URhulumente weNtshona Koloni

ISebe leMfundo leNtshona Koloni
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Iya: KumaSekela Balawuli-Jikelele, kuBalawuli aBaziiNtloko, kuBalawuli, (kwaNdlunkulu nakwii-ofisi zezithili), kumaSekela Balawuli, kwiiNtloko zoLawulo noKuphathwa kwamaZiko, kwiiNqununu nakuMalungu ebhunga lolawulo kwizikolo zikarhulumente

Isishwankathelo esifutshane: *Indima yomntu osengumntwana (minor) ongaphantsi kweminyaka yobudala olilungu lebhunga lolawulo elinelungelo lokuvota*

ISihloko: Indima yomntu osengumntwana ongaphantsi kweminyaka yobudala olilungu lebhunga lolawulo elinelungelo lokuvota

1. NgokoMthetho i-Children's Act, 2005 (Act 38 of 2005), kwiSahluko 2, icandelo 17, umntwana, nokuba uyindoda okanye ulibhinqa, uba ngumntu omdala xa efikelela kubudala beminyaka eyi-18. Oku kuthetha ukuba umntwana ongaphantsi kweminyaka eyi-18 usengumntu osengumntwana ongaphantsi kweminyaka yobudala.

2. Kubalulekile ukuqaphela ukuba umntu osengumntwana ongaphantsi kweminyaka yobudala angasebenza kwibhunga lolawulo lesikolo sikarhulumente, ngokuxhomekeke ekubeni umntwana osengaphantsi kweminyaka yobudala ubhalisile esikolweni yaye ufunda ibakala elingaphezulu kwelesi-7 kweso sikolo.

3. Ukuba umntu osengumntwana ongaphantsi kweminyaka yobudala ulilungu lebhunga lolawulo elinelungelo lokuvota, unokuzimasa zonke iintlanganiso zebhunga lolawulo ezizodwa, ezinyanzelekileyo nezimiselweyo. Umntu osengumntwana ongaphantsi kweminyaka yobudala, ukwancedisa ekusekeni okanye ekumiseleni ikhoram (quorum) kwintlanganiso yebhunga lolawulo.

4. Umntu osengumntwana ongaphantsi kweminyaka yobudala olilungu lebhunga lolawulo elinelungelo lokuvota unako nokuzimasa zonke iintlanganiso zeekomiti zebhunga lolawulo alilungu lazo.

5. Umntu osengumntwana ongaphantsi kweminyaka yobudala olilungu lebhunga lolawulo elinelungelo lokuvota akanakuze acelwe okanye ayalelwe ukuba aphume kwintlanganiso yebhunga lolawulo okanye kwintlanganiso yekomiti yebhunga lolawulo alilungu layo, kuphela ngenxa yokuba engumntwana ongaphantsi kweminyaka yobudala, ngaphandle kokuba kuyimfuneko ukuba azikhuphe entlanganisweni ngokwakhe ngokwecandelo 26 loMthetho i-South African Schools Act (SASA), 1996 (Act 84 of 1996). Ngokwecandelo 26 le-SASA, ilungu lebhunga lolawulo malirhoxe entlanganisweni yebhunga lolawulo kangangethuba lokuqhubeka kwengxoxo nelokuthathwa kwezigqibo ngawo nawuphi na umbandela ilungu elichaphazelekayo kuwo buqu (personal interest).

6. Ukuba umntu osengumntwana ongaphantsi kweminyaka yobudala, olilungu lebhunga lolawulo elinelungelo lokuvota, kunye/okanye nawuphi na umntu onelungelo lokuvota olilungu lebhunga lolawulo, kufuneka aphume kwintlanganiso yebhunga lolawulo ngaso nasiphi na isizathu, yaye emva kokuba ephumile entlanganisweni, loo malungu anelungelo lokuvota ashiyekileyo entlanganisweni akayenzi ikhoram, ngoko ke intlanganiso mayingavunyelwa ukuba iqhubeke.

7. Makuqatshelwe ukuba imvumelwano sisivumelwano esibhaliweyo okanye esithethwayo ekujongwe ukuba sinyanzeliswe ngumthetho yaye sichaza sikwalawula namalungelo nemisebenzi eluxanduva phakathi kwamaqela achaphazelekayo; into ethetha ukuba sisivumelwano esisemthethweni nesibophelelayo.

8. Ngokwecandelo 32 (1) le-SASA, ilungu lebhunga lolawulo, elingumntu osengumntwana ongaphantsi kweminyaka yobudala, alinako ukwenza imvumelwano egameni lesikolo sikarhulumente. Ngaphezu koko, icandelwana 2 lichaza ukuba ilungu lebhunga lolawulo, elingumntu osengumntwana ongaphantsi kweminyaka yobudala, alinakuvota kwizigqibo zebhunga lolawulo ezithwalisa uxanduva lokuphendula abanye abantu abachaphazelekayo okanye isikolo. La macandelwana mabini athi la malungu akhankanyiweyo athetha ukuba ilingu elinelungelo lokuvota lebhunga lolawulo alinamalungelo asemthethweni okungena kwimvumelwano enokunyanzeliswa egameni lesikolo sikarhulumente kunye/okanye alinakuphakamisa sindululo kwintlanganiso yebhunga lolawulo esinokuthi sithwalise uxanduva lokuphendula abanye abantu abachaphazelekayo okanye isikolo. Ukongeza apho, umntu osengumntwana ongaphantsi kweminyaka yobudala akanako ukusixhasa isindululo esiphakanyiswe kwintlanganiso yebhunga lolawulo esinokuthi sithwalise uxanduva lokuphendula abanye abantu abachaphazelekayo okanye isikolo kunye/okanye alinakuvota kwizigqibo zebhunga lolawulo ezingesindululo esinokuthi sithwalise uxanduva lokuphendula abanye abantu abachaphazelekayo okanye isikolo.

9. Nangona kunjalo, ilungu lebhunga lolawulo, elingumntu osengumntwana ongaphantsi kweminyaka yobudala, kufuneka livunyelwe ukuba lixoxe, yaye lifake igalelo kuwo nawuphi na umba kwintlanganiso yebhunga lolawulo, ngaphandle komba ochatshazelwe kwingongoma 8 apha ngentla, okt, imigqaliselo ekwingongoma 8 ayilithinteli ilungelo lomntu osengumntwana ongaphantsi kweminyaka yobudala lokuxoxa ngemiba enxulumene neemvumelwano, kwakunye nokuthwala uxanduva lokuphendula, njl.

10. Oku kuthetha ukuba, umntu osengumntwana ongaphantsi kweminyaka yobudala, ololungu lebhunga lolawulo elinelungelo lokuvota, unakho ukuba kwikomiti yodliwano-ndlebe okanye abe ngusihlalo wayo, unokuthatha inxaxheba kwingxoxo-mpikiswano nakwiingxoxo zebhunga lolawulo zokunika iingcebiso ngomqeshwa kwiSebe leMfundo leNtshona Koloni kunye/okanye ngokuqeshwa komntu othile esikolweni; kodwa, nangona kunjalo, xa kuthethathethwana ngemvumelwano yezengqesho nomqeshwa, umntu osengumntwana ongaphantsi kweminyaka yobudala akanakuthatha nxaxheba kwinkqubo yokwenziwa kwezigqibo.

11. Ilungu lebhunga lolawulo, elingumntu osengumntwana ongaphantsi kweminyaka yobudala, alinako ukuthwala uxanduva lokuphendula ngenxa yokuba lililungu lebhunga lolawulo.

12. Ziyacelwa iinqununu ukuba zazise okuqulethwe kule setyhula onke amalungu ebhunga lolawulo ukuze akuthathele ingqalelo.

ISAYINWE: NGU**:** B WALTERS
INTLOKO: YESEBE LEMFUNDO
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