



LIMPOPO PROVINCE  
 LIMPOPO PROVINSIE  
 XIFUNDZANKULU XA LIMPOPO  
 PROFENSE YA LIMPOPO  
 VUNDU LA LIMPOPO  
 IPHROVINSI YELIMPOPO

**Provincial Gazette • Provinsiale Koerant • Gazete ya Xifundzankulu  
 Kuranta ya Profense • Gazethe ya Vundu**

*(Registered as a newspaper) • (As 'n nuusblad geregistreer) • (Yi rhijistariwile tanihi Nyuziphepha)  
 (E ngwadisits'we bjalo ka Kuranta) • (Yo redzhistariwa sa Nyusiphepha)*

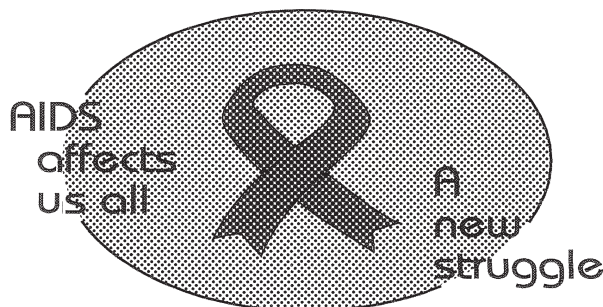
Vol. 26

**POLOKWANE,**  
 15 FEBRUARY 2019  
 15 FEBRUARIE 2019  
 15 NYENYENYANA 2019  
 15 FEBERWARE 2019  
 15 LUHUHI 2019

**No. 2973**

**PART 1 OF 2**

**We all have the power to prevent AIDS**



**AIDS  
 HELPLINE**

**0800 012 322**

DEPARTMENT OF HEALTH

**Prevention is the cure**

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ISSN 1682-4563



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**No FUTURE QUERIES WILL BE HANDLED IN CONNECTION WITH THE ABOVE.**

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*The closing time is 15:00 sharp on the following days:*

- **27 December 2018**, Friday for the issue of Friday **04 January 2019**
- **04 January**, Friday for the issue of Friday **11 January 2019**
- **11 January**, Friday for the issue of Friday **18 January 2019**
- **18 January**, Friday for the issue of Friday **25 January 2019**
- **25 January**, Friday for the issue of Friday **01 February 2019**
- **01 February**, Friday for the issue of Friday **08 February 2019**
- **08 February**, Friday for the issue of Friday **15 February 2019**
- **15 February**, Friday for the issue of Friday **22 February 2019**
- **22 February**, Friday for the issue of Friday **01 March 2019**
- **01 March**, Friday for the issue of Friday **08 March 2019**
- **08 March**, Friday for the issue of Friday **15 March 2019**
- **14 March**, Thursday for the issue of Friday **22 March 2019**
- **22 March**, Friday for the issue of Friday **29 March 2019**
- **29 March**, Wednesday for the issue of Friday **05 April 2019**
- **05 April**, Friday for the issue of Friday **12 April 2019**
- **12 April**, Friday for the issue of Friday **19 April 2019**
- **17 April**, Wednesday for the issue of Friday **26 April 2019**
- **25 April**, Thursday for the issue of Friday **03 May 2019**
- **03 May**, Friday for the issue of Friday **10 May 2019**
- **10 May**, Friday for the issue of Friday **17 May 2019**
- **17 May**, Friday for the issue of Friday **24 May 2019**
- **24 May**, Friday for the issue of Friday **31 May 2019**
- **31 May**, Friday for the issue of Friday **07 June 2019**
- **07 June**, Friday for the issue of Friday **14 June 2019**
- **13 June**, Thursday for the issue of Friday **21 June 2019**
- **21 June**, Friday for the issue of Friday **28 June 2019**
- **28 June**, Friday for the issue of Friday **05 July 2019**
- **05 July**, Friday for the issue of Friday **12 July 2019**
- **12 July**, Friday for the issue of Friday **19 July 2019**
- **19 July**, Friday for the issue of Friday **26 July 2019**
- **26 July**, Friday for the issue of Friday **02 August 2019**
- **02 August**, Friday for the issue of Friday **09 August 2019**
- **08 August**, Thursday for the issue of Friday **16 August 2019**
- **16 August**, Friday for the issue of Friday **23 August 2019**
- **23 August**, Friday for the issue of Friday **30 August 2019**
- **30 August**, Friday for the issue of Friday **06 September 2019**
- **06 September**, Friday for the issue of Friday **13 September 2019**
- **13 September**, Friday for the issue of Friday **20 September 2019**
- **19 September**, Thursday for the issue of Friday **27 September 2019**
- **27 September**, Friday for the issue of Friday **04 October 2019**
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- **08 November**, Friday for the issue of Friday **15 November 2019**
- **15 November**, Friday for the issue of Friday **22 November 2019**
- **22 November**, Friday for the issue of Friday **29 November 2019**
- **29 November**, Friday for the issue of Friday **06 December 2019**
- **06 December**, Friday for the issue of Friday **13 December 2019**
- **12 December**, Thursday for the issue of Friday **20 December 2019**
- **18 December**, Wednesday for the issue of Friday **27 December 2019**

# LIST OF TARIFF RATES

## FOR PUBLICATION OF NOTICES

**COMMENCEMENT: 1 APRIL 2018**

### NATIONAL AND PROVINCIAL

Notice sizes for National, Provincial & Tender gazettes 1/4, 2/4, 3/4, 4/4 per page. Notices submitted will be charged at R1008.80 per full page, pro-rated based on the above categories.

| Pricing for National, Provincial - Variable Priced Notices |                          |               |
|--|--------------------------|---------------|
| Notice Type  | Page Space               | New Price (R) |
| Ordinary National, Provincial                              | 1/4 - Quarter Page       | 252.20        |
| Ordinary National, Provincial                              | 2/4 - Half Page          | 504.40        |
| Ordinary National, Provincial                              | 3/4 - Three Quarter Page | 756.60        |
| Ordinary National, Provincial                              | 4/4 - Full Page          | 1008.80       |

### EXTRA-ORDINARY

All Extra-ordinary National and Provincial gazette notices are non-standard notices and attract a variable price based on the number of pages submitted.

The pricing structure for National and Provincial notices which are submitted as **Extra ordinary submissions** will be charged at **R3026.32** per page.

## GOVERNMENT PRINTING WORKS - BUSINESS RULES

The **Government Printing Works (GPW)** has established rules for submitting notices in line with its electronic notice processing system, which requires the use of electronic *Adobe* Forms. Please ensure that you adhere to these guidelines when completing and submitting your notice submission.

### CLOSING TIMES FOR ACCEPTANCE OF NOTICES

1. The *Government Gazette* and *Government Tender Bulletin* are weekly publications that are published on Fridays and the closing time for the acceptance of notices is strictly applied according to the scheduled time for each gazette.
2. Please refer to the Submission Notice Deadline schedule in the table below. This schedule is also published online on the Government Printing works website [www.gpwonline.co.za](http://www.gpwonline.co.za)

All re-submissions will be subject to the standard cut-off times.

**All notices received after the closing time will be rejected.**

| Government Gazette Type                       | Publication Frequency          | Publication Date                          | Submission Deadline                     | Cancellations Deadline                               |
|---|--------------------------------|---|---|--|
| National Gazette                              | Weekly                         | Friday                                    | Friday 15h00 for next Friday            | Tuesday, 15h00 - 3 working days prior to publication |
| Regulation Gazette                            | Weekly                         | Friday                                    | Friday 15h00 for next Friday            | Tuesday, 15h00 - 3 working days prior to publication |
| Petrol Price Gazette                          | Monthly                        | Tuesday before 1st Wednesday of the month | One day before publication              | 1 working day prior to publication                   |
| Road Carrier Permits                          | Weekly                         | Friday                                    | Thursday 15h00 for next Friday          | 3 working days prior to publication                  |
| Unclaimed Monies (Justice, Labour or Lawyers) | January / September 2 per year | Last Friday                               | One week before publication             | 3 working days prior to publication                  |
| Parliament (Acts, White Paper, Green Paper)   | As required                    | Any day of the week                       | None                                    | 3 working days prior to publication                  |
| Manuals                                       | Bi- Monthly                    | 2nd and last Thursday of the month        | One week before publication             | 3 working days prior to publication                  |
| State of Budget (National Treasury)           | Monthly                        | 30th or last Friday of the month          | One week before publication             | 3 working days prior to publication                  |
| <i>Extraordinary Gazettes</i>                 | As required                    | Any day of the week                       | <i>Before 10h00 on publication date</i> | <i>Before 10h00 on publication date</i>              |
| Legal Gazettes A, B and C                     | Weekly                         | Friday                                    | One week before publication             | Tuesday, 15h00 - 3 working days prior to publication |
| Tender Bulletin                               | Weekly                         | Friday                                    | Friday 15h00 for next Friday            | Tuesday, 15h00 - 3 working days prior to publication |
| Gauteng                                       | Weekly                         | Wednesday                                 | Two weeks before publication            | 3 days <b>after</b> submission deadline              |
| Eastern Cape                                  | Weekly                         | Monday                                    | One week before publication             | 3 working days prior to publication                  |
| Northern Cape                                 | Weekly                         | Monday                                    | One week before publication             | 3 working days prior to publication                  |
| North West                                    | Weekly                         | Tuesday                                   | One week before publication             | 3 working days prior to publication                  |
| KwaZulu-Natal                                 | Weekly                         | Thursday                                  | One week before publication             | 3 working days prior to publication                  |
| Limpopo                                       | Weekly                         | Friday                                    | One week before publication             | 3 working days prior to publication                  |
| Mpumalanga                                    | Weekly                         | Friday                                    | One week before publication             | 3 working days prior to publication                  |

## GOVERNMENT PRINTING WORKS - BUSINESS RULES

| Government Gazette Type              | Publication Frequency | Publication Date                               | Submission Deadline          | Cancellations Deadline                          |
|--------------------------------------|-----------------------|--|------------------------------|---|
| Gauteng Liquor License Gazette       | Monthly               | Wednesday before the First Friday of the month | Two weeks before publication | 3 working days <b>after</b> submission deadline |
| Northern Cape Liquor License Gazette | Monthly               | First Friday of the month                      | Two weeks before publication | 3 working days <b>after</b> submission deadline |
| National Liquor License Gazette      | Monthly               | First Friday of the month                      | Two weeks before publication | 3 working days <b>after</b> submission deadline |
| Mpumalanga Liquor License Gazette    | Bi-Monthly            | Second & Fourth Friday                         | One week before publication  | 3 working days prior to publication             |

### EXTRAORDINARY GAZETTES

3. *Extraordinary Gazettes* can have only one publication date. If multiple publications of an *Extraordinary Gazette* are required, a separate Z95/Z95Prov *Adobe* Forms for each publication date must be submitted.

### NOTICE SUBMISSION PROCESS

4. Download the latest *Adobe* form, for the relevant notice to be placed, from the **Government Printing Works** website [www.gpwonline.co.za](http://www.gpwonline.co.za).
5. The *Adobe* form needs to be completed electronically using *Adobe Acrobat / Acrobat Reader*. Only electronically completed *Adobe* forms will be accepted. No printed, handwritten and/or scanned *Adobe* forms will be accepted.
6. The completed electronic *Adobe* form has to be submitted via email to [submit.egazette@gpw.gov.za](mailto:submit.egazette@gpw.gov.za). The form needs to be submitted in its original electronic *Adobe* format to enable the system to extract the completed information from the form for placement in the publication.
7. Every notice submitted **must** be accompanied by an official **GPW** quotation. This must be obtained from the *eGazette* Contact Centre.
8. Each notice submission should be sent as a single email. The email **must** contain **all documentation relating to a particular notice submission**.
  - 8.1. Each of the following documents must be attached to the email as a separate attachment:
    - 8.1.1. An electronically completed *Adobe* form, specific to the type of notice that is to be placed.
      - 8.1.1.1. For National *Government Gazette* or *Provincial Gazette* notices, the notices must be accompanied by an electronic Z95 or Z95Prov *Adobe* form
      - 8.1.1.2. The notice content (body copy) **MUST** be a separate attachment.
    - 8.1.2. A copy of the official **Government Printing Works** quotation you received for your notice. (*Please see Quotation section below for further details*)
    - 8.1.3. A valid and legible Proof of Payment / Purchase Order: **Government Printing Works** account customer must include a copy of their Purchase Order. **Non-Government Printing Works** account customer needs to submit the proof of payment for the notice
    - 8.1.4. Where separate notice content is applicable (Z95, Z95 Prov and TForm 3, it should **also** be attached as a separate attachment. (*Please see the Copy Section below, for the specifications*).
    - 8.1.5. Any additional notice information if applicable.

**GOVERNMENT PRINTING WORKS - BUSINESS RULES**

9. The electronic *Adobe* form will be taken as the primary source for the notice information to be published. Instructions that are on the email body or covering letter that contradicts the notice form content will not be considered. The information submitted on the electronic *Adobe* form will be published as-is.
10. To avoid duplicated publication of the same notice and double billing, Please submit your notice **ONLY ONCE**.
11. Notices brought to **GPW** by “walk-in” customers on electronic media can only be submitted in *Adobe* electronic form format. All “walk-in” customers with notices that are not on electronic *Adobe* forms will be routed to the Contact Centre where they will be assisted to complete the forms in the required format.
12. Should a customer submit a bulk submission of hard copy notices delivered by a messenger on behalf of any organisation e.g. newspaper publisher, the messenger will be referred back to the sender as the submission does not adhere to the submission rules.

**QUOTATIONS**

13. Quotations are valid until the next tariff change.
  - 13.1. **Take note:** **GPW**'s annual tariff increase takes place on **1 April** therefore any quotations issued, accepted and submitted for publication up to **31 March** will keep the old tariff. For notices to be published from 1 April, a quotation must be obtained from **GPW** with the new tariffs. Where a tariff increase is implemented during the year, **GPW** endeavours to provide customers with 30 days' notice of such changes.
14. Each quotation has a unique number.
15. Form Content notices must be emailed to the e*Gazette* Contact Centre for a quotation.
  - 15.1. The *Adobe* form supplied is uploaded by the Contact Centre Agent and the system automatically calculates the cost of your notice based on the layout/format of the content supplied.
  - 15.2. It is critical that these *Adobe* Forms are completed correctly and adhere to the guidelines as stipulated by **GPW**.
16. **APPLICABLE ONLY TO GPW ACCOUNT HOLDERS:**
  - 16.1. **GPW** Account Customers must provide a valid **GPW** account number to obtain a quotation.
  - 16.2. Accounts for **GPW** account customers **must** be active with sufficient credit to transact with **GPW** to submit notices.
    - 16.2.1. If you are unsure about or need to resolve the status of your account, please contact the **GPW** Finance Department prior to submitting your notices. (If the account status is not resolved prior to submission of your notice, the notice will be failed during the process).
17. **APPLICABLE ONLY TO CASH CUSTOMERS:**
  - 17.1. Cash customers doing **bulk payments** must use a **single email address** in order to use the **same proof of payment** for submitting multiple notices.
18. The responsibility lies with you, the customer, to ensure that the payment made for your notice(s) to be published is sufficient to cover the cost of the notice(s).
19. Each quotation will be associated with one proof of payment / purchase order / cash receipt.
  - 19.1. This means that **the quotation number can only be used once to make a payment.**



**GOVERNMENT PRINTING WORKS - BUSINESS RULES****COPY (SEPARATE NOTICE CONTENT DOCUMENT)**

20. Where the copy is part of a separate attachment document for Z95, Z95Prov and TForm03
- 20.1. Copy of notices must be supplied in a separate document and may not constitute part of any covering letter, purchase order, proof of payment or other attached documents.
- The content document should contain only one notice. (You may include the different translations of the same notice in the same document).
- 20.2. The notice should be set on an A4 page, with margins and fonts set as follows:
- Page size = A4 Portrait with page margins: Top = 40mm, LH/RH = 16mm, Bottom = 40mm;  
Use font size: Arial or Helvetica 10pt with 11pt line spacing;
- Page size = A4 Landscape with page margins: Top = 16mm, LH/RH = 40mm, Bottom = 16mm;  
Use font size: Arial or Helvetica 10pt with 11pt line spacing;

**CANCELLATIONS**

21. Cancellation of notice submissions are accepted by **GPW** according to the deadlines stated in the table above in point 2. Non-compliance to these deadlines will result in your request being failed. Please pay special attention to the different deadlines for each gazette. Please note that any notices cancelled after the cancellation deadline will be published and charged at full cost.
22. Requests for cancellation must be sent by the original sender of the notice and must accompanied by the relevant notice reference number (N-) in the email body.

**AMENDMENTS TO NOTICES**

23. With effect from 01 October 2015, **GPW** will not longer accept amendments to notices. The cancellation process will need to be followed according to the deadline and a new notice submitted thereafter for the next available publication date.

**REJECTIONS**

24. All notices not meeting the submission rules will be rejected to the customer to be corrected and resubmitted. Assistance will be available through the Contact Centre should help be required when completing the forms. (012-748 6200 or email [info.egazette@gpw.gov.za](mailto:info.egazette@gpw.gov.za)). Reasons for rejections include the following:
- 24.1. Incorrectly completed forms and notices submitted in the wrong format, will be rejected.
- 24.2. Any notice submissions not on the correct *Adobe* electronic form, will be rejected.
- 24.3. Any notice submissions not accompanied by the proof of payment / purchase order will be rejected and the notice will not be processed.
- 24.4. Any submissions or re-submissions that miss the submission cut-off times will be rejected to the customer. The Notice needs to be re-submitted with a new publication date.

**GOVERNMENT PRINTING WORKS - BUSINESS RULES****APPROVAL OF NOTICES**

25. Any notices other than legal notices are subject to the approval of the Government Printer, who may refuse acceptance or further publication of any notice.
26. No amendments will be accepted in respect to separate notice content that was sent with a Z95 or Z95Prov notice submissions. The copy of notice in layout format (previously known as proof-out) is only provided where requested, for Advertiser to see the notice in final Gazette layout. Should they find that the information submitted was incorrect, they should request for a notice cancellation and resubmit the corrected notice, subject to standard submission deadlines. The cancellation is also subject to the stages in the publishing process, i.e. If cancellation is received when production (printing process) has commenced, then the notice cannot be cancelled.

**GOVERNMENT PRINTER INDEMNIFIED AGAINST LIABILITY**

27. The Government Printer will assume no liability in respect of—
  - 27.1. any delay in the publication of a notice or publication of such notice on any date other than that stipulated by the advertiser;
  - 27.2. erroneous classification of a notice, or the placement of such notice in any section or under any heading other than the section or heading stipulated by the advertiser;
  - 27.3. any editing, revision, omission, typographical errors or errors resulting from faint or indistinct copy.

**LIABILITY OF ADVERTISER**

28. Advertisers will be held liable for any compensation and costs arising from any action which may be instituted against the Government Printer in consequence of the publication of any notice.

**CUSTOMER INQUIRIES**

Many of our customers request immediate feedback/confirmation of notice placement in the gazette from our Contact Centre once they have submitted their notice – While **GPW** deems it one of their highest priorities and responsibilities to provide customers with this requested feedback and the best service at all times, we are only able to do so once we have started processing your notice submission.

**GPW** has a 2-working day turnaround time for processing notices received according to the business rules and deadline submissions.

Please keep this in mind when making inquiries about your notice submission at the Contact Centre.

29. Requests for information, quotations and inquiries must be sent to the Contact Centre **ONLY**.
30. Requests for Quotations (RFQs) should be received by the Contact Centre at least **2 working days** before the submission deadline for that specific publication.

## GOVERNMENT PRINTING WORKS - BUSINESS RULES

### PAYMENT OF COST

31. The Request for Quotation for placement of the notice should be sent to the Gazette Contact Centre as indicated above, prior to submission of notice for advertising.
32. Payment should then be made, or Purchase Order prepared based on the received quotation, prior to the submission of the notice for advertising as these documents i.e. proof of payment or Purchase order will be required as part of the notice submission, as indicated earlier.
33. Every proof of payment must have a valid **GPW** quotation number as a reference on the proof of payment document.
34. Where there is any doubt about the cost of publication of a notice, and in the case of copy, an enquiry, accompanied by the relevant copy, should be addressed to the Gazette Contact Centre, **Government Printing Works**, Private Bag X85, Pretoria, 0001 email: [info.egazette@gpw.gov.za](mailto:info.egazette@gpw.gov.za) before publication.
35. Overpayment resulting from miscalculation on the part of the advertiser of the cost of publication of a notice will not be refunded, unless the advertiser furnishes adequate reasons why such miscalculation occurred. In the event of underpayments, the difference will be recovered from the advertiser, and future notice(s) will not be published until such time as the full cost of such publication has been duly paid in cash or electronic funds transfer into the **Government Printing Works** banking account.
36. In the event of a notice being cancelled, a refund will be made only if no cost regarding the placing of the notice has been incurred by the **Government Printing Works**.
37. The **Government Printing Works** reserves the right to levy an additional charge in cases where notices, the cost of which has been calculated in accordance with the List of Fixed Tariff Rates, are subsequently found to be excessively lengthy or to contain overmuch or complicated tabulation.

### PROOF OF PUBLICATION

38. Copies of any of the *Government Gazette* or *Provincial Gazette* can be downloaded from the **Government Printing Works** website [www.gpwonline.co.za](http://www.gpwonline.co.za) free of charge, should a proof of publication be required.
39. Printed copies may be ordered from the Publications department at the ruling price. The **Government Printing Works** will assume no liability for any failure to post or for any delay in despatching of such *Government Gazette*(s)

## GOVERNMENT PRINTING WORKS CONTACT INFORMATION

**Physical Address:**

**Government Printing Works**  
149 Bosman Street  
Pretoria

**Postal Address:**

Private Bag X85  
Pretoria  
0001

**GPW Banking Details:**

**Bank:** ABSA Bosman Street  
**Account No.:** 405 7114 016  
**Branch Code:** 632-005

**For Gazette and Notice submissions:** Gazette Submissions:

**For queries and quotations, contact:** Gazette Contact Centre:

**E-mail:** [submit.egazette@gpw.gov.za](mailto:submit.egazette@gpw.gov.za)

**E-mail:** [info.egazette@gpw.gov.za](mailto:info.egazette@gpw.gov.za)

**Tel:** 012-748 6200

**Contact person for subscribers:** Mrs M. Toka:

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**Tel:** 012-748-6066 / 6060 / 6058

**Fax:** 012-323-9574

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**GENERAL NOTICES • ALGEMENE KENNISGEWINGS**

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**NOTICE 22 OF 2019****THE PROVINCIAL GAZETTE, NEWSPAPERS AND PLACARD NOTICE IN TERMS OF SECTION 95(1)(a) FOR SUBDIVISION OF PROPERTY(IES) AS CONTEMPLATED IN TERMS OF SECTION 67(1)(c) OF THE POLOKWANE MUNICIPAL PLANNING BY-LAW, 2017****POLOKWANE LOCAL MUNICIPALITY****NOTICE OF AN APPLICATION FOR A SUBDIVISION OF LAND IN TERMS OF SECTION 67(1)(b) OF THE POLOKWANE MUNICIPAL PLANNING BY-LAW, 2017**

I/We, BJVDS Town & Regional Planners CC (*full name*), being the applicant of of Portion 19 (a Portion of Portion) of the farm Palmietfontein 620 L.S. – Limpopo Province hereby give notice, in terms of section 95(1)(a) of the Polokwane Municipal Planning By-law, 2017, that I/we have applied to Polokwane Municipality for the subdivision of the property(ies) described below.

The intension of the applicant in this matter is to: (*indicate the proposed development*) subdivide 2,9ha of the said property which is being used for a Fruit and Vegetable packaging plant.

Any objection(s) and/or comment(s), including the grounds for such objection(s) and/or comment(s) with full contact details, without which the Municipality cannot correspond with the person or body submitting the objection(s) and/or comment(s), shall be lodged with, or made in writing to: Manager: City Planning and Property Management, PO Box 111, Polokwane, 0700 from 15 February 2018 (*the first date of the publication of the notice*) until 15 March 2019 (*not less than 28 days after the date of first publication of the notice*).

Full particulars and plans (if any) may be inspected during normal office hours at the Municipal offices as set out below, for a period of 28 days from the date of first publication of the notice in the Provincial Gazette / Observer. newspaper.

Address of Municipal offices: PO Box 111, Polokwane, 0700, Tel: 015 – 290 2695

Closing date for any objections: 16 March 2019

Address of applicant (*Physical as well as postal address*): PO Box 15001, Flora Park, Polokwane, 0699, Telephone No: 015-2953649

Dates on which notice will be published: 15 & 22 February 2019

Closing date for any objections: 16 March 2019.

Description of property(ies):

Number and area of proposed portions:

Proposed Portion A in extent approximately 2,9 ham<sup>2</sup>

Proposed Remainder in extent approximately 272,9033 ha

TOTAL 275,8033 ha

15-22

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**NOTICE 23 OF 2019**  
**LIMPOPO PROVINCIAL ADMINISTRATION**  
**DEPARTMENT OF ECONOMIC DEVELOPMENT, ENVIRONMENT AND TOURISM**  
**LIMPOPO TOURISM ACT, 2018 (ACT NO. 4 OF 2018)**

Please take notice that the Premier has assented to the Limpopo Tourism Act, 2018 (Act No. 4 of 2018) which is hereby published for general information.

**KENNISGEWING 23 VAN 2019**

**LIMPOPO PROVINSIALE ADMINISTRASIE**  
**DEPARTEMENT VAN EKONOMIESE ONTWIKKELING, OMGEWING EN TOERISME**  
**LIMPOPO TOERISME WET, 2018 (WET NOM. 4 VAN 2018)**

Neem asseblief hiermee kennis dat die Premier die Limpopo Toerisme Wet, 2018 (Wet Nom. 4 van 2018) goedgekeur het en dus gepubliseer is vir algemene inligting.

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**TSEBIŠO YA KAKARETŠO .... YA 2019**

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**TAOLO YA PROFENSE YA LIMPOPO**  
**MOLAO WA TŠA BOETI WA LIMPOPO WA KGORO YA TLHABOLLO YA EKONOMI,**  
**TIKOLOGO LE TŠA BOETI, WA 2018 (MOLAO WA NOMORO YA 4 WA**  
**2018)**

Le kgopelwa go tseba gore Tonakgolo o laetša go dumela Molao wa tša Boeti wa Limpopo, wa 2018 (Molao wa nomoro ya 4 wa 2018) woo o phatlaleletšwago tshedimošo ya kakaretšo.

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**ISAZISO MAZOMBE .... SEE- 2019**

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**UKULAWULWA KWESIFUNDA SELIMPOPO  
UMNYANGO WEZOKUTHUTHUKISWA KOMNOTHO, IBHODULUKO  
NEZOKUVAKATJHA  
UMTHETHO WEZOKUVAKATJHA WELIMPOPO, WEE-2018 (UMTHETHO WESI-4 WEE-  
2018)**

Ngibawa wazi bona uNdunakulu uvumele uMthetho wezokuVakatjha weLimpopo (UmThetho wes-4 wee-2018) lowo ogadangiselwe ilwazi mazombe.

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**NDIVHADZO NGA U ANGAREDZA..... YA 2019**

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**NDAULO YA VUNDU LA LIMPOPO  
MUHASHO WA MVELEDZISO YA IKONOMI, VHUPO NA VHUENDELAMASHANGO  
MULAYO WA VHUENDELAMASHANGO WA LIMPOPO, WA 2018, (MULAYO WA NO. 4  
WA 2018**

Kha vha dzhiele nzhele uri Mulangavundu o tendela Mulayo wa Vhuendelamashango, wa 2018 (Mulayo No.4 wa 2018) une wa khou divhadzwa afha u vha nea mafhungo nga u angaredza.

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**XITIVISO XO ANGARHELA .... XA 2019**

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**MFUMO WA XIFUNDZANKULU XA LIMPOPO  
NDZAWULO YA NHLUVUKISO WA SWA IKHONOMI, MBANGU NA VUPFHUMBA  
NAWU WA VUPFHUMBA WA LIMPOPO WA 2018 (NAWU WA 4 WA 2018)**

U komberiswa ku tekela enhlokweni leswaku Holobyenkulu u pfumelerile Nawu wa Vupfhumba wa Limpopo, wa 2018 (Nawu wa 4 wa 2018) lowu tivisiwaka laha ku kuma vuxokoxoko byo angarhela.

**ASSENTED TO**

Signed *Mathabane* Date *11/2/2018*  
**PREMIER OF THE LIMPOPO PROVINCE**

## ACT

To provide for the development, management and promotion of sustainable tourism in Limpopo; to provide for the registration of tourism businesses; to provide for the continued existence of the Limpopo Tourism Agency; to provide for the governance and functions of the Agency; to repeal the Limpopo Tourism Act, 2009 (Act No. 2 of 2009); and to provide for matters incidental thereto.

**BE IT ENACTED** by the Limpopo Provincial Legislature as follows:—

### ARRANGEMENT OF SECTIONS

#### *Sections*

#### CHAPTER 1

##### INTRODUCTORY PROVISIONS

- |   |                |
|---|----------------|
| 1 | Definitions    |
| 2 | Objects of Act |

#### CHAPTER 2

##### POLICY STATEMENT AND ROLE OF MEC

- |   |                  |
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| 3 | Policy statement |
| 4 | Role of MEC      |

#### CHAPTER 3

##### LIMPOPO TOURISM AGENCY

- |   |  |
|---|--|
| 5 | Continuation of Limpopo Tourism Agency |
|---|--|



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| 6  | Functions of Agency                         |
| 7  | Board of Agency                             |
| 8  | Composition of Board                        |
| 9  | Appointment of Board                        |
| 10 | Chairperson and Deputy Chairperson          |
| 11 | Term of office                              |
| 12 | Disqualification from membership of Board   |
| 13 | Allowances and remuneration of members      |
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#### CHAPTER 4

#### DELEGATIONS

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27 Transitional provisions

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## CHAPTER 1

## INTRODUCTORY PROVISIONS

**1. Definitions**

In this Act, any word or expression to which a meaning has been assigned in the Tourism Act, 2014 (Act No. 3 of 2014) bears the same meaning and unless the context indicates otherwise—

“**Agency**” means the Limpopo Tourism Agency contemplated in section 5;

“**Board**” means the Board of the Limpopo Tourism Agency, constituted in terms of section 8;

“**Chairperson**” means the person designated by the MEC in terms of section 10;

“**Chief Executive Officer**” means the Chief Executive Officer of the Agency appointed in terms of section 20;

“**Department**” means the Department responsible for tourism matters in the province;

“**Head of Department**” means the head of the department responsible for tourism matters in the province;

“**Limpopo Tourism Act, 2009**” means the Limpopo Tourism Act, 2009 (Act No. 2 of 2009);

“**MEC**” means the Member of the Executive Council responsible for tourism matters in the province;

“**member**” means a member of the Board referred to in section 8;

“**national tourism sector strategy**” means the national tourism sector strategy contemplated in section 4 of the Tourism Act, 2014 (Act No. 3 of 2014);

“**PFMA**” means the Public Finance Management Act, 1999 (Act No. 1 of 1999);

“**prescribed**” means prescribed by regulation;

“**provincial tourism sector strategy**” means the tourism strategy developed for the province;

“**responsible tourism**” means responsible tourism as contemplated in section 2(2) of the Tourism Act, 2014 (Act No. 3 of 2014);

“**this Act**” includes any subordinate legislation made in terms of this Act; and

“**Tourism Act, 2014**” means the Tourism Act, 2014 (Act No. 3 of 2014).

## **2. Objects of Act**

The objectives of this Act are to—

- (a) promote growth in and development of the provincial tourism sector;
- (b) promote the practicing of responsible tourism in the province;
- (c) promote quality tourism products and services within the province;
- (d) enhance cooperation and coordination between all spheres of government in developing and managing tourism matters;
- (e) provide for the effective marketing of the province as a tourist destination;  
and
- (f) provide for a tourism agency to assist in achieving the objectives of this Act.

## CHAPTER 2

### POLICY STATEMENT AND ROLE OF MEC

## **3. Policy statement**

The MEC may issue a policy statement in respect of any matter concerning the management, development and promotion of tourism in the province.

## **4. Role of MEC**

The MEC must—

- (a) develop a provincial tourism sector strategy aligned with the objectives of the national tourism sector strategy;

- (b) monitor the implementation of the provincial tourism sector strategy and any other related tourism strategies in the province;
- (c) facilitate, monitor and support transformation programmes in the tourism industry;
- (d) implement measures to support tourism skills development and capacity building programmes;
- (e) register tourist guides in terms of the Tourism Act, 2014; and
- (f) register tourism businesses in terms of the prescribed procedure.

### CHAPTER 3

#### LIMPOPO TOURISM AGENCY

##### **5. Continuation of Limpopo Tourism Agency**

- (1) The Limpopo Tourism Agency established by section 5 of the Limpopo Tourism Act, 2009 continues to exist as a juristic person despite the repeal of that Act by section 28.
- (2) The Agency comprises of—
  - (a) a Board constituted by the MEC in terms of this Act;
  - (b) a Chief Executive Officer; and
  - (c) staff of the Agency.

## **6. Functions of Agency**

The Agency must—

- (a) market the province as a tourist destination;
- (b) market provincial tourism products and facilities;
- (c) develop and implement a marketing strategy for tourism that promotes—
  - (i) the objects of this Act; and
  - (ii) the provincial tourism sector strategy;
- (d) advise the MEC on any matter relating to tourism marketing; and
- (e) perform any other function the MEC may assign or delegate to the Agency.

## **7. Board of Agency**

- (1) The Board is responsible for performing the functions of the Agency.
- (2) The Board is the accounting authority contemplated in section 49(2)(a) of the PFMA.
- (3) The Board must annually enter into an agreement with the MEC which includes—
  - (a) the performance of the functions of the Board;
  - (b) compliance with policies; and
  - (c) any other matter necessary to achieve the objects of this Act.
- (4) The Board must regularly review processes and procedures to ensure the effectiveness of the internal control system of the Board.
- (5) The Board must appoint a secretariat to assist the Board in performing its functions.

## 8. Composition of Board

- (1) The Board must consist of—
  - (a) at least three and not exceeding five members with knowledge and experience in tourism marketing, the tourism industry or financial and business management;
  - (b) a representative of the Department, nominated by the Head of Department; and
  - (c) a representative of the South African Local Government Association, nominated by its chief executive officer.
- (2) The Chief Executive Officer and the Chief Financial Officer of the Agency are *ex officio* non-voting members of the Board.

## 9. Appointment of Board

- (1)
  - (a) Before appointing the members contemplated in sections 8(1)(a), the MEC must, by notice in the Provincial Gazette and in two newspapers circulating throughout the province, invite such nominations for membership of the Board.
  - (b) The notice must specify a period of at least 30 days for nominations to be submitted to the MEC.
- (2) A nomination made pursuant to the notice in terms of subsection (1) must be supported by –
  - (a) a detailed *curriculum vitae* of the nominee;
  - (b) supporting documents that reflect the nominee's knowledge and experience that will contribute to the functioning of the Agency;

- (c) a letter from the nominee accepting the nomination; and
  - (d) a declaration by the nominee wherein the nominee declares any direct or indirect interest, which may constitute a conflict of interest with regard to that nominee's responsibilities if appointed to the Board.
- (3) When appointing members, the MEC must ensure that the Board collectively possesses sufficient knowledge and experience concerning corporate governance principles and issues relevant to the functions of the Agency.
- (4) After appointing the members, the MEC must, by notice in the *Provincial Gazette* publish the names of the appointed members and the date of commencement of their terms of office.
- (5) Where the nominations received do not qualify in terms of this Act or if the MEC receives no nominations or an insufficient number of nominations within the period specified in the invitation, the MEC may, after complying with subsection (3), appoint the required number of members.

#### **10. Chairperson and Deputy Chairperson**

- (1) The MEC must designate a member, as Chairperson, and another member as Deputy Chairperson of the Board, for a period not exceeding that member's term of office as a member.
- (2) The MEC may not designate a member mentioned in section 8(1)(b)-(c) or section 8(2) as Chairperson or Deputy Chairperson of the Board.
- (3) The Deputy Chairperson must exercise the powers and perform the duties of the Chairperson whenever the Chairperson is unable to do so.



**11. Term of office**

- (1) A member holds office for a period not exceeding three years from date of appointment.
- (2) The MEC may extend a member's term of office once only, for a period not exceeding two years, without following the procedures set out in section 9.

**12. Disqualification from membership of Board**

A person may not be appointed or remain a member of the Board if that person—

- (a) is not fit and proper to hold office as a member;
- (b) is not a South African citizen and ordinarily resident in the Republic;
- (c) is an unrehabilitated insolvent;
- (d) is a member of the provincial legislature;
- (e) has been declared unable to conduct his or her own affairs by a competent court;
- (f) has been declared by a court of law to be of unsound mind;
- (g) has at any time been convicted of an offence involving dishonesty;
- (h) has at any time been removed from an office of trust on account of misconduct; or
- (i) subject to section 8(1)(b)-(c), is employed in the public service or the holder of any other remunerated position within government.

**13. Allowances and remuneration of members**

- (1) The MEC, in consultation with the Member of the Executive Council responsible for financial matters in the province, may from time to time determine the remuneration or allowances payable to a member.

- (2) A member employed by government is not entitled to any remuneration or allowance.
- (3) The remuneration and allowances determined in terms of subsection (1) must be—
  - (a) in accordance with any applicable treasury norms and standards in terms of the PFMA; and
  - (b) paid from monies appropriated by the Provincial Legislature for that purpose.

#### **14 Vacation of office and filling of vacancies**

- (1) A member of the Board must vacate office if that member—
  - (a) resigns by providing 2 months written notice to the MEC and the Chairperson of the Board, provided that the MEC may accept a shorter notice period in a specific case;
  - (b) ceases to hold any qualification necessary for that member's appointment to the Board;
  - (c) is unable to perform his or her functions due to mental illness or severe or profound intellectual disability contemplated in the Mental Health Care Act, 2002 (Act 17 of 2002);
  - (d) becomes subject to any disqualification contemplated in section 12; or
  - (e) is removed from office by the MEC, in terms of section 15.
- (2) (a) If for any reason the office of a member of the Board becomes vacant before the member's term of office expires, the MEC may, subject to section 9, appoint a

suitably qualified person to fill the vacancy for the unexpired portion of the period for which such member was appointed.

- (b) If the unexpired portion of the period contemplated in subsection (2)(a) is less than 12 months, the MEC may appoint any suitably qualified person to fill the vacancy for the unexpired portion of the period for which such member was appointed, without following the procedure in section 9.
- (3) The MEC may on good cause shown dissolve the Board by way of notice in the *Provincial Gazette* and appoint a new Board in accordance with section 9.
- (4) (a) If the Board is dissolved in terms of subsection (3), the MEC may defer the reconstitution of the Board and, in the notice by which the MEC has so dissolved the Board or by any subsequent notice in the *Provincial Gazette*, appoint one or more persons, on such conditions as the MEC may deem necessary, to manage the affairs of the Board until the appointment of the new Board in terms of section 9.
- (b) The person or persons appointed in terms of subsection 4 (a) to manage the affairs of the Board, shall be the accounting authority contemplated in section 49(2)(b) of the PFMA until such time as a new Board is appointed in terms of section 9.

## **15. Removal of member**

- (1) The MEC may remove a member from office on account of –
  - (a) misconduct;
  - (b) conduct that brings the Board into disrepute;
  - (c) failure to comply with the provisions of this Act or the PFMA;

- (d) inability to perform the duties of the member efficiently;
  - (e) absence from three consecutive board meetings without the consent of the Board; or
  - (f) being disqualified in terms of section 12.
- (2) The MEC may not remove a member from office in terms of subsection (1) unless the MEC has afforded the member an opportunity to make representations to the MEC.
- (3) The MEC may suspend a member from office whilst carrying out an investigation or inquiry against such member.

#### **16. Committees of Board**

- (1) The Board may establish one or more committees to assist the Board with exercising its powers and functions in terms of this Act.
- (2) The Board must –
- (a) determine the functions of the committee;
  - (b) determine the operating procedures of the committee, including-
    - (i) the quorum for a meeting of the committee;
    - (ii) the manner in which the committee takes decisions;
  - (c) designate members who are suitably qualified or experienced in relation to the functions of a committee; and
  - (d) designate a member serving on a committee as Chairperson of such committee.
- (3) The Board may, at any time –

- (a) remove a member from a committee; or
- (b) dissolve a committee.

## **17. Meetings of Board**

- (1) The Board must meet at least four times a year.
- (2) The Chairperson decides when and where the Board meets, but the majority of the members may, in writing, request the Chairperson to convene a meeting at a time and place set out in the request.
- (3) The MEC may at any time request a meeting with the Board.
- (4) The Chairperson presides at meetings of the Board, but if the Chairperson and the Deputy Chairperson are absent from a meeting, the members present must elect another member to preside at the meeting.
- (5) The Chairperson or presiding member may, after consultation with the Board allow any person who is not a member to attend a meeting of the Board as an observer, on such conditions as the Chairperson or presiding member may determine.
- (6) A member of the Board who has any personal or financial interest in any matter before the Board must disclose that interest and withdraw from the proceedings of the Board when that matter is considered.
- (7) The Board may, subject to the provisions of this Act, determine its own meeting procedures.
- (8) The Board may meet without the members mentioned in section 8(2) when considering the performance, remuneration or actions of such members.

**18. Quorum and decisions**

- (1) The quorum for a meeting of the Board must be the majority of its members.
- (2) A matter before the Board is decided by the votes of a majority of the members present at the meeting.
- (3) In the event of an equality of votes regarding a matter voted upon, the Chairperson has a casting vote in addition to the Chairperson's deliberative vote.
- (4) (a) Whenever a matter requires the urgent attention of the Board and it is not possible for the Board to meet at the time, the Chairperson must ensure that each member –
  - (i) is immediately furnished with all relevant information and documentation pertaining to the matter; and
  - (ii) records that member's decision on the matter and forwards the record to the Chairperson.
- (b) A decision of the majority of the members on the matter is a resolution of the Board, and must be –
  - (i) ratified by the Board at the next meeting of the Board; and
  - (ii) recorded in the minutes.

**19. Appointment of experts**

The Board may appoint experts to assist the Board in performing its functions.

**20. Chief Executive Officer**

- (1) The Board must –
  - (a) publish an advertisement in at least two newspapers circulating throughout the province inviting applications for the position of a Chief Executive Officer; and
  - (b) appoint a Chief Executive Officer of the Agency.
- (2) The Chief Executive Officer must be a fit and proper person with appropriate qualifications and experience.
- (3) The Chief Executive Officer is employed subject to such terms and conditions of employment as the Board, after consultation with the MEC, may determine.
- (4) The Chief Executive Officer -
  - (a) is appointed for a term not exceeding five years;
  - (b) is accountable to the Board;
  - (c) must annually enter into a written performance agreement with the Board;  
and
  - (d) may not perform any other remunerative work without the written consent of the Board.
- (5) Whenever the position of the Chief Executive Officer is vacant, the Board must designate an official of the Agency as acting Chief Executive Officer, for a period not exceeding six months.
- (6) The Board may not designate a member as an acting Chief Executive Officer.

**21. Staff of Agency**

- (1) The Chief Executive Officer must, with the concurrence of the Board-
  - (a) establish a staff structure for the Agency;
  - (b) appoint staff to assist the Agency in performing its functions; and
  - (c) determine the terms and conditions of employment of the staff of the Agency.
  
- (2) The Board must, with the concurrence of the MEC and the Member of the Executive Council responsible for finance, determine the remuneration levels of the staff of the Agency.

**22. Transfer of staff from Agency**

- (1) The MEC may, after consultation with the Board, and with due regard to labour laws, transfer any member of staff from the Agency to the Department.
  
- (2) The transfer in terms of subsection (1) may only occur if—
  - (a) the member of staff consents thereto; and
  - (b) the transfer is in the public interest or on any other reasonable ground.

**23. Funding of Agency**

The funds of the Agency consists of –

- (a) monies appropriated by the Provincial Legislature for the exercise of the powers and the performance of the functions of the Agency; and



- (b) subject to the PFMA, money accruing to the Agency from sources approved by the MEC with the concurrence of the Member of Executive Council responsible for financial matters in the province.

## CHAPTER 4

### DELEGATIONS

#### **24. Delegations by MEC**

- (1) The MEC may delegate any power or function conferred, entrusted or imposed upon the MEC under this Act, except the power to—
  - (a) appoint members of the Board; and
  - (b) make regulations,to the Head of Department with or without the authority to further delegate such power or function.
- (2) Any delegation in terms of subsection (1)—
  - (a) is subject to such conditions, limitations and directions that the MEC may impose;
  - (b) must be in writing;
  - (c) does not divest the MEC of the responsibility concerning the exercise of the delegated power or performance of the delegated function;
  - (d) does not prevent the MEC from exercising the delegated power or performing the delegated function; and
  - (e) may at any time be withdrawn by the MEC.

**25. Delegations by Board**

- (1) When necessary for the proper performance of its duties, the Board may, subject to subsection (2), delegate any of its powers or functions to—
  - (a) a member;
  - (b) a committee of the Board referred to in section 16; or
  - (c) the Chief Executive Officer.
  
- (2) The Board may not delegate the power to—
  - (a) appoint a Chief Executive Officer; or
  - (b) determine the conditions of service of the Chief Executive Officer.
  
- (3) A delegation in terms of subsection (1) –
  - (a) is subject to such conditions, limitations and directions that the Board may impose;
  - (b) must be in writing;
  - (c) does not divest the Board of the responsibility concerning the exercise of the delegated power or performance of the delegated function;
  - (d) does not prevent the Board from exercising the delegated power or performing the delegated function; and
  - (e) may at any time be withdrawn by the Board.
  
- (4) The Board may confirm, vary or revoke any decision taken as a result of a delegation in terms of subsection (1), subject to any right that may have vested as a consequence of the decision.

CHAPTER 5  
REGULATIONS

**26. Regulations**

- (1) The MEC may make regulations relating to—
  - (a) the registration of tourism businesses;
  - (b) any matter which in terms of this Act is required to be prescribed;
  - (c) any fee payable under this Act; and
  - (d) in general, any matter which is considered necessary or expedient to prescribe for achieving the objects of this Act.
- (2) Regulations made under this Act may provide for offences and penalties.

CHAPTER 6  
GENERAL PROVISIONS

**27. Transitional provisions**

- (1) The member of the Board established in terms of legislation repealed by this Act continues to be a member under this Act for the unexpired term of office.
- (2) Any staff structure established in terms of legislation repealed by this Act, continues as a staff structure established under this Act.
- (3) All staff of the Agency appointed in terms of legislation repealed by this Act continue as staff appointed under this Act, unless transferred in terms of any other legislation governing the transfer of staff.

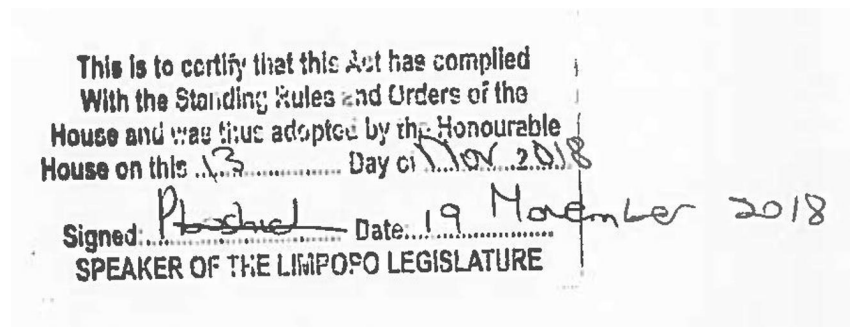
- (4) The Chief Executive Officer appointed in terms of legislation repealed by this Act continues to be the Chief Executive Officer under this Act for the unexpired term of office.

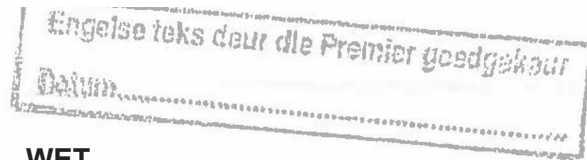
**28. Repeal of law**

The Limpopo Tourism Act, 2009 (Act No. 2 of 2009) is hereby repealed.

**29. Short title and commencement**

This Act is called the Limpopo Tourism Act, 2018, and comes into operation on a date determined by the Premier by proclamation in the *Provincial Gazette*.





## WET

Om voorsiening te maak vir die ontwikkeling, bestuur en bevordering van volhoubare toerisme in Limpopo; om voorsiening te maak vir die registrasie van toerisme sake; om voorsiening te maak die voortdurende bestaan van die Limpopo Toerisme Agentskap; om voorsiening te maak vir die bestuur en funksies van die Agentskap; om die Limpopo Wet op Toerisme, 2009 (Wet Nr. 2 van 2009) te herroep en om te voorsien vir aangeleenthede wat daarmee verband hou.

**DAAR WORD AS VOLG BEPAAL** deur die Limpopo Provinsiale Wetgewer:-

### UITEENSETTING VAN AFDELINGS

#### *Afdelings*

#### HOOFSTUK 1

##### INLEIDENDE BEPALINGS

- 1 Definisies
- 2 Doelwitte van die Wet

#### HOOFSTUK 2

##### BELEIDSVERKLARING EN ROL VAN LUR

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- 4 Rol van LUR

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## HOOFSUK 1 INLEIDENDE BEPALINGS

### 1. Definisies

In hierdie Wet, tensy uit die samehang anders blyk het enige woord of uitdrukking 'n betekenis soos toegeken in die Toerisme Wet, 2014 (Wet Nr. 3 van 2014) –

“**Agentskap**” beteken die Limpopo Toerisme Agentskap soos beoog in artikel 5;

“**Departement**” beteken die Departement verantwoordelik vir toerisme aangeleenthede in die provinsie;

“**hierdie Wet**” sluit alle bykomstige wetgewing ingestel ingevolge hierdie Wet in,

“**Hoof Uitvoerende Amptenaar**” beteken die Hoof Uitvoerende Amptenaar van die Agentskap aangestel ingevolge artikel 20;

“**Hoof van die Departement**” beteken die Hoof van die Departement verantwoordelik vir toerisme aangeleenthede in die provinsie;

“**lid**” beteken 'n lid van die Raad soos verwys na in artikel 8;

“**Limpopo Wet op Toerisme, 2009**” beteken die Limpopo Wet op Toerisme (Wet Nr. 2 van 2009);

“**LUR**” beteken die Lid van die Uitvoerende Raad verantwoordelik vir toerisme aangeleenthede in die provinsie;

“**nasionale toerisme sektor strategie**” beteken die nasionale toerisme sektor strategie.

“**OFBW**” beteken die Openbare Finansiële Bestuurswet, 1999 (Wet Nr. 1 van 1999);

“**provinsiale toerisme sektor strategie**” beteken die toerisme strategie ontwikkel vir die provinsie;

“**Raad**” beteken die Raad van die Limpopo Toerisme Agentskap saamgestel ingevolge artikel 8;

“**verantwoordelike toerisme**” beteken verantwoordelike toerisme soos saamgestel in artikel 2(2) van die Wet op Toerisme, 2014 (Wet Nr. 3 van 2014);

“**voorgeskryf**” beteken voorgeskryf deur regulasies; en

“**Voorsitter**” beteken die persoon aangestel deur die LUR ingevolge artikel 10; en

“**Wet op Toerisme, 2014**” beteken die Wet op Toerisme, 2014 (Wet Nr. 3 van 2014).

## **2. Doelwitte van die Wet**

Die doelwitte van hierdie Wet is om:-

- (a) groei en ontwikkeling van die provinsiale toerisme sektor te bevorder;
- (b) die toepassing van verantwoordelike toerisme in die provinsie te bevorder;
- (c) gehalte toerisme produkte en dienste in die provinsie te bevorder;
- (d) die samewerking en koördinasie tussen alle sferes van die regering te verhoog in die ontwikkeling en bestuur van toerisme aangeleenthede.
- (e) voorsiening te maak vir die effektiewe bemaking van die provinsie as 'n toeriste bestemming; en
- (f) voorsiening te maak vir 'n toerisme agentskap om die doelwitte van hierdie Wet te verwesenlik.

## HOOFSTUK 2

### BELEIDSVERKLARING EN ROL VAN DIE LUR



### 3. **Beleidsverklaring**

Die LUR mag 'n beleidsverklaring uitreik in verband met enige aangeleentheid wat verband hou met die bestuur, ontwikkeling en bevordering van toerisme in die provinsie.

### 4. **Rol van die LUR**

Die LUR moet—

- a) 'n provinsiale toerisme sektor strategie wat in lyn is met die doelwitte van die nasionale toerisme sektor strategie ontwikkel;
- (b) die implimentering van die provinsiale toerisme sektor strategie momitor asook enige ander verbandhoudende toerisme strategie in die provinsie;
- (c) transformasie programme in die toerisme industrie fasiliteer, monitor en ondersteun;
- (d) maatreëls implementer om die ontwikkeling van toerisme vaardighede te ondersteun asook kapasiteitopbouings-programme;
- (e) toeriste gidse registreer ingevolge die Wet op Toerisme, 2014; en
- (f) toerisme besighede registreer ingevolge die voorgeskrewe prosedure.

## HOOFSTUK 3

### LIMPOPO TOERISME AGENTSAP

### 5. **Volhouding van die Limpopo Toerisme Agentskap**

- (1) Die Limpopo Toerisme Agentskap gestig ingevolge artikel 5 van die Limpopo Wet op Toerisme, 2009 bly voortbestaan as 'n juridiese liggaam ongeag die herroeping van sodanige Wet deur artikel 28.
- (2) Die Agentskap bestaan uit—
  - (a) 'n Raad saamgestel deur die LUR ingevolge hierdie Wet;
  - (b) 'n Hoof Uitvoerende Amptenaar; en
  - (c) personeel van die Agentskap.

## 6. Funksies van die Agentskap

Die Agentskap moet—

- (a) die provinsie bemark as 'n toeriste bestemming;
- (b) provinsiale toerisme produkte en fasiliteite bemark;
- (c) 'n toerisme bemarkingstrategie ontwikkel en implementeer wat;
  - (i) die doelwitte van hierdie Wet; en
  - (ii) die provinsiale toerisme sektor strategie bevorder;
- (d) die LUR adviseer oor enige aangeleentheid wat verband hou met toerisme bemarking; en
- (e) enige ander funksies wat die LUR mag opdra of delegeer aan die Agentskap uit voer.

## 7. Raad van die Agentskap

- (1) Die Raad is verantwoordelik vir die uitvoering van die funksies van die Agentskap.
- (2) Die Raad is die aanspreeklike gesag soos voorgeskryf in artikel 49(2)(a) van die OFBW.
- (3) Die Raad moet jaarliks 'n ooreenkoms met die LUR aangaan wat insluit:-
  - (a) die uitvoering van die funksies van die Raad;
  - (b) voldoening aan beleid; en
  - (c) enige ander aangeleentheid wat noodsaaklik is vir die bereiking van die  
doelwitte van hierdie Wet.
- (4) Die Raad moet gereeld prosesse en prosedures hersien om die effektiwiteit van die interne kontrole stelsel van die Raad te verseker.

- (5) Die Raad moet 'n Sekretariaat aanstel om die Raad te ondersteun in die uitvoering van sy funksies.

## 8. Samestelling van die Raad

- (1) Die Raad moet bestaan uit—
- (a) Ten minste drie, maar nie meer as vyf lede met kennis en ondervinding in toerisme bemaking, die toerisme industrie of finansiële en besigheidsbestuur;
  - (b) 'n Verteenwoordiger van die Departement, genomineer deur die Hoof van die Departement; en
  - (c) 'n Verteenwoordiger van die Suid-Afrikaanse Plaaslike Regerings Assosiasie, wat genomineer was deur die Hoof Uitvoerende Amptenaar;
- (2) Die Hoof Uitvoerende Amptenaar en die Hoof Finansiële Amptenaar van die Agentskap is *ex-officio* lede van die Raad sonder stemreg.

## 9. Aanstelling op die Raad

- (1) (a) Voor die aanstelling van lede soos beoog in artikel 8(1)(a), moet die LUR deur kennisgewing in die Provinsiale Koerant en in twee koerante wat regdeur die provinsie gesirkuleer word sodanige nominasies aanvra vir lidmaatskap op die Raad.
- (b) Die kennisgewing moet 'n tydperk van ten minste 30 dae spesifiseer vir die indiening van nominasies by die LUR.
- (2) 'n Nominasie wat gemaak was ingevolge die kennisgewing in subartikel (1) moet ondersteun word deur die volgende dokumentasie:-
- (a) 'n gedetailleerde *curriculum vitae* van die genomineerde;
  - (b) dokumentasie wat die genomineerde se kennis en ondervinding insluit wat sal bydra tot die funksionering van die Agentskap;

- (c) 'n brief van die genomineerde waarin die nominasie aanvaar word; en
  - (d) 'n verklaring deur die genomineerde waarin die genomineerde enige direkte of indirekte belange verklaar wat 'n konflik van belange mag veroorsaak met betrekking tot die genomineerde se verantwoordelikhede indien aangestel op die Raad.
- (3) Tydens die aanstelling van lede moet die LUR verseker dat die Raad gesamentlik voldoende kennis en ondervinding het met betrekking tot die beginsels van korporatiewe bestuur, asook aangeleenthede wat relevant is vir die funksies van die Agentskap.
- (4) Nadat die lede aangestel was moet die LUR deur kennisgewing in die *Provinsiale Koerant* die name van die aangestelde lede publiseer asook die datum van inwerkingtreding van hul ampstermyn.
- (5) Waar die nominasie wat ontvang was nie kwalifiseer ingevolge hierdie Wet nie of indien die LUR geen nominasies ontvang het nie of 'n onvoldoende aantal nominasies tydens die tydperk gespesifiseer in die uitnodiging, mag die LUR nadat daar voldoen was aan subartikel (3) die vereiste aantal lede aanstel.

#### **10. Voorsitter en Onder Voorsitter**

- (1) Die LUR moet 'n lid aanstel as Voorsitter en 'n ander as Ondervoorsitter van die Raad vir 'n tydperk wat nie die lid se ampstermyn as 'n lid oorskry nie.
- (2) Die LUR mag nie 'n lid soos genoem in artikel 8(1) (b)-(c) of artikel 8(2) as Voorsitter of Ondervoorsitter van die Raad aanstel nie.
- (3) Die Ondervoorsitter moet die magte en funksies van die Voorsitter uitvoer, indien die Voorsitter nie by magte is om dit te doen nie.

#### **11. Ampstermyn**

- (1) 'n lid word aangestel in die amp vir 'n tydperk wat nie drie jaar vanaf die aanstellingsdatum mag oorskry nie.

- (2) Die LUR mag die ampstermyn van 'n lid slegs een keer verleng vir 'n tydperk nie langer as twee jaar, sonder om die prosedure te volg soos uiteengesit in artikel 9.

## **12. Diskwalifisering as lid van die Raad**

'n Persoon mag nie aangestel word, of aanbly in die pos as 'n lid van die Raad nie indien sodanige persoon:-

- (a) nie geskik en bekwaam is vir die amp as 'n lid nie;
- (b) nie 'n Suid –Afrikaanse burger of gewone inwoner van die Republiek is nie;
- (c) 'n Ongerehabiliteerde insolvent is nie;
- (d) 'n lid is van die provinsiale wetgewer;
- (e) as ongeskik bevind was om eie sake te hanteer deur 'n bekwame hof;
- (f) deur 'n hof as geestelik onstabiel bevind was;
- (g) ter eniger tyd skuldig bevind was aan 'n oortreding wat oneerlikheid insluit;
- (h) ontslaan was uit 'n amp van vertrouwe op gronde van wangedrag;
- (i) onderhewig aan artikel 8(1) (b)- (c) aangestel is in 'n openbare diens of indien die persoon enige betaalde pos binne die regering bekleë.

## **13. Toelae en besoldiging van lede**

- (1) Die LUR in samewerking met die Lid van die Uitvoerende Raad verantwoordelik vir die finansiële aangeleenthede in die provinsie, mag van tyd tot tyd die besoldiging en toelae van 'n lid bepaal.
- (2) 'n Lid wat in diens is van die regering, is nie geregtig op enige besoldiging of toelae nie.
- (3) Die besoldiging en toelae ingevolge subartikel (1) moet:-
- (a) in ooreenstemming met enige toepaslike tesourie norme en standaarde van die OFBW wees; en
  - (b) betaal word uit geld wat bewillig was deur die Provinsiale Wetgewer vir sodanige doel.

## **14 Ontslag uit amp en aanstelling in vakature**

- (1) 'n Lid van die Raad moet die amp ontruim indien sodanige lid—
  - (a) bedank deur ten minste twee maande skriftelike kennis te gee aan die LUR en die Voorsitter van die Raad, op voorwaarde dat die LUR 'n korter kennisgewing mag aanvaar in 'n spesifieke geval;
  - (b) versuim om enige kwalifikasie te bekom wat noodsaaklik is vir aanstelling op die Raad;
  - (c) nie by magte is om hom of haar funksies uit te voer as gevolg van geestelike siekte of erge grondige intellektuele onbevoegdheid soos vervat in die Wet op Geestelike Gesondheidsorg, 2002, (Wet Nr. 17 van 2002);
  - (d) onderhewig was aan enige diskwalifisering soos uiteengesit in artikel 12; of
  - (e) uit die amp ontslaan is deur die LUR, ingevolge artikel 15.
  
- (2)
  - (a) Indien vir enige rede die amp van 'n lid vakant raak voordat die lid se ampstermyn verstryk, mag die LUR onderhewig aan artikel 9 'n geskikte gekwalifiseerde persoon aanstel om die vakature te vul vir die onverstreke tydperk waarvoor sodanige lid aangestel was.
  - (b) Indien die onverstreke deel van die tydperk soos uiteengesit in subartikel (2)(a) minder is as 12 maande, mag die LUR enige geskikte gekwalifiseerde persoon aanstel om die vakature te vul vir die onverstreke deel van die tydperk waarvoor sodanige lid aangestel was sonder om die prosedure in artikel 9 te volg.
  
- (3) Die LUR mag op goeie gronde die Raad ontbind deur middel van kennisgewing in in die *Provinsiale Koerant* en 'n nuwe Raad aanstel ingevolge artikel 9.
  
- (4)
  - (a) Indien die Raad ontbind was ingevolge subartikel (3), mag die LUR die hersamestelling van die Raad uitstel in die kennisgewing waarin die LUR die Raad moet ontbind of deur middel van enige daaropvolgende kennisgewing in die *Provinsiale Koerant*, en een of meer persone aanstel op sodanige voorwaardes wat die LUR nodig ag om die aangeleenthede

van die Raad te behartig, totdat die nuwe Raad ingevolge artikel 9 aangestel word.

- (b) Die persoon of persone wat aangestel is ingevolge subartikel 4 (a) om die sake van die Raad te behartig, sal die aanspreeklike gesag wees soos uiteengesit in artikel 49(2)(b) van die OFBW tot sodanige tyd wanneer die nuwe Raad aangestel word ingevolge artikel 9.

## **15. Verwydering van lid**

- (1) (1) Die LUR mag 'n lid van sy amp onthef weens-
  - (a) wangedrag;
  - (b) optrede wat die Raad in oneer bring;
  - (c) versuim om te voldoen aan die bepalings van die Wet of die OFBW;
  - (d) onvermoë om gedelegeerde pligte voldoende uit te voer;
  - (e) afwesigheid van drie agtereenvolgende raadsvergaderings sonder goedkeuring van die Raad; of
  - (f) om ongeschik verklaar te word ingevolge artikel 12.
- (2) Die LUR mag nie ingevolge subartikel (1) 'n lid uit sy betrekking ontslaan, tensy die LUR die lid 'n geleentheid gegee het om sy verhoë tot die LUR te rig nie.
- (3) Die lid se ampstermyn mag deur die LUR opgeskort word, terwyl 'n ondersoek teen die lid aan die gang is.

## **16. Komitees van die Raad**

- (1) Die Raad mag een of meer komitees saamstel ten einde die Raad te ondersteun in die uitvoering van sy magte en funksies ingevolge hierdie Wet.
- (2) Die Raad moet-
  - (a) die pligte van die komitee bepaal;
  - (b) die werkwyses van die komitee bepaal, insluitend-
    - (i) die kworum vir komiteevergaderings;
    - (ii) die besluitnemingswyses van die komitee;

- (c) lede met die toepaslike kwalifikasies en ondervinding in ooreenstemming met die pligte van die komitee aanwys; en
  - (d) 'n aangewyse lid wat op die komitee dien, as Voorsitter van sodanige komitee aanstel.
- (3) Die Raad mag, op enige tydstip-
- (a) 'n lid uit die komitee ontslaan; of
  - (b) 'n komitee ontbind.

### **17. Vergaderings van die Raad**

- (1) Die Raad moet ten minste vier keer per jaar vergader.
- (2) Die Voorsitter besluit wanneer en waar die Raad vergader, maar die meerderheid van die lede mag, skriftelik versoek dat die Voorsitter 'n vergadering saamroep op 'n tydstip en plek soos in die skriftelike versoek uiteengesit.
- (3) Die LUR mag op enige tydstip 'n versoek rig vir 'n vergadering met die Raad.
- (4) Die Voorsitter lei die vergaderings van die Raad, maar in die afwesigheid van die Voorsitter en die Adjunk-voorsitter, mag die lede wat teenwoordig is 'n lid benoem, om die vergadering te lei.
- (5) Die Voorsitter of lid wat die vergadering lei mag, na oorlegpleging met die Raad, enige persoon wat nie 'n lid van die Raad is nie, toelaat om 'n Raadsvergadering in 'n waarnemende hoedanigheid by te woon, onder voorwaardes soos bepaal deur die Voorsitter of lid wat die vergadering lei.
- (6) 'n Lid van die Raad wat enige persoonlike of finansiële belange het in enige aangeleentheid voor die Raad moet die belange bekend maak en onttrek van die verrigtinge van die Raad wanneer die aangeleentheid oorweeg word.
- (7) Die Raad mag onderhewig aan die bepalings van die Wet, sy eie vergaderingsprosedure bepaal.



- (8) Die Raad mag vergader sonder die lede genoem in artikel 8(2) wanneer die prestasie, vergoeding of aksies van sodanige lede bespreek word.

#### **18. Kworum en besluitneming**

- (1) Die kworum vir 'n vergadering van die Raad moet uit die meerderheid van sy lede bestaan.
- (2) 'n Saak voorgelê aan die Raad word bekragtig by meerderheidstemme, deur lede wat teenwoordig is.
- (3) In die geval van 'n gelykopstemming oor 'n aangeleentheid, het die Voorsitter 'n beslissende stem, afgesien van die Voorsitter se gewone stem.
- (4) (a) Wanneer 'n geleentheid die dringende aandag van die Raad vereis en die nie moontlik vir die Raad is om op die gegewe oomblik te vergader nie, moet die Voorsitter verseker dat elke lid-
- (i) onmiddellik voorsien word van al die relevante inligting en dokumentasie rakende die aangeleentheid; en
  - (ii) rekord hou van die betrokke lid se besluitneming oor die aangeleentheid en sodanige rekord aan die Voorsitter deurstuur.
- (b) 'n Besluitneming deur die meerderheid van die lede oor die aangeleentheid is 'n resoluëie deur die Raad, en moet-
- (i) by die volgende Raadsvergadering deur die Raad bekragtig word; en
  - (ii) genotuleer word.

#### **19. Aanstelling van kundiges**

Die Raad mag kundiges aanstel om te help in die uitvoering van pligte.

**20. Hoof-uitvoerende Beampte**

- (1) Die Raad moet-
  - (a) 'n advertensie in ten minste twee koerante plaas waarin aansoeke om die pos as Hoof-uitvoerende Beampte geadverteer word; en
  - (b) 'n Hoof-uitvoerende Beampte vir die Agentskap aanstel.
- (2) Die Hoof-uitvoerende Beampte moet 'n gepaste en welvoeglike persoon wees, met geskikte kwalifikasie en ondervinding.
- (3) Die Hoof-uitvoerende Beampte word aangestel ingevolge terme en voorwaardes soos deur die Raad bepaal, in oorlegpleging met die LUR.
- (4) Die Hoof-uitvoerende Beampte-
  - (a) word aangestel vir 'n tydperk wat nie drie jaar mag oorskry nie;
  - (b) doen verantwoording aan die Raad;
  - (c) moet jaarliks 'n geskrewe prestasieooreenkoms met die Raad onderteken; en
  - (d) mag nie ander werk vir vergoeding doen, sonder die Raad se skriftelike toestemming nie.
- (5) Indien die pos van die Hoof-uitvoerende Beampte vakant word, moet die Raad 'n beampte van die Agentskap benoem, wat as waarnemende Hoof-uitvoerende Beampte sal optree, vir 'n tydperk wat nie ses maande mag oorskry nie.
- (6) Die Raad mag nie 'n lid as waarnemende Hoof-uitvoerende Beampte benoem nie.

**21. Personeel van Agentskap**

- (1) Die Hoof-uitvoerende Beampte moet, na oorlegpleging met die Raad-
  - (a) 'n personeelstruktuur vir die Agentskap tot stand bring;
  - (b) personeel aanstel ten einde die Agentskap te ondersteun in die uitvoering van pligte; en
  - (c) terme en diensvoorwaardes van personeel van die Agentskap bepaal.

- (2) Die Raad moet, na oorlegpleging met die LUR en die Lid van die Uitvoerende Raad verantwoordelik vir finansies, salarisvlakke vir personeellede van die Agentskap vasstel.

## **22. Oorplasing van personeel na Agentskap**

- (1) Die LUR mag, na oorlegpleging met die Raad, en behoorlike inagneming van die arbeidswette, enige personeellid van die Agentskap na die Departement oorplaas.
- (2) Die oorplasing ingevolge subartikel (1) mag slegs plaasvind indien—
- (a) die personeellid daartoe instem; en
  - (b) die oorplasing in openbare belang of op enige ander redelike gronde is.

## **23. Befondsing van Agentskap**

Die fondse van die Agentskap bestaan uit-

- (a) fondse bewillig deur die Provinsiale Wetgewer, vir die uitvoering van die magte en pligte van die Agentskap; en
- (b) fondse bewillig aan die Agentskap, ingevolge die OFBW, uit bronne goedgekeur deur die LUR, insamewerking met die Lid van die Uitvoerende Raad oor die finansies in die provinsies.

## HOOFSTUK 4 AFGEVAARDIGDES

## **24. Afgevaardiges deur die LUR**

- (1) Die LUR mag enige magte of pligte verleen, toevertrou of oplê aan die LUR kragtens die Wet, behalwe die magte—
- (a) om lede van die Raad aan te stel; en
  - (b) om regulasies te maak,

aan die Hoof van die Departement met of sonder die gesag om verder sodanige magte of pligte te delegeer.

- (2) Enige delegering ingevolge subartikel (1)—
- (a) is onderhewig aan sodanige voorwaardes, beperkings en voorskrifte wat die LUR mag oplê;
  - (b) moet skriftelik wees;
  - (c) ontnem nie die LUR van die verantwoordelikheid rakende die uitoefening van die gedelegeerde magte of die uitvoering van gedelegeerde funksies nie;
  - (d) verhinder nie die LUR in die uitoefening van gedelegeerde bevoegdheid of die uitvoering van pligte nie; en
  - (e) mag op enige tyd deur die LUR ingetrek word.

## **25. Afvaardigings deur die Raad**

- (1) indien nodig vir die behoorlike uitvoering van sy pligte, mag die Raad, onderhewig aan subartikel (2) enige van sy pligte of funksies delegeer aan—
- (a) 'n lid;
  - (b) 'n komitee van die Raad soos verwys na in artikel 16; of
  - (c) die Hoof-uitvoerende Beampte
- (2) Die Raad mag nie sy magte delegeer om—
- (a) 'n Hoof-uitvoerende Beampte aan te stel; of
  - (b) die diensvoorwaardes van die Hoof-uitvoerende Beampte te bepaal nie.
- (3) 'n Delegasie ingevolge subartikel (1) –
- (a) is onderhewig aan sodanige voorwaardes, beperkinge en voorskrifte wat die Raad mag oplê;
  - (b) moet skriftelik wees;
  - (c) ontnem nie die Raad van die verantwoordelikheid rakende die uitoefening van die gedelegeerde magte of die uitvoering van gedelegeerde pligte nie;

- (d) verhinder nie die Raad in die uitvoering van gedelegeerde magte of die uitvoering van gedelegeerde pligte nie; en
  - (e) mag op enige tyd deur die Raad ingetrek word nie.
- (4) Die Raad mag enige gedelegeerde besluit ingevolge subartikel (1) beaam, verander of herroep aan enige reg, wat toevertrou was, as gevolg van die besluitneming.

## HOOFSTUK 5 REGULASIES

### 26. Regulasies

- (1) Die LUR mag regulasies instel oor—
- (a) die registrasie van toerisme besighede;
  - (b) enige aangeleentheid wat ingevolge hierdie Wet voorskrifte vereis;
  - (c) enige fooi betaalbaar involge hierdie Wet; en
  - (d) oor die algemeen, enige aangeleentheid wat noodsaaklik of wenslik beskou word om die oogmerke van hierdie Wet te bereik.
- (2) Regulasies kragtens hierdie Wet kan voorsiening maak vir misdrywe en strawwe.

## HOOFSTUK 6 ALGEMENE BEPALINGS

### 27. Oorgangsbepalings

- (5) Die lid van die Raad tot stand gebring ingevolge wetgewing en herroep deur hierdie Wet gaan voort om 'n lid te wees kragtens hierdie Wet vir die onverstreke ampstermyn.
- (6) Enige personeelstruktuur tot stand gebring ingevolge wetgewing en herroep deur hierdie Wet, gaan voort as 'n personeelstruktuur gevestig kragtens hierdie Wet.

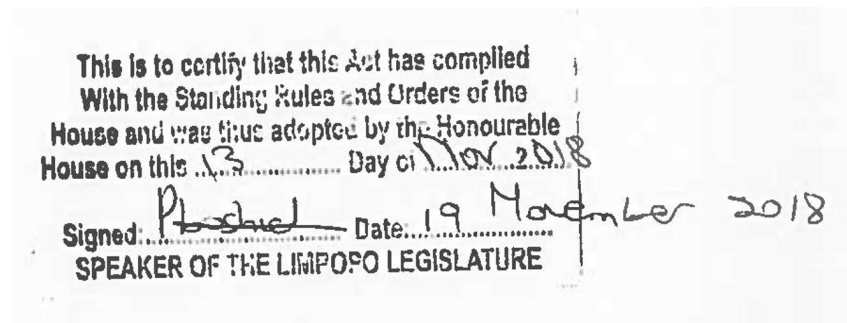
- (7) Alle personeel van die Agentskap aangestel ingevolge wetgewing en herroep deur hierdie Wet gaan voort as personeel in diens kragtens hierdie Wet, tensy oorgeplaas in terme van enige ander wetgewing wat die oorplasing van personeel beheer.
- (8) Die Hoof-uitvoerende Beampte aangestel in terme van wetgewing en herroep deur hierdie Wet gaan voort om die Hoof-uitvoerende Beampte te wees kragtens hierdie Wet vir die onverstreke ampstermyn.

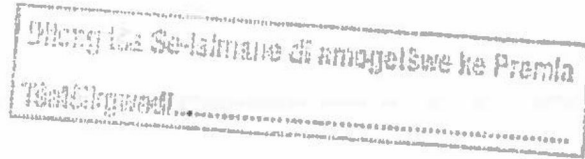
**28. Herroeping van die Wet**

Die Limpopo Wet op Toerisme, 2009 (Wet Nr. 2 van 2009) word hiermee herroep.

**29. Korttitel en inwerkingtreding**

Hierdie Wet heet die Limpopo Wet op Toerisme, 2018, en tree in werking op 'n datum wat deur die Premier by proklamasie in die *Provinsiale Koerant* bepaal word.





## MOLAO

Go beakanyetša tlhabollo, taolo le tšwetšopele ya boeti bja go-ya-go-ile ka Limpopo; go beakanyetša go ngwadišwa ga dikgwebo tša boeti; go beakanyetša go tšwetša pele go ba gona ga Lekalatirelo la tša Boeti la Limpopo; go beakanyetša taolo le mešomo ya Lekalatirelo; go fedišwa ga Molao wa tša Boeti wa Limpopo, 2009 (Molao wa 2 wa 2009); le go laetša merero ye e amanago le tša mohuta wo.

**O AMOGELWA BJALO KA MOLAO** ke Lekgotlatheramelao la Limpopo ka mo go latelago:-

### PEAKANYO YA DIKAROLO

*Dikarolo*

#### KGAOLO YA 1

##### DIPEAKANYETŠO TŠA MATSENO

- 1 Ditlhalošo
- 2 Dinepo tša Molao

#### KGAOLO YA 2

##### TLHATHOLLO YA MOLAO LE TEMA YE E KGATHWAGO KE MOLEKGOTLAPHETHIŠI

- 3 Tlhathollo ya molao
- 4 Tema ye e kgathwago ke Molekgotlaphethiši

#### KGAOLO YA 3

##### LEKALATIRELO LA TŠA BOETI LA LIMPOPO

- 5 Go tšwetšapele ga Lekalatirelo la tša Boeti la Limpopo
- 6 Mešomo ya Lekalatirelo
- 7 Boto ya Lekalatirelo
- 8 Tlhamo ya Boto
- 9 Go thwalwa ga Boto
- 10 Modulasetulo le Motlatša Modulasetulo

- 11 Paka ya Ofisi
- 12 Go gogelwa morago ga boleloko bja Boto
- 13 Diputseletšo le megolo ya maloko
- 14 Go tlogelwa ga ofisi le go tlatšwa ga dikgoba
- 15 Go tlošwa ga leloko
- 16 Dikomiti tša Boto
- 17 Dikopano tša Boto
- 18 Khoramo le diphetho
- 19 Thwalo ya ditsebi
- 20 Mohlankedikhuduthamaga
- 21 Bašomedi ba Lekalatirelo
- 22 Go šuthišwa ga bašomedi go Lekalatirelo
- 23 Go thekga Lekalatirelo ka mašelang

## KGAOLO YA 4

## KABO YA MAATLA

- 24 Go abelwa maatla ke Molekgotlaphethiši
- 25 Go abelwa maatla ke Boto

## KGAOLO YA 5

## MELAWANA

- 26 Melawana

## KGAOLO YA 6

## DIPEAKANYETŠO TŠA KAKARETŠO

- 27 Dipeakanyetšo tša lebakanyana
- 28 Go fedišwa ga molao
- 29 Thaetlele e kopana le go thomiša ga molao



KGAOLO YA 1  
DIPEAKANYETŠO TŠA MATSENO

**1. Ditlhalošo**

Ka Molaong wo, lentšu goba mmolelwana wo mongwe le wo mongwe wo o filwego tlhalošo ka go Molao wa tša Boeti, 2014 (Molao wa 3 wa 2014) o tla ba le tlhalošo ye e swanago ntle le ge tšhomišo e laetša ka tsela ye nngwe.

**“boeti bja maikarabelo”** e ra gore boeti bja maikarabelo ka ge go akanywa go karolo ya 2(2) ya Molao wa tša Boeti, 2014 (Molao No. 3 wa 2014);

**“Boto”** e ra gore Boto ya Lekalatirelo la tša Boeti la Limpopo ye e hlomilwego go ya karolo ya 8;

**“dumeletšwego”** e ra gore dumeletšwego go ya ka molawana;

**“Hlogo ya Kgoro”** e ra gore hlogo ya kgoro ye e rwelego maikarabelo a merero ya tša boeti ka profenseng;

**“Kgoro”** e ra gore kgoro ye e rwelego maikarabelo a merero ya tša boeti ka profenseng;

**“Lekalatirelo”** e ra gore Lekalatirelo la tša Boeti la Limpopo ka ge e akanywa go karolo ya 5;

**“leloko”** e ra gore leloko la Boto ye go bolelwago ka yona go karolo ya 8;

**“lenaneo la lekala la tša boeti la bosetšhaba”** e ra gore lenaneo lekala la tša boeti la bosetšhaba le le akanywago go karolo ya 4 ya Molao wa tša Boeti, 2014 (Molao wa 3 wa 2014);

**“lenaneo la lekala la tša boeti la profense”** e ra gore lenaneo la lekala la tša boeti la tša baeti le le hlametšwego profense;

**“Modulasetulo”** e ra gore motho yo a kgethilwego ke Molekgotlaphethiši go ya ka karolo ya 10;

**“Mohlankedikhuduthamaga”** e ra gore Mohlankedikhuduthamaga wa Lekalatirelo le le hlamilwego go ya ka karolo ya 20;

**“Molao wa tša Boeti wa Limpopo, 2009”** o ra gore Molao wa tša Boeti wa Limpopo, 2009 (Molao wa 2 wa 2009);

**“Molao wa tša Boeti, 2014”** e ra gore Molao wa tša Boeti, 2014 (Molao wa 3 wa 2014).

**“Molao wo”** o akaretša molawana o mongwe le o mongwe wo o dirilwego go ya ka Molao wo;

**“Molekgotlaphethiši”** e ra Molekgotlaphethiši yo a rwelego maikarabelo a merero ya tša boeti ka profenseng;

**“PFMA”** e ra gore Molao wa Taolo ya Ditšhelete tša Setšhaba, 1999 (Molao wa 1 wa 1999);

## 2. Dinepo tša Molao

Maikemišetšo a Molao wo ke go-

- (a) hlatloša kgodišo le tlhabollo go lekala la tša boeti la profense;
- (b) hlatloša go phethagatšwa ga tshepetšo ya tša boeti ya maikarabelo ka profenseng;
- (c) hlatloša ditšweletšwa le ditirelo tša boleng tša boeti ka profenseng;
- (d) kaonafatša tirišano le kgotlaganyo magareng ga makala a mmušo ka go godiša le go laola merero ya tša boeti;
- (e) beakanyetša dikwalakwatšo tše kaone tša profense bjalo ka lefelo leo le ka goketšago baeti; le

- (f) beakanyetša lekalatirelo la tša boeti go thuša go fihlelela dinepo tša Molao wo.

## KGAOLO YA 2

### TLHATHOLLO YA MOLAO LE TEMA YE E KGATHWAGO KE MOLEKGOTLAPHETHIŠI

#### 3. Tlhathollo ya molao

Molekgotlaphethiši a ka ntšha tlhathollo ya molao a lebeletše morero wo mongwe le wo mongwe wo o amanago le taolo, tlhabollo le tlhatlošo ya tša boeti ka profenseng.

#### 4. Mošomo wa Molekgotlaphethiši

Molekgotlaphethiši o swanetše go-

- (a) hlama leano la lekala la tša baeti la profense leo le sepelelanago le dinepo tša leano la lekala la tša baeti la bosetšhaba;
- (b) lebeledišiša go hlongwa ga leano la lekala la tša boeti la profense le maano afe goba afe a a sepelelanago le tša boeti ka profenseng;
- (c) sepediša, lebeledišiša le go thekga mananeo a kaonafatšo ka intasetering ya tša boeti;
- (d) phethagatša magato a go thekga go kaonafatšwa ga bokgoni bja tša boeti le mananeo a matlafatšo ya bokgoni;
- (e) retšisetara mananeotlhahlo go ya ka Molao wa tša Boeti, 2014; le
- (f) retšisetara dikgwebo tša boeti go ya ka tshepedišo ye e dumeletšwego.

## KGAOLO YA 3

### LEKALATIRELO LA TŠA BOETI LA LIMPOPO

#### 5. Go tšwetšapele ga Lekalatirelo la tša Boeti la Limpopo

- (1) Lekalatirelo la tša Boeti la Limpopo leo le hlamilwego go ya ka karolo ya 5 ya Molao wa tša Boeti wa Limpopo, 2009 le tšwela pele go ba gona go ya ka semolao go sa lebelelwe go fedišwa ga Molao woo ke karolo ya 28.
- (2) Lekalatirelo le bopša ke -
  - (a) Boto ye e hlamilwego ke Molekgotlaphetiši go ya ka Molao wo;
  - (b) Mohlankedikhuduthamaga; le
  - (c) bašomedi ba Lekalatirelo.

## 6. Mešomo ya Lekalatirelo

Lekalatirelo le swanetše go-

- (a) kwalakwatša profense bjalo ka lefelo leo le ka goketšago baeti;
- (b) kwalakwatša ditšweletšo tša boeti bja profense le ditlabelo;
- (c) hlama le go tšweletša leano la papatšo go boeti bjo bo hlatlošago-
  - (i) Dinapo tša Molao wo; le
  - (ii) leano la lekala la tša baeti la profense;
- (d) eletša Molekgotlaphetiši go morero wo mongwe le wo mongwe wo o amanago le papatšo ya boeti; le
- (e) dira mošomo wo mongwe le wo mongwe Molekgotlaphetiši a ka go abela Lekalatirelo.

## 7. Boto ya Lekalatirelo

- (1) Maikarabelo a Boto ke go dira mešomo ya Lekalatirelo.
- (2) Boto ke taolo ya go tšea maikarabelo ka ge go akanywa ka go karolo ya 49(2)(a) ya PFMA.
- (3) Boto e swanetše go tsenela kwano ngwaga ka ngwaga le Molekgotlaphetiši go akaretša-
  - (a) go dira mešomo ya Boto;
  - (b) go obamela dipholisi, le

- (c) morero wo mongwe le wo mongwe go fihlelela maikemišetšo a Mola wo; le
- (4) Boto e swanetše go tsošološa ditshepetšo le ditsepedišo go kgonthiša kgonagalo ya tshepetšo ya taolo ya ditlabelo tša ka gare tša Boto.
- (5) Boto e swanetše go thwala bongwaledi go thuša Boto go dira mešomo ya wona.

## **8. Tlhamo ya Boto**

- (1) Boto e swanetše go ba le-
  - (a) maloko a e ka ba go a mararo eupša a sa fete a mahlano a tsebo le maitemogelo ka papatšo ya boeti, intaseteiri ya boeti goba ka taolo ya kgwebo le ditšhelete;
  - (b) moemedi wa Kgoro yo a šišintšwego ke Hlogo ya Kgoro; le
  - (c) moemedi wa Lekgotla la Pušo ya Selegae ya Afrika Borwa yo a šišintšwego ke Mohlankedikhuduthamaga wa yona.
- (2) Mohlankedikhuduthamaga le Mohlankedimogolo wa Matlotlo wa Lekalatirelo ke maloko a Boto a a se nago maatla a go kgetha.

## **9. Go thwalwa ga Boto**

- (1) (a) Pele go thwalwa maloko go ya ka fao go akanywago ka go karolo ya 8(1)(a), Molekgotlaphethiši o swanetše go dira tsebišo ka gare ga kuranta ya profense le dikuranta tše pedi tše di phatlalatšwago ka mo profenseng ka bophara, a tsebiše tšhišinyo ya boleloko la Boto.
  - (b) Tsebišo e swanetše go laetša lebaka la matšatši a 30 gore ditšhišinyo di romelwe go Molekgotlaphethiši.
- (2) Tšhišinyo ye e dirilwego malebana le tsebišo go ya ka karolwana (1) e swanetše go thekgwa ke-
  - (a) Lenaneophelo le le tseneletšego la mošišinywa;

- (b) ditokumente tša go laetša tsebo le maitemogelo a mošišinywa a a tla kgathago tema go tšhomo ya Boto;
  - (c) lengwalo la go tšwa go mošišinywa a dumela tšhišinyo; le
  - (d) tsebišo ka mošišinywa fao e lego gore mošišinywa o tsebagatša phatlalatša kgahlego ye nngwe le ye nngwe ya thwii goba ya go sekama, yeo e ka hloago thulano ya dikgahlego malebana le maikarabelo a mošišinywa ge a thwetšwe ke Boto.
- (3) Ge go thwalwa maloko, Molekgotlaphethiši o swanetše go kgonthiša gore Boto ka moka e na le tsebo ye e tletšego le maitemogelo malebana le ditheo tša tšhomišago magareng ga makala a mmušo le merero ye e lebaganego le mešomo ya Lekalatirelo.
- (4) Ka morago ga go thwala maloko, Molekgotlaphethiši o swanetše go phatlalatša ka tsebišo ka *Kuranteng ya Mmušo*, maina a maloko a a thwetšwego le letšatšikgwedi la go thoma lebaka la bona la ofisi.
- (5) Fao ditšhišinyo di amogetšwego, di sa fihlelele mabaka go ya ka Molao wo goba ge Molekgotlaphethiši a sa amogele ditšhišinyo goba palo ye e hlaeelago ya ditšhišinyo go lebaka le le laeditšwego ka gare ga taletšo, Molekgotlaphethiši a ka thwala palo ya maloko ye e nyakegago morago ga go obamela karolwana ya (3).

#### **10. Modulasetulo le Motlatša Modulasetulo**

- (1) Molekgotlaphethiši o swanetše go bea leloko bjalo ka Modulasetulo le leloko le lengwe bjalo ka Motlatša Modulasetulo wa Boto go lebaka le le sa fetego paka ya leloko leo la ofisi bjalo ka leloko.
- (2) Molekgotlaphethiši ga a swanela go bea leloko le go boletšwego ka lona ka go karolo ya 8(1)(b)-(c) goba karolo ya 8(2) bjalo ka Modulasetulo goba Motlatša Modulasetulo wa Boto.
- (3) Motlatša Modulasetulo o swanetše go šomiša maatla a gagwe le go dira mešomo ya Modulasetulo nako efe goba efe ge Modulasetulo a sa kgone go dira bjalo.

**11. Paka ya Ofisi**

- (1) Leloko le ba ka ofising lebaka la go se fete mengwaga ye meraro go tloga ka letšatšikgwedi la thwalo.
- (2) Molekgotlaphethiši a ka oketša paka ya ofisi ya leloko ga tee fela go lebaka la go se fete mengwaga ye mebedi ntle le go latela tshepedišo ye e laeditšwego ka go karolo ya 9.

**12. Go gogelwa morago ga boleloko bja Boto**

Motho ga a swanelwa go thwalwa goba go tšwela pele go ba leloko la Boto ge motho yoo-

- (a) a sa itekanela le go ba wa maleba go šoma ka ofising bjalo ka leloko;
- (b) ga se modudi wa Afrika Borwa le modudi wa mehleng wa mo Rephabliking;
- (c) ke motho yo a paletšwego ke go laola ditšhelete tša gagwe;
- (d) ke leloko la lekgotlatheramelao la profense;
- (e) o tsebagaditšwe go palelwa ke go laola merero ya gagwe ke kgoro ya bokgoni;
- (f) o tsebagaditšwe ke kgoro ya molao go se itekanele kgopolong;
- (g) o kile a pharwa ka molato malebana le go se tshephagale;
- (h) o kile a tlošwa ofising ya tshepo ka lebaka la ka molato malebana le go se itshware gabotse;
- (i) go lebeletšwe karolo ya 8(1)(b)-(c), leloko le le thwetšwego ke lekalatirelo la bosetšhaba goba le swere maemo a a lefelwago ka mmušong.

**13. Diputseletšo le megolo ya maloko**

- (1) Molekgotlaphethiši, ka go rerišana le Molekgotlaphethiši yo a lebaganego le merero ya ditšhelete ka mo profenseng, nako le nako a ka akanya megolo goba diputseletšo tše di swanetšego go lefelwa leloko.
- (2) Leloko le le thwetšwego ke mmušo ga la swanelwa ke mogolo goba putseletšo.

- (3) Megolo le diputseletšo tše di akantšwego ka go karololwana ya (1) di swanetše go-
- (a) sepelelana le dikelo le ditlwaelo dife le dife ye e le go gona ya matlotlo go ya ka PFMA; le
  - (b) e lefelwe ka ditšhelete tše di lekaneditšwego ke Lekgotlatheramelao go morero woo.

#### **14 Go tlogela ga ofisi le go tlatša ga dikgoba tša Boto**

- (1) Leloko la Boto le swanetše go tšwa ka ofising ge leloko leo-
- (a) le rola modiro ka go fa tsebišo ya kgwedi tše pedi go Molekgotlaphethiši le Modulasetulo wa Boto, ge fela Molekgotlaphethiši a ka amogela tsebišo ya lebaka le le kopana go lebaka le le itšego;
  - (b) emiša go ba le ditshwanelo tše di hlokegago go thwalo ya leloko leo go Boto;
  - (c) le palelwa ke go dira mešomo ya lona ka lebaka la bolwetši bja kgopolo goba bogolofadi bja kgopolo bjo bo tseneletšego, bjo bo akanywago ka go Molao wa Tlhokomelo ya Maphelo a Monagano, 2002 (Molao 17 wa 2002);
  - (d) e ba lebaka la go gogelwa morago ka fao go akanywago ka go karolo 12; goba
  - (e) o tlošwa ofising ke Molekgotlaphethiši go ya ka karolo ya 15.
- (2) (a) ge ka lebaka le lengwe ofisi ya leloko la Boto e bulega sekgoba pele paka ya ofisi ya leloko e fihla mafelelong, Molekgotlaphethiši a ka thwala motho wa maleba go tlatša sekgoba go ya ka karolo ya 9 go paka fela ye e sa tšwago e fihla bofelong ya leloko leo.
- (b) ge nako ye e sa tšwago e fela ya lebaka le go akanywago ka lona ka go karolwana (2)(a) le le ka tlase ga dikgwedi tše pedi, Molekgotlaphethiši a ka thwala motho wa maleba go tlatša sekgoba go lebaka lebaka le le sa tšwago le fela la leloko leo le thwalwetšwego lona, ntle le go latela tshepedišo ka go karolo ya 9.



- (3) Molekgotlaphethiši a ka phatlatša Boto morago ga go laetša nepo ye botse ya go dira seo ka mokgwa wa tsebišo ka gare ga kuranta ya profense le go thwala Boto e mpsha go ya ka karolo ya 9.
- (4) (a) Ge Boto e phatlaladitšwe go ya ka karolwana (3), Molekgotlaphethiši a ka dumelela go hloma Boto gape, gomme le ka tsebišo Molekgotlaphethiši a laetša Boto ye a e phatlaladitšwego goba ka tsebišo ye nngwe ya go latela yeo, ka gare ga kuranta ya profense a thwala motho o tee goba go feta ka mabaka ao Molekgotlaphethiši a tla bego a a bona a le a maleba go laola merero ya Boto go fihlela thwalo ya Boto e mpsha go ya ka karolo ya 9.
- (b) Motho goba batho ba ba thwetšwego go ya ka karolwana 4(a) go laola mereo ya Boto, ba tla ba taolo ya go tšea maikarabelo ye e akanywago ka go karolo ya 49(2)(b) ya PFMA go fihlela ka nako ye Boto e mpsha e tla go thwalwa go ya ka karolo ya 9.

## 15. Go tlošwa ga leloko

- (1) Molekgotlaphethiši a ka tloša leloko ofising ka mabaka a –
- (a) maitshwaromabe;
  - (b) maitshwaro a go tlontlolla Boto;
  - (c) go palelwa ke go latela dinyakwa tša Molao wo goba PFMA;
  - (d) go palelwa ke go phetha mešomo ka bokgwari;
  - (e) go se be gona dikopanong tša Boto tše tharo ka go latelana ka ntle le tumelelo ya Boto; goba
  - (f) ge o ntšhitšwe go ya ka karolo ya 12.
- (2) Molekgotlaphethiši a ka se tloše leloko ofising go ya ka go karolwana (1), ka ntle le ge Molekgotlaphethiši a file leloko sebaka sa gore ba bontšhane le Molekgotlaphethiši.
- (3) Molekgotlaphethiši a ka fega leloko ge a sa dira dinyakišišo kgahlanong le loloko leo.

**16. Dikomiti tša Boto**

- (1) Boto e ka hloma komitie e tee goba le go feta go thuša Boto go šomiša maatla a yona le go šoma go ya ka Molao wo.
- (2) Boto e swantetše e –
  - (a) laetše mešomo ya komiti;
  - (b) laetše tsela ya go šoma ya komiti go akaretša-
    - (i) khoramo ya kopano ya komiti;
    - (ii) ka mokgwa woo komiti e tšeago diphetho;
  - (c) kgetha maloko ao a na lego maswanedi goba boitemogelo malebana le mešomo ya komiti; le
  - (d) kgetha leloko leo le šomago komiting yeo bjalo ka Modulasetulo wa komiti yeo.
- (3) Boto e ka no re nako e fe goba e fe ya –
  - (a) tloša leloko komiting; goba
  - (b) fediša komiti.

**17. Dikopano tša Boto**

- (1) Boto e swanetše e kopane bonyane gane ka ngwaga.
- (2) Modulasetulo o akanya gore Boto e ka kopana neng le kae, eupša bontši bja maloko ba ka dira kgopelo ka go ngwalela Modulasetulo go bitša kopano go lefelo le nako tšeo di bontšhitšwego ka go kgopelo.
- (3) Molekgotlaphethiši a ka kgopela kopano le Boto nako efe goba efe.
- (4) Modulasetulo o sepediša dikopano tša Boto, eupša ge Modulasetulo le Motlatša-Modulasetulo ba segona kopanong, maloko ao a lego gona ba ka kgetha leloko le lengwe go sepediša kopano.

- (5) Modulasetulo goba yo a sepedišago kopano a ka re, ka morago ga ge a boledišane le Boto a dumelela motho mang goba mang yoo e sego leloko la Boto go tsenela kopano ya Boto bjalo ka molebeledi, nako yeo e tla kgethwago ke Modulasetulo goba leloko la go sepediša kopano.
- (6) Leloko la Boto leo le nago le kgahlego ya gagwe goba ya mašeleng tabeng efe goba efe le swanetše le bolele ka kgahlego yeo gomme le se be gona ditshepedišong tša Boto ge taba yeo e e lebeletšwe.
- (7) Boto e ka re go ya ka dinyakwa tša Molao wo, ya itlhamela ditshepedišo tša dikopano.
- (8) Boto e ka kopana ntle le maloko ao go boletšwego ka wona go karolo ya 8(2) ge go lebeletšwe mošomo, moputso le mekgwa ya leloko leo.

#### **18. Khoramo le diphetho**

- (1) Khoramo ya kopano ya Boto e swanetše e dirwe ke bontši bja maloko a yona.
- (2) Taba ye Boto e šoganago le yona e laolwa ke dikgetho tša bontši bja maloko ao a lego gona kopanong.
- (3) Ge go ka direga gore go be le go lekalekana ga dipoelo tša dikgetho malebana le taba yeo go kgethilwego ka yona, Modulasetulo o na le maatla a go kgetha gape e le go tlaleletša kgetho ya Modulasetulo.
- (4) (a) Moo e lego gore taba e nyaka gore e lebelwe ke Boto ka bjako gomme ga go kgonagale gore Boto e kopane ka nako yeo, Modulasetulo o swanetše a netefatše gore leloko le lengwe le lengwe –
  - (i) le fiwa ditaba kamoka tše bohlokwa ka bjako le dingwalwa tša go hlatsela taba yeo; le
  - (ii) direkhoto tša sephetho sa maloko tabeng yeo le go fetišetša direkhoto go Modulasetulo.

- (b) Sephetho sa bontši bja maloko go taba ke sephetho sa Boto, gomme se swantše se –
  - (i) tiišetše ke Boto kopanong ye e latelago ya Boto; le
  - (ii) go rekhotiwa ga metsotso.

#### 19. Go thwalwa ga ditsebi

Boto e ka thwala ditsebi go e thuša go šoma mešomo ya yona.

#### 20. Mohlankedikhuduthamaga

- (1) Boto e swanetše e –
  - (a) phatlalatše dipapatšo dikuranteng tše pedi tše di balwago profenseng go laletša badiradikgopelo mabapi le sekgoba sa mošomo sa Mohlankedikhuduthamaga; le
  - (b) thwale Mohlankedikhuduthamaga wa Lekalatirelo.
- (2) Mohlankedikhuduthamaga e swanetše e be motho yo a phelegilego gabotse wa maswanedi a maleba, dithuto tša maleba le boitemogelo.
- (3) Mohlankedikhuduthamaga o thwalwa go lebeletšwe melao le dipeelano tša mošomo bjalo ka Boto, ka morago ga go boledišana le Molekgotlaphethiši.
- (4) Mohlankedikhuduthamaga -
  - (a) o thwalwa nako yeo e sa fetego mengwaga ye mehlano;
  - (b) o ikarabela go Boto;
  - (c) o swanetše a be le tumelano ya go šoma ya sengwalwa le Boto; le
  - (d) a ka se šome mošomo ofe goba ofe wa go lefa ntle le tumelelo ya sengwalwa ya Boto.
- (5) Nako efe goba efe moo e lego gore sekgoba sa Mohlankedikhuduthamaga se a bulega, Boto e swanetše e kgethe mošomedi wa Lekalatirelo bjalo ka Mohlankedikhuduthamaga wa lebakanyana, nako yeo e sa fetego dikgwedi tše tshela.

- (6) Boto ga se ya swanelwa go kgetha leloko bjalo ka Mohlankedikhuduthamaga wa lebakanyana.

**21. Bašomedi ba Lekalatirelo**

- (1) Mohlankedikhuduthamaga o swanetše a re, ka tumelelano le Boto-
- (a) hlome tlhamo ya bašomedi sa Lekalatirelo:
  - (b) thwale bašomedi bao ba tlogo go thuša Lekalatirelo go šoma mešomo ya yona; le
  - (c) bea melao le dipealano tša mošomo wa bašomedi ba Lekalatirelo.
- (2) Boto e swanetše e re, ka tumelelano le Molekgotlaphethiši le Maloko a Khansele ya Khuduthamaga bao ba rwelego maikarabelo a mašelang, ba beye megolo ka go fapana ya bašomedi ba Lekalatirelo.

**22. Go šuthišwa ga bašomedi go tšwa go Lekalatirelo**

- (1) Molekgotlaphethiši a ka re, kamorago ga go boledišana le Boto, gape le go latela melao ya bašomi, a šuthišetšwa leloko lefe goba lefe la bašomedi gotšwa ka go Lekalatirelo go ya ka go Kgoro.
- (2) Mabaka a go šuthišetšwa go ya ka karolwana (1) a ka phethagala ge —
- (a) leloko la bašomedi leo le amegago le dumela seo; le
  - (b) go šuthišetšwa go lebeletšwe dikgahlego tša setšhaba goba lebaka le lengwe le le lengwe la go kwagala.

**23. Go thekga Lekalatirelo ka Mašelang**

Mašelang a Lekalatirelo a akaretša —

- (a) mašelang ao a lekanyeditšwego ke Lekgotlatheramelao la Profense gore Lekalatirelo e šome; le
- (b) go ya ka PFMA, mašelang ao a kgoboketšwago go Lekalatirelo go tšwa go dišego tšeo di amogelwago ke Molekgotlaphethiši ka tumelelano le

Molekgotlaphethiši yo a rwelego maikarabelo a merero ya mašelang ka profenseng.

KGAOLO YA 4  
GO ABELA MAATLA

**24. Go abela maatla ke Molekgotlaphethiši**

- (1) Molekgotlaphethiši a ka abela maatla le go dira mešomo yeo go boletšwego ka yona goba yeo e filwego goba e gapeleditšwego go Molekgotlaphethiši ka tlase ga Molao wo, ka ntle le maatla a go—
- (a) thwala maloko a Boto; le
  - (b) go dira melawana,
- go Hlogo ya Kgoro a na le goba a se na maatla a go tšwelapele go aba maatla goba mešomo yeo.
- (2) Kemedi efe goba efe go ya ka karolwana (1)—
- (a) e gapeletšega go latela melawana yeo, malebana le mellwane le ditaetšo tšeo Molekgotlaphethiši a ka di gapeletšago;
  - (b) di be ka mokgwa wa sengwalwa;
  - (c) ga di fapanye Molekgotlaphethiši ka maikarabelo a malebana le go dira mošomo wa maatla ao o a abetšwego goba go dira mešomo yeo o e abetšwego;
  - (d) ga e thibele Molekgotlaphethiši go šomiša maatla ao goba a dire modiro wo a ao abetšwego.; le
  - (e) e ka nore nako efe goba efe ya tlošwa ke Molekgotlaphethiši.

**25. Go abelwa maatla ke Boto**

- (1) Ge go nyakega gore Boto e šome mešomo ya yona ka bokgwari, Boto e ka, go lebeletšwe karolwana (2), iša mešomo goba maatla a yona go —
- (a) leloko;
  - (b) komiti ya Boto yeo go boletšwego ka yona go karolo ya 16; goba
  - (c) Mohlankedikhuduthamaga.

- (2) Boto a ka se abele maatla a yona go –
- (a) thwala Mohlankedikhuduthamaga; goba
  - (b) laetša mabaka a mošomo wa Mohlankedikhuduthamaga.
- (3) Kemedi go ya ka karolwana (1) –
- (a) e gapeletšega go ba maemong a mabjalo, mellwane le ditaetšo tšeo Boto e ka di laetšago;
  - (b) e be ka mokgwa wa sengwalwa;
  - (c) ga e ganetše Boto ka maikarabelo a gore kemedi e šomiše maatla a yona goba go dira mošomo woo e o filwego;
  - (d) ga e ganetše Boto go šomiša maatla ao a e filwego goba go dira mešomo yeo e e filwego; le
  - (e) gore e ka ntšhiwa ke Boto nako efe goba efe.
- (4) Boto e ka tiišetša, fapana goba khatshela sephetho sefe goba sefe seo se tšerwego ka lebaka la go abelwa maatla go ya ka karolwana (1), go ya le ka tokelo efe goba efeyeo e ka bago e bile gona ka lebaka la dipheho.

KAROLO YA 5  
MELAWANA

**26. Melawana**

- (1) Molekgotlaphethiši a ka beya melawana mabapi le —
- (a) go ngwadiša kgwebo ya tša boeti;
  - (b) taba efe goba efe yeo go ya ka Molao wo go a nyakega gore e laeditšwe;
  - (c) tefelo efe goba efe ye e lefiwago ka tlase ga Molao wo; le
  - (d) ka kakaretšo, taba efe goba efe yeo go bonwago go nyakega goba go le bohlokwa gore e kghethwe gore go fihlelelwe dinepo tša Molao wo.
- (2) Melawana yeo e dirilwego ka tlase ga Molao wo e ka laola le bosenyi le dikotlo.

KGAOLO YA YA 6  
DIPEAKANYETŠO KA KAKARETŠO

**27. Dipeakanyetšo tša lebakanyana**

- (9) Leloko la Boto leo le thwetšwego go ya ka molao wo o fedišwago ke Molao wo o tšwela pele go ba leloko nako ya ofisi yeo esego ya fela
- (10) Tlhamo ya bašomi yeo e hlomilwego go ya ka molao wo o fedišwago ke Molao wo, e tšwela pele bjalo ka tlhamo ya bašomedi yeo e hlomilwego ka tlase ga Molao
- (11) Bašomedi kamoka ba Lekalatirelo bao ba thwetšwego go ya ka molao wo o fedišwago ke Molao wo ba tšwela pele bjalo ka bašomedi bao ba thwetšwego ka tlase ga Molao wo, ntle le ge ba ka šuthišwa go ya ka molao ofe goba ofe wo o laolago go šuthišwa ga bašomedi.
- (12) Mohlankedikhuduthamaga yo a thwetšwego go ya ka molao wo o fedišwago ke Molao wo o tšwela pele go ba Mohlankedikhuduthamaga ka tlase ga Molao wo nako ye e sa felego ya ofisi.

**28. Go fedišwa ga Molao**

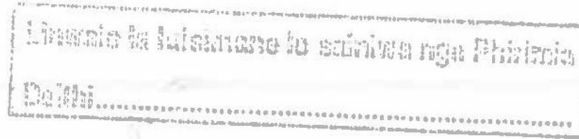
Molao wa tša Boeti wa Limpopo, 2009 (Molao wa 2 wa 2009) o a fedišwa.

**29. Thaetlele ye kopana le go thongwa ga Molao**

Molao wo o bitšwa Molao wa tša Boeti wa Limpopo, 2018, gomme o thoma go šoma ka nako yeo e beilwego ke Tonakgolo ka tsebišo ka go *Kuranta ya Mmušo ya Profense*.

This is to certify that this Act has complied  
With the Standing Rules and Orders of the  
House and was thus adopted by the Honourable  
House on this 13 Day of Nov 2018  
Signed: *P. M. M. M.* Date: 19 November 2018  
SPEAKER OF THE LIMPOPO LEGISLATURE





## MULAYO

Wa u vhetshela mveledziso, ndangulo na u phuromotwa ha vhuendelamashango vhu sa gumiho Limpopo; u vhetshela zwa u redzhisitariwa ha mabindu a zwa vhuendelamashango; u vhetshela zwa u bvela phanḁa ha u vha hone ha Zhendedzi ḁa zwa Vhuendelamashango Limpopo; u vhetshela hu u itela mavhusele na mishumo ya Zhendedzi; u phumula Mulayo wa Vhuendelamashango wa Limpopo (Mulayo No. 2 wa 2009); na u vhetshela mafhungo a ḁutshelanaho na zwenezwo.

**AFHA HU KHOU VHEWA MULAYO** nga Vhusimamilayo ha Vundu ḁa Limpopo ngaurali-

NZUDZANYO DZA KHETHEKANYO

*Khethekanyo*

### NDIMA YA 1

#### MBETSHELO DZA MARANGAPHANḁA

- 1 ḁhandavhudzo
- 2 Ndivho dza Mulayo

### NDIMA YA 2

#### ZWITATAMENNDE ZWA PHOLISI NA MUSHUMO WA MURANḁO WA KHOROTSHITUMBE

- 3 Zwitatamennde zwa Pholisi
- 4 Mushumo wa Muranḁo wa Khorotshitumbe

### NDIMA YA 3

#### ZHENDEDEZI ḁA VHUENDELAMASHANGO LA LIMPOPO

- 5 U bvela phanḁa na u shuma ha Zhendedzi ḁa Vhuendelamashango ḁa Limpopo
- 6 Mishumo ya Zhendedzi
- 7 Bodo ya Zhendedzi
- 8 Mbumbo ya Bodo
- 9 U vheva ha Bodo
- 10 Mudzulatshidulo na Mufarisamudzulatshidulo

- 11 Tshifhinga ofisini
- 12 U kundelwa u vha muraḁo wa Bodo
- 13 Magavhelo na malamba a miraḁo
- 14 Tshifhinga tsha u bva ofisini na u ḁadzwa ha zwikhala
- 15 U bviswa ofisini ha muraḁo
- 16 Komiti dza Bodo
- 17 Miḁangano ya Bodo
- 18 Khoramu na tsheo
- 19 U vhewa ha vha re na ndalukano
- 20 Muofisiri Muhulwane
- 21 Tshiḁafu tsha Zhendedzi
- 22 U pfuluswa ha tshiḁafu vha tshi bva kha Zhendedzi
- 23 Ndambedzo ya Zhendedzi

## NDIMA YA 4

## VHURUMELWA

- 24 Vhurumelwa nga Muraḁo wa Khorotshitumbe
- 25 Vhurumelwa nga Bodo

## NDIMA YA 5

## NDANGULO

- 26 Ndangulo

## NDIMA YA 6

## MBETSHELO NYANGAREDZI

- 27 Mbetshelo dza pfukiselo
- 28 U phumulwa ha mulayo
- 29 Dzina liḁufhi na u thoma u shuma

NDIMA YA 1  
MBETSHELO DZA MARANGAPHANḐA

**1. Thandavhudzo**

Kha Mulayo uyu, ipfi kana themo liḥwe na liḥwe line lo bulwa zwine la amba zwone kha Mulayo wa Vhuendelamashango, 2014 (Mulayo No. 3 wa 2014) li amba zwi fanaho nga nḥa ha musu mafhungo nga u angaredza a tshi nga vha a tshi amba nga ḥwe nḥila

“**Bodo**” zwi amba Bodo ya Vhuendelamashango ha Limpopo, sa zwe ya vhumbiswa zwone hu tshi tevhedzwa khethekanyo 8;

“**Mudzulatshidulo**” zwi amba muthu o tiwaho nga Muraḥo wa Khorotshitumbe hu tshi tevhedzwa khethekanyo 10

“**Muhasho**” zwi amba Muhasho u re na vhuḍifhinduleli ha mafhungo a zwa vhuendelamashango kha vundu.

“**Mulayo uyu**” u katela mulayo muḥwe na muḥwe u u thusedzaho hu tshi tevhelwa Mulayo uyu; nahone

“**Mulayo wa Vhuendelamashango wa Limpopo, 2009**” zwi amba Mulayo wa Vhuendelamashango, 2009 (Mulayo No. 2 wa 2009)

“**Mulayo wa Vhuendelamashango, 2014**” zwi amba Mulayo wa Vhuendelamashango, 2014 (Mulayo No. 3 wa 2014)

“**Muofisiri Muhulwane**” zwi amba Muofisiri wa Khorotshitumbe ya Zhendedzi o tiwaho hu tshi tevhedzwa khethekanyo 20;

“**Muraḥo wa Khorotshitumbe**” zwi amba Muraḥo wa Khorotshitumbe a re na vhuḍifhinduleli ha mafhungo a zwa vhuendelamashango kha vundu;

“**muraḥo**” zwi amba muraḥo wa Bodo o bulwaho afho kha khethekanyo 8;

“**PFMA**” zwi amba Mulayo wa Ndangulo ya Gwama la Lushaka, 1999 (Mulayo No. 1 wa 1999)

“**randelwaho**” zwi amba zwo randelwaho nga ndaulo;

“**Thoho ya Muhasho**” zwi amba thoho ya Muhasho a re na vhuḍifhinduleli ha mafhungo a zwa vhuendelamashango kha vundu;

“**tshiḱirathedzhi tsha sekithara ya zwa vhuendelamashango ha vundu**” zwi amba tshiḱirathedzhi tsha zwa vhuendelamashango tsho bveledzelwaho vundu;

“**tshiḱirathedzhi tsha sekithara ya zwa vhuendelamashango ya lushaka**” zwi amba tshiḱirathedzhi tsha sekithara ya zwa vhuendelamashango sa zwo sumbedzwaho kha khethekanyo 4 ya Mulayo wa Vhuendelamashango, 2014 (Mulayo No.3 wa 2014)

“**vhuendelamashango vhu re na vhuḍifhinduleli**” zwi amba vhuendelamashango vhu re na vhuḍifhinduleli sa zwo sumbedzwaho kha khethekanyo 2(2) ya Mulayo wa Vhuendelamashango, 2014 (Mulayo No. 3 wa 2014)

“**Zhendedzi**” zwi amba Zhendedzi la Vhuendelamashango ha Limpopo sa zwo sumbedzizwaho kha khethekanyo 5,

## **2. Ndivho dza Mulayo**

Ndivho dza Mulayo ndi u \_\_\_

- (a) phuromota nyaluwo kha na mveledziso ya sekithara ya zwa vhuendelamashango ha vundu;
- (b) phuromota u itwa ha vhuendelamashango vhu re na vhuḍifhinduleli kha vundu;
- (c) tuḱuwedza u bveledza zwibveledzwa zwa khwine zwa vhuendelamashango kha vundu
- (d) vhukati ha zwiimiswa zwoḱhe zwa muvhuso kha u bveledza na u langa mafhungo a zwa vhuendelamashango;
- (e) netshedza vhuvhambadzi hu swikelelaho tshipikwa ha vundu sa tswikelelo ya vhubindudzi;

- (f) n̄tshedza zhendedzi ̄a vhuendelamashango kha u thusa u swikelela ndivho dza Mulayo.

## NDIMA YA 2

### TSHITATAMENNDE TSHA PHOLISI NA MUSHUMO WA MURADO WA KHOROTSHITUMBE

#### 3. Tshitatamennde tsha pholisi

Murado wa Khorotshitumbe a nga bvisa tshitatamennde tsha pholisi u ya nga mafhungo mañwe na mañwe a kwamaho ndangulo, mveledziso na u phuromotwa ha vhuendelamashango kha vundu.

#### 4. Mushumo wa Murado wa Khorotshitumbe

Murado wa Khorotshitumbe u tea u \_

- (a) bveledzisa tshithirathedzhi tsha sekithara ya zwa vhuendelamashango ha vundu yo disendekaho na ndivho dza tshithirathedzhi tsha sekithara ya zwa vhuendelamashango ha lushaka;
- (b) monithara u tevhezwa ha tshithirathedzhi tsha sekithara ya zwa vhuendelamashango ha vundu na zwiñwe zwiithirathedzhi zwi elanaho na zwezwo kha vundu;
- (c) tshimbidza, u monithara na u tikedza mbekanyamushumo dza tshanduko kha indasiñiri ya zwa vhuendelamashango;
- (d) u dzhia maga a u tikedza mveledziso ya zwickili na mbekanyamushumo dza zwa vhukoni;
- (e) u redzhisitara gaidi ya zwa vhuendelamashango hu tshi tevhezwa Mulayo wa Vhuendelamashango, na
- (f) U redzhisitara bisimusi dza zwa vhuendelamashango hu tshi tevhezwa maitete o randelwaho.

## NDIMA YA 3

### ZHENDEDEZI ̄A VHUENDELAMASHANGO LIMPOPO

#### 5. U ya phanda ha Zhendedzi ̄a Vhuendelamashango ̄a Limpopo

- (1) Zhendedzi la Vhuendelamashango la Limpopo lo thomiwa nga khethekanyo 5 ya Mulayo wa Vhuendelamashango wa Limpopo, 2009 li isa phanda na u vha hone sa muhatuli nga nnda ha u phumulwa ha Mulayo uyu nga khethekanyo 28.
- (2) Zhendedzi lo vhubwaha nga \_\_\_
  - (a) Bodo yo vhubwaho nga Murafo wa Khorotshitumbe hu tshi tevhelwa Mulayo;
  - (b) Muofisiri Muhulwane; na
  - (c) tshifafu tsha Zhendedzi.

## 6. Mishumo ya Zhendedzi

Zhendedzi li tea u —

- (a) vhambadza vundu sa fhethu ha vhuendelamashango;
- (b) vhambadza zwishumiswa na zwibveledzwa zwa vhuendelamashango zwa vundu;
- (c) bveledza na u thoma tshifirathedzhi tsha mbambadzo kha vhuendelamashango vhu tshufuwedzaho \_\_\_
  - (i) ndivho dza Mulayo uyu; na
  - (ii) tshifirathedzhi tsha sekithara ya zwa vhuendelamashango ha vundu;
- (d) tsivhudza Murafo wa Khorotshitumbe kha mafhungo manwe na manwe a tshshelanaho na mbambadzo ya vhuendelamashango;
- (e) u fara mushumo ufho na ufho wa Murafo wa Khorotshitumbe a nga u hwesa kana u nea Zhendedzi

## 7. Bodo ya Zhendedzi

- (1) Ndi vhudifhinduleli ha Bodo u ita mishumo ya Zhendedzi.
- (2) Bodo i na maanda a zwa mbalelano sa zwo sumbedziswaho kha khethekanyo (2)(a) ya Mulayo wa Ndangulo ya Gwama la Vhathu.
- (3) Bodo i tea uri kha nwha muwe na muwe i swike kha thendelano na Murafo wa Khorotshitumbe zwi katelaho —

- (a) mashumele a mishumo ya Bodo;
  - (b) u tevhedzwa ha phojisi; na
  - (c) mafhungo mañwe na mañwe o teaho kha u swikelela ndivho dza Mulayo uyu.
- (4) Bodo i tea u dzulela u sedzulusa kuitele na matshimbidzelwe u itela u vhona uri hu na u shuma zwavhudi ha sisiteme ya ndangulo ya ngomu ha Bodo.
- (5) Bodo i tea u ta muñwaleli wa u thusa kha Bodo musi i tshi ita mishumo yayo.

## 8. Mbumbo ya Bodo

- (1) Bodo i tea u vha na —
- (a) mirado miraru na i sa fhiriho mitanu vha re na ndivho na tshenzhemo kha zwa mbambadzo ya vhuendelamashango, indasiñiri ya vhuendelamashango kana zwa ndangulo ya zwa masheleni na bisimusi;
  - (b) muimeleli wa Muhasho, o tiwaho nga Tñhoho ya Muhasho; na
  - (c) muimeleli wa Dzangano ða Muvhuso Yapo ða Afurika Tshipembe, o tiwaho nga muofisiri muhulwane wa khorotshitumbe.
- (2) Muofisiri muhulwane na Muofisiri wa zwa Masheleni wa Zhendedzi ndi mirado nyengedzedzwa i sa vouti ya Bodo.

## 9. U tiwa ha Bodo

- (1) (a) Hu saathu tiwa mirado sa zwo sumbedziswaho kha khethekanyo 8(1)(a), Murado wa Khorotshitumbe u tea uri, nga ndivhadzo kha Gazethe ya Vundu na gurannða mbili dzi wanalaho kha vundu, a rambe avho vho tiwaho sa mirado ya Bodo
- (b) Ndivhadzo i tea u ðandavhudza tshikhala tshi edanaho maduvha a 30 a u tiwa uri a swikiswe kha Murado wa Khorotshitumbe
- (2) U tiwa uho hu tea u tshimbilelana na ndivhadzo hu tshi tevhedzwa khethekanyoñhukhu (1) hu tea u tikedzwa nga –
- (a) tsumba ndalukano yo ðandavhudzwaho ya uyo o tiwaho;

- (b) mañwalo a u tikedza a sumbedzaho nqivho na tshenzhemo zwa o tiwaho zwine zwa qo shela mulenzhe kha u shuma ha Zhendedzi;
  - (c) luñwalo lu bvaho kha o tiwaho lwa u tenda u tiwa; na
  - (d) tshitatamennde nga o tiwaho hune a bula mbuelo dzi qaho khae thwii kana nga inwe nqila, zwine zwa nga vhanga khudano kha mbuelo zwi tshi kwama vhuqifhinduleli ha o tiwaho kha Bodo.
- (3) Musi hu tshi tiwa miraqo, Muraqo wa Khorotshitumbe vha tea u vhona uri Bodo yothe i na tshenzhemo na nqivho zwi tshi kwama milayo ya mavhusele a thanganelo na mafhungo a tutshelanaho na mishumo ya Zhendedzi.
- (4) Nga murahu ha u tiwa ha miraqo, Muraqo wa Khorotshitumbe u tea uri, nga nqivhadzo kha Gazethe ya Muvhuso, a anqadze madzina a miraqo yo tiwaho na quvha la u thoma themo yavho kha ofisi.
- (5) Afho hune vhatu vho tiwaho vha vha vha songo tea hu tshi tevhedzwa Mulayo uyu kana arali Muraqo wa Khorotshitumbe a sa nagwe kana a wana mbalo thukhu kha u nangwa kha tshifhinga tsho tiwaho kha thambo, Muraqo wa Khorotshitumbe a nga, nga murahu ha u tevhedza khethekanyothukhu (3) ta mbalo ya i todeaho ya miraqo.

#### 10. Mudzulatshidulo na Mufarisamudzulatshidulo

- (1) Muraqo wa Khorotshitumbe u fanela u khetha muraqo, sa Mudzulatshidulo, ngeno muñwe muraqo sa Mufarisamudzulatshidulo wa Bodo, lwa tshifhinga tshi sa fhiri themo ya muraqo uyo kha ofisi.
- (2) Muraqo wa Khorotshutumbe a nga si khethe muraqo o bulwaho kha khethekanyo 8(1)(b)(c) kana khethekanyo 8(2) sa Mudzulatshidulo kana Mufarisamudzulatshidulo wa Bodo.
- (3) Mufarisa Mudzulatshidulo u tea u dzhia maanda awe na u ita mishumo ya Mudzulatshidulo tshifhinga tshinwe na tshinwe hune Mudzulatshidulo a kundelwa u ita ngauralo.



**11. Themo ofisini**

- (1) Muraḁo u fara ofisi lwa tshifhinga tshi sa fhiri miḁwaha miraru u bva ḁuvha le a tiwa ngaḁo
- (2) Muraḁo wa Khorotshitumbe a nga engedza themo ya ofisi ya muraḁo luthihi fhedzi, lwa tshifhinga tshi sa fhiri miḁwaha mivhili, hu songo tevhedzwa matshimbidzelwe o vhwaho kha khethekanyo 9.

**12. U bviswa kha u vha muraḁo wa Bodo**

Muthu a nga si tiwe kana u dzula e muraḁo wa Bodo arali muthu uyo\_\_

- (a) a songo lugela nahone a songo fanelwa nga u fara ofisi sa muraḁo;
- (b) a si mudzulapo wa Afurika Tshipembe nahone a tshi dzula kha Riphabuḁiki ;
- (c) a sa tsha vha muthu a thuseaho zwi tshi kwama zwikolodo zwa masheleni;
- (d) e muraḁo wa vhusimamilayo ha vundu;
- (e) a tshi dzhiiwa sa ane a si kone u tshimbidza mafhungo awe zwavhuḁi nga khothe yo fanelaho;
- (f) a tshi dzhiiwa nga khothe yo fanelaho sa ane a sa tou humbula zwavhuḁi;
- (g) o no vhuya a wanala mulandu u katelaho u sa fulufhedzea;
- (h) o vhuya a bviswa kha ofisi ya tshikwama zwi tshi bva kha vhuḁifari hu si havhuḁi; kana
- (i) zwi tshi elana na khethekanyo 8(1)(b)-(c), a vha o tholwa kha tshumelo ya muvhuso kana o fara vhuimo vhu fhio na vhu fhio vhu re na malamba kha muvhuso.

**13. Magavhelo na malamba a muraḁo**

- (1) Muraḁo wa Khorotshitumbe, hu na vhukwamani na Muraḁo wa Khorotshitumbe a re na vhuḁifhinduleli ha mafhungo a zwa masheleni kha vundu, tshifhinga tshoḁhe a nga sedzulusa malamba na magavhelo a fhiwaho muraḁo.
- (2) Muraḁo o tholwaho nga muvhuso ha tei u wana malamba kana magavhelo afhio na afhio.
- (3) Malamba na magavhelo zwo vhwaha ho tevhedzwa khethekanyoḁhulhu (1) nahone zwi tea u vha—

- (a) zwi tshi tshimbilelana na mulayo ufho na ufho wo teaho wa vhufaragwama hu tshi tevhedzwa PFMA; nahone
- (b) hu badelwa u bva kha tshelede yo avhelwaho nga Vhusimamilayo ha Vundu kha mushumo uyo.

#### **14 U tutshele ofisi na u dadzwa ha zwickhala**

- (1) Muraḁo wa Bodo u fanela u tutshele ofisi arali muraḁo uyo—
  - (a) o litsha mushumo nga u netshedza nḁivhadzo yo tou ḁwalaho ya miḁwedzi mivhili kha Muraḁo wa Khorotshitumbe na Mudzulatshidulo wa Bodo, nga nḁa ha musī Muraḁo wa Khorotshitumbe a tenda nḁivhadzo ya tshihāḁu kha iḁwe kheisi;
  - (b) o litsha u vha na ndalukano dzo fanelaho muraḁo uyo kha u tholwa nga Bodo
  - (c) a nga si kone u ita mishumo yawe zwi tshi bva kha u vhaiḁala muhumbulo kana vuholefhali hu kwamesaho tshoṯhe kha kuhumbulele sa zwo sedzuluswaho kha Mulayo wa Ndongolo ya Mutakalo wa Muhumbulo, 2002 (Mulayo 17 of 2002);
  - (d) a nga kwamea nga u bviswa hufho na hufho sa zwo sedzuluswaho kha khethekanyo 12; kana
  - (e) o bviswa ofisini nga Muraḁo wa Khorotshitumbe, hu tshi tevhedzwa khethekanyo 15.
- (2) (a) U ya nga mbuno ifho na ifho arali ofisi ya muraḁo wa Bodo ya nga vha na tshikhala phanḁa ha musī themo yawe kha ofisi i saathu fhela, Muraḁo wa Khorotshitumbe a nga, u ya nga khethekanyo 9, ta muthu a re na ndalukano dzo teaho kha u vala tshikhala kha tshipiḁa tsha tshikhala tshi sa sumbedzi uri ndi u yo guma lini musī muthu uyo o tholwa.
- (b) Arali tshipiḁa itsho tsha tshikhala tshi sa sumbi uri tshi yo guma lini sa zwo sedzuluswaho kha khethekanyoṯhukhu (2)(a) tshi fhasi ha miḁwedzi ya 12 Muraḁo wa Khorotshitumbe a nga ta muthu ufho na ufho a re na ndalukano dzo teaho kha u dadza tshikhala lwa tshipiḁa tshi sa sumbi uri tshi yo guma lini kha tshikhala tshine muraḁo a ḁo vha o tiwa khatsho, hu songo tevhelwa matshimbizelwe kha khethekanyo 9.

- (3) Muraḁo wa Khorotshitumbe musi hu na mbuno dzo sumbedzwaho a nga fhaladza Bodo nga nḁila ya nḁivhadzo kha *Gazethe ya Vundu* a dovha a mbo ḁi ta Bodo ntswa zwi tshi elana na khethekanyo 9.
- (4) (a) Arali Bodo ya fhaladzwa hu tshi tevhedzwa khethekanyoḁhukhu (3), Muraḁo wa Khorotshitumbe a nga pfukisela phanḁa u vhuedzedzwa ha Bodo nahone, nga kha nḁivhadzo hune Muraḁo wa Khorotshitumbe a vha o fhaladza Bodo kana nga nḁivhadzo ifhio na ifhio i tevhelaho kha *Gazethe ya Vundu*, a ta muthu muthihi kana vhanzhi, nga nyimele yeneyo sa Muraḁo wa Khorotshitumbe zwi vhonala zwo fanela, u langa mafhungo a Bodo u swika hu tshi tiwa Bodo ntswa hu tshi tevhedzwa khethekayo.
- (b) Muthu kana vhatu vho tiwaho hu tshi tevhedzwa khethekanyoḁhukhu 4 (a) kha u langa mafhungo a Bodo, u tea u vha a a re na maanḁa kha zwa mbalelano sa zwo sedzuluswaho kha khethekanyo 49(2)(b) ya PFMA u swika Bodo ntswa i tshi tiwa hu tshi tevhedzwa khethekanyo 9.

#### 15. U bviswa ha muraḁo

- (1) Muraḁo wa Khorotshitumbe a nga bvisa muraḁo u bva kha ofisi zwo bva kha
- (a) vhuḁifari hu si kwaho;
  - (b) vhuḁifari vhu itaho uri Bodo i nyadzee;
  - (c) u kundelwa u tevhedza mbetshelo dza Mulayo uyu kana dza PFMA;
  - (d) u kundelwa u ita mishumo ya muraḁo zwavhuḁi;
  - (e) u lova luraru miḁangano ya bodo zwi tshi tevhhekana hu si na thendelo Bodo; kana
  - (f) o litshiswa hu tshi tevhedzwa khethekanyo 12.
- (2) Muraḁo wa Khorotshitumbe a nga si bviswa muraḁo kha ofisi hu tshi tevhedzwa khethekanyoḁhukhu (1) nga nḁa ha musi Muraḁo wa Khorotshitumbe o nea muraḁo tshikhala tsha uri a vhe na zwine a amba kha Muraḁo wa Khorotshitumbe.
- (3) Muraḁo wa Khorotshitumbe a nga imisa muraḁo kha ofisi ngeno a tshi khou ḁi isa phanḁa na tsenguluso kana ḁoḁisiso kha muraḁo uyo.

**16. Komiti dza Bodo**

- (1) Bodo i nga thoma komiti nthihi kana mbili kha u i thusa kha u ita mushumo yayo na maanḁa ayo hu tshi tevhedzwa Mulayo uyu.
- (2) Bodo i tea u –
  - (a) sedzulusa mishumo ya komiti;
  - (b) sedzulusa matshimbidzelewe a kushumele kwa komiti, hu tshi katelwa -
    - (i) khoramu ya muḁangano wa komiti;
    - (ii) nḁila ine komiti ya dzhia ngayo dzitsheo
  - (c) nanga miraḁo vhane vha vha na ndalukano dzo fanelaho kana tshenzhemo zwi tshi ḁutshelana na mishumo ya komiti; na
  - (d) nanga muraḁo ane a shuma kha komiti sa Mudzulatshidulo wa komiti iyo.
- (3) Tshifhinga tshiḁwe na tshiḁwe, Bodo i nga –
  - (a) bvisa muraḁo u bva kha komiti; kana
  - (b) u fhaladza komiti.

**17. Miḁangano ya Bodo**

- (1) Bodo i nga ḁangana khamusi luḁa nga ḁwaha.
- (2) Mudzulatshidulo a nga dzhia tsheo tshifhinga tshiḁwe na tshiḁwe kha uri Bodo i nga dzula lini, fhedzi vhunzhi ha miraḁo vha nga, nga u tou ḁwala, vha nga humbela Mudzulatshidulo uri hu vhe na muḁangano nga tshifhinga na fhethu zwo bulwaho kha khumbelo.
- (3) Muraḁo wa Khorotshitumbe tshifhinga tshiḁwe na tshiḁwe a nga humbela muḁangano na Bodo.
- (4) Mudzulatshidulo ndi ene a tshimbidzaho muḁangano wa Bodo, fhedzi arali Mudzulatshidulo na Mufarisamudzulatshidulo vhe siho kha muḁangano, miraḁo vha re hone vha tea u ta muḁwe muraḁo uri a tshimbidze muḁangano.
- (5) Mudzulatshidulo kana muraḁo a tshimbidzaho a nga, nga murahu ha vhukwamani na Bodo, a nga tendela muthu ufho na ufho a si muraḁo kha u

dzhenela muṭangano wa Bodo sa mulavhelesi, ho sedzwa uri ndi muraḡo a re Mudzulatshidulo kana mulavhelesi a nga sedzuluswa.

- (6) Muraḡo wa Bodo a re na mbuelo ya zwa masheleni kana yawe kha mafhungo afhio na afhio kha Bodo u tea u zwi bvisela khagala nahone a ḡibvise kha matshimbidzelwe a Bodo nga murahu ha musu mafhungo ayo o no sedzuluswa.
- (7) Bodo i nga, zwi tshi elana na mbetshelo dza Mulayo uyu, vha sedze kutshimbidzelwe kwa muṭangano wavho.
- (8) Bodo i nga dzula hu si na miraḡo yo bulwaho afho nṭha kha khethekanyo 8(2) musu hu tshi sedzuluswa mashumele, malamba kana maitele nga miraḡo.

#### 18. Dzitsheo na Khoramu

- (1) Khoramu ya muṭangano wa Bodo i tea u vha vhunzhi ha miraḡo vhayo.
- (2) Mafhungo a re phanda ha Bodo a dzhielwa tsheo nga dzivoutu kha vhunzhi ha miraḡo vhe re hone kha muṭangano.
- (3) Zwi tshi kwama u eḡana ha dzivoutu kha mafhungo e a voutelwa, Mudzulatshidulo u a tendelwa u voutu hu u itela u engedza dzivoutu nga voutu yawe sa Mudzulatshidulo.
- (4) (a) Tshifhinga tshinṭwe na tshinṭwe tshine mafhungo a tea u dzhenwa khao lwa shishi nga Bodo hune zwa nga si konadzee uri Bodo i dzule ngatsho, Mudzulatshidulo u tea u vhona uri muraḡo muṭwe na muṭwe –
  - (i) u khou wana mafhungo oṭhe o teaho khathihi na maṭwalwa a ṭutshelanaho na mafhungo ayo; na
  - (ii) rekhodo dzi re na tsheo nga muraḡo kha mafhungo ayo na u isa rekhodo idzo kha Mudzulatshidulo.
- (b) Tsheo nga vhunzhi ha miraḡo kha mafhungo ndi tsheo ya Bodo, nahone i tea u \_
  - (i) khwiniswa nga Bodo kha muṭangano u tevhelaho wa Bodo; nahone i tea u
  - (ii) rekhodwa kha miminetse.

**19. U vheva ha vhaqivhi**

Bodo i nga vhea vhathu vha re na ndivho uri vha thuse Bodo kha u shuma mishumo yayo.

**20. Muofisiri Muhulwane**

- (1) Bodo i tea u –
  - (a) anḁadza nyandadzo kha bammbiri mbili dza mafhungo dzi re hone kha vundu lothe uri vha ite khumbelo ya tshikhala tsha u vha Muofisiri Muhulwane; na u
  - (b) vhea Muofisiri Muhulwane wa Zhendedzi.
- (2) Muofisiri Muhulwane u tea u vha muthu o teaho nahone e na tshenzhemo na tḁanziela dzo teaho.
- (3) Muofisiri Muhulwane u tholwa ho tevhelwa dzenedzi nyimele na milayo zwa mushumo, hu na vhukwamani na Muraḁo wa Khorotshitumbe sa zwine Bodo ya nga ta.
- (4) Muofisiri Muhulwane-
  - (a) u vheva lwa miḁwaha i sa fhiri miḁtanu;
  - (b) u na vhuḁifhinduleli kha Bodo;
  - (c) u tea uri ḁwaha nga ḁwaha a ite thendelano ya u tou ḁwala ya mashumele na Bodo; na;
  - (d) ha tei u shuma muḁwe mushumo ufhio na ufhio wa mbadelo hu si na thendelo yo tou ḁwalwaho nga Bodo.
- (5) Tshifhinga tshiḁwe na tshiḁwe hu tshi vha na tshikhala tsha Muofisiri Muhulwane, Bodo i tea u rumela muofisiri wa Zhendedzi uri a farele Muofisiri Muhulwane lwa tshifhinga tshi sa fhiri miḁwedzi ya rathi.
- (6) Bodo i nga si hwese maanḁa muraḁo uri a shume sa Muofisirimufareli Muhulwane.

**21. Tshiḁafu tsha Zhendedzi**

- (1) Muofisiri Muhulwane, hu na thendelano na Bodo, u tea u -
  - (a) thoma tshiimiswa tsha tshiṭafu tsha Zhendedzi;
  - (b) vhea tshiṭafu tshi thusaho Zhendedzi kha u shuma mishumo yaḷo; na u
  - (c) ta milayo na nyimele zwa mashumele a tshiṭafu tsha Zhendedzi.
- (2) Bodo, hu na thendelano na Muraḷo wa Khorotshitumbe na Miraḷo vha Khorotshitumbe vha re na vhuḍifhinduleli ha zwa masheleni, i tea u ta zwiimo zwa malamba a Zhendedzi.

## **22. U pfukhiswa ha Tshiṭafu u bva kha Zhendedzi**

- (1) Muraḷo wa Khorotshitumbe, hu na vhukwamani na Bodo, nahone hu tshi tevhedzwa milayo ya zwa vhashumi, a nga pfukhisa muraḷo muṅwe na muṅwe wa tshiṭafu u bva kha Zhendedzi u ya kha Muhasho.
- (2) U pfukhiswa hu tshi tevhedzwa khethekanyoṭhukhu (1) hu nga bvelela fhedzi arali -
  - (a) muraḷo wa tshiṭafu o tendelana nazwo; na
  - (b) u pfukhisela honoho zwi tshi vhuedza lushaka kana nga kha iṅwe nḍila i pfadzaho.

## **23. Ndambedzo ya Zhendedzi**

Tshikwama tsha Zhendedzi tsho vhumbiwa—

- (a) nga tshelede yo kovhiwaho nga Vhusimamilayo ha Vundu hu u itela u shumiswa ha maanḍa na kushumele kwa mishumo ya Zhendedzi u bva kha zwiko zwo tendelwaho nga Zhendedzi, na;
- (b) hu tshi tevhelwa PFMA, tshelede yo kuvhanganywaho nga Zhendedzi u bva kha zwiko zwo tendelwaho nga Muraḷo wa Khorotshitumbe a re na vhuḍifhinduleli kha mafhungo a zwa masheleni.

## NDIMA YA 4 U HWESWA MAANḌA

## **24. U hweswa ha maanḍa nga Muraḷo wa Khorotshitumbe**

- (1) Muraḡo wa Khorotshitumbe a nga hwesa maanḡa kana mushumo wo hweswaho kana ḡewaho Muraḡo wa Khorotshitumbe fhasi ha uyu Mulayo, nga nḡa ha maanḡa a u- –
- (a) vhea miraḡo vha Bada; na
  - (b) sika ndaulo,
- Kha ṽhoho ya Muhasho hu na kana hu si na vhulaedzwa ha u isa phanḡa na ndayo, maanḡa kana mushumo.
- (2) U hweswa maanḡa hufhio na hufhio hu tshi tevhedzwa khethekanyoṽhukhu (1)—
- (a) hune hu ṽutshelana na dzenedzo nyimele, phungudzo na masia ane Muraḡo wa Khorotshitumbe a nga a ḡetshedza;
  - (b) hu tea u vha nga ḡila ya u tou ḡwala;
  - (c) a hu fhungudzi vhuḡifhinduleli ha Muraḡo wa Khorotshitumbe malugana na u shuma mishumo kana maanḡa e a ḡewa a mishumo ye a hweswa;
  - (d) a hu thivheli Muraḡo wa Khorotshitumbe kha u shuma mishumo yawe ye a hweswa kana u shumisa maanḡa e a hweswa; na
  - (e) tshifhinga tshinwe na tshinwe hu nga humiswa nga Muraḡo wa Khorotshitumbe

## 25. U hweswa maaanḡa nga Bodo

- (1) Bodo, ho sedzwa khethekanyoṽhukhu (2), hune ya vhona zwo tea, hu u itela u shumiwa ha mishumo yayo, i nga hwesa mishumo kana maanḡa ayo afhio na afhio kha —
- (a) muraḡo;
  - (b) komiti ya Bodo yo bulwaho kha khethekanyo 16.; or
  - (c) Muofisiri wa Khorotshitumbe.
- (2) Bodo i nga si hwese maanḡa ayo kha u—
- (a) u vhewa ha Muofisiri wa Khorotshitumbe kana; or
  - (b) tiwa ha nyimele tshumelo ya Muofisiri wa Khorotshitumbe.
- (3) U hweswa maanḡa hu tshi tevhedzwa khethekanyoṽhukhu (1) –
- (a) hu itwa ho sedzwa dzenedzo nyimele, phungudzo kana ndaela dzine Bodo i nga dzi ḡetshedza;
  - (b) hu tea u vha nga u tou ḡwala;



- (c) a vhu fhungudzi vhuḡifhinduleli ha Bodo malugana na u shumisa hayo maanḡa o hweswaho kana mishumo ye ya;
  - (d) a hu thivheli Bodo kha u shumisa maanḡa ayo kana u shuma mishumo ye ya hweswa, nahone; na
  - (e) tshifhinga tshinwe na tshinwe zwi nga humiswa nga Bodo.
- (4) Bodo i nga khwaḡhisedza, fhambana kana ya humisa tsheo ifhio na ifhio yo dzhiwaho nga nḡhani ha vhurumelwa hu tshi tevhedzwa khethekanyoḡhukhu (1), zwi ḡutshelanao na pfanelo ifhio na ifhio yo hweswaho zwo itiswa nga tsheo yo dzhiwaho.

## NDIMA YA 5

## NDAULO

**26. Ndaulo**

- (1) Murado wa Khorotsitumbe a nga sika ndaulo dzi ḡutshelanao na—
- (a) u redzhisitariwa ha bindu ḡa vhuenedelamshango;
  - (b) mafhungo afhio na afhio ane hu tsi tevhedzwa uyu mulayo a nga ḡoda u randelwa;
  - (c) mbadelo dzifhio na dzifhio dzi badelwaho fhasi ha uyu mulayo; na
  - (d) ngau tou angaredza, mafhungo afhio na afhio a dzhiwaho a a ndeme kana swikisa kha u randelwa u itela tswikelelo dza ndivho dza uyu Mulayo.
- (2) Ndaulo dzo itwaho fhasi ha uyu Mulayo dzi nga netshedzela zwa vhukhakhi na ndaḡiso.

## NDIMA YA 6

## MBETSHELO NYANGAREDZI

**27. Mbetshelelo dza pfukhisela**

- (1) Murado wa Bodo o thomaho hu tshi tevhedzwa mulayo wo phumulwaho nga uyu Mulayo u bvelaphanda na u vha murado fhasi ha uyu Mulayo lwa tshifhinga tsha ofisi tshi saathu fhelaho. Tshimiswa tshifhio na tshifhio tsha tshitafu tsho thomiwaho hu tshi tevhedzwa mulayo wo phumulwaho nga uyu Mulayo, tshi

bvela phanda na u vha tshiimiswa tsha tshitafu tsho thomiwaho fhasi ha uyu Mulayo. Tshitafu tsho the tsho vhwaho hu tshi tevhedzwa mulayo wo phumulwaho nga uyu Mulayo tshi bvela phanda na u vha tshitafu tsho vhwaho fhasi ha uyu Mulayo, nga nnda ha musu tsho pfukhiswa hu tshi tevhedzwa mulayo muñwe ufho na ufho u vhusaho u pfukhiswa ha tshitafu.

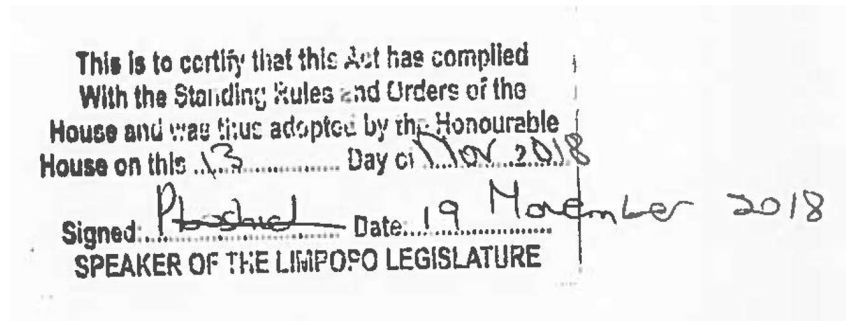
- (2) Muofisiri Muhulwane o vhwaho hu tshi tevhedzwa mulayo wo phumulwaho nga uyu Mulayo u bvela phanda na u vha Muofisiri Muhulwane fhasi ha uyu Mulayo lwa tshifhinga tsha ofisi tshi saathu fhelaho.

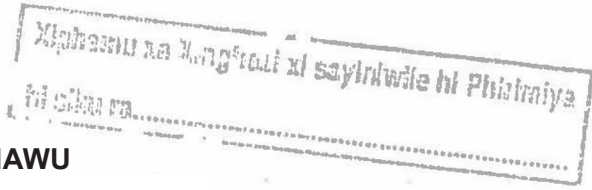
**28. U phumulwa ha mulayo**

Mulayo wa Vhuendelamashango wa Limpopo, 2009 (Mulayo No. 2 wa 2009) afha u khou phumulwa.

**29. Dzina lipfufhi na mathomo**

Mulayo uyu u vhidzwa Mulayo wa Vhuendelamashango wa Limpopo, 2018 nahone u thoma u shuma nga datumu yo tiwaho nga Premia nga ha mulevho u re kha Gazethe ya Vundu.





## NAWU

**Ku fikelerisa ku kombisa nhluvukiso, mafambiselo na ku tlakusa vupfhumba lebyi ya ka emahlweni eLimpopo, ku kombisa ntsariso wa mabindzu ya vupfhumba, ku kombisa vukona bya Ejensi ya Vupfhumba ya Limpopo leyi ya ka emahlweni, ku kombisa mafambiselo na mitirho ya Ejensi, ku herisa Nawu wa Vupfhumba wa Limpopo, 2009 (Nawu No. 2 wa 2009); na ku fikelerisa timhaka tin'wana leti fambelenaka na tona.**

**WU SIMEKIWA** hi Mfumo wa Milawu wa Limpopo hi ndlela leyi landzelaka: —

### MALONGOLOXELO YA SWIYENGE

*Swiyenge*

#### KAVANYISA KA 1

#### SWINAWANA SWA MANGHENELO

1. Tinhlamuselo
2. Swikongomelo swa Nawu

#### KAVANYISA KA 2

#### XITATIMENDHE XA PHOLISI NA NTIRHO WA XIRHO XA HUVONKULU

3. Xitatimende xa Pholisi
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5. Ku ya emahlweni ka Ejensi ya Vupfhumba ya Limpopo
6. Mitirho ya Ejensi
7. Huvo ya Ejensi
8. Mavumbekelo ya Huvo
9. Ku thoriwa ka Huvo
10. Mutshamaxitulu na Xandla xa Matshamaxitulu
11. Nkarhi wa ku va eHofisini
12. Ku herisiwa ka vuxirho eka Huvo

13. Ntsengo wo engetelo na muholo wa swirho
14. Ku susiwa eka xivandla na ku siva swivandla
15. Ku susiwa ka Xirho
16. Tikomiti ta Huvo
17. Tinhlengeletano ta Huvo
18. Khoramu na Swiboho
19. Ku thoriwa ka vativinkulu
20. Mufambisinkulu wa Hofisi
21. Vতিরি va Ejensi
22. Ku ruruhisiwa ka vতিরি eka Ejensi
23. Nkwama wo hakela eka Ejensi

KAVANYISA KA 4

KU RHUMISA

24. Ku rhumisa hi Xirho xa Huvonkulu
25. Ku rhumisa hi Huvo

KAVANYISA KA 5

SWIPIMELO

26. Swipimelo

KAVANYISA KA 6

MAKUNGU HI KU ANGARHELA

27. Swinawana swa Xikarhana
28. Ku herisa ka Nawu
29. Nhlokomhaka hi ku komisa na ku sungula ku tirha

KAVANYISA KA 1

SWINAWANA SWA MANGHENELO

**1. Tinhlamuselo**

Eka Nawu lowu, rito rihi na rihi na hlamuselo yihi kumbe yihi leyi kongomisiweke eka Nawu wa Vupfumba, 2014 (Nawu No. 3 wa 2014) ri na nhlamuselo yo fana ehandle kaloko xivulwa xi ri na nhlamuselo yin'wana -

**“Ejensi”** swi vula Ejensi ya Vupfhumba leyi hlamuseriweke eka xiyenge xa 5;

**“hlamuseriwile”** swi vula swilo leswi hlamuseriweke hi ku landza xinawana;

**“Huvo”** swi vula Ejensi ya Vupfhumba ya Limpopo, leyi vumbiweke hi ku landza xiyenge xa 8;

**“Mufambisinkulu wa Hofisi”** swi vula Mufambisinkulu wa Hofisi wa Ejensi loyi a thoriweke hi ku landza Xiyenge xa 20;

**“Mutshamaxitulu”** swi vula munhu loyi a hlawuriweke hi Xirho xa Huvonkulu hi

**“Nawu lowu”** wu katsa swinawana leswi tumbuluxiweke hi ku landza Nawu lowu; naswona

**“Nawu wa Vupfhumba wa Limpopo, 2009”** swi vula Nawu wa Vupfhumba wa Limpopo, 2009 (Nawu No. 2 wa 2009);

**“Nawu wa Vupfhumba, 2014”** swi vula Nawu wa Vupfhumba, 2014 (Nawu No. 3 wa 2014);

**“Ndzawulo”** swi vula Ndzawulo leyi nga na vutihlamuleri eka timhaka ta Vupfhumba eka xifundzankulu;

**“Nhloko ya Ndzawulo”** swi vula nhloko ya ndzawulo leyi nga na vutihlamuleri eka timhaka ta vupfhumba eka xifundzankulu;

**“PFMA”** swi vula Nawu wa Mafambiselo ya Timali ta Vaaki, 1999 (Nawu No. 1 wa 1999);

**“Qhinga ra xiyenge xa vupfhumba xa tiko”** swi vula qhinga ra sekithara ra tiko hilaha swi hlamuseriweke hakona eka xiyenge xa 4 xa Nawu wa Vupfhumba, 2014 (Nawu No 3 wa 2014);

“**Qhinga ra xiyenge xa vupfhumba xa xifundzankulu**” swi vula qhinga ra vupfhumba leri tumbuluxiweke hi xifundzankulu;

“**vutihlamuleri eka vupfhumba**” swi vula vutihlamuleri eka vupfhumba hilaha swi hlamuseriweke hakona eka xiyenge xa 2(2) xa Nawu wa Vupfhumba, 2014 (Nawu No. 2 wa 2014);

“**Xirho xa Huvonkulu**” swi vula Xirho xa Huvonkulu lexi nga na vutihlamuleri eka timhaka ta vupfhumba eka xifundzankulu;

“**xirho**” swi vula xirho xa Huvo hi ku ya hi xiyenge xa 8; ku landza xiyenge xa 10;

## 2. **Swikongomelo swa Nawu**

Swikongomelo swa Nawu lowu i ku—

- (a) tlakusa ku kula na nhluvukiso wa xiyenge xa vupfhumba bya xifundzankulu;
- (b) tlakusa maendlelo ya vupfhumba bya vutihlamuleri eka xifundzankulu
- (c) tlakusa swikumiwa na vukorhokeri swa xiyimo xa le henhla eka xifudzankulu;
- (d) tiyisisa ku tirhisana exikarhi ka swiyenge hinkwaswo swa mfumo eka ku hluvukisa na ku fambisa timhaka ta vupfhumba;
- (e) fikelerisa ku tirha swinene eka ku navetisa loku pfunaka ka xifundzankulu tanihi ndhawu ya vupfhumba; na
- (f) fikelerisa ejensi ya vupfhumba ku pfuneta ku fikeleriwa ka swikongomelo swa Nawu lowu.

### KAVANYISA KA 2

#### XITATIMENDHE XA PHOLISI NA NTIRHO WA XIRHO XA HUVONKULU

## 3. **Xitatimende xa Pholisi**

Xirho xa Huvonkulu xi nga tivisa xitatimende xa pholisi mayelana na mhaka yin'wana na yin'wana ya mafambiselo, nhluvukiso na ku tlakusiwa ka vupfhumba eka xifundzankulu.

#### 4. Ntirho wa Xirho xa Huvonkulu

Xirho xa Huvonkulu u fanele ku -

- (a) tumbuluxa xitirateji xa xiyenge xa vupfhumba bya xifundzankulu lexi nga ta fambisana na xitirateji xa xiyenge xa vupfhumba bya tiko ;
- (b) kambela ku simekiwa ka qhinga ra xiyenge xa vupfhumba bya xifundzankulu na man'wani ya maqhinga ya vupfhumba yo yelana exifundzankulu;
- (c) fambisa, ku kambela na ku seketela minongonoko yo cinca vumaki bya vupfhumba;
- (d) endla matshalatshala yo seketela nhluvukiso wa swikili swa vupfhumba na tiphurogireme to nyika vutivi;
- (e) tsarisa valeteri va vupfhumba hi ku ya hi Nawu wa Vupfhumba, 2014; na
- (f) tsarisa mabindzu ya vupfhumba hi ku ya hi maendlelo lawa ya hlamuseriweke.

### KAVANYISA KA 3

#### EJENSI YA VUPFHUMBA YA LIMPOPO

#### 5. Ku ya emahlweni ka Ejensi ya Vupfhumba ya Limpopo

- (1) Ejensi ya Vupfhumba ya Limpopo leyi tumbuluxiweke hi xiyenge xa 5 xa Nawu wa Vupfhumba wa Limpopo, 2009 yi ya emahlweni yi va kona tanihi munhu wa xinawu hambileswi Nawu wu herisiwaka hi xiyenge xa 28.
- (2) Ejensi yi katsa—
  - (a) Huvo leyi vumbiweke hi Xirho xa Huvonkulu hi ku landza Nawu lowu;
  - (b) Mufambisinkulu wa Hofisi; na

- (c) vatirhi va Ejensi.

## 6. Mitirho ya Ejensi

Ejensi yi fanele ku—

- (a) navetisa xifundzankulu tanihi ndhawu ya vupfhumba;
- (b) navetisa swiendliwa na switirhisiwa swa vupfhumba swa xifundzankulu;
- (c) hluvukisa na ku simeka qhinga ra ku navetisa vupfhumba leswi tlakusaka-
  - (i) swikongomelo swa Nawu lowu; na
  - (ii) qhinga ra xiyenge xa vupfhumba xa xifundzankulu;
- (d) tsundzuxa Xirho xa Huvonkulu hi mhaka yin'wana na yin'wana mayelana na ku navetisiwa ka vupfhumba; na
- (e) tirha ntirho wun'wana na wun'wana lowu Xirho xa Huvonkulu xi nga wu yisaka kumbe ku rhumela eka Ejensi.

## 7. Huvo ya Ejensi

- (1) Huvo yi na vutihlamuleri byo tirha mitirho ya Ejensi.
- (2) Huvo yina matimba ya vutihlamuleri tanihilaha swi kombisiweke hakona eka xiyenge xa 49(2)(a) xa PFMA.
- (3) Huvo yi fanele yi va na mpfumelelano wa lembe na lembe na Xirho xa Huvonkulu lowu katsaka-
  - (a) matirhelo ya mitirho ya Huvo;
  - (b) ku landzelela tipholisi; na
  - (c) mhaka yihi kumbe yihi ya nkoka ku fikelela swikongomelo swa Nawu lowu.
- (4) Huvo yi fanele hi mikarhi hinkwayo yi kambisisa tiphurosese na maendlelo ku tiyisisa tirhelo ra vulawuri bya Huvo.
- (5) Huvo yi fanele ku thola matsalana la nga ta pfuneta Huvo ku endla ntirho wa yona.



**8. Mavumbekelo ya Huvo**

- (1) Huvo yi fanele yi katsa—
- (a) swirho swinharhu swo kala swi nga hundzi swa ntlhanu swo va na vutivi na ntokoto eka ku navetisa vupfhumba, vumaki bya vupfhumba, kumbe mafambiselo ya timali na bindzu;
  - (b) muyimeri wa Ndzawulo, loyi a nga muyimela ku langwa wa Nhloko ya Ndzawulo; na
  - (c) muyimeri wa Mfumo wa Miganga wa Afrika-Dzonga, loyi a muyimela ku langwa wa mufambisinkulu wa hofisi.
- (2) Mufambisinkulu wa Hofisi na Mufambisi wa Timali va Ejensi hi mhaka ya ku va varhangeri va va swirho leswi nga vhoteki swa Huvo.

**9. Ku Thoriwa ka Huvo**

- (1) (a) Loko ku nga si thoriwa swirho tanihilaha swi hlamuseriweke eka xiyenge 8(1)(a) Xirho xa Huvonkulu xi fanele xitivisa eka Gazete ya Xifundzankulu na le eka maphephahungu mambirhi ya xifundzankulu hinkwaxo, a rhaba vayimela ku langwa ku va xirho Huvo.
- (b) Xitiviso xi fanele xi kombisa masiku yo ka ya nga hundzi 30 ku va vahlawuriwa va yisiwa eka Xirho xa Huvonkulu.
- (2) Ku yimela ku langwa loku hi ku tixaxameta na xitiviso ni ku landzelela xiyengetsongo (1) lexi faneleke ku seketeriwa hi
- (a) papila ra vutitivisi hi vuenti ra muyimelakulangwa ;
  - (b) matsalwa yo seketela lawa ya kombisaka vutivi na ntokoto wa muyimelakulangwa leswi nga ta pfuneta eka ku tirha ka Ejensi.
  - (c) papila ro huma eka muyimelakulangwa ro amukela ku hlawuriwa; na
  - (d) ku tiboha hi muyimelakulangwa laha muyelakulangwa a kombisaka mitsakelo ya yena yo kongoma na yo ka yi nga kongomi mayelana na leswi nga ta tisa ntlimbo eka vutihlamuleri bya muyimelakulangwa yoloye loko o hlawuriwa eka Huvo.

- (3) Loko ku thoriwa swirho, Xirho xa Huvonkulu xi fanele xi tiyisisa leswaku Huvo hinkwayo yi na vutivi byo enela na ntokoto mayelana na mafambiselo ya mfumohlanguanelo na timhaka to fambelana na mitirho ya Ejensi.
- (4) Endzhaku ka ku hlawuriwa ka swirho, Xirho xa Huvonkulu xi fanela, hi xitiviso eka Gazete ya Xifundzankulu xitivisa mavito ya swirho leswi hlawuriweke na siku leri va sungulaka hi rona ntirho.
- (5) Loko vayimelakulangwa va nga faneriwi hi ku langhiwa hi ku landzelela Nawu lowu kumbe loko Xirho xa Huvonkulu xi nga amukelangi vayimelakulangwa kumbe nhlayo ya le hansi ya vayimelakulangwa eka nkarhi lowu vekiweke hi xirhambo, Xirho xa Huvonkulu endzhaku ka ku endla hi ku ya hi xiyengentsongo xa (3), xi nga thola nhlayo ya swirho leswi lavekaka.

#### **10. Mutshamiwaxitulu na Xandla xa Mutshamiwaxitulu**

- (1) Xirho xa Huvonkulu xi fanele ku hlawula xirho, tanihi Mutshamiwaxitulu, na xin'wana xirho tanihi Xandla xa Mutshamiwaxitulu swa Huvo, nkarhi wo kala wu nga hundzi nkarhi wa ku thoriwa ka xirho lexi.
- (2) Xirho xa Huvonkulu xi nga hlawuli xirho lexi vuriweke eka xiyenge xa (8)(1)(b)-(c) kumbe xiyenge xa 8(2) tanihi Mutshamaxitulu kumbe Xandla xa Mutshamaxitulu xa Huvo.
- (3) Xandla xa Mutshamaxitulu xi fanele xi tirhisa matimba no endla mitirho ya Mutshamaxitulu loko Mutshamaxitulu a nga koti ku endla ntirho.

#### **11. Nkarhi wa ku va ehofisini**

- (1) Xirho xi va ehofisini nkarhi wo ka wu nga hundzi malembe manharhu kusukela ka siku ra ku thoriwa.

- (2) Xirho xa Huvonkulu xi nga ngetela nkarhi wa xirho ehofisini kan'we ntsena, nkarhi wo ka wu nga hundzi malembe mambirhi, a nga landzeleri maendlelo lawa ya nga eka xiyenge xa 9.

**12. Ku tekeriwa vuxirho eka Huvo.**

Munhu a nga fanelangi ku thoriwa kumbe a va xirho xa Huvo loko munhu yoloye—

- (a) a nga ringanelangi kumbe hetiseka ku tirha ntirho wolowo tanihi xirho;
- (b) a nga ri muakatiko wa Afrika-Dzonga kumbe muakatiko ntsena wa Rhiphabuliki;
- (c) a nga pfuniwangi ku herisa swikweleti;
- (d) a ri xirho xa huvo ya milawu ya xifundzankulu;
- (e) u kumiwile a nga koti ku fambisa timhaka ta yena hi khoto ya vuswikoti;
- (f) u kumiwile hi khoto ya nawu tanihi munhu loyi a nga tshamisekangiki emiehleketweni;
- (g) u tshame a voniwa nandzu wa ku katsa ku nga tshembekangi;
- (h) u tshama a susiwa eka ntirho lowu a ri na vutihlamuleri hikowalaho ka matikhomele yo biha; kumbe
- (i) hi ku ya hi xiyenge xa (8)(1)(b)-(c) i mutirhelamfumo kumbe u holeriwa hi mfumo kumbe u khome xivandla xo karhi eka mfumo.

**13. Ntsengo wo engetela na ku holeriwa ka swirho**

- (1) Xirho xa Huvonkulu, hi ku vulavurisana na Xirho xa Huvonkulu lexi nga nga na vutihlamuleri eka timali ta xifundzankulu, eka nkarhi wihi kumbe wihi, xi nga kunguhata miholo na swiengetelo leswi faneleke ku hakeriwa xirho.
- (2) Mutirhelamfumo a nga fanelanga ku kuma muholo kumbe swiengetelo.
- (3) Muholo na swiengetelo leswi kunguhatiweke hi ku ya hi kavanyisantsongo ka (1) swi fanele ku —
  - (a) ya hi mikhuva na swipimelo leswi tirhisiwaka hi Nkwama hi ku landzelela PFMA; na

- (b) ku hakeriwa hi timali leti nga averiwa Huvo ya Milawu ya Xifundzankulu ku va yi tirha tano.

#### 14 Ku susiwa eka xivandla na ku tata swivandla

- (1) Xirho xa Huvo xi fanele ku huma ehofisini loko xirho xexo xi—
- (a) tshika ntirho hi ku nyika xitiviso lexi tsariweke ehansi xa tin'wheti timbirhi eka Xirho xa Huvonkulu na Mutshamaxitulu wa Huvo; na loko Xirho xa Huvonkulu xi nga amukela nkarhi wo koma hi mhaka ya swivangelo swo karhi;
- (b) a nga ha vi na timfanelo leti lavekaka ku va xirho xexo xi thoriwa eka Huvo;
- (c) a nga koti ku endla ntirho wa yena hikokwalaho ka vuvabyi bya miehleketo kumbe vutsoniwa bya miehleketo bya xiyimo xa le henhla tanihilaha swi hlamuseriweke hakona eka Nawu Nhlaysi wa Rihanyo ra Miehleketo, 2002 (Nawu No 17 wa 2002);
- (d) a va xiphemu lexi tsandzekaka hi ku leteriwa hi Xiyenge xa 12; kumbe
- (e) a susiwa ehofisini hi Xirho xa Huvonkulu, hi ku landza xiyenge xa 15.
- (2) (a) Loko hikokwalaho ka swin'wana na swin'wana xirho xa Huvo xi tshika ntirho nkarhi wu nga si hela, Xirho xa Huvonkulu xi nga, hi ku landza xiyenge xa 9, xi nga thola munhu loyi a nga ringanela ku siva xivandla lexi nga tshika eka nkarhi lowu a wu sele wa ku thoriwa ka xirho xexo.
- (b) Loko nkarhi lowu a wu sele hi ku landza xiyenge xa (2)(a) wu ri hansi ka tin'hweti ta 12, Xirho xa Huvonkulu xi nga thola munhu un'wana na unw'ana la nga ringanela ku siva xirho lexi nga famba eka nkarhi lowu saleke eka xivandla xexo, a nga landzelelangi maendlelo ya xiyenge xa 9.
- (3) Xirho xa Huvonkulu xi nga n'okisa Bodo hikokwalaho ka xivangelo xa kahle lexi nga kombisiwa hi ku tivisa eka *Gazete ya Xifundzankulu* naswona xi thola Huvo leyintshwa hi ku landza xiyenge xa 9.
- (4) (a) Loko Huvo yi herisiwa hi ku landza xiyengentsongo xa (3), Xirho xa Huvonkulu xi nga hundzisela ku vumbiwa ka Huvo hi vuntshwa na, eka xitiviso lexi Xirho xa Huvonkulu xi nga herisa Huvo kumbe hi ku tivisa eka *Gazete ya Xifundzankulu*,

xi nga thola munhu un'we kumbe vohlaya, eka swiyimo sweswo tanihilaha Xirho xa Huvonkulu xi nga vonaka swi fanerile, ku fambisa timhaka ta Huvo ku fikela ku thoriwa ka Huvo leyintshwa hi ku landza xiyenge xa 9.

- (b) Munhu kumbe vanhu lava thoriweke hi ku landza xiyengentsongo xa 4 (a) ku fambisa timhaka ta Huvo, va ta na matimba ya vutihlamuleri hi ku landza xiyenge 49 (2)(b) xa PFMA ku fikela nkarhi lowu Huvo leyintshwa yi nga ta thoriwa hi ku landza xiyenge xa 9.

#### **15. Ku susiwa ka Xirho**

- (1) Xirho xa Huvonkulu xi nga susa xirho entirhweni hikokwalaho ka-
- (a) matikhomele yo biha;
  - (b) matikhomele lawa ya yisaka ehansi xiyimo xa Huvo;
  - (c) ku tsandzeka ku landzelela swipimelo swa Nawu lowu kumbe PFMA;
  - (d) ku tsandzeka ku tirha mitirho ya xirho hi mfanelo;
  - (e) ku xwa eka mihlangano minharhu ya Huvo hi ku landzelelana ku ri hava mpfumelelo wa Huvo; kumbe
  - (f) ku hlongoriwa hi ku landza Xiyenge xa 12.
- (2) Xirho xa Huvonkulu xi nga ka xi nga susi xirho entirhweni hi ku landza xiyengentsongo xa (1) handle ka loko Xirho xa Huvonkulu xi nyikile xirho nkarhi wo tihlamulela eka Xirho xa Huvonkulu.
- (3) Xirho xa Huvonkulu xi nga yimisa xirho swa nkarhinyana eka ntirho wa xona loko ka ha endliwa vulavisisi kumbe ku kambisisiwa ka xirho xexo.

#### **16. Tikomiti ta Huvo**

- (1) Huvo yi nga tumbuluxa komiti yin'we kumbe to hlaya ku pfuneta Huvo ku humelerisa matimba no endla mitirho ya yona hi ku landza Nawu lowu.
- (2) Huvo yi fanele yi –
- (a) kombisa mitirho ya komiti;
  - (b) kombisa tindlela ta matirhelo ya komiti, ku katsa-

- (i) khoramu ya nhlango wa komiti;
  - (ii) ndlela leyi komiti yi tekaka swiboho hayona;
  - (c) ku veka swirho leswi nga na tidyondzo leti nga fanela na ntokoto mayelana na mitirho ya komiti; na
  - (d) ku veka xirho lexi tirhelaka komiti tanihi Mutshamaxitulu wa komiti yoleyo.
- (3) Huvo yi nga, nkarhi wihi kumbe wihi –
- (a) susa xirho eka komiti; kumbe
  - (b) n'okisa komiti.

### 17. Tihlengoletano ta Huvo

- (1) Huvo yi fanele ku hlangana kuringana ka mune hi lembe.
- (2) Mutshamaxitulu u boha leswaku Huvo yi hlangana rihi naswona kwihi, kambe nhlayontalo ya swirho, hi ku tsala, yi nga kombela Mutshamaxitulu ku vitana nhlango hi nkarhi na ndhawa leswi nga eka tsariwa eka xikombelo.
- (3) Xirho xa Huvonkulu xi nga kombela nhlango na Huvo nkarhi wihi kumbe wihi.
- (4) Mutshamaxitulu u fambisa mihlango ya Huvo, kambe loko Mutshamaxitulu na Xandla xa Mutshamaxitulu va nga ri kona eka nhlango, swirho leswi nga kona swi fanele swi hlawula un'we wa swirho ku fambisa nhlango.
- (5) Mutshamaxitulu kumbe xirho lexi fambisaka nhlango, endzhaku ka ku tihlangoisa na Huvo, a nga pfumelela munhu un'wana na un'wana ku nghenela tihlangoletano ta Huvo tanihi muhlaleri, hi ku landza swipimelo leswi Mutshamaxitulu kumbe mufambisi a nga swi boxaka.
- (6) Xirho xa Huvo lexi nga na ku tsakela ka xona kumbe eka swa timali eka mhaka yihi kumbe yihi emahlweni ka Huvo u fanele a boxa ku tsakela koloko naswona a tihumisa eka mafambiselo ya Huvo loko ka ha tekeriwa enhlokweni mhaka yoleyo.

- (7) Huvo yi nga, hi ku landza mipimanyeto ya Nawu lowu, kunguhata maendlelo ya nhlango wa yona.
- (8) Huvo yi nga hlangana ku ri hava swirho leswi boxiweke eka xiyenge xa 8(2) loko ku kambisisiwa matirhelo, muholo na swendlo swa swirho sweswo.

#### **18. Khoramu na swiboho**

- (1) Khoramu ya nhlango wa Huvo yi fanele ku va hlayonyingi ya swirho swa yona.
- (2) Mhaka leyi nga emahlweni ka Huvo yi bohiwa hi tivhoti ta nhlonyingi ya swirho leswi nga kona enhlengeletanwini.
- (3) Loko tivhoti to ringana mayelana na mhaka leyi vhoteriwaka, Mutshamaxitulu u na vhoti yo engetela tanihi mutshamaxitulu handleka vhoti ya le xikarhini ka mikanelo.
- (4) (a) Loko mhaka yi lava ku langutiwa hi xihatla hi Huvo naswona swi nga koteki leswaku Huvo yi hlangana hi nkarhi wolowo, Mutshamaxitulu u fanele a tiyisisa leswaku xirho xin'wana na xin'wana -
  - (i) xi nyikiwa vuxokoxoko lebyi nga fanela na matsalwa ya mayelana na mhaka yoleyo; na
  - (ii) xi tsala xiboho xa xirho xin'wana na xin'wana mayelana na mhaka yoleyo naswona a rhumela eka Mutshamaxitulu.
- (b) Xiboho xa nhlonyingi ya swirho eka mhaka i xiboho xa Huvo, naswona xi fanela ku -
  - (i) pasisiwa hi Huvo eka nhlengeletano ya Huvo leyi nga ta landzela; na
  - (ii) tsariwa eka timinetse.

#### **19. Ku thoriwa ka vativinkulu**

Huvo yi nga thola vativinkulu ku pfuneta Huvo eka ku endla mitirho ya yona.

**20. Mufambisinkulu wa Hofisi**

- (1) Huvo yi fanele ku –
  - (a) hangalasa xinavetiso eka maphephahungu mambirhi lawa ya hlayiwaka eka xifundzankulu hinkwaxo yi rhamba swikombelo swa xiyimo xa Mufambisinkulu wa Hofisi; na
  - (b) thola Mufambisinkulu wa Hofisi wa Ejensi
- (2) Mufambisinkulu u fanela a ri munhu la loyi a nga ringanela na ku hetiseka naswona a ri na tidyondzo leti faneleke na ntokoto.
- (3) Mufambisinkulu wa Hofisi u thoriwa ku ya hi swipimelo swa ku thoriwa tanihilaha Huvo, endzhaku ka ku hlangana na Xirho xa Huvonkulu, yi nga kunguhata ha kona.
- (4) Mufambisinkulu wa Hofisi -
  - (a) u thoriwa ka nkarhi lowu nga hundzeki malembe ya ntlhanu;
  - (b) u na vutihlamuleri eka Huvo;
  - (c) u fanele lembe na lembe a tsala ehansi ntwanano wa matirhelo na Huvo; naswona
  - (d) a nge vi na ntirho wun'wana lowu n'wi hakelaka ku ri hava mpfumelelo wa Huvo lowu nga tsariwa ehansi.
- (5) Loko xivandla xa Mufambisinkulu wa Hofisi xi nga ri na munhu, Huvo yi fanela yi veka mutirhi wa Ejensi tanihi Mufambisinkulu wa Hofisi wo khomela, nkarhi wo ka wu nga hundzi tin'wheti ta ntsevu.
- (6) Huvo a yi fanelanga ku veka xirho tanihi Mufambisinkulu wa Hofisi wo khomela.

**21. Vatirhi va Ejensi**

- (1) Mufambisinkulu wa Hofisi u fanele,hi ku pfumelelana na Huvo-
  - (a) a tumbuluxa xivumbeko xa vatirhi xa Ejensi;
  - (b) a thola vatirhi ku pfuneta Ejensi eka ku endla mitirho ya yona; na



- (c) ku boxa swipimelo swa ku thoriwa ka vatirhi va Ejensi.
- (2) Huvo yi fanela leswaku, hi ku pfumelelana na Xirho xa Huvonkulu na Xirho xa Huvonkulu lexi nga na vutihlamuleri eka swa timali, ku teka xiboho hi miholo ya vatirhi va Ejensi.

## **22. Ku rhurhisiwa ka vatirhi eka Ejensi**

- (1) Xirho xa Huvonkulu endzhaku ka ku hlangana na Huvo na ku tekela enhlokweni milawu ya vatirhi, xi nga rhurhisa mutirhi un'wana na un'wana ku suka eka Ejensi a ya eka Ndzawulo.
- (2) Ku rhurhisiwa hi ku landza xiyengentsongo xa (1) ku nga humelela loko-
- (a) mutirhi a pfumelelana na swona; naswona
- (b) ku rhurhisiwa ku ta vuyerisa vanhu kumbe ku hikokwalaho ka swivangelo swo khomeka.

## **23. Nkwama wo hakela eka Ejensi**

Timali ta Ejensi ti katsa-

- (a) timali leti averiweke hi Mfumo wa Milawu wa Xifundzankulu ku humelerisa matimba na ku endla mitirho ya Ejensi; na
- (b) hi ku lawuriwa hi PFMA, mali leyi tisiwaka eka Ejensi yi suka eka tindhawu leti pfumeleriwaka hi Xirho xa Huvonkulu na ku pfumelelana na Xirho xa Huvonkulu lexi fambisaka timhaka ta timali eka xifundzankulu.

## **KAVANYISA KA 4**

### **KU RHUMISA**

## **24. Ku rhumisa hi Xirho xa Huvonkulu**

- (1) Xirho xa Huvonkulu xi nga rhumisa matimba kumbe ntirho lowu xi rhwexiweke, vekiweke kumbe lowu sindzisiweke ehenhla ka Xirho xa Huvonkulu ehansi ka Nawu lowu, ehandle ka matimba ya ku-

- (a) thola swirho swa Huvo; na
  - (b) ku endla swipimelo,
- eka Nhloko ya Ndzawulo ku ri na matimba kumbe ku ri hava matimba yo rhumela matimba kumbe ntirho wolawo.
- (2) Ku rhumiwa hi ku landza xiyengentsongo xa (1) —
- (a) ku va ehansi ka swipimelo, switsandzekisi na ku leteriwa hi Xirho xa Huvonkulu leswi a nga ta swilerisa;
  - (b) ku fanele ku tsariwa ehansi;
  - (c) ku nga tekiwi ntirho wa vutihlamuleri wa Xirho Xa Huvonkulu eka ku tirha tirho lowu a nga nyikiwa matimba kumbe ku tirha ntirho lowu a nga rhumeriwa wona;
  - (d) ku nga sively Xirho xa Huvonkulu ku tirhisa matimba lama xi nyikiweke wona kumbe ku tirha mitirho leyi xi faneleke ku yi tirha; na
  - (e) na leswaku a nga ha susiwa hi Xirho xa Huvonkulu nkarhi wihi na wihi.

## 25. Ku rhumiwa hi Huvo

- (1) Loko swi fanerile ku va ku endliwa mitirho ya yona, Huvo hi ku landza xiyengentsongo xa (2), yi nga rhumisa matimba wahi kumbe wahi kumbe mitirho ya yona eka—
- (a) xirho;
  - (b) komiti ya Huvo leyi vuriweke eka xiyenge xa 16; kumbe
  - (c) Mufambisinkulu wa Hofisi.
- (2) Huvo yi nga ka yi nga rhumisi matimba yo-
- (a) thola Mufambisinkulu wa Hofisi; kumbe
  - (b) kunguhata swipimelo swa matirhelo ya Mufambisinkulu wa Hofisi.
- (3) Ku rhumisa hi ku landza xiyengentsongo xa (1)-
- (a) ku le hansi ka swipimelo, switsandzekisi na ndlela leyi Huvo yi nga sindzisakaha yona;
  - (b) ku fanele ku tsariwa ehansi;

- (c) ku nga tekiwi ntirho wa vutihlamuleri wa Huvo eka ku tirha tirho lowu a nga nyikiwa matimba kumbe ku tirha ntirho lowu a nga rhumeriwa wona;
  - (d) ku nga siveli Huvo ku tirhisa matimba lama yi haverisiweke wona kumbe ku tirha mitirho leyi xi faneleke ku yi tirha; na
  - (e) na leswaku a nga ha susiwa hi Huvo nkarhi wihi na wihi.
- (4) Huvo yi nga tiyisisa, hambana kumbe ku alela xiboho lexi tekiweke hikokwalaho ka ku rhumisa hi ku landza xiyengentsongo xa (1), hi ku landza mfanelo leyi nga va ka yi kona hi mhaka ya xitandzhaku xa xiboho xexo.

KAVANYISA KA 5  
SWIPIMELO

**26. Swipimelo**

- (1) XIRHO XA HUVONKULU xi nga endla swipimelo mayelana na—
- (a) ntsariso wa mabindzu ya vupfhumba;
  - (b) mhaka yihi na yihi leyi hi ku landza Nawu lowu yi lavekaka leswaku ku endliwa ndzeriso;
  - (c) ntsengo wun'wana na wun'wana lowu hakelekaka hi ku landza Nawu lowu; na
  - (d) hi ku angarhela, mhaka yin'wana na yin'wana leyi tekiwaka yi ri nkoka kumbe ya xihatla ku yi hlamusela ku va ku fikeleriwa swikongomelo swa Nawu lowu.
- (2) Swipimelo leswi nga endliwa ehansi ka Nawu lowu swi nga katsa milandzu na tihakelo.

KAVANYISA KA 6  
SWINAWANA HI KU ANGARHELA

**27. Swinawana swa Xinkarhana**

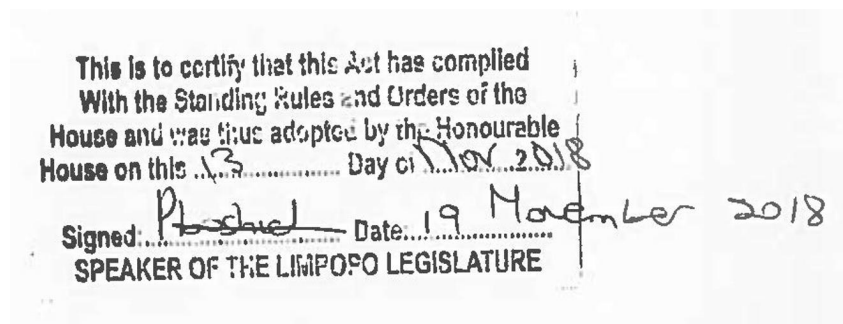
- (1) Xirho xa Huvo lexi nga kona hi ku ya hi nawu lowu herisiweke hi Nawu lowu, xi ya mahlweni na vuxirho eka nkarhi lowu saleke wa ku va xirho.
- (2) Xivumbeko xihi kumbe xihi xa vatirhi lexi nga kona hi ku ya hi nawu lowu herisiweke hi Nawu lowu, xi ya emahlweni tanihi xivumbeko xa vatirhi ehansi ka Nawu lowu.
- (3) Vatirhi hinkwavo va Ejensi lava thoriweke hi ku landza nawu lowu herisiweke hi Nawu lowu va ya emahlweni tanihi vatirhi lava thoriweke ehansi ka Nawu lowu, ehandle ka loko va rhurhisiwile hi ku landza Nawu wihi kumbe wihi lowu lawulaka ku rhurhisiwa ka vatirhi.
- (4) Mufambisinkulu wa Hofisi loyi a thoriweke hi ku landza nawu lowu herisiweke hi Nawu lowu u ya emahlweni tanihi Mufambisinkulu wa Hofisi eka nkarhi lowu saleke.

**28. Ku herisiwa ka Nawu**

Nawu wa Vupfumba wa Limpopo, 2009 (Nawu No. 2 wa 2009) wu herisiwile.

**29. Nhlokomhaka yo koma na ku sungula ku tirha**

Nawu lowu wu vuriwa Nawu wa Vupfumba wa Limpopo, 2018, naswona wu ta sungula ku tirha hi siku leri nga ta vekiwa hi Phirimiya hi ku tivisa hi ntsariso eka *Gazete ya Xifundzankulu*.



**UMTHETHO**

**Wokuqalelela ukuthuthukiswa, ukulawulwa nokukhutjhlwa kwezinga lokuvakatjha eLimpopo; wokuqalelela ukutloliswa kwamabhizinisi wezokuvakatjha; wokuqalelela ukuragela phambili kwe-Ejensi yezokuVakatjha yeLimpopo; wokuqalelela ukulawula kanye nemisebenzi ye-Ejensi; wokuphelisa umThetho wezokuVakatjha weLimpopo, waka-2009 (umThetho Wesi-2 waka-2009); begodu nokuqalelela ezinye iindaba ezikhambelana nalokho.**

**WENZIWE UMTHETHO** siBethamthetho sePhrovinsi yeLimpopo ngendlela elandelako:—

**UKUHLELWA KWEENGABA**

*lingaba*

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- 2 Iminqopho yomThetho

**ISAHLUKO 2****ISITATIMENDE SOMTHETHOKAMBISO KANYE NENDIMA YAKASOMKHANDLU**

- 3 Isitatimende somthethokambiso
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**ISAHLUKO 3****I-EJENSI YEZOKUVAKATJHA YELIMPOPO**

- 5 Ukuragela phambili kwe-Ejensi yezokuVakatjha yeLimpopo
- 6 Imisebenzi ye-Ejensi
- 7 IBhodo ye-Ejensi
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- 9 Ukukhethwa kweBhodo
- 10 USihlalo kanye neSekela lakaSihlalo

- 11 Ithemu yokuphatha isikhundla
- 12 Ukungakalungeli ukukhethwa njengelunga leBhodo
- 13 limbonelelo nemirholo yamalunga
- 14 Ukulisa isikhundla nokuzaliswa kweenkhala
- 15 Ukukhutjiswa kwelunga
- 16 Amakomidi weBhodo
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- 18 Ikhoramuneequnto
- 19 Ukukhethwa kwabosiyazi
- 20 IsiPhathiswa esiKhulu esiPhetheko (*i-Chief Executive Officer*)
- 21 linsebenzi ze-Ejensi
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#### ISAHLUKO 4

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- 24 Ukudluliswa kwamandla okwenziwa nguSomkhandlu
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- 26 Imithetjhwana

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- 27 linjamiso zetjhuguluko
- 28 Ukusulwa komthetho
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#### ISAHLUKO 1

##### IINJAMISO ZOKWAZISA

## 1. linhlathululo

KilomThetho, nanyana ngiliphi igama nanyana isitjho esinikelwe ihlathululo emThethweni wezokuVakatjha, waka-2014 (umThetho Wesi-3 waka-2014) lihlala linehlathululo efanako ngaphandle kwalokha nangabe ubujamo butjho okhunye—

**“i-Ejensi”** itjho i-Ejensi yezokuVakatjha yeLimpopo ekukhulunywa ngayo esigabeni 5;

**“iBhodo”** itjho iBhodo ye-Ejensi yezokuVakatjha yeLimpopo, eyakhiwe ukuya ngokwesigaba 8;

**“uSihlalo”** utjho umuntu okhethwe nguSomkhandlu ukuya ngokwesigaba 10;

**“Isidebenzi esiKhulu sesiGungu esiphetheko”** sitjho Isidebenzi esiKhulu sesiGungu esiphetheko se-Ejensi ekhethwe ngokuya kwesigaba sama-20;

**“umNyango”** utjho umNyango oqalene neendaba zokuvakatjha ephrovinsini;

**“iHloko yomNyango”** itjho ihloko yomnyango oqalene neendaba zokuvakatjha ephrovinsini;

**“UmThetho wezokuVakatjha weLimpopo, waka-2009”** utjho umThetho wezokuVakatjha weLimpopo, waka-2009 (umThetho Wesi-2 waka-2009);

**“USomkhandlu”** utjho iLunga lomKhandlu oPhetheko eliqalene neendaba zokuvakatjha ephrovinsini;

**“ilunga”** litjho ilunga leBhodi ekukhulunywa ngayo esigabeni 8;

**“umtlamo wenarha wokulawula ikoro yezokuvakatjha”** utjho umtlamo wenarha wokulawula ikoro yezokuvakatjha ekukhulunywa ngawo esigabeni 4 somThetho wezokuVakatjha, waka-2014 (umThetho Wesi-3 waka-2014);

“**i-PFMA**” itjho umThetho wokuLawulwa kweeMali zomBuso, waka-1999 (umThetho Woku-1 waka-1999);

“**-janyisiweko**” kutjhiwo okujanyiswe mthetjhwana;

“**umtlamo wephrovinsi wokulawula ikoro yezokuvakatjha**” utjho umtlamo wezokuvakatjha owakhelwe iphrovinsi;

“**ukuvakatjha okunesibopho**” kutjho ukuvakatjha okunesibopho ekukhulunywa ngakho esigabeni 2(2) somThetho wezokuVakatjha, waka-2014 (umThetho Wesi-3 waka-2014);

“**umThetho lo**” ufaka hlangana nanyana ngiwuphi umthetho osekelako owakhiwe ukuya ngokomThetho lo; begodu

“**UmThetho wezokuVakatjha, waka-2014**” utjho umThetho wezokuVakatjha, waka-2014 (umThetho Wesi-3 waka-2014).

## 2. Iminqopho yomThetho

Iminqopho yomThetho lo—

- (a) kukhulisa nokuthuthukisa ikoro yezokuvakatjha ephrovinsini;
- (b) kukhuphula izinga lokuvakatjha okunesibopho ephrovinsini;
- (c) kukhulisa imikhiqizo yekhwalithi yezokuvakatjha kanye nemisebenzi ephrovinsini;
- (d) kuthuthukisa ukusebenzisana nokuthintana kwayo yoke imikhakha yombuso ukwenzela bonyana ikwazi ukuthuthukisa nokulawula iindaba zokuvakatjha;
- (e) kuqalelela ukukhangiswa ngepumelelo kwephrovinsi njengendawo yeemvakatjhi; begodu
- (f) kuqalelela ukuhlonywa kwe-ejensi yezokuvakatjha ezakusiza ukuphumelelisa iminqopho yomThetho lo.



## ISAHLUKO 2

## ISITATIMENDE SOMTHETHOKAMBISO NENDIMA YAKASOMKHANDLU

**3. Isitatimende somthethokambiso**

USomkhandlu angakhupha isitatimende somthethokambiso esimayelana nanyana ngiyiphi indaba ephathelene nokulawulwa, ukuthuthukiswa nokukhuliswa kwezokuvakatjha ephrovinsini.

**4. Indima yakaSomkhandlu**

USomkhandlu kufanele—

- (a) akhe umtamo wephrovinsi wokulawula ikoro yezokuvakatjha okhambisana neminqopho yomtamo wenarha wokulawula ikoro yezokuvakatjha;
- (b) atjheje ukuphunyelelisa komtamo wephrovinsi wokulawula ikoro yezokuvakatjha kanye neminye imitlamo yezokuvakatjha ekhambelana nawo ephrovinsini;
- (c) akghonakalise, atjheje begodu asekele amahlelo wetjhuguluko ebubulweni lezokuvakatjha;
- (d) aphumelelise amagadango wokusekela ukuthuthukiswa kwamakghono wezokuvakatjha kanye namahlelo wokuhlomisa ngelwazi;
- (e) atlolise abeluleki kezokuvakatjha ukuya ngokomThetho wezokuVakatjha, waka-2014; begodu
- (f) atlolise amabhizinisi wezokuvakatjha ukuya ngokwekambiso ejanyisiweko.

## ISAHLUKO 3

## I-EJENSI YEZOKUVAKATJHA YELIMPOPO

**5. Ukuragela phambili kwe-Ejensi yezokuVakatjha yeLimpopo**

- (1) I-Ejensi yezokuVakatjha yeLimpopo ehloniwe ukuya ngokwesigaba 5 somThetho wezokuVakatjha weLimpopo, waka-2009 iragela phambili nokusebenza ngokusemthethweni nanyana umThetho lowo upheliswe ngokwesigaba 28.

(2) I-Ejensi ibunjwa—

- (a) yiBhodo eyakhiwe nguSomkhandlu ukuya ngokomThetho lo;
- (b) *siPhathiswa esiKhulu esiPhetheko*; begodu
- (c) ziinsebenzi ze-Ejensi.

**6. Imisebenzi ye-Ejensi**

I-Ejensi kufanele—

- (a) ikhangise iphrovinsi njengendawo yeemvakatjhi;
- (b) ikhangise imikhiqizo yezokuvakatjha yephrovinsi kanye neenkghonakalisi;
- (c) yakhe begodu iphumelelise umtamo wokukhangisa zokuvakatjha ozakwazi ukuthuthukisa –
  - (i) iminqopho yomThetho lo; kanye
  - (ii) nomtamo wekoro yezokuvakatjha wephrovinsi;
- (d) iluleke uSomkhandlu mayelana nanyana ngiyiphi indaba ephathelene nokukhangiswa kwezokuvakatjha; begodu
- (e) yenze nanyana ngiwuphi omunye umsebenzi uSomkhandlu angawunikela nanyana awukhethela i-Ejensi.

**7. IBhodo ye-Ejensi**

- (1) IBhodo inesibopho sokwenza imisebenzi ye-Ejensi.
- (2) IBhodo ilibandla lokuziphendulela ekukhulunywa ngalo esigabeni 49(2)(a) se-PFMA.
- (3) IBhodo kufanele qobe mnyaka yenze isivumelwano noSomkhandlu esifaka hlangana–
  - (a) ukwenziwa kwemisebenzi yeBhodo;
  - (b) ukuthotjelwa kwemithethokambiso; begodu
  - (c) nanyana ngikuphi okhunye okunesidingo sokuphumelelisa iminqopho yomThetho lo.
- (4) IBhodo kufanele inande ibuyekeza iindlelakambiso kanye neenkambiso ukuqinisekisa ukuphumelela kwelawulohlelo langaphakathi leBhodo.

- (5) IBhodo kufanele ikhethe abonobhala abazakwazi ukusiza iBhodo ukwenza imisebenzi yayo.

#### **8. Ukwakheka kweBhodo**

- (1) IBhodo kufanele ibe—
- (a) ubuncani bakhona namalunga amathathu begodu angadluli kamahlanu anelwazi nelemuko lokukhangiswa kwezokuvakatjha, lebululo lezokuvakatjha nanyana lokulawulwa kweemali namabhizinisi;
  - (b) nomjameli womNyango, onyulwe yiHloko yomNyango; begodu
  - (c) nomjameli weHlangano yaboRhulumende beKhaya yeSewula Afrika, okhethwe siPhathiswa esiKhulu esiPhetheko waso.
- (2) IsiPhathiswa esiKhulu esiPhetheko se-Ejensi kanye nesiPhathiswa esiKhulu sezeeMali bamalunga angavowudiko weBhodo ukuya ngokwamandla weenkundla abaziphetheko.

#### **9. Ukukhethwa kweBhodo**

- (1) (a) Ngaphambi kokukhetha amalunga ekukhulunywa ngawo eengabeni 8(1)(a), uSomkhandlu kufanele, ngokukhupha isaziso eGazedeni yePhrovinsi nemaphephandabeni amabili wephrovinsi, akhombele ukuphakanyiswa kwamabizo walabo abazakukhethelwa ukuba malunga weBhodo.
- (b) Isazisweso kufanele ubuncani bakhona sibeke isikhathi esimalanga ama-30 ukwenzela bonyana amabizo aphakanyisiweko lawo akwazi ukudluliselwa kuSomkhandlu.
- (2) Ukuphakanyiswa kwebizo okwenziwe ukuya ngokwesaziso sesigatjana (1) 3 kufanele sisekelwe –
- (a) yi-*curriculum vitae* emumethe yoke iminingwana yaloyo ekuphakanyiswe ibizo lakhe;
  - (b) mitlole esekelako begodu eveza ilwazi nelemuko laloyo ekuphakanyiswe ibizo lakhe elizakusiza ekusebenzeni kwe-Ejensi;

- (c) yincwadi evela kiloyo ekuphakanyiswe ibizo lakhe eyamukela ukuphakanyiswa kwebizo lakhe; begodu
- (d) simemezelo saloyo ekuphakanyiswe ibizo lakhe lapho amemezela khona nanyana ngiliphi ikareko elinqophileko nanyana elingakanqophi, elingenza bonyana kubekhona ukutjhayisana kweenkareko malungana neembopho zaloyo ekuphakanyiswe ibizo lakhe nange angakhethelwa ukuba lilunga leBhodo.
- (3) Lokha nakukhethwa amalunga, uSomkhandlu kufanele aqinisekise bonyana iBhodo nayihlangene yoke inalo ilwazi nelemuko elaneleko malungana neenkambisolawulo zokuphatha ngokuhlanganyela kanye neendaba eziphathelene nemisebenzi ye-Ejensi.
- (4) Ngemva kokukhetha amalunga, uSomkhandlu kufanele, ngokukhupha isaziso eGazedeni yePhrovinsi aveze amabizo wamalunga akhethiweko kanye nelanga lokuthoma ukusebenza kwethemu yawo yokuphatha isikhundla.
- (5) Lokha nangabe amabizo walabo abaphakanyisiweko akakalungeli ukuphakanyiswa ukuya ngokomThetho lo nofana lokha nangabe uSomkhandlu akawafumani amabizo walabo abaphakanyisiweko nofana lokha nangabe inani lamabizo walabo abaphakanyisiweko liyatlhayela ukuya ngokwesikhathi esikhutjhe esimemezeleni, kuvumelekile bonyana uSomkhandlu, ngemva kokukhambisana nesigatjana (3), akhethe inani lamalunga afunekako.

#### **10. USihlalo neSekela lakaSihlalo**

- (1) USomkhandlu kufanele akhethe ilunga, elizakuba nguSihlalo, begodu nelinye ilunga elizakuba liSekela lakaSihlalo weBhodo, isikhathi esingadluli ithemu yelungelo yokuphatha isikhundla.
- (2) Akukavumeleki bonyana uSomkhandlu akhethe ilunga elitjiwo esigabeni 8(1)(b)-(c) nanyana esigabeni 8(2) njengoSihlalo nofana njengeSekela lakaSihlalo weBhodo.

- (3) ISekela lakaSihlalo kufanele lisebenzise amandla elinikelwe wona ukwenza imisebenzi yakaSihlalo nangabe akakghoni ukwenza njalo.

#### **11. Ithemu yokuphatha isikhundla**

- (1) Ilunga liphatha isikhundla salo isikhathi esingadluli eminyakeni emithathu ukusukela ngelanga elikhethwe ngalo.
- (2) Kuvumelekile bonyana uSomkhandlu angezelele ithemu yokuphatha isikhundla yelunga ihlandla elilodwa kwaphela, isikhathi esingadluli eminyakeni emibili, ngaphandle kokulandela iinkambiso ezihlathululwe esigabeni 9.

#### **12. Ukungakalungeli ukukhethwa njengelunga leBhodo**

Akukavumeleki bonyana umuntu akhethwe njengelunga nofana ahlale alilunga leBhodo lokha nangabe umuntu loyo—

- (a) akakaphili kuhle begodu akakakalungeli ukuphatha isikhundla njengelunga;
- (b) akasiso isakhamuzi seSewula Afrika begodu ngokujayelekileko akahlali eRiphabliki;
- (c) akasisebujameni obuhle kezeemali;
- (d) ulilunga lesibethamthetho sephrovinsi;
- (e) umenyazelwe yikhotho enekghono njengomuntu obhalelwa kulawula iindaba zakhe;
- (f) umenyazelwe yikhotho yomthetho njengomuntu onengqondo engasisebujameni obuhle;
- (g) wakhe wathweswa umlandlu wesenzo sokungathembeki;
- (h) wakhe wasuswa esikhundleni sokuphatha imali abanjiswe yona ngenca yokungaziphathi kuhle; nofana
- (i) ukuya ngokwesigaba 8(1)(b)-(c), usebenza umbuso nofana kunesikhundla asiphetheko nasirholelako embusweni.

**13. Iimbonelelo nemirholo yamalunga**

- (1) Ngokubonisana neLunga lomKhandlu oPhetheko eliqalene nezeemali ephrovinsini, uSomkhandlu angabeka umrholo nanyana iimbonelelo ekufuze zibhadalwe amalunga isikhathi esinye nesinye.
- (2) Ilunga eliqatjhwe mbuso alinalungelo lokuthola umrholo nanyana isibonelelo.
- (3) Umrholo neembonelelo ezibekwe ukuya ngokwesigatjana (1) kufuze—
  - (a) zikhambisane nanyana ngiziphi iinkambiso namazinga alandelwa ekubulungeni iimali ukuya ngokwe-PFMA; begodu
  - (b) zibhadalwe ngeemali ezatjiwe siBethamthetho sePhrovinsi ukwenza umsebenzi onjalo.

**14. Ukulisa isikhundla nokuzaliswa kweenkhala**

- (1) Ilunga leBhodo kufuze lilise isikhundla nangabe ilungelo—
  - (a) lithokoza isikhundla ngokunikela uSomkhandlu kanye noSihlalo weBhodo isaziso seenyanga ezi-2, lokha nangabe uSomkhandlu angamukela isaziso sesikhathi esifitjhazana ebujameni obunqophileko;
  - (b) alisanamfanelo ezifunekako zokobana likhethwe njengelunga leBhodo;
  - (c) liyabhalelwa kukwenza imisebenzi yalo ngenca yokugula ngokwengqondo nofana ngenca yokukhubazeka khulu ngokomkhumbulo okukhulunywa ngakho emThethweni wezokuTjhejwa kwamaPhilo, waka-2002 (umThetho 17 waka-2002);
  - (d) libhalelwa kukwenza imisebenzi yalo ngenca yokungakalungeli ukuyenza okucatjangwe esigabeni 12; nofana
  - (e) lisuswa esikhundleni salo nguSomkhandlu, ukuya ngokwesigaba 15.
- (2) (a) Lokha nangabe ngamabanga athileko kuba nesikhala esivulekako selunga leBhodo ngaphambi kobana kuphele ithemu yalo yokuphatha isikhundleso, ukuya ngokwesigaba 9, kuvumelekile bonyana uSomkhandlu akhetho omunye umuntu oneemfanelo ozakuphatha isikhundleso ukufikela ekupheleni kwesikhathi ilungelo ebekade lisele ngaso.

- (b) Nangabe isikhathi esiseleko ekukhulunywa ngaso esigatjaneni (2)(a) singaphasi kweenyanga ezili-12, kuvumelekile bonyana uSomkhandlu akhethe omunye umuntu oneemfanelo ozakuphatha isikhundleso ukufikela ekupheleni kwesikhathi ilungelo ebekade lisele ngaso, ngaphandle kokulandela ikambiso esesigabeni 9.
- (3) Ngesizathu esizwakalako uSomkhandlu angaphadlhalaja iBhodo ngokukhupha isaziso eGazedeni yePhrovinsi nangokukhetha iBhodo etja ngokukhambisana nesigaba 9.
- (4) (a) Lokha nangabe iBhodo iphadlhalajwa ukuya ngokwesigatjana (3), uSomkhandlu angahlehlisa ukubunjwa ngobutjha kweBhodo begodu, esazisweni uSomkhandlu aphadlhalaje ngaso iBhodo nofana ngokusebenzisa esinye isaziso esikhutjhe ngemva kwalapho eGazedeni yePhrovinsi, angakhetha umuntu oyedwa nofana abangaphezulu, ngokusebenzisa imibandela uSomkhandlu abona ifanele, ukulawula iindaba zeBhodi ukufikela lapho kukhethwa khona iBhodo etja ukuya ngokwesigaba 9.
- (b) Umuntu nofana abantu abakhethwe ukuya ngokwesigatjana 4(a) ukulawula iindaba zeBhodo, bazakuba libandla lokuziphendulela ekukhulunywa ngalo esigabeni 49(2)(b) se-PFMA ukufikela lapho kukhethwa khona iBhodo etja ukuya ngokwesigaba 9.

## 15. Ukukhutjwa kwelunga

- (1) USomkhandlu angakhupha ilunga nge-ofisini ngebanga loku --
- (a) ngaziphathi kuhle;
  - (b) kuziphatha okwehlisa iBhodo isithunzi;
  - (c) bhalelwa ukulandela iinjamo zomThetho lo nofana ze-PFMA;
  - (d) ngakghoni ukwenza imisebenzi yelunga ngepumelelo;
  - (e) ngakhambeli imihlangano emithathu yebhodo ngokulandelana ngaphandle kokwazisa iBhodo; nofana
  - (f) lisiswa ngokomthetho ubulunga balo ukuya ngokwesigaba 12.
- (2) USomkhandlu angahlala angasusi ilunga esikhundleni salo ukuya ngokwesigatjana (1) ngaphandle kwalokhona uSomkhandlu aphe ilunga ithuba lokuziphendulela kuSomkhandlu.

- (3) USomkhandlu angajamisa ilunga esikhundleni salo lokha nakasenza iphenyo malungana nelunga elinjalo.

**16. Amakomidi weBhodo**

- (1) IBhodo ingahloma ikomidi eyodwa nanyana ngaphezu kweyodwa ukusiza iBhodo ukusebenzisa amandla nanyana ngokwenza imisebenzi yayo ukuya ngokomThetho lo.
- (2) IBhodo kufanele –
- (a) ibeke imisebenzi yekomidi;
- (b) ibeke iinkambiso zokusebenza kwekomidi, kufaka hlangana -
- (i) ikhoramu yomhlangano wekomidi
- (ii) indlela ikomidi ethatha ngayo iinqunto:
- (c) ikhethe amalunga afunde ngokulingeneko nanyana anelemuko malungana nemisebenzi yekomidi; begodu
- (d) ikhethe ilunga elisekomidini njengoSihlalo wekomidi enjalo..
- (3) Kinanyana ngisiphi isikhathi iBhodo --
- (a) ingakhupha ilunga ekomidini; nanyana
- (b) iphadlhalaje ikomidi.

**17. Imihlangano yeBhodo**

- (1) Okungasenani iBhodo kufanele ihlangane amahlandla amane ngomnyaka.
- (2) USihlalo nguye oqunta bonyana iBhodo izakuhlangana nini begodu kuphi, kodwana inengi lamalunga lingamkhombela uSihlalo ngokomtlole bonyana abize umhlangano ukuya ngokwesikhathi nendawo etjhiwo sibawo.
- (3) Kinanyana ngisiphi isikhathi uSomkhandlu angabawa ukuhlangana neBhodo.
- (4) USihlalo nguye ophatha iintambo emihlanganweni yeBhodo, kodwana nangabe uSihlalo neSekela lakaSihlalo abakho emihlanganweni, amalunga akhona kufuze akhethe elinye ilunga bonyana liphathe iintambo emihlanganweni.



- (5) USihlalo nanyana ilunga eliphethe iintambo, lingathi ngemva kokubonisana neBhodo, livumele nanyana ngimuphi umuntu ongasilo ilunga bonyana akhambele umhlangano weBhodo njengomtjheji, ngaphasi kobujamo obungabekwa nguSihlalo nanyana lilunga eliphethe iintambo.
- (6) Ilunga leBhodo elinekareko nanyana ngiyiphi ethintana nalo siqu salo nanyana yezeemali kinanyana ngiyiphi indaba edingidwa yiBhodo, ilungeleo kufanele liveze ikareko leyo begodu lizirhoqise eenkambisweni zeBhodo lokha indaba leyo nayidingidwako.
- (7) Ukuya ngokweenjamiso zomThetho lo, iBhodo ingazibekela iinkambiso zemihlangano yayo.
- (8) IBhodo ingahlangana ngaphandle kwamalunga ekukhulunywe ngawo esigabeni 8(2) lokha nayitjheja ukusebenza, imbadelo nanyana izenzo zamalunga anjalo.

#### **18. Ikhoramuneequnto**

- (1) Ikhoramuneequnto yomhlangano weBhodo kufanele ibe bunengi bamalunga wayo.
- (2) Indaba edingidwa yiBhodo iquntwa ngamavowudi wobunengi bamalunga akhona emhlanganweni.
- (3) Lokha nangabe kubakhona ukulingana phakathi kwamavowudu malungana nalokho okuvowudelwako, uSihlalo unevowudu elikhethekileko lokuzikhethela ihlangothi angalivowudela (*ivowudu lokuqunta*) ngaphezu kwevowudu uSihlalo analo njengelunga elijayelekileko (*ivowudu elijayelekileko*).
- (4) (a) Lokha nangabe indaba idinga itjhejo elimsinya leBhodo begodu kutholakale bonyana akukghonakali bona iBhodo ihlangane ngaleso isikhathi, uSihlalo kufuze aqinisekise bonyana elinye nelinye ilunga –
  - (i) khonokho linikelwa loke ilwazi nemitlolo efaneleko emalungana nendaba efuna itjhejo lamsinya; begodu

- (ii) litlola phasi isiqunto salelolunga esimalungana nendaba efuna itjhejo msinya belithumele umtlolo kuSihlalo.
- (b) Isiqunto senengi lamalunga esimalungana nendaba kusiqunto seBhodo, begodu kufanele –
- (i) samukelwe yiBhodo emhlanganweni olandelako weBhodo; begodu
  - (ii) sirekhodwe emizuzwini.

#### 19. Ukuqatjhwa kwabosiyazi

IBhodo ingaqatjha abosolwazi ukusiza iBhodo ekwenzeni imisebenzi yayo.

#### 20. IsiPhathiswa esiKhulu esiPhetheko (*i-Chief Executive Officer*)

- (1) IBhodo kufanele –
- (a) ikhuphe isikhangiso okungasenani emaphephandabeni amabili afumaneka ngephrovinsini yoke ibawe iimbawo zalabo abangathatha isikhundla sesiPhathiswa esiKhulu esiPhetheko; begodu
  - (b) iqatjhe isiPhathiswa esiKhulu esiPhetheko se-Ejensi.
- (2) IsiPhathiswa esiKhulu esiPhetheko kufuze sibe mumuntu ophilileko, nofaneleko begodu oneziqu nelemuko elifaneleko.
- (3) IsiPhathiswa esiKhulu esiPhetheko siqatjhwa ukuya ngokwemibandela nobujamo bokuqatjhwa obungabekwa yi-iBhodo, ngemva kokuthintana noSomkhandlu.
- (4) IsiPhathiswa esiKhulu esiPhetheko –
- (a) siqatjhwa isikhathi esingadluli eminyakeni emihlanu;
  - (b) siziphendulela eBhodini;
  - (c) kufanele njalo ngomnyaka singene esivumelwaneni esitloliweko sokusebenza neBhodo; begodu
  - (d) akukafaneli senze omunye umsebenzi wangeqadi obhadelako ngaphandle kwemvumo etloliweko yeBhodo.

- (5) Lokha isikhundla sesiPhathiswa esiKhulu esiPhetheko sivulekile, iBhodo kufanele ikhethe isiphathiswa se-Ejensi njengebambela lesiPhathiswa esiKhulu esiPhetheko, isikhathi esingadluli iinyanga ezisithandathu.
- (6) IBhodo akukafaneli bona ikhethe ilunga bona libe libambela lesiPhathiswa esiKhulu esiPhetheko.

## **21. Abasebenzi be-Ejensi**

- (1) IsiPhathiswa esiKhulu esiPhetheko kufuze, ngokuvumelana neBhodo –
- (a) sihlome isakhiwo sabasebenzi be-Ejensi;
- (b) siqatjhe abasebenzi abazakusiza i-Ejensi ekwenzeni imisebenzi yayo; begodu
- (c) sibeke imibandela nobujamo bokuqatjiswa kwabasebenzi be-Ejensi.
- (2) IBhodo kufuze, ngokuvumelana noSomkhandlu kanye neLunga lomKhandlu oPhetheko eliqalene nezeemali, ibeke amazinga womrholo wabasebenzi be-Ejensi.

## **22. Ukudluliswa kwabasebenzi kusuka ku-Ejensi**

- (1) USomkhandlu, ngemva kokukhulumisana neBhodo, kanye nangemva kokutjheja imithetho yezabasebenzi, angadlulisela nanyana ngisiphi isisebenzi kusuka ku-Ejensi siye emNyangweni.
- (2) Ukudluliswa ukuya ngokwesigatjana (1) kungenzeka kwaphela nangabe—
- (a) isisebenzi leso sivumelana nokudluliswa lokho; begodu
- (b) ukudluliswa lokho kwenziwa ngokwekareko yomphakathi nofana kinanyana ngiziphi iinzathu ezizwakalako.

## **23. Ukusekelwa ngeemali kwe-Ejensi**

limali ze-Ejensi zimumethe –

- (a) iimali ezabiwe siBethamthetho sePhrovinsi zokusebenzisa amandla nokwenza imisebenzi ye-Ejensi; begodu
- (b) ngokulawulwa yi-PFMA, iimali ezibuthelelwa yi-Ejensi emazikweni avunyelwe nguSomkhandlu ngokuvumelana neLunga lomKhandlu oPhetheko eliqalene neemali zephrovinsi.

#### ISAPHLUKO 4 UKUDLULISWA KWAMANDLA

##### 24. Ukudluliswa kwamandla okungenziwa nguSomkhandlu

(1) USomkhandlu angadlulisela nanyana ngiwaphi amandla nofana umsebenzi onikelwe nofana othweswe uSomkhandlu ngaphasi kwalomThetho, ngaphandle kwamandla –

- (a) wokuqatjha amalunga weBhodo; kanye
- (b) newokwenza imithetjhwana,  
kuHloko womNyango negunya nofana ngaphandle kwegunya lokudlulisela phambili amandla nofana imisebenzi enjalo.
- (2) Nanyana ngikuphi ukudluliswa kwamandla ukuya ngokwesigatjana (1)—
  - (a) kuzokwenziwa ngokwamajamo, imikhawulelo kanye nemilayo engabekwa nguSomkhandlu;
  - (b) kuzokwenziwa ngokomtlo;
  - (c) akumuki uSomkhandlu isibopho esimayelana nokusetjenziwa kwamandla adlulisiweko nofana ukwenziwa komsebenzi odlulisiweko;
  - (d) akukhandeli uSomkhandlu ekusebenziseni amandla adlulisiweko nofana ekwenzeni umsebenzi odlulisiweko; begodu
  - (e) kesinye nesinye isikhathi uSomkhandlu angarhoqisa amandla layo.

##### 25. Ukudluliswa kwamandla okungenziwa yiBhodo

- (1) Lokha nakutlhogekako bona iBhodo yenze imisebenzi yayo ngepumelelo, iBhodo ngokulawulwa sigatjana (2), ingadlulisa nanyana ngiwaphi amandla nofana imisebenzi yayo, iyidlulisele —
  - (a) elungeni;
  - (b) kukomidi yeBhodo ekukhulunywa ngayo esigabeni16; nofana
  - (c) esiPhathisweni esiKhulu esiPhetheko.
  
- (2) IBhodo angeze yadlulisa amandla woku --
  - (a) qatjha isiPhathiswa esiKhulu esiPhetheko; nofana
  - (b) beka imibandela yokusebenza yesiPhathiswa esiKhulu esiPhetheko.
  
- (3) Nanyana ngikuphi ukudluliswa kwamandla ukuya ngokwesigatjana (1) —
  - (a) kuzokwenziwa ngokwamajamo, imikhawulelo kanye nemilayo engabekwa yiBhodo;
  - (b) kuzokwenziwa ngokomtlo;
  - (c) akumuki IBhodo isibopho esimayelana nokusetjenziswa kwamandla adlulisiweko nofana ukwenziwa komsebenzi odlulisiweko.
  - (d) akukhandeli iBhodo ekusebenziseni amandla adlulisiweko nofana ekwenzeni umsebenzi odlulisiweko; begodu
  - (e) kesinye nesinye isikhathi iBhodo ingarhoqisa amandla layo.
  
- (4) IBhodo ingaqinisekisa, ihluke nofana iqithe nanyana ngisiphi isiqu nto esithethwe ngonobangela wokudluliswa kwamandla ukuya ngokwesigatjana (1), lokhu kuzokuya ngokwananyana ngiliphi ilungelo elizobe linikelwe njengomphumela wesiqu nto lesa.

## ISAPHLUKO 5 IMITHETJHWANA

### 26. Imithetjhwana

- (1) USomkhandlu angenza imithetjhwana emayelana —
  - (a) nokutloliswa kwebhizinisi yezokuvakatjha

- (b) nanyana ngiyiphi indaba ekungenziwa isimemezelo esisemthethweni ngayo ukuya ngokomThetho lo
  - (c) nanyana ngiyiphi imali eyimbadelo ngaphasi kwalomThetho; begodu
  - (d) ngokujayelekileko, nanyana ngiyiphi indaba ekungabonakala kutlhogeka nofana kurhabekile ukwenza isimemezelo ngayo ukuze kufikelelwe iminqopho yomThetho lo.
- (2) Imithetjhwana eyenziwe ngaphasi kwalomThetho ingaqalelela imilandu neenhlawulo.

## **ISAPHLUKO 6**

### **IINJAMISO EZIVAMILEKO**

#### **27. Iinjamiliso zamatjhuguluko**

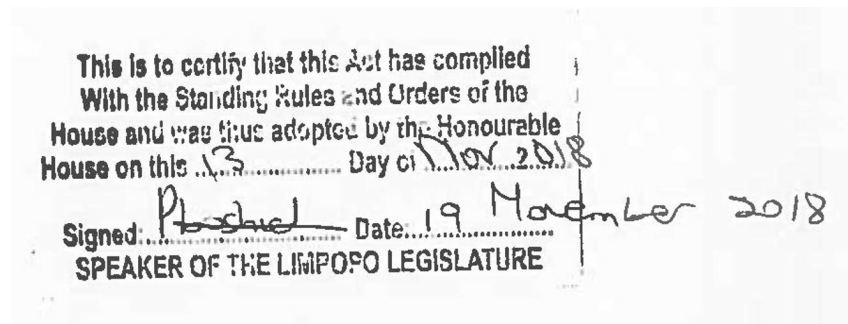
- (1) Ilunga leBhodo eyahlonywa ukuya ngokomthetho owasulwa mThetho lo, liragela phambili nobulunga balo ngaphasi kwalomThetho, ikani nje nalingakaphelelwa sikhathi sokuba nge-ofisini.
- (2) Nanyana ngisiphi isakhiwo seensebenzi esahlonywa ukuya ngokomthetho owasulwa mThetho lo, siragela phambili ngokuba sisakhiwo seensebenzi esihlonywe ngaphasi komThetho lo.
- (3) Zoke iinsebenzi ze-Ejensi eziqatjhwe ukuya ngokomthetho osulwe mThetho lo, ziragela phambili ngokuba ziinsebenzi eziqatjhwe ngaphasi komThetho lo, ngaphandle kwalokha nazidluliswe ukuya ngananyana ngimuphi umthetho olawula ukudluliswa kweensebenzi.
- (4) IsiPhathiswa esiKhulu esiPhetheko esiqatjhwe ukuya ngokomthetho osulwe mThetho lo, siragela phambili ngokubasiPhathiswa esiKhulu esiPhetheko ngaphasi kwalomThetho, ikani nje singakaphelelwa sikhathi sokuba nge-ofisini.

#### **28. Ukwesulwa komthetho**

UmThetho wezokuVakatjha weLimpopo, waka-2009 (umThetho We-2 wa-2009) ngalokhu wesuliwe.

**29. Isihloko esifitjhani nokuthoma ukusebenza**

UmThetho lo ubizwa bona mThetho wezokuVakatjha weLimpopo, wa-2018, begodu uthoma ukusebenza ngelanga elizakubekwa nguNdunakulu ngokuwumemezela kuGazedi yePhrovinsi.



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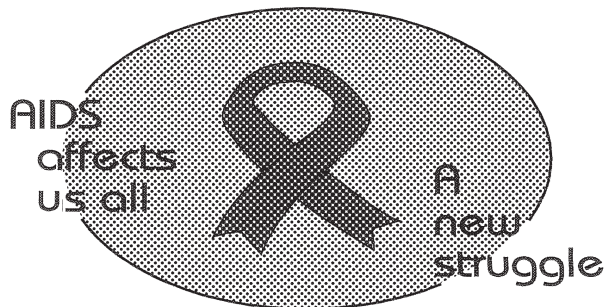
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**PROCLAMATION • PROKLAMASIE**

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SPLUM BY-LAW, 2017  
ERF 1039, MARBLE HALL TOWNSHIP**

*The Local Municipality of Ephraim Mogale declares hereby that:-*

1. In terms of Section 64 of the SPLUM BY-LAW 2017, has approved Amendment Scheme Number 42, being the amendment of the Marble Hall Town Planning Scheme, 2001, by the rezoning of Erf 1039 Marble Hall Township from "Residential 1" to "Institutional".

Map 3 and the scheme clauses of the Amendment Scheme are filed with the Municipal Manager, Ephraim Mogale Local Municipality and is open for inspection at all reasonable times. This amendment scheme is known as Marble Hall Amendment Scheme Number 42 and shall come into operation on date of publication of this notice.

2. In terms of Section 41(2)(e) of the Spatial Planning and Land Use Management Act, 2013 (Act 16 of 2013), and Section 65 of the Ephraim Mogale Local Municipality SPLUM BY-LAW, 2017 has approved the removal of:

Conditions (a), (b), (c), (d), (e), (f), (g), (h), (i), (j), (k), (l), (m), (n), (o), (p), (q), (r) as contained in Title Deed No. T37221/2004 (PTA) being the Title Deed of Erf 1039, Marble Hall Township. This removal will come into effect on the date of publication of this notice.

**M.J. LEKOLA**  
**ACTING MUNICIPAL MANAGER**  
Municipal Offices  
P O Box 111  
MARBLE HALL  
0450

Date: 29/01/2019

**PROCLAMATION 5 OF 2019****DECLARATION OF GA-KGAPANE EXTENSION 7 AS APPROVED TOWNSHIP**

In terms of Section 103 of the Towns-Planning and Township Ordinance, 1986 (Ordinance No 15 of 1986), Greater Letaba Local Municipality hereby declares Ga-Kgapane Extension 7 to be an approved Township, subject to the conditions as set out in the Schedule hereto:

**SCHEDULE**

STATEMENT OF THE CONDITIONS UNDER WHICH THE APPLICATION, MADE BY GREATER LETABA MUNICIPALITY (HEREINAFTER REFERED TO AS THE APPLICANT) UNDER THE PROVISIONS OF CHAPTER IV OF THE TOWN PLANNING AND TOWNSHIP ORDINANCE, 1986 (ORDINANCE 15 OF 1986) FOR PERMISSION TO ESTABLISH A TOWNSHIP ON THE PORTION 7 OF FARM MEIDINGEN 398 REGISTRATION DIVISION LT, LIMPOPO PROVINCE IS APPROVED.

**1. CONDITIONS TO BE COMPLIED WITH PRIOR TO THE APPROVAL OF GENERAL PLAN****1.1 CONSOLIDATION/NOTARIAL TIE OF FARM PORTIONS**

The township applicant shall at own expense cause the component farm portions comprising the township to be consolidated/notarial tied, where necessary

**1.2 REGISTRATION OF SERVITUDE**

The township owner shall, at his own costs cause all the requisite servitudes to be registered to the satisfaction of the Greater Letaba Municipality:

**1.3 MINERAL RIGHTS**

The applicant shall obtain the written consent for the proposed development from the holder of mineral right i.e. the Department of Minerals and Energy as applicable as from 1 May 2005

***“To be the leading municipality in the delivery of quality services for the promotion of Socio-economic development”***

***44 Botha Street, Civic Centre Modjadjiskloof, Limpopo Province, Republic of South Africa***

# GREATER LETABA MUNICIPALITY

P.O Box 36, Modjadjiskloof, 0835, Tel (015) 309 9246/7/8,  
Fax (015) 309 9419, Email:greaterletaba@glm.gov.za

## 1.4 GENERAL

1.4.1. The applicant shall satisfy the local authority that.

1.4.1.1 the relevant amendment scheme (in terms of section 125 of Ordinance 15 of 1986) is in order and may be published simultaneously with the declaration of the township as an approved township

1.4.1.2 A favourable geotechnical report has been submitted

1.4.1.3 Satisfactory access from public street system is available to all ervens in the township

1.4.1.4 The approval of Limpopo Economic development, Environment and Tourism in accordance to Regulation 26 or 36 issued in terms of Chapter 5 of National Environmental Management Act, 1998 has been obtained or exemption to submit an environmental impact assessment has been granted and any amendments or additional conditions contained in the Record of Decision will be incorporated in the conditions of establishment of the proposed township at the cost of the applicant

1.4.2.5. the 1:100 year floodline has been shown on the layout plan and certificate by a registered engineer in terms of Engineering Profession Act 2000.

1.4.2.6 the name of the township has been approved.

1.4.2 The applicant shall comply with the provisions of Section 72, 75 and 101 of Ordinance 15 of 1986

## 2. CONDITIONS TO BE COMPLIED WITH PRIOR TO THE DECLARATION AS AN APPROVED TOWNSHIP

### 2.1 INSTALLATION AND PROVISION OF SERVICES

The applicant shall make necessary arrangements with the local authority for the provision and installation of water, electricity and sanitation, as well as the construction of roads and stormwater drainage, in and for the township

# GREATER LETABA MUNICIPALITY

P.O Box 36, Modjadjiskloof, 0835, Tel (015) 309 9246/7/8,  
Fax (015) 309 9419, Email:greaterletaba@glm.gov.za

## 2.2 BULK SERVICES

The Greater Letaba Municipality will provide the bulk services to the township

## 3. CONDITIONS OF ESTABLISHMENT

### 3.1 NAME

The name of the townships shall be Ga-Kgapane Extension 7 Township.

### 3.2 LAYOUT

The township shall consist of erven and streets as indicated in the township layout Plan

### 3.3 ACCESS

a) Ingress/ egress from the existing Ga-Kgapane to the township shall be restricted to one access road as indicated on the Layout Plan.

b) The township applicant shall at his own expense, submit a geometric design layout plan scaled 1:500 of the ingress and egress point referred to in (a) above

### 3.4 ACCEPTANCE AND DISPOSAL OF STORMWATER

The township applicant shall arrange the drainage of the township in such a way that it will fit in with the drainage of the existing township, and for all the stormwater running off or being diverted from the existing township to be received and disposed of.

### 3.5 REMOVAL OR REPLACEMENT OF MUNICIPAL OR TELKOM SERVICES

Should it become necessary to move or replace any existing municipal or Telkom services as a result of the establishment of the township, the cost thereof shall be borne by the township owner.

# GREATER LETABA MUNICIPALITY

P.O Box 36, Modjadjiskloof, 0835, Tel (015) 309 9246/7/8,  
Fax (015) 309 9419, Email:greaterletaba@glm.gov.za

## 3.6 REMOVAL AND/OR REPLACEMENT OF ESKOM POWER LINE

Should it become necessary to remove and/or replace any existing power lines of Eskom as a result of the establishment of the township, the cost thereof shall be borne by the township owner.

## 3.7 OBLIGATION IN REGARD TO ESSENTIAL SERVICES

The township owner shall within such period as the municipality may determine, fulfill its obligation in respect of the provision of water, electricity, and sanitary services and the installation of systems thereof, as agreed upon between the township owner and the municipality in *form* of the Services Agreement.

## 4 CONDITIONS OF TITLE

Conditions imposed by the local authority in terms of Provision of the Town Planning and Townships Ordinance 15 of 1986

### 4.1. ALL ERVEN

- 4.1.1 The erf shall be subject to servitude 2m wide, for municipal services (water sewer, electricity and storm water) (hereafter referred to as "the service"), in favour of the Municipality, along any boundaries, excepting a street boundary: Provided that the Municipality may waive any such servitude.
- 4.1.2 No building or other structures may be erected within the aforesaid servitude area and no trees with large roots may be planted within the area of such services or within a distance of 2m there from
- 4.1.3 the Local Authority shall be entitled to temporarily deposit on the land adjoining the aforesaid servitude, any material it excavates during the laying, maintenance or removal of such services another work which in its discretion it regards necessary, and furthermore the local Authority shall be entitled to reasonable access to the said property for the aforesaid purpose. subject to the provision that the Municipality shall make good any damage caused during the laying, maintenance or removal of such services and other works.

# GREATER LETABA MUNICIPALITY

P.O Box 36, Modjadjiskloof, 0835, Tel (015) 309 9246/7/8,  
Fax (015) 309 9419, Email:greaterletaba@glm.gov.za

## 5. CONDITIONS TO BE INCORPORATED IN THE TOWN-PLANNING SCHEME, IN TERMS OF SECTION 125 OF ORDINANCE 15 OF 1986, IN ADDITION TO THE PROVISIONS OF TOWN PLANNING SCHEME IN OPERATION

### 1. Residential 1: Erven 2849 up to 3119 and erven 3120 up to 3343

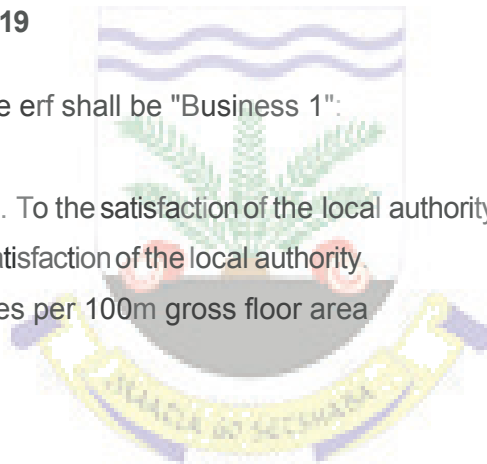
The use zone of the erven shall be "Residential 1"

- a) Coverage 50%
- b) Height: To the satisfaction of the local authority
- c) Floor Area Ratio: To the satisfaction of the local authority

### 2. Business 1: Erf 3019

The use zone of the erf shall be "Business 1":

- a) Coverage: 60%
- b) Floor Area Ratio. To the satisfaction of the local authority
- c) Height: To the satisfaction of the local authority
- d) Parking: 4 spaces per 100m gross floor area



### 3. Municipal

#### 3.1 Erf 3228 and 3111

The land use of the erf shall be "Cemetery".

- a) Floor Area Ratio to the satisfaction of the local authority
- b) Coverage: To the satisfaction of the local authority.
- c) Height To the satisfaction of the local authority

### 4. Public Open Space: Erven 3344, 3345, 3346 and 3347

The use zone of the erven shall be "Public Open Space"

### 5. Public Roads:

All roads will be zoned Public Roads.

**PROCLAMATION 6 OF 2019****GREATER TZANEEN MUNICIPALITY  
TZANEEN AMENDMENT SCHEME 375**

It is hereby notified in terms of the provisions of Section 57 of the Spatial Planning and Land Use Management By-Law of Greater Tzaneen Municipality read together with Section 57(1)(a) of the Town-Planning and Townships Ordinance, 1986 (Ordinance 15 of 1986), that the Greater Tzaneen Municipality has approved the amendment of the Tzaneen Town Planning Scheme, 2000 by the rezoning of a Portion of the Remainder of Portion 86 of the Farm Lushof 540-LT from “**Agriculture**” to “**Special**” with Annexure 241.

Map 3 and the scheme clauses of the amendment scheme are filed with the Municipal Manager of the Greater Tzaneen Municipality, TZANEEN, and the Director: Department Co-operative Governance, Human Settlements and Traditional Affairs, POLOKWANE, and are open for inspection during normal office hours.

This amendment is known as Tzaneen Amendment Scheme 375 and shall come into operation on the date of publication of this notice.

**MR. B.S. MATLALA**  
**MUNICIPAL MANAGER**

Municipal Offices  
P.O. Box 24  
Tzaneen  
0850

Date : 15 February 2019  
Notice No. : PD 3/2019

**PROKLAMASIE 6 VAN 2019****GROTER TZANEEN MUNISIPALITEIT  
TZANEEN WYSIGINGSKEMA 375**

Hiermee word ingevolge die bepalings van Artikel 57 van die Ruimtelike Beplanning en Grondgebruikbestuurs Bywet van Groter Tzaneen Munisipaliteit saamgelees met Artikel 57(1)(a) van die Ordonnansie op Dorpsbeplanning en Dorpe, 1986 (Ordonnansie 15 van 1986), bekend gemaak dat die Groter Tzaneen Munisipaliteit die wysiging van die Tzaneen Dorpsbeplanningskema, 2000 goedgekeur het, deur die hersonering van 'n Deel van die Restant van Gedeelte 86 van die Plaas Lushof 540-LT vanaf “**Landbou**” na “**Spesiaal**” met Bylaag 241.

Kaart 3 en die skemaklousules van hierdie wysigingskema word deur die Munisipale Bestuurder van die Groter Tzaneen Munisipaliteit, TZANEEN, en die Direkteur: Departement Samewerkende Regering, Behuising en Tradisionele Sake, POLOKWANE, in bewaring gehou en lê gedurende gewone kantoorure ter insae.

Hierdie wysiging staan bekend as Tzaneen Wysigingskema 375 en tree op datum van publikasie van hierdie kennisgewing in werking.

**MNR. B.S. MATLALA**  
**MUNISIPALE BESTUURDER**

Munisipale Kantore  
Posbus 24  
Tzaneen 0850


Datum : 15 Februarie 2019  
Kennisgewing Nr : PD 3/2019



**PROCLAMATION 7 OF 2019****LIMPOPO PROVINCIAL ADMINISTRATION****OFFICE OF THE PREMIER****COMMENCEMENT OF THE LIMPOPO TOURISM ACT, 2018  
(ACT NO. 4 OF 2018)**

Under the powers vested in me in by section 29 of the Limpopo Tourism Act, 2018 (Act No. 4 of 2018), I hereby determine **1 March 2019** as the date on which the said Act comes into operation.

DATED AT POLOKWANE THIS 16 / 01 / 2019.

  
\_\_\_\_\_  
CHUPU STANLEY MATHABATHA  
PREMIER: LIMPOPO

**PROKLAMASIE 7 VAN 2019****LIMPOPO PROVINSIALE ADMINISTRASIE****KANTOOR VAN DIE PREMIER****BEKRAGTIGING VAN DIE LIMPOPO TOERISME WET, 2018  
(WET NOM. 4 VAN 2018)**

Kragtens die bevoegdhede aan my verleen deur deel 29 van die Limpopo Toerisme Wet, 2018 (Wet Nom. 4 van 2018), bepaal ek hiermee **1/03/2019** as die datum waarop die voorgename Wet in werking tree.

GEDATEER TE POLOKWANE OP 16 / 01 / 2019.

\_\_\_\_\_  
CHUPU STANLEY MATHABATHA  
PREMIER: LIMPOPO

**KGOELETŠO****TAOLO YA PROFENSE YA LIMPOPO****OFISI YA TONAKGOLO****TSENYOTIRIŠONG YA MOLAO WA BOETI WA LIMPOPO, WA 2018  
(MOLAO WA NOMORO YA 4 WA 2018)**

Ka fase ga maatla ao ke filwego wona ke karolo ya 29 ya Molao wa Boeti wa Limpopo, wa 2018 (Molao wa nomoro ya 4 wa 2018), mo ke kgetha **1/03/2019** bjalo ka letšatšikgwedi leo Molao wo go bolelwago ka wona o tlogo thoma go šoma.

**E NGWADILWE LETŠATŠIKGWEDI GO LA POLOKWANE KA LA 16/01/ 2019.**

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**CHUPU STANLEY MATHABATHA  
TONAKGOLO: LIMPOPO**

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**MULEVHO****NDAULO YA VUNDU LA LIMPOPO****OFISI YA MULANGAVUNDU****U THOMA U SHUMA HA MULAYO WA VHUENDELAMASHANGO WA LIMPOPO,  
WA 2018  
(MULAYO WA NO. 4 WA 2018)**

Nga maanda e nda hweswa u ya nga khethekanyo ya 29 ya Mulayo wa Vhuendelamashngo wa Limpopo, wa 2018 (Mulayo No: 4 wa 2018), ndi khou divhadza divha la **1/03/2019** sa lone line Mulayo uyu wa do thoma u shuma ngalo.

**ZWO SAINELWA POLOKWANE NGA LA 16/01/ 2019.**

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**CHUPU STANLEY MATHABATHA  
MULANGAVUNDU: LIMPOPO**

**ISIMEMEZELO****UKULAWULWA KWESIFUNDA SELIMPOPO****I-OFISI KANDUNAKULU****UKUTHOMA KOMTHETHO WOKUVAKATJHA WELIMPOPO, WEE-2018  
(UMTHETHO WESI-4 WEE-2018)**

Ngamandla anikelwe mina ngokwesigaba 29 somThetho wezokuVakatjha weLimpopo wee-2018 (UmThetho wesi-4 wee-2018), ngithatha ilanga langezi **1/03/2019** njengelanga lokuthoma kokusebenza komThetho okukhulunywe ngawo.

**KUVUNYELWE EPOLOKWANE NGALELILANGA 16/01/ 2019.**

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**CHUPU STANLEY MATHABATHA  
UNDUNAKULU: LIMPOPO**

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**XITIVISO XA XIMFUMO****MFUMO WA XIFUNDZANKULU XA LIMPOPO****HOFISI YA HOLOBYENKULU****MASUNGULO YA NAWU WA VUPFHUMBA WA LIMPOPO, WA 2018  
(NAWU WA 4 WA 2018)**

Hi matimba lawa ndzi nyikiweke wona eka xiyenge xa 29 xa Nawu wa Vupfhumba wa Limpopo, wa 2018 (Nawu wa 4 wa 2018), ndzi laha ku tivisa ti **1/03/2019** tanihi siku leri Nawu lowu wu boxiweke wu faneleke ku sungula ku tirha.

**SIKUHATIWILE POLOKWANE HI TI 16/01/ 2019.**

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**CHUPU STANLEY MATHABATHA  
HOLOBYENKULU: LIMPOPO**

**PROCLAMATION 8 OF 2019****BELA-BELA LOCAL MUNICIPALITY****ADOPTION OF THE SPATIAL DEVELOPMENT FRAMEWORK (SDF) FOR THE BELA-BELA LOCAL MUNICIPALITY, 2019**

Notice is hereby given in terms of Section 20(1) of the Spatial Planning and Land Use Management Act 16 of 2013 (hereinafter referred to as SPLUMA), that the Bela-Bela Local Municipality at its Council meeting held on 24 January 2019, has adopted the Bela-Bela Municipal Spatial Development Framework (SDF) (2019) by way of Resolution No: MC215/2019.

This review of the Bela-Bela SDF (2019) would replace the current Bela-Bela SDF (2011). The SDF details spatial policies, strategies and implementation mechanisms applicable to the municipality and it also includes those technical components as contemplated in Section 21 of SPLUMA.

As a result of the review, the municipality developed a draft SDF on which public comments was sought over for a period of 60 days (from 27 July 2018 – 27 September 2018). The comments submitted by the public were considered by the municipality, and the SDF document was amended taking into consideration the comments received.

**For any further enquires on the above, please contact;**

Contact Person: Ms Mmabatho Manzini  
Contact Numbers: 014 736 8000/ 082 837 7552

15-22

**PROVINCIAL NOTICES • PROVINSIALE KENNISGEWINGS****PROVINCIAL NOTICE 11 OF 2019****NOTICE IN TERMS OF SECTION 95(1)(a) FOR A REZONING APPLICATION IN TERMS OF SECTION 61 OF THE POLOKWANE MUNICIPAL PLANNING BY-LAW, 2017, POLOKWANE AMENDMENT SCHEME 126**

We, Kamekho Consulting CC, being the applicant of the Remainder of Portion 1 of Erf 339, Pietersburg, hereby give notice in terms of section 95(1)(a) of the Polokwane Municipal Planning By-Law, 2017, that we have applied to the Polokwane Municipality for the amendment of the Polokwane/Perskebult Town Planning Scheme (2016), for the rezoning in terms of section 61 of the Polokwane Municipal Planning By-law (2017), (Amendment Scheme 126), on the Remainder of Portion 1 of Erf 339, Pietersburg. The property is situated at 91A Onder Street, Polokwane and the proposed rezoning is from "Business 2" for offices to "Business 2" for shops, offices, residential uses and all primary rights subject to standard conditions.

Any objection(s) and/or comment(s), including the grounds for such objection(s) and/or comment(s) with full contact details, without which the Municipality cannot correspond with the person or body submitting the objection(s) and/or comment(s), shall be lodged with, or made in writing to: The Manager: City Planning and Property Management, PO Box 111, Polokwane, 0700 from **8 February 2019** until **8 March 2019**. Full particulars and plans (if any) may be inspected during normal office hours at the Municipal offices as set out below, for a period of 28 days from **8 February 2019**. Please deliver comments in writing or otherwise to: The Manager City Planning and Property Management, 2<sup>nd</sup> Floor Civic Centre, Landdros Mare Street, Polokwane, 0699 on or before **8 March 2019**.

Applicant: Kamekho Consulting CC. PO Box 4169, Polokwane or Suite 2, 10A Biccard Street Polokwane, Tel: 072 190 7516/082 309 5175 Fax: 086 531 3832, email [danielle@kamekho.co.za](mailto:danielle@kamekho.co.za),  
Published on: 8 February 2019

8-15

**PROVINSIALE KENNISGEWING 11 VAN 2019****KENNISGEWING INGEVOLGE ARTIKEL 95(1)(a) VAN HERSONERINGS AANSOEK INGEVOLGE ARTIKEL 61 VAN DIE POLOKWANE MUNISIPALE BEPLANNINGSBYWET 2017, POLOKWANE WYSIGINGSKEMA 126**

Hiemee gee ons, Kamekho Consulting CC, as agente van die eienaars van die Restant van Gedeelte 1 van Erf 339, Pietersburg, kennis ingevolge Artikel 95(1)(a) van die Polokwane Munisipale Beplanningsbywet 2017, dat ons aansoek gedoen het by die Polokwane Munisipaliteit vir die wysiging van die Polokwane/Perskebult Dorpsbeplanningsskema 2016, vir die hersonering van die volgende eiendom, ingevolge Artikel 61 van die Polokwane Munisipale Beplanningsbywet (2017), (Wysigingskema 126). Die hersonering van die Restant van Gedeelte 1 van Erf 339, Pietersburg (91 Onderstraat) vanaf "Besigheid 2" vir kantore na "Besigheid 2" vir winkels, kantore, residensiele gebruik en alle primere gebruike, onderworpe aan standaardvoorwaardes.

Besonderhede van die aansoeke en planne lê ter insae gedurende kantoorure by die kantoor van die Direkteur: Ruimtelike Beplanning en Grondgebruikbestuur, 2de vloer, Burgersentrum, Landdros Marestraat, vir 'n tydperk van 28 dae vanaf **8 Februarie 2019** tot en met **8 Maart 2019**, skriftelik tot Die Bestuurder: Ruimtelike Beplanning en Eiendomsbestuur gerig word en by bovermelde adres ingedien word of gepos word aan Posbus 111, POLOKWANE, 0700, voor **8 Maart 2019**.

Adres van Agent: Kamekho Consulting CC, Posbus 4169 Polokwane 0700 Tel: 072 190 7516, epos: [danielle@kamekho.co.za](mailto:danielle@kamekho.co.za)

Datum van publikasie: 8 Februarie 2019.

8-15

**PROVINCIAL NOTICE 15 OF 2019****NOTICE OF AMENDMENT OF MARULENG LAND USE MANAGEMENT SCHEME 2008: AMENDMENT SCHEME 160, ANNEXURE 175.**

We, Landevs (Pty) Ltd, hereby give notice in terms of Section 52(1)(b) of Maruleng Spatial Planning and Land Use Management By-law 2016, that we have applied to Maruleng Municipality for rezoning of Erf 244, Hoedspruit Wild Estate from "Rural Residential" to "Special" for Self catering and related purposes. Particulars of the applications will lie for inspection during normal office hours at the Municipal Library, 64 Springbok Street, Hoedspruit, for a period of 30 days from 15 February 2019. Objections to or representations in respect of the applications must be lodged with or in writing to the Municipal Manager at this address P. O. Box 627, Hoedspruit, 1380, within a period of 30 days from the 15 February 2019. Address of the Agent: Landevs (Pty) Ltd, 248 Sullivan Street, Centurion, 0157 (Cell: 066 285 2538, email: [info@landevs.co.za](mailto:info@landevs.co.za))

15-22

**PROVINSIALE KENNISGEWING 15 VAN 2019****KENNISGEWING VAN WYSIGING VAN MARULENG GRONDGEBRUIKBESTUURSKEMA 2008: WYSIGINGSKEMA 160, BYLAE 175.**

Ons, Landevs (Edms) Bpk, gee hiermee ingevolge Artikel 52 (1) (b) van die Maruleng Ruimtelike Beplanning en Grondgebruikbestuursverordening 2016, kennis dat ons by Maruleng Munisipaliteit aansoek gedoen het vir die hersonering van Erf 244, Hoedspruit Wild Landgoed vanaf "Landelike Residensieel" na "Spesiaal" vir Selfsorg en verwante doeleindes. Besonderhede van die aansoeke le ter insae gedurende gewone kantoorure by die Munisipale Biblioteek, Springbokstraat 64, Hoedspruit, vir n tydperk van 30 dae. Besware teen of vertoe ten opsigte van die aansoek moet binne 'n tydperk van 30 dae vanaf 15 Februarie 2019 ingedien word aan die Munisipale Bestuurder by hierdie adres, Posbus 627, Hoedspruit, 1380, binne n tydperk van 30 dae vanaf 15 Februarie 2019. Adres van die Agent: Landevs (Edms) Bpk, Sullivanstraat 248, Centurion, 0157 (Sel: 066 285 2538, epos: [info@landevs.co.za](mailto:info@landevs.co.za))

15-22

**PROVINCIAL NOTICE 16 OF 2019****NOTICE OF APPLICATION FOR THE AMENDMENT OF POLOKWANE/PERSKEBULT TOWNPLANNING SCHEME, 2016**

Vhusani Engineering Works (PTY) Ltd hereby give notice in terms of section 95(1) (a) of the Polokwane Municipal Planning By-law, 2017 that I have applied to the Polokwane Local Municipality for the amendment of town planning scheme known as Polokwane/ Perskebult Town Planning Scheme, 2016 by rezoning in terms of section 61 of the Polokwane Municipal Planning By-Law, 2017, of the property described above. The property is situated at Erf 1774 Bendor Extension 16, Street Address: 651 Munnik Avenue (service road).

The rezoning is from "Residential 1" to "Residential 2" in accordance with Clause 34 of Polokwane/Perskebult Town Planning Scheme of 2016 and Table "A to C" to allow the establishment of 5 Dwelling Units.

Any objection(s) and/or comment(s), including the grounds thereof shall be made in writing to: The Manager: City Planning and Property Management, PO Box 111, Polokwane, 0700 From 15 February 2019 until 27 March 2019. Full particulars and plans may be inspected during normal office hours at the Municipal offices, Second Floor, West Wing, Civic Centre, Landdros Maré Street, Polokwane for a period of 28 days from 08 February being the date of first publication of the notice in the Provincial Gazette/newspaper.

Address of Agent:

Vhusani Engineering Works (PTY) Ltd, P. O. Box 564, Bendor Park 0713,  
Vhusani.mukwevho@gmail.com

15-22

**PROVINSIALE KENNISGEWING 16 VAN 2019****KENNISGEWING VAN AANSOEK OM DIE WYSIGING VAN DIE POLOKWANE/PERSKEBULT DORPSBEPLANNINGSKEMA, 2016**

Vhusani Engineering Works (PTY) Ltd, synde die gemagtigde agent van die eienaars van Erf 1774, Bendor, gelee te 651 Munnik Avenue, gee hiermee ingevolge artikel 95 (1) (a) van die Polokwane Munisipale Beplannings verordening, 2017, kennis dat ons by die Polokwane Munisipaliteit aansoek gedoen het om die wysiging van die Polokwane / Perskebult Dorpsbeplanningskema, 2016, deur die hersonering van bogenoemde eiendom vanaf "Residensieel 1" na "Residensieel 2" vir 'n Kruin ingevolge artikel 61 van die Polokwane Munisipaliteit Beplanning Verordening, 2017.

Besonderhede van die aansoek le ter insae gedurende gewone kantoorure by die kantoor van die Stadsbeplanners, Tweede Vloer, Wesvleuel, Burgersentrum, Landdros Marestraat, Polokwane, vir 'n tydperk van 28 dae vanaf 15 Februarie 2019 tot 27 Maart 2019

Besware teen of vertoe ten opsigte van die aansoek moet binne 'n tydperk van 28 dae vanaf 15 Februarie 2019 tot 27 Maart 2019 skriftelik by of tot die Bestuurder: Ruimtelike Beplanning en Grondgebruiksbestuur, by bovermelde adres of by P.O. Box 111, Polokwane, 0700.

Adres van agent:

Vhusani Engineering Works (PTY) Ltd, P. O. Box 564, Bendor Park 0713,  
Vhusani.mukwevho@gmail.com

15-22

**PROVINCIAL NOTICE 17 OF 2019****LIMPOPO GAMBLING BOARD****ACT 3 OF 2013****APPLICATION FOR LPM SITE LICENCE**

Notice is hereby given that **BETTAGAMING LIMPOPO(PTY)LTD** trading as **BETTABETS** intends submitting an application for relocation for LPM Site License from location, **Shop 1, Erf 26, Groblersdal, Limpopo, to, Shop 1, Moratiwa Crossing Shopping Centre, Magwaza road, Monsterius, Limpopo.**

The application will be open for public inspections for 30 days at the offices of the Limpopo Gambling Board located at 08 Hans van Rensburg Street, Polokwane, and Limpopo Province from 18 February 2019

Attention is drawn to the provisions of section 26(6) of the Limpopo Gambling Act 3 of 2013, as amended, which makes provision for the lodging of written objections in respect of the application.

Such objections should be lodged with the Chief Executive Officer of the Limpopo Gambling Board at 8 Hans van Rensburg Street, Polokwane, or Private Bag X9520, Polokwane 0700, within 30 days from 18 February 2019.

PROVINCIAL NOTICE 18 OF 2019



# Road Traffic Management Corporation

## NATIONAL ROAD TRAFFIC LAW ENFORCEMENT CODE (NRTLEC)



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## **FOREWORD BY SHAREHOLDERS COMMITTEE**

**These national standards and targets have been prepared as a basis for road traffic law enforcement service providers (authorities) to implement government's policies relating to road traffic management and road traffic law enforcement. They apply subject to all legislation in force and, in particular, the Road Traffic Management Corporation Act 1999, (Act No. 20 of 1999), and the National Road Traffic Act 1999, (Act No. 21 of 1999).**

**The standards described in this Code represent the collective input of stakeholders at national, provincial and local spheres of government and must be adopted by all road traffic law enforcement service providers.**

**The standards are a basis through which authorities can ensure satisfactory delivery of services. This Code also aims to provide strategic direction in addressing issues relating to road traffic law enforcement management and service provision.**

**The standards are issued as a controlled document which will be updated as new information becomes available. Users should ensure that they are operating with the latest version**

## **PREAMBLE**

**The Shareholders Committee of the Road Traffic Management Corporation:**

**ACKNOWLEDGE** that road traffic law enforcement is an essential community service, the effectiveness of which impacts on the quality of life of all South African citizens;

**FURTHER ACKNOWLEDGE** that multiple service providers across national, provincial and local spheres of government currently undertake road traffic law enforcement in terms of the Constitution, national and provincial legislation and municipal by-laws;

**AND FURTHER ACKNOWLEDGE** that wide disparities exist in the management, administrative and operational guidelines applied by such road traffic law enforcement authorities in the execution of their law enforcement mandates;

**WHEREAS** the Road Traffic Management Corporation Act 1999, (Act No. 20 of 1999) mandates the development of a national road traffic law enforcement code to set minimum goals, objectives, standards and uniform procedures for the provision of road traffic law enforcement services;

**WHEREAS** the Road Traffic Management Corporation Act, 1999 (Act No. 20 of 1999) aims to enhance the voluntary compliance with its provisions by meaningfully involving road traffic law enforcement officers in its development;

**SINCE** there is a need for establishment of goals, objectives, standards and uniform procedures for road traffic law enforcement authorities will significantly improve safety on public roads and enhance the quality of life of all South African citizens;

**AND SINCE** there is a commitment to promote road traffic law enforcement as an essential community service and not primarily as a generator of revenue;

**AND SINCE** there is a commitment to adopt a holistic approach to road traffic management that focuses on authorities, administration, information, financial, human resources and operational matters;

**AND SINCE there is a commitment to promote effective, efficient and streamlined administrative systems that adequately support the activities of all road traffic management personnel;**

**AND SINCE there is a commitment to institute reliable information systems to ensure the accurate collection, preservation and retrieval of information needed to support road traffic law enforcement activities;**

**AND SINCE there is a commitment to introduce transparent financial management systems that ensure accountability and the reinvestment of traffic revenue into enforcement efforts;**

**AND SINCE there is a commitment to promote fair human resources practices that enable road traffic management personnel to know what is expected of them and in particular, to maximize career opportunities and empower the previously disadvantaged;**

**AND SINCE there is a commitment to develop a professional fraternity of road traffic law enforcers who take professional pride in their work, conform to high ethical standards, are adequately trained, and competitively recruited and compensated;**

**AND SINCE there is a commitment to professionalise road traffic law enforcement and ensure management that is competent, adequately qualified and experienced with the necessary skills and knowledge to provide guidance and leadership;**

**AND SINCE there is a commitment to establish streamlined and effective operational procedures that incorporate the utilisation of state-of-the-art technology;**

**AND SINCE there is a commitment to maximise road traffic law enforcement's potential impact on overall crime reduction through the rendering of ancillary support to general policing initiatives;**

**AND SINCE there is a commitment to pro-actively shape road user perceptions and behaviour through improved awareness, communication and an open-door policy regarding public concerns;**

**B**E IT THEREFORE APPROVED by the Shareholders Committee, as follows:-



## TERMINOLOGY

“**Act**” means the Road Traffic Management Corporation Act, 1999, (Act 20 of 1999);

“**Appointment date**” means the date of appointment of an employee by a traffic law enforcement authority;

“**Chief of Traffic**” means the person appointed by the Corporation as the chief of traffic.

“**Head of Traffic**” means the person appointed by a Provincial Traffic Authority or Local Traffic Authority, and Head of Traffic has a similar meaning.

“**Civilian**” means an employee who is not appointed as a traffic officer or peace officer in terms of any Act, whether part- or full-time;

“**Discretion**” means power of free decision, or latitude of choice within certain legal bounds;

“**Enforcement action**” means a road traffic law enforcement action against any person alleged to have violated any road traffic legislation;

“**Evidence custodian**” means an employee designated by a traffic law enforcement authority to administer the evidence found and recovered, including the evidence storage facilities, and to monitor and provide functional supervision over the evidence program;

“**Joint operations**” means a written request for assistance for law enforcement services;

“**Lawful instruction**” means any direction, guidance, assistance or command that is not unlawful, given by a senior officer to a subordinate, whether given verbally or in writing;

“**NRCS**” means the National Road Accident Statistics;

“**Operational plan**” means a plan developed and implemented by a traffic law enforcement authority in support of tactical plans by first line supervisors and operational staff and focuses mainly on specific output and activities over a short period of time, usually less than one month.

“**Pacing**” means the positioning of a law enforcement vehicle at a stable, fixed distance behind a speeding vehicle at a constant speed to monitor its speed and the driver’s conduct;

**“Policy”** means a broad statement of departmental principles;

**“Points”** means the weight allocated to different law enforcement activities, based on the nature of the duty, time spent, resources required, special skills and risks involved.

**“Procedure”** means a guideline for carrying out road traffic law enforcement services and standard operating procedure has a similar meaning;

**“Pursuit”** means the operation or use of a patrol vehicle in an emergency mode to pursue a violator who wilfully or knowingly uses illegal or evasive driving tactics to avoid detection, apprehension or arrest;

**“Road traffic safety management”** means a collective or a group of road traffic safety divisions, sections or units such as: –

- Road Traffic Licensing and Administration;
- Road Traffic Safety Law Enforcement;
- Road Traffic Safety Engineering;
- Road Traffic Safety Training;
- Road Traffic Safety Information;
- Road Traffic Safety Accident Investigation;
- Road Traffic Safety Incident Response; or
- Road Traffic Safety Research and Development.

**“Road traffic safety practitioners”** means: –

- Road traffic law enforcement officers,
- Road traffic safety educators,
- Road traffic safety engineers;
- Road traffic accident investigators;
- Examiners of vehicles;
- Examiners for driving licences;

**“Road traffic safety fraternity”** means all structures, institutions (private or public), disciplines, elements and variables found in the different environments both formal and informal that have relevance to the profession or study of road traffic safety.

**“Road traffic law enforcement fraternity”** means all traffic officers and traffic wardens appointed to execute or enforce traffic legislation;

**“Roadside check point” (RCP)** means any method, restriction or obstruction utilised or intended to prevent free passage of motor vehicles on a roadway in order to detect any offence committed in terms of national road traffic legislation, to prosecute or to apprehend any person who has committed an offence in terms of national road traffic legislation, or to execute an arrest in terms of the powers conferred on a traffic law enforcement officer in terms of the Criminal Procedure Act 1977, (Act No. 51 of 1977) as amended).

**“SABS”** means the South African Bureau of Standards;

**“Shareholders Committee”** means the Shareholders Committee established in terms of Section 6 of the Road Traffic Management Corporation Act, 1999.

**“Standard operating procedure” (SOP)** means a set of instructions clearly setting out the requisite steps that must be followed by traffic law enforcement authorities and practitioners to minimise miscommunication and achieve efficacy and efficiency in the manner in which they execute their official duties, and “procedures” has a similar meaning;

**“Strategic plan”** means a three to five-year plan developed at a senior management level for a traffic law enforcement authority, contains the authority’s direction, vision, mission and long-term goals as well as expected outcomes and sets a framework for lower-level planning and the allocation of resources

**“Supervisor”** means any employee assigned to a position having a day-to-day responsibility for the management and oversight of subordinates.

**“Targets”** mean a desired state of affairs or specific outcomes to be achieved within a predetermined timeframe by a traffic law enforcement agency.

**“Tactical plan”** means a one-year plan that is developed in support of a traffic law enforcement authority’s strategic plan by providing specific objectives and concomitant activities for each division and describes the responsibilities and functions of sections and units.

**“Traffic law enforcement authority”** means an institution, department or law enforcement component established in terms of the Road Traffic Act, 1996 (Act 93 of

1996), the Road Traffic Management Corporation Act, 1999, (Act 20 of 1999) or any other applicable legislation, for the purpose of controlling traffic and traffic law enforcement “agency” has a similar meaning.

**“Traffic officer”** means an officer appointed in terms of section 3A of the National Road Traffic Act, 1996 (Act No. 93 of 1996) and any member of a municipal police service, both as defined in section 1 of the South African Police Service Act, 1995 (Act No. 68 of 1995).

## INTRODUCTION TO THE CODE

### 1.1 Introduction

This Code is intended to achieve a greater level of uniformity in the way traffic law enforcement authorities and traffic safety practitioners operate. The decentralised (fragmented) structure of traffic law enforcement in South Africa necessitates the development of standardised directives, uniformity and to ensure consistency and professionalism in traffic policing. The Code is applicable to and mandatory for all traffic law enforcement authorities. Failure to comply with the Code may precipitate an intervention to remedy such non-compliance by a traffic law enforcement authority.

### 1.2 Purpose of the Code

The purpose of the NRTLEC is to provide a national framework which sets out the following in respect to Road Traffic Law Enforcement

- (a) *minimum requirements for training and appointment of road traffic law enforcement officers;*
- (b) *strategic direction and goals to be achieved;*
- (c) *management practices and human resource practices to be followed;*
- (d) *operating principles to be applied;*
- (e) *performance levels to be achieved;*
- (f) *supporting management information systems to be implemented; and*
- (g) *actions which constitute a failure to comply with the code as contemplated in section 33.*

### 1.3 Application of the Code

The Code, once approved by the Shareholders Committee, becomes binding on the following institutions as prescribed in Section 32(5) (a) and (b) of the Road Traffic Management Corporation Act, 1999 (Act No. 20 of 1999): -

- a) Provincial authorities and local government bodies, irrespective of whether they perform road traffic services under a contract (service level agreement) or not;
- b) Statutory transport institutions vested with powers to execute road traffic law enforcement functions;
- c) Every police officer employed by the South African Police Service who executes traffic law enforcement functions, upon the approval and subject to the conditions and limitations prescribed or approved by the Minister for Safety and Security; and

- d) Every traffic officer employed by the Road Traffic Management Corporation (RTMC) to execute road traffic law enforcement functions.
- e) The Road Traffic Management Corporation shall establish the capacity to monitor and evaluate the implementation of the Code by all traffic law enforcement authorities that are in terms of the Code, compelled to do so.
- f) The capacity established as contemplated in (e) above may consist of traffic law enforcement practitioners from any traffic law enforcement authority, members from the broader road traffic safety fraternity as well as competent stakeholders from the private sector.

A traffic law enforcement authority must submit information as the Corporation may reasonably require to monitor compliance with the Code and the Corporation shall maintain the requisite management information systems to monitor and evaluate the performance of traffic law enforcement authorities nationally. Traffic law enforcement authorities shall be subjected to periodic evaluation as determined by the Corporation.

#### **1.4 Status of the Code**

- a) The provisions of this Code apply to the extent that they are not in conflict with the Constitution or any provision of national legislation.
- b) The national standards in this Code are mandatory and must be complied with;
- c) The performance targets in this Code are mandatory;
- d) This Code is published in terms of Sections 32 and 33 of the Road Traffic Management Corporation Act, 1999 (Act 20 of 1999) that prescribes as follows:

##### **1.4.1 National Road Traffic Law Enforcement Code**

- a) The Chief Executive Officer, in consultation with the National Commissioner of the South African Police Service and the national organisation recognised in terms of section 2(a) of the Organized Local Government Act, 1997. (Act No. 52 of 1997) shall develop a National Road Traffic Law Enforcement Code.

- b) The Code must, considering local developmental needs, capacity and available resources, provide a national framework that sets out the following in respect of road traffic law enforcement: –
- i. Minimum requirements for training institutions, a training curriculum and the requirements for the appointment of road traffic law enforcement officers;
  - ii. Minimum requirements for the establishment and registration of road traffic law enforcement authorities, irrespective of whether they perform road traffic services under a contract or not;
  - iii. National strategic direction and goals to be achieved;
  - iv. Management and human resources practices to be followed;
  - v. Operating principles to be applied;
  - vi. Defined performance standards to be achieved;
  - vii. Supporting management information systems (MIS) to be implemented; and
  - viii. Actions which constitute a failure to comply with the Code, as contemplated in Section 33 of the Act.
- c) A Draft Code must be published by notice in the National Gazette and the notices must specify the time available to interested parties to comment, as prescribed in Section 32(7) of the Act.
- d) The Chief Executive Officer, the National Commissioner of the South African Police Service and the national organisation recognised in terms of Section 2(a) of the Organised Local Government Act, 1997. (Act 52 of 1997) must consider all comments before completing the Code and submitting it to the Shareholders Committee for approval.
- e) The Code, once approved by the Shareholders Committee, becomes binding on: –
- i. Provincial authorities and local government bodies, irrespective of whether they perform road traffic law enforcement services under a contract or not, provided that the Chief Executive Officer may not force a local government body that does not provide road traffic services, to provide those services;
  - ii. Any statutory transport institution vested with powers to execute road traffic law enforcement functions for the duration of a contract concluded with a Corporation to provide road traffic law enforcement services: provided that the Code may only bind the South African Police Service and a municipal police

- service established in terms of section 64A of the South African Police Service Act, 1995 (Act No. 68 of 1995) upon approval thereof by the Minister of Police.
- iii. No private institution or private person will be allowed to establish, conduct, coordinate and or be involved in any road traffic law enforcement activities in the country without the relevant authority's approval.
  - iv. Road traffic safety practitioners may participate in any law enforcement conference, workshop, summit, etc. organised or endorsed by the Corporation and/or other road safety stakeholders with the aim of protecting the profession, the image of the profession and of promoting road safety nationally and internationally.
  - f) Every three years the code must, on recommendation of the Shareholders Committee, be revised.
  - g) Any revision of the code must be published in the Gazette and every Provincial Gazette for interested parties to comment on.



## **PART 1: STRATEGIC DIRECTION AND GOALS**

### **CHAPTER 1: STRATEGIC, TACTICAL AND OPERATIONAL PLANS**

The objectives of the RTMC Act, (Act. No, 20 Of 1999) are:

- a) Effecting the pooling of road traffic powers of the Minister and every MEC, and the resources of national and provincial spheres of government responsible for road traffic management, in support of enhanced cooperative and coordinated road traffic strategic planning, regulation, facilitation and law enforcement.
- b) Strengthening national and provincial governments collective capacity to govern road traffic through partnerships with local government bodies and the private sector, and
- c) Focusing government of effective strategic planning, regulation, and facilitation and monitoring.

Each traffic law enforcement authority must develop the capacity to execute traffic law enforcement functions in an evidence-based manner. The development of the plans specified hereunder allows authorities to focus extensively on the main accident causative factors and to adopt an intelligence-led approach to traffic policing practices.

#### **1.1 Strategic plan**

- a) The head of a traffic of a law enforcement authority shall be responsible for the development of a three-year strategic plan.
- b) The strategic plan shall be revised annually to provide for new developments, etc.
- c) The Corporation shall provide all traffic law enforcement authorities with a planning process cycle to ensure coordination and compliance with national, provincial and local priorities.

- d) The strategic plan shall be signed off by the head of department and Member of the Executive Council (MEC) or the Municipal Manager and applicable Member of the Mayoral Committee and must be submitted to the Corporation three months before the start of the authority's financial year (e.g. provincial traffic law enforcement authorities submit in January and metropolitan and municipal traffic law enforcement authorities submit in April of each year).
- e) The format of the strategic and annual tactical plans shall be as prescribed periodically by the Corporation.

## **1.2 Tactical plan**

- a) A tactical plan must be developed annually by the head of traffic of a traffic law enforcement authority and must include appropriate prioritised interventions that focus on identified road accident risk factors.
- b) The plan must be submitted to the Corporation three months before the start of the authority's financial year (e.g. provinces submit in January and metropolitan and municipal traffic law enforcement authorities submit in April).
- c) The format of the operational plan shall be as determined periodically by the Corporation.

## **1.3 Operational plans based on road safety interventions and priorities**

- 1.3.1** A traffic law enforcement authority must utilise the following information in planning its law enforcement activities, but not limited to:
- a) Accident data to determine high frequency accident locations – (historic data);
  - b) Offence rate data and trends – data obtained from periodic traffic surveys – (current data);
  - c) Enforcement data such as the number and type of prosecutions instituted,
  - d) Roadside vehicle check reports and notices issued;
  - e) Staff deployment data such as hours worked,
  - f) Time spent on patrol various patrol activities;
  - g) Kilometres travelled;
  - h) Other information such as public complaints, traffic incidents, road infrastructure reports, and
  - i) Staff performance and resources available.

### 1.3.2 Analysis and planning

- a) Each traffic law enforcement authority must use the information in 1.3.1 above as evidence to identify and prioritise the need for appropriate law enforcement interventions at the highest frequency accident locations; the days and times when most accidents occur as well as the main accident causative offences.
- b) The deployment practices of each traffic law enforcement authority must be consistent with such an evidence-based approach to minimise accident risks and to optimise the utilisation of scarce law enforcement resources.
- c) The scheduling of activities must be aligned to national and provincial programs that may be introduced from time to time.
- d) Traffic law enforcement authorities must, as far as possible align their tactical and operational plans to the stated national goals and objectives of the following:
  - 2011 – 2020 United Nations Decade of Action Plan
  - The National Road Safety Strategy
  - National Road Traffic Law Enforcement Strategy and Deployment Model
  - The National 365 Road Safety Framework
  - The National Road Traffic Law Enforcement 24/7 Shift Policy
- e) Analysis and planning shall be performed in terms of the processes as prescribed from time to time by the Corporation;
- f) The Chief of Traffic shall coordinate strategic planning sessions and must develop, approve and circulate process flows with clear timelines.
- g) The Chief of Traffic shall lead the setting of national targets in consultation with provincial traffic law enforcement authorities.
- h) National customised targets must be part of the Annual Performance Plans (APP's) of all traffic law enforcement authorities.
- i) Additional national targets can be set for provinces outside this planning process as and when required to achieve an ad-hoc objective.
- j) The Corporation must provide statistical accident data to each traffic law enforcement authority to enable the authority to plan its activities based on evidence as contemplated in 1.3.1 herein above.

- k) The Corporation shall assist where appropriate, those traffic law enforcement authorities that request or lack the capacity to plan and develop operational plans.

### **1.3.3 Joint structure approach**

- a) A National Joint Operations Structure will be established to maximize the impact of intervention units and the planning of enforcement activities and selected events.
- b) The Chief of Traffic shall establish the national steering committee (NRSSC) to oversee and assist provincial coordinating structures. (PRSCS)

### **1.3.4 Submission of plans to the Corporation**

- a) Each province shall submit to the Chief of Traffic:
- i. Integrated strategic and tactical plans signed off by the Head of Department or designated official in the format as prescribed from time to time;
  - ii. Consolidated provincial monthly and quarterly operational plans signed off by the Head of Department or designated official in the format approved before the commencement date of the plan to facilitate the collation of information on the identified interventions.
  - iii. Consolidate monthly list of activities and specific enforcement interventions;
  - iv. Integrated projects signed off by the Head of Department or designated official as specified; and
  - v. Progress reports signed off by the Head of Department or designated official as prescribed from time to time.
- b) The traffic law enforcement authority shall maintain records of all its operational plans and the results derived from the enforcement activities emanating from the implementation of these operational plans.

### 1.3.4 Progress reports

- a) The Corporation may periodically request road traffic law enforcement authorities to submit reports in a manner determined, which reflects the progress made with the implementation of the authority's strategic, tactical and operational plans.
- b) Transversal indicators are road traffic law enforcement activities that must be performed by all authorities to determine uniformity in the implementation of identified law enforcement activities. Transversal indicator reports shall be submitted quarterly by provinces to monitor compliance and impact thereof.

## CHAPTER 2: CONSULTATIVE NETWORKS

Traffic safety is not confined to the jurisdictions of traffic law enforcement authorities. Many drivers cross the boundaries of these authorities and it is therefore imperative that role players establish protocols that govern the responses when traffic law enforcement practitioners face cross-border challenges. Traffic law enforcement authorities may also periodically face challenges to cope with specific road safety issues and will require bordering agencies to render assistance when called upon to do so.

Protocols should be established to ensure mutual aid and assistance can be secured at meso, macro and micro levels of government. The Corporation shall endeavour to standardise traffic officer training and law enforcement practices within Southern Africa Development Community (SADC) in terms of the relevant SADC Protocols.

### 2.1 Mutual aid

Road traffic law enforcement authorities may function in an area or areas as contemplated in Section 3A (2) of the National Road Traffic Act, 1996 (Act No. 93 of 1996) and: -

- a) Road traffic law enforcement authorities may, subject to applicable legislation and their capacity, provide mutual assistance to each another.

- b) A request for mutual aid by a traffic law enforcement authority must be made by the Head of Traffic of the requesting traffic law enforcement authority or his or her authorised designee.
- c) Upon receipt of a request for mutual aid, a designated supervisor must immediately determine whether the traffic law enforcement authority has the available personnel and equipment necessary to accede to the request.
- d) The Head of Traffic should authorise the release of personnel and equipment to the requesting traffic law enforcement authority if the necessary required resources are available.
- e) Approval of mutual aid request must be made by the Chief of Traffic, his or her designee.
- f) Approval for mutual aid requests must be in writing.
- g) The designated supervisor shall co-ordinate any approved mutual aid activities with the requesting traffic law enforcement authority.

## **2.2 Mutual aid with the Security Cluster**

Road Traffic Safety Management will provide assistance to and be assisted by all relevant members of the Security Cluster.

- a) Traffic law enforcement authorities are members of the Security Cluster and shall participate in all inter-government structures that deal with safety and security at their respective levels of government.
- b) No Authority shall participate as a sole representative of the fraternity at a level higher than its own
- c) Monthly reports, attendance registers and task registers of all security cluster meetings must be recorded and stored in a safe place.
- d) All significant national and provincial operations planned through these structures must as soon as possible be coordinated by the Chief of Traffic or his/her designated supervisor.
- e) All members assigned to the security cluster structures' names must be submitted to the Chief of Traffic for security clearance and accreditation.

## 2.3 Consultation

- a) The Chief of Traffic or his/her designee should consult, as the need arises, with relevant interested stakeholders and may develop and maintain liaison or stakeholder consultative networks.
- b) The Head of Traffic must maintain a record of all stakeholder consultative networks, minutes of their meetings and any correspondence entered into between them.
- c) The information mentioned in (b) above must be retained by the traffic law enforcement authority.
- d) Matters that may form the subject of discussions at such forums may include, but are not limited to:
  - i. Cost sharing;
  - ii. Joint planning and preparation;
  - iii. Sharing of responsibilities;
  - iv. Conclusion of written documents for co-operation; and
  - v. Sharing of information.
- e) A traffic law enforcement authority must maintain a close working relationship with those authorities that share responsibility for coping with extreme road and weather conditions affecting traffic safety.
- f) A traffic law enforcement authority may conclude an inter-jurisdictional vehicle pursuit agreement with other authorities wherein they agree on the procedures to be followed during an inter-jurisdictional vehicle pursuit.
- g) The Chief of Traffic must assist authorities mentioned in (e) above in developing and carrying out mutual assistance policies, procedures and programs to serve the public as effectively as possible when such adverse conditions exist.
- h) Upon discovering an adverse road or weather condition, traffic law enforcement authority personnel must notify the appropriate authorities and persons to deal adequately with such condition.
- i) Traffic law enforcement authorities shall not take instructions or embark upon any law enforcement activity which is biased to any party in a conflict situation or deployed to intervene in violent riots or the removal of settlements except when addressing road safety related matters and or empowered by applicable legislations and regulations.

## **PART 2: MINIMUM REQUIREMENTS FOR TRAINING AND APPOINTMENT OF ROAD TRAFFIC LAW ENFORCEMENT OFFICERS:**

### **CHAPTER 1: APPOINTMENT AND TRAINING REQUIREMENTS**

The value and purpose of training within the law enforcement fraternity is paramount for the appointment of road traffic law enforcement officers. The Code prescribes minimum and recommended training requirements. The prerequisites for appointment and training of road traffic law enforcement officers are specified in detail. The prescribed minimum requirements will promote professionalism within a law enforcement authority. It will also promote training and research to encourage the continuous professional development of road traffic law enforcement officers.

#### **1.1 Appointment and training requirements**

Within the larger context of training of authorised traffic personnel, this section aims to provide specific gate keeping processes to prevent those who do not meet requirements from entering the traffic profession.

#### **1.2 Basic Traffic Officer's entry requirements**

The following entry requirements must apply before a person will be allowed to enrol for the basic traffic officer's course:

- a) National Senior Certificate;
- b) Code B driving licence (manual transmission);
- c) The applicant must be employed by a Provincial Authority, Local Authority or the National Department of Transport; or any applicant eligible for this training in terms of the National Road Traffic Act.
- d) No criminal record (s);
- e) Completed prescribed Medical Form by a registered medical practitioner as proof that a person may do strenuous exercise; and
- f) The applicant must be under the age of 35 years on the day of enrolment.



NOTE: In respect of (a) the following shall be applicable:

- A minimum of 50% pass mark in English at Senior Certificate level
- A minimum of 50% pass mark in FIVE other additional subjects at Senior Certificate level.

The following table indicates the levels of performance required for entry to specific levels of study. A Matric Certificate on minimum level 4 is necessary to enrol for the Traffic Officer's course:

| Rating Code |                                     | Rating Marks |
|-------------|-------------------------------------|--------------|
| 7           | Outstanding achievement             | 80-100       |
| 6           | Meritorious achievement             | 70-79        |
| 5           | Degree substantial achievement      | 60-69        |
| <b>4</b>    | <b>Diploma adequate achievement</b> | <b>50-59</b> |
| 3           | Foundation moderate achievement     | 40-49        |
| 2           | Elementary achievement              | 30-39        |
| 1           | Not achieved                        | 0-29         |

**1.2.1 The minimum training requirements for appointment as a law enforcement officer shall be as follows: -**

- I. During recruitment and training applicants and Traffic Trainees should meet the following fitness standard:**
  - Strength (include body carry and drag)
  - Flexibility (include landing on the other side of the wall)
  - Cardiorespiratory (include completing a work related obstacle course)
  - Speed (include completion of task related to course as fast as possible)
  - Power (include jump over a 1 meter obstacle)
  - Agility (include moving as fast as possible between obstacles)
  - Fears (include high or narrow obstacles)
  
- II. The SAQA registered occupational certificate: Traffic Officer, registered at NQF Level 6 or as directed by the Corporation.**

**III. This qualification shall comprise of at least of the following modules:**

Knowledge modules:

- I. General orientation;
- II. Applied English communication;
- III. Professionalism and practice;
- IV. National Road Traffic Act;
- V. Additional Road Traffic Law Enforcement Legislation;
- VI. Administrative Adjudication of Road Traffic Offences Act;
- VII. Other relevant legislation;
- VIII. Criminal law;
- IX. Criminal Procedure Act;
- X. Introduction to traffic criminology;
- XI. Road safety education and road safety systems;
- XII. Basic accident investigation;
- XIII. Firearm Control Act;
- XIV. Use a firearm in a law enforcement environment; and
- XV. Anti-corruption and other related legislation.
- XVI. Crime prevention

Practical skills modules:

- I. Ensure road safety on public roads;
- II. Apply tactical survival techniques;
- III. Maintain discipline;
- IV. Tactical use of a firearm in appropriate situations;
- V. Physical fitness;
- VI. Examine vehicles for fitness; and
- VII. Examine applicants for learners and driving licenses.

Work experience modules:

- I. Control and regulate traffic on public roads;
- II. Respond to and manage incidents;
- III. Systematic inspection of vehicles; and

- IV. Set-up of roadside checkpoints in the prescribed manner  
Additional requirements should include training in at least one specialised field such as: –
- I. Motorcycle patrol;
  - II. Investigator;
  - III. Evidence custodian;
  - IV. Advanced accident investigator;
  - V. Breath alcohol operator;
  - VI. Data analyst;
  - VII. Road engineering aspects; and
  - VIII. Training instructor.

**1.2.2 The Modules Crime Prevention and Physical Fitness will be imported from the non-commission SAPS Basic Police Qualification in terms of the service level agreement between the RTMC and SAPS.**

**1.2.3 Future training requirements (Continuous Professional Development - CPD)**

| LEVEL OF EMPLOYMENT | REQUIREMENTS   |
|---------------------|--|
| Senior management   | Advanced public relations<br>Public management<br>Business studies<br>Evidence-based traffic policing practice<br>Minimum ten years in middle management<br>Traffic Diploma  |
| Middle management   | Strategic management<br>Financial management<br>People management<br>Project management<br>Knowledge management<br>Intelligence-led traffic policing practice<br>Minimum eight years at supervisory level<br>Traffic Diploma |
| Supervisory         | People management<br>Leadership  |

| LEVEL OF EMPLOYMENT    | REQUIREMENTS   |
|------------------------|--|
|                        | Project implementation<br>Public relations<br>Offence Rate Monitoring<br>IT skills – Excel<br>Traffic Diploma<br>Minimum five years at lower supervisory or functional level   |
| Supervisory/Functional | Leadership skills<br>Road Traffic Act and regulations<br>Criminal Procedure Act<br>Public Service Act<br>Policies and standard operating procedures (SOP's)<br>Basic research techniques<br>Communication<br>Investigation techniques<br>Negotiating skills<br>Power Point Presentation and MS Word<br>Decision making competencies<br>Traffic Diploma<br>Minimum five years in a road traffic law enforcement unit. |
| Functional             | Examiner of motor vehicles<br>Examiner of drivers' licences<br>Computer literacy<br>Training on the applicable traffic computer system used by the authority (if applicable)<br>Basic ambulance assistance course<br>Hazardous chemicals course  |
| Trainee/recruit        | Traffic officer qualification as prescribed<br>Driving license (minimum 2 years old)<br>Good health record<br>Clean criminal record<br>Advanced driving skills<br>South African citizen  |

| LEVEL OF EMPLOYMENT | REQUIREMENTS   |
|---------------------|--|
|                     | Employed by a registered traffic law enforcement authority |

#### 1.2.4 Compulsory refresher courses

The following refresher courses apply from functional to superintendent level of employment, and should be attended at least every two years by:

- I. Legislative amendments to the National Road Traffic Act and Regulations as well as other applicable legislation
- II. Changes to relevant traffic systems;
- III. First aid courses;
- IV. Firearm refresher courses;
- V. Velocity meters; and
- VI. Breathalysers.

#### 1.2.5 Recommended refresher courses

The following generic recommended refresher courses apply across all levels of employment:

- I. Customer service;
- II. Report writing skills
- III. Examiner of vehicles;
- IV. Examiner of driving licences;
- V. Stress management workshops;
- VI. Trauma management;
- VII. Radio procedures and protocol;
- VIII. Special Weapons and Tactics (SWAT)
- IX. Procedure for escorting hazardous goods;
- X. Court etiquette, testimony;
- XI. Occupational Health and Safety; and
- XII. Report writing skills

### **1.2.6 Recommended refresher courses for managers**

The following courses are recommended for all senior and executive managers:

- I. Legislative amendments and new legislation;
- II. Changes to relevant traffic systems;
- III. Communication;
- IV. Advanced report writing skills;
- V. Presentation skills;
- VI. Financial management and budgeting;
- VII. Project management;
- VIII. Strategic planning and execution;
- IX. Labour law; and
- X. Management and leadership.

## **PART 3: MANAGEMENT PRACTICES AND HUMAN RESOURCE PRACTICES**

### **CHAPTER 1: RECRUITMENT, SELECTION AND APPOINTMENT**

Traffic policing is a profession that requires highly skilled practitioners. It is thus imperative that minimum entry requirements are established that will ensure that only high calibre persons are recruited, selected and appointed. The training of recruits is specified at two levels i.e. basic training requirements as well as secondary training levels for advancement within the traffic law enforcement fraternity.

Professionalism also dictates that traffic law enforcement practitioners are up-skilled by means of refresher programmes to meet the many challenges that they face during the execution of their duties, both at operational and management level. This Code prescribes the minimum standards of training and education for traffic law enforcement practitioners.

#### **1.1 Recruitment, selection and appointment procedures**

- a) Recruitment, hiring, retaining, evaluation, promotion, transfers and dismissal of employees, termination of employment, and disciplinary actions must be fair and in accordance with applicable legislation and policies.
- b) Recruitment may not overrule the provisions specifying the minimum qualifications and experience as set out in Part 2.
- c) Each traffic law enforcement authority must implement fair and transparent processes for the appointment and/or promotion of its staff as provided for in the Labour Relations Act, 1995 (Act No. 66 of 1995).

#### **1.2 Rationale and Significance of the Rank Insignia**








- a) All law enforcement agencies since their inception have hierarchal command structures exemplified in different kinds of rank insignia and uniform as well as differently branded patrol vehicles. The rank insignia critically aligns the command





structure and further promotes discipline as well as respect within the said structures.

- b)** In this hierarchical structure, the ranking insignia denotes seniority between superiors and subordinates. This distinction between levels is critical because it facilitates the issuing of orders and instruction between superiors and subordinates without any hesitation at all material times. The ranking insignia therefore embeds the culture of compliance to all lower levels within the command formation and ensures prompt service delivery without glitches.
- c)** The rank insignia denotes the office position of an individual in terms of command and control. In terms of road traffic law enforcement, the Chief of Traffic whose rank insignia is denoted by the most number of leaves as compared to that of his/her subordinates is the custodian of overall command of the traffic law enforcement operations.
- d)** By virtue of his / her position, the Chief exercises command and control over the entire traffic law enforcement operations within the Province. This is extended to the subordinates under his / her command and control, to exercise the powers and authority assigned to them by virtue of their ranks. To illustrate the point, the Principal Provincial Inspector exercises supervisory functions over subordinates in the execution of their daily traffic law enforcement operations.
- e)** A proper chain of command ensures that traffic law enforcement officers understand their responsibilities and that it be supervised appropriately. Only registered traffic officers / relevant law enforcement background are eligible for appointment either as a Chief Traffic Officer, Head of Traffic, Deputy Chief Traffic Officer, Deputy Head subject to the minimum requirements.



1.3 The table below illustrates the recommended national rank structure.

| Recommended - National Rank Structure       |  |                              |
|---|--|------------------------------|
| Recommended National Rank Structure - Title | Description  | SAPS                         |
|   |    | General (Gen.)               |
| Chief of Traffic                            |    | Lieutenant General (Lt.Gen.) |
| Deputy Chief of Traffic                     |    | Major General (Maj.Gen)      |
| Director                                    |    | Brigadier                    |
| Senior Superintendent                       |    | Colonel                      |
| Superintendent                              |   | Lieutenant Colonel (Lt.Col.) |
| Assistant Superintendent                    |  | Major                        |

| Recommended National Rank Structure - Title | Description  | SAPS                      |
|---|--|---------------------------|
| <b>Principal Inspector</b>                  |  | Captain                   |
| Senior Inspector                            |   | Warrant officer (Warrant) |
| Inspector                                   |   | Sergeant (Sgt.)           |
| <b>Traffic Officer 1,2,3</b>                |   | Constable                 |
| <b>Traffic Trainee</b>                      | <b>Shoulder Flash Stripes on shoulder</b>  | <b>Student Constable</b>  |

## **1.4 Chain of command and span of control**

- a) The chain of command and span of management/control refer to: -
- i. Role and functions of a supervisor;
  - ii. Communication of orders;
  - iii. Unlawful orders;
  - iv. Conflicting orders;
  - v. By-passing the chain of command;
  - vi. Lateral communication;
  - vii. Number of subordinates that supervisors could effectively supervise; and
  - viii. Saluting.

### **1.4.1 Chain of command and span of control**

- a) As a link in the chain of command, a senior officer with line authority has the right to direct the work of his/her immediate subordinates and to make certain decisions without consulting others.
- b) In the chain of command, every senior officer is also subject to the direction of his/her immediate superior.
- c) The purpose of the span of control principle in a traffic law enforcement authority is to allocate a certain number of traffic officers reporting directly to one senior officer, based on various organisational and management principles.
- d) The intrinsic value of an optimum chain of command and span of control shall be pursued to optimise service delivery and to ensure that professional traffic policing practices are implemented.
- e) These principles must be applied correctly to balance accountability, responsibility and the decision-making load across all levels of the authority.
- f) Chain of command and span of control bring clarity to the list of issues

## CHAPTER 2: DIRECTIVES FOR SUPERVISORY PERSONNEL

Supervision is a critical aspect within traffic law enforcement authorities. The Code provides a framework that delineates the basic parameters for good governance within these authorities. This includes formal procedures that shall be introduced to establish uniformity in communication. Formal directives create stability and certainty for all road traffic law enforcement officers and ensure that orders are clearly communicated and executed.

### 2.1 Supervisors

- a) Only registered traffic officers who comply with the minimum appointment requirements as reflected in Part 2 above may be appointed in a supervisory position.
- b) Supervisors must provide guidance and assistance to their subordinates.
- c) Supervisory personnel are responsible for subordinates' adherence to the traffic law enforcement authority's policies, rules, regulations, instructions, and standard operating procedures and must take reasonable action to ensure compliance.
- d) Supervisors are responsible for the maintenance of discipline and must provide leadership, supervision and at all times set an example to ensure professionalism, efficacy and efficiency within the traffic law enforcement authority.
- e) Supervisors must monitor the job performance of their subordinates in terms of the traffic law enforcement authority's policies and the prescribed directives contained in this Code
- f) Supervisory personnel are responsible for all job-related failures on the part of their subordinates when the supervisor was aware or should reasonably have been aware of the failure, or the potential for failure, and failed to take appropriate action to correct the deficiency.

### 2.2 Written directives

- a) The authority to authorise, issue, retract or to modify written directives issued in terms of this Code, is vested in the Chief of Traffic.
- b) The Chief of Traffic may delegate his or her authority for issuing any written directives to the Deputy Chief of Traffic Services or the head of a division.

- c) Directives must not conflict with an established policy or procedures, unless the directive constitutes a revision or replacement of an existing policy or procedure.
- d) A replacement directive shall indicate which directive/s it replaces.

## **2.3 Types of written directives**

### **2.3.1 General order**

- a) General orders are permanent orders concerned with policy, rules and procedures and usually affect more than one division.
- b) General orders are issued and signed by the Chief of Traffic.

### **2.3.2 Standard operating procedure (SOP's)**

- a) Standard operating procedure is a standardised, step-by-step procedure that provides written instructions to employees.
- b) A standard operating procedure is issued and signed by the Chief of Traffic.

### **2.3.3 Special order**

- a) A special order is an order affecting only a specific division or a procedure regarding a specific circumstance or event that is of a changing or temporary nature.
- b) Special orders are issued and signed by the Chief of Traffic or head of a division.
- c) Special orders are self-cancelling after no more than 90 days, unless otherwise specified.

### **2.3.4 Memorandum**

- a) A memorandum is a formal document that may or may not convey an instruction.
- b) A memorandum is generally used to clarify, inform or enquire.
- c) A memorandum for directing compliance or conveying an instruction, must be issued by the officer who has authority to do so.
- d) Memoranda must be prepared in the format prescribed by the Chief of Traffic.

### 2.3.5 Review of directives

- a) Proposed policies, procedures, rules or changes to written directives must be co-ordinated and distributed by the Chief of Traffic or the head of a division.
- b) All proposals must be reviewed to assess the directive's impact on existing policies or procedures.
- c) The directives should be reviewed by command as well as affected staff.
- d) The Chief of Traffic or head of a division may revoke a directive after a review thereof.
- e) Revocation is effected by stamping or writing in red ink the word "**REVOKED**", the letters of which shall be 5 cm high.
- f) The revoked instruction must be disseminated in the same manner as the initial directive to inform employees of such revocation.
- g) The directive number must not be re-used after revocation.
- h) All proposals creating new policies, procedures or rules, or the changing of existing policies, procedures or rules, shall be directed to the Chief Executive Officer of the Corporation for purposes of a review of this Code.
- i) All policies, procedures and rules shall be aligned to the objectives of this Code.

### 2.3.6 Record of directives

- a) The head of traffic or other designated senior officer shall maintain an independent set of master files of all directives and revocations.
- b) The files must contain the original signed copy of the directive, copies of previous directives replaced by the current directive and materials relevant to the development of the directive.

### 2.3.7 Dissemination of directives

- a) The Chief of Traffic or a head of traffic shall ensure that directives are disseminated to all employees directly or indirectly affected by such directive.
- b) Supervisors must ensure that all employees receiving directives, acknowledge receipt and comprehension thereof in the manner and form prescribed.
- c) Supervisors are responsible for explaining and clarifying the special and general orders when they are issued.

## CHAPTER 3: STANDING ORDERS

Standing orders form an inherent part of the traffic law enforcement authority's regime of mechanisms to ensure that the conduct of officers, and civilian staff conform to a minimum standard as prescribed. Standing orders ensure that officers operate in a predictable manner that conforms to institutional objectives. Collectively they promote professionalism and provide citizens assurance that officers cannot act in a manner that infringe on their constitutional rights. The standards contained in this Code are minimum prescripts that must be introduced by each traffic law enforcement authority.

### 3.1 Insubordination

- a) A lawful order is any order of a superior officer requiring performance of a specified duty by a subordinate officer, provided it is not prohibited by law or contravenes the policies or rules and regulations of the traffic law enforcement authority.
- b) An officer's failure or refusal to obey a lawful order issued by a superior officer is strictly prohibited.
- c) Insubordination means: -
  - I. Defiance of authority by word, act or demeanour; or
  - II. Without lawful excuse, refuse, disobey, omit or neglect to carry out any lawful order.
- d) When an officer receives a conflicting order from a superior, the officer must inform the superior officer of the conflict or potential conflict.
- e) The superior officer must clarify the order made in line with (d) above.
- f) Officers must not obey any order which they know or should know, would require them to commit any illegal act.
- g) An officer who is in doubt about the legality of an order must request the issuing officer to clarify the order or confer with a higher authority.
- h) An officer alleged to have being insubordinate, may be summarily suspended and subject to disciplinary action by the traffic law enforcement authority.

### **3.2 Abandonment of duty or assignment**

- a) Employees must not abandon their assigned duties or leave their area of patrol unless properly relieved or dismissed by a superior officer.

### **3.3 Giving names and other information**

- a) Employees must politely give their name and other pertinent identifying information to traffic law violators or any other person who may legally request it.

### **3.4 Leaving jurisdictional boundaries**

- a) Officers may not exit the jurisdictional boundaries of the traffic law enforcement authority whilst on duty, unless this is required in the execution of their duties or upon the direct order or permission of a supervisor. Officers may go beyond jurisdictional boundaries only in the case of authorised operations, in pursuit of an offender and in the case of an emergency.

### **3.5 Altering records**

- a) Stealing, altering, forging or tampering with any law enforcement record, report or notice, is a criminal offence.
- b) The removal of any record, card, report, letter, document, or other official file from the traffic law enforcement authority, except by process of law or as directed by the chief traffic officer, is a criminal offence.
- c) Unless properly authorised, the obtaining or duplicating or attempting to obtain or duplicate information from any official file, sources or reports, is a criminal offence.

### **3.6 False reports**

- a) Employees shall not make false reports, either oral or written.
- b) Employees shall not wilfully or knowingly depart from the truth in any manner, including giving testimony about official duties

### **3.7 Unauthorised persons in vehicles**

- a) No person other than an officer or authorised member of staff, a detainee, or persons on authorised official business, are permitted to ride in traffic law enforcement authority vehicles.

### **3.8 Absence from work**

- a) Absence from work without permission is prohibited.

### **3.9 Reporting sick leave**

- a) Whenever an officer who becomes ill and cannot report for duty, shall notify his/her employer in terms of the applicable conditions of service.
- b) The use of sick leave without just cause, or the furnishing of any false information regarding an officer's physical condition, is prohibited.

### **3.10 Public criticism**

- a) Complaints by employees regarding a traffic law enforcement authority's activity, must be resolved through internal grievance procedures.
- b) No employee shall publicly criticise a traffic law enforcement authority's policies, operations, or staff in a defamatory, obscene, unlawful, or untruthful manner.
- c) Criticism that tends to prejudice the operations of a traffic law enforcement authority by reducing organisational efficiency and discipline, is strictly prohibited.

### **3.11 Abuse of official position**

- a) Employees shall not use their official position for political purposes, nor engage in political activities whilst on duty or in uniform.
- b) When expressing views, an officer shall not associate his/her position as an employee of the traffic law enforcement authority or represent views as those of the traffic law enforcement authority.
- c) The above does not prohibit employees from exercising their constitutional rights as citizens to vote, express opinions privately, being a delegate or member of a political caucus, or taking part in political polls.

### **3.12 Political involvement**

- a) An employee who is not on duty and who is not in uniform may engage in political activities other than: -
  - I. Soliciting or receiving funds;
  - II. Political activity that places or is likely to place the officer in a position of conflict of interest; or
  - III. Utilisation of official resources for political purposes is prohibited.



- b) Prior to becoming a candidate for political office, an employee shall request leave of absence without pay from the traffic law enforcement authority.
- c) During his or her campaign, an employee shall not represent himself/herself as a member of the traffic law enforcement authority.
- d) An employee who is elected to a political office must resign as an employee before serving in the office to which he/she was elected.

### **3.13 On- and off-duty; ethics**

- a) Engaging in conduct, on or off duty that tend to bring the traffic law enforcement authority into disrepute or prejudice the operation or efficiency of the authority, is prohibited.

### **3.14 Possession or use of alcohol**

- a) Employees shall not be in possession of/or use alcoholic beverages whilst on duty other than with the explicit authorisation of the chief traffic officer.
- b) When called, an off-duty officer that has consumed alcoholic beverages, must inform the superior officer who called him/her, of such consumption.
- c) When an officer is suspected of having consumed alcoholic beverages whilst off duty, he/she must be given a sobriety test, and only allowed to assume his/ her official duties after passing the test.
- d) The sobriety test must be recorded on the "Alcohol Test Record Form" as prescribed.

### **3.15 Possession or use of controlled substances**

- a) The possession or use of controlled substances by an employee whilst on or off duty is prohibited.
- b) Officers may possess and ingest prescribed controlled medications under the guidance of a licensed medical practitioner and with the knowledge of their immediate supervisor.
- c) Whilst on duty, an employee shall not use or be under the influence of any medication that may impair or compromise his/her ability to perform official duties.

- d) If an officer uses any medication that may impair or compromise the ability to perform assigned duties and responsibilities, the officer may be assigned, at the supervisor's discretion, to a light duty assignment.
- e) If reasonable suspicion exists for believing an employee is in violation of this rule, he or she should be ordered to submit to blood or urine testing.
- f) Failure of an employee to submit to a blood or urine test may result in disciplinary action being taken for insubordination.

### **3.16 Gifts and gratuities**

- a) Employees shall not solicit or accept any gifts or gratuities.
- b) Employees must immediately report to the chief traffic officer or a supervisor, any solicitation or acceptance of gifts, gratuities, or bribes by other employees of the traffic law enforcement authority.
- c) An officer shall recuse himself/herself from any official action or decision-making process which may result in improper personal gain, and this must be properly declared by the employee.

### **3.17 Solicitation of favourable acts**

- a) Employees shall not solicit anyone to intercede with their colleagues regarding law enforcement promotions, assignments or disciplinary proceedings.

### **3.18 Payment of debts**

- a) Employees are expected to meet their civil financial obligations.
- b) Employees shall not establish any financial relationships that poses conflict of interest or compromise the image of the traffic law enforcement authority.

### **3.19 Prohibited association**

- a) Officers in uniform are prohibited from visiting places that may compromise the traffic law enforcement authority's image, except as required in the performance of their duties.
- b) Officers must not associate with persons or organisations which would be detrimental to the image of the traffic law enforcement authority, including persons who are under criminal investigation or indictment, or who have an open and notorious reputation in the community for criminal activity.

- c) Employees must refrain from joining or affiliating with any organisation, association, or group which would prevent the full performance of their law enforcement duties.

### **3.20 Residential address and contact details**

- a) Any officer performing a standby service must always be reachable by radio, telephone, cell phone or any other means of communication.
- b) The traffic law enforcement authority must maintain a listing of each employee's address and contact details.
- c) Each officer must notify the traffic law enforcement authority of any change in address or contact details.

## CHAPTER 4: GENERAL COMPLAINTS

The Code prescribes the minimum standard for complaint investigation i.e. to ensure consistency and uniformity and to deal effectively with the issues that may impact negatively on the efficacy, efficiency and image of the traffic law enforcement authority. Discipline within a traffic law enforcement authority is critical to the performance of the fraternity. Traffic law enforcement authorities must always adhere to the highest degree of professionalism and ensure that officers comply with the highest levels of ethical conduct to ensure that they inculcate respect amongst their clientele.

### 4.1 General complaint process

- a) Each traffic law enforcement authority shall ensure that it has the requisite capability and capacity to investigate both internal and external complaints.
- b) Traffic law enforcement authorities that do not have the capacity or capability to investigate very serious complaints, may contract with the Corporation to render such a service on their behalf.
- c) Internal i.e. members of staff and external i.e. members of the public, may submit complaints against the personnel of a traffic law enforcement authority, to the Corporation.
- d) The Chief of Traffic may also instruct the Corporation's Internal Affairs Unit to conduct cases of a very serious nature in any traffic law enforcement authority.
- e) In the event that the Chief of Traffic orders an investigation contemplated in (b) above, he/she shall inform the head of traffic of the relevant law enforcement authority of the pending investigation.
- f) If a very serious complaint has been submitted against the head of traffic or other senior officer of a traffic law enforcement authority, the Chief of Traffic of the Corporation shall inform the Head of the Municipality.
- g) Complaints shall be submitted in the prescribed format.
- h) Written complaints must be directed to a supervisor or a special investigator appointed for this purpose.
- i) The supervisor or special investigator must conduct a preliminary investigation.

- j) Upon completion of the preliminary investigation, the supervisor or special investigator must forward the complaint and any information obtained to the accused employee's head of division through the chain of command.
- k) The head of division must review the information and determine whether further investigation is necessary.
- l) The head of division must forward all information to the traffic law enforcement authority's internal affairs unit for record purposes, i.e. if no further investigation is deemed necessary.
- m) The head of division must forward the information to the accused employee's immediate supervisor or internal affairs unit, depending on the seriousness of the allegations, if further investigation is necessary.
- n) Records of sexual harassment complaints must be maintained, kept in strict confidence; and secured and kept separate from general administrative files.

#### **4.2 Complaint investigation procedure**

- a) Very serious policy violations must be accepted and recorded as prescribed.
- b) Less serious complaints must be accepted and recorded as prescribed.
- c) Policy violations related to the employee's performance and conduct must be accepted and recorded as prescribed.
- d) Complaints may be investigated by an employee's immediate supervisor or an investigator appointed specifically for this purpose.
- e) Repeated complaints must be investigated and treated as serious policy violations.
- f) An investigation file must be opened and all information pertaining to the investigation must be filed therein and kept by the human resources division.
- g) The employee's employment history must be obtained and considered in the investigation.
- h) The employee must be accorded an opportunity to respond to allegations in writing.
- i) After completion of the investigation and obtaining all the necessary information the supervisor or the investigator must send the complete information through the accused employee's chain of command.

- j) A supervisor or a designated person must produce a report substantiating his/her findings and recommending disciplinary action, if applicable, to the head of division, the Chief of Traffic, or any other designated officer. Disciplinary action shall be instituted and conducted in accordance with the traffic law enforcement prescribed policies.
- k) The Chief of Traffic may approve or disapprove of any recommendation put forward to him/her.
- l) The complainant must be notified of the results of the investigation in writing upon completion of the investigation.
- m) A copy of the final decision and notification to a complainant shall be placed on the record of an employee.

## **PART 4: OPERATING PRINCIPLES**

### **CHAPTER 1: INFRASTRUCTURE AND LAW ENFORCEMENT FUNCTIONS**

Traffic law enforcement authorities must have adequate resources to effectively and efficiently render services to their respective communities. This includes infrastructure such as physical premises, vehicles, equipment and other resources that will enable the authority to perform proficient traffic policing functions. Traffic law enforcement authorities also have a duty to adequately monitor, maintain and use these resources to promote road safety, maintain law and order and serve road users. The main objectives of the operating principles are to achieve but not limited to the following:

- to reduce accidents, fatalities and serious injuries,
- to create a heightened awareness of road traffic safety issues,
- to inculcate good road user behaviour and encourage voluntary compliance.
- to increase detection and prosecution of critical road traffic offences.
- to reduce offence rates on all key safety indices.
- to harmonize and co-ordinate common operations in all three tiers of service delivery.
- to maximize communications and publicity exposure on enforcement issues.
- to contribute towards the reduction of crime in general.
- to change the perception of “I will not get caught” to “I will be caught and be punished”.

The afore-mentioned will be realised with the existence of the traffic law enforcement functions such as:

- Communication Systems Unit
- Drunken Driving Operations Unit
- Speed Monitoring Unit
- Public Transport Unit
- Loads Management Unit
- Accident Investigation Unit

Specialised equipment that is subject to calibration must be maintained and used according to specification. Equipment and uniforms could be used illegally by persons with criminal intent and it is therefore imperative that the strictest possible measures be introduced to prevent losses that could precipitate such abuse.

### **1.1 Infrastructure requirements**

- a) A traffic law enforcement authority must possess and maintain infrastructure large enough to: –
  - I. Adequately accommodate all its employees in a suitable manner;
  - II. Safely house its specialised law enforcement equipment;
  - III. Enable it to execute its functions; and
  - IV. Store seized property including vehicles that have been impounded.

### **1.2 Communication Systems Unit**

- a) Communication is essential to ensure that traffic law enforcement officers have access to assistance, information, miscellaneous issues and to report matters that require attention.
- b) Effective communication is dependent on systems and equipment that are continuously available to traffic law enforcement officers.
- c) Communication also includes the interaction between call centre and the general public.

#### **1.2.1 Telecommunication**

- a) All officers engaged in operational assignments must have continuous, uninterrupted access to two-way radio communication.
- b) There must be adequate radio coverage, including the ability to always reach officers always when on duty.
- c) The radio operations must conform to the Telecommunication Act, 1952 (Act No. 3 of 1952) and employees must be made aware of the requirements of this Act insofar as it affects their radio services.
- d) All telecommunication operations must be in accordance with the telecommunication “ten code” for security purposes and standardisation amongst other traffic law enforcement authorities.



- e) Each traffic law enforcement authority must have a functional radio control room or centre.
- f) The radio control centre must be operational 24 hours a day.
- g) A provincial radio control centre must be able to communicate with all authorities within that province.
- h) The traffic law enforcement authority must provide 24-hour (toll free) telephone access for emergency calls and requests for service.

### **1.2.2 Telephone services**

- a) Each traffic law enforcement authority must maintain a switchboard which has access to all the telephone extensions of the authority.
- b) Employees must have access to extensions and the switchboard operator must have an internal directory with the names and extension numbers of all personnel.
- c) Employees must exercise courtesy and patience during telephone calls and must always identify the authority and themselves at the start of the communication.
- d) Employees must keep private calls, whether made or received, to a minimum and as short as possible.
- e) A telephone register must be kept for all out-going and in-coming calls.

### **1.2.3 Tele- type and automated data**

- a) Each traffic law enforcement authority must provide fax or e-mail addresses to employees who require these services for the effective and efficient execution of their services and these addresses must be communicated to the public who may want to utilise these services to interact with the authority or its personnel.
- b) Each traffic law enforcement authority must designate a person(s) to manage this communication and to appropriately disseminate information to the relevant divisions or persons.
- c) Significant information must be recorded and filed for future reference.
- d) The National Road Traffic Law Enforcement Joint Operating Centre shall coordinate all law enforcement operations in the country and linked to Provincial and major authorities.

#### **1.2.4 Access by communications centre personnel**

- a) Communications centre personnel must have access to at least the following departmental resources: –
  - I. Officer in charge;
  - II. Duty roster of all personnel;
  - III. Contact details of every employee;
  - IV. Visual maps detailing the traffic law enforcement authority's service area;
  - V. Written procedures and telephone numbers for procuring medical and other emergency services as well as a range of essential external services.
- b) Communication personnel must forward messages to a supervisor of a traffic division upon receipt of messages in respect of road traffic operations.
- c) Security measures for the communications centre shall include recording call system.

#### **1.2.5 Media relations**

- a) A traffic law enforcement authority may designate a traffic officer as media liaison officer to deal with specific road traffic safety law enforcement matters, excluding corporate media issues.
- b) A chief traffic officer or the head of traffic may determine the parameters within which the media liaison officer shall operate and release information to the media.
- c) The designated traffic media liaison officer should be the only person to communicate with the media regarding traffic matters.
- d) The traffic media liaison officer must maintain ongoing liaison with the media and be available for on-call responses to the news media whenever reasonable.
- e) In the absence of the traffic media liaison officer, the chief traffic officer or head of traffic or a person designated for this purpose should liaise with the media.

- f) The traffic media liaison officer or a person designated in terms of (d) above must collect and coordinate information and after approval by the chief traffic officer or head of traffic, or if it falls within the ambit of a general approval, release information pertaining to: -
  - I. On-going road traffic accident investigations;
  - II. Outcome of operations; and
  - III. Traffic reports.
- g) When other road traffic law enforcement authorities are involved in mutual activities, the traffic media liaison officer must release information only after clearance and approval by the chief traffic officer or head of traffic of the other traffic law enforcement authority.
- h) When releasing information, cognisance must be taken of the right to privacy and the public interest.
- i) The traffic media liaison officer or the officer in charge of an incident, may assist the media in covering news stories at the scene of the incident.
- j) Officers must not address public gatherings, appear on radio or television, prepare any articles for publication, act as correspondent for a newspaper or periodical, release or divulge information, or any other matters of the traffic law enforcement authority whilst holding themselves as representing the traffic law enforcement authority in such matters, without the chief traffic officer or head of traffic's approval.

### **1.3 Drunken Driving Operations Unit**

- a) The National Road Traffic Act, 1996 (Act No. 93 of 1996) prohibits driving while under the influence of intoxicating liquor or drugs having narcotic effect, or with excessive alcohol in the blood or breath. Traffic officers as enforcers of road traffic law are empowered to ensure that road users do not contravene the law.
- b) Intoxicated driving is a recognised major risk factor in accident causation and requires dedicated attention from traffic law enforcement authorities.
- c) Drunken driving operations shall be conducted in line with the relevant legislation, policies and SOPs.
- d) Drunken driving operations should be planned based on the intelligence led data relating to the prevalence of the offences, accidents and socio-economic factors.

#### **1.4 Speed Monitoring Unit**

- a) Speed is a major risk factor in accident causation.
- b) Speed monitoring must be based on a careful analysis of accident and other traffic data to select the most appropriate locations for enforcement.
- c) Outsourcing and contracting of law enforcement activities
- d) All outsourcing and contracting of law enforcement activities must be in line with the “National Framework on the Outsourcing and Contracting of Public Entities to perform law enforcement activities and/or for the supply and delivery of law enforcement equipment”.
- e) No authority will deviate and or amend any provision of the framework manual without following the prescribed procedures within the document.
- f) No service providers shall be permitted to attend or participate in any way in any road traffic safety task team, working group, and committees.
- g) Service providers will only be part of the stakeholders’ interaction sessions as invited members, and no special presentation of any products will be tabled at local, provincial and national law enforcement structures unless it is done through the supply chain management process.

#### **1.5 Public Transport Unit**

- a) The provisions of the National Land Transport Act, (Act. No. 5 of 2009) and NRTA, (Act. No 93 of 1996) empowers traffic officers to ensure that public transport operators do not contravene the act.
- b) Public transport is key in that they transport multiple passengers at any given time as such, when they are involved in accidents, they result in multiple injuries and fatalities.
- c) Preliminary investigations indicate that most of the crashes involving public passenger and freight transport vehicles, human factor played a prominent role.
- d) A dedicated Unit that specialises in the enforcement and monitoring of public transport becomes of utmost importance.
- e) Law enforcement is always applied to the public transport operators and vehicles by monitoring and ensuring compliance to the operating licence conditions. This enforcement is performed by the traffic officers municipal and provincial, in some cases by public transport law enforcement Inspectors.

- f) The traffic law enforcement authority must have a declared pound to keep public transport vehicles that would have been impounded in terms of the NLTA.
- g) Public Transport Officers must perform their duties with due recognition of the rights of passengers as enshrined in the Constitution of the Republic of South Africa.

## **1.6 Loads Management Unit**

- a) Section 3I of the National Road Traffic Act, 1996 (Act No. 93 of 1996), amongst other things, empowers traffic officers to ascertain the dimensions of, the load on, or the mass, axle mass load or axle unit mass load of, any vehicle, or the mass of any combination of vehicles, loaded and unloaded, and if necessary for the purpose of ascertaining such mass, require any vehicle or combination of vehicles to proceed to a mass meter or mass-measuring device.
- b) Overloading control plays a major role in protecting the road infrastructure from damage caused by vehicles that do not comply with the mass restrictions prescribed in legislation.
- c) The equipment used for weighing vehicles must be calibrated and checked as prescribed.
- d) Impoundment of overloaded vehicles has major financial implications for operators and must be conducted within the prescribed parameters.
- e) Traffic Officers should deal with vehicles transporting dangerous goods in terms of the relevant legislation applicable SANS Codes.

### **1.6.1 Overloading measuring devices: Mass measuring equipment**

- a) The load-mass-measuring equipment that must be used is: -
  - I. Weigh-in-motion screening mass-measuring device (WIM); and
  - II. Static evidentiary scale.
- b) The static legal scale must be utilised for the final accurate weighing of a vehicle.
- c) The result of the static legal scale is the result that is acceptable in court and must be retained as proof of load mass for prosecution purposes.

### **1.6.2 Screening**

- a) Dynamic scale (WIM) screening mass-measuring equipment may be used to screen vehicles.

### 1.7. Accident Investigation Unit

- a) Traffic law enforcement authorities shall participate and conform to the nationally approved standards, policies and processes adopted and prescribed for traffic incident management purposes. (Road Incident Management System (RIMS).
- b) Traffic accidents have a profound effect on road safety, traffic flow and congestion. The response to road accidents requires a thorough knowledge of incident management and accident investigation techniques.
- c) The safety of persons involved in an accident and that of other road users is paramount and therefore requires an expeditious, professional and safe response from traffic law enforcement practitioners.
- d) Traffic accident recording, investigation and reconstruction require specialised training. It is imperative that officers understand the principles of accident investigation and reporting.
- e) Accurate reporting forms the basis of intelligence-led (evidence-based) policing and must be conducted in a professional manner.

### 1.8 Markings on patrol vehicles

- a) Patrol vehicles, with the exception of command vehicles, motor cycles and unmarked patrol vehicles intended specifically for the identification of moving violations, shall be white and marked conspicuously in the manner and dimensions determined by the Corporation as traffic law enforcement authority vehicles, i.e. to provide a highly visible, easily recognisable and standardised presence nationally.
- b) The Chief of Traffic may prescribe the period within which all patrol vehicles that are not of the colour and marked as prescribed, on the date that this Code becomes effective, must be converted to the prescribed colour and standardised vehicle markings.
- c) A traffic law enforcement authority may, in the manner prescribed by the Corporation, request that the date determined in (b) above be further extended and such a request shall be fully motivated.
- d) Markings on vehicles must be of distinct national colours and must include: -
  - i. The logo and law enforcement authority's name in reflective, highly visible letters on both front doors;
  - ii. Emergency telephone number;

- iii. The unit's number on the sides, rear and on the roof;
- iv. Highly visible reflective striping on each side; and
- v. Number where corruption can be reported.

## **PART 5: PERFORMANCE LEVELS**

### **CHAPTER 1: SETTING ENFORCEMENT TARGETS**

South Africa has an unacceptable road accident record, and it is therefore of critical importance that the country establishes national targets that must be pursued by all role players. It is acknowledged that traffic law enforcement is currently fragmented and decentralised. The Road Traffic Management Corporation has the mandate to set national targets and to ensure that every stakeholder in the road safety sphere pursue these targets and to align their strategies, tactical and operational plans towards these goals.

The tactical and operational activities of traffic law enforcement authorities shall as far as possible be aligned to the stated national priorities. Targets refer to outcomes and not enforcement outputs i.e. the number of traffic prosecutions per issuing officer and must therefore not be equated to traffic ticket quotas. Performance management and measurement (police productivity issues) are dealt with separately in this Code.

The setting of targets by each traffic law enforcement authority is critical to ensure that these agencies pursue objectives that collectively contribute to minimising accident risks and to establish and maintain law and order on the country's road network.

Objectives must be synchronised with national imperatives set by the Corporation. Targets must be reasonable, achievable and aligned to national enforcement imperatives. The focus of targets must be to develop measurable output and outcomes for road safety.

#### **1.1 Principles for setting targets**

- a) Targets must be set in a manner that they are perceived as being fair and in the interest of creating safer conditions on the country's roads.
- b) The targets must be reasonable to traffic officers, i.e. in terms of the variety of law enforcement activities and with due regard to identified risk factors.
- c) Emphasis must be placed on: specific high-risk factors such as:
  - i. Impaired Driving which includes alcohol abuse, drug abuse, distracted driving and fatigue
  - ii. Dangerous Driving which includes excessive speed, dangerous overtaking and all moving violations



- iii. Occupants Safety which includes front and rear seatbelts, child restraints
  - iv. Public Transport and Loads Management,
  - v. Vulnerable road users which includes visibility, drinking and walking, jay walking, distracted walking and crossing on freeways
  - vi. Vehicle and driver fitness which include roadworthiness and documentation.
- d) Each traffic law enforcement authority shall keep an accurate record of the actual inspections, activities and prosecutions instituted by an officer, by using an inspection report/template prescribed for this purpose.
  - e) The targets should be linked to performance management system and must be designed for simplicity of administration.
  - f) Officers who perform exceptionally well may in relation to their peers, be recognised and incentivised as per National Annual Road Traffic Management Incentive Framework.

## **CHAPTER 2: PERFORMANCE MANAGEMENT AND EVALUATION**

To facilitate the achievements of strategic, tactical and operational plans aligned to national imperatives and its goals and objectives. It is envisaged that this will be realised through effective and efficient management of national goals and objectives of the following:

- 2011 – 2020 United Nations Decade of Action Plan
- The National Road Safety Strategy
- National Road Traffic Law Enforcement Strategy and Deployment Model
- The National 365 Road Safety Framework
- The National Road Traffic Law Enforcement 24/7 Shift Police.

## **2.1 Performance management**

### **2.1.1 Areas to be considered but not limited to:**

- a) Most reduced road accidents in an authority
- b) Best performing authority on top six most lethal offences
- c) Best managed authority relating to supervision, monitoring and record keeping
- d) Authority compliant with submission of signed off Quarterly Intelligent driven plans and
- e) verified reports
- f) Authority with best Road Safety Programs
- g) Authority with most sustained diverse Communication platform
- h) Authority compliant with attendance of national committees
- i) Authority with compliant with submission of daily, monthly and quarterly reports
- j) deployment and to the NATRAFJOC
- k) Authority with most effective best practices
- l) Authority compliant with National Standard Operating Procedures
- m) Authority compliant with refresher training policy requirements

## **2.2 Evaluation of performance of an authority**

- a) The Corporation is responsible for evaluating the performance of all traffic law enforcement authorities.
  - b) Performance evaluation must be conducted informally on monthly basis with the collation of all traffic law enforcement authorities.
  - c) The traffic law enforcement authority must evaluate its own performance on a quarterly basis by collating all officer performance reports
- 2.7 Evaluation of performance of the authority

## **2.4 Evaluation of issues influencing performance**

- a) Each traffic law enforcement authority must evaluate all issues that influenced the performance of the authority for the preceding quarter and include such issues in the performance report to be submitted to the Chief of Traffic.
- b) Issues that negatively influenced performance shall be “interrogated” thoroughly and solutions to these issues must be developed and included in the report.
- c) Issues that positively influenced performance must be summarised and included in the report as best practise.

### **2.5 Preparation of performance report**

- a) Each traffic law enforcement authority must include all performance data and issues that influenced performance as well as all other information as specified in a performance report.
- b) The traffic law enforcement authority must submit the report to the Municipal Manager or Provincial Head of Department when completed.

### **2.4 Content and format of performance report**

- a) The performance report must be in a similar format to that of the prescribed forms used for recording data.
- b) The data must be included in the performance report.
- c) A report must be created in a similar format to the individual performance data forms, indicating the average performance of an officer at the authority.
- d) All the performance data as well as issues influencing performance, along with other data required, must be included in the report.

### **2.5 Submission of reports to the Chief of Traffic**

- a) The performance reports must be submitted to the Chief of Traffic for evaluation of authority, provincial and national performance.

## **PART 6: MANAGEMENT INFORMATION SYSTEMS**

### **National Traffic Information System**

The National Traffic Information System shall be used as the sole traffic law informant system by all authorities throughout the three spheres of government. The system will host all traffic law informant modules such as Road Traffic Offence, Deployment module, Law Enforcement operations activities, and law enforcement reports and produce the necessary reports as required.

The system will also provide analytics to generate profiles and predictions for the country, provinces, authorities, districts, municipal areas, cities, towns, sections and routes to be used for planning purposes. NaTIS shall also be the main hosting system in all national, provincial, and local control centres.

## **CHAPTER 1: RESPONSIBILITIES**

The development of a national reporting system to measure the output of traffic law enforcement traffic officers is dependent on the accurate recording of the activities and performance of individual officers. Data collected from this source allows for the development of information and intelligence to focus on the major risk factors that contribute to accidents. A standardised format is thus important for the collation of input and related issues.

Traffic law enforcement authorities must develop and implement appropriate processes and mechanisms to collect, collate and report on the performance of officers, as prescribed in Chapter 1 of Part 7 of this Code. The minimum standards prescribed in this Code shall be utilised as the basis for the development of a reporting mechanism as contemplated. The performance of the traffic law enforcement authorities shall be reported accurately and timeously. The report shall contain the prescribed information.

### **1.1 General aims and objectives: Traffic Officer's responsibilities.**

- a) A range of information must be collected from officers regarding their daily activities as well as time spent on those activities.
- b) The data and information collected will be used to evaluate the performance of the traffic law enforcement authority.

- c) Officers will periodically submit all the data and information in the prescribed format using the Traffic Officer Pocket Computer (TOPC)

### **1.2 General aims and objectives: Authority's responsibilities.**

- a) Each traffic law enforcement authority will collate all reports for data submitted by its officers to determine the performance of the traffic law enforcement authority.
- b) A traffic law enforcement authority shall accurately maintain the records of the performance of its officers for the prescribed period.
- c) The records of data and information collected and collated, shall be made available to the Corporation as required from time to time.
- d) The traffic law enforcement authority shall periodically verify the accuracy of its records and shall report the status thereof in its annual reports to the Corporation.
- e) The Corporation may periodically conduct surveys and audits at traffic law enforcement authorities to verify the data and information contemplated in terms of this Code.
- f) Reports must be submitted to the Chief of Traffic of the Corporation.
- g) Each traffic law enforcement authority shall report its performance to the Chief of Traffic on monthly and quarterly basis detailing all results required to motivate performance, including factors that may influence performance, constraints and reasons for poor performance.

## **CHAPTER 2: COLLECTION, COLLATION AND EVALUATION OF REPORTS**

The Corporation must develop a national performance report system and the specifications for reporting must be finalised in consultation with the National Department of Transport and all other relevant stakeholders. Reports submitted by traffic law enforcement authorities shall be forwarded to the Corporation as prescribed.

### **2.1 Collecting and collation of reports**

- a) The Corporation must collect and collate performance reports on a quarterly basis from all traffic law enforcement authorities, regardless of whether the traffic law enforcement authority operates in terms of a service level agreement or not.

### **2.2 Collection of additional information**

- a) Additional information regarding road accidents and other enforcement data must be collected from the relevant sources as required.
- b) Additional information must be included and considered in all performance evaluations or in a separate report, subject to the requirements prescribed by the Corporation.

### **2.3 Evaluation of individual, local, provincial and national performance**

- a) The performance of traffic law enforcement authorities must be evaluated based on the data collected from the following: –
  - I. Average individual officer performance from every traffic law enforcement authority;
  - II. Performance by an authority compared to expected performance within a province; and
  - III. Performance comparison between provinces.
- b) Issues of non-performance must be communicated to the individual authorities and the necessary interventions or sanctions imposed.

**2.4 Preparation of a national performance report**

- a) A national performance report must be prepared by the Corporation by collating all reports submitted by traffic law enforcement authorities.
- b) The national report must be published annually.

**2.5 Content and format of national performance report**

- a) The format of performance data in the national report must be in the same format as that requested from traffic law enforcement authorities.
- b) Comparisons between the data submitted in the different quarters must be made to determine the improvement or decline in performance.

## **PART 7: NON-COMPLIANCE WITH THE NATIONAL ROAD TRAFFIC LAW ENFORCEMENT CODE**

### **RESPONSIBILITIES OF THE CORPORATION**

#### **SANCTIONS**

- a) In instances of non-compliance to the code and the service level agreement the Corporation will impose disciplinary sanctions against the authority.
- b) The sanctions can include removal of any rewards in terms of the service level agreement or in extreme cases the replacement of traffic law enforcement services by services employed by the Corporations.
- c) The sanctions may include the transfer of one or more officers from a Unit, division, station, project, department and or province to assist the authority to comply with the service agreement.
- d) Counselling and assistance will be provided to authorities before any disciplinary sanctions are imposed.
- e) Sanctions will be imposed in compliance with Section 33 of the RTMC Act, regardless of whether the traffic law enforcement authority is performing its duties under a Service Level Agreement or not as follow:

1. The Shareholders Committee may, where it reasonably suspects that any provincial authority or local government body has failed to comply with the national road traffic law enforcement code—
  - a) request and obtain information and documents pertaining to the execution of road traffic law enforcement under the control of the provincial authority or local government body in question; and
  - b) authorise a person to enter any building or premises under the control of the provincial authority or local government body in question for the purpose of obtaining the information and documents referred to in paragraph (a), and is entitled to all reasonable assistance by any member or employee of the provincial authority or local government body in question.
2. For the purposes of subsection (1), where the Shareholders Committee establishes that—



- a) a provincial authority or local government body, the SAPS or another statutory institution vested with the powers to perform road traffic law enforcement, with which the Corporation has contracted to provide road traffic law enforcement, has failed to comply with the national road traffic law enforcement code, the Shareholders Committee may terminate the contract and appoint an alternative service provider which may include the Corporation; and
  - b) a provincial authority or local government body, which has not been contracted by the Corporation to provide road traffic law enforcement, has failed to comply with the national road traffic law enforcement code, the Shareholders Committee must—
    - (i) in the case of a provincial authority, notify the Minister; and
    - (ii) in the case of a local government body, notify the Minister and the MEC concerned.
3. If the Minister pursuant to a notification in terms of subsection (2)(b)(i), is satisfied that a provincial authority has failed to comply with the national road traffic law enforcement code as contemplated in subsection (2)(b)(i), he or she must notify the provincial authority of such failure in writing and request compliance with that code within a period specified in the notice.
4. The Minister may, on the request of the provincial authority extend the period contemplated in subsection (3).
5. The Minister may, where a provincial authority fails to comply with the national road traffic law enforcement code within the period specified in the notice or the extended period contemplated in subsection (4), and after consultation with the Minister for Provincial Affairs and Constitutional Development—
- a) appoint a person to administer and supervise the provision of road traffic law enforcement by the provincial authority in question and charge such person with the responsibility to ensure that the provision of road traffic law enforcement by such provincial authority complies with the national road traffic law enforcement code; and
  - b) take such other steps as he or she considers necessary to ensure compliance with the national road traffic law enforcement code.

6. A person appointed in terms of subsection (5)(a) may, subject to section 100(2) of the Constitution of the Republic of South Africa, 1996 (Act No. 108 of 1996), exercise all the powers and must perform all the duties of the executive head of the provincial authority concerned.
7. If the Minister is satisfied that a provincial authority complies with the national road traffic law enforcement code, he or she may terminate the appointment of the person referred to in subsection (5)(a).
8. Upon receipt of a notification contemplated in subsection (2)(b)(ii), the Minister may request the MEC concerned to intervene after a decision by the provincial executive as contemplated in section 139 of the Constitution of the Republic of South Africa, 1996, and must provide the MEC with a copy of the notification.
9. (a) If the MEC fails to intervene as requested, the Minister after a decision by the provincial executive may intervene as contemplated in section 100 of the Constitution of the Republic of South Africa, 1996, in which case subsections (12) to (16) apply with the necessary changes.  
(b) For the purpose of this subsection, any reference in subsections (12) to (16) to—
  - (i) the MEC, shall be deemed to be a reference to the Minister;
  - (ii) the MEC responsible for local government, shall be deemed to be a reference to the Minister for Provincial Affairs and Constitutional Development;
  - (iii) the Premier, shall be deemed to be a reference to the President;
  - (iv) section 139(2) of the Constitution of the Republic of South Africa, 1996, shall be deemed to be a reference to section 100(2) of the Constitution.
10. If the MEC is satisfied that a local government body has failed to comply with the national road traffic law enforcement code, he or she must notify the local government body of such failure in writing and if the Shareholders Committee does not decide to exempt the local government body from compliance with the code, request compliance with that code within a period specified in the notice.
11. The MEC may, on the request of the provincial authority, extend the period contemplated in subsection (10).
12. The MEC may, where a local government body fails to comply with the national road traffic law enforcement code within the period specified in the notice or the extended period contemplated in subsection (11), and after consultation with—
  - (a) the MEC responsible for local government in the province concerned, or

- where no such MEC has been appointed, the Premier or the MEC to whom the responsibilities have been assigned by the Premier; and
- (b) the MEC for Safety and Security in the case where road traffic law enforcement is provided by a municipal police service—
- (i) appoint a person to administer the provision of road traffic law enforcement by the local government body in question and charge such person with the responsibility to ensure that the provision of road traffic law enforcement services by such local government body complies with the national road traffic law enforcement code; and
  - (ii) take such other steps as he or she considers necessary to ensure compliance with the national road traffic law enforcement code.
13. Where an administrator is appointed in terms of section 64N(4)(a) of the South African Police Service Act, 1995 (Act No. 68 of 1995), that administrator must perform the functions contemplated in subsection (12)(b)(i).
14. A person appointed in terms of subsection (12)(b)(i) may, subject to section 139(2) of the Constitution of the Republic of South Africa, 1996, exercise all the powers and must perform all the duties of the executive head of the local government body concerned.
15. If the MEC is satisfied that a local government body complies with the national road traffic law enforcement code, he or she may terminate the appointment of the person referred to in subsection (13)(b)(i).
16. All expenditure incurred by or in connection with the intervention of the MEC, in the provision of road traffic law enforcement as contemplated in this section, must be in accordance with the contract between the Corporation and the local government body in question.

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## LOCAL AUTHORITY NOTICES • PLAASLIKE OWERHEIDS KENNISGEWINGS

### LOCAL AUTHORITY NOTICE 10 OF 2019

#### **FETAKGOMO TUBATSE LOCAL MUNICIPALITY NOTICE: AMENDMENT OF LAND USE SCHEME OR REZONING IN TERMS OF SECTION 62 OF THE FETAKGOMO TUBATSE MUNICIPAL SPATIAL PLANNING AND LAND USE MANAGEMENT BY-LAW 2018 AMENDMENT SCHEME NUMBER: 144/2006**

We, **Mukambako Town Planning and Development Group Pty (Ltd)**, being the authorized agents of the registered owner of Erf 2466 Burgersfort Extension 21, hereby give notice in terms of Section 62 of the Fetakgomo Tubatse Municipal Spatial Planning and Land Use Management By-Law 2018, Tubatse Land Use Management scheme, 2006 read together with the Provisions of Spatial Planning and Land Use Management Act, 2013 (Act No. 16 of 2013), that we have applied to the Fetakgomo Tubatse Local Municipality for the Amendment of Tubatse Land Use Management Scheme, 2006 : Amendment Scheme Number: 144/2006, by rezoning of Erf 2466 Burgersfort Extension 21 from "Residential 1" to "Business 1" for the purpose of "Residential Building". Particulars of the application will lie for inspection during normal office hours at the office of Development Planning: Spatial Planning and Land Use Management Division, 1 Kastania Street Burgersfort, 1150; Fetakgomo Tubatse Local Municipality for the period of 28 days from the first day of the notice: **08 February 2019**. Objections and or Comments or Representations in respect of the application must be lodged with or made in writing to the above address or to The Municipal Manager, Fetakgomo Tubatse Local Municipality; P.O. Box 206, Burgersfort, 1150 within 28 days from the first date of publication. Address of the agent: Stand Number 19 Tshaulu Ha-Gondo; Tshaulu; 0987 and; P.O Box 330 Tshaulu, 0987; phumudzosemani@gmail.com; Cell: 065 955 3817 /072 068 5486.

8-15

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#### **FETAKGOMO TUBATSE LOCAL MUNICIPALITY NOTICE: AMENDMENT OF LAND USE SCHEME OR REZONING IN TERMS OF SECTION 62 OF THE FETAKGOMO TUBATSE MUNICIPAL SPATIAL PLANNING AND LAND USE MANAGEMENT BY-LAW 2018 AMENDMENT SCHEME NUMBER: 144/2006**

Rena, **Mukambako Town Planning and Development Group Pty (Ltd)**, re lego baemedi ba ba lego molaong ba beng ba ba ngwadisitswego ba Erf 2466 Burgersfort Extension 21, kefatsebeso mabapi le karolo 62 of the Fetakgomo Tubatse Municipal Spatial Planning and Land Use Management By-Law 2018, Tubatse Land Use Management scheme, 2006 read together with the Provisions of Spatial Planning and Land Use Management Act, 2013 (Act No. 16 of 2013), gore ke dire kgopelo go Fetakgomo Tubatse Local Municipality ya go fetosha Tubatse Land Use Management Scheme, 2006. Amendment Scheme Number: 144/2006. Kgopelo yeo e mabapi le go fetosha tshomiso ya Erf 2466 Burgersfort Extension 21, go tswa go "Residential 1" go ya go "Business 1" u dira "Residential Building". Dipolane le tse dingwe tseo e leng gore di elanale tswetso di ka lekolwa ka nako ya mosomo ga Development Planning: Spatial Planning and Land Use Management Division, 1 Kastania Street Burgersfort, 1150 Fetakgomo Tubatse Local Municipality, lebaka la matsatsi a 28 go tloga go la mathomo la tsebiso : **08 Dibokwane 2019**. Yo mongwe yo a nago le kganetso ya kgopelo o swanetse gore a tlise mabaka ao a lego kgahlanong le tswelopele go Fetakgomo Tubatse Local Municipality, P.O Box 206, Burgersfort, 1150, pele ga matsatsi a 28 go tloga lehono. Address ya mokgopedi: Address of the agent: Stand Number 19 Tshaulu Ha-Gondo; Tshaulu; 0987 and; P.O Box 330 Tshaulu, 0987; phumudzosemani@gmail.com; Cell: 065 955 3817 /072 068 5486.

8-15

**LOCAL AUTHORITY NOTICE 11 OF 2019****MAKHADO LOCAL MUNICIPALITY NOTICE  
AMMENDMENT SCHEME 309/2009**

We, **Aaron Development Specialist Pty Ltd**, being the duly authorized agent by the owners of the under-mentioned property, hereby give notice that we have lodged an application to Makhado Local Municipality for partially closing the park (Portion of the Park known as Remainder Erf 1309 Ha-Tshikota Township). The application is made in terms of the Provision of Section 74 of Makhado Local Municipality Spatial Planning and Land Use Management By-Laws, 2016 read together with Provision of Regulation 14 of the Spatial Planning and Land Use Management Regulation: Land Use Management and General Matters, 2015 Under (Act 16 of 2013). Particulars of the application will lie for inspection during normal office hours at the office of the Town Planner : Makhado Local Municipality, 83 Krogh Street, Louis Trichardt, Limpopo, 0920 for 28 days from the first date of this notice (**08 February 2018**), objections and or comments or representations in respect of the application must be lodged with or made in writing to the Municipal Manager, Makhado Local Municipality at the above address or Private Bag X2596, Louis Trichardt, 0920 within 28 days from the date of publication. Address of the agent: Aaron Development Specialists (Pty) Ltd; P.O Box 500 Vuwani 0950; makaulule@gmail.com; Cell: 071 368 2492.

8-15

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**NDIVHADZO YA MASIPALA WAPO WA MAKHADO  
AMMENDMENT SCHEME 309/2009**

Rine vha, **Aaron Development Specialist Pty Ltd**, vhaimleli vho tendelwaho uya nga vha vha ndaka dzo bulwaho afho fhasi, ri khou divhadza uri ro isa khumbelo kha masipala wa Makhado ya u vala pakha park (Portion of the Park known as Remainder Erf 1309 Ha-Tshikota Township). The application is made in terms of the Provision of Section 74 of Makhado Local Municipality Spatial Planning and Land Use Management By-Laws, 2016 read together with Provision of Regulation 14 of the Spatial Planning and Land Use Management Regulation: Land Use Management and General Matters, 2015 Under (Act 16 of 2013). Zwidombedzwa zwa khumbelo idzi zwidovha zwi hone malugana nau tolwa musi vha tshi toda u bvisa vhu pfiwa havho nga tshifhinga tsha mushumo tsha Masipala wa Makhado, Town Planning Office: 83 Krogh Street, Louis Trichardt, Limpopo, 0920 husa athu fhela maduvha a 28 ubva nga duvha la u thoma la ndivhadzo iyi (**08 Luhuhli 2019**). Nnyi na nnyi ane a sa tendelane na khumbelo idzi kana ane a toda u pfukisa vhu pfiwa, utea u tou swikisa nga uto nwalela kha muhulwane wa Masipala kha address yo buliwaho afho ntha kana kha : Private Bag X 2596 Makhado, 0920, husa athu fhira maduvha a 28 ubva nga duvha la u thoma la ndivhadzo iyi. Address ya vhaimleli: Aaron Development Specialists (Pty) Ltd; P.O Box 500 Vuwani 0950; makaulule@gmail.com Cell: 071 368 2492.

8-15

**MAKHADO LOCAL MUNICIPALITY NOTICE**

We, **Aaron Development Specialist Pty Ltd**, being the duly authorized agent by the owners of the under-mentioned property, hereby give notice that we have lodged Simultaneous application to Makhado Local Municipality for the Amendment of Makhado Land Use Scheme, 2009, Amendment Scheme Number 309/2009 by rezoning of Erf 921 Louis Trichardt Township from "Residential" 1 to "Residential 2" and a Special consent for the increase of the density from 20 units to 45 units per hectare for the purpose of "Compact Residential Dwelling Units". The application is made in terms of the Provisions of Spatial Planning and Land Use Management Act, 2013 (Act No.16 of 2016) read together with Section 63 of Makhado Municipality Spatial Planning, Land Development and Land Use Management By-Law, 2016 and Clause 21 of Makhado Land-Use Scheme 2009. Particulars of the application will lie for inspection during normal office hours at the office of the Town Planner : Makhado Local Municipality, 83 Krogh Street, Louis Trichardt, Limpopo, 0920 for 28 days from the first date of this notice (**08 February 2018**), objections and or comments or representations in respect of the application must be lodged with or made in writing to the Municipal Manager, Makhado Local Municipality at the above address or Private Bag X2596, Louis Trichardt, 0920 within 28 days from the date of publication. Address of the agent: Aaron Development Specialists (Pty) Ltd; P.O Box 500 Vuwani 0950; makaulule@gmail.com; Cell: 071 368 2492.

8-15

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**NDIVHADZO YA MASIPALA WAPO WA MAKHADO**

Rine vha, **Aaron Development Specialist Pty Ltd**, vhaimleli vho tendelwaho uya nga vha vha ndaka dzo bulwaho afho fhasi, ri khou divhadza uri ro isa khumbelo dzo tanganelanaho kha Masipala wa Makhado u shandukisa Makhado Land Use Scheme, 2009, Amendment Scheme Number 309/2009 nga u shandula kushumisele kwa Erf 921 Louis Trichardt Township ubva kha "Residential 1" uya kha "Residential 2" na khumbelo yo khetheaho ya u engedza tshivhalo tsha dzi ndu u bva ka dza 20 units u ya ha 45 units nga hekhithara u iteal u fhata "Compact Residential Dwelling Units". Khumbelo iyi yo itwa uya nga tshitenwa tsha Spatial Planning and Land Use Management Act, 2013 (Act No.16 of 2016) ro vhala na Section 63 ya Makhado Municipality Spatial Planning, Land Development and Land Use Management By-Law, 2016 na Clause 21 ya Makhado Land-Use Scheme 2009. Zwidodombedzwa zwa khumbelo idzi zwidovha zwihone malugana nau tolwa musi vha tshi toda u bvisa vhupfiwa havho nga tshifhinga tsha mushumo tsha Masipala wa Makhado, Town Planning Office: 83 Krogh Street, Louis Trichardt, Limpopo, 0920 husa athu fhela maduvha a 28 ubva nga duvha la u thoma la ndivhadzo iyi (**08 Luhuhhi 2019**). Nnyi na nnyi ane a sa tendelane na khumbelo idzi kana ane a toda u pfukisa vhupfiwa, utea u tou swikisa nga uto nwalela kha muhulwane wa Masipala kha address yo buliwaho afho ntha kana kha : Private Bag X 2596 Makhado, 0920, husa athu fhira maduvha a 28 ubva nga duvha la u thoma la ndivhadzo iyi. Address ya vhaimleli: Aaron Development Specialists (Pty) Ltd; P.O Box 500 Vuwani 0950; makaulule@gmail.com Cell: 071 368 2492.

8-15



**LOCAL AUTHORITY NOTICE 12 OF 2019**

MAKHADO MUNICIPALITY  
MAKHADO AMENDMENT SCHEMES 292 & 306

Notice is hereby given in terms of the relevant sections of the Spatial Planning and Land Use Management Act, 2013 and the Makhado Municipality Spatial Planning, Land Development and Land Use Management By-Law, 2016, that the Makhado Municipality has approved the amendment of the Makhado Land-use Scheme, 2009, by the rezoning of (a) Erf 3421 Louis Trichardt Extension 4, from "Residential 1" to "Residential 3", and (b) Erf 148 Louis Trichardt, from "Residential 1" to "Residential 3". The Map 3's and scheme clauses of the amendment schemes are filed with the Municipal Manager of Makhado Municipality and are open for inspection during normal office hours. These amendments are known as the Makhado Amendment Schemes 292 & 306 respectively and shall come into operation on the date of publication of this notice.  
Municipal Manager, Makhado Municipality

**PLAASLIKE OWERHEID KENNISGEWING 12 VAN 2019**

MAKHADO MUNISIPALITEIT  
MAKHADO-WYSIGINGSKEMAS 292 & 306

Hiermee word ingevolge die relevante artikels van SPLUMA (Wet 16 van 2013) en die Makhado Munisipaliteit se Ruimtelike Beplanning, Gerond Ontwikkeling en Grondgebruiksbetuur By-wet, 2016, bekend gemaak dat die Makhado Munisipaliteit, die wysiging van die Makhado Grondgebruikskema 2009, goedgekeur het, synde die hersonering van (a) Erf 3421 Louis Trichardt Uitbreiding 4 vanaf "Residensieel 1" na "Residensieel 3"; en (b) Erf 148 Louis Trichardt vanaf "Residensieel 1" na "Residensieel 3". Kaart 3's en skemaklousules van hierdie wysigingskema word deur die Munisipale Bestuurder van die Makhado Munisipaliteit in bewaring gehou en le gedurende gewone kantoor ure ter insae. Hierdie wysigingskemas staan bekend as Makhado Wysigingskemas 292 & 306 en tree op datum van publikasie van hierdie kennisgewing in werking.

Munisipale Bestuurder

Makhado Plaaslike Munisipaliteit

**LOCAL AUTHORITY NOTICE 13 OF 2019**

**MAKHADO LOCAL MUNICIPALITY  
AMENDMENT SCHEME NO: 319**

It is hereby notified that an application has been lodged by Contemporary Town Planning Consultants (Pty) Ltd. in terms of Section 63 read together with Section 85 of the Makhado Municipality Spatial Planning, Land Development and Land Use Management By-law, 2016, to amend the Makhado Land Use Scheme, 2009 by rezoning Erf 614 Louis Trichardt from "Residential 1" to "Special" for dwelling units and ancillary uses with an annexure.

Particulars of the application will lie for inspection during normal office hours at: Director: Development Planning Office, Makhado Local Municipality Civic Centre, for a period of 30 days from 15 February 2019. Objections in respect of the application must be made in writing to the Municipal Manager, Makhado Local Municipality, Private Bag X2596, Makhado, 0920 within a period of 30 days from 15 February 2019. **Address of Agent: Contemporary Town Planning Consultants (Pty) Ltd. P.O Box 596, Letaba, 0870. Tel: 082 751 5959. Fax: 086 601 2041.**

15-22

## PLAASLIKE OWERHEID KENNISGEWING 13 VAN 2019

### MAKHADO PLAASLIKE MUNISIPALITEIT WYSIGINGSKEMA NR: 319

Hiermee word bekendgemaak dat 'n aansoek deur Contemporary Town Planning Consultants (Pty) Ltd. ingedien is ingevolge Artikel 63 saamgelees met Artikel 85 van die Munisipale Wet op die Ontwikkeling van Ruimtelike Beplanning, Grondontwikkeling en Grondgebruikbestuur, artikel 2016, om Wysiging van die Makhado Grondgebruikskema, 2009 deur die hersonering van Erf 614 Louis Trichardt vanaf "Residensieel 1" na "Spesiaal" vir wooneenhede en aanverwante gebruike met bylae.

Besonderhede van die aansoek le ter insae gedurende gewone kantoorure by die kantoor van die Direkteur: Ontwikkelingsbeplanningskantoor, Makhado Plaaslike Munisipaliteit Burgersentrum, vir 'n tydperk van 30 dae vanaf 15 Februarie 2019. Besware ten opsigte van die aansoek moet skriftelik gerig word aan die Munisipale Bestuurder, Makhado Plaaslike Munisipaliteit, Privaatsak X2596, Makhado, 0920, binne n tydperk van 30 dae vanaf 15 Februarie 2019. **Adres van Agent: Contemporary Town Planning Consultants (Pty) Ltd. Posbus 596, Letaba, 0870.Tel: 082 751 5959. Fax: 086 601 2041**

15-22

## LOCAL AUTHORITY NOTICE 14 OF 2019

### THULAMELA LOCAL MUNICIPALITY

We, **Dzili Development Centre**, being the authorized agent of the registered owners of the Erven mentioned below, hereby given in terms of section 73 of the Thulamela Land Use Management By-Laws Schedule and reads with the Spatial Planning and Land Use Management Act, 16 of 2013, that we have applied to the Thulamela Local Municipality for Closure of a Public open Space on the following properties:

- ✚ Remainder of the farm Mphaphuli 278 MT, Limpopo Province
- ✚ Erf 1162 Thohoyandou M
- ✚ Erf 286 Thohoyandou F
- ✚ Erf 1052 Thohoyandou F

Plans and particulars of the application will lie for inspection during normal office hours at the office of town planners, 1<sup>st</sup> floor, Thohoyandou Civic Centre, Old Agriven Building for the period of 30 days from the 15<sup>th</sup> February 2019 being the first day of this publication. Objections and/or comments or representation in respect of the application must be lodged with or made in writing to the municipality at the above address or at private bag X5066, Thohoyandou, 0950 within 30 days from the date of first publication. Address of agent: 440 Ivor Avenue Mountain view | Pretoria | 0082, Tel: 012 755 9937/076 985 7671 Fax; 086 239 8342, Email: [info@dzili.com](mailto:info@dzili.com)

### THULAMELA LOCAL MUNICIPALITY

Rine vha **Dzili Development Centre**, vha imeleli vhare mulayoni vha vhane vha mavu o nwaliwaho fhasi, Ri nea ndivhadzo malugana na khethekanyo 73 of the Thulamela Land Use Management By-Laws Schedule, ri tshi ivhala khathihi na khethekanyo Spatial Planning and Land Use Management Act, 16 of 2013, uri ro ita khumbelo Masipalani wa Thulamela Local Municipality Makhado malugana na u valiwa ha pakha kha zwi tentsi zwi tevhelaho:

- ✚ Remainder of the farm Mphaphuli 278 MT, Limpopo Province
- ✚ Erf 1162 Thohoyandou M
- ✚ Erf 286 Thohoyandou F
- ✚ Erf 1052 Thohoyandou F

Pulane na dzinwe dokumenthe dza khumbelo iyi dzinga wanala ofisini ya Town planner, Thohoyandou Civic Centre, Old Agriven Building lwa maduvha a 30 ubva dzi 15<sup>th</sup> Luhuwi 2019 line lavha duvha la u thoma la ino khunguwedzo. Khanedzano na vhunwe vhudipfi vhunga rumeliwa kha adiresi ya private bag X5066, Thohoyandou, 0950 nga ngomu ha maduvha a 30. Adiresi ya Vhaimelile, 440 Ivor Avenue Mountain view | Pretoria | 0082, Tel: 012 755 9937/076 985 7671 Fax; 086 239 8342, Email: [info@dzili.com](mailto:info@dzili.com)

15-22

**LOCAL AUTHORITY NOTICE 15 OF 2019****AMENDMENT OF LAND USE SCHEME OR REZONING IN TERMS OF SECTION 54(1) OF THE LEPHALALE MUNICIPAL SPATIAL PLANNING AND LAND USE MANAGEMENT BY-LAW, 2017****AMENDMENT SCHEME NUMBER: 6**

Notice is hereby given that I, **Dries de Ridder** Town and Regional Planner, being the authorised agent of the owner of **Erf 4297 Ellisras Extension 29 Township**, in terms of Section 54(1) of the Lephale Municipal Spatial Planning and Land Use Management By-Law, 2017 have applied for the amendment of the Lephale Land Use Scheme, 2017, by the rezoning of the property described above, situated at 27 Worsboom Crescent, Onverwacht from **Residential 1, one dwelling unit per erf to Residential 2, one dwelling unit per 250m<sup>2</sup>**. Particulars relating to the application will lie for inspection during normal office hours at the office of the Executive Manager, Development Planning Directorate, Lephale Civic Centre, Cnr Joe Slovo and Douwater Road, Onverwacht, for a period of 30 days from **15 February 2019**. Objections to or representations in respect of the application must be lodged with or made in writing to the Municipal Manager, Lephale Municipality, Private Bag X136, Lephale, 0555, within a period of 30 days from **15 February 2019**. Postal address of applicant: Dries de Ridder Town and Regional Planner, 5A Herman Street, Ellisras, 0555. PO Box 5635, Onverwacht, 0557. Telephone Number: 014 763 4184. **Dates of the notices: 15 and 22 February 2019.**

15-22

**PLAASLIKE OWERHEID KENNISGEWING 15 VAN 2019****WYSIGING VAN GRONDGEBRUIKSKEMA OF HERSONERING IN TERME VAN ARTIKEL 54(1) VAN DIE LEPHALALE MUNISIPALE RUIMTELIKE BEPLANNING EN GRONDGEBRUIKBESTUUR VERORDENING, 2017****WYSIGINGSKEMA NOMMER: 6**

Kennis geskied hiermee dat ek, **Dries de Ridder** Stads- en Streeksbeplanner, synde die gemagtigde agent van die eienaar van **Erf 4297 Ellisras Uitbreiding 29 Dorpsgebied**, ingevolge Artikel 54(1) van die Lephale Munisipale Ruimtelike Beplanning en Grondgebruikbestuur Verordening, 2017, aansoek gedoen het vir die wysiging van die Lephale Grondgebruikskema, 2017, deur die hersonering van die bogenoemde eiendom, geleë te Worsboomsingel 27, Onverwacht van **Residensieel 1, een wooneenheid per erf na Residensieel 2, een wooneenheid per 250m<sup>2</sup>**. Besonderhede aangaande hierdie aansoek lê ter insae gedurende normale kantoorure by die kantoor van die Uitvoerende Bestuurder, Direkoraat Ontwikkeling Beplanning, Lephale Burgersentrum, h/v Joe Slovo en Douwaterstraat, Onverwacht, vir 'n periode van 30 dae vanaf **15 Februarie 2019**. Besware teen of voorleggings ten opsigte van die aansoek moet geopper word by of op skrif gestel en gerig word aan die Munisipale Bestuurder, Lephale Munisipaliteit, Privaatsak X136, Lephale, 0555, binne 'n periode van 30 dae vanaf **15 Februarie 2019**. Posadres van aansoeker: Dries de Ridder Stads- en Streeksbeplanner, Herman Straat 5A, Ellisras, 0555. Posbus 5635, Onverwacht, 0557. Telefoon Nommer: 014 763 4184. **Datums van plasing: 15 en 22 Februarie 2019.**

15-22

## LOCAL AUTHORITY NOTICE 16 OF 2019

[www.polokwane.gov.za](http://www.polokwane.gov.za)**PUBLIC NOTICE**

01 February 2019

**CALLING FOR INSPECTION OF THE GENERAL VALUATION ROLL AND LODGING OF OBJECTIONS**

Notice is hereby given in terms of Section 49 (1)(a)(i) of the Local Government: Municipal Property Rates Act, 2004 (Act No. 6 of 2004), hereinafter referred to as the "Act", that the General Valuation Roll for financial years 2019 to 2024 financial years is open for public inspection at Polokwane Municipal offices from 04 March 2019 to 26 April 2019, c/o Landros Mare & Bodenstein Streets, Polokwane, as well as the Municipality's website [www.polokwane.gov.za](http://www.polokwane.gov.za).

An invitation is hereby made in terms of section 49(1)(a)(ii) of the Act that property owners or other persons who so desires, should lodge an objection with the Municipal Manager in respect of any matter reflected in, or omitted from, the valuation roll within the above-mentioned period.

Attention is specifically drawn to the fact that in terms of section 50(2) of the Act an objection must be in relation to a specific individual property and not against the valuation roll as such.

The prescribed forms for the lodging of an objections are obtainable at the following municipal offices: Civic Centre, Rates Hall (Polokwane), Seshego, Mankweng, Sebayeng and Aganang or on the website [www.polokwane.gov.za](http://www.polokwane.gov.za).

The completed forms must be returned to The Municipal Manager, P. O. Box 111, Polokwane, 0700 or submitted at any of the above-mentioned offices.

For enquiries during the office hours contact:

|                             |                  |
|-----------------------------|------------------|
| Thandi Maila/Mahlodi Moremi | : (015) 290 2341 |
| Lebogang Makweya            | : (015) 290 2059 |
| Pauline Nephawe             | : (015) 290 2240 |
| Jacob Majola                | : (015) 290 2251 |

Email: [valuation@polokwane.gov.za](mailto:valuation@polokwane.gov.za)

**MR D.H MAKOBE**  
**MUNICIPAL MANAGER**

**Issued by Communications**

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**LOCAL AUTHORITY NOTICE 17 OF 2019****NOTICE OF APPLICATION FOR AMENDMENT OF THE LAND USE MANAGEMENT SCHEME IN TERMS OF SECTION 52 (1) (b) OF MARULENG SPATIAL PLANNING & LAND USE MANAGEMENT BY-LAW OF 2016 READ TOGETHER WITH THE PROVISION OF SPATIAL PLANNING AND LAND USE MANAGEMENT ACT 2013 (ACT 16 OF 2013)****MARULENG AMENDMENT SCHEMES 162 & 163**

We, Kago-Boswa Consulting Spatial Planners, being the authorised agent of the owners of the properties mentioned below, hereby give notice in terms of Section 52 (1)(b) of Maruleng Spatial Planning and Land Use Management By-law of 2016, that we have applied to Maruleng Municipality for the amendment of Maruleng Land Use Management Scheme 2008, by the rezoning of:

- Erf 321 Hoedspruit Extension 6, situated in Hoedspruit, from 'Rural Residential' to 'Special' for a guesthouse/ lodge (Amendment Scheme 162, Annexure 177); **and**
- Erf 665 Hoedspruit Extension 6, situated in Hoedspruit, from 'Rural Residential' to 'Special' for a guesthouse/ lodge (Amendment Scheme 163, Annexure 178).

Particulars of the applications will lie for inspection during office hours at the Municipal Library, 64 Springbok Street, Hoedspruit, for a period of 30 days from 15 February 2019. Objections to or representations in respect of the applications must be lodged with or in writing to the Municipal Manager at this address P. O. Box 627, Hoedspruit, 1380, within a period of 30 days from the 15 February 2019. *Address of the Agent: Kago-Boswa Consulting Spatial Planners, P. O. Box 14098, Flamwood Walk, 2535 (Cell: 0827780429, email: kagoboswa@gmail.com)*

**PLAASLIKE OWERHEID KENNISGEWING 17 VAN 2019****KENNISGEWING VAN AANSOEK VIR WYSIGING VAN GRONDGEBRUIKSKEMA INGEVOLGE ARTIKEL 52 (1) (b) VAN DIE MARULENG RUIMTELIKE BEPLANNING EN GRONDGEBRUIKBESTUUR VAN 2016 SAAMGELEES MET DIE VERSKAFFING VAN RUIMTELIKE BEPLANNING EN GRONDGEBRUIKBESTUUR WET 2013 (WET 16 VAN 2013)****MARULENG WYSIGINGSKEMAS 162 & 163**

Ons, Kago-Boswa Consulting Spatial Planners, synde die gematigde agent van die eienaars van die eienskappe hieronder genome, gee hiermee ingevolge Artikel 52 (1) (b) van die Maruleng Ruimtelike Beplanning en Grondgebruikbestuur Verordening Van 2016, kennis dat ons by die Maruleng Munisipaliteit aansoek gedoen het om die wysiging van die Maruleng Grondgebruikskema 2008, deur die hersonering van:

- Erf 321 Hoedspruit Uitbreiding 6, geleë in Hoedspruit, van 'Landelike Residensiël' na 'Spesiaal' vir gastehuis/ lodge (Wysigingskema 162, Bylae 177); **en**
- Erf 665 Hoedspruit Uitbreiding 6, geleë in Hoedspruit, van 'Landelike Residensiël' na 'Spesiaal' vir gastehuis/ lodge (Wysigingskema 163, Bylae 178).

Besonderhede van die aansoeke lê ter insae gedurende gewone kantoor ure by die Munisipaliteit Biblioteek, 64 Springbokstraat, Hoedspruit, vir 'n tydperk van 30 dae vanaf 15 Februarie 2019. Besware teen of vertoë ten opsigte van die aansoeke moet binne 'n tydperk van die 30 dae vanaf 15 Februarie 2019 skriftelik by of tot die Munisipale Bestuurder by Posbus 627, Hoedspruit, 1380, ingedien of gerig word. *Adres van Agent: Kago-Boswa Consulting Spatial Planners, Posbus 14098, Flamwood Walk, 2535 (Sel: 0827780429, e-pos: kagoboswa@gmail.com)*

**LOCAL AUTHORITY NOTICE 18 OF 2019****URBAN AND RURAL DYNAMICS****APPLICATION FOR THE CONSOLIDATION AND REZONING OF ERVEN 1562 AND 1563, MUTALE EXTENSION 1****THULAMELA LAND USE MANAGEMENT SCHEME 2006.**

We **Urban and Rural Dynamics**, being the authorized agent of the registered owners of the properties mentioned below, hereby give notice as per below manner:

Erven 1562 and 1563 Mutale extension 1 Limpopo Province in terms of section 62 (1) and section 71 of the Thulamela Local Municipality Spatial Planning and Land Use Management by-law 2015, IDP, SDF read together with provision of Spatial Planning and Land Use Management Act 16 of 2013, that we have made simultaneous application to the Thulamela Local Municipality for the amendment of Land Use Scheme, 2006, by rezoning and consolidation of Erven 1562 and 1563 from Residential 1 to Business 1.

Details of the abovementioned proposals (Plans and particulars of the application) will be inspected during normal office hours at the office of a Town Planner, at Thulamela Local Municipality, Tshilamba, Mutale for the period of 30 days from the first day of the publication. Any person who cannot write may come during office hours to above offices where a staff member will assist to transcribe that person's comments or representations. Written objections to the proposals must be lodged with office of a Town Planner: Thohoyandou Civic Centre, Old Agriven Building, Thohoyandou and New Municipal Building, Next to Manenu Battalion Building, Mutale

**APULIKESHENI YA CONSOLIDATION AND REZONING YA ZWITENTSI 1562 NA 1563, MUTALE EXTENSION 1****URBAN AND RURAL DYNAMICS****THULAMELA LAND USE MANAGEMENT SCHEME 2006.**

Rine vha **Urban and Rural Dynamics**, vha imeleli vhare mulayoni vha vhane vha mavu o nwaliwa nga afho fhasi, ri khou disa ndivhadzo nga ndila l tevhelaho:

Erven 1562 and 1563 Mutale extension 1 Limpopo Province, nga khethekanyo ya 62 (1) na 71 ya mulayo wa Thulamela Local Municipality Spatial Planning and Land Use Management by-law 2015, IDP, SDF itshi vhaliwa na phurovishini ya Spatial Planning and Land Use Management Act 16 of 2013, uri ro ita khumbelo nga mbili Masipalani wa Thulamela Local Municipality ubva kha Residential 1 uya kha Business 1, khathihi na u tanganyisa zwitentsi izwo uri zwivhe tshitentsi tshithihi.

Zwidodombedzwa and pulane zwa khunguwedzo zwido sedzulusiwa nga tshifhinga tsha mushumo ofisini ya Mupulani wa dorobo Thulamela Local Municipality, Mutale, Iwa maduvha a 30, vhanu kundelwa unwala vha do tangedzwa ofisini dza mupulani wa dorobo hune vha do wana muthu ane a do vha thusa nga tshinwe na tshinwe. Khanedzano ya muhumbulo uyu itea ulivhisiwa ofisini ya mupulani wa dorobo, u wanala kha heyi address: Thohoyandou Civic Centre, Old Agriven Building, Thohoyandou and New Municipal Building, Next to Manenu Battalion Building, Mutale



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