathi ngesihle abhenele kwiBhunga eliya kuthi lona liqwalasele zonke izibakala ezifanelekileyo lize lisixhase okanye lisikhabe eso sibheni.

INXALENYE YESI-6: UKUYEKA UKUSEBENZA

40. Isaziso nokuhlawula endaweni yesaziso

- (1) Kuxhomekeka kwisolotya (2), umqeshi okanye umsebenzi, ngaphandle komsebenzi kaxakeka wenkonzo yengqesho yexeshana, angasiphelisa isivumelwano sengqesho ngesaziso esingekho ngaphantsi -
- kweveki enye, ukuba umsebenzi ebeqashwe iiveki ezingama-26 okanye ngaphantsi;
 - kweveki ezimbini, ukuba umsebenzi ebeqashwe ngaphezu kweveki ezingama-26 kodwa ngaphantsi kweveki ezingama-52;
 - kweveki ezine, ukuba umsebenzi ebeqashwe ngaphezu kweveki ezingama-52.
- (2) Endaweni yesaziso -
- umqeshi angahlawula umsebenzi umvuzo obuya kufunyanwa ngumsebenzi ukuba umsebenzi ebesenzile ngelo thuba lesaziso;

-
- (b) umqeshi angavuma ukuyeka okanye ukuhlawula imali umsebenzi ebeya kuyifumana ukuba ebesebenza ngelo thuba lesaziso.
 - (3) Isaziso sokuyeka ukusebenza sifanelwe sibhalwe phantsi ngokwesiHlomelo A7.
 - (4) Akukho nto elapha kweli soloty echaphazela -
 - (a) ilungelo lomqeshi okanye umsebenzi lokuphelisa isivumelwano sengqesho ngaphandle kwesaziso ngaso nasiphi na isizathu esiqondwa ngumthetho njengesaneleyo; okanye
 - (b) nasiphi na isivumelwano phakathi komqeshi nomsebenzi esichaza ixesha elidana lesaziso kunala maxesha achazwe kwisolotyana (1), ngaphandle kokuba -
 - (I) isaziso ekufuneka umqeshi nomsebenzi besikhuphile sifanele silingane ngexesha;
 - (II) intlawulo ekhutshwayo endaweni yesaziso ifanele ilingane nexesha lesaziso elichazwe kwesi sivumelwano.

41. Amaxwebhu afanele anikwe umsebenzi ngexesha lokuyeka

- (1) Umqeshi ufanele anike umsebenzi oyeka ingqesho isiqinisekiso senkonzo ngokwesiHlomelo A3.
- (2) Ikopi yeso siqinisekiso senkonzo sifanele sidluliselwe ngumqeshi kwiBhunga ungadlulanga umhla wama-20 wenyanga elandela ukuphelisa komsebenzi isivumelwano sengqesho.
- (3) Eli soloty alisebenzi -
 - (a) kubasebenzi abavela bayeke umsebenzi ngaphandle kwesizathu;
 - (b) kumsebenzi kaxakeka; okanye
 - (c) umsebenzi wexeshana wenkonzo yengqesho yexeshana.

42. Imali-mbuyekezo efanele ihlawulwe ngokupheliswa kwesivumelwano ngaphambi kwexesha

Imali-mbuyekezo ehlawulelwa ukupheliswa kwesivumelwano ngaphambi kwexesha ifanele ilawulwe ngokweCandelo le-189 loMthetho kunye neCandelo lama-41 loMthetho wemiQathango esisiSeko yeNgqesho, wama-75 ka-1997.

43. Ukuhlawulwa kwekhefu elingasetyenziswanga

- (1) Ekupheliseni ingqesho, umsebenzi ufanele ahlawulwe -
 - (a) ngalo naliphi na ikhefu elingasetyenziswanga; yaye
 - (b) ngokuphathelele kumjikelo ongaphelanga wekhefu, imali engekho ngaphantsi kwenani elilingana neentsuku ngokwesolotyana le-18 (2).

-
- (2) Intlawulo efanele ifunyanwe ngumsebenzi ngokwesolotyana (1) -
- (a) ifanele ihlawulwe emvuzweni womsebenzi awufumana ngokukhawuleza ngaphambi komhla wokuyeka ukusebenza;
 - (b) ingacuthwa xa umsebenzi eyeka ukuphangela ngaphandle kokunika isaziso esifunekayo esichazwe kwisolotyama-40, ngemali elingana nemali ebiya kufunyanwa ngumsebenzi ukuba ebeya kusebenza ngelo xesha lesaziso, ngaphandle kokuba umqeshi uthethe akasinanza eso saziso.
- (3) Ukuba ingqesho yomsebenzi iphela ngaphambi kokuba umsebenzi afanelekele ikhefu lonyaka ngokwesolotyama le-8 -
- (a) Umqeshi ufanele azalise iiVawutsha ze-Pro Rata Accrued Entitlement. Advice ezintathu kwifomu echazwe liBhunga ngale njongo (isiHlomelo AS), aze -
 - (i) Agcine ikopi;
 - (ii) adlulisele ikopi kwisithuba seeyure ezingama-24 zokuyeka ingqesho yomqeshi kuSosiba kaZwelonke weBhunga; aze
 - (iii) adlulisele ikopi eseleyo kumsebenzi ukuze afake ibango;
 - (b) umsebenzi angafaka ibango kwiBhunga ukuze afumane -
 - (i) ukuhlawulelwa ikhefu analo;
 - (ii) ukuhlawulelwa ibhonasi yeholide; kunye
 - (iii) nengxowa-mali yebhonasi yokugula nokungaphangeli.
- (4) Ekubaleni imali efanele ifunyanwe ngumsebenzi ngokwesolotyama (4)(b), kuya kusebenza ezi zinto zilandelayo -
- (a) ikhefu eliqokelelweyo libalwa ngokwesolotyama le-18 (2);
 - (b) intlawulo yekhefu eliqokelelweyo nentlawulo yebhonasi yeholide ibalwa ukususela -
 - (i) kumhla wokuqalisa ukusebenzela umqeshi; okanye
 - (ii) kumhla wekhefu lokugqibela lomsebenzi; kunye/okanye kwintlawulo yebhonasi yeholide yokugqibela.
 - (c) intlawulo eqokelelweyo yekhefu kunye nentlawulo yebhonasi yeholide eqokelelweyo ibalwa emva kokuba umsebenzi enikwe iintsuku zokusebenza ngokuvumelana nexesha lekhefu umsebenzi ebeya kulifumana ngokwesolotyama (1) (b), ngokwale nkqubo:

Inani leentsuku zokusebenza azinikwayo =

$$\frac{x}{12} \times \frac{15}{1}$$

apho X = elingana nenani lemijikelo enikiweyo kwisolotyama lama-29 (1) (b) nelama-30 (1) (c) ekubeni ukuqalisa ingqesho okanye ukuqalisa kwexesha lokugqibela lekhefu kunye okanye intlawulo yebhonasi yeholide.

-
- (5) Ukuhlawulwa kwekhefu eliqokelelwe ngumsebenzi ngokwesolotyana (1) akufanelanga kunikwe okanye kwamkelwe ngumsebenzi obandakanyekayo, kodwa kufanele kuthunyelwe ngokukhawuleza emveni kokuyeka iinkonzo kuSosiba kaZwelonke weBhunga. Ukuhlawula komqeshi ikhefu eliqokelelweyo, ibhonasi yeholide eqokelelweyo okanye ikhefu lokugula nelokungaphangeli eliqokelelweyo ngokuthe ngqo kumsebenzi akuyi kumkhulula umqeshi kuxanduva lokuthumela loo mali kwiBhunga yaye akukho mbuyekezo eya kuvunyelwa.
- (6) Intlawulo yekhefu eliqokelelweyo nebhonasi yeholide ifanele ihlawulwe -
- (a) Kumsebenzi kwiiveki ezine emveni kokuyeka komsebenzi ingqesho yomqeshi okanye kwiiveki ezine emveni kokuba umsebenzi eshiye enye ingqesho kolu shishino, njengoko kunokuba njalo;
 - (b) ngokukhawuleza, kumsebenzi, ukuba umsebenzi ugxothiweyo ngezizathu zomsebenziokanye ngenxa yokungaqhubi kakuhle; okanye
 - (c) ngokukhawuleza, kwikhaya lomsebenzi, ukuba umsebenzi uswelekile.

44. Inkqubo yokudenda

- (1) Inkqubo yokudenda echazwe kuMthetho isebenza kuko nakuphi na ukudendwa kwabasebenzi.
- (2) Ukudendwa komsebenzi kufanele kuhambisane -
 - (a) nesiqinisekiso senkonzo ngokwesiHlomelo A3; kunye
 - (b) neleta eqinisekisayo ukuba umsebenzi udendiwe.
- (3) Kwisithuba seeyure ezingama-72 zokwazisa umsebenzi ukuba uye wakhethelwa ukudendwa, umqeshi ufanele azise iBhunga ngokubhala malunga nolo dendo.
- (4) Ukuba umqeshi ucinga ngokudenda okuphantsi kwecandelo 189A loMthetho, iBhunga lifanele limisele umnxibelelanisi ukuba ancede abandakanyeke kwiingxoxo zokudenda, ukuba -
 - (a) ukuba umqeshi ucele uncedo kwisaziso sakhe ngokwecandelo le-189 (3) loMthetho; okanye
 - (b) uqhagamshelana namaqela amela uninzi lwabasebenzi umqeshi acinga ngokubagxotha acele uncedo yaye elazisile iBhunga kwisithuba seentsuku ezili-15 zokufumana isaziso ngokwecandelo le-189 (3) loMthetho.
- (5) Ukuba iBhunga licelwe ukuba libonelele ngomnxibelelanisi, lifanele lenjenjalo -
 - (a) Ngokwecandelo le-189A loMthetho; yaye
 - (b) nayiphi na imimiselo ebekwe ngokwecandelo le-189A (6) loMthetho.

INXALENYE YESI-7: UXANDUVA LWABAQESHI

45. Ubhaliso neenkukacha ezifanele ziziswe ngabaqeshi

- (1) Wonke umqeshi, kuquka umqhubi ongumnini wesithuthi, ufanele athi kwisithuba seentsuku ezingama-30 zomhla wokuqalisa ukusebenza kwesi siVumelwano okanye kwisithuba seentsuku ezingama-30 zokungena kolu shishino, njengoko kunokuba njalo, anike iBhunga istatimente ngeziko lalo ngalinye ngokwesiHlomelo A.1, esibekelwe le njongo liBhunga, ecinga -
- (a) ngegama lorhwebo;
 - (b) inombolo yobhaliso yenkampani;
 - (c) inombolo yobhaliso ye-VAT;
 - (d) iinkukacha zebhanki zomqeshi;
 - (e) inombolo zefeksi/ezomnxeba/iinkukacha ze-imeyili;
 - (f) umntu ekunokuqhagamshelwana naye;
 - (g) idilesi yeposi;
 - (h) idilesi yendawo yeshishini;
 - (i) inqila kamantyi/iphondo;
 - (j) amagama apheleleyo omqeshi, achaze inombolo yesazisi nedilesi yekhaya, okanye ezikagxa wakhe ngamnye, umntu oliliso, umlawuli okanye ilungu ukuba umqeshi unamahlakani, yindibanisela okanye inkampani;
 - (k) igama loogxa, indibanisela okanye lenkampani yakhe;
 - (l) iinkukacha zenkamnkam yakhe/ingxowa-mali yomhlala-phantsi (ukuba uyimfuneko);
 - (m) amanani obhaliso ezithuthi ezisetyenziswayo nobunzima bezithuthi ezo;
 - (n) ifani noonobumba bokuqala bamagama abasebenzi, inombolo zezazisi, umhla, umvuzo weveki/inyanga nobulungu bombutho wabasebenzi (ukuba uyimfuneko).
- (2) Isolotyana (1) alifuni ukuba umqeshi abeke inkcazelo asele eyichazile ngokwesiVumelwano sangaphambili seBhunga, ngaphandle kokuba ezo nkukacha zitshintshile.
- (3) IBhunga lisenokufuna umqeshi akhuphe isiqinisekiso sesithuthi ukuba iBhunga linesizathu sokukholelwa kwelokuba ubunzima besithuthi abuchazwanga ngokuchanileyo kwifomu yobhaliso.
- (4) Ekufunyanweni kweenkukacha ekubhekiselwe kuzo kwisolotyana (1), iBhunga lifanele likhuphe isiqinisekiso soBhaliso ngokwesiHlomelo A.2.

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- (5) Wonke umqeshi obhalisiweyo ufanele azise iBhunga kwisithuba seentsuku ezingama-30 ngokubhala ngalo naluphi na utshintsho kwiinkcukacha ezichazwe nguye ekubhaliseni.

46. Abaqeshi kufuneka babe nala maxwebhu alandelayo

- (1) Abaqeshi bafanele baqinisekise ukuba ngawo onke amaxesha banezixa ezaneleyo zala maxwebhu alandelayo -
- (a) IsiHlomelo A3- isiqinisekiso senkonzo;
 - (b) IsiHlomelo A4 – imbuyekezo yenyanga yeerhafu neengxowa-mali zeBhunga;
 - (c) IsiHlomelo A5 – ivawutsha yesaziso i-pro rata accrued entitlement advice;
 - (d) IsiHlomelo A6 – ivawutsha yokuhlawulwa kwekhefu lonyaka;
 - (e) IsiHlomelo A7 – isaziso sokuyeka ukusebenza;
 - (f) IsiHlomelo A8 – isicelo senzuzo yekhefu lokugula.

47. Iyunifomu nempahla ekhuselayo

- (1) Umqeshi ufanele akhuphe isixa seeyunifomu simahla, iovarolo, iigambhuti, ikepusi okanye ezinye iimpahla ezikhuselayo ekufuneka umqeshi ezinike abasebenzi ngokomthetho okanye umthetho ofuna abasebenzi bazinxibe.
- (2) Umqeshi othi ngokucacileyo okanye ngokungacacanga afune abasebenzi bakhe banxibe impahla ekhuselayo engachatshazelwanga kwisolotyana (1) ufanele abanike loo mpahla simahla.
- (3) Nayiphi na impahla ekhuselayo enikwe umsebenzi simahla iba yimpahla yomqeshi.
- (4) Umgangatho nobuninzi beeyunifomu bufanele buxoxwe kwiziko elo.

48. Ikontraka ephantsi kwakho

- (1) Umqeshi ocinga ngokusebenzisa ikontraka esebenza ngaphantsi kwakhe ufanele asebenzise inkqubo echazwe kwisolotyana (2) ukuba ukusebenzisa ikontraka ephantsi kwakhe kungabangela -
- (a) Ukucutheka kwamaqondo engqesho; okanye
 - (b) iinguqulelo ezibonakalayo ngokwemiqathango yengqesho yabasebenzi.
- (2) Le nkqubo ilandelayo ifanele ilandelwe ngaphambi kokusebenzisa ikontraka ukuba iimeko ekucingwa ngazo kwisolotyana (1) kungaphumela -
- (a) Ekubeni umqeshi anike umbutho wabasebenzi okanye imibutho emela abasebenzi abachaphazelekayo, okanye abasebenzi abachaphazelekayo kubasebenzi abangekho kwimibutho yabasebenzi, ubuncinane iiveki ezine

zesaziso esibhaliweyo malunga neenjongo zokusebenzisa ikontraka esebenza phantsi kwakhe; yaye

- (b) Intlanganiso phakathi kwamaqela ifanele ibanjwe ngexesha elivunye ngumntu wonke kwisithuba seentsuku ezisixhenxe zomhla wokufumana isaziso ekubhekiselwe kuso kwisiqendu (a);
 - (c) Kwintlanganiso, amaqela afanele abonisane malunga nemfuneko nesizathu sokusebenzisa ikontraki engaphantsi.
- (3) Umqeshi osebenzisa ikontraki esebenza phantsi kwakhe kumsebenzi ophantsi kwemida ebhalisiweyo yeBhunga uya kubotshwa ngabande linye kunye naloo kontraki iphantsi kwakhe, ukuba loo kontraka iyasilela ukuthobela amasolotya esi siVumelwano.

49. Abameli babasebenzi kwiBhunga

Abameli babasebenzi kwiBhunga bafanele babonelelwe ngandlela zonke ngabaqeshi babo ukuze baphumeze iimfanelo zabo ngokunxulumene nomsebenzi weBhunga.

50. Iincwadi zokubhalisa

- (1) Wonke umqeshi ufanele agcine incwadi enye okanye iincwadi ezingakumbi zokubhalisa ezinenkcazelo echazwe kweli solotya yaye -
 - (a) aqinisekise ukuba zonke izinto ezibhalwe kwincwadi yokubhalisa azicimeki;
 - (b) ngamaxesha onke agcine iincwadi zokubhalisa zifumaneka ukwenzela ukuhlolwa phakathi kwamasango akhe; yaye
 - (c) agcine iincwadi zokubhalisa ezigcwalisiweyo kangangeminyaka emithathu ukususela kumhla wokufakwa kwenkcazelo yokugqibela kwincwadi yokubhalisa.
- (2) Ekuqaliseni komsebenzi ukuphangela, umqeshi ufanele afake ezi nkukacha zilandelayo kwincwadi yokubhalisa -
 - (a) amagama okuqala apheleleyo, ifani nenombolo yesazisi somsebenzi;
 - (b) udidi lomsebenzi womqeshwa lowo; kunye
 - (c) nomhla wokuqalisa komsebenzi lowo ukuphangela
- (3) Umqeshi ufanele agcine -
 - (a) incwadi yokubhalisa ixesha nomvuzo equlathe inkcazelo echazwe kwicandelo lama-31 (1), kunye (3) loMthetho wemiQathango esisiSeko yeNgqesho, yama-75 ka-1997, kunye nemimiselo yoMthetho, malunga nemivuzo ehlawulwayo kunye nexesha elisetyenzwa ngumsebenzi ngamnye;
 - (b) abhale onke amaxesha ekhefu lomsebenzi kulo ncwadi yokubhalisa okanye kwincwadi yokubhalisa yekhefu eyodwa.

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- (4) Umqeshi osebenzisa inkqubo -
- (a) yeveki enoxinzelelo lomsebenzi ngokwesolotya lesi-8, ufanele abhale imihla neeyure ezisetyenzwe ngumsebenzi ngamnye obandakanyeke kulo nkqubo kwincwadi yokubhalisa;
 - (b) ikhefu elihlawulelwayo lokusebenza ngeCawa okanye iholide kawonke-wonke, ngokwesolotya le-14 nele-15, okanye ixesha elongezelelekileyo ngokwesolotya le-11, ufanele agcine incwadi yokubhalisa ezi nkukacha -
 - (i) imihla neeyure zangeCawa, iholide kawonke-wonke okanye ixesha elongezelelekielyo elisetyenzwe ngumsebenzi ngokwenkqubo ebandakanyekileyo;
 - (ii) ukubalwa kwekhefu elihlawulelwayo lomsebenzi ngamnye; yaye
 - (iii) imihla namaxesha ekhefu elinikwe umsebenzi ngamnye.
- (5) Umqeshi ongene kwisivumelwano nabasebenzi ukuze asebenzise umlinganiselo weeyure zokusebenza ngokwesolotya le-9 ufanele agcine incwadi yokubhalisa enezi nkukacha-
- (a) Imihla, iiyure eziqhelekileyo zokusebenza nexesha elongezelelekileyo ezisetyenzwe ngumsebenzi ngamnye obandakanyeke kuloo nkqubo; yaye
 - (b) ukubala inani lomlinganiselo weeyure zomsebenzi ngamnye.

51. Ukukloka imihla ngemihla

- (1) Umqeshi ufanele anike bonke abaqhubi bakhe abakude kwiindawo abahlala kuzo nakwindawo yomqeshi abakuhambo ixesha lokuphumla lesinyanzelo eliziiyure ezilithoba ezilandelelanayo ezichazwe kwisolotya lesi-6(1) kunye nencwadi yokukloka imihla ngemihla enale ngombolo ilandelayo -
- (a) Amaxwebhu okukloka afanele agcwaliswe ngamabini yaye afakwe isiriyali;
 - (b) igama leBhunga, idilesi yesitrato nedilesi yeposi nenombolo yomnxeba yeyona ofisi ekufutshane yeBhunga kwindawo yomqeshi apho umsebenzi asebenza khona efanele abonakale kuxwebhu lokukloka;
 - (c) igama lomqeshi lifanele libonakale kuxwebhu ngalunye lokukloka;
 - (d) oku kulandelayo kufanele kubhalwe kuxwebhu lokukloka ngalunye -
 - (i) umhla;
 - (ii) igama lomqhubi;
 - (iii) igama lakhe nawuphi na umsebenzi jikelele, igosa lezokhuseleko okanye omnye umsebenzi ophelika isithuthi;
 - (iv) utyikityo lomqhubi nelomqeshi okanye ummeli ogunyaziswe ngumqeshi;
 - (v) inombolo yobhaliso lwesithuthi nayo nayiphi na inqwelo etsalwayo;
 - (vi) iinkukacha ezikwi-odomitha ekuqalisweni nasekupheleni kosuku lokusebenza;
 - (vii) ukuqalisa kosuku lokusebenza namaxesha okugqiba;

- (viii) amaxesha okuqalisa nawokugqiba ukutya;
- (viii) onke amaxeshaokuqalisanawokugqiba ukuphumla;
- (x) inani leeyure eziqhelekileyo zokusebenza;
- (xi) inani leeyure ezongezelekileyo ezisetyenziweyo;
- (xii) inani leeyure ezisetyenziweyo ngeeCawa nangeeholide zikawonke-wonke; yaye
- (xiii) kufanele kwenziwe amalungiselelo okuba umqhubi abhale amagqaza jikelele malunga nemisebenzi yakhe nazo naziphi na iingxaki kwisithuthi okanye inqwelo etsalwayo.

- (2) Ekusebenzeni usuku ngalunye umqhubi ufanele -
 - (a) abhale iinkcukacha ezifunekayo ngokwesolotyana (1) kwincwadi yokukloka; yaye
 - (b) ekupheleni kosuku ngalunye lokusebenza, okanye ngokukhawuleza kangangoko kunokwenzeka emva koko, ahambise uxwebhu loqobelo lokukloka kumqeshi aze agcine ikopi yoxwebhu lokukloka.
- (3) Umqhubi akafanelanga abhale iinkcukacha ezingachanekanga kwincwadi yokukloka yaye umqeshi angangafuni okanye avumele umqhubi ukuba abhale iinkcukacha zobuxoki kwincwadi yokukloka.
- (4) Ukuba umqhubi uhambisa izinto ekuhlaleni yaye engekho kude kwikhaya lakhe nendawo yomqeshi kuhambo olubandakanya nexesha lokuphumla elisisinyanzelo ekubhekiselwe kulo kwisolotyana (1), umqeshi usenokusebenzisa incwadi yokubhala amagama endaweni yencwadi yokukloka imihla ngemihla echazwe kwisolotyana (1).
- (5) Incwadi yokubhala amagama okanye iinkcukacha ezifakwa kwincwadi yokukloka imihla ngemihla zifanele zigcinwe ngumqeshi kwidilesi ebhalisiweyo yeshishini lomqeshi kangangeminyaka emithathu emva kokuba zibhaliwe kwincwadi yokubhalisa okanye incwadi yokukloka.

52. Ukuveza isiVumelwano nezaziso

- (1) Ikopi esemthethweni yesi siVumelwano, ubuncinane ngeelwimi ezimbini ezisemthethweni, ifanele igcinwe ngumqeshi -
 - (a) phakathi kwamasango akhe apho ziqhele ukumiswa khona iimoto zomqeshi; kunye
 - (b) nakwindawo eqhele ukurholelwa kuyo imivuzo.
- (2) Iikopi zesi siVumelwano, ekubhekiselwe kuzo kwisolotyana (1) zifanele zifumaneke ngokulula kubasebenzi.
- (3) Umqeshi ufanele, athi kwindawo yomqeshi, agcine kwindawo efikelekayo kubasebenzi, isaziso esichaza usuku lweveki, okanye ngokuxhomekeke kwisolotyana lama-31 (2) (b), usuku lwenyanga, nexesha kwanendawo

eqhele ukuhlawulwa kuyo imivuzo. Ukuba imivuzo iqhele ukurholwa kwiindawo eziliqela, isaziso ke sifanele sibe kwindawo nganye.

53. Imbuyekezo yenyanga zonke

- (1) Wonke umqeshi ufanele athobele isolotya 19, 29, 30, 54, 69, iNgxowa-mali yezoNyango njengoko kuchazwe kwiShedyuli yesi-4 yesi siVumelwano ne-Agency Shop Agreement (ISaziso R.1323 esikwiGazethi kaRhulumente 31681 yomhla we-12 kuDisemba 2008) ngokuzalisa nokuthumela imbuyekezo yenyanga zonke ngokwesiHlomelo A4 nokuhlawula kwiBhunga iyonke imali efunekayo kuloo mbuyekezo ngomhla obekiweyo.
- (2) Umqeshi uya kugqalwa kuphela njengoye wahambisana namasolotyana (1) angasentla afunyenwe liBhunga embuyekezo yenyanga zonke nentlawulo ngomhla obekiweyo.
- (3) Ngokuqala afumane imvume ebhaliweyo kaSosiba kaZwelonke weBhunga, umqeshi usenokuzenzela eyakhe imbuyekezo yenyanga zonke efanele ihambisane nesiHlomelo A4.
- (4) Ukuba umqeshi ufaka imbuyekezo yenyanga zonke enamakhwiniba okanye engaphelelanga, uSosiba kaZwelonke weBhunga, okanye igosa elibekwe ngokusesikweni nguSosiba kaZwelonke, lisenokuyibuyisela kunye nentlawulo ehamba nayo kumqeshi yaye -
 - (a) Umqeshi uya kugqalwa njengothe akawathobela amasolotyana afanelekileyo ekubhekiselwe kuwo kwisolotyana (1);
 - (b) Ilahleko malunga nexesha ebangelwe kukubuyisela imbuyekezo yenyanga zonke nentlawulo kumqeshi nangokuphinda ifakwe kwiBhunga, igqalwa njengetyala lomqeshi.
- (5) Ngokweenjongo zesolotyana (4), imbuyekezo yenyanga zonke igqalwa njengenamakhwiniba nengaphelelanga ukuba -
 - (a) ayihambisani nkalo zonke kunye nesiHlomelo A4;
 - (b) ayicacanga ngokwaneleyo, ngokokubona kukaSosiba kaZwelonke weBhunga;
 - (c) ayizichazi ngokuchanileyo nangokupheleleyo zonke iinkcukacha zomqeshi nabasebenzi bomqeshi njengoko zifuneka;
 - (d) Ayizichazi ngokuchanileyo okanye ayizicacisi apho kuyimfuneko, zonke iingcombolo ezifunekayo;
 - (e) Ichaza umnikelo omnye okanye iminikelo engachananga efunekayo ngokwesolotyana (1);
 - (f) ayidibani; okanye
 - (g) ayihambisani nentlawulo eyiphelekayo okanye nayiphi na intlawulo efunyenwe liBhunga malunga nembuyekezo.

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- (6) Ukususela kumhla wokubekwa kwesi siVumelwano bonke abaqeshi kolu shishino bafanele bafake iimbuyekezo zabo zenyanga zonke kwinkqubo ye-intanethi yeBhunga.

INXALENYE 8: IINGXOXO EZIMANYENEYO

54. Imirhumo yemibutho yabasebenzi

- (1) Imirhumo yemibutho yabasebenzi efanele ixhuzulwe kwimivuzo yabasebenzi ifanele igunyaziswe nguMbhali si wezoBudlelwane bezabaSebenzi ize ihanjiswe amaxesha ngamaxesha kubo bonke abaqeshi nguSosiba kaZwelonke weBhunga.
- (2) Iveki nganye okanye inyanga ganye umqeshi ufanele -
 - (a) Axhuzule emvuzweni wabasebenzi abangamalungu ombutho wabasebenzi oyinxalenye yesi siVumelwano, imirhumo yangoku ekubhekiselwe kuyo kwisolotyana (1); aze
 - (b) Athumele yonke imali exhuzuliweyo, kunye nembuyekezo yenyanga zonke (IsiHlomele A4) ngendlela echazwe liBhunga, kuSosiba kaZwelonke weBhunga, -20 wenyanga nganye elandelayo.
- (3) USosiba kaZwelonke weBhunga ufanele, athi ungadlulanga umhla we-10 wenyanga nganye, athumele kwimibutho yabasebenzi imirhumo efunyenwe liBhunga ngokwesolotyana (2) (b) kwinyanga eyandulelayo.

55. Imirhumo yentlangano yabaqeshi

- (1) Imirhumo eya kwintlangano yabaqeshi ifanele igunyaziswe nguMbhali si wezoBudlelwane bezabaSebenzi.
- (2) Xa iNtlango yabaQeshi icela uSosiba weBhunga ngokumbhalela ukuba aqokelele imirhumo egameni layo, abaqeshi abangamalungu aloo ntlango eyinxalenye yesi siVumelwano, bafanele bathumele umrhumo wabo ngomhla wama-20 wenyanga nganye kuSosiba kaZwelonke weBhunga.
- (3) USosiba kaZwelonke weBhunga ufanele, athi ungadlulanga umhla we-10 wenyanga nganye athumele kwintlangano yabaqeshi wonke umrhumo ofunyenwe libhunga ngokwesolotyana (2) kwinyanga eyandulelayo.

56. Icandelo leengxoxo

- (1) Icandelo leengxoxo lithetha bonke abasebenzi abaqeshwe kwimisebenzi, kwi-warehouse, kulondolozo nolawulo lwezithuthi, kodwa abangaquki abalawuli abathatha izigqibo zokugaya okanye ukululeka abasebenzi, kodwa ke bakwaquka abaphathi nokuba benza izigqibo ekugayeni okanye bayaluleka na.
- (2) Ukuze uqinisekise iindidi ezithile zomsebenzi uze ubone ezinye iindidi zemisebenzi kwicandelo leengxoxo elichaziweyo, iqela elikhethekileyo leBhunga liya kumiselwa ukuze -
 - (a) liqinisekise ukuba kukho iingcaciso ezimfutshane kudidi ngalunye; yaye
 - (b) liqinisekise ukuba ukuhlela imisebenzi ngokweendidi zemisebenzi echaziweyo ngokwesikali sikaPatterson: yaye
 - (c) ligqibe ngemilinganiselo yobuncinane bemivuzo yemisebenzi echaziweyo kolu shishino malunga nemivuzo/imirholo ekhoyo; yaye
 - (d) liqinisekise ukuba kumiselwa umboneleli weenkonzo ukuze enze iinkonzo ezichazwe kwisolotyana (a) ukuya kutsho (c) apha ngasentla.
 - (e) longamele, ngokubambisana neBhunga, ukuqokelelwa kwenkcazelo efunekayo ekuqinisekiseni ukuba amaqela eBhunga amelwa ngokufanelekileyo kwicandelo leengxoxo elichaziweyo liSebe lezabaSebenzi ngokweCandelo lama-49 loMthetho.
 - (f) Abasebenzi bakolu shishino banyanzelekile ukuba bafake inkcazelo malunga nengongoma (e) elapha ngasentla, qho ngenyanga kubo bonke abasebenzi abakwiCandelo leeNgxoxo ngokweli solotyana. Le nkcazelo ifanele ithunyelwe kwimbuyekezo yenyanga zonke, epapashwa liBhunga amaxesha ngamaxesha.

57. Izigaba zeengxoxo

- (1) IBhunga liliqonga elilodwa leengxoxo nokuqunjelwa kwezivumelwano kwimiba ephathekayo ephakathi kweentlangano zabaqeshi nezabasebenzi, kwelinye icala, kunye nemibutho yabasebenzi kwelinye.
- (2) Phezu kwalo nje eli nqanaba (1), abameli babasebenzi okanye imibutho emela abasebenzi inokuxoxa nomqeshi kwinkampani ngeemeko ezingentle zengqesho, iinkqubo zokusebenza, iibhonasi okanye iinkqubo zokukhuthaza abasebenzi benze ingeniso okanye imveliso engakumbi. Umba oyingqwalasela apha kweli solotyana awunakuxoxwa kwiBhunga.
- (3) Kwimeko apho iingxoxo zithi zixinge khona kumba okwisolotyana (2), kuya kuqwalaselwa amasolotyana esiVumelwano esiManyeneyo seBhunga sokuKhululeka kuXanduva oluthile nesokuSombulula iiMbambano.

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- (4) Akukho ntlangano yabasebenzi okanye eyabaqeshi efanele ikhuthaze ugwayimbo okanye ukungaphangeli okanye nayiphi na enye indlela ngelizama ukutyhala okanye ukunyanzela iingxoxo kwimiba ekubhekiselwe kuyo kwisolotyana (1) kuso nasiphi na isigaba kunebhunga.
- (5) Nasiphi na isivumelwano esimanyeneyo senkqubo phakathi komqeshi olilungu lentlangano yabaqeshi nombutho wabasebenzi esinamasolotyana ahambisana nesi sivumelwano -
- (a) sifanele sigqalwe ngamaqela esivumelwano njengesilungisiweyo ukuze sihambisane neli solotyana; yaye
- (b) asibopheleli xa amasolotyana aso engahambisani neli solotyana.

INXALENYE 9: INGQESHO ENGAVUMELEKANGA

58. Ukungavumeleki kwengqesho

- (1) Umqeshi akanako -
- (a) ukuqesha nawuphi na umntu ongaphantsi kweminyaka eli-16 ubudala; yaye
- (b) ukuthi enolwazi aqeshe umntu ongummi ongekho mthethweni.

INXALENYE 10: AMASOLOTYA ASEBENZA KWIINDIDI EZITHILE ZABASEBENZI

59. Abaqhubi

- (1) Ngaphandle kokuba umongo ubonisa ngenye indlela, abaqhubi babophelelekile ngokweli solotyana nasesi siVumelwano xa sisonke.
- (2) Ukongezelela nakweziphi na izinto eziyimfuneko ezichazwe kwesi siVumelwano okanye kuMthetho, abaqhubi abaqhuba izithuthi ezithutha amachiza ayingozi, okanye izinto ezinokutshabalalisa, banokuthatha inxaxheba kugwayimbo lwemizi-mveliso kuphela emva -
- (a) kokuhambisa imithwalo yabo ngokukhuselekileyo baze babuyisele izithuthi zabo kwindawo yomqeshi; okanye
- (b) kokunika abaqeshi babo isaziso esibhaliweyo ubuncinane kwisithuba seentsuku ezisixhenxe malunga neenjongo zabo zokuthatha inxaxheba kugwayimbo lwemizi-mveliso ukuba olo gwayimbo luza kwenzeka kwixesha ekufuneka bethathe uhambo ngalo oluquka ukuthutha amachiza ayingozi okanye izinto ezinokutshabalalisa.
- (3) Ukuba umxumi womqeshi unciphisa iiyure zomqhubi zokusebenza ngosuku ukususela kwiiyure ezili-15 ukuya kutsho kwiiyure ezimbalwa zokusebenza ngosuku, umqhubi ifanele agqalwe njengosebenze usuku lonke yaye ufanele ahlawulwe; -

-
- (a) iiyre eziqhelekileyo zokusebenza kunye nexesha longezelekileyo ngokwesi siVumelwano;
 - (b) isibonelelo esichazwe kwiShedyuli yesi-5.
- (4) Intlawulo yomqhubi ngokwesolotyana (3) ixhomekeka kwiimeko ezithile -
- (a) kwisibonelelo esihlawulwa kuzo naziphi na izinto apho nayiphi na imali okanye isibonelelo sele sihlawulwe ukuze sihlawulele injongo ekwanye; yaye
 - (b) umqhubi ongaliyo ukunikwa imisebenzi eyahlukeneyo.
- (5) Ngokweenjongo zeli solotyana, "umqhubi wempahla eyingozi" uthetha umqhubi ofaneleka njengomqhubi wempahla eyingozi none-Professional Driving Permit kunye nesiqinisekiso sokuthwala impahla eyingozi eqeshwe ngokukhethekileyo ukuze athuthe impahla yenkampani ebhaliselwe ukuthutha impahla eyingozi.
- (6) Abaqhubi bafanele baqiniseke ukuba bane-Professional Driving Permits esemthethweni nesexesheni.
- (7) Umqeshi womqhubi -
- (a) ufanele abuyisele iindleko zomqhubi nje ukuba anikwe ubungqina bentlawulo, ngeendleko ezichaziweyo zokuhlaziywa kwe-Professional Driving Permit neendleko zeencwadi zikagqirha nokuthatha imizila yeminwe, ukuba ibifuneka ngokusemthethweni;
 - (b) usenokuyifumana nayiphi na imali ehlawulwe njengembuyiselo-ndleko ngokweli solotyana, ngokuthi ayitsale emvuzweni womqhubi, ukuba umqhubi uyayeka emsebenzini kwisithuba seenyanga ezintandathu zokuhlaziywa kwe-Professional Driving Permit.
- (8) ISolotyana lesi-5 (6) lesi siVumelwano asisebenzi kubaqhubi okanye kumsebenzi okhaphayo okanye oncedisa umqhubi wesithuthi ngeli lixa eso sithuthi singekho phakathi kwamasango omqeshi

60. Abasebenzi beHAZCHEM

- (1) Isibonelelo sengozi sifanele sihlawulwe abasebenzi beHAZCHEM. Isibonelelo siya kuba ngu-0,5 ekhulwini womvuzo obekiweyo wabasebenzi beHAZCHEM obalwa ngeveki malunga nabasebenzi abahlawulwa ngeveki okanye ngenyanga kwabo barhola ngenyanga.
- (2) Ngokweenjongo zeli solotyana, "umsebenzi wesithuthi esithutha amaChiza ayiNgozi (HAZCHEM)" uthetha umqhubi ofanelekileyo njengoneMvume yokuQhuba iMpahla eyiNgozi yaye abe neMvume nomncedisi womqhubi ohamba nomqhubi bobabini abakwaqeshwe ngenjongo yokuthutha impahla eyingozi yenkampani ebhaliselwe ukuthutha impahla eyingozi.

61. Abasebenzi bexeshana

- (1) Ngaphandle kokuba umongo ubonisa ngenye indlela, abasebenzi bexeshana babotshiwe leli soloty nasesi siVumelwano sonke. Ukuba kukho ukungangqamani kweli soloty kwanelinye isoloty elikwisiVumelwano, eli isoloty liya kongama.
- (2) Isivumelwano esibhaliweyo sengqesho yexeshana sifanele sichaze inani leeyure loo msebenzi afanele azisebenze usuku ngalunye, iveki okanye inyanga.
- (3) Ubuncinane bomvuzo womsebenzi wexeshana ubalwa njengenxalenye yomvuzo ochazwe kwiShedyuli yesi-5 kudidi lomsebenzi owenziwa nguloo msebenzi.
- (4) Inani labasebenzi bexeshana abaqeshwe ngumqeshi, ngokomlinganiselo lisenokugqitha ngama-30 ekhulwini kubasebenzi bomqeshi ngenyanga kwisithuba seenyanga ezili-12.
- (5) Umqeshi ofanele anike umsebenzi wexeshana usuku olupheleleyo ngazo zonke iintsuku azisebenzileyo, lingakhathaliseki inani leeyure ezisetyenziweyo, ngaphandle kokuba umsebenzi akaphangelanga ngezizathu ezingachazwanga "kusuku lokusebenza" ngalo naluphi na usuku umsebenzi ekulindeleke asebenze ngalo.
- (6) Ngokweenjongo zokubala iminikelo ehlawulwa kwiingxowa-mali zenzuzo ekubhekiselwe kuzo kwiNxalenye yesi-4 yesi siVumelwano kwaneminikelo yeendleko zeBhunga echazwe kwisoloty lama-69 lesi siVumelwano, umvuzo oqhelekileyo osisiseko womsebenzi wexeshana osebenza umlinganiselo weeyure ezili-15 okanye iiyure eziqhelekileyo ezingaphezulu ngeveki, ibalwa ngolu hlobo -
 Umvuzo oqhelekileyo osisiseko weveki =

$$\frac{\text{Uwonke umvuzo osisiseko wenyanga}}{1} \times \frac{3}{13}$$

62. Abasebenzi bakaxakeka

- (1) Ngaphandle kokuba umongo ubonisa ngenye indlela, abasebenzi bakaxakeka babotshiwe leli soloty nasesi siVumelwano xa sisonke. Ukuba kukho ukungahambisani phakathi kweli soloty nelinye isoloty elikwesi siVumelwano, eli isoloty lona liya kongama.
- (2) Inani labasebenzi bakaxakeka abaqeshwe ngumqeshi, ngokomlinganiselo basenokungawagqithi ama-30 ekhulwini omlinganiselo wabasebenzi bomqeshi kwisithuba seenyanga ezili-12.
- (3) Abasebenzi bakaxakeka bafanele bahlawulwe -
 - (a) hayi ngaphantsi kwesihlanu somvuzo weveki ochaziweyo kubasebenzi abakudidi lwabo ngazo zonke iintsuku abasebenza ngazo iiyure ezintandathu okanye ngaphezulu; okanye
 - (b) ngomsebenzi weeyure ezintandathu abazisebenzayo xa besebenza ngaphantsi kweeyure ezintandathu ngalo naluphi na usuku; yaye

-
- (c) iprimiyamu eyongezelekileyo ye-10 ekhulwini yawo nawuphi na umvuzo ngokwesiqendu (a) okanye (b).
- (4) Umsebenzi kaxakeka owenza iindidi zomsebenzi ezinemivuzo eyahlukeneyo kwiShedyuli yesi-5 ngalo naluphi na usuku ufanele ahlawulwe owona mvuzo uphakamileyo ngolo suku, kunye neprimiyamu ye-10 ekhulwini yalo mvuzo uphakamileyo.
- (5) Umsebenzi kaxakeka osebenza ngaphezu kweentsuku ezingama-90 kwisithuba seeveki ezingama-52 -
- (a) akasekho lungelweni lokufumana iprimiyamu ye-10 ekhulwini kwimivuzo echazwe kwisolotyana (3)(c), kodwa uselungelweni lokufumana iinzuzo ngokwesolotyama-24 lesi siVumelwano kwanesolotyama lesi-7 (1) (d) (iii) lesiVumelwano seNgxowa-mali yoMhlalaphantsi;
- (b) ufanele anikwe usuku lokusebenza ngalo naluphi na usuku asebenza ngalo umsebenzi lowo, nokuba zingaphi na iiyure azisebenzileyo;
- (c) ufanele ahlawulwe endaweni yekhefu lonyaka, imali ebalwa kusetyenziswa inkqubo elandelayo ngayo yonke iyure eqhelekileyo, okanye inxalenye yeyure esetyenzisiweyo:
- $$\frac{25}{100} \times \frac{\text{Uwonke umvuzo osisiseko weveki}}{195}$$
- (6) Umsebenzi kaxakeka oqeshwe ngaphezu kweentsuku ezili-144 kwisithuba seeveki ezingama-52 ufanele anikwe isikhundla esisigxina yaye ufanele ahlawulwe ngokwesosikhundla.
- (7) Umsebenzi kaxakeka ufanele ahlawulwe ngekheshi -
- (a) ngosuku lokugqibela lokusebenza kwakhe ukuba uye wasebenza iintsuku ezimbini okanye ngaphantsi; okanye
- (b) ngosuku oluqhelekileyo lweveki lokurhola kwalo nkampani, ukuba umsebenzi lowo usebenze ngaphezu kweentsuku ezimbini.
- (8) Umsebenzi kaxakeka akafanelanga asebenze ngaphezu kweeyure ezilithoba ngalo naluphi na olunye usuku.
- (9) Umsebenzi kaxakeka osebenza ngeholidi kawonke-wonke ufanele ahlawulwe ngokwesolotyama le-15, kubalwe-
- (a) ngokweyure echazwe kudidi lomsebenzi lowo, kwiyure nganye okanye inxalenye yeyure esetyenziweyo, ngeqhezu leyure eliyelenziwe iyure epheleleyo okanye isiqingatha seyure;
- (b) umvuzo ochazwe kwisolotyama (3), kuquka iprimiyamu eyongezelekileyo ye-10 ekhulwini.
- (10) umsebenzi kaxakeka osebenza ngeCawa ufanele ahlawulwe ngokwesolotyama le-14.
- (11) Umsebenzi kaxakeka osebenza ixesha elongezelekileyo ufanele ahlawulwe ngokwesolotyama le-11, elibalwa-
- (a) Ngokwexesha elongezelekileyo elisetyenziweyo xa lilonke, ngeqhezu leyure eliyelenziwe iyure epheleleyo okanye isiqingatha seyure; yaye

(b) Umvuzo ochazwe kwisolotyana (3), kuquka iprimiyamu eyongezelelekileyo ye-10 ekhulwini.

(12) Intlawulo yexesha elongezelelekileyo ifanele inikwe umsebenzi kaxakeka osebenze ngosuku ekusetyenzwe ngalo ixesha elongezelelekileyo.

63. Abasebenzi bamaxesha athile (icandelo lothutho lweswekile)

(1) Ngaphandle kokuba umongo ubonisa ngenye indlela, abasebenzi bamaxesha athile (kwicandelo lothutho lweswekile) babophelekile kweli solotyana nakwesi siVumelwano xa sisonke.

(2) Abasebenzi bamaxesha athile (kwicandelo lothutho lweswekile) bafanele banikwe intlawulo ngalo lonke ixesha elingenasivuno, elilingana -

(a) nama-66,6 ekhulwini emivuzo yabo eqhelekileyo esisiseko kwiiveki ezili-15 zokuqala; ze kuthi ke emva koko ibe ngama-40 ekhulwini omvuzo wabo osisiseko oqhelekileyo.

(3) Imali ehlawulwayo ngokwesolotyana (2) ayihlawulwa nanini na xa umsebenzi esekhefina.

(4) Abasebenzi bamaxesha athile abaye bahlawulwa imali ngokweli solotyana -

(a) abalindelekanga ukuba beze kwimisebenzi eqhelekileyo; kodwa

(b) bafanele bahlale bekulungele ukuza kwimisebenzi yabo eqhelekileyo besakufummana isaziso esifanelekileyo.

(5) Abasebenzi bamaxesha athile (kwicandelo lothutho lweswekile) abaphinda babizwe ukuze baye kwimisebenzi yabo eqhelekileyo ngethuba elingelolamveliso nabasilelayo ukuza emsebenzini baphulukana nemali abayinikwayo echazwe kwisolotyana (2) ngokuthi bangaphangeli ngaphandle kwemvume.

(6) Abasebenzi bamaxesha athile (kwicandelo lothutho lweswekile) abaqeshwe kwiCandelo loMmoba abasebenza ebusuku -

(a) Bafanele bahlawulwe isibonelelo sokusebenza ebusuku esichazwe kwiShedyuli yesi-5, ngalo lonke ixesha besebenza ebusuku, ngaphandle ukuba ziishifti zasebusuku ezimbini ezahlukeneyo uya kufanelekela isibonelelo sokusebenza ebusuku ngethuba leeyure ezingama-24 eziqala ezinzulwini zobusuku, kuphela ngabasebenzi abasebenza ebusuku kwishifti yokuqala abaya kufumana intlawulo yesibonelelo sokusebenza ebusuku;

(b) Abakufanelekeli ukufumana isibonelelo sokusebenza ebusuku xa befumana isibonelelo senkxaso-mali.

(7) Abasebenzi bafanele bahlawulwe isibonelelo esidibeneyo senyanga, esichazwe kwiShedyuli yesi-5, esihlawulwa ngezavenge zenyanga, sihlawule nakuphi na ukusebenza ebusuku, indawo yokuhlala, indlu, isixhaso okanye ezinye izibonelelo zenkxaso-mali ezihlawulwa kubasebenzi abanjalo. Apho ingqesho iqalisa okanye iphela phakathi

enyangeni, isibonelelo esidityanisiweyo sifanele sihlawulwe ngokuvumelana nenkonzo eyenziweyo kuloo nyanga.

- (8) Ukuba isibonelelo sokusebenza ebusuku xa Sisonke esifunyenwe ngumsebenzi ngenyanga iyasodlula isibonelelo esidityanisiweyo, umsebenzi lowo ufanele ahlawulwe isibonelelo esidityanisiweyo kunye nemali ethe chatha.

64. ICandelo lokuFudusa iFanitshala iXeshana

- (1) Eli soloty libhekisela kubasebenzi abakwiCandelo lokuFudusa iFanitshala kodwa alibhekiseli kubasebenzi bakaxakeka okanye bexeshana benkonzo yengqesho yexeshana.
- (2) Ngokweenjongo zeli soloty, ixesha elifutshane lithetha ukucuthwa ixeshana kweeyure zokusebenza eziqhelekileyo kwinani leeyure eziqhelekileyo zokusebenza kuxhomekeka kwiimeko zemozulu, ukucutha korhwebo, nokunqongophala kwempahla efanele ihanjiswe, ukonakala kwezithuthi, ukonakala kwezixhobo zomzi-mveliso okanye izakhiwo.
- (3) Ukuba iiyure eziqhelekileyo asebenza ngazo umsebenzi ziyacuthwa ngenxa yexesha elifutshane, umqeshi usenokuzicutha kodwa angagqithi kumyinge ongaphantsi -
- (a) komvuzo womsebenzi weyure ngokuphathelele iyure nganye yexesha elifutshane; okanye
- (b) isinye kwisithathu somvuzo weveki womsebenzi, nokuba zingaphi na iiyure zexesha elifutshane.
- (4) Ngaphandle kokuba umqeshi unika abasebenzi isaziso ngezolo ukuba kuza kusetyenzwa ixesha elifutshane, akukho kuxhuzulelwa imali okunokwenziwa -
- (a) ngexesha elifutshane okubangelwa kukucutha korhwebo okanye ukunqongophala kwempahla; okanye
- (b) ngeyure yokuqala yexesha elifutshane ngenxa yemozulu okanye ukonakala kwezithuthi, umzi-mveliso okanye umatshini, okanye ukuwohloka okanye ukonakala kwezakhiwo.

65. Amasoloty asebenza kwicandelo le-CIT

- (1) Iiyure zokusebenza komsebenzi zinokulinganiselwa ngokwesoloty le-9 ngemvume ebhaliweyo yomsebenzi.
- (2) Abasebenzi abaphangela zonke iiyure zabo eziqhelekileyo abazabelweyo kwinyanga yekhalenda bafanelekela usuku lwekhefu elihlawulelwayo kwinyanga elandelayo ngosuku lokusebenza ekuvunyelwene ngalo phakathi komsebenzi nomqeshi wakhe. Ixesha elongezelekileyo lomsebenzi liyaqhubeka nokuqalisa emveni kokuba umsebenzi esebenze iiyure eziqhelekileyo ezingama-45.

-
- (3) Ukuba umsebenzi usebenza ngosuku lwekhefu njengoko bekuvunyelweni kwisolotyana (1) umqeshi :
 - (a) usenokunika umsebenzi usuku olongezelelekileyo lwekhefu kwinyanga elandelayo; okanye
 - (b) ahlawule umsebenzi olo suku umlinganiselo oqhelekileyo ngeyure
 - (4) Ixesha elongezelelekileyo labasebenzi abakwicandelo le-CIT -
 - (a) lifanele libalwe ngexesha elongezelelekileyo elisetyenzwe ngeveki ngenxa yemilinganiselo yexesha elongezelelekileyo ngosuku nangeveki kwisolotyana le-10;
 - (b) linokuhlawulwa kuphela xa kunqongophele iiyure eziqhelekileyo zokusebenza ukuba umsebenzi uyavuma ngokubhala phantsi okanye ukungaphangeli kwakhe akugunyaziswanga njengoko luchaziwe "usuku lokusebenza".

66. Abasebenzi beenkonzo zengqesho yexeshana

- (1) Umsebenzi wenkonzo yengqesho yexeshana ngumsebenzi onikezelwa kumxumi omnye okanye abangakumbi kolu shishino kangangexesha elithile -
 - (a) ngaphezu kweenyanga ezimbini ugqalwa njengomsebenzi oqhelekileyo yaye ngala masolotyana afanelekileyo kuphela asebenzayo, nawesolotyana lama-69 nelesi-2 (1)
 - (b) leShedyuli yesi-4 yesi siVumelwano asebenza kwabo basebenzi.
- (2) Isivumelwano sengqesho somsebenzi wenkonzo yengqesho yexeshana sigqalwa njengesivumelwano seveki zonke, ngaphandle kokuba ngumsebenzi wenkonzo yengqesho yexeshana enjalo, ekuthi ke kuloo meko eso sivumelwano ibe sesemihla ngemihla.
- (3) Ukuba inkonzo yengqesho yexeshana ikhabana namasolotyana esi siVumelwano okanye iyasilela kuyo nayiphi na imfanelo ekwesi siVumelwano, umsebenzi angamphendulisa umqeshi ngokuphazamisana naloo mfanelo .
- (4) Akukho mqeshi ofanele asebenzise iinkonzo zengqesho yexeshana ngaphandle kokuba inkonzo yengqesho yexeshana -
 - (a) ibhalisiwe kwiBhunga;
 - (b) inobungqina obaneleyo kumqeshi bokuba iyahambisana nazo zonke iimfanelo zoMthetho we-Inshorensi yokungasebenzi, kwanoMthetho weMbuyekezo ngoKonzakala neziFo emSebenzini;

-
- (c) inika ubungqina obanelisayo bokuba iyahambisana neemfanelo zeNkonzo yeRhafu yoMzantsi Afrika (SARS) yaye ineSiqinisekiso seRhafu i-IT 30.
- (5) Xa inkonzo yengqesho yexeshana inikezela ngomsebenzi omnye okanye ababini kumqeshi, umqeshi ufanele azise iBhunga ngokubhala kwiifomu ezenzelwe loo nto. Eso saziso sifanele sithunyelwe kwiBhunga kwinyanga emva komhla wokusetyenziswa kwabo basebenzi.
- (6) Inani labasebenzi abanikezelwe yinkonzo okanye ziinkonzo zengqesho yexeshana kumqeshi alifanelanga nanini na ukuba ligqithe kuma-30 ekhulwini abasebenzi babaqeshi abaphantsi kwesiVumelwano.

67. Abasebenzi bexeshana beenkonzo zengqesho yexeshana

- (1) Ayikho into kwesi siVumelwano eyithintelayo inkonzo yengqesho yexeshana ekufuneni umsebenzi wexeshana ukuba enze umsebenzi weendidi ezahlukeneyo ezinemivuzo eyahlukeneyo echaziweyo.
- (2) Kuxhomekeka kwisolotyana (9), umsebenzi wexeshana wenkonzo yengqesho yexeshana osebenza ixesha elongezelelekileyo ufanele ahlawulwe ngokwesolotyana le-11.
- (3) Ukuba umsebenzi wexeshana usebenza ixesha elongezelelekileyo kwiindidi ezimbini okanye ezingakumbi zemisebenzi ngeveki yokurhola, umsebenzi ufanele ahlawulwe ixesha elongezelelekileyo ngomlinganiselo wodidi ngalunye, kubalwe zonke iiyure azisebenze kolo didi, iqhezu leyure lenziwe iyure epheleleyo okanye isiqingatha seyure.
- (4) Intlawulo yexesha elongezelelekileyo ifanele inikwe abasebenzi bexeshana benkonzo yengqesho yexeshana, ngosuku elisetyenzwe ngalo elo xesha longezelelekileyo.
- (5) Umsebenzi wexeshana wenkonzo yengqesho yexeshana ofuneka ephangele ngeCawa okanye ngeholidi kawonke-wonke ufanele ahlawulwe ngokwesolotyana le-14 nele-15 ngokulandelelana kwawo.
- (6) Umsebenzi wexeshana wenkonzo yengqesho yexeshana uya kufumana usuku lokusebenza ukuba usebenze iyure enye okanye ezingakumbi ngolo suku.
- (7) Iiyure zokusebenza komsebenzi wexeshana wenkonzo yengqesho yexeshana akuyomfuneko ukuba zilandelelane.

-
- (8) Endaweni yekhefu lonyaka, inkonzo yengqesho yexeshana ifanele ihlawule umsebenzi ngamnye wayo imali ebaliweyo kusetyenziswa le nkqubo ilandelayo ngeyure nganye eqhelekileyo esetyenziweyo kudidi ngalunye lomsebenzi:

$$\frac{25}{100} \times \frac{\text{Uwonke umvuzo osisiseko weveki}}{195}$$

- (9) Umsebenzi wexeshana wenkonzo yengqesho yexeshana owenza iindidi ezimbini zemisebenzi okanye ngaphezulu ngeveki yokurhola ufanele angahlawulwa ngaphantsi komvuzo ochazwe kwiShedyuli yesi-5 ngeeyure azisebenzileyo kudidi ngalunye lomsebenzi.
- (10) Ukupheliswa kwesivumelwano sengqesho somsebenzi wexeshana wenkonzo yengqesho yexeshana kufanele kulawulwe kuxwebhu olunikwa umsebenzi xa enikezelwa kumxumi.

INXALENYE YE-11: ULAWULO LWESIVUMELWANO

68. ULawulo lwesiVumelwano

LiBhunga elilawula esi siVumelwano yaye linokuthi ngokukhokelwa ngabaqeshi nabasebenzi, lenze izigqibo, ngaphandle kokuba ezo zigqibo zihambisana namasolotya esi siVumelwano kunye noMthetho.

69. Iindleko zeBhunga

- (1) Iindleko zeBhunga zifanele zihlawulwe ngemali efumaneka ngokweli solotya.
- (2) Abasebenzi abafumana umvuzo omncinane olingana ne-0.4 ngeveki womvuzo oqhelekileyo osisiseko weveki uya kuxhuzulwa ngumqeshi emvuzweni womsebenzi ngamnye, kuquka umsebenzi ongxungxayo, umsebenzi kaxakeka nomsebenzi wexeshana wenkonzo yengqesho yexeshana abaqeshwe nguye, abasebenza usuku okanye ngaphezulu ngeveki. Kwimali exhuzulwayo, umqeshi uya kongezelela imali aze ahlawule yonke ungalulanga umhla wama-20 wenyanga nganye elandelayo, kwi-Ofisi eliKomkhulu leBhunga kwiRoad Freight House, kwanombolo 31 De Korte Street, eBraamfontein, eRhawutini.
- (3) Abanye abasebenzi abakwicandelo leengxoxo abamivuzo yabo engachazwanga, kodwa abawufanelekelayo uchatha womntu wonke ngokweShedyuli yesi-5, imali elingana ne-0,075 ekhulwini ngeveki yomvuzo oqhelekileyo osisiseko weveki iya kuxhuzulwa ngumqeshi kumvuzo womntu wonke, kuquka umsebenzi ongxungxayo, umsebenzi kaxakeka nomsebenzi wexeshana wenkonzo yengqesho yexeshana abaqeshwe nguye, abasebenza usuku okanye ngaphezulu ngeveki.

Kwimali exhuzulwayo, umqeshi uya kongezelela imali aze ahlawule yonke unqadlulanga umhla wama-20 wenyanga nganye elandelayo, kwi-Ofisi eliKomkhulu leBhunga kwiRoad Freight House, kwanombolo 31 De Korte Street, eBraamfontein, eRhawutini.

- (4) Umqeshi usenokusebenzisa ikhompuyutha ekuveliseni imbuyekezo yenyanga zonke, ngaphandle kokuba loo fomati yayo ihambisana naleyo ekwisiHlomelo A4, ekuya kuthi ukuba akunjalo uSosiba kaZwelonke weBhunga agunyazise ukuba ikhatywe loo fomu.

70. litsheke ezingamkelwayo yibhanki

- (1) Nanini na umqeshi ehlawula imali efunekayo kwiBhunga ngokwesi siVumelwano ngeendlela ezininzi ngaphandle kwekheshi ize loo ntlawulo ikhatywe ngenxa yaso nasiphi na isizathu, iBhunga linokumdla loo mqeshi imali elingana ne-1, 5 ekhulwini laloo mali. Nayiphi na intlawulo efunwa liBhunga ngokweli solotyana ifanele ihlawulwe nakanjani na.
- (2) Ukuba ibhanki yomqeshi ayiyamkeli itsheke etsalwe nguloo mqeshi egameni leBhunga kuyo nayiphi na intlawulo efunekayo ngokwesi siVumelwano, ukongezelela kumdlivo ngokwesolotyana (1), uSosiba kaZwelonke weBhunga usenokugqiba ekubeni zonke iintlawulo ezinikwa iBhunga nguloo mqeshi zibe yikheshi okanye zibe yitsheke eqinisekiswa yibhanki, ipostal oda okanye intlawulo ze-intanethi.

71. Ukunyanzeliswa kwesiVumelwano

- (1) Nanini na xa iBhunga libona kuyimfuneko okanye kulungile ukuba limisele iinkqubo kulo naliphi na iqonga ngenjongo yokufumana imali yeBhunga kumqeshi, umqeshi uba noxanduva lokuthwala zonke iindleko ezibangelwe liBhunga ekuzameni ukufumana loo mali, kuquka iindleko zegqwetha ezihlawulwa ngumthengi xa kunokwenzeka kufuneke ingcali yomthetho ngokuyalelwa liBhunga ukuba lifune loo mali.
- (2) Isolotyana (1) lisebenza -
 - (a) kuyo nayiphi na imali exhuzulwa ngumqeshi kuyo nayiphi na imali elilungelo lomsebenzi engahlawulwanga kwiBhunga;
 - (b) nayiphi na imali ekufuneka ixhuzulwe kubasebenzi ize ihlawulwe kwiBhunga ngumqeshi engaxhuzulwanga;

-
- (c) nayiphi na enye imali umqeshi ekufuneka eyihlawule kwiBhunga egameni labasebenzi, kodwa wasilela ukwenjenjalo.

72. Inzala

- (1) Inzala iya kuhlululwa ngayo nayiphi na imali ehlawulwa kwiBhunga ngokwesi siVumelwano nengahlawulwanga ngomhla efuneka ngawo.
- (2) Inzala ibalwa ukususela kumhla wokugqibela ukuya kutsho kumhla wokuhlululwa ngeqondo lesi-2 ekhulwini ngenyanga okanye inxalenye yenyanga.

73. Abathunywa beBhunga

- (1) Umntu omnye okanye ababini banokumiselwa liBhunga njengabathunywa ukuze bancede ekunyanzeliseni amasoloty ezivumelwano zalo xa zizonke.
- (2) IBhunga lisenokucela uMphathiswa wezabaSebenzi ukuba amisele nawuphi na umntu abe ngumthunywa weBhunga ngokwecandelo lama-33 loMthetho.
- (3) Umthunywa omiselweyo unawo onke amagunya anikwe abathunywa yiShedyuli ye-10 yoMthetho.

74. UkuKhululwa liBhunga kuXanduva oluthile

- (1) Izicelo zokukhululeka kuwo nawaphi na amasoloty esi siVumelwano zifanele zihambisane nezinto ezifunekayo ezichazwe kwisiVumelwano esiManyeneyo seBhunga sokuKhululeka kuXanduva oluthile nesokuSombulula iiMbambano ezipapashwe kwiSaziso sikaRhulumente R.1143 esibonakala kwiGazethi kaRhulumente yomhla wesi-7 kuDisemba 2007, njengoko ilungiswa ize yandiswe amaxesha ngamaxesha.
- (2) IQumrhu eliziMeleyo elisekwe liBhunga ngokweCandelo lama-32 loMthetho lifanele linike liqwalasele izibheni ezingokukhatywa liQumrhu leBhunga lokuKhululeka kuXanduva oluthile.

75. Ukusonjululwa kweembambano

limbambano ezingokucaciswa, ukusebenza okanye ukunyanzeliswa kwesi siVumelwano zifanele zisonjululwe ngokuvumelana nenkqubo echazwe kwisiVumelwano esiManyeneyo seBhunga sokuKhululeka kuXanduva oluthile nesokuSombulula iiMbambano ezipapashwe phantsi kweSaziso sikaRhulumente R.1143 esikwiGazethi kaRhulumente yomhla wesi-7 kaDisemba 2007, njengoko ulungiswa yaye usandiswa amaxesha ngamaxesha.

Ityikitywe eRhawutini, egameni lamaqela ayinxalenye yeBhunga ngomhla wama-25 ku-Agasti 2011.

T.C. SHORT

M. GWEDASHE

J. LETSWALO

USihlalo weBhunga

USekela-sihlalo weBhunga

USosiba weBhunga

IISHEDYULI

ISHEDYULI 1: UBUBANZI BESIVUMELWANO ESIPHAMBILI

1. IRiphabhliki yoMzantsi Afrika

ISHEDYULI 2: IINGCACISO

1. Amabinzana aphambili

Ngaphandle kokuba ayihambisani nomongo, naliphi na igama okanye ibinzana elisetyenziswe kwesi siVumelwano siPhambili esicaciswe kuMthetho wezoBudlelwane bezabaSebenzi, wama-66 ka-1995, linentsingiselo efanayo neyoMthetho, yaye -

"abasebenzi bexeshana benkonzo yengqesho yexeshana" kubhekiselwa kumsebenzi wexeshana wenkonzo yengqesho yexeshana njengoko kuthethwa ngayo kwisolotyama lama-66 lesiVumelwano nabenza iinkonzo kubaxumi abasebenza kolu shishino nabaphantsi kweBhunga;

"IBhunga" libhekisela kwiBhunga leeNgxoxo likaZwelonke lokuHanjiswa kwemiThwalo eziNdloleni noLawulo Lwayo Jikelele;

"ubunzima beemoto xa zidibene" ezimotweni (edityaniswe kubini) busetyenziswa ekutsaleni enye imoto, into ethetha ngobunzima obukhulu beemoto zombini kuquka leyo itsala enye kunye nomthwalo wayo, njengoko ebeke njalo umvelisi wazo, okanye xa kungekho nto ixelayo njengoko isigqibo soku siya kwenziwa ligunya lobhaliso elibandakanyekileyo;

"ubunzima bemoto" ezimotweni, buthetha ubunzima bemoto nomthwalo wayo njengoko buchazwe ngumvelisi wayo, okanye xa kungekho nto ixelayo, buya kugqitywa ligunya lobhaliso elichaphazelekayo;

"icandelo lokufudusa iifanitshala" libhekisela kubo bonke abaqeshi abaphantsi kweBhunga abathutha nje nabagcina ifanitshala entsha okanye engamasekeni okanye izixhobo zendlu okanye zamashishini;

"icandelo lomoba" kubhekiselwa kwinxalenye yothutho kwicandelo leswekile apho abaqeshi nabasebenzi bebandakanyeka ekusebenzeni nasekuthutheni umoba phakathi kwamasimi neendawo ekusetyenzelwa kuzo;

"isichenge (semi-trailer)" yinqwelana engenayo i-asi ngaphambili eyenzelwe ukutsalwa yi-truck-tractor;

"amachiza ayingozi" kubhekiselwa kumachiza umthetho wezothutho owachaza njengamachiza ayingozi phantsi koMthetho wamaChiza ayiNgozi, we-15 ka-1973;

"iforomane" ngumsebenzi othi nangona ephantsi kolawulo naye kodwa apathe iqela labasebenzi jikelele yaye usenokugcina iingxelo zomsebenzi abawenzayo yaye nabo benza kwa-umsebenzi ofanayo nowabanye;

"iholide kawonke-wonke" ibhekisela kwiholide kawonke-wonke echazwe kwiShedyuli yoku-1 yoMthetho weeHolide zikaWonke-wonke, wama-36 ka-1994 nalo naluphi na olunye usuku ngokweCandelo lesi-2A;

"ukulungisa" kuthetha ukulungisa isithuthi neenxalenye zaso ezinokulungiswa ngumqhubi, igosa lezokhuseleko, udidi l, okanye umsebenzi nje jikelele onezixhobo ngokuqhelekileyo ezinikezelwa ngumvelisi weso sithuthi, eziquka izixhobo eziqhelekileyo zokutshintsha nokumpompa ivili, iskrudrayiva, iiplayasi, iglobhu nezipanere;

"ukuqhuba" kuquka -

- (a) onke amaxesha okuqhuba
- (b) onke amaxesha axa umqhubi wemoto ehleli elindele kuqhuba nanini na; yaye
- (c) naliphi na ixesha elichithwa ngumqhubi kwisithuthi okanye umthwalo waso;

"ukusebenza ebusuku" kuthetha ukusebenza emva kwentsimi yesi-18h00 naphambi kweyesi-06h00 ngosuku olulandelayo;

"imiba efuna imali" kubhekiselwa kwimiba ebandakanya iindleko engena nzulu kwiipokotho zabasebenzi;

"imisebenzi eyenzeka kummoba ngaphandle" kubhekiselwa kwimisebenzi yokuvuna ummoba nasekuvelisweni kweswekile; **"imisebenzi yamahlathini"** ibhekisela ekugawulweni kwemithi ukuze kwenziwe amaplanga;

"imoto elula" ibhekisela kwimoto, ebunzima bayo bubonke bungagqithi kuma-3 500 kg;

"imoto enkulu kakhulu (edityaniswe kubini)" ibhekisela kwimoto, ebunzima bayo bubonke bungaphezulu kwe-16 000 kg kodwa ingadlulanga kuma-25 000 kg;

"imoto enkulu kakhulu (engqingqwa)" ithetha imoto ebunzima bayo bubonke bungaphezulu kwe-16 000 kg kodwa bungadlulanga kuma-25 000 kg;

"imoto enzima (edityaniswe kubini)" ibhekisela kwimoto (edityaniswe kubini) ubunzima obudibene obungaphaya kwama-9 000 kg kodwa bube ngaphantsi kwe-16 000 kg;

"imoto enzima (engqingqwa)" ibhekisela kwimoto (engqingqwa), ubunzima bemoto obungaphaya kwe-9 000 kodwa bube nganeno kwi-16 000 kg;

"imoto yangaphakathi" ibhekisela kwimoto engaphakathi kwamasango eziko elo;

"imoto ephakathi (edityaniswe kubini)" ibhekiseko kwimoto (edityaniswe kubini), ebunzima bayo bungaphezulu kuma-3 500 kg kodwa nganeno kuma-9 000 kg;

"imoto ephakathi (engqingqwa)" ithetha imoto (engqingqwa), ebunzima bayo bungaphaya kwama-3 500 kg kodwa nganeno kuma-9 000 kg;

"imoto (edityaniswe kubini)" yindibanisela yeemoto eziquka inqwelwana etsalwayo;

"imoto (engqingqwa)" yimoto engeyiyo le ingasentla (edityaniswe kubini);

"umlinganiselo womvuzo weyure" ubhekisela kumvuzo weveki owahlulwe ngokweeyure eziqhelekileyo zokusebenza ngumsebenzi ngeveki;

"impahla" ibhekisela kuyo nayiphi na impahla enokufuduswa, kuquka kodwa kungaphelelanga kuyo nayiphi na into, into elixabiso okanye into efana nentlabathi, umhlaba, igrabile, ilitye, ilahle, amanzi okanye olunye ulwelo, into eyigesi okanye eqinileyo okuquka izinto zokuphatha okanye impahla egcinwe kwezo zinto;

"umqeshi" ubhekisela kuye nawuphi na umntu (ongenguye umqhubi ongumnini sithuthi) -

(a) oqasha okanye onika omnye umntu umsebenzi nomhlawulayo loo mntu;

ovumela omnye umntu ancedise xa ethwele okanye eqhuba ishishini; aze "ukuqasha" "nengqesho" zinentsingiselo efanayo;

"umvuzo" uthetha -

(a) imali ehlawulwa umsebenzi njengomvuzo osisiseko ngokweShedyuli yesi-5 ngokweeyure zokusebenza komsebenzi lowo; okanye

(b) isixa esikhulu semali esichazwe kwiShedyuli yesi-5 umqeshi ayihlawula rhoqo kumsebenzi ngenxa yeeyure eziqhelekileyo azisebenzileyo;

kodwa awuquki nayiphi na ibhonasi;

"UMthetho" ubhekisela kuMthetho wezoBudlelwane bezabaSebenzi, wama-66 ka-1995;

"umthetho" uquka umthetho karhulumente;

"indawo/iziko" ibhekisela nakweyiphi na indawo okanye ngokunxulumene apho umsebenzi omnye okanye abangaphezulu abaqeshwe khona kwi IBhunga leeNgxoxo likaZwelonke lokuHanjiswa kwemiThwalo eziNdleleni noLawulo Lwayo Jikelele;

"inkonzo yengqesho yexeshana" kubhekiselwa nakowuphi na umntu okanye i-arhente yezengqesho ethi ifumane inzuzo ngokufunela abaxumi abantu -

- (a) abenza iinkonzo okanye umsebenzi; yaye
- (b) nabahlawulwa yinkonzo yengqesho yexeshana;

"iinkonzo zikaxakeka" zibhekisela nakowuphi na umsebenzi, othi ngenxa yeemeko ezingenakwaziwa ezifana nomlilo, isitshingitshane, ingozi, izenzo zogonyamelo okanye ubusela, ezifanele zenziwe ngaphandle kokulibazisa yaye ziquka -

- (a) umsebenzi obalulekileyo ukuze kulondolozwe ukukhanya, umbane okanye amanzi okanye ugutyulo kunye neenkonzo zeminxeba;
- (b) ukuthwalwa koomatshini okanye nayiphi na enye into ngelizama ukunqanda ukuphazamiseka okukhulu, ngawo nawuphi na umsebenzi, icandelo, urhwebo okanye umsebenzi, kuquka ukuthuthwa kwabeeNkonzo zamaPolisa oMxantsi Afrika okanye umbutho wezokhuselo lwelizwe;
- (c) ukuthwala izinto nokothula iimveliso ezinokutshabalalisa ukunqanda ukuchitheka;

"inyanga" ibhekisela kwinyanga le isekhalendeni;

"UShishino lokuHanjiswa kwemiThwalo eziNdleleni noLawulo Lwayo Jikelele (Road Freight and Logistics Industry)" okanye "uShishino" lubhekisela kwicandelo abaqeshi nabasebenzi abanxulumene nalo ekwenzeni umsebenzi omnye okanye ongaphezulu kule ilandelayo:

- (a) ukuthuthwa kwemithwalo ngesithuthi;
- (b) ukugcinwa kwempahla, kuquka ukuyamkela, ukuyivula, ukuyothula, ukuyipakisha, ukuyihambisa nokuyisusa, okanye ukuyihlola. Le misebenzi ihambisana kakuhle nesiqendu (a); yaye
- (c) ukuqesha ngeenkonzo zengqesho yexeshana kwimisebenzi ngokuqhelekileyo ebiya kuba yeyothutho okanye ukugcinwa kwempahla njengoko kuchaziwe kwisiqendu (a) kunye (b) ngale ngcaciso;

"usuku" ngeenjongo zokubala isibonelelo sokusebenza ebusuku, kuthetha ixesha ithuba leeyure ezingama-24 ukususela ezinzulwini zobusuku ukuya kutsho kwezinye iinzulu zobusuku, nakwimeko yosuku oluqhelekileyo lokusebenza okanye yomsebenzi osebenza ebusuku, luthetha isithuba seeyure ezingama-24 ngokwendlela esilazi ngayo ixesha;

"iveki enoxinzelelo lomsebenzi" ubhekisela kwiveki enoxinzelelo lomsebenzi kwisolotya lesi-8;

"ixesha elongezelelekileyo" libhekisela kwisolotya le-11(2), zonke iiyure ezisetyenziswe zangaphaya kweeyure eziqhelekileyo zokusebenza ezichazwe kwisolotya lesi-3(1), kunangeCawa okanye iholide kawonke-wonke;

"iiyure eziqhelekileyo zokusebenza" zibhekisela kwiiyure zokusebenza ezichazwe kwisolotya lesi-3 (2) okanye ukuba kukho ukuvumelana komqeshi nomsebenzi, umsebenzi usebenza iiyure ezimbalwa kuneziqhelekileyo;

"iiyure zokusebenza" ziquka onke amaxesha okuqhuba nalo naliphi na ixesha elichithwa ngumqhubi, igosa lokhuseleko okanye nawuphi na omnye umsebenzi osebenza ngesithuthi okanye umthwalo nawo onke amanye amaxesha umsebenzi anyanzelekileyo ukuba ahlale kwindawo yakhe engxangele ukusebenza xa kusithiwa makasebenze, kodwa aliquki naliphi na ikhefu elichazwe kwisolotya lesi-5 okanye naliphi na ixesha ekuthi kuhlawulwe isibonelelo kumsebenzi ngokwesolotya lama-36, ukuba kuthi kwelo khefu okanye ixesha umqeshi akenzi msebenzi ngaphandle kokujongana nje nesithuthi nomthwalo, ukuba ikhona.

"itelelele" ithetha imoto eyenzelwa ukutsala ezinye iimoto nengenzelwanga ukuthwala nayiphi na imithwalo;

"inqwelwana etsalwayo" yinqwelo engakwaziyo ukuzihambela, kodwa eyenzelwe ukutsalwa yimoto;

"i-truck-tractor" yimoto eyenzelwe ukutsala ezinye iimoto kodwa ithwali mithwalo nokuba kungenqwelwana nje ngaphandle kwenqwelwana yaye ayiquki itelelele;

"isithuthi esikhulu kakhulu" sisithuthi esibunzima bazo bungama-25 000 kg;

"ukungaphangeli okungagunyaziswanga" kuthetha ukungaphangeli ngaphandle kwekhefu (AWOL), ikhefu elingahlawulwayo okanye ikhefu lokugula elingahlawulwayo elo;

"incwadi yemivuzo" yingxelo ekufuneka umqeshi eyigcinile ngokwesoloty lama-50(3)

"usuku lokusebenza" lixesha elilandelelanayo lokusebenza, elibekwe ngumqeshi kumsebenzi, kodwa aliquki ixesha elongezelelekileyo yaye oku kulandelayo kubalwa njengosuku olunye (1) lokusebenza:

- (a) iCawa nganye apho umsebenzi kufuneka asebenze,
- (b) uMgqibelo ngamnye apho umsebenzi kufuneka esebenze ubuncinane iiyure ezilithoba;
- (c) usuku ngalunye lokusebenza apho umsebenzi engaphangeli ngenxa yokugula, uxanduva losapho, ikhefu lokufunda okanye ngokuyalelwa okanye ngemvume yomqeshi;

"unyaka", kumsebenzi uthetha ixesha lengqesho kolu shishino ukuya kutsho kwiinyanga ezili-12 ezilandelelanayo.

2. **Iindidi zemisebenzi**

Ngaphandle kokuba umongo ubonisa ngenye indlela, ezi ngcaciso zilandelayo zisebenza kwezi ndidi zemisebenzi -

"umncedisi wengcali" ngumsebenzi onceda ingcali ngokwenza imisebenzi efana neyokususa iziciko, ukuthatha iinxalenye zeemoto, nangokulungisa, phantsi kweliso, kwizixhobo ezisisiseko, esebenzisa izixhobo ezimbalwa nezisetyenziswa ngumntu ngokwakhe nokunceda ekucoceni nakwi-workshop;

"umhloli, udidi I" ngumsebenzi ohlola ukudityaniswa, ukupakishwa, ukuveyishwa, ukunyuswa, ukulayishwa, ukothulwa, ukuphawula nokufaka idilesi kwimpahla nomntu ohlola nobhala iinkcukacha zezo mpahla ezibhala ngesandla okanye ngekhompyutha;

"umhloli, udidi II" ngumsebenzi ohlola ukudityaniswa, ukupakishwa, ukuveyishwa, ukunyuswa, ukulayishwa, ukothulwa, ukuphawula nokufaka idilesi kwimpahla nomntu ohlola nobhala iinkcukacha zezo mpahla ezibhala ngesandla okanye ngekhompyutha noliliso nokwahlola umsebenzi womsebenzi jikelele;

"umgcini" uthetha umsebenzi oqhuba imoto nobandakanyeke ekugadeni nasekuphatheni imali, izinto zexabiso, ubutyebi namaxwebhu kwisithuthi nokwafuneka ethwele imipu nokuzalisa ooMatshini bee-Teller abaziSebenzelayo."

"umabhalane wecandelo lokuthumela" ubhekisela kumsebenzi -

- (a) ojongene nokwamkela, ukupakisha okanye ukuthumela impahla okanye iikhonteyina kwindawo yokugcina izixhobo (store), i-warehouse okanye indawo yokugcina impahla (storage);
- (b) usenokuphatha aze ahlole umsebenzi womhloli, udidi I okanye II okanye umsebenzi jikelele; aze
- (c) asebenzise inkcazelo ngeengcombolo ezigcinwe ngokubekwa apho, okanye ngekhompyutha;

"umqhubi" ubhekisela kumsebenzi oqhuba imoto;

"umqhubi we-gantry crane, udidi I" uthetha umsebenzi oqhuba i-gantry crane ekwaziyo ukunyusa imithwalo engaphezu kwama-6 000 kg, okanye ekuyilawuleni emgangathweni womzi-mveliso lowo;

"umqhubi we-gantry crane, udidi II" ubhekisela kumsebenzi oqhuba i-gantry crane ekwaziyo ukunyusa imithwalo engaphezu kwama-6 000 kg, okanye ayilawula emgangathweni womzi-mveliso;

"umsebenzi jikelele" uthetha umsebenzi owenza omnye okanye engaphezulu kule misebenzi ilandelayo:

- (a) ovula, avale, abethelele, athunge, aphawule, achwetheze, azalise okanye akhuphele, amabheyile, iifaty, ukupakisha amakheyisi, ibhokisi, iinkonkxa, amakhamte, imigqomo, iibhegi okanye iikhonteyina;
- (b) ukuncedisa ekulayisheni nasekothuleni imithwala kwiikhonteyina;
- (c) ukogquma okanye ukususa ii-tarpaulin okanye iiplastiki ezogqumileyo;
- (d) ukuvala okanye ukuvula imiyalezo, iipakethe, iileta, okanye iimpahla nokuzihambisa okanye ukuzihambisa ngeenyawo, ngebhayisekile okanye trayisikile, okanye ngemoto elawulwa ngesandla;
- (e) ukuthwala, ukufunqula, ukurhuqa, ukutyhala ukutsala ukupakisha, ukuqengqa, ukutyhalela bucala, ukulayisha okanye ukothula naziphi na iimpahla, ikhonteyina, iipakethe okanye iimoto, iikiliva, iitroli okanye ezinye iimoto ezilawulwa ngesandla, kunokusebenzisa isixhobo esilawulwa ngumbane;
- (f) ukuncamathelisa izinto okanye ukuphawula, ukufaka umtshiso, istampu okanye ukusebenzisa izitensile kwimpahla, okanye ukufaka iilebhuli;
- (g) ukubeka ipasele, ukogquma okanye ukubopha imithwalo;
- (h) ukutshintsha iitawuli, isepha, okanye legumbi langasese;
- (i) ukucoca impahla okanye ikhonteyina;
- (j) ukubeka okanye ukuthatha inxaxheba kumakhadibhodi enziweyo okanye kwiibhokisi zefayibra okanye iikhonteyina ezenziwe ngesandla;
- (k) ukufaka irhalafu okanye ukusasaza amatye, igrabile, umhlaba, udongwe, intlathathi okanye enye izinto ezikhiwayo;
- (l) ukugqobhoza, ukukhuhla okanye ukufaka isandpaper ngesandla;
- (m) ukugada iimoto, impahla okanye imithwalo esezimotweni;
- (n) ukuqhuba i-crane elawulwa ngesandla, i-hoist, impompo, ukulungisa umatshini, izixhobo zakhe ezizimeleyo;
- (o) ukuhlamba ii-ovarolo, iiyunifomu, impahla ekhuselayo, ukupakisha okanye iingubo;
- (p) ukusebenza emotweni, kwinqwelwana okanye usinga nqwelwana, okanye ehamba nayo xa iseluhambeni;
- (q) ukulungisa amakheyisi okupakisha, amakheyisi, amakhreyithi, okanye iipeleti ngesandla;
- (r) ukucoca phakathi kwamasango, iipelete, iimoto okanye oomatshini;
- (s) ukucoca indawo, iipelethi, iimoto okanye oomatshini.
- (t) ukulungiselela imixhesho okanye ukwenza iti okanye iziselo ezinjalo esenzela abasebenzi okanye
- (u) ukwenza iti okanye ezinye izimuncumuncu esenzela abaqeshi okanye iindwendwe zakhe;
- (v) osebenza irabha okanye ezinye izitampu apho kungekho bugocigoci;
- (w) ukuvula okanye ukuvala iilori okanye iikhonteyina zakwaloliwe;
- (x) ukufaka ipeyinti okanye ezinye izinto ezisusa umhlwa kwizixhobo, iinqwelwana okanye
- (y) koosinganqwelwana ngesandla;
- (y) ukukhupha, ukufaka, ukutshintsha okanye ukumpompa amavili, amatayara okanye iityhubhu zeemoto, izinto ezilayisha imithwalo, ii-hoist ezihambayo, inqwelwana, oosinga-nqwelana, ibhayisekile, iikiliva, iitroli okanye ezinye izinto eziqhutywa ngesandla, okanye ukulungisa iityhubhu; okanye
- (z) nawuphi na umsebenzi wezandla;

"umsebenzi jikelele, kwindawo yokulungisa izixhobo" ubhekisela kumsebenzi oncedisa ingcali ngokwenza umsebenzi wezandla, oquka ukuphatha izixhobo, ukuzicoca, ukucoca indawo ekusetyenzelwa kuyo, ukupakisha izixhobo nokunceda apho kufuneka khona uncedo lwakhe;

"umqhubi womatshini wokulayisha, udidi I" uthetha umsebenzi oqhuba umatshini wokulayisha imithwalo ebunzima bunganeno kwama-6 000 kg, osetyenziselwa ukulayisha, ukususa okanye ukothula umhlaba, intlabathi, amatye, igrabile okanye nayiphi na into, impahla okanye iikhonteyina;

"umqhubi womatshini wokulayisha, udidi I" ngumsebenzi oqhuba umatshini wokulayisha onyusa imithwalo ebunzima bunganeno kwama-6 000 kg, osetyenziselwa ukulayisha, ukususa okanye ukothula umhlaba, intlabathi, amatye, igrabile okanye nayiphi na into, impahla okanye iikhonteyina;

"umqhubi we-hoist ehambayo, udidi I" ngumsebenzi oqhuba i-hoist okanye ilori ye-fork-lift enyusa imithwalo ebunzima bungaphezulu kwama-6 000 kg osetyenziselwa ukulayisha, ukothula, ukushenxisa okanye ukubekelela impahla okanye iikhonteyina, kodwa hayi izithuthi zangaphakathi;

"umqhubi we-hoist ehambayo, udidi II" ngumsebenzi oqhuba i-hoist okanye ilori ye-fork-lift enyusa imithwalo ebunzima bunganeno kwama-6 000 kg osetyenziselwa ukulayisha, ukothula, ukushenxisa okanye ukubekelela impahla okanye iikhonteyina, kodwa hayi izithuthi zangaphakathi;

"ezinye iindidi zabasebenzi" ngabo bonke abasebenzi abenza imisebenzi kwi-warehouse, ekulondolozeni nasekulawuleni izithuthi, kodwa hayi ekugayeni okanye ekululekeni abasebenzi, kodwa equka ukuba ngabaphathi nabalawuli nokuba banokugaya okanye baluleke na;

"umqhubi ongumnini wesithuthi" uthetha umsebenzi ongumnini okanye okwangumnini okanye oqeshisileyo ngemoto enye okanye ezingaphezulu ezisetyenziselwa ukuthutha impahla ngengqesho okanye intlawulo nonikele ngezo moto ngenjongo yokuthutha impahla;

"umpakishi nomalayisha, udidi I" ngumsebenzi ojongene nokupakisha okanye ukulayisha ifanitshala kuyo nayiphi na ikhonteyina okanye kwisithuthi okanye ayothule kwisithuthi okanye ukothula ifanitsha okanye ayikhulule:

"umpakishi/umalayisha, udidi II" ngumsebenzi ojongene nokupakisha okanye ukulayisha ifanitshala kuyo nayiphi na ikhonteyina okanye isithuthi okanye othule okanye akhulule ifanitshala aze abeke esweni nemisebenzi yomsebenzi jikelele;

"umsebenzi ongxungxileyo" ngumsebenzi ongasebenzi isigxina, kodwa oqeshwe isigxina nosebenza inani eliqingqiweyo leeyure kuphela ngosuku, ngeveki okanye ngenyanga;

"umsebenzi kaxakeka" ngumsebenzi, ongenguye owexeshana wenkonzo yengqesho yexeshana, oqeshwe kwangumqeshi omnye angasebenzi ngaphezulu kweentsuku ezili-16 kwisithuba seentsuku ezingama-30 yaye kungekhona ngaphezulu kweentsuku ezili-144 kwisithuba seeveki ezingama-62;

"umsebenzi (weCandelo loThutho lweSwekile)" ngumsebenzi oqeshwe isigxina ngumqeshi ekuthutheni ummoba, nothi ngenxa yokuba iCandelo leSwekile lisebenza ngamaxasha athile enyakeni, esebenza ngexesha kuphela afunwa ngalo ngumqeshi;

"unogada wezokhuseleko" ngumsebenzi ongelilo igosa lokhuseleko, elenza omnye okanye ngaphezulu kwale misebenzi ilandelayo: ukugada, ukukhusela okanye ukupatrola ngaphakathi kwamasango, izakhiwo okanye izinto ezinokufuduswa, nokuba umsebenzi lo ulawula okanye unezinja na ekwenzeni nayiphi na okanye yonke le misebenzi;

"unogada wezokhuseleko I" uthetha umsebenzi oqhuba imoto nogada imali nezinto zexabiso kwanamaxwebhu abalulekileyo ahanjiswa ngezithuthi yaye kusenokufuneka aphaathe umpu;

"unodaga wezokhuseleko II" ngumsebenzi osebenza ngokugada nokuphatha imali, izinto zexabiso namaxwebhu abalulekileyo ahanjiswa ngemoto yaye kusenokufuneka aphaathe umpu;

"unogada wezokhuseleko III" ngumsebenzi owamkela, okhupha, ohambisa nolawula imali ephatha iikhonteyina ezihanjiswa ngoonogada I okanye II, kunye namagosa ebhanki yaye kusenokufuneka aphaathe umpu;

"ingcali enobuchule obungabhekele phi"• ngumsebenzi othi nangona ephantsi kweliso lengcali, azenzele ngokwakhe eminye imisebenzi kodwa akanaluxanduva ngokupheleleyo ekuhloleni-

- (a) wenza imisebenzi enzinyana, usebenzisa isixhobo sokuhlola iimposiso, ukhetha iindlela ezizezinye ekwenzeni imisebenzi, usebenzisa isixhobo sombane okanye usenokufuneka enze imisebenzi efana nokudibanisa iintsimbi, yaye
- (b) akanampepha ngokupheleleyo njengengcali kodwa unako ukwenziwa uvavanyo lomsebenzi kwixa elizayo aze afumane iimpepha njengengcali;

"umntu osebenza esitoreni" ngumsebenzi owamkela, obhalayo, ogcinayo, owothulayo nokhupha izinto zokulungisa iimoto;

"umntu osebenza esitorweni" ngumsebenzi ojongene nesitokhwe sempahla engenayo okanye iikhonteyina nowamkela, abhale, agcine, apakishe okanye akhuphe impahla okanye iikhonteyina kwisitoro okanye i-warehouse okanye uvimba wokugcina impahla nokuhambisa impahla okanye iikhonteyina ezikwisitoro, i-warehouse okanye uvimba wokugcina impahla ngenjongo yokuzithumela kwezinye iindawo;

"unogada weemoto" ngumsebenzi ogada igosa lezokhuseleko ll kwindawo yokhuseleko enemali, izinto zexabiso namaxwebhu abalulekileyo ahanjiswa ngesithuthi.

ISHEDYULI 3: IMBUYEKEZO YANYANGA ZONKE**IINGONGOMA ZOKUGCWALISA ISIHLOMELO A4**

Imbuyekezo yanyanga zonke efakwa kwiBhunga ngokwamasoloty esi siVumelwano ifanele ihambisane nezi zinto zilandelayo -

1. Umhlathi womvuzo wembuyekezo yanyanga zonke ufanele ubonakalise -
 - (a) umvuzo oqhelekileyo osisiseko womsebenzi ongxungxayo, obalwa ngokwesoloty lama-61(3);
 - (b) uwonke umvuzo osisiseko womsebenzi kaxakeka ngenyanga, kuquka iprimiyamu eyongezelekileyo ye-10 ekhulwini; kunye
 - (c) nomvuzo osisiseko uwonke wabasebenzi bexeshana bee-arhente zengqesho yexeshana ngokwaloo nyanga.
2. Umhlathi "weentsuku zokusebenza ezisetyenziweyo" wembuyekezo yanyanga zonke ufanele ubonise -
 - (a) lilonke inani leentsuku zokusebenza ezisetyenzwe ngabasebenzi bakaxakeka ngaloo nyanga;
 - (b) zizonke iintsuku ezifunyenwe ngabasebenzi bexeshana benkonzo yengqesho yexeshana ngaloo nyanga.
3. Malunga nomhlathi wembuyekezo yanyanga zonke -
 - (a) abasebenzi abangxungxayo bafanele baphawule ngokubeka kuka-"P";
 - (b) abasebenzi bakaxakeka mabaphawulwe ngokubekwa kuka-"R";
 - (c) abasebenzi bexeshana benkonzo yengqesho yexeshana mabaphawulwe ngo-"T"

ISHEDYULI 4: INGXOWA-MALI YEZONYANGO**1. Isicwangciso esipheleleyo sokuhambisa ulwazi nge-HIV/AIDS**

- (1) IBhunga liye -
- (a) laqhuba uphando, iingxoxo kunye nokubonisa yaye liggqibe ekubeni akukho nkqubo ikhoyo yokhuseleko loluntu, impilo, inkamkam okanye i-inshorensi yezonyango esebenzayo ngokomthetho okhoyo engakwazi ukunikezela iinkonzo ezahlukeneyo ezifunekayo kolu shishino, ingakumbi ekujonganeni nemingeni yendyikityha ye-HIV/AIDS kolu shishino;
 - (b) ngenxa yeenkqubo eziqhutywe kwisiqendu (a), liqulunqe isicwangciso sokukhuthaza ukuhanjiswa kolwazi malunga namaziko, iinkonzo namalungelo angeenkqubo ezithile kunye neenzuzo zabasebenzi kolu shishino abathi baxilongwe njengabane-HIV, okanye abaphethwe nguGawulayo;
 - (c) livele nesicwangciso esiza kusetyenziselwa inkqubo yokuhanjiswa kolwazi;

2. Igalelo lomqeshi nomsebenzi malunga nokusetyenziswa kwesicwangciso

- (1) lindleko zokusetyenziswa nokulondolozwa kwesi sicwangciso nalo naluphi na ulungiso kwesi sicwangciso, luya kuhlawulelwa ngemali eqokelelwe ngale ndlela ilandelayo:
- (a) imali elingana ne-0.5 ekhulwini ngeveki yomvuzo oqhelekileyo osisiseko womsebenzi iya kuxhuzulwa ngumqeshi emvuzweni wabo bonke abasebenzi abasebenzela umqeshi usuku olunye okanye ezingakumbi ngeveki, kuquka abasebenzi abangxungxayo, abakaxakeka nabexeshana benkonzo yengqesho yexeshana;
 - (b) imali ehlawulwa ngumqeshi, elingana nesi-1 ekhulwini somvuzo wonke osisiseko wenyanga Umthetho osaqulunqwayo.
- (2) Umqeshi ufanele -
- (a) ahlawule iimali ekubhekiselwe kuzo kwisolotyana (1) kwiBhunga ungalulanga umhla wama-20 nyanga nganye kwinyanga elandelayo;
 - (b) athumele kuSosiba kaZwelonke weBhunga imbuyekezo eyodwa yanyanga zonke (IsiHlomelo A4), kumzi-mveliso ngamnye womqeshi. Le mbuyekezo ifanele ibe luhlobo oluchazwe liBhunga, yaye ifanele iquke amagama apheleleyo omsebenzi ngamnye, ifani nenombolo yesazisi. Abasebenzi abangxungxayo nabakaxakeka bafanele baphawule njengoko kutshiwo kwiiHlomelo ngokubeka u-"P"

Okanye u-"R", kuxhomekeka kuloo msebenzi, ngaphambi kodidi lomsebenzi kumhlathi "wodidi" lomsebenzi. Xa umqeshi esebenzisa ikhompuyutha ekuveliseni imbuyekezo yenyanga zonke, ifomati yayo ifanele ihambisane nale ikwisiHlomelo A4, ukuba akunjalo uSosiba kaZwelonke weBhunga angayikhaba loo fomu.

- (3) Ngokwenjongo yokubala imali exhuzulwayo ngokwesiqendu (a) sesolotyana (2) -
- (a) umvuzo osisiseko womsebenzi kaxakeka awuquki iprimiyamu ye-10 ekhulwini;
 - (b) umvuzo osisiseko womsebenzi ubalwa ngokwale nkqubo ekwisolotyana lama-61(6) lesiVumelwano nanjengoko kuboniswe kumhlathi wembuyekezo yenyanga zonke (IsiHlomelo A4).

3. Ukukhululwa kwiingongoma zeli solotyana

- (1) Nawuphi na umsebenzi osebenzise okanye oneenjongo zokusebenzisa inkqubo enesibonelelo sezi nzuzo zilandelayo, okanye iinzuzo ezifana nezi, angafaka isicelo ngokwesolotyana lama-74 lesiVumelwano ukuba akhululwe kwezinye okanye kuzo zonke iingongoma zeli solotyana -
- (a) imfundo ye-HIV neenkqubo zokungenelela zokutshintsha ukuziphatha;
 - (b) ululeko novavanyo oluyimfihlo nolokuzithandela;
 - (c) unyango nenkxaso;
 - (d) i-nshorensi esisiseko yezonyango.
- (2) Umqeshi okhululweyo akanakuxhuzula umlinganiselo ongaphezu kochazwe kwiingongoma yesi-2(1) yale SHEDYULI kumvuzo wakhe nawuphi na umsebenzi ngenjongo yokusebenzisa inkqubo ethile.

4. INgxowa-mali yezoNyango

- (1) Ulawulo lwale Ngxowa-mali luphantsi kweKomiti yezoNyango ebekwe liBhunga ngokwesolotyana le-17 lomGaqo-siseko weBhunga. Le komiti ifanele ibe namalungu alishumi ubuncinane, amahlanu kuwo abe ngabameli bomqeshi amanye amahlanu abe ngabameli babasebenzi. Kummeli ngamnye, kufanele kubekwe umntu ongomnye liBhunga phakathi kwamalungu alo.
- (2) Abameli nabantu abangabanye baya kuhlala kwezo zikhundla kangangeenyanga ezilishumi elimbini yaye bangaphinda babekwe kuzo kwakhona.

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- (3) Ekuphumezeni imisebenzi yayo namagunya ayo, le Komiti ingenza izivumelwano nababoneleli beenkonzo, izakhiwo, iincwadi, inkxaso, uqeqesho, iingcebiso, iintetho, nayiphi na enye inkonzo eyimfuneko ekwenzeni umsebenzi wayo nokuqhubeka nesi sicwangciso, kuquka kodwa kungaphelelanga apho, umgaqo-nkqubo we-inshorensi nayo nayiphi na intlangano ebhaliswe noMbhalisi we-Inshorensi yeXeshana.
 - (4) Le komiti ifanele, ngokuxhomekeka kwimvume yeBhunga, ilawule umgaqo-nkqubo weNgxowa-mali ize ilawule neminye imicimbi yoshishono jikelele yeNgxowa-mali ngokuvumelana neMithetho.
 - (5) Ukuba kuphakama imbambano nangaliphi na ixesha malunga nolawulo lweNgxowa-mali abe amalungu eKomiti ehlukeno ngokulinganayo, loo mbandela ufanele ubhekiswe kwiBhunga ukuze lithathe isigqibo.
 - (6) Ukuba le Komiti ayikwazi ukwenza imisebenzi yayo ngaso nasiphi na isizathu, iBhunga liya kuyenza loo misebenzi lisebenzise amagunya eKomiti.

5. Ukulawula iimali zeNgxowa-mali yezoNyango

- (1) IKomiti yesiGqeba yeBhunga ifanele iqokelele zonke iimali zeNgxowa-mali izifake kwi-akhawunti yebhanki evulwe ngegama leNgxowa-mali.
- (2) Iimali ezitsalwa kwiNgxowa-mali mazitsalwe ngetsheke yaye iKomiti yesiGqeba ifanele ityambe abantu abaza kutyikitya ngokusemthethweni.
- (3) IBhunga lifanele limisele umphicothi-zimali obhalisiweyo yaye lifanele lifumanise imali ayibizayo loo mphicothi-zimali.
- (4) Umphicothi-zimali omiselweyo ufanele -
 - (a) aphicothe iincwadi zemali yeNgxowa-mali ubuncinane kanye ngonyaka; yaye
 - (b) alungiselele istatimente esibonisa zonke iimali ezifunyenweyo nezisetyenzisiweyo kwisithuba seenyanga ezili-12 eziphela ngomhla wama-28/29 kuFebhruwari wonyaka owandulelayo, kunye noxwebhu olubonisa iimali ezikhoyo nezinto zexabiso kunye nezinto ekufuneka zenziwe ngale ngxowa-mali ukuza kuthi gaa ngaloo mhla.
- (5) Istatimente esiphicothiweyo kunye noxwebhu olubonisa iimali ezikhoyo kwiNgxowa-mali, esityikitywe nguSihlalo weBhunga, kunye nezinto iingxelo ezenziwe ngumphicothi-zimali -
 - (a) Zifanele zilindele ukuhlolwa kwii-ofisi zeBhunga; yaye

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- (b) kugqithiselwe ikopi eqinisekisiweyo kuMbhalisi wezoBudlelwane bezabaSebenzi kwisithuba seenyanga ezintathu ekupheleni kwelo xesha elibandakanya ezo ngxelo.
- (6) Nayiphi na imali engafunekiyo kwiintlawulo neendleko zangoku zeNgxowa-mali ifanele ifakwe -
- (a) kwi-akhawunti yokonga, izabelo ezisisigxina okanye ifakwe kangangexesha eliqingqiweyo kuyo nayiphi na ibhanki okanye iziko lemali elibhalisiweyo;
- (b) kwisitokhwe esibhalisiweyo sangaphakathi ngokwecandelo lama-21 loMthetho kaNondyabo kaZwelonke, ka-1975 (Act No. 66 of 1975);
- (c) i-unit trust ebhalisiweyo; okanye
- (d) nayiphi na enye indlela egunyaziswe nguMbhalisi wezoBudlelwane babaSebenzi.
- (7) ingeniso efunyenwe kutyalo-mali lweBhunga ekuhlawuleni iindleko ezibangelwe liBhunga ngenxa yeNgxowa-mali.

6. Imithetho yeNgxowa-mali yezoNyango

IKomiti yesiGqeba inegunya, kuxhomekeka kwimvume yeBhunga, inegunya lokwenza, ukutshintsha nokurhoxisa imithetho ethile elawula iNgxowa-mali, ngaphandle kokuba le mithetho nalo naluphi na utshintsho luhambisana namasolotya esi siVumelwano namasolotya omthetho. Ikopi yemithetho ifanele ithunyelwe kuMlawuli Jikelele wezabaSebenzi.

7. Ukungena kwizakhiwo

- (1) Ngokucelwa liBhunga okanye ungumbutho wabasebenzi omela isininzi sabasebenzi kwindawo yengqesho, umqeshi ufanele avumele abameli, abathunywa, amagosa, abaqeqeshi okanye ababoneleli beenkonzo bangene kumasango akhe ngenjongo yokuhambisa ulwazi ngeenkqubo zemfundo.
- (2) Umqeshi angabeka imiqathango yokungena phakathi kwamasango akhe ngokwexesha nendawo efanelekileyo yaye bube ubomi babantu okanye izinto zakhe zikhuselekile okanye kuphetshwe uphazamiseko olungeyomfuneko emsebenzini.

8. Ukwandiswa kweNgxowa-mali yezoNyango

INgxowa-mali iyandiswa ukuze iquke i-inshorensi ezisiseko yezonyango kangangeminyaka emi-2 ngaphandle kweendleko ezongezelelekileyo kubaqeshi nabasebenzi.

ISHEDYULI 5: UMVUZO NEZINYE IINZUZO ZEMALI

1.(a) Umlinganiselo womvuzo

(1) Ixesha eliphela ngomhla wama-29 kuFebhruwari 2012, umlinganiselo weqondo lomvuzo malunga neeyure zokusebenza ufanele uhlawulwe ngumqeshi kwilungu ngalinye elikwezi ndidi zingezantsi zabasebenzi bakhe, ngale ndlela ilandelayo:

(a) Imivuzo yeveki:

ImiThwalo Jikelele noLawulo, iCandelo loMoba, imiSebenzi yaNgaphandle, ukuFuduswa kweFanitshala:

ITHEBHULI YOKUQALA: UBUNCINANE BOMVUZO NOCHATHA EMVUZWENI: ISIGABA SOKU-1 UKUYA KWESESI-6:

Kwixesha eliphela ngomhla wama-29 kuFebhruwari 2012

1 Ikhowud i yoluhlu	2 Udidi	3 Isigaba	4 Ididi lukaPatt er- son	5 Umlinganiselo omtsha wemivuzo ngeveki	6 Uchatha womntu wonke
1 42 3 27	Umsebenzi jikelele Umsebenzi jikelele, indawo yokulungisa shop Umpakishi/umalayisha, udidi I..... Unogada wezokhuseleko.....	1.	A 8and A 8and A 8and A 8and	R747.76	9%
5 6 2 22 24 46	Umqhubi wemoto encinane/enamavili Umqhubi wemoto elula..... Umhloli, udidi I..... Umqhubi womatshini wokulayisha, udidi Umqhubi we-hoist ehambayo, udidi II..... Umpakishi/umalayisha. udidi II II.....	2.	81 81 81 81 81	R845.24	9%
7 8 44 19 23 47 21 20 26 15	Umqhubi wemoto ephakathi {edityaniswe kubini}..... Umqhubi wemoto ephakathi (engqingqwa} Umncedisi wengcali..... Umqhubi we-Gantry crane, udidi I..... Umqhubi we-hoist ehambayo, udidi I..... Umhloli, udidi I..... Umqhubi womatshini wokulayisha, udidi I. Umqhubi we-Gantry crane, udidi II..... Umntu osebenza estoreni (workshop) Umphathi wabasebenzi	3.	82 82 82 81 82 82 81 82 82	R1041.77	9%
50	Unogada weziThuthi.....	3.	82	R1646.70	9%
10 11 12 13 18	Umqhubi wemoto enkulu (edityaniswe kubini) Umqhubi wemoto enkuku kakhulu { edityaniswe kubini) Umqhubi wemoto enkulu kakhulu Umsebenzi jikelele (ezingqingqwa) Umqhubi weyona moto inkulu kakhulu	4.	83 83 83 83 83	R1193.90	9% (kuxhomekeka Kwisolotya 1 (2) ngezantsi)
14 45 49	Ingcali engenabugcisa bungako..... Umntu osebenza estoreni (warehouse) Umgcini.....	5.	84 B4 84	R1384.73	9% (kuxhomekeke kwisolotya1 (2)

					ngezantsi
51	Umgcini.....	5.	84	R1921.15	9%
41	Igosa lokhuseleko III,	6.	83	R1372.25	9%
40	Igosa lokhuseleko II,.....		83	R1646.70	
39	Igosa lokhuseleko I.....		84	R1646.70	

(2) Ngokuphathelele udidi lwesi-4 nolwesi-5 abasebenzi abafumana uchatha wesi-3 ekhulwini kunye nomlinganiselo womvuzo ngomhla wama-28 kuFebhruwari 2011, kuya kusebenza umlinganiselo wesi-2 ekhulwini kwi-ATB.

(3) Uchatha womntu womnke kubasebenzi ababegqeshwe ngumqeshi ngaphambi kokupapa kwale SHEDYULI engasentla yemivuzo baya kufumana uchatha we-9 ekhulwini kwimivuzo yabo.

1.(b) Ukuza kuthi gaa ngomhla woku-1 kuMatshi 2012 ukuya ngomhla wama-28 kuFebhruwari 2013 umlinganiselo womvuzo malunga neeyure eziqhelekileyo zokusebenza uya kuhlulwa ngumqeshi kubasebenzi abakwezi ndidi zingezantsi, ngale ndlela elandelayo:

1 Ikhaw udi yoluhi u- gony	2 Udidi	3 Isigaba	4 Ididi lukaPatt er- son	5 Umlinganiselo omtsha wemivuzo ngeveki	6 Uchatha womntu wonke
1 42 3 27	Umsebenzi jikelele Umsebenzi jikelele, indawo yokulungisa shop Umpakishi/umalayisha, udidi I..... Unogada wezokhuseleko.....	1.	A 8and A 8and A 8and A 8and	R807.58	8.5%
5 6 1 22 24 46	Umqhubi wemoto encinane/enamavili Umqhubi wemoto elula..... Umhloli, udidi I..... Umqhubi womatshini wokulayisha, udidi Umqhubi we-hoist ehambayo, udidi II..... Umpakishi/umalayisha, udidi II II.....	2.	B1 81 81 81 81	R912.86	8.5%
7 8 44 19 23 47 21 20 26 15	Umqhubi wemoto ephakathi (edityaniswe kubini)..... Umqhubi wemoto ephakathi (engqingqwa} Umncedisi wengcali..... Umqhubi we-Gantry crane, udidi I..... Umqhubi we-hoist ehambayo, udidi I..... Umhloli, udidi I..... Umqhubi womatshini wokulayisha, udidi I. Umqhubi we-Gantry crane, udidi II..... Umntu osebenza estoreni (workshop) Umphathi wabasebenzi	3.	82 82 82 81 82 82 81 82 82	R1125.11	8.5%
50	Unogada weziThuthi.....	3.	82	R1786.67	8.5%
10 12	Umqhubi wemoto enkulu (edityaniswe kubini) Umqhubi wemoto enkulu (engqingqwa)..... Umqhubi wemoto enkuku kakhulu (edityaniswe kubini).....	4.	83 83 83		

	(ezingqingqwa)		83		
	Umabhala okwicandelo lokuthumela		83		
14	Umqhubi weyona moto inkulu kakhulu	5.	B4		
45	Ingcali engenabugcisa bungako.....		84	R1495.50	8.5%
49	Umntu osebenza estoreni (warehouse)		84		
51	Umgcini.....	5.	B4	R2084.15	8.5%
41	Igosa lokhuseleko III,	6.	83	R1488.99	
40	Igosa lokhuseleko II,.....		83	R1786.67	8.5%
39	Igosa lokhuseleko I.....		84	R1786.67	

1.(c) Uchatha womntu wonke kubasebenzi abakwezi iindidi:

Ukuza kuthi gaa ngomhla wama-29 kuFebhruwari 2012 nowama-28 kuFebhruwari 2013 ngokulandelelana, lo uchatha ulandelayo uza kufunyanwa ngabasebenzi abamivuzo yabo engachazwanga kodwa ekwicandelo leengxoxo ngokwesoloty lama-56 lesiVumelwano esiManyeneyo.

- (i) ImiThwalo Jikelele noLawulo, iCandelo loMmoba, imiSebenzi yaNgaphandle, ukuFuduswa kweFanitshala:

Amaqela	Ixesha eliphela 29/02/2012	Ixesha eliphela 28/02/2013
(i) Abasebenzi abarhola ngaphantsi RS000.00 pm	100% le-7%	100% le-7%
(ii) Abasebenzi abarhola phakathi kwama-R6001.00 nama-R8000.00 cm	87.5% le-7%	87.5% le-7%
(iii) Abasebenzi abarhola phakathi kwama-RB001.00 nama- R10000.00 pm	80% le-7%	80% le-7%

- (ii) Imoto ethwala imali:

Amaqela	Ixesha eliphela 29/02/2012	Ixesha eliphela 28/02/2013
Ezinye iindidi, umzekelo (Box Room Marshall, Umlawuli woomathotholo, iGosa eliNika iNkxaso, Leader and Countina House [Tellers])	7%	7%

- (iii) Uchatha kwingongoma (i) kunye (ii) ngasentla ufanele ulungelelaniswe naye nawuphi na uchatha ohlawulwe yinkampani kwiinyanga ezili-12 ezigqithileyo. Oko kusebenza kuphela kuchatha womntu wonke ngo-2011. Xa umsebenzi okwicandelo leeengxoxo efumana uchatha ongaphezulu kwalo uboniswe apha kwingongoma (i) kunye (ii) ngasentla, umqeshi akayi kuba selungeleweni lokubuyisela kuye loo mali.

- (iv) Uchatha okwingongoma (i) kunye (ii) ngasentla usebenza kuphela ngexesha lesiVumelwano esiManyeneyo yaye awakho amanye amasoloty esiVumelwano esiManyeneyo aya kusebenza kwezinye iindidi zabasebenzi ngaphandle kwesoloty lama-54 nelama-69 lesiVumelwano esiManyeneyo.

2. Isibonelelo sokusebenza ebusuku

- (1) Isibonelelo sokusebenza ebusuku sesabasebenzi bamaxesha athile kwiCandelo loThutho lweSwekile li-R11.50 ngobusuku.
- (2) Umsebenzi, ngaphandle komsebenzi ekubhekiselwe kuye kwisolotyana (1), owenza / osebenza iyure engaphezu kwenye ebusuku ufanele ahlawulwe -
 - (a) isibonelelo se-R6.00 ngaphezu kwe-R1.22 ngeyure nganye ethe chatha; okanye
 - (b) ngokunciphisa iiyure eziqhelekileyo zokusebenza.

3. Isibonelelo esidibeneyo

Isibonelelo esidibeneyo sihlawulwa ngokwesolotyama-63 (7) li-R100 ngenyanga.

4. Inkxaso-mali nesibonelelo samanye amazwe

Isibonelelo senkxaso-mali esihlawulwa ngokwesolotyama-36 lesiVumelwano esiyiNtloko, sifanele ubuncinane -

- (a) sibe ngama-R22.54 kwisihlandlo ngasinye engekho kwimida yoMzantsi Afrika;
- (b) sibe ngama-R31.56 kwisihlandlo ngasinye engekho kwimida yoMzantsi Afrika;
- (c) sibe ngama-R19.53 kwisidlo ngasinye kwezintathu ngethuba lokungabikho.

5. Izibonelelo zokufa nezikhethekileyo

Izibonelelo zokufa nezikhethekileyo umsebenzi oselungelweni lokuzifumana nyaka ngamnye egqiba inkonzo, ukuya kutsho kwiminyaka engama-30, apho afumana le minikelo ngale ndlela ilandelayo -

- (a) Abaqhubi noonogada bezokhuseleko, udidi I nodidi II: R150,00 ngonyaka wenkonzo abawugqibileyo; yaye
- (b) bonke abanye abasebenzi: R100,00 ngonyaka wenkonzo abawugqibileyo.

6. Umlinganiselo wesibonelelo seeyure sabaqhubi abathutha impahla eyingozi

Isibonelelo esifanele sihlawulwe kubaqhubi abathutha impahla eyingozi ngokwesolotyama-60 yesiVumelwano esiPhambili sesi -

- (a) yi-R76.65 ukuba umxumi umlinganisele umqhubi ukuba zibe ngaphantsi kweeyure ezili-12 zokusebenza;
- (b) yi-R49.28 ukuba umxumi umlinganisele umqhubi ukuba asebenze iiyure ezili-13 okanye ngaphantsi kodwa hayi ngaphantsi kwezili-12; _____
- (c) yi-R27.38 ukuba umxumi umlinganisele umqhubi ukuba asebenze iiyure ezili-14 okanye ngaphantsi kodwa hayi ngaphantsi kwe-13.

Sityikitywe eRhawutini egameni lamaqela ayinxalenye yeBhunga ngalo mhla wama-25 ku-Agasti 2011.

T.C. SHORT

M. GWEDASHE

J. LETSWALO

USihlalo weBhunga

USEkela-sihlalo weBhunga

USosiba weBhunga

ISHEDYULI 6

IIFOMU EZIFUNEKAYO

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2. ISIHLOMELO A.2 - ISIQINISEKISO SOKUBHALISA
3. ISIHLOMELO A.3 - ISIQINISEKISO SENKONZO
4. ISIHLOMELO A.4 - IMBUYEKEZO YENYANGA ZONKE NENGXOWA-MALI
5. ISIHLOMELO A.5 - IVAWUTSHA YESAZISO SEKHEFU
6. ISIHLOMELO A.6 - IVAWUTSHA YOMRHOLO WONYAKA
7. ISIHLOMELO A.7 - ISAZISO SOKUYEKA UKUSEBENZA
8. ISIHLOMELO A.8 - ISICELO SENZUZO YEKHEFU LOKUGULA

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