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DEPARTMENT OF TRADE, INDUSTRY AND COMPETITION

NOTICE 4264 OF 2026

PRESCRIPTION OF THE CONSUMER GOODS AND SERVICES INDUSTRY CODE OF CONDUCT, 2026 AND ACCREDITATION OF THE ALTERNATIVE DISPUTE RESOLUTION SCHEME ADMINISTERED BY CONSUMER GOODS AND SERVICES OMBUD AS AN ACCREDITED INDUSTRY OMBUD IN TERMS OF SECTION 82 OF THE CONSUMER PROTECTION ACT, 2008 (ACT NO. 68 OF 2008)

I, Mr Parks Tau, in my capacity as the Minister of Trade, Industry and Competition, after having considered comments made in relation to Notice 6178 of 2025, published in Gazette No.52604, Vol 719, 9 May 2025, on the application for accreditation of the Consumer Goods and Services Industry Code of Conduct ("the Code") in terms of section 82, read with section 120 of the Consumer Protection Act, 2008 (Act No. 68 of 2008) ("the Act") and acting on the recommendations thereto made by the National Consumer Commission in terms of section 82(3) of the Act, hereby prescribe the Code in the attached Schedule as the Code for the consumer goods and services industry and accredit the alternative dispute resolution scheme administered by the Consumer Goods and Service Ombud in terms of section 82(6)(b) of the Act, as an accredited industry Ombud.

In line with section 82(2)(b), read with section 82(5)(c) of the Act, the previously prescribed Code as published in *Gazette* No.38637, Notice 271 of 30 March 2015 is hereby withdrawn in its entirety upon publication of this Notice.

This Notice will come into effect on 1 December 2026.



Mr Mpho Parks Tau, MP
Minister of Trade, Industry and Competition
2/11/2026

SCHEDULE

THE CONSUMER GOODS AND SERVICES INDUSTRY CODE OF CONDUCT, 2026

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SECTION A

1. PREAMBLE

1.1 The Consumer Goods and Services Industry Code of Conduct (this "Code") and the office of the Consumer Goods and Services Ombud ("CGSO") are the Industry Code and Ombud Scheme for the Consumer Goods and Services Industry set up in accordance with and accredited in terms of section 82 of the Consumer Protection Act, 2008 (Act No. 68 of 2008) ("CPA").

1.2 This Code and the CGSO were established to guide the Industry on what is considered the minimum standards of conduct expected when engaging with Consumers and to assist in resolving disputes that arise between Consumers and the Industry in terms of the CPA.

1.3 In light of this Code being recognised under the CPA, it shall be enforceable against Consumer Goods and Services Industry Participants, which includes a Retailer, Manufacturer, Producer, Distributor, Supplier, Importer, Wholesaler and Service Providers as part of the Supply Chain, as defined by the CPA.

1.4 This Code shall be enforceable by the CGSO in line with the terms of reference herein. Failure to comply with this Code amounts to a contravention of section 82 (8) of the CPA. Any provision of this Code that is inconsistent with the CPA is invalid to the extent of its inconsistency with the CPA and its provisions.

SECTION B

2. PURPOSE AND OBJECTIVES

2.1 This Code is an Industry Code drafted by the Industry.

2.2 This Code regulates interaction between Participants conducting business within the Industry and the Consumer and provides for an Alternative Dispute Resolution mechanism as described in section 82(6) of the CPA should there be a dispute between a Participant and Consumers.

2.3 The Purpose of this Code is to-

2.3.1 raise the standards of good conduct in the Industry without endangering the vitality and growth of business;

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2.3.2 generate growth in the Industry by increasing the level of certainty for all Participants;

2.3.3 offer guidance to Participants in the Industry as to the implementation of and the compliance with the CPA and what constitutes fair business practices to be followed when operating within the Industry;

2.3.4 educate Consumers as to their rights and redress available to them should a Participant breach the CPA or this Code; and

2.3.5 provide for a scheme of alternative dispute resolution as described in section 82(6) of the CPA.

2.4 The Participants within the Industry are required to pursue the objectives as set out in section 3 of the CPA, especially to-

2.4.1 reduce and ameliorate any disadvantages experienced by Consumers in accessing the supply of any Goods and Services;

2.4.2 promote fair business practices;

2.4.3 protect Consumers from-

2.4.3.1 unconscionable, unfair, unreasonable, unjust or otherwise improper trade practices; and

2.4.3.2 deceptive, misleading, unfair or fraudulent conduct; and

2.4.4 provide for a fair, consistent, accessible and efficient system of alternative resolution of disputes arising from consumer transactions.

2.5 This Code contains reference to certain principles, practices and legislation and for the purposes of application, these need to be referred to as to their interpretation and application where quoted in this Code.

3. DEFINITIONS AND INTERPRETATION

3.1 In this Code, unless the context otherwise indicates-

3.1.1 **"Annual Levy"** means a recurring yearly contribution payable by each participant to fund the ongoing operations, services and activities of the CGSO, as determined by the Board as per clause 6.;

3.1.2 **"Business Day"** has the meaning given to it in terms of section 2(6) of the CPA;

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3.1.3 **"Board"** means the Board of the CGSO incorporated under the Companies Act as a not-for-profit company as more fully dealt with in terms of the CGSO's Memorandum of Incorporation;

3.1.4 **"CGSO"** means the Consumer Goods and Services Ombud, an Ombud Scheme set up in accordance with and accredited in terms of section 82 (6) of the CPA, which is enforceable against Participants;

3.1.5 **"Chief Executive Officer"** or **"CEO"** means the person appointed as Chief Executive Officer from time-to-time by the Board;

3.1.6 **"this Code"** means the accredited Consumer Goods and Services Industry Code of Conduct as amended from time-to-time;

3.1.7 **"Companies Act"** means the Companies Act, 2008 (Act No. 71 of 2008);

3.1.8 **"Complainant"** means a Consumer or Consumer's representative, including an accredited, recognised Consumer Protection Group referred to in section 78(1) of the CPA, filing a complaint in respect of any Goods or Services provided by the Participant concerned;

3.1.9 **"Complaint"** means an expression of dissatisfaction made by a Consumer to a Participant related to its Goods and/or Services or the complaints-handling process pursued or alternatively embarked on thus far by the Consumer, the essence of which falls within the ambit of the CPA;

3.1.10 **"Confidential Information"** has the meaning given to it in regulation 43(1) of the CPA Regulations as published in Government Notice R.293 in Government Gazette 34180 of 1 April 2011 which includes any information containing or consisting of-

3.1.10.1 trade secrets;

3.1.10.2 financial, commercial, scientific or technical information, if disclosure of the information is likely to cause harm to the commercial or financial interests of a person;

3.1.10.3 information supplied in confidence by a person, if the disclosure of the information could reasonably be expected to-

3.1.10.3.1 put that person at a disadvantage in contractual or other negotiations; or

3.1.10.3.2 prejudice that person in commercial competition;

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3.1.11 **"Consumer"** has the meaning given to it in terms of section 1 of the CPA;

3.1.12 **"Consumer Goods and Services"** means the Goods and Services provided to Consumers by Participants within the Industry;

3.1.13 **"Consumer Goods and Services Industry"** means all Participants and/or entities involved in the Supply Chain that provides, markets and/or offers to supply Goods and Services to Consumers, unless excluded in terms of clause 4.4;

3.1.14 **"Consumer Goods and Services Ombud"** means the office of the Consumer Goods and Services Ombud and shall also be termed "CGSO";

3.1.15 **"Consumer Goods and Services Ombudsman"** means the person who is appointed and acts in accordance with "Matters Relating to the Appointment, Tenure and Powers of the Ombudsman" as more fully described in Annexure "A" hereto;

3.1.16 **"Consumer Protection Group"** has the meaning given to it in terms of section 1 of the CPA;

3.1.17 **"Constitution"** means the Constitution of the Republic of South Africa, 1996;

3.1.18 **"CPA"** means the Consumer Protection Act, 2008 (Act No. 68 of 2008), the Regulations made there under and as amended from time-to-time;

3.1.19 **"Designated Officer"** means a person responsible for the complaint resolution within the Participant's organisation as identified by the Participant and communicated to the CGSO;

3.1.20 **"Dispute"** means a disagreement, arising from a Complaint submitted to a Participant in relation to Goods or Services provided to a Consumer of that Participant, which have not been resolved by the Parties;

3.1.21 **"Distributor"** has the meaning given to it in terms of section 1 of the CPA;

3.1.22 **"Electronic Communication"** has the meaning given to it in terms of section 1 of the CPA;

3.1.23 **"Facilitate, Facilitation and Facilitated Settlement"** means a Dispute resolution method in which the Dispute resolver, being the CGSO,

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communicates its initial position to the Parties and a settlement is sought through making one or more offers or counter-offers;

3.1.24 **"Goods"** has the meaning given to it in terms of section 1 of the CPA;

3.1.25 **"Importer"** has the meaning given to it in terms of section 1 of the CPA;

3.1.26 **"Industry"** means the Consumer Goods and Services Industry as defined in clause 3.1.11;

3.1.27 **"Internal Complaints-Handling Process"** means a complaints-handling process as adopted by a particular Participant;

3.1.28 **“Joining Fee”** means a once-off payment charged to a new participant registering/signing-up with the CGSO to cover the administrative costs of onboarding and enrolment;

3.1.29 **"Juristic Person"** has the meaning given to it in terms of section 1 of the CPA;

3.1.30 **"Manufacturer"** means any Participant that makes or produces any Goods regardless of scale either to a Consumer or any other person operating in the Supply Chain;

3.1.31 **"Mediation"** means the active participation of a Dispute resolver, being the CGSO, intended to assist the Parties to identify the issues, to generate options, to consider alternatives and to endeavour to resolve the dispute;

3.1.32 **"Minister"** has the meaning given to it in terms of section 1 of the CPA;

3.1.33 **"MOI"** means the Memorandum of Incorporation, including the schedules attached thereto, as amended from time-to-time, under which the office of the CGSO is established;

3.1.34 **“NCC”** means the National Consumer Commission;

3.1.35 **“Non-complying industry participants”** means those suppliers who failed or neglected to co-operate with the CGSO or failed or neglected to comply with a settlement reached between the parties during mediation;

3.1.36 **"Ombud with Jurisdiction"** has the meaning given to it in terms of section 1 of the CPA;

3.1.37 **"Participant"** means any entity operating within the Industry bound by this Code unless expressly excluded by clause 4.1;

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3.1.38 **"Parties"** means the Consumer and Participant;

3.1.39 **"Person"** includes a Juristic Person;

3.1.40 **"Producer"** has the meaning given to it in terms of section 1 of the CPA;

3.1.41 **"Recommendations"** means a Dispute resolution method in which the Parties are given written suggestions on how factual, legal and other issues should be resolved, on possible outcomes and how they can be achieved;

3.1.42 **"Retailer"** has the meaning given to it in terms of section 1 of the CPA;

3.1.43 **"Service"** has the meaning given to it in terms of section 1 of the CPA;

3.1.44 **"Service Provider"** has the meaning given to it in terms of section 1 of the CPA;

3.1.45 **"Special Levy"** means an additional or ad hoc financial contribution payable by the CGSO participants in addition to the normal joining and annual levies. It is not a recurring charge, but a contingency mechanism designed to fund significant or unforeseen expenses and special projects as determined by the Board;

3.1.46 **"Supplier"** has the meaning given to it in terms of section 1 of the CPA;

3.1.47 **"Supply Chain"** has the meaning given to it in terms of section 1 of the CPA; and

3.1.48 **"Terms of Reference"** means the terms of reference for the CGSO as set out in Section E.

3.2 Unless the context clearly indicates otherwise-

3.2.1 any word or expression to which a meaning has been assigned in the CPA has the meaning so assigned**;**

3.2.2 all references to-

3.2.2.1 a singular noun will be deemed to include the plural and vice versa; and

3.2.2.2 any particular gender will be deemed to include the other gender and vice versa;

3.2.3 the provisions of any law will be deemed to include amendments or substitutions thereof that will be effected from time-to-time; and

3.2.4 all section headings and arrangements contained in this Code are intended for reference purposes only and will not affect or be considered

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in the interpretation of any of the paragraphs or sections to which they relate.

4. APPLICATION, SCOPE AND TYPE OF PARTICIPANT

4.1 This Code applies to all Industry Participants, unless they are regulated elsewhere by other public regulation, and such public regulation covers all prohibited conducts as stipulated in the CPA or a Code prescribed by the Minister in terms of section 82 of the CPA and/or where a complaint falls within the jurisdiction of another Ombud with Jurisdiction, or an Industry Ombud accredited in terms of section 82(6)(a) of the CPA.

4.2 It is mandatory for all Participants above to comply with the provisions of this Code, to register with the CGSO in accordance with the procedures provided on the CGSO website from time-to-time and contribute towards the funding of the CGSO in accordance with the funding model as set out in clause 6.2. Failure to co-operate with the CGSO may result in harsher administrative fine, should the complaint be referred to the Tribunal by the NCC.

4.3 This Code shall not be construed as diminishing Consumer's rights under the CPA or any other law.

4.4 This Code excludes transactions that are not covered by the CPA and transactions with organs of state.

SECTION C

5. OBLIGATIONS BY INDUSTRY PARTICIPANTS AND CGSO

5.1 The Participants under this Code are required to-

5.1.1 establish an effective Internal Complaints-Handling Process that is accessible and understandable to all Consumers, which process includes but is not limited to-

5.1.1.1 a process of internal complaints-handling;

5.1.1.2 a design of the internal complaints-handling procedure; and

5.1.1.3 monitoring processes for the internal complaints-handling procedure and effectiveness;

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5.1.2 display prominently on all their trading premises by means of the CGSO decal and on their website, a prescribed notice that states that they are a Participant to this Code and are bound by it;

5.1.3 provide in the prescribed notice contemplated in clause 5.1.2 the contact details of the CGSO and the Participant;

5.1.4 notify Consumers of their right to refer Complaints to the CGSO in the event that they are unsatisfied with the Participant's Internal Complaints-Handling Process;

5.1.5 ensure that a copy of this Code or summary thereof and their Internal Complaints-Handling Process is made available to any Consumer upon request or to direct the Consumer as to where to obtain a copy of this Code and/or their Internal Complaints-Handling Process;

5.1.6 ensure that the relevant staff and agents in their business have adequate knowledge of the CPA and the Regulations issued thereunder, including this Code and their own Internal Complaints- Handling Process;

5.1.7 ensure, where practically possible, that they keep proper records for a minimum of 3 (three) years, of the Complaints that are received with the following details captured-

5.1.7.1 details and nature of the Complaint;

5.1.7.2 the business unit, division, branch and/or brand that the Complaint is against;

5.1.7.3 the type of Complaint;

5.1.7.4 the number of similar Complaints;

5.1.7.5 details of how the Complaint was resolved;

5.1.7.6 the time taken to deal with the Complaint;

5.1.7.7 the type of remedy provided;

5.1.7.8 reasons why the Complaint was not resolved;

5.1.7.9 details of potential remedies offered but not accepted by the Consumer; and

5.1.7.10 recording that a Consumer was referred to the CGSO for assistance in resolving the Complaint if the Complaint remained unresolved;

5.1.8 provide, where possible, relevant information reasonably required by the CGSO or the NCC on any aspect of their business for the purposes of

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assisting in the resolution of individual Complaints, subject to considerations of confidentiality, as set out under section G of this Code;

5.1.10 endeavour to resolve complaints and disputes in accordance with the law, the spirit and provisions of this Code and the CPA as expressed under section B and with regard to their own Internal Complaints-Handling procedures;

5.1.11 ensure that they, their staff members and their agents refrain from influencing or attempting to influence or harassing the CGSO, staff of the CGSO or any Consumer;

5.1.11 co-operate with all reasonable requests made by the CGSO in a timely manner. Any failure to cooperate with the CGSO may be taken into consideration by the NCC and the Tribunal when issuing a compliance notice or proposing or determining an administrative fine.

5.2 The data captured in clause 5.1.7 shall be used, where possible, to highlight recurring complaints that have arisen and this feedback, where possible, is to be shared with management, staff and Industry in an attempt to continually uphold compliance with the CPA, this Code and Internal Complaint-Handling Process.

5.3 The CGSO must determine a strategy for fostering awareness of this Code and the contents thereof by way of information brochures, guidelines and workshops, and guidance regarding compliance particularly aimed at smaller Participants as agreed to and as can reasonably be funded from time-to-time by the CGSO, which will include the following-

5.3.1 Information brochures, guidelines and workshops;

5.3.2 the display of this Code on the CGSO website and other social networking sites;

5.3.3 the publication of relevant matters on the CGSO website;

5.3.4 the facilitation of induction workshops for new employees in the Industry, on the principles and procedures contained in this Code; and

5.3.5 partnering with the Provincial Consumer Protection Authorities and other relevant bodies on awareness campaigns.

5.4 The CGSO must produce annual reports on the implementation and application of this Code. These reports will be made available to all interested parties, including but not limited to Participants, Consumers, the NCC and the Minister.

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5.5 Performance indicators will be developed with reference to the criteria in clause 5.1.7 and implemented as a means of measuring this Code's effectiveness.

5.6 The implementation of this Code must be reviewed annually by the Board to ensure that the standards of this Code, identified objectives and consumer expectations are met. The review report will be made available to the NCC and the Minister, and be made available on the CGSO website.

SECTION D

6. THE FUNDING MODEL OF THE CGSO

6.1 The CGSO must adhere to the Terms of Reference of this Code.

6.2 Sustainable Funding Model entails the following-

6.2.1 participants must contribute to the funding of the operations of the CGSO by means of the payment of a joining fee and an annual levy and (if necessary) a special levy, as must be determined from time to time by the Board of the CGSO;

6.2.2 in determining the joining fee, annual levy and special levy, the Board may have regard to the relative market share of the Participants, the anticipated number of complaints to be dealt with by the CGSO annually and the costs of operating the CGSO;

6.2.3 with reasonable notice to the Participants, a special levy may be raised when deemed necessary by the Board to provide for unanticipated expenditure incurred by the CGSO due to increased caseloads or any other reason acceptable to the Board;

6.2.4 the Board must from time-to-time determine the scale of fees to be charged to any entity which falls outside of the CGSO's jurisdiction and with which the CGSO has entered into an agreement to render dispute resolution services;

6.2.5 the mechanisms for calculating the fees and levies and the current level of fees and levies for Participants must be published on the CGSO website; and

6.2.6 the CGSO is entitled to take legal action to recover any outstanding fees or levies owed by a Participant.

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SECTION E

7. TERMS OF REFERENCE AND OPERATING PROCEDURE FOR CGSO

7.1 The terms of reference seek to establish the appropriate operating procedures so as to meet the objectives of the preamble of the Code.

7.2 These operating procedures are aimed at-

7.2.1 describing the manner in which the CGSO operates;

7.2.2 assisting staff members of the CGSO to carry out their duties; and

7.2.3 ensuring that Complaints are dealt with timeously, fairly, consistently and effectively.

7.3 The CGSO may enter into an agreement with provincial consumer authorities or any person for the performance of any specific act or function or the rendering of specific services in resolving a Dispute or carrying out its functions.

8. MAINTAINING THE INDEPENDENCE OF CGSO

8.1 The CGSO may assist in resolving any Disputes arising within the Industry.

8.2 The CGSO is governed by the Board. The Board is appointed in accordance with the provisions of the MOI and the composition of the Board shall be in terms of the MOI.

8.3 The Ombudsman shall act independently, fairly and objectively in resolving Disputes. The Ombudsman enjoys security of tenure and can only be dismissed in accordance with fair administrative procedures, as provided for in the Promotion of Administrative Justice Act, 2000 (Act No. 3 of 2000), on the grounds of incompetence, gross misconduct, or inability to effectively carry out his or her duties.

8.4 The independence of the CGSO and the Ombudsman is further assured by the fact that the Ombudsman and employees of the CGSO are-

8.4.1 entirely responsible for the handling and determination of complaints;

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8.4.2 accountable to its Board and to the NCC; and

8.4.3 adequately resourced to carry out their respective functions efficiently.

8.5 The CGSO shall-

8.5.1 act honestly, independently, fairly and objectively;

8.5.2 have regard to fairness, justice, equity and the provisions of the CPA and this Code;

8.5.3 balance the rights of the Consumers on the one hand and the rights of the Participants and the Industry on the other hand;

8.5.4 avoid discriminating against anyone on the grounds contemplated in section 9(3) of the Constitution and section 8 of the CPA; and

8.5.5 take reasonable steps to accommodate the needs of persons with disabilities and to eliminate obstacles that may unfairly limit or restrict persons with disabilities from using the services of the CGSO.

8.6 The criteria to be used in resolving Disputes include-

8.6.1 the law, especially the CPA and this Code. In all cases where there is a conflict between the interpretation of the CPA and this Code, the CPA shall prevail;

8.6.2 industry Codes Accredited in terms of the CPA:

8.6.3 guidelines; and

8.6.4 fairness in all circumstances.

9. FUNCTIONS OF CGSO

9.1 The CGSO's functions include the following-

9.1.1 upon receipt of a Complaint, investigating and evaluating the alleged contraventions of this Code;

9.1.2 attempting to facilitate a settlement between the Parties;

9.1.3 making a recommendation as to how the Dispute should be settled by the Parties;

9.1.4 at the request of a Party to a Dispute, recording the resolution of a Dispute in the form of an order in terms of section 70(3)(a) of the CPA;

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9.1.5 at the request of the Parties to a Dispute, submitting the order to the Tribunal or High Court to be made a consent order, in terms of section 70(3)(b) of the CPA;

9.1.6 with the consent of a Complainant, including in the consent order, an award of damages to the Complainant in terms of section 70(4) of the CPA;

9.1.7 terminating the process by notice to the Parties in terms of section 70(2) of the CPA;

9.1.8 educating the general public, Consumers, Participants, staff of Participants and any other interested parties regarding the existence of the CGSO, its procedures, where and how to lay a Complaint, the relevant time period, the resources available and how to obtain feedback on the status of the Complaint and providing all necessary assistance to the Parties;

9.1.9 providing access to information in accordance with the Promotion of Access to Information Act, 2000 (Act No. 2 of 2000); and

9.1.10 striving for continual improvement of the complaints-handling process and the quality of the service provided by the office, by amongst other things, regularly testing the levels of satisfaction of Complainants with the complaints-handling process.

9.2 In particular, the CGSO shall-

9.2.1 receive and deal with Complaints and Disputes free of charge;

9.2.2 determine whether or not a Complaint falls within the CGSO's jurisdiction;

9.2.3 decline to deal with or discontinue dealing with those matters-

9.2.3.1 that do not fall within the CGSO's jurisdiction;

9.2.3.2 in which the Complainant has failed to respond to requests from the CGSO for information or comments within the time reasonably stipulated by the CGSO;

9.2.3.3 that are trivial, frivolous or vexatious; or

9.2.3.4 in which the Complaint does not allege any facts which, if true, would constitute grounds for a remedy under this Code or CPA; Provided that the CGSO shall terminate the process by notice to the parties;

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9.2.4 refer Complaints that would be more appropriately dealt with by another body to that body;

9.2.5 explore any reasonable prospect of resolving a Complaint by a Facilitated Settlement acceptable to both Parties and, where appropriate, make a suggestion or Recommendation to the Parties regarding how the matter should be settled;

9.2.6 request a Participant or his agent involved in a Complaint or Dispute to provide any relevant information to the CGSO, which in the view of the CGSO relates to that Complaint and its necessary resolution;

9.2.7 set and, on good cause shown, extend time limits relating to any issues involved in attempting to resolve the Dispute after giving due regard to any objection from either of the Parties and to the urgency of the matter and to any other relevant circumstances;

9.2.8 inform Complainants of further options available to them, if their Complaints are not resolved following the assistance provided by the CGSO;

9.2.9 report any non-compliance with the CPA or this Code by a Participant to the NCC, in order for it to investigate the allegations;

9.2.10 report any attempts to influence or harass the Ombudsman or the staff of the CGSO or any Consumer by a Participant to the NCC;

9.2.11 compile an annual report within 6 (six) months of the close of its financial year regarding the operations and effectiveness of the CGSO and make the report available to stakeholders, including the NCC, through the CGSO website and other suitable means. This report must include data regarding-

9.2.11.1 the type of Complaint;

9.2.11.2 business complained about;

9.2.11.3 the type and frequency of the Complaint;

9.2.11.4 how the Complaint was resolved;

9.2.11.5 time taken to deal with the Complaint;

9.2.11.6 type of sanction(s) imposed; and

9.2.11.7 financial statements and audit reports;

9.2.12 collect data about the cause of the Complaints, identify systematic and recurring problems which Participants need to address, and make

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recommendations to Participants as to how to deal with these recurring problems and identify ways of increasing compliance;

9.2.13 produce annual reports on the operations and effectiveness of this Code, which shall be made readily available to all stakeholders and interested Parties. The reports should provide important feedback for management and staff within the Industry or continually improve compliance with the CPA;

9.2.14 address each Complaint in an equitable, objective and unbiased manner through the complaints-handling process;

9.2.15 engage the services of an interpreter for Consumers who may require such assistance as and when required;

9.2.16 classify and analyse all Complaints in order to identify systematic, recurring and single incidents and trends; and

9.2.17 develop internal rules, forms and procedures that are not in conflict with the provisions of this Code or CPA.

10. ACCOUNTING AUTHORITY OF CGSO

10.1. The Board is the Accounting Authority of the CGSO and may delegate certain duties to the CEO or Ombudsman.

10.2 The primary executives of the CGSO are the CEO and the Ombudsman. The scope of their duties and powers shall be as delegated to each individually from time to time by the Board.

10.3 The CEO is the Accounting Officer of the CGSO and shall be responsible for the due, proper and diligent implementation of financial management systems and controls, including ensuring that proper accounting records are kept, which includes-

10.3.1 all income and expenditure of the CGSO;

10.3.2 all revenue collected by the CGSO; and

10.3.3 all assets and the discharge of all liabilities of the CGSO.

10.4. The CGSO shall monitor and keep record of all non-complying industry participants and such record shall be provided to the NCC quarterly, for the NCC to consider further steps to be taken.

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10.5. The CGSO must sign a Compact Agreement with the NCC which shall regulate the monitoring of the process as envisaged by section 82(7) of the CPA.

11. POWERS, DUTIES AND FUNCTIONS OF THE BOARD

11.1 The Board shall act in the best interest of the Ombud in order to promote the spirit of good governance and social responsibility.

11.2 The Board shall act in a manner that efficiently fulfils the objectives of the Ombud and that promotes the values and principles of the Constitution.

11.3 The Board shall direct, govern and provide strategy in relation to the governance of the Ombud.

11.4 The Board shall provide a forum where the interest of all participants and stakeholders are addressed.

11.5 The Board shall endeavour ensure that the Ombud acts impartially and is seen to be a responsible corporate citizen.

11.6 The Board shall endeavour to ensure that all members are responsible and take part in the development of strategy, which strategy must be set in accordance with the objectives of the Ombud.

11.7 The Board shall be responsible to identify risks, and processes to mitigate such risks.

11.8 Conflicts of interest must be managed by the Board and the interest of the Ombud shall take precedence.

11.9 The Board must ensure that there is an effective risk-based internal audit.

11.10 The Board must ensure that a proper and sound system is put in place to ensure that there is appropriate financial reporting.

12. DISPUTE RESOLUTION BETWEEN CGSO AND INDUSTRY PARTICIPANTS

12.1. In the case of a dispute arising between the CGSO and any of the Participants, the parties shall endeavour to resolve the dispute by negotiation. This entails that one party invites the other in writing to a meeting and to attempt to resolve the dispute within seven days from the date of the written invitation.

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12.2. In the event that the dispute is not resolved through that process, either party can request in writing that the parties attempt in good faith to resolve the dispute promptly by referring the dispute for mediation, and the parties shall ensure that they mediate in good faith.

12.3. If the dispute remains unresolved after it was referred for mediation, the parties can refer the matter for arbitration or to court at their own costs. In the event of arbitration, the arbitrator's decision shall be final and binding between the parties.

12.4. The Parties shall endeavour to agree on an arbitrator, failing which, the parties shall refer the matter to the Arbitration Foundation of South Africa who shall nominate an arbitrator from its panel of arbitrators, to preside in that dispute.

12.5. The arbitrator shall have powers to make an order as to costs thereof.

13. THE JURISDICTION OF CGSO

13.1 **Eligible Complainants**

13.1.1 Subject to clause 13.3, the CGSO may consider a Complaint brought by or on behalf of a Consumer who is-

13.1.1.1 a private individual; or

13.1.1.2 a juristic person.

13.2 The CGSO may deal with-

13.2.1 disputes arising in terms of this Code between Complainants on the one hand and Participants on the other hand; or

13.2.2 complaints concerning alleged contraventions of the CPA or this Code.

13.3 **Limits to the CGSO's jurisdiction**

13.3.1 **Amounts Involved:** In line with the threshold (limit) determined by the Minister under section 5(2) (b) of the CPA, the CGSO may not consider a Complaint or Dispute that relates to a Juristic Person as a Consumer whose asset value or annual turnover equals or exceeds the threshold amount determined from time-to-time by the Minister in terms of section 6(1) of the CPA.

13.3.2 **Time Limit:** The CGSO may not consider a Complaint or Dispute that relates to an act or omission which occurred before 1 April 2011 or in

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any event more than 3 (three) years prior to the date when the Complaint was lodged with the CGSO in order to ensure that such claims do not become prescribed by law. The period of 3 (three) years commences on the date on which the Complainant became aware or ought reasonably to have become aware of such occurrence, whichever occurs first. If the Complaint or Dispute is older than two years, the CGSO should advise the Complainant of the danger of it prescribing.

13.3.3 **Other Processes:** After a preliminary assessment of the Complaint, or Dispute, or at any stage during the process that any of the factors referred to below become apparent, the CGSO shall not further consider a Complaint or Dispute that in the opinion of the Ombudsman-

13.3.3.1 falls within the jurisdiction of any other Ombud with Jurisdiction as per its enabling legislation; or

13.3.3.2 is based on the same event and facts as any matter which is, was, or becomes, the subject of any proceedings in any court, tribunal or regulatory body or any Ombud with Jurisdiction of any jurisdiction, unless the CGSO has considered it appropriate to intervene and is not prohibited from doing so under any law; or

13.3.3.3 could more appropriately be dealt with by the police, a court of law, by any regulatory body or through any other dispute resolution process.

13.4 **Excluded:** After a preliminary assessment of the Complaint or Dispute, or at any stage during the process that any of the factors referred to below becomes apparent, the CGSO shall not further consider a Complaint or Dispute that in the opinion of the Ombudsman-

13.4.1 is being pursued in an unreasonable, frivolous, vexatious, offensive, threatening or abusive manner or if the Complainant fails to co-operate with the process;

13.4.2 does not allege any facts which, if true, would constitute grounds for a remedy under this Code or CPA;

13.4.3 is lacking in substantive merit;

13.4.4 has been substantially dealt with by the CGSO;

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13.4.5 is based on the same events and facts as any matter which is, was or becomes, the subject of any proceedings in any court or other independent dispute-resolving body; or

13.4.6 is under consideration by a legal practitioner on behalf of a Consumer, whether or not with a view to institute legal proceedings, unless the Ombudsman determines that the involvement of a legal practitioner is appropriate in the circumstances.

13.5 **Termination by the Complainant:** A Complainant may at any time terminate the CGSO's handling of the Complaint and resort to litigation or another dispute resolution process by withdrawing the Complaint in writing to the CGSO.

14. MULTIPLE JURISDICTION

14.1 The CGSO may consider a complaint or dispute which falls within the ambit of the CGSO's jurisdiction as defined in this Code; and where the complainant or respondent is also a member of an industry which falls within the mandate of another accredited Ombudsman.

14.2 This will ensure greater coordination and collaboration between Ombuds accredited in terms of section 82(6) of the CPA and facilitate the achievement of the objectives set out in the CPA by-

14.2.1 retaining specialist industry expertise;

14.2.2 a harmonised and consistent approach and application of industry-specific legislation;

14.2.3 decreased forum shopping by members of overlapping industries;

14.2.4 minimising complexity for consumers and respondents where there is a potential overlap;

14.2.5 decreasing barriers to access;

14.2.6 reducing resolution time periods; and

14.2.7 increasing consumer awareness.

14.3 Participants of an industry, who operate across accredited Ombud jurisdictions and fall within the ambit of more than one accredited Ombud, must pay funding contributions to all the applicable Ombuds. Therefore, funding contributions

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must be reduced in accordance with overlap by the respective accredited Ombuds.

14.4 Complainants may lodge complaints with any relevant accredited Ombud in any applicable jurisdiction under the CPA, provided that an Ombud receiving a complaint that is outside its ambit of expertise or if it becomes apparent that the complaint is more suitable to be dealt with by another accredited Ombud, must refer the complaint promptly to the other Ombud, with the consent of the Complainant.

SECTION F

15. THE COMPLAINTS PROCESS

The Ombudsman shall ensure a fair and ethical complaints-handling procedure, as provided for in this clause.

STAGE 1: LAYING THE COMPLAINT

15.1 Referral to Participant-

15.1.1 A Complainant must first refer the matter in Dispute to the Industry Participant to be dealt with, in accordance with the Participant's Internal Complaints-Handling Process. Should the Consumer initiate his or her Complaint at the CGSO, without having referred it to the Participant first, the CGSO shall refer the Consumer back to the Participant.

15.1.2 The Complainant must refer the Complaint to the Participant as soon as practically possible after the Complainant has become aware of it as contemplated in clause 13.3.2.

STAGE 2: REFERRAL TO CGSO

15.2 Complaining to the CGSO-

15.2.1 A Complainant who referred a Complaint to the Participant concerned, and who is dissatisfied with the manner in which the Participant is dealing with,, or has dealt with, or the outcomes thereof, may, if a matter is not resolved by the Participant within 15 business days or such extended period as agreed upon between the Parties, refer the Complaint to the CGSO within a reasonable time in the form or format provided

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for in Annexure B or by calling its call centre on 0860 000 272 or by such other means acceptable to the CGSO. The Complaint form may be submitted by hand, mail, WhatsApp or e-mail or by electronic communication at the following addresses:

15.2.1.1 Physical Address: 292 Surrey Avenue, Ferndale, Randburg, RSA; or
15.2.1.2 PO Box 3815, Randburg, 2125; or
15.2.1.3 WhatsApp: +2781 335 3005; or
15.2.1.4 Email: info@cgso.org.za ;or
15.2.1.5 Telephone: +27(0)11 781 2607 or 0860 000 272 (Share Call).

15.2.2 Time Limits for Complaining: The Complainant must refer the Complaint to the CGSO as soon as is reasonably possible and within the time limits specified in clause 13.3.2.

15.2.3 Acceptance of Complaint: The Complaint with the supporting information shall be recorded and issued a unique identifiable code or reference. The recordal should identify the remedy sought by the Complainant and any other information necessary for the effective handling of the Complaint. Receipt of each Complaint shall be acknowledged within 2 (two) business days either via e-mail, WhatsApp or telephone call to the Complainant.

15.2.4 Initial Assessment of the Complaint: After receipt, each Complaint shall be initially assessed to ascertain whether it falls within the jurisdiction of the CGSO. It shall also be assessed in terms of severity, safety implications, complexity, impact and the need and the possibility of immediate action.

15.2.5 The CGSO shall-

15.2.5.1 make every effort to resolve all Complaints within 60 (sixty) days from commencement of an investigation in terms of clause 15.4 failing which the CGSO shall close the complaint and refer the complaint to the NCC; and

15.2.5.2keep records of non-compliant Industry Participants and report these to the NCC on a quarterly basis.

15.2.6 Tracking the Complaint: The Complaint shall be tracked from the time of receipt thereof through the entire process until the matter has either

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been finalised by the CGSO, or the Complainant has been referred to the NCC or elsewhere. An up-to-date status report shall be made available to the Complainant upon request and at regular intervals, at least at the time of pre-set deadlines.

15.2.7 Processing of Referral Complaint-

15.2.7.1 when the CGSO receives a Complaint that does not fall within the CGSO's jurisdiction, the CGSO shall decide which other body (including the NCC), if any, would be best able to assist the Complainant and shall inform the Complainant accordingly either by WhatsApp, telephone or email;

15.2.7.2 the discretion to refer a Complaint to alternative bodies vests in the CGSO. If the CGSO decides to refer a Complaint to an alternative body, the CGSO shall give the Complainant a copy of the referral letter which it sends to such alternative body. If the decision has been made to refer the Complaint, it shall be referred to the relevant body within 2 (two) business days of it being received by the CGSO;

15.2.7.3 if the Complaint is one that appears to fall within the CGSO's jurisdiction and the Complainant has not taken the matter up directly with the Participant as a first step in trying to resolve the matter, the CGSO shall advise the Complainant to refer the matter to the Participant to give the Participant the opportunity to resolve the Complaint. Alternatively, the CGSO may directly refer the matter to the Participant with the permission of the Complainant;

15.2.7.4 the CGSO may refer a Complainant to any one of the Industry Participants to which the complaint refers, which include a Retailer, Manufacturer, Producer, Distributor, Supplier, Importer, Wholesaler and Service Providers as part of the Supply Chain as the CGSO deems appropriate under the circumstances;

15.2.7.5 any Complainant who is advised to refer the matter to the Participant shall also be informed that he or she can again

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approach the CGSO, if the Complaint is not resolved to the satisfaction of the Complainant within 15 (fifteen) business days or such extended period as agreed upon between the Parties;

15.2.7.6 if it would be, in the CGSO's opinion, with particular reference to section 3(1)(b) of the CPA (vulnerable consumers), cause a Complainant undue hardship or inconvenience to refer a Complaint to the Participant before obtaining the CGSO's assistance, the CGSO may deal with the Complaint as if the Complainant has approached the Participant;

15.2.7.7 if the Complaint is one that appears to fall within the CGSO's jurisdiction and the Complainant has already taken up the matter with the Participant, the CGSO shall inform the Designated Officer, in writing, that a Complaint has been lodged with the CGSO and that the Participant shall have 15 (fifteen) business days from receipt of the communication to investigate and attempt to resolve the Dispute with the Complainant or to provide the CGSO with its reasons for repudiating the Complaint. The Participant may upon request and at the discretion of the CGSO, be permitted additional time to resolve the matter;

15.2.7.8 the CGSO shall provide the Participant concerned with full details of the Complaint, including copies of the relevant documentation submitted to CGSO, to the extent the CGSO considers it necessary, by WhatsApp or e-mail; and

15.2.7.9 the Participant shall acknowledge receipt of the notification within 2 (two) business days and may do so by letter delivered by hand, WhatsApp or e-mail.

STAGE 3: COMPLAINT RESOLUTION BY PARTICIPANT

15.3 Intervention by the Participant-

15.3.1 If a Complainant is referred to a Participant by the CGSO in terms of clause 15.2.7.5 above, the Participant shall-

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15.3.1.1 contact the Complainant to clarify any issue, to ascertain the essence of the Complaint and to attempt to settle the Complaint to the reasonable satisfaction of the Complainant;

15.3.1.2 if able to resolve the Complaint, provide the CGSO with reasonable proof that the Complaint has been settled and that any undertaking made by the Participant has been complied with;

15.3.1.3 undertake any necessary investigation and the level of investigation shall be commensurate with the seriousness, frequency of occurrence and severity of the Complaint;

15.3.1.4 if the Participant is unable to resolve the Complaint referred to it by the CGSO in terms of clause 15.2.7.5, provide the CGSO with a report outlining the investigation that it undertook and the reasons that the matter was not resolved and its reasons for repudiating the Complaint;

15.4.1.5 If the Participant fails to provide the report referred to in clause 15.3.1.4, this shall not prevent the CGSO from making a Recommendation based only on the information before it;

15.4.1.6 If the CGSO is of the view that the Participant has provided the assistance sought by the Complainant or provided an acceptable explanation for its conduct complained of, the CGSO shall inform the Complainant and Participant of this fact and indicate that the file will be closed unless the Complainant challenges the view, or provides new information to CGSO within 10 (ten) business days;

15.4.1.7 During the times set in terms of clause 15.2.7.5, the CGSO may facilitate a settlement between the Participant and the Complainant if the CGSO considers that it would be appropriate and helpful to do so;

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15.4.1.8 When dealing with Complaints, the Participant should make readily available to Customers, Complainants and other interested parties information concerning the Internal Complaint-Handling Process, including the CGSO's brochures and the member's pamphlets, or electronic-based information. Such information should be provided in plain language and, so far as it is reasonable, in formats accessible to all, so that no Complainants are disadvantaged. The following are examples of such information-

- where Complaints can be made;
- how Complaints can be made; and
- the Complaints process.

15.4.1.9 if the Participant is not able to resolve the matter within 15 (fifteen) business days or such extended period as agreed between the Parties, the Participant shall advise the Complainant of the right to refer the matter to the CGSO and provide the Complainant with the CGSO's contact details.

STAGE 4: INVESTIGATION AND COMPLAINT RESOLUTION BY CGSO

15.5 Investigation:

15.5.1 The CGSO may, for the purpose of arriving at the resolution of a matter-

15.5.1.1 require the Designated Official of the Participant to provide it with records of the transaction or process that gave rise to the Dispute, including-

15.5.1.1.1 sales records (including recorded transactions);

15.5.1.1.2 copies of advertisement; and

15.5.1.1.3 inspection or repair records;

15.5.1.2 require, the Designated Officer of a Participant to provide it with a statement from any technical, legal, sales, marketing, complaints-handling and other personnel working on behalf of the Participant, as appropriate to the Complaint;

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15.5.1.3 require comment or clarification from either the Complainant or any one of the Industry Participants to which the Complaint refers (which include a Retailer, Manufacturer, Producer, Distributor, Supplier, Importer, Wholesaler and Service Providers as part of the Supply Chain) on any other matter, including information provided by the other Party;

15.5.1.4 require the Complainant or Participant, whichever is appropriate, to provide it with the Goods to which the Complaint or Dispute relates for inspection or testing, if the Goods are still available; and

15.5.1.5 consult at its own cost any person it considers suitably qualified to assist it in resolving the Complaint.

15..6 The Complainant or the Participant must make every effort to comply with the requests made by the CGSO within 10 (ten) business days, unless good cause can be shown.

15.7 Facilitation:

15.7.1 The CGSO may, in order to settle a Complaint speedily, make an assessment of its merits without doing an investigation and suggest to the Parties how the matter should be settled;

15.7.2 The CGSO may, after collecting relevant records and information, form an initial view on the matter with respect to the Participant's potential liability and the remedies, if any, it believes the Complainant is entitled to. The possible outcomes include-

15.7.2.1 resolving the matter as requested by the Complainant;

15.7.2.2 providing some but not all of the remedies requested; or

15.7.2.3 providing none of the remedies requested and advising the Complainant of other options available to the Complainant.

15.7.3 The CGSO shall communicate its view to the Participant and to the Complainant as soon as the decision is taken and invite their responses;

15.7.4 The Participant and the Complainant must advise the CGSO within 5 (five) business days of receiving the said communication as to whether they accept the terms of the recommendation or not;

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15.7.5 If the matter is resolved as a result of both Parties to the Dispute accepting the CGSO's proposed resolution, or acquiring the CGSO's assistance in arriving at a mutually acceptable settlement, the resolution must be recorded and carried out. The CGSO may at the request of the Parties to a Dispute record the resolution of the Dispute in the form of an order in terms of section 70(3)(a) and (b) of the CPA; and

15.7.6 If a resolution is not agreed upon at this stage, the CGSO shall inform the Parties of further options available to them, including a Recommendation by the Ombudsman.

15.8 Mediation: The CGSO may, without doing an investigation, in its discretion, mediate any matter that the Ombudsman believes is appropriate for mediation, taking into consideration the wishes of the Parties and the nature of the Complaint. The involvement of legal representatives shall not be permitted except at the discretion of the mediator.

15.9 Recommendation-

15.9.1 The Ombudsman may, in any case where a matter has not been settled through Mediation or Facilitation, make a written recommendation setting out how the matter should be resolved and the reasons for the Recommendation. Where the matter has been referred to more than one Industry Participant to which the Complaint refers (which include a Retailer, Manufacturer, Producer, Distributor, Supplier, Importer, Wholesaler and Service Providers as part of the Supply Chain), the Recommendation should state which of the Industry Participants, the Ombudsman considers to be liable;

15.9.2 Prior to making a Recommendation, and subject to the considerations of Confidentiality, the Ombudsman shall, to the extent considered appropriate, permit each of the Parties to comment on the information provided to the CGSO by the other during the investigation, Mediation or Facilitation stage'

15.9.3 The Participant and the Complainant must advise the Ombudsman in writing within 10 (ten) business days from receiving the Recommendation whether they accept the terms of the recommendation or not;

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15.9.4 Neither a Complainant nor a Participant shall be bound to accept a Recommendation made by the Ombudsman, but if a Participant does not accept a Recommendation that has been accepted by the Complainant, the number of those cases and the details thereof that the Ombudsman considers appropriate shall be published in the CGSO's annual report and by other means that the Ombudsman considers appropriate;

15.9.5 If the Complainant rejects the Recommendation or fails to respond within the time limit set in clause 15.9.3, the Recommendation will fall away and the file may be closed.

15.9.6 If the matter is resolved as a result of both Parties to the Dispute accepting the Ombudsman's Recommendation, the CGSO may, at the request of the Parties to the Dispute, record the resolution of the Dispute in the form of an order in terms of section 70(3)(a) of the CPA;

15.9.7 If both Parties accept the terms of the Recommendation, they must comply with its provisions within the period of time prescribed in the Recommendation. If either Party fails to comply, the CGSO shall inform the Parties of further options available to them, including a referral to the NCC or Tribunal, and the recording of the resolution of the Dispute in the form of an order; and

15.9.8 If a resolution is not agreed upon at this stage or if a Party fails to comply, the CGSO shall inform the Parties of the further options available to them, including a referral to the NCC and the institution of legal proceedings at the Parties' own expense, if so advised.

SECTION G

16. CONFIDENTIALITY

16.1 Subject to any other law, personally identifiable information shall be kept confidential by the CGSO and be protected, except to the extent that it is necessary to provide it to a Party for the sole purpose of resolving a Dispute, or unless the disclosure is required by law, or consent for disclosure is obtained from the Party concerned.

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16.2 If any Party to a Complaint supplies information to the CGSO and requests, in writing, that it be treated as Confidential Information, the CGSO shall determine whether the information should be treated as Confidential Information.

16.3 If the CGSO determines that the information should be treated as Confidential Information, the CGSO may nevertheless use the information to reach a decision adverse to the Party to whom the Confidential Information was denied.

16.4 If the CGSO determines the information should not be treated as Confidential Information, the CGSO shall provide reasons thereof and inform the disclosing Party that the CGSO is not entitled to use the information to reach a decision adverse to the Party to whom the Confidential Information is denied, unless the objecting Party consents to that information being provided to the other Party.

16.5 Subject to the other provisions of this clause, as far as it is practical and at the sole discretion of the CGSO, all documentation should be provided to both Parties to a Dispute, provided that the CGSO may provide Parties with written notice indicating that the documents or information are available on request.

SCHEDULES

ANNEXURE A

MATTERS RELATING TO THE APPOINTMENT, TENURE AND POWERS OF THE OMBUDSMAN

1. APPOINTMENT OF THE OMBUDSMAN

1.1 The Board must appoint the Ombudsman who is expected to possess personal qualities, qualifications, skills or expertise to be eligible for appointment as follows-

1.1.1 be independent;

1.1.2 be a fit and proper person;

1.1.3 demonstrate high levels of competency, capability and financial soundness;

1.1.4 have sound leadership qualities and skills;

1.1.5 be able to manage and lead a service-driven organisation;

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1.1.6 have at least 10 (ten) years of experience in a senior executive role relating to alternative dispute resolution or an ombudsman office; and

1.1.7 be legally qualified and be admitted as an Attorney or Advocate; or be qualified and experienced in economics, commerce and industry and public affairs.

1.2 Exclusions include but limited to-

1.2.1 No person who has been employed by an Industry Participant within a 3 (three) year period prior to applying for the post of Ombudsman, may be appointed; or

1.2.2 No person may be considered for the post of CEO or Ombudsman within 3 (three) years of having served as a Board Member of the CGSO.

1.3 No person who has any direct or indirect business interest in any Participant may be appointed as Ombudsman.

1.4 The Process for the appointment of the Ombudsman shall be conducted openly and transparently-

1.4.1 the Board shall appoint a special sub-committee for the Ombudsman's recruitment process. This sub-committee will be called the "Recruitment Committee". The Recruitment Committee shall consist of the Chairperson of the Board, one Industry representative, one consumer body representative and one association representative;

1.4.2 the Recruitment Committee shall advertise the position of the CEO or Ombudsman on two media platforms, on at least one reputable online platform and a national newspaper, with a broad national reach and business orientation. A short listing of the most suitable candidates will be compiled and such candidates will be interviewed by the Recruitment Committee. Once the Recruitment Committee has decided on the most suitable candidate, it shall submit a fully motivated written recommendation in this regard to the Board. The Board will make its final decision on the appointment of the candidate by way of a majority vote; and

1.4.3 the Ombudsman and CEO will be required to sign an employment contract stating the terms of their employment and same will be subject to an annual performance review. An employment contract can either be full time or part time.

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1.5 The Ombudsman will be appointed for an initial fixed term of 3 (three) to 5 (five) years. Once this initial term has ended, the Ombudsman will be eligible for reappointment for a further term by majority vote of the Board, provided that such further term does not exceed 5 (five) years. The decision as to whether or not to reappoint the Ombudsman must be communicated in writing to the Ombudsman at least 1 (one) year prior to the term of his or her office ending. However, the Ombudsman may not serve more than two terms.

1.6 The Ombudsman may only be dismissed in accordance with the provisions of clause 8.3 of this Code.

1.7 Any decision to dismiss the Ombudsman must be taken by majority vote of the Board and the dismissal procedure must comply with clause 8.3 of this Code.

1.8 The CEO and the Ombudsman must declare in writing to the Board should there be any actual or perceived conflict of interest which may exist or arise after or at the time of his or her appointment. This will include, but not be limited to, instances where an immediate family member such as parent, sibling, spouse or children of the CEO or Ombudsman are in the permanent employ of or have business interests in an Industry Participant.

1.9 There shall at all times be 1 (one) Ombudsman. If requested by the Ombudsman, the Board shall be entitled to appoint a deputy Ombudsman. The appointment and election of the deputy Ombudsman will take place by majority vote of the Board.

1.10 The CEO or Ombudsman may resign by giving 90 (ninety) days' written notice to the Board.

2. POWERS AND DUTIES OF THE OMBUDSMAN AND CEO

2.1 The Ombudsman is vested with the authority to make Recommendations relating to Complaints and Disputes.

2.2 The CEO and the Ombudsman are the primary executives of the CGSO. The CEO is the accounting officer and has overall responsibility for day-to-day administration, including appointing employees and determining their terms and conditions of employment. The Ombudsman has oversight of the CGSO’s alternative dispute resolution, including overall responsibility for the CGSO’s

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complaint resolution processes, compliance with related legal requirements and liaison with relevant legislative bodies. The Board may delegate these responsibilities including those outlined in clause 2.4 below to the CEO.

2.3 The Ombudsman and CEO shall do anything that is necessary and expedient for the running of the CGSO, including issuing guidelines for the implementation and application of rules.

2.4 The Ombudsman and CEO shall be vested with the power to do what is necessary to give effect to the primary objectives of the CGSO. These powers will be exercised in accordance with the Terms of Reference and procedures determined by the Board. More particularly, it has to-

2.4.1. prepare and submit to the Board an annual report detailing the activities and finances of the CGSO for the year under review;

2.4.2. prepare and submit reports to the Board on current matters and activities relating to complaints;

2.4.3. promote and publicise the services provided by the CGSO through the media and consumer bodies;

2.4.4. identify and bring to the attention of the Industry Participants undesirable practices to which one or more might be a party, and to report to the Board and the NCC such matters where the Industry Participant is unable or unwilling to take remedial action;

2.4.5 appoint personnel to ensure the efficient management of complaints and the overall running of the Ombud office;

2.4.6. enter into agreements of purchase and sale and letting and hiring of property reasonably required for the proper functioning of the CGSO;

2.4.7. open bank and other accounts necessary for the CGSO to perform its functions;

2.4.8 make recommendations to the Board for any necessary amendments to this Code and MOI of the CGSO.

2.5.8.1 Any proposed amendments to this Code as accepted by the Board shall be forwarded to the NCC, to enable it to act in terms of section 82(5)(c) of the CPA.

2.6 The Board has the authority to choose to delegate certain of its powers or functions to the Ombudsman and/or the CEO.

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3. THE OMBUD STAFF

3.1 The CGSO's staff members and any other persons conducting alternative dispute resolution on its behalf should ideally have the following appropriate experience to the subject matter of the complaint and the level of the CGSO process at which they are rendering the service include-

3.1.1 qualifications and experience in law, commerce, industry and dispute resolution;

3.1.2 knowledge of the technical aspects of the goods and services provided in the Industry or access to technical assistance or expertise in this regard; and

3.1.3 an understanding of the CPA.

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CONSUMER GOODS & SERVICES OMBUD
Fairplay between consumer & supplier

ANNEXURE B

COMPLAINT FORM

INSTRUCTIONS:
Before completing the complaint form please confirm the following:

- ☐ The matter was referred to the participating business (the Participant) or its centralised dispute resolution mechanism and the Participant was given the opportunity to resolve the complaint.
- ☐ If the complainant is a business you confirm that the annual turnover is less than R2 000 000.00.
- ☐ Your complaint is not under consideration by a legal practitioner or subject to legal action.
- ☐ The cause of your complaint did not occur prior to April 2011 or more than 36 months ago.
- ☐ The complaint has/is not been/being dealt with by a court, tribunal, other dispute-resolving body or Ombud.

TERMS AND CONDITIONS

Please familiarise yourself with the following terms and conditions before proceeding *(Our Terms of Reference are contained in this Code which is available on* www.cgso.org.za)

1. I hereby agree to abide by the Rules of the CGSO, as set out herein.
2. **I hereby agree that the information provided in this complaint form will be shared with the Participant in order to resolve my dispute.**
3. I agree that yhe CGSO's decision is final when determining whether the complaint falls within the jurisdiction of the CGSO.
4. The CGSO renders a service free of charge. No fee or charge may be imposed for any of the services rendered or for the supply of an application form.
5. I agree that I may withdraw my complaint at any stage.
6. I will inform the office of the CGSO in writing should I institute legal action against the supplier against whom this complaint is brought.
7. **The CGSO may, in its discretion, dismiss a complaint if-**
   a. I fail to provide any information timeously or at all;

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b. I fail to reply to any communication sent by the CGSO office timeously or at all;
c. I become abusive, insulting or obtrusive towards the CGSO or its staff members, including when communicating with them. The CGSO will, in its sole discretion, determine whether or not I am abusive, insulting or obtrusive.

8. **I agree that there is no time frame within which my complaint will be resolved**. I understand that the process of investigating my complaint is a lengthy and cumbersome process.
9. Should I be dissatisfied with the final decision of the CGSO, **I cannot appeal that decision**, however I do have the right to approach the National Consumer Commission on telephone number 012 428 7000 / 086 000 3600.
10. **I agree that I may not publish any details of my complaint in any form of media**. Should I publish any details of my complaint during the investigation process the CGSO may, in its absolute discretion, decline to investigate the complaint further, if such publication is detrimental to the investigation process.
11. All letters, e-mails and all other documents submitted to and by the CGSO, myself and the supplier are confidential. The CGSO shall decide which of the letters, faxes, e-mails and all other documents shall be disclosed to me or any other party.
12. **I agree that I or my authorised representative shall not subpoena the CGSO and its staff members or call for any of the documents in the file of the CGSO to be discovered, should my complaint be the subject matter of a court case or any other alternative dispute resolution.**
13. I authorise the supplier to disclose to the CGSO any information it may have that is required during the investigation of my complaint.
14. The CGSO reserves the right to revise these rules and undertakings, at any time.
15. I agree that by lodging a complaint with the CGSO I am bound to the then current version of the rules (the "Current Version") from time to time and that, unless stated otherwise in the Current Version, all previous versions will be superseded by the Current Version.
16. Whilst every effort has been made by the CGSO to ensure the proper performance of its website, the accuracy of the information/images and the reliability of the information on its website, cannot be guaranteed.
17. The CGSO makes no representations or warranties, whether express or implied, and assumes no liability or responsibility for the proper performance of its website and/ or the information and/or images contained on its website. In particular, we make no warranty that the website will meet your requirements, be uninterrupted, complete, timely, secure or error free.
18. **You hereby indemnify the CGSO, its staff members and the CGSO and agree to hold us harmless from any claim, demand or damage asserted by any third party due to or arising out of your use of the service or this website**.
19. **You indemnify and hold us harmless against all and any loss, liability, actions, suites, proceedings, costs, demands and damages of all and every kind, (including direct, indirect, special or consequential damages), and whether in an action based on contract, negligence or any other action, arising out of or in connection with the failure or delay in the performance of the services, or**

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the use of the services, whether due to our negligence or not, or due to your failure to comply with these terms and conditions and/or any other requirements that we may impose from time to time.

20. I agree that my complaint may be dealt with by the CGSO on the above rules. The information herein provided is to the best of my knowledge, true and correct. I understand that the submission of untrue information constitutes fraud and my complaint will be dismissed.

21. I have read and accepted these Rules Yes □ No□

TELL US ABOUT YOURSELF

Full names of the complainant	Choose an item.
ID number of the complainant	
Age Group	Choose an item.
Gender	Choose an item.
Only fill in this part if the complainant is a company	Company Name: Company Turnover:
Complainant's Postal Address	PO Box Province Code
Complainant's Physical Address	Province Code
Complainant's Cell phone number	
Complainant's Landline number	( )
Complainant's Alternative number	( )

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Complainant's Fax number	( )
Complainant's E-mail address	

TELL US ABOUT THE ENTITY AGAINST WHOM YOU ARE LODGING THE COMPLAINT

Name of Supplier against whom complaint is made	
E-mail address of the Supplier	
Contact numbers of the Supplier	
Specify the branch of the Supplier	
Name of employee/ manager who assisted in store	

TELL US ABOUT YOUR COMPLAINT

Have you tried to resolve this complaint with the supplier before lodging the complaint with our office?	Choose an item.
Short description of complaint	

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Date the problem was reported to the supplier	Click here to enter a date.
Date of purchase/ delivery of goods (whichever is later)	Click here to enter a date.
If this complaint is linked to an account or membership, please provide the account or membership number	
Was this product purchased online or in store?	Choose an item.
If in respect of goods, type of goods	Choose an item.
Product brand and model	
How much money are you claiming (if applicable)?	
How would you like this complaint to be resolved?	
How did you hear about CGSO?	
Date	Click here to enter a date.
Place	
Signature (if printed and scanned)	
CGSO Contact Details:	**Share Call: 0860-000-272**
WhatsApp: 0813353005	**E-mail: info@cgso.org.za**

PLEASE SUMBIT ALL SUPPORTING DOCUMENTS TOGETHER WITH THE COMPLAINT FORM

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TAELO YA MOLAWANA WA MAITSHOLO WA INDASETERI YA DITHOTO LE DITIRELO, 2026 LE KAMOGELO SEMMUSO YA SEKEMA SA THARABOLOLO E NNGWE YA DITHULANO SE SE TSAMAISIWANG KE MOTSEREGANYI WA DITHOTO LE DITIRELO TSA BADIRISI JAAKA MOTSEREGANYI YO O AMOGETSWENG SEMMUSO WA INDASETERI GO YA KA KAROLO 82 YA MOLAO WA TSHIRELETSO YA BADIRISI, 2008 (MOLAO 68 WA 2008)

Nna, Rre Parks Tau, mo maemong a me jaaka Tona ya Kgwebisano, Indaseteri le Kgaisano, morago ga go sekaseka ditshwaelo tse di dirilweng mabapi le Kitsiso 6178 ya 2025, e e phasaladitsweng mo Lekwalodikgannyeng la Puso Nom. 52604, Vol 719, la di 9 Motsheganong 2025, mo kopong ya go amogela semmuso Molawana wa Maitsholo wa Indaseteri ya Dithoto le Ditirelo tsa Badirisi ("Molawana") go ya ka karolo 82, ka puisommogo le karolo 120 ya Molao wa Tshireletso ya Badirisi, 2008 (Molao 68 wa 2008) ("Molao") le go dira go ya ka dikatlanegiso tse di dirilweng ke Khomišene ya Bosetšhaba ya Badirisi go ya ka karolo 82(3) ya Molao, ke laela fano Molawana o o mo Šejuleng e e mametleletsweng jaaka Molawana wa indaseteri ya dithoto le ditirelo tsa badirisi le go amogela semmuso sekema sa tharabololo e nngwe ya dithulano se se tsamaisiwang ke Motsereganyi wa Indaseteri ya Dithoto le Ditirelo tsa Badirisi go ya ka Karolo 82(6)(b) ya Molao, jaaka Motsereganyi wa indaseteri yo o amogetsweng semmuso.

Go tsamaelana le karolo 82(2)(b), e e buisiwang le karolo 82(5)(c) ya Molao, Molawana o o neng o beilwe pele jaaka o gatisitswe mo Lekwalodikgannyeng la Puso Nom.38637, Kitsiso 271 ya di 30 Mopitlwe 2015 e gogelwa morago ka botlalo fa Kitsiso eno e phasalatswa.

Kitsiso eno e tla tsena mo tirisong ka di 1 Sedimonthole 2026.



_____

Rre Parks Tau, MP
Tona ya Kgwebisano, Indaseteri le Kgaisano
Letlha: 02/11/2026

ŠEJULE

MOLAWANA WA MAITSHOLO WA INDASETERI YA DITHOTO LE DITIRELO TSA BADIRISI, 2026

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KAROLO A

1. KETAPELE

1.1 Molawana wa Maitsholo wa Indaseteri ya Dithoto le Ditirelo tsa Badirisi ("Molawana" ono) le kantoro ya Motsereganyi wa Dithoto le Ditirelo tsa Badirisi ("CGSO") ke Molawana wa Indaseteri le Sekema sa Motsereganyi sa Indaseteri ya Dithoto le Ditirelo tsa Badirisi se se tlhomilweng go ya ka le go amogelwa semmuso go ya ka karolo 82 ya Molao wa Tshireletso ya Badirisi, 2008 (Molao 68 wa 2008) ("CPA").

1.2 Molawana ono le CGSO di tlhomilwe go kaela Indaseteri ka ga se se tsewang e le bonnye jwa maemo a maitsholo a a solofetsweng fa go dirisanwa le Badirisi le go thusa mo go rarabololeng dikgotlhang tse di tlhagelelang magareng ga Bareki le Indaseteri go ya ka CPA.

1.3 Ka ntlha ya gore Molao ono o amogelwa ka fa tlase ga CPA, o tla diragatswa kgatlhanong le Batsayakarolo ba Indaseteri ya Dithoto le Ditirelo tsa Badirisi, ba ba akaretsang Morekisi, Modiri, Motlhagisi, Mophatlhalatsi, Mothelesi, Morekantle, Morekisi yo Mogolo le Batlamedi ba Ditirelo jaaka karolo ya Thulaganyotheleso, jaaka go tlhalositswe ke CPA.

1.4 Molawana ono o tla diragatswa ke CGSO go latela melawana ya tshupiso fano. Go retelelwa ke go obamela Molawana ono go tshwana le go tlola karolo 82 (8) ya CPA. Taelo efe ya Molawana ono e e sa tsamaisaneng le CPA ga e dire go ya ka bogolo jwa yona jwa go sa tsamaisane le CPA le ditaelo tsa yona.

KAROLO B

2. MAITLHOMO LE MAIKAELELO

2.1 Molawana ono ke Molawana wa Indaseteri o o thadilweng ke Indaseteri.

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2.2 Molawana ono o laola tirisano magareng ga Batsayakarolo ba ba dirang kgwebo mo teng ga Indaseteri le Modirisi e bile o laela mabapi le mokgwa wa Tharabololo e Nngwe ya Dithulano jaaka go tlhalositswe mo karolong 82(6) ya CPA fa go ka nna le thulano magareng ga Motsayakarolo le Badirisi.

2.3 Maitlhomo a Molawana ono ke go-

2.3.1 tsholetsa maemo a maitsholo a a siameng mo Indasetering ntle le go tsenya botshelo le kgolo ya kgwebo mo kotsing;

2.3.2 tlhagisa kgolo mo Indasetering ka go oketsa maemo a bonnete jwa Batsayakarolo botlhe;

2.3.3 neelana ka kaelo go Batsayakarolo mo Indasetering mabapi le go tsenngwa mo tirisong le go obamela CPA le gore ke eng se se bopang mekgwa e e siameng ya kgwebo e e tshwanetseng go latelwa fa go dirwa mo teng ga Indaseteri;

2.3.4 ruta Badirisi ka ga ditshwanelo tsa bona le paakanyo e e leng teng mo go bona fa Motsayakarolo a ka tlola CPA kgotsa Molawana ono; le

2.3.5 laela mabapi le sekema sa tharabololo e nngwe ya dithulano jaaka go tlhalositswe mo karolong 82(6) ya CPA.

2.4 Batsayakarolo mo teng ga Indaseteri ba tshwanetse go latelela maikaelelo jaaka a tlhalositswe mo karolong 3 ya CPA, bogolosegolo go-

2.4.1 fokotsa le go tokafatsa botlhokatshiamo bofe jo bo itemogelwang ke Badirisi mo go fitlheleleng theleso ya Dithoto le Ditirelo dife;

2.4.2 rotloetsa mekgwa e e siameng ya kgwebo;

2.4.3 sireletsa Badirisi mo-

2.4.3.1 mekgweng ya kgwebisano e e sokameng, e e sa siamang, e e sa utlwaleng, e e sa lolamang kgotsa e e sa tshwanelang ka tsela nngwe;

2.4.3.2 maitsholong a tsietso, a a timetsang, a a sa lolamang kgotsa a boferefere; le

2.4.4 laela mabapi le tsamaiso e e siameng, e e tlhomameng, e e fitlhelesegang le e e nonofileng ya tharabololo e nngwe ya dithulano tse di tlhagelelang mo ditirisanong tsa badirisi.

2.5 Molawana ono o na le tshupiso ya meono e e rileng, ditiragatso le peomolao mme mabapi le maitlhomo a tiriso, tseno di tlhoka go umakwa go ya ka tlhaloso le tiriso ya tsona fa di nopotswe mo Molawaneng ono.

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3. DITLHALOSO LE THANOLO

3.1 Mo Molawaneng ono, ntle le fa bokao bo supa ka tsela esele-

3.1.1 **“Lekgetho la Ngwaga le Ngwaga”** le kaya ketleetso e e ipoeletsang ya ngwaga le ngwaga e e duelwang ke motsayakarolo mongwe le mongwe go duelela ditiro tse di tswelelang, ditirelo le ditirwana tsa CGSO, jaaka go tlhomamisitswe ke Boto go ya ka polelwanasemolao 6;

3.1.2 **“Letsatsi la Kgwebo"** le na le bokao jo le bo neilweng go ya ka karolo 2(6) ya CPA;

3.1.3 **"Boto"** e kaya Boto ya CGSO e e akareditsweng ka fa tlase ga Molao wa Ditlamo jaaka setlamo se se sa direng morokotso jaaka go dirilwe ka botlalo go ya ka Memorantamo wa go Kopanngwa wa CGSO;

3.1.4 **"CGSO"** e kaya Motsereganyi wa Dithoto le Ditirelo tsa Badirisi, Sekema sa Motsereganyi se se tlhomilweng go ya ka le go amogelwa semolao go ya ka karolo 82 (6) ya CPA, e e ka diragatswang kgatlhanong le Batsayakarolo;

3.1.5 **“Motlhankedikhuduthamagamogolo” kgotsa “CEO”** o kaya motho yo o tlhomilweng jaaka Motlhankedikhuduthamagamogolo nako le nako ke Boto;

3.1.6 **"Molawana ono"** o kaya Molawana wa Maitsholo wa Indaseteri ya Dithoto le Ditirelo tsa Badirisi o o amogetsweng jaaka o tlhabolotswe nako le nako;

3.1.7 **“Molao wa Ditlamo”** o kaya *Companies Act*, 2008 (Molao 71 wa 2008);

3.1.8 **"Mongongoregi"** o kaya Modirisi kgotsa moemedi wa Modirisi, go akaretsa le Setlhopha sa Tshireletso ya Badirisi se se amogetsweng semmuso, se se amogelwang se se umakilweng mo karolong 78(1) ya CPA, se se tlhatlhelang ngongorego mabapi le Dithoto kgotsa Ditirelo dife tse di tlametsweng ke Motsayakarolo yo o amegang;

3.1.9 **"Ngongorego"** e kaya tlhagiso ya go sa kgotsofale e e dirilweng ke Modirisi go Motsayakarolo e e amanang le Dithoto le/kgotsa Ditirelo tsa gagwe kgotsa thulaganyo ya go tshwara dingongorego e e latetsweng kgotsa e e simolotsweng ka tsela e nngwe go fitlha ga jaana ke Modirisi, e botlhokwa jwa yona bo welang mo taolong ya CPA;

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3.1.10 **"Tshedimosetso ya Sephiri"** e na le bokao jo e bo neilweng mo molawanataolong 43(1) wa Melawanataolo ya CPA jaaka e phasaladitswe mo Kitsisong ya Puso R.293 mo Lekwalodikgannyeng la Puso 34180 la di 1 Moranang 2011 e e akaretsang tshedimosetso nngwe le nngwe e e nang le kgotsa e e bopilweng ka-

3.1.10.1 diphiri tsa kgwebisano;

3.1.10.2 tshedimosetso ya ditšhelete, kgwebo, saense kgotsa ya setegeniki, fa go senolwa ga tshedimosetso go ka baka kotsi mo dikgatlhegong tsa kgwebo kgotsa tsa ditšhelete tsa motho;

3.1.10.3 tshedimosetso e e neetsweng ka sephiri ke motho, fa e le gore go senolwa ga tshedimosetso go ka solofelwa go-

3.1.10.3.1 baya motho yoo mo maemong a a sa siamang mo ditherisanong tsa konteraka kgotsa tse dingwe; kgotsa

3.1.10.3.2 gobelela motho yoo mo kgaisanong ya kgwebo;

3.1.11 **"Modirisi"** o na le bokao jo a bo neilweng go ya ka karolo 1 ya CPA;

3.1.12 **"Dithoto le Ditirelo tsa Badirisi"** di kaya Dithoto le Ditirelo tse di tlamelwang Badirisi ke Batsayakarolo mo teng ga Indaseteri;

3.1.13 **"Indaseteri ya Dithoto le Ditirelo tsa Badirisi"** e kaya Batsayakarolo botlhe le/kgotsa ditheo tse di amegang mo Thulaganyong ya Theleso tse di tlamelang, rekisang le/kgotsa di ithaopang go tlamela Badirisi ka Dithoto le Ditirelo, ntle le fa di sa akaretswa go ya ka polelwanasemolao 4.4;

3.1.14 **"Botsereganyi jwa Dithoto le Ditirelo tsa Badirisi"** bo kaya ofisi ya Motsereganyi wa Dithoto le Ditirelo tsa Badirisi mme gape e tla bidiwa "CGSO";

3.1.15 **"Motsereganyi wa Dithoto le Ditirelo tsa Badirisi"** o kaya motho yo o thapilweng le go dira go ya ka "Merero e e Amanang le go Tlhomiwa, Nako le Dithata tsa Motsereganyi" jaaka go tlhalositswe ka botlalo mo Mametlelelong "A" fano;

3.1.16 **"Setlhopha sa Tshireletso ya Badirisi"** se na le bokao jo se bo neilweng go ya ka karolo 1 ya CPA;

3.1.17 **“Molaotheo”** o kaya Molaotheo wa Rephaboleki ya Aforika Borwa wa 1996;

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3.1.18 **"CPA"** e kaya Molao wa Tshireletso ya Badirisi, 2008 (Molao 68 wa 2008), Melawanataolo e e dirilweng koo ka fa tlase ga le jaaka e tlhabolotswe nako le nako;

3.1.19 **"Motlhankedi yo o Tlhomilweng"** o kaya motho yo o rwalang maikarabelo a tharabololo ya ngongorego mo setheong sa Motsayakarolo jaaka go supilwe ke Motsayakarolo le go itsisiwe CGSO;

3.1.20 **"Thulano"** e kaya go sa dumalane, go go tlhagelelang mo Ngongoregong e e rometsweng kwa Motsayakarolong mabapi le Dithoto kgotsa Ditirelo tse di neetsweng Modirisi wa Motsayakarolo yoo, tse di iseng di rarabololwe ke Matlhakore;

3.1.21 **"Mophatlhalatsi"** o na le bokao jo a bo neilweng go ya ka karolo 1 ya CPA;

3.1.22 **“Tlhaeletsano ya Eleketeroniki”** e na le bokao jo e bo neilweng go ya ka karolo 1 ya CPA;

3.1.23 **"Go Nolofatsa, Nolofatso le Tharabololo e e Nolofaditsweng"** go kaya mokgwa wa tharabololo ya Dithulano o mo go ona morarabolodi wa Dithulano, e leng CGSO, a itsiseng boemo jwa gagwe jwa ntlha go Matlhakore mme tharabololo e batlwa ka go dira tshitsinyo e le nngwe kgotsa go feta kgotsa ditshitsinyo tse di kgatlhanong;

3.1.24 **"Dithoto"** di na le bokao jo di bo neilweng go ya ka karolo 1 ya CPA;

3.1.25 **"Morekantle"** o na le bokao jo a bo neilweng go ya ka karolo 1 ya CPA;

3.1.26 **"Indaseteri"** e kaya Indaseteri ya Dithoto le Ditirelo tsa Badirisi jaaka e tlhalositswe mo polelwaneng ya semolao 3.1.11;

3.1.27 **"Thulaganyo ya go Tshwara Dingongorego ya ka Fa Gare"** e kaya thulaganyo ya go tshwara dingongorego jaaka e amogetswe ke Motsayakarolo yo o rileng;

3.1.28 **“Tuelelo ya go Tsenela”** e kaya tuelo ya gangwe fela e e lefisiwang motsayakarolo yo mošwa yo o ikwadisang/saenang le CGSO go duelela ditshenyegelo tsa tsamaiso tsa go tsenela le go ikwadisa;

3.1.29 **"Motho wa Semolao"** o na le bokao jo a bo neilweng go ya ka karolo 1 ya CPA;

3.1.30 **"Motlhagisi"** o kaya Motsayakarolo mongwe le mongwe yo o dirang kgotsa yo o tlhagisang Dithoto dife go sa kgathalesege gore ke tsa

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selekanyo sefe go Modirisi kgotsa motho mongwe ofe yo o dirang mo Thulaganyong ya Theleso;

3.1.31 **"Bonamodi"** bo kaya go tsaya karolo ka matlhagatlhaga ga morarabolodi wa Dithulano, e leng CGSO, ka maikaelelo a go thusa Matlhakore go tlhagisa dintlha, go tlhama ditlhopho, go akanya ka ditsela tse dingwe le go leka go rarabolola thulano;

3.1.32 **"Tona"** e na le bokao jo e bo filweng go ya ka karolo 1 ya CPA;

3.1.33 **"MOI"** e kaya Memorantamo wa go Kopanngwa, go akaretsa le dišejule tse di mametleletsweng mo go ona, jaaka di tlhabolotswe nako le nako, tse ka fa tlase ga tsona ofisi ya CGSO e tlhomilweng;

3.1.34 **"NCC"** e kaya Khomišene ya Bosetšhaba ya Badirisi;

3.1.35 **"Batsayakarolo ba indaseteri ba ba sa obameleng melao"** ba kaya batlamedi bao ba reteletsweng kgotsa ba ba tlhokomologileng go dirisana le CGSO kgotsa ba ba reteletsweng kgotsa ba ba tlhokomologileng go obamela tumalano e e fitlheletsweng magareng ga matlhakore ka nako ya bonamodi;

3.1.36 **"Motsereganyi yo o nang le Taolo"** o na le bokao jo a bo neilweng go ya ka karolo 1 ya CPA;

3.1.37 **"Motsayakarolo"** o kaya setheo sefe se se dirang mo teng ga Indaseteri se se tlamilweng ke Molawana ono ntle le fa se kgaphetswe kwa thoko ka tlhamalalo ka polelwana ya semolao 4.1;

3.1.38 **"Matlhakore"** a kaya Moreki le Motsayakarolo;

3.1.39 **"Motho"** o akaretsa Motho wa Semolao;

3.1.40 **"Motlhagisi"** o na le bokao jo a bo neilweng go ya ka karolo 1 ya CPA;

3.1.41 **"Dikatlanegiso"** di kaya mokgwa wa tharabololo ya Dithulano o mo go ona Matlhakore a neelwang ditshitshinyo tse di kwetsweng tsa gore dintlha tsa nnete, tsa semolao le tse dingwe di tshwanetse go rarabololwa jang, ka ga dipoelo tse di ka nnang teng le gore di ka fitlhelelwa jang;

3.1.42 **"Morekisi"** o na le bokao jo a bo neilweng go ya ka karolo 1 ya CPA;

3.1.43 **"Tirelo"** e na le bokao jo e bo neilweng go ya ka karolo 1 ya CPA;

3.1.44 **"Motlamedi wa Ditirelo"** o na le bokao jo a bo neilweng go ya ka karolo 1 ya CPA;

3.1.45 **"Lekgetho le le Kgethegileng"** le kaya ketleetso ya matlole ya tlaleletso kgotsa ya nakwana e e duelwang ke batsayakarolo ba CGSO

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mo godimo ga makgetho a a tlwaelegileng a go tsenela le a ngwaga le ngwaga. Ga se tuediso e e ipoeletsang, mme ke mokgwa wa tshoganyetso o o diretsweng go duelela ditshenyegelo tse di botlhokwa kgotsa tse di sa lebelelwang le diporojeke tse di kgethegileng jaaka go tlhomamisitswe ke Boto;

3.1.46 **"Mothelesi"** o na le bokao jo a bo neilweng go ya ka karolo 1 ya CPA;

3.1.47 **"Thulaganyotheleso"** e na le bokao jo e bo neilweng go ya ka karolo 1 ya CPA; le

3.1.48 **"Melawana ya Tshupiso"** e kaya melawana ya tshupiso ya CGSO jaaka e tlhagisitswe mo Karolong E.

3.2 Ntle le fa bokao bo supa ka tsela esele-

3.2.1 lefoko lefe kgotsa tlhagiso e e abetsweng bokao mo CPA e na le bokao jo e bo abetsweng jalo;

3.2.2 ditshupiso tsotlhe tsa-

3.2.2.1 leina le le lengwe di tla tsewa di akaretsa bontsi le ka tlhanolelo; e bile

3.2.2.2 bong bongwe le bongwe jo bo rileng bo tla tsewa bo akaretsa bong jo bongwe le ka tlhanolelo;

3.2.3 ditaelo tsa molao ofe di tla tsewa di akaretsa ditlhabololo kgotsa dikemisetso tsa ona tse di tla tsenngwang mo tirisong nako le nako; e bile

3.2.4 ditlhogo tsotlhe tsa dikarolo le dithulaganyo tse di mo Molawaneng ono di diretswe go supisa fela mme ga di kitla di ama kgotsa di tsewa tsia mo thanolong ya ditemana dipe kgotsa mo dikarolong tse di amanang le tsona.

4. TIRISO, BOGOLO, LE MOFUTA WA MOTSAYAKAROLO

4.1 Molawana ono o ama Batsayakarolo botlhe ba Indaseteri, ntle le fa ba laolwa gosele ke molawanataolo o mongwe wa setšhaba, mme molawanataolo oo wa setšhaba o akaretsa maitsholo otlhe a a thibetsweng jaaka go tlhalositswe mo CPA kgotsa Molawana o o beilweng ke Tona go ya ka karolo 82 ya CPA le/kgotsa fa ngongorego e wela mo taolong e nngwe ya Botsereganyi jo bo nang

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le Taolo, kgotsa mo Botsereganying jwa Indaseteri jo bo amogetsweng semmuso go ya ka karolo 82(6)(a) ya CPA.

4.2 Go a patelesega gore Batsayakarolo botlhe ba ba fa godimo ba obamele ditaelo tsa Molawana ono, go ikwadisa le CGSO go ya ka ditsamaiso tse di tlametsweng mo webosaeteng ya CGSO nako le nako le go nna le seabe mo go tlameleng CGSO ka matlole go ya ka sekao sa matlole jaaka go tlhalositswe mo polelwaneng ya semolao 6.2. Go retelelwa ke go dirisana le CGSO go ka baka tuediso e e tseneletseng ya tsamaiso, fa ngongorego e ka romelwa kwa Lekgotleng ke NCC.

4.3 Molawana ono ga o kitla o tsewa jaaka o o fokotsang ditshwanelo tsa Modirisi ka fa tlase ga CPA kgotsa molao mongwe ofe.

4.4 Molawana ono ga o akaretse ditirisano tse di sa akaretsweng ke CPA le ditirisano le ditheo tsa puso.

KAROLO C

5. DIPATELESEGO TSA BATSAYAKAROLO BA INDASETERI LE CGSO

5.1 Batsayakarolo ka fa tlase ga Molawana ono ba tshwanetse go-

5.1.1 tlhoma Thulaganyo ya go Tshwaragana le Dingongorego ya ka fa Gare e e nonofileng e e ka fitlhelelwang le go tlhaloganngwa ke Badirisi botlhe, thulaganyo eo e e akaretsang mme e sa lekanyediwe go-

5.1.1.1 thulaganyo ya go tshwaragana le dingongorego tsa ka fa gare;

5.1.1.2 sebopego sa tsamaiso ya ka fa gare ya go tshwaragana le dingongorego; le

5.1.1.3 go baya dithulaganyo tsa tsamaiso ya ka fa gare ya go tshwaragana le dingongorego leitlho le go nonofa ga yona;

5.1.2 bontsha ka tsela e e bonalang mo mafelong otlhe a bona a kgwebisano ka go dirisa dileibole tsa CGSO le mo webosaeteng ya bona, kitsiso e e beilweng e e bolelang gore ke Motsayakarolo mo Molawaneng ono e bile ba tlangwa ke ona;

5.1.3 tlamela mo kitsisong e e laetsweng e e tlhalositsweng mo polelwaneng ya semolao 5.1.2 dintlha tsa kgolagano tsa CGSO le Motsayakarolo;

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5.1.4 itsise Badirisi ka tshwanelo ya bona ya go romela Dingongorego kwa CGSO mo tiragalong ya fa ba sa kgotsofalela Thulaganyo ya go Tshwaragana le Dingongorego ya Ka fa Gare ya Motsayakarolo;

5.1.5 netefatsa gore khopi ya Molawana ono kgotsa tshobokanyo ya ona le Thulaganyo ya bona ya Ka fa Gare ya go Tshwaragana le Dingongorego di newa Modirisi ofe fa a kopa kgotsa go kaela Modirisi gore o ka bona kae khopi ya Molawana ono le/kgotsa Thulaganyo ya bona ya Ka fa Gare ya go Tshwaragana le Dingongorego;

5.1.6 netefatsa gore badiri le baemedi ba ba maleba mo kgwebong ya bona ba na le kitso e e lekaneng ya CPA le Melawanataolo e e rebotsweng ka fa tlase ga yona, go akaretsa le Molawana ono le Thulaganyo ya bona ya ka fa Gare ya go Tshwaragana le Dingongorego;

5.1.7 netefatsa, fa go kgonega, gore ba boloka direkoto tse di siameng bonnye dingwaga di le 3 (tharo), tsa Dingongorego tse di amogetsweng ka dintlha tse di latelang tse di tserweng-

5.1.7.1 dintlha le mofuta wa Ngongorego;

5.1.7.2 yuniti ya kgwebo, karolo, lekala le/kgotsa letshwaokgwebo le Ngongorego e leng kgatlhanong le lona;

5.1.7.3 mofuta wa Ngongorego;

5.1.7.4 palo ya Dingongorego tse di tshwanang;

5.1.7.5 dintlha tsa gore Ngongorego e rarabolotswe jang;

5.1.7.6 nako e e tserweng go samagana le Ngongorego;

5.1.7.7 mofuta wa thuso e e neetsweng;

5.1.7.8 mabaka a gore ke eng fa Ngongorego e sa rarabololwa;

5.1.7.9 dintlha tsa dithuso tse di ka nnang teng tse di neelwang mme di sa amogelwe ke Modirisi; le

5.1.7.10 go gatisa gore Modirisi o ne a romelwa kwa CGSO go bona thuso ya go rarabolola Ngongorego fa Ngongorego e sa rarabololwa;

5.1.8 tlamela, fa go kgonega, tshedimosetso e e maleba e e tlhokwang ka tshwanelo ke CGSO kgotsa NCC ka ga karolo efe ya kgwebo ya bona ka maikaelelo a go thusa mo tharabololong ya Dingongorego ka bongwe, ka go tsaya tsia dintlha tse di bofitlha, jaaka go tlhalositswe ka fa tlase ga karolo G ya Molawana ono;

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5.1.10 leka go rarabolola dingongorego le dithulano go ya ka molao, mowa le ditaelo tsa Molawana ono le CPA jaaka di tlhagisitswe ka fa tlase ga karolo B le mabapi le ditsamaiso tsa bona tsa ka fa Gare tsa go Tshwaragana le Dingongorego;

5.1.11 netefatsa gore bona, ditokololo tsa badiri ba bona le baemedi ba bona ba ikgapha mo go tlhotlheletseng kgotsa go leka go tlhotlheletsa kgotsa go tshwenya CGSO, badiri ba CGSO kgotsa Modirisi ofe;

5.1.11 dirisana le dikopo tsotlhe tse di utlwalang tse di dirilweng ke CGSO ka nako. Go retelelwa gofe go dirisana le CGSO go ka tsewa tsia ke NCC le Lekgotla fa ba ntsha kitsiso ya kobamelo kgotsa ba tshitshinya kgotsa ba tlhomamisa tuediso ya tsamaiso.

5.2 Dinewa tse di tserweng mo polelwaneng ya semolao ya 5.1.7 di tla dirisiwa, fa go kgonega, go tlhagisa dingongorego tse di ipoeletsang tse di tlhageletseng mme ditshwaelo tseno, fa go kgonega, di tshwanetse go abelanwa le botsamaisi, badiri le Indaseteri ka maiteko a go tswelela go tshegetsa kobamelo ya CPA, Molawana ono le Thulaganyo ya go Tshwaragana le Dingongorego tsa ka Fa Gare.

5.3 CGSO e tshwanetse go tlhomamisa leano la go rotloetsa temogo ya Molawana ono le diteng tsa ona ka tsela ya diboroutšhara tsa tshedimosetso, dikaelo le dithutano, le kaelo mabapi le kobamelo segolobogolo e e lebisitsweng mo Batsayakarolong ba bannye jaaka go dumalanwe le jaaka go ka tlamelwa ka matlole nako le nako ke CGSO, le le tla akaretsang tse di latelang-

5.3.1 Diboroutšhara tsa tshedimosetso, dikaelo le dithutano;

5.3.2 pontsho ya Molawana ono mo webosaeteng ya CGSO le mo mafelong a mangwe a go ikgolaganya le batho;

5.3.3 phasalatso ya merero e e maleba mo webosaeteng ya CGSO;

5.3.4 nolofatso ya dithutano tsa go tsenngwa ga badiri ba bašwa mo Indasetering, ka ga meono le ditsamaiso tse di mo Molawaneng ono; le

5.3.5 go dirisana mmogo le Bothati jwa Tshireletso ya Badirisi jwa Porofense le ditheo tse dingwe tse di maleba mo matsholong a go lemosa.

5.4 CGSO e tshwanetse go tlhagisa dipegelo tsa ngwaga le ngwaga ka ga go tsenngwa mo tirisong le tiriso ya Molawana ono. Dipegelo tseno di tla dirwa gore di kgone go fitlhelelwa ke matlhakore otlhe a a nang le kgatlhego, go akaretsa mme e seng fela Batsayakarolo, Badirisi, NCC le Tona.

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5.5 Ditshupo tsa tiragatso di tla tlhamiwa go lebilwe dikelo tse di mo polelwaneng ya semolao 5.1.7 le go tsenngwa mo tirisong jaaka tsela ya go lekanya bokgoni jwa Molawana ono.

5.6 Go tsenngwa mo tirisong ga Molawana ono go tshwanetse ga sekasekwa ngwaga le ngwaga ke Boto go netefatsa gore maemo a Molawana ono, maitlhomo a a supilweng le ditsholofelo tsa badirisi di a fitlhelelwa. Pegelo ya tshekatsheko e tla nna teng go fitlhelelwa ke NCC le Tona, e bile e tla nna teng mo webosaeteng ya CGSO.

KAROLO D

6. MOKGWA WA GO TLAMELA CGSO KA MATLOLE

6.1 CGSO e tshwanetse go obamela Dipeelo tsa Tshupiso tsa Molawana ono.

6.2 Mokgwa wa go Tlamela ka Matlole o o Tswelelang o akaretsa tse di latelang-

6.2.1 batsayakarolo ba tshwanetse go etleetsa mo go tlameleng ditiro tsa CGSO ka matlole ka go duela tuelo ya go tsenela le lekgetho la ngwaga le ngwaga le (fa go tlhokega) lekgetho le le kgethegileng, jaaka go tshwanetse ga tlhomamisiwa nako le nako ke Boto ya CGSO.

6.2.2 mo go tlhomamiseng tuelo ya go tsenela, lekgetho la ngwaga le ngwaga le lekgetho le le kgethegileng, Boto e ka nna ya tsaya tsia šere ya mmaraka e e amanang le Batsayakarolo, palo e e solofetsweng ya dingongorego tse go tla samaganwang le tsona ke CGSO ngwaga le ngwaga le ditshenyegelo tsa go tsamaisa CGSO;

6.2.3 ka kitsiso e e utlwalang go Batsayakarolo, lekgetho le le kgethegileng le ka tlhagiswa fa Boto e bona go tlhokega go tlamela ka ditshenyegelo tse di sa lebelelwang tse di dirilweng ke CGSO ka ntlha ya go oketsega ga dikgetse kgotsa lebaka lengwe le lengwe le le amogelesegang mo Botong;

6.2.4 Boto e tshwanetse go tlhomamisa nako le nako selekanyo sa dituelo tse di tshwanetseng go duedisiwa setheo sefe se se welang kwa ntle ga taolo ya CGSO le se CGSO e dirileng tumalano le sona go tlamela ka ditirelo tsa tharabololo ya dithulano;

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6.2.5 mekgwa ya go bala dituelo le makgetho le maemo a ga jaana a dituelo le makgetho a Batsayakarolo a tshwanetse go phasalatswa mo webosaeteng ya CGSO; le

6.2.6 CGSO e na le tshwanelo ya go tsaya kgato ya semolao go busetsa dituelo dife tse di saletseng kwa morago kgotsa makgetho a a kolotwang ke Motsayakarolo.

KAROLO E

7. MELAWANA YA TSHUPISO LE TSAMAISO YA TIRO YA CGSO

7.1 Melawana ya Tshupiso e dirisetswa go tlhoma ditsamaiso tse di maleba tsa tiro gore di fitlhelele maitlhomo a ketapele ya Molawana.

7.2 Ditsamaiso tseno tsa go dira di ikaeletse go-

7.2.1 tlhalosa mokgwa o CGSO e dirang ka ona;

7.2.2 thusa ditokololo tsa badiri ba CGSO go diragatsa ditiro tsa bona; le

7.2.3 go netefatsa gore go samaganwa le Dingongorego ka nako, ka tshiamo, ka tlhomamo le ka nonofo.

7.3 CGSO e ka tsena mo tumalanong le bothati jwa badirisi jwa porofense kgotsa motho ofe mabapi le tiragatso ya kgato kgotsa tiro efe e e rileng kgotsa go tlamela ka ditirelo tse di rileng mo go rarabololeng Thulano kgotsa mo go diragatseng ditiro tsa yona.

8. GO BOLOKA BOIPUSO JWA CGSO

8.1 CGSO e ka thusa go rarabolola Dithulano dife tse di tlhagelelang mo Indasetering.

8.2 CGSO e laolwa ke Boto. Boto e thapiwa go ya ka ditaelo tsa MOI e bile popego ya Boto e tla nna go ya ka MOI.

8.3 Motsereganyi o tla dira ka boikemelo, ka tshiamo le ka nepo mo go rarabololeng Dithulano. Motsereganyi o natefelwa ke tshireletsego ya go nna mo tirong mme o ka lelekwa fela go ya ka ditsamaiso tsa tsamaiso tse di lolameng, jaaka go laetswe mo *Promotion of Administrative Justice Act*, 2000 (Molao 3 wa 2000),

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ka ntlha ya go tlhoka bokgoni, maitsholomabe a a tseneletseng, kgotsa go tlhoka bokgoni jwa go dira tiro ya gagwe kgotsa go e diragatsa.

8.4 Boikemedi jwa CGSO le Motsereganyi bo netefatswa gape ke ntlha ya gore Motsereganyi le badiri ba CGSO ba-

8.4.1 rwala maikarabelo ka botlalo a go tshwaragana le go tlhomamisa dingongorego;

8.4.2 ikarabela mo Botong ya yona le mo NCC; le

8.4.3 na le ditlamelo tse di lekaneng go diragatsa ditiro tsa bona ka go farologana ka nonofo.

8.5 CGSO e tla-

8.5.1 dira ka botshepegi, ka go ikemela ka nosi, ka tshiamo le ka go sa tseye letlhakore;

8.5.2 ela tlhoko tshiamo, tshiamiso, tekatekano le ditaelo tsa CPA le Molawana ono;

8.5.3 lekalekanya ditshwanelo tsa Badirisi ka fa letlhakoreng le lengwe le ditshwanelo tsa Batsayakarolo le Indaseteri ka fa letlhakoreng le lengwe;

8.5.4 efoga go kgetholola ope ka mabaka a a tlhalositsweng mo karolong 9(3) ya Molaotheo le karolo 8 ya CPA; le

8.5.5 tsaya dikgato tse di utlwalang go amogela ditlhokego tsa batho ba ba tshelang ka bogole le go fedisa dikgoreletsi tse ka tsela e e sa siamang tse di ka lekanyetsang kgotsa tsa thibela batho ba ba tshelang ka bogole go dirisa ditirelo tsa CGSO.

8.6 Dikaelo tse di tla dirisiwang go rarabolola Dithulano di akaretsa-

8.6.1 molao, bogolosegolo CPA le Molawana ono. Mo mabakeng otlhe a go nang le kgotlhang magareng ga tlhaloso ya CPA le Molawana ono, CPA e tla bewa kwa pele;

8.6.2 Melawana ya indaseteri e e Amogetsweng Semmuso go ya ka CPA:

8.6.3 dikaelo; le

8.6.4 tshiamo mo maemong otlhe.

9. DITIRO TSA CGSO

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9.1 Ditiro tsa CGSO di akaretsa tse di latelang-

9.1.1 fa a amogela Ngongorego, go batlisisa le go sekaseka ditlolomolao tse go tweng di dirilwe tsa Molawana ono;

9.1.2 go leka go nolofatsa tumalano magareng ga Matlhakore;

9.1.3 go dira kgakololo ya gore Thulano e tshwanetse go rarabololwa jang ke Matlhakore;

9.1.4 ka kopo ya Letlhakore la Thulano, go gatisa tharabololo ya Thulano ka sebopego sa taelo go ya ka karolo 70(3)(a) ya CPA;

9.1.5 ka kopo ya Matlhakore a a Thulanang, go romela taelo kwa Lekgotleng kgotsa kwa Kgotlatshekelong e Kgolo gore e dirwe taelo ya tumelelo, go ya ka karolo 70(3)(b) ya CPA;

9.1.6 ka tumelelo ya Mongongoregi, go akaretsa le mo taelong ya tumelelo, kabo ya ditshenyegelo go Mongongoregi go ya ka karolo 70(4) ya CPA;

9.1.7 go fedisa thulaganyo ka kitsiso go Matlhakore go ya ka karolo 70(2) ya CPA;

9.1.8 go ruta setšhaba ka kakaretso, Badirisi, Batsayakarolo, badiri ba Batsayakarolo le batho ba bangwe ba ba nang le kgatlhego mabapi le go nna teng ga CGSO, ditsamaiso tsa yona, gore Ngongorego e ka dirwa kae le gore e ka dirwa jang, paka e e maleba, didiriswa tse di leng teng le gore go ka bonwa jang ditshwaelo ka ga maemo a Ngongorego le go tlamela ka thuso yotlhe e e tlhokegang go Matlhakore;

9.1.9 go tlamela ka phitlhelelo ya tshedimosetso go ya ka *Promotion of Access to Information Act*, 2000 (Molao 2 wa 2000); le

9.1.10 go kgaratlhela go tswelela go tokafatsa thulaganyo ya go samagana le dingongorego le boleng jwa tirelo e e tlamelwang ke ofisi, gareng ga tse dingwe, go leka ka metlha maemo a kgotsofalo ya Bangongoregi ka thulaganyo ya go samagana le dingongorego.

9.2 Segolobogolo, CGSO e tla-

9.2.1 amogela le go samagana le Dingongorego le Dithulano ntle le tuediso;

9.2.2 tlhomamisa gore a Ngongorego e wela mo taolong ya CGSO kgotsa nnyaa;

9.2.3 gana go samagana le merero eo kgotsa go kgaotsa go samagana le merero eo-

9.2.3.1 e sa weleng mo taolong ya CGSO;

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9.2.3.2 e mo go yona Mongongoregi a reteletsweng ke go araba dikopo go tswa go CGSO tsa tshedimosetso kgotsa ditshwaelo mo nakong e e beilweng sentle ke CGSO;

9.2.3.3 e sa reng sepe, e seng botlhokwa kgotsa e e tenang; kgotsa

9.2.3.4 e mo go yona Ngongorego e sa latofatseng dintlha dipe tse, fa e le boammaaruri, di ka nnang mabaka a namolo ka fa tlase ga Molawana ono kgotsa CPA; Fa fela CGSO e tla fedisa thulaganyo ka kitsiso go matlhakore;

9.2.4 romela Dingongorego tse di ka rarabololwang ka tshwanelo ke setheo se sengwe kwa setheong seo;

9.2.5 tlhotlhomisa tsholofelo nngwe le nngwe e e utlwalang ya go rarabolola Ngongorego ka Tharabololo e e Nolofaditsweng e e amogelesegang mo Matlhakoreng ka bobedi mme, fa go tshwanela, e tla dira tshitshinyo kgotsa Katlanegiso go Matlhakore mabapi le gore morero o tshwanetse go rarabololwa jang;

9.2.6 kopa Motsayakarolo kgotsa moemedi wa gagwe yo o amegang mo Ngongoregong kgotsa mo Thulanong go tlamela ka tshedimosetso efe e e maleba go CGSO, e go ya ka pono ya CGSO e amanang le Ngongorego eo le tharabololo ya yona e e tlhokegang;

9.2.7 tlhoma le, ka lebaka le le siameng le le bontshitsweng, e tla atolosa ditekanyetso tsa nako tse di amanang le merero efe e e amegang mo maitekong a go rarabolola Thulano morago ga go ela tlhoko kganetso nngwe le nngwe go tswa go lefe la Matlhakore le go potlaka ga morero le maemo mangwe afe a a maleba;

9.2.8 itsise Bangongoregi ka ditlhopho tse dingwe tse ba nang le tsona, fa Dingongorego tsa bona di sa rarabololwe go latela thuso e e tlametsweng ke CGSO;

9.2.9 bega go sa obamele CPA kgotsa Molawana ono ke Motsayakarolo go NCC, gore e kgone go batlisisa ditatofatso;

9.2.10 bega maiteko afe a go tlhotlheletsa kgotsa go tshwenya Motsereganyi kgotsa badiri ba CGSO kgotsa Modirisi ofe ka Motsayakarolo kwa NCC;

9.2.11 go dira pegelo ya ngwaga le ngwaga mo dikgweding di le 6 (thataro) tsa go tswalwa ga ngwaga wa yona wa matlole mabapi le ditiro le nonofo

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ya CGSO le go dira gore pegelo e fitlhelelwe ke bannaleseabe, go akaretsa le NCC, ka webosaete ya CGSO le ditsela tse dingwe tse di maleba. Pegelo e e tshwanetse go akaretsa tshedimosetso malebana le-

9.2.11.1 mofuta wa Ngongorego;

9.2.11.2 kgwebo e go ngongoregwang ka yona;

9.2.11.3 mofuta le makgetlo a Ngongorego;

9.2.11.4 ka moo Ngongorego e rarabolotsweng ka teng;

9.2.11.5 nako e e tserweng go samagana le Ngongorego;

9.2.11.6 mofuta wa (di)kotlhao tse di beilweng; le

9.2.11.7 ditshupatlotlo le dipegelo tsa boruni;

9.2.12 kgobokanya dinewa ka ga se se bakileng Dingongorego, go supa mathata a a rulagantsweng le a a ipoeletsang a Batsayakarolo ba tlhokang go a rarabolola, le go dira dikatlanegiso go Batsayakarolo gore ba ka samagana jang le mathata ano a a ipoeletsang le go supa ditsela tsa go oketsa kobamelo;

9.2.13 tlhagisa dipegelo tsa ngwaga le ngwaga ka ga ditiro le nonofo ya Molawana ono, tse di tla bonwang bonolo ke bannaleseabe botlhe le Matlhakore a a nang le kgatlhego. Dipegelo di tshwanetse go tlamela ka ditshwaelo tsa botlhokwa tsa botsamaisi le badiri mo teng ga Indaseteri kgotsa go tswelela go tokafatsa kobamelo ya CPA;

9.2.14 go samagana le Ngongorego nngwe le nngwe ka tsela e e lekalekanang, e e nang le maikaelelo le e e sa tseyeng letlhakore ka thulaganyo ya go samagana le dingongorego;

9.2.15 go dirisa ditirelo tsa moranodi mabapi le Badirisi ba ba ka tlhokang thuso e e ntseng jalo jaaka le fa go tlhokega;

9.2.16 go tlhaola le go sekaseka Dingongorego tsotlhe gore go kgonege go supa ditiragalo le diphetogo tse di rulagantsweng, tse di ipoeletsang le tse di sa direng sepe; le

9.2.17 tlhama melawana ya ka fa gare, diforomo le ditsamaiso tse di sa thulaneng le ditaelo tsa Molawana ono kgotsa CPA.

10. BOTHATI JO BO RWALANG MAIKARABELO JWA CGSO

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10.1. Boto ke Bothati jwa jo bo Rwalang Maikarabelo jwa CGSO mme e ka rolela Motlhankedikhuduthamagamogolo kgotsa Motsereganyi ditiro tse di rileng.

10.2 Bakhuduthamagabagolo ba CGSO ke Motlhankedikhuduthamagamogolo le Motsereganyi. Bogolo jwa ditiro le dithata tsa bona bo tla nna jaaka bo roletswe mongwe le mongwe ka bongwe nako le nako ke Boto.

10.3 Motlhankedikhuduthamagamogolo ke Motlhankedi yo o Rwalang Maikarabelo wa CGSO e bile o tla rwala maikarabelo a go tsenngwa mo tirisong go go tshwanetseng, go go siameng le ka tlhoafalo ga ditsamaiso le ditaolo tsa matlole, go akaretsa le go netefatsa gore direkoto tse di siameng tsa diakhaonto di a bolokwa, tse di akaretsang-

10.3.1 lotseno lotlhe le ditshenyegelo tsa CGSO;

10.3.2 lotseno lotlhe le le kokoantsweng ke CGSO; le

10.3.3 dithoto tsotlhe le go gololа melato yotlhe ya CGSO.

10.4. CGSO e tla ela tlhoko le go boloka rekoto ya batsayakarolo botlhe ba indaseteri ba ba sa obameleng melao mme rekoto eo e tla neelwa NCC kotara le kotara, gore NCC e tseye tsia dikgato tse dingwe tse di tshwanetseng go tsewa.

10.5. CGSO e tshwanetse go saena Tumalano ya Semmuso le NCC e e tla laolang go ela tlhoko thulaganyo jaaka go bonetswe pele ke karolo 82(7) ya CPA.

11. DITHATA, DITIRO LE MAIKARABELO A BOTO

11.1 Boto e tla dira mo dikgatlhegelong tse di gaisang tsa Botsereganyi gore e kgone go rotloetsa mowa wa puso e e siameng le maikarabelo a loago.

11.2 Boto e tla dira ka mokgwa o o diragatsang maikaelelo a Botsereganyi ka nonofo le o o rotloetsang makayatshiamo le melawana ya Molaotheo.

11.3 Boto e tla kaela, e laole le go tlamela ka leano mabapi le taolo ya Botsereganyi.

11.4 Boto e tla tlamela ka foramo e go tla buiwang ka kgatlhego ya batsayakarolo botlhe le bannaleseabe mo go yona.

11.5 Boto e tla leka go netefatsa gore Botsereganyi bo dira ka go sa tseye letlhakore e bile bo bonwa e le moagi wa kgwebo yo o nang le maikarabelo.

11.6 Boto e tla leka go netefatsa gore ditokololo tsotlhe di na le maikarabelo le go tsaya karolo mo go tlhameng leano, leano le le tshwanetseng go bewa go tsamaelana le maitlhomo a Botsereganyi.

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11.7 Boto e tla rwala maikarabelo a go supa dikotsi, le dithulaganyo tsa go fokotsa dikotsi tseo.

11.8 Dikgotlhang tsa dikgatlhego di tshwanetse go laolwa ke Boto mme dikgatlhego tsa Botsereganyi di tla tla pele.

11.9 Boto e tshwanetse go netefatsa gore go na le boruni jwa ka fa gare jo bo nonofileng jo bo ikaegileng ka dikotsi.

11.10 Boto e tshwanetse go netefatsa gore go bewa thulaganyo e e siameng le e e utlwalang go netefatsa gore go na le pegelo e e maleba ya matlole.

12. THARABOLOLO YA DITHULANO MAGARENG GA CGSO LE BATSAYAKAROLO BA INDASETERI

12.1. Mo lebakeng la thulano e e tlhagelelang fa gare ga CGSO le ofe wa Batsayakarolo, matlhakore a tla leka go rarabolola thulano ka dipuisano. Seno se akaretsa gore letlhakore le lengwe le laletse le lengwe ka go kwala go tla kopanong le go leka go rarabolola thulano mo matsatsing a le supa go tloga ka letlha la taletso e e kwetsweng.

12.2. Fa go ka direga gore thulano e se ka ya rarabololwa ka thulaganyo eo, letlhakore lengwe le lengwe le ka kopa ka go kwala gore matlhakore a leke ka mowa o montle go rarabolola thulano ka bonako ka go romela thulano kwa botsereganying, mme matlhakore a tla netefatsa gore a tsereganya ka mowa o montle.

12.3. Fa thulano e sa rarabololwe morago ga gore e romelwe kwa botsereganying, matlhakore a ka romela kgetse kwa bonamoding kgotsa kwa kgotlatshekelong ka ditshenyegelo tsa ona. Mo lebakeng la bonamodi, tshwetso ya monamodi e tla nna ya bofelo e bile e tlama magareng ga matlhakore.

12.4. Matlhakore a tla leka go dumalana ka monamodi, fa a sa dire jalo, matlhakore a tla romela morero kwa Mokgatlhong wa Bonamodi wa Aforikaborwa o o tla tlhophang monamodi go tswa mo phaneleng ya yona ya banamodi, go okamela thulano eo.

12.5. Monamodi o tla nna le dithata tsa go dira taelo ka ga ditshenyegelo tsa yona.

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13. TAOLOSEMOLAO YA CGSO

13.1 **Bangongoregi ba ba Tshwanelegang**

13.1.1 Go ikaegile ka polelwana ya semolao 13.3, CGSO e ka tsaya tsia Ngongorego e e tlisitsweng ke kgotsa mo boemong jwa Modirisi yo-

13.1.1.1 e leng motho wa poraefete; kgotsa

13.1.1.2 e leng setheo sa molao.

13.2 CGSO e ka samagana le-

13.2.1 dithulano tse di tlhagelelang go ya ka Molawana ono magareng ga Bangongoregi ka fa letlhakoreng le lengwe le Batsayakarolo ka fa letlhakoreng le lengwe; kgotsa

13.2.2 dingongorego tse di amanang le ditlolomolao tse go tweng di dirilwe tsa CPA kgotsa Molawana ono.

13.3 **Ditekanyetso tsa taolo ya CGSO**

13.3.1 **Ditlhotlhwa tse di Amegang:** Go tsamaelana le selekanyo (tekanyetso) se se tlhomamisitsweng ke Tona ka fa tlase ga karolo 5(2) (b) ya CPA, CGSO e ka se tseye tsia Ngongorego kgotsa Thulano e e amanang le Motho wa Semolao jaaka Modirisi yo boleng jwa thoto ya gagwe kgotsa thekiso ya ngwaga le ngwaga e lekanang kgotsa e fetang selekanyo se se tlhomamisitsweng nako le nako ke Tona go ya ka karolo 6(1) ya CPA.

13.3.2 **Tekanyetso ya Nako:** CGSO e ka se tseye tsia Ngongorego kgotsa Thulano e e amanang le tiro kgotsa go tlogela go go diragetseng pele ga di 1 Moranang 2011 kgotsa mo tiragalong efe go feta dingwaga di le 3 (tharo) pele ga letlha le Ngongorego e neng ya tlhatlhelwa kwa CGSO ka lona go netefatsa gore ditleleimi tseo ga di nne tse di laolwang ke molao. Paka ya dingwaga di le 3 (tharo) e simolola ka letlha le Mongongoregi a neng a lemoga kgotsa a neng a tshwanetse go bo a lemogile tiragalo eo ka lona, go ikaegile ka gore ke efe e e diragalang pele. Fa Ngongorego kgotsa Thulano e le ya bogologolo go feta dingwaga di le pedi, CGSO e tshwanetse go gakolola Mongongoregi ka kotsi ya gore e laele.

13.3.3 **Dithulaganyo tse dingwe:** Morago ga tshekatsheko ya ntlha ya Ngongorego, kgotsa Thulano, kgotsa mo kgatong efe ya thulaganyo e nngwe ya mabaka a a umakilweng fa tlase e bonala, CGSO ga e kitla e

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tswelela go sekaseka Ngongorego kgotsa Thulano e go ya ka kakanyo ya Motsereganyi-

13.3.3.1 e welang mo taolong ya Botsereganyi bongwe bofe jo bo nang le Taolo go ya ka molao wa jona o o kgontshang; kgotsa

13.3.3.2 e theilweng mo tiragalong e e tshwanang le dintlha le morero ofe o e leng, o e neng e le, kgotsa o o nnang, setlhogo sa ditsamaiso dife mo kgotlatshekelong efe, lekgotleng kgotsa setheong sa taolo kgotsa mo Botsereganying bofe jo bo nang le Taolosemolao ya taolo efe ya semolao, ntle le fa CGSO e bone go le maleba go tsereganya mme e sa thibelwe go dira jalo ka fa tlase ga molao ofe; kgotsa

13.3.3.3 e e ka rarabololwang ka tshwanelo ke mapodisi, kgotlatshekelo ya molao, ke setheo sefe fela se se laolang kgotsa ka thulaganyo efe e nngwe ya go rarabolola dithulano.

13.4 **Tse di sa akaretswang:** Morago ga tshekatsheko ya ntlha ya Ngongorego kgotsa Thulano, kgotsa mo kgatong efe ya thulaganyo efe ya mabaka a a umakilweng fa tlase e bonalang, CGSO ga e kitla e tswelela go sekaseka Ngongorego kgotsa Thulano e go ya ka kakanyo ya Motsereganyi-

13.4.1 e latelelwang ka tsela e e sa utlwaleng, e e sa reng sepe, e e seng botlhokwa, e e kgopisang, e e tshosetsang kgotsa e e sotlakang kgotsa fa Mongongoregi a retelelwa ke go dirisana le thulaganyo;

13.4.2 e sa latofatseng dintlha dipe tse, fa e le boammaaruri, di ka nnang mabaka a namolo ka fa tlase ga Molawana ono kgotsa CPA;

13.4.3 e tlhaelang boleng jo bo bonalang;

13.4.4 e sekasekilweng thata ke CGSO;

13.4.5 e theilweng mo ditiragalong le mo dintlheng tse di tshwanang le morero ofe o o leng, o e neng e le kgotsa o o nnang, setlhogo sa ditsamaiso dife mo kgotlatshekelong nngwe efe kgotsa mo setheong se

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sengwe se se ikemetseng sa tharabololo ya dithulano; kgotsa

13.4.6 e sekasekwang ke modirakamolao mo boemong jwa Modirisi, e ka tswa e le ka maikaelelo a go simolola dikgato tsa semolao kgotsa nnyaa, ntle le fa Motsereganyi a tlhomamisa gore go nna le seabe ga modirakamolao go maleba mo maemong.

13.5 **Phediso ka Mongongoregi:** Mongongoregi o ka fedisa ka nako nngwe le nngwe go tshwara ga CGSO Ngongorego le go swetsa ka go ya kwa kgotlatshekelong kgotsa ka thulaganyo e nngwe ya tharabololo ya dithulano ka go gogela Ngongorego morago ka go kwalela CGSO.

14. DITAOLOSEMOLAO TSE DINTSI

14.1 CGSO e ka sekaseka ngongorego kgotsa kganetsano e e welang mo taolong ya CGSO ya semolao jaaka go tlhalositswe mo Molawaneng ono; le fa mongongoregi kgotsa moikarabedi gape e le tokololo ya indaseteri e e welang mo taolong ya Motsereganyi yo mongwe yo o amogetsweng semmuso.

14.2 Seno se tla netefatsa kgokagano e kgolwane le tirisanommogo magareng ga Botsereganyi jo bo amogetsweng semmuso go ya ka karolo 82(6) ya CPA le go nolofatsa phitlhelelo ya maitlhomo a a tlhalositsweng mo CPA ka-

14.2.1 go boloka boitseanape jwa indaseteri jo bo kgethegileng;

14.2.2 mokgwa o o dirilweng gore o tsamaelane le o o tlhomameng le tiriso ya melao e e rileng ya indaseteri;

14.2.3 go fokotsega ga go reka mo foramong ka ditokololo tsa madirelo a a tshelepanang;

14.2.4 go fokotsa go raraana ga badirisi le batsibogi fa go nang le kgonagalo ya go tshelepana;

14.2.5 go fokotsa dikgoreletsi tsa phitlhelelo;

14.2.6 go fokotsa dipaka tsa nako tsa tharabololo; le

14.2.7 go oketsa kitso ya badirisi.

14.3 Batsayakarolo ba indaseteri, ba ba dirang go ralala mafelotaolo a Botsereganyi a a amogetsweng semmuso mme a wela mo taolong ya Botsereganyi jo bo amogetsweng semmuso jo bo fetang bo le bongwe, ba tshwanetse go duela

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diketleetso tsa matlole go Botsereganyi jo bo maleba. Ka jalo, diketleetso tsa matlole di tshwanetse go fokotswa go ya ka go tshelepana ga tsona ke Botsereganyi jo bo amogetsweng ka go farologana.

14.4 Bangongoregi ba ka tlhatlhela dingongorego kwa Botsereganying bofe jo bo amogetsweng semmuso mo taolong efe e e maleba ka fa tlase ga CPA, fa fela Botsereganyi jo bo amogelang ngongorego e e kwa ntle ga boitseanape jwa jona kgotsa fa go bonala gore ngongorego e siametse go sekasekwa le Botsereganyi jo bongwe jo bo amogetsweng semmuso, bo tshwanetse go romela ngongorego ka bonako kwa Botsereganying jo bongwe, ka tumelelo ya Mongongoregi.

KAROLO F

15. TSAMAISO YA DINGONGOREGO

Motsereganyi o tla netefatsa tsamaiso e e siameng le e e nang le maitsholo ya go tshwaragana le dingongorego, jaaka go laetswe mo polelwaneng eno ya semolao.

KGATO 1: GO TLHAGISA NGONGOREGO

15.1 Thomelo go Motsayakarolo-

15.1.1 Mongongoregi o tshwanetse go romela morero wa Thulano pele kwa Motsayakarolong wa Indaseteri gore go samaganwe le ona, go ya ka Thulaganyo ya go Tshwaragana le Dingongorego ya Ka fa Gare ya Motsayakarolo. Fa Modirisi a ka simolola Ngongorego ya gagwe kwa CGSO, ntle le go e romela kwa Motsayakarolong pele, CGSO e tla romela Modirisi gape kwa Motsayakarolong.

15.1.2 Mongongoregi o tshwanetse go romela Ngongorego kwa Motsayakarolong ka bonako jo bo kgonegang morago ga gore Mongongoregi a lemoge ka ga yona jaaka go tlhalositswe mo polelwaneng ya semolao 13.3.2.

KGATO 2: THOMELO GO CGSO

15.2 Go ngongorega kwa CGSO-

15.2.1 Mongongoregi yo o rometseng Ngongorego kwa Motsayakarolong yo o amegang, mme a sa kgotsofalela mokgwa o Motsayakarolo a dirisanang

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ka ona, kgotsa a dirileng ka ona, kgotsa ditlamorago tsa yona, o ka, fa morero o sa rarabololwa ke Motsayakarolo mo matsatsing a le 15 a tiro kgotsa paka e e atolositsweng e go dumalanweng ka yona magareng ga Matlhakore, romela Ngongorego kwa CGSO mo nakong e e utlwalang mo foromong kgotsa ka sebopego se se laetsweng mo Mametlelelong B kgotsa ka go leletsa lefelo la yona la megala mo go 0860 000 272 kgotsa ka tsela e nngwe e e amogelesegang mo CGSO. Foromo ya Ngongorego e ka romelwa ka seatla, ka poso, ka WhatsApp kgotsa ka imeile kgotsa ka tlhaeletsano ya eleketeroniki kwa diatereseng tse di latelang:

15.2.1.1 Aterese ya Lefelo: 292 Surrey Avenue, Ferndale, Randburg, RSA; kgotsa
15.2.1.2 PO Box 3815, Randburg, 2125; kgotsa
15.2.1.3 WhatsApp: +2781 335 3005; kgotsa
15.2.1.4 Imeile: info@cgso.org.za ; kgotsa
15.2.1.5 Mogala: +27(0)11 781 2607 kgotsa 0860 000 272 (Mogala o o Aroganelwang).

15.2.2 Ditekanyetso tsa Nako tsa Ngongorego: Mongongoregi o tshwanetse go romela Ngongorego kwa CGSO ka bonako jo bo kgonegang le mo nakong e e beilweng e e tlhalositsweng mo polelwaneng ya semolao 13.3.2.

15.2.3 Kamogelo ya Ngongorego: Ngongorego e e nang le tshedimosetso e e tshegetsang e tla kwalwa le go rebolelwa khoutu e e kgethegileng e e ka supiwang kgotsa tshupiso. Rekoto e tshwanetse go supa namolo e e batlwang ke Mongongoregi le tshedimosetso nngwe efe e e tlhokegang go tshwaragana le Ngongorego ka nonofo. Kamogelo ya Ngongorego efe e tla anaanelwa mo matsatsing a le 2 (mabedi) a tiro e ka nna ka imeile, WhatsApp kgotsa mogala go Mongongoregi.

15.2.4 Tshekatsheko ya Ntlha ya Ngongorego: Morago ga go amogela, Ngongorego nngwe le nngwe e tla sekasekwa kwa tshimologong go netefatsa gore a e wela mo taolong ya CGSO. E tla sekasekwa gape go ya ka tsenelelo ya yona, ditlamorago tsa pabalesego, go raraana ga yona, kutlwalo le tlhokego le kgonagalo ya kgato ya ka bonako.

15.2.5 CGSO e tla-

15.2.5.1 dira maiteko otlhe go rarabolola Dingongorego tsotlhe mo matsatsing a le 60 (masome a marataro) go tloga ka tshimologo

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ya dipatlisiso go ya ka polelwana ya semolao ya 15.4 fa e sa dire jalo CGSO e tla tswala ngongorego le go romela ngongorego kwa NCC; e bile

15.2.5.2 go boloka direkoto tsa Batsayakarolo ba Indaseteri ba ba sa obameleng melao le go bega seno kwa NCC kotara le kotara.

15.2.6 Go Latedisa Ngongorego: Ngongorego e tla latediswa go tloga ka nako ya kamogelo ya yona mo thulaganyong yotlhe go fitlha morero o konoseditswe ke CGSO, kgotsa Mongongoregi a rometswe kwa NCC kgotsa golo gongwe. Pegelo ya maemo e e mo nakong e tla newa Mongongoregi fa a e kopa le ka dikgaotso tsa ka metlha, bonnye ka nako ya matlha a bofelo a a beilweng pele ga nako.

15.2.7 Tsamaiso ya Ngongorego ya Thomelo-

15.2.7.1 fa CGSO e amogela Ngongorego e e sa weleng mo taolong ya CGSO, CGSO e tla swetsa gore ke setheo sefe se sengwe (go akaretsa le NCC), fa se le teng, se se ka kgonang go thusa Mongongoregi botoka mme e tla itsise Mongongoregi ka tshwanelo e ka nna ka WhatsApp, mogala kgotsa imeile;

15.2.7.2 tshwetso ya go romela Ngongorego kwa ditheong tse dingwe e mo go CGSO. Fa CGSO e swetsa go romela Ngongorego kwa setheong se sengwe, CGSO e tla naya Mongongoregi khopi ya lekwalo la thomelo le e le romelang kwa setheong se sengwe seo. Fa tshwetso e tserwe ya go romela Ngongorego, e tla romelwa kwa setheong se se maleba mo matsatsing a le 2 (mabedi) a tiro morago ga gore e amogelwe ke CGSO;

15.2.7.3 fa Ngongorego e le e e lebegang e wela mo taolong ya CGSO mme Mongongoregi a sa rerisana ka tlhamalalo le Motsayakarolo jaaka kgato ya ntlha ya go leka go rarabolola morero, CGSO e tla gakolola Mongongoregi go romela morero kwa Motsayakarolong go naya Motsayakarolo tšhono ya go rarabolola Ngongorego. Go seng jalo, CGSO e ka romela morero ka tlhamalalo kwa Motsayakarolong ka tetla ya Mongongoregi;

15.2.7.4 CGSO e ka romela Mongongoregi kwa go mongwe le mongwe ofe wa Batsayakarolo ba Indaseteri yo ngongorego e leng ka ena, ba ba akaretsang Morekisi, Modiri, Motlhagisi, Mophatlhalatsi,

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Mothelesi, Morekantle, Morekisi ka Bogolo le Batlamedi ba Ditirelo jaaka karolo ya Thulaganyotheleso jaaka CGSO e bona go tshwanetse ka fa tlase ga maemo;

15.2.7.5 Mongongoregi ofe yo o gakololwang go romela morero kwa Motsayakarolong o tla itsisiwe gape gore o ka ya kwa CGSO gape, fa Ngongorego e sa rarabololwa go kgotsofatsa Mongongoregi mo matsatsing a le 15 (lesome le botlhano) a tiro kgotsa paka e e atolositsweng jaaka go dumalanwe magareng ga Matlhakore;

15.2.7.6 fa e le gore, go ya ka kakanyo ya CGSO, go lebilwe thata karolo 3(1)(b) ya CPA (badirisi ba ba mo kotsing), go bakela Mongongoregi mathata a a sa tlhokegeng kgotsa go sa kgotsofale go romela Ngongorego kwa Motsayakarolong pele a bona thuso ya CGSO, CGSO e ka dirisana le Mongongoregi jaaka e kete Mongongoregi o ile kwa Mongongoreging;

15.2.7.7 fa Ngongorego e le e e lebegang e wela mo taolong ya CGSO mme Mongongoregi a setse a isitse morero kwa Motsayakarolong, CGSO e tla itsise Motlhankedi yo o Tlhophilweng, ka go kwala, gore Ngongorego e tlhatlhetswe gape kwa CGSO le gore Motsayakarolo o tla nna le matsatsi a le 15 (lesome le botlhano) a tiro go tloga ka motsi wa go amogela tlhaeletsano go batlisisa le go leka go rarabolola Thulano le Mongongoregi kgotsa go tlamela CGSO ka mabaka a yona a go gana Ngongorego. Motsayakarolo o ka nna ka kopo le ka kakanyo ya CGSO, a letlelelwa nako e e oketsegileng go rarabolola morero;

15.2.7.8 CGSO e tla tlamela Motsayakarolo yo o amegang ka dintlha ka botlalo tsa Ngongorego, go akaretsa le dikhopi tsa dikwalo tse di maleba tse di rometsweng kwa CGSO, go fitlha fa CGSO e bonang go tlhokega, ka WhatsApp kgotsa imeile; le

15.2.7.9 Motsayakarolo o tla amogela kanaanelo ya kitsiso mo matsatsing a le 2 (mabedi) a tiro mme o ka dira jalo ka lekwalo le le rometsweng ka seatla, WhatsApp kgotsa imeile.

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KGATO 3: THARABOLOLO YA NGONGOREGO KA MOTSAYAKAROLO

15.3 Tsereganyo ka Motsayakarolo-

15.3.1 Fa Mongongoregi a romelwa kwa Motsayakarolong ke CGSO go ya ka polelwana ya semolao 15.2.7.5 fa godimo, Motsayakarolo o tla-

15.3.1.1 ikgolaganya le Mongongoregi go tlhalosa morero ofe, go netefatsa botlhokwa jwa Ngongorego le go leka go rarabolola Ngongorego go kgotsofatsa Mongongoregi ka tsela e e utlwalang;

15.3.1.2 fa a kgona go rarabolola Ngongorego, tlamela CGSO bosupi jo bo utlwalang jwa gore Ngongorego e rarabolotswe le gore maitlamo afe a a dirilweng ke Motsayakarolo a obametswe;

15.3.1.3 dira dipatlisiso dife tse di tlhokegang e bile maemo a dipatlisiso a tla tsamaelana le bomasisi, makgetlo a tiragalo le tsenelelo ya Ngongorego;

15.3.1.4 fa Motsayakarolo a sa kgone go rarabolola Ngongorego e e rometsweng kwa go ena ke CGSO go ya ka polelwana ya semolao 15.2.7.5, tlamela CGSO ka pegelo e e tlhalosang dipatlisiso tse a di dirileng le mabaka a gore ke eng fa morero o sa rarabololwa le mabaka a yona a go gana Ngongorego;

15.4.1.5 Fa Motsayakarolo a retelelwa ke go tlamela ka pegelo e e umakilweng mo polelwaneng ya semolao ya 15.3.1.4, seno ga se kitla se thibela CGSO go dira Katlanegiso e e ikaegileng fela ka tshedimosetso e e fa pele ga yona;

15.4.1.6 Fa CGSO e le ya mogopolo wa gore Motsayakarolo o tlametse thuso e e batlwang ke Mongongoregi kgotsa a tlametse ka tlhaloso e e amogelesegang ya maitsholo a gagwe a a ngongoregang ka ga ona, CGSO e tla itsise Mongongoregi le Motsayakarolo ka ga ntlha eno le go supa gore faele e tla tswalwa ntle le fa Mongongoregi a le kgatlhanong le ntlha eo, kgotsa a tlamela CGSO ka

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tshedimosetso e ntšhwa mo matsatsing a le 10 (lesome) a tiro;

15.4.1.7 Mo dinakong tse di beilweng go ya ka polelwana ya semolao 15.2.7.5, CGSO e ka nolofatsa tumalano magareng ga Motsayakarolo le Mongongoregi fa CGSO e bona gore go tla nna maleba le go thusa go dira jalo;

15.4.1.8 Fa go samaganwa le Dingongorego, Motsayakarolo o tshwanetse go dira gore Badirisi, Bangongoregi le batho ba bangwe ba ba nang le kgatlhego ba nne le tshedimosetso e e amanang le Thulaganyo ya go Tshwaragana le Dingongorego ya ka Fa Gare, go akaretsa le diboroutšhara tsa CGSO le diphamfolete tsa tokololo, kgotsa tshedimosetso e e theilweng mo eleketeroniking. Tshedimosetso e e ntseng jalo e tshwanetse go neelwa ka puo e e tlwaelegileng mme, go ya ka fa e utlwalang ka teng, ka mokgwa o o fitlhelelwang ke botlhe, gore go se nne le Bangongoregi bape ba ba tlhaelwang. Tse di latelang ke dikao tsa tshedimosetso eo-

- kwa Dingongorego di ka dirwang teng;
- ka moo Dingongorego di ka dirwang ka teng; le
- tsamaiso ya Dingongorego.

15.4.1.9 fa Motsayakarolo a sa kgone go rarabolola morero mo matsatsing a tiro a le 15 (lesometlhano) kgotsa paka e e atolositsweng jaaka go dumalanwe magareng ga Matlhakore, Motsayakarolo o tla gakolola Mongongoregi ka tshwanelo ya go romela morero kwa CGSO le go tlamela Mongongoregi ka dintlha tsa kgolagano tsa CGSO.

KGATO 4: PATLISISO LE THARABOLOLO YA DINGONGOREGO KA CGSO

15.5 Patlisiso:

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15.5.1 CGSO e ka, ka maitlhomo a go fitlhelela tharabololo ya morero-

15.5.1.1 tlhoka gore Motlhankedi yo o Tlhophilweng wa Motsayakarolo a mo tlamele ka direkoto tsa kgwebisano kgotsa thulaganyo e e bakileng Thulano, go akaretsa le-

15.5.1.1.1 direkoto tsa thekiso (go akaretsa le ditirisano tse di gatisitsweng)

15.5.1.1.2 dikhopi tsa papatso; le

15.5.1.1.3 direkoto tsa tlhatlhobo kgotsa tsa paakanyo;

15.5.1.2 tlhoka, Motlhankedi yo o Tlhophilweng wa Motsayakarolo go e tlamela ka polelo go tswa go badiri bafe ba setegeniki, ba semolao, ba thekiso, ba papatso, ba ba tshwaraganang le dingongorego le ba bangwe ba ba dirang mo boemong jwa Motsayakarolo, jaaka go tshwanetse mo Ngongoregong;

15.5.1.3 tlhoka tshwaelo kgotsa tlhaloso go tswa go Mongongoregi kgotsa mongwe ofe wa Batsayakarolo ba Indaseteri yo Ngongorego e leng ka ga gagwe (e e akaretsang Morekisi, Modiri, Motlhagisi, Mophatlhalatsi, Mothelesi, Morekantle, Morekisi ka Bogolo le Batlamedi ba Ditirelo jaaka karolo ya Thulaganyotheleso) mo morerong mongwe ofe, go akaretsa le tshedimosetso e e tlametsweng ke Letlhakore le lengwe;

15.5.1.4 tlhoka gore Mongongoregi kgotsa Motsayakarolo, go ya ka gore ke efe e e maleba, a e tlamele ka Dithoto tse Ngongorego kgotsa Thulano e amanang le tsona gore di tlhatlhojwe kgotsa di dirwe diteko, fa Dithoto di santse di le teng; le

15.5.1.5 rerisana ka ditshenyegelo tsa yona le motho ofe yo e tsayang a siametse go e thusa go rarabolola Ngongorego.

15..6 Mongongoregi kgotsa Motsayakarolo o tshwanetse go dira maiteko otlhe go obamela dikopo tse di dirilweng ke CGSO mo matsatsing a le 10 (lesome) a tiro, ntle le fa go ka bontshiwa lebaka le le siameng.

15.7 Nolofatso:

15.7.1 CGSO e ka, gore e kgone go rarabolola Ngongorego ka bonako, dira tshekatsheko ya boleng jwa yona ntle le go dira dipatlisiso le go tshitshinya go Matlhakore gore morero o tshwanetse go rarabololwa jang;

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15.7.2 CGSO e ka, morago ga go kokoanya direkoto le tshedimosetso e e maleba, bopa pono ya ntlha ka ga morero mabapi le maikarabelosemolao a a ka nnang teng a Motsayakarolo le dikgakololo, fa di le teng, tse e dumelang gore Mongongoregi o na le tshwanelo ya tsona. Dipoelo tse di ka nnang teng di akaretsa-

15.7.2.1 go rarabolola morero jaaka go kopilwe ke Mongongoregi;

15.7.2.2 go tlamela ka dingwe tsa dikgakololo tse di kopilweng mme e seng tsotlhe; kgotsa

15.7.2.3 go sa neele epe ya dikgakololo tse di kopilweng le go eletsa Mongongoregi ka ditsela tse dingwe tse Mongongoregi a ka di dirisang.

15.7.3 CGSO e tla itsise Motsayakarolo le Mongongoregi kakanyo ya yona fela fa tshwetso e tserwe le go kopa ditsibogo tsa bona;

15.7.4 Motsayakarolo le Mongongoregi ba tshwanetse go gakolola CGSO mo matsatsing a le 5 (matlhano) a tiro morago ga go amogela tlhaeletsano e e boletsweng gore a ba amogela dipeelo tsa katlanegiso kgotsa nnyaa;

15.7.5 Fa morero o rarabololwa ka ntlha ya fa Matlhakore ka bobedi mo Thulanong a amogetse tharabololo e e tshitshintsweng ke CGSO, kgotsa a bone thuso ya CGSO go fitlhelela tharabololo e e amogelesegang ka botlhe, tharabololo e tshwanetse go kwalwa le go diragatswa. CGSO e ka, ka kopo ya Matlhakore a a Thulanang, rekota tharabololo ya Thulano ka sebopego sa taelo go ya ka karolo 70(3)(a) le (b) ya CPA; e bile

15.7.6 Fa go sa dumalanwe ka tharabololo mo kgatong eno, CGSO e tla itsise Matlhakore ka ga dikgetho tse dingwe tse ba nang le tsona, go akaretsa le Katlanegiso ya Motsereganyi.

15.8 Botsereganyi: CGSO e ka nna, ntle le go dira dipatlisiso, ka kakanyo ya yona, ya tsereganya morero ofe o Motsereganyi a dumelang gore o maleba go tsereganngwa, ka go tsaya tsia dikeletso tsa Matlhakore le mofuta wa Ngongorego. Go nna le seabe ga baemedi ba semolao ga go kitla go letlwa fa e se fela ka tshwetso ya motsereganyi.

15.9 Katlanegiso-

15.9.1 Motsereganyi o ka, mo lebakeng lefe fa morero o sa rarabololwa ka Bonamodi kgotsa Nolofatso, dira katlanegiso e e kwetsweng e e

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tlhalosang gore morero o tshwanetse go rarabololwa jang le mabaka a Katlanegiso. Fa morero o rometswe kwa Motsayakarolong wa Indaseteri yo o fetang bongwe yo Ngongorego e buang ka ene (yo o akaretsang Morekisi, Modiri, Motlhagisi, Mophatlhalatsi, Mothelesi, Morekantle, Morekisi ka Bogolo le Batlamedi ba Ditirelo jaaka karolo ya Thulaganyotheleso), Katlanegiso e tshwanetse go bolela gore ke ofe wa Batsayakarolo ba Indaseteri yo Motsereganyi a akanyang gore o tshwanetse go rwala maikarabelosemolao;

15.9.2 Pele ga go dira Katlanegiso, le go ikaegilwe ka dintlha tsa Sephiri, Motsereganyi o tla, go ya ka bogolo jo bo tsewang bo le maleba, letla Letlhakore lengwe le lengwe go tshwaela ka ga tshedimosetso e e neetsweng CGSO ke yo mongwe ka nako ya kgato ya patlisiso, Botsereganyi kgotsa Nolofatso;

15.9.3 Motsayakarolo le Mongongoregi ba tshwanetse go gakolola Motsereganyi ka go kwala mo matsatsing a le 10 (lesome) a tiro go tloga ka nako ya fa ba amogela Katlanegiso gore a ba amogela dipeelo tsa katlanegiso kgotsa nnyaa;

15.9.4 Ga go na Mongongoregi kgotsa Motsayakarolo yo o tla tlamegang go amogela Katlanegiso e e dirilweng ke Motsereganyi, mme fa Motsayakarolo a sa amogele Katlanegiso e e amogetsweng ke Mongongoregi, palo ya dikgetse tseo le dintlha tsa tsona tse Motsereganyi a akanyang gore di maleba di tla phasalatswa mo pegelong ya ngwaga le ngwaga ya CGSO le ka tsela e nngwe e Motsereganyi a bonang e le maleba;

15.9.5 Fa Mongongoregi a gana Katlanegiso kgotsa a retelelwa ke go tsiboga mo nakong e e beilweng mo polelwaneng ya semolao 15.9.3, Katlanegiso e tla kgaphelwa thoko mme faele e ka nna ya tswalwa.

15.9.6 Fa morero o rarabolotswe ka ntlha ya fa Matlhakore ka bobedi mo Thulanong a amogetse Katlanegiso ya Motsereganyi, CGSO e ka, ka kopo ya Matlhakore a a Thulanang, rekota tharabololo ya Thulano ka sebopego sa taelo go ya ka karolo 70(3)(a) ya CPA;

15.9.7 Fa Matlhakore ka bobedi a amogela dipeelo tsa Katlanegiso, a tshwanetse go obamela ditaelo tsa yona mo pakeng e e beilweng mo Katlanegisong. Fa lefe la Matlhakore le retelelwa ke go obamela, CGSO

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e tla itsise Matlhakore ka ga ditlhopho tse dingwe tse ba nang le tsona, go akaretsa le go romelwa kwa NCC kgotsa kwa Lekgotleng, le go rekotwa ga tharabololo ya Thulano ka sebopego sa taelo; e bile

15.9.8 Fa go sa dumalanwe ka tharabololo mo kgatong eno kgotsa fa Letlhakore le retelelwa ke go obamela, CGSO e tla itsise Matlhakore ka ditlhopho tse dingwe tse ba nang le tsona, go akaretsa le go romelwa kwa NCC le go dirwa ga ditsamaiso tsa semolao ka ditshenyegelo tsa Matlhakore, fa go gakolotswe jalo.

KAROLO G

16. BOFITLHA

16.1 Go ya ka molao mongwe ofe, tshedimosetso e e supang motho ka namana e tla bolokwa e le sephiri ke CGSO mme e sirelediwe, ntle le fa go tlhokega go e naya Letlhakore ka maitlhomo a le nosi a go rarabolola Thulano, kgotsa ntle le fa tshenolo e tlhokega go ya ka molao, kgotsa tumelelo ya go senola e bonwe go tswa go Letlhakore le le amegang.

16.2 Fa Letlhakore lefe la Ngongorego le tlamela CGSO ka tshedimosetso le go kopa, ka go kwala, gore e tsewe jaaka Tshedimosetso e e Bofitlha, CGSO e tla tlhomamisa gore a tshedimosetso e tshwanetse go tsewa jaaka Tshedimosetso e e Bofitlha.

16.3 Fa CGSO e swetsa gore tshedimosetso e tshwanetse go tsewa jaaka Tshedimosetso e e Bofitlha, le fa go ntse jalo CGSO e ka dirisa tshedimosetso go fitlhelela tshwetso e e sa siamang mo Letlhakoreng le le ganetsweng ka Tshedimosetso e e Bofitlha.

16.4 Fa CGSO e swetsa gore tshedimosetso ga e a tshwanela go tsewa jaaka Tshedimosetso e e Bofitlha, CGSO e tla tlamela ka mabaka a seo le go itsise Letlhakore le le senolang gore CGSO ga e na tshwanelo ya go dirisa tshedimosetso go fitlhelela tshwetso e e sa siamang mo Letlhakoreng le le ganediwang Tshedimosetso e e Bofitlha, ntle le fa Letlhakore le le ganetsanang le dumela gore tshedimosetso eo e newe Letlhakore le lengwe.

16.5 Go ikaegilwe ka ditaelo tse dingwe tsa polelwanasemolao eno, go ya ka fa go ka kgonegang ka teng le ka tshwetso ya CGSO fela, dikwalo tsotlhe di

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tshwanetse go neelwa Matlhakore ka bobedi a a mo Thulanong, fa fela CGSO e ka neela Matlhakore kitsiso e e kwetsweng e e supang gore dikwalo kgotsa tshedimosetso e teng fa e kopiwa.

DIŠEJULE

MAMETLELELO A

MERERO E E AMANANG LE GO THAPIWA, NAKO LE DITHATA TSA MOTSEREGANYI

1. GO THAPIWA GA MOTSEREGANYI

1.1 Boto e tshwanetse go thapa Motsereganyi yo o solofetsweng go nna le dinonofo tsa sebele, dithutego, bokgoni kgotsa boitseanape gore a siamele go thapiwa ka tsela e e latelang-

1.1.1 go ikemela ka nosi;

1.1.2 go nna motho yo o siametseng e bile a tshwanetse;

1.1.3 go bontsha maemo a a kwa godimo a bokgoni le go nna le kitso e e lekaneng ya matlole;

1.1.4 go nna le dinonofo le bokgoni jo bo siameng jwa boeteledipele;

1.1.5 go kgona go laola le go etelela pele mokgatlho o o kgweediwang ke tirelo;

1.1.6 go nna le bonnye maitemogelo a dingwaga di le 10 (lesome) mo tirong e kgolwane ya bokhuduthamaga e e amanang le tharabololo e nngwe ya dithulano kgotsa ofisi ya motsereganyi; le

1.1.7 go nna le dithutego tsa semolao le go amogelwa jaaka Mmueledi kgotsa Moatefokate; kgotsa go nna le dithutego le maitemogelo mo go tsa ikonomi, kgwebo le indaseteri le merero ya setšhaba.

1.2 Dilo tse di sa akarediweng di akaretsa mme di lekanyeditswe go-

1.2.1 Ga go motho ope yo o thapilweng ke Motsayakarolo wa Indaseteri mo pakeng ya dingwaga di le 3 (tharo) pele ga go dira kopo ya phatlhatiro ya Motsereganyi, yo o ka thapiwang; kgotsa

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1.2.2 Ga go motho ope yo o ka tsewang tsia go nna Motlhankedikhuduthamagamogolo (CEO) kgotsa Motsereganyi mo dingwageng di le 3 (tharo) tsa go dira jaaka Tokololo ya Boto ya CGSO.

1.3 Ga go na motho ope yo o nang le kgatlhego epe ya kgwebo e e tlhamaletseng kgotsa e e sa tlhamalalang mo Motsayakarolong ope yo o ka tlhongwang jaaka Motsereganyi.

1.4 Thulaganyo ya go thapa Motsereganyi e tla dirwa phatlalatsa le mo pontsheng-

1.4.1 Boto e tla tlhoma komitipotlana e e kgethegileng ya thulaganyo ya go thapa ya Motsereganyi. Komitipotlana e e tla bidiwa "Komiti ya go Thapa". Komiti ya go Thapa e tla nna le Modulasetulo wa Boto, moemedi a le mongwe wa Indaseteri, moemedi a le mongwe wa setheo sa badirisi le moemedi a le mongwe wa mokgatlho;

1.4.2 Komiti ya go Thapa e tla bapatsa maemo a CEO kgotsa Motsereganyi mo dipolatefomong tse pedi tsa bobegakgang, mo bonnye polatefomo e le nngwe e e nang le seriti ya seranyane le kuranta ya bosetšhaba, e e nang le phitlhelelo e e anameng ya bosetšhaba le tlwaetso ya kgwebo. Go tla kokoanngwa lenaane le lekhutshwane la bontlhopheng ba ba siametseng thata mme bontlhopheng bao ba tla botsolotswa ke Komiti ya go Thapa. Fa Komiti ya go Thapa e sena go swetsa ka ntlhopheng yo o siametseng thata, e tla romela katlanegiso e e kwetsweng e e tshegeditsweng ka botlalo mo ntlheng eno kwa Botong. Boto e tla tsaya tshwetso ya yona ya bofelo ka ga go thapiwa ga ntlhopheng ka tsela ya voutu ya bontsi; le

1.4.3 Motsereganyi le Motlhankedikhuduthamagamogolo ba tla tlhoka go saena konteraka ya tiro e e tlhalosang dipeelo tsa tiro ya bona mme e tla nna ka fa tlase ga tshekatsheko ya tiragatso ya ngwaga le ngwaga. Konteraka ya tiro e ka nna ya nako e e tletseng kgotsa ya nakwana.

1.5 Motsereganyi o tla thapiwa paka e e tlhomameng ya ntlha ya dingwaga di le 3 (tharo) go ya go di le 5 (tlhano). Fa paka eno ya ntlha e sena go fela, Motsereganyi o tla tshwanelega go thapiwa gape go dira paka e nngwe ka voutu ya bontsi jwa Boto, fa fela paka eo e nngwe e sa fete dingwaga di le 5 (tlhano). Tshwetso ya gore a go thapiwe Motsereganyi gape kgotsa nnyaa, e tshwanetse go itsisiwe Motsereganyi ka mokwalo bonnye ngwaga o le 1 (o le nosi) pele ga

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nako ya tiro ya gagwe e fela. Le fa go ntse jalo, Motsereganyi ga a tshwanela go dira dipaka tse di fetang tse pedi.

1.6 Motsereganyi o ka lelekwa fela go ya ka ditaelo tsa polelwanasemolao 8.3 ya Molawana ono.

1.7 Tshwetso efe ya go leleka Motsereganyi e tshwanetse go tsewa ka voutu ya bontsi jwa Boto mme tsamaiso ya go leleka e tshwanetse go tsamaisana le polelwanasemolao 8.3 ya Molawana ono.

1.8 Motlhankedikhuduthamagamogolo le Motsereganyi ba tshwanetse go itsise ka go kwalela Boto fa go ka nna le thulano ya dikgatlhego ya nnete kgotsa e e akanngwang e e ka nnang teng kgotsa e e ka tlhagelelang morago ga kgotsa ka nako ya go thapiwa ga gagwe. Seno se tla akaretsa, mme e seng fela, maemo a mo go ona wa losika le le gaufi jaaka motsadi, motsalwammogo, monyalanimmogo kgotsa bana ba Motlhankedikhuduthamagamogolo kgotsa Motsereganyi ba leng mo tirong ya leruri ya kgotsa ba nang le dikgatlhego tsa kgwebo mo Motsayakarolong wa Indaseteri.

1.9 Ka dinako tsotlhe go tla nna le Motsereganyi a le 1 (a le mongwe). Fa go kopilwe ke Motsereganyi, Boto e tla nna le tshwanelo ya go tlhoma Motlatsamotsereganyi. Go thapiwa le go tlhophiwa ga Motlatsamotsereganyi go tla diragala ka divoutu tsa bontsi jwa Boto.

1.10 Motlhankedikhuduthamagamogolo kgotsa Motsereganyi o ka rola tiro ka go neela Boto kitsiso e e kwetsweng ya matsatsi a le 90 (masome a robongwe).

2. DITHATA LE DITIRO TSA MOTSEREGANYI LE CEO

2.1 Motsereganyi o neilwe dithata tsa go dira Dikatlanegiso tse di amanang le Dingongorego le Dithulano.

2.2 Motlhankedikhuduthamagamogolo le Motsereganyi ke batsamaisi ba bagolo ba CGSO. Motlhankedikhuduthamagamogolo ke motlhankedi yo o rwalang maikarabelo e bile o na le maikarabelo ka kakaretso a tsamaiso ya letsatsi le letsatsi, go akaretsa le go thapa badiri le go tlhomamisa melawana le dipeelo tsa bona tsa tiro. Motsereganyi o na le tlhokomelo ya tharabololo e nngwe ya dithulano ya CGSO, go akaretsa le maikarabelo ka kakaretso a dithulaganyo tsa tharabololo ya dingongorego tsa CGSO, kobamelo ya ditlhokego tse di

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amanang le semolao le go rerisana le mekgatlho e e maleba ya peomolao. Boto e ka abela Motlhankedikhuduthamagamogolo maikarabelo ano go akaretsa le a a tlhalositsweng mo polelwaneng ya semolao 2.4 e e fa tlase.

2.3 Motsereganyi le Motlhankedikhuduthamagamogolo ba tla dira sengwe le sengwe se se tlhokegang le se se tshwanetseng go tsamaisa CGSO, go akaretsa le go ntsha dikaelo tsa go tsenya mo tirisong le tiriso ya melawana.

2.4 Motsereganyi le Motlhankedikhuduthamagamogolo ba tla newa dithata tsa go dira se se tlhokegang go diragatsa maitlhomomagolo a CGSO. Dithata tseno di tla dirisiwa go ya ka Melawana ya Tshupiso le ditsamaiso tse di tlhomamisitsweng ke Boto. Segolobogolo, e tshwanetse go-

2.4.1. baakanya le go romela kwa Botong pegelo ya ngwaga le ngwaga e e tlhalosang ka botlalo ditiro le matlole a CGSO a ngwaga o o sekasekiwang;

2.4.2. baakanya le go romela dipegelo kwa Botong ka ga merero ya gajaana le ditiro tse di amanang le dingongorego;

2.4.3. rotloetsa le go phasalatsa ditirelo tse di tlamelwang ke CGSO ka bobegakgang le mekgatlho ya badirisi;

2.4.4. supa le go lemosa Batsayakarolo ba Indaseteri ditiro tse di sa eletsegeng tse mongwe kgotsa ba le bantsi ba ka nnang karolo ya tsona, le go begela Boto le NCC merero e e ntseng jalo fa Motsayakarolo wa Indaseteri a sa kgone kgotsa a sa batle go tsaya kgato ya paakanyo;

2.4.5 thapa badiri go netefatsa tsamaiso e e nonofileng ya dingongorego le tsamaiso ka kakaretso ya kantoro ya Botsereganyi;

2.4.6. tsena mo ditumalanong tsa theko le thekiso le go hirisa le go hira dithoto tse di tlhokegang ka tsela e e utlwalang gore CGSO e dire sentle;

2.4.7. bula diakhaonto tsa banka le tse dingwe tse di tlhokegang gore CGSO e kgone go dira ditiro tsa yona;

2.4.8 dira dikatlanegiso go Boto tsa ditlhabololo dife tse di tlhokegang mo Molawaneng ono le MOI ya CGSO.

2.5.8.1 Ditlhabololo dife tse di tshitshintsweng mo Molawaneng ono jaaka di amogetswe di tla romelelwa NCC, go e kgontsha go dira go ya ka karolo 82(5)(c) ya CPA.

2.6 Boto e na le dithata tsa go tlhopha go abela Motsereganyi le/kgotsa Motlhankedikhuduthamagamogolo dithata kgotsa ditiro dingwe tsa yona.

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3. BADIRI BA BOTSEREGANYI

3.1 Badiri ba CGSO le batho ba bangwe ba ba dirang tharabololo e nngwe ya dithulano mo boemong jwa yona ba tshwanetse go nna le maitemogelo a a latelang a a maleba mo morerong wa ngongorego le maemo a thulaganyo ya CGSO e ba neelang tirelo mo go yona a akaretsa-

3.1.1 dithutego le maitemogelo mo molaong, kgwebong, indasetering le mo tharabololong ya dithulano;

3.1.2 kitso ya dintlha tsa setegeniki tsa dithoto le ditirelo tse di tlamelwang mo Indasetering kgotsa phitlhelelo ya thuso ya setegeniki kgotsa boitseanape mo ntlheng eno; le

3.1.3 go tlhaloganya CPA.

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CONSUMER GOODS & SERVICES OMBUD
Fairplay between consumer & supplier

MAMETLELELO B

FOROMO YA NGONGOREGO

DITAELO:
Pele ga o tlatsa foromo ya ngongorego tsweetswee netefatsa tse di latelang:

- ☐ Morero o ne wa romelwa kwa kgwebong e e tsayang karolo (Motsayakarolo) kgotsa mokgwa wa yona wa tharabololo ya dithulano o o mo bogareng e bile Motsayakarolo o ne a newa tšhono ya go rarabolola ngongorego.
- ☐ Fa mongongoregi e le kgwebo o netefatsa gore thekiso ya ngwaga le ngwaga e kwa tlase ga R2 000 000.00.
- ☐ Ngongorego ya gago ga e a sekasekwa ke modirakamolao kgotsa ga e a tseelwa kgato ya semolao.
- ☐ Seo se bakileng ngongorego ya gago ga se a diragala pele ga Moranang 2011 kgotsa dikgwedi di feta di le 36 tse di fetileng.
- ☐ Ngongorego e kile/ga e ise e rarabololwe ke kgotlatshekelo, lekgotla, setheo se sengwe se se rarabololang dikgotlhang kgotsa Botsereganyi.

MABAKA LE DIPEELO

Tsweetswee itlwaetse mabaka le dipeelo tse di latelang pele o tswelela *(Melawana ya Rona ya Tshupiso e mo Molawaneng ono o o fitlhelelwang mo www.cgso.org.za)*

1. Ke dumela fano go obamela Melawana ya CGSO, jaaka e tlhalositswe fano.
2. **Ke dumela fano gore tshedimosetso e e neetsweng mo foromong eno ya ngongorego e tla abelanwa le Motsayakarolo gore thulano ya me e kgone go rarabololwa.**
3. Ke dumela gore tshwetso ya CGSO ke ya bofelo fa go tlhomamiswa gore a ngongorego e wela mo taolong ya CGSO.
4. CGSO e neelana ka tirelo mahala. Ga go na tuelo kgotsa tuediso e e ka pateletswang mabapi le ditirelo difе tse di dirilweng kgotsa mabapi le go tlamelwa ka foromo ya kopo.
5. Ke dumela gore nka gogela ngongorego ya me morago mo kgatong efe.
6. Ke tla itsise ofisi ya CGSO ka go kwala fa nka tsaya kgato ya semolao kgatlhanong le mothelesi yo ngongorego eno e dirwang kgatlhanong le ena.
7. **CGSO e ka, ka kakanyo ya yona, kgaphela thoko ngongorego fa-**
   a. Ke retelelwa ke go tlamela ka tshedimosetso efe ka nako kgotsa gotlhelele;

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b. Ke retelelwa ke go araba tlhaeletsano efe e e rometsweng ke ofisi ya CGSO ka nako kgotsa gotlhelele;
c. Ke nna motho yo o kgobotletsang, yo o rogang kgotsa yo o kgoreletsang CGSO kgotsa badiri ba yona, go akaretsa le fa ke tlhaeletsana le bona. CGSO e tla, ka kakanyo ya yona fela, tlhomamisa gore a ke a kgobotletsa, ke a rogakana kgotsa ke a kgoreletsa kgotsa nnyaa.

8. **Ke dumela gore ga go na nako e e beilweng e ngongorego ya me e tla rarabololwang ka yona.** Ke tlhaloganya gore thulaganyo ya go batlisisa ngongorego ya me ke thulaganyo e telele e e matsapanyana.

9. Fa nka se kgotsofalele tshwetso ya bofelo ya CGSO, **ga ke ne ke ikuela kgatlhanong le tshwetso eo**, mme fela ke na le tshwanelo ya go ikgolaganya le Khomišene ya Bosetšhaba ya Badirisi mo nomorong ya mogala ya 012 428 7000 / 086 000 3600.

10. **Ke dumela gore ga ke a tshwanela go phasalatsa dintlha dipe tsa ngongorego ya me mo mofuteng ofe wa bobegakgang.** Fa nka phasalatsa dintlha dife tsa ngongorego ya me ka nako ya thulaganyo ya dipatlisiso CGSO e ka nna, ka kakanyo ya yona e e feletseng, ya gana go batlisisa ngongorego go ya pele, fa phasalatso eo e ama thulaganyo ya dipatlisiso bobe.

11. Makwalo otlhe, diimeile le dikwalo tse dingwe tsotlhe tse di rometsweng go le ke CGSO, nna le mothelesi di bofitlha. CGSO e tla swetsa gore ke afe a makwalo, difekese, diimeile le dikwalo tse dingwe tsotlhe tse ke tla di senolelwang kgotsa letlhakore lengwe lefe.

12. **Ke dumela gore nna kgotsa moemedi wa me yo o dumeletsweng ga re kitla re bitsa CGSO le badiri ba yona ka taelo ya kgotlatshekelo kgotsa re kope gore dikwalo dife tse di mo faeleng ya CGSO di senolwe, fa ngongorego ya me e ka nna kgang ya kgetse ya kgotlatshekelo kgotsa tharabololo efe e nngwe ya dithulano.**

13. Ke rebolela mothelesi go senolela CGSO tshedimosetso efe e a ka nnang le yona e e tlhokegang ka motsi wa dipatlisiso tsa ngongorego ya me.

14. CGSO e na le tshwanelo ya go tlhabolola melawana le maitlamo ano, ka nako nngwe le nngwe.

15. Ke dumela gore ka go tlhatlhela ngongorego kwa CGSO ke tlamega go dirisa mofuta wa gajaana wa melawana ("Mofuta wa Gajaana") nako le nako le gore, ntle le fa go tlhalositswe ka tsela esele mo Mofuteng wa Gajaana, mefuta yotlhe e e fetileng e tla emisetswa ka Mofuta wa Gajaana.

16. Le fa maiteko otlhe a dirilwe ke CGSO go netefatsa gore webosaete ya yona e dira sentle, go nepagala ga tshedimosetso/ditshwantsho le go ikanyega ga tshedimosetso e e mo webosaeteng ya yona, ga go ka ke ga netefatswa.

17. CGSO ga e dire ditlhagiso dipe kgotsa dinetefaletso, e ka tswa e le tse di tlhamaletseng kgotsa tse di sa tlhamalalang, mme ga e tseye maikarabelosemolao kgotsa maikarabelo ape a go dira sentle ga webosaete ya yona le/kgotsa tshedimosetso le/kgotsa ditshwantsho tse di mo webosaeteng ya yona. Segolobogolo, ga re dire netefaletso epe ya gore webosaete e tla fitlhelela ditlhokego tsa gago, ga e ne e kgorelediwa, e feletse, e tla nna ka nako, e sireletsegile kgotsa ga e na diphoso.

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18. Ka go dira jalo o gololа CGSO, ditokololo tsa yona tsa badiri le CGSO mo maikarabelong a ditshenyegelo e bile o dumela gore e seka ya nna le maikarabelo ape mo tleleimeng epe, mo topong kgotsa mo tshenyegong e e netefaditsweng ke motho ofe wa boraro ka ntlha ya kgotsa e e tlhagelelang ka ntlha ya tiriso ya gago ya tirelo kgotsa webosaete eno.

19. O re gololа le go se rwese molato kgatlhanong le tsotlhe le tatlhegelo epe, maikarabelosemolao, ditiro, dikgatosemolao, ditsamaiso, ditshenyegelo, ditlhokego le ditshenyegelo tsa mofuta mongwe le mongwe, (go akaretsa le ditshenyegelo tse di tlhamaletseng, tse di sa tlhamalalang, tse di kgethegileng kgotsa tse di bakwang ke ditlamorago), le gore e ka tswa e le ka kgato e e theilweng mo konterakeng, boitlhokomoloso kgotsa tiro efe e nngwe, e e tlhagelelang ka ntlha ya go retelelwa kgotsa tiego mo go diragatseng ditirelo, kgotsa tiriso ya ditirelo, e ka tswa e le ka ntlha ya boitlhokomoloso jwa rona kgotsa nnyaa, kgotsa ka ntlha ya go retelelwa ga gago go ikobela mabaka le dipeelo tseno le/kgotsa ditlhokego dife tse dingwe tse re ka di pateletsang nako le nako.

20. Ke dumela gore ngongorego ya me e ka sekasekwa ke CGSO ka melawana e e fa godimo. Tshedimosetso e e neetsweng fano ke ya boammaaruri e bile e nepagetse go ya ka kitso ya me. Ke tlhaloganya gore go romela tshedimosetso e e fosagetseng ke tsietso mme ngongorego ya me e tla kgaphelwa thoko.

21. Ke buisitse le go amogela Melawana eno Ee □ Nnyaa□

RE BOLELELE KA GA GAGO

Maina ka botlalo a mongongoregi	Tlhopha ntlha.
Nomoroitshupo ya mongongoregi	
Setlhopha sa Dingwaga	Tlhopha ntlha.
Bong	Tlhopha ntlha.
Tlatsa karolo eno fela fa mongongoregi e le setlamo	Leina la Setlamo: Dipoelo tsa Setlamo:

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Aterese ya Poso ya Mongongoregi	PO Box Porofense Khoutu
Aterese ya Bonno ya Mongongoregi	Porofense Khoutu
Nomoro ya Selefounu ya Mongongoregi	
Nomoro ya Mogala ya Mongongoregi	( )
Nomoro e Nngwe ya Mongongoregi	( )
Nomoro ya Fekese ya Mongongoregi	( )
Aterese ya Imeile ya Mongongoregi	

RE BOLELELE KA SETHEO SE O TLHAGISANG NGONGOREGO KGATLHANONG LE SONA

Leina la Mothelesi yo ngongorego e dirwang kgatlhanong le ena	
Aterese ya Imeile ya Mothelesi	
Dinomoro tsa Kgolagano tsa Mothelesi	
Totobatsa lekala la Mothelesi	
Leina la modiri/motsamaisi yo o thusitseng mo lebenkeleng	

RE BOLELELE KA NGONGOREGO YA GAGO

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A o kile wa leka go rarabolola ngongorego eno le mothelesi pele ga o tlhatlhela ngongorego kwa ofising ya rona?	Tlhopha ntlha.
Tlhaloso e khutshwane ya ngongorego	

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Letlha le bothata bo begetsweng mothelesi ka lona	Tobetsa fa go tsenya letlha.
Letlha la theko/ thomelo ya dithoto (go sa kgathalesege gore ke lefe le le tlang moragonyana)	Tobetsa fa go tsenya letlha.
Fa ngongorego eno e golagantswe le akhaonto kgotsa botokololo, tsweetswee naya nomoro ya akhaonto kgotsa ya botokololo	
A setlhagiswa seno se rekilwe mo maranyaneng kgotsa mo lebenkeleng?	Tlhopha ntlha.
Fa e le gore ke dithoto, mofuta wa dithoto	Tlhopha ntlha.
Letshwaokgwebo le sebopego sa setlhagiswa	
O lopa go duelwa bokae (fa go le maleba)?	
O ka rata gore ngongorego eno e rarabololwe jang?	
O utlwile jang ka CGSO?	
Letlha	Tobetsa fa go tsenya letlha.
Lefelo	
Tshaeno (fa e gatisitswe le go sekeniwa)	
Dintlha tsa Kgolagano tsa CGSO:	**Mogala o o Aroganelwang: 0860-000-272**
WhatsApp: 0813353005	**Imeile: info@cgso.org.za**

TSWEETSWEE ROMELA DIKWALO TSOTLHE TSA TSHEGETSO MMOGO LE FOROMO YA NGONGOREGO

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DEPARTMENT OF TRADE, INDUSTRY AND COMPETITION

NOTICE 4265 OF 2026

PRESCRIPTION OF THE SOUTH AFRICAN AUTOMOTIVE INDUSTRY CODE OF CONDUCT,2026 AND ACCREDITATION OF THE ALTERNATIVE DISPUTE RESOLUTION SCHEME ADMINISTERED BY THE MOTOR INDUSTRY OMBUD OF SOUTH AFRICA AS AN ACCREDITED INDUSTRY OMBUD IN TERMS OF SECTION 82 OF THE CONSUMER PROTECTION ACT, 2008 (ACT NO.68 OF 2008)

I, Mr Mpho Parks Tau, in my capacity as the Minister of Trade, Industry and Competition, after having considered comments made in relation to Notice 6179 of 2025, published in Gazette No.52604, Vol 719, 9 May 2025, on the application for accreditation of the South African Automotive Industry Code of Conduct made in terms of section 82, read with section 120 of the Consumer Protection Act, 2008 (Act No. 68 of 2008) (the "Act") and acting on the recommendations thereto made by the National Consumer Commission in terms of section 82(3) of the Act, hereby prescribe the Code in the attached Schedule as the industry code for the automotive industry and accredit the alternative dispute resolution scheme administered by the Motor Industry Ombud of South Africa in terms of Section 82(6)(b) of the Act, as an accredited industry Ombud.

In line with section 82(2)(b), read with section 82(5)(c) of the Act, the previously prescribed Code as published in *Gazette* No.38107, Notice 817 of 17 October 2014 is hereby withdrawn in its entirety upon coming into effect of this Notice.

This Notice will come into effect on 1 December 2026.



Mr Mpho Parks Tau, MP
Minister of Trade, Industry and Competition
Date: 2/11/2026

SCHEDULE

SOUTH AFRICAN AUTOMOTIVE INDUSTRY CODE OF CONDUCT, 2026

VISION:

The Automotive Industry of South Africa must at all times comply with the contents and spirit of the Consumer Protection Act, 2008 (Act No.68 of 2008) when supplying goods and services to consumers**.**

MISSION:

The Automotive Industry of South Africa will achieve its vision by-

(a) subscribing to this Code of Conduct;

(b) providing goods and services that are safe and at prices that are fair and reasonable; and

(c) publicly acknowledging the consumers' rights to be heard, to be informed, to have the right to safety, the right to choose, and the right to redress with regard to the South African Automotive Industry.

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PART A: SOUTH AFRICAN AUTOMOTIVE INDUSTRY CODE

1. INTRODUCTION

1.1 The South African Automotive Industry Code (this "Code") was proposed by the automotive industry and recommended to the Minister of Trade, Industry and Competition by the National Consumer Commission in accordance with the provisions of sections 82(3) and (5) of the Consumer Protection Act, 2008 (Act No. 68 of 2008) (the "Act").

1.2 This Code regulates the relations between persons conducting business in the automotive industry, provide for a scheme of alternative dispute resolution

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mechanisms between consumers and all participants in the industry and create an industry Ombud to provide alternative dispute resolution services.

1.3 Any provision in this Code that is inconsistent with the Act shall be invalid.

1.4 This Code is an industry code and it applies to the entire Automotive Industry as defined in this Code irrespective of whether such persons are members of any automotive industry association. This Code relates to the conduct for the supply of goods and services by the Automotive Industry and consumers within the Republic of South Africa and focuses on consumer protection, supplier guidance and fair business practices.

1.5 This Code provides for an Alternative Dispute Resolution process within the Automotive

Industry between-

1.5.1 consumers and suppliers;
1.5.2 suppliers themselves, which will, amongst other things, include instances in which-

1.5.2.1 a supplier falls within the definition of consumer as envisaged in the Act;

1.5.2.2 a supplier falls under the threshold as determined by the Regulations to the Act;
1.5.2.3 supplier and manufacturer; and
1.5.2.4 consumer and manufacturer.

1.6 This Code will be implemented by the Motor Industry Ombudsman of South Africa ("MIOSA") and its interpretation is vested in MIOSA.

1.7 MIOSA is an independent non-profit company incorporated in terms of the Companies Act, 2008 (Act No. 71 of 2008) (the "Companies Act"), and fully funded by the automotive industry participants.

2. DEFINITIONS

In this Code, any word or expression to which a meaning has been assigned in the Act, bears the meaning so assigned and, unless the context otherwise indicates—

—"Accessories" means additional, adjunct, subordinate things, accompaniments and fittings or attachments to vehicles, including but not limited to tow bars, sunshades, mud flaps, boot spoilers, floor mats and liners, roof racks, spoilers, visors, chrome trims, bumper guards, tow hooks, automotive paints, paint thinning agents, vehicle wrapping, abrasive materials, finishing compounds, mag wheels, lubricating oils, performance enhancing additives, coolant treatments and engine cleaning materials;

— "ADR" means Alternative Dispute Resolution excluding arbitration;

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— **"the Act"** means the Consumer Protection Act, 2008 (Act No. 68 of 2008) and the Regulations thereto, as amended from time to time;

— **"Automotive Industry"** means the Automotive and Automotive-related Industries, including but not limited to, importers, dealers, manufacturers, retailers, franchisors, franchisees; suppliers, and intermediaries who import, distribute, produce, retail or supply passenger, recreational, agricultural, industrial, or commercial vehicles, including but not limited to vehicles as defined, trucks, motorcycles, quad cycles or, whether self-propelled or not, an internal combustion propelled engine for a boat, or import, distribute, manufacture or remanufacture completed components, retail or supply any completed components as defined and/or accessories as defined to such vehicles, and/or renders a related repair or replacement service to consumers in respect of such vehicles; and anyone who modifies, converts, adapts or tows vehicles;

— **"Board"** means the independent Board of MIOSA operating in terms of its Memorandum of Incorporation under the Companies Act;

— **"this Code"** means this Code of Conduct as amended from time to time;

— **"completed components**" means a fully assembled and functional part or module that is ready to be installed or inserted in a vehicle or delivered to an Equipment Manufacturer or supplier, having passed functional and quality testing and can be directly installed in a vehicle assembly line without further processing, including but not limited to transmission, clutch, drive shaft, exhaust, pistons, gear sets, springs (coil or leaf), shock absorbers, alternator, starter motor, battery, fuses and relays, ignition coil, spark plugs, brakes (pads, discs, drums, shoes, master cylinder, booster, abs sensor), wheel bearings, clutch (plate, cylinder), cv joints, crankshaft, camshaft, cylinder head, timing chain/belt, oil pump, fuel injectors, air intake manifold, water pump, radiator, thermostat, tyres, the engine control unit and includes petrol, diesel, hydrogen, gas and batteries for electrical and fuel powered vehicles;

— **"days"** means business days which is any day other than a Saturday, Sunday or public holiday as gazetted by the government of the Republic of South Africa from time to time;

— **"dealer"** means a retailer who supplies goods or services to the end-consumer;

— **"distributor"** in relation to any particular goods, means a person who, in the ordinary course of business—

(a) is supplied with those goods by a manufacturer; and

(b) in turn, supplies those goods to either another distributor or to a retailer;

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— **"importer"** means, with respect to any particular goods, a person who brings those goods, or causes them to be brought, from outside the Republic into the Republic, with the intention of making them available for supply in the ordinary course of business;

— **"manufacturer"** includes a producer or importer and means a person who –

(a) manufactures or produces goods, or causes any goods to be manufactured or produced, with the intention of making them available for supply in the ordinary course of business; or

(b) by applying a personal or business name, trademark, trade description or other visual representation on or in relation to the goods, has created or established a reasonable expectation that the person is a person contemplated in clause (a);

— **"member"** means a participant and/or supplier in the Automotive Industry, as defined in this Code;

— **"MIOSA"** means the Motor Industry Ombudsman of South Africa, established to assist in resolving disputes that arise in terms of the Act regarding any goods or services provided by the Automotive Industry to such consumers, including suppliers who are in turn also consumers within the industry supply chain;

— **"NCC"** means the National Consumer Commission;

— **"NCT"** means National Consumer Tribunal;

— **"normal office hours"** means from 08H30 to 16H30 Monday to Thursday and 08H30 to 16H00 on Fridays;

— **"OEVM"** means the Original Equipment Vehicle Manufacturer, and for the purposes of this code includes the distributor, importer or manufacturer, as the case may be;

— **"OECM"** means the Original Equipment Components Manufacturer, and for the purposes of this code includes the distributor, importer or manufacturer as the case may be;

— **"Ombud"** means an independent person appointed by the Board to resolve and make recommendations on complaints in terms of this Code;

— **"specialised workshop tools"** means tools that are purpose-built instruments and equipment specifically designed to perform precise tasks in the maintenance, diagnosis, and repair of vehicles, which are supplied by the manufacturer/importer to the Automotive Industry;

— **"Stakeholder Compact Agreement"** means a formal, legally binding document that outlines the mutual responsibilities, roles and expectations of MIOSA and NCC to regulate the monitoring process as per section 82(7) of the Act;

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— **"trade associations"** means associations that act as a collective to represent, assist, educate and advise their members in matters of common interest;

— **"vehicle"** means any device, structure or machine that travels on or off a public road and includes agricultural, recreational , industrial or commercial vehicles, including but not limited to passenger vehicles, trucks, trailers, caravans, motorcycles, quad, cycles, tricycles, whether self-propelled or not, including an internal combustion engine for a boat; and includes any vehicle designed or adapted for propulsion or haulage on a road by means of fuel, gas or electricity or any other means and any other implement designed or adapted to be drawn by such vehicle;

— **"used vehicle"** means a vehicle that has been previously licensed or registered and includes demonstration (demo) vehicles but excludes a vehicle or the components thereof disposed of as scrap or utilised for parts and not saleable as an operating vehicle.

3. REQUIRED PERFORMANCE STANDARDS

3.1 Individuals and businesses operating within the Automotive Industry shall follow the purpose and policy of the Act, refrain from prohibited conduct and shall particularly, in their dealings with consumers, protect consumers from -

3.1.1. unconscionable conduct;

3.1.2. unfair, unreasonable, unjust contracts and contractual terms;

3.1.3. unfair, unreasonable, unjust or otherwise improper trade practices; and

3.1.4. deceptive, misleading, unfair or fraudulent conduct.

4. OBLIGATIONS BY SUPPLIERS REGARDING COMPLAINTS

4.1 Suppliers must -

4.1.1.establish internal complaints handling processes, including the following-

4.1.1.1. An internal complaint handling department; or

4.1.1.2. a suitable complaints resolution procedure; and

4.1.1.3. the process to be followed by the consumer in order for such complaint to be lodged with MIOSA.

4.1.2. display in or at all trading premises a notice that reflects that there is a Code which binds suppliers;

4.1.3 when requested by consumers, and at no cost, provide the consumers with the contact details of-

4.1.3.1 the particular internal complaints handling department, if any, of the supplier; and

4.1.3.2 MIOSA, including details relating to the process to be followed by the consumer in order for such complaint to be lodged;

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4.1.4. train and inform all relevant staff members in respect of-

4.1.4.1. the Act and Regulations made under the Act, as issued and/or amended from time to time;

4.1.4.2. this Code, as amended from time to time; and

4.1.4.3. general principles and procedures on effective handling of complaints;

4.1.5 . aim to resolve complaints and disputes in accordance with-

4.1.5.1. the spirit and provisions of this Code, the Act and Regulations made under the Act; and

4.1.5.2. the spirit and provisions of dispute resolution procedures;

4.1.6. make every reasonable effort to resolve complaints within 30 (thirty) days, and if unable to do so, for reasons such as ongoing technical testing or the like, then to inform the consumer thereof before the expiry of 30 (thirty) days. In the event that the Industry Participant is not in a position to resolve the complaint and communicates this in writing to the complainant, the 30-day resolution period shall be deemed concluded.

5. NON-COMPLIANCE WITH THIS CODE

5.1. Non-compliance with this Code is prohibited by section 82(8) of the Act.

5.2. Where there is any non-compliance with this Code by suppliers within the Automotive Industry and such non-compliance is brought to the attention of MIOSA, the matter shall be investigated and dealt with in accordance with MIOSA procedures.

5.3. MIOSA may, in addition to any step taken in terms of its procedures, refer such non-compliance to the NCC.

5.4. Where there is any non-compliance with this Code by any member of the Automotive Industry and such non-compliance relates to the non-payment of a due funding contribution, any competent court in the district where MIOSA is situated, is vested with jurisdiction to adjudicate such non-compliance, regardless of where the member of the Automotive Industry or the complainant is situated.

6. MAINTAINING THE INDEPENDENCE OF MIOSA

6.1. MIOSA is a mandatory alternative dispute resolution scheme accredited in terms of section 82(6) of the Act as the official Ombud for the South African Automotive Industry.

6.2. MIOSA must be engaged in the resolution of disputes arising within the Automotive Industry.

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7. JURISDICTION OF MIOSA

7.1. The authority of MIOSA to resolve disputes is acquired from this Code and the Act.

7.2 MIOSA can act upon disputes involving—

7.2.1. consumers;

7.2.2. consumers on the one hand and suppliers; or

7.2.3. complaints concerning alleged contraventions of this Code or the Act.

7.3. MIOSA can further act upon disputes where a supplier has referred a dispute on behalf of a consumer with the permission of the consumer.

7.4. Where more than one Ombud has jurisdiction to decide a matter, MIOSA will have jurisdiction to the extent that the dispute relates to the automotive industry.

7.5. MIOSA does not have jurisdiction in respect of any dispute-

7.5.1. which falls within the exclusive mandate of any other Ombud;

7.5.2. which has prescribed in terms of the Prescription Act,1969 (Act No. 68 of 1969), considering that the period of 3 (three) years commences on the date on which the complainant became aware or ought to have reasonably become aware of such occurrence, whichever occurs first;

7.5.3. which requires the determination of merits and the quantum of damages;

7.5.4 which requires the Ombud to act as an arbitrator in the above-mentioned circumstances;

7.5.5 where a class action must be determined;

7.5.6 where either party has instituted legal action, unless MIOSA received such a complaint before such legal action was instituted; or

7.5.7 where it appears that a criminal offence has been committed by either party, in which event MIOSA shall only deal with the facts outside the ambit of the suspected criminal offence.

7.6 MIOSA -

7.6.1 may not consider a complaint or dispute that relates to a juristic person as a consumer whose asset value or annual turnover equals or exceeds the threshold (limit) being the amount as determined by the Minister by regulation issued in terms of section 5(2)(a), read with section 6 of the Act, from time to time;

7.3.2 does not have powers to make a finding, besides a recommendation on resolving disputes; and

7.3.3 does not have powers to make a finding regarding product liability.

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8. DISPUTE RESOLUTION MECHANISM BETWEEN MIOSA AND MEMBERS OF AUTOMOTIVE INDUSTRY

8.1. In the case of a dispute arising between MIOSA and any members of the automotive industry, the parties shall endeavour to resolve the dispute by negotiation. This entails that one party invites the other in writing to a meeting and attempts to resolve the dispute within seven days from date of the written invitation.

8.2. In the event that the dispute is not resolved through the process contemplated in clause 8.1, either party may request in writing that the parties attempt in good faith to resolve the dispute promptly by referring the dispute for mediation, and the parties shall ensure that they mediate in good faith.

8.3. If the dispute remains unresolved after it was referred for mediation, the parties can refer the matter for arbitration or to court at their own costs. In the event of arbitration, the arbitrator's decision shall be final and binding between the parties.

8.4. The Parties shall endeavour to agree on an arbitrator, failing which, the parties shall refer the matter to the Arbitration Foundation of South Africa who shall nominate an arbitrator from its panel of arbitrators, to preside in that dispute.

8.5. The arbitrator shall have powers to make an order as to costs thereof.

9. MULTIPLE JURISDICTION

9.1 MIOSA may consider a complaint or dispute which falls within the ambit of the MIOSA's jurisdiction as defined in this Code, where the complainant and/or respondent is also a member of an industry which falls within the mandate of another accredited Ombud.

9.2 This will ensure greater co-ordination and collaboration between Ombuds accredited in terms of section 82(6) of the Act and facilitate the achievement of the objectives set out in the Act by—

9.2.1. retaining specialist industry expertise;
9.2.2. a harmonised and consistent approach and application of industry-specific legislation;
9.2.3. decreased forum shopping by members of overlapping industries;
9.2.4. minimising complexity for consumers and respondents where there is a potential overlap;
9.2.5. decreasing barriers to access;
9.2.6. reducing resolution time periods; and
9.2.7. increasing consumer awareness.

9.3 Members of an industry, who operate across accredited Ombud jurisdictions and fall within the ambit of more than one accredited Ombud, must pay funding

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contributions to the applicable Ombuds. Funding contributions must be reduced in accordance with the overlap by the respective accredited Ombuds.

9.4 Complainants may lodge complaints with any applicable accredited Ombud in any applicable jurisdiction under the Act: Provided that an Ombud receiving a complaint that is outside its ambit of expertise or if it becomes apparent that the complaint is more suitable to be dealt with by another accredited Ombud, must refer the complaint promptly to the other Ombud, with the consent of the complainant.

PART B: ALTERNATIVE DISPUTE RESOLUTION

This part of this Code deals with specific sections of the Act that cater for the resolution of disputes through an ADR function such as MIOSA.

10. DISPUTE RESOLUTION MECHANISMS

If a matter is not resolved within 30 days of a dispute between a consumer and a supplier or deemed concluded in terms of clause 4.1.6, the consumer must approach MIOSA.

11. OBJECTIVE OF MIOSA

The objective of MIOSA is to consider and resolve complaints in a procedurally fair, informal, economical and expeditious manner in accordance with the principles of natural justice and by reference to what is equitable in all the circumstances in accordance with the Act and the Regulations made thereunder.

12. CONSIDERING A COMPLAINT

MIOSA must consider a complaint brought by or on behalf of a consumer or supplier as defined in the Act, which falls within its jurisdiction.

13. PROCEDURE FOR RESOLVING A DISPUTE

13.1 Upon receipt of a complaint alleging any contravention of the provisions of the Code or the Act by anyone falling within its jurisdiction, MIOSA shall—

13.1.1. advise the other party to the complaint that it has been requested to resolve the dispute;

13.1.2. provide the other party to the complaint with the said complaint and request such party to respond to the complaint by presenting its version within 10 days of receipt of the request, except where an extension thereof has been granted by MIOSA, upon receipt of the request for extension of time;

13.1.3. where necessary, provide the complainant with a copy of the response from the other party; and

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13.1.4 based on the information presented, engage the parties for the purpose of resolving the complaint.

13.2. In the event that the other party is not responding to the request by MIOSA, after having made more than one request, such conduct shall be deemed non-compliance with this Code, in which case MIOSA—

13.2.1 shall close the complaint and advise the complainant to refer the matter to the NCC for further redress;

13.2.2 must refer such non-compliance with this Code to the NCC for investigation into the prohibited conduct in accordance with the provisions of this Code; and

13.2.3 shall keep records of all non-compliant members of the automotive industry and submit such list to the NCC quarterly.

13.3. Where parties to the dispute cooperate with MIOSA and a settlement is reached, such settlement must be recorded in writing, in the form of an order and if parties to the dispute consent to that order, MIOSA may submit it to the NCT in line with section 70(3) of the CPA to be made a consent order, in terms of the rules of such forum.

13.4. Where the dispute is not resolved, MIOSA shall close the complaint by written notice to the parties and advise the complainant to refer the complaint to the NCC.

13.5. MIOSA shall resolve a dispute within 30 (thirty) days from the date it has received all the necessary documentation or information to enable MIOSA to finalise its resolution of the complaint.

13.6. MIOSA may publish on its website summaries of matters resolved that will be in the interest of consumers and suppliers without naming the parties involved or the parties being identifiable in any way, within a reasonable timeframe.

14. GENERAL OPERATIONS

14.1. Should resolution of any particular complaint require the input of a specialist authority or technical expert in any field, or advice from any third party, then in order to resolve such a dispute before it, MIOSA may employ or utilise the services of any specialist authority or technical expert to assist MIOSA with its investigation or in order to produce any required report. The specialist authority or technical expert report shall be at the expense of MIOSA. In the event that a party requests an external specialist authority or technical expert in addition to the report already provided by MIOSA, the report shall be at the expense of the party who has requested such services and shall be payable in advance before the specialist is instructed.

14.2. Should MIOSA, its staff or any member of the Automotive Industry become aware of any criminal act being committed or intended to be committed within

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the Automotive Industry, or of any practice that may be deemed or alleged to be criminal, the member of the Automotive Industry and/or MIOSA and/or its staff shall be obliged to report such practice or behaviour to the relevant authority, in which case evidence may have to be given in a court of law, without having informed the NCC and the Minister in writing.

14.3. Nothing contained herein precludes MIOSA from developing internal rules, forms and procedures that are not in conflict with the provisions of this Code or the Act.

14.4. All information (including settlement offers) provided by one party to a dispute before MIOSA to the other party will be deemed to be provided on a confidential and without prejudice basis, and may not be disclosed to any other party or used in any subsequent arbitration or litigation.

PART C: GOVERNANCE AND RELATED MATTERS

15. OMBUD AND BOARD SELECTION CRITERIA

15.1. The Ombud must have—

15.1.1. suitable qualifications, which will be a Bachelor's Degree in economics, law, commerce, or automotive industry-related and 10 years' experience in the automotive industry, including dispute resolution;

15.1.2. sufficient knowledge of the technical aspects of the goods and services provided in the Automotive Industry; and

15.1.3. sufficient knowledge and skill to comprehend the Act to ensure that the staff component of MIOSA will diligently and honestly conduct their day-to-day tasks.

15.2. The Ombud may not -

15.2.1. have any previous criminal conviction or conviction during her/his tenure of which dishonesty is an element;

15.2.2. be an unrehabilitated insolvent or commit an act of insolvency during her/his tenure; and

15.2.3. have a current interest (manufacturing, importing, distribution or retail) directly or indirectly in the Automotive Industry or serve in any capacity concerning policy-making bodies or industry associations within the Automotive Industry whatsoever.

15.3. Criteria and qualifications of the Board of Directors must include -

15.3.1. selection in terms of the Memorandum of Incorporation of MIOSA;

15.3.2. having a suitable qualification in economics, law, commerce or automotive industry-related and business or commercial industry

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relevant experience including skills needed to govern the organisation; and

15.3.3. the Board inviting applications from the general public who meet the selection criteria as set out in clauses 15.3.1 and 15.3.2.

16. OMBUD APPOINTMENT PROCEDURES

16.1. The Ombud shall be appointed as follows—

16.1.1. each Board member, as well as the incumbent Ombud shall have one vote;

16.1.2. a new Ombud shall be elected by way of a simple majority of votes of the Board of Directors following the completion of a diligent recruitment process; and

16.1.3. the Ombud shall be appointed for fixed periods of 5 (five) years at a time with the option of a single further 5 (five) year appointment.

16.2. Whenever a new Ombud is to be appointed, the new Ombud shall be appointed three months prior to his/her commencement period of service and shall be remunerated according to the remuneration criteria as set out by the Board for that specific period.

16.3. The Board shall be required to invite applications from the general public who meet the selection criteria of being an Ombud as set out in clause 16.1.

17. REMOVAL OF THE OMBUD

During the period envisaged in clause 16.1.3, the Ombud enjoys security of tenure and can only be dismissed by the Board on the grounds of gross misconduct, incompetence, or its inability to effectively carry out his or her duties.

18. ADMINISTRATIVE POWERS OF OMBUD

18.1. The Ombud may for the purpose of performance of the functions of MIOSA, and as a charge against or for the benefit of the funds of MIOSA, as the case may be to—

18.1.1. hire, purchase or otherwise acquire property, and let, sell or otherwise dispose of property so purchased or acquired;

18.1.2. enter into an agreement with any person for the performance of any specific act or function or the rendering of specific services;

18.1.3. insure the office against any loss, damage, risk or liability;

18.1.4. employ sufficiently trained persons to assist the Ombud, determine their terms of appointment and, subject to such conditions as may be determined by the Ombud, delegate or assign to any such employee, including a Deputy Ombud, any administrative function vesting in the Ombud in terms of this part;

18.1.5. obtain such professional advice as may reasonably be required; and

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18.1.6. do anything, in general, which is necessary or expedient for the achievement of the objectives of the Ombud.

19. COMPOSITION OF THE BOARD

19.1. The Board must consist of at least six and no more than nine voting directors appointed in terms of the Memorandum of Incorporation, on the basis of their knowledge, experience or qualifications relating to the functions of the Board.

19.2 Before appointing the directors of the Board contemplated in clause 19.1, the Board must invite nominations for directorship of the Board and the notice must specify a period of at least 30 days for nominations to be submitted.

19.3. When appointing the directors of the Board, the Board must ensure there is broad representation of society, with due regard to race, disability and gender.

19.4. If the Board receives no nominations or an insufficient number of nominations within the period specified in the invitation, the Board may extend the period specified in the invitation for purposes of obtaining a sufficient number of nominations.

19.5. A director of the Board contemplated in clause 19.1 holds office for the period determined by his or her appointment. Any person whose period of office has expired is eligible for reappointment for an additional single term.

19.6. A person may not be appointed as director of the Board if that person-

19.6.1. is not a South African citizen and ordinarily resident in the Republic;

19.6.2. is an unrehabilitated insolvent;

19.6.3. is disqualified under any law from practising that person's profession;

19.6.4. has been convicted of an offence in a foreign country and was sentenced to imprisonment without the option of a fine or, in the case of fraud or any other offence involving dishonesty, to a fine or imprisonment or both; or

19.6.5 has at any time been removed from an office of trust on account of breach of a fiduciary duty.

19.7. A director of the Board must vacate his or her office if the director-

19.7.1. resigns by written notice addressed and delivered to the Chairperson of the Board;

19.7.2. ceases to hold any qualification necessary for that director's appointment to the Board;

19.7.3. is unable to perform his or her functions due to mental illness or severe or profound intellectual disability contemplated in the Mental Health Act, 2002 (Act No. 17 of 2002); or

19.7.4. becomes the subject of any disqualification contemplated in section 15 of the Companies Act; or

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19.7.5 is removed from office by the Board, on good cause shown.

19.8. The directors of the Board must elect and appoint a Chairperson and Deputy Chairperson from among themselves.

19.9 The Chairperson holds office until such Chairperson resigns or ceases to be a director of the Board on serving 2 (two) additional terms; and

19.10 If the Chairperson has been given leave of absence, the Deputy Chairperson must act as Chairperson until the Chairperson resigns or resumes duty or is removed from office.

20. BOARD MEETINGS

20.1. The Board must hold at least four ordinary meetings every year.

20.2. The Chairperson of the Board-

20.2.1. may convene a special meeting of the Board; and

20.2.2. must convene a special meeting within 14 days of receiving a written request to do so, signed by at least two members of the Board.

20.3. The request contemplated in clause 20.2.2. must clearly state the reason for the request.

20.4. The Ombud may at any time request a meeting with the Board, should the need arise.

20.5. The quorum for any meeting of the Board is a majority of the voting members of the Board in office at the time. A decision of the majority of the voting members of the Board at any quorate meeting constitutes a decision of the Board.

20.6. A member of the Board who has any personal or financial interest must withdraw from the proceedings of the Board when that matter is considered.

21. POWERS, DUTIES AND FUNCTIONS OF THE BOARD

21.1 It is the duty of the Board to act in the best interest of MIOSA in order to promote the spirit of good governance and social responsibility.

21.2 The Board is required to act in a manner that efficiently fulfils the objectives of MIOSA and act in a manner that promotes the values and principles of the Constitution.

21.3 The Board should direct, govern and provide strategy in relation to the governance of MIOSA.

21.4 The Board must provide a link between MIOSA and other stakeholders in order to identify and take into consideration the interests of all stakeholders.

21.5 The Board should ensure that MIOSA and/or the Ombud acts and is seen to be a responsible corporate citizen.

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21.6 The Board members must be responsible and take part in the development of strategy and such strategy must be set in accordance with the objectives of MIOSA.

21.7 The Board shall be responsible to identify risk and processes to mitigate such risk.

21.8 Conflicts of interest must be managed and the interest of MIOSA shall take precedence.

21.9 The Board must ensure that there is an effective risk-based internal audit.

22. MINIMUM STANDARDS AND POWERS OF MIOSA

22.1. MIOSA must

22.1.1. register with the Companies and Intellectual Property Commission as a non-profit company in terms of the Companies Act;

22.1.2. comply with the relevant and applicable requirements of the King Code of Governance Principles as amended from time to time;

22.1.3. at all times comply with the provisions of the Companies Act, and the regulations made thereunder, as amended from time to time, relating to non-profit companies;

22.1.4. comply with all government regulations and legislation concerning Broad-Based Black Economic Empowerment, including the Preferential Procurement Framework requirements;

22.1.5. be sufficiently resourced with appropriate expertise to perform and carry out its functions;

22.1.6. not be influenced when making its decisions;

22.1.7. be entirely responsible for the management and resolution of complaints;

22.1.8.be accountable to the Minister, the Commissioner of the NCC and the Board;

22.1.9. act independently, objectively, openly, fairly and honestly;

22.1.10. have regard to the provisions of the Act as well as principles of the rule of law, equality, fairness, justice and equity;

22.1.11 equally and impartially balance the rights of consumers and the rights of suppliers;

22.1.12 exercise its functions and duties in terms of these operating procedures;

22.1.13 resolve complaints as efficiently and speedily as possible;

22.1.14 ensure that its staff perform their functions in terms of and according to these operating procedures; and

22.1.15 be guided by the following considerations-

22.1.15.1. The Act; and

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22.1.15.2. the need to resolve disputes fairly and expeditiously.

22.2 MIOSA may enter into an agreement with provincial consumer authorities or any person for the performance of any specific act or function in resolving disputes or carrying out any other function.

23. FINANCIAL AFFAIRS OF MIOSA

23.1 The financial year of MIOSA shall be from 1 March to 28 February of each year.

23.2

MIOSA—

23.2.1. is funded by the Automotive Industry in the manner as set out in Schedule 5;

23.2.2. shall provide the Commissioner of the NCC with a written report on the progress made with the compilation of the database once a year**;**

23.2.3. shall be responsible for collecting all contributions due and owing by the members of the Automotive Industry;

23.2.4. may put out to tender the review of the database of all members of the Automotive Industry and the collection of funding contributions from those members: Provided that it will only be entitled to do so if the related expenditure has been approved as part of the annual budget;

23.2.5. shall invoice the members of the Automotive Industry monthly on or before the 7th (seventh) day of each month, and the invoices are payable monthly in arrears on or before the 20th (twentieth) day of each month;

23.2.6. must deposit all funds in an account opened with a bank registered under the Banks Act, 1990 (Act No. 94 of 1990);

23.2.7. must utilise all funds received for the defrayal of expenses incurred in the performance of its duties and may invest funds which are not required for immediate use;

23.2.8. must make payments, excluding petty cash, by way of cheques or Electronic Funds Transactions and/or debit orders drawn against the bank account of MIOSA, which must be signed in a manner decided on by the Board after consultation with the Ombud: Provided that all cheques, bills and other negotiable instruments to be drawn on MIOSA ‘s bank accounts shall at all times require the approval of 2 (two) of the directors of MIOSA;

23.2.9. must carry forward to the next financial year all funds standing to its credit at the end of the financial year, as well as funds invested;

23.2.10. shall, through the Ombud, submit an annual budget to the Board on 1 December of each year which budget shall include, without limitation, the budget for -

23.2.10.1. awareness and as per clause 26.3;

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23.2.10.2. remuneration of the staff, including directors;

23.2.10.3. operating capital in respect of normal business activities;

23.2.10.4. capital in respect of training for staff;

23.2.10.5. unforeseen contingencies; and

23.2.10.6. marketing in order to promote MIOSA.

23.3. The Board must consider the proposed budget and furnish MIOSA with an approved budget by 31 December of each year.

23.4. Approved audited financial statements shall be made available to all members by way of publishing same on MIOSA's website, within one month of approval thereof.

24. CONFLICT OF INTEREST

24.1. MIOSA must adopt a conflict of interest policy which includes at least —

24.1.1. the identification of conflicts of interest in which the Ombud and/or any Director and/or employee of MIOSA have an actual or potential interest that may influence the objectivity of the Ombud and/or Director and/or employee in question;

24.1.2. provision for avoiding any conflicts of interest, and where not possible, reasons therefore and procedures to mitigate such conflicts of interest, and internal controls to adhere to the policy;

24.1.3. processes to disclose any conflicts of interest;

24.1.4. rules relating to the giving and receipt of gifts, vouchers, incentives, hospitality or other benefits; and

24.1.5. the establishment and maintenance of a gift register.

25. ACCOUNTABILITY

25.1. The Ombud is the accounting officer in respect of all funds received and all payments made in respect of expenses incurred by MIOSA.

25.2. The Ombud, as the accounting officer, must ensure that proper accounting records for the recording of all MIOSA 's transactions are kept, which records shall -

25.2.1. be kept at the main offices of MIOSA which are regarded as such from time to time by the Board; and

25.2.2. at all times during normal working hours, be available for inspection by the Minister, the NCC and MIOSA's Board or their duly appointed and authorised representatives.

25.3. MIOSA must ensure that financial statements consisting of-

25.3.1. an income and expenditure account for the financial year under observation; and

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25.3.2. a balance sheet reflecting the financial position of MIOSA at the end of the financial year, are prepared by a firm of auditors appointed by the Board of MIOSA as soon as possible after the financial year end, but not later than 90 (ninety) days after the financial year end.

25.4. A copy of the annual financial statements must as soon as possible, but not more than 7 (seven) days after those statements have been prepared, be made available to each director of the Board.

25.5. The Board must, within one month of the finalisation of the financial statements, meet to consider, provide, comment on and / or approve such financial statements.

25.6. A copy of the approved audited annual financial statements must be made available to the Minister, the Commissioner of the NCC and each director of the Board and must also be published on MIOSA's website.

25.7. MIOSA must sign a Stakeholder Compact Agreement annually with the NCC that shall regulate the monitoring process as envisaged by section 82(7) of the Act.

26. REPORTS, STATISTICS AND AWARENESS

26.1. MIOSA must, in terms of sections 82(5) and (7) of the Act, provide quarterly reports on—

26.1.1. management accounts;

26.1.2. trends;

26.1.3. statistics;

26.1.4. systemic issues;

26.1.5. general case information on the-

26.1.5.1. number cases referred to MIOSA for each supplier (member of the Automotive Industry);

26.1.5.2. number of cases considered and closed;

26.1.5.3. number of cases resolved;

26.1.5.4. turn-around times for case closure;

26.1.5.5. consumer details; and

26.1.5.6. origin of complaints; and

26.1.6. any other information agreed between the NCC and MIOSA.

26.2. MIOSA shall annually provide the NCC with an-

26.2.1. annual Report on the general functionality of this Code, its successes and operation, as well as the methods used by MIOSA to monitor the effectiveness of this Code; and

26.2.2. annual financial statement, approved by the auditors of MIOSA.

26.3. MIOSA shall conduct ongoing awareness in order to educate and create awareness for consumers, suppliers and all other participants within the automotive industry on vehicle-related matters within the Act and the role of MIOSA.

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26. DEREGISTRATION AND LIQUIDATION OF MIOSA

MIOSA must not be deregistered, dissolved or liquidated except in terms of the Companies Act or other relevant prevailing legislation.

SCHEDULE 1

LIST OF CURRENT INDUSTRY ASSOCIATIONS

ASSOCIATION	INDUSTRY TYPE
AMID – Association of Motorcycle Importers and Distributors	Motorcycle
AA - Automobile Association of South Africa	Vehicle Servicing, Roadside Assistance and Maintenance Plans
IDA – Independent Dealers Association	Independently Owned Dealers, Inclusive of Independently Owned Franchisees
FRA – Fuel Retailers Association	Fuel
NAACAM – National Association of Automotive Component & Allied Manufacturers	Components
NAAMSA – National Association of Automobile Manufacturers of South Africa	Motor Vehicle OEM & Importer and Distributor
OPPASA - Outdoor Power Product Association of South Africa	Outdoor Power Machinery

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RMI – Retail Motor Industry Organisation	Umbrella Body for Various Automotive Retail Associations
SAAMA – South African Agricultural Machinery Association	Agricultural Machinery
SATRA – The South African Towing and Recovery Association	Towing
SAVRALA – Southern African Vehicle Rental and Leasing Association	Vehicle Rental, Leasing and Fleet Management

SCHEDULE 2

MIOSA COMPLAINTS PROCESS

Stage 1 — Laying of First Complaint

1 A consumer who has a complaint is advised to address the query in writing to the supplier and/or trade association to which the supplier subscribes.

2 The supplier must provide the consumer with a written acknowledgement of receipt of any complaint submitted to it.

3 The supplier should endeavour to resolve the dispute directly with the consumer. In this regard the supplier will respond to the query substantively, in writing, within 10 (ten) days of receipt of the query. If the supplier is unable to provide a substantive response or resolve the matter within 30 (thirty) days thereafter, the supplier shall communicate this to the consumer, and provide reasons to the extent possible in writing.

4 If the query is not resolved within the time period as mentioned in clause 3 or such period as the parties may agree to in writing the consumer-

4.1 may file a complaint, in writing, with the office of MIOSA by completing MIOSA's Assistance Form located on MIOSA's website and submitting same either manually, by facsimile, e-mail or pre-paid registered post or online, stating the nature of the complaint and the dispute, as well as the action required, and the expected outcome; and

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4.2 must provide copies of all relevant documentation, which must accompany the complaint.

5 If a consumer requires assistance in understanding the procedures to conduct a dispute with MIOSA, MIOSA shall assist the consumer in this regard.

Stage 2 — Lodging a Complaint with MIOSA

A complainant who-

6.1 referred a complaint to a supplier, and who is dissatisfied with the manner in which the supplier is dealing with it, or how it has been dealt with or with the outcome thereof; or

6.2 has not approached the supplier as this would cause or be likely to cause the complainant undue harm or prejudice, may refer the complaint to the MIOSA.

7 The complainant must refer the complaint to MIOSA within a reasonable time.

8 MIOSA shall keep a register of all the complaints it refers to the suppliers, as well as the appropriate tracking mechanisms and records, to ensure that all of the complaints can be tracked at any time and are eventually addressed.

9 Receipt of each complaint should be acknowledged to the complainant within 2 (two) days of receipt thereof by way of telephone call, WhatsApp or e-mail.

10 The supplier shall file its substantive response with MIOSA within 10 (ten) days of receipt of the complaint. If the supplier is unable to provide a substantive response within 10 (ten) days, the supplier must advise MIOSA and provide acceptable reasons for non-compliance.

11 All communication between the parties and MIOSA regarding the dispute must be in writing, unless alternative arrangements have been agreed to between the parties, in writing.

12 After receipt, an initial assessment must be made of each complaint to ascertain whether it falls within the jurisdiction of MIOSA.

13 MIOSA shall be entitled to request further particulars from the parties. The parties shall provide all relevant information to each other and MIOSA to deal with the dispute within 10 (ten) days of such a request. If oral evidence is necessary to resolve the dispute-

13.1 MIOSA shall request the parties to attend an enquiry on not less than 10 (ten) days prior written notice;

13.2 attendance at the enquiry shall be at each party‘s own expense;

13.3 it shall be done in either English or isiZulu, but if requested and at the requesting party‘s expense, MIOSA shall arrange for an interpreter for any other language to be present;

13.4 either party shall be entitled to be represented by a suitable party, including a legal representative, with the permission of MIOSA, to engage in the enquiry process on behalf of such party.

14 All recommendations fall exclusively within the discretion of MIOSA.

15 An up-to-date status report should be made available to both the complainant and the supplier at least at the time of pre-set deadlines.

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Stage 3 – Resolution by MIOSA

16 Proceedings may be recorded at the request of a party, provided the requesting party tenders the costs of the recording, payable to MIOSA at least 10 (ten) days before the enquiry takes place.

17 MIOSA shall present its recommendation within 10 (ten) days of the conclusion of the enquiry. MIOSA is allowed to provide its recommendation in writing and deliver the outcomes to the parties' chosen addresses.

18 In promoting the spirit of the Act, MIOSA shall draw the attention of the parties to the relevant applicable sections of the Act, when making its recommendation.

19 The recommendations of MIOSA are not binding to the parties but such recommendations will guide the parties towards resolution of the dispute.

20 If ADR fails to resolve the dispute, MIOSA shall issue a certificate to that effect to the parties, who will then have the right to refer the dispute to the NCC.

SCHEDULE 3

INTERNAL COMPLAINTS HANDLING SUGGESTED PROCEDURES

1. When dealing with complaints, customers, complainants and other interested parties should receive the following:
   1.1. Necessary information concerning the internal complaints-handling process applicable to the supplier; and
   1.2. any relevant MIOSA brochures and pamphlets.

2. All information must be provided in plain language and, where reasonably possible, in an accessible format to ensure that complainants are not disadvantaged by any format in which information is provided.

3. **The following are examples of such information:**
   3.1. Where complaints can be made;
   3.2. how complaints can be made;
   3.3. information to be provided by the complainant (see Schedule 4 below for suggested format);
   3.4. the process to be followed when handling complaints;
   3.5. the time periods associated with the various stages in the process;
   3.6. the complainant's options for remedy, including referral to MIOSA; and
   3.7. the manner in which the complainant can obtain feedback on the stage of the complaint.

4. **Receipt of complaint:**

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4.1. When the complaint is first reported, the complaint must be recorded and a unique identifier code or number must be provided for each complaint.

4.2. Any other information necessary for the effective handling of the complaint must also be recorded or attached to the complaint, including at least the following:

4.2.1. A description of the complaint must be made, including-

i. the products or related organisation practices complained about; and

ii. information on the persons involved including department, branch, organisation and market segment;

4.2.2. all supporting information, relevant supporting data and documentation;

4.2.3. the record of the initial complaint, which should also specify-

i. the remedy that the complainant is seeking;

ii. the due date for a response; and

iii. whether any immediate action was or must be taken (if any).

5. **Time limits for Complaint resolution:**

5.1. The supplier should make every effort to resolve the matter within 30 (thirty) days.

5.2. If the supplier is unable to resolve the complaint within that period for reasons such as ongoing technical testing, the supplier shall inform the complainant of that fact at least 2 (two) days before the expiry of the 30 (thirty) days deadline.

6. **Complaint resolution:**

6.1. The supplier should make every effort to resolve the matter in good faith and in accordance with its internal complaints-handling processes.

6.2. In doing so, the supplier should deal with the complaint-

6.2.1. politely and courteously;

6.2.2. promptly and efficiently; and

6.2.3. in a confidential manner.

7. **Acknowledgement of complaint:**

7.1. Receipt of each complaint should be acknowledged to the complainant-

7.1.1. immediately; or

7.1.2. by the latest within 2 (two) days (for example via post, telephone call or email).

8. **Tracking of complaint:**

8.1. The complaint should be tracked from initial receipt through the entire process until the complainant is satisfied or the final decision is made.

8.2. An up-to-date status report should be made available to the complainant-

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8.2.1. upon request; and

8.2.2. at regular intervals; or

8.2.3. at least at the time of pre-set deadlines.

9. **Initial assessment of complaint:**

9.1. After receipt, each complaint should be initially assessed by the supplier in terms of criteria such as-

9.1.1. severity;

9.1.2. safety implication;

9.1.3. complexity;

9.1.4. impact; and

9.1.5. the need and possibility for immediate action.

10. **Attempt to settle:**

10.1. The supplier should contact the complainant to-

10.1.1. clarify any issue; and

10.1.2. ascertain the essence of the complaint.

11. **Investigation of complaints:**

11.1. Every reasonable effort should be made by the supplier to investigate all the relevant circumstances and information surrounding a complaint.

11.2. The level of investigation should be commensurate with the seriousness, frequency of occurrence and severity of the complaint.

12. **Response to complaints following an investigation:**

12.1. When able and appropriate, the supplier should offer a response that will for example-

12.1.1. correct the problem; and

12.1.2. prevent it from happening in the future.

13. **Communicating the decision:**

13.1. As soon as is reasonably possible, after a decision has been made regarding the complaint or any action has been taken regarding the complaint, the supplier must advise-

13.1.1. the complainant of such decision made or action taken; and

13.1.2. any of its staff who may have been involved in the incident (if any).

14. **Closing the complaint:**

14.1. If the complainant accepts the proposed decision or action-

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14.1.1. the decision or action should be implemented; and

14.1.2. the decision or action should be recorded in written or electronic format.

14.2. If the complainant rejects the proposed decision or action, and the supplier rejects or refuses to implement or take further steps or measures regarding the complaint-

14.2.1. this should be recorded by the supplier; and

14.2.2. the complainant should be informed of his/her rights in respect of the referral of the complaint to either-

14.2.2.1 MIOSA; or

14.2.2.2 other entity with jurisdiction.

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SCHEDULE 4

ASSISTANCE REQUEST FORM

Reference No: _____

MOTOR INDUSTRY OMBUDSMAN OF SOUTH AFRICA

FOUNDER MEMBER OF THE OMBUDSMAN ASSOCIATION OF SOUTH AFRICA
NPC (Reg. No. 2001/004871/08)
TEL: 010 590 8378 E-mail: info@miosa.co.za
Suite 156, Private Bag X025, Lynnwood Ridge, 0040

ASSISTANCE REQUEST FORM (ARF)

The Motor Industry Ombudsman of South Africa (MIOSA) assists consumers in resolving complaints by investigating and making a recommendation based on the facts and applicable law. It is therefore of utmost importance that the assistance request form is completed in full. Failure to do so will result in unnecessary delays. For assistance in this regard, please contact MIOSA's information and liaison office at 010 590 8378**.**

SECTION A DETAILS OF COMPLAINANT

How did you become aware of MIOSA:		**Date Submitted:**	

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1. a) If Complainant is an Individual:

Title (Hon, Dr, Mr, Mrs, Miss, Ms):		**Surname:**	
First Names:		**ID number:**	

b) If authorised to act on the complainant's behalf in terms of Section 4 of the Consumer Protection Act No. 68 of 2008 (CPA). *Please attach a certified copy of your original mandate or Power of Attorney (POA), as well as the reason for obtaining your mandate or POA*:

Title (Hon, Dr, Mr, Mrs, Miss, Ms):		**Surname:**	
First Names:		**ID number:**	

c) If the complainant is a legal entity, ie, a registered company or a close corporation etc, this assistance request form must be accompanied by a letter from the auditor or accounting officer stipulating that the legal entity's annual turnover or asset base does not exceed the amount of R2 million per annum.

d) In the event that a dispute arises between Industry Participants within the Automotive Industry, a dispute must be dealt with by MIOSA, subject to Section 82 of the CPA.

2. Complainant information:

Daytime Tel No.:	CODE	Cell No:	CODE
Email:			

Please tick where applicable:

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Gender:		Male		Female					
Disabled:		Yes		No					
Ethnic Group:		African		Coloured		Indian			Other
Age Group:		15-34		35-44		45-54			65+

Complainant Initial: _____

SECTION B CONFIRMATION OF JURISDICTION AND UNDERTAKING

I _____ the complainant or representative of the complainant, confirm that I have given the manufacturer/importer/ distributor/retailer/dealer/service provider (herein after referred to as Respondent) the opportunity to resolve the complaint before submitting this Assistance Request Form to **MIOSA**.

When I did so I spoke to _____

of _____ Date: _____

I submit this Assistance Request Form to MIOSA because: *(Please tick)*

(a) ☐ My complaint was not resolved by the Respondent over a period of _____ (period of time).

(b) ☐ The Respondent rejected my complaint **(*Please attach correspondence to this effect)***

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I confirm that my complaint is NOT: ***(Please tick)***

☐ the subject of any legal proceedings. If I have consulted an Attorney it has only been to get advice or assistance in drafting my complaint.

☐ currently lodged with any other ombud, the National Consumer Commission, or a relevant court. Please provide the name of the forum if lodged elsewhere: _____

SECTION C PRODUCT/COMPONENT DETAILS

I consent to: ***(Please tick if relevant)***

☐ my complaint and all correspondence thereafter be provided to the financial institution cited below.

My complaint is a *(please tick where relevant)*:

☐ Purchase Dispute *(Complete **ALL points** below)*

☐ Repair/maintenance Dispute *(Complete points **1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 17** below)*

☐ Tracking Dispute *(Complete points **1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 16, 17** below)*

☐ Other, ie, parts/components, fuel, service plan etc. *(Complete points **1, 2, 6, 8, 12, 17** below)*

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1	Make/Type:							
2	Model (Year):							
3	Registration No.:		**4**	Gearbox:		Manual		
5	VIN No.:							
6	Date of purchase		**7**	Kilometers when purchased				
8	Date dispute originated		**9**	Kilometers when the dispute originated				
10	Current kilometers							
11	Is the service history up to date?		Yes		No			
12	Was the product/component under warranty at the time?		Yes		No			
13	Vehicle used mainly on:		Tar		Dirt			
14	Finance by (Financial Institution):		**15**	Account No.:				
16	Product supplied incorrectly:							
17	Transaction value:							

Complaina nt Initial: _____

SECTION D MY COMPLAINT IS AGAINST THE FOLLOWING BUSINESS

Contact details of the business complaint is against:

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Business Name:					
Complaint reference number (if available):					
Business Street Address					
Suburb:		City/Town:		Province:	
Business Telephone number:	CODE				
Business Cellphone number:	CODE				
Business Email:					
What did the business suggest?					

SECTION E DETAILS OF COMPLAINT

Please type or write legibly on a separate page **ALL** the relevant facts, including dates, times, places, and names, in date order.

The information submitted will be used by MIOSA in the resolution of the dispute. Please ensure that all relevant documentation is submitted with this Assistance Request Form. Please also attach:

- a copy of the OTP/purchase invoice if a complaint flows from a sale transaction; or
- a copy of the quotation, job card and the final costing invoice if a complaint flows from service or repair agreement.

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Please SUMMARISE your complaint in the space below. This summary will be used by MIOSA to arrive at a conclusion of the matter, even if you have attached supporting documents and summaries.

Complainant Initial: _____

Briefly state what outcome you hope to achieve

SECTION F TERMS AND CONDITIONS

1. I/we agree not to hold MIOSA or any of its staff liable for any loss or damage of any nature that I/we may suffer as a result of MIOSA accepting and dealing with this complaint.

2. I/we hereby undertake not to be abusive or insulting when communicating with the MIOSA.

3. I/we hereby irrevocably and unconditionally consent that:

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3.1. MIOSA will have the right to use any documents and/or other evidence submitted in the process to resolve the dispute through a conciliation process, in support of a recommendation made in a complaint.

3.2. MIOSA will have the sole right to disclose all documents and/or other evidence received on the specific complaint to both the Respondent and Complainant.

3.3. I/we authorise the other party to disclose any information to the MIOSA with regard to the complaint.

3.4. MIOSA will have the discretion to disclose and/or publicise their recommendation including any supportive documents and/or evidence, as well as reporting it to the appropriate authorities, eg, National Consumer Commission (NCC), the Department of Trade, Industry and Competition (dtic) and the National Consumer Tribunal (NCT) in terms of the South African Automotive Industry Code of Conduct (Code).

4. In order for MIOSA to investigate the complaint objectively, independently, and in terms of the South African law, the parties will at no stage during the investigation approach or divulge any information regarding the complaint to the press, social media, or any other format of publication.

5. I/we accept that MIOSA will not be able to attend to my/our complaint should I/we have commenced with legal action.

6. Neither I nor my representative will subpoena the documents in my/our file, or MIOSA, or any member of its staff. Neither I nor my representative will order that any of these documents be disclosed in terms of any court rules unless ordered to do so by a court of law.

7. I/we understand and comprehend the above and confirm that it is fair and reasonable in the circumstances to protect both myself/ourselves and the other party's rights to prevent prejudice in respect of our rights.

8. By lodging a complaint with MIOSA, the period of prescription of the claim is not interrupted. I/we wish to confirm that my/our claim against the Respondent may prescribe in 3 years in terms of the Prescription Act No. 68 of 1969 and that the onus to interrupt prescription will be with me/us.

Complainant
Initial: _____

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9. I/we agree that should I/we lose vested interest in the said vehicle (ie, sold the vehicle, repossessed etc), I/we will immediately inform MIOSA, in writing, so that MIOSA can close the file.

10. I/we agree that in the case where the registered owner has passed away, the executor of the estate should inform MIOSA immediately.

11. I/we agree to the jurisdiction of MIOSA in terms of Section 69 of the CPA.

12. I/we agree that my complaint shall be dealt with by MIOSA on the above terms and conditions and according to the rules of MIOSA. The information provided by me/us herein is, to the best of my knowledge, true and correct.

13. I/we agree to receive SMS messages to my/our mobile phone from MIOSA with regard to my/our complaint.

14. I declare that the information provided is true and correct to the best of my knowledge and belief.

15. I consent to the collection, processing, and storage of my personal information by MIOSA for the purposes of resolving my complaint, in accordance with the Protection of Personal Information, 2013 (Act No. 4 of 2013) (POPIA).

Signed at ___ on the ___ day of ___ (month) 20 ___ (year)

_____

Signature of Complainant or person authorised to act on the Complainant's behalf

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[Please do not return this disclosure notice when sending your Assistance Request Form back to MIOSA]

DATA SUBJECT DISCLOSURE NOTICE
SECTION 18
OF THE PROTECTION OF PERSONAL INFORMATION ACT, 4 of 2013 (POPIA)

1. Privacy Notice

This notice explains how the Motor Industry Ombudsman of South Africa (MIOSA) obtains, uses and discloses your personal information, in accordance with the requirements of POPIA. MIOSA is committed to protecting your privacy and to ensuring that your personal information is collected and used properly, lawfully, and transparently.

2. Definition of personal information

"Personal Information" shall mean the race, gender, sex, pregnancy, marital status, national or ethnic origin, colour, sexual orientation, age, physical or mental health, disability, religion, conscience, belief, culture, language and birth of a person; Information relating to the education or the medical, financial, criminal or employment history of the person; Any identifying number, symbol, email address, physical address, telephone number, location information, online identifier or other particular assignment to the person; the biometric information of the person; the personal opinions, views or preferences of the person; correspondence sent by the person that is implicitly or explicitly of a private or confidential nature or further correspondence that would reveal the contents of the original correspondence; the views or opinions of another individual about the person, whether the information is recorded electronically or otherwise.

Both individuals and companies are included in the ambit of personal information.

It is not personal information if the information is already in the public domain or is not used, or intended to be used, in trade or commerce.

3. The information MIOSA collects

3.1 MIOSA collects and processes your personal information, and further processes your information, mainly to execute our mandate in terms of the provisions of section 82(3) of the Consumer Protection Act, 2008 (No.68 of 2008) (CPA) and the ancillary South African Automotive Industry Code of Conduct (Code).

3.2 MIOSA is mandated to regulate relations between persons conducting business within the automotive industry, to provide for a scheme of alternative dispute resolution between consumers and all participants in the industry, and to provide alternative dispute resolution services.

3.3 MIOSA is also mandated in terms of the Code to collect contributions from persons conducting
business within the Automotive Industry. Information enabling such collection is also collected and processed, and further processed, if necessary.

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AIDS HELPLINE: 0800-0123-22 Prevention is the cure

3.4 MIOSA collects information directly from you, where you provide us with your personal and/or
business details. Where possible, MIOSA will inform you what information you are required to provide and what information is optional.

3.5 With regards to the conducting of business within the Automotive Industry, MIOSA also
collects information via field inspectors, the internet, and social media platforms.

3.6 Website usage information may be collected using "cookies" which allows MIOSA to collect
standard internet visitor usage information.

4. How MIOSA uses your information

4.1 MIOSA will use your personal information only for the purposes for which it was collected and will only process personal information if the following conditions are met:

4.1.1 The person is told why the processing is necessary, what information is required and what will be done with it; or
4.1.2 The person consents to the processing, which consent will be obtained at the time
when that person's personal information is processed; or
4.1.3 The processing is necessary i.e. in order to conduct an accurate analysis of that person's needs for purposes of, amongst other employment reasons, medical aid requirements; or
4.1.4 The processing is required as a result of, or in order to, comply with an obligation imposed by law; or
4.1.5 The processing protects a legitimate interest of the person, and it is in the person's best interest; or
4.1.6 Processing is necessary for pursuing the legitimate interests of the MIOSA or of a third party to whom the personal information is supplied.

5. Disclosure of information

5.1 MIOSA may disclose your personal information to its service providers who are involved in the delivery of services to MIOSA.
5.2 MIOSA has agreements in place with the service providers to ensure that they comply with the privacy requirements as required by POPIA.
5.3 MIOSA may also disclose your information-
5.3.1 where MIOSA has a duty or a right to disclose in terms of legislation or the Code; and
5.3.2 where MIOSA believes it is necessary to protect its rights.

6. Information Security

6.1 MIOSA is legally obliged to provide adequate protection for the personal information it holds
and to stop unauthorised access and use of personal information.

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6.2 MIOSA will, on an ongoing basis, continue to review its security controls and related processes to ensure that your personal information remains secure.
6.3 MIOSA's security policies and procedures cover the following:
6.3.1 Physical security;
6.3.2 computer and network security;
6.3.3 access to personal information;
6.3.4 secure communications;
6.3.5 security in contracting out activities or functions;
6.3.6 retention and disposal of information;
6.3.7 acceptable usage of personal information;
6.3.8 governance and regulatory issues;
6.3.9 monitoring access and usage of private information; and
6.3.10 investigating and reacting to security incidents.
6.3 When MIOSA contracts with third parties, it imposes appropriate security, privacy, and confidentiality obligations on them to ensure that personal information which MIOSA remains responsible for, is kept secure.
6.4
MIOSA will ensure that anyone to whom it passes your personal information to agrees to treat your information with the same level of protection as MIOSA is obliged to.

7. Your Rights

7.1 Access to information

7.1.1 You have the right to request a copy of the personal information MIOSA holds with regard to you. Refer to MIOSA's PAIA and POPIA Manual on MIOSA's website for the steps to follow.
7.1.2 Please note that any such access request may be subject to a payment of a legally allowable fee.

7.2 Correction of your information

7.2.1 You have the right to ask MIOSA to update or correct your personal information. MIOSA would appreciate it if you would keep your personal information up to date and accurate.

7.2.2 Refer to MIOSA's PAIA and POPIA Manual on MIOSA's website for the steps to follow.

8. How to contact us

If you have any queries with regards to this notice, you need further information about MIOSA's privacy policies, access, or to correct your personal information, please contact us at the numbers and/or addresses listed in MIOSA's PAIA and POPIA Manual on MIOSA's website for the steps to follow.

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SCHEDULE 5

FUNDING OF MIOSA

BACKGROUND AND EXPLANATION

1. In terms of the Act, MIOSA has jurisdiction over all the members within the Automotive Industry.

2. All members of the Automotive Industry are therefore obliged to pay their required contributions to MIOSA.

3. MIOSA shall vastly expand its current infrastructure to meet the needs of Consumers in line with other Ombuds established under various forms of legislation.

4. The Board shall review, in each year, the quantum of required contribution in line with the success rate of the previous year 's contributions collected along with the revised budget requirements. It should be noted that—
   - 4.1 at no stage will the model rely on a 100% collection success rate;
   - 4.2 the success rate of the previous year's contributions collected and the consequent proposed increase must be published in the MIOSA Newsletter and circulated to the Members of the Automotive Industry in December of each year; and
   - 4.3 members of the Automotive Industry may comment to an assigned e-mail address within 30 days of such publication.

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5. The cost of collection will at all times be kept to a minimum and decisions regarding outsourced collection or in-house operations will be made with this in mind. The model has been structured to allow for this cost.

6 MIOSA is funded as follows—

6.1 The OEVM's, OECM's and Importers contribute 20% of the approved budget and each individual OEVM's, OECM's or Importer's contribution is calculated by dividing 20% of the approved budget by the total number of entities who directly import or manufacture goods, as per Categories 1, 3, 4, 5 and 6 in the table as per clause 6.3 below;

6.2 The retailers contribute 80% of the approved budget and each individual retailer's contribution is calculated by dividing 80% of the approved budget by the total number of retail premises from which business is being conducted in the Automotive Industry;

6.3 Any Industry Participant that commenced trade and contravened the duty to seek

out MIOSA, ensure that their details are provided to MIOSA and that the required contributions are paid to MIOSA, shall be liable for a Late Joining Fee. This fee shall not exceed fifty percent (50%) of one equivalent annual contribution that would have been payable by that Industry Participant had registration been effected in accordance with the requirements of this Code.

6.4 <u>The categories shall be further divided into the following sub-categories:</u>

No.	Category	Description
1	Manufacturers/ Importers/ Distributors	Passenger Vehicles/ Trucks/ Light Delivery Vehicles/ Agricultural Machinery/ Industrial Machinery/ Buses/ Truck Trailers
2	Retailers/Service Providers/ Parts and/or Component Suppliers	Passenger Vehicles/ Trucks/ Delivery Vehicles/ Agricultural Machinery/ Industrial Machinery/ Buses/ Forklifts/ Lawnmowers/

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		Motorcycles/ Quadbikes/ Boats/ Jetskis/ Caravans/ Trailers
3A	Original Equipment Component Manufacturers /Importers/ Distributors: Consumer interactive – A "(Calculated on a turnover-basis sliding scale)"	Parts/ Components/ Accessories/ Products
3B	Original Equipment Component Manufacturers/ Importers/ Distributors: Consumer interactive – B "(Calculated on a turnover-basis sliding scale)"	Parts/ Components/ Accessories/ Products
3C	Original Equipment Component Manufacturers/ Importers/ Distributors: Consumer interactive – C "(Calculated on a turnover-basis sliding scale)"	Parts/ Components/ Accessories/ Products
3D	Original Equipment Component Manufacturers/ Importers/ Distributors: Consumer interactive – D "(Calculated on a	Parts/ Components/ Accessories/ Products

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	turnover-basis sliding scale)”	
4	Original Equipment Component Manufacturers/ Importers/ Distributors: Supplying directly to Manufacturers/ OEVM's/ the aftermarket/ the trade	Parts/ Components/ Accessories/ Products
5	Recreational Vehicle Manufacturers/ Importers/ Distributors	Boats/ Jetskis/ Caravans/ Trailers/ Motorcycles/ Quadbikes
6	Lawnmower Manufacturers/ Importers/ Distributors	Lawnmowers”

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TAELO YA MELAWANA YA MAITSHOLO YA INDASETERI YA DIKOLOI YA AFORIKABORWA, 2026 LE KAMOGELO SEMMUSO YA SEKEMA SA THARABOLOLO E NNGWE YA DITHULANO SE SE TSAMAISWANG KE MOTSEREGANYI WA INDASETERI YA DIKOLOI JAAKA MOTSEREGANYI WA INDASETERI YO O AMOGETSWENG SEMMUSO GO YA KA KAROLO 82 YA MOLAO WA TSHIRELETSO YA BADIRISI, 2008 (MOLAO 68 WA 2008)

Nna, Rre Parks Tau, mo maemong a me jaaka Tona ya Kgwebisano, Indaseteri le Kgaisano, morago ga go sekaseka ditshwaelo tse di dirilweng mabapi le Kitsiso 6179 ya 2025, e e phasaladitsweng mo Lekwalodikgannyeng la Puso Nom. 52604, Vol 719, la di 9 Motsheganong 2025, mo kopong ya go amogela semmuso Molawana wa Maitsholo wa Indaseteri ya Dikoloi ya Aforikaborwa o o dirilweng go ya ka karolo 82, ka puisommogo le karolo 120 ya Molao wa Tshireletso ya Badirisi, 2008 (Molao 68 wa 2008) ("Molao") le go dira go ya ka dikatlanegiso tse di dirilweng ke Khomišene ya Bosetšhaba ya Badirisi go ya ka karolo 82(3) ya Molao, ke laela fano Molawana o o mo Šejuleng e e mametleletsweng jaaka molawana wa indaseteri wa indaseteri ya dikoloi le go amogela semmuso sekema sa tharabololo e nngwe ya dithulano se se tsamaisiwang ke Motsereganyi wa Indaseteri ya Dikoloi ya Aforikaborwa go ya ka Karolo 82(6)(b) ya Molao, jaaka Motsereganyi wa indaseteri yo o amogetsweng semmuso.

Go tsamaelana le karolo 82(2)(b), e e buisiwang le karolo 82(5)(c) ya Molao, Molawana o o neng o beilwe pele jaaka o gatisitswe mo Lekwalodikgannyeng la Puso Nom. 38107, Kitsiso 817 ya di17 Diphalane 2014 e gogelwa morago ka botlalo fa Kitsiso eno e phasalatswa.

Kitsiso eno e tla tsena mo tirisong ka di 1 Sedimonthole 2026.



Rre Mpho Parks Tau, MP
Tona ya Kgwebisano, Indaseteri le Kgaisano
Letlha: 2/11/2026

ŠEJULE

MOLAWANA WA MAITSHOLO WA INDASETERI YA DIKOLOI YA AFORIKABORWA, 2026

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PONELOPELE:

Indaseteri ya Dikoloi ya Aforikaborwa e tshwanetse ka dinako tsotlhe go obamela diteng le mowa wa Molao wa Tshireletso ya Badirisi, 2008 (Molao 68 wa 2008) fa e tlamela badirisi ka dithoto le ditirelo.

MAIKAELELO

Indaseteri ya Dikoloi ya Aforikaborwa e tla fitlhelela ponelopele ya yona ka-

(a) go ikwadisetsa Molawana ono wa Maitsholo;

(b) go tlamela ka dithoto le ditirelo tse di babalesegileng le ka ditlhotlhwa tse di siameng le tse di utlwalang; le

(c) go amogela phatlalatsa ditshwanelo tsa badirisi tsa go reetswa, go itsisiwe, go nna le tshwanelo ya pabalesego, tshwanelo ya go tlhopha, le tshwanelo ya go baakanya mabapi le Indaseteri ya Dikoloi ya Aforikaborwa.

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KAROLO A: MOLAWANA WA INDASETERI YA DIKOLOI YA AFORIKABORWA

1. MATSENO

1.1 Molawana wa Indaseteri ya Dikoloi ya Aforikaborwa (“Molawana” ono) o ne wa tshitshinngwa ke indaseteri ya dikoloi mme wa atlanegiswa go Tona ya Kgwebisano, Indaseteri le Kgaisano ke Khomišene ya Bosetšhaba ya Badirisi go ya ka ditaelo tsa dikarolo 82(3) le (5) tsa Molao wa Tshireletso ya Badirisi, 2008 (Molao 68 wa 2008) "Molao").

1.2 Molawana ono o laola dikamano magareng ga batho ba ba dirang kgwebo mo indasetering ya dikoloi, o laela mabapi le sekema sa mekgwa e mengwe ya go rarabolola dithulano magareng ga badirisi le batsayakarolo botlhe mo indasetering le go tlhama Botsereganyi jwa indaseteri go tlamela ka ditirelo tse dingwe tsa tharabololo ya dithulano.

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1.3 Taelo efe mo Molawaneng ono e e sa tsamaisaneng le Molao ga e ne e dira.

1.4 Molawana ono ke molawana wa indaseteri mme o ama Indaseteri yotlhe ya Dikoloi jaaka e tlhaloswa mo Molawaneng ono go sa kgathalesege gore a batho bao ke ditokololo tsa mokgatlho ofe wa indaseteri ya dikoloi. Molawana ono o amana le maitsholo a tlamelo ya dithoto le ditirelo ka Indaseteri ya Dikoloi le badirisi mo teng ga Rephaboleki ya Aforikaborwa mme o tsepamisitse mogopolo mo tshireletsong ya badirisi, kaelo ya batlamedi ba ditirelo le ditiragatso tsa kgwebo tse di siameng.

1.5 Molawana ono o laela mabapi le thulaganyo e nngwe ya Tharabololo ya Dithulano mo Indasetering ya Dikoloi magareng ga-

1.5.1 badirisi le bathelesi;
1.5.2 bathelesi ka bobona, bao ba tla, gareng ga tse dingwe, akaretsang le ditiragalo tse mo go tsona-

1.5.2.1 mothelesi a welang mo tlhalosong ya modirisi jaaka go bonetswe pele mo Molaong;

1.5.2.2 mothelesi a welang ka fa tlase ga selekanyo se se tlhomamisitsweng ka Melawanataolo ya Molao;
1.5.2.3 mothelesi le motlhagisi; le
1.5.2.4 modirisi le motlhagisi.

1.6 Molawana ono o tla tsenngwa tirisong ke Motsereganyi wa Indaseteri ya Dikoloi ya Aforikaborwa ("MIOSA") e bile thanolo ya ona e roletswe MIOSA semmuso.

1.7 MIOSA ke setlamo se se ikemetseng se se sa direng morokotso se se akareditsweng go ya ka *Companies Act*, 2008 (Molao 71 wa 2008) ("Molao wa Ditlamo"), e bile se tlamelwa ka matlole ka botlalo ke batsayakarolo ba indaseteri ya dikoloi.

2. DITLHALOSO

Mo Molawaneng ono, lefoko lengwe le lengwe kgotsa tlhagiso e e abetsweng bokao mo Molaong, e na le bokao jo bo abetsweng jalo mme, ntle le fa bokao bo supa ka tsela esele—

—"Ditlaleletsi" di kaya dilo tse dingwe tse di tlaleletsang, tse di kwa tlase, tse di tsamayang le tsone le ditsenngwa kgotsa dimametlelelo tsa dirori, go akaretsa mme e seng fela dibara tsa go goga, dithibelaletsatsi, difolepe tsa seretse, dipoelara tsa dibutu, mebetshe ya fa fatshe le dialo, diraka tsa marulelo, dipoelara, divaesara, mekgabiso ya kheroumu, disireletsi tsa dibampara, dihuku tsa digogi, dipente tsa dikoloi, ditlhaoloso tsa dipente, mekgabiso ya dikoloi, dilo tse di gotlhang, dimmeke tsa maotwana, dioli tsa go logetsa, ditlaleletsi tse di tokafatsang tiragatso, ditsidifatsi le dilo tsa go phepafatsa enjene;

— "ADR" e kaya Tharabololo e Nngwe ya Dithulano e e sa akaretseng botsereganyi;

— "Molao" o kaya Molao wa Tshireletso ya Badirisi, 2008 (Molao 68 wa 2008) le Melawanataolo ya ona, jaaka e tlhabololwa nako le nako;

— "Indaseteri ya Dikoloi" e kaya Indaseteri ya Dikoloi le e e amanang le Dikoloi, go akaretsa mme e seng fela, barekantle, barekisi, batlhagisi, batho ba ba rekisetsang badirisi ka tlhamalalo, beng ba letshwaokgwebo; bagwebi ba ba dirisang letshwaokgwebo la yo

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mongwe, batlamedi ba ditirelo, le batsereganyi ba dithoto go tswa kwa ntle, baphatlhalatsi, ditlhagiswa, dikoloi tsa bapagami tsa mabenkele kgotsa tsa tlamelo, tsa boitlosobodutu, tsa temothuo, tsa madirelo, kgotsa tsa kgwebo, go akaretsa mme e seng fela dikoloi jaaka di tlhalositswe, diteroko, dithuthuthu, dithuthuthu tsa maotomane kgotsa, e ka tswa e le tse di tsamayang ka botsone kgotsa nnyaa, enjene ya ka fa gare ya sekepe, kgotsa thomeloteng, phatlhalatso, tlhagiso kgotsa go tlhagisa gape dikarolo tse di weditsweng, go rekisetsa badirisi ka tlhamalalo kgotsa go tlamela ka dikarolo dife tse di weditsweng jaaka di tlhalositswe le/kgotsa ditlaleletsi jaaka di tlhalositswe mo dikoloing tseo, le/kgotsa go neelana ka tirelo e e amanang le paakanyo kgotsa kemisetso go badirisi mabapi le dirori tseo; le mongwe le mongwe yo o baakanyang, fetolang, tlwaetsang kgotsa yo o gogang dikoloi;

— **"Boto"** e kaya Boto e e ikemetseng ya MIOSA e e dirang go ya ka Memorantamo wa yona wa go Kopanngwa ka fa tlase ga Molao wa Ditlamo;

— **"Molawana ono"** o kaya Molawana ono wa Maitsholo jaaka o tlhabolotswe nako le nako;

— **"dikarolwana tse di weditsweng"** di kaya karolo kgotsa mojule o o kopantsweng ka botlalo le o o dirang o o siametseng go tsenngwa kgotsa go gokelelwa mo seroring kgotsa go isiwa kwa Motlhagising wa Didiriswa kgotsa kwa mothelesing, tse di falotseng diteko tsa go dira le tsa boleng mme di ka tsenngwa ka tlhamalalo mo moleng wa go gokaganya wa serori ntle le go fetolwa gape, go akaretsa mme e seng fela phetiso, tlelatšhe, šafote ya go kgweetsa, ekesoso, dipistone, disete tsa dikere, diporeng (khoele kgotsa letlhare), dithibelašhoko, olthaneitara, setatara sa motoro, beteri, difiuse le dirilei, khoele ya ikinišene, dipolaka tsa tlhase, diboriki (diphete, didisiki, diteramo, ditlhako, silintara e kgolo, busetara, sensara ya abs), dibering tsa maotwana, tlelatšhe (poleite, silindara), ditomaganyi tsa cv, kerenkešafote, khemešafote, tlhogo ya silintara, ketane ya nako/lebanta, pompo ya oli, diinjeketara tsa lookwane, manifolte ya go tsenya mowa, pompo ya metsi, radieithara, themosetate, dithaere, yuniti ya taolo ya enjene mme e akaretsa peterolo, disele, haeterojene, gase le dibeteri tsa dikoloi tse di tsamaisiwang ka motlakase le lookwane;

— **"matsatsi"** a kaya matsatsi a tiro ao e leng letsatsi lengwe le lengwe kwa ntle ga Lamatlhatso, Sontaga kgotsa letsatsi la boikhutso la setšhaba jaaka le tsentswe mo Lekwalodikgannyeng la Puso la Rephaboleki ya Aforikaborwa nako le nako;

— **"mogwebi"** o kaya morekisi yo o tlamelang ka dithoto kgotsa ditirelo go modirisi wa bofelo;

— **"mophatlhalatsi"** mabapi le dithoto dife tse di rileng, o kaya motho yo, mo tsamaisong e e tlwaelegileng ya kgwebo—

(a) a tlamelwang ka dithoto tseo ke motlhagisi; le

(b) ka fa letlhakoreng le lengwe, a tlamelang ka dithoto tseo go mophatlhalatsi yo mongwe kgotsa go morekisi;

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— **"morekantle"** o kaya, mabapi le dithoto dife tse di rileng, motho yo o tlisang dithoto tseo, kgotsa yo o dirang gore di tlisiwe, go tswa kwa ntle ga Rephaboleki go tsena mo Rephaboleking, ka maikaelelo a go di dira gore di nne teng go ka tlamelwa mo tsamaisong e e tlwaelegileng ya kgwebo;

— **"motlhagisi"** o akaretsa motlhagisi kgotsa mogwebi wa dithomeloteng mme o kaya motho yo –

(a) o dirang kgotsa o tlhagisang dithoto, kgotsa o dirang gore dithoto dife di dirwe kgotsa di tlhagisiwe, ka maikaelelo a go di dira gore di nne teng go ka tlamelwa mo tsamaisong e e tlwaelegileng ya kgwebo; kgotsa

(b) ka go dirisa leina la motho kgotsa la kgwebo, letshwaokgwebo, tlhaloso ya kgwebo kgotsa kemedi e nngwe ya pono mo kgotsa mabapi le dithoto, o tlhodileng kgotsa o tlhomileng tebelelo e e utlwalang ya gore motho ke motho yo o tlhalositsweng mo polelwaneng (a);

— **"tokololo"** e kaya motsayakarolo le/kgotsa mothelesi mo Indasetering ya Dikoloi, jaaka go tlhalositswe mo Molawaneng ono;

— **"MIOSA"** e kaya Motsereganyi wa Indaseteri ya Dikoloi ya Aforikaborwa, yo o tlhomilweng go thusa mo go rarabololeng dithulanong tse di tlhagelelang go ya ka Molao mabapi le dithoto kgotsa ditirelo dife tse di tlamelwang ke Indaseteri ya Dikoloi go badirisi bao, go akaretsa le bathelesi ba gape e leng badirisi mo teng ga thulaganyotheleso ya indaseteri;

— **"NCC"** e kaya Khomišene ya Bosetšhaba ya Badirisi;

— **"NCT"** e kaya Lekgotla la Bosetšhaba la Badirisi;

— **"diura tse di tlwaelegileng tsa tiro"** di kaya go tloga ka 08H30 go fitlha ka 16H30 Mosupologo go fitlha ka Labone le 08H30 go fitlha ka 16H00 ka Labotlhano;

— **"OEVM"** o kaya Motlhagisi wa Dikoloi wa Didiriswa tsa Ntlha, e bile mabapi le maitlhomo a molawana ono e akaretsa mophatlhalatsi, morekantle kgotsa motlhagisi, go ya ka fa go ka nnang ka teng;

— **"OECM"** o kaya Motlhagisi wa Dikarolwana tsa Didiriswa tsa Ntlha, e bile mabapi le maitlhomo a molawana ono e akaretsa mophatlhalatsi, morekantle kgotsa motlhagisi go ya ka fa go ka nnang ka teng;

— **"Motsereganyi"** o kaya motho yo o ikemetseng yo o thapilweng ke Boto go rarabolola le go dira dikatlanegiso ka ga dingongorego go ya ka Molawana ono;

— **"didiriswa tse di kgethegileng tsa bodirelo"** di kaya didiriswa tse e leng didiriswa tse di diretsweng maitlhomo le didiriswa tse di diretsweng go dira ditiro tse di tlhomameng mo tlhokomelong, tlhatlhobong, le mo paakanyong ya dijanaga, tse di tlamelwang ke motlhagisi/morekantle mo Indasetering ya Dikoloi;

— **"Tumalanopotlana ya Bannaleseabe"** e kaya lokwalo la semmuso, le le tlamang semolao le le tlhalosang maikarabelo a a kopanetsweng, diabe le ditsholofelo tsa MIOSA le NCC go laola thulaganyo ya go ela tlhoko go ya ka karolo 82(7) ya Molao;

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— "mekgatlho ya kgwebisano" e kaya mekgatlho e e dirang jaaka setlhopha go emela, go thusa, go ruta le go gakolola ditokololo tsa yona mo mererong e e nang le dikgatlhego tse di tshwanang;

— "serori" se kaya sediriswa sefe, sebopego kgotsa motšhini o o tsamayang mo tseleng ya botlhe kgotsa kwa ntle ga yona e bile se akaretsa dirori tsa temothuo, tsa boitlosobodutu, tsa madirelo kgotsa tsa kgwebo, go akaretsa mme e seng fela dirori tsa bapagami, dilori, ditereilara, dikharabene, dithuthuthu, dithuthuthu tsa maotomane, dibaesekele, diperetshitswana tsa maotomararo, e ka tswa e le tse di tsamayang ka botsone kgotsa nnyaa, enjene ya ka fa gare ya sekepe; e bile se akaretsa serori sengwe le sengwe se se tlhamilweng kgotsa se se fetotsweng go tsamaisiwa kgotsa go rwalwa mo tseleng ka tiriso ya lookwane, gase kgotsa motlakase kgotsa mokgwa mongwe le mongwe ofe le sediriswa sengwe le sengwe se se tlhamilweng kgotsa se se fetotsweng go gogwa ke serori seo;

— "serori se se dirisitsweng" se kaya serori se se kileng sa nna le laesense kgotsa se kwadisitswe e bile se akaretsa dirori tsa pontsho (dipontsho) mme ga se akaretse serori kgotsa dikarolo tsa sona tse di latlhilweng jaaka sekgoropa kgotsa tse di diriseditsweng dikarolo mme di sa rekisiwe jaaka sejanaga se se dirang.

3. MAEMO A TIRAGATSO A A TLHOKEGANG

3.1 Batho le dikgwebo tse di dirang mo teng ga Indaseteri ya Dikoloi di tla latela maitlhomo le pholisi ya Molao, di ikgaphe mo maitsholong a a thibetsweng mme segolobogolo, mo ditirisanong tsa bona le badirisi, ba tla sireletsa badirisi mo -

3.1.1. maitsholong a a sa siamang

3.1.2. dikonterakeng tse di sa lolamang, tse di sa siamang le dipeelo tsa konteraka;

3.1.3. mekgweng ya kgwebisano e e sa siamang, e e sa lolamang, e e sa utlwaleng ka tsela nngwe; le

3.1.4. maitsholong a tsietso, a a timetsang, a a sa lolamang kgotsa a boferefere.

4. DIPATELESEGO TSA BATHELESI MABAPI LE DINGONGOREGO

4.1 Bathelesi ba tshwanetse go-

4.1.1.tlhoma dithulaganyo tsa ka fa gare tsa go samagana le dingongorego, go akaretsa le tse di latelang-

4.1.1.1. Lefapha la ka fa gare le le samaganang le dingongorego; kgotsa

4.1.1.2. tsamaiso e e maleba ya tharabololo ya dingongorego; le

4.1.1.3. thulaganyo e e tshwanetseng go latelwa ke modirisi gore ngongorego eo e tlhatlhelwe kwa MIOSA.

4.1.2. baya mo pontsheng mo kgotsa kwa mafelong otlhe a kgwebo kitsiso e e bontshang gore go na le Molawana o o tlamang bathelesi;

4.1.3 fa ba kopilwe ke badirisi, mme kwa ntle ga tuelo, tlamela badirisi ka dintlha tsa kgolagano tsa-

4.1.3.1 lefapha le le rileng la ka fa gare le le samaganang le dingongorego, fa le le teng, la mothelesi; le

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4.1.3.2 MIOSA, go akaretsa dintlha tse di amanang le thulaganyo e e tshwanetseng go latelwa ke modirisi gore ngongorego eo e tlhatlhelwe;

4.1.4. katisa le go itsise badiri botlhe ba ba maleba malebana le-

4.1.4.1. Molao le Melawanataolo e e dirilweng ka fa tlase ga Molao, jaaka e rebotswe le/kgotsa e tlhabolotswe nako le nako;

4.1.4.2. Molawana ono, jaaka o tlhabololwa nako le nako; le

4.1.4.3. meonokakaretso le ditsamaiso tsa go samagana le dingongorego ka katlego;

4.1.5 . ikaelaela go rarabolola dingongorego le dikgotlhang go ya ka-

4.1.5.1. mowa le dipeelo tsa Molawana ono, Molao le Melawanataolo e e dirilweng ka fa tlase ga Molao; le

4.1.5.2. mowa le ditaelo tsa ditsamaiso tsa tharabololo ya dithulano;

4.1.6. dira maiteko otlhe a a utlwalang go rarabolola dingongorego mo matsatsing a le 30 (masome a mararo), mme fa ba sa kgone go dira jalo, ka ntlha ya mabaka a a jaaka diteko tsa setegeniki tse di tswelelang kgotsa tse di tshwanang le tsone, morago ga moo go itsise modirisi ka ga seo pele ga go fela ga matsatsi a le 30 (masome a mararo). Fa Motsayakarolo wa Indaseteri a se mo seemong sa go rarabolola ngongorego le go itsise mongongoregi seno ka go kwala, paka ya tharabololo ya matsatsi a le 30 e tla tsewa e weditswe.

5. GO SA OBAMELE MOLAWANA ONO

5.1. Go sa obamele Molawana ono go thibetswe ka karolo 82(8) ya Molao.

5.2. Fa go na le go sa obamele Molawana ono ke bathelesi mo teng ga Indaseteri ya Dikoloi mme go sa obamele goo go itsisiwe MIOSA, morero o tla batlisisiwa le go samaganwa le ona go ya ka ditsamaiso tsa MIOSA.

5.3. MIOSA e ka, mo godimo ga kgato nngwe le nngwe e e tserweng go ya ka ditsamaiso tsa yona, romela go sa obameleng goo kwa NCC.

5.4. Fa go na le go sa obamele Molawana ono ke tokololo efe ya Indaseteri ya Dikoloi mme go sa obamele goo go amana le go sa duele ketleetso e e tshwanetseng ya matlole, kgotlatshekelo efe e e nang le bokgoni mo kgaolong e MIOSA e leng mo go yona, e neilwe taolo ya go atlhola go sa obamele goo, go sa kgathalesege gore tokololo ya Indaseteri ya Dikoloi kgotsa mongongoregi o kwa kae.

6. GO BOLOKA BOIPUSO JWA MIOSA

6.1. MIOSA ke sekema se sengwe se se patelediwang sa tharabololo ya dikgotlhang se se amogetsweng semmuso go ya ka karolo 82(6) ya Molao jaaka Motsereganyi wa semmuso wa Indaseteri ya Dikoloi ya Aforikaborwa.

6.2. MIOSA e tshwanetse go nna le seabe mo tharabololong ya dikgotlhang tse di tlhagelelang mo teng ga Indaseteri ya Dikoloi.

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7. TAOLO YA MIOSA

7.1. Taolo ya MIOSA ya go rarabolola dithulano e bonwa go tswa mo Molawaneng ono le mo Molaong.

7.2 MIOSA e ka tsaya kgato mo dithulanong tse di akaretsang—

7.2.1. badirisi;

7.2.2. badirisi ka fa letlhakoreng le lengwe le bathelesi; kgotsa

7.2.3. dingongorego tse di amanang le ditlolo tse go belaelwang gore di dirilwe tsa Molawana ono kgotsa Molao.

7.3. MIOSA e ka tswelela go tsaya kgato mo dithulanong fa mothelesi a rometse thulano mo boemong jwa modirisi ka tetla ya modirisi.

7.4. Moo Motsereganyi yo o fetang bongwe a nang le dithata tsa go swetsa ka morero, MIOSA e tla nna le dithata go ya ka bogolo jo thulano e amanang le indaseteri ya dikoloi ka teng.

7.5. MIOSA ga e na dithata mabapi le thulano epe-

7.5.1. e e welang mo taolong e e kgethegileng ya Motsereganyi mongwe ofe;

7.5.2. e e laetsweng go ya ka *Prescription Act*,1969 (Molao 68 wa 1969), ka go tsaya tsia gore paka ya dingwaga di le 3 (tharo) e simolola ka letlha le mongongoregi a ne a lemoga ka lona kgotsa a neng a tshwanetse go bo a lemogile tiragalo eo ka lona, go ikaegile ka gore ke efe e e diragalang pele;

7.5.3. e e tlhokang go tlhomamisa boleng le bontsi jwa ditshenyegelo;

7.5.4 e e batlang gore Motsereganyi a dire jaaka motsereganyi mo mabakeng a a umakilweng fa godimo;

7.5.5 fa kgato ya setlhopha e tshwanetseng go tlhomamisiwa;

7.5.6 fa letlhakore lengwe le lengwe le tsere kgato ya semolao, ntle le fa MIOSA e amogetse ngongorego eo pele ga kgato eo ya semolao e tsewa; kgotsa

7.5.7 fa go lebega e kete tlolomolao ya bosenyi e dirilwe ke letlhakore lengwe le lengwe, mo tiragalong eo MIOSA e tla samagana fela le dintlha tse di kwa ntle ga selekanyo sa tlolomolao ya bosenyi e e belaelwang.

7.6 MIOSA -

7.6.1 e ka se tseye tsia ngongorego kgotsa thulano e e amanang le setheo sa semolao jaaka modirisi yo boleng jwa dithoto tsa gagwe kgotsa thekiso ya gagwe ya ngwaga e lekanang kgotsa e fetang selekanyo (tekanyetso) e leng tlhotlhwa jaaka e tlhomamisitswe ke Tona ka molawanataolo o o rebotsweng go ya ka karolo 5(2)(a), e e buisiwang le karolo 6 A ya Molao, nako le nako;

7.3.2 ga e na dithata tsa go dira phitlhelelo, ntle le katlanegiso ya go rarabolola dithulano; e bile

7.3.3 ga e na dithata tsa go dira phitlhelelo mabapi le maikarabelosemolao a setlhagiswa.

8. MOKGWA WA THARABOLOLO YA DITHULANO MAGARENG GA MIOSA LE DITOKOLOLO TSA INDASETERI YA DIKOLOI

8.1. Mo lebakeng la thulano e e tlhagelelang magareng ga MIOSA le ditokololo dife tsa indaseteri ya dikoloi, matlhakore a tla leka go rarabolola thulano ka therisano. Seno se

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akaretsa gore letlhakore le lengwe le laletse le lengwe ka go kwala go tla kopanong mme le leke go rarabolola thulano mo matsatsing a le supa go tloga ka letlha la taletso e e kwetsweng.

8.2. Fa go ka direga gore thulano e se ka ya rarabololwa ka thulaganyo e e umakilweng mo polelwaneng ya semolao 8.1, letlhakore lefe le ka kopa ka go kwala gore matlhakore a leke ka mowa o montle go rarabolola thulano ka bonako ka go romela thulano kwa botsereganying, e bile matlhakore a tla netefatsa gore a tsereganya ka mowa o montle.

8.3. Fa thulano e sa rarabololwe morago ga gore e romelwe kwa botsereganying, matlhakore a ka romela kgetse kwa bonamoding kgotsa kwa kgotlatshekelong ka ditshenyegelo tsa ona. Mo lebakeng la bonamodi, tshwetso ya monamodi e tla nna ya bofelo e bile e tlama magareng ga matlhakore.

8.4. Matlhakore a tla leka go dumalana ka monamodi, fa a sa dire jalo, matlhakore a tla romela morero kwa Mokgatlhong wa Bonamodi wa Aforikaborwa o o tla tlhophang monamodi go tswa mo phaneleng ya yona ya banamodi, go okamela thulano eo.

8.5. Monamodi o tla nna le dithata tsa go dira taelo ka ga ditshenyegelo tsa yona.

9. DITAOLO TSE DI NTSI

9.1 MIOSA e ka sekaseka ngongorego kgotsa thulano e e welang mo taolong ya MIOSA jaaka go tlhalositswe mo Molawaneng ono, fa mongongoregi le/kgotsa moikarabedi le ene e leng tokololo ya indaseteri e e welang mo taolong ya Motsereganyi yo mongwe yo o amogetsweng semmuso.

9.2 Seno se tla netefatsa kgokagano e kgolo le tirisanommogo magareng ga Batsereganyi ba ba amogetsweng semmuso go ya ka karolo 82(6) ya Molao le go nolofatsa phitlhelelo ya maitlhomo a a tlhagisitsweng mo Molaong ka—

9.2.1. go boloka boitseanape jwa indaseteri jo bo kgethegileng;
9.2.2. mokgwa o o dirilweng gore o tsamaelane le o o tlhomameng le tiriso ya melao e e rileng ya indaseteri;
9.2.3. go fokotsega ga go reka mo foramong ka ditokololo tsa madirelo a a tshelepanang;
9.2.4. go fokotsa go raraana ga badirisi le batsibogi fa go nang le kgonagalo ya go tshelepana;
9.2.5. go fokotsa dikgoreletsi tsa phitlhelelo;
9.2.6. go fokotsa dipaka tsa nako tsa tharabololo; le
9.2.7. go oketsa kitso ya badirisi.

9.3 Ditokololo tsa indaseteri, tse di dirang go ralala mafelotaolo a Motsereganyi yo o amogetsweng semmuso mme di wela mo taolong ya Motsereganyi yo o amogetsweng semmuso yo o fetang a le mongwe, di tshwanetse go duela diketleetso tsa matlole go Motsereganyi yo o maleba. Diketleetso tsa matlole di tshwanetse go fokotswa go ya ka go tshelepana ga tsona ke Batsereganyi ba ba amogetsweng semmuso ka go farologana.

9.4 Bangongoregi ba ka tlhatlhela dingongorego kwa Motsereganying ofe yo o amogetsweng semmuso mo taolong nngwe le nngwe e e maleba ka fa tlase ga Molao: Fa fela Motsereganyi yo o amogelang ngongorego e e kwa ntle ga boitseanape jwa gagwe kgotsa fa go bonala gore ngongorego e siametse go sekasekwa le Motsereganyi yo mongwe yo o amogetsweng

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semmuso, o tshwanetse go romela ngongorego ka bonako kwa Motsereganying yo mongwe, ka tumelelo ya mongongoregi.

KAROLO B: THARABOLOLO E NNGWE YA DITHULANO

Karolo eno ya Molawana e samagana le dikarolo tse di rileng tsa Molao tse di laelang mabapi le tharabololo ya dithulano ka tiro ya ADR e e jaaka MIOSA.

10. MEKGWA YA THARABOLOLO YA DITHULANO

Fa morero o sa rarabololwe mo matsatsing a le 30 morago ga thulano magareng ga modirisi le mothelesi kgotsa o tsewa o weditswe go ya ka polelwanasemolao 4.1.6, modirisi o tshwanetse go ya kwa MIOSA.

11. MAITLHOMO A MIOSA

Maitlhomo a MIOSA ke go tsaya tsia le go rarabolola dingongorego ka mokgwa o o siameng wa tsamaiso, o o seng wa semmuso, o o somarelang madi le o o bonako go ya ka meono ya bosiamisi jwa tlholego le ka go supa se se lekalekanang mo maemong otlhe go ya ka Molao le Melawanataolo e e dirilweng ka fa tlase ga ona.

12. GO TSAYA TSIA NGONGOREGO

MIOSA e tshwanetse go tsaya tsia ngongorego e e tlisitsweng ke kgotsa mo boemong jwa modirisi kgotsa mothelesi jaaka go tlhalositswe mo Molaong, e e welang mo taolong ya yona.

13. TSAMAISO YA GO RARABOLOLA THULANO

13.1 Fa MIOSA e amogela ngongorego e e latofatsang tlolomolao nngwe le nngwe ya ditaelo tsa Molawana kgotsa Molao ka mongwe le mongwe yo o welang mo taolong ya yona, e tla—

13.1.1. gakolola letlhakore le lengwe la ngongorego gore e kopilwe go rarabolola thulano;

13.1.2. tlamela letlhakore le lengwe la ngongorego ka ngongorego e e boletsweng le go kopa letlhakore leo go tsibogela ngongorego ka go tlhagisa mofuta wa lona mo matsatsing a le 10 morago ga kamogelo ya kopo, ntle le fa katoloso ya yona e neetswe ke MIOSA, fa le amogetse kopo ya katoloso ya nako;

13.1.3. fa go tlhokegang, go neela mongongoregi khopi ya tsibogo go tswa mo letlhakoreng le lengwe; le

13.1.4 go ikaegilwe ka tshedimosetso e e tlhagisitsweng, go dirisana le matlhakore ka maitlhomo a go rarabolola ngongorego.

13.2. Mo lebakeng la fa letlhakore le lengwe le sa tsibogele kopo ya MIOSA, morago ga go dira dikopo tse di fetang bongwe, maitsholo a a ntseng jalo a tla tsewa jaaka go sa obamele Molawana ono, mo lebakeng leo MIOSA—

13.2.1 e tla tswala ngongorego le go gakolola mongongoregi go romela kgetse kwa NCC go rarabololwa go ya pele;

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13.2.2 e tshwanetse go romela go sa obameleng Molawana ono go NCC gore go batlisiswe ka ga maitsholo a a ileditsweng go ya ka ditaelo tsa Molawana ono; e bile

13.2.3 e tla boloka direkoto tsa ditokololo tsotlhe tse di sa obameleng melao tsa indaseteri ya dikoloi mme e romele lenaane leo kwa NCC kotara le kotara.

13.3. Fa matlhakore a a mo thulanong a dirisana le MIOSA mme go fitlhelelwa tumalano, tumalano eo e tshwanetse go gatiswa ka go kwalwa, ka sebopego sa taelo e bile matlhakore a a mo thulanong a dumalana le taelo eo, MIOSA e ka e romela kwa NCT go tsamaelana le karolo 70(3) ya CPA gore e dirwe taelo ya tumalano, go ya ka melawana ya foramo eo.

13.4. Fa thulano e sa rarabololwe, MIOSA e tla tswala ngongorego ka kitsiso e e kwaletsweng matlhakore le go gakolola mongongoregi go romela ngongorego kwa NCC.

13.5. MIOSA e tla rarabolola thulano mo matsatsing a le 30 (masome a mararo) go tloga ka letlha le e amogetseng dikwalo tsotlhe tse di tlhokegang kgotsa tshedimosetso ka lona go kgontsha MIOSA go konosetsa tharabololo ya yona ya ngongorego.

13.6. MIOSA e ka nna ya phasalatsa mo webosaeteng ya yona ditshobokanyo tsa merero e e rarabolotsweng e e tla nnang mo dikgatlhegelong tsa badirisi le bathelesi ntle le go umaka maina a matlhakore a a amegang kgotsa matlhakore a a ka supiwang ka tsela efe, mo pakeng e e utlwalang.

14. DITIRO KA KAKARETSO

14.1. Fa tharabololo ya ngongorego efe e e rileng e ka tlhoka tshwaelo ya bothati jo bo kgethegileng kgotsa moitseanape wa setegeniki mo lephateng lengwe le lengwe, kgotsa kgakololo go tswa mo mothong ofe wa boraro, go rarabolola thulano e e ntseng jalo fa pele ga yona, MIOSA e ka thapa kgotsa ya dirisa ditirelo tsa bothati bofe jo bo kgethegileng kgotsa moitseanape wa setegeniki go thusa MIOSA ka dipatlisiso tsa yona kgotsa gore go tlhagiswe pegelo efe e e tlhokegang. Bothati jwa boitseanape kgotsa pegelo ya moitseanape wa setegeniki e tla nna ka ditshenyegelo tsa MIOSA. Mo lebakeng la fa letlhakore le kopa bothati jwa boitseanape jwa kwa ntle kgotsa moitseanape wa setegeniki mo godimo ga pegelo e e setseng e tlametswe ke MIOSA, pegelo e tla nna ka ditshenyegelo tsa letlhakore le le kopileng ditirelo tseo e bile e tla duelelwa kwa pele, pele ga moitseanape a laelwa.

14.2. Fa MIOSA, badiri ba yona kgotsa tokololo efe ya Indaseteri ya Dikoloi e ka lemoga tiro efe ya bosenyi e e dirwang kgotsa e e ikaeletsweng go dirwa mo teng ga Indaseteri ya Dikoloi, kgotsa ka ga tiro efe e e ka tsewang kgotsa e go latofatswang gore ke ya bosenyi, tokololo ya Indaseteri ya Dikoloi le/kgotsa modiri wa MIOSA o tla patelesega go begela bothati jo bo maleba ka tiragatso eo kgotsa maitsholo ao, mo lebakeng leo bosupi bo ka tshwanelwake go neelwa kwa kgotlatshekelong ya molao, ntle le go itsise NCC le Tona ka go kwala.

14.3. Ga go sepe se se mo teng ga seno se se thibelang MIOSA go tlhama melawana ya ka fa gare, diforomo le ditsamaiso tse di sa thulaneng le ditaelo tsa Molawana ono kgotsa Molao.

14.4. Tshedimosetso yotlhe (go akaretsa le maikaelelo a tumalano) e e tlametsweng ke letlhakore le lengwe mo thulanong fa pele ga MIOSA go letlhakore le lengwe e tla tsewa e le e e neetsweng ka sephiri le kwa ntle ga go kgetholola, e bile e ka se senolelwe letlhakore lefe le lengwe kgotsa ya diriswa mo botsereganying bope jo bo latelang kgotsa mo kgetseng.

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KAROLO C: PUSO LE MERERO E E AMANANG LE YONA

15. MOKGWA WA GO TLHOPHA MOTSEREGANYI LE BOTO

15.1. Motsereganyi o tshwanetse go nna le—

15.1.1. dithutego tse di tshwanetseng, tse e tla nnang Dikirii ya Batšhelara mo go tsa ikonomi, molao, kgwebo, kgotsa tse di amanang le indaseteri ya dikoloi le maitemogelo a dingwaga di le 10 mo indasetering ya dikoloi, go akaretsa le tharabololo ya dithulano;

15.1.2. kitso e e lekaneng ya dintlha tsa setegeniki tsa dithoto le ditirelo tse di tlamelwang mo Indasetering ya Dikoloi; le

15.1.3. kitso le bokgoni jo bo lekaneng go tlhaloganya Molao go netefatsa gore karolo ya badiri ya MIOSA e tla dira ditiro tsa bona tsa letsatsi le letsatsi ka tlhoafalo le ka botshepegi.

15.2. Motsereganyi o ka se -

15.2.1. nne le ponomolato ya bosenyi mo nakong e e fetileng kgotsa bo ka se bonwe molato ka motsi wa fa bo ne bo le mo maemong a jona a go sa ikanyegeng e leng karolo ya ona;

15.2.2. nne motšhoni yo o sa sokololwang kgotsa bo ka se dire tiro ya go tšhona ka motsi wa fa a le mo maemong a jona; e bile

15.2.3. nne le kgatlhego ya ga jaana (go tlhagisa, go reka dithoto go tswa kwa ntle, go phatlhalatsa kgotsa go rekisa) ka tlhamalalo kgotsa ka tsela e e seng ya ka tlhamalalo mo Indasetering ya Dikoloi kgotsa go direla mo maemong ape fela a a amanang le mekgatlho e e dirang dipholisi kgotsa mekgatlho ya indaseteri mo teng ga Indaseteri ya Dikoloi le fa e le eng.

15.3. Ditlhokego le dithutego tsa Boto ya Bakaedi di tshwanetse go akaretsa -

15.3.1. tlhopho go ya ka Memorantamo wa go Kopanngwa wa MIOSA;

15.3.2. go nna le thutego e e maleba ya ikonomi, molao, kgwebo kgotsa e e amanang le indaseteri ya dikoloi le maitemogelo a a maleba a kgwebo kgotsa indaseteri ya kgwebo go akaretsa le bokgoni jo bo tlhokegang go laola setheo; le

15.3.3. Boto e laletsa dikopo go tswa mo setšhabeng ka kakaretso ba ba fitlhelelang ditlhokego tsa tlhopho jaaka di tlhalositswe mo dipolelwaneng 15.3.1 le 15.3.2.

16. TSAMAISO YA GO THAPIWA GA MOTSEREGANYI

16.1. Motsereganyi o tla thapiwa ka tsela e e latelang—

16.1.1. tokololo nngwe le nngwe ya Boto, mmogo le Motsereganyi yo o mo maemong o tla nna le voutu e le nngwe;

16.1.2. Motsereganyi yo mošwa o tla tlhophiwa ka tsela e e bonolo ya divoutu tse dintsi tsa Boto ya Bakaedi morago ga go wetswa ga thulaganyo ya go thapa e e tseneletseng; e bile

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16.1.3. Motseregnyi o tla thapiwa dipaka tse di tlhomameng tsa dingwaga di le 5 (tlhano) ka nako e le nngwe ka tlhopho ya go thapiwa gangwe gape ga dingwaga di le 5 (tlhano).

16.2. Nako le nako fa go tshwanetse ga thapiwa Motsereganyi yo mošwa, Motsereganyi yo mošwa o tla tlhongwa dikgwedi di le tharo pele ga paka ya gagwe ya tshimololo ya tirelo e bile o tla duelwa go ya ka dikelo tsa tuelo jaaka di tlhagisitswe ke Boto mo pakeng eo e e rileng.

16.3. Boto e tla tshwanelwa ke go laletsa dikopo go tswa mo setšhabeng ka kakaretso se se fitlhelelang ditlhokego tsa go nna Motsereganyi jaaka go tlhalositswe mo polelwaneng ya semolao 16.1.

17. GO TLOSWA GA MOTSEREGANYI

Mo pakeng e e bonelwang pele mo polelwaneng ya semolao ya 16.1.3, Motsereganyi o natefelelwa ke tshireletsego ya tiro mme o ka belesetswa fela ke Boto ka mabaka a maitsholo a a sa siamang a a tseneletseng, go tlhoka bokgoni, kgotsa go retelelwa ga gagwe go diragatsa ditiro tsa gagwe ka katlego.

18. DITHATA TSA TSAMAISO TSA MOTSEREGANYI

18.1. Motsereganyi o ka, ka maitlhomo a go diragatsa ditiro tsa MIOSA, le jaaka tatofatso kgatlhanong le kgotsa mabapi le go una molemo mo matloleng a MIOSA, jaaka go ka nna jalo go—

18.1.1. hira, reka kgotsa ka tsela nngwe go bona thoto, le go hirisa, go rekisa kgotsa ka tsela nngwe go latlha thoto e e rekilweng kgotsa e e bonweng jalo;

18.1.2. dira tumalano le motho ofe ya go diragatsa tiro efe e e rileng kgotsa go tlamela ka ditirelo tse di rileng;

18.1.3. inšora ofisi kgatlhanong le tatlhegelo efe, tshenyego, kotsi kgotsa maikarabelo;

18.1.4. thapa batho ba ba katisitsweng sentle go thusa Motsereganyi, go tlhomamisa mabaka a bona a go thapiwa e bile, go ya ka dipeelo tse di ka tlhomamiswang ke Motsereganyi, o ka rolela kgotsa a abela modiri mongwe le mongwe yo o ntseng jalo, go akaretsa le Motlatsamotsereganyi, tiro nngwe le nngwe ya tsamaiso e e neetsweng Motsereganyi go ya ka karolo eno;

18.1.5. bona kgakololo ya seporofešenale e e ka tlhokegang ka mabaka; le

18.1.6. dira sengwe le sengwe, ka kakaretso, se se tlhokegang kgotsa se se tshwanetseng go fitlhelela maikaelelo a Motsereganyi.

19. POPEGO YA BOTO

19.1. Boto e tshwanetse go nna le bonnye bakaedi ba ba voutang ba le barataro mme ba sa fete ba le robongwe ba ba tlhomilweng go ya ka Memorantamo wa go Kopanngwa, go ya ka kitso ya bona, maitemogelo kgotsa dithutego tse di amanang le ditiro tsa Boto.

19.2 Pele ga go thapa bakaedi ba Boto ba ba tlhalositsweng mo polelwaneng ya semolao 19.1, Boto e tshwanetse go laletsa ditlhopho tsa bokaedi jwa Boto mme kitsiso e tshwanetse go totobatsa paka ya bonnye matsatsi a le 30 gore ditlhopho di romelwe.

19.3. Fa go tlhomiwa bakaedi ba Boto, Boto e tshwanetse go netefatsa gore go na le kemedi e e anameng ya setšhaba, go akanyeditswe lotso, bogole le bong.

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19.4. Fa Boto e sa amogele ditlhopho kgotsa palo e e sa lekanang ya ditlhopho mo pakeng e e totobaditsweng mo taletsong, Boto e ka atolosa paka e e totobaditsweng mo taletsong ka maitlhomo a go bona palo e e lekaneng ya ditlhopho.

19.5. Mokaedi wa Boto yo o tlhalositsweng mo polelwaneng ya semolao 19.1 o nna mo maemong a gagwe mo pakeng e e tlhomamisitsweng ke go thapiwa ga gagwe. Motho mongwe le mongwe yo paka ya gagwe ya tiro e fedileng o tshwanelwa ke go thapiwa gape paka e le nngwe ya tlaleletso.

19.6. Motho ga a tshwanela go thapiwa jaaka mokaedi wa Boto fa motho yoo-

19.6.1. e se moagi wa Aforikaborwa mme ka tlwaelo a nna mo Rephaboleking;

19.6.2. e le motšhoni yo o sa sokololwang;

19.6.3. a ileditswe ka fa tlase ga molao ofe go dira tiro ya motho yoo seporofešene;

19.6.4. a bonwe molato wa tlolomolao kwa nageng esele e bile a atlholetswe go golegwa kwa ntle ga tlhopho ya tuediso kgotsa, mo lebakeng la tsietso kgotsa tlolomolao efe e e akaretsang go sa ikanyege, tuediso kgotsa kgolegelo kgotsa ka bobedi; kgotsa

19.6.5 ka nako nngwe le nngwe a tlositswe mo tirong ya terasete ka ntlha ya tlolo ya tiro ya botlhokomedi.

19.7. Mokaedi wa Boto o tshwanetse go tswa mo tirong ya gagwe fa mokaedi-

19.7.1. a rola tiro ka kitsiso e e kwetsweng e e lebisitsweng le go romelwa kwa go Modulasetulo wa Boto;

19.7.2. a kgaotsa go nna le dithutego dife tse di tlhokegang go thapiwa ga mokaedi yoo mo Botong;

19.7.3. a sa kgone go dira ditiro tsa gagwe ka ntlha ya bolwetse jwa tlhaloganyo kgotsa bogole jo bo masisi kgotsa jo bo tseneletseng jwa tlhaloganyo jo bo umakilweng mo Molaong wa *Mental Health Act*, 2002 (Molao 17 wa 2002); kgotsa

19.7.4. a nna karolo ya go iletswa gofe go go umakilweng mo karolong 15 ya Molao wa Ditlamo; kgotsa

19.7.5 a tloswa mo tirong ke Boto, ka lebaka le le utlwalang le le bontshitsweng.

19.8. Bakaedi ba Boto ba tshwanetse go tlhopha le go thapa Modulasetulo le Motlatsamodulasetulo go tswa mo gare ga bona.

19.9 Modulasetulo o nna mo maemong a gagwe go fitlha Modulasetulo yoo a tlogela tiro kgotsa a kgaotsa go nna mokaedi wa Boto fa a dira dipaka tse 2 (pedi) tsa tlaleletso; e bile

19.10 Fa Modulasetulo a filwe khunologo ya go se nne teng, Motlatsamodulasetulo o tshwanetse go dira jaaka Modulasetulo go fitlha Modulasetulo a rola tiro kgotsa a simolola tiro gape kgotsa a tloswa mo tirong.

20. DIKOPANO TSA BOTO

20.1. Boto e tshwanetse go tshwara bonnye dikopano di le nne tse di tlwaelegileng ngwaga le ngwaga.

20.2. Modulasetulo wa Boto-

20.2.1. o ka bitsa kopano e e kgethegileng ya Boto; e bile

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20.2.2. o tshwanetse go bitsa kopano e e kgethegileng mo matsatsing a le 14 morago ga go amogela kopo e e kwetsweng ya go dira jalo, e e saenilweng ke bonnye ditokololo di le pedi tsa Boto.

20.3. Kopo e e umakwang mo polelwaneng ya semolao 20.2.2. e tshwanetse go tlhalosa ka tlhamalalo lebaka la kopo.

20.4. Motsereganyi o ka nna a kopa kopano le Boto ka nako nngwe le nngwe, fa go ka tlhokega.

20.5. Khoramo ya kopano nngwe le nngwe ya Boto ke bontsi jwa ditokololo tse di voutang tsa Boto tse di leng mo tirong ka nako eo. Tshwetso ya bontsi jwa ditokololo tsa Boto tse di voutang kwa kopanong nngwe le nngwe e e nang le khoramo e nna tshwetso ya Boto.

20.6. Tokololo ya Boto e e nang le kgatlhego ya sebele kgotsa ya matlole o tshwanetse go ikgogela morago mo ditsamaisong tsa Boto fa morero o sekasekwa.

21 . DITHATA, DITIRO LE MAIKARABELO A BOTO

21.1 Ke tiro ya Boto go dira mo dikgatlhegong tse di gaisang tsa MIOSA gore e kgone go rotloetsa mowa wa puso e e siameng le maikarabelo a loago.

21.2 Boto e tlhokega go dira ka mokgwa o o diragatsang maikaelelo a MIOSA ka nonofo le go dira ka mokgwa o o rotloetsang boleng le meono ya Molaotheo.

21.3 Boto e tshwanetse go kaela, go laola le go tlamela ka leano mabapi le puso ya MIOSA.

21.4 Boto e tshwanetse go tlamela ka kgokagano magareng ga MIOSA le bannaleseabe ba bangwe gore e kgone go supa le go tsaya tsia dikgatlhego tsa bannaleseabe botlhe.

21.5 Boto e tshwanetse go netefatsa gore MIOSA le/kgotsa Motsereganyi o dira le go bonwa e le moagi wa kgwebo yo o nang le maikarabelo.

21.6 Ditokololo tsa Boto di tshwanetse go nna le maikarabelo le go tsaya karolo mo tlhabololong ya leano e bile leano leo le tshwanetse go bewa go tsamaelana le maitlhomo a MIOSA.

21.7 Boto e tla nna le maikarabelo a go supa kotsi le dithulaganyo tsa go fokotsa kotsi eo.

21.8 Dikgotlhang tsa dikgatlhego di tshwanetse go laolwa mme dikgatlhego tsa MIOSA di tla tla pele.

21.9 Boto e tshwanetse go netefatsa gore go na le boruni jwa ka fa gare jo bo nonofileng jo bo ikaegileng ka dikotsi.

22. DITEKANYETSOTLASE TSA MAEMO LE DITHATA TSA MIOSA

22.1. MIOSA e tshwanetse

22.1.1. go ikwadisa le Khomišene ya Ditlamo le Thoto ya Boitlhamedi jaaka setlamo se se sa direng morokotso go ya ka Molao wa Ditlamo;

22.1.2. go obamela ditlhokego tse di maleba le tse di diriswang tsa Molawanamogolo wa Meono ya Puso jaaka o tlhabolotswe nako le nako;

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22.1.3. ka dinako tsotlhe go obamela ditaelo tsa Molao wa Ditlamo, le melawanataolo e e dirilweng ka fa tlase ga ona, jaaka e tlhabolotswe nako le nako, e e amanang le ditlamo tse di sa direng dipoelo;

22.1.4. go obamela melawanataolo yotlhe ya puso le melao e e amanang le Maatlafatso ya Ikonomi ya Bantsho e e Atolositsweng, go akaretsa le ditlhokego tsa Letlhomeso la Tshenkelo e e Kgethegileng;

22.1.5. go nna le didiriswa tse di lekaneng le boitseanape jo bo maleba go diragatsa le go dira ditiro tsa yona;

22.1.6. go se tlhotlheletswe fa e tsaya ditshwetso tsa yona;

22.1.7. go nna le maikarabelo a a feletseng a tsamaiso le tharabololo ya dingongorego;

22.1.8. go ikarabela mo go Tona, Mokhomišenara wa NCC le Boto;

22.1.9. dira ka go ikemela, ka maitlhomo, phatlalatsa, ka tshiamo le ka botshepegi;

22.1.10. go ela tlhoko ditaelo tsa Molao mmogo le meono ya puso ya molao, tekatekano, tshiamo, tshiamiso le tekano;

22.1.11 go lekalekanya ka go lekana le ka go sa tseye letlhakore ditshwanelo tsa badirisi le ditshwanelo tsa batlamedi ba ditirelo;

22.1.12 go diragatsa ditiro le maikarabelo a yona go ya ka ditsamaiso tseno tsa go dira;

22.1.13 go rarabolola dingongorego ka nonofo le ka bonako jo bo kgonegang;

22.1.14 go netefatsa gore badiri ba yona ba dira ditiro tsa bona go ya ka le go latela ditsamaiso tseno tsa tiro; le

22.1.15 go kaelwa ke dintlha tse di latelang-

22.1.15.1. Molao; le

22.1.15.2. tlhokego ya go rarabolola dithulano ka tshiamo le ka bonako.

22.2 MIOSA e ka dira tumalano le bothati jwa badirisi jwa porofense kgotsa motho ofe mabapi le tiragatso ya maikarabelo kgotsa tiro efe e e rileng mo go rarabololeng dithulano kgotsa mo go diragatseng tiro nngwe efe.

23. MERERO YA MATLOLE YA MIOSA

23.1 Ngwaga wa matlole wa MIOSA o tla nna go tloga ka di 1 Mopitlwe go fitlha ka di 28 Tlhakole wa ngwaga mongwe le mongwe.

23.2 MIOSA—

23.2.1. e tlamelwa ka matlole ke Indaseteri ya Dikoloi ka mokgwa o o tlhalositsweng mo Šejuleng 5;

23.2.2. e tla tlamela Mokhomišenara wa NCC ka pegelo e e kwetsweng ka ga kgatelopele e e dirilweng ka go kokoanya sefalanatshedimosetso gangwe ka ngwaga;

23.2.3. e tla rwala maikarabelo a go kokoanya diketleetso tsotlhe tse di tshwanetseng le tse di kolotwang ke ditokololo tsa Indaseteri ya Dikoloi;

23.2.4. e ka ntsha tshekatsheko ya sefalanatshedimosetso ya ditokololo tsotlhe tsa Indaseteri ya Dikoloi le go kokoanya diketleetso tsa matlole go tswa mo ditokololong tseo: Fela e tla nna le tshwanelo ya go dira jalo fa ditshenyegelo tse di amanang le seo di amogetswe jaaka karolo ya tekanyetsokabo ya ngwaga le ngwaga;

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23.2.5. e tla dira ditshupamolato tsa ditokololo tsa Indaseteri ya Dikoloi kgwedi le kgwedi ka kgotsa pele ga letsatsi la bo 7 (la bosupa) la kgwedi nngwe le nngwe, e bile ditshupamolato di duelwa kgwedi le kgwedi tse di saletseng kwa morago ka kgotsa pele ga letsatsi la bo 20 (masome a mabedi) la kgwedi nngwe le nngwe;

23.2.6. e tshwanetse go tsenya madi otlhe mo akhaontong e e butsweng kwa bankeng e e kwadisitsweng ka fa tlase ga *Banks Act*, 1990 (Molao 94 wa 1990);

23.2.7. e tshwanetse go dirisa matlole otlhe a a amogetsweng go duelela ditshenyegelo tse di dirilweng fa e dira ditiro tsa yona mme e ka beeletsa matlole a a sa tlhokegeng mabapi le go diriswa ka bonako;

23.2.8. e tshwanetse go dira dituelo, kwa ntle ga madi a mannye, ka ditšheke kgotsa Ditirisano tsa Matlole tsa Eleketeroniki le/kgotsa ditaelo tsa kgogo tse di gogilweng kgatlhanong le akhaonto ya banka ya MIOSA, tse di tshwanetseng go saeniwa ka mokgwa o o sweditsweng ke Boto morago ga go rerisana le Motsereganyi: Fa fela ditšheke tsotlhe, ditshupamolato le didiriswa tse dingwe tse di ka diriswang di ka gogwa mo diakhaontong tsa banka tsa MIOSA di tla tlhoka ka dinako tsotlhe thebolo ya bakaedi ba le 2 (babedi) ba MIOSA;

23.2.9. e tshwanetse go fetisetsa kwa ngwageng o o latelang wa matlole matlole otlhe a a emeng mo sekolotong sa yona kwa bokhutlong jwa ngwaga wa matlole, mmogo le matlole a a beeleditsweng;

23.2.10. e tla, ka Motsereganyi, romela tekanyetsokabo ya ngwaga le ngwaga kwa Botong ka di 1 Sedimonthole ngwaga mongwe le mongwe eo e tla akaretsang, ntle le tekanyetso, tekanyetsokabo ya -

23.2.10.1. temoso le go ya ka polelwana ya semolao 26.3;

23.2.10.2. dituelo tsa badiri, go akaretsa le bakaedi;

23.2.10.3. letlole la tiriso mabapi le ditiro tse di tlwaelegileng tsa kgwebo;

23.2.10.4. letlole mabapi le katiso ya badiri;

23.2.10.5. ditiragalo tsa tshoganyetso; le

23.2.10.6. go bapatsa gore MIOSA e ntshetswe pele.

23.3. Boto e tshwanetse go tsaya tsia tekanyetsokabo e e tshitshintsweng le go tlamela MIOSA ka tekanyetsokabo e e rebotsweng ka di 31 Sedimonthole tsa ngwaga nngwe le nngwe.

23.4. Dipegelo tsa matlole tse di amogetsweng tse di tlhatlhobilweng di tla kgona go fitlhelelwa ke ditokololo tsotlhe ka go di phasalatsa mo webosaeteng ya MIOSA, mo lobakeng la kgwedi e le nngwe morago ga thebolo ya tsona.

24. THULANO YA DIKGATLHEGO

24.1. MIOSA e tshwanetse go amogela pholisi ya thulano ya dikgatlhego e e akaretsang bonnye —

24.1.1. go supiwa ga dikgotlhang tsa dikgatlhego tse mo go tsona Motsereganyi le/kgotsa Mokaedi ofe le/kgotsa modiri wa MIOSA a nang le dikgatlhego tsa nnete kgotsa tse di ka nnang teng tse di ka tlhotlheletsang go nna le seabe ga Motsereganyi le/kgotsa Mokaedi le/kgotsa modiri yo go buiwang ka ena;

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24.1.2. tlamelo ya go tila dikgotlhang dife tsa dikgatlhego, mme fa go sa kgonege, mabaka le ditsamaiso tsa go fokotsa dikgotlhang tseo tsa dikgatlhego, le ditaolo tsa ka fa gare go obamela pholisi;

24.1.3. dithulaganyo tsa go senola dikgotlhang dife tsa dikgatlhego;

24.1.4. melawana e e amanang le go neela le go amogela dimpho, diboutšhara, ditlhotlheletso, kamogelo ya baeng kgotsa melemo e mengwe; le

24.1.5. go tlhongwa le go tlhokomelwa ga rejisetara ya dimpho.

25. BOIKARABELO

25.1. Motsereganyi ke motlhankedi yo o rwalang maikarabelo mabapi le matlole otlhe a a amogetsweng le dituelo tsotlhe tse di dirilweng mabapi le ditshenyegelo tse di dirilweng ke MIOSA.

25.2. Motsereganyi, jaaka motlhankedi yo o rwalang maikarabelo, o tshwanetse go netefatsa gore direkoto tse di siameng tsa diakhaonto tsa go rekota ditirisano tsotlhe tsa MIOSA di a bolokwa, direkoto tse di tla -

25.2.1. bewang kwa diofising tse dikgolo tsa MIOSA tse di tsewang jalo nako le nako ke Boto; le

25.2.2. ka dinako tsotlhe ka nako ya diura tse di tlwaelegileng tsa tiro, nna teng go ka tlhatlhojwa ke Tona, NCC le Boto ya MIOSA kgotsa baemedi ba bona ba ba tlhomilweng sentle le ba ba nang le taolo.

25.3. MIOSA e tshwanetse go netefatsa gore ditshupatlotlo tse di nang le-

25.3.1. akhaonto ya lotseno le ditshenyegelo tsa ngwaga wa ditšhelete o o beilweng leitlho; le

25.3.2. tshupatirisotlotlo e e bontshang maemo a matlole a MIOSA kwa bokhutlong jwa ngwaga wa ditšhelete, di baakanngwa ke feme ya baruni ba ba tlhomilweng ke Boto ya MIOSA ka bonako jo bo kgonegang morago ga bokhutlo jwa ngwaga wa ditšhelete, mme e seng morago ga matsatsi a le 90 (masome a robongwe) morago ga bokhutlo jwa ngwaga wa ditšhelete.

25.4. Khopi ya ditshupatlotlo tsa ngwaga le ngwaga e tshwanetse go nna teng ka bonako jo bo kgonegang, mme e seng go feta matsatsi a le 7 (supa) morago ga gore ditshupatlotlo tseo di baakanngwe, e newe mokaedi mongwe le mongwe wa Boto.

25.5. Boto e tshwanetse, mo kgweding e le nngwe morago ga go konosetswa ga ditshupatlotlo, go kopana go sekaseka, go tlamela, go tshwaela ka ga le / kgotsa go rebola ditshupatlotlo tseo.

25.6. Khopi ya ditshupatlotlo tsa ngwaga le ngwaga tse di rebotsweng tse di tlhatlhobilweng e tshwanetse go newa Tona, Mokhomišenara wa NCC le mokaedi mongwe le mongwe wa Boto mme gape e tshwanetse go phasalatswa mo webosaeteng ya MIOSA.

25.7. MIOSA e tshwanetse go saena Tumalano ya Bannaleseabe ngwaga le ngwaga le NCC e e tla laolang thulaganyo ya go ela tlhoko jaaka go bonetswe pele ke karolo 82(7) ya Molao.

26. DIPEGELO, DIPALOPALO LE TEMOSO

26.1. MIOSA e tshwanetse, go ya ka dikarolo 82(5) le (7) tsa Molao, go tlamela ka dipegelo tsa kotara tse di ka ga—

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26.1.1. diakhaonto tsa botsamaisi;

26.1.2. tsa sešweng;

26.1.3. dipalopalo

26.1.4. dintlha tsa tsamaiso;

26.1.5. tshedimosetsokakaretso ya kgetse ka ga-

26.1.5.1. palo ya dikgetse tse di rometsweng kwa MIOSA tsa mothelesi mongwe le mongwe (tokololo ya Indaseteri ya Dikoloi);

26.1.5.2. palo ya dikgetse tse di sekasekilweng le go konotelwa;

26.1.5.3. palo ya dikgetse tse di rarabolotsweng;

26.1.5.4. dinako tse di tserweng mabapi le go tswalwa ga kgetse;

26.1.5.5. dintlha tsa modirisi; le

26.1.5.6. tshimologo ya dingongorego; le

26.1.6. tshedimosetso nngwe efe e go dumalanweng ka yona fa gare ga NCC le MIOSA.

26.2. MIOSA e tla tlamela NCC ngwaga le ngwaga ka-

26.2.1. Pegelo ya ngwaga le ngwaga ka ga go dira ga Molawana ono ka kakaretso, katlego le go dira ga ona, mmogo le mekgwa e e dirisitsweng ke MIOSA go ela tlhoko nonofo ya Molawana ono; le

26.2.2. tshupatlotlo ya ngwaga le ngwaga, e e rebotsweng ke baruni ba MIOSA.

26.3. MIOSA e tla dira temoso e e tswelelang gore e kgone go ruta le go tlhama temogo go badirisi, batlamedi ba ditirelo le batsayakarolo ba bangwe botlhe mo teng ga indaseteri ya dikoloi ka ga merero e e amanang le dirori mo teng ga Molao le seabe sa MIOSA.

26. GO PHIMOLA KWADISO LE GO PHATLHALATSWA GA MIOSA

MIOSA ga e a tshwanela go kwadisololwa, go phatlalatswa kgotsa go tswalwa ntle le go ya ka Molao wa Ditlamo kgotsa molao o mongwe o o maleba o o leng teng.

ŠEJULE 1

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LENAANE LA MEKGATLHO YA GA JAANA YA INDASETERI

MOKGATLHO	MOFUTA WA INDASETERI
AMID – Mokgatlho wa Barekantle le Baphatlhalatsi ba Dithuthuthu	Sethuthuthu
AA - Mokgatlho wa Dikoloi wa Aforikaborwa	Go Tlhokomela Dikoloi, Thuso ya kwa Thoko ga Tsela le Maano a Tlhokomelo
IDA – Mokgatlho wa Barekisi ba ba Ikemetseng	Bagwebi ba ba Ikemetseng, go Akaretsa le Beng ba ba Ikemetseng ba Ditetlakgwebo
FRA – Mokgatlho wa Barekisi ba Lookwane	Lookwane
NAACAM – Mokgatlho wa Bosetšhaba wa Batlhagisi ba Dikarolo tsa Dikoloi le Tse di Amanang	Dikarolo
NAAMSA – Mokgatlho wa Bosetšhaba wa Batlhagisi ba Dikoloi wa Aforikaborwa	OEM ya Dirori & Bagwebi le Baphatlhalatsi ba Dithomeloteng
OPPASA - Mokgatlho wa Dikuno tsa Motlakase tsa kwa Ntle wa Aforikaborwa	Metšhini ya Maatla ya kwa Ntle
RMI – Mokgatlho wa Indaseteri ya Dikoloi	Setlhopha sa Mekgatlho e e Farologaneng ya Dikoloi
SAAMA – Mokgatlho wa Metšhini ya Temothuo wa Aforikaborwa	Metšhini ya Temothuo
SATRA – Mokgatlho wa Aforikaborwa wa go Goga le go Busetsa Dikoloi	Go goga dikoloi
SAVRALA – Mokgatlho wa go Hira le go Hirisa Dikoloi wa Aforikaborwa	Go Hirisa Dikoloi, Go Hirisa le Botsamaisi jwa Setlhopha sa Dikoloi

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ŠEJULE 2

TSAMAISO YA DINGONGOREGO TSA MIOSA

Kgato 1 — Go Tlhagisa Ngongorego ya Ntlha

1 Modirisi yo o nang le ngongorego o gakololwa go araba potso ka go kwalela mothelesi le/kgotsa mokgatlho wa kgwebisano o mothelesi a ikwadisitseng mo go ona.

2 Mothelesi o tshwanetse go neela modirisi kamogelo e e kwetsweng ya kamogelo ya ngongorego efe e e rometsweng kwa go ena.

3 Mothelesi o tshwanetse go leka go rarabolola thulano ka tlhamalalo le modirisi. Mo lebakeng leno mothelesi o tla araba potso ka botlalo, ka go kwala, mo matsatsing a le 10 (lesome) morago ga go amogela potso. Fa mothelesi a sa kgone go neelana ka karabo e e utlwalang kgotsa go rarabolola kgang mo matsatsing a le 30 (masome a mararo) morago ga moo, mothelesi o tla itsise moreki ka seno, le go tlamela ka mabaka go ya ka fa go ka kgonegang ka teng ka go kwala.

4 Fa potso e sa rarabololwe mo pakeng e e beilweng jaaka go umakilwe mo polelwaneng ya semolao 3 kgotsa mo pakeng e matlhakore a ka dumalanang ka yona ka go kwala, modirisi-

4.1 o ka tlhatlhela ngongorego, ka go kwala, kwa ofising ya MIOSA ka go tlatsa Foromo ya Thuso ya MIOSA e e mo webosaeteng ya MIOSA le go e romela ka seatla, ka fekese, imeile kgotsa poso e e kwadisitsweng e e duelelwang pele kgotsa mo maranyaneng, e e tlhalosang mofuta wa ngongorego le thulano, mmogo le kgato e e tlhokegang, le poelo e e solofetsweng; e bile

4.2 o tshwanetse go tlamela ka dikhopi tsa dikwalo tsotlhe tse di maleba, tse di tshwanetseng go tsamaya le ngongorego.

5 Fa modirisi a tlhoka thuso ya go tlhaloganya ditsamaiso tsa go samagana le dithulano le MIOSA, MIOSA e tla thusa modirisi mo ntlheng eno.

Kgato 2 — Go tlhatlhela Ngongorego kwa MIOSA

Mongongoregi yo o-

6.1 o rometseng ngongorego kwa mothelesing, le yo o sa kgotsofalelang mokgwa o mothelesi a samaganang le yona ka teng, kgotsa ka moo e rarabololwang ka teng kgotsa ka ditlamorago tsa yona; kgotsa

6.2 iseng a kopane le mothelesi ka gonne seno se ka baka kgotsa se ka dira gore go nne le kotsi e e sa tshwanelang kgotsa kgobelelo ya mongongoregi, o ka romela ngongorego kwa MIOSA.

7 Mongongoregi o tshwanetse go romela ngongorego kwa MIOSA mo nakong e e lekaneng.

8 MIOSA e tla boloka rejisetara ya dingongorego tsotlhe tse e di romelang kwa bathelesing, mmogo le mekgwa e e maleba ya go latedisa direkoto, go netefatsa gore dingongorego tsotlhe di ka latedisiwa ka nako nngwe le nngwe mme kwa bofelong di rarabololwe.

9 Kamogelo ya ngongorego nngwe le nngwe e tshwanetse go itsisiwe mongongoregi mo matsatsing a le 2 (mabedi) morago ga kamogelo ya yona ka mogala, WhatsApp kgotsa imeile.

10 Mothelesi o tla faela karabo ya gagwe e e nang le tlhaloso kwa MIOSA mo matsatsing a le 10 (lesome) morago ga go amogela ngongorego. Fa mothelesi a sa kgone go tlamela ka karabo e e nang

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le tlhaloso mo malatsing a le 10 (lesome), mothelesi o tshwanetse go gakolola MIOSA le go tlamela ka mabaka a a amogelesegang a go sa obamele melao.

11 Tlhaeletsano yotlhe magareng ga matlhakore le MIOSA mabapi le thulano e tshwanetse go kwalwa, ntle le fa go dumalanwe ka dithulaganyo tse dingwe magareng ga matlhakore, ka go kwala.

12 Morago ga kamogelo, go tshwanetse ga dirwa tshekatsheko ya ntlha ya ngongorego nngwe le nngwe go netefatsa gore a e wela mo taolong ya MIOSA.

13 MIOSA e tla nna le tshwanelo ya go kopa dintlha tse dingwe go tswa mo matlhakoreng. Matlhakore a tla tlamela ka tshedimosetso yotlhe e e maleba go mongwe le mongwe le MIOSA go samagana le thulano mo matsatsing a le 10 (lesome) morago ga kopo eo. Fa bopaki jwa molomo bo tlhokega go rarabolola thulano-

13.1 MIOSA e tla kopa matlhakore go tsenela dipatlisiso ka kitsiso ya pele e e kwetsweng mo matsatsing a a seng kwa tlase ga a le 10 (lesome) pele ga nako;

13.2 go nna teng kwa dipatlisisong go tla nna ka ditshenyegelo tsa letlhakore lengwe le lengwe;

13.3 di tla dirwa ka Seesemane kgotsa SeZulu, mme fa go kopilwe le ka ditshenyegelo tsa letlhakore le le kopang, MIOSA e tla rulaganya gore go nne le moranodi wa puo nngwe efe;

13.4 letlhakore lengwe le lengwe le tla nna le tshwanelo ya go emelwa ke letlhakore le le tshwanetseng, go akaretsa le moemedi wa semolao, ka tetla ya MIOSA, go nna le seabe mo thulaganyong ya dipatlisiso mo boemong jwa letlhakore leo.

14 Dikatlanegiso tsotlhe di wela fela mo taolong ya MIOSA.

15 Pegelo ya maemo e e mo nakong e tshwanetse go fitlhelelwa ke mongongoregi le mothelesi bonnye ka nako ya matlha a bofelo a a beilweng pele ga nako.

Kgato 3 – Tharabololo ka MIOSA

16 Ditsamaiso di ka gatiswa ka kopo ya letlhakore, fa fela letlhakore le le kopang le rwala maikarabelo a ditshenyegelo tsa go gatisa, tse di duelwang MIOSA bonnye matsatsi a le 10 (lesome) pele ga go tshwarwa ga dipatlisiso.

17 MIOSA e tla tlhagisa katlanegiso ya yona mo matsatsing a le 10 (lesome) morago ga bokhutlo jwa patlisiso. MIOSA e letleletswe go neelana ka katlanegiso ya yona ka go kwala le go isa dipoelo kwa diatereseng tse di tlhophilweng ke matlhakore.

18 Mo go rotloetseng mowa wa Molao, MIOSA e tla tlhokomedisa makoko ka ga dikarolo tse di maleba tse di diriswang tsa Molao, fa e dira katlanegiso ya yona.

19 Dikatlanegiso tsa MIOSA ga di tlame matlhakore mme dikatlanegiso tse di jalo di tla kaela matlhakore go ya kwa tharabololong ya thulano.

20 Fa ADR e ka retelelwa ke go rarabolola thulano, MIOSA e tla ntsha setifikeiti se se ka ga seo go matlhakore, a morago ga moo a tla nnang le tshwanelo ya go romela thulano kwa NCC.

ŠEJULE 3

DITSAMAISO TSE DI TSHITSHINTSWENG TSA GO SAMAGANA LE DINGONGOREGO TSA KA FA GARE

1. Fa go samaganwa le dingongorego, bareki, bangongoregi le batho ba bangwe ba ba nang le kgatlhego ba tshwanetse go amogela tse di latelang:

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1.1. Tshedimosetso e e tlhokegang e e amanang le thulaganyo ya ka fa gare ya go samagana le dingongorego e e amanang le mothelesi; le
1.2. diboroutšhara le diphamfolete dife tse di maleba tsa MIOSA.

2. Tshedimosetso yotlhe e tshwanetse go tlamelwa ka puo e e tlhamaletseng le, fa go kgonega, ka sebopego se se fitlhelesegang go netefatsa gore bangongoregi ga ba kgoreletswe ke sebopego sefe se tshedimosetso e tlamelwang ka sona.

3. **Tse di latelang ke dikao tsa tshedimosetso e e ntseng jalo:**

3.1. Kwa dingongorego di ka dirwang teng;

3.2. ka moo dingongorego di ka dirwang ka teng;

3.3. tshedimosetso e e tla neelwang ke mongongoregi (leba Šejule 4 fa tlase go bona sebopego se se tshitshintsweng);

3.4. thulaganyo e e tshwanetseng go latelwa fa go samaganwa le dingongorego;

3.5. dipaka tsa nako tse di amanang le dikgato tse di farologaneng mo thulaganyong;

3.6. ditlhopho tsa mongongoregi tsa tharabololo, go akaretsa le go romelwa kwa MIOSA; le

3.7. mokgwa o mongongoregi a ka bonang pegelo ka ona ka ga kgato ya ngongorego.

4. **Kamogelo ya ngongorego:**

4.1. Fa ngongorego e begwa la ntlha, ngongorego e tshwanetse go kwalwa e bile go tshwanetse ga neelwa khoutu kgotsa nomoro e e kgethegileng ya boitshupo mo ngongoregong nngwe le nngwe.

4.2. Tshedimosetso nngwe efe e e tlhokegang gore go samaganwe le ngongorego ka katlego e tshwanetse go gatiswa kgotsa go mametlelelwa mo ngongoregong, go akaretsa le bonnye tse di latelang:

4.2.1. Tlhaloso ya ngongorego e tshwanetse go dirwa, go akaretsa-

i. ditlhagiswa kgotsa mekgwa e e amanang le setheo e go ngongoregwang ka yona; le

ii. tshedimosetso ka ga batho ba ba amegang go akaretsa lefapha, lekala, setheo le karolo ya mmaraka;

4.2.2. tshedimosetso yotlhe e e tshegetsang, dinewa tse di maleba tse di tshegetsang le dikwalo;

4.2.3. rekoto ya ngongorego ya ntlha, e le yona e tshwanetseng go totobatsa-

i. tharabololo e mongongoregi a e batlang;

ii. letlha la bofelo la tsibogo; le

iii. gore a kgato efe ya ka bonako e ne ya tsewa kgotsa e tshwanetse go tsewa (fa e le teng).

5. **Ditekanyetso tsa nako tsa tharabololo ya Ngongorego:**

5.1. Mothelesi o tshwanetse go dira maiteko otlhe go rarabolola morero mo matsatsing a le 30 (masome a mararo).

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5.2. Fa mothelesi a sa kgone go rarabolola ngongorego mo pakeng eo ka ntlha ya mabaka a a jaaka diteko tsa setegeniki tse di tswelelang, mothelesi o tla itsise mongongoregi ka ntlha eo bonnye matsatsi a le 2 (mabedi) pele ga go fela ga letlha la bofelo la matsatsi a le 30 (masome a mararo).

6. **Tharabololo ya ngongorego:**

6.1. Mothelesi o tshwanetse go dira maiteko otlhe go rarabolola morero ka mowa o montle le go ya ka dithulaganyo tsa ka fa gare tsa go samagana le dingongorego.

6.2. Ka go dira jalo, mothelesi o tshwanetse go samagana le ngongorego-

6.2.1. ka maitseo le ka tlotlo;

6.2.2. ka bonako le ka nonofo; le

6.2.3. ka mokgwa wa sephiri.

7. **Kamogelo ya ngongorego:**

7.1. Go amogelwa ga ngongorego nngwe le nngwe go tshwanetse ga begelwa mongongoregi-

7.1.1. ka bonako; kgotsa

7.1.2. bonnye mo matsatsing a le 2 (mabedi) (sekao ka poso, mogala kgotsa imeile).

8. **Go latedisa ngongorego:**

8.1. Ngongorego e tshwanetse go latediswa go tloga fa e amogelwa la ntlha go ralala thulaganyo yotlhe go fitlha mongongoregi a kgotsofala kgotsa go tsewa tshwetso ya bofelo.

8.2. Pegelo ya maemo e e mo nakong e tshwanetse go fitlhelelwa ke mongongoregi-

8.2.1. fa a e kopa; le

8.2.2. nako le nako; kgotsa

8.2.3. bonnye ka nako ya matlha a bofelo a a beilweng pele ga nako.

9. **Tshekatsheko ya ntlha ya ngongorego:**

9.1. Morago ga kamogelo, ngongorego nngwe le nngwe e tshwanetse go sekasekwa kwa tshimologong ke mothelesi go ya ka dikelo tse di jaaka-

9.1.1. tsenelelo;

9.1.2. ditlamorago tsa pabalesego;

9.1.3. tharaano;

9.1.4. kutlwalo; le

9.1.5. tlhokego le kgonagalo ya go tsaya kgato ka bonako.

10. **Maiteko a go rarabolola:**

10.1. Mothelesi o tshwanetse go ikgolaganya le mongongoregi go-

10.1.1. tlhalosa kgang nngwe le nngwe; le

10.1.2. netefatsa botlhokwa jwa ngongorego.

11. **Patlisiso ya dingongorego:**

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11.1. Maiteko mangwe le mangwe a a utlwalang a tshwanetse go dirwa ke mothelesi go batlisisa maemo otlhe a a maleba le tshedimosetso e e amanang le ngongorego.

11.2. Maemo a dipatlisiso a tshwanetse go tsamaelana le bomasisi, makgetlo a tiragalo le tsenelelo ya ngongorego.

12. **Tsibogelo ya dingongorego morago ga patlisiso:**

12.1. Fa a kgona e bile go le maleba, mothelesi o tshwanetse go neela tsibogo e e tla, jaaka sekao-

12.1.1. baakanyang bothata; le

12.1.2. thibelang gore bo se ka jwa diragala mo isagong.

13. **Go tlhaeletsana ka tshwetso:**

13.1. Ka bonako jo bo kgonegang, morago ga gore tshwetso e tsewe mabapi le ngongorego kgotsa kgato efe e tsewe mabapi le ngongorego, mothelesi o tshwanetse go gakolola-

13.1.1. mongongoregi ka tshwetso eo e e dirilweng kgotsa kgato e e tserweng; le

13.1.2. mongwe le mongwe wa badiri ba yona yo o ka tswang a ne a amega mo tiragalong (fa a le teng).

14. **Go tswala ngongorego:**

14.1. Fa mongongoregi a amogela tshwetso kgotsa kgato e e tshitshintsweng-

14.1.1. tshwetso kgotsa kgato e tshwanetse go tsenngwa mo tirisong; le

14.1.2. tshwetso kgotsa kgato e tshwanetse go gatiswa ka tsela e e kwetsweng kgotsa ya eleketeroniki.

14.2. Fa mongongoregi a sa amogele tshwetso kgotsa kgato e e tshitshintsweng, mme mothelesi a sa amogele kgotsa a gana go tsenya mo tirisong kgotsa go tsaya dikgato tse dingwe mabapi le ngongorego-

14.2.1. seno se tshwanetse go gatiswa ke mothelesi; le

14.2.2. mongongoregi o tshwanetse go itsisiwe ka ditshwanelo tsa gagwe mabapi le go romelwa ga ngongorego kwa-

14.2.2.1 MIOSA; kgotsa

14.2.2.2 setheong se sengwe se se nang le taolo.

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ŠEJULE 4

FOROMO YA KOPO YA THUSO

Nomorotshupetso:
_____

MOTOR INDUSTRY OMBUDSMAN
OF SOUTH AFRICA

TOKOLOLO YA BATHEI BA MOKGATLHO WA BOTSEREGANYI WA AFORIKABORWA
NPC (Reg. Nm. 2001/004871/08)
MOG: 010 590 8378 IMEILE: INFO@MIOSA.CO.ZA
Suite 156, Private Bag X025, Lynnwood Ridge, 0040

FOROMO YA KOPO YA THUSO (ARF)

Motsereganyi wa Indaseteri ya Dikoloi ya Aforikaborwa (MIOSA) o thusa bareki go rarabolola dingongorego ka go batlisisa le go dira katlanegiso e e ikaegileng ka dintlha le molao o o maleba. Ka jalo go botlhokwa thata gore foromo ya kopo ya thuso e tlatswe ka botlalo. Go retelelwa ke go dira jalo go tla felela ka ditiego tse di sa tlhokegeng. Go bona thuso mo ntlheng eno, tsweetswee ikgolaganye le ofisi ya tshedimosetso le kgokagano ya MIOSA mo 010 590 8378.

KAROLO A DINTLHA TSA MONGONGOREGI

O itsitse jang ka MIOSA:		**Letlha la Thomelo:**	

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1. a) Fa Mongongoregi e le Motho ka Nosi

Maemo (Motl, Ng, Rre, Mme, Moh):		**Sefane:**	
Maina:		**Nomoroitshupo:**	

b) Fa a letleletswe go dira mo boemong jwa mongongoregi go ya ka Karolo 4 ya Molao wa Tshireletso ya Badirisi wa bo 68 wa 2008 (CPA). *Tsweetswee mametlelela khopi e e kanetsweng ya taelo ya gago ya ntlha kgotsa Maatla a Mmueledi (POA), mmogo le lebaka la go bona taelo ya gago kgotsa POA:*

Maemo (Motl, Ng, Rre, Mme, Moh):		**Sefane:**	
Maina:		**Nomoroitshupo:**	

c) Fa mongongoregi e le setheo sa semolao, ke gore, setlamo se se kwadisitsweng kgotsa setlamotekanyetsobeng jj, foromo eno ya kopo ya thuso e tshwanetse go tsamaya le lekwalo le le tswang kwa moruning kgotsa kwa motlhankeding yo o rwalang maikarabelo le le tlhalosang gore thekiso ya ngwaga le ngwaga ya setheo sa semolao kgotsa motheo wa dithoto ga o fete selekanyo sa R2 milione ka ngwaga.

d) Mo lebakeng la fa thulano e ka tlhaga magareng ga Batsayakarolo ba Indaseteri mo teng ga Indaseteri ya Dikoloi, thulano e tshwanetse go rarabololwa ke MIOSA, go ikaegilwe ka Karolo 82 ya CPA.

2. Tshedimosetso ya mongongoregi:

Nomoro ya Mogala wa Motshegare:	KHOUTU	Nomoro ya Selefounu:	KHOUTU
Imeile:			

Tsweetswee tshwaya fa go leng maleba:

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Bong:	☐	Monna	☐	Mosadi				
Kgolafalo:	☐	Ee	☐	Nnyaa				
Setlhopha sa Lotso:	☐	Moaforika	☐	Mmala	☐	Moindia	☐	Enngwe
Setlhopha sa Dingwaga:	☐	15-34	☐	35-44	☐	45-54	☐	65+

Tlhakaina ya Mongongoregi: _____

KAROLO B NETEFATSO YA TAOLO LE TLHOMAMISO

Nna _____ mongongoregi kgotsa moemedi wa mongongoregi, ke netefatsa gore ke neile motlhagisi/morekantle/ mophatlhalatsi/morekisi/mogwebi/motlamedi wa tirelo (yo fano morago a bidiwang Moikarabedi) tšhono ya go rarabolola ngongorego pele ga go romela Foromo eno ya Kopo ya Thuso kwa **MIOSA**.

Fa ke ne ke dira jalo ke ne ka bua le _____

wa _____ Letlha: _____

Ke romela Foromo eno ya Kopo ya Thuso kwa MIOSA ka gonne: *(Tsweetswee tshwaya)*

(a) ☐ Ngongorego ya me ga e a rarabololwa ke Moikarabedi mo lobakeng la _____ (paka ya nako).

(b) ☐ Moikarabedi o ganne ngongorego ya me ***(Tsweetswee mametlelela tlhaeletsano e e amanang le seno)***

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Ke netefatsa gore ngongorego ya me GA: ***(Tsweetswee tshwaya)***

☐ se setlhogo sa ditsamaiso dipe tsa semolao. Fa ke ne ke buisana le Mmueledi e ne e le fela go bona kgakololo kgotsa thuso mo go kwaleng ngongorego ya me.

☐ ga jaana e a tlhatlhelwa kwa mongongoreging mongwe ope, Khomišeneng ya Bosetšhaba ya Badirisi, kgotsa kwa kgotlatshekelong epe e e maleba.
Tsweetswee naya leina la foramo fa e le gore o e tlhatlhetse gosele: _____

KAROLO C DINTLHA TSA SETLHAGISWA/KAROLO.

Ke dumalana le gore: ***(Tsweetswee tshwaya fa go le maleba)***

☐ ngongorego ya me le makwalo otlhe morago ga moo a tla neelwa setheo sa ditšhelete se se umakilweng fa tlase.

Ngongorego ya me ke ***(tsweetswee tshwaya fa go tlhokegang)*****:**

☐ Thulano ya Theko **(***Tlatsa* ***dintlha TSOTLHE*** *tse di fa tlase****)***

☐ Thulano ya Paakanyo/Tlhokomelo (Tlatsa dintlha **1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 17** fa tlase)

☐ Thulano ya go Latedisa *(Tlatsa dintlha* ***1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 16, 17*** *fa tlase)*

☐ Tse dingwe, ke gore, dikarolo/dikarolwana, lookwane, leano la tlhokomelo jj. *(Tlatsa dintlha* ***1, 2, 6, 8, 12, 17*** *fa tlase)*

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1	Modiro/Mofuta:							
2	Mofuta (Ngwaga):							
3	Nomoro ya Kwadiso:		**4**	Kerebokoso:		Many		
5	Nomoro ya VIN:							
6	Letlha la theko		**7**	Dikilometara fa e rekwa.				
8	Letlha la tshimologo ya kgotlhang		**9**	Dikilometara fa thulano e simolola				
10	Dikilometara tsa ga jaana							
11	A hisitori ya tirelo e mo nakong?		Ee		Nnyaa			
12	A setlhagiswa/karolo e ne e le ka fa tlase ga tsholofetso ka nako eo?		Ee		Nnyaa			
13	Koloi e e diriswa thata mo:		Sekontiring		Leroleng			
14	Matlole ka (Setheo sa Matlole):			**15**	Nomoro ya Akhaonto:			
16	Sedirwa se tlametswe ka tsela e e sa siamang:							
17	Boleng jwa kgwebisano:							

Tlhakaina ya Mongongoregi: _____

KAROLO D NGONGOREGO YA ME E KGATLHANONG LE KGWEBO E E LATELANG

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Dintlha tsa kgolagano tsa kgwebo e ngongorego e leng kgatlhanong le yona:					
Leina la Kgwebo:					
Nomorotshupetso ya ngongorego (fa e le teng):					
Aterese ya Lefelo ya Kgwebo					
Tikologo ya Toropo:		Toropo:		Porofense:	
Nomoro ya mogala ya Kgwebo:	KHOUTU				
Nomoro ya Selefounu ya Kgwebo:	KHOUTU				
Imeile ya Kgwebo:					
Kgwebo e ne ya atlenegisa eng?					

KAROLO E DINTLHA TSA NGONGOREGO

Tsweetswee thaepa kgotsa kwala ka ponagalo mo tsebeng e e kwa thoko dintlha **TSOTLHE** tse di maleba, go akaretsa le matlha, dinako, mafelo le maina, ka tatelano ya matlha.

Tshedimosetso e e rometsweng e tla diriswa ke MIOSA mo tharabololong ya thulano. Tsweetswee netefatsa gore dikwalo tsotlhe tse di maleba di romelwa mmogo le Foromo eno ya Kopo ya Thuso. Tsweetswee gape mametlelela:

- khopi ya OTP/lenaanetheko fa ngongorego e tswa mo kgwebisanong ya thekiso; kgotsa

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- khopi ya khotheišene, karata ya tiro le lenaanetheko la bofelo la ditshenyegelo fa ngongorego e tswa mo tumalanong ya tirelo kgotsa ya paakanyo.

Tsweetswee SOBOKANYA ngongorego ya gago mo phatlheng e e fa tlase. Tshobokanyo eno e tla dirisiwa ke MIOSA go fitlhelela tshwetso ya morero, le fa o mametleletse dikwalo tse di tshegetsang le ditshobokanyo.

Tlhakaina ya Mongongoregi: _____

Tlhalosa ka bokhutshwane gore ke dipoelo dife tse o solofelang go di fitlhelela

KAROLO F MABAKA LE DIPEELO

1. Ke/re dumela go se rwese MIOSA kgotsa ope wa badiri ba yona molato wa tatlhegelo epe kgotsa tshenyo ya mofuta ope e ke/re ka nnang le yona ka ntlha ya go amogela le go samagana le ngongorego eno ga MIOSA.

2. Ke/re itlama fano gore ga re kitla re kgobotletsa kgotsa re rogana fa re buisana le MIOSA.

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3. Ke/re dumela fano ka tsela e e ka se busediweng morago le ntle le dipeelo dipe gore:

   3.1. MIOSA e tla nna le tshwanelo ya go dirisa dikwalo dife le/kgotsa bosupi jo bongwe jo bo rometsweng mo thulaganyong go rarabolola thulano ka thulaganyo ya poelano, ka go tshegetsa katlanegiso e e dirilweng mo ngongoregong.

   3.2. MIOSA e tla nna le tshwanelo e e feletseng ya go senola dikwalo tsotlhe le/kgotsa bosupi jo bongwe jo bo amogetsweng ka ga ngongorego e e rileng go ka bobedi Moikarabedi le Mongongoregi.

   3.3. Ke/re dumelela letlhakore le lengwe go senolela MIOSA tshedimosetso nngwe le nngwe mabapi le ngongorego.

   3.4. MIOSA e tla nna le tshwanelo ya go senola le/kgotsa go phasalatsa katlanegiso ya yona go akaretsa le dikwalo dife tse di tshegetsang le/kgotsa bosupi, mmogo le go e begela bathati ba ba maleba, sekao, Khomišene ya Bosetšhaba ya Badirisi (NCC), Lefapha la Kgwebisano, Indaseteri le Kgaisano (dtic) le Lekgotla la Bosetšhaba la Badirisi la Aforika Borwa la Maitsholo (Molawana).

4. Gore MIOSA e kgone go batlisisa ngongorego ka nepo, ka go ikemela, le go ya ka molao wa Aforikaborwa, matlhakore ga a kitla ka nako ya patlisiso a ya kgotsa a senola tshedimosetso epe mabapi le ngongorego kwa bobegadikgannyeng, metsweding ya boitapoloso, kgotsa sebopego sefe se sengwe sa phasalatso.

5. Ke/re amogela gore MIOSA ga e kitla e kgona go samagana le ngongorego ya me/ya rona fa ke/re kabo re/ke simolotse ka kgato ya semolao.

6. Nna le moemedi wa me ga re kitla re lopa semolao dikwalo tse di mo faeleng ya me/ya rona, kgotsa MIOSA, kgotsa tokololo epe ya badiri ba yona. Nna le moemedi wa me ga re kitla re laela gore epe ya dikwalo tseno e senolwe go ya ka melawana efe ya kgotlatshekelo ntle le fa re laetswe go dira jalo ke kgotlatshekelo ya molao.

7. Ke/re tlhaloganya se se fa godimo le go netefatsa gore se siame e bile se a utlwala mo maemong go sireletsa nna/rona le ditshwanelo tsa letlhakore le lengwe go thibela kgobelelo mabapi le ditshwanelo tsa rona.

8. Ka go tlhatlhela ngongorego kwa MIOSA, paka ya go laela tleleimi ga e kgorelediwe. Ke/re eletsa go netefatsa gore tleleimi ya me/ya rona kgatlhanong le Moikarabedi e ka laela mo dingwageng di le 3 go ya ka *Prescription Act,* 1969 (Molao 68 wa 1969) le gore maikarabelo a go kgaotsa taelo a tla nna mo go nna/rona.

Tlhakaina ya Mongongoregi: _____

9. Ke/re a dumela gore fa nka/re ka latlhegelwa ke kgatlhego e e beilweng mo seroring se se umakilweng (ke gore, re rekisitse serori, se amogilwe jj), ke/re tla itsise MIOSA ka bonako, ka go kwala, gore MIOSA e kgone go tswala faele.

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10. Ke/re dumela gore mo kgetseng e mong yo o kwadisitsweng a tlhokafetseng, modiragatsi wa boswa o tshwanetse go itsise MIOSA ka bonako.

11. Ke/re dumalana le taolo ya MIOSA go ya ka Karolo 69 ya CPA.

12. Ke/re dumela gore ngongorego ya me e tla sekegelwa tsebe ke MIOSA ka mabaka le dipeelo tse di fa godimo le go ya ka melawana ya MIOSA. Tshedimosetso e e tlametsweng ke nna/rona fano, go ya ka kitso ya me, ke boammaaruri e bile e nepagetse.

13. Ke/re dumela go amogela melaetsa ya SMS mo selefounong ya me/ya rona go tswa kwa MIOSA mabapi le ngongorego ya me/ya rona.

14. Ke tlhomamisa gore tshedimosetso e e tlametsweng ke boammaruri e bile e nepagetse go ya ka kitso le tumelo ya me.

15. Ke dumalana le go kokoanngwa, go diriswa, le go bolokwa ga tshedimosetso ya me ke MIOSA ka maikaelelo a go rarabolola ngongorego ya me, go ya ka *Protection of Personal Information*, 2013 (Molao 4 wa 2013) (POPIA).

E saenilwe kwa ___ ka di ___ tsa kgwedi ya ___ ngwaga wa ___

Tshaeno ya Mongongoregi kgotsa motho yo o reboletsweng go dira mo boemong jwa Mongongoregi

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[Tsweetswee o se ka wa busetsa kitsiso eno ya go senola fa o romela Foromo ya gago ya Kopo ya Thuso kwa MIOSA].

KITSISO YA GO SENOLA SETLHOGO SA DINEWA
KAROLO 18
YA *PROTECTION OF PERSONAL INFORMATION ACT*, 4 ya 2013 (POPIA)

1. Kitsiso ya Polokodiphiri

Kitsiso eno e tlhalosa ka moo Motsereganyi wa Indaseteri ya Dikoloi wa Aforika Borwa (MIOSA) a bonang, a dirisang le go senola tshedimosetso e e ka ga gago ka teng, go ya ka ditlhokego tsa POPIA. MIOSA e ikemiseditse go sireletsa sephiri sa gago le go netefatsa gore tshedimosetso ya gago e kokoanngwa le go diriswa sentle, ka fa molaong, le ka ponalagatso.

2. Tlhaloso ya tshedimosetso ya botho

"Tshedimosetso ya Botho" e tla kaya lotso, bong, boimana, maemo a lenyalo, tshimologo ya bosetšhaba kgotsa lotso la tlholego, mmala, tshekamelo ya bong, dingwaga, boitekanelo jwa mmele kgotsa jwa tlhaloganyo, bogole, bodumedi, segakolodi, tumelo, setso, puo le botsalo jwa motho; Tshedimosetso e e amanang le thuto kgotsa hisitori ya motho ya kalafi, ya matlole, ya bosenyi kgotsa ya tiro; Nomoro efe e e supang, letshwao, aterese ya imeile, aterese ya bonno, nomoro ya mogala, tshedimosetso ya lefelo, sesupo sa seranyane kgotsa tiro nngwe e e rileng mo mothong; tshedimosetso ya bayometeriki ya motho; maikutlo a motho ka namana, dipono kgotsa dilo tse motho a di ratang; tlhaeletsano e e rometsweng ke motho e e sa tlhamalalang kgotsa e e tlhamaletseng ya mofuta wa poraefete kgotsa wa sephiri kgotsa tlhaeletsano e nngwe e e tla senolang diteng tsa tlhaeletsano ya ntlha; maikutlo kgotsa pono ya motho yo mongwe ka motho yoo, tshedimosetso eo e ka tswa e gatisitswe ka eleketeroniki kgotsa ka tsela e nngwe.

Batho le ditlamo ka bobedi di akareditswe mo lephateng la tshedimosetso ya botho.

Ga se tshedimosetso ya botho fa tshedimosetso e setse e le mo setšhabeng kgotsa e sa dirisiwe, kgotsa e ikaeletse go diriswa, mo kgwebisanong kgotsa mo kgwebong .

3. Tshedimosetso e MIOSA e e kokoanyang

3.1 MIOSA e kokoanya le go dirisa tshedimosetso ya gago, le go tswelela go dirisa tshedimosetso ya gago, bogolosegolo go diragatsa thomo ya rona go ya ka ditaelo tsa karolo 82(3) ya Molao wa Tshireletso ya Badirisi, 2008 (Molao 68 wa 2008) (CPA) le Molawana wa Maitsholo wa Indaseteri ya Dikoloi ya Aforikaborwa o o tlaleletsang.

3.2 MIOSA e neilwe maikarabelo a go laola dikamano magareng ga batho ba ba dirang kgwebo mo teng ga indaseteri ya dikoloi, go tlamela ka sekema sa tharabololo ya dikgotlhang ka tsela e nngwe magareng ga badirisi le batsayakarolo botlhe mo indasetering, le go tlamela ka ditirelo tse dingwe tsa tharabololo ya dikgotlhang.

3.3 MIOSA gape e neilwe maikarabelo go ya ka Molawana go kokoanya diketleetso go tswa mo bathong ba ba dirang kgwebo mo Indasetering ya Dikoloi. Tshedimosetso e e kgontshang go kokoanya jalo le yona e a kokoanngwa le go diriswa, le go diriswa go ya pele, fa go tlhokega.

3.4 MIOSA e kokoanya tshedimosetso ka tlhamalalo go tswa mo go wena, moo o re nayang tshedimosetso ya gago le/kgotsa dintlha tsa kgwebo. Fa go kgonega, MIOSA e tla go itsise gore ke tshedimosetso efe e o tlhokang go e tlamela le gore ke tshedimosetso efe e e sa tlhokegeng.

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3.5 Mabapi le go tsamaisa kgwebo mo teng ga Indaseteri ya Dikoloi, MIOSA gape e kokoanya tshedimosetso ka batlhatlhobi ba kwa mafelong a tiro, inthanete, le dipolatefomo tsa metswedi ya boitapoloso.

3.6 Tshedimosetso ya tiriso ya webosaete e ka nna ya kokoanngwa ka go dirisa "cookies" tse di letlang MIOSA go kokoanya tshedimosetso e e tlwaelegileng ya tiriso ya moeng wa inthanete.

4. Ka moo MIOSA e dirisang tshedimosetso ya gago ka teng

4.1 MIOSA e tla dirisa tshedimosetso ya gago fela ka maikaelelo a e kokoanyeditsweng one mme e tla dirisa tshedimosetso ya gago fela fa maemo a a latelang a fitlhelelwa:

4.1.1 Motho o boleletswe gore ke eng fa tiriso e tlhokega, ke tshedimosetso efe e e tlhokegang le se se tla dirwang ka yona; kgotsa
4.1.2 Motho o dumalana le go diriswa, mme tumelelo eo e tla bonwa ka nako ya fa tshedimosetso ya motho yoo e diriswa; kgotsa
4.1.3 Tiriso e le botlhokwa, ke gore gore go dirwe tshekatsheko e e nepagetseng ya ditlhokego tsa motho ka maikaelelo a, gareng ga mabaka a mangwe a tiro, ditlhokego tsa thuso ya kalafi; kgotsa
4.1.4 Tiriso e tlhokega ka ntlha ya, kgotsa gore go, go obamela tlamego e e beilweng ke molao; kgotsa
4.1.5 Tiriso e sireletsa dikgatlhego tse di ka fa molaong tsa motho, e bile go le mo dikgatlhegelong tse di gaisang tsa motho; kgotsa
4.1.6 Tiriso e le botlhokwa go latelela dikgatlhego tse di mo molaong tsa MIOSA kgotsa tsa motho wa boraro yo o neelwang tshedimosetso ya botho.

5. Go senolwa ga tshedimosetso

5.1 MIOSA e ka senolela batlamedi ba yona ba ditirelo ba ba amegang mo go abeleng MIOSA ditirelo tshedimosetso e e ka ga gago.
5.2 MIOSA e na le ditumalano tse di dirilweng le batlamedi ba ditirelo go netefatsa gore ba obamela ditlhokego tsa sephiri jaaka go tlhokwa ke POPIA.
5.3 MIOSA gape e ka nna ya senola tshedimosetso ya gago-
5.3.1 moo MIOSA e nang le tiro kgotsa tshwanelo ya go senola go ya ka molao kgotsa Molawana; le
5.3.2 moo MIOSA e dumelang go le botlhokwa go sireletsa ditshwanelo tsa yona.

6. Tshireletso ya Tshedimosetso

6.1 MIOSA e tlamega semolao go tlamela ka tshireletso e e lekaneng ya tshedimosetso ya botho e e e tshotseng le go emisa phitlhelelo e e sa letlelelwang le tiriso ya tshedimosetso ya botho.
6.2 MIOSA e tla, ka dinako tsotlhe, tswelela go sekaseka ditaolo tsa yona tsa tshireletsego le dithulaganyo tse di amanang le tsona go netefatsa gore tshedimosetso ya gago ya botho e nna e sireletsegile.
6.3 Dipholisi le ditsamaiso tsa tshireletso tsa MIOSA di akaretsa tse di latelang:
6.3.1 Tshireletsego ya namana;
6.3.2 tshireletsego ya dikhomphiutha le mafaratlhatlha;
6.3.3 phitlhelelo ya tshedimosetso ya botho;
6.3.4 ditlhaeletsano tse di sireletsegileng;
6.3.5 tshireletsego mo go direng dikonteraka tsa ditirwana kgotsa ditiro;
6.3.6 go boloka le go latlha tshedimosetso;

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6.3.7 tiriso e e amogelesegang ya tshedimosetso ya botho;
6.3.8 dintlha tsa puso le taolo;
6.3.9 go ela tlhoko phitlhelelo le tiriso ya tshedimosetso ya poraefete; le
6.3.10 go batlisisa le go tsibogela ditiragalo tsa tshireletsego.

6.3 Fa MIOSA e dira dikonteraka le batho ba bangwe, e pateletsa ditlamego tse di maleba tsa tshireletsego, sephiri, le bofitlha go netefatsa gore tshedimosetso ya botho e MIOSA e salang go rwala maikarabelo a yona, e bolokwa e sireletsegile.

6.4 MIOSA e tla netefatsa gore mongwe le mongwe yo e fetisetsang tshedimosetso ya gago kwa go ena o dumela go tshwara tshedimosetso ya gago ka tshireletso e e tshwanang le e MIOSA e tlamegang go e dira.

7. Ditshwanelo tsa Gago

7.1 Phitlhelelo ya tshedimosetso

7.1.1 O na le tshwanelo ya go kopa khopi ya tshedimosetso ya botho e MIOSA e nang le yona mabapi le wena. Leba Mosupatsela wa PAIA le POPIA wa MIOSA mo webosaeteng ya MIOSA go bona dikgato tse di tshwanetseng go latelwa.

7.1.2 Tsweetswee ela tlhoko gore kopo nngwe le nngwe e e ntseng jalo ya phitlhelelo e ka nna ya tlhoka tuelo ya tuediso e e letleletsweng semolao.

7.2 Go baakanngwa ga tshedimosetso ya gago

7.2.1 O na le tshwanelo ya go kopa MIOSA go tlhabolola kgotsa go baakanya tshedimosetso e e ka ga gago. MIOSA e ka itumela fa o ka boloka tshedimosetso e e ka ga gago e le mo nakong e bile e nepagetse.

7.2.2 Leba Mosupatsela wa PAIA le POPIA wa MIOSA mo webosaeteng ya MIOSA go bona dikgato tse di tshwanetseng go latelwa.

8. O ka ikgolaganya jang le rona

Fa o na le dipotso dife mabapi le kitsiso eno, o tlhoka tshedimosetso e nngwe gape ka ga dipholisi tsa sephiri tsa MIOSA, phitlhelelo, kgotsa go baakanya tshedimosetso ya gago ya botho, tsweetswee ikgolaganye le rona mo dinomorong le/kgotsa mo diatereseng tse di kwetsweng mo Mosupatseleng wa PAIA le POPIA wa MIOSA mo webosaeteng ya MIOSA go bona dikgato tse di tshwanetseng go latelwa.

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ŠEJULE 5

GO TLAMELA MIOSA KA MATLOLE

LEMORAGO LE TLHALOSO

1. Go ya ka Molao, MIOSA e na le taolo mo ditokololong tsotlhe mo teng ga Indaseteri ya Dikoloi.

2. Ka jalo ditokololo tsotlhe tsa Indaseteri ya Dikoloi di patelesega go duela diketleetso tsa tsona tse di tlhokegang go MIOSA.

3. MIOSA e tla atolosa thata mafaratlhatlha a yona a gajaana go fitlhelela ditlhokego tsa Badirisi go tsamaelana le Batsereganyi ba bangwe ba ba tlhomilweng ka fa tlase ga mefuta e e farologaneng ya melao.

4. Boto e tla sekaseka, mo ngwageng nngwe le nngwe, selekanyo sa ketleetso e e tlhokegang go tsamaelana le seelo sa katlego ya diketleetso tsa ngwaga o o fetileng tse di kokoantsweng mmogo le ditlhokego tsa tekanyetsokabo tse di tlhabolotsweng. Go tshwanetse ga elwa tlhoko gore—
   4.1 ga go na kgato epe e sekao se tla ikaegang ka seelo sa katlego ya kokoanyo sa 100%;
   4.2 seelo sa katlego ya diketleetso tsa ngwaga o o fetileng tse di kokoantsweng le koketsego e e tshitshintsweng e e latelang e tshwanetse go gatiswa mo Lekwalodikgannyeng la MIOSA le go anamiswa kwa Ditokololong tsa Indaseteri ya Dikoloi ka Sedimonthole wa ngwaga nngwe le nngwe; le
   4.3 ditokololo tsa Indaseteri ya Dikoloi di ka tshwaela mo atereseng ya imeile e e abetsweng mo matsatsing a le 30 a kgatiso eo.

5. Ditshenyegelo tsa go kokoanya di tla nna di le kwa tlase ka dinako tsotlhe mme ditshwetso mabapi le go kokoanya go go dirwang kwa ntle kgotsa ditiro tsa ka fa gare di tla dirwa go akantswe ka seno. Mokgwa o rulagantswe go letla ditshenyegelo tseno.

6 MIOSA e tlamelwa ka matlole ka tsela e e latelang—
   6.1 DiOEVM, diOECM le dithomeloteng di tsenya 20% tsa tekanyetsokabo e e rebotsweng mme ketleetso ya diOEVM, diOECM kgotsa dithomeloteng di balelwa ka go arola 20% tsa tekanyetsokabo e e rebotsweng ka palogotlhe ya ditheo tse di romelang thoto ka fa teng go tswa kwa ntle ka tlhamalalo kgotsa tse di tlhagisang dithoto, go ya ka Ditlhopha 1, 3, 4, 5 le 6 mo lenaaneng go ya ka polelwanasemolao 6.3 fa tlase;

   6.2 Barekisi ba etleetsa 80% tsa tekanyetsokabo e e rebotsweng mme seabe sa morekisi mongwe le mongwe ka bongwe se balelwa ka go arola 80% tsa tekanyetsokabo e e

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rebotsweng ka palogotlhe ya mafelo a kgwebo a go tswa mo go ona kgwebo e dirwang mo Indasetering ya Dikoloi;

6.3 Motsayakarolo ofe wa Indaseteri yo o simolotseng kgwebisano le go tlola tiro ya go batla MIOSA, go netefatsa gore dintlha tsa gagwe di neelwa MIOSA le gore diketleetso tse di tlhokegang di duelwa MIOSA, o tla rwala maikarabelo a Tuelo ya go Tsenela Morago ga nako. Tuelo eno ga e kitla e feta diphesente di le masome a matlhano (50%) tsa ketleetso e le nosi e e lekanang ya ngwaga le ngwaga e e ka bong e duelwa ke Motsayakarolo yoo wa Indaseteri fa ikwadiso e ka bo e dirilwe go ya ka ditlhokego tsa Molawana ono.

6.4 Ditlhopha di tla kgaoganngwa gape ka ditlhophapotlana tse di latelang:

Nom.	**Setlhopha**	**Tlhaloso**
1	Batlhagisi/Barekantle/Baphatlhalatsi	Dirori tsa Bapalami/ Diteraka/ Dirori tsa Thomelo e e Botlhofo/ Metšhini ya Temothuo/ Metšhini ya Madirelo/ Dibese/ Ditereilara tsa Diteraka
2	Barekisi/Batlamedi ba Ditirelo/ Batlamedi ba Dikarolo le/kgotsa Dikarolwana	Dirori tsa Bapalami/ Diteraka/ Dirori tsa Thomelo/ Metšhini ya Temothuo/ Metšhini ya Madirelo/ Dibese/ Diforokotsholetsi/ Disegabojang/ Dithuthuthu/ Dibaesekele tsa maotomane/ Mekoro/ Dijetski/ Dikharabene/Ditereilara
3A	Batlhagisi ba Dikarolo tsa Didiriswa tsa Tshimologo /Barekantle/Baphatlhalatsi :	Dikarolo/ Dikarolwana/ Ditlaleletsi/ Ditlhagiswa

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	Tirisanommogo ya badirisi – A "(E balwa go ya ka tekanyo e e fetofetogang e e ikaegileng ka lotseno la kgwebo)"	
3B	Batlhagisi ba Dikarolo tsa Didiriswa tsa Tshimologo /Barekantle/Baphatlhalatsi : Tirisanommogo ya badirisi – B "(E balwa go ya ka tekanyo e e fetofetogang e e ikaegileng ka letseno la kgwebo)"	Dikarolo/ Dikarolwana/ Ditlaleletsi/ Ditlhagiswa
3C	Batlhagisi ba Dikarolo tsa Didiriswa tsa Tshimologo /Barekantle/Baphatlhalatsi : Tirisanommogo ya badirisi – C "(E balwa go ya ka tekanyo e e fetofetogang e e ikaegileng ka lotseno la kgwebo)"	Dikarolo/ Dikarolwana/ Ditlaleletsi/ Ditlhagiswa
3D	Batlhagisi ba Dikarolo tsa Didiriswa tsa Tshimologo /Barekantle/Baphatlhalatsi : Tirisanommogo ya badirisi – D "(E balwa go ya ka tekanyo e e fetofetogang e e ikaegileng ka lotseno la kgwebo)"	Dikarolo/ Dikarolwana/ Ditlaleletsi/ Ditlhagiswa
4	Batlhagisi ba Dikarolo tsa Didiriswa tsa Tshimologo	Dikarolo/ Dikarolwana/ Ditlaleletsi/ Ditlhagiswa

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	/Barekantle/Baphatlhalatsi : Go tlamela ka tlhamalalo go Batlhagisi/ diOEVM/ morago ga thekiso/ kgwebisano	
5	Batlhagisi ba Dikoloi tsa Boitapoloso/ Barekantle/ Baphatlhalatsi	Mekoro/ Dijetski/ Dikharabene/ Ditereilara/ Dithuthuthu/ Dibaesekele tsa maotomane
6	Batlhagisi ba Disegabojang/ Batlhagisi/Barekantle/Baphatlhalatsi	Disegabojang”

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