TO:	LAW, RACE & GENDER
ATT:	SINDISO MNISI
FAX:	021 650 5183
FROM:	**KZN – RWM**
FAX:	**031 579 4559**

Number of pages including this one: 13

SUBJECT: COPIES OF WRITTEN SUBMISSIONS TO KZN LEGISLATURE

Hi Sindiso

Plse find attached copies of written submissions to KZN Legislature. Community members have mailed it through to legislature

Sizani

TRADITIONAL COURT'S BILL 2008

Thina siwumphakathi wasemaplazini siyawuchitha lomthetho wezinkantolo Zamakhosi azange sibeyingenye yawo kwephulwa uSection 118.

Kuyadumaza ukuthi amakhosi anikwe amandla angaka, u60% ogokiwe kungalandelwa intando yeningi kuyamangalisa, umphakathi unikwe u40% ngabe yileyo intando yeningi?

u Clause 9(3)(a) akufanele sibe ~~na~~ameli ezinkantolo Zamakhosi kwephulwa ilungelo lomphakathi. Amakhosi ayakwazi yini ukutolika umthetho nomthethosisekelo? Sifuna kesichazelwe umsebenzi womkhandlu wamakhosi namandla ~~on~~ onawo.

Sinenkinga lemikhandlu yamakhosi ibhidliza amakomidi engamele amaplazi (trusts & CPAs) Izinkantolo Zomdabo ngokwalomthetho Ziphambene nokubuyiswa komhlaba Redistribution & Restitution kodwa amaplazi aphethwe abamhlophe asizwa lutho ngawo.

Acaci amandla abesifazane lomthetho unokucwasa okungi awuchithwe. Lezimali ezekhokhiswa abantu zentani?

Contact: THOKOZANI Ndawo
MAKHOSI Valley
BABANANGO
Cell: 083 415 6181 email: Zondithokozani@gmail.com

Box 222
ULundi
3838
01 febuary 2012

Somlomo

KZN Legislature
pietermarizburg
3 200

Traditional courts BiLL 2008

Mhlonishwa

Sithanda ukuzwakalisa iLaka lethu ngalomthetho Othinta izimpilo zethu emakhaya

Besicela kenisichazela ukuthi umayelana nani nanokuthi thina esakhe emaplazini sithinta ndlelani kulomthetho

Ngiyabonga

Obhalike
B.N Magwaza.
ceLL phone: 0760936273

Box 222
ULUNDI
3838
4 February 2012

Somlomo
P Bag X 9112
Pietermaritzburg
3200

Traditional Court's BILL 2008

Siwumphakathi waseZululand sicela ukuchazelwa ngomthetho sivivinyo wezinkantolo zamakhosi nokuthi thina esihlala emaplazini uzosithinta yini nokuthi nje ukhuluma ngani

Ngethemba isicelo setha sophumelela.

Ngiyabonga

Obhalile
u Thokozani Ndawo

Cellphone - 083 415 6181
email - zondithokozani45@gmail.com

MAKHOSINI Reserve
P O Box 317
Melmoth
3835
4 February 2012

Speaker
P/Bag x 9112
Pietermaritzburg
3200

Traditional Court's Bill 2008

Siyizakhamizi ezihlala ezindaweni zasemakhaya sicela ukunikwa ithuba siphawule ngomthetho sivivingo wezinkantolo zomdabu.

Siyojabula uma isicelo sethu sizwakele ngoba izimpilo zethu ezizothinteka kusasa futhi sichazelwe ukuthi thina esihlala emaplazini sithinteka kanjani.

Ngiyabonga

Obhalile
uMrs S E Mthimkhulu

Cellphone 072 746 4407

Traditional Court's Bill 2008

Siwumbhakathi wasemakhaya nasemaplazini siyawuchitha lomthetho siviwingo wezinkantolo Zomdabu ~~ase~~ asaziswanga wakhiwa lokho sikubona kuphambene nomthethosisekelo isiga 118.

Kuyasethusa ukuzwa ukuthi ezinkantolo Zamakhosi akufanele sibenabameli nalokho futhi kusagqeda ilungelo lethu elikumthethosisekelo. Lomthetho uyaphambana nomthetho wokubuyiswa komhlaba okuyilungelo elisemthethweni esikubonayo imikhandlu yamakhosi imatasa ilungiselela ukubhidliza amakomidi angamele imihlaba, okuxakayo akushiwo lutho ngamaplazi enganyelwe abamhlophe

Kulemikhandlu yamakhosi kuno 60% ogokiwe ongakhethwanga abantu, lokho nje kukodwa kukhomba ukuthi izwi leningi alisebenzi ezindaweni ezenganyelwe abaholi bomdabo, Abantu besifazane kuthiwa ababe u30% lokho kuchaza ukuthi kuyalingwana kulelozwe?

Kuthiwa izwi lenkosi elokugcina okusho ukuthi nayo lemikhandlu okuthiwa asiyivotele izobe ingenamandla, yini umsebenzi yawo? Ukungalingani ezinkantolo kusazoqhubeka uma umuntu wesifazane esakhulunyelwa umuntu wesilisa nomfelokazi engangeni esigcawini samacala kuse kude phambili.

Asizikhethele izinkantolo esimangala kuzo.

Njengoba Ezinkantolo Zomdabo engafuneki ummeli ubani ozothetha amacala ngoba umthetho akekho owufundele.

Akungaxoshwa intsha emakhaya ngokuthi kushawe imithetho enengcindezelo futhi abantu bengathintiwe.

Contact: Mrs S E Mthimkhulu
Box 317
Melmoth
3835
Cellphone 072 746 4407

MAKHOSINI Reserve
Box 317
MELMOTH
3835
03 February 2012

Speaker – KZN
P/Bag× 9112
PIETERMARITZBURG
3200

Umthetho Sivivinyo weZinkantolo Zamdabu ka 2008

Mhlonishwa sicela usiphe ithuba kesichazelwe ngalomthetho ukuthi usithinta ndlelani njengoba sihlala ezindaweni zasemakhaya namapiazi emiphakathi.

Siyobonga

Obhalile
u Mr E. M Mchunu

Umthetho Sivivinyo wezinkantolo Zamakhosi ka 2008

Ngithi mina lomthetho asikwazi ukuwemukela ngoba asazi ewakhiwe ngobani thina siwumphakathi awusithinti ndawo, uma kushawa umthetho sicela kukhunjulwe umthetho sisekelo kuqala.

Kusigaba 9(3)(a) kuthiwa asifuneki ukuthi sifike nommeli enkantolo yenkosi vele ngeke siye ezinkantolo lapho kucindezelwa khona amalungelo abantu, nalomkhandlu ogokwa inkosi ka 60% konke lokho kuyasixaka ukuthi lemithetho emibi kangaka ukuthi icatshangwa ~~p~~ ngubani.

Kulomthetho amandla abantu besifazane kuthiwa awabe u 30% kanti lapha emakhaya ubandlululo lokungalingani alupheleanga yini? Izwi lenkosi elokugcina nalokho futhi kudala ~~indida~~ indida lapha emaplazini kokwenzekani ngoba thina sazi ukuthi kugcina elomninipulazi noma kushiwo lana abuyiseiwe umphakathi kuphela? Uma kunjalo lomthetho ucwasa ngokwebala.

Izinhlawulo ezibalwe kulomthetho asihambisani nazo ngoba asizazi ukuthi ziphelelaphi. Sicela nisixolele ngobandlululo sekwanele manje asisafuni.

Contact. Mr E.M Mchunu
MAKHOSINI RESERVE
BABANANGO
3850

Box 202
Ulundi
3838
01 Febuary 2012.

Somtomo

KZN Legislature
Pietermaritzburg
3200

Traditional courts Bill 2008

Mhlonishwa

sithanda ukuzwakalisa iLaka lethu ngalomthetho othinta izimpilo zethu emakhaya.

Besicela kenisichazela ukuthi umayelana nani nanokuthi thina esakhe emaplazini sithinteka ndlelani kulomthetho

Ngiyabonga

Obhalile
S.P. Ndima
Cell phone: 0729254524

Umthetho Sivivingo Wezinkantolo Zomdabu 2008

Siwumphakathi owakhe ezindaweni zasemakhaya. Nasemaplazini Siyawuphikisa Lomthetho, asizange Sithintwe ngesikhathi wakhiwa okusho ukuthi awahambisani nomthethosisekelo wezwe sec 118.

Asikuqondi ukuthi amakhosi anikezwe amandla amakhulu kangaka, kuvela kuwo lomthetho ukuthi izwi lenkosi aleqiwa lo 60 % oqokwe inkosi ongakhethwanga ngabantu kukhomba ngokusobala ukuthi intando yeningi asoze isebenze ezinkantolo zomdabu, kudlalwa ngabantu kuthiwa ababone kulo 40 % osele ukuthi bakhethana kanjani abesifazane babe u 30 %, kanti e South Africa Siyalingana phambi komthetho.

Ezinkantolo zamakhosi kuthiwa asifanele sifike nabameli eclause 9 (3) (a) kuphambene nomthetho sisekelo wonke umuntu unelungelo lokuvikelaka phambi kwenkantolo noma ngabe hloboluni lwecala.

Emaplazini sicela lomthetho ungasebenzi neze sinazo izakhiwo ezakhethwa intando yeningi uma unecala uya enkantolo ozikhethele yona, kwabona abaholi bomdabu abakufundele ukuthetha amacala abanye abafundanga sidalo, kudlalwa ngathi manje.

uhulumeni akangaxoshi abantu emakhaya ngokubuyisa imithetho yakudala yobandlululo

lokho kuzodala imikhukhu eminingi kubalekelwa mcindezelo ezindaweni eziphethwe amakhosi.

Kuwo lomthetho kuthiwa abantu bahlawuliswa imali noma imfuyo, sekuneminyaka kwenzeka lokhu iwenzelani umphakathi lemali? Kazi zonke lezintela ezifuneka emakhaya umphakathi unayo yini imali? Clause 10 (2) (a) ⊄ (b)

Lomthetho siyawuchitha uyacwasa ngokobulili nangokobuzwe ngoba amaplazi aphethwe abamhlophe wona akukhulunywa ngawo kufuneka lana athengelwe abantu uMnyango wezemihlaba kuphela, futhi asizwa ukuthi abamhlophe amqcala sebezowathetha ezinkantol zomdabu.

Contact : Mr SP Ndima
Makhosini Reserve
Ulundi
3838
Cell phone : 0729254524

Makhosini Valley
Box 222
Ulundi
3838
01 February 2012
Fax 035877 1806

Speaker
P/BAG X 9112
PIETERMARITZBURG
3200

Traditional Court's Bill 2008

As community from rural areas, we need to have a platform where we will comment about things affecting our lives.

We need somebody to explain what the Bill is all about and whether people on farms are being affected or not.

I think my request will be taken into account.

Yours faithfully
Msizeni ~~Msizeni~~ Maltwaza

Cellphone : 083 467 5932

Traditional Courts Bill 2008

As citizen of South Africa, I have to comment about this Bill but I feel it is unconstitutional.

It violates Sec. 118 of the constitution, there was no public involvement when it was drafted. Everyone has a right of access to court of his/her choice. We find it strange from Traditional areas, community are denied to be represented legal practitioner.

This Bill contradicts with other legislations such restitution and Redistribution Act. The property right in this Bill is violated. Who determine the boundaries of the Traditional leaders? Because on private properties they have got nothing to do there..

60% appointed by Presiding officer who monitoring the gender balance? The role of women is not clarified in this Bill. It is not clear why Presiding officers have so much power. Customs of the nation shouldn't be decided by one man.

What will happen on white farms when they have committed crime on areas belong to Presiding officers according to customary boundaries? Will they be forced not to be represented? Because it is not clear from this Bill.

The rights of women are mostly marginalised from Traditional courts as we speak, They should be

allowed to speak for themselves not represented by their husband!

As community have been restored their tunure we want to be led by democratic structures i.e. CPAs and Trust not Presiding officers

Clause 9(3)(a) Legal Practitioner is not allowed from Traditional court, it is a violation of the ~~Coo~~ Constitution and manipulation of vulnerable communities therefore this Bill should be disbanded and we will reject it with all cylinders.

Contacts: Msizeni Maliwaza
Makhosini Reserve
Babanango 3850
Cellphone : 083 4675932

kulo mthetho kuthiwa abantu bahlawuliswa imali noma imfuyo, Sekuneminyaka kwenzeka lokhu iwenzelani Umphakathi lemali? Kazi zonke lezintela ezifuneka emakhaya Umphakathi unayo yini imali? Clause 10 (2) (a) & (b)

Lomthetho Siyawuchitha ugacwasa ngokobulili nangokobuzwe ngoba amaplazi aphethwe abamhlophe wona akukakhulunywa ngawo kufuneka Lana athengelwe abantu uMnyango wezemihlaba kuphela, futhi asizwa ukuthi abamhlophe amacala sebezowathetha ezinkantolo zomdabu

contact: B. N. Magwaza
Makhosini Reserve
Ulundi
3838
Cell phone : 0760936273

Umthetho Sivivinyo Wezinkantolo Zomdabu 2008

Siwumphakathi owakhe ezindaweni zasemakhaya nasemaplazini Siyawuphikisa lomthetho, asizange sithintwe ngesikhathi wakhiwa okusho ukuthi awuhambisani nomthethosisekelo wezwe Sec 118

Asikuqondi ukuthi amakhosi anikwe amandla amakhULU kangaka, kuvela kuwo lomthetho ukuthi izwi lenkosi aleqiwa Lo 60% oqokwe inkosi ongakhethwanga. ngabantu kukhomba ngokusobala ukuthi intandoyeningi asoze isebenze ezinkantolo zomdabu. Kudlalwa ngabantu kuthiwa ababone kula 40% osele ukuthi bakhethana kanjani abesifazane babe u 30% kanti eSouth africa siyalingana phambi komthetho.

Ezinkantolo zamakhosi kuthiwa asifanele sifike nabameli cause 9 (3) (a) kuphambene nomthetho Sisekelo wonke umuntu unelungelo lokuvikeleka phambi kwenkantolo noma ngabe hlobo luni lwecala.

Emaplazini sicela lomthetho ungasebenzi neze sinazo izakhiwo ezakhethwa intando yeningi, uma unecala uya enkantolo ozikhethe le yona, kwabona abaholi bomdabu abafundela ukuthetha amacala abanye abantu abafundanga sidalo kudlalwa ngathi Manje

Uhulumeni angabaxoshi abantu emakhaya ngokubuyisa imithetho yakudala yobandlululo lokho kuzodala imikhuhlu eminingi kubalekelwa incindezelo ezindaweni eziphethwe amakhosi