



THE PROVINCE OF MPUMALANGA  
DIE PROVINSIE MPUMALANGA

## Provincial Gazette Provinsiale Koerant

*(Registered as a newspaper) • (As 'n nuusblad geregistreer)*

Vol. 24

NELSPRUIT  
7 APRIL 2017  
7 APRIL 2017

No. 2800

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



**Prevention is the cure**

**AIDS  
HELPLINE**

**0800 012 322**

DEPARTMENT OF HEALTH

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ISSN 1682-4518



## IMPORTANT NOTICE:

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

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# Closing times for **ORDINARY WEEKLY** 2017

## MPUMALANGA PROVINCIAL GAZETTE

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

- 29 December, Thursday, for the issue of Friday 06 January 2017
- 06 January, Friday, for the issue of Friday 13 January 2017
- 13 January, Friday, for the issue of Friday 20 January 2017
- 20 January, Friday, for the issue of Friday 27 January 2017
- 27 January, Friday, for the issue of Friday 03 February 2017
- 03 February, Friday, for the issue of Friday 10 February 2017
- 10 February, Friday, for the issue of Friday 17 February 2017
- 17 February, Friday, for the issue of Friday 24 February 2017
- 24 February, Friday, for the issue of Friday 03 March 2017
- 03 March, Friday, for the issue of Friday 10 March 2017
- 10 March, Friday, for the issue of Friday 17 March 2017
- 16 March, Thursday, for the issue of Friday 24 March 2017
- 24 March, Friday, for the issue of Friday 31 March 2017
- 31 March, Friday, for the issue of Friday 07 April 2017
- 07 April, Friday, for the issue of Friday 14 April 2017
- 12 April, Wednesday, for the issue of Friday 21 April 2017
- 20 April, Thursday, for the issue of Friday 28 April 2017
- 26 April, Wednesday, for the issue of Friday 05 May 2017
- 05 May, Friday, for the issue of Friday 12 May 2017
- 12 May, Friday, for the issue of Friday 19 May 2017
- 19 May, Friday, for the issue of Friday 26 May 2017
- 26 May, Friday, for the issue of Friday 02 June 2017
- 02 June, Friday, for the issue of Friday 09 June 2017
- 09 June, Friday, for the issue of Friday 16 June 2017
- 15 June, Thursday, for the issue of Friday 23 June 2017
- 23 June, Friday, for the issue of Friday 30 June 2017
- 30 June, Friday, for the issue of Friday 07 July 2017
- 07 July, Friday, for the issue of Friday 14 July 2017
- 14 July, Friday, for the issue of Friday 21 July 2017
- 21 July, Friday, for the issue of Friday 28 July 2017
- 28 July, Friday, for the issue of Friday 04 August 2017
- 03 August, Thursday, for the issue of Friday 11 August 2017
- 11 August, Friday, for the issue of Friday 18 August 2017
- 18 August, Friday, for the issue of Friday 25 August 2017
- 25 August, Friday, for the issue of Friday 01 September 2017
- 01 September, Friday, for the issue of Friday 08 September 2017
- 08 September, Friday, for the issue of Friday 15 September 2017
- 15 September, Friday, for the issue of Friday 22 September 2017
- 21 September, Thursday, for the issue of Friday 29 September 2017
- 29 September, Friday, for the issue of Friday 06 October 2017
- 06 October, Friday, for the issue of Friday 13 October 2017
- 13 October, Friday, for the issue of Friday 20 October 2017
- 20 October, Friday, for the issue of Friday 27 October 2017
- 27 October, Friday, for the issue of Friday 03 November 2017
- 03 November, Friday, for the issue of Friday 10 November 2017
- 10 November, Friday, for the issue of Friday 17 November 2017
- 17 November, Friday, for the issue of Friday 24 November 2017
- 24 November, Friday, for the issue of Friday 01 December 2017
- 01 December, Friday, for the issue of Friday 08 December 2017
- 08 December, Friday, for the issue of Friday 15 December 2017
- 15 December, Friday, for the issue of Friday 22 December 2017
- 20 December, Wednesday, for the issue of Friday 29 December 2017

## LIST OF TARIFF RATES FOR PUBLICATION OF NOTICES

**COMMENCEMENT: 1 APRIL 2016**

### 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 R1000 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	250.00
Ordinary National, Provincial	2/4 - Half Page	500.00
Ordinary National, Provincial	3/4 - Three Quarter Page	750.00
Ordinary National, Provincial	4/4 - Full Page	1000.00

### 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 **R3000** 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, 12h00 - 3 days prior to publication
Regulation Gazette	Weekly	Friday	Friday 15h00, to be published the following Friday	Tuesday, 12h00 - 3 days prior to publication
Petrol Price Gazette	As required	First Wednesday of the month	One week before publication	3 days prior to publication
Road Carrier Permits	Weekly	Friday	Thursday 15h00, to be published the following Friday	3 days prior to publication
Unclaimed Monies (justice, labour or lawyers)	January / As required 2 per year	Any	15 January / As required	3 days prior to publication
Parliament (acts, white paper, green paper)	As required	Any		3 days prior to publication
Manuals	As required	Any	None	None
State of Budget (National Treasury)	Monthly	Any	7 days prior to publication	3 days prior to publication
Legal Gazettes A, B and C	Weekly	Friday	One week before publication	Tuesday, 12h00 - 3 days prior to publication
Tender Bulletin	Weekly	Friday	Friday 15h00 for next Friday	Tuesday, 12h00 - 3 days prior to publication
Gauteng	Weekly	Wednesday	Two weeks before publication	3 days after submission deadline
Eastern Cape	Weekly	Monday	One week before publication	3 days prior to publication
Northern Cape	Weekly	Monday	One week before publication	3 days prior to publication
North West	Weekly	Tuesday	One week before publication	3 days prior to publication
KwaZulu-Natal	Weekly	Thursday	One week before publication	3 days prior to publication
Limpopo	Weekly	Friday	One week before publication	3 days prior to publication
Mpumalanga	Weekly	Friday	One week before publication	3 days prior to publication
Gauteng Liquor License Gazette	Monthly	Wednesday before the First Friday of the month	Two weeks before publication	3 days after submission deadline
Northern Cape Liquor License Gazette	Monthly	First Friday of the month	Two weeks before publication	3 days after submission deadline
National Liquor License Gazette	Monthly	First Friday of the month	Two weeks before publication	3 days after submission deadline
Mpumalanga Liquor License Gazette	2 per month	Second & Fourth Friday	One week before	3 days prior to publication

## GOVERNMENT PRINTING WORKS - BUSINESS RULES

### 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.
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.

**GOVERNMENT PRINTING WORKS - BUSINESS 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 eGazette 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 be 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:

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

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

**Fax:** 012-323-9574

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**GENERAL NOTICES • ALGEMENE KENNISGEWINGS**

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**NOTICE 24 OF 2017****PIET RETIEF AMENDMENT SCHEME 297.**

Notice of application for the amendment of the Piet Retief Town Planning Scheme, 1980, in terms of Section 56(1)(b)(i) of the Town-Planning and Townships Ordinance, 1986, (Ordinance No. 15 of 1986).

I, Pinkie Kühne, being the authorised agent of the registered owner of the property mentioned below, hereby give notice, in terms of the above Ordinance, that I have applied to the Mkhondo Municipality, Piet Retief, for the amendment of the Town Planning Scheme, known as the Piet Retief Town Planning Scheme, 1980, by the rezoning of Remainder and (Subdivision 1 of the Remainder) of Erf 285, situated at no. 9B Von Brandis Street, Piet Retief, from "Residential 1" to "Residential 2".

Particulars of the application will lie for inspection during normal office hours at the office of the Municipal Manager, Civic Centre, Mark Street, Piet Retief for a period of 28 (twenty eight) days from 31 March 2017.

Objections to this application must, within a period of 28 (twenty eight) days from 07 April 2017, written and in duplicate, be submitted to the Municipal Manager at the above address, or be posted to P. O. Box 23, Piet Retief, 2380.

Agent: Pinkie Kühne, P. O. Box 22072, Newcastle, 2940. Tel/fax.: 034 312 3116 Cell: 082 952 2946.

31-7

**KENNISGEWING 24 VAN 2017****PIET RETIEF WYSIGINGSKEMA 297.**

Kennisgewing van aansoek om die wysiging van die Piet Retief Stadsbeplanningskema, 1980, ingevolge Artikel 56(1)(b)(i) van die Ordonnansie op Dorpsbeplanning en Dorpe, 1986, (Ordonnansie Nr. 15 van 1986).

Ek, Pinkie Kühne, synde die gemagtigde agent van die geregistreerde eienaar van die ondergenoemde eiendom, gee hiermee, ingevolge bogenoemde Artikel, kennis dat ek by die Mkhondo Munisipaliteit, Piet Retief, aansoek gedoen het om die wysiging van die Dorpsbeplanningskema, bekend as die Piet Retief Dorpsbeplanningskema, 1980, deur die hersonering van Restant en (Onderverdeling 1 van Restant) van Erf 285, geleë te Von Brandisstraat 9B, Piet Retief, vanaf "Residensieël 1" na "Residensieël 2".

Besonderhede van die aansoek lê ter insae gedurende gewone kantoorure by die kantoor van die Munisipale Bestuurder, Burgersentrum, Markstraat, Piet Retief, vir 'n tydperk van 28 (agt en twintig) dae vanaf 31 Maart 2017.

Besware of verhoë teen die aansoek moet, binne 'n tydperk van 28 (agt en twintig) dae vanaf 07 April 2017, geskrewe en in tweevoud, ingehandig word by die Munisipale Bestuurder by bovermelde adres, of gepos word aan Posbus 23, Piet Retief, 2380.

Agent: Pinkie Kühne, Posbus 22072, Newcastle, 2940. Tel/faks: 034 312 3116 Sel: 082 952 2946.

31-7

**Piet Retief Amendment Scheme No. 20****Page 2 of 2.**



**NOTICE 25 OF 2017****PIET RETIEF AMENDMENT SCHEME 297**

Notice of application for the amendment of the Piet Retief Town Planning Scheme, 1980, in terms of Section 56(1)(b)(i) of the Town-Planning and Townships Ordinance, 1986, (Ordinance No. 15 of 1986)

I, Pinkie Kühne, being the authorised agent of the registered owner of the property mentioned below, hereby give notice, in terms of the above Ordinance, that I have applied to the Mkhondo Municipality, Piet Retief, for the amendment of the Town Planning Scheme, known as the Piet Retief Town Planning Scheme, 1980, by the rezoning of Remainder and (Subdivision 1 of the Remainder) of Erf 285, situated at no. 9B Von Brandis Street, Piet Retief, from "Residential 1" to "Residential 2".

Particulars of the application will lie for inspection during normal office hours at the office of the Municipal Manager, Civic Centre, Mark Street, Piet Retief for a period of 28 (twenty eight) days from 31 March 2017.

Objections to this application must, within a period of 28 (twenty eight) days from 07 April 2017, written and in duplicate, be submitted to the Municipal Manager at the above address, or be posted to P. O. Box 23, Piet Retief, 2380.

Agent: Pinkie Kühne, P. O. Box 22072, Newcastle, 2940. Tel/fax.: 034 312 3116 Cell: 082 952 2946.

31-07

**KENNISGEWING 25 VAN 2017****PIET RETIEF WYSIGINGSKEMA 297**

Kennisgewing van aansoek om die wysiging van die Piet Retief Stadsbeplanningskema, 1980, ingevolge Artikel 56(1)(b)(i) van die Ordonnansie op Dorpsbeplanning en Dorpe, 1986, (Ordonnansie Nr. 15 van 1986)

Ek, Pinkie Kühne, synde die gemagtigde agent van die geregistreerde eienaar van die ondergenoemde eiendom, gee hiermee, ingevolge bogenoemde Artikel, kennis dat ek by die Mkhondo Munisipaliteit, Piet Retief, aansoek gedoen het om die wysiging van die Dorpsbeplanningskema, bekend as die Piet Retief Dorpsbeplanningskema, 1980, deur die hersonering van Restant en (Onderverdeling 1 van Restant) van Erf 285, geleë te Von Brandisstraat 9B, Piet Retief, vanaf "Residensieël 1" na "Residensieël 2".

Besonderhede van die aansoek lê ter insae gedurende gewone kantoorure by die kantoor van die Munisipale Bestuurder, Burgersentrum, Markstraat, Piet Retief, vir 'n tydperk van 28 (agt en twintig) dae vanaf 31 Maart 2017.

Besware of verhoë teen die aansoek moet, binne 'n tydperk van 28 (agt en twintig) dae vanaf 07 April 2017, geskrewe en in tweevoud, ingehandig word by die Munisipale Bestuurder by bovermelde adres, of gepos word aan Posbus 23, Piet Retief, 2380.

Agent: Pinkie Kühne, Posbus 22072, Newcastle, 2940. Tel/faks: 034 312 3116 Sel: 082 952 2946.

**Piet Retief Amendment Scheme No. 20**

31-07

**NOTICE 26 OF 2017****NOTICE OF APPLICATION IN TERMS OF THE GOVAN MBEKI SPATIAL PLANNING AND LAND USE  
MANAGEMENT BY-LAW, 2016, CHAPTER 5 AND 6**

I, Hendrik Lochner Susan (PLS079-D), of the firm Reed Geomatics Incorporated hereby give notice in terms of section 89 of the Govan Mbeki SPLUM By-Law, that I have applied to the Govan Mbeki Municipality for the following:

**Application for:** *The closure of a Public Place*

**Notification number:** *E/eMzi/7654*

**Property information:** a Portion of Erf 7654 (Park), Emzinoni Extension 5, Registration Division I.S., Mpumalanga situated at the western boundary of extension 5.

**Owner information:** Govan Mbeki Municipality held by title deed: not registered.

I the owner /agent hereby give notice in terms of section 89 of the Govan Mbeki Spatial Planning and Land Use Management By-Law, of the application for the permanent closure of a portion ( $\pm 1044\text{m}^2$ ) of Erf 7654 (Park).

Particulars of the application will lie for inspection during normal office hours at the Office of Manager Town and Regional Planning, Room 323 3<sup>rd</sup> floor, South Wing Municipal Buildings, for the period **30 days** from **07 April 2017**.

Objections to or representations in respect of the application must be lodged with or made in writing to the Municipal Manager at the above address within a period of 30 days from 07 April 2017, being **08 May 2017**.

**Name and address of applicant:** Reed Geomatics Incorporated, P.O. Box 985, Secunda, 2302 Tel: 017 631 1394 Fax: 017 631 1770

**Notice number:** 24/2017

**Publication date:** 07 April 2017

**NOTICE 27 OF 2017****NOTICE OF APPLICATION IN TERMS OF THE GOVAN MBEKI SPATIAL PLANNING AND LAND USE  
MANAGEMENT BY-LAW, 2016, CHAPTER 5 AND 6**

I, Hendrik Lochner Susan (PLS079-D), of the firm Reed Geomatics Incorporated hereby give notice in terms of section 89 of the Govan Mbeki SPLUM By-Law, that I have applied to the Govan Mbeki Municipality for the following:

**Application for:** *The closure of a Public Place*

**Notification number:** *E/Sec/22/7646*

**Property information:** a Portion of Erf 7646 (Park), Secunda Extension 22, Registration Division I.S., Mpumalanga situated at Colenso Street.

**Owner information:** Govan Mbeki Local Municipality held by title deed T44616/1987

I the owner /agent hereby give notice in terms of section 89 of the Govan Mbeki Spatial Planning and Land Use Management By-Law, of the application for the permanent closure of a portion (747m<sup>2</sup>) of Erf 7646(Park).

Particulars of the application will lie for inspection during normal office hours at the Office of Manager Town and Regional Planning, Room 323 3<sup>rd</sup> floor, South Wing Municipal Buildings, for the period **30 days** from **07 April 2017**.

Objections to or representations in respect of the application must be lodged with or made in writing to the Municipal Manager at the above address within a period of 30 days from 24 March 2017, being **08 May 2017**.

**Name and address of applicant:** Reed Geomatics Incorporated, P.O. Box 985, Secunda, 2302 Tel: 017 631 1394 Fax: 017 631 1770

**Notice number:** 21/2017

**Publication date:** 07 April 2017

**NOTICE 28 OF 2017****PIET RETIEF AMENDMENT SCHEME 298.**

Notice of application for the amendment of the Piet Retief Town Planning Scheme, 1980, in terms of Section 56(1)(b)(i) of the Town-Planning and Townships Ordinance, 1986, (Ordinance No. 15 of 1986).

I, Pinkie Kühne, being the authorised agent of the registered owner of the property mentioned below, hereby give notice, in terms of the above Ordinance, that I have applied to the Mkhondo Municipality, Piet Retief, for the amendment of the Town Planning Scheme, known as the Piet Retief Town Planning Scheme, 1980, by the rezoning of Remainder of Erf 494, situated at No. 2B De Jager Street, Piet Retief from "Residential 1" to "Residential 3".

Particulars of the application will lie for inspection during normal office hours at the office of the Municipal Manager, Civic Centre, Mark Street, Piet Retief for a period of 28 (twenty eight) days from 7 April 2017.

Objections to this application must, within a period of 28 (twenty eight) days from 7 April 2017, written and in duplicate, be submitted to the Municipal Manager at the above address, or be posted to P. O. Box 23, Piet Retief, 2380.

Agent: Pinkie Kühne, P. O. Box 22072, Newcastle, 2940. Tel.: 034 312 3116 E-mail: [pinkiekhune@gmail.com](mailto:pinkiekhune@gmail.com).

7-14

**KENNISGEWING 28 VAN 2017****PIET RETIEF WYSIGINGSKEMA 298.**

Kennisgewing van aansoek om die wysiging van die Piet Retief Stadsbeplanningskema, 1980, ingevolge Artikel 56(1)(b)(i) van die Ordonnansie op Dorpsbeplanning en Dorpe, 1986, (Ordonnansie Nr. 15 van 1986). Ek, Pinkie Kühne, synde die gemagtigde agent van die geregistreerde eienaar van die ondergenoemde eiendom, gee hiermee, ingevolge bogenoemde Artikel, kennis dat ek by die Mkondo Munisipaliteit, Piet Retief, aansoek gedoen het om die wysiging van die Dorpsbeplanningskema, bekend as die Piet Retief Dorpsbeplanningskema, 1980, deur die hersonering van Restant van Erf 494, geleë te De Jagerstraat 2B, vanaf "Residensieël 1" na "Residensieël 3". Besonderhede van die aansoek lê ter insae gedurende gewone kantoorure by die kantoor van die Munisipale Bestuurder, Burgersentrum, Markstraat, Piet Retief, vir 'n tydperk van 28 (agt en twintig) dae vanaf 7 April 2017. Besware of verhoë teen die aansoek moet, binne 'n tydperk van 28 (agt en twintig) dae vanaf 7 April 2017, geskrewe en in tweevoud, ingehandig word by die Munisipale Bestuurder by bovermelde adres, of gepos word aan Posbus 23, Piet Retief, 2380.

Agent: Pinkie Kühne, Posbus 22072, Newcastle, 2940. Tel.: 034 312 3116 E-pos: pinkiekhune@gmail.com

7-14

**NOTICE 29 OF 2017****PIET RETIEF AMENDMENT SCHEME 298.**

Notice of application for the amendment of the Piet Retief Town Planning Scheme, 1980, in terms of Section 56(1)(b)(i) of the Town-Planning and Townships Ordinance, 1986, (Ordinance No. 15 of 1986).

I, Pinkie Kühne, being the authorised agent of the registered owner of the property mentioned below, hereby give notice, in terms of the above Ordinance, that I have applied to the Mkhondo Municipality, Piet Retief, for the amendment of the Town Planning Scheme, known as the Piet Retief Town Planning Scheme, 1980, by the rezoning of Remainder of Erf 494, situated at No. 2B De Jager Street, Piet Retief from "Residential 1" to "Residential 3".

Particulars of the application will lie for inspection during normal office hours at the office of the Municipal Manager, Civic Centre, Mark Street, Piet Retief for a period of 28 (twenty eight) days from 7 April 2017.

Objections to this application must, within a period of 28 (twenty eight) days from 7 April 2017, written and in duplicate, be submitted to the Municipal Manager at the above address, or be posted to P. O. Box 23, Piet Retief, 2380.

Agent: Pinkie Kühne, P. O. Box 22072, Newcastle, 2940. Tel.: 034 312 3116 E-mail: pinkiekhune@gmail.com.

7-14

**KENNISGEWING 29 VAN 2017****PIET RETIEF WYSIGINGSKEMA 298.**

Kennisgewing van aansoek om die wysiging van die Piet Retief Stadsbeplanningskema, 1980, ingevolge Artikel 56(1)(b)(i) van die Ordonnansie op Dorpsbeplanning en Dorpe, 1986, (Ordonnansie Nr. 15 van 1986).

Ek, Pinkie Kühne, synde die gemagtigde agent van die geregistreerde eienaar van die ondergenoemde eiendom, gee hiermee, ingevolge bogenoemde Artikel, kennis dat ek by die Mkondo Munisipaliteit, Piet Retief, aansoek gedoen het om die wysiging van die Dorpsbeplanningskema, bekend as die Piet Retief Dorpsbeplanningskema, 1980, deur die hersonering van Restant van Erf 494, geleë te De Jagerstraat 2B, vanaf "Residensieël 1" na "Residensieël 3".

Besonderhede van die aansoek lê ter insae gedurende gewone kantoorure by die kantoor van die Munisipale Bestuurder, Burgersentrum, Markstraat, Piet Retief, vir 'n tydperk van 28 (agt en twintig) dae vanaf 7 April 2017. Besware of verhoë teen die aansoek moet, binne 'n tydperk van 28 (agt en twintig) dae vanaf 7 April 2017, geskrewe en in tweevoud, ingehandig word by die Munisipale Bestuurder by bovermelde adres, of gepos word aan Posbus 23, Piet Retief, 2380.

Agent: Pinkie Kühne, Posbus 22072, Newcastle, 2940. Tel.: 034 312 3116 E-pos: pinkiekhune@gmail.com

7-14

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**PROVINCIAL NOTICES • PROVINSIALE KENNISGEWINGS**

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**PROVINCIAL NOTICE 30 OF 2017****MPUMALANGA TOURISM AND PARKS AGENCY****DECLARATION OF THE GREATER LAKENVLEI PROTECTED ENVIRONMENT IN TERMS OF THE NATIONAL ENVIRONMENTAL MANAGEMENT: PROTECTED AREAS ACT, 2003 (ACT NO. 57 OF 2003) (AS AMENDED)**

Notice is hereby given by the Member of the Executive Council (MEC) for the Department of Agriculture, Rural Development, Land and Environmental Affairs in Mpumalanga Province, Mr. V.R. Shongwe, in terms of Section 28 (1)(a)(i) and (b) of the National Environmental Management: Protected Areas Act, 2003 (Act No. 57 of 2003) (as amended) of the declaration of the **GREATER LAKENVLEI PROTECTED ENVIRONMENT**, located in the Emakhazeni Local Municipality on the properties, the boundaries of which are described in Schedule 1 hereto.

The purpose for the declaration of the Greater Lakenvlei Protected Environment is as follows:

- To enable the owners of the land to take collective action to conserve biodiversity on their land and to seek legal recognition therefor.
- To protect the area if the area is sensitive to development due to its biological diversity, natural characteristics, scenic and landscape value and the provision of environmental goods and services.
- To ensure that the use of natural resources in the area is sustainable.
- To protect a specific ecosystem.

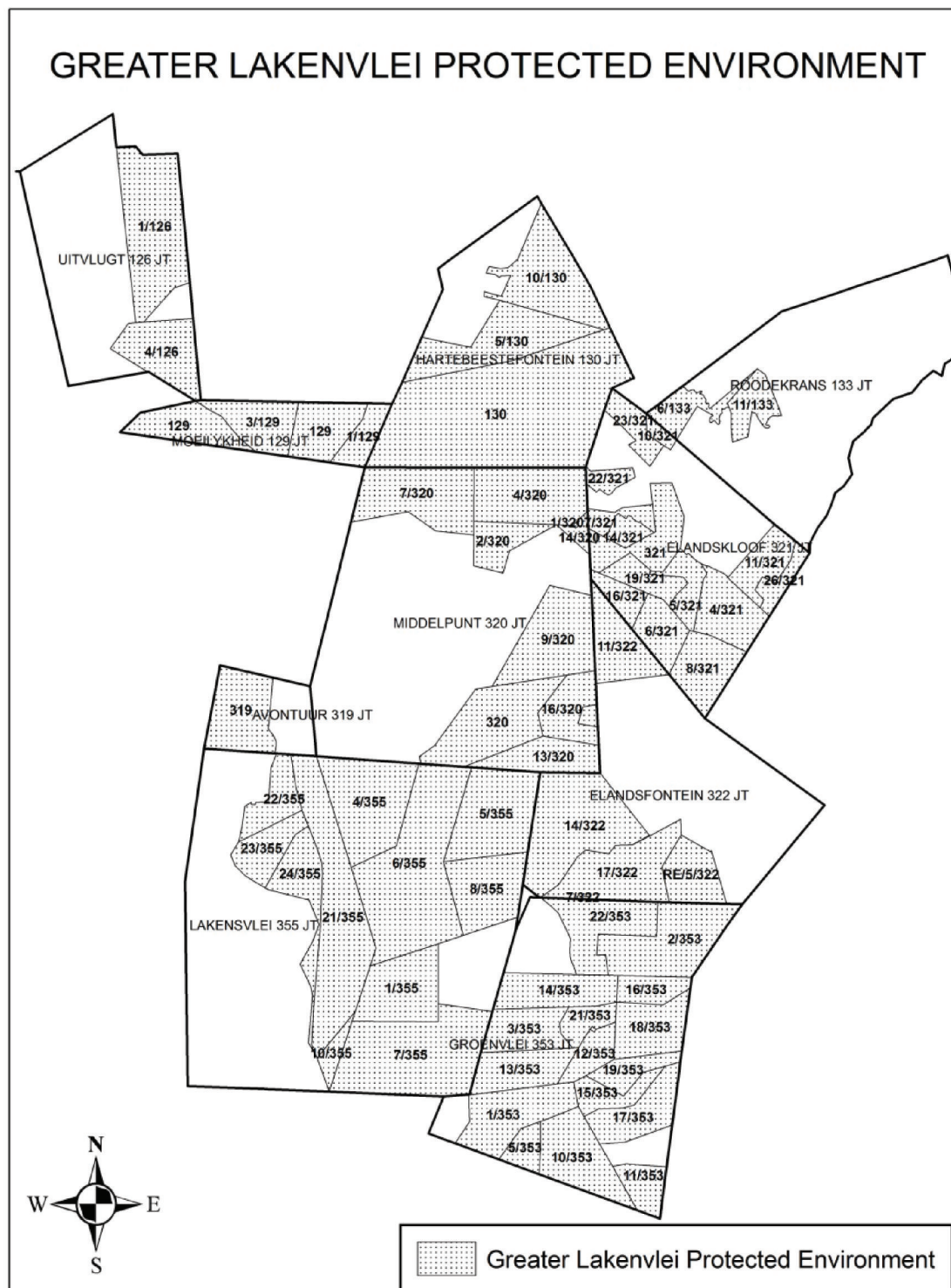
The Greater Lakenvlei Protected Environment Landowners Association is, in terms of Section 38 (2) (b), assigned as the Management Authority of the Greater Lakenvlei Protected Environment.

**Schedule 1: Description of the Greater Lakenvlei Protected Environment**

Portion 1 of the farm Uitvlugt, No. 126, Situated in the Emakhazeni Local Municipality, Division of JT, Mpumalanga Province. Portion 4 of the farm Uitvlugt, No. 126, Situated in the Emakhazeni Local Municipality, Division of JT, Mpumalanga Province. Portion 1 of the farm Moeilykheid, No. 129, Situated in the Emakhazeni Local Municipality, Division of JT, Mpumalanga Province. Portion 3 of the farm Moeilykheid, No. 129, Situated in the Emakhazeni Local Municipality, Division of JT, Mpumalanga Province. The Remainder of the farm Moeilykheid, No. 129, Situated in the Emakhazeni Local Municipality, Division of JT, Mpumalanga Province. Portion 5 of the farm Haartebeestefontein, No. 130, Situated in the Emakhazeni Local Municipality, Division of JT, Mpumalanga Province. Portion 10 of the farm Haartebeestefontein, No. 130, Situated in the Emakhazeni Local Municipality, Division of JT, Mpumalanga Province. The Remainder of the farm Haartebeestefontein, No. 130, Situated in the Emakhazeni Local Municipality, Division of JT, Mpumalanga Province. Portion 1 of the farm Middelpunt, No. 320, Situated in the Emakhazeni Local Municipality, Division of JT, Mpumalanga Province. Portion 2 of the farm Middelpunt, No. 320, Situated in the Emakhazeni Local Municipality, Division of JT, Mpumalanga Province. Portion 4 of the farm Middelpunt, No. 320, Situated in the Emakhazeni Local Municipality, Division of JT, Mpumalanga Province. Portion 7 of the farm Middelpunt, No. 320, Situated in the Emakhazeni Local Municipality, Division of JT, Mpumalanga Province. Portion 9 of the farm Middelpunt, No. 320, Situated in the Emakhazeni Local Municipality, Division of JT, Mpumalanga Province. Portion 13 of the farm Middelpunt, No. 320, Situated in the Emakhazeni Local Municipality, Division of JT, Mpumalanga Province. Portion 14 of the farm Middelpunt, No. 320, Situated in the Emakhazeni Local Municipality, Division of JT, Mpumalanga Province. Portion 16 of the farm Middelpunt, No. 320, Situated in the Emakhazeni Local Municipality, Division of JT, Mpumalanga Province. The Remainder of the farm Middelpunt, No. 320, Situated in the Emakhazeni Local Municipality, Division of JT, Mpumalanga Province. The Remainder of the farm Avontuur, No. 319, Situated in the Emakhazeni Local Municipality, Division of JT, Mpumalanga Province. Portion 6 of the farm Roodekrans, No. 133, Situated in the Emakhazeni Local Municipality, Division of JT, Mpumalanga Province. Portion 11 of the farm Roodekrans, No. 133, Situated in the Emakhazeni Local Municipality, Division of JT, Mpumalanga Province. Portion 5 of the farm Elandsfontein, No. 322, Situated in the Emakhazeni Local Municipality, Division of JT, Mpumalanga Province. Portion 7 of the farm Elandsfontein, No. 322, Situated in the Emakhazeni Local Municipality,

This gazette is also available free online at [www.gpwonline.co.za](http://www.gpwonline.co.za)







## PROVINCIAL NOTICE 31 OF 2017

## MPUMALANGA TOURISM AND PARKS AGENCY

**DECLARATION OF NATURE RESERVES IN TERMS OF THE NATIONAL ENVIRONMENTAL MANAGEMENT: PROTECTED AREAS ACT, 2003 (ACT NO. 57 OF 2003) (AS AMENDED)**

Notice is hereby given by the Member of the Executive Council (MEC) for the Department of Agriculture, Rural Development, Land and Environmental Affairs in Mpumalanga Province, Mr. V.R. Shongwe, in terms of section 23 (1) (a) (i) and (b) of the National Environmental Management: Protected Areas Act, 2003 (Act No. 57 of 2003) (as amended) of the declaration of the **Mount Morgan Nature Reserve, Angle Ridge Nature Reserve, Oosterbeek Nature Reserve and Ngodwana Valley Nature Reserve**, located in the City of Mbombela Local Municipality on the properties, the boundaries of which are described in Schedule 1 to 4 hereto.

The purpose for the declaration of the aforementioned nature reserves is:

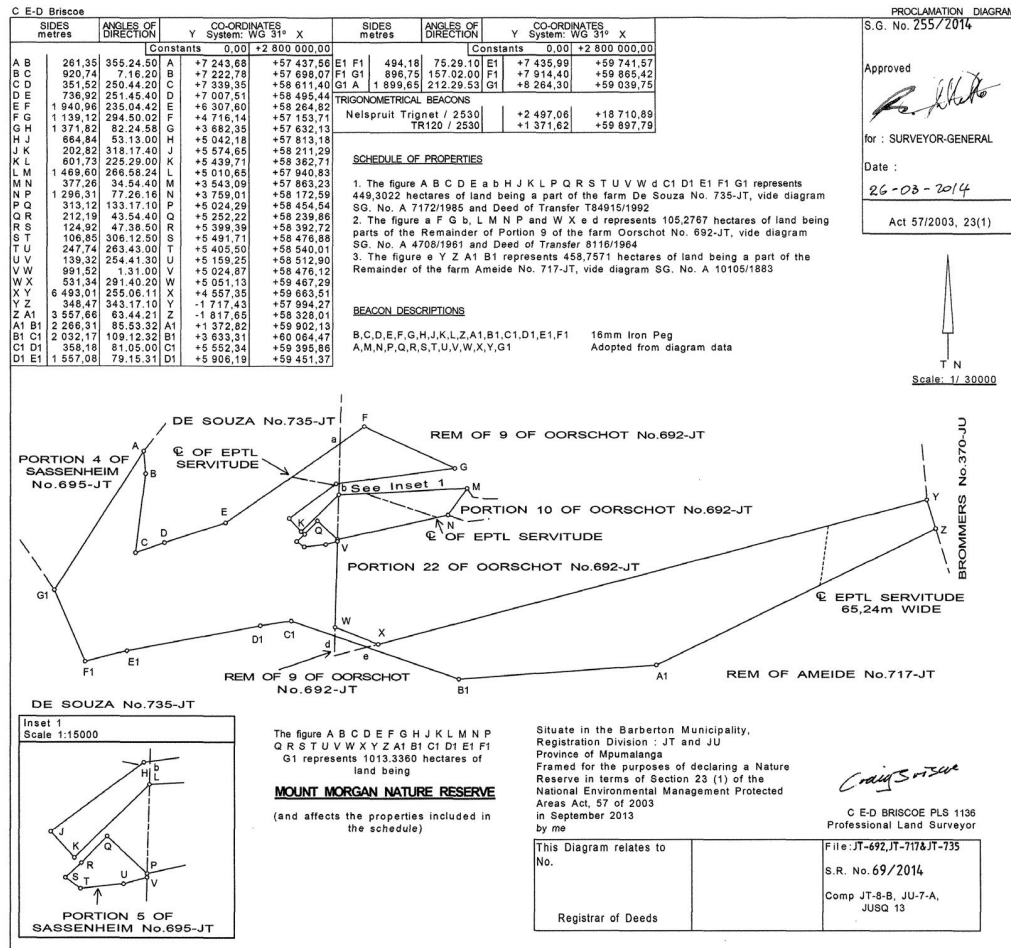
- To protect the area if the area has significant natural features or biodiversity (23)(2)(b)(i); and is in need of long-term protection for the maintenance of its biodiversity (23)(2)(b)(iii)

SAPPI is, in terms of Section 38 (2) (a) of the National Environmental Management: Protected Areas Act, 2003 (Act No. 57 of 2003) (as amended) assigned as the Management Authority of the aforementioned nature reserves.

**SCHEDULE 1: DESCRIPTION OF MOUNT MORGAN NATURE RESERVE**

A part of the Remainder of Portion 9 of the farm Oorschot 692 JT; a part of the farm De Souza 735 JT and a part of the Remainder of the farm Ameide 717 JT;

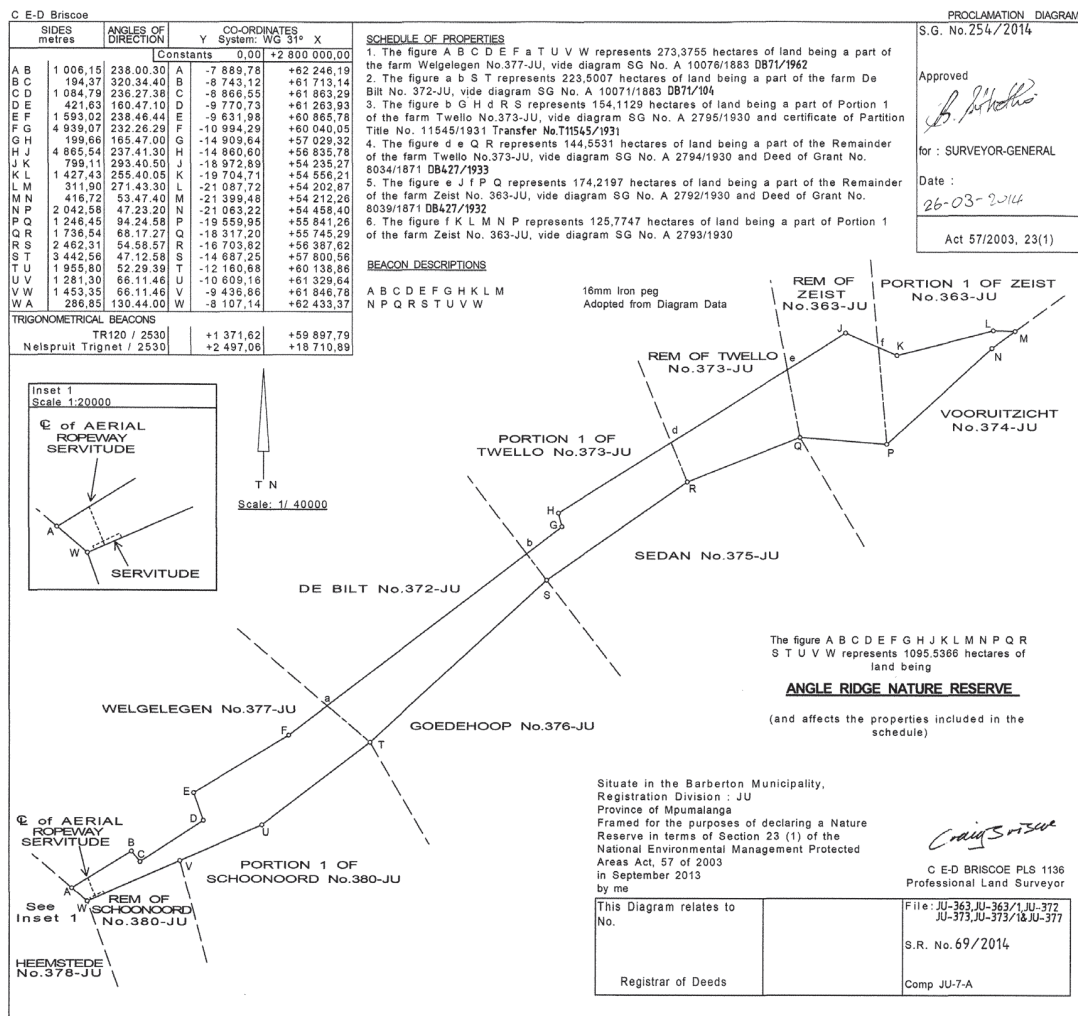
as defined in Proclamation Diagram, S.G. No. 255 / 2014 below.



**SCHEDULE 2: DESCRIPTION OF ANGLE RIDGE NATURE RESERVE**

A part of the farm Welgelegen 377 JU; a part of the farm de Bilt 372; a part of Portion 1 of the farm Twello 373 JU; a part of the Remainder of the farm Twello 373 JU; a part of the Remainder of the farm Zeist 363 JU and a part of Portion 1 of the farm Zeist 363 JU;

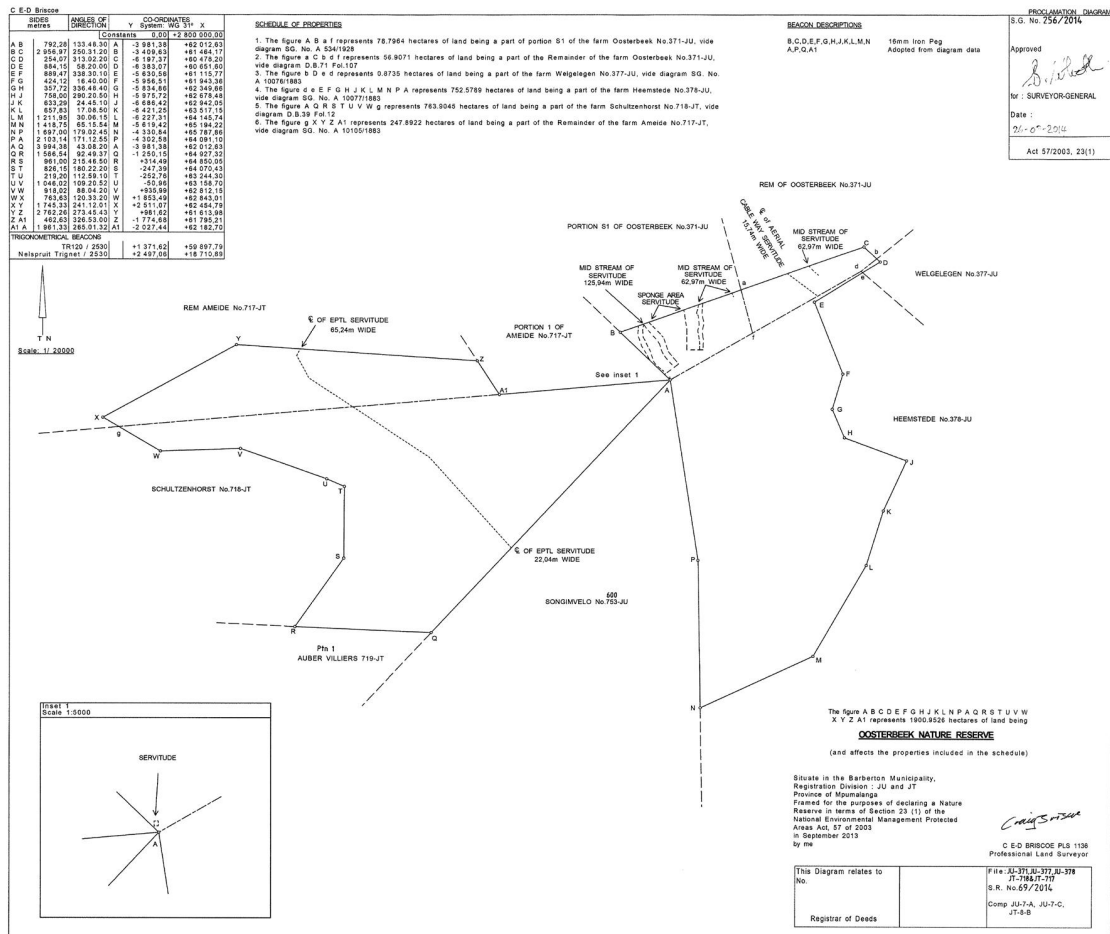
as defined in Proclamation Diagram, S.G. No. 254 / 2014 below.



### SCHEDULE 3: DESCRIPTION OF OOSTERBEEK NATURE RESERVE

A part of Portion S1 of the farm Oosterbeek 371 JU; a part of the Remainder of the farm Oosterbeek 371 JU; a part of the farm Welgelegen 377 JU; a part of the farm Heemstede 378 JU; a part of the farm Schultzenhorst 718 JT and a part of the Remainder of the farm Ameide 717 JT;

as defined in Proclamation Diagram, S.G. No. 256 / 2014 below.



A part of the Remainder of the farm Doornkloof 478 JT; a part of Portion 7 of the farm Doornkloof 478 JT; a part of Portion 5 of the farm Doornkloof 478 JT; a part of Portion 4 of the farm Doornkloof 478 JT; a part of the Remainder of the farm De Goede Hoop 532 JT and a part of the farm Doornkloof 480 JT;

**E-D Briefcase**

ROLES	INHERS OF	CO-INHERS	CO-INHERS		
Series	Y	Series	W		
A	081.12	32.33.01	A	+31 684.81	+32 218.79
B	897.73	9.08.50	B	+32 389.24	+38 140.19
C	478.28	283.20	C	+32 531.98	+38 926.50
D	1884.19	8.09.40	D	+32 074.39	+39 133.01
E	2 582.71	155.05.45	E	+32 148.41	+38 174.35
F	814.82	198.01.30	F	+32 380.24	+38 847.81
G	683.87	197.25.20	G	+32 135.31	+38 759.26
H	797.75	197.28.20	H	+32 888.40	+37 828.26
I	87.19	180.09.20	I	+32 727.58	+38 885.10
J	2750.82	196.28.40	J	+32 727.33	+38 787.81
K	158.88	131.27.38	L	+32 464.60	+34 138.71
M	214.11	209.28.40	M	+34 293.35	+33 408.50
N	226.95	209.28.40	N	+34 181.96	+33 220.11
O	419.15	209.28.40	O	+32 922.84	+32 750.48
P	1 134.76	241.55.32	P	+32 642.07	+32 254.35
Q	181.64	351.18.17	Q	+32 646.83	+32 120.31

**CONNECTING DATA**

Series	Y	Series	W		
T	839.30	235.47.40	U	+31 950.01	+31 250.74
U	583.30	235.47.40	V	+32 387.74	+37 104.94
V	92.08	92.08	W	+34 475.21	+39 969.22
X	363.24	363.24	X	+34 703.87	+39 390.98
Y	477.31	100.18.30	Y	+32 710.07	+34 445.41
Z	197.18	197.18	Z	+32 175.87	+34 309.88
AA	280.18	280.18	AA	+32 911.55	+35 036.17
AB	90.10	90.10	AB	+32 894.03	+35 055.94
AC	270.15	270.15	AC		

**INDICATORY DATA**

Series	Y	Series	W		
DA	8.08	8.08	DA	+32 358.43	+41 115.82
DB	2.81	0.09	DB	+32 357.08	+41 108.22
DC	47.97	108.52	DC	+32 370.10	+38 844.74
DD	7.56	108.52	DD	+32 353.10	+38 949.85
DE	8.88	197.25.20	DE	+32 140.48	+38 180.84
DF	10.41	197.25.20	DF	+32 138.43	+38 174.28
DG	18.04	197.25.20	DG	+32 982.28	+37 812.29
DH	4.05	197.25.20	DH	+32 887.86	+37 870.13
DI	15.48	197.25.20	DI	+32 728.64	+38 882.81
DJ	12.29	197.25.20	DJ	+32 731.27	+39 816.32
DK	17.55	197.25.20	DK	+32 720.80	+38 780.74
DL	4.07	28.28	DL	+34 267.38	+33 413.83
DM	12.45	28.28	DM	+34 191.74	+33 226.74
DN	17.33	28.28	DN	+32 919.10	+32 744.43
DO	15.81	28.28	DO	+32 925.81	+32 784.45
DP	7.25	28.28	DP	+32 919.10	+32 744.43
DQ	3.97	38.03	DQ	+32 707.81	+32 384.86
DR	8.75	37.47	DR		
DS	7.57	124.45	DS	+32 710.16	+32 380.12
DT	20.31	38.23	DT	+32 640.86	+32 281.88
DU	7.46	189.14	DU		
DV	18.19	58.08	DV	+32 628.63	+32 245.33

**TRUCKMETER DATA**

Series	Y	Series	W	
TR119 (Contaxometer)	D82300	Δ	+24 880.63	+32 189.38
TR254 (Mphometer)	D82300	Δ	+34 312.32	+32 074.95

**SCHEDULE OF PROPERTIES**

- The figure 1 Middle of the Godwin River n.m.l. Eastern Boundary of Road M N Eastern Boundary of Road P O Eastern Boundary of Road S T a represents 458,9761 hectares being a part of the Remainder of the farm Doornkloof No. 478 - JT, vide diagram SG No. A28011822 and deed of transfer T5868/1924
- The figure 1, m Middle of Godwin River n.m.l. Eastern Boundary of Road P O Eastern

## LOCAL AUTHORITY NOTICES • PLAASLIKE OWERHEIDS KENNISGEWINGS

### LOCAL AUTHORITY NOTICE 32 OF 2017

#### EMALAHLENI LOCAL MUNICIPALITY

#### NOTICE OF APPROVAL OF AMENDMENT SCHEMES 1730, 2046, 2066 ANNEXURE 731

The Local Municipality of Emalahleni declares hereby in terms of the provisions of Section 57(1)(a) of the Town-Planning and Townships Ordinance, 1986, that it has approved the amendment schemes below, being an amendment of the Emalahleni Land Use Management Scheme, 2010, by the rezoning of the under mentioned properties from their present zonings to the new zoning as indicated below.

Amendment Scheme	Description of property	Present Zoning	New zoning
1730	Portion of Portion 34 Farm Elandsfontein 309-JS	Split zoning of Agricultural and Industrial 2	Industrial 2
2046	Erf 8 Fransville	Residential 1	Business 4
2066 Annexure 731	Erf 1160 Witbank Extension 8	Residential 1	Business 4 with annexure 731 for a shop

Map 3 and the scheme clauses of the amendment schemes are filed with the Director, Department of Agricultural, Rural Development and Land Administration Mpumalanga Province, and the Municipal Manager, Emalahleni Local Municipality and are open for inspection at all reasonable times.

#### **T JANSEN VAN VUUREN MUNICIPAL MANAGER**

Civic Centre  
Mandela Street  
**Emalahleni**  
1035

P.O. Box 3  
**eMalahleni**  
1035

Notice Number: /2017

Publication Date: Provincial Gazette of Mpumalanga: 7 April 2017



## LOCAL AUTHORITY NOTICE 33 OF 2017

DR PIXLEY KA ISAKA SEME LOCAL MUNICIPALITY  
ELECTRICITY SUPPLY BY-LAWCHAPTER 1  
GENERAL1. **Definitions** - In this by-law, unless inconsistent with the context-

**"accredited person"** means a person registered in terms of the Regulations as an electrical tester for single phase, an installation electrician or a master installation electrician, as the case may be;

**"applicable standard specification"** means the standard specifications as listed in Schedule 2 attached to this by-law;

**"certificate of compliance"** means a certificate issued in terms of the Regulations in respect of an electrical installation or part of an electrical installation by an accredited person;

**"consumer"** in relation to premises means:

- (i) any occupier thereof or any other person with whom the Municipality has contracted to supply or is actually supplying electricity thereat; or
- (ii) if such premises are not occupied, any person who has a valid existing agreement with the Municipality for the supply of electricity to such premises; or
- (iii) if there is no such person or occupier, the owner of the premises;

**"credit meter"** means a meter where an account is issued subsequent to the consumption of electricity;

**"electrical contractor"** means an electrical contractor as defined in the Regulations;

**"electrical installation"** means an electrical installation as defined in the Regulations;

**"high voltage"** means the set of nominal voltage levels that are used in power systems for bulk transmission of electricity in the range of  $44\text{kV} < U_n \leq 220\text{ kV}$ . [SANS 1019];

**"low voltage"** means the set of nominal voltage levels that are used for the distribution of electricity and whose upper limit is generally accepted to be an a.c. voltage of 1000V (or a d.c. voltage of 1500 V). [SANS 1019]

**"the law"** means any applicable law, proclamation, ordinance, act of parliament or enactment having force of law;

**"medium voltage"** means the set of nominal voltage levels that lie above low voltage and below high voltage in the range of  $1\text{ kV} < U_n \leq 44\text{ kV}$ . [SANS 1019]

**"meter"** means a device which records the demand and/or the electrical energy consumed and includes conventional and prepayment meters;

**"motor load, total connected"** means the sum total of the kW input ratings of all the individual motors connected to an installation;

**"motor rating"** means the maximum continuous kW output of a motor as stated on the maker's rating plate;

**"motor starting current"** in relation to alternating current motors means the root mean square value of the symmetrical current taken by a motor when energised at its rated voltage with its starter in the starting position and the rotor locked;

**"Municipality"** means Dr Pixley Ka Isaka Seme Local Municipality, a municipality established in terms of the law or any legal entity duly authorized by the Dr Pixley Ka Isaka Seme Local Municipality to provide an electricity service within the jurisdiction of the Dr Pixley Ka Isaka Seme Local Municipality;

**"occupier"** in relation to any premises means-

- (a) any person in actual occupation of such premises;
- (b) any person legally entitled to occupy such premises;
- (c) in the case of such premises being subdivided and let to lodgers or various tenants, the person receiving the rent payable by such lodgers or tenants, whether on his own account or as agent for any person entitled thereto or interested therein, or
- (d) any person in control of such premises or responsible for the management thereof, and includes the agent of any such person when he/she is absent from the Republic of South Africa or his/her whereabouts are unknown;

**"owner"** in relation to premises means the person in whom is vested the legal title thereto; provided that-

- (a) in the case of immovable property-



- (i) leased for a period of not less than 50 years, whether the lease is registered or not, the lessee thereof, or
- (ii) beneficially occupied under a servitude or right analogous thereto, the occupier thereof;
- (b) if the owner as hereinbefore defined-
  - (i) is deceased or insolvent, has assigned his estate for the benefit of his creditors, has been placed under curatorship by order of court or is a company being wound up or under judicial management, the person in whom the administration of such property is vested as executor, administrator, trustee, assignee, curator, liquidator or judicial manager, as the case may be, or
  - (ii) is absent from the Republic of South Africa, or if his address is unknown to the Municipality, any person who as agent or otherwise receives or is entitled to receive the rent in respect of such property, and.
  - (iii) if the Municipality is unable to determine who such person is, the person who is entitled to the beneficial use of such property,
 shall be deemed to be the owner thereof to the exclusion of the person in whom is vested the legal title thereto;

**"point of consumption"** means a point of consumption as defined in the Regulations;

**"point of metering"** means the point at which the consumer's consumption of electricity is metered and which may be at the point of supply or at any other point on the distribution system of the Municipality or the electrical installation of the consumer, as specified by the Municipality or any duly authorised official of the Municipality; provided that it shall meter all of, and only, the consumer's consumption of electricity;

**"point of supply"** means the point determined by the Municipality or any duly authorised official of the Municipality at which electricity is supplied to any premises by the Municipality;

**"premises"** means any land or any building or structure above or below ground level and includes any vehicle, aircraft or vessel;

**"prepayment meter"** means a meter that can be programmed to allow the flow of pre-purchased amounts of energy in an electrical circuit;

**"Regulations"** means Regulations made in terms of the Occupational Health and Safety Act, 1993 (Act 85 of 1993), as amended;

**"safety standard"** means the Code of Practice for the Wiring of Premises SANS 10142-1 incorporated in the Regulations;

**"SANS"** means South African National Standards

**"service connection"** means all cables and equipment required to connect the supply mains to the electrical installation of the consumer at the point of supply;

**"service protective device"** : means any fuse or circuit breaker installed for the purpose of protecting the Municipality's equipment from overloads or faults occurring on the installation or on the internal service connection;

**"standby supply"** means an alternative electricity supply not normally used by the consumer;

**"supply mains"** means any part of the Municipality's electricity network;

**"tariff"** means the Municipality's tariff of charges for the supply of electricity, and

**"token"** means the essential element of a prepayment metering system used to transfer information from a point of sale for electricity credit to a prepayment meter and *vice versa*;

**"voltage"** means the root-mean-square value of electrical potential between two conductors.

**"wayleave"** means the set of documentation providing information on the location of the supply mains of the Municipality within the physical area covered by an application to undertake civil work within the municipal area and stipulates the conditions applicable to the work to be done in the vicinity of the affected supply mains.

2. **Other terms** - All other terms used in this by-law shall, unless the context otherwise requires, have the meaning assigned thereto in the Electricity Regulation Act, 2006 (Act 4 of 2006), as amended, or the Occupational Health and Safety Act, 1993 (Act 85 of 1993), as amended.
3. **Headings and titles** - The headings and titles in this by-law shall not affect the construction thereof.

## CHAPTER 2 GENERAL CONDITIONS OF SUPPLY

4. **Provision of Electricity Services** – Only the Municipality shall supply or contract for the supply of electricity within the licenced area of the Municipality.
5. **Supply by agreement** - No person shall use or be entitled to use an electricity supply from the Municipality unless or until such person shall have entered into an agreement in writing with the Municipality for such supply, and such agreement together with the provisions of this by-law shall in all respects govern such supply. If a person uses an electricity supply without entering into an agreement he/she shall be liable for the cost of electricity used as stated in section 44 of this bylaw.
6. **Service of notice** -
  - (1) Any notice or other document that is served on any person in terms of this by-law is regarded as having been served-
    - (a) when it has been delivered to that person personally;
    - (b) when it has been left at that person's place of residence or business in the Republic with a person apparently over the age of sixteen years;
    - (c) when it has been posted by registered or certified mail to that person's last known residential or business address in the Republic and an acknowledgement of the posting thereof from the postal service is obtained;
    - (d) if that person's address in the Republic is unknown, when it has been served on that person's agent or representative in the Republic in the manner provided by paragraphs (a), (b) or (c); or
    - (e) if that person's address and agent or representative in the Republic is unknown, when it has been posted in a conspicuous place on the property or premises, if any, to which it relates.
  - (2) When any notice or other document must be authorised or served on the owner, occupier or holder of any property or right in any property, it is sufficient if that person is described in the notice or other document as the owner, occupier or holder of the property or right in question, and it is not necessary to name that person.
  - (3) Any legal process is effectively and sufficiently served on the Municipality when it is delivered to the municipal manager or a person in attendance at the municipal manager's office.
7. **Compliance with notices** - Any person on whom a notice duly issued or given under this by-law is served shall, within the time specified in such notice, comply with its terms.
8. **Application for supply** -
  - (1) Application for the supply of electricity shall be made in writing by the prospective consumer on the prescribed form obtainable at the office of the Municipality, and the estimated load, in kVA, of the installation, shall be stated therein. Such application shall be made as early as possible before the supply of electricity is required in order to facilitate the work of the Municipality.
  - (2) An application for an electricity supply for a period of less than one year shall be regarded as an application for a temporary supply of electricity and shall be considered at the discretion of the Municipality or any duly authorised official of the Municipality, which may specify any special conditions to be satisfied in such case.
9. **Processing of requests for supply** - Applications for the supply of electricity will be processed and the supply made available within the periods stipulated in NRS 047.



**10. Wayleaves -**

- (1) The Municipality may refuse to lay or erect a service connection above or below ground on any thoroughfare or land not vested in the Municipality or on any private property, unless and until the prospective consumer shall have obtained and deposited with the Municipality written permission granted by the owner of the said private property or by the person in whom is vested the legal title to the land or thoroughfare as aforesaid exists, as the case may be, authorising the laying or erection of a service connection thereon.
- (2) If such permission is withdrawn at any time or if the aforesaid private property or thoroughfare changes ownership and the new owner refuses to grant or continue such permission, the cost of any alteration required to be made to a service connection in order that the supply of electricity may be continued, and of any removal thereof which may become necessary in the circumstances, shall be borne by the consumer to whose premises the supply of electricity is required to be continued.

**11. Statutory Servitude -**

- (1) Subject to the provisions of subsection (3) the Municipality may within its licenced area:
  - (a) provide, establish and maintain electricity services;
  - (b) acquire, construct, lay, extend, enlarge, divert, maintain, repair, discontinue the use of, close up and destroy electricity supply mains;
  - (c) construct, erect or lay any electricity supply main on, across, through, over or under any street or immovable property and the ownership of any such main shall vest in the Municipality;
  - (d) do any other thing necessary or desirable for or incidental, supplementary or ancillary to any matter contemplated by paragraphs (a) to (c).
- (2) If the Municipality constructs, erects or lays any electricity supply main on, across, through, over or under any street or immovable property not owned by the Municipality or under the control of or management of the Municipality it shall pay to the owner of such street or property compensation in an amount agreed upon by such owner and the Municipality or, in the absence of agreement, as determined either by arbitration or a court of law.
- (3) The Municipality shall, before commencing any work other than repairs or maintenance on or in connection with any electricity supply main on immovable property not owned by the Municipality or under the control or management of the Municipality, give the owner or occupier of such property reasonable notice of the proposed work and the date on which it proposes to commence such work.

**12. Right of admittance to inspect, test and/or do maintenance work –**

- (1) The Municipality shall, through its employees, contractors and their assistants and advisers, have access to or over any property for the purposes of-
  - (a) doing anything authorised or required to be done by the Municipality under this by-law or any other law;
  - (b) inspecting and examining any service mains and anything connected therewith;
  - (c) enquiring into and investigating any possible source of electricity supply or the suitability of immovable property for any work, scheme or undertaking of the Municipality and making any necessary survey in connection therewith;
  - (d) ascertaining whether there is or has been a contravention of the provisions of this by-law or any other law, and
  - (e) enforcing compliance with the provisions of this by-law or any other law,

- (2) The Municipality shall pay to any person suffering damage as a result of the exercise of the right of access contemplated by sub-section (1), except where the Municipality is authorised to execute on the property concerned any work at the cost of such person or some other person or to execute on such property any work and recover the cost thereof from such person or some other person, compensation in such amount as may be agreed upon by the Municipality and such person or, in the absence of agreement, as may be determined by arbitration or court of law.
  - (3) An employee of the Municipality authorised thereto by such Municipality may, by notice in writing served on the owner or occupier of any property, require such owner or occupier to provide, on the day and at the hour specified in such notice, access to such property to a person and for a purpose referred to in sub-section (1).
  - (4) The Municipality may gain access to or over any property without notice and may take whatever action as may, in its opinion, be necessary or desirable in consequence of the existence of a state of war or the occurrence of any calamity, emergency or disaster.
- 13. **Refusal or failure to give information** - No person shall refuse or fail to give such information as may be reasonably required of him/her by any duly authorised official of the Municipality or render any false information to any such official regarding any electrical installation work completed or contemplated.
- 14. **Refusal of admittance** - No person shall willfully hinder, obstruct, interfere with or refuse admittance to any duly authorised official of the Municipality in the performance of his duty under this by-law or of any duty connected therewith or relating thereto.
- 15. **Improper use** - If the consumer uses the electricity for any purpose or deals with the electricity in any manner which the Municipality has reasonable grounds for believing interferes in an improper or unsafe manner or is calculated to interfere in an improper or unsafe manner with the efficient supply of electricity to any other consumer, the Municipality may, with or without notice, disconnect the electricity supply but such supply shall be restored as soon as the cause for the disconnection has been permanently remedied or removed. The fee as prescribed by the Municipality for the disconnection and reconnection shall be paid by the consumer before the electricity supply is restored, unless it can be shown that the consumer did not use or deal with the electricity in an improper or unsafe manner.
- 16. **Electricity tariffs and fees** - Copies of charges and fees may be obtained free of charge at the offices of the Municipality.
- 17. **Deposits** - The Municipality reserves the right to require the consumer to deposit a sum of money as security in payment of any charges which are due or may become due to the Municipality. The amount of the deposit in respect of each electricity installation shall be determined by the Municipality, and each such deposit may be increased if the Municipality deems the deposit held to be inadequate. Such deposit shall not be regarded as being in payment or part payment of any accounts due for the supply of electricity for the purpose of obtaining any discount provided for in the electricity tariff referred to in this by-law. On cessation of the supply of electricity, the amount of such deposit, free of any interest, less any payments due to the Municipality shall be refunded to the consumer.
- 18. **Payment of charges** -
  - (1) The consumer shall be liable for all charges listed in the prescribed tariff for the electricity service as approved by the Municipality. A copy of the prescribed tariff is obtainable free of charge from the Municipality.
  - (2) All accounts shall be deemed to be payable when issued by the Municipality and each account shall, on its face, reflect the due date and a warning indicating that the supply of electricity may be disconnected should the charges in respect of such supply remain unpaid after the due date.



- (3) An error or omission in any account or failure to render an account shall not relieve the consumer of his obligation to pay the correct amount due for electricity supplied to the premises and the onus shall be on the consumer to satisfy himself/herself that the account rendered is in accordance with the prescribed tariff of charges in respect of electricity supplied to the premises.
  - (4) Where a duly authorised official of the Municipality has visited the premises for the purpose of disconnecting the supply of electricity in terms of subsection (2) and he/she is obstructed or prevented from effecting such disconnection, the prescribed fee shall become payable for each visit necessary for the purpose of such disconnection.
  - (5) After disconnection for non-payment of an account, the prescribed fees and any amounts due for electricity consumed shall be paid before the electricity supply is re-connected.
19. **Interest on overdue accounts** - The Municipality may charge interest on accounts which are not paid by the due date appearing on the account, at an interest rate as approved by the Municipality from time to time.
20. **Principles for the resale of electricity –**
- (1) Unless otherwise authorised by the Municipality, no person shall sell or supply electricity, supplied to his/her premises under an agreement with the Municipality, to any other person or persons for use on any other premises, or permit or suffer such resale or supply to take place. If electricity is resold for use upon the same premises, the electricity resold shall be measured by a sub meter of a type, which has been approved by the South African National Standards (SANS) and supplied, installed and programmed in accordance with the standards of the Municipality.
  - (2) The tariff, rates and charges at which and the conditions of sale under which electricity is thus resold shall not be less favourable to the purchaser than those that would have been payable and applicable had the purchaser been supplied directly with electricity by the Municipality. Every reseller shall furnish the purchaser with monthly accounts that are at least as detailed as the relevant billing information details provided by the Municipality to its electricity consumers.
21. **Right to disconnect supply –**
- (1) The Municipality shall have the right to disconnect the supply of electricity to any premises if the person liable to pay for such supply fails to pay any charge due to the Municipality in connection with any supply of electricity which he/she may at any time have received from the Municipality in respect of such premises, or, where any of the provisions of this by-law and/or the Regulations are being contravened, provided the Municipality has given the person 14 (fourteen) days' notice to remedy his/her default and the person has failed to remedy such default after notice has been given, or, in the case of a grave risk to person or property, or as envisaged in terms of Section 26 of this by-law, without notice. After disconnection for non-payment of accounts or the improper or unsafe use of electricity, the fee as prescribed by the Municipality shall be paid.
  - (2) In the case where an installation has been illegally reconnected on a consumer's premises after having been previously legally disconnected by the Municipality, or in the case where the Municipality's electrical equipment has been tampered with to prevent the full registration of consumption by the meter, the electricity supply may be physically removed from those premises.
22. **Non-liability of the Municipality-** The Municipality shall not be liable for any loss or damage, direct or consequential, suffered or sustained by a consumer as a result of or arising from the cessation, interruption or any other abnormality of the supply of electricity, unless caused by negligence on the part of the Municipality.

23. **Leakage of electricity** - Under no circumstances shall any rebate be allowed on the account for electricity supplied and metered in respect of electricity wasted owing to leakage or any other fault in the electrical installation.
24. **Failure of supply** - The Municipality does not undertake to attend to a failure of supply of electricity due to a fault in the electrical installation of the consumer, except when such failure is due to the operation of the service protective device of the Municipality. When any failure of supply of electricity is found to be due to a fault in the electrical installation of the consumer or to the faulty operation of apparatus used in connection therewith, the Municipality shall have the right to charge the consumer the fee as prescribed by the Municipality for each restoration of the supply of electricity in addition to the cost of making good or repairing any damage which may have been done to the service main and meter by such fault or faulty operation as aforesaid.
25. **Seals of the Municipality** - The meter, service protective devices and all apparatus belonging to the Municipality shall be sealed or locked by a duly authorised official of the Municipality, and no person not being an official of the Municipality duly authorised thereto shall in any manner or for any reason whatsoever remove, break, deface, or tamper or interfere with such seals or locks.
26. **Tampering with service connection or supply mains -**
- (1) No person shall in any manner or for any reason whatsoever tamper or interfere with any meter or metering equipment or service connection or service protective device or supply mains or any other equipment of the Municipality.
- (2) Where prima facie evidence exists of a consumer and/or any person having contravened sub-section(1), the Municipality shall have the right to disconnect the supply of electricity immediately and without prior notice to the consumer. The person shall be liable for all fees and charges levied by the Municipality for such disconnection.
- (3) Where a consumer and/or any person has contravened sub-section(1) and such contravention has resulted in the meter recording less than the true consumption, the Municipality shall have the right to recover from the consumer the full cost of his estimated consumption.
27. **Protection of Municipality's supply mains -**
- (1) No person shall, except with the consent of the Municipality and subject to such conditions as may be imposed –
- (a) construct, erect or lay, or permit the construction, erection or laying of any building, structure or other object, or plant trees or vegetation over or in such a position or in such a manner as to interfere with or endanger the supply mains
- (b) excavate, open up or remove the ground above, next to, under or near any part of the supply mains
- (c) damage, endanger, remove or destroy, or do any act likely to damage, endanger or destroy any part of the supply mains
- (d) make any unauthorized connection to any part of the supply mains or divert or cause to be diverted any electricity there from.
- (e) The owner or occupier shall limit the height of trees or length of projecting branches in the proximity of overhead lines or provide a means of protection which in the opinion of the Municipality will adequately prevent the tree from interfering with the conductors should the tree or branch fall or be cut down. Should the owner fail to observe this provision the Municipality shall have the right, after prior written



notification, or at any time in an emergency, to cut or trim the trees or other vegetation in such a manner as to comply with this provision and shall be entitled to enter the property for this purpose.

- (2) The Municipality may subject to obtaining an order of court demolish, alter or otherwise deal with any building, structure or other object constructed, erected or laid in contravention with this by-law.
  - (3) The municipality may in the case of an emergency or disaster remove anything damaging, obstructing or endangering or likely to damage, obstruct, endanger or destroy any part of the electrical distribution system.
28. **Prevention of tampering with service connection or supply mains** - If the Municipality decides that it is necessary or desirable to take special precautions in order to prevent tampering with any portion of the supply mains, service connection or service protective device or meter or metering equipment, the consumer shall either supply and install the necessary protection or pay the costs involved where such protection is supplied by the Municipality.
29. **Unauthorised connections** - No person other than a person specifically authorised thereto by the Municipality in writing shall directly or indirectly connect, attempt to connect or cause or permit to be connected any electrical installation or part thereof to the supply mains or service connection.
30. **Unauthorised reconnections** -
  - (1) No person other than a person specifically authorised thereto by the Municipality in writing shall reconnect, attempt to reconnect or cause or permit to be reconnected to the supply mains or service connection any electrical installation or installations which has or have been disconnected by the Municipality.
  - (2) Where the supply of electricity that has previously been disconnected is found to have been reconnected, the consumer using the supply of electricity shall be liable for all charges for electricity consumed between the date of disconnection and the date the electricity supply was found to be reconnected and any other charges raised in this regard. Furthermore, the Municipality reserves the right to remove part or all of the supply equipment until such time as payment has been received in full. In addition, the consumer will be responsible for all the costs associated with the reinstatement of such supply equipment.
31. **Temporary disconnection and reconnection** -
  - (1) The Municipality shall, at the request of the consumer, temporarily disconnect and reconnect the supply of electricity to the consumer's electrical installation upon payment of the fee as prescribed by the Municipality for each such disconnection and subsequent reconnection.
  - (2) In the event of the necessity arising for the Municipality to effect a temporary disconnection and reconnection of the supply of electricity to a consumer's electrical installation and the consumer is in no way responsible for bringing about this necessity, the Municipality shall waive payment of the fee hereinbefore referred to.
  - (3) The Municipality may only under exceptional circumstances temporarily disconnect the supply of electricity to any premises without notice, for the purpose of effecting repairs or carrying out tests or for any other legitimate purpose. In all other instances adequate notice shall be given.
32. **Temporary supplies** - It shall be a condition of the giving of any temporary supply of electricity, as defined in this by-law, that, if such supply is found to interfere with the efficient and economical supply of electricity to other consumers, the Municipality shall have the right, with notice, or under exceptional circumstances without notice, to



terminate such temporary supply at any time and, the Municipality shall not be liable for any loss or damage occasioned by the consumer by such termination.

33. **Temporary work** - Electrical installations requiring a temporary supply of electricity shall not be connected directly or indirectly to the supply mains except with the special permission in writing of the Municipality. Full information as to the reasons for and nature of such temporary work shall accompany the application for the aforesaid permission, and the Municipality may refuse such permission or may grant the same upon such terms and conditions as it may appear desirable and necessary.

34. **Load reduction -**

- (1) At times of peak load, or in an emergency, or when, in the opinion of the Municipality, it is necessary for any reason to reduce the load on the electricity supply system of the Municipality, the Municipality may without notice interrupt and, for such period as the Municipality may deem necessary, discontinue the electricity supply to any consumer's electrically operated thermal storage water heater or any specific appliance or the whole installation. The Municipality shall not be liable for any loss or damage directly or consequentially due to or arising from such interruption and discontinuance of the electricity supply.
- (2) The Municipality may install upon the premises of the consumer such apparatus and equipment as may be necessary to give effect to the provisions of subsection (1), and any duly authorised official of the Municipality may at any reasonable time enter any premises for the purpose of installing, inspecting, testing adjusting and/or changing such apparatus and equipment.
- (3) Notwithstanding the provisions of sub-section (2), the consumer or the owner, as the case may be, shall, when installing an electrically operated water storage heater, provide such necessary accommodation and wiring as the Municipality may decide to facilitate the later installation of the apparatus and equipment referred to in sub-section (2).

35. **Medium and low voltage switchgear and equipment -**

- (1) In cases where a supply of electricity is given at either medium or low voltage, the supply and installation of the switchgear, cables and equipment forming part of the service connection shall, unless otherwise approved by the Municipality or any duly authorised official of the Municipality, be paid for by the consumer.
- (2) In the case of a medium voltage supply of electricity, all such equipment shall be approved by any duly authorised official of the Municipality and installed by or under the supervision of any duly authorised official of the Municipality.
- (3) No person shall operate medium voltage switchgear without the written authority of the Municipality.
- (4) All earthing and testing of medium voltage equipment linked to the Municipality's network shall be conducted by or under the supervision of an employee of the Municipality.
- (5) In the case of a low voltage supply of electricity, the consumer shall provide and install a low voltage main switch and/or any other equipment required by the Municipality or any duly authorised official of the Municipality.

36. **Substation accommodation** - The Municipality may, on such conditions as may be deemed fit by the Municipality or any duly authorised official of the Municipality, require the owner to provide and maintain accommodation which shall constitute a substation and which shall consist of a separate room or rooms to be used exclusively for the purpose of housing medium voltage cables and switchgear, transformers, low voltage cables and switchgear and other equipment necessary for the supply of electricity requested by the applicant. The accommodation shall be situated at a point to which

free, adequate and unrestricted access is available at all times for purposes connected with the operation and maintenance of the equipment.

The Municipality reserves the right to supply its own networks from its own equipment installed in such accommodation, and if additional accommodation is required by the Municipality, such additional accommodation shall be provided by the applicant at the cost of the Municipality.

**37. Wiring diagram and specification -**

- (1) When more than one electrical installation or electricity supply from a common main or more than one distribution board or meter is required for any building or block of buildings, the wiring diagram of the circuits starting from the main switch and a specification shall on request be supplied to the Municipality in duplicate for approval before the work commences.
- (2) Where an electrical installation is to be supplied from a substation on the same premises on which the current is transformed from high voltage, or from one of the substations of the Municipality through mains separate from the general distribution system, a complete specification and drawings for the plant to be installed by the consumer shall, if so required, be forwarded to the Municipality for approval before any material in connection therewith is ordered.

**38. Standby supply -** No person shall be entitled to a standby supply of electricity from the Municipality for any premises having a separate source of electricity supply except with the written consent of the Municipality and subject to such terms and conditions as may be laid down by the Municipality.

**39. Consumer's emergency standby supply equipment -**

- (1) No emergency standby equipment provided by a consumer in terms of any Regulations or for his own operational requirements shall be connected to any installation without the prior written approval of the Municipality. Application for such approval shall be made in writing and shall include a full specification of the equipment and a wiring diagram. The standby equipment shall be so designed and installed that it is impossible for the Municipality's supply mains to be energized by means of a back-feed from such equipment. The consumer shall be responsible for providing and installing all such protective equipment.
- (2) Where by special agreement with the Municipality, the consumer's standby generating equipment is permitted to be electrically coupled to, and run in parallel with the Municipality's supply mains, the consumer shall be responsible for providing, installing and maintaining all the necessary synchronizing and protective equipment required for such safe parallel operation, to the satisfaction of the Municipality.

**40. Technical Standards -** The Municipality may from time to time issue Technical Standards detailing the requirements of the Municipality regarding matters not specifically covered in the Regulations or this by-law but which are necessary for the safe, efficient operation and management of the supply of electricity.

### **CHAPTER 3 RESPONSIBILITIES OF CONSUMERS**

**41. Consumer to erect and maintain electrical installation -** Any electrical installation connected or to be connected to the supply mains, and any additions or alterations thereto which may be made from time to time, shall be provided and erected and maintained and kept in good order by the consumer at his own expense and in accordance with this by-law and the Regulations.

**42. Fault in electrical installation -**



- (1) If any fault develops in the electrical installation, which constitutes a hazard to persons, livestock or property, the consumer shall immediately disconnect the electricity supply. The consumer shall without delay give notice thereof to the Municipality and shall immediately take steps to remedy the fault.
- (2) The Municipality may require the consumer to reimburse it for any expense to which it may be put in connection with a fault in the electrical installation.

**43. Discontinuance of use of supply** - In the event of a consumer desiring to discontinue using the electricity supply, he/she shall give at least two full working days' notice in writing of such intended discontinuance to the Municipality, failing which he/she shall remain liable for all payments due in terms of the tariff for the supply of electricity until the expiration of two full working days after such notice has been given.

**44. Change of consumer -**

- (1) A consumer vacating any premises shall give the Municipality not less than two full working days' notice in writing of his intention to discontinue using the electricity supply, failing which he/she shall remain liable for such supply.
- (2) If the person taking over occupation of the premises desires to continue using the electricity supply, he/she shall make application in accordance with the provisions of section 5 of this by-law, and if he/she fails to make application for an electricity supply within ten working days of taking occupation of the premises, the supply of electricity shall be disconnected, and he/she shall be liable to the Municipality for the electricity supply from the date of occupation till such time as the supply is so disconnected.
- (3) Where premises are fitted with pre-payment meters any person occupying the premises at that time shall be deemed to be the consumer. Until such time as an application is made by this person for a supply of electricity, in terms of section 5 of this by-law, he/she shall be liable for all charges and fees owed to the Municipality for that metering point as well as any outstanding charges and fees whether accrued by that person or not.

**45. Service apparatus -**

- (1) The consumer shall be liable for all costs to the Municipality arising from damage to or loss of any metering equipment, service protective device, service connection or other apparatus on the premises, unless such damage or loss is shown to have been occasioned by an Act of God or an act or omission of an employee of the Municipality or caused by an abnormality in the supply of electricity to the premises.
- (2) If, during a period of disconnection of an installation from the supply mains, the service main, metering equipment or any other service apparatus, being the property of the Municipality and having been previously used, have been removed without its permission or have been damaged so as to render reconnection dangerous, the owner or occupier of the premises, as the case may be, during such period shall bear the cost of overhauling and/or replacing such equipment.
- (3) Where there is a common metering position, the liability detailed in subsection (1) shall devolve on the owner of the premises.
- (4) The amount due in terms of subsection (1) shall be evidenced by a certificate from the Municipality, which shall be final and binding.

#### **CHAPTER 4 SPECIFIC CONDITIONS OF SUPPLY**

**46. Service connection -**

- (1) The consumer shall bear the cost of the service connection, as approved by the Municipality.
- (2) Notwithstanding the fact that the consumer bears the cost of the service connection, ownership of the service connection, laid or erected by the Municipality, shall vest in the Municipality; the Municipality shall be responsible for the maintenance of such service connection up to the point of supply. The consumer shall not be entitled to any compensation from the Municipality in respect of such service connection.
- (3) The work to be carried out by the Municipality at the cost of the consumer for a service connection to the consumer's premises shall be determined by the Municipality or any duly authorised official of the Municipality.
- (4) A service connection shall be laid underground, whether the supply mains are laid underground or erected overhead, unless the Municipality specifically requires an overhead service connection.
- (5) The consumer shall provide, fix and/or maintain on his premises such ducts, wireways, trenches, fastenings and clearance to overhead supply mains as may be required by the Municipality for the installation of the service connection.
- (6) The conductor used for the service connection shall have a cross-sectional area according to the size of the electrical supply but shall not be less than 10 mm<sup>2</sup> (copper or copper equivalent), and all conductors shall have the same cross-sectional area, unless otherwise approved by any duly authorised official of the Municipality.
- (7) Unless otherwise approved, the Municipality shall only provide one service connection to each registered erf. In respect of two or more premises belonging to one owner and situated on adjacent erven, a single bulk supply of electricity may be made available provided the erven are consolidated or notarially tied.
- (8) Any covers of a wireway carrying the supply circuit from the point of supply to the metering equipment shall be made to accept the seals of the Municipality.
- (9) Within the meter box, the service conductor or cable, as the case may be, shall terminate in an unobscured position and the conductors shall be visible throughout their length when cover plates, if present, are removed.
- (10) In the case of blocks of buildings occupied by a number of individual consumers, separate wireways and conductors or cables shall be laid from the common metering room or rooms to each individual consumer in the blocks of buildings. Alternatively, if trunking is used, the conductors of the individual circuits shall be clearly identified (tied together every 1,5m) throughout their length.

**47. Metering accommodation -**

- (1) The consumer shall, if required by the Municipality or any duly authorised official of the Municipality, provide accommodation in an approved position, the meter board and adequate conductors for the Municipality's metering equipment, service apparatus and protective devices. Such accommodation and protection shall be provided and maintained, to the satisfaction of the Municipality, at the cost of the consumer or the owner, as the circumstances may demand, and shall be situated, in the case of credit meters, at a point to which free and unrestricted access shall be had at all reasonable hours for the reading of meters but at all times for purposes connected with the operation and maintenance of the service equipment. Access at all reasonable hours shall be afforded for the inspection of prepayment meters.



- (2) Where sub metering equipment is installed, accommodation separate from the Municipality's metering equipment shall be provided.
- (3) The consumer or, in the case of a common meter position, the owner of the premises shall provide adequate electric lighting in the space set aside for accommodating the metering equipment and service apparatus.
- (4) Where in the opinion of the Municipality the position of the meter, service connection, protective devices or main distribution board is no longer readily accessible or becomes a course of danger to life or property or in any way becomes unsuitable, the consumer shall remove it to a new position, and the cost of such removal, which shall be carried out with reasonable dispatch, shall be borne by the consumer.
- (5) The accommodation for the Municipality's metering equipment and protective devices may, if approved, include the consumer's main switch and main protective devices. No apparatus other than that used in connection with the supply of electricity and use of electricity shall be installed or stored in such accommodation unless approved.

#### **CHAPTER 5 SYSTEMS OF SUPPLY**

**48. Load requirements** - Alternating current supplies shall be given as prescribed by the Electricity Regulation Act, 2006 (Act 4 of 2006), and in the absence of a quality of supply agreement, as set out in applicable standard specification.

**49. Load limitations -**

- (1) Where the estimated load, calculated in terms of the safety standard, does not exceed 15 kVA, the electrical installation shall be arranged for a two-wire single-phase supply of electricity, unless otherwise approved by the Municipality or any duly authorised official of the Municipality.
- (2) Where a three-phase four-wire supply of electricity is provided, the load shall be approximately balanced over the three phases but the maximum out-of-balance load shall not exceed 15kVA, unless otherwise approved by the Municipality or any duly authorised official of the Municipality.
- (3) No current-consuming appliance, inherently single phase in character, with a rating which exceeds 15kVA shall be connected to the electrical installation without the prior approval of the Municipality.

**50. Interference with other persons' electrical equipment –**

- (1) No person shall operate electrical equipment having load characteristics, which singly or collectively, give rise to voltage variations, harmonic currents or voltages, or unbalanced phase currents, which fall outside the applicable standard specification.
- (2) The assessment of interference with other persons' electrical equipment shall be carried out by means of measurements taken at the point of common coupling.
- (3) Should it be established that undue interference is in fact occurring, the consumer shall, at his/her own cost, install the necessary equipment to filter out the interference and prevent it reaching the supply mains.

**51. Supplies to motors –**

Unless otherwise approved by the Municipality or any duly authorised official of the Municipality the rating of motors shall be limited as follows:

## (1) Limited size for low voltage motors –

The rating of a low voltage single-phase motor shall be limited to 2 kW and/or the starting current shall not exceed 70A. All motors exceeding these limits shall be wound for three phases at low voltage or such higher voltage as may be required.

## (2) Maximum starting and accelerating currents of three-phase alternating current motors.

The starting current of three-phase low voltage motors permitted shall be related to the capacity of the consumer's service connection, as follows:

Insulated service cable, size in mm <sup>2</sup> , copper equivalent mm <sup>2</sup>	Maximum permissible starting current A	Maximum motor rating in kW		
		Direct on line (6x full-load current)	Star/Delta (2,5 x full-load current)	Other means (1,5 x full-load current)
		kW	kW	kW
16	72	6	13,5	23
25	95	7,5	18	30
35	115	9	22	36,5
50	135	10	25	45
70	165	13	31	55
95	200	16	38	67
120	230	18	46	77
150	260	20	52	87

## (3) Consumers supplied at medium voltage –

In an installation supplied at medium voltage the starting current of a low voltage motor shall be limited to 1,5 times the rated full-load current of the transformer supplying such a motor. The starting arrangement for medium voltage motors shall be subject to the approval of the Municipality.

**52. Power factor -**

- (1) If required by the Municipality, the power factor of any load shall be maintained within the limits 0,85 lagging and 0,9 leading.
- (2) Where, for the purpose of complying with sub-section (1), it is necessary to install power factor corrective devices, such corrective devices shall be connected to the individual appliance terminals unless the correction of the power factor is automatically controlled.
- (3) The consumer shall, at his/her own cost, install such corrective devices.

**53. Protection -** Electrical protective devices for motors shall be of such a design as effectively to prevent sustained overcurrent and single phasing, where applicable.

## CHAPTER 6 MEASUREMENT OF ELECTRICITY

**54. Metering –**

- (1) The Municipality shall, at the consumer's cost in the form of a direct charge or prescribed fee, provide, install and maintain appropriately rated metering equipment at the point of metering for measuring the electricity supplied.



- (2) Except in the case of prepayment meters, the electricity used by a consumer during any metering period shall be ascertained by the reading of the appropriate meter or meters supplied and installed by the Municipality and read at the end of such period except where the metering equipment is found to be defective, or the Municipality invokes the provisions of section 58(2) of this by-law, in which case the consumption for the period shall be estimated.
- (3) Where the electricity used by a consumer is charged at different tariff rates, the consumption shall be metered separately for each rate.
- (4) The Municipality reserves the right to meter the supply to blocks of shops and flats, tenement-houses and similar buildings for the buildings as a whole, or for individual units, or for groups of units.
- (5) No alterations, repairs or additions or electrical connections of any description shall be made on the supply side of the point of metering unless specifically approved in writing by the Municipality or any duly authorised official of the Municipality.

**55. Accuracy of metering -**

- (1) A meter shall be conclusively presumed to be registering accurately if its error, when tested in the manner prescribed in sub-section (5) hereof, is found to be within the limits of error as provided for in the applicable standard specifications.
- (2) The Municipality shall have the right to test its metering equipment. If it is established by test or otherwise that such metering equipment is defective, the Municipality shall -
  - (i) in the case of a credit meter, adjust the account rendered;
  - (ii) in the case of prepayment meters, (a) render an account where the meter has been under-registering, or (b) issue a free token where the meter has been over-registering;in accordance with the provisions of sub-section (6).
- (3) The consumer shall be entitled to have the metering equipment tested by the Municipality on payment of the prescribed fee. If the metering equipment is found not to comply with the system accuracy requirements as provided for in the applicable standard specifications, an adjustment in accordance with the provisions of sub-sections (2) and (6) shall be made and the aforesaid fee shall be refunded.
- (4) In case of a dispute, the consumer shall have the right at his own cost to have the metering equipment under dispute tested by an approved independent testing authority, and the result of such test shall be final and binding on both parties.
- (5) Meters shall be tested in the manner as provided for in the applicable standard specifications.
- (6) When an adjustment is made to the electricity consumption registered on a meter in terms of sub-section (2) or (3), such adjustment shall either be based on the percentage error of the meter as determined by the test referred to in sub-section (5) or upon a calculation by the Municipality from consumption data in its possession. Where applicable, due allowance shall be made, where possible, for seasonal or other variations which may affect the consumption of electricity.

- (7) When an adjustment is made as contemplated in sub-section (6), the adjustment may not exceed a period of six months preceding the date on which the metering equipment was found to be inaccurate. The application of this section does not bar a consumer from claiming back overpayment for any longer period where the consumer is able to prove the claim in the normal legal process.
- (8) Where the actual load of a consumer differs from the initial estimated load provided for under section 8(1) to the extent that the Municipality deems it necessary to alter or replace its metering equipment to match the load, the costs of such alteration or replacement shall be borne by the consumer.
- (9) (a) Prior to the Municipality making any upward adjustment to an account in terms of sub-section (6), the Municipality shall -
  - (i) notify the consumer in writing of the monetary value of the adjustment to be made and the reasons therefore;
  - (ii) in such notification provide sufficient particulars to enable the consumer to submit representations thereon, and
  - (iii) call upon the consumer in such notice to provide it with reasons in writing, if any, within 21 days or such longer period as the Municipality may permit why his/her account should not be adjusted as notified.
- (b) Should the consumer fail to make any representations during the period referred to in sub-section 9(a)(iii) the Municipality shall be entitled to adjust the account as notified in sub-section 9(a)(i).
- (c) The Municipality shall consider any reasons provided by the consumer in terms of sub-section (9)(a) and shall, if satisfied that a case has been made out therefor, adjust the account appropriately.
- (d) If a duly authorized official of the Municipality decides after having considered the representation made by the consumer that such representations do not establish a case warranting an amendment to the monetary value established in terms of sub-section (6), the Municipality shall be entitled to adjust the account as notified in terms of sub-section 9(a)(i), subject to the consumer's right to appeal the decision of the official in terms of section 62 of the Municipal Systems Act, 2000.

**56. Reading of credit meters -**

- (1) Unless otherwise prescribed, credit meters shall normally be read at intervals of one month and the fixed or minimum charges due in terms of the tariff shall be assessed accordingly. The Municipality shall not be obliged to effect any adjustments to such charges.
- (2) If for any reason the credit meter cannot be read, the Municipality may render an estimated account. The electrical energy consumed shall be adjusted in a subsequent account in accordance with the electrical energy actually consumed.
- (3) When a consumer vacates a property and a final reading of the meter is not possible, an estimation of the consumption may be made and the final account rendered accordingly.
- (4) If a special reading of the meter is desired by a consumer, this may be obtained upon payment of the prescribed fee.
- (5) If any calculating, reading or metering error is discovered in respect of any account rendered to a consumer, the error shall be corrected in subsequent

accounts. Any such correction shall only apply in respect of accounts for a period of 3 months preceding the date on which the error in the accounts was discovered, and shall be based on the actual tariffs applicable during the period. The application of this section does not prevent a consumer from claiming back overpayment for any longer period where the consumer is able to prove the claim in the normal legal process.

**57. Prepayment metering -**

- (1) No refund of the amount tendered for the purchase of electricity credit shall be given at the point of sale after initiation of the process by which the prepayment meter token is produced.
- (2) Copies of previously issued tokens for the transfer of credit to the prepayment meter may be issued at the request of the consumer.
- (3) When a consumer vacates any premises where a prepayment meter is installed, no refund for the credit remaining in the meter shall be made to the consumer by the Municipality.
- (4) The Municipality shall not be liable for the reinstatement of credit in a prepayment meter lost due to tampering with, or the incorrect use or the abuse of, prepayment meters and/or tokens.
- (5) Where a consumer is indebted to the Municipality for electricity consumed or to the Municipality for any other service supplied by the Municipality (including rates) or for any charges previously raised against him/her in connection with any service rendered, the Municipality may deduct a percentage from the amount tendered to offset the amount owing to the Municipality, as set out in the section 5 agreement for the supply of electricity.
- (6) The Municipality may, at its discretion, appoint vendors for the sale of credit for prepayment meters and shall not guarantee the continued operation of any vendor.

**CHAPTER 7  
ELECTRICAL CONTRACTORS**

**58. In addition to the requirements of the Regulations the following requirements shall apply:**

- (1) Where an application for a new or increased supply of electricity has been made to the Municipality, any duly authorised official of the Municipality may at his/her discretion accept notification of the completion of any part of an electrical installation, the circuit arrangements of which permit the electrical installation to be divided up into well-defined separate portions, and such part of the electrical installation may, at the discretion of any duly authorised official of the Municipality, be inspected, tested and connected to the supply mains as though it were a complete installation.
- (2) The examination, test and inspection that may be carried out at the discretion of the Municipality or any duly authorised official of the Municipality in no way relieves the electrical contractor/accredited person or the user or lessor, as the case may be, from his responsibility for any defect in the installation. Such examination, test and inspection shall not be taken under any circumstances (even where the electrical installation has been connected to the supply mains) as indicating or guaranteeing in any way that the electrical installation has been carried out efficiently with the most suitable materials for the purpose or that it is in accordance with this by-law or the safety standard, and the Municipality shall not be held responsible for any defect or fault in such electrical installation.



59. The Municipality shall not be held responsible for the work done by the electrical contractor/accredited person on a consumer's premises and shall not in any way be responsible for any loss or damage which may be occasioned by fire or by any accident arising from the state of the wiring on the premises.

#### CHAPTER 8 COST OF WORK

60. The Municipality may repair and make good any damage done in contravention of this by-law or resulting from a contravention of this by-law. The cost of any such work carried out by the Municipality which was necessary due to the contravention of this by-law, shall be to the account of the person who acted in contravention of this by-law.

#### CHAPTER 9 PENALTIES

61. (1) Any person who contravenes any of the provisions of sections 5, 7, 13, 14, 20, 25, 26, 27, 29 and 30 of this by-law shall be guilty of an offence.
- (2) Any person who continues to commit an offence after notice has been served on him/her to cease committing such offence or after he/she has been convicted of such offence shall be guilty of a continuing offence.
- (3) Any person convicted of an offence under this by-law for which no penalty is expressly provided shall be liable to a fine not exceeding ten thousand rands or imprisonment for a period not exceeding six months or to such imprisonment without the option of a fine or to both such fine and such imprisonment and, in the case of a continuing offence, to an additional fine not exceeding two hundred rands or additional imprisonment for a period not exceeding ten days or to such additional imprisonment without the option of a fine or to both such additional fine and imprisonment for each day on which such offence is continued.
- (4) Every person committing a breach of the provisions of this by-law shall be liable to compensate the Municipality for any loss or damage suffered or sustained by it in consequence of such breach.

#### CHAPTER 10 REPEAL OF BY-LAWS

62. The By-laws specified in the first column of Schedule 1 are hereby repealed to the extent set out in the second column of Schedule 1

##### SCHEDULE 1 BY-LAWS REPEALED

TITLE OF BY-LAW	EXTENT OF REPEAL
Local Authority Notice No.185 dated 30 June 2006 with heading Pixley Ka Seme Local Municipality Electricity By-Laws, Notice No: ...../2017	The whole

##### SCHEDULE 2

**"applicable standard specification"** means

SANS 1019 Standard voltages, currents and insulation levels for electricity supply  
 SANS 1607 Electromechanical watt-hour meters,  
 SANS 1524 Parts 0,1 & 2 - Electricity dispensing systems,  
 SANS IEC 60211 Maximum demand indicators, Class1.0,  
 SANS IEC 60521 Alternating current electromechanical watt-hour meter (Classes 0.5, 1 & 2),  
 SANS 0142 Code of practice for the wiring of premises;  
 NRS 047 National Rationalized Specification for the Electricity Supply - Quality of Service  
 NRS 048 National Rationalized Specification for the Electricity Supply - Quality of Supply, and  
 NRS 057 Electricity Metering: Minimum Requirements.

**LOCAL AUTHORITY NOTICE 34 OF 2017****CEMETERIES, CREMATORIA AND FUNERAL UNDERTAKERS BY-LAWS**

Be it enacted by the Council of Dr Pixley Ka Isaka Seme Local Municipality, in terms of section 156(2) of the Constitution of the Republic of South Africa, 1996, read with section 11(3)(m) of the Local Government: Municipal Systems Act, 2000 (Act 32 of 2000), the Minister of Environmental and Cultural Affairs having authorized the Municipality to make these by-laws, as follows:

**CHAPTER 1  
GENERAL****1. Definitions**

In these by-laws, unless the context otherwise indicates:-

**"adult"** means a deceased person over the age of 12 years and any deceased person the dimensions of whose coffin cannot be accommodated in an excavation of 1,40m in length and 400 mm in width;

**"after-hours fee"** means a fee over and above the set norm of fee for burial or cremation outside normal week day cemetery operating hours, save in the case of cremations or burials, which, because of religious belief, are undertaken after such hours, or in the case of burial, where the mourners undertake to close the grave;

**"ashes"** means the cremated remains of a body;

**"adequately ventilated and illuminated"** means adequately ventilated and illuminated as contemplated in the National Building Regulations and Standards Act, 1977 (Act No. 103 of 1977), as amended or the health bylaws applicable within the area of jurisdiction of the Council;

**"Births and Deaths Registration Act"** means the Births and Deaths Registration Act, 1992 (Act No. 51 of 1992);

**"body"** means any dead human body, including the body of a stillborn child;

**"burial"** means burial or inhumation into earth or any other form of burial and includes a tomb and any other mode of disposal of a body;

**"burial order"** means an order issued in terms of the Births and Deaths Registration Act;

**"cemetery"** means any land or part thereof within the municipal area set aside by the Council or approved by the Council as a cemetery;

**"certificate of competence"** means a document contemplated in section 33;

**"child"** means a deceased person who is not an adult;

**"Commonwealth war grave"** means any grave, tombstone, monument or memorial connected with a Commonwealth war burial in terms of the Commonwealth War Graves Act, 1992 (Act No. 8 of 1992);

**"Council"** means the Dr Pixley ka Isaka Seme Municipal Council established in terms of the relevant laws of the Republic of South Africa; or its successor in title; or a structure or person exercising a delegated power or carrying out an instruction, or an instruction given, as contemplated in section 59 of the Local Government: Municipal Systems Act, 2000 (Act No. 32 of 2000); or a service provider fulfilling a responsibility under these by-laws, assigned to it in terms of section 81(2) of the Local Government: Municipal Systems Act, or any other law, as the case may be.

**"cremation"** means the process of disposing of a human body by fire;

**"crematorium"** means a crematorium as defined in section 1 of the Ordinance and includes the buildings in which the ceremony is conducted and the cremation carried out;

**"crematorium section"** means a section of a cemetery or crematorium set aside by the Council for the burial of ashes;

**"cremated remains"** means all recoverable ashes after the cremation process;

**"environmental health officer"** means a person who is an employee of Gert Sibande District Council and who is registered with the Health Professions Council of South Africa and is designated in terms of section 31 (1) of the Health Act, 1977 (Act No. 63 of 1977);

**"exhumation"** means the removal of a body from its grave;

**"existing funeral undertaker's premises"** means existing funeral undertakers' premises, which



are used as such, on the date of commencement of these bylaws;

**"funeral undertaker's premises"** means premises that are or will be used for the preparation and or storage of corpses;

**"garden of remembrance"** means a section of a cemetery or crematorium set aside for the erection of memorial work, placing or scattering of ashes, but does not include a columbarium;

**"grave"** means any piece of land excavated for the burial of a body within a cemetery and includes the contents, headstone or other marker of such place and any other structure on or associated with such place;

**"grave of conflict"** means the grave of a person who died while defending the country;

**"hero"** means a person who performed a heroic act for the country and is given the status of a hero by the Council;

**"holder"** means the person in whose name a certificate of competence has been issued

**"indigent relief"** means assistance received for the burial or cremation of an indigent person;

**"medical officer of health"** means the officer appointed by Gert Sibande District Council or any other person acting in the capacity of the medical officer of health;

**"memorial section"** means a section of a cemetery set aside for the erection of memorials;

**"memorial wall"** means a wall in a cemetery or crematorium section provided for the placement of inscribed tablets commemorating deceased persons;

**"memorial work"** means any headstone, monument, plaque, or other work, or object, erected or intended to be erected in any cemetery or crematorium to commemorate a deceased person, and includes a kerb demarcating a grave, and a slab covering a grave;

**"municipal area"** means the area under the control and jurisdiction of the Council;

**"new funeral undertaker's premises"** means undertaker's premises that start operating as such after the date of commencement of these bylaws;

**"niche"** means a compartment in a columbarium or garden of remembrance for the placing of ashes;

**"nuisance"** means any condition, thing, act or omission which is offensive or injurious to health or which tends to prejudice the safety, good order or health of the area or part thereof;

**"officer-in-charge"** means the person in the employ of the Council who, from time to time, is in control of any cemetery.

**"pauper"** means a destitute person who has died without relatives or other person, welfare organisation or non governmental organization can be found to bear the burial or cremation costs of such deceased person;

**"prescribed"** means prescribed by the Council;

**"prescribed fee"** means a fee determined by the Council by resolution of that Council or its successor.

**"preparation"** means any action aimed at the preparation of a corpse for a funeral or for cremation, export or other disposal and will include the embalming of such corpse for the said purpose, and "prepare" and any word derived there from will have a corresponding meaning;

**"provisional certificate of competence"** means a document as referred to in section 36;

**"rodent-proof"** means rodent-proofed as laid down in the regulations regarding the Prevention of Rodent Infestation and the Storage of Grain, Forage, etc. in Urban and Rural areas of the Republic of South Africa promulgated by Government Notice R. 1411 of 23 September 1966;

**"South African Heritage Resources Agency"** means the South African Heritage Resources Agency, established in terms of section 11 of the National Heritage Resources Act, 1999 (Act No. 25 of 1999)

**"stone mason"** means a person carrying on business as a stone mason;

**"the Health Act"** means the Health Act, 1977 (Act No. 63 of 1977), and any expression to which a meaning has been assigned in the Health Act will have such meaning and, unless the context otherwise indicates; and

**"thermometer"** means an apparatus which can give the temperature readings referred to in the bylaws, the combined accuracy of such a thermometer and its temperature-sensitive sensor being approximately 0,5°C.



**"victim of conflict"** means a person defined in section 1 of the National Heritage Resources Act, 1999 (Act No. 25 of 1999).

(2) If any provision in these by-laws vests or imposes any power, function or duty of the Council in or on an employee of the Council and such power, function or duty has in terms of section 81(2) of the Local Government: Municipal Systems Act, 2000 (Act No. 32 of 2000), or any other law been assigned to a service provider, the reference to such employee must be read as a reference to the service provider or, where applicable, an employee of the service provider authorised by it.

## **CHAPTER 2**

### **ESTABLISHMENT AND MANAGEMENT OF CEMETERIES**

#### **2. Establishment of cemeteries**

(1) The Council may from time to time set aside and reserve suitable municipal land within the municipality for the establishment and management of a cemetery. The Council may consider and approve an application for the establishment and management of a cemetery. The Council may consider and approve an application for the establishment and maintaining of a private cemetery or a private columbarium on private land on the conditions that the Council may deem necessary.

(2) The Council may set aside, reserve and demarcate within a cemetery, in accordance with an approved layout plan, such areas as the Council may deem necessary for exclusive use by the members of a particular religion or denomination, or for the burial of adults, children, security forces or war heroes, or for the creation and management of the following sections:

- (a) Berm-section where memorial work of a restricted size may be erected only on a concrete base provided by the Council at the top or bottom end of a grave the top surface of graves are level and the Council will cut planted as well as natural grass as part of its maintenance program;
- (b) Monumental-section where memorial work erected must cover the entire grave area,
- (c) Semi-monumental section where memorial work, without a restriction on the size, may be erected only on a concrete base at the top end of a grave, which base will not be provided by the Council;
- (d) Natural-grass section where the surface of graves are leveled. Graves are identified by numbers affixed on top of the graves in such a way that lawnmowers can be used to cut the natural grass without damaging the numbers;
- (e) Traditional-section where memorial work does not have to cover the entire grave area, and may be erected on graves that are not supplied with a concrete base as required in the Berm-section. The surfaces of graves are level;
- (f) Columbarium-section where ashes may be buried in a niche in a memorial wall or wall of remembrance provided by the Council;

#### **3. Official hours**

- (1) The cemetery and the office of the caretaker will be open during the hours as determined by the Council. The cemetery office of the caretaker shall be open from Monday to Friday.
- (2) Burials will take place on the days and during the hours as determined by the Council.
- (3) The Council has the right to close a cemetery or any portion thereof to the public for such periods and for such reasons as the Council may deem fit
- (4) No person may be or remain in a cemetery or part thereof before or after the official hours as determined by the Council or during any period when it is closed for the public, without the permission of the caretaker.

#### **4. Register**

- (1) A register of graves and burials must be kept by the caretaker or supervisor
- (2) Such register must be completed as far as possible immediately after a burial has taken place, with reference to the prescribed particulars contained in the burial order concerned.

#### **5. Numbering of graves**

- (1) All graves in a cemetery that are occupied or for which a burial has been authorised in terms of

the provisions of this by-law must be numbered by the Council.

(2) The number must be affixed to the grave and indicated on a plan to be kept available in the caretaker's office.

#### **6. Reservation of graves**

(1) Reservation of graves made and recorded in the official records of the Council.

#### **7. Transfer of reserved rights**

(1) A reserved right as contemplated in section 6(2) may not be transferred without the prior approval of the Council.

(2) Application to transfer such right must be made to the caretaker in writing by completing and submitting a prescribed application form.

(3) If the application is granted, a certificate will be issued in favour of the transferee who will become the holder.

(4) The reserved right may be cancelled on request of the holder and if the request is approved by the Council, the amount paid by the holder (if any) minus 10% administration fees, will be refunded to the holder.

#### **8. Number of corpses in a grave**

(1) Only one corpse may be buried in a grave with measurements as contemplated in this by-law.

(2) Only two corpses may be buried in a grave with measurements as set out in sub section 14(4): Provided that application for the burial of two corpses has been made to the caretaker in writing by completing and submitting the required application form before the first corpse is buried.

(3) After the re-opening of a grave for the purpose of the burial of a second corpse as mentioned in sub-section 9(2) in that grave, a concrete layer of not less than 25 mm thick shall be cast above the coffin previously buried.

(4) If on re-opening any grave, the soil is found by the Medical Officer of Health to be offensive or dangerous to the general health of people, the situation will be handled in consultation with the Medical Officer of Health.

#### **9. Number of Corpses in a coffin**

(1) A deceased newly-born or stillborn child and his deceased mother may be buried in the same coffin at the fee for a single interment of an adult.

(2) Still-born twin babies may be buried in the same coffin at the fee for a single interment of a stillborn child.

### **CHAPTER 3 BURIALS**

#### **10. Application for a burial**

(1) Application for permission for a burial in a cemetery shall be made to the caretaker in writing by completing and submitting a prescribed application form. An application shall be accompanied by:

- (a) the prescribed burial order;
- (b) the prescribed fees; and
- (c) a reservation certificate, if applicable;

(2) No person may, without the prior written approval of the Council, execute, cause, or allow a burial in any other place in the municipality than in a cemetery established and managed by the Council. This includes the burial of a corpse, of ashes and of a cadaver.

(3) An application for permission for a burial must be submitted to the caretaker at least 24 working hours prior to the planned burial, failing which the caretaker may refuse the application.

(4) No person may execute a burial or cause or allow a burial to be executed in a cemetery, unless written permission for the burial has been obtained, a specific grave has been allocated for the purpose of the burial and a date, and time for the burial has been arranged with the caretaker.

(5) In allocating a date and time for a burial, the caretaker must have regard to the customs of the deceased's relatives and their religion or church affiliation.

(6) In allocating a grave the caretaker must, as far as practicable possible allow the responsible



person access to a plan of the cemetery showing the various sections, and allow him to select the section of his choice, but not the individual grave of his choice. The allocation of a specific grave is the sole responsibility and discretion of the caretaker and a burial will be executed only in a grave allocated by him.

(7) The Council may allow in its discretion a burial without payment of the prescribed fees in a part of a cemetery set aside for such purposes and in such manner as it may deem fit.

(8) Notice of cancellation or postponement of a burial must be submitted to the caretaker at least 4 working hours before the time set for the burial.

(9) The granting of permission for a burial and the allocation of a specific grave in a cemetery, does not give the applicant, the responsible person or any other person any right in respect of such grave other than to bury a corpse in the grave.

(10) Except with the permission of the Council, no person may place or cause any coffin constructed of any material other than natural wood or other perishable material to be placed in any grave.

#### **11. Burial of a corpse**

(1) All graves may be provided by the caretaker with the exception of brick-lined or concrete-lined graves, in which cases the brickwork or concrete work must be carried out by the undertaker under the supervision of the caretaker and in conformity with the specifications applicable to ordinary graves.

(2) There must be at least 1 200mm of soil between the top of an adult coffin and the ground surface, and at least 900mm of soil between the top of a child coffin and the ground surface.

(3) All corpses must be placed in a coffin for the burial thereof, except as provided for the Muslim community.

(4) No person may without the prior permission of the caretaker conduct any religious ceremony or service according to the rites of one denomination in any portion of a cemetery reserved by the Council in terms of the provisions of this by-law, for the use of some other denomination.

(5) No person may permit any hearse in a cemetery to leave the roads provided, and every hearse must leave the cemetery as soon as possible after the funeral for which it was engaged.

(6) Every person taking part in any funeral procession or ceremony must comply with the directions of the caretaker as to the route to be taken within the cemetery.

(7) No person may convey or expose a corpse or any part thereof in an unseemly manner in any street, cemetery or public space.

(8) Every application and every document relating to any burial must be marked with a number corresponding to the number in the register referred to in section 4 and shall be filed and preserved by the Council for a period of not less than ten years.

(9) Every coffin or body upon being placed in any grave must, at once, be covered with 500mm of earth.

(10) No person may disturb any human remains or any soil adjacent thereto in any cemetery, except where such disturbance is expressly permitted by this bylaw or by an order of court.

#### **12. Burial of ashes**

(1) Ashes may be buried in a coffin and only two such coffins containing ashes may be buried in an extra deep grave; provided that a coffin does not exceed the average body weight of 70 kg, and further-more that the grave is re-adjusted to the prescribed depth and measurements.

(2) No person may execute a burial or cause a burial of ashes to be executed in a cemetery, unless written permission for the burial has been obtained, a specific grave or niche has been allocated for the purposes of the burial and a date, and time for the burial has been arranged with the caretaker.

(3) Application for the burial of ashes for definite periods or in perpetuity, or for the provision of memorial tablets of approved material to be fixed on the building, columbarium or other facility may be made to the caretaker in writing by completing and submitting a prescribed application form.

(4) Niches will be allocated by the caretaker strictly in the order in which the applications therefore are received and no reservations for future use will be made.

(5) An application for permission for a burial must be submitted at least 24 working hours prior to the planned burial, failing which the caretaker may refuse the application.

(6) An urn or casket containing ashes that has been deposited in a building, columbarium, or other

facility may not be removed without the caretaker's prior written consent.

(7) Every niche containing ashes must be sealed by a tablet approved by the Council and may only be opened for the purpose of withdrawing an urn or casket contained therein for disposal elsewhere, or for the purpose of depositing an additional urn or casket therein where after it will once again be sealed.

(8) Application for the opening of a niche must be made to the caretaker in writing by completing and submitting a prescribed application form.

(9) No person may introduce any material into the columbarium for the purpose of constructing or erecting any memorial work therein unless and until:

- (a) approval for the burial has been obtained from Council;
- (b) approval for the erection of the memorial work has been obtained from Council; and,
- (c) the prescribed fees have been paid.

(10) Any person engaged upon any work on the columbarium, shall execute such work to the satisfaction of the caretaker, and such work must be undertaken during the official office hours of the cemetery.

(11) No permanent wreaths, sprays, flowers, or floral tributes may be placed in or on a columbarium.

(12) The columbarium may be visited daily during the official cemetery hours as determined by Council.

(13) Plaques shall be made of material approved by the Council and may be affixed simultaneously with the placing of the ashes and within 30 days of the obtaining of the consent.

### **13. Burial of a cadaver**

The remains of a corpse used at an educational institution for the education of students, generally known as a cadaver, may be buried in one coffin and two such coffins containing cadavers may be buried in an extra deep grave as contemplated in sub-section 14(4) : Provided that a coffin does not exceed the average body weight of 70 kg, and furthermore that the grave is re-adjusted to the prescribed depth and measurements.

### **14. Persons dying outside the municipal area**

The provisions of these by-laws will apply mutatis mutandis to any burial in a cemetery of a person who has died outside the municipality

### **15. Dimensions of graves**

(1) The excavation of a grave for an adult must be at least 1820mm deep, 2300mm long, and 760 mm wide.

(2) The excavation of a grave for a child must be at least 1370mm deep, 1520mm long, and 610 mm wide.

(3) In the event that a grave of a greater depth, length or width than those specified above is required, application in respect thereof, together with extra prescribed fees that are due, must be made to the caretaker together with the application to obtain permission for a burial.

(4) The excavation of an extra deep grave for the burial of two corpses shall be at least 2400mm deep, 2300mm long and 760mm wide.

(5) Deviations from measurements of graves will be as follows:

- Extra wide : 2300 mm long  
: 840 mm wide
- Extra long : 2530 mm long  
: 760 mm wide
- Rectangular small : 2300 mm long  
: 810 mm wide
- Rectangular big : 2400 mm long  
: 900 mm wide
- Brick-nogging : 2600 mm long  
: 1050 mm wide

(6) The area of a rectangular grave for an adult must be 1500mm wide by 2600mm long.

(7) The area of a grave for an adult must be 1210mm wide by 2430mm long.



(8) The area of a grave for a child must be 1210mm wide by 1520mm long. If a coffin is too large, an adult grave may be used.

#### **CHAPTER 4** **RE – OPENING OF GRAVES AND EXHUMATIONS**

##### **16. Conditions of exhumations**

- (1) No person may exhume or cause to be exhumed a body without the written consent of the:–
- (a) Premier of the Provincial Government;
  - (b) the Council;
  - (c) the provincial Department of Health;
  - (d) the Administrator of cemeteries;
  - (e) the Council's Medical Officer of Health or
  - (f) by an order of a court having jurisdiction over such matters.
- (2) Whenever an exhumation is to take place, the officer-in-charge must inform the Provincial Commissioner of the South African Police Services.
- (3) A member of the South African Police Services must always be present when an exhumation is being conducted.
- (4) An exhumation must not take place when the cemetery is open to the public and must take place under the supervision of the officer-in-charge.
- (5) If remains are to be exhumed from any grave, only the undertaker under the supervision of the officer-in-charge may cause the grave to be excavated for such exhumation;
- (6) (a) If a grave is to be excavated for exhumation, the officer-in-charge must be given 48 hours written notice before the time of exhumation, and
- (b) The authority referred to in sub-section (1)(d) of this Section and the prescribed fee must accompany such notice.
- (7) A person who wishes to exhume the remains of an indigent person must pay the costs incurred by the Council at the time of burial, to the Administrator of Cemeteries.
- (8) The person carrying out the exhumation must ensure that the body and grave are properly disinfected and deodorized.
- (9) The South African Police Services must –
- (a) if there is proof of illegal burial immediately exhume the body; and
  - (b) take it to a government mortuary for investigation.
- (10) A grave of victims of conflict and a grave which is older than 60 years may only be exhumed with the permission of the South African Heritage Resources Agency.
- (11) A Commonwealth war grave may only be exhumed in accordance with the provisions of section 3 of the Commonwealth War Graves Act, 1992.

##### **17. Exhumation and reburial**

- (1) The Council may, if a body has been buried in contravention of these By-laws, cause the body to be exhumed and re-buried in another grave.
- (2) The relatives of the deceased must be –
- (a) notified of the intended exhumation and re-burial; and
  - (b) allowed to attend.

##### **18. Screening of exhumation**

- (1) A grave from which a body is to be exhumed must be screened from the view of the public during the exhumation.
- (2) The person carrying out the exhumation must provide a suitable receptacle for each body or remains.

#### **CHAPTER 5** **MISCELLANEOUS**

##### **19. Injuries and damages**

- (1) A person using a cemetery do so at his own risk, and the Council accepts no liability whatsoever for any personal injuries sustained by such person or for any loss of or damage to such person's

property relating to or resulting from the aforementioned usage of the cemetery.

(2) A person using a cemetery accepts full responsibility for any incident, damages or injuries that may be caused by or that may result from the aforementioned use of the cemetery and he accordingly indemnifies the Council, its members, employees or agents, whether in personal or official capacity, against liability for all claims from whichever nature by himself, his dependants or third parties in respect of any patrimonial loss, consequential damages, injuries or personal prejudice that may be suffered or sustained in connection with or resulting from such a person's use of a cemetery. The aforementioned indemnity also applies to injuries sustained by employees of the Council while on duty at the cemetery, as well as damages to Council property at the cemetery.

#### **20. Fire-arms and traditional weapons**

No fire-arms and traditional weapons will be allowed in a cemetery.

#### **21. Offences and penalties**

(1) Any person contravening or failing to comply with any of the provisions of these by-laws will be guilty of an offence and will, upon conviction by a court be liable to a fine not exceeding R60 000, or imprisonment for a period not exceeding three years or both a fine as well as period of imprisonment, or such other fine or period of imprisonment which the Minister of Justice may from time to time determine in terms of the provisions of section 92 of the Magistrate's Courts Act 1944 (Act No 32 of 1944).

(2) Any expense incurred by the Council as a result of a contravention of these by-laws or in the doing of anything which a person was directed to do under these by-laws and which he or she failed to do, may be recovered by the Council from the person who committed the contravention or who failed to do such thing.

#### **22. Complaints**

Any person wishing to lodge a complaint must lodge such complaint, in writing with the Director.

#### **23. Charges**

The charges set forth in "the tariff" in respect of the various items therein contained, must be paid to the Council in advance.

#### **24. Rights on Graves**

No person may acquire any right to or interest in any ground or grave in any cemetery.

#### **25. Consents, Notices and Orders**

Any written consent, notice or other order issued by the Council in terms of these by-laws, with the exception of consent by the Director or any officer authorised by him and must be prima force evidence of the contents of such a signed consent, notice or other order.

#### **26. Religious Ceremonies**

(1) The members of any religious denomination may conduct religious ceremonies in connection with any interment of memorial service subject to the control and by-laws of the Council.

(2) No animal may be slaughtered on the premises of the cemetery regardless of any religious ceremony which may require an animal to be slaughtered.

#### **27. Hearses and vehicles at Cemeteries**

(1) No person may cause any hearse or vehicle, as defined by the Road Traffic Act, while within a cemetery to depart from the carriage drives or certain any hearse within any cemetery after the removal of the body from such hearse or vehicle. Every hearse or vehicle such removal shall leave he cemetery by the route indicated by the caretaker.

(2) The cemetery is a public place and all laws applicable to the driving of a vehicle and the use of a public road will be applicable inside the premises of the cemetery.



**28. Exposure of Bodies**

No person may convey a dead body, which is not covered, or any such body or any part thereof in any street, cemetery or public place.

**29. Instruction of Caretaker**

Every person taking part in any funeral procession or ceremony must comply with the directions of the caretaker while such person is within a cemetery.

**30. Music Inside Cemetery**

Only sacred singing will be allowed in any cemetery, except in the case of police and military funerals.

**31. Interments Attended by large Numbers of People**

In any case, where it is probable that an unusually large number of persons will be present at any interment, the person giving notice of such interment must notify the caretaker the day before the funeral.

## **CHAPTER 6 FUNERAL UNDERTAKERS**

**32. Preparation of Corpses**

(1) Corpses are to be prepared only at funeral undertaker's premises which have been issued with a certificate of competence and is in effect.

(2) Unless otherwise provided for in these bylaws, no person shall prepare and/or store any corpse except on funeral undertaker's premises which have been issued with a certificate of competence and is in effect.

**33. Exemptions**

(1) The Council may, in writing, exempt any person from compliance with all or any of these bylaws where, in the opinion of the Council, noncompliance does not or will not create a nuisance.

(2) Such exemption shall be subject to such conditions and valid for such a period as the Council may stipulate in the certificate of exemption.

**34. Application for the issue or transfer of a certificate of competence**

(1) (a) Any person wishing to apply for a certificate of competence in respect of new funeral undertaker's premises, shall cause a notice of his intention to apply for a certificate of competence to be published in English, Afrikaans and Zulu in a newspaper, that circulates in the area in which such premises will be or is situated not less than 21 days before submitting such application to the Council,

(b) Such notice must contain information to the effect that an application for the issue of a certificate of competence in terms of these bylaws is to be submitted to the Council and that any person who wishes to object to the issue of such certificate shall lodge his objection, together with substantiated representations, with the Council in writing within 21 days of the date of publication of such notice.

(2)(a) An application for the issue of a certificate of competence shall be made in writing by the applicant or his authorized representative to the Council, on the prescribed form.

(b) An application for the issue of a certificate of competence shall be accompanied by:

- (i) a description of the premises and the location thereof; including equipment, storage facilities, description of areas to be used to prepare corpses and toilet facilities;
- (ii) a complete ground plan of the proposed construction or of existing funeral undertaking premises on a scale of 1:100 including the effluent disposal system;
- (iii) a plan of the premises on which north is shown and which also indicates adjacent premises already occupied by the applicant or other persons and the purpose for which such premises are being utilised or are to be utilised;
- (iv) particulars of any person other than the applicant or any of his employees who prepares or will prepare corpses on the premises;
- (v) a contingency plan for the storage of corpses in the event of a refrigeration or cold room breakdown or power failure that will have the effect of causing the thermometer of

refrigeration or cold room to pass the point marked 0,5°C;

(vi) an original pest control certificate, not older than 15 from date of application, signed by a person qualified and competent to do so, certifying that the funeral existing undertakers premises or the proposed funeral undertakers premises is free of pests which may carry diseases detrimental to human health and that such premises, as the case may be, are rodent-proof;

(vii) proof of the published advertisement as contemplated in Section 33 (1) (a) above, and;

(viii) a suggested or current cleansing and disinfection system of the funeral undertaking premises.

(3) The Council, when considering issuing a certificate of competence, may request from the applicant or any other person any such further information required.

(4) The Council may not issue or transfer a certificate of competence unless a complete inspection of the premises concerned has been carried out by a medical officer of health or an environmental health officer appointed by the Council and his report on such inspection, including his recommendation on such issue or transfer, is in the possession of the Council.

### **35. Issue or transfer of certificate of competence**

When the Council is satisfied that the premises concerned:-

(1) complies with all requirements laid down in these bylaws and any other applicable legislation;

(2) are in all respects suitable for the preparation of corpses; and

(3) will not be offensive to any occupants of premises in the immediate vicinity of such premises, it may, on conditions as it may determine in respect of the funeral undertaker's premises concerned, issue a certificate of competence in the name of the applicant in such form as it may determine or may, by endorsement, transfer an existing certificate of competence to a new holder, as the case may be.

### **36. Validity and transfer of certificate of competence**

A certificate of competence, excluding a provisional certificate of competence, may, on endorsement by the Council, be transferable from one holder to a new holder and such certificate may, if so endorsed, be valid from the date on which it was issued until it is revoked or suspended in terms of these bylaws.

### **37. Issue of provisional certificate of competence**

(1) Notwithstanding the fact that if the Council is not satisfied as contemplated in section 34 with regard to funeral undertaker's premises in respect of which a certificate of competence has been applied for, the Council may, in the case of existing funeral undertaker's premises and subject to such conditions as Council may determine, issue a provisional certificate of competence in respect of such premises.

(2) A certificate referred to in subsection (a) will only be issued if the Council is satisfied that the use of such funeral undertaker's premises does not and will not create a nuisance, and will be issued for a maximum period of six months to enable the applicant to alter such premises in order to comply with the provisions of these bylaws.

(3) If, after the period referred to in subsection (b), the premises do not comply with the provisions of these bylaws, the Council may revoke the provisional certificate of competence.

## **CHAPTER 7 REPEAL OF BY-LAWS**

### **37. Repeal of By-Laws**

The Council's existing **CEMETERIES, CREMATORIA AND FUNERAL UNDERTAKERS BY-LAWS** are hereby repealed.

## **CHAPTER 8 SHORT TITLE OF BY-LAW**

### **38. Short title of the By-law**

(1) These by-laws will be called the Cemetery, Crematoria and Funeral Undertakers By-laws 2017.









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